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# City of Grand Island



**Tuesday, April 25, 2017**  
**Council Session Packet**

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**City Council:**

**Linna Dee Donaldson**  
**Michelle Fitzke**  
**Chuck Haase**  
**Julie Hehnke**  
**Jeremy Jones**  
**Vaughn Minton**  
**Mitchell Nickerson**  
**Mike Paulick**  
**Roger Steele**  
**Mark Stelk**

**Mayor:**

**Jeremy L. Jensen**

**City Administrator:**

**Marlan Ferguson**

**City Clerk:**

**RaNae Edwards**

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**7:00 PM**  
**Council Chambers - City Hall**  
**100 East 1st Street**

### **Call to Order**

This is an open meeting of the Grand Island City Council. The City of Grand Island abides by the Open Meetings Act in conducting business. A copy of the Open Meetings Act is displayed in the back of this room as required by state law.

The City Council may vote to go into Closed Session on any agenda item as allowed by state law.

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**Invocation - Pastor Edgar Schambach, St. Pauls Lutheran Church, 1515 South Harrison Street**

**Pledge of Allegiance**

**Roll Call**

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### **A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS**

Individuals who have appropriate items for City Council consideration should complete the Request for Future Agenda Items form located at the Information Booth. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given.

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### **B - RESERVE TIME TO SPEAK ON AGENDA ITEMS**

This is an opportunity for individuals wishing to provide input on any of tonight's agenda items to reserve time to speak. Please come forward, state your name and address, and the Agenda topic on which you will be speaking.



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item E-1

### **Public Hearing on Acquisition of Utility Easement - 2241 N. Diers Avenue - Menard**

*Council action will take place under Consent Agenda item G-5.*

Staff Contact: Tim Luchsinger, Stacy Nonhof

# **Council Agenda Memo**

**From:** Tim Luchsinger, Utilities Director  
Stacy Nonhof, Assistant City Attorney

**Meeting:** April 25, 2017

**Subject:** Acquisition of Utility Easement – 2241 N. Diers Ave - Menard

**Presenter(s):** Timothy Luchsinger, Utilities Director

## **Background**

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire utility easement relative to the property of John R. Menard, through a part of Lot One (1) and Lot Two (2), Menard Eighth Subdivision, in the City of Grand Island, Hall County, Nebraska (2241 N. Diers Avenue), in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

## **Discussion**

A new retail tire store is proposed to be built at 2241 N. Diers Avenue. The Utilities Department has an existing easement located across the property. To accommodate construction of the new building, the existing high voltage underground power line needs to be relocated. The proposed easement provides the location and access for the installation, operation and maintenance of the relocated power line that serves existing infrastructure and the transformer for the new development.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue



### **Recommendation**

City Administration recommends that the Council approve the resolution for the acquisition of the easement for one dollar (\$1.00).

### **Sample Motion**

Move to approve acquisition of the Utility Easement.

Menard Sixth Subdivision

Lot 3

Diers Avenue

Menard  
Second  
Lot 9  
Sub.

Lot 2

Lot 1

Menard  
Lot 1  
Seventh  
Sub.

### Description

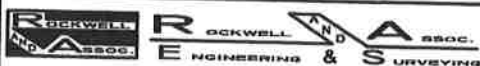
A Sixteen (16.0) foot wide strip of land consisting of the northerly Eight (8) feet of Lot One (1) and the southerly Eight (8.0) feet of Lot Two (2), all in Menard Eighth Subdivision, in the City of Grand Island, Hall County, Nebraska, said tract containing 0.07 acres more or less.

### Menard Eighth Subdivision Easement To Be Dedicated

U.S. Highway No. 281



Scale: 1" = 60'



2510 NORTH WEBB ROAD, GRAND ISLAND, NEBRASKA 68802 P.O. BOX 548  
E-MAIL: surveyor@ccusa.net PHONE (308) 382-1472 FAX (308) 382-1423

Sheet No. 1 Of 1



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item E-2

### **Public Hearing on Acquisition of Utility Easement at 1729 North St Paul Road (Rico)**

*Council action will take place under Consent Agenda item G-7.*

Staff Contact: John Collins, P.E. - Public Works Director

# **Council Agenda Memo**

**From:** John Collins PE, Public Works Director

**Meeting:** April 25, 2017

**Subject:** Public Hearing on Acquisition of Utility Easement at 1729 North St Paul Road (Rico)

**Presenter(s):** John Collins PE, Public Works Director

## **Background**

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council.

A public utility easement is needed from the property owner of 1729 North St Paul Road to accommodate sanitary sewer service to 1731 1733 St Paul Road from the City's sanitary sewer main. The easement will allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easement.

## **Discussion**

To allow for the accommodation of public utilities, mainly sanitary sewer, to serve 1731 1733 St Paul Road it is requested that a utility easement be acquired by the City of Grand Island according to the attached sketch from the property owner of 1729 North St Paul Road.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

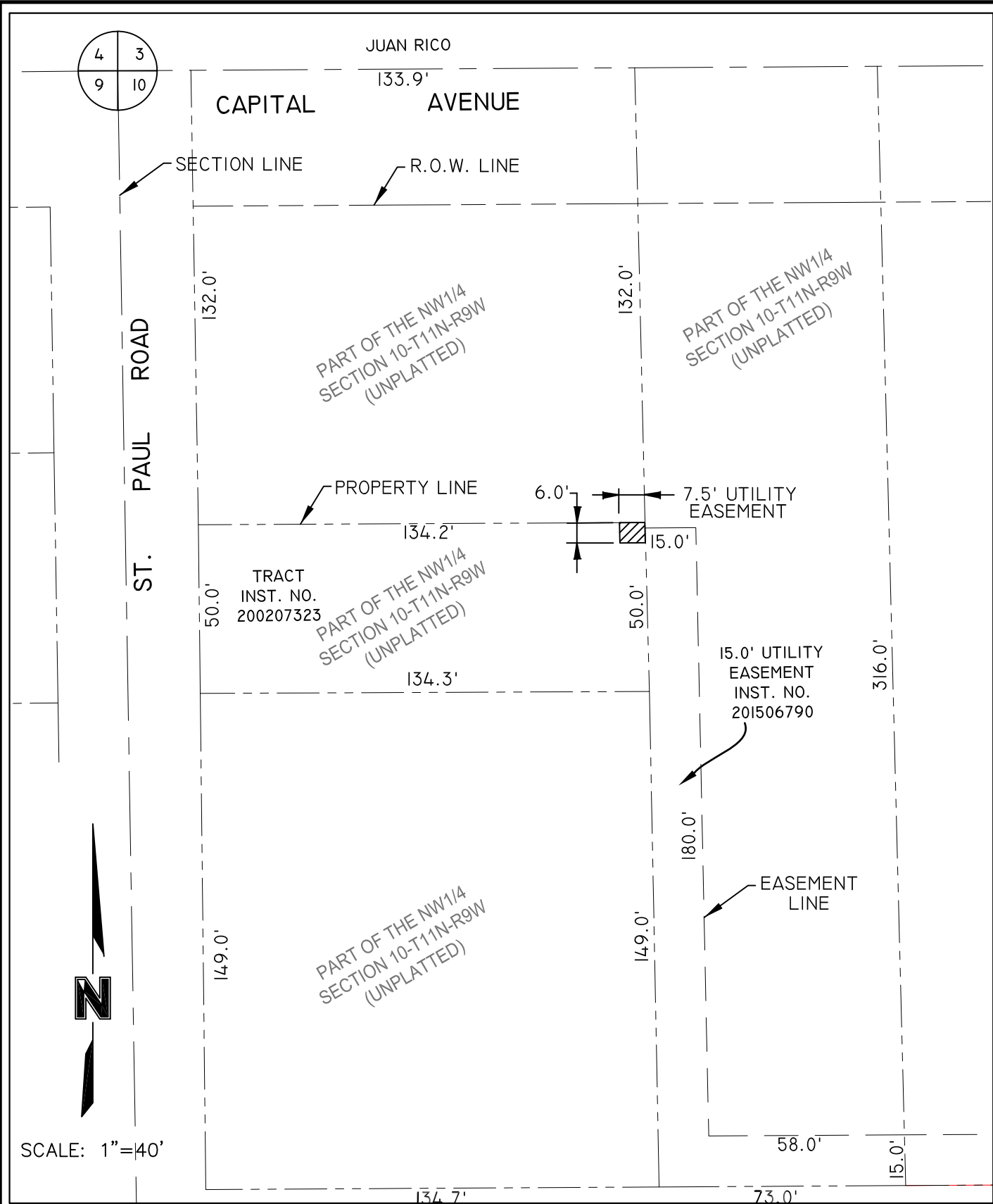
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council conduct a Public Hearing and approve the acquisition of the easement.

## **Sample Motion**

Move to approve the acquisition of the easement.



DESCRIPTION OF 7.5' UTILITY EASEMENT:

A 7.5 FEET UTILITY EASEMENT BEING THE EAST 7.5 FEET OF THE NORTH 6.0 FEET THEREOF, OF PART OF MISCELLANEOUS TRACT LOCATED IN PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W1/2, NW1/4) OF SECTION 10-T11N-R9W OF THE 6TH P.M., SAID TRACT ALSO DESCRIBED IN INST. NO. 200207323, FILE DATE JULY 12, 2002, AND IN INST. NO. 201506790, FILE DATE OCTOBER 2, 2015, REGISTER OF DEEDS, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA.

SAID EASEMENT CONTAINS A CALCULATED AREA OF 45.0 SQUARE FEET OR 0.001 ACRES MORE OF LESS.

MARCH 24, 2017

GRAND ISLAND, HALL COUNTY NEBRASKA	 CITY OF <b>GRAND ISLAND</b> PUBLIC WORKS DEPARTMENT	EXHIBIT A
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# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item E-3

### **Public Hearing on Acquisition of Drainage/Utility Easement at 2535 & 2541 Idaho Avenue (Hastings Ventures, LLC)**

*Council action will take place under Consent Agenda item G-8.*

Staff Contact: John Collins, P.E. - Public Works Director

# **Council Agenda Memo**

**From:** John Collins PE, Public Works Director  
**Meeting:** April 25, 2017  
**Subject:** Public Hearing on Acquisition of Drainage/Utility Easement at 2535 & 2541 Idaho Avenue (Hastings Ventures, LLC)  
**Presenter(s):** John Collins PE, Public Works Director

## **Background**

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council.

A public drainage/utility easement is needed within the properties addressed as 2535 Idaho Avenue and 2541 Idaho Avenue to accommodate further development of the Woodland Park 16<sup>th</sup> Subdivision. The easement will allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easement.

## **Discussion**

To allow for further development and the accommodation of public utilities it is requested that a drainage/utility easement be acquired by the City of Grand Island according to the attached sketch. Such easement will be within the properties addressed as 2535 Idaho Avenue and 2541 Idaho Avenue.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council conduct a Public Hearing and approve the acquisition of the easement.

## **Sample Motion**

Move to approve the acquisition of the easement.







# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item E-4

### **Public Hearing on the Development of 2017-2018 Annual Action Plan for CDBG Activities**

*Council action will take place under Request and Referrals item H-1.*

Staff Contact: Charley Falmlen

# **Council Agenda Memo**

**From:** Charley Falmlen, Community Development

**Meeting:** April 25, 2017

**Subject:** Public Hearing on the Development of 2017-2018  
Annual Action Plan for CDBG Activities

**Presenter(s):** Charley Falmlen, Community Development  
Administrator

## **Background**

Grand Island became an Entitlement Community in September 2015. A large part of the planning process for this Community Development Block Grant (CDBG) model is the creation of the 3, 4 or 5-year Consolidated Plan, and the Annual Action Plan. The Consolidated Plan represents the City's goals for CDBG funding in broad scope, it identifies the areas and focus of CDBG priorities.

The City has chosen to complete a 3-year Consolidated Plan which is currently in place and covers the time period of 2016-2018. The Five Priorities outlined in the Consolidated Plan are as follows in order of identified importance:

- Increase Quality & Affordable Housing Options
- Cultivate Small and Emerging Businesses
- Support Public Services for Neighborhoods and Vulnerable Populations
- Improve Public Facilities
- Create Re-Investment Opportunities in Downtown

The Annual Action Plan breaks down the priorities and lists specific dollar amounts and which projects will be funded in the assigned year. A separate Annual Action Plan is prepared for each Fiscal Year. The public hearing today is to discuss the planned programs for the 2017-2018 Annual Action Plan.

## **Discussion**

Projects being considered for the 2017 Annual Action Plan are outlined in the Power Point presentation.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Accept the Development of 2017-2018 Annual Action Plan for CDBG Activities.
2. Do not accept the Development of 2017-2018 Annual Action Plan for CDBG Activities.

## **Recommendation**

City Administration recommends that the Council accept the Development of 2017-2018 Annual Action Plan for CDBG Activities.

## **Sample Motion**

Move to accept the Development of 2017-2018 Annual Action Plan for CDBG Activities.

**March 22, 2016**

**Development of 2017 Action Plan for  
CDBG Activities**

## Objective

To inform the public of the priorities identified by the Community Needs Assessment and the planned priorities for CDBG funding through the 2017 Annual Action Plan.

HUD requires the Community Development Division to hold one public hearing during the planning process, and another once the plan is complete and ready for submission.

## Overview

HUD has yet to announce the City of Grand Island's funding allocation for the program year to begin on October 1, 2017. However, it is necessary to begin planning processes, despite the delayed allocation announcement, to allow the City adequate time to prepare the Annual Action Plan. Because of this factor, this presentation and public hearing will only discuss projects, and not their actual allocations of funds.

For the current program year, the City received \$348,927 in CDBG Funds for fiscal year 2017.

Community Development has also created a Stakeholders group to serve as a consultation body during the process of deciding on CDBG funding amounts.

The next public hearing which will review the exact dollar amounts for each project will be held in late June or early July.

## The Funding Priorities

To gain perspective on the City's goals for funding priorities over the next 3 years, and to meet the consultation requirements of the Consolidated Plan, the City identified the following five priorities listed in order of priority:

- Increase Quality & Affordable Housing Options
- Cultivate Small and Emerging Businesses
- Support Public Services for Neighborhoods and Vulnerable Populations
- Improve Public Facilities
- Create Re-Investment Opportunities in Downtown

## **Prospective Projects**

At this point and time the City is planning on implementing three projects with 2017-2018 CDBG funding. These projects include:

- ADA Accessible Playground Equipment for Lion's Club Park
- Continuation of Small Business Rental Assistance Program through Railside
- Continuation of the Public Service Grant (Previously called the Continuum of Care Grant)

At this point and time, it is anticipated that the implementation of the Lion's Club Park portion of the project will take up a vast majority of the funds and is anticipated to cost over \$200,000.





# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item F-1

**#9630 - Consideration of Vacation of Drainage/Utility Easement in Woodland Park 16th Subdivision; 2629 Idaho Avenue (Hastings Ventures, LLC)**

Staff Contact: John Collins, P.E. - Public Works Director

# **Council Agenda Memo**

**From:** John Collins PE, Public Works Director

**Meeting:** April 25, 2017

**Subject:** Consideration of Vacation of Drainage/Utility Easement in Woodland Park 16<sup>th</sup> Subdivision; 2629 Idaho Avenue (Hastings Ventures, LLC)

**Presenter(s):** John Collins PE, Public Works Director

## **Background**

A drainage/utility easement was dedicated with the plat of Woodland Park Twelfth Subdivision and filed with Hall County Register of Deeds on September 14, 2012 as Document No. 201207676.

## **Discussion**

The subdivision developer, Hastings Ventures, LLC, is requesting to vacate such dedicated easement that now lies within Woodland Park 16<sup>th</sup> Subdivision. A portion of Woodland Park Twelfth was re-subdivided which created Woodland Park 16<sup>th</sup> Subdivision. There are no utilities currently or proposed within this easement that will be affected by the vacation. The attached sketch details the referenced easement to be vacated.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council pass an ordinance vacating the sanitary sewer easement located in Woodland Park 16<sup>th</sup> Subdivision.

## **Sample Motion**

Move to pass an ordinance vacating the easement.

ORDINANCE NO. 9630

An ordinance to vacate an existing drainage/utility easement and to provide for filing this ordinance in the office of the Register of Deeds of Hall County, Nebraska; to repeal any ordinance or parts of ordinances in conflict herewith, and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. That existing drainage/utility easement located in Woodland Park 16<sup>th</sup> Subdivision, in the City of Grand Island, Hall County, Nebraska and more particularly described as follows:

*The south 10 feet of the north 20 feet of Lot 2, Woodland Park Sixteenth Subdivision; excluding the west 5 feet and the east 20 feet of Said Lot 2*

is hereby vacated. Such easement to be vacated is shown and more particularly described on Easement Vacation Exhibit 1 attached hereto.

SECTION 2. The title to the property vacated by Section 1 of this ordinance shall revert to the owner or owners of the real estate upon which the easement is located.

SECTION 3. This ordinance is directed to be filed, with the drawing, in the office of the Register of Deeds of Hall County, Nebraska.

Approved as to Form	▣ _____
April 21, 2017	▣ City Attorney

ORDINANCE NO. 9630 (Cont.)

SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: April 25, 2017

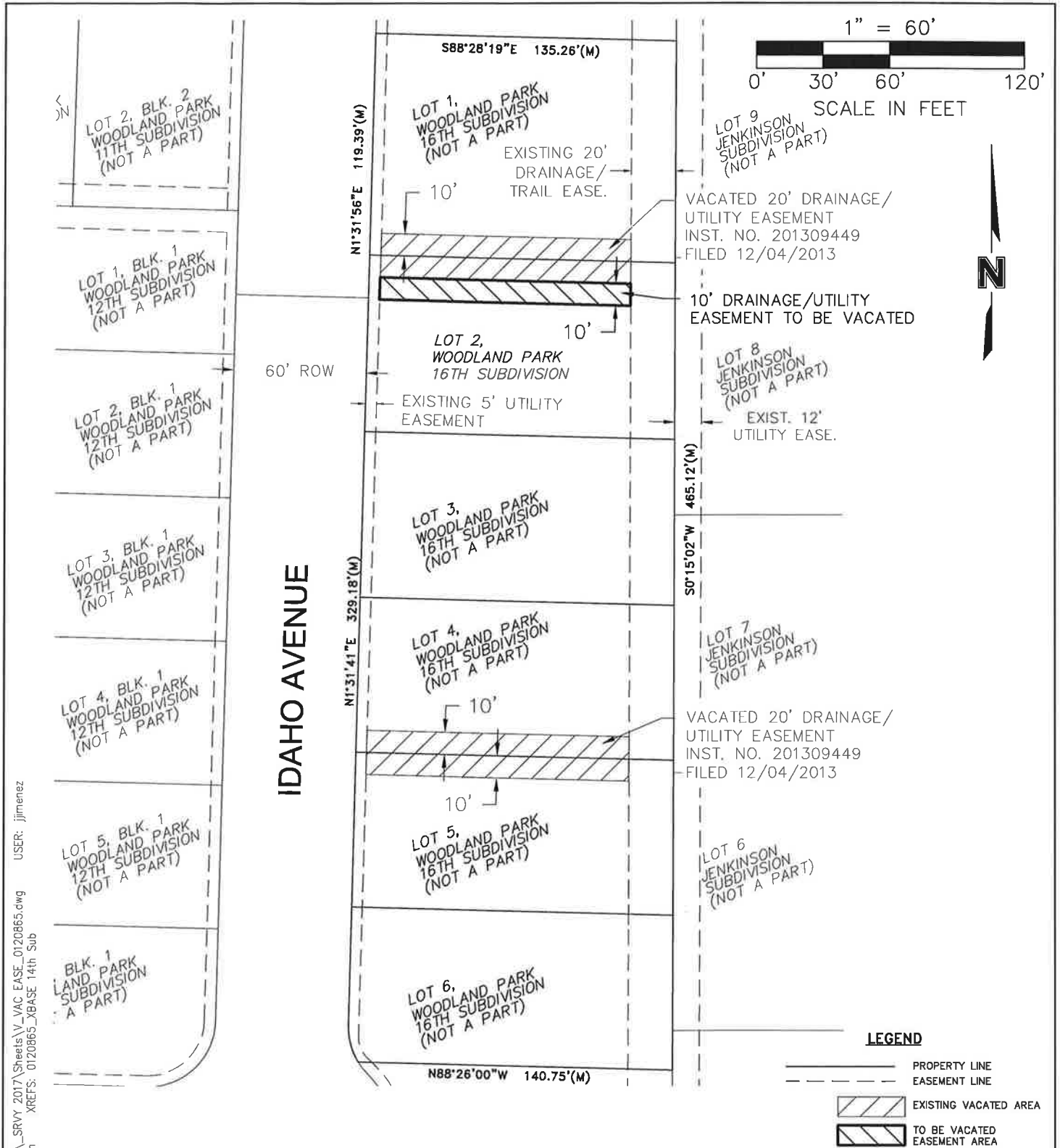
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Jeremy L. Jensen, Mayor

Attest:

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RaNae Edwards, City Clerk



**A DRAINAGE/UTILITY EASEMENT VACATION IN LOT 2, WOODLAND PARK 16TH SUB.:**  
 A DRAINAGE/ UTILITY EASEMENT TO BE VACATED BEING THE SOUTH 10 FEET OF  
 THE NORTH 20 FEET OF LOT 2, WOODLAND PARK SIXTEENTH SUBDIVISION;  
 EXCLUDING THE WEST 5 FEET AND THE EAST 20 FEET OF SAID LOT 2.

PROJECT NO: 2012-0865	<b>EASEMENT VACATION</b>	<b>MOLSSON ASSOCIATES</b>	201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750 FAX 308.384.8752	EXHIBIT
DRAWN BY: JMJ				1
DATE: 03.15.2017				



# **City of Grand Island**

**Tuesday, April 25, 2017**

**Council Session**

## **Item G-1**

### **Approving Minutes of April 11, 2017 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

April 11, 2017

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on April 5, 2017. Notice of the meeting was given in *The Grand Island Independent* on March 22, 2017.

Mayor Jeremy L. Jensen called the meeting to order at 7:00 p.m. The following City Council members were present: Mitch Nickerson, Mark Stelk, Chuck Haase, Julie Hehnke, Linna Dee Donaldson, Michelle Fitzke, Vaughn Minton, Roger Steele, and Mike Paulick. Councilmember Jeremy Jones was absent. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, Finance Director Renae Griffiths, City Attorney Jerry Janulewicz, and Public Works Director John Collins.

Mayor Jensen introduced Community Youth Council member Sarah Sugita.

INVOCATION was given by Youth Pastor Adam Brock, Stolley Park Church of Christ, 2822 West Stolley Park Road followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Child Abuse Prevention Month" April 2017. Mayor Jensen proclaimed the month of April 2017 as "Child Abuse Prevention Month". Donna Helzer representing the Association of Child Abuse Prevention was present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Request from Prairie Pride Brewing Company, LLC dba Prairie Pride Brewing Company, 115 E. South Front Street for a Class "C" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "C" Liquor License had been received from Prairie Pride Brewing Company, LLC dba Prairie Pride Brewing Company, 115 E. South Front Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on March 27, 2017; notice to the general public of date, time, and place of hearing published on April 1, 2017; notice to the applicant of date, time, and place of hearing mailed on March 27, 2017; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. Amos Anson, 4234 Arizona Avenue spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 750 Allen Drive - Allen Phase III LLC. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 750 Allen Drive was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would provide for the installation, operation and maintenance of high voltage power lines and a transformer to serve a new medical facility. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 4171 Nevada Avenue - Blackburn. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 4171 Nevada Avenue was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would provide for the installation, operation and maintenance of new underground power lines across a residential lot on the south side of Nevada Avenue and east of Independence Avenue for the property owner who is in the process of remodeling their home and upgrading their electric service. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 4179 Nevada Avenue - Greamy, LLC. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 4179 Nevada Avenue was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would provide for the installation, operation and maintenance of new underground power lines across a residential lot on the south side of Nevada Avenue and east of Independence Avenue for the adjacent property owner who is in the process of remodeling their home and upgrading their electric service. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 4480 Gold Core Drive - Inland Truck Parts Company. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 4480 Gold Core Drive was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would provide for the installation, operation and maintenance of high voltage underground power lines and pad-mount transformer to serve a new commercial/retail facility. Staff recommended approval. No public testimony was heard.

#### ORDINANCES:

Councilmember Minton moved “that the statutory rules requiring ordinances to be read by title on three different days are suspended and that ordinance numbered:

#9629 - Consideration of Creation of Sanitary Sewer District No. 540T; West US Highway 30 & Engleman Road / West Park Plaza Sanitary Sewer Extension

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of this ordinance on second reading and then upon final passage and call for a roll call vote on each reading and then upon final passage.” Councilmember Nickerson seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Public Works Director John Collins reported that this tap district would serve areas that were not yet developed along west US Highway 30. This sanitary sewer district would place infrastructure prior to the new realignment project on west US Highway 30 scheduled for construction in 2020. Sewer would become available to approximately 250 properties, the majority within the West Park Plaza Mobile Home Park. Staff recommended approval.



Motion by Paulick, second by Hehnke to approve Ordinance #9629.

City Clerk: Ordinance #9629 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9629 on second and final reading. All those in favor of the passage of this ordinance on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9629 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-11 and G-13 (Resolution #2017-108 and #2017-110) were removed for further discussion. Motion by Donaldson, second by Minton to approve the Consent Agenda excluding items G-11 and G-13. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of March 28, 2017 City Council Regular Meeting.

Approving Minutes of April 4, 2017 City Council Study Session.

Approving Liquor Manager Designation for Jay Gates, 6220 Thompson Creek Boulevard, Lincoln, Nebraska for Applebee's Neighborhood Grill & Bar, 721 Diers Avenue.

Approving Liquor Manager Designation for Alexander Briner, 1314 14th Street, Aurora, Nebraska for Prairie Pride Brewing Company, 115 E. South Front Street - Class "LK-116938" Liquor License.

#2017-102 - Approving Request from Request from Prairie Pride Brewing Company, LLC dba Prairie Pride Brewing Company, 115 E. South Front Street for a Class "C" Liquor License and Liquor Manager Designation for Alexander Briner, 1314 14th Street, Aurora, Nebraska.

#2017-103 - Approving Final Plat and Subdivision Agreement for Meadowlark West 10th Subdivision. It was noted that Allen Phase III, LLC, owner, had submitted the Final Plat and Subdivision Agreement for Meadowlark West 10<sup>th</sup> Subdivision located north of Faidley Avenue and east of Highway 281 for the purpose of creating 2 lots on 2.945 acres.

#2017-104 - Approving Acquisition of Utility Easement - 750 Allen Drive - Allen Phase III LLC.

#2017-105 - Approving Acquisition of Utility Easement - 4171 Nevada Avenue – Blackburn.

#2017-106 - Approving Acquisition of Utility Easement - 4179 Nevada Avenue - Greamy, LLC.

#2017-107 - Approving Acquisition of Utility Easement - 4480 Gold Core Drive - Inland Truck Parts Company.

#2017-108 - Approving Construction of Vehicle Storage Building at 1306 W. 3rd Street with Chief Construction Company of Grand Island, Nebraska in an Amount of \$372,613.00. Utilities Director Tim Luchsinger answered questions regarding the size of the building which would be 60' x 120' and why a new building versus a fence and cameras. He stated keeping the vehicles inside was a factor and better for the life of the vehicles. Comments were made regarding the cost of the building at this time while trying to balance the budget.

Motion by Nickerson, second by Stelk to approve Resolution #2017-108. Upon roll call vote, Councilmembers Paulick, Minton, Fitzke, Donaldson, Hehnke, and Nickerson voted aye. Councilmembers Steele, Haase, and Stelk voted no. Motion adopted.

#2017-109 - Approving Purchase of Distribution Transformers from Cahoon Sales, Inc. of Iowa City, Iowa; Central Moloney, Inc. of Pine Bluff, Arkansas; and Kriz-Davis Company of Grand Island, Nebraska.

#2017-110 - Approving State Bid Award for Two (2) 2017 Chevrolet Pickups for the Wastewater Division of the Public Works Department from Husker Auto Group of Lincoln, Nebraska in an Amount of \$44,468.77 and \$30,442.28. Comments were made regarding a fleet management plan.

Motion by Paulick, second by Stelk to approve Resolution #2017-100. Upon roll call vote, Councilmembers Paulick, Steele, Minton, Fitzke, Donaldson, Hehnke, Stelk, and Nickerson voted aye. Councilmember Haase voted no. Motion adopted.

#2017-111 - Approving Bid Award for Curb Ramp Project No. 2017-CR-2 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$150,354.00.

#2017-112 - Approving Amendment No. 1 to Engineering Consulting Services Related to W Stolley Park Rd and Engleman Rd Sanitary Sewer Extension; Project No. 2017-S-3 and Sanitary Sewer District No. 540T; W US Highway 30 and Engleman Rd/West Park Plaza Sanitary Sewer Extension with Olsson Associates of Lincoln, Nebraska for an Increase of \$18,242.00 and a Revised Contract Amount of \$117,082.00.

#2017-113 - Approving Request from Grand Island Substance Abuse Prevention Coalition/Tobacco Free Hall County for Permission to Use City Streets/Trails and State Highway for the Outrun Addiction Family Fun Run.

#2017-114 - Approving Purchase of 911 Voice/Data Logging Recorder from Sole Source Provider Wahltek, Inc. of Des Moines, Iowa in an Amount of \$32,280.00.

#2017-115 - Approving Police Department 21-Month Victims of Crime Act (VOCA) Grant Application.

#2017-116 - Approving Change Order No. 3 for Veterans Restroom Concession Stand Building with Mid Plains Construction Co. of Grand Island, Nebraska for an Increase of \$10,016.00 and a Revised Contract Amount of \$263,644.00.

REQUESTS AND REFERRALS:

Consideration of Forwarding Blighted and Substandard Area #23 (Tim Plate) to the Hall County Regional Planning Commission. Regional Planning Director Chad Nabity reported that Tim Plate had submitted the Substandard and Blight Study for Area #23 located south of Memorial Drive and east of Vine Street containing 1.28 acres. If the blight and substandard designation was approved a TIF application for residential development on the back lot for the costs associated with the extension of sewer and water would be submitted.

Keith Marvin with Marvin Planning Consultant spoke in support. Discussion was held concerning this property being land locked.

Motion by Minton, second by Paulick to approve the request as presented. Upon roll call vote, Councilmembers Paulick, Steele, Minton, Fitzke, Hehnke, Haase, Stelk, and Nickerson voted aye. Councilmember Donaldson voted no. Motion adopted.

RESOLUTIONS:

#2017-117 - Consideration of Approving Contract for Preparation of a Redevelopment Plan for Former Central Nebraska Veterans Home Land. City Administrator Marlan Ferguson reported that in 2016, the State of Nebraska conveyed to the City of Grand Island various tracts of real estate that were a part of the Central Nebraska Veterans Home. The property conveyed included tracts north of Nebraska Highway 2 between Broadwell Avenue and Webb Road and South of Highway 281 as well as the agricultural lands south of Highway 2 and north of Capital Avenue. The City issued an RFP seeking proposals from a qualified consulting firm to assist in the development of a reuse plan for these lands. Olsson Associates, Inc. of Grand Island, Nebraska was selected as the preferred consultant in an amount not-to-exceed \$94,000.00. Staff recommended approval.

Jeff Palik, Project Manager with Olsson Associates commented on the project. Mayor Jensen commented on their being two phases with the current buildings on the property being in the second phase.

Motion by Minton, second by Donaldson to approve Resolution #2017-117. Upon roll call vote, all voted aye. Motion adopted.

#2017-118 - Consideration of Approving Bid Award for Sports Facility Expansion Design Services at Veteran's Athletic Field Complex. Parks and Recreation Director Todd McCoy reported that expanding the Veterans Athletic Field Complex would alleviate scheduling conflicts with local leagues and provide facilities to keep pace with the growing demand of area competitive sports teams. With the improvements, the complex would be a desirable location for state and regional tournaments. City Administration recommended building six youth

multipurpose baseball/softball fields, concessions, restrooms, additional parking, connecting Eagle Scout Park from the north, and adding a splash pad. The total estimated cost for the project including design, contingency, and construction was \$6,490,682.00.

Staff recommended contracting with Olsson Associates of Grand Island, Nebraska to provide design services, prepare construction documents, and oversee expansion for the project in the amount of \$375,000.00. This project would be paid with Food and Beverage funds.

Brock Culler, 1014 South Plum Street and Robert Jaros, 518 E. Ashton Avenue with the Grand Island youth Baseball Association spoke in support. Mayor Jensen commented on the Commission meetings that had been held. Mr. McCoy stated they were looking at this project being fast tracked and having construction starting yet this year.

Discussion was held regarding funding through the Food & Beverage tax. Finance Director Renae Griffiths answered questions regarding the funding and borrowing money for this project. Additional operating costs were mentioned. Mayor Jensen commented on a public/private partnership. Mr. McCoy answered questions concerning parking and stated they would have over flow parking available.

Motion by Minton, second by Paulick to approve Resolution #2017-118. Upon roll call vote, Councilmembers Paulick, Steele, Minton, Fitzke, Donaldson, Hehnke, Stelk, and Nickerson voted aye. Councilmember Haase voted no. Motion adopted.

#2017-119 – Consideration of Approving Resolution Authorizing Amendment of the Conservation Easement with Respect of Tract #32, South Locust Street/I-80 Interchange Project. City Attorney Jerry Janulewicz reported that the owner of Tract #32 entered into a real estate purchase agreement with a buyer. The owner and buyer are requesting the conservation easement be amended, as the easement does not specifically provide authorization to use this 13 acre tract for a single-family residence even though a residence existed on the property when the easement was acquired. The buyer has plans to remove the existing residence and construct a new residence on the property. Staff recommended approval.

Beth Wood, 203 West 7<sup>th</sup> Road, Doniphan and Sheila Hulme, 4014 Mason Avenue spoke in support.

Motion by Nickerson, second by Donaldson to approve Resolution #2017-119. Upon roll call vote, all voted aye. Motion adopted.

#### PAYMENT OF CLAIMS:

Motion by Minton, second by Hehnke to approve the Claims for the period of March 29, 2017 through April 11, 2017 for a total amount of \$3,819,935.24. Upon roll call vote, Councilmembers Steele, Minton, Donaldson, Haase, Jones, Stelk, and Nickerson voted aye. Motion adopted. Councilmember Paulick abstained.

Councilmember Haase questioned a claim in the amount of \$30,000 to Wells Fargo for bond closing costs. Finance Director Renae Griffiths stated she would look up the information and get it to him.

ADJOURNMENT: The meeting was adjourned at 8:49 p.m.

RaNae Edwards  
City Clerk



# **City of Grand Island**

**Tuesday, April 25, 2017**

**Council Session**

## **Item G-2**

**Receipt of Official Documents – Pawnbroker’s Official Bonds for  
G.I. Loan Shop, 1004 West 2nd Street and Express Pawn, 645  
South Locust Street**

**Staff Contact: RaNae Edwards**

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk  
**Meeting:** April 25, 2017  
**Subject:** Approving Renewal of Pawnbrokers Official Bond  
**Presenter(s):** RaNae Edwards, City Clerk

## **Background**

Chapter 25 of the Grand Island City Code requires that all persons who shall engage in the business of pawnbroker are required to make application to the Mayor and City Council. Along with the application and fee, a bond is required which is to be approved by the Mayor and City Council. Each license expires on April 30th of each year and must be renewed prior to that date.

## **Discussion**

G.I. Loan Shop, 1004 West Second Street and Express Pawn, 645 South Locust Street has submitted their application, fee, and bond for renewal of their pawnbroker's license. (See attached)

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve the renewals
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council approve the application and bond for renewal of pawnbroker's license.

## **Sample Motion**

Move to approve the renewal applications and bonds for G.I. Loan Shop, 1004 West 2<sup>nd</sup> Street and Express Pawn, 645 South Locust Street.



## Pawnbroker's License Application

Business Owner Name: Darbo Beazley  
 Business Owner Address: 1810 Hwy 58 Dannebrog Ne 68831  
 Business Manager Name: Patricia Beazley  
 Business Manager Address: 1810 Hwy 58 Dannebrog Ne 68831  
 Business Street Address: 1004 W 2nd Grand Island Ne 68801  
 Telephone: 308-382-9573

Location of storage of goods if kept at location other than business location:

\_\_\_\_\_

List all criminal convictions (except minor traffic infractions) of owner, manager, or all officers and shareholders (if applicant is a corporation):

Offense	Location of Court	Conviction Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

If additional space is required, continue on back of the application.

### Additional Documents Required:

1. All applicants must include bond to the City of Grand Island in the sum of \$5,000 with the application.
2. All corporate applicants must attach a copy of Articles of Incorporation and list of officers/shareholders.

All licenses expire on April 30<sup>th</sup> of each year. The City of Grand Island requires payment of an occupation tax in the amount of **\$100.00** when the license is issued **as well as** a license fee in the amount of **\$100.00** for a **total of \$200.00**.

**All licenses are subject to approval and issuance by the City Council. Be sure you are familiar with the City Code and State Statutes pertaining to pawnbrokers.**





Nationwide Mutual Insurance Company  
Bond Department  
1100 Locust, Department 2006  
Des Moines, IA 50391-2006

## Bond Continuation Certificate

Nationwide Mutual Insurance Company, hereinafter called Company, in consideration of an Agreed Premium hereby continues in force Bond Number 7900369972

Bond Description Pawn Broker

in the sum of \$ 5,000.00

on behalf of G I Loan Shop, Inc.

1004 W 2nd

Grand Island NE 68802

in favor of City of Grand Island

for the extended term beginning 12:00:00 a.m. May 1, 2017

and ending 11:59:59 p.m. April 30, 2018

subject to all terms, conditions and limitations contained in the original bond.

This continuation certificate is executed upon the express condition that the Company's liability under the bond and all continuation certificates issued shall not be cumulative and shall in no event exceed in the aggregate the largest single amount stated on the original bond, any rider attached thereto, of any continuation certificate.

SIGNED, SEALED AND DATED 5 / 1 / 2017

NATIONWIDE MUTUAL INSURANCE COMPANY

By:

Stephen S. Rasmussen, President



Continuation Certificate  
The Original Certificate is to be filed with the Obligee Named.



### Pawnbroker's License Application

Business Owner Name: Express Pawn, Inc.  
 Business Owner Address: 11550 I St., Ste 150 Omaha, NE 68137  
 Business Manager Name: Brian Chaney  
 Business Manager Address: 11550 I St., Ste 150 Omaha, NE 68137  
 Business Street Address: 645 South Locust St. Grand Island, NE 68801  
 Telephone: 402-551-8888

Location of storage of goods if kept at location other than business location:

N/A

List all criminal convictions (except minor traffic infractions) of owner, manager, or all officers and shareholders (if applicant is a corporation):

Offense	Location of Court	Conviction Date
<u>N/A</u>		

If additional space is required, continue on back of the application.

#### Additional Documents Required:

1. All applicants must include bond to the City of Grand Island in the sum of \$5,000 with the application.
2. All corporate applicants must attach a copy of Articles of Incorporation and list of officers/shareholders.

All licenses expire on April 30<sup>th</sup> of each year. The City of Grand Island requires payment of an occupation tax in the amount of \$100.00 when the license is issued as well as a license fee in the amount of \$100.00 for a total of \$200.00.

**All licenses are subject to approval and issuance by the City Council. Be sure you are familiar with the City Code and State Statutes pertaining to pawnbrokers.**



Old Republic Surety Company  
PO Box 1635  
Milwaukee, WI 53201-1635

## CONTINUATION CERTIFICATE

BOND NUMBER	BOND DESCRIPTION	BOND AMOUNT	EFFECTIVE DATE	EXPIRATION DATE
W150105461	Pawnbroker's License	5,000.00	09/20/2014	09/20/2017

### PRINCIPAL

Express Pawn, Inc. D/B/A Express Pawn  
645 South Locust

Grand Island, NE 68801

### OBLIGEE

City of Grand Island  
100 East 1st Street

Grand Island, NE 68801

### ORIGINAL FOR BOND RENEWAL

THIS BOND CONTAINS IN FULL THE ABOVE EXPIRATION DATE CONDITIONED AND PROVIDED THAT THE LOSSES OR RECOVERIES ON IT AND ANY AND ALL ENDORSEMENTS SHALL NEVER EXCEED THE PENALTY SET FORTH IN THE BOND AND WHETHER THE LOSSES OR RECOVERIES ARE WITHIN THE FIRST AND/OR SUBSEQUENT OR WITHIN ANY EXTENSION OR RENEWAL PERIOD, PRESENT, PAST OR FUTURE, ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.

SIGNED AND DATED THIS 17th DAY OF June 2014

0405437  
ELLERBROCK-NORRIS, INC.  
2203 OSBORNE DRIVE WEST  
P O BOX 816  
HASTINGS, NE 68901

Old Republic Surety Company  
SURETY

By Phillip McJohnson  
ATTORNEY-IN-FACT



ORAC 21254 (1/94)



POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock Insurance corporation, does make, constitute and appoint: Phyllis M. Johnson of Brookfield, WI

its true and lawful Attorney(s)-in-Fact, with full power and authority, not exceeding \$10,000,000, for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, (other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, asbestos abatement contract bonds, waste management bonds, hazardous waste remediation bonds or black lung bonds), as follows: Effective Date: 9/20/2014 12:00:00 AM

Bond Number: W160105461 Bond Amount: Five Thousand Dollars \$ 5,000.00

Principal Name: Express Pawn, Inc. D/B/A Express Pawn

Obligee Name: City of Grand Island of Grand Island, NE

and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a special meeting held on February 18, 1982.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18, 1982.

RESOLVED that the president, any vice president or assistant vice president, in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
(ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or
(iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

RESOLVED FURTHER that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 17th day of June 2014

Phyllis M. Johnson
Assistant Secretary



OLD REPUBLIC SURETY COMPANY

Alan Pavlic
President

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 17th day of June 2014, personally came before me, Alan Pavlic and Phyllis M. Johnson, to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say: that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.



Kathryn R. Pearson
Notary Public

My Commission Expires: 09/28/2018

CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

0405437 :



Signed and sealed at the City of Brookfield, WI this 17th day of June 2014

Phyllis M. Johnson
Assistant Secretary

ORSC 22262 (3-05)

ELLERBROCK-NORRIS, INC.



www.orsurety.com

Old Republic Surety Company

PO Box 1635

Milwaukee, WI 53201-1635

**RENEWAL – Principal's Copy  
Execution Report**

---

**PRINCIPAL**

Express Pawn, Inc. D/B/A Express Pawn  
645 South Locust

Grand Island, NE 68801

**OBLIGEE**

City of Grand Island  
100 East 1st Street

Grand Island, NE 68801

---

**BOND NUMBER:** W150105461

**BOND AMOUNT:** 5,000.00

**BOND DESCRIPTION:**

Pawnbroker's License

**EFFECTIVE DATE:** 09/20/2014

**EXPIRATION DATE:** 09/20/2017

---

**PREMIUM DUE:** 250.00

**FEES:** 0.00

**PAYMENT DUE SURETY:** 250.00

**FULL PREMIUM AND APPLICABLE FEES ARE DUE ON DIRECT BILL BONDS.**

**BILLING TYPE:** D (D-DIRECT BILL, B-AGENCY BILL)

---

**AGENCY** 0405437

ELLERBROCK-NORRIS, INC.  
2203 OSBORNE DRIVE WEST  
P O BOX 818  
HASTINGS, NE 68901

**REMARKS**

None

**THANK YOU FOR YOUR BUSINESS.**



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-3

### **Approving Appointments of Brandi Bosselman and Danny Oberg to the Fonner Park Business Improvement Board**

*Mayor Jensen has submitted the appointments of Brandi Bosselman and Danny Oberg to the Fonner Park Business Improvement District board. Ms. Bosselman will replace Buzz Douthit and Mr. Oberg will replace Mike Corman who have retired and no longer service on the board. These appointments would become effective immediately upon approval by the City Council and would expire on February 28, 2020.*

Staff Contact: Mayor Jeremy Jensen



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-4

### **Approving Appointment of Bev Stutzman to the South Locust Street Business Improvement Board**

*Mayor Jensen has submitted the appointment of Bev Stutzman to the South Locust Street Business Improvement District board. The appointment would become effective immediately upon approval by the City Council and would expire on February 28, 2020.*

Staff Contact: Mayor Jeremy Jensen



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-5

### **#2017-120 - Approving Acquisition of Utility Easement - 2241 N. Diers Avenue - Menard**

*This item relates to the aforementioned Public Hearing item E-1.*

Staff Contact: Tim Luchsinger, Stacy Nonhof



RESOLUTION 2017-120

WHEREAS, a public utility easement is required by the City of Grand Island from John R. Menard, to survey, construct, inspect, maintain, repair, replace, relocate, extend, remove, and operate thereon, public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on April 25, 2017 for the purpose of discussing the proposed acquisition of a sixteen (16.0) foot utility easement located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

A Sixteen (16.00) foot wide strip of land consisting of the northerly eight (8.00) feet of Lot One (1) and the southerly eight (8.00) feet of Lot Two (2), all in the Menard Eighth Subdivision, in the City of Grand Island, Hall County, Nebraska.

The above-described easement and right-of-way containing 0.07 acres, more or less, as shown on the plat dated 3/13/2017, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from John R. Menard, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 25, 2017.

\_\_\_\_\_  
Jeremy L. Jensen, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 21, 2017	☐ City Attorney

Menard Sixth Subdivision

Lot 3

Diers Avenue

Menard  
Second  
Lot 9  
Sub.

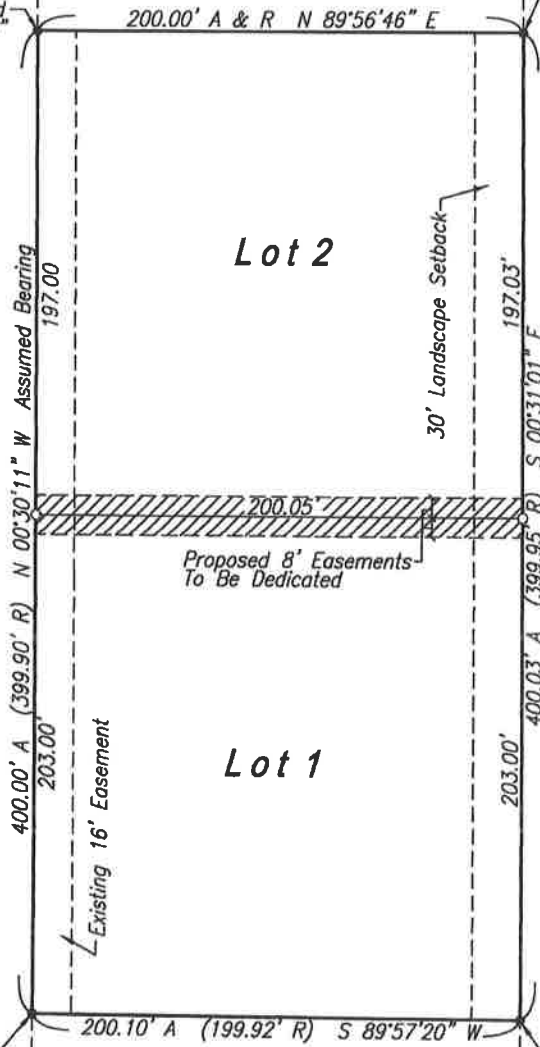
Lot 2

Lot 1

Menard  
Lot 1  
Seventh  
Sub.

N.W. Cor. Lot 10, Menard  
Second Sub., Found 3/4"  
Iron Pipe

N.E. Cor. Lot 10, Menard  
Second Sub., Found 3/4"  
Iron Pipe



U.S. Highway No. 281



Scale: 1" = 60'

### Description

A Sixteen (16.0) foot wide strip of land consisting of the northerly Eight (8) feet of Lot One (1) and the southerly Eight (8.0) feet of Lot Two (2), all in Menard Eighth Subdivision, in the City of Grand Island, Hall County, Nebraska, said tract containing 0.07 acres more or less.

## Menard Eighth Subdivision Easement To Be Dedicated

Sheet No. 1 Of 1



2510 NORTH WEBB ROAD, GRAND ISLAND, NEBRASKA 68802 P.O. BOX 548  
E-MAIL: surveyor@ccusa.net PHONE (308) 382-1472 FAX (308) 382-1423



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-6

**#2017-121 - Approving Certificate of Final Completion for Water Main Project 2016-W-1 at the Central Nebraska Regional Airport Terminal Area**

Staff Contact: Tim Luchsinger, Utilities Director

# **Council Agenda Memo**

**From:** Timothy Luchsinger, Utilities Director

**Meeting:** April 25, 2017

**Subject:** Certificate of Final Completion for Water Main Project 2016-W-1 at the Central Nebraska Regional Airport Terminal Area

**Presenter(s):** Timothy Luchsinger, Utilities Director

## **Background**

The majority of the water mains at the Central Nebraska Regional Airport (CNRA) were installed in the 1940's. Due to the substandard condition of the piping adjacent to the Airport Terminal, Water Main Project 2016-W-1 was installed to replace the existing infrastructure. The completed project provides reliability and capacity to the area. A site map of the area is attached.

## **Discussion**

The referenced project has been completed by The Diamond Engineering Company of Grand Island, Nebraska. The final contract amount is \$132,828.18 and all work complies with the terms and conditions of the specifications and plans.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council approve the Certificate of Final Completion for Water Main Project 2016-W-1 at the Central Nebraska Regional Airport Terminal area.

## **Sample Motion**

Move to approve the Certificate of Final Completion for Water Main Project 2016-W-1.

## ENGINEER'S CERTIFICATE OF FINAL COMPLETION

### Water Main Project 2016-W-1

Water Main Project 2016-W-1 is located adjacent to the Terminal at the Central Nebraska Regional Airport. The work on the project has been fully completed in accordance with the terms and conditions of the contract and complies with the plans and specifications.

  
Lynn M. Mayhew, P.E. #E-10661

4/13/2017  
Date

I hereby authorize Water Main Project 2016-W-1 to be incorporation into the City of Grand Island water system.

  
Tim Luchsinger, Utilities Director

4-18-17  
Date

**CERTIFICATE OF FINAL COMPLETION**

**Water Main Project 2016-W-1  
Central Nebraska Regional Airport Terminal Area**

April 25, 2017

Water Main Project 2016-W-1, located at the Central Nebraska Regional Airport Terminal Area, was awarded to The Diamond Engineering Company of Grand Island, Nebraska.

The work on this project, as certified to be fully completed by Tim Luchsinger, Utilities Director, is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director/City Engineer, in accordance with the provision of Section 16-650, R.R.S., 1943.

Respectfully submitted,

  
\_\_\_\_\_  
John Collins, Public Works Director

.....  
**WATER MAIN PROJECT 2016-W-1**

April 25, 2017

TO THE MEMBERS OF COUNCIL  
CITY OF GRAND ISLAND  
GRAND ISLAND, NEBRASKA

I hereby recommend that the Engineer's Certificate of Final Completion for Water Main Project 2016-W-1 be approved.

Respectfully submitted,

  
\_\_\_\_\_  
Jeremy L. Jensen, Mayor



**Water Main Project 2016-W-1**

RESOLUTION 2017-121

WHEREAS, the Utilities Engineer and the Public Works Director have issued a Certificate of Final Completion for Water Main Project 2016-W-1 located adjacent to the Terminal at the Central Nebraska Regional Airport, certifying that The Diamond Engineering Company of Grand Island, Nebraska has completed such project according to the terms, conditions, and stipulations of the contract, plans and specifications for such improvements; and

WHEREAS, the Public Works Director recommends the acceptance of the Engineer's certificate of final completion; and

WHEREAS, the Mayor concurs with the recommendation of the Public Works Director.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Certificate of Final Completion for Water Main Project 2016-W-1 is hereby confirmed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 25, 2017.

\_\_\_\_\_  
Jeremy L. Jensen, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 21, 2017	☐ City Attorney





# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-7

### **#2017-122 - Approving Acquisition of Utility Easement at 1729 North St Paul Road (Rico)**

*This item relates to the aforementioned Public Hearing item E-2.*

Staff Contact: John Collins, P.E. - Public Works Director

RESOLUTION 2017-122

WHEREAS, a public utility easement is required by the City of Grand Island, from Juan Rico and Anna M Villa De Rico, at 1729 St Paul Road, City of Grand Island, Hall County, Nebraska and more particularly described as follows:

*A 7.5 FEET UTILITY EASEMENT BEING THE EAST 7.5 FEET OF THE NORTH 6.0 FEET THEREOF, OF PART OF MISCELLANEOUS TRACT LOCATED IN PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W ½, NW ¼) OF SECTION 10-T11N-R9W OF THE 6<sup>TH</sup> P.M., SAID TRACT ALSO DESCRIBED IN INSTRUMENT NO. 200207323, FILE DATE JULY 12, 2002, AND IN INSTRUMENT NO. 201506790, FILE DATE OCTOBER 2, 2015, REGISTER OF DEEDS, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA.*

*SAID EASEMENT CONTAINS A CALCULATED AREA OF 45.0 SQUARE FEET OR 0.001 ACRES MORE OR LESS.*

WHEREAS, an Agreement for the public utility easement has been reviewed and approved by the City Legal Department.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to enter into the Agreement for the public utility easement on the above described tract of land.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

- - -

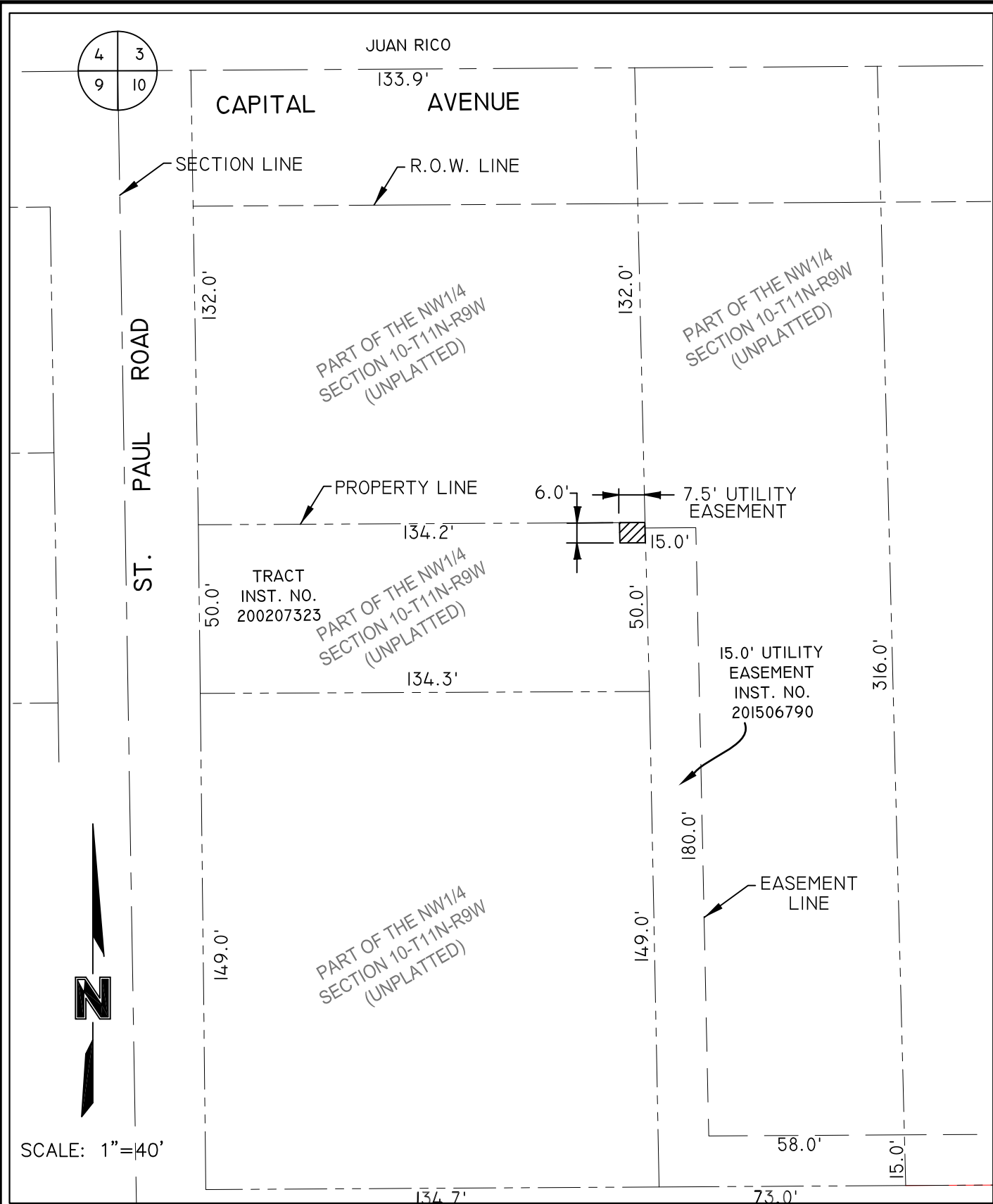
Adopted by the City Council of the City of Grand Island, Nebraska, April 25, 2017.

\_\_\_\_\_  
Jeremy L. Jensen, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 21, 2017	☐ City Attorney



DESCRIPTION OF 7.5' UTILITY EASEMENT:

A 7.5 FEET UTILITY EASEMENT BEING THE EAST 7.5 FEET OF THE NORTH 6.0 FEET THEREOF, OF PART OF MISCELLANEOUS TRACT LOCATED IN PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W1/2, NW1/4) OF SECTION 10-T11N-R9W OF THE 6TH P.M., SAID TRACT ALSO DESCRIBED IN INST. NO. 200207323, FILE DATE JULY 12, 2002, AND IN INST. NO. 201506790, FILE DATE OCTOBER 2, 2015, REGISTER OF DEEDS, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA.

SAID EASEMENT CONTAINS A CALCULATED AREA OF 45.0 SQUARE FEET OR 0.001 ACRES MORE OF LESS.

MARCH 24, 2017

GRAND ISLAND, HALL COUNTY NEBRASKA	 CITY OF <b>GRAND ISLAND</b> PUBLIC WORKS DEPARTMENT	EXHIBIT A
---------------------------------------	---	--------------



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-8

**#2017-123 - Approving Acquisition of Drainage/Utility Easement at 2535 & 2541 Idaho Avenue (Hastings Ventures, LLC)**

*This item relates to the aforementioned Public Hearing item E-3.*

Staff Contact: John Collins, P.E. - Public Works Director

RESOLUTION 2017-123

WHEREAS, a public drainage/utility easement is required by the City of Grand Island, from Hastings Ventures, LLC, at 2535 & 2541 Idaho Avenue, City of Grand Island, Hall County, Nebraska and more particularly described as follows:

*A PROPOSED DRAINAGE/UTILITY EASEMENT BEING THE SOUTH 7.5 FEET OF LOT 5, WOODLAND PARK SIXTEENTH SUBDIVISION; EXCLUDING THE WEST 5 FEET AND THE EAST 20 FEET OF SAID LOT 5.*

*and*

*A PROPOSED DRAINAGE/UTILITY EASEMENT BEING THE NORTH 7.5 FEET OF LOT 6, WOODLAND PARK SIXTEENTH SUBDIVISION; EXCLUDING THE WEST 5 FEET AND THE EAST 20 FEET OF SAID LOT 6.*

WHEREAS, an Agreement for the public drainage/utility easement has been reviewed and approved by the City Legal Department.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to enter into the Agreement for the public drainage/utility easement on the above described tract of land.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

- - -

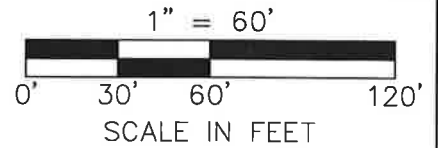
Adopted by the City Council of the City of Grand Island, Nebraska, April 25, 2017.

\_\_\_\_\_  
Jeremy L. Jensen, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 21, 2017	☐ City Attorney



#### LEGEND

- PROPERTY LINE
- - - EASEMENT LINE
- PROPOSED EASEMENT AREA

A PROPOSED DRAINAGE/UTILITY EASEMENT IN LOT 5, WOODLAND PARK 16TH SUB.:

A PROPOSED DRAINAGE/ UTILITY EASEMENT BEING THE SOUTH 7.5 FEET OF LOT 5, WOODLAND PARK SIXTEENTH SUBDIVISION; EXCLUDING THE WEST 5 FEET AND THE EAST 20 FEET OF SAID LOT 5.

A PROPOSED DRAINAGE/UTILITY EASEMENT IN LOT 6, WOODLAND PARK 16TH SUB.:

A PROPOSED DRAINAGE/ UTILITY EASEMENT BEING THE NORTH 7.5 FEET OF LOT 6, WOODLAND PARK SIXTEENTH SUBDIVISION; EXCLUDING THE WEST 5 FEET AND THE EAST 20 FEET OF SAID LOT 5.

USER: jfmenez

DWG: F:\Projects\012-0865\SRVY 2017\Sheets\V\_EASE\_0120865.dwg  
DATE: Mar 15, 2017 2:18pm  
XREFS: 0120865\_XBASE 14th Sub

PROJECT NO: 2012-0865  
DRAWN BY: JMJ  
DATE: 03.15.2017

**PROPOSED  
EASEMENT**

**MOLSSON**  
ASSOCIATES

201 East 2nd Street  
P.O. Box 1072  
Grand Island, NE 68802-1072  
TEL 308.384.8750  
FAX 308.384.8752

EXHIBIT

1



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-9

**#2017-124 - Approving Bid Award for Concrete Pavement and Storm Sewer Repairs for 2017-1**

Staff Contact: John Collins, P.E. - Public Works Director

# **Council Agenda Memo**

**From:** Shannon Callahan, Street Superintendent

**Meeting:** April 25, 2017

**Subject:** Approving Bid Award for Concrete Pavement and Storm Sewer Repairs for 2017-1

**Presenter(s):** John Collins PE, Public Works Director

## **Background**

City Council approved Resolution No. 2017-16 at their January 24, 2017 meeting, which awarded the contract for Concrete Pavement and Storm Sewer Repairs for 2017 to OK Paving, Inc. of Hordville, Nebraska in the amount of \$878,400.00. Due to failure by OK Paving, Inc. to submit the required payment and performance bond to execute the contract, Resolution No. 2017-91 was approved by City Council on March 28, 2017 to rescind this bid award.

On March 31, 2017 the Streets Division of the Public Works Department advertised for bids for concrete pavement and storm sewer repairs for the 2017 calendar year. The contracted concrete pavement and storm sewer work supplements the repair work that is performed by the City's crews.

Quantities were reduced from the original bid solicitation to align closer to the amount of work that can be completed and to ensure that Streets has budget for the contract assuming the prices would be higher since this is a later season bid.

## **Discussion**

Two (2) bids were received and opened on April 13, 2017. All bids were submitted in compliance with the contract, plans, and specifications with no exceptions. A summary of the bids received is attached.

The Diamond Engineering Company of Grand Island, Nebraska provided the lowest responsible bid in the amount of \$694,995.00.

There are sufficient funds in Account No. 21033506-85351 (Concrete Repair), 21033504-85318 (Storm Sewer Repair), and 21033503-85318 (Curb & Gutter) to fund this contract. This is a calendar year contract that extends beyond the current fiscal year. In the event that funds become unavailable in the fiscal year 2017/2018, the scope of work for this contract will be scaled down accordingly.



## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council approve awarding the contract to The Diamond Engineering Company of Grand Island, Nebraska in the amount of \$694,995.00.

## **Sample Motion**

Move to approve the resolution.



Stacy Nonhof, Purchasing Agent

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** April 13, 2017 at 2:30 p.m.

**FOR:** Concrete Pavement & Storm Sewer Repair 2017-1

**DEPARTMENT:** Public Works

**ESTIMATE:** \$550,000.00 2016/2017  
\$350,000.00 2017/2018  
\$900,000.00

**FUND/ACCOUNT:** 21033503-85318 (Curb, Gutter & Sidewalk)  
21033504-85318 (Storm Sewer Repair)  
21033506-85351 (Contract Concrete Repair)

**PUBLICATION DATE:** March 31, 2017

**NO. POTENTIAL BIDDERS:** 10

**SUMMARY**

<b>Bidder:</b>	<b><u>Diamond Engineering Co.</u></b> Grand Island, NE	<b><u>Starostka Group Unlimited, Inc.</u></b> Grand Island, NE
<b>Bid Security:</b>	Universal Surety Co.	Western Surety Co.
<b>Exceptions:</b>	None	None
<b>Bid Price:</b>	\$694,995.00	\$838,326.25
<b>Labor:</b>	\$55.00 per hour	\$65.00 per hour
<b>Sid Steer Loader:</b>	\$75.00 per hour	\$77.00 per hour
<b>Front End Loader:</b>	\$90.00 per hour	\$95.00 per hour
<b>Backhoe:</b>	\$90.00 per hour	\$93.00 per hour
<b>Dump Truck-10 CY:</b>	\$90.00 per hour	\$109.00 per hour

cc: John Collins, Public Works Director  
Stacy Nonhof, Purchasing Agent  
Marlan Ferguson, City Administrator

Catrina DeLosh, PW Admin. Assist.  
Shannon Callahan, Street Superintendent  
Renae Griffiths, Finance Director

**P1961**

RESOLUTION 2017-124

WHEREAS, City Council approved Resolution No. 2017-16 at their January 24, 2017 meeting, awarding the contract for Concrete Pavement and Storm Sewer Repairs for 2017 to OK Paving, Inc. of Hordville, Nebraska in the amount of \$878,400.00; and

WHEREAS, OK Paving, Inc. failed to submit the required payment and performance bond to execute the contract, Resolution No. 2017-91 was approved by City Council on March 28, 2017 to rescind this bid award; and

WHEREAS, the City of Grand Island invited sealed bids for the rebid Concrete Pavement and Storm Sewer Repairs 2017-1, according to plans and specifications on file with the Streets Division of the Public Works Department; and

WHEREAS, on April 13, 2017, bids were received, opened and reviewed; and

WHEREAS, The Diamond Engineering Company of Grand Island, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$694,995.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of The Diamond Engineering Company of Grand Island, Nebraska, in the amount of \$694,995.00 for Concrete Pavement and Storm Sewer Repairs 2017-1 is hereby approved as the lowest responsible bid.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 25, 2017.

\_\_\_\_\_  
Jeremy L. Jensen, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 21, 2017	☐ City Attorney



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-10

**#2017-125 - Approving Agreement Amendment No. 4 with Olsson Associates for Professional Services Related to the Extension of Sanitary Sewer System in Wildwood Subdivision (District No. 528), from Wildwood Sub. to I-80 (District No. 530T), and Sanitary Sewer Improvement Dist. No. 2 (South of I**

Staff Contact: John Collins, P.E. - Public Works Director

# **Council Agenda Memo**

**From:** Marvin Strong PE, Wastewater Treatment Plant Engineer

**Meeting:** April 25, 2017

**Subject:** Approving Agreement Amendment No. 4 with Olsson Associates for Professional Services Related to the Extension of Sanitary Sewer System in Wildwood Subdivision (District No. 528), from Wildwood Subdivision to Interstate 80 (District No. 530T), and Sanitary Sewer Improvement District No. 2 (South of Interstate 80)

**Presenter(s):** John Collins PE, Public Works Director

## **Background**

On August 14, 2012, by Resolution No. 2012-206, City Council approved an agreement in the amount of \$235,150.00 with Olsson Associates of Grand Island, Nebraska for engineering consulting services for the extension of Grand Island's public sanitary sewer system in Wildwood Subdivision (District No. 528) and from Wildwood Subdivision to Interstate 80 (District No. 530T).

On February 11, 2014, by Resolution No. 2014-24, City Council approved Agreement Amendment No. 1 in the amount of \$267,035.00 with Olsson Associates for engineering consulting services related the Sewer Improvement District (SID) on both the north and south side of Interstate 80.

On June 23, 2015, by Resolution No. 2015-159, City Council approved Agreement Amendment No. 2 in the amount of \$40,000 with Olsson Associates for compensation of their work due to construction contract extensions granted to the contractor for both Sanitary Sewer District No. 528 and No. 530T.

On May 10, 2015, by Resolution No. 2016-117, City Council approved Agreement Amendment No. 3 in the amount of \$38,448.00 with Olsson Associates to cover additional construction phase services.

The scope of this agreement entails coordination with the Nebraska Department of Environmental Quality (NDEQ) regarding the State Revolving Funds (SRF), easement acquisition, geotechnical investigation, sanitary sewer design, project permitting, bid phase services, construction observation, construction administration services, and project close-out for the sanitary sewer extension.

## **Discussion**

In November 2014 the City received a change order request from Van Kirk Bros. and Iowa Trenchless regarding the trenchless crossing at US Highway 281 for Wildwood Sanitary Sewer District No. 528 in the amount of approximately \$830,000.00.

Upon receiving such request the City worked with Olsson Associates and procured a memo containing engineering, geotechnical, and contractual arguments against the change order. Subsequently the request was denied. Legal meetings were held with a follow up engineering report submitted from Van Kirk Brothers, Iowa Trenchless and Kilduff Engineering, Inc. in February 2016.

In response to the Kilduff Engineering Report the City requested Olsson Associates to prepare a rebuttal engineering report. This report, in the amount of \$8,171.00, was partially covered by Amendment No. 3 for Olsson Associates report efforts. In an attempt to provide the best available technical rebuttal an additional \$11,275 outside of Amendment No. 3 was spent. The extra funds cover report preparations, and meetings with the City and involved parties.

Wastewater has negotiated with Olsson Associates and agreed to pay an additional \$8,042.00, resulting in a grand total for the rebuttal report of \$16,213.00.

On February 22, 2017 the lawsuit between Van Kirk Bros. of Sutton, Nebraska and Iowa Trenchless of Panora, Iowa was dismissed and/or settled out of court, and the City's involvement as a third party in the suite should not go any further.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council approve Agreement Amendment No. 4 with Olsson Associates of Grand Island, Nebraska and pass a Resolution authorizing the Mayor to sign the agreement, for a total amount of \$8,042.00.

## **Sample Motion**

Move to approve the resolution.

## **LETTER AGREEMENT AMENDMENT #4**

This AMENDMENT ("Amendment") shall amend and become a part of the Letter Agreement for Professional Services dated August 17, 2012 between the City of Grand Island ("Client") and Olsson Associates, Inc. ("Olsson") providing for professional services for the following Project (the "Agreement"):

### **PROJECT DESCRIPTION AND LOCATION**

Project is located at: Highway 281 & Wildwood Road, Grand Island, NE

Project Description:

**Iowa Trenchless Lawsuit/Kilduff Letter Report:** For engineering work to assist the City in rebutting the Kilduff Underground Engineering, Inc. geotechnical letter report of February 18, 2016 including in depth theoretical analysis comparing pre-bid and post-construction soils investigation.

### **SCOPE OF SERVICES**

For services covered by this Contract Amendment No. 4, the Client agrees to pay Olsson as follows:

- A. Fees for Basic Services and Reimbursable Expenses for the additional geotechnical analysis shall be on a **time & material not-to-exceed** basis as follows:
  - 1. Additional geotechnical evaluation, rebuttal, meetings with the City, meetings with Horizontal Boring and preparation of response memo: **\$8,042.00**

### **COMPENSATION**

For the additional Scope of Services specifically set forth in this Amendment, Client shall pay Olsson the following fee in addition to the fee(s) set forth in the Agreement:

Client shall pay to Olsson for the performance of the Scope of Services, the actual time of personnel performing such services, and all actual reimbursable expenses in accordance with the original Agreement. Olsson shall submit invoices on a monthly basis and payment is due within 30 calendar days of invoice date.

Olsson's Scope of Services will be provided on a time and expense basis not to exceed **Eight Thousand and Forty Two Dollars (\$8,042.00)**.

### **TERMS AND CONDITIONS OF SERVICE**

All provisions of the original Agreement not specifically amended herein shall remain unchanged.

If this Contract Amendment satisfactorily sets forth your understanding of our agreement, please sign in the space provided below. Retain a copy for your files and return an executed original to Olsson. This proposal will be open for acceptance for a period of 30 days from the date set forth above, unless changed by us in writing.

**OLSSON ASSOCIATES**

By   
Joe Baxter, PE

By   
Dave Ziska, PE

By signing below, you acknowledge that you have full authority to bind Client to the terms of this Amendment. If you accept this Amendment, please sign:

**CITY OF GRAND ISLAND "Client"**

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

By \_\_\_\_\_

Title \_\_\_\_\_

F:\Projects\012-1867\20-Management\Contracts\OAlowaTrenchlessAddlFeesAmendFour040617.doc



## RESOLUTION 2017-125

WHEREAS, on August 14, 2012, by Resolution No. 2012-206 Grand Island City Council approved engineering consulting services with Olsson Associates of Grand Island, Nebraska for the extension of Grand Island's public sanitary sewer system in Wildwood Subdivision (District No. 528) and from Wildwood Subdivision to Interstate 80 (District No. 530T) in the amount of \$235,150.00; and

WHEREAS, on February 11, 2014, by Resolution No. 2014-24 Grand Island City Council approved Agreement Amendment No. 1 in the amount of \$267,035.00, to the original agreement with Olsson Associates to include further coordination with NDEQ for the SRF funding, as well as easement acquisition, geotechnical investigation, demolition of two existing private wastewater package plants and lift stations, design of two City of Grand Island standard lift stations, sanitary sewer force main design, project permitting, bid phase services, construction administration services, construction observation, and project closeout for the SID force main portion of the sanitary sewer extension to Interstate 80; and

WHEREAS, on June 23, 2015, by Resolution No. 2015-159, City Council approved Agreement Amendment No. 2 in the amount of \$40,000 to the original agreement with Olsson Associates for compensation of their work due to construction contract extensions granted to the contractor for both Sanitary Sewer District No. 528 and No. 530T; and

WHEREAS, on May 10, 2015, by Resolution No. 2016-117, City Council approved Agreement Amendment No. 3 in the amount of \$38,448.00 with Olsson Associates to cover additional construction phase services; and

WHEREAS, it is necessary to compensate Olsson Associates for their work in providing the best available technical rebuttal against the requested change order from Van Kirk Bros. and Iowa Trenchless regarding the trenchless crossing at US Highway 281 for Wildwood Sanitary Sewer District No. 528; and

WHEREAS, the cost of such additional work is \$8,042.00, resulting in a revised agreement of \$588,675.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Agreement Amendment No. 4 between the City of Grand Island and Olsson Associates of Grand Island, Nebraska for engineering consulting services for the extension of Grand Island's public sanitary sewer system in Wildwood Subdivision (District No. 528), from Wildwood Subdivision to Interstate 80 (District No. 530T), and Sanitary Sewer Improvement District No. 2 (south of Interstate 80) is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such agreement amendment on behalf of the City of Grand Island.

- - -

Approved as to Form	□
April 21, 2017	□ City Attorney

Adopted by the City Council of the City of Grand Island, Nebraska, April 25, 2017.

---

Jeremy L. Jensen, Mayor

Attest:

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-11

**#2017-126 - Approving Bid Award for Shady Bend Drainage  
Project No. 2017-D-2**

Staff Contact: John Collins, P.E. - Public Works Director

# **Council Agenda Memo**

**From:** John Collins PE, Public Works Director

**Meeting:** April 25, 2017

**Subject:** Approving Bid Award for Shady Bend Road Drainage Project No. 2017-D-2

**Presenter(s):** John Collins PE, Public Works Director

## **Background**

On April 8, 2017 the Engineering Division of the Public Works Department advertised for bids for Shady Bend Road Drainage Project No. 2017-D-2. The bid package for this project was sent to ten (10) potential bidders.

The drainage improvements to be performed are located on Shady Bend Road between Seedling Mile Road and US Highway 30. These improvements are being made in response to Wetzel Street resident requests.

## **Discussion**

Two (2) bids were received and opened on April 18, 2017. The Engineering Division of the Public Works Department and the Purchasing Division of the City Attorney's Office have reviewed the bids that were received. A summary of the bids is shown below.

<i><b>Bidder</b></i>	<i><b>Exceptions</b></i>	<i><b>Bid Price</b></i>
Van Kirk Bros. Contracting of Sutton, NE	None	\$122,404.00
The Diamond Engineering Co. of Grand Island, NE	None	\$140,036.11

The bid of Van Kirk Bros. is considered fair and reasonable and is well below the engineer's estimate.

Funds are available in Account No. 40000400-2000-40024.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand.  
The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council approve the bid award to Van Kirk Bros. Contracting of Sutton, Nebraska in the amount of \$122,404.00.

## **Sample Motion**

Move to approve the bid award.



Stacy Nonhof, Purchasing Agent

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**BID OPENING**

**BID OPENING DATE:** April 18, 2017 at 2:00 p.m.  
**FOR:** Shady Bend Road Drainage Project No. 2017-D-2  
**DEPARTMENT:** Public Works  
**ESTIMATE:** \$163,000.00  
**FUND/ACCOUNT:** 40000400-2000-40024  
**PUBLICATION DATE:** April 8, 2017  
**NO. POTENTIAL BIDDERS:** 10

**SUMMARY**

<b>Bidder:</b>	<b><u>Diamond Engineering Co.</u></b> Grand Island, NE	<b><u>Van Kirk Bros. Contracting</u></b> Sutton, NE
<b>Bid Security:</b>	Universal Surety Co.	Universal Surety Co.
<b>Exceptions:</b>	None	None
<b>Bid Price:</b>	<b>\$140,036.11</b>	<b>\$122,404.00</b>

cc: John Collins, Public Works Director  
Marlan Ferguson, City Administrator  
Stacy Nonhof, Purchasing Agent

Catrina DeLosh, PW Admin. Assist.  
Renae Griffiths, Finance Director  
Tim Golka, PW Engineer

**P1963**

RESOLUTION 2017-126

WHEREAS, the City of Grand Island invited sealed bids for Shady Bend Road Drainage Project No. 2017-D-2, according to plans and specifications on file with the Public Works Department; and

WHEREAS, on April 18, 2017 bids were received, opened, and reviewed; and

WHEREAS, Van Kirk Bros. Contracting of Sutton, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$122,404.00; and

WHEREAS, Van Kirk Bros. Contracting's bid is considered fair and reasonable for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Van Kirk Bros. Contracting of Sutton, Nebraska in the amount of \$122,404.00 for Shady Bend Road Drainage Project No. 2017-D-2 is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute a contract with such contractor for such project on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 25, 2017.

\_\_\_\_\_  
Jeremy L. Jensen, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 21, 2017	☐ City Attorney



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-12

**#2017-127 - Approving Bid Award for North Broadwell Avenue  
Drainage Project No. 2017-D-3**

Staff Contact: John Collins, P.E. - Public Works Director



# **Council Agenda Memo**

**From:** John Collins PE, Public Works Director

**Meeting:** April 25, 2017

**Subject:** Approving Bid Award for North Broadwell Avenue  
Drainage Project No. 2017-D-3

**Presenter(s):** John Collins PE, Public Works Director

## **Background**

On April 8, 2017 the Engineering Division of the Public Works Department advertised for bids for North Broadwell Drainage Project No. 2017-D-3. The bid package for this project was sent to ten (10) potential bidders.

The drainage improvements to be performed are located on North Broadwell Avenue between BNSF Railroad and US Highway 281.

## **Discussion**

Two (2) bids were received and opened on April 18, 2017. The Engineering Division of the Public Works Department and the Purchasing Division of the City Attorney's Office have reviewed the bids that were received. A summary of the bids is shown below.

<i><b>Bidder</b></i>	<i><b>Exceptions</b></i>	<i><b>Bid Price</b></i>
The Diamond Engineering Co. of Grand Island, NE	None	\$140,361.50
Van Kirk Bros. Contracting of Sutton, NE	None	\$155,673.75

The bid of The Diamond Engineering Company's is considered fair and reasonable and is well below the engineer's estimate.

Funds are available in Account No. 40000400-2000-40026.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee

3. Postpone the issue to future date
4. Take no action on the issue

### **Recommendation**

City Administration recommends that the Council approve the bid award to The Diamond Engineering Company of Grand Island, Nebraska in the amount of \$140,361.50.

### **Sample Motion**

Move to approve the bid award.



Stacy Nonhof, Purchasing Agent

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**BID OPENING**

**BID OPENING DATE:** April 18, 2017 at 2:15 p.m.  
**FOR:** North Broadwell Avenue Drainage Project No. 2017-D-3  
**DEPARTMENT:** Public Works  
**ESTIMATE:** \$180,000.00  
**FUND/ACCOUNT:** 40000-400-2000-40026  
**PUBLICATION DATE:** April 8, 2017  
**NO. POTENTIAL BIDDERS:** 10

**SUMMARY**

<b>Bidder:</b>	<b><u>Diamond Engineering Co.</u></b> Grand Island, NE	<b><u>Van Kirk Bros. Contracting</u></b> Sutton, NE
<b>Bid Security:</b>	Universal Surety Co.	Universal Surety Co.
<b>Exceptions:</b>	None	None
<b>Bid Price:</b>	<b>\$140,361.50</b>	<b>\$155,673.75</b>

cc: John Collins, Public Works Director  
Marlan Ferguson, City Administrator  
Stacy Nonhof, Purchasing Agent

Catrina DeLosh, PW Admin. Assist.  
Renae Griffiths, Finance Director  
Tim Golka, PW Engineer 1

**P1964**

RESOLUTION 2017-127

WHEREAS, the City of Grand Island invited sealed bids for North Broadwell Avenue Drainage Project No. 2017-D-3, according to plans and specifications on file with the Public Works Department; and

WHEREAS, on April 18, 2017 bids were received, opened, and reviewed; and

WHEREAS, The Diamond Engineering Company of Grand Island, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$140,361.50; and

WHEREAS, The Diamond Engineering Company's bid is considered fair and reasonable for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of The Diamond Engineering Company of Grand Island, Nebraska in the amount of \$140,361.50 for North Broadwell Avenue Drainage Project No. 2017-D-3 is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute a contract with such contractor for such project on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 25, 2017.

\_\_\_\_\_  
Jeremy L. Jensen, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 21, 2017	☐ City Attorney



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-13

### **#2017-128 - Approving Civic and Community Financing Fund Grant Application**

Staff Contact: Charley Falmlen

# **Council Agenda Memo**

**From:** Charley Falmlen, Community Development

**Meeting:** April 25, 2017

**Subject:** Civic and Community Center Financing Fund Grant Application

**Presenter(s):** Charley Falmlen, Community Development Administrator

## **Background**

The City of Grand Island's Community Development Division is proposing to submit a grant application to the Nebraska Department of Economic Development's Civic and Community Center Financing Fund (CCCFF.). The application will be requesting \$1,125,000 from the CCCFF to assist in funding the proposed \$6.4 million of improvements being done to the Veteran's Sports Complex.

The City of Grand Island submitted a non-binding Letter of Intent to Apply on March 31, 2017, outlining the basic scope of the project and the project needs.

Funding from the Civic and Community Center Financing Fund requires a 1:1 match, 50% of the match can be in-kind and at least 50% must be a cash match. Matching dollars are available as part of the Food and Beverage tax funding awarded. In order to qualify, the project must take place on City owned property.

## **Discussion**

This complex currently consists of four ball fields and a lake which is surrounded by a hike/bike trail. The expansion will add six additional ball fields, picnic areas, additional green space, and the City of Grand Island's very first splash pad. The objective of this expansion is to provide a high-quality facility for the residents of Grand Island, but also to pull in visitors from across the state of Nebraska, by greatly expanding Grand Island's capacity for hosting baseball and softball tournaments. This project will have vast and important impacts on Grand Island's quality of life, recreation opportunities, and visitor revenue.

Specific design plans for this project are under contract with Olsson & Associates. This matter is specifically related to approval of permission to apply for grant funds from the Civic and Community Center Financing Fund for \$1,125,000 in funding for the project, and is not an action item for the project itself.

### **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve the grant application
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **Recommendation**

City Administration recommends that Council approves the application for the Civic and Community Center Financing Fund Grant and authorize the Mayor to sign all related documents.

### **Sample Motion**

Move to approve the pre-application and subsequent full application for the Civic and Community Center Financing Fund Grant and authorize the Mayor to sign all related documents.

# NEBRASKA

Good Life. Great Opportunity.

DEPT. OF ECONOMIC DEVELOPMENT

## Nebraska Department of Economic Development

[\(/\)](#)

[PROGRAMS \(/AWDS/\)](#)

[RESOURCES \(/RES/\)](#)

[HELP \(/H/\)](#)

[SETTINGS \(/ACC/\)](#)

[SIGN OUT \(/ACC/LO/\)](#)


 Submission created

x

[Home \(/\)](#) » [CCCFF Grant](#) » [A-3018866051 \(/s/3571463/\)](#)

## A-3018866051 (A-3018866051)

### CCCFF Grant

 **Program deadline:** 06/01/2017 11:59 PM CDT

### Application Stage

TASK	DEADLINE	STATUS	ACTIONS
<a href="#">Organization/ Business/ Municipality/ Investor name (/s/3571463/163270/)</a>		INCOMPLETE	<a href="#">Start (/s/3571463/163270/)</a>



<u>CIVIC AND COMMUNITY CENTER FINANCING FUND APPLICATION FORM</u> <a href="/s/3571463/154392/">(/s/3571463/154392/)</a>		INCOMPLETE	<a href="#">Start (/s/3571463/154392/)</a>
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Annually, the Department of Economic Development, accepts applications from Nebraska municipalities for grants to support the development of civic, community, and recreation centers under the Civic and Community Center Financing Fund program. The intention is to support projects that foster maintenance or growth of communities.

To be considered for the program applicants must meet eligibility requirements, provide a letter of intent to apply, and submit a completed application online using <https://neded.fluidreview.com> (<https://neded.fluidreview.com/>). The letter of intent shall be signed by the chief elected official and received by the Department no later than April 1 of the current program year.

<u>CCCFF Application Part II.</u> <u>Project Budget</u> <a href="/s/3571463/154408/">(/s/3571463/154408/)</a>		INCOMPLETE	<a href="#">Start (/s/3571463/154408/)</a>
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CCCFF monies may be used for new construction or the renovation or expansion of existing facilities. These funds may not be used for programming, marketing, advertising, and related activities. The grant may be used for site and infrastructure improvements directly related to the construction, renovation, or expansion of an eligible facility. It also may be used for the purchase and installation of fixed seating, lighting, carpeting, and other fixtures at a facility, but not for temporary and/or portable furniture or equipment. As a part of a CCCFF planning grant, the funds may also be used for preliminary planning related to the development or rehabilitation of eligible projects.

**Grant assistance must be matched at least equally from local sources; and at least fifty percent of the local match must be in cash.** Neither the local match nor the items listed for grant assistance should include amounts already spent prior to the date of this application for grant assistance. Following these guidelines, please upload the project budget showing the estimated line item costs for the project itemized by the proposed funding sources (grant and match) and project totals.

<u>CCCFF Application Part III.</u> <u>Project Description - Project</u> <u>Narrative (/s/3571463/154980/)</u>		INCOMPLETE	<a href="#">Start (/s/3571463/154980/)</a>
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*Provide the following information as ONE ATTACHMENT on a maximum of 15 pages, submitted materials will be*

clearly demarcated and in categorical order. All pages should be numbered at the bottom center. Please review all items below prior to completing the project narrative. Avoid repeating the same narrative in each section; narratives that are clear and concise are more likely to score higher than those that are highly repetitive. Each categorical criterion shall be reviewed and assigned a score of 0-10 points (60 points maximum). Where applications include more than one attachment in this section or more than 15 pages, those attachments or pages will not be considered as a part of the application review. You are encouraged to be clear and concise with your response to each criteria. The Application Guidelines include additional information about review criteria. **NOTE: in this section, Planning projects need only provide a narrative regarding Financial Support.**

1. **Retention Impact:** provide data and/or an explanation of how the proposed project shall retain existing residents.

Funding decisions by the Department shall be based on the likelihood of the project retaining existing residents in the community where the project is located, developing, sustaining, and fostering community connections, and enhancing the potential for economic growth in a manner that will sustain the quality of life and promote long-term economic development.

2. **New Resident Impact:** describe the anticipated impact on new residents.

Funding decisions by the Department shall be based on the likelihood of the project attracting new residents to the community where the project is located.

3. **Visitor Impact:** describe the anticipated impact on tourism and visitor attraction.

Funding decisions by the Department shall be based on the likelihood of the project enhancing or creating an attraction that would increase the potential of visitors to the community where the project is located from inside and outside the state.

4. **Financial Support:** describe and provide evidence of local financial support.

Assistance from the fund must include a 100% match (i.e. matched at least equally from local sources). At least fifty percent of the local match must be in cash. Preference shall be given to those projects with a higher level of local matching funds compared to those with a lower level of matching funds. Neither the local match nor the items listed for grant assistance should include amounts already expended prior to the date of application for grant assistance.

5. **Readiness and Local Public Support:** describe and provide evidence of local public support.

The applicant's fiscal, economic, and operational capacity to finance and manage the project and ability of the applicant to proceed and implement its plan and operate the civic or community center.

6. **Project Planning:** describe and provide evidence of planning efforts in support of the project.

Projects with completed technical assistance and feasibility studies at the community- or area-wide level shall be preferred to those with no prior planning.

CCCFF Application Part IV.  
Additional Attachments  
(/s/3571463/154410/)

INCOMPLETE

[Start \(/s/3571463/154410/\)](#)**Attachment 1 (REQUIRED):** Documentation of Match Commitment

*Provide "Attachment 1", written documentation supporting the amount and source of funding identified in Part II. Project Budget. The documentation should come from the provider of the matching funds. Documentation should also identify the amount of secured as compared to unsecured (e.g. pledged or pending) matching funds to-date.*

**Attachment 2 (REQUIRED):** Letters of Support

*Provide "Attachment 2". As referenced in the Application Form, a signed Letter of Intent from the Chief Elected Official of Municipality must be included. The original letter shall be sent to the CCCFF Coordinator and received on or before April 1. In addition, include letters of support from community stakeholders in support of the proposed project. The documentation should supplement the local public support identified in Part III. Project Description.*

**Attachment 3 (where applicable):** Planning Documents or "Other Attachments" as appropriate.

*Provide "Attachment 3", any design or conceptual documents related to the proposed project. The documentation should supplement the project planning identified in the project summary and/or Part III. Project Description.*

[Submit Application](#)

PREREQUISITES NOT MET

(/s/3571463/lg/)

 Add your Logo (/s/3571463/lg/)


**Progress**


This submission is **0.0%** complete. You still need to:

- [Complete task "Organization/ Business/ Municipality/ Investor name" \(/s/3571463/163270/\)](/s/3571463/163270/)
- [Complete task "CIVIC AND COMMUNITY CENTER FINANCING FUND APPLICATION FORM" \(/s/3571463/154392/\)](/s/3571463/154392/)
- [Complete task "CCCFF Application Part II. Project Budget" \(/s/3571463/154408/\)](/s/3571463/154408/)
- [Complete task "CCCFF Application Part III. Project Description - Project Narrative" \(/s/3571463/154980/\)](/s/3571463/154980/)
- [Complete task "CCCFF Application Part IV. Additional Attachments" \(/s/3571463/154410/\)](/s/3571463/154410/)
- Submit


## Members


 Charley Falmlen (Owner)

 Add Member (/s/3571463/m/+/)

 Edit Members (/s/3571463/m/e/)

## Additional Attachments

 Add Document (/s/3571463/doc/+/)

 Withdraw Submission

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[Privacy Policy \(https://fluidreview.com/privacy\)](https://fluidreview.com/privacy)

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RESOLUTION 2017-128

WHEREAS, the City of Grand Island, Nebraska, will seek the opportunity to apply for a \$1,125,000 grant from the Civic and Community Center Financing Fund from the State of Nebraska's Department of Economic Development Department; and

WHEREAS the City will submit an application for the Veteran's Sports Complex; and

WHEREAS, the City of Grand Island will submit an application as a result of project readiness, signified by the financial understanding of City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island, Nebraska is hereby authorized to apply for a \$1,125,000 grant request from the Civic and Community Center Financing Fund from the State of Nebraska's Department of Economic Development Department; and

The Mayor is hereby authorized and directed to execute documentation on behalf of the City of Grand Island for such process.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 25, 2017.

---

Jeremy L. Jensen, Mayor

Attest:

---

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
April 21, 2017	▣ City Attorney



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-14

**#2017-129 - Approving Amendment to Lease Agreement with Wells Fargo Regarding Parking Stalls**

Staff Contact: Jerry Janulewicz

# **Council Agenda Memo**

**From:** Jerry Janulewicz, City Attorney

**Meeting:** April 25, 2017

**Subject:** Modification of Lease Agreement with Wells Fargo Bank

**Presenter(s):** Jerry Janulewicz, City Attorney

## **Background**

The City of Grand Island and Wells Fargo Bank, N.A. (“Wells Fargo”) are parties to a lease agreement whereby City leases to Wells Fargo ten (10) parking stalls located immediately north of the Wells Fargo branch located at 304 West Third Street. Wells Fargo is requesting that the City approve a modification of this lease agreement as part of Wells Fargo’s efforts to comply with federal law by which it is required to adopt and put in place a “Living Will” to ensure the orderly resolution of its assets, including leasehold interests, in the case of material financial distress. The lease modification, if approved, would preclude the City from terminating the lease upon a “resolution event,” such as insolvency or appointment of a receiver.

## **Discussion**

The Lease Agreement between the city and Wells Fargo does not prohibit assignment of the lease nor does it provide for termination in the event of tenant’s insolvency, bankruptcy or similar event. Thus, the proposed modification does not substantially change the legal relationship between the city as landlord and Wells Fargo as tenant under the existing lease agreement.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Adopt the Resolution approving the modification.
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

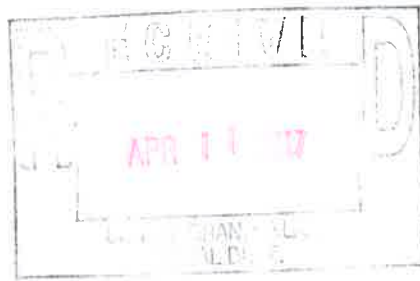
## **Recommendation**

City Administration recommends that the Council adopt the Resolution.

## **Sample Motion**

Move to approve the resolution approving the modification of the lease agreement between the City and Wells Fargo Bank.





**Wells Fargo & Co.**  
Corporate Properties Group  
Attn: Lease Admin/Cynthia Burns  
MAC D1086-300  
550 S. Tryon St., 30<sup>th</sup> Floor  
Charlotte, NC 28202  
E: LeaseRRP@WellsFargo.com

April 5, 2017

City of Grand Island  
Attn: Robert J. Sivick  
PO Box 1968  
Grand Island, NE 68802

By FedEx Overnight Delivery

Re: Wells Fargo's "Living Will" & Lease Agreement (as amended, if amended) between Landlord and Wells Fargo for 314 W S Front St, Grand Island, NE (collectively, the "Lease") - BE #109304

Dear Landlord:

As you may be aware, all large financial services companies, including Wells Fargo, are required by federal law to file a resolution plan (sometimes called a "living will") with federal regulators to ensure the orderly resolution of the company's assets in case of material financial distress or failure.

In general, federal law already provides federal regulators the means to resolve a financial company's assets in case of insolvency. For example, applicable law grants the FDIC the right to enforce a lease against a landlord even if the lease includes remedies for tenant insolvency. Even so, the federal guidance document for financial institution resolution plans provides that financial companies must modify their leases to incorporate terms precluding the automatic termination of a lease in case of insolvency. Therefore, to comply with the guidance document we have crafted proposed Resolution & Recovery terms for inclusion in our Lease, which are enclosed with this letter as Exhibit A.

To assist us in complying with federal requirements, we respectfully request that you sign this letter below indicating your agreement to amend the Lease to include the proposed Resolution & Recovery terms. After signing, please return the signed letter to us at the above address (a scanned PDF sent to the above email address also is acceptable). Since we are attempting to modify thousands of leases in a short time frame, we are grateful for your prompt attention to this matter.

You may receive more than one letter if you have more than one lease with us. If so, we apologize in advance, but if you will let us know, we will designate one point of contact to work with you on all leases.

If you have any questions, please email LeaseRRP@WellsFargo.com and someone will be in touch with you shortly. Thank you for helping us comply with our federal regulatory requirements.

Very truly yours,

Cynthia J. Burns  
Lease Management Operations Manager  
Corporate Properties Group

Accepted & Agreed this \_\_\_\_ day of \_\_\_\_\_ 2017

Landlord: \_\_\_\_\_

By: \_\_\_\_\_

Signer Name: \_\_\_\_\_

Title: \_\_\_\_\_

Contract# A00010930420000

**EXHIBIT A**  
**Resolution & Recovery**

Tenant, as a national financial services company, is required by applicable federal requirements, including the Dodd-Frank Act, to restate federal insolvency law in the Lease and to ensure that Tenant has the continuing right to use the Premises during an insolvency related event (e.g., the appointment of a receiver pursuant to federal law) (a "**Resolution Event**"). Therefore, notwithstanding anything set forth in the Lease or applicable law to the contrary, if a Resolution Event occurs, and Tenant or an Affiliate (defined below) continues to pay all rent and other charges under the Lease timely and continues to maintain and repair the Premises, Landlord shall not terminate, modify, or prevent renewal of the Lease, suspend any services provided to Tenant, an Affiliate, or the Premises under the Lease, or otherwise exercise remedies under or in respect of the Lease arising from any default by Tenant or any Affiliate occurring as a result of a Resolution Event that is cured within a reasonable period following the commencement of such Resolution Event. In addition, but only in connection with a Resolution Event, Landlord hereby irrevocably and unconditionally consents to (i) any change of control of Tenant or any Affiliate in connection with a Resolution Event and (ii) to the assignment, delegation, novation, or transfer of any or all of Tenant's rights and obligations under the Lease, in whole or in part, to any entity that is or becomes (or, as of immediately prior to the Resolution Event, was) an Affiliate or a successor to the whole or a part of the business of Tenant or an Affiliate. Notwithstanding anything set forth in this Section to the contrary, Landlord is not required, even during a Resolution Event, to allow Tenant or an Affiliate to occupy the Premises after the final expiration date of the Lease. "**Affiliate**" has the meaning given such term in Section 2(k) of the Bank Holding Company Act of 1956, as amended from time to time (12 U.S.C. § 1841(k)) (i.e., "any company that controls, is controlled by, or is under common control with another company.").

# LEASE AGREEMENT

This agreement by and between the City of Grand Island, Nebraska, a Nebraska Municipal Corporation, hereinafter referred to as "City" and Wells Fargo Bank N.A. a national banking association, hereinafter referred to as "Wells Fargo", witnesseth:

## I.

The purpose of this agreement is to set forth the terms and conditions under which Wells Fargo will lease from the City ten (10) parking spaces immediately North of the Wells Fargo branch located at 304 West Third Street, Grand Island, Hall County, Nebraska.

## II.

This lease shall be in effect for a period of five (5) years from April 1, 2013 to March 31, 2018.

## III.

Wells Fargo agrees to pay the City Two Hundred and Fifty Dollars (\$250.00) per month for the ten (10) parking spaces or Two Thousand, Five Hundred Dollars (\$2,500.00) per year. The annual payment of Two Thousand, Five Hundred Dollars (\$2,500.00) shall be due in annual installments within thirty (30) days of the first day of each lease year.

## IV.

Wells Fargo shall designate the ten (10) leased spaces with signage and shall be solely responsible for the cost and maintenance of said signage.

## V.

The terms of this agreement shall be construed in accordance with the laws of the State of Nebraska.

## VI.

The terms contained in this document shall constitute the entire agreement between the parties and it may not be modified

4/31/16

in any way except in writing and executed by duly authorized representatives of the parties.

THE CITY OF GRAND ISLAND

May 14, 2013  
Date

  
Jay Vavricek, Mayor


Attest:

  
RaNae Edwards, City Clerk

WELLS FARGO BANK N.A.

4/10/13  
Date

  
Title: Vice President

Approved:   
5/10/13 City Atty.

RESOLUTION 2017-129

WHEREAS, the City of Grand Island as landlord and Wells Fargo Bank, N.A. (“Wells Fargo”) as tenant are parties to a lease agreement whereby City leases to Wells Fargo ten (10) parking stalls located immediately north of the Wells Fargo branch located at 304 West Third Street; and

WHEREAS, the lease agreement was effective April 1, 2013 for a period of five (5) years; and

WHEREAS, Wells Fargo is required by federal law and regulating agencies to file a resolution plan with federal regulators to ensure the orderly resolution of the bank’s assets in case of material financial distress; and

WHEREAS, Wells Fargo’s resolution plan requires that its leases be modified to preclude automatic termination of the leases in case of insolvency, appointment of a receiver or other resolution event involving Wells Fargo.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the modification of lease agreement by and between the City of Grand Island and Wells Fargo providing for continuation of the lease agreement notwithstanding the occurrence of a resolution event on the part of Wells Fargo, should be and hereby is approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 25, 2017.

\_\_\_\_\_  
Jeremy L. Jensen, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 21, 2017	☐ City Attorney



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-15

**#2017-130 - Approving Collection of Various Assessment Liens**

Staff Contact: Jerry Janulewicz

# **Council Agenda Memo**

**From:** Jerry Janulewicz, City Attorney

**Meeting:** April 25, 2017

**Subject:** Resolutions Pertaining to Special Assessments

**Presenter(s):** Jerry Janulewicz, City Attorney

## **Background**

Various special assessment districts were created by the City for water, sidewalk, sewer, and street paving projects, not including connection districts. Creation of the districts resulted in assessments of \$6,672,917.43 levied upon 923 parcels included within the districts. Within certain districts are two parcels each with three or more unpaid delinquent special assessment installments and installments that are not yet due. When there exists three or more unpaid and delinquent special assessment installments upon a property, Nebraska Statutes permit the due date on all future unpaid installments to be accelerated and become due. If the accelerated installments remain unpaid after the date fixed by council, the city may proceed to collect all delinquent special assessments. Resolution #2017—(Item G-14) provides for fixing a date on which the future installments are accelerated and become due and delinquent if unpaid. Thereafter, the City's legal and finance departments are authorized to proceed with collection of all delinquent special assessments levied upon the parcels, including by foreclosure of the liens.

Resolution #2017—(Item G-13) authorizes the City's legal and finance departments to proceed with collection of special assessments levied upon the 51 parcels identified in the resolution. There are no special assessment installments to accelerate with respect to these parcels because the final installments are past due. If adopted, the city's legal department will proceed with efforts to collect the delinquent special assessments.

## **Discussion.**

Special assessments are a lien upon the property upon which they are levied. If not paid by those having legal or beneficial interests in the properties, the City's only recourse is to collect the assessments through foreclosure of its liens.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand.  
The Council may:

1. Adopt the Resolutions.
2. Refer the issues to a Committee.
3. Postpone the issues to future date.
4. Take no action on the issues.

## **Recommendation**

City Administration recommends that Council adopt the Resolutions.

## **Sample Motion**

Move to approve the resolution concerning collection of the various special assessments.

Move to approve the resolution setting a date upon which future special assessments installments become due and authorizing collection of delinquent special assessments.



## RESOLUTION 2017-130

WHEREAS, by ordinance passed and adopted by the City of Grand Island, paving, sanitary sewer, water and/or sidewalk special assessments were duly and regularly levied upon the properties described below; and

WHEREAS, the aforesaid special assessments were payable in installments; and

WHEREAS, Neb.Rev.Stat. § 18-1216 provides authority for a city of the first class to collect the special assessments which it levies and to perform all other necessary functions related thereto including foreclosure; and

WHEREAS, there exists delinquent and unpaid special assessments levied upon each respective parcel set forth below and located within the municipal boundaries of the City of Grand Island, Hall County, Nebraska:

<i><b>Owner of Record</b></i>	<i><b>Property Address</b></i>	<i><b>Legal Description</b></i>
Richard P and Phyllis O Newhouse	2305 S August Street	Country Club Subdivision, Lot 4 Block 4
Darrell E and Kelly S Johnson	2219 Riverview Drive	Country Club Subdivision, Lot 9 Block 6
Deborah A Butler	667 E Bischeld Street	Meves 1st Addition, Lot 1 Block 9
Jeffrey H Spease	2115 Pioneer Boulevard	Parkview Subdivision, Lot 7 Block A
Earl K and Lazetta J Barnes	2423 Park Drive	Parkview Subdivision, Lot 3 Block C
Greg S and Angela M Lehechka	2429 Park Drive	Parkview Subdivision, Lot 9 Block C
Robert L and Roxanne L Lathen	2521 Park Drive	Parkview Subdivision, Lot 29 Block C
Abigail Martin	234 S Shady Bend Road	Sass' 2nd Subdivision, E 5.6' of Lot 24
Abigail Martin	234 S Shady Bend Road	Sass' Subdivision, S 1/4 of Lot 1
Abigail Martin	234 S Shady Bend Road	Sass' Subdivision, S 1/4 of Lot 2
Abigail Martin	234 S Shady Bend Road	Sass' Subdivision, S 1/4 of Lot 3
Abigail Martin	234 S Shady Bend Road	Sass' Subdivision, S 1/4 of Lot 4
Ami L Weller	130 S Main Street	Sass' Subdivision, S 102.5' of N 412.5' of Lot 18

Approved as to Form April 21, 2017	by _____ City Attorney
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Thomas N and Margo L Galles	306 S Shady Bend Road	Sass' 2nd Subdivision, Lot 25
Thomas N and Margo L Galles	306 S Shady Bend Road	Sass' 2nd Subdivision, Lot 26
Noe Octavio Ayala and Ofelia Leticia Ayala	511 E 13th Street	Wheeler and Bennett's 2nd Addition, Lot 3 Block 65
Marvin D and Judith M Lambertus	2409 Pioneer Boulevard	Part of the SW 1/4, NW 1/4, Section 28, T11N, R9W of the 6th PM commencing at the SE corner of Lot 17, Block A, Park-View Subdivision; thence running southerly on said east line of said W 1/2, NW 1/4, said Section 28, a distance of 1,457 feet, thence westerly and parallel to the south line of said Lot 17, a distance of 377 feet to the east right-of-way line of Pioneer Boulevard.; thence northerly on the east right-of-way of Pioneer Boulevard., a distance of 1,457 feet; thence easterly and parallel to the south line of said Lot 17, a distance of 377 feet to the point of beginning. (Part of the SW 1/4, NW 1/4 of Section 28-11-9)
Ryan G and Whitney C Witt	3937 Dover Ct	Kentish Hills Subdivision, Lot 3
Thomas M Whelan	3015 Gladstone Cir	Kentish Hills Subdivision, Lot 15
Stephen D and Rona Rae Kucera	115 Beachwood Drive	Potash Subdivision, Lot 4
Verlon H and Melinda A Shears	4010 Roth Road	Potash Subdivision, Lot 14
Lori Fye, LM and NJ Bixenmann	134 Arapahoe Avenue	Dale Roush Subdivision, Lot 8 Block 1
William W and Sharee L Stahn	115 N Cherokee Avenue	Dale Roush 2nd Subdivision, Lot 3 Block 1
Dustin and Deeann Weekley	125 N Cherokee Avenue	Dale Roush 2nd Subdivision, Lot 5 Block 1
Deborah Sue Tjaden	129 N Cherokee Avenue	Dale Roush 2nd Subdivision, Lot 6 Block 1
Francisco Miguel and Angelina Domingo De Miguel	211 N Cherokee Avenue	Dale Roush 2nd Subdivision, Lot 8 Block 1
Francisco Miguel and Angelina Domingo De Miguel	215 N Cherokee Avenue	Dale Roush 2nd Subdivision, Lot 9 Block 1
Lou Eva Brandt	311 N Cherokee Avenue	Dale Roush 2nd Subdivision, Lot 14 Block 1

Larry J and Laurie A VanMark	423 N Cherokee Avenue	Dale Roush 2nd Subdivision, Lot 21 Block 1
John H Wenzel	5 Navajo Drive	Dale Roush 2nd Subdivision, Lot 28 Block 1
Jerry L Draves	6 Navajo Drive	Dale Roush 2nd Subdivision, Lot 29 Block 1
Michael F and Roswitha Wieck	230 Commanche Avenue	Dale Roush 2nd Subdivision, Lot 43 Block 1
Brian L and Raejean L Wieck	224 Commanche Avenue	Dale Roush 2nd Subdivision, Lot 44 Block 1
Paul Robert and Kristina Lynn Reimers	408 Dakota Drive	Dale Roush 2nd Subdivision, Lot 47 Block 1
James R and Laura G Smith	412 N Cherokee Avenue	Dale Roush 2nd Subdivision, Lot 3 Block 2
Terry L and Mary Ann Westwood	419 Arapahoe Avenue	Dale Roush 2nd Subdivision, Lot 9 Block 2
Terry L and Melissa R Stamm	318 N Cherokee Avenue	Dale Roush 2nd Subdivision, Lot 5 Block 3
Cindy A Schaffer	319 Arapahoe Avenue	Dale Roush 2nd Subdivision, Lot 8 Block 3
Monte R and Jodi A Knapp	311 Arapahoe Avenue	Dale Roush 2nd Subdivision, Lot 10 Block 3
Allen D and Nancy L Petzoldt	228 N Cherokee Avenue	Dale Roush 2nd Subdivision, Lot 7 Block 4
Larry D and Cindy L Addison	221 Arapahoe Avenue	Dale Roush 2nd Subdivision, Lot 10 Block 4
Danny R and Pamela S Miller	226 Arapahoe Avenue	Dale Roush 2nd Subdivision, Lot 2 Block 5
Jeanette and Terry Wampole	427 Commanche Avenue	Dale Roush 2nd Subdivision, Lot 7 Block 6
Jorge R and Mayra Q Romo	421 Commanche Avenue	Dale Roush 2nd Subdivision, Lot 8 Block 6
Marshall Tice and Lori L Forgy	4245 Shanna Street	Western Heights 4th Subdivision, Lot 16
Jason C and Gayle D Bonnes	812 Redwood Road	Westwood Park 2nd Subdivision, Lot 13
David S and Julie L Sackschewsky	4160 Maywood Drive	Westwood Park 2nd Subdivision, Lot 14
Bryan R and Karen A Phelps	1110 S Pleasant View Drive	Pleasantview 10th Subdivision, Lot 5
Timothy R and Dolores A Bremer	1124 S Pleasant View Drive	Pleasantview 10th Subdivision, Lot 12
Theodore J Robb	2813 S Locust Street	Knox 3rd Subdivision, Lot 3

James H and Julie Pedersen	4069 Cannon Road	Adams Way Subdivision, Lot 1
----------------------------	---------------------	------------------------------

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, City's finance and legal departments are hereby authorized and directed to collect the delinquent special assessments levied upon the above-described property, together with interest accrued thereon, and to enforce the special assessment liens thereon by foreclosure as authorized by law.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 25, 2017.

\_\_\_\_\_  
Jeremy L. Jensen, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

- 4 -



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-16

### **#2017-131 - Approving Setting Delinquency Due Date for Special Assessment Installments**

*This item relates to Consent Agenda item G-15.*

Staff Contact: Jerry Janulewicz

## RESOLUTION 2017-131

WHEREAS, by ordinance passed and adopted by the City of Grand Island, paving, sanitary sewer, water and/or sidewalks special assessments were duly and regularly levied upon the properties described below; and

WHEREAS, the aforesaid special assessments were payable in installments; and

WHEREAS, Neb.Rev.Stat. § 18-1216 provides authority for a city of the first class to collect the special assessments which it levies and to perform all other necessary functions related thereto including foreclosure; and

WHEREAS, there exists three or more installments delinquent and unpaid with respect to the following parcels located within the municipal boundaries of the City of Grand Island, Hall County, Nebraska:

Record Title Owner	Property Address	Legal Description	Number of Installments Delinquent and Unpaid
Dennis Jay and Kimberly J. Otte	4146 Driftwood Drive	Lot 25, Westwood Park Second Subdivision	1 through 9, inclusive
Julie Nickerson	1141 Pleasant View Drive	Lot 3, Block 2, Pleasant View 12 <sup>th</sup> Subdivision	1 through 4, inclusive

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, as follows:

1. All future special assessments installments with respect to the above-described properties shall be due on July 1, 2017 and shall be delinquent if unpaid after said date. Thereafter, City's finance and legal departments are hereby authorized and directed to collect the delinquent special assessments and interest accrued thereon, and to enforce the special assessment liens by foreclosure as authorized by law.
2. A copy of this Resolution shall be published in the Grand Island Independent one time each week for not less than three successive weeks.

Approved as to Form April 21, 2017	by _____ City Attorney
---------------------------------------	---------------------------

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 25, 2017.

---

Jeremy L. Jensen, Mayor

Attest:

---

RaNae Edwards, City Clerk

- 2 -



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item G-17

**#2017-132 - Approving One (1) New 2017 14,000 GVW (3500)  
Dump Truck 4x4 for the Parks and Recreation Department**

Staff Contact: Todd McCoy



# **Council Agenda Memo**

**From:** Todd McCoy, Parks and Recreation Director

**Meeting:** April 25, 2017

**Subject:** Bid Award for (1) New 2017 12,000 GVW (3500) Dump Truck 4x4

**Presenter(s):** Todd McCoy, Parks and Recreation Director

## **Background**

The Parks Division budgeted this year to replace a 1991 five-yard dump truck. The Parks Department is recommending purchasing a smaller dump truck that is more maneuverable in the parks and does not require a CDL permit to operate. The new unit will haul woodchips, dirt, tree branches, gravel, sand, logs, and clear snow during the winter. The existing truck has 5,866 hours, 48,943 miles, and is valued near \$10,000. If no other City divisions are interested in the older truck it will be placed on auction.

Current 1991 Unit



### Recommended 2017 Unit



### **Discussion**

Two bids were received to purchase a new dump truck.

Anderson of Grand Island, NE	Ford F350	\$43,282.00
Gregg Young CDJR of Grand Island, NE	Ram 3500	\$43,592.00

Staff recommends the low bid from Anderson of Grand Island to purchase as new Ford F350 unit. The truck was approved in this year's budget account 10044403.

### **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **Recommendation**

City Administration recommends that the City Council approve the purchase of one (1) new 2017 F-350 4X4 dump truck from Anderson Ford of Grand Island, Nebraska. The total purchase price is \$43,282.00.

### **Sample Motion**

Move to approve the purchase of one (1) new 2017 F-350 4X4 dump truck for the amount of \$43,282.00.



Stacy Nonhof, Purchasing Agent

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** April 12, 2017 at 2:00 p.m.  
**FOR:** One (1) New 2017 14,000 GVW (3500) Dump Truck 4x4  
**DEPARTMENT:** Parks & Recreation  
**ESTIMATE:** \$55,000.00  
**FUND/ACCOUNT:** 10044403-85625  
**PUBLICATION DATE:** March 30, 2017  
**NO. POTENTIAL BIDDERS:** 3

**SUMMARY**

<b>Bidder:</b>	<u>Anderson</u> Grand Island, NE	<u>Gregg Young CDJR</u> Grand Island, NE
<b>Exceptions:</b>	None	Noted
<b>Model:</b>	Ford F350	Ram 3500
<b>Bid Price:</b>	\$43,282.00	\$43,592.00

cc: Todd McCoy, Parks & Recreation Director  
Marlan Ferguson, City Administrator  
Stacy Nonhof, Purchasing Agent

Patti Buettner, Parks Admin. Assist.  
Renae Griffiths, Finance Director  
Gregg Bostelman, Park Maintenance Supt.

**P1960**

RESOLUTION 2017-132

WHEREAS, the City of Grand Island invited sealed bids for one (1) new 2017 14,000 GVW (3500) Dump Truck 4x4 for the Grand Island Parks Division, according to plans and specifications on file with the Parks and Recreation Department; and

WHEREAS, on April 12, 2017, two (2) bids were received, opened and reviewed; and

WHEREAS, Anderson Ford from Grand Island, Nebraska submitted a bid in accordance with the terms of the advertisement of bids, plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$43,282.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Anderson Ford from Grand Island, Nebraska in the amount of \$43,282.00 for one (1) new 2017 14,000 GVW (3500) Dump Truck 4x4 for the Grand Island Parks Division is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 25, 2017.

\_\_\_\_\_  
Jeremy L. Jensen, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	▣ _____
April 21, 2017	▣ City Attorney



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item H-1

### **Consideration of Review of Public Hearing on the Development of 2017-2018 Annual Action Plan for CDBG Activities**

*This item relates to the aforementioned Public Hearing item E-4.*

**Staff Contact: Charley Falmlen**



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item I-1

**#2017-133 - Consideration of Amending Subdivision Agreement  
for Sterling Estates 8th Subdivision**

Staff Contact: Chad Nabity

# Council Agenda Memo

**From:** Chad Nabity, AICP

**Meeting:** April 25, 2017

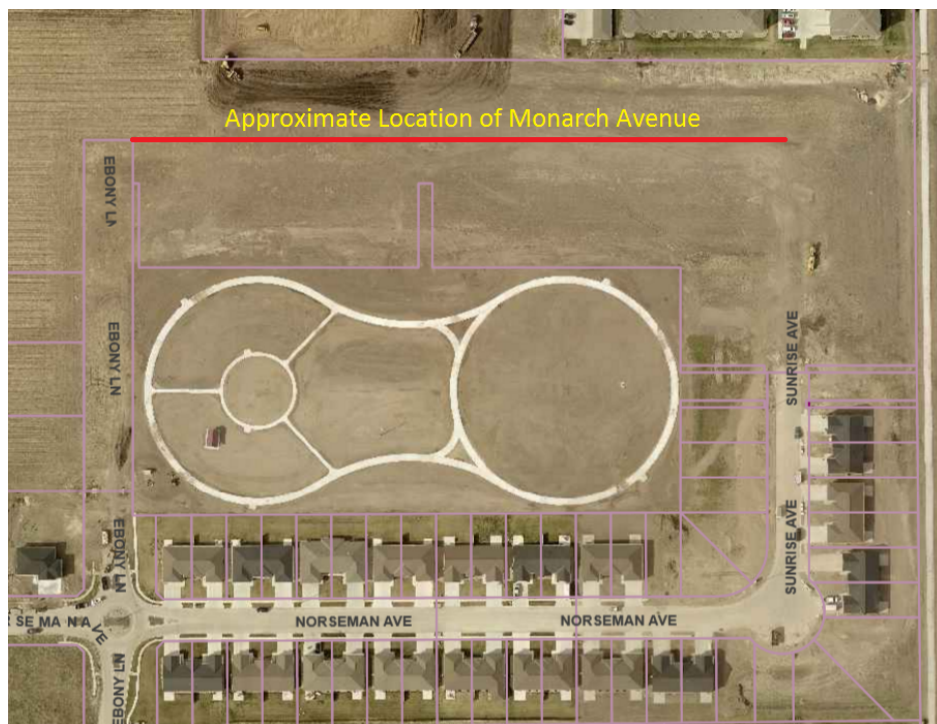
**Subject:** Amendment to Sterling Estates 8<sup>th</sup> Subdivision Agreement

**Presenter(s):** Chad Nabity AICP

## Background

Marc Starostka on behalf of Starostka Group Unlimited, Inc is requesting that the Grand Island City Council consider amending the subdivision agreement for Sterling Estates 8<sup>th</sup> Subdivision to allow parking only on the east side of Sunrise Avenue and north side of Monarch Avenue.

The Starostka Group will be purchasing this property located to the north and east sides of Sterling Estates Park and developing it with two-unit townhomes similar to those on the south side of the park.





The proposed development of townhome units with two-car attached garages leaves very little room on the street for on-street parking. Each unit has at least four parking spaces with the garage spaces and those on the driveway. This leaves very little room between the driveways along the curb of on-street parking.

The picture below is a street view of the development south of the park.



The development pattern will be similar for the remaining lots around the park.

In March of 2014 the Grand Island City Council, with the recommendation of the Hall County Regional Planning Commission and City staff, adopted street standards with a 32' street as the standard residential street for Grand Island. With that standard, parking is limited to one side of the street. This request is the first time that a developer has requested the 32' street. With that request, they are asking Council to designate which side of the street parking will be allowed on. The request is to allow parking on the east side of Sunrise Avenue (east of the park) and north side of Monarch Avenue (north of the park).



If approved, the subdivision agreement would be amended as follows:

1. **Paving.** The Subdivider agrees to pave Sunrise Avenue and Monarch Avenue in accordance with plans and specifications approved by the City's Director of Public Works, and subject to the City's inspection. If the Subdivider fails to pave Sunrise Avenue and Monarch Avenue, the City may create a paving district to perform such work. The Subdivider agrees to waive the right to object to the creation of any paving district for Sunrise Avenue and Monarch Avenue where they abut the subdivision. **The Thirty Two foot (32') standard residential street allows parking on one side of the street to preserve access and parking shall only be permitted along the east side of Sunrise Avenue and north side of Monarch Avenue unless further changed or amended by Grand Island City Council.**

### **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve the resolution approving the amended agreement.
2. Move to not approve the resolution.
3. Refer the issue to a committee.
4. Postpone the issue to a future date.
5. Take no action on the issue.

### **Recommendation**

City Administration recommends that the Council move to approve the resolution amending the agreement and authorize the Mayor to sign the agreement and the Clerk to file the agreement as amended.

### **Sample Motion**

Move to adopt resolution as presented.

# Starostka Group Unlimited, Inc.

429 Industrial Lane  
Grand Island, NE 68803

Ph. (308) 385-0636  
Fax (308) 384-8447



April 19, 2017

Mayor and Grand Island City Council  
100 E 1st Street  
Grand Island, NE 68801

Dear Mayor and Grand Island City Council:

Starostka Group Unlimited, Inc. is proposing to complete Monarch Ave and Sunrise Ave in Sterling Estates 8<sup>th</sup> Subdivision with 32' streets with limited parking as permitted by the Street Standards and Subdivision Regulations adopted by the City of Grand Island in March of 2014.

Our preference is to have the parking limited to the North side of Monarch Ave and East side of Sunrise Ave. The purchase of the property is under contract with Niedfelt Property Management, LLC, and Starostka Group Unlimited, Inc. is making this request based on that. We anticipate that we will close on this property and begin construction of the streets prior to the end of May 2017.

We would respectfully request the Grand Island City Council consider amending the approved subdivision agreement for Sterling Estates Eighth Subdivision as follows:

1. **Paving.** The Subdivider agrees to pave Sunrise Avenue and Monarch Avenue in accordance with plans and specifications approved by the City's Director of Public Works, and subject to the City's inspection. If the Subdivider fails to pave Sunrise Avenue and Monarch Avenue, the City may create a paving district to perform such work. The Subdivider agrees to waive the right to object to the creation of any paving district for Sunrise Avenue and Monarch Avenue where they abut the subdivision. **The Thirty Two foot (32') standard residential street allows parking on one side of the street to preserve access and parking shall only be permitted along the east side of Sunrise Avenue and north side of Monarch Avenue unless further changed or amended by Grand Island City Council.**

Marc Starostka  
Starostka Group Unlimited, Inc.

## RESOLUTION 2017-133

WHEREAS Niedfelt Property Management Preferred LLC, A Nebraska Limited Liability Company, being the owners of the land described hereon, and Starostka Group Unlimited, Inc. having contracted to purchase the land describe hereon "STERLING ESTATES EIGHTH SUBDIVISION" in the City of Grand Island, Hall County, Nebraska, and wish to have certain amendments to the approved and filed subdivision agreement for said property considered for approval by the Grand Island City Council; and

WHEREAS, a form of subdivision agreement has been agreed to between the owner of the property and the City of Grand Island amending Paragraph 1 of the signed and approved agreement as follow:

1. **Paving.** The Subdivider agrees to pave Sunrise Avenue and Monarch Avenue in accordance with plans and specifications approved by the City's Director of Public Works, and subject to the City's inspection. If the Subdivider fails to pave Sunrise Avenue and Monarch Avenue, the City may create a paving district to perform such work. The Subdivider agrees to waive the right to object to the creation of any paving district for Sunrise Avenue and Monarch Avenue where they abut the subdivision. The Thirty Two foot (32') standard residential street allows parking on one side of the street to preserve access and parking shall only be permitted along the east side of Sunrise Avenue and north side of Monarch Avenue unless further changed or amended by Grand Island City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the form of subdivision agreement hereinbefore described is hereby approved, and the Mayor is hereby authorized to execute such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 25, 2017.

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Jeremy L. Jensen, Mayor

Attest:

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RaNae Edwards, City Clerk

Approved as to Form	☐	_____
April 21, 2017	☐	City Attorney



# City of Grand Island

Tuesday, April 25, 2017

Council Session

## Item J-1

### **Approving Payment of Claims for the Period of April 12, 2017 through April 25, 2017**

*The Claims for the period of April 12, 2017 through April 25, 2017 for a total amount of \$4,748,330.41.  
A MOTION is in order.*

Staff Contact: Renae Griffiths