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# City of Grand Island



**Tuesday, September 11, 2018**  
**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, Grand Island, NE 68801**

### **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 Paul Canady, True North Church, 1804 West State 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, September 11, 2018

Council Session

## Item E-1

**Public Hearing on Proposed Changes to Chapter 36 of the Grand Island City Code Specifically Sections §36-50 Zoning District, Use; §36-64.1 (R-3SL) Medium Density-Small Lot Residential; §36-72 (M-1) Light Manufacturing Zone; and §36-73 (M-2) Heavy Manufacturing**

*Council action will take place under Ordinances item F-1.*

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** September 11, 2018

**Subject:** Amendments to Chapter 36 (Zoning) Changes to §36-50 Zoning Districts/Use, §36-64.1 (R-3SL) Medium Density Residential Small Lot, §36-72 (M-1) Light Manufacturing, and §36-73 (M-2) Heavy Manufacturing

**Item #'s:**

**Presenter(s):** Chad Nabity, AICP Regional Planning Director

## **Background**

*Concerning proposed amendments to Section 36-50 Zoning Districts/Use; Section 36-64.1 (R-3SL) Medium Density Residential Small Lot Zone; Section 36-72 (M-1) Light Manufacturing Zone and Section 36-73 (M-2) Heavy Manufacturing Zone. (C-28-2018GI).*

## **PROPOSAL AND OVERVIEW:**

In 2017 the Grand Island City Council adopted the R-3SL Zoning District at that time it was not included in the list of zoning districts the proposed change would list it with the other zoning districts allowed in the jurisdiction of Grand Island.

### **§36-50. Zoning Districts; Use**

For the purpose of this chapter, the City of Grand Island and its extra-territorial jurisdiction is hereby divided into 27 zoning districts, designated as follows:

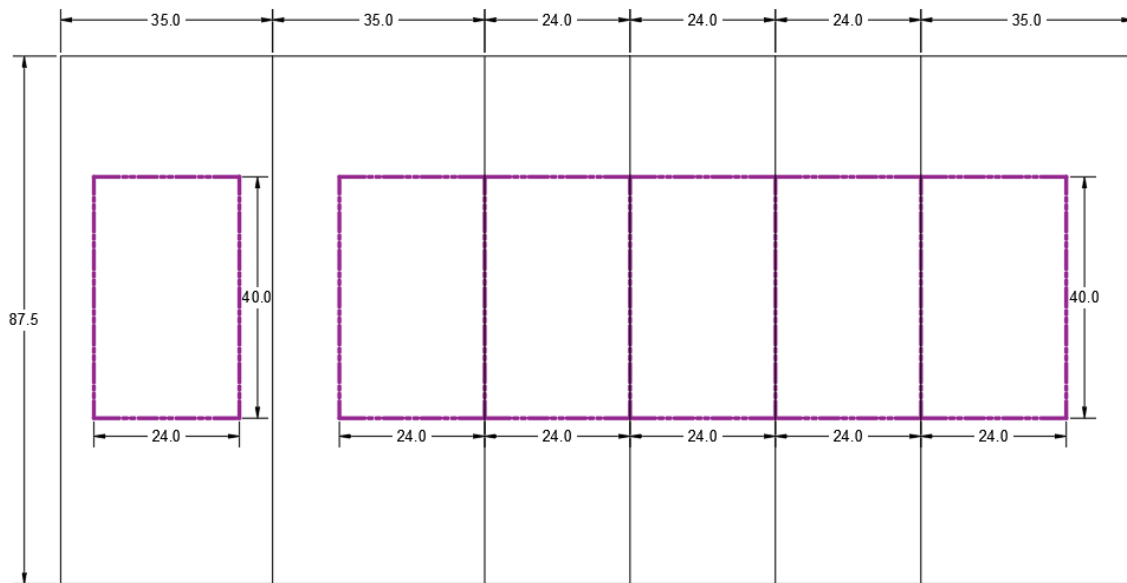
AG-1	Primary Agricultural Zone
AG-2	Secondary Agricultural Zone
AG-SC	Special Agricultural / Conservation Zone
AG-SE	Special Agricultural / Events Zone
AG-SI	Special Agricultural / Industrial Zone
SRC	Special Recreation / Conservation Zone
TA	Transitional Agricultural Zone
LLR	Large Lot Residential Zone
R-1	Suburban Residential Zone
R-2	Low Density Residential Zone
R-3	Medium Density Residential Zone
<u>R3-SL</u>	<u>Medium Density Small Lot Residential Zone</u>
R-4	High Density Residential Zone
RO	Residential Office Zone
B-1	Light Business Zone
B-2	General Business Zone

AC	Arterial Commercial Overlay Zone
B-3	Heavy Business Zone
ME	Industrial Estates Zone
M-1	Light Manufacturing Zone
M-2	Heavy Manufacturing Zone
M-3	Mixed Use Manufacturing Zone
CD	Commercial Development Zone
TD	Travel Development Zone
RD	Residential Development Zone
A	Airport Zone
GCO	Gateway Corridor Overlay District
M and MD	Manufactured Home Overlay Zone

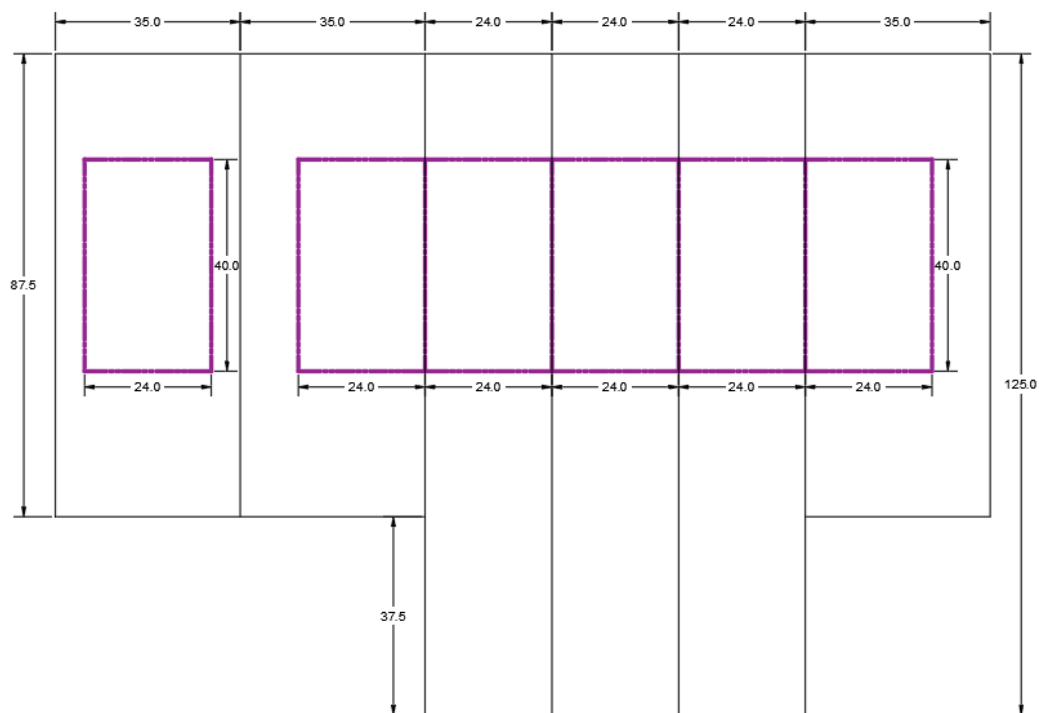
### **Proposed Changes to the R-3SL Zoning District**

This district was adopted in October of 2017 and we are starting to get the first subdivisions designed for the housing this district can provide. One issue that has become apparent is that it is not practical to require the same lot area for attached single units with 3 or more attached units as would be required for either single family units or two unit townhomes. The suggested changes would reduce the minimum lot area to 2100 square feet. This would allow a structure with an area of 1050 square feet to be built on the property and has area proportional to the outside lots that require a 10 foot side yard setback (34 foot minimum lot width). The changes suggested also clarify when a 24 foot lot width is allowed, only with 3 or more attached single family dwellings. A two unit town home would require a minimum lot width of 35 feet and area of 3000 square feet for each lot.

This example below shows how a 35 foot wide by 87.5 foot long (just over 3000 square feet) lines up with lots of the same depth planned for 3 or more attached single family homes in this example 5, all of which have a width of 24 feet. The internal lots all have a depth of 87.5 feet and width of 24 feet so they are 2100 square feet. The second example shows that in order to make the 24 foot lots 3000 square feet it is necessary to increase the depth of the lots to 125 feet while the wider lots are only 87.5 feet.



**Figure 1 Interior 24 foot wide lots are 2100 square feet**



**Figure 2 Interior 24 foot wide lots are 3000 square feet**

**§36-64.1 (R-3SL) Medium Density-Small Lot Residential Zone**

*Intent:* To provide for residential uses at a maximum density of fourteen to fifteen dwelling units per acre with supporting community facilities. This zoning district is sometimes used as a transitional zone between lower density residential zones and higher density residential, office, business, or manufacturing

zones. Specifically this zoned is intended to provide market flexibility regarding lot size and housing configuration.

(A) Permitted Principal Uses: The following principal uses are permitted in the (R-3SL) Medium Density Small Lot Residential Zoning District.

- (1) Dwelling units
- (2) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises
- (3) Public parks and recreational areas
- (4) Country clubs as defined herein
- (5) Public, parochial and private schools having a curriculum equivalent to an elementary or higher educational level and colleges offering courses of general instruction, including convents, monasteries, dormitories and other related living structures when located on the same site as the college.
- (6) Churches, synagogues, chapels, and similar places of religious worship and instruction of a quiet nature.
- (7) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall be of such exterior design as to harmonize with nearby properties.
- (8) Public and quasi-public buildings for cultural use
- (9) Railway right-of-way, but not including railway yards or facilities
- (10) Off street parking lots for residents and guests

(B) Conditional Uses: The following uses are subject to any conditions listed in this chapter and are subject to other conditions relating to the placement of said use on a specific tract of ground in the (R-3SL) Medium Density Small Lot Residential Zoning District as approved by City Council.

- (1) Nonprofit community buildings and social welfare establishments other than those providing living accommodations
- (2) Driveways, parking lots, or buildings when directly associated with or accessory to a permitted principal use in an adjacent zone.
- (3) Preschools, nursery schools, day care centers, children's homes, and similar facilities
- (4) Towers
- (5) Off-street parking areas for schools and places of religious worship/instruction on lands adjacent to and within three hundred (300.0) feet of the principal building associated with the aforementioned uses.
- (6) All other Conditional Uses indicated as conditional within the Zoning Matrix [Attachment A hereto]

(C) Permitted Accessory Uses:

- (1) Customary home occupations
- (2) Buildings and uses accessory to the permitted principal use

(D) Space Limitations:

Uses				Minimum Setbacks					
			A	B	C	D	E		
	Minimum Parcel Area (feet)	Minimum Lot Area per Dwelling Unit	Minimum Lot Width (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Street Side Yard (feet)	Maximum Ground Coverage	Maximum Building Height (feet)
Permitted Uses	3,000	3,000	35	20*	15	5	10	50%	35
Conditional Uses	3,000	3,000	35	20*	15	5	10	50%	35
Attached Single Family Dwelling Units <u>3 or more attached</u>	<del>2100</del> 3000	<del>2100</del> 3000	34 exterior 24 interior	20*	15	10 exterior lot	10 exterior lot	50%	35

(E) Miscellaneous Provisions:

- (1) Supplementary regulations shall be complied with as defined herein
- (2) Only one principal building shall be permitted on one zoning lot except as otherwise provided herein.
- (3) Front yard setback may be reduced to 10 foot if paved access easements and parking (garage counts as parking) is provide at the back of each lot.
- (4) Sideyard setback for attached single family dwellings shall be reduced to 0 feet on all lots with contiguous attached units

## Proposed changes to the M1 Light Manufacturing Zone and M2 Heavy Manufacturing Zone relative to dwelling units

Previous versions of the Grand Island zoning regulations have allowed limited residential uses in the Manufacturing Districts in the form of a night watchman's quarters. In 2004, with the revision of the regulations, those provisions were removed from the regulations and after that time no new residential structures were to be constructed within these districts. The biggest issue staff had at the time was how to define the night watchman's quarters. If it really was intended for a night watchman did it need to or should it even include a bed.

The City is currently dealing with a few cases where people have illegally added residential units within the M2 Heavy Manufacturing district. Since we used to allow the night watchman's quarters not every apartment within a building in these districts is illegal so it is necessary to prove that the unit was not there prior to 2004. This adds to the issues in clearing these cases up.

We already permit a mix of residential and commercial or manufacturing uses in the all of our commercial zones except the CD Commercial Development zone a planned unit development and in the M3 Mixed Use Manufacturing zone.

This proposed change would make it easier to enforce building and fire codes on these properties as people could actually apply for a permit and get inspections on these projects. Under the current regulations anyone that builds a new one of these units in an existing building is doing so with no inspection or review for safety of the occupants of either the dwelling or the business. The changes as drafted will not permit the construction of a single family house or multiple dwellings within a single building. Owners would be limited to one dwelling unit within a building that would otherwise be a permitted use.

The downside to allowing this use in the Manufacturing districts is that it may increase the likelihood of conflicts between the dwellings a permitted use and the other uses that are permitted. If the dwellings that are constructed in these buildings are done so illegally it is unlikely that the people living in them will complain about the activities of their neighbors.

**§36-72. (M-1) Light Manufacturing Zone**

*Intent:* The intent of this zoning district is to provide for light fabrication, service, warehousing, administrative and research uses within a zoning district having generally limited public contact and requiring some minimal landscaping standards.

(A) Permitted Principal Uses: The following principal uses are permitted in the (M-1) Light Manufacturing Zoning District.

- (1) Administrative, executive, professional, research and similar office use having limited contact with the public
- (2) Agriculture, including the raising of field crops, tree and bush crops, animals and fowls, but not including feed lots, poultry farms, fur farms, and commercial kennels
- (3) Buildings and installations for public utilities; facilities shall observe yard space requirements but shall not be subject to minimum area or width requirements
- (4) Railway right-of-way, but not including railway yards or facilities
- (5) Radio and television stations, private clubs, and meeting halls
- (6) Manufacture, processing, assembly, fabrication or storage of non-hazardous products and materials
- (7) Parking Lot
- (8) Other uses found in the Zoning Matrix [Attachment A hereto]

(B) Conditional Uses: The following uses are subject to any conditions listed in this chapter and are subject to other conditions relating to the placement of said use on a specific tract of ground in the (M-1) Light Manufacturing Zoning District as approved by City Council.

- (1) Gravel, sand, or dirt removal, stockpiling, processing or distribution, and batching plant
- (2) Concrete or cement products manufacturing and batching plant.
- (3) Truck terminal, tractor, trailer, or truck storage, including maintenance facilities
- (4) Contractor's storage yard or plant
- (5) Motels and hotels
- (6) Towers

(C) Permitted Accessory Uses:

- (1) Sales of new merchandise when same is manufactured, processed, assembled, fabricated or stored on the premises
- (2) Buildings and uses accessory to the permitted principal use
- (3) A single dwelling unit occupying not more than 50% of the space located within the permitted principal structure on the property and not to exceed 750 square feet. Building shall conform to all building and life safety codes necessary for the mix of uses.

(D) Specifically Excluded Uses:

- (1) ~~Any residential use~~ Residences as a principal use
- (2) Manufactured homes and manufactured home parks
- (3) Churches, schools, institutions and other public and semi-public uses except for trade and vocational schools

(E) Space Limitations:

Uses			Minimum Setbacks					
		A	B	C	D	E		
	Minimum Parcel Area (feet)	Minimum Lot Width (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Street Side Yard (feet)	Maximum Ground Coverage	Maximum Building Height (feet)
Permitted Uses	20,000	100	35 <sup>1</sup>	20	10	10	50%	50
Conditional Uses	20,000	100	35 <sup>1</sup>	20	10	10	50%	50

<sup>1</sup> with 15 feet adjacent to a street landscaped to satisfaction of the zoning official.

(F) Miscellaneous Provisions:

- (1) Supplementary regulations shall be complied with as defined herein
- (2) Landscaping shall be provided and maintained by the owner or developer within the 15 feet adjacent to a street; landscaping shall include but is not limited to, screen planting, lawn area, trees, shrubs, fences and walls; all landscaping shall be planned and maintained to the satisfaction of the zoning official.
- (3) Only one principal building shall be permitted on one zoning lot except as otherwise provided herein.

**§36-73. (M-2) Heavy Manufacturing Zone**

*Intent:* The intent of this zoning district is to provide for the greatest amount of manufacturing, warehousing, wholesaling and business uses. Conditional use permits are required for those uses with more significant health and safety concerns.

(A) Permitted Principal Uses:

- (1) Administrative, executive, professional, research and similar office use having limited contact with the public
- (2) Agencies as found in the Zoning Matrix [Attachment A hereto]
- (3) Agriculture, including the raising of field crops, tree and bush crops, animals and fowl, but not including feed lots, poultry farms, and fur farms
- (4) Concrete or cement products manufacturing and batching plant
- (5) Contractors storage yard or plant
- (6) Gravel, sand or dirt removal, stockpiling, processing or distribution, and batching plant
- (7) Manufacture, processing, assembly, fabrication and/or storage of non-hazardous products and materials
- (8) Mortuaries, funeral homes, and funeral chapels
- (9) Parking Lot
- (10) Office and office buildings for professional and personal services as found in the Zoning Matrix [Attachment A hereto]
- (11) Outdoor sales and rental lots for new or used automobiles, boats, motor vehicles, trailers, manufactured homes, farm and construction machinery
- (12) Radio and television stations, private clubs and meeting halls
- (13) Railway right-of-way, including yards and facilities
- (14) Stores and shops that conduct retail business, provided, all activities and display goods are carried on within an enclosed building except that green plants and shrubs may be displayed in the open, as per the Zoning Matrix [Attachment A hereto]
- (15) Stores and shops for the conduct of wholesale business, including sale of used merchandise



(16) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises

(17) Truck terminal, tractor, trailer, or truck storage, including maintenance facilities

(18) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall be of such exterior design as to harmonize with nearby properties

(19) Vocational or trade schools, business colleges, art and music schools and conservatories, and other similar uses

(20) Other uses found in the Zoning Matrix [Attachment A hereto]

(B) Conditional Uses: The following uses are subject to any conditions listed in this chapter and are subject to other conditions relating to the placement of said use on a specific tract of ground in the (M-2) Heavy Manufacturing Zoning District as approved by City Council.

(1) Automobile wrecking yard

(2) Acid or acid by-products manufacture

(3) Ammonia bleaching powder, chlorine, peroxylin or celluloid manufacture

(4) Explosives manufacture or storage

(5) Garbage, refuse, offal or dead animal reduction or disposal area

(6) Glue manufacture, fat rendering, distillation of bones or by-products

(7) Meat packing plants, including poultry and animal slaughterhouses and abattoirs

(8) Milling or smelting of ores

(9) Petroleum refining

(10) Motels and hotels

(11) Petroleum refining

(12) Stock or feed yards

(13) Salvage yard

(14) Tanning, curing, or storage of hides or skins

(15) Towers

(C) Permitted Accessory Uses:

(1) Buildings and uses accessory to the permitted principal uses

(2) A single dwelling unit occupying not more than 50% of the space located within the permitted principal structure on the property and not to exceed 750 square feet. Building shall conform to all building and life safety codes necessary for the mix of uses.

(D) Specifically Excluded Uses:

(1) Any residential use Residences as a principal use

(2) Manufactured homes, and manufactured home parks

(3) Churches, schools, institutions and other public and semi-public uses except for trade and vocational schools

(E) Space Limitations:

Uses			Minimum Setbacks					
		A	B	C	D	E		
	Minimum Parcel Area (feet)	Minimum Lot Width (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Street Side Yard (feet)	Maximum Ground Coverage	Maximum Building Height (feet)
Permitted Uses	6,000	50	10	0 <sup>1</sup>	0 <sup>2</sup>	10	65%	-
Conditional Uses	6,000	50	10	0 <sup>1</sup>	0 <sup>2</sup>	10	65%	-

<sup>1</sup> None when bounded by an alley, otherwise 10 feet

<sup>2</sup> No required Side Yard Setback, but if provided, not less than 5 feet or unless adjacent to a parcel whose zone requires a side yard setback, then 5 feet. When adjacent to a public alley, the setback is optional and may range from 0 feet to 5 feet.

(F) Miscellaneous Provisions:

- (1) Supplementary regulations shall be complied with as defined herein
- (2) Only one principal building shall be permitted on one zoning lot except as otherwise provided herein.

## **Discussion**

At the regular meeting of the Regional Planning Commission, held September 5, 2018 the above item was considered following a public hearing.

Ruge opened the Public Hearing.

Nabity explained the proposed changes as shown above. The change to the Districts\Use section is needed to specifically add the R-3SL to that list. The changes to the R-3SL District with regard to lot area and setbacks will clarify the development of the interior 24 foot lots for 3 or more attached single family dwellings. The need for this change was made apparent with the proposed Orchard Subdivision that will be utilizing these lots for row house development. The proposed changes to the M1 and M2 Manufacturing zones are coming about as a result of the enhanced fire inspection program that is discovering a number of buildings in these districts that have dwelling units inside of them. Some of these units are permitted as grandfathered uses from when night watchman's quarters were permitted in these districts and others have been added without any permits. It can be difficult to sort out which is which. The proposed changes would permit the residential quarters in a very limited fashion with the M1 and M2 districts. They would need to be in the principal building on the site and would be limited to either 50% of the space or 750 square feet whichever is smaller. They would also be required to meet all of the building and life safety codes necessary to permit the mix of uses on the property. In most cases that will require that the owner provides fire sprinklers for the entire building. The mix of uses is already allowed in the commercial zoning districts including and the M3 Mixed Use Manufacturing district along the Union Pacific Tracks between the BNSF and Blaine Street/Custer Avenue.

Ruge closed the Public Hearing.

A motion was made by Robb and seconded by Rainforth to approve the proposed changes to Chapter 36 as requested. The motion carried with 8 members voting in favor (Rainforth, Ruge, Robb, Randone, Rubio, Allan and Hendricksen) and no member abstaining or voting against the motion.

## **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 a future date
4. Take no action on the issue

### **Recommendation**

City Administration recommends that the Council approve the proposed changes as recommended.

### **Sample Motion**

Move to approve the proposed changes to Chapter 36 as recommended and shown in Ordinance Number \_\_\_\_\_



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item E-2

**Public Hearing on Request to Rezone Property located East of Ebony Lane between The Sterling Apartments and Sterling Estates Park from R-4 – High Density Residential to R-2 – Low Density Residential (Starostka Group Unlimited)**

*Council action will take place under Ordinances item F-2.*

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** September 11, 2018

**Subject:** Rezone from R4 High Density Residential to R2 Low Density Residential Amended CD Zone

**Item #'s:**

**Presenter(s):** Chad Nabity AICP, Regional Planning Director

## **Background**

Staff is requesting that the property proposed for platting as Sterling Estates 10<sup>th</sup> Subdivision be rezoned from R4 High Density Residential to R2 Low Density Residential. This property is located north and south of Monarch Avenue a street that has been built with a width of 32 foot with parking on one side. The proposed change will help insure that the density of units along this stretch of street remains the same as has been proposed by the developers. They intend to build units like the ones to the east and south of this property and the R2 zoning does not impact that plan but will limit any future changes.

## **Discussion**

At the regular meeting of the Regional Planning Commission, held September 5, 2018 the above item was considered following a public hearing.

Ruge opened the Public Hearing.

Nabity explained that this request is based on the concerns from staff that the current zoning district would allow substantially more units on each lot, up to 6 units potentially and that the number of units possible and the existing 32 foot street would likely create parking and congestion issues. The reduction in density to the R2 zone is consistent with the developers' plan for the area and consistent with what they have already built in the area

No members of the public spoke regarding the request.

Ruge closed the Public Hearing.

A motion was made by Hendricksen and seconded by Rubio to recommend approval of the request to rezone as presented.

The motion carried with 7 members present voting in favor (Ruge, Robb, Kjar, Rainforth, Allan, Rubio, Hendricksen) and 1 abstaining Randone.

The memo sent to the planning commission with staff recommendation is attached for review by Council.

### **Alternatives**

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

1. Approve the rezoning request as presented
2. Modify the rezoning request to meet the wishes of the Council
3. Postpone the issue

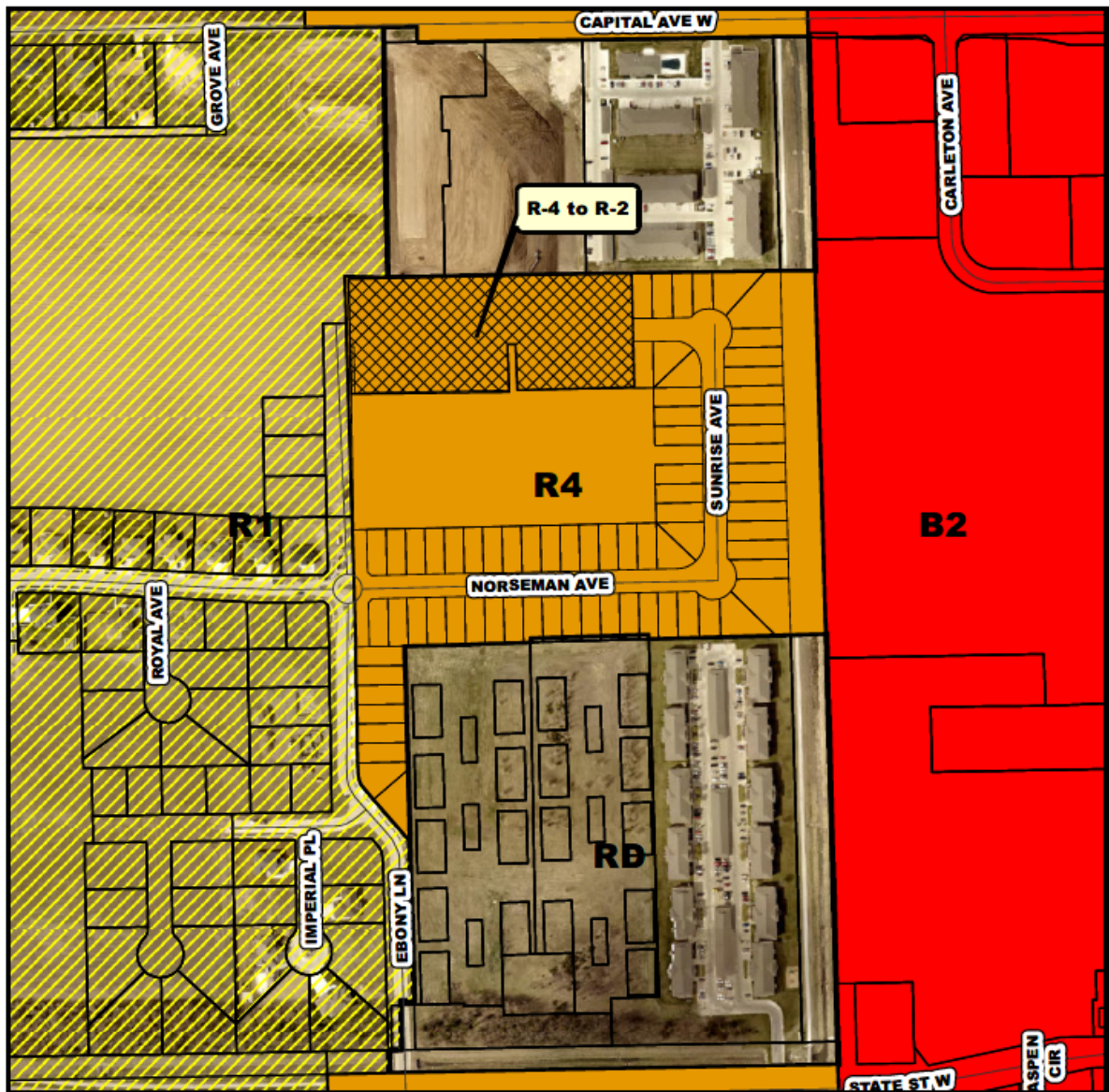
### **Recommendation**

City Administration recommends that the Council approve the proposed changes as recommended.

### **Sample Motion**

Move to approve the ordinance and development plan as presented.

# Subdivision Location Map



## Legend

- From: R4 High Density Residential Zone
- To: R2 Low Density Residential Zone

Scale: NONE  
For Illustration Purposes



THE REGIONAL PLANNING COMMISSION of Hall  
County, Grand Island, Wood River and the Village  
of Ash, Kane and Elgin, Nebraska

## Agenda Item 6

### PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

September 5, 2018

**SUBJECT:** *Zoning Change (C-29-2018GI)*

**PROPOSAL:** The Regional Planning Department staff is recommending that a change of zoning be considered for property being platted as Sterling Estates Tenth Subdivision. This is An application has been made to rezone 4.919 acres south of Capital Avenue, north of Sterling Estates Park between Ebony and Sunrise north from **R4** High Density Residential to **R2** Low Density Residential.. The developers have built 64 town homes around the south and west side of Sterling Estates Park and are planning to build an additional 28 units on the north side on either side of Monarch Avenue. Monarch Avenue was built as a 32 foot wide street with parking allowed on the north side of the street and restricted from the south side.

#### OVERVIEW:

##### Site Analysis

*Current zoning designation:*

**R4-** High Density Residential

*Permitted and conditional uses:*

**R4-**

Residential uses at a density of 43 dwelling units per acre with 60% coverage, recreational uses, non-profit and institutional uses along with agricultural use

*Comprehensive Plan Designation:*

Low to Medium Density Residential and Medium Density Residential to Office

*Existing land uses.*

Vacant Undeveloped Property

##### Adjacent Properties Analysis

*Current zoning designations:*

**West: R1-** Suburban Density Residential

**East and South: R4-**High Density Residential

**North: RD** Residential Development Zone

*Permitted and conditional uses:*

**R1-** Agricultural uses, recreational uses and

residential uses at a density of 4 dwelling units per

acre **R4-** Residential uses at a density of 43

dwelling units per acre with 60% coverage,

recreational uses, non-profit and institutional uses

along with agricultural uses. **RD** - Residential uses

at a density of 43 dwelling units per acre with 50%

coverage. This is a planned development and must be approved by Council.

*Comprehensive Plan Designation:*

**East South and North:** Medium Density Residential to Office Use

**West:** Low to Medium Density Residential

*Existing land uses:*

**North:** Farm Ground



**East:** Townhouse development similar to the proposed development here with 37, streets,

**West:** Farm house and farm ground

**South:** City Park, Townhouse development similar to the proposed development here with 37, streets,

## **EVALUATION:**

### **Positive Implications:**

- *In general conformance with the City's Comprehensive Land Use Plan:* This particular site is designated both Low to Medium Density Residential and Medium Density Residential to Office uses within the plan lower densities to the west and higher densities to the east.
- *Will limit the density of dwelling along the narrower street:* As planned the proposed development will be the same as the other units built around the park. Each unit has a 2 car garage and 2 parking spaces off street in front of the garage. Because the street is narrower here, and there is less on street parking allowed, this will help insure that in the future densities do not increase without consideration of the impact of higher density on the parking area available?
- *Monetary Benefit to Applicant:* As always this change has the potential to benefit the applicant monetarily.

### **Negative Implications:**

- *None foreseen*

### **Other**

The reason that staff is suggesting this change is to avoid problems with parking availability in the future. It is likely that the current developer will finish this out with townhomes as planned and rezoning would not be necessary. It is also possible that one or more of these lots could be developed with apartment buildings containing up to 6 dwelling units based on the current zoning. That would most likely result in an issue with parking especially with the limited street parking.

This particular site will serve as a good test for narrower streets with similar housing on both the north and south sides of the park and different size streets on the north and south side of the park.

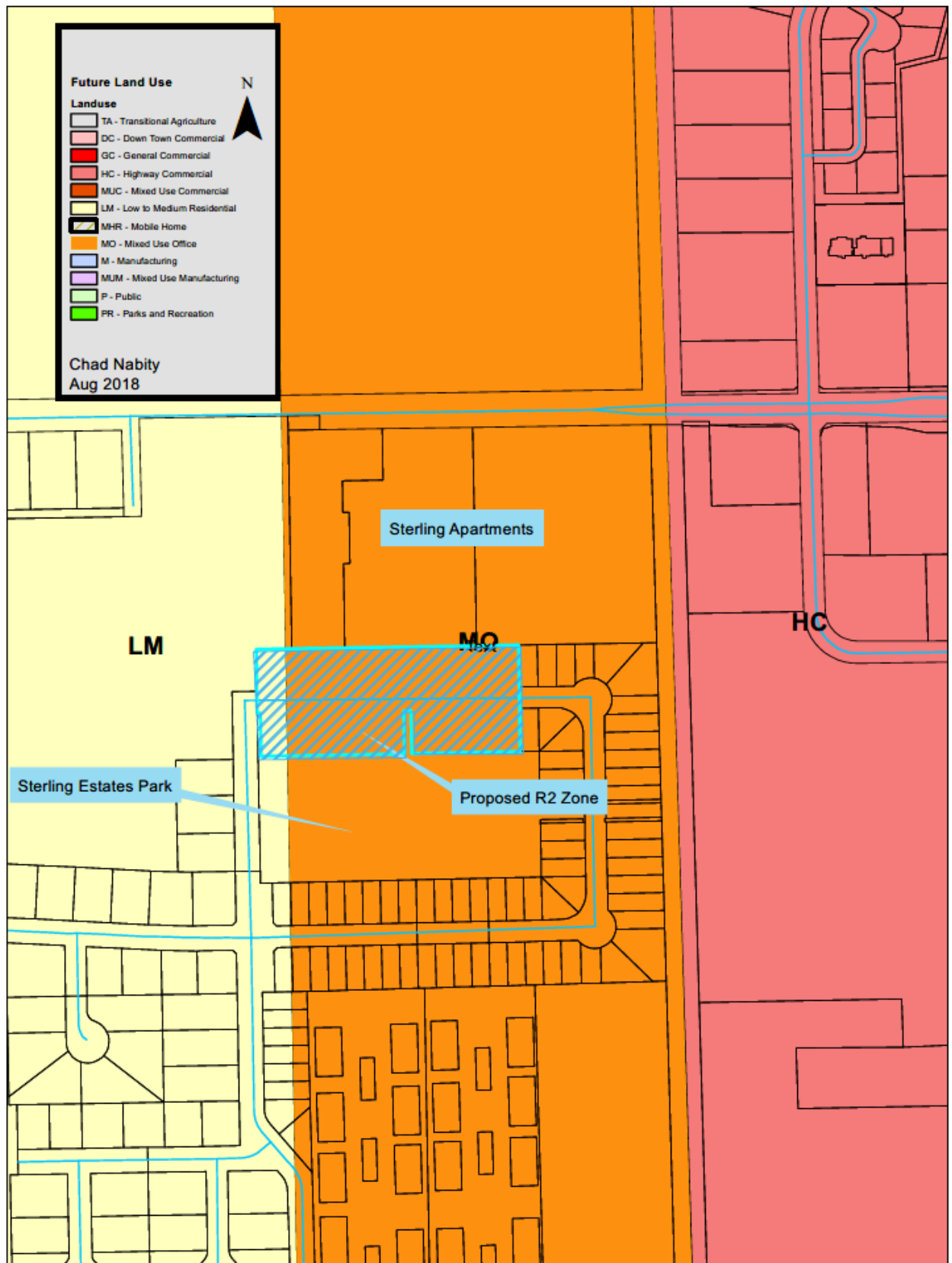


Figure 1 Future Land Use Map from the Grand Island Comprehensive Plan

**RECOMMENDATION:**

That the Regional Planning Commission recommend that the Grand Island City Council change the zoning on this site from R4-High Density Residential to R2- Low Density Residential.

\_\_\_\_\_ Chad Nabity AICP, Planning Director



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item E-3

### **Public Hearing on Acquisition of Utility Easement - 3204 S. Shady Bend Road - Spaulding**

*Council action will take place under Consent Agenda item G-10.*

Staff Contact: Tim Luchsinger, Stacy Nonhof

# **Council Agenda Memo**

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

**Meeting:** September 11, 2018

**Subject:** Acquisition of Utility Easement – 3204 S. Shady Bend Road - Spaulding

**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 Stephen J. and Deborah A. Spaulding, Co-Trustees of the Spaulding Living Trust, located through a part of the Southeast Quarter of the Southeast Quarter (SE¼, SE¼), Section Twenty Six (26), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> PM, in Hall County, Nebraska (3204 S. Shady Bend Road), in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

## **Discussion**

A new home is being build at 3204 S. Shady Bend Road. The two tracts of this easement will allow the Utilities Department to install, access, operate and maintain an underground power line, transformer and related electrical infrastructure to serve the new home under construction.

## **Alternatives**

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

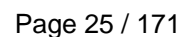
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **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 two tracts of this Utility Easement.





# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item E-4

**Public Hearing on Acquisition of Utility Easement - East Side of  
Diamond Drive between Warbler Road & Meadow Way Trail -  
TPRC - Umbrella - Erickson**

*Council action will take place under Consent Agenda item G-11.*

Staff Contact: Tim Luchsinger, Stacy Nonhof



# **Council Agenda Memo**

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

**Meeting:** September 11, 2018

**Subject:** Acquisition of Utility Easement – The East side of Diamond Drive, between Warbler Road and Meadow Way Trail – TPCR Developments, LLC, Umbrella Development, LLC & Donald and Jeri Erickson

**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 properties of TPCR Developments, LLC, Umbrella Development, LLC, and Donald R. and Jeri L. Erickson, located through a part of Lot Eleven (11), Lot Twelve (12), Lot Thirteen (13), Lot Fourteen (14), Lot Fifteen (15), and Lot Sixteen (16), Summerfield Estates Tenth Subdivision, in the City of Grand Island, Hall County, Nebraska (along the east side of Diamond Drive between Warbler Road and Meadow Way Trail), in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

## **Discussion**

The proposed easement allows the Utilities Department the rights to access, operate and maintain electrical infrastructure which provides service to the lots in the subdivision.

## **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**

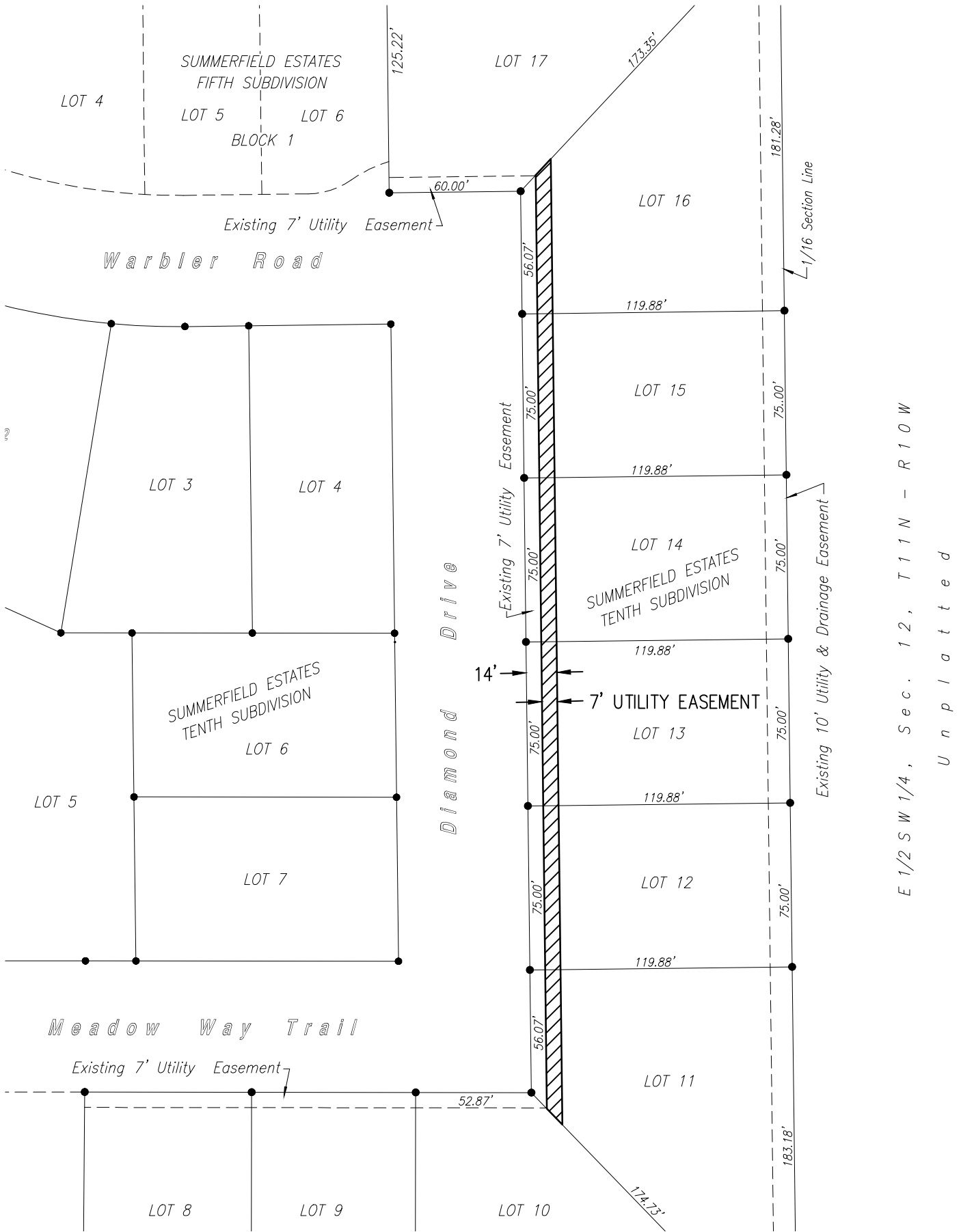
City Administration recommends that the Council approve the resolution for the acquisition of the easement for one dollar (\$1.00).

### **Sample Motion**

Move to approve acquisition of the Utility Easement.

-UTILITY EASEMENT-

THE EAST 7' OF THE WEST 14' OF LOTS 11-16, SUMMERFIELD ESTATES  
TENTH SUBDIVISION, TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

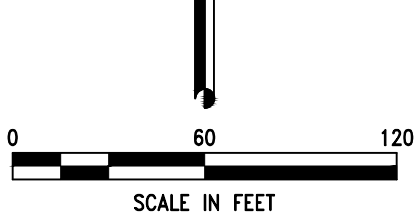



E 1/2 SW 1/4, Sec. 12, T11N - R10W  
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**PERMANENT UTILITY EASEMENT**  
THE EAST 7' OF THE WEST 14' OF LOTS 11-16,  
SUMMERFIELD ESTATES TENTH SUBDIVISION,  
TO THE CITY OF GRAND ISLAND, NEBRASKA

 = 7' UTILITY EASEMENT

EXHIBIT A



 <b>Miller &amp; Associates</b> 1111 CENTRAL AVENUE KEARNEY, NE 68847-6833 Tel: 308-234-6456 Fax: 308-234-1146 www.miller-engineers.com	PARTY CHIEF: Brent D. Cyboron	SURVEY COMPLETED: DECEMBER 1, 2017
	DRAWN BY: A. Olson	REVISION
		DATE & REASON
SUMMERFIELD ESTATES TENTH SUB., GRAND ISLAND, NE		



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item E-5

**Public Hearing on General Property, Downtown Improvement  
Parking District #2 (Ramp) and Community Redevelopment  
Authority (CRA) Tax Request and Budget Appropriation for FY  
2018-2019**

*Council action will take place under Ordinances item F-4 and Resolutions item I-1.*

Staff Contact: Marlan Ferguson

# **Council Agenda Memo**

**From:** Patrick Brown, Finance Director

**Meeting:** September 11, 2018

**Subject:** Public Hearing and Resolution Approving General Property, Downtown Improvement Parking District No. 2 (Ramp) and Community Redevelopment Authority (CRA) Tax Request

**Presenter(s):** Patrick Brown, Finance Director  
William Clingman, Assistant Finance Director

## **Background**

Nebraska State Statute 77-1601-02 requires that the City of Grand Island conduct a public hearing to set property tax requests. The general property tax request increased from \$11,224,018 for Fiscal Year 2017-2018 (including the debt service levy) to \$11,734,634 for Fiscal Year 2018-2019, an increase of \$510,616. The increase is because of the increase in valuation to \$3,125,035,627 for Fiscal Year 2018-2019 compared to \$2,989,226,938 for the 2017-2018 year. The levy for the general property tax is .3755 for the 2018-2019 Fiscal Year. There is no debt service levy for 2018-2019.

The property tax request for the Downtown Improvement Parking District No. 2, also known as the Parking Ramp (Fund 271), was slightly increased, by \$80, for Fiscal Year 2018-2019. The property tax request is \$8,080. The levy for the Downtown Improvement Parking District No. 2 is .01744.

The property tax request for the Community Redevelopment Authority also increased due to the same increase in overall valuation for the City. The amount increased by \$29,767. Increasing from \$670,241 for Fiscal Year 2017-2018 to \$700,008 for Fiscal Year 2018-2019. The CRA mill levy for Fiscal Year 2018-2019 will remain at .0224.

## **Discussion**

The City Council must pass a resolution by majority vote to set the property tax request for the general property tax at \$11,734,634; the Downtown Improvement Parking District No. 2 property tax at \$8,080; and the Community Redevelopment Authority property tax at \$700,008. The property tax request was published in the Grand Island Independent on

September 6, 2018. It is appropriate at this time to solicit public comment. The action for this public hearing is contained under Resolutions.

### **Alternatives**

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

1. Approve the General Property, Downtown Improvement Parking District No. 2 and Community Redevelopment Authority (CRA) tax requests.
2. Modify the tax requests and the budget.

### **Recommendation**

City Administration recommends that the Council approve the tax requests and levies as presented.

### **Sample Motion**

Move to approve the Fiscal Year 2018-2019 General Property, Downtown Improvement Parking District No. 2 and Community Redevelopment Authority (CRA) tax requests and levies, as presented in the related Resolution.

## 2019 Budget Summary

	Beginning Balance	Revenue	Bond Proceeds	Transfers In	Transfers Out	Appropriation	Ending Balance
General Fund	11,536,221	41,174,522	—	—	3,885,000	35,936,900	12,888,843
Permanent Funds	857,783	34,500	—	—	—	5,000	887,283
Special Revenue Funds	13,492,607	25,016,789	—	935,000	257,765	28,571,004	10,615,627
Debt Service Fund	47,307	500	—	408,089	—	421,088	34,808
Capital Improvement Fund	3,165,827	500	—	1,000,000	—	3,541,355	624,972
Special Assessments Fund	535,558	121,000	—	—	150,324	—	506,234
Capital Equipment Fund	—	272,000	—	1,950,000	—	2,160,989	61,011
<b>Total General Government</b>	<b>29,635,303</b>	<b>66,619,811</b>	<b>—</b>	<b>4,293,089</b>	<b>4,293,089</b>	<b>70,636,336</b>	<b>25,618,778</b>

Enterprise Fund	83,578,499	111,946,520	—	—	—	118,454,595	77,070,424
Internal Service Fund	3,757,075	11,665,336	—	—	—	12,962,488	2,459,923
<b>Total Proprietary</b>	<b>87,335,574</b>	<b>123,611,856</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>131,417,083</b>	<b>79,530,347</b>

Agency Fund	184,467	1,173,937	—	—	—	1,174,387	184,017
Trust Fund	4,390,592	1,000,000	—	—	—	1,064,332	4,326,260
<b>Total Fiduciary</b>	<b>4,575,059</b>	<b>2,173,937</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>2,238,719</b>	<b>4,510,277</b>

<b>Total All Funds</b>	<b>121,545,936</b>	<b>192,405,604</b>	<b>—</b>	<b>4,293,089</b>	<b>4,293,089</b>	<b>204,292,138</b>	<b>109,659,402</b>
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## 2018 Forecast Summary

	Beginning Balance	Revenue	Bond Proceeds	Transfers In	Transfers Out	Appropriation	Ending Balance
General Fund	10,255,279	39,117,223	—	67,750	1,935,000	35,969,031	11,536,221
Permanent Funds	828,283	34,500	—	—	—	5,000	857,783
Special Revenue Funds	8,994,509	23,798,975	—	937,834	260,478	19,978,233	13,492,607
Debt Service Fund	114,551	774,600	—	408,409	—	1,250,253	47,307
Capital Improvement Fund	4,404,754	500	—	1,000,000	—	2,239,427	3,165,827
Special Assessments Fund	509,127	177,196	—	—	150,765	—	535,558
<b>Total General Government</b>	<b>25,106,503</b>	<b>63,902,994</b>	<b>—</b>	<b>2,413,993</b>	<b>2,346,243</b>	<b>59,441,944</b>	<b>29,635,303</b>

Enterprise Fund	88,944,976	111,692,513	—	—	67,750	116,991,240	83,578,499
Internal Service Fund	4,827,524	10,594,216	—	—	—	11,664,665	3,757,075
<b>Total Proprietary</b>	<b>93,772,500</b>	<b>122,286,729</b>	<b>—</b>	<b>—</b>	<b>67,750</b>	<b>128,655,905</b>	<b>87,335,574</b>

Agency Fund	184,917	1,173,937	—	—	—	1,174,387	184,467
Trust Fund	4,454,924	1,000,000	—	—	—	1,064,332	4,390,592
<b>Total Fiduciary</b>	<b>4,639,841</b>	<b>2,173,937</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>2,238,719</b>	<b>4,575,059</b>

<b>Total All Funds</b>	<b>123,518,844</b>	<b>188,363,660</b>	<b>—</b>	<b>2,413,993</b>	<b>2,413,993</b>	<b>190,336,568</b>	<b>121,545,936</b>
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## 2018 Budget Summary

	Beginning Balance	Revenue	Bond Proceeds	Transfers In	Transfers Out	Appropriation	Ending Balance
General Fund	9,973,226	38,966,976	—	—	1,935,000	36,379,153	10,626,049
Permanent Funds	811,823	34,500	—	—	—	5,000	841,323
Special Revenue Funds	7,894,719	25,095,718	—	935,000	257,644	27,805,640	5,862,153
Debt Service Fund	86,322	774,600	—	408,409	—	1,250,253	19,078
Capital Improvement Fund	4,227,733	500	—	1,000,000	—	5,228,231	2
Special Assessments Fund	436,331	521,000	—	—	150,765	—	806,566
<b>Total General Government</b>	<b>23,430,154</b>	<b>65,393,294</b>	<b>—</b>	<b>2,343,409</b>	<b>2,343,409</b>	<b>70,668,277</b>	<b>18,155,171</b>

Enterprise Fund	89,073,037	114,119,054	—	—	—	127,204,312	75,987,779
Internal Service Fund	4,497,106	11,585,225	—	—	—	13,283,495	2,798,836
<b>Total Proprietary</b>	<b>93,570,143</b>	<b>125,704,279</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>140,487,807</b>	<b>78,786,615</b>

Agency Fund	155,862	1,173,937	—	—	—	1,174,387	155,412
Trust Fund	4,477,752	1,000,000	—	—	—	1,064,332	4,413,420
<b>Total Fiduciary</b>	<b>4,633,614</b>	<b>2,173,937</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>2,238,719</b>	<b>4,568,832</b>

<b>Total All Funds</b>	<b>121,633,911</b>	<b>193,271,510</b>	<b>—</b>	<b>2,343,409</b>	<b>2,343,409</b>	<b>213,394,803</b>	<b>101,510,618</b>
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## 2017 Actual Summary

	Beginning Balance	Revenue	Bond Proceeds	Transfers In	Transfers Out	Appropriation	Ending Balance
General Fund	13,020,137	35,070,938	—	754,103	3,125,583	35,464,316	10,255,279
Permanent Funds	776,144	57,136	—	—	—	4,997	828,283
Special Revenue Funds	5,954,047	16,617,169	—	3,080,649	102,896	16,554,460	8,994,509
Debt Service Fund	252,368	4,224,327	—	199,134	3,466,400	1,094,878	114,551
Capital Improvement Fund	2,137,365	23,571	—	4,166,400	800,190	1,122,392	4,404,754
Special Assessments Fund	359,415	302,082	—	—	151,114	1,256	509,127
<b>Total General Government</b>	<b>22,499,476</b>	<b>56,295,223</b>	<b>—</b>	<b>8,200,286</b>	<b>7,646,183</b>	<b>54,242,299</b>	<b>25,106,503</b>

Enterprise Fund	81,215,870	120,595,315	—	200,000	754,103	112,312,106	88,944,976
Internal Service Fund	4,294,684	11,714,280	—	—	—	11,181,440	4,827,524
<b>Total Proprietary</b>	<b>85,510,554</b>	<b>132,309,595</b>	<b>—</b>	<b>200,000</b>	<b>754,103</b>	<b>123,493,546</b>	<b>93,772,500</b>

Agency Fund	157,517	1,291,408	—	—	—	1,264,008	184,917
Trust Fund	4,149,597	510,179	—	—	—	204,852	4,454,924
<b>Total Fiduciary</b>	<b>4,307,114</b>	<b>1,801,587</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>1,468,860</b>	<b>4,639,841</b>

<b>Total All Funds</b>	<b>112,317,144</b>	<b>190,406,405</b>	<b>—</b>	<b>8,400,286</b>	<b>8,400,286</b>	<b>179,204,705</b>	<b>123,518,844</b>
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## 2016 Actual Summary

	Beginning Balance	Revenue	Bond Proceeds	Transfers In	Transfers Out	Appropriation	Ending Balance
General Fund	13,572,770	40,575,171	—	4,152,974	2,130,000	43,150,778	13,020,137
Permanent Funds	736,268	39,876	—	—	—	—	776,144
Special Revenue Funds	3,892,325	7,450,970	—	1,460,130	4,685,962	2,163,416	5,954,047
Debt Service Fund	255,564	2,052,275	—	1,013,291	—	3,068,762	252,368
Capital Improvement Fund	187,521	1,026,833	—	3,450,002	—	2,526,991	2,137,365
Special Assessments Fund	1,583,278	789,428	—	—	2,013,291	—	359,415
<b>Total General Government</b>	<b>20,227,726</b>	<b>51,934,553</b>	<b>—</b>	<b>10,076,397</b>	<b>8,829,253</b>	<b>50,909,947</b>	<b>22,499,476</b>

Enterprise Fund	78,322,364	103,111,647	—	—	790,880	99,427,261	81,215,870
Internal Service Fund	5,276,089	11,009,118	—	—	—	11,990,523	4,294,684
<b>Total Proprietary</b>	<b>83,598,453</b>	<b>114,120,765</b>	<b>—</b>	<b>—</b>	<b>790,880</b>	<b>111,417,784</b>	<b>85,510,554</b>

Agency Fund	214,733	1,234,038	—	—	—	1,291,254	157,517
Trust Fund	4,438,252	679,941	—	—	456,264	512,332	4,149,597
<b>Total Fiduciary</b>	<b>4,652,985</b>	<b>1,913,979</b>	<b>—</b>	<b>—</b>	<b>456,264</b>	<b>1,803,586</b>	<b>4,307,114</b>

<b>Total All Funds</b>	<b>108,479,164</b>	<b>167,969,297</b>	<b>—</b>	<b>10,076,397</b>	<b>10,076,397</b>	<b>164,131,317</b>	<b>112,317,144</b>
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# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item F-1

**#9706 - Consideration of Amending Chapter 36 of the Grand Island City Code Specifically Sections §36-50 Zoning District, Use; §36-64.1 (R-3SL) Medium Density-Small Lot Residential; §36-72 (M-1) Light Manufacturing Zone; and §36-73 (M-2) Heavy Manufacturing**

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

Staff Contact: Chad Nabity

## ORDINANCE NO. 9706

An ordinance to amend Chapter 36 of the Grand Island City Code specifically, to amend Section 36-50 Zoning Districts/Use; Section 36-64.1 (R-3SL) Medium Density Residential Small Lot Zone; Section 36-72 (M-1) Light Manufacturing Zone; and Section 36-73 (M-2) Heavy Manufacturing Zone; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication in pamphlet form and the effective date of this ordinance.

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

SECTION 1. Section 36-50, Section 36.64, Section 36-72 and Section 36-73 of the Grand Island City Code is hereby amended to read as follows:

### **§36-50. Zoning Districts; Use**

For the purpose of this chapter, the City of Grand Island and its extra-territorial jurisdiction is hereby divided into 27 zoning districts, designated as follows:

AG-1	Primary Agricultural Zone
AG-2	Secondary Agricultural Zone
AG-SC	Special Agricultural / Conservation Zone
AG-SE	Special Agricultural / Events Zone
AG-SI	Special Agricultural / Industrial Zone
SRC	Special Recreation / Conservation Zone
TA	Transitional Agricultural Zone
LLR	Large Lot Residential Zone
R-1	Suburban Residential Zone
R-2	Low Density Residential Zone
R-3	Medium Density Residential Zone
<u>R3-SL</u>	<u>Medium Density Small Lot Residential Zone</u>
R-4	High Density Residential Zone
RO	Residential Office Zone
B-1	Light Business Zone
B-2	General Business Zone
AC	Arterial Commercial Overlay Zone
B-3	Heavy Business Zone
ME	Industrial Estates Zone
M-1	Light Manufacturing Zone
M-2	Heavy Manufacturing Zone
M-3	Mixed Use Manufacturing Zone
CD	Commercial Development Zone
TD	Travel Development Zone
RD	Residential Development Zone
A	Airport Zone
GCO	Gateway Corridor Overlay District
M and MD	Manufactured Home Overlay Zone

Approved as to Form	<input type="checkbox"/>
September 6, 2018	<input type="checkbox"/> City Attorney

**§36-64.1 (R-3SL) Medium Density-Small Lot Residential Zone**

*Intent:* To provide for residential uses at a maximum density of fourteen to fifteen dwelling units per acre with supporting community facilities. This zoning district is sometimes used as a transitional zone between lower density residential zones and higher density residential, office, business, or manufacturing zones. Specifically this zone is intended to provide market flexibility regarding lot size and housing configuration.

(A) Permitted Principal Uses: The following principal uses are permitted in the (R-3SL) Medium Density Small Lot Residential Zoning District.

- (1) Dwelling units
- (2) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises
- (3) Public parks and recreational areas
- (4) Country clubs as defined herein
- (5) Public, parochial and private schools having a curriculum equivalent to an elementary or higher educational level and colleges offering courses of general instruction, including convents, monasteries, dormitories and other related living structures when located on the same site as the college.
- (6) Churches, synagogues, chapels, and similar places of religious worship and instruction of a quiet nature.
- (7) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall be of such exterior design as to harmonize with nearby properties.
- (8) Public and quasi-public buildings for cultural use
- (9) Railway right-of-way, but not including railway yards or facilities
- (10) Off street parking lots for residents and guests

(B) Conditional Uses: The following uses are subject to any conditions listed in this chapter and are subject to other conditions relating to the placement of said use on a specific tract of ground in the (R-3SL) Medium Density Small Lot Residential Zoning District as approved by City Council.

- (1) Nonprofit community buildings and social welfare establishments other than those providing living accommodations
- (2) Driveways, parking lots, or buildings when directly associated with or accessory to a permitted principal use in an adjacent zone.
- (3) Preschools, nursery schools, day care centers, children's homes, and similar facilities
- (4) Towers
- (5) Off-street parking areas for schools and places of religious worship/instruction on lands adjacent to and within three hundred (300.0) feet of the principal building associated with the aforementioned uses.
- (6) All other Conditional Uses indicated as conditional within the Zoning Matrix [Attachment A hereto]

(C) Permitted Accessory Uses:

- (1) Customary home occupations
- (2) Buildings and uses accessory to the permitted principal use

D) Space Limitations:

Uses				Minimum Setbacks					
			A	B	C	D	E		
	Minimum Parcel Area (feet)	Minimum Lot Area per Dwelling Unit	Minimum Lot Width (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Street Side Yard (feet)	Maximum Ground Coverage	Maximum Building Height (feet)
Permitted Uses	3,000	3,000	35	20*	15	5	10	50%	35
Conditional Uses	3,000	3,000	35	20*	15	5	10	50%	35
Attached Single Family Dwelling Units <u>3 or more attached</u>	<del>2100</del> 3000	<del>2100</del> 3000	34 exterior 24 interior	20*	15	10 exterior lot	10 exterior lot	50%	35

(E) Miscellaneous Provisions:

# ORDINANCE NO. 9706 (Cont.)

- (1) Supplementary regulations shall be complied with as defined herein
- (2) Only one principal building shall be permitted on one zoning lot except as otherwise provided herein.
- (3) Front yard setback may be reduced to 10 foot if paved access easements and parking (garage counts as parking) is provide at the back of each lot.
- (4) Sideyard setback for attached single family dwellings shall be reduced to 0 feet on all lots with contiguous attached units

## §36-72. (M-1) Light Manufacturing Zone

*Intent:* The intent of this zoning district is to provide for light fabrication, service, warehousing, administrative and research uses within a zoning district having generally limited public contact and requiring some minimal landscaping standards.

(A) Permitted Principal Uses: The following principal uses are permitted in the (M-1) Light Manufacturing Zoning District.

- (1) Administrative, executive, professional, research and similar office use having limited contact with the public
- (2) Agriculture, including the raising of field crops, tree and bush crops, animals and fowls, but not including feed lots, poultry farms, fur farms, and commercial kennels
- (3) Buildings and installations for public utilities; facilities shall observe yard space requirements but shall not be subject to minimum area or width requirements
- (4) Railway right-of-way, but not including railway yards or facilities
- (5) Radio and television stations, private clubs, and meeting halls
- (6) Manufacture, processing, assembly, fabrication or storage of non-hazardous products and materials
- (7) Parking Lot
- (8) Other uses found in the Zoning Matrix [Attachment A hereto]

(B) Conditional Uses: The following uses are subject to any conditions listed in this chapter and are subject to other conditions relating to the placement of said use on a specific tract of ground in the (M-1) Light Manufacturing Zoning District as approved by City Council.

- (1) Gravel, sand, or dirt removal, stockpiling, processing or distribution, and batching plant
- (2) Concrete or cement products manufacturing and batching plant.
- (3) Truck terminal, tractor, trailer, or truck storage, including maintenance facilities
- (4) Contractor's storage yard or plant
- (5) Motels and hotels
- (6) Towers

(C) Permitted Accessory Uses:

- (1) Sales of new merchandise when same is manufactured, processed, assembled, fabricated or stored on the premises
- (2) Buildings and uses accessory to the permitted principal use
- (3) A single dwelling unit occupying not more than 50% of the space located within the permitted principal structure on the property and not to exceed 750 square feet. Building shall conform to all building and life safety codes necessary for the mix of uses.

(D) Specifically Excluded Uses:

- (1) ~~Any residential use~~ Residences as a principal use
- (2) Manufactured homes and manufactured home parks
- (3) Churches, schools, institutions and other public and semi-public uses except for trade and vocational schools

(E) Space Limitations:

Uses		A	Minimum Setbacks					
			B	C	D	E		
	Minimum Parcel Area (feet)	Minimum LotWidth (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Street Side Yard (feet)	Maximum Ground Coverage	MaximumBuilding Height (feet)
Permitted Uses	20,000	100	35 <sup>1</sup>	20	10	10	50%	50
Conditional Uses	20,000	100	35 <sup>1</sup>	20	10	10	50%	50

<sup>1</sup> with 15 feet adjacent to a street landscaped to satisfaction of the zoning official.

(F) Miscellaneous Provisions:

- (1) Supplementary regulations shall be complied with as defined herein

## ORDINANCE NO. 9706 (Cont.)

- (2) Landscaping shall be provided and maintained by the owner or developer within the 15 feet adjacent to a street; landscaping shall include but is not limited to, screen planting, lawn area, trees, shrubs, fences and walls; all landscaping shall be planned and maintained to the satisfaction of the zoning official.
- (3) Only one principal building shall be permitted on one zoning lot except as otherwise provided herein.

### **§36-73. (M-2) Heavy Manufacturing Zone**

*Intent:* The intent of this zoning district is to provide for the greatest amount of manufacturing, warehousing, wholesaling and business uses. Conditional use permits are required for those uses with more significant health and safety concerns.

#### **(A) Permitted Principal Uses:**

- (1) Administrative, executive, professional, research and similar office use having limited contact with the public
- (2) Agencies as found in the Zoning Matrix [Attachment A hereto]
- (3) Agriculture, including the raising of field crops, tree and bush crops, animals and fowl, but not including feed lots, poultry farms, and fur farms
- (4) Concrete or cement products manufacturing and batching plant
- (5) Contractors storage yard or plant
- (6) Gravel, sand or dirt removal, stockpiling, processing or distribution, and batching plant
- (7) Manufacture, processing, assembly, fabrication and/or storage of non-hazardous products and materials
- (8) Mortuaries, funeral homes, and funeral chapels
- (9) Parking Lot
- (10) Office and office buildings for professional and personal services as found in the Zoning Matrix [Attachment A hereto]
- (11) Outdoor sales and rental lots for new or used automobiles, boats, motor vehicles, trailers, manufactured homes, farm and construction machinery
- (12) Radio and television stations, private clubs and meeting halls
- (13) Railway right-of-way, including yards and facilities
- (14) Stores and shops that conduct retail business, provided, all activities and display goods are carried on within an enclosed building except that green plants and shrubs may be displayed in the open, as per the Zoning Matrix [Attachment A hereto]
- (15) Stores and shops for the conduct of wholesale business, including sale of used merchandise
- (16) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises
- (17) Truck terminal, tractor, trailer, or truck storage, including maintenance facilities
- (18) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall be of such exterior design as to harmonize with nearby properties
- (19) Vocational or trade schools, business colleges, art and music schools and conservatories, and other similar uses
- (20) Other uses found in the Zoning Matrix [Attachment A hereto]

**(B) Conditional Uses:** The following uses are subject to any conditions listed in this chapter and are subject to other conditions relating to the placement of said use on a specific tract of ground in the (M-2) Heavy Manufacturing Zoning District as approved by City Council.

- (1) Automobile wrecking yard
- (2) Acid or acid by-products manufacture
- (3) Ammonia bleaching powder, chlorine, peroxylin or celluloid manufacture
- (4) Explosives manufacture or storage
- (5) Garbage, refuse, offal or dead animal reduction or disposal area
- (6) Glue manufacture, fat rendering, distillation of bones or by-products
- (7) Meat packing plants, including poultry and animal slaughterhouses and abattoirs
- (8) Milling or smelting of ores
- (9) Petroleum refining
- (10) Motels and hotels
- (11) Petroleum refining
- (12) Stock or feed yards
- (13) Salvage yard
- (14) Tanning, curing, or storage of hides or skins
- (15) Towers

#### **(C) Permitted Accessory Uses:**

- (1) Buildings and uses accessory to the permitted principal uses

ORDINANCE NO. 9706 (Cont.)

(2) A single dwelling unit occupying not more than 50% of the space located within the permitted principal structure on the property and not to exceed 750 square feet. Building shall conform to all building and life safety codes necessary for the mix of uses.

(D) Specifically Excluded Uses:

- (1) ~~Any residential use~~ **Residences as a principal use**
- (2) Manufactured homes, and manufactured home parks
- (3) Churches, schools, institutions and other public and semi-public uses except for trade and vocational schools

(E) Space Limitations:

Uses			Minimum Setbacks					
		A	B	C	D	E		
	Minimum Parcel Area (feet)	Minimum LotWidth (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Street Side Yard (feet)	Maximum Ground Coverage	MaximumBuilding Height (feet)
Permitted Uses	6,000	50	10	0 <sup>1</sup>	0 <sup>2</sup>	10	65%	-
Conditional Uses	6,000	50	10	0 <sup>1</sup>	0 <sup>2</sup>	10	65%	-

<sup>1</sup> None when bounded by an alley, otherwise 10 feet

<sup>2</sup> No required Side Yard Setback, but if provided, not less than 5 feet or unless adjacent to a parcel whose zone requires a side yard setback, then 5 feet. When adjacent to a public alley, the setback is optional and may range from 0 feet to 5 feet.

(F) Miscellaneous Provisions:

- (1) Supplementary regulations shall be complied with as defined herein
- (2) Only one principal building shall be permitted on one zoning lot except as otherwise provided herein.

SECTION 2. Section 36-50, Section 36.64, Section 36-72 and Section 36-73 as existing prior to this amendment, and any ordinances or parts of ordinances in conflict herewith, are repealed.

SECTION 3. The validity of any section, subsection, sentence, clause, or phrase of this ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause, or phrase thereof.

SECTION 4. That this ordinance shall be in force and take effect from and after its passage and publication in pamphlet form within 15 days according to law.

ORDINANCE NO. 9706 (Cont.)

Enacted: September 11, 2018

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Jeremy L. Jensen, Mayor

Attest:

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item F-2

**#9707 - Consideration of Request to Rezone Property located East of Ebony Lane between The Sterling Apartments and Sterling Estates Park from R-4 – High Density Residential to R-2 – Low Density Residential (Starostka Group Unlimited)**

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

Staff Contact: Chad Nabity



ORDINANCE NO. 9707

An ordinance rezoning a certain tract of land within the zoning jurisdiction of the City of Grand Island; changing the land use classification of a part of the east half (E ½) of the northwest quarter (NW ¼) of Section Twelve (12), Township Eleven (11) north, Range Ten (10) west of the 6<sup>th</sup> P.M. in the City of Grand Island, Hall County, Nebraska as more particularly described below, from R-4 High Density Residential to R-2 Low Density Residential Zone; directing that such zoning change and classification be shown on the Official Zoning Map of the City of Grand Island; and providing for publication and an effective date of this ordinance.

WHEREAS, the Regional Planning Commission on September 5, 2018, held a public hearing on the proposed zoning of such area; and

WHEREAS, notice as required by Section 19-923, R.R.S. 1943, has been given to the Boards of Education of the school districts in Hall County, Nebraska; and

WHEREAS, after public hearing on September 11, 2018, the City Council found and determined the change in zoning be approved and made.

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

SECTION 1. The following tract of land is hereby rezoned, reclassified and changed from R-4 High Density Residential to R-2 Low Density Residential Zone;

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, STERLING ESTATES EIGHTH SUBDIVISION SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S00°52'40"W, ALONG THE WEST LINE OF STERLING ESTATES EIGHTH SUBDIVISION, A DISTANCE OF 296.97 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 2, STERLING ESTATES EIGHTH SUBDIVISION AND A POINT ON THE NORTHERLY LINE OF OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION; THENCE N89°07'20"W, ALONG THE NORTHERLY LINE OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, A DISTANCE OF 302.50 FEET TO A NORTHEASTERLY CORNER OF SAID OUTLOT A, STERLING ESTATES

Approved as to Form	▣ _____
September 7, 2018	▣ City Attorney

ORDINANCE NO. 9707 (Cont.)

FOURTH SUBDIVISION; THENCE N00°52'40"E, ALONG A EASTERLY LINE OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, A DISTANCE OF 120.00 FEET TO A NORTHEASTERLY CORNER OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION; THENCE N89°07'20"W, ALONG A NORTHERLY LINE OF SAID OUTLOT A, STERLING ESTATES SUBDIVISION, A DISTANCE OF 20.00 FEET TO A NORTHERLY POINT OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION; THENCE S00°52'40"W, ALONG A WESTERLY LINE OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, A DISTANCE OF 120.00 FEET TO A NORTHWESTERLY CORNER OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION; THENCE N89°07'20"W, ALONG A NORTHERLY LINE OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, A DISTANCE OF 400.00 FEET TO A WESTERLY CORNER OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION; THENCE N00°52'40"E, ALONG A WESTERLY LINE OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, A DISTANCE OF 120.00 FEET TO A NORTHWESTERLY CORNER OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION; THENCE N89°07'20"W, ALONG A NORTHERLY LINE OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, A DISTANCE OF 8.88 FEET TO THE NORTHWEST CORNER OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION AND A POINT ON THE EAST RIGHT OF WAY LINE OF EBONY LANE; THENCE N00°52'40"E, ALONG SAID EAST RIGHT OF WAY LINE OF EBONY LANE, A DISTANCE OF 178.41 FEET; THENCE S89°00'34"E, ALONG THE SOUTH LINE OF LOTS 1 AND 2, STERLING ESTATES NINTH SUBDIVISION AND THE SOUTH LINE OF LOT 1, STERLING ESTATES SECOND SUBDIVISION, A DISTANCE OF 731.38 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 214,260 SQUARE FEET OR 4.919 ACRES MORE OR LESS OF WHICH 1.007 ACRES IS NEW DEDICATED ROAD RIGHT-OF-WAY.

SECTION 2. That the Official Zoning Map of the City of Grand Island, Nebraska, as established by Section 36-51 of the Grand Island City Code be, and the same is, hereby ordered to be changed, amended, and completed in accordance with this ordinance.

SECTION 3. That 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.

ORDINANCE NO. 9707 (Cont.)

Enacted: September 11, 2018

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

Attest:

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



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item F-3

### **#9708 - Consideration of Vacation of a Portion of West 7th Street & Jefferson Street**

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

# **Council Agenda Memo**

**From:** Keith Kurz PE, Assistant Public Works Director

**Meeting:** September 11, 2018

**Subject:** Consideration of Vacation of a Portion of West 7<sup>th</sup> Street & Jefferson Street

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

## **Background**

To allow for the new development of Jefferson Elementary Public School the City has received a request to vacation a portion of West 7<sup>th</sup> Street, as well as a portion of Jefferson Street.

## **Discussion**

Construction of a new Jefferson Elementary is currently underway, with expected completion August 2019. With this rebuild the student enrollment is projected to grow from just under 300 students to nearly 400. The requested vacations of a portion of both 7<sup>th</sup> Street and Jefferson Street will allow for further development of the Jefferson Elementary site. This vacation of right-of-way is due to changing of the roadway alignment that has been requested by Grand Island Public Schools. Vacation of such right-of-way will be followed up by a replat, which will dedicate right-of-way in a slightly revised location with the alignment shift of Jefferson Street.

## **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 vacating a portion of West 7<sup>th</sup> Street and a portion of Jefferson Street as requested.

## **Sample Motion**

Move to approve the ordinance.

• THIS SPACE RESERVED FOR REGISTER OF DEEDS •

### ORDINANCE NO.

An ordinance to vacate existing right of way and to provide for filing this ordinance in the office of the Register of Deeds of Hall County; 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 right-of-way within GIPS Jefferson Subdivision, more particularly described as follows:

#### 7TH STREET VACATE

A TRACT OF LAND LOCATED IN GIPS JEFFERSON SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF LOT 1, BLOCK 14, WALLICHS ADDITION, ALSO BEING THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF ADAMS STREET AND THE SOUTHERLY RIGHT-OF-WAY LINE OF 7<sup>TH</sup> STREET; THENCE ON AN ASSUMED BEARING OF S60°42'17"W, ALONG THE NORTHERLY LINE OF SAID BLOCK 14 AND SAID SOUTHERLY RIGHT-OF-WAY LINE OF 7<sup>TH</sup> STREET, A DISTANCE OF 211.54 FEET TO A POINT BEING THE NORTHWESTERLY CORNER OF LOT 4, SAID BLOCK 14, WALLICHS ADDITION; THENCE N29°23'27"W A DISTANCE OF 63.72 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N29°23'27"W A DISTANCE OF 20.07 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 1, GIPS JEFFERSON SUBDIVISION; THENCE N60°24'47"E, ALONG SAID SOUTHERLY LINE OF LOT 1, A DISTANCE OF 69.11 FEET; THENCE S38°40'00"W A DISTANCE OF 54.17 FEET; THENCE S60°24'47"W A DISTANCE OF 18.87 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 882.87 SQUARE FEET OR 0.020 ACRES MORE OR LESS.

AND,

Approved as to Form    ☐ \_\_\_\_\_  
September 7, 2018      ☐ City Attorney

ORDINANCE NO. (Cont.)

JEFFERSON STREET VACATE

A TRACT OF LAND BEING ALL OF THE RIGHT-OF-WAY DEDICATED IN GIPS JEFFERSON SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, INSTRUMENT NO. 201707141, FILED 10/20/2017 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF LOT 1, BLOCK 14, WALLICHS ADDITION, ALSO BEING THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF ADAMS STREET AND THE SOUTHERLY RIGHT-OF-WAY LINE OF 7<sup>TH</sup> STREET; THENCE ON AN ASSUMED BEARING OF S60°42'17"W, ALONG THE NORTHERLY LINE OF SAID BLOCK 14, A DISTANCE OF 211.54 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF LOT 4, SAID BLOCK 14, WALLICHS ADDITION AND A POINT OF CURVATURES; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION AND ALONG THE WESTERLY LINE OF LOT 2, GIPS JEFFERSON SUBDIVISION, HAVING A DELTA ANGLE OF 65°19'22", A RADIUS OF 110.00 FEET, A CURVE LENGTH OF 125.41 FEET, A CHORD BEARING OF S03°16'42"W WITH A CHORD DISTANCE OF 118.73 FEET; THENCE S29°22'56"E, ALONG SAID WESTERLY LINE OF LOT 2, A DISTANCE OF 32.43 FEET TO A POINT BEING THE SOUTHWESTERLY CORNER OF SAID LOT 2; THENCE S60°41'43"W, ALONG THE SOUTHERLY LINE OF SAID GIPS JEFFERSON SUBDIVISION, A DISTANCE OF 60.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF JEFFERSON STREET, ALSO A SOUTHEASTERLY CORNER OF LOT 1, SAID GIPS JEFFERSON SUBDIVISION; THENCE N29°22'56"W, ALONG AN EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 32.35 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION AND ALONG A SOUTHEASTERLY LINE OF SAID LOT 1, HAVING A DELTA ANGLE OF 74°19'26", A RADIUS OF 170.00 FEET, A CURVE LENGTH OF 220.52 FEET, A CHORD BEARING OF N07°46'44"E WITH A CHORD DISTANCE OF 205.38 FEET; THENCE S29°23'27"E A DISTANCE OF 63.72 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 12,327.58 SQUARE FEET OR 0.283 ACRES MORE OR LESS.

SECTION 2. The title to the property vacated by Section 1 of this Ordinance shall revert to the abutting properties.

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

SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, without the plate, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: September 11, 2018.

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Jeremy L. Jensen, Mayor

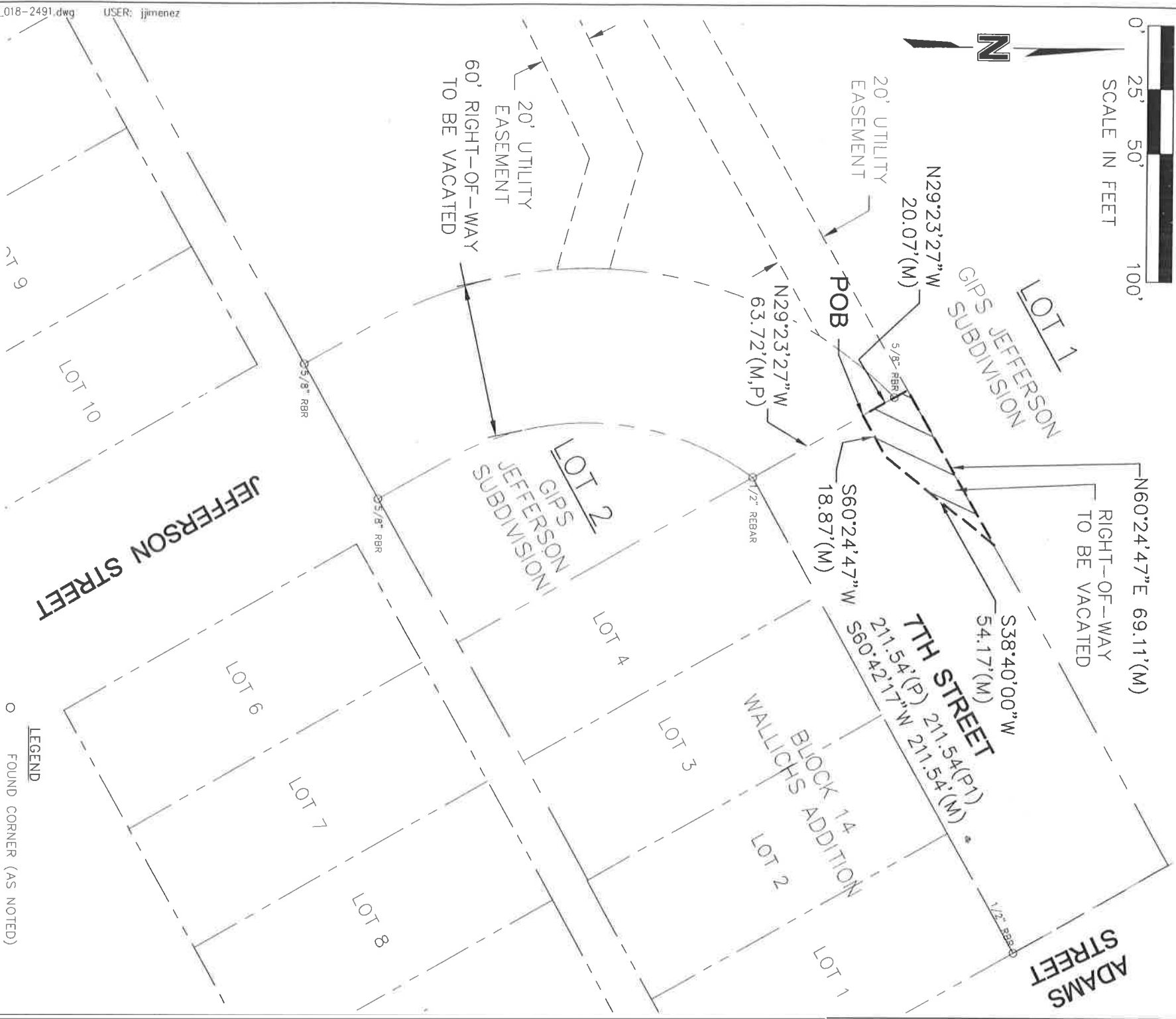
Attest:

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RaNae Edwards, City Clerk



SCALE IN FEET



JEFFERSON STREET

- LEGEND**
- FOUND CORNER (AS NOTED)
  - R.O.W. VACATE AREA
  - EXIST. PROPERTY LINE
  - EXIST. VACATED R.O.W. LINE
  - MEASURED DISTANCE
  - GIPS JEFFERSON SUB DISTANCE
  - WALLICHS ADD DISTANCE

**RIGHT-OF-WAY VACATION DESCRIPTION**

A TRACT OF LAND LOCATED IN GIPS JEFFERSON SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF LOT 1, BLOCK 14, WALLICHS ADDITION, ALSO BEING THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF ADAMS STREET AND THE SOUTHERLY RIGHT-OF-WAY LINE OF 7TH STREET; THENCE ON AN ASSUMED BEARING OF S60°42'17"W, ALONG THE NORTHERLY LINE OF SAID BLOCK 14 AND SAID SOUTHERLY RIGHT-OF-WAY LINE OF 7TH STREET, A DISTANCE OF 211.54 FEET TO A POINT BEING THE NORTHEASTERLY CORNER OF LOT 4, SAID BLOCK 14, WALLICHS ADDITION; THENCE N29°23'27"W A DISTANCE OF 63.72 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N29°23'27"W A DISTANCE OF 20.07 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 1, GIPS JEFFERSON SUBDIVISION; THENCE N60°24'47"E, ALONG SAID SOUTHERLY LINE OF LOT 1, A DISTANCE OF 69.11 FEET; THENCE S38°40'00"W A DISTANCE OF 54.17 FEET; THENCE S60°24'47"W A DISTANCE OF 18.87 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 882.87 SQUARE FEET OR 0.020 ACRES MORE OR LESS.

PROJECT NO:	2018-2491	7TH STREET VACATE	 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:	08.30.2018			







# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item F-4

### **#9709 - Consideration of Approving FY 2018-2019 Annual Single City Budget and the Annual Appropriations Bill**

*This item relates to the aforementioned Public Hearing item E-5.*

Staff Contact: Patrick Brown

ORDINANCE NO. 9709

An ordinance known as “The Annual Appropriation Bill” of the City of Grand Island, Nebraska, to adopt the proposed budget statement pursuant to the Nebraska Budget Act, for the fiscal year commencing October 1, 2018 and ending September 30, 2019 to provide for severability; 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 after complying will all procedures required by law, the budget presented and set forth in the budget statement is approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2018 through September 30, 2019. All sums of money, total all funds of \$213,588,542, contained in the budget statement are appropriated for the necessary expenses and liabilities of the City of Grand Island.

SECTION 2. A copy of the budget statement shall be forwarded as provided by law to the Auditor of Public Accounts, State of Nebraska and to the County Clerk of Hall County, Nebraska, for use by the levying authority.

SECTION 3. If any section, subsection or any other portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct and independent, and such holding shall not affect the validity of the remaining portions thereof.

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.

Approved as to Form	▣ _____
September 7, 2018	▣ City Attorney

ORDINANCE NO. 9709 (Cont.)

Enacted: September 11, 2018

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Jeremy L. Jensen, Mayor

Attest:

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RaNae Edwards, City Clerk



# **City of Grand Island**

**Tuesday, September 11, 2018**

**Council Session**

## **Item G-1**

### **Approving Minutes of August 28, 2018 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

August 28, 2018

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 August 28, 2018. Notice of the meeting was given in *The Grand Island Independent* on August 22, 2018.

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 Patrick Brown, City Attorney Jerry Janulewicz, and Assistant Public Works Director Keith Kurz.

INVOCATION was given by Pastor Dick Birr, New Life Community Church, 301 West 2<sup>nd</sup> Street followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARINGS:

Public Hearing to Vacate Prairie Commons Subdivision. Regional Planning Director Chad Nabity reported that the owners of Prairie Commons Subdivision had requested that the City vacate the Prairie Commons Subdivision to aid the replatting and approval of Prairie Commons Second Subdivision. Vacating and replatting these lots and easements resolve issues with public utilities and utility services as they were installed. Staff recommended approval. No public testimony was heard.

Public Hearing on Request to Rezone Property located South of Capital Avenue and East of Beal Street and North of the Intersection of 12th Street and Lambert Street from R2-Low Density Residential to R3-SL (The Orchard, LLC.). Regional Planning Director Chad Nabity reported that Fred Hoppe with Hoppe Homes had requested to rezone approximately 25 acres of land south of Capital Avenue and the outfall ditch and west of the Ord Line Railroad operated by Central Nebraska Railroad. The proposed development would allow a combination of townhomes and row houses to be developed on this site and provide for potential development of the property between St. Paul Road and western edge of this development on the south side of the outfall ditch. Staff recommended approval. Fred Hoppe, 1600 Stoneyhill Road, Lincoln, Nebraska spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement West of U.S. Highway 34 & 281 and North of Schimmer Drive - Ponderosa Lake Estates Homeowners Association. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located west of U.S. Highway 34 and 281 and north of Schimmer Drive was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including water lines. This easement would allow the Utilities Department the rights to access, operate and maintain public utility infrastructure which

provides service to the Ponderosa Estates area. 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 ordinances numbered:

#9702 - Consideration of Vacating Prairie Commons Subdivision

#9703 - Consideration of Vacation of Utility Easement - South of Capital Avenue and just West of the Burlington Northern Railroad Tracks - Lassonde 3rd Subdivision

#9704 - Consideration of Updating Chapter 15 of the Grand Island City Code Relative to Electricity including Electrical Rates

#9705 - Consideration of Request to Rezone Property located South of Capital Avenue and East of Beal Street and North of the Intersection of 12th Street and Lambert Street from R2-Low Density Residential to R3-SL (The Orchard, LLC.)

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 these ordinances 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.

#9702 - Consideration of Vacating Prairie Commons Subdivision

This item was related to the aforementioned Public Hearing. Staff recommended approval.

Motion by Paulick, second by Stelk to approve Ordinance #9702.

City Clerk: Ordinance #9702 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 #9702 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 #9702 is declared to be lawfully adopted upon publication as required by law.

#9703 - Consideration of Vacation of Utility Easement - South of Capital Avenue and just West of the Burlington Northern Railroad Tracks - Lassonde 3rd Subdivision

Utilities Director Tim Luchsinger reported that the easement located south of Capital Avenue and just west of the Burlington Northern Railroad tracks was no longer required and needed to be

vacated to allow for construction of a single family house by Habitat for Humanity. Staff recommended approval.

Motion by Donaldson, second by Fitzke to approve Ordinance 9703.

City Clerk: Ordinance #9703 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 #9703 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 #9703 is declared to be lawfully adopted upon publication as required by law.

#### #9704 - Consideration of Updating Chapter 15 of the Grand Island City Code Relative to Electricity including Electrical Rates

Utilities Director Tim Luchsinger stated the City was required by statute to set rates for its utility customers. Reviewed was the utility's rate structure. Staff recommended approval.

Motion by Minton, second by Nickerson to approve Ordinance No. 9704.

Mr. Luchsinger answered questions regarding residential rates. The Utilities Department was establishing rates to cover the cost of service which was approximately \$1.00 per month increase on the average bill. Mentioned were upcoming improvements for the department. Mayor Jensen asked if the Utilities Department could transfer money into the General Fund for salaries. Mr. Luchsinger said it could not. The Electric Utility paid into the General Fund approximately 5% of total revenues. Cash reserve amount was discussed.

City Clerk: Ordinance #9704 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Minton, Fitzke, Donaldson, Stelk, and Nickerson voted aye. Councilmembers Paulick, Steele, Hehnke, and Haase voted no. Mayor Jensen made the sixth and deciding vote to approve. Motion adopted.

City Clerk: Ordinance #9704 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, Councilmembers Minton, Fitzke, Donaldson, Stelk, and Nickerson voted aye. Councilmembers Paulick, Steele, Hehnke, and Haase voted no. Mayor Jensen made the sixth and deciding vote to approve. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9704 is declared to be lawfully adopted upon publication as required by law.



#9705 - Consideration of Request to Rezone Property located South of Capital Avenue and East of Beal Street and North of the Intersection of 12th Street and Lambert Street from R2-Low Density Residential to R3-SL (The Orchard, LLC.)

This item was related to the aforementioned Public Hearing. Staff recommended approval.

Motion by Paulick, second by Donaldson to approve Ordinance #9705.

Discussion was held regarding the housing shortage in Grand Island. Mr. Nabity stated a housing study was needed. Mentioned were 33' wide streets with offset parking.

City Clerk: Ordinance #9705 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 #9705 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 #9705 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Motion by Stelk, second by Hehnke to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of August 21, 2018 City Council Special Meeting.

Approving Appointment of Patrick Brown to the Firefighters and Police Pension Committees.

Approving Request from Jennifer Hansen, 502 West Egypt, Cairo, Nebraska for Liquor Manager Designation with Applebee's Neighborhood Bar & Grill, 721 Diers Avenue.

#2018-245 - Approving License Agreement with Southern Public Power District for Overhead Power Line at Heartland Public Shooting Park.

#2018-246 - Approving Final Plat and Subdivision Agreement for Prairie Commons 2nd Subdivision. It was noted that Prataria Ventures, LLC, owner, had submitted the Final Plat and Subdivision Agreement for Prairie Commons 2<sup>nd</sup> Subdivision located south of Husker Highway and west of U.S. Highway 281 for the purpose of creating 8 lots, 1 outlot on 95.32 acres.

#2018-247 - Approving Change Order #3 for Gas Turbine #3 Modified Hot Gas Path Inspection with General Electric International, Inc. of Omaha, Nebraska for an increase of \$128,923.04 and a Revised Contract Amount of \$674,062.87.

#2018-248 - Approving Bid Award - Precipitator, Bottom Ash & Boiler Industrial Cleaning at Platte Generating Station - Fall 2018 with W-S Industrial Services, Inc. of Council Bluffs, Iowa in an Amount of \$112,804.00.

#2018-249 - Approving Renewal of Machinery, Property Peril, Fire and Terrorism Insurance for 2018-2019 - Utilities Department with Factory Mutual Insurance Company of St. Louis, Missouri in the Amount of \$432,674.00.

#2018-250 - Approving Acquisition of Utility Easement - West of U.S. Highway 34 & 281 and North of Schimmer Drive - Ponderosa Lake Estates Homeowners Association.

#2018-251 - Approving Change Order #1 for Water Distribution System Improvements – 2017 with Myers Construction Inc. of Broken Bow, Nebraska for an Increase of \$74,683.76 and a Revised Contract Amount of \$753,368.99.

#2018-252 - Approving Bid Award for Sycamore Street Underpass Rehabilitation; Project No. 2017-U-1 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$1,794,404.38.

#2018-253 - Approving State Bid Award for One (1) 2018 or Current Production Year Ford Explorer 4x4 from Anderson Auto Group of Lincoln, Nebraska in the Amount of \$29,167.00 and One (1) 2018 or Current Production Year Jeep Cherokee 4x4 from Gene Steffy Auto Group of Fremont, Nebraska in the Amount of \$24,629.00 for the Wastewater Division of the Public Works Department.

#2018-254 - Approving Certificate of Final Completion for the 2018 Asphalt Resurfacing Project No. 2018-AC-2 with Vontz Paving, Inc. of Hastings, Nebraska.

#2018-255 - Approving Change Order No. 1 for the 2018 Asphalt Resurfacing Project No. 2018-AC-1 with Gary Smith Construction Co., Inc. of Grand Island, Nebraska for an Extension from September 15, 2018 to October 31, 2018.

#2018-256 - Approving Change Order No. 1 for 13th Street Paving Improvements; Project No. 2018-P-1 and 13th Street Water Main Improvements; Project No. 2018-W-5 with Blessing Construction of Kearney, Nebraska for an Increase of \$25,247.12 and a Revised Contract Amount of \$2,001,134.55.

#2018-257 - Approving Change Order #2 for EM911 Driveway with Chief Construction of Grand Island, Nebraska for an Increase of \$13,533.00.

#### RESOLUTIONS:

#2018-258 - Consideration of Approving FY 2018-2019 Annual Budget for Railside Business Improvement District and Setting Date for Board of Equalization. Assistance Finance Director William Clingman stated the City had received the assessed values of the individual properties within the Railside Business Improvement District. It was recommended that the Board of

Equalization on the proposed assessments be set for September 25, 2018. Introduced was Amos Anson, Chairman of the Railside Business Improvement District who gave a presentation of the district.

Motion by Donaldson, second by Hehnke to approve Resolution #2018-258. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Paulick to approve the payment of claims for the period of August 15, 2018 through August 28, 2018 for a total amount of \$5,147,603.54. Upon roll call vote, all voted aye.

SPECIAL ITEMS:

Discussion Concerning General Property, Downtown Improvement Parking District #2 (Ramp) and Community Redevelopment Authority (CRA) Tax Request for FY 2018-2019. City Administrator Marlan Ferguson stated this was an opportunity for the Council to comment on the budget. The final hearing would take place at the September 11, 2018 City Council meeting.

ADJOURNMENT: The meeting was adjourned at 8:07 p.m.

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-2

### **Approving Appointment of Robin Hendricksen to the Zoning Board of Adjustment**

*Mayor Jensen has submitted the appointment of Robin Hendricksen to the Zoning Board of Adjustment to replace Jerry Huisman. The appointment would become effective September 1, 2018 upon approval by the City Council and would expire on August 31, 2021.*

Staff Contact: Mayor Jeremy Jensen



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-3

### Approving Appointment of Jaimie Parr to the Library Board

*Mayor Jensen has submitted the appointment of Jaimie Parr to the Library Board to replace Rob Czaplewski who retired. The appointment would become effective immediately upon approval by the City Council and would expire on June 30, 2020.*

Staff Contact: Mayor Jeremy Jensen



Serving you through the Edith Abbott Memorial Library and throughout Hall County

211 North Washington Street • Grand Island, Nebraska 68801  
(308) 385-5333 • FAX 385-5339

[www.gilibrary.org](http://www.gilibrary.org) • [www.facebook.com/gilibrary](https://www.facebook.com/gilibrary)

TO: Mayor Jeremy Jensen  
FROM: Steve Fosselman, Library Director  
RE: Library Board Appointment

August 22, 2018

On behalf of the Grand Island Public Library board of trustees, I am forwarding to you their recommendation for filling a vacancy on the board, and asking for your approval and City Council confirmation at the September 11, 2018 meeting.

Rob Czaplewski has retired from the library board after over eight years of exemplary service including Vice President and President. Rob was appointed to fill an unexpired term on the library board in November 2009 and was in his second full term. He was instrumental in adopting the GILIBRARY 2020 plan.

The library board invited applications from community members through various channels, with responses on file in the office of City Clerk RaNae Edwards. The library board met and has approved a recommendation of the following candidate who demonstrates strong advocacy for quality library services and community betterment.

Appointment of Jaime Parr to fill the remainder of a four-year term on the library board through June 30, 2020. Jaime resides at 2106 Pioneer Boulevard in Grand Island and is employed as director of sales at the Nebraska State Fair. She is on the board of the Multicultural Coalition, is a member of Kiwanis and Grand Island Chamber Connectors, and is very involved as a community volunteer.

Thank you so much for your consideration and please let me know if you have any questions.

cc: RaNae Edwards, City Clerk  
Marlan Ferguson, City Administrator  
Library Board



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-4

### **Approving Re-Appointment of Sue Pirnie to the Community Redevelopment Authority Board**

*Mayor Jensen has submitted the re-appointment of Sue Pirnie to the Community Redevelopment Authority Board. The appointment would become effective October 1, 2018 upon approval by the City Council and would expire on September 30, 2023.*

Staff Contact: Mayor Jeremy Jensen



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-5

### **Approving Re-Appointment of Tony Randone Regional Planning Commission**

*Mayor Jensen has submitted the re-appointment of Tony Randone to the Regional Planning Commission. The appointment would become effective November 1, 2018 upon approval by the City Council and would expire on October 31, 2021.*

Staff Contact: Mayor Jeremy Jensen





# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-6

### **Approving Re-Appointments of Gail Yenny, Mike Schuster, and Tom O'Neill to the Citizens Advisory Review Committee**

*Mayor Jensen has submitted the re-appointments of Gail Yenny, Mike Schuster, and Tom O'Neill to the Citizens Advisory Review Committee. The appointments would become effective October 1, 2018 upon approval by the City Council and would expire on September 30, 2020.*

Staff Contact: Mayor Jeremy Jensen



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-7

**#2018-259 - Approving Final Plat and Subdivision Agreement for Sterling Estates 10th Subdivision**

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** September 11, 2018

**Subject:** Sterling Estates Tenth Subdivision – Final Plat

**Presenter(s):** Chad Nabity, AICP, Regional Planning Director

## **Background**

This property is located north of Sterling Estates Park between Sunrise Avenue and Ebony Lane, in the City of Grand Island, in Hall County, Nebraska (28 lots, 4.919 acres). This property is zoned R-4 High Density Residential.

## **Discussion**

The final plat for Sterling Estate Tenth Subdivision was considered by the Regional Planning Commission at the August 1, 2018 meeting.

A motion was made by Robin Hendricksen and seconded by Greg Robb to approve the final plat as presented.

A roll call vote was taken and the motion passed with 8 members present and voting in favor (O'Neill, Ruge, Robb, Mauer, Rainforth, Rubio, Hendricksen, and Randone) and no members present voting no.

## **Alternatives**

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

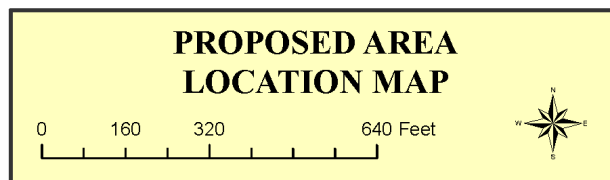
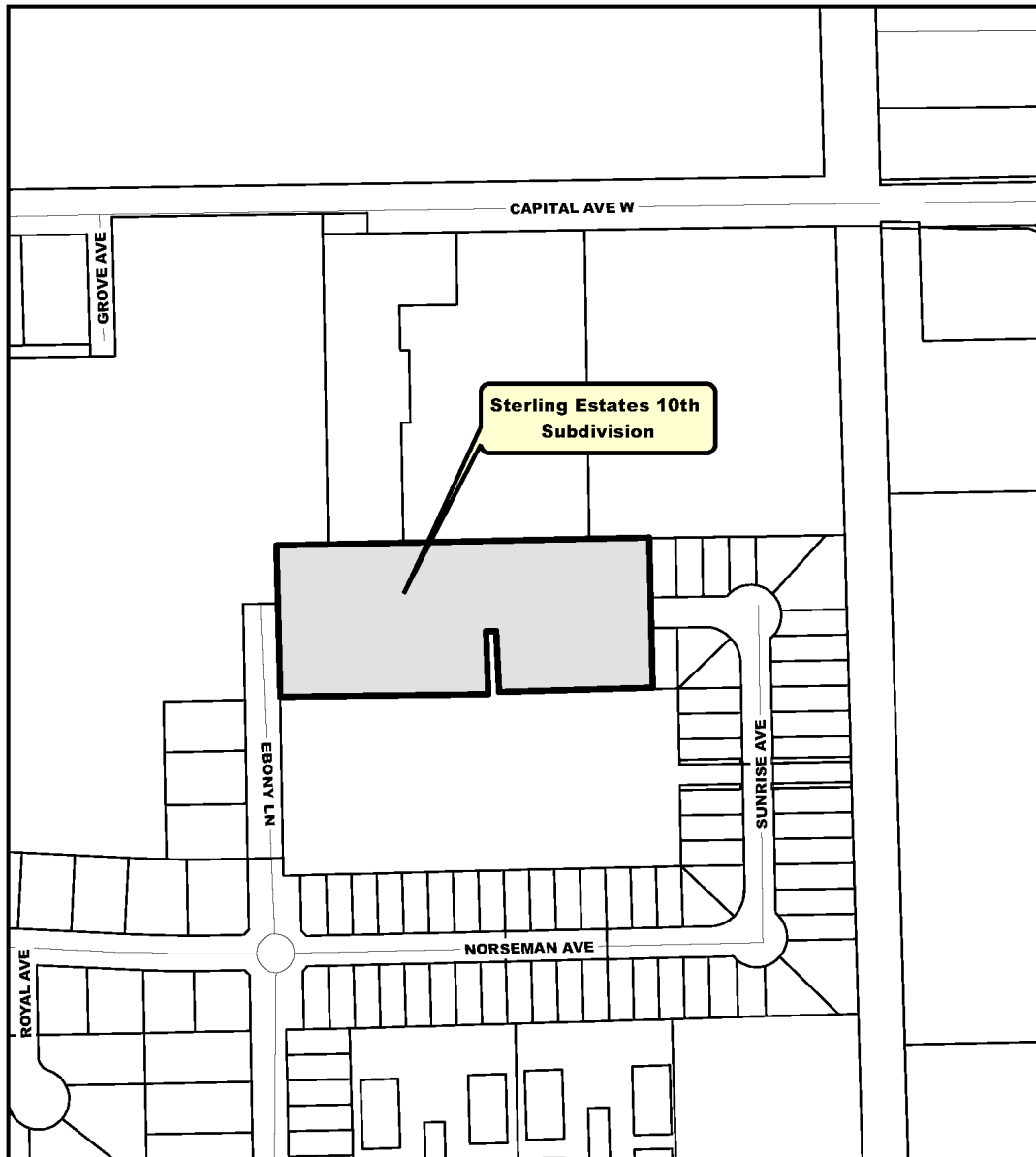
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that Council approve the final plat as presented.

## **Sample Motion**

Move to approve as recommended.



**Developer/Owner**

Starostka Group Unlimited, Inc.  
429 Industrial Lane  
Grand Island, NE 68803

To create 28 lots north of Sterling Estates Park between Sunrise Avenue and Ebony Lane, in the City of Grand Island, in Hall County, Nebraska.

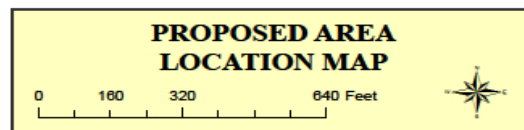
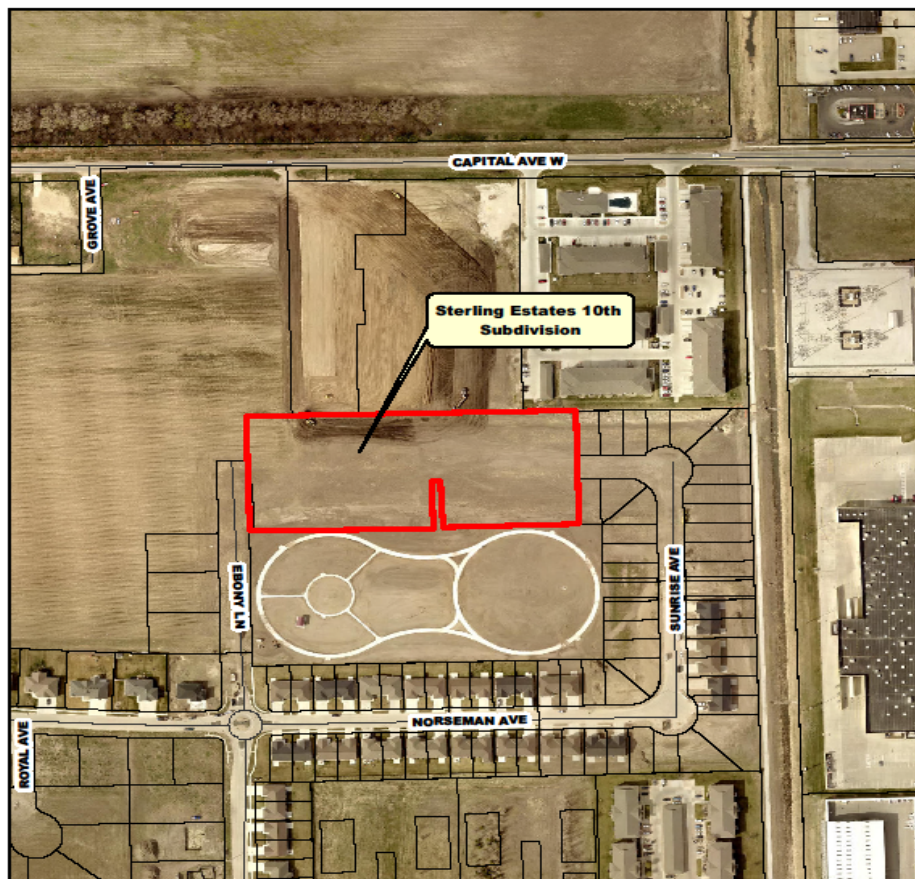
**Size:** 4.919 acre

**Zoning:** R-4 High Density Residential

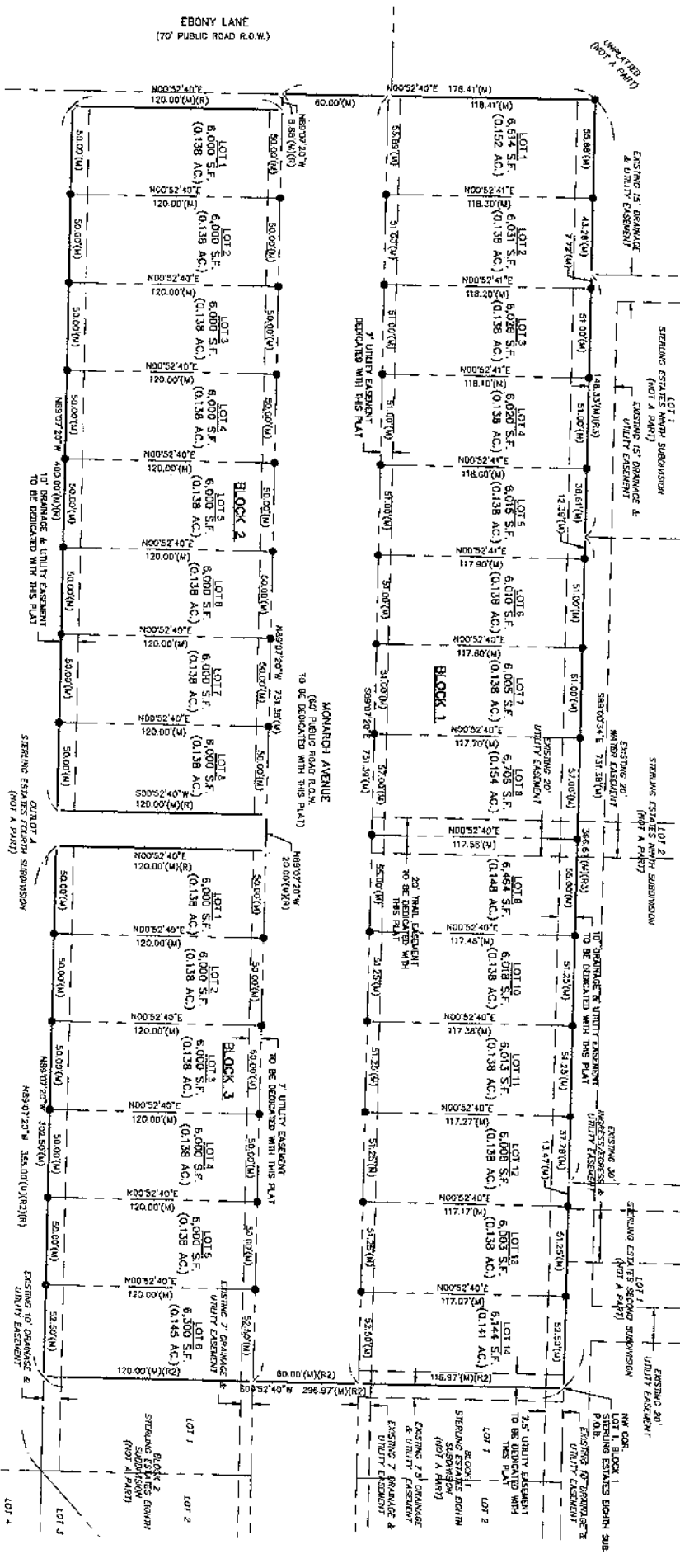
**Road Access:** Monarch Avenue was paved at a width of 32 feet with parking restricted on the south side of the street with the development of Sterling Estates 8<sup>th</sup> Subdivision at the east end of Monarch Avenue. The proposed development is a continuation of the development on Sterling 8<sup>th</sup> and parking should be restricted on the south side of the street. This is identified in the list of streets with restricted parking that was approved by Resolution #18-190 on June 26, 2018.

**Water Public:** City water is available.

**Sewer Public:** City sewer is available.



STERLING ESTATES TENTH SUBDIVISION  
TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
FINAL PLAT



LOCATION MAP  
SEC 13 T14N R10E  
NOT TO SCALE  
CAPITAL AVE

SITE LOCATION

NORTH ROAD

STATE ST

WEST ROAD

**OLSSON**  
ASSOCIATES

201 East 2nd Street  
P.O. Box 1072  
Grand Island, NE 68402-1072  
TEL. 308.364.8750  
FAX 308.364.8752

STAROSTKA SURVEY

0' 10' 20' 40'

SCALE IN FEET

SHEET 1 OF 2

LEGEND	
●	SIT CORNER (6.67'± ACIR & W/CAP)
D	TOUND CORNER (6.5"± REBAR W/CAP)
EXISTING PROPERTY LINE	
PROPERTY LINE	
M	MEASURED DISTANCE
R	RECORDED DISTANCE, STIPPLING LEAVES FOURTH SUB
R2	RECORDED DISTANCE, STIPPLING LEAVES EIGHTH SUB
R3	RECORDED DISTANCE, STIPPLING LEAVES NINTH SUB

# STERLING ESTATES TENTH SUBDIVISION

## AN ADDITION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

### FINAL PLAT

#### LEGAL DESCRIPTION

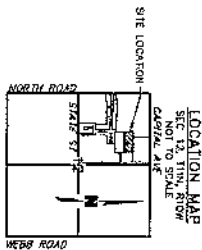
A TRACT OF LAND CONSISTING OF PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, STERLING ESTATES EIGHTH SUBDIVISION SAID POINT ALSO BEING THE POINT OF BEGINNING, THENCE ON AN ASSUMED BEARING OF S00°52'40"W, ALONG THE WEST LINE OF STERLING ESTATES EIGHTH SUBDIVISION, A DISTANCE OF 296.97 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 2, STERLING ESTATES EIGHTH SUBDIVISION, A POINT ON THE NORTHERLY LINE OF OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, THENCE N89°07'20"W, ALONG THE NORTHERLY LINE OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, A DISTANCE OF 102.50 FEET TO A NORTHEASTERY CORNER OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, THENCE N00°52'40"E, ALONG A EASTERLY LINE OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, A DISTANCE OF 120.00 FEET TO A NORTHEASTERY CORNER OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, THENCE N89°07'20"W, ALONG A NORTHERLY LINE OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, A DISTANCE OF 20.00 FEET TO A NORTHERLY POINT OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, THENCE S00°52'40"W, ALONG A WESTERLY LINE OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, A DISTANCE OF 120.00 FEET TO A NORTHEASTERY CORNER OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, THENCE N89°07'20"W, ALONG A NORTHERLY LINE OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, A DISTANCE OF 120.00 FEET TO A WESTERLY CORNER OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, THENCE N00°52'40"E, ALONG A WESTERLY LINE OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, A DISTANCE OF 120.00 FEET TO A NORTHEASTERY CORNER OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, THENCE N89°07'20"W, ALONG A NORTHERLY LINE OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, A DISTANCE OF 8.88 FEET TO THE NORTHEAST CORNER OF SAID OUTLOT A, STERLING ESTATES FOURTH SUBDIVISION, A POINT ON THE EAST RIGHT OF WAY LINE OF EIGHTH LANE, THENCE S89°03'44"E, ALONG SAID EAST RIGHT OF WAY LINE OF EIGHTH LANE, A DISTANCE OF 178.41 FEET, THENCE S89°03'44"E, ALONG THE SOUTH LINE OF LOTS 1 AND 2, STERLING ESTATES TENTH SUBDIVISION AND THE SOUTH LINE OF LOT 1, STERLING ESTATES SECOND SUBDIVISION, A DISTANCE OF 731.38 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 214,260 SQUARE FEET OR 4.919 ACRES MORE OR LESS OF WHICH 1.007 ACRES IS NEW DEDICATED ROAD RIGHT-OF-WAY.

#### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON \_\_\_\_\_ 2018, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF A TRACT OF LAND CONSISTING OF PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF, THAT IRON MARKERS, EXCEPT WHERE INDICATED, WERE FOUND AT ALL CORNERS, THAT THE DIMENSIONS ARE AS SHOWN ON THE PLAT, AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

JESSE E. HART, REGISTERED LAND SURVEYOR NUMBER, LS-674



#### DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS, THAT DANNY STAROSTKA, PRESIDENT, STAROSTKA GROUP UNLIMITED, INC. BEING THE OWNERS OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "STERLING ESTATES TENTH SUBDIVISION" IN PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF, AND DO HEREBY DEDICATE THE ROAD RIGHT OF WAY, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER, AND HEREBY DEDICATE THE EASEMENTS, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE FOR PUBLIC SERVICE UTILITIES, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS HERETO, AND HEREBY PROHIBITING THE PLANTING OF TREES, BUSHES AND SHRUBS, OR PLACING OTHER OBSTRUCTIONS UPON, OVER, ALONG OR UNDERNEATH THE SURFACE OF SUCH EASEMENTS, AND THAT THE FOREGOING ADDITION AS MORE PARTICULARLY DESCRIBED IN THE DESCRIPTION HEREON AS APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT \_\_\_\_\_, NEBRASKA, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018.

DANNY STAROSTKA  
 PRESIDENT  
 STAROSTKA GROUP UNLIMITED, INC.

#### ACKNOWLEDGMENT

STATE OF NEBRASKA  
 COUNTY OF HALL

ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018, BEFORE ME \_\_\_\_\_, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED DANNY STAROSTKA, PRESIDENT, STAROSTKA GROUP UNLIMITED, INC. TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED IN WITNESS WHEREOF, I HAVE HERETO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT \_\_\_\_\_, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

#### APPROVAL

SUBMITTED TO AND APPROVED BY THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, CITIES OF GRAND ISLAND, WOOD RIVER, AND THE VILLAGES OF ALDA, CARO, AND DONIPHAN, NEBRASKA

CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018

MAYOR \_\_\_\_\_

CITY CLERK \_\_\_\_\_

OWNERS: STAROSTKA GROUP UNLIMITED, INC.  
 SUBDIVIDER: STAROSTKA GROUP UNLIMITED, INC.  
 SURVEYOR: OLSSON ASSOCIATES  
 ENGINEER: OLSSON ASSOCIATES  
 NUMBER OF LOTS: 28

**OLSSON ASSOCIATES**  
 201 East 2nd Street  
 P.O. Box 1073  
 Grand Island, NE 68801-1073  
 Telephone: 308.381.8500  
 Fax: 308.381.8752

PROJECT NO. 2018-1955  
 STAROSTKA SURVEY

SHEET 2 OF 2

RESOLUTION 2018-259

WHEREAS Starostka Group Unlimited, Inc., being the said owner of the land described hereon, have caused the same to be surveyed, subdivided, platted and designated as “STERLING ESTATES TENTH SUBDIVISION”, a subdivision on a tract of land comprising part of the Northwest Quarter (NW1/4) of Section Twelve (12), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M., in the City of Grand Island, Hall County, Nebraska, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Boards of Education of the various school districts in Grand Island, Hall County, Nebraska, as required by Section 19-923, R.R.S. 1943; and

WHEREAS, a form of subdivision agreement has been agreed to between the owner of the property and the City of Grand Island.

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

BE IT FURTHER RESOLVED that the final plat of STERLING ESTATES TENTH SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

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

Attest:

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

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney





# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-8

**#2018-260 - Approving Final Plat and Subdivision Agreement for  
GIPS Jefferson Second Subdivision**

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** September 11, 2018

**Subject:** GIPS Jefferson Second Subdivision – Final Plat

**Presenter(s):** Chad Nabity, AICP, Regional Planning Director

## **Background**

This property is located between Broadwell Avenue and Adams Street south of Eighth Street in the jurisdiction of Grand Island, Nebraska. (2 lots, 5.507 acres). This property is zoned R-4- High Density Residential.

## **Discussion**

The final plat for GIPS Jefferson Second Subdivision was considered by the Regional Planning Commission at the September 5, 2018 meeting.

A motion was made by Rainforth and seconded by Randone to approve the final plat as presented.

A roll call vote was taken and the motion passed with 7 members present and voting in favor (Ruge, Robb, Rainforth, Rubio, Hendricksen, Allen and Randone), no members present voting no and Kjar abstaining.

## **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

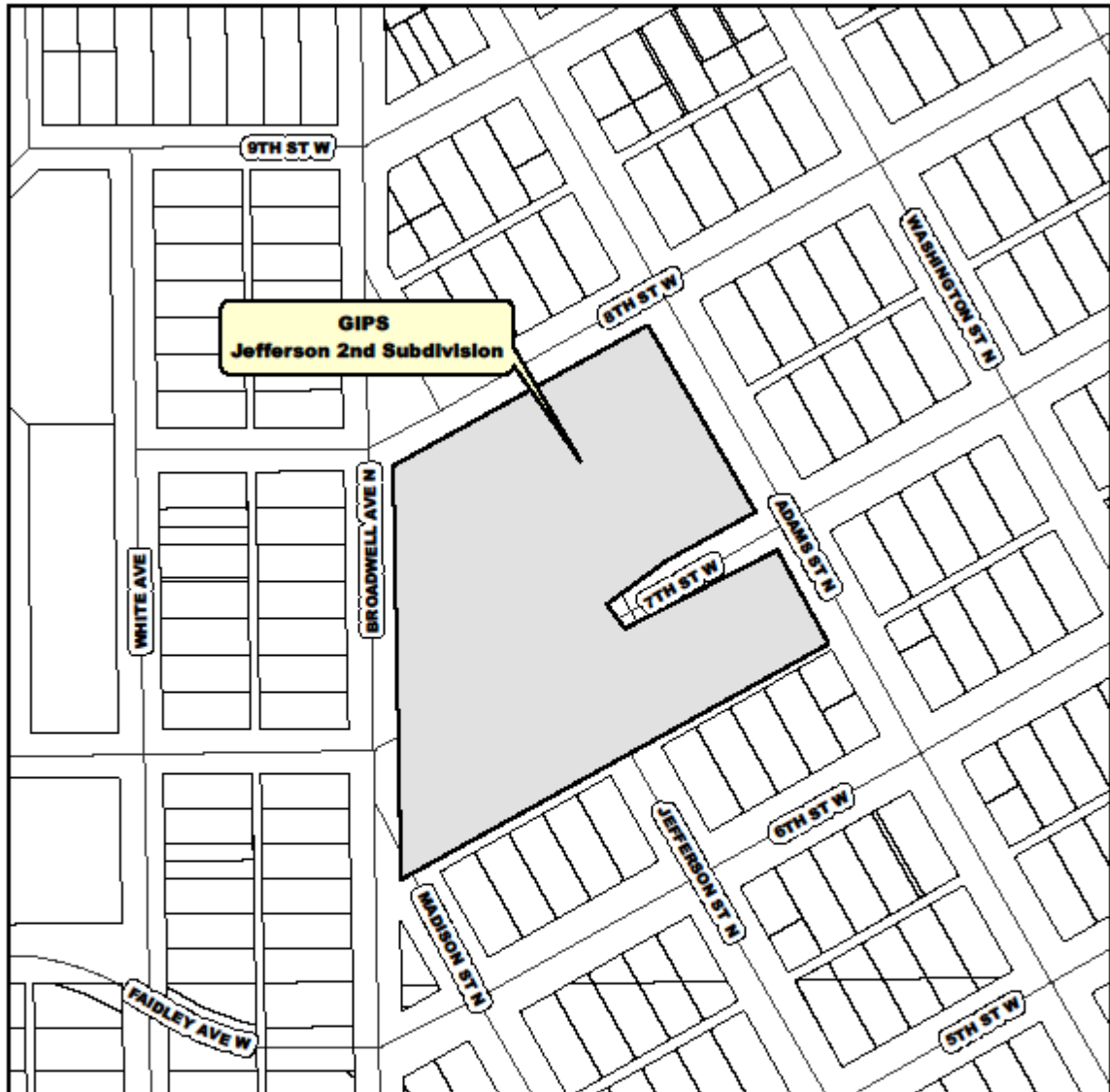
## **Recommendation**

City Administration recommends that Council approve the final plat as presented.

## **Sample Motion**

Move to approve as recommended.

## Subdivision Location Map



### Legend

 Proposed Area

Scale: NONE  
For Illustration Purposes



THE GRAND ISLAND PLANNING COMMISSION  
is a public body created by Ordinance 10-01  
of the Grand Island City Council.

**Developer/Owner**

Hall County District 2  
P.O. BOX 4904  
Grand Island, NE 68802

To create 2 lots between Broadwell Avenue and Adams Street south of Eighth Street in the City of Grand Island, in Hall County, Nebraska.

**Size:** 5.506 acres

**Zoning:** R-4 High Density Residential

**Road Access:** Existing public streets available. School will rebuild 7<sup>th</sup> to Jefferson.

**Water Public:** City water is available.

**Sewer Public:** City sewer is available.



RESOLUTION 2018-260

WHEREAS Hall County District 2, being the owner of the land described hereon, have caused the same to be surveyed, subdivided, platted and designated as “GIPS JEFFERSON SECOND SUBDIVISION”, a subdivision in all of Lots 1 and 2 of GIPS Jefferson Subdivision, vacated right-of-way for Seventh Street, and Lots 2, 3, and 4, Block 14, of Wallichs Addition all in the City of Grand Island, Hall County, Nebraska, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Boards of Education of the various school districts in Grand Island, Hall County, Nebraska, as required by Section 19-923, R.R.S. 1943; and

WHEREAS, a form of subdivision agreement has been agreed to between the owner of the property and the City of Grand Island,

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

BE IT FURTHER RESOLVED that the final plat of GIPS JEFFERSON SECOND SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

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

Attest:

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

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-9

**#2018-261 - Approving Final Plat and Subdivision Agreement for King's Crossing Subdivision**

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** September 11, 2018

**Subject:** Kings Crossing Subdivision – Final Plat

**Presenter(s):** Chad Nabity, AICP, Regional Planning Director

## **Background**

This property is located west of Locust Street at the southwest corner of the intersection of Locust and Husker Highway in the jurisdiction of Grand Island, Nebraska. (3 lots, 6.275 acres). This property is zoned B2- General Business within the Gateway Corridor.

## **Discussion**

The final plat for Kings Crossing Subdivision was considered by the Regional Planning Commission at the September 5, 2018 meeting.

A motion was made by Rainforth and seconded by Randone to approve the final plat as presented.

A roll call vote was taken and the motion passed with 7 members present and voting in favor (Ruge, Robb, Rainforth, Rubio, Hendricksen, Allen and Randone), no members present voting no and Kjar abstaining.

## **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

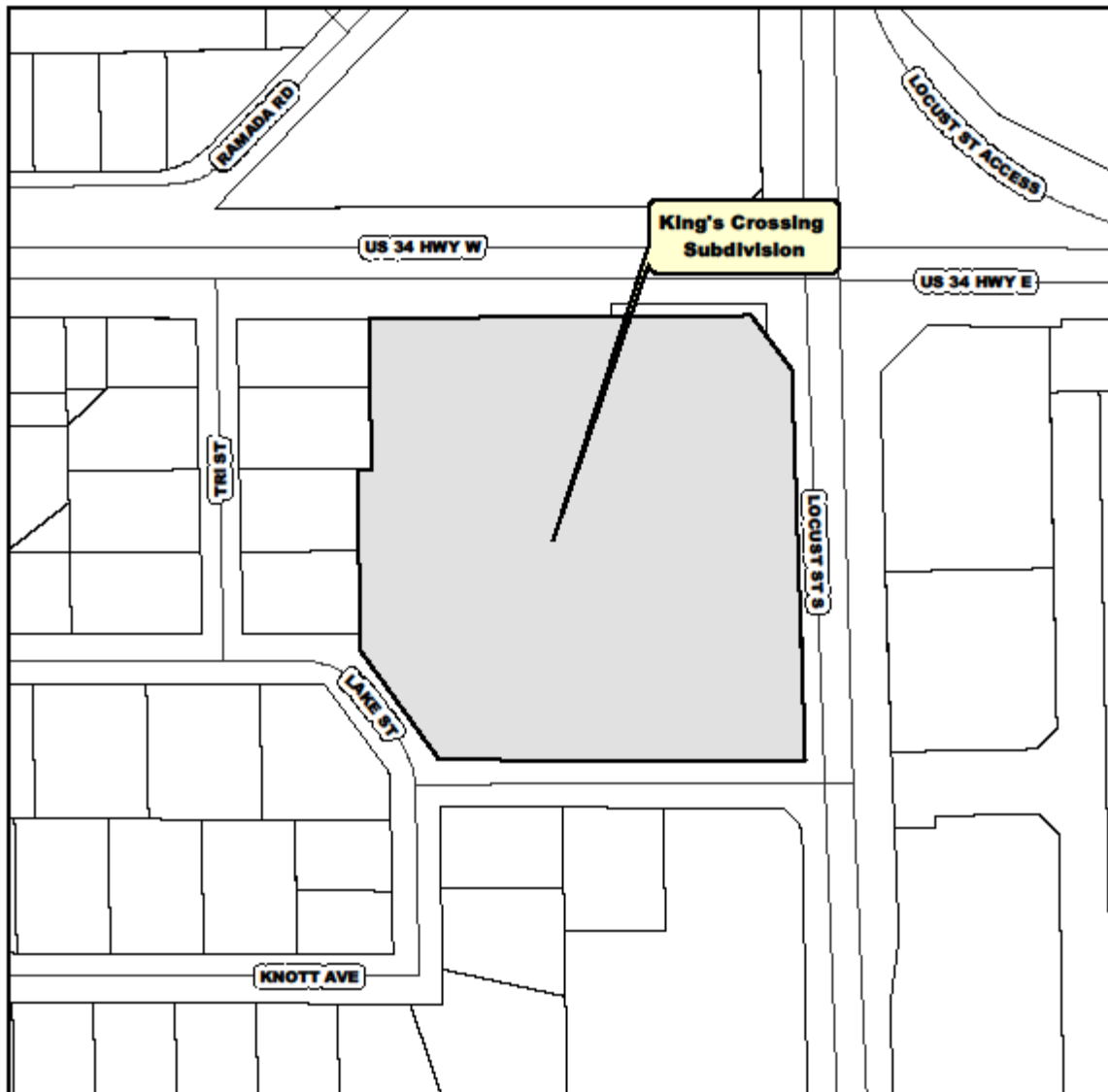
## **Recommendation**

City Administration recommends that Council approve the final plat as presented.


## **Sample Motion**

Move to approve as recommended.

## Subdivision Location Map



### Legend

 Proposed Area

Scale: NONE  
For Illustration Purposes



PLANNING AND DEVELOPMENT DEPARTMENT  
The City of Grand Island, Nebraska  
1000 Grand Island, Nebraska



**Developer/Owner**  
R2S2 LLC  
2514 S. Locust Street  
Grand Island, NE 68801

To create 3 lots on the southwest corner of the intersection of Locust and Husker Highway in the City of Grand Island, in Hall County, Nebraska.

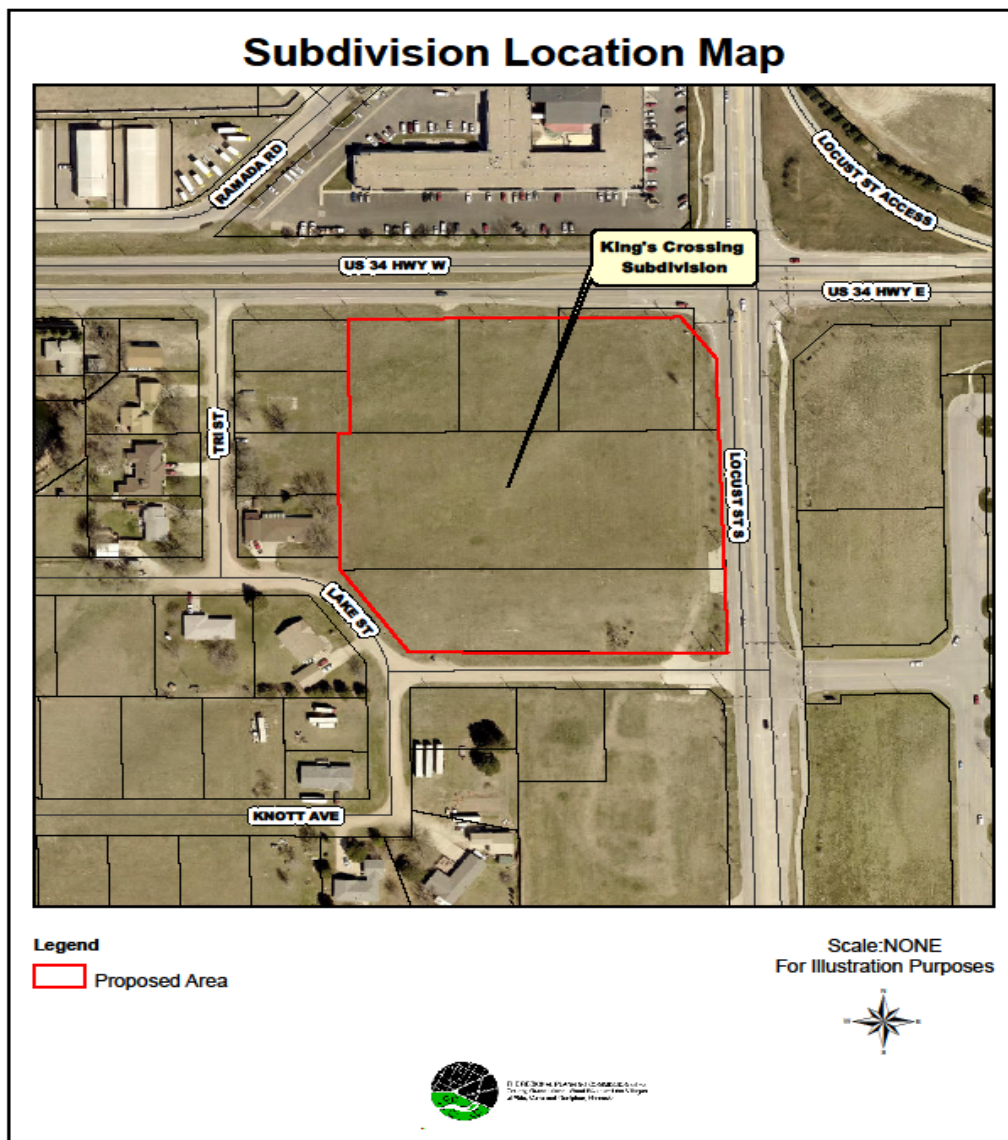
**Size:** 6.27 acres

**Zoning:** B2 - General Business within the Gateway Corridor

**Road Access:** Husker Highway is a State Highway. Locust Street and Lake Street are existing city streets.

**Water Public:** City water is available.

**Sewer Public:** City sewer is available.



RESOLUTION 2018-261

WHEREAS known all men by these presents, that R2S2, L.L.C., being the said owner of the land described hereon, have caused the same to be surveyed, subdivided, platted and designated as “KING’S CROSSING SUBDIVISION”, a subdivision on a tract of land consisting of part of the Northeast Quarter of the Northeast Quarter (NE1/4, NE1/4) of Section Thirty-Three(33), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M., in, Hall County, Nebraska, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Boards of Education of the various school districts in Grand Island, Hall County, Nebraska, as required by Section 19-923, R.R.S. 1943; and

WHEREAS, a form of subdivision agreement has been agreed to between the owner of the property and the City of Grand Island.

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

BE IT FURTHER RESOLVED that the final plat of KING’S CROSSING SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

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

Attest:

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

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-10

### **#2018-262 - Approving Acquisition of Utility Easements - 3204 S. Shady Bend Road - Spaulding**

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

Staff Contact: Tim Luchsinger, Stacy Nonhof

## RESOLUTION 2018-262

WHEREAS, a public utility easement is required by the City of Grand Island from Stephen J. Spaulding and Deborah A. Spaulding, Co-Trustees of the Spaulding Living Trust, 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 September 11, 2018, for the purpose of discussing the proposed acquisition of a twenty (20.0) foot utility easement (Tract #1) and a Sixteen (16.0) foot utility easement (Tract #2), located through a part of the Southeast Quarter of the Southeast Quarter (SE¼, SE¼) Section Twenty-Six (26), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> PM, in Hall County, Nebraska; and more particularly described as follows:

### TRACT 1

A twenty (20.0) foot wide tract, the centerline being more particularly described as follows:

Commencing at the Northwest corner of Meadow Lane Second Subdivision, Hall County, Nebraska; thence running northwesterly along an easterly right-of-way line of Goldenrod Drive on an assumed bearing of N43°14'34"W, a distance of eighty seven and fifty nine hundredths (87.59) feet; thence N46°45'26"E along the centerline of an existing sixteen (16.0) foot easement described in Document 77-004484 as recorded in the Register of Deeds Office, Hall County, Nebraska, a distance of one hundred eighty four and ninety two hundredths (184.92) feet to the ACTUAL Point of Beginning of Tract 1; thence N77°17'37"E, a distance of two hundred eighty five (285.0) feet to the point of termination.

### TRACT 2

A sixteen (16.0) foot wide tract, the boundary being more particularly described as follows:

Commencing at the Northwest corner of Meadow Lane Second Subdivision, Hall County, Nebraska; thence running northwesterly along an easterly right-of-way line of Goldenrod Drive on an assumed bearing of N43°14'34"W, a distance of ninety five and fifty nine hundredths (95.59); feet; thence N46°45'26"E, along a northerly line of an existing sixteen (16.0) foot wide easement described in Document 77-004484, Recorded in the Register of Deeds Office, Hall County, Nebraska, a distance of one hundred eighty one and eighty five hundredths (181.85) feet; thence N43°14'34"W, a distance of one hundred fourteen and five tenths (114.5) feet to the ACTUAL Point of Beginning of Tract 2; thence continuing N43°14'34"W, a distance of forty three and eighty five hundredths (43.85) feet to a point on the southerly line of Lot Ten (10), Meadow Lane Fourth Subdivision; thence N69°31'37"E, along the southerly line of said Lot Ten (10) and the southerly line of Lot Seven (7), Meadow Lane Third Subdivision, a distance of seventeen and thirty five hundredths (17.35) feet; thence S43°14'34"E, a distance of thirty five and eighteen hundredths (35.18) feet to a

Approved as to Form	September 7, 2018
City Attorney	

point on a northerly line of said existing sixteen (16.0) foot wide easement; thence S39°46'23"W, along a northerly line of said existing sixteen (16.0) foot wide easement, a distance of sixteen and twelve hundredths (16.12) feet to the said Point of Beginning of Tract 2.

The above-described easement and right-of-way containing a combined total of 0.145 acres, more or less, as shown on the plat dated 8/22/2018, 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 Stephen J. Spaulding and Deborah A. Spaulding, Co-Trustees of the Spaulding Living Trust, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

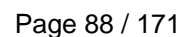
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Jeremy L. Jensen, Mayor

Attest:

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RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-11

**#2018-263 - Approving Acquisition of Utility Easement - East Side of Diamond Drive between Warbler Road and Meadow Way Trail - TPRC - Umbrella - Erickson**

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

Staff Contact: Tim Luchsinger, Stacy Nonhof

RESOLUTION 2018-263

WHEREAS, a public utility easement is required by the City of Grand Island from TPCR Developments, LLC, Umbrella Development, LLC, and Donald R. and Jeri L. Erickson, 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 September 11, 2018, for the purpose of discussing the proposed acquisition of a twenty (20.0) foot utility easement located through a part of Lots Eleven (11), Lot Twelve (12), Lot Thirteen (13), Lot Fourteen (14), Lot Fifteen (15), and Lot Sixteen, Summerfield Estates Tenth Subdivision, in the City of Grand Island, Hall County, Nebraska, more particularly described as:

The easterly seven (7.0) feet of the westerly fourteen (14.0) feet of Lot Eleven (11), Lot Twelve (12), Lot Thirteen (13), Lot Fourteen (14), Lot Fifteen (15), and Lot Sixteen (16), Summerfield Estates Tenth Subdivision, Grand Island, Hall County, Nebraska.

The above-described easement and right-of-way containing a total of 0.07 acres more or less, as shown on the plat dated December 1, 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 TPCR Developments LLC, Umbrella Development, LLC, and Donald R. and Jeri L. Erickson, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018

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

Attest:

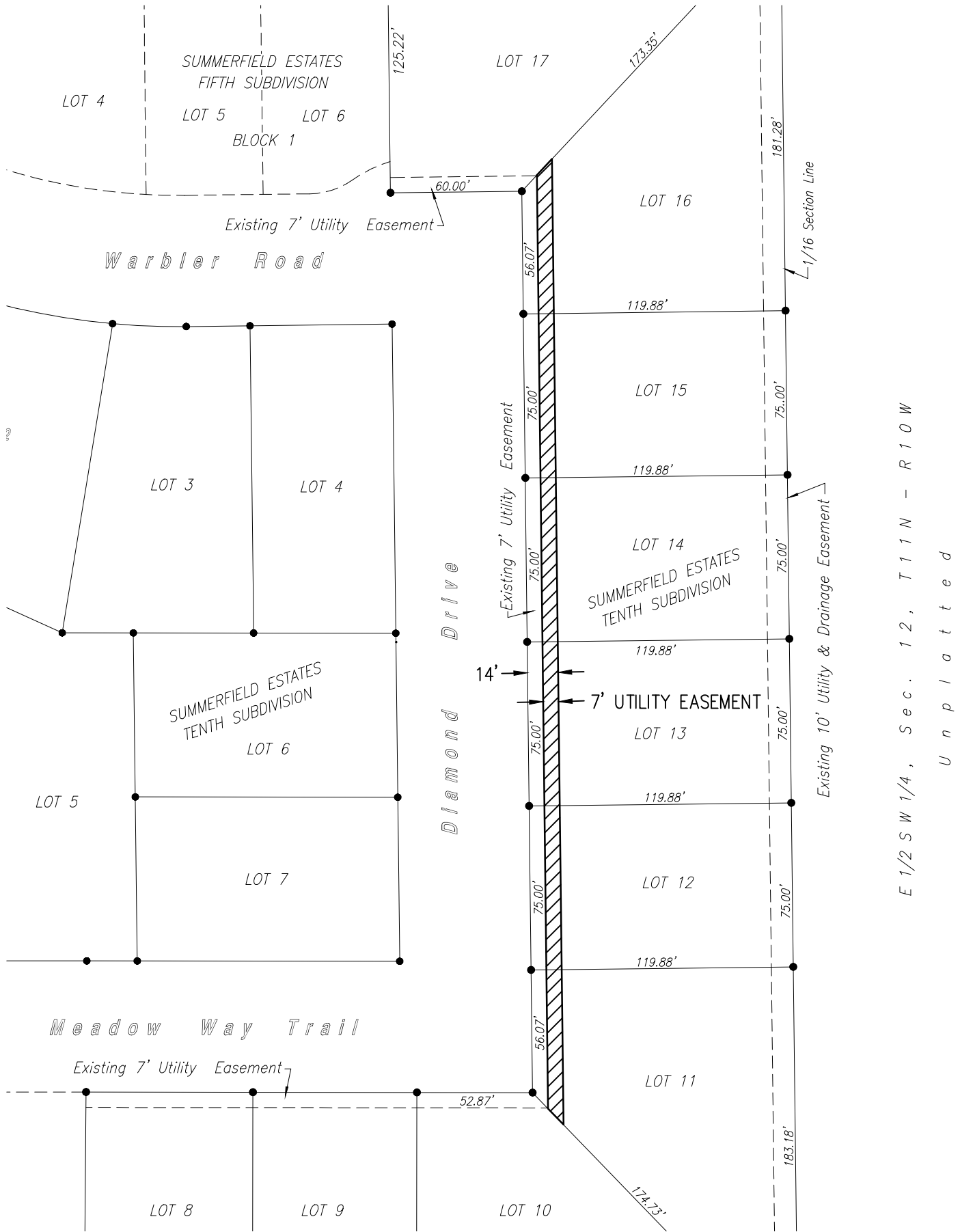
\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney



-UTILITY EASEMENT-

THE EAST 7' OF THE WEST 14' OF LOTS 11-16, SUMMERFIELD ESTATES  
TENTH SUBDIVISION, TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

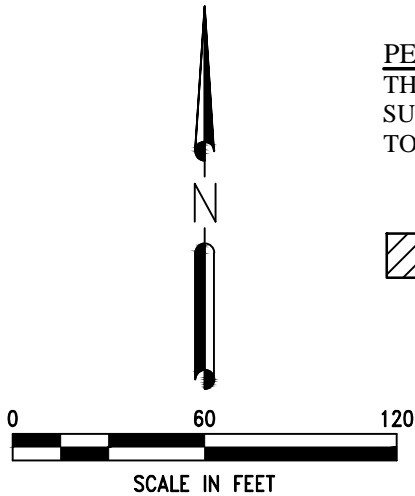



E 1/2 S W 1/4, Sec. 12, T 11 N - R 10 W  
U n p l a t t e d

**PERMANENT UTILITY EASEMENT**  
THE EAST 7' OF THE WEST 14' OF LOTS 11-16,  
SUMMERFIELD ESTATES TENTH SUBDIVISION,  
TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

 = 7' UTILITY EASEMENT

EXHIBIT A



 <b>Miller &amp; Associates</b> 1111 CENTRAL AVENUE KEARNEY, NE 68847-6833 Tel: 308-234-6456 Fax: 308-234-1146 www.miller-engineers.com	PARTY CHIEF: Brent D. Cyboron	SURVEY COMPLETED: DECEMBER 1, 2017
	DRAWN BY: A. Olson	REVISION
		DATE & REASON
SUMMERFIELD ESTATES TENTH SUB., GRAND ISLAND, NE		



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-12

**#2018-264 - Approving Certificate of Final Completion for Water Distribution System Improvements - 2017**

Staff Contact: Tim Luchsinger, Utilities Director

# **Council Agenda Memo**

**From:** Timothy Luchsinger, Utilities Director

**Meeting:** September 11, 2018

**Subject:** Certificate of Final Completion for Water Distribution System Improvements - 2017

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

## **Background**

Water Distribution System Improvements – 2017, involved the installation of water main, water service connections, pavement removal and restoration and drainage improvements in five project areas throughout the City. The completed work replaced old mains, resolved maintenance issues, provided proper clearances between water mains and storm sewers, improved system capacity and supplemented fire protection in existing parts of the City.

## **Discussion**

The project has been completed by Myers Construction, Inc., of Broken Bow, Nebraska in accordance with the terms and conditions of the contract documents and plans. The final contract amount for the work was \$753,368.99. The City of Grand Island Street Department is responsible for \$84,767.02 of the final contract amount for storm sewer and pavement work that was determined to be a necessary addition to the project. The remaining \$668,601.97 is a Utilities Department expense.

## **Alternatives**

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

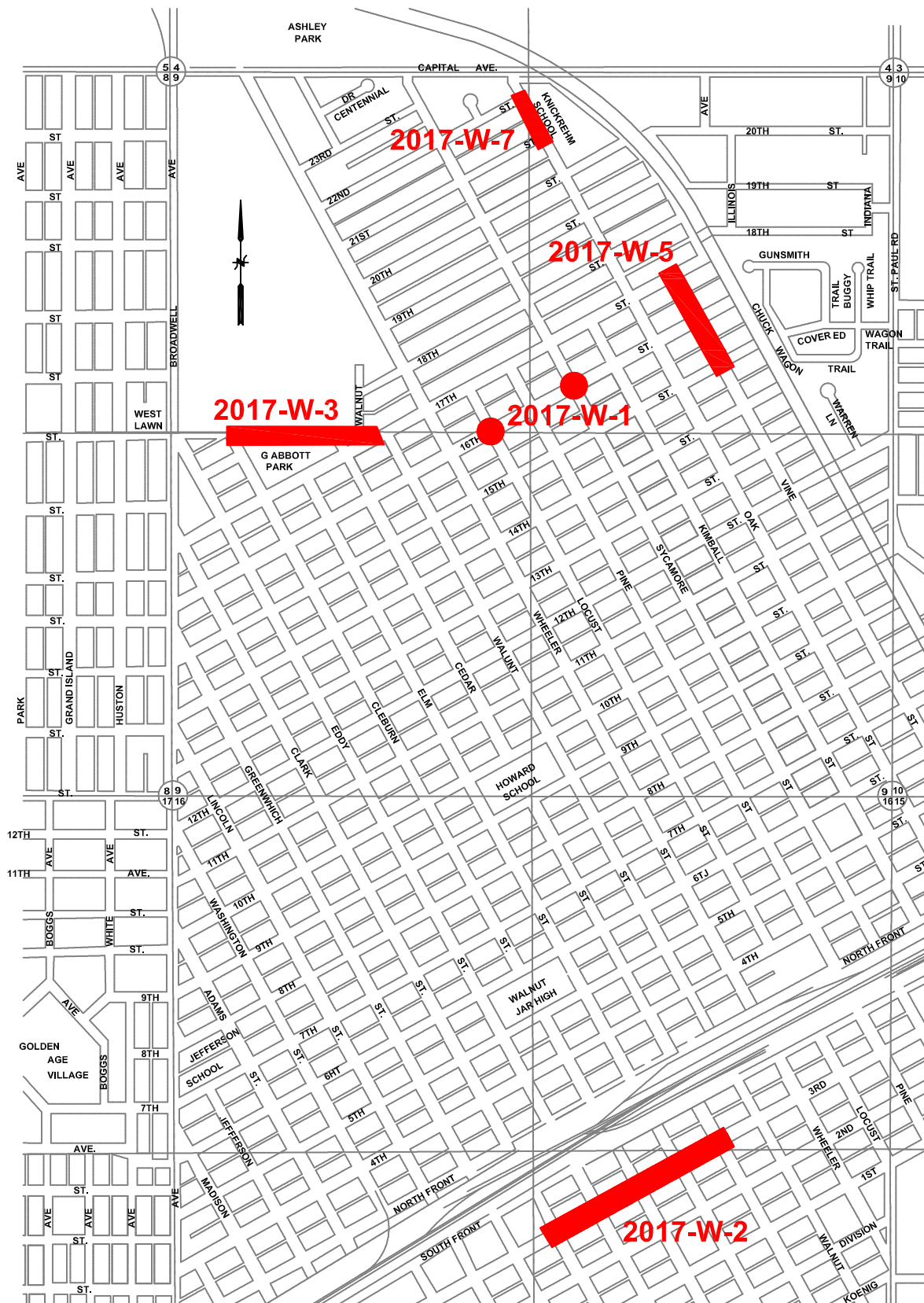
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **Recommendation**

City Administration recommends that the Council approve the Certificate of Final Completion for Water Distribution System Improvements – 2017.

### **Sample Motion**

Move to approve the Certificate of Final Completion for Water Distribution System Improvements – 2017.



## **Water Distribution System Improvements 2017** **Grand Island Utilities Department**

## ENGINEER'S CERTIFICATE OF FINAL COMPLETION

### Water Distribution System Improvements 2017

Water Distribution System Improvements 2017 is located within five project areas throughout the City of Grand Island, NE. The project was installed under a contract issued to Myers Construction Inc. of Broken Bow, NE. The work has been fully completed in accordance with the terms and conditions of the contract and complies with the plans and specifications.

  
\_\_\_\_\_  
Ryan L. Schmitz, P.E. #E13818

8/30/2018  
\_\_\_\_\_  
Date

I hereby authorize Water Distribution System Improvements 2017 to be incorporated into the City of Grand Island water system.

  
\_\_\_\_\_  
Tim Luchsinger, Utilities Director

8-31-18  
\_\_\_\_\_  
Date

CERTIFICATE OF FINAL COMPLETION

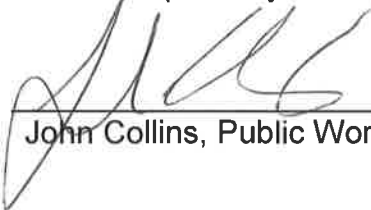
Water Distribution System Improvements - 2017  
Five Different Areas throughout the City

September 11, 2018

Water Distribution System Improvements – 2017, was awarded to Myers Construction, Inc., of Broken Bow, 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 Distribution System Improvements – 2017  
Five Different Areas throughout the City**

September 11, 2018

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 Distribution System Improvements – 2017 be approved.

Respectfully submitted,

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

RESOLUTION 2018-264

WHEREAS, the Engineer and Public Works Director have issued a Certificate of Final Completion for Water Distribution System Improvements – 2017 within five project areas throughout the City of Grand Island, Nebraska, certifying that Myers Construction, Inc., of Broken Bow, 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's recommendation.

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 Distribution System Improvements – 2017, is hereby confirmed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

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

Attest:

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

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney





# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-13

**#2018-265 - Approving the Setting of the Board of Equalization  
Date Hearing for Water Main District 430T - Newly Subdivided  
Lots One (1) and Two (2), Carey Subdivision**

Staff Contact: Tim Luchsinger, Utilities Director

# **Council Agenda Memo**

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

**Meeting:** September 11, 2018

**Subject:** Water Main District 430T  
Stuhr Road & Bismark Road

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

## **Background**

Water Main District 430T was constructed in the year 2000 along Stuhr Road between Swift Road and Bismark Road, and along Bismark Road from Stuhr Road to Cherry Street. The work was done to provide municipal water service for the area. The district was done as a connection fee (tap) district. Customers are not charged for the cost of the main until they “tap” the main for service.

Upon completion of the work, the Council sits as a Board of Equalization to establish the fees for each property within the district’s boundary. The Board of Equalization for Water Main District 430T was held in November, 2000.

One of those tracts of land within the district’s boundary has recently been re-subdivided into two lots, which requires the appropriate connection fees to be established.

## **Discussion**

At the time Water Main District 430T was completed, Lot One (1) Bohnart Subdivision was within the district’s boundary. The original connection fees for Water Main District 430T adjacent to residential properties were based on an equivalent cost of installing a 6’ water main, being \$0.085621 per square foot. This established the original connection fee for the large lot as \$17,518.12.

Lot One (1), Bohnart Subdivision has recently been re-subdivided as Lot One (1) and Lot Two (2) Carey Subdivision. It is recommended the connection fee be proportionally split between the current two lots with a new connection fee as listed below:

Description	Square Foot	Connection Fee
Lot 1, Carey Subdivision	127,160.74	\$10,887.63
Lot 2, Carey Subdivision	77,440.00	\$ 6,630.49
<b>TOTAL</b>		<b>\$17,518.12</b>

Attached for reference are:

- Water Main District 430T boundary plat
- Resolution 200-BE-8 indicating Water Main District 430T's original connection fees
- Carey Subdivision plat

### **Alternatives**

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

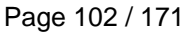
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **Recommendation**

City Administration recommends that the Council sit as a Board of Equalization on October 23, 2018 and establish the connection fees for the two properties within the newly subdivided district.

### **Sample Motion**

Move to sit as a Board of Equalization on October 23, 2018, to establish the connection fees for Lot One (1) and Lot Two (2) Carey Subdivision within Water Main District 430T.



RESOLUTION 2000-BE-8

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Water Main District 430T, after due notice having been given thereof, that we find and adjudge:

That the cost for construction of such Water Main District 430T is \$299,342.59; and

That the connection fees set out below are based on an equivalent cost of installing an 8" diameter water main in non-residential areas, and on an equivalent cost of installing a 6" water main adjacent to residential properties; the total sum of such connection costs is set at \$153,352.39; and

According to the area of the respective lots, tracts, and real estate within such Water Main District No. 430T, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Connection Fee</u>
City of Grand Island Utility Department	Part of the SE¼ of Section 15-11-9; more particularly described as follows:  Beginning at the intersection of the southerly line of Lot Seventy Two (72), Industrial Addition and the westerly right-of-way line of Stuhr Road; thence southerly along the westerly line of said Stuhr Road to a point on the northerly line of the SE¼, SE¼ of Section 15-11-9; thence westerly along the northerly line of the SE¼, SE¼ of said Section 15, to a point two hundred sixty (260.0) feet west of the easterly line of said Section 15; thence northerly, parallel with the westerly right-of-way line of said Stuhr Road, to a point on the southerly line of said Lot Seventy Two (72) Industrial Addition; thence southeasterly, along the southerly line of said Lot Seventy Two (72) Industrial Addition to the point of beginning.	\$12,186.79
City of Grand Island Utility Department	Lot Seventy Two (72), Industrial Addition	10,103.54
City of Grand Island Utility Department	Lot Seventy Six (76), Industrial Addition	3,017.79
City of Grand Island Utility Department	Lot One Hundred One (101), Industrial Addition	10,791.81
City of Grand Island Utility Department	Lot Three (3), Industrial Second Addition	17,848.26
City of Grand Island Police Department	Lot One (1), Industrial Second Addition	14,392.53

## RESOLUTION 2000-BE-8

O'Neill Family Trust  
Hoppe, Inc.

Lot Two (2), Industrial Second Addition

8,424.05

Part of the SE¼ of Section 15-11-9; more particularly described as follows:

7,876.74

Beginning at the northwest corner of Lot One (1) Bohnart Subdivision; thence northerly, parallel with the westerly right-of-way line of Stuhr Road, a distance of three hundred fifty and seven tenths (350.7) feet more or less; thence easterly along the northerly line of the SE¼, SE¼ of Section 15-11-9, a distance of two hundred twenty-seven (227.0) feet to a point on the westerly right-of-way line of said Stuhr Road; thence southerly along the westerly right-of-way line of said Stuhr Road, a distance of three hundred forty nine and six tenths (349.6) feet; thence westerly along the northerly line of said Lot One (1) Bohnart Subdivision and its extension, a distance of two hundred twenty-seven (227.0) feet to the point of beginning.

Leroy A. Meyer and Margaret A. Meyer

Part of the SW¼, SW¼ of Section 14-11-9; more particularly described as follows:

11,541.12

Beginning at a point on the easterly right-of-way line of Stuhr Road, said point being five hundred fifty and thirty seven hundredths (550.37) feet northerly of the intersection of the northerly right-of-way line of Bismark Road and the easterly right-of-way line of Stuhr Road; thence northerly along the easterly right-of-way line of said Stuhr Road, a distance of seven hundred thirty six and sixty three hundredths (736.63) feet to the southwest corner of Lot One Hundred One (101) Industrial Addition; thence easterly along the southerly line of said Lot One Hundred One (101) Industrial Addition, a distance of one hundred fifty eight and one tenth (158.1) feet; thence southerly parallel with the easterly right-of-way line of Stuhr Road, a distance of seven hundred thirty six and sixty three hundredths (736.63) feet; thence westerly parallel with the northerly right-of-way line of said Bismark Road, a distance of one hundred fifty eight and one tenth (158.1) feet to the point of beginning.

Thomas M. Stepp

Part of the SW¼, SW¼ of Section 14-11-9; more particularly described as follows:

5,374.48

Beginning at the intersection of the northerly right-of-way line of Bismark Road and the easterly right-of-way line of Stuhr Road; thence northerly along the easterly right-of-way line of said Stuhr Road, a distance of two hundred one and four tenths (201.4) feet; thence easterly parallel with the northerly right-of-way line of said Bismark Road a distance of two hundred fifty three and eighty seven hundredths (253.87) feet; thence southerly, parallel with the easterly right-of-way line of said Stuhr Road, a distance of forty three and three tenths (43.3) feet; thence easterly parallel with the northerly right-of-way line of said Bismark Road a distance of seventy three and sixty three hundredths (73.63)

## RESOLUTION 2000-BE-8

feet; thence southerly, parallel with the easterly right-of-way line of said Stuhr Road, a distance of one hundred fifty eight and one tenth (158.1) feet to a point on the northerly right-of-way line of said Bismark Road; thence westerly, along the northerly right-of-way line of said Bismark Road, a distance of three hundred twenty seven and five tenths (327.5) feet to the point of beginning.

Jimm Ray Helms, Sr.

Part of the SW¼, SW¼ of Section 14-11-9; more particularly described as follows:

3,304.13

Beginning at a point on the easterly right-of-way line of Stuhr Road, said point being two hundred one and four tenths (201.4) feet northerly of the intersection of the northerly right-of-way line of Bismark Road and the easterly right-of-way line of Stuhr Road; thence northerly along the easterly right-of-way line of said Stuhr Road a distance of one hundred seventy (170.0) feet; thence easterly, parallel with the northerly right-of-way line of said Bismark Road, a distance of two hundred twenty seven (227.0) feet; thence southerly parallel with the easterly right-of-way line of said Stuhr Road, a distance of one hundred seventy (170.0) feet; thence westerly parallel with the northerly right-of-way line of said Bismark Road, a distance of two hundred twenty seven (227.0) feet to the point of beginning.

Mitchell J. Kendall

Part of the SW¼, SW¼ of Section 14-11-9; more particularly described as follows:

2,422.67

Beginning at a point on the easterly right-of-way line of Stuhr Road, said point being three hundred seventy one and four tenths (371.4) feet northerly of the intersection of the northerly right-of-way line of Bismark Road and the easterly right-of-way line of Stuhr Road; thence northerly along the easterly right-of-way line of said Stuhr Road a distance of one hundred seventy eight and ninety seven hundredths (178.97) feet; thence easterly, parallel with the northerly right-of-way line of said Bismark Road, a distance of one hundred fifty eight and one tenth (158.1) feet; thence southerly parallel with the easterly right-of-way line of said Stuhr Road, a distance of one hundred seventy eight and ninety seven hundredths (178.97) feet; thence westerly parallel with the northerly right-of-way line of said Bismark Road, a distance of one hundred fifty eight and one tenth (158.1) feet to the point of beginning.

Robert F. Washington and Ruby A. Washington

Lot One (1), Bohnart Subdivision

17,518.12

John J. Ruzicka and Judith R. Ruzicka

Lot Two (2), Bohnart Subdivision

15,925.56

Leo J. Mostek and Laura M. Mostek

The east one hundred sixty-one and eight tenths (161.8) feet of Lot One (1), Valley View Second Subdivision

2,465.89

# RESOLUTION 2000-BE-8

Ruby E. Bissel, Trustee	The west sixteen and five tenths (16.5) feet of the northerly one hundred forty three (143.0) of Lot One (1) and all of Lot Two (2) Valley View Second Subdivision	1,010.12
Ruby E. Bissel, Trustee	Lot Three (3), Valley View Second Subdivision	808.09
Ruby E. Bissel, Trustee	Lot One (1), Block Two (2), Valley View Subdivision	1,220.10
Ruby E. Bissel, Trustee	Lot Two (2), Block Two (2), Valley View Subdivision	1,220.10
Clarence W. Werner and Virginia E. Werner	Lot Three (3), Block Two (2), Valley View Subdivision	1,220.10
Donald R. Johnson and Virginia M. Johnson	Lot Four (4), Block Two (2), Valley View Subdivision	1,220.10
Delaine A. Dunagan and Roselan G. Dunagan	Lot Five (5), Block Two (2), Valley View Subdivision	1,220.10
Delaine A. Dunagan and Roselan G. Dunagan	Lot Six (6), Block Two (2), Valley View Subdivision	1,220.10
Rick R. Carney and Diana S. Carney	Lot Seven (7), Block Two (2), Valley View Subdivision	1,220.10
<b>TOTAL</b>		<b>\$153,352.39</b>

BE IT FURTHER RESOLVED that the special benefits as determined by this resolution shall not be levied as special assessments but shall be certified by this resolution to the Register of Deeds, Hall County, Nebraska, pursuant to Section 16-6,103, R.R.S. 1943. A connection fee in the amount of the above benefit accruing to each property in the district shall be paid to the City of Grand Island at the time such property becomes connected to the water main. No property benefited as determined by this resolution shall be connected to the water main until the connection fee is paid. The connection fees collected shall be paid into the fund from which construction costs were made to replenish such fund for the construction costs.

---

Adopted by the City Council of the City of Grand Island, Nebraska, on November 6, 2000.

  
RaNae Edwards, City Clerk



# CAREY SUBDIVISION

## IN THE CITY OF GRAND ISLAND

### HALL COUNTY, NEBRASKA

#### FINAL PLAT

#### LEGAL DESCRIPTION

A REPLAT OF ALL OF LOT 1, BOHNART SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA. SAID TRACT CONTAINS A CALCULATED AREA OF 204,533.38 SQUARE FEET OR 4.695 ACRES MORE OR LESS.

#### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON July 18<sup>th</sup>, 2018, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF A TRACT OF LAND CONSISTING OF A REPLAT OF ALL OF LOT 1, BOHNART SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT IRON MARKERS, EXCEPT WHERE INDICATED, WERE FOUND AT ALL CORNERS; THAT THE DIMENSIONS ARE AS SHOWN ON THE PLAT; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

Jesse E. Hurt  
JESSE E. HURT, REGISTERED LAND SURVEYOR NUMBER, LS-674



#### DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS, THAT WILLIAM R. CAREY AND KRISTINE L. CAREY, HUSBAND AND WIFE, BEING THE OWNERS OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "CAREY SUBDIVISION" A REPLAT OF ALL OF LOT 1, BOHNART SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF AND DO HEREBY DEDICATE THE ROAD RIGHT OF WAY, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER; AND HEREBY DEDICATE THE EASEMENTS, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE FOR PUBLIC SERVICE UTILITIES, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS HERETO, AND HEREBY PROHIBITING THE PLANTING OF TREES, BUSHES AND SHRUBS, OR PLACING OTHER OBSTRUCTIONS UPON, OVER, ALONG OR UNDERNEATH THE SURFACE OF SUCH EASEMENTS; AND THAT THE FOREGOING ADDITION AS MORE PARTICULARLY DESCRIBED IN THE DESCRIPTION HEREON AS APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT Grand Island, NEBRASKA, THIS 19 DAY OF July, 2018.

William R. Carey  
WILLIAM R. CAREY

Kristine L. Carey  
KRISTINE L. CAREY

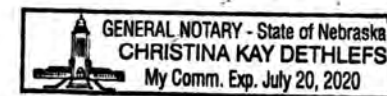
#### ACKNOWLEDGMENT

STATE OF NEBRASKA  
COUNTY OF HALL

ON THIS 19 DAY OF July, 2018, BEFORE ME Christina Kay Dethlefs, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED WILLIAM R. CAREY, HUSBAND, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT Grand Island, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES July 20, 2020

Christina Kay Dethlefs  
NOTARY PUBLIC



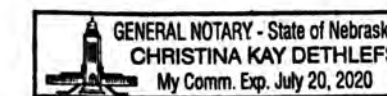
#### ACKNOWLEDGMENT

STATE OF NEBRASKA  
COUNTY OF HALL

ON THIS 19 DAY OF July, 2018, BEFORE ME Christina Kay Dethlefs, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED KRISTINE L. CAREY, WIFE, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HER VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT Grand Island, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES July 20, 2020

Christina Kay Dethlefs  
NOTARY PUBLIC



#### APPROVAL

SUBMITTED TO AND APPROVED BY THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, CITIES OF GRAND ISLAND, WOOD RIVER, AND THE VILLAGES OF ALDA, CAIRO, AND DONIPHAN, NEBRASKA.

Patricia Coia  
CHAIRPERSON

June 6, 2018  
DATE

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA

THIS 26<sup>th</sup> DAY OF June, 2018.

Shirley Jensen  
MAYOR

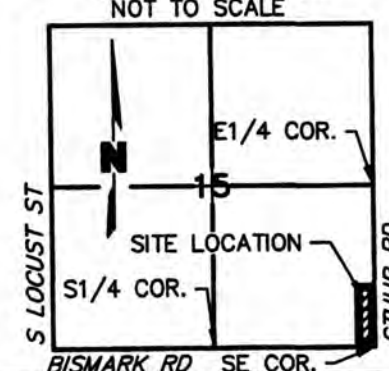
Rae Edwards  
CITY CLERK



#### LEGEND

- SECTION CORNER
- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (1/2" REBAR)
- ▲ CALCULATED CORNER
- PROPERTY LINE
- SECTION LINE
- SUBDIVISION LINE
- NEW PROPERTY LINE
- M MEASURED DISTANCE
- P PLATTED DISTANCE

#### LOCATION MAP

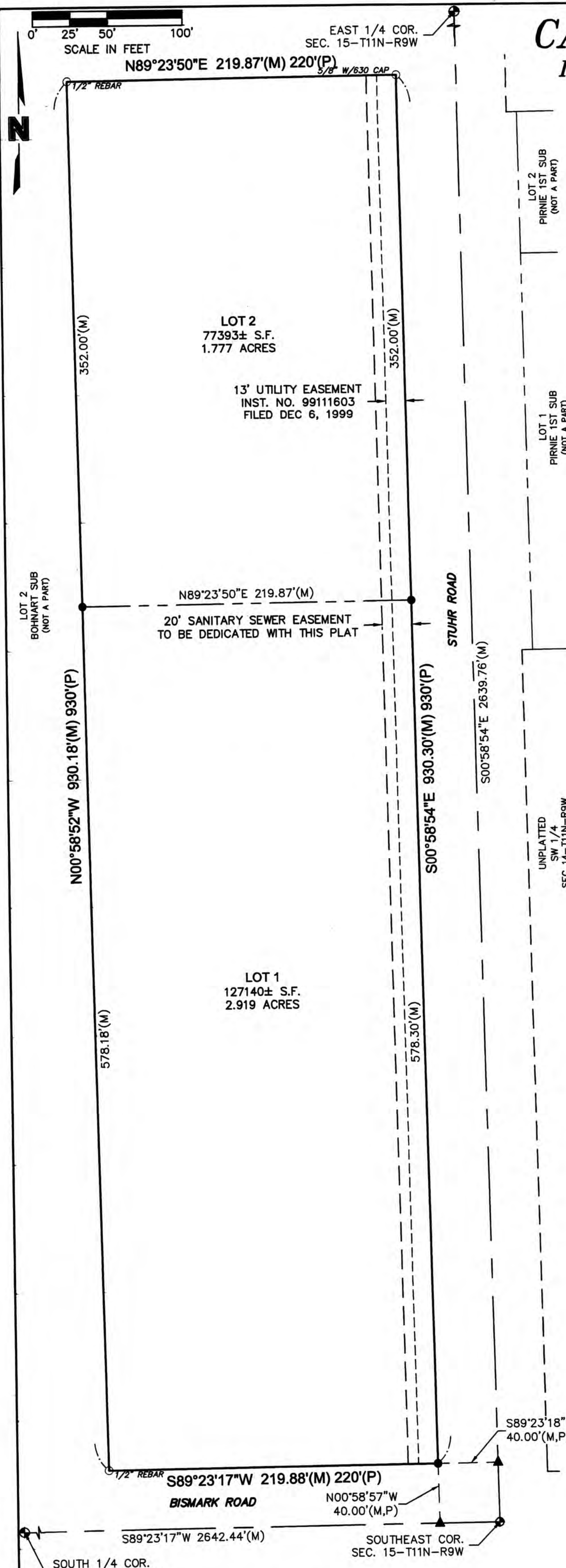


#### SECTION TIES

**EAST 1/4 CORNER, SEC. 15-T11N-R9W**  
FOUND STEM SURVEY MARKER IN ASPHALT  
E 1.00' TO CENTERLINE OF STUHR RD  
S 35.10' TO CENTERLINE OF SWIFT RD  
SSW 94.20' TO TOP CENTER OF FIRE HYDRANT  
ENE 71.75' TO NAIL w/WASHER IN POWER POLE  
SW 69.63' TO REDHEAD NAIL IN POWER POLE

**SOUTHEAST CORNER, SEC. 15-T11N-R9W**  
FOUND 1/2" PIPE IN ASPHALT  
NW 57.82' TO TOP CENTER OF CONCRETE WITNESS CORNER  
NW 46.32' TO TOP CENTER OF FIRE HYDRANT  
NW 56.75' TO 5/8" REBAR w/PSC 674  
SW 45.94' TO PC NAIL IN POWER POLE

**SOUTH 1/4 CORNER, SEC. 15-T11N-R9W**  
FOUND ALUMINUM CAP IN CONCRETE  
S 33.22' TO TOP CENTER OF CONCRETE WITNESS CORNER  
N 27.43' TO REDHEAD NAIL IN POWER POLE  
N 0.50' TO CENTERLINE OF BISMARK RD  
WNW 154.24' TO TOP CENTER OF FIRE HYDRANT



**OLSSON ASSOCIATES**

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

PROJECT NO. 2018-1424

Bill Carey  
Survey  
FB GI 2018-1

OWNERS: WILLIAM R. & KRISTINE L. CAREY  
SUBDIVIDER: WILLIAM R. & KRISTINE L. CAREY  
SURVEYOR: OLSSON ASSOCIATES  
ENGINEER: OLSSON ASSOCIATES  
NUMBER OF LOTS: 2

DWG: F:\2018\1001-1500\018-1424\40-Design\Survey\SRVY\Sheets\V\_FPT\_81424.dwg  
DATE: May 30, 2018 3:24pm  
XREFS: V\_XTPO\_81424 V\_RWAY\_81424  
USER: jrmenez

RESOLUTION 2018-265

WHEREAS, Water Main District 430T was constructed in the year 2000 along Stuhr Road between Swift Road and Bismark Road, and along Bismark Road from Stuhr Road to Cherry Street; and

WHEREAS, the district was done as a connection fee (tap) district and upon completion of the work the Council sat as a Board of Equalization to establish fees for each property within the district's boundary. The Board of Equalization hearing for Water Main District 430T was held in November of 2000; and

WHEREAS, one of those tracts of land within Water Main District 430T has recently been re-subdivided into two lots, which requires the appropriate connection fees to be established.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City Council will sit as a Board of Equalization of October 23, 2018, to determine benefits and set the "tap" fees for the two newly subdivided lots.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

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

Attest:

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

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-14

**#2018-266 - Approving Amendment #1 to the Agreement between the City of Grand Island Utilities Department and Tenaska**

Staff Contact: Tim Luchsinger, Jerry Janulewicz



# **Council Agenda Memo**

**From:** Tim Luchsinger, Utilities Director  
Jerry Janulewicz, City Attorney

**Meeting:** September 11, 2018

**Subject:** First Amendment to Marketing Agreement with Tenaska

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

## **Background**

At the May 12, 2012 meeting, City Council approved a Marketing Agreement with Tenaska. This agreement provided a means for the Utilities Department to buy and sell power through the regional Southwest Power Pool (SPP) market. Currently, the department, along with many other Tenaska clients, conducts all SPP energy transactions under the Tenaska Market Participant (MP) registration. All transmission related activities are conducted under the City's own MP registration.

Recently, SPP implemented changes to the capacity requirements for each entity that participates in the market. Included in these changes is the ability to impose financial penalties for being under the required capacity threshold. Because these penalties are calculated on a per-entity basis, Tenaska needed to develop a method to ensure the penalties are properly assessed to the entity generating below the capacity threshold. Otherwise, several entities could subsidize the capacity needs of another.

## **Discussion**

Tenaska recommends an amendment to the original Marketing Agreement to transfer capacity related obligations including any penalties to the City of Grand Island's Market Participation registration. This ensures the City is treated fairly when it comes to capacity requirements.

## **Alternatives**

It appears that the Council that 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 a future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council approve the First Amendment to the Tenaska SPP Marketing Agreement.

## **Sample Motion**

Move to approve the First Amendment to the Tenaska SPP Marketing Agreement.

**FIRST AMENDMENT  
TO THE  
ENERGY MANAGEMENT AND SETTLEMENT SERVICES AGREEMENT**

This First Amendment to the ENERGY MANAGEMENT AND SETTLEMENT SERVICES AGREEMENT (“Amendment”) is entered into as of the 11th day of September, 2018 (the “Effective Date”), by and between The City of Grand Island (“Grand Island”) and Tenaska Power Services Co. (“TPS”). Each of Grand Island and TPS may be referred to herein as a “Party” and collectively as the “Parties” to this Amendment.

WHEREAS, Grand Island and TPS are Parties to that certain Energy Management and Settlement Services Agreement dated as of May 22, 2012 as amended (the “Agreement”); and

WHEREAS, SPP has amended its SPP Tariff at FERC to add a document labeled “Attachment AA” which imposes new obligations on each Load Responsible Entity (“LRE”); and

WHEREAS, Grand Island agrees to take on the obligations imposed on LREs in Attachment AA of the SPP Tariff as approved by FERC; and

WHEREAS, the Parties desire to amend the Agreement to define the obligations of both Parties regarding Attachment AA; and

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by both Parties, Grand Island and TPS hereby agree as follows:

**AMENDMENT**

1. Unless otherwise defined in this Amendment, capitalized terms used in this Amendment shall have the same meaning as that given to such terms in the Agreement.
2. The Parties agree to amend the Agreement to add an additional Section to allocate the Parties’ responsibilities under Attachment AA of the SPP Tariff. The following paragraph shall be inserted as Section 3.10:

“3.10 SPP Tariff Attachment AA.

The Parties acknowledge that FERC has approved SPP’s Tariff amendment filing to add Attachment AA to its Tariff, and has authorized such Tariff amendment to go into effect July 1, 2018. The Parties understand that such Attachment AA requires the Market Participant representing an LRE to pay SPP charges or penalties for an LRE’s failure to acquire and maintain the Capacity quantities required to supply the LRE’s load requirements, as such quantities are determined by SPP. The Parties agree that Grand Island is an LRE, as defined under the SPP Tariff, which currently is being represented within the TPS Market Participant. The Parties further agree that effective as of the date Attachment AA goes into effect, as permitted under Attachment AA of the Tariff, the following assignment will go into effect. TPS assigns the LRE obligations to Grand Island’s Market Participant identified as City of Grand Island in Attachment AH to the SPP Tariff and GRIS. Grand Island hereby accepts assignment of, and the responsibility

for the LRE obligations with respect to Grand Island's load requirements, as set forth under the SPP Tariff, as amended by the addition of Attachment AA (the "LRE Obligations Assignment"). This LRE Obligations Assignment shall remain in full force and effect for so long as the Agreement remains in effect. The Parties agree that upon the effectiveness of the LRE Obligations Assignment, which will take effect on the date Attachment AA of the Tariff goes into effect, Grand Island shall assume sole responsibility for (a) acquiring all Capacity amounts required to meet its LRE load requirements as determined by SPP, and (b) identifying for SPP the particular Resources and sources upon which Grand Island will rely in meeting the LRE requirements set by SPP. TPS shall have no obligation to acquire Capacity for, or supply Capacity to Grand Island; provided, however, TPS may from time to time mutually agree with Grand Island on a sale of Shortfall Capacity. For avoidance of doubt, the Parties agree that Grand Island may not call upon TPS to provide Shortfall Capacity to cover a difference between the amount of Capacity which Grand Island has identified to SPP, covering its LRE obligations under Attachment AA, and the amount of Capacity which SPP has designated as required to meet such LRE obligations. After Grand Island has designated for SPP the full amount of Capacity necessary to cover its LRE obligations under Attachment AA, Grand Island may only call upon TPS to supply Shortfall Capacity to cover a temporary outage or shortage in Capacity from Grand Island's designated Capacity Resources."

3. The Parties agree to add the following definitions to Section 1 in alphabetical order:

"Attachment AA" means the section of SPP's Tariff labeled as such as on file with the FERC.

"Export Interchange Transaction" shall have that meaning given that term in the SPP Tariff.

"Load Responsible Entity" or "LRE" shall mean an asset owner represented in the Integrated Marketplace with a registered physical asset that is either (a) load or (b) an Export Interchange Transaction as specified in Attachment AA.

4. Unless expressly changed by this Amendment, all other terms of the Agreement shall remain in full force and effect.
5. This Amendment may be executed in multiple counterparts, including facsimile(s) or emails, each one of which will be considered an original Agreement, but all of which together will constitute one and the same instrument.
6. This Amendment contains the entire agreement between the Parties with respect to the subject matter of this Amendment and supersedes any previous understandings, commitments, or agreements, oral or written, with respect to such subject matter of this Amendment.

WHEREFORE, the Parties acknowledge and agree to this Amendment effective as of the Effective Date.

**TENASKA POWER SERVICES CO.**

**CITY OF GRAND ISLAND**

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

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

NAME: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

TITLE: \_\_\_\_\_

Signature Page to Second Amendment



RESOLUTION 2018-266

WHEREAS, At the May 22, 2012 meeting, Council approved a Marketing Agreement with Tenaska to provide a means for the Utilities Department to buy and sell power through the regional Southwest Power Pool (SPP) market; and

WHEREAS, recently SPP implemented changes to the capacity requirements for each entity that participates in the market including the ability to impose financial penalties for being under the required capacity threshold; and

WHEREAS, because these penalties are calculated on a per-entity basis, Tenaska needed to develop a method to ensure the penalties are properly assessed to the entity generating below the capacity threshold; and

WHEREAS, Tenaska recommends an amendment to the original Marketing Agreement to transfer capacity related obligations including any penalties to the City of Grand Island's Market Participation registration and this ensures the City is treated fairly when it come to capacity requirements; and

WHEREAS, the Legal Department has reviewed and approved the Amendment between the City of Grand Utilities Department and Tenaska.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Amendment #1 to the Marketing Agreement with Tenaska is approved, and the Mayor is hereby authorized to sign the agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

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

Attest:

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

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-15

**#2018-267 - Approving Change Order #1 for Water Main District 471T with Van Kirk Brothers Contracting - North side of Hwy 34, east of the Locust Street Intersection**

Staff Contact: Tim Luchsinger, Stacy Nonhof

# **Council Agenda Memo**

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

**Meeting:** September 11, 2018

**Subject:** Change Order #1 – Water Main District 471T – Van Kirk Brothers Contracting

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

## **Background**

Water Main District 471T extended a new City water main under and along the north side of Highway 34, east of the Locust Street intersection. The work was identified in the Utility Department's Master Plan as the first phase of an expansion of the water system along the southeast part of the City. The newly installed water main will provide capacity for future development in the area.

## **Discussion**

The original contract was awarded by Council on January 23, 2018, in the amount of \$141,755.80 to Van Kirk Brothers Contracting of Sutton, Nebraska. The following alterations were encountered:

Additional Items: A 6" x 22.5° bend was required to install a hydrant to proper grade and a buried concrete slab was discovered during excavation that needed to be removed and replaced to accommodate the trench box for water main installation. The total additional cost for this work is \$680.00.

During the process of construction, materials were added or deducted to complete the work. Unit prices were provided and the contract specified that the contractor be paid on the basis of actual quantity installed, times the contract's unit price. This change added \$954.80 to the cost.

The original Engineer's Estimate was \$155,000.00. The original contract amount was \$141,755.80. The total changes to the contract amount to \$1,634.80. This results in a final contract cost of \$143,390.60.

## **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 Change Order #1 with Van Kirk Brothers Contracting of Sutton, Nebraska in the amount of \$1,634.80, for a final contract amount of \$143,390.60.

## **Sample Motion**

Move to approve the Change Order #1 in the amount of \$1,634.80 with Van Kirk Brothers Contracting, for a final contract amount of \$143,390.60.

**CHANGE ORDER #1**

**NAME OF PROJECT:** Water Main District 471T

**CONTRACTOR:** Van Kirk Bros. Contracting  
1200 W. Ash St.  
Sutton, NE 68979

**OWNER:** City of Grand Island, NE

**THE FOLLOWING MODIFICATIONS TO THE CONTRACT ARE HEREBY ORDERED:**

ITEM	DESCRIPTION	BID		Unit Price \$	INSTALLED		\$ +/-
		QUANTITY	UNIT		QUANTITY	UNIT	
D.1.04	6" R.J. D.I. PIPE	8.00	LF	\$80.00	13.00	LF	\$400.00
D.1.08	20" M.J. CAP	1.00	EA	\$400.00	0.00	EA	-\$400.00
D.1.10	20" RETAINER GLAND	6.00	EA	\$360.00	8.00	EA	\$720.00
D.1.15	8" RETAINER GLAND	5.00	EA	\$47.00	7.00	EA	\$94.00
D.1.18	6" RETAINER GLAND	4.00	EA	\$35.00	7.00	EA	\$105.00
D.1.19	8 MIL. V-BIO POLYWRAP	360.00	LF	\$3.58	370.00	LF	<u>\$35.80</u>

SUBTOTAL D.1.01-D.1.31: \$ 954.80

-	6"x22.5° M.J. BEND	-	-	\$295.00	1.00	EA	\$295.00
-	CONCRETE SLAB	-	-	\$7.00	55.00	SF	<u>\$385.00</u>

SUBTOTAL ADDITIONAL ITEMS: \$ 680.00

THIS CHANGE ORDER AMOUNT: \$ 1,634.80  
ORIGINAL CONTRACT AMOUNT: \$ 141,755.80  
REVISED CONTRACT AMOUNT (including this Change Order) \$ 143,390.60

**REASONS FOR MODIFICATIONS:**

During the process of constructing the contract, materials were added or deducted to complete the work. Unit prices were provided in the Contract and specified that the contractor be paid on the basis of actual quantity installed, times the Contract's unit prices. The additional items listed were required to safely install the water main and to maintain proper grade.

Contractor:   
Van Kirk Bros. Contracting

Date: 8/28/18

Owner: \_\_\_\_\_  
City of Grand Island, NE

Date: \_\_\_\_\_

RESOLUTION 2018-267

WHEREAS, at the January 23, 2018 meeting, Council awarded the contract for Water Main District 471T in the amount of \$141,755.80 to Van Kirk Brothers Contracting of Sutton, Nebraska; and

WHEREAS, during construction, the following required alterations were encountered:

- 1) Change #1: Additional items were needed: A 6" x 22.5° bend was required to install a hydrant to proper grade and a buried concrete slab needed to be removed and replaced for a total cost of \$680.00.
- 2) Change #2: Materials were added or deducted to complete the work. Unit prices were provided in the contract and specified that the contractor be paid on the basis of actual quantity installed, times the contract's unit price. This amount added \$954.80 to the amount due.

WHEREAS, the contract's amount needs to be modified due to the afore mentioned causes for the project in the amount of \$1,634.80, for a final contract amount of \$143,390.60.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Change Order #1 with Van Kirk Brothers Contracting is approved in the amount of \$1,634.80, and the Mayor is hereby authorized to sign the Change Order on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

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

Attest:

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

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney



# **City of Grand Island**

**Tuesday, September 11, 2018**

**Council Session**

## **Item G-16**

**#2018-268 - Approving Change Order #1 with Diamond Engineering for Water Main Project 2018-W-2 - Ingalls & Louise Streets & Yund, Cherry & Division Streets**

**Staff Contact: Tim Luchsinger, Stacy Nonhof**

# **Council Agenda Memo**

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

**Meeting:** September 11, 2018

**Subject:** Change Order #1 – Water Main Project 2018-W-2  
Ingalls and Louise Streets; Yund, Cherry and Division  
Streets

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

## **Background**

In the late 1940's, early 1950's, very small diameter water lines were installed. These were sufficient to serve homes during that era. However, domestic water usage has changed over the past 65 years due to requirements for fire protection, lawn irrigation and general life style. Even with conservation and more efficient appliances, these small diameter lines do not meet modern needs.

Water Main Project 2018-W-2 replaced the existing two-inch and four-inch diameter water lines in two of these areas within the City. The work was identified in the Utility Department's Master Plan as needed improvements along Ingalls Street and Louise Street and the other being along Yund Street, Cherry Street and Division Street. The work improved capacity and fire protection for the existing areas.

## **Discussion**

The original contract was awarded by City Council on October 10, 2017, in the amount of \$209,049.95 to The Diamond Engineering Company of Grand Island, Nebraska. Due to a typo, this Change Order will correct Resolution 2017-271 to the actual contract amount of \$209,049.45. Additionally, the following scope alterations were encountered:

Change #1: Utility locations differing from that of record were encountered on Yund Street, Cherry Street and Division Street project areas. In order to provide proper clearance with the new main, the existing main needed to be removed and plugged. The total additional cost for this work is \$2,500.00

Change #2: During the process of constructing the two-project area, materials were added or deducted to complete the work due to utility locations differing from that of



record and re-configuration of installation to resolve unforeseen conflicts. Unit prices were provided in the contract and specified that the contractor be paid on the basis of actual quantity installed, times the contract's unit prices. The contract's amount needs to be modified due to adjustments in actual quantities installed versus estimated quantities for the project. This total is a deduct in the amount of \$3,504.21.

The original Engineer's Estimate was \$365,000.00. The original contract was for \$209,049.45. The total changes to the contract amount to a deduct of \$1,004.21. This results in a final contract cost of \$208,045.24.

### **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 Water Main Project 2018-W-2, Change Order #1 to The Diamond Engineering Company in the amount of a deduct of \$1,004.21, for a final contract amount of \$208,045.24.

### **Sample Motion**

Move to approve Change Order #1 with The Diamond Engineering Company in the amount of a \$1,004.21 deduct.

**CHANGE ORDER #1**

**NAME OF PROJECT:** Water Main Project 2018-W-2

**CONTRACTOR:** The Diamond Engineering Company  
P.O. Box 1327  
Grand Island, NE 68802

**OWNER:** City of Grand Island, NE

**THE FOLLOWING MODIFICATIONS TO THE CONTRACT ARE HEREBY ORDERED:**

ITEM	DESCRIPTION	BID		Unit Price \$	INSTALLED		\$ +/-
		QUANTITY	UNIT		QUANTITY	UNIT	
D.1.01	6" R.J. D.I. PIPE TRENCHLESSLY INSTALLED	680.40	LF	\$73.50	686.90	LF	\$477.75
D.1.02	6" S.J. D.I. PIPE	1,030.00	LF	\$35.60	1039.00	LF	\$320.40
D.1.07	6"X90° M.J. BEND	1.00	EA	\$227.00	2.00	EA	\$227.00
D.1.08	6"X45° M.J. BEND	2.00	EA	\$436.00	7.00	EA	\$1,090.00
D.1.11	6" SOLID SLEEVE	1.00	EA	\$222.00	3.00	EA	\$444.00
D.1.12	6" RETAINER GLAND	33.00	EA	\$103.00	35.00	EA	\$206.00
D.1.13	6"X12" OFFSET FITTING	0.00	EA	\$295.00	2.00	EA	\$590.00
D.1.15	2" PLUG	1.00	EA	\$89.00	0.00	EA	-\$89.00
D.1.20	1" WATER SERVICE (COMPLETE)	21.00	EA	\$1,472.00	18.00	EA	-\$4,416.00
D.1.21	8 MIL POLYWRAP	1,713.40	LF	\$2.20	1,728.90	LF	\$34.10
D.1.25	4" I-BEAM BLOCK	1.00	EA	\$965.00	2.00	EA	\$965.00
D.1.26	REMOVE EXISTING WATER MAIN	28.00	LF	\$8.00	41.60	LF	\$108.80
D.1.32	REMOVE, SALVAGE AND REPLACE BRICK PAVERS	57.60	SF	\$12.75	86.20	SF	\$364.65
D.1.33	REMOVE CONCRETE SIDEWALK	557.20	SF	\$1.55	510.90	SF	-\$71.76
D.1.34	REPLACE CONCRETE SIDEWALK	557.20	SF	\$5.20	510.90	SF	-\$240.76
D.1.35	REMOVE CONCRETE ROADWAY	431.00	SY	\$7.80	376.40	SY	-\$425.88
D.1.36	REPLACE CONCRETE ROADWAY	431.00	SY	\$58.25	376.40	SY	-\$3,180.45
D.1.37	REMOVE 6" INTEGRAL CURB	222.90	LF	\$0.50	212.50	LF	-\$5.20
D.1.38	REPLACE 6" INTEGRAL CURB	222.90	LF	\$2.85	212.50	LF	-\$29.64
D.1.39	SAW CUT	800.40	LF	\$5.00	578.60	LF	-\$1,109.00
D.1.40	BEDDING SAND	269.00	TON	\$11.00	297.50	TON	\$313.50
D.1.44	RESTORE GRAVEL ROADWAY	175.00	TON	\$16.95	301.35	TON	\$2,141.63
D.1.45	SEEDING	4,685.0	SF	\$0.33	990.00	SF	<u>-\$1,219.35</u>

SUBTOTAL D.1.01-D.1.46 (DEDUCT):

(\$ 3,504.21)

-	CHANGE ORDER REQUEST NO. 1	-	-	\$2,500.00	1.0	LS	<u>\$2,500.00</u>
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SUBTOTAL COR1 (ADD):

\$ 2,500.00

THIS CHANGE ORDER DEDUCT AMOUNT:

(\$ 1,004.21)

ORIGINAL CONTRACT AMOUNT:

\$ 209,049.45

REVISED CONTRACT AMOUNT (including this Change Order)

\$ 208,045.24

#### REASONS FOR MODIFICATIONS:

During the process of constructing the two project area contract, materials were added or deducted to complete the work due to utility locations differing from that of record and reconfiguration of installations to resolve unforeseen conflicts. Unit prices were provided in the Contract and specified that the contractor be paid on the basis of actual quantity installed, times the Contract's unit prices.

Contractor:

*Bob Gartner*  
The Diamond Engineering Co.

Date:

8/30/18

Owner:

City of Grand Island, NE

Date:

## RESOLUTION 2018-268

WHEREAS, at the October 10, 2017 meeting, Council awarded the contract for Water Main Project 2018-W-2 in the amount of \$209,049.95 to The Diamond Engineering Company of Grand Island, Nebraska, per Resolution #2017-271; and

WHEREAS, due to a typo, the original amount was incorrect, and that amount should have been \$209,049.45, and this Resolution will correct that amount; and

WHEREAS, during construction, the following required alterations were encountered:

- 1) Change #1: Utility locations differing from that of record were encountered on Yund Street, Cherry Street and Division Street project areas and in order to provide proper clearance with the new main, the existing main needed to be removed and plugged. The total additional cost for this work is \$2,500.00
- 2) Change #2: Materials were added or deducted to complete the work. Unit prices were provided in the contract and specified that the contractor be paid on the basis of actual quantity installed, times the contract's unit price. This amount deducted \$3,504.21 to the amount due.

WHEREAS, the contract's amount needs to be modified due to the afore mentioned causes for the project in the amount of a deduct of \$1,004.21 for a final contract amount of \$208,045.24.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Change Order #1 with The Diamond Engineering Company, is approved in the amount of a deduct of \$1,004.21, and the Mayor is hereby authorized to sign the Change Order on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

---

Jeremy L. Jensen, Mayor

Attest:

---

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-17

**#2018-269 - Approving Change Order No. 3 for Lift Station No. 11  
Relocation – 2018; Project No. 2018-S-1**

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

# **Council Agenda Memo**

**From:** Keith Kurz PE, Assistant Public Works Director

**Meeting:** September 11, 2018

**Subject:** Approving Change Order No. 3 for Lift Station No. 11 Relocation – 2018; Project No. 2018-S-1

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

## **Background**

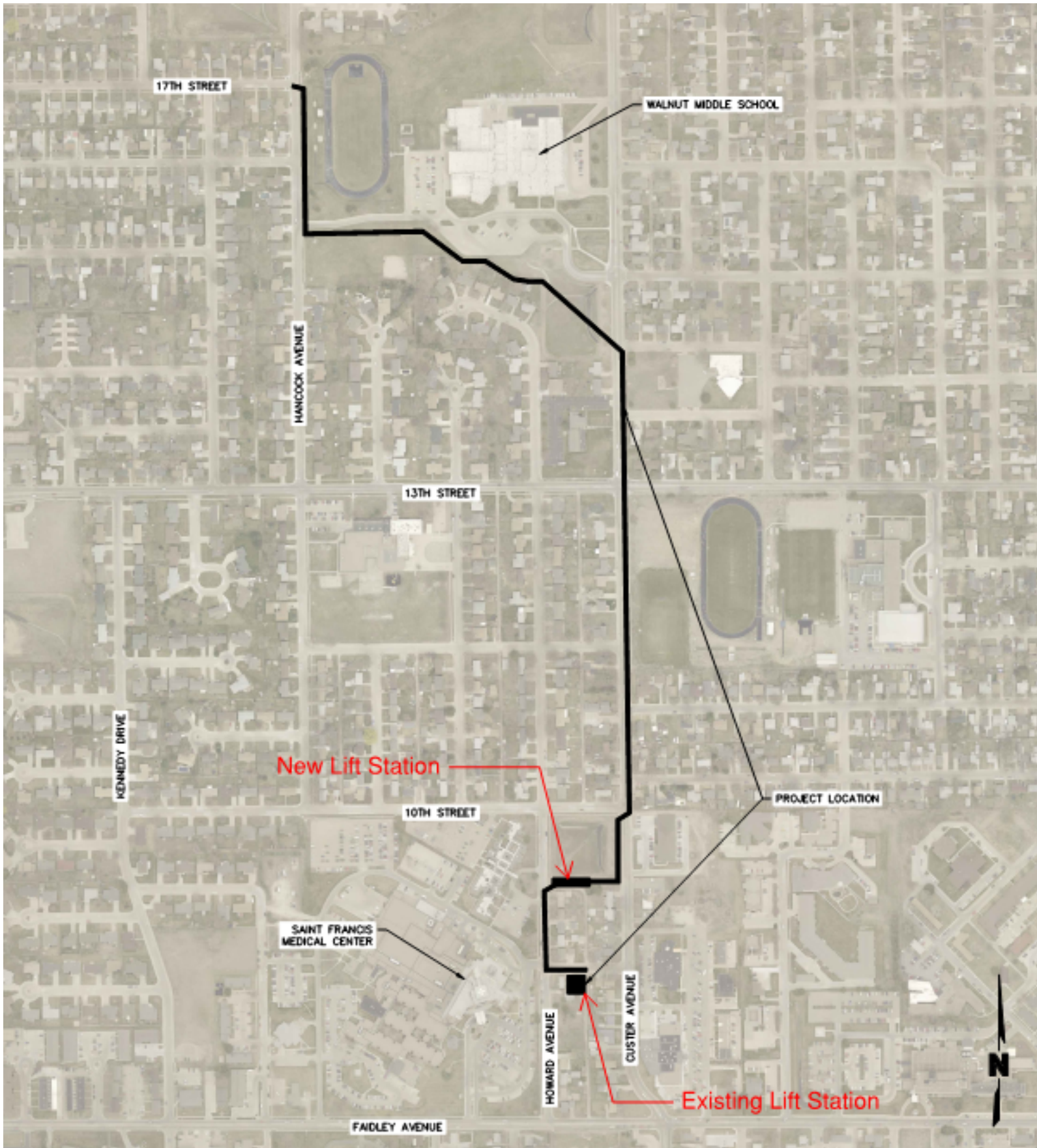
Midlands Contracting, Inc. of Kearney, Nebraska was awarded a \$1,647,665.35 contract on March 27, 2018, via Resolution No. 2018-85, for Lift Station No. 11 Relocation – 2018; Project No. 2018-S-1.

On June 12, 2018, via Resolution No. 2018-160, City Council approved Change Order No. 1, which added pay items for directional drilling at the intersection of Custer Avenue & 13<sup>th</sup> Street and at the detention cell north of this area, as well as adjusted quantities for such work. This alternative was proposed by the contractor to save time and lessen the impact of street closures in the area. Change Order No. 1 resulted in a contract reduction of \$15,657.70, modifying the total contract agreement to \$1,632,007.65.

On July 10, 2018, via Resolution No. 2018-203, City Council approved Change Order No. 2, which established a new unit price for bedding the force main in native sand, resulting in a unit price reduction of \$1.97 over the originally bid granular bedding. Change Order No. 2 had no impact on the total contract agreement of \$1,632,007.65; quantities will be rectified once known.

The existing Lift Station No. 11, which is located on 8<sup>th</sup> Street between Custer Avenue and Howard Avenue at 2511 W 8<sup>th</sup> Street, is in need of upgrade. The hospital contributes debris and rags that clog the current pumps, the wet well does not have sufficient capacity, and there is no space for a stand-by generator. A new submersible, duplex style lift station, with a grinder pump on the influent, and a stand-by generator is under construction at a larger, nearby location.

A new 6-inch force main is being re-routed from the South Interceptor to the North Interceptor. Lift Station No. 11 contributes an average of 100-150 thousand gallons per day to the South Interceptor. The Lift Station No. 11 upgrade & re-route will alleviate some capacity issues in the South Interceptor by re-routing Lift Station No. 11 force main to the North Interceptor.





## **Discussion**

Change Order No. 3 to the referenced project is being requested to add a pay item for constructing two (2) American with Disabilities Accessible (ADA) sidewalk ramps, abandoning a water service at Walnut Middle School, reconstructing a storm sewer inlet, pavement striping on Custer Avenue, and providing a credit for traffic control on Custer Avenue. Such additional work will increase the contract amount by \$8,780.80, resulting in a revised total contract amount of \$1,640,788.45.

## **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 Change Order No. 3 for Lift Station No. 11 Relocation – 2018; Project No. 2018-S-1 with Midlands Contracting, Inc. of Kearney, Nebraska.

## **Sample Motion**

Move to approve the resolution.





### CHANGE ORDER NO. 3

**PROJECT:** Lift Station No. 11 Relocation – 2018; Project No. 2018-S-1

**CONTRACTOR:** Midlands Contracting, Inc.

**AMOUNT OF CONTRACT:** \$1,647,665.35

**CONTRACT DATE:** April 4, 2018

Add pay item for constructing two (2) ADA ramps, abandon water service at Walnut Middle School, reconstruct storm sewer inlet, stripe pavement on Custer Avenue, and credit for traffic control on Custer Avenue.

<i>Item No.</i>	<i>Description</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Total Price</i>
CO3-1	Construct ADA Ramp	80.00	SF	\$ 23.26	\$ 1,860.80
CO3-2	Abandon 2" Water Service at Walnut Middle School	1.00	LS	\$ 3,895.00	\$ 3,895.00
CO3-3	Reconstruct Storm Sewer Inlet	1.00	EA	\$ 2,150.00	\$ 2,150.00
CO3-4	Custer Street Pavement Striping	1.00	LS	\$ 1,875.00	\$ 1,875.00
CO3-5	Traffic Control Credit (Custer Avenue)	1.00	LS	\$ (1,000.00)	\$ (1,000.00)
<b>Change Order No. 3 Total =</b>					<b>\$ 8,780.80</b>

Contract Price Prior to this Change Order.....	\$ 1,647,665.35
Change Order No. 1.....	\$ (15,657.70)
Change Order No. 2.....	\$ 0.00
Net Change Resulting from this Change Order.....	\$ 8,780.80
Revised Contract Price Including this Change Order.....	\$ 1,640,788.45

#### The Above Change Order Accepted:

Midlands Contracting, Inc.

By \_\_\_\_\_ Date \_\_\_\_\_

#### Approval Recommended:

By \_\_\_\_\_ Date \_\_\_\_\_  
John Collins PE, Public Works Director/City Engineer

#### Approved for the City of Grand Island, Nebraska

By \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

Attest \_\_\_\_\_  
City Clerk

RESOLUTION 2018-269

WHEREAS, on March 27, 2018, via Resolution No.2018-85, the City of Grand Island awarded Midlands Contracting, Inc. of Kearney, Nebraska the bid in the amount of \$1,647,665.35 for Lift Station No. 11 Relocation – 2018; Project No. 2018-S-1; and

WHEREAS, on June 12, 2018, via Resolution No. 2018-160, City Council approved Change Order No. 1, which added pay items for directional drilling at the intersection of Custer Avenue & 13<sup>th</sup> Street and at the detention cell north of this area, as well as adjusted quantities for such work for a contract reduction of \$15,657.70; and

WHEREAS, on July 10, 2018, via Resolution No. 2018-203, City Council approved Change Order No. 2, which established a new unit price for bedding the force main in native sand, resulting in a unit price reduction of \$1.97 over originally bid granular bedding; and

WHEREAS, it has been determined that modifications need to be made to allow for addition of an ADA ramp, abandonment of water service at Walnut Middle School, reconstruction of storm sewer inlet, pavement stripe on Custer Avenue, and traffic control credit on Custer Avenue; and

WHEREAS, such modifications have been incorporated into Change Order No. 3; and

WHEREAS, the result of such modifications will increase the original contract amount by \$8,780.80, resulting in a revised contract amount of \$1, 640,788.45.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 3 in the amount of \$8,780.80 between the City of Grand Island and Midlands Contracting, Inc. of Kearney, Nebraska to provide the modifications.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

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

Attest:

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

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-18

**#2018-270 - Approving Change Order No. 1 for Cell 3 Liner and Leachate System at the Grand Island Regional Landfill**

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

# **Council Agenda Memo**

**From:** Jeff Wattier, Solid Waste Superintendent

**Meeting:** September 11, 2018

**Subject:** Approving Change Order No. 1 for Cell 3 Liner and Leachate System at the Grand Island Regional Landfill

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

## **Background**

Van Kirk Bros. Contracting of Sutton, Nebraska was awarded a \$3,093,150.00 contract on November 14, 2017, via Resolution No. 2017-319, for Cell 3 Liner and Leachate System at the Grand Island Regional Landfill.

The Grand Island Landfill Phase I development is comprised of four cells (Cells 1, 2, 3, and 4) of lateral expansion that are located within a 52 acre landfill footprint. Cell 1 was constructed in 1993 and Cell 2 was constructed in 1998. Landfilling will continue in Cells 1 and 2 until intermediate and final grades are achieved. Cell 3 will need to be constructed within the next year, and the project will be paid from our restricted fund account. Cell 4 will be constructed when filling in Cell 3 nears completion or as facility operations warrant.

## **Discussion**

Change Order No. 1 to the referenced project is being requested to rectify quantities and provide for a time extension of such project. A time extension is necessary due to weather delays, as well as additional work that is required to complete this project.

In order to complete this work Change Order No. 1 is necessary, which will result in a contract reduction of \$20,095.60, modifying the total contract agreement to \$3,073,054.40.

## **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 Change Order No. 1 for Cell 3 Liner and Leachate System at the Grand Island Regional Landfill with Van Kirk Bros. Contracting of Sutton, Nebraska.

### **Sample Motion**

Move to approve the resolution.



### CHANGE ORDER NO. 1

**PROJECT:** Cell 3 Liner and Leachate System at the Grand Island Regional Landfill  
**CONTRACTOR:** Van Kirk Bros Contracting  
**AMOUNT OF CONTRACT:** \$3,093,150.00  
**CONTRACT DATE:** November 21, 2018

Adjust the following pay items and provide an extension for substantial completion.

<i>Item No.</i>	<i>Description</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Total Price</i>
1	Bulk Excavation- Remove and Stockpile Soils	-19,000.00	CY	\$ 1.95	\$ (37,050.00)
CO1-1	Relocate Stockpile from WiFi	+ 2,992.00	CY	\$ 2.55	\$ 7,629.60
CO1-2	Regrade Slope	+ 17.50	HRS	\$ 160.00	\$ 2,800.00
CO1-3	Removal of Old Leachate Pipe	+ 120.00	LF	\$ 13.13	\$ 1,575.60
CO1-4	Use of Existing Transformers	- 1.00	LS	\$ 998.02	\$ (998.02)
CO1-5	Temporary Liquidated Damages	-9.00	DAY	\$ 1,354.84	\$ (12,193.56)
CO1-6	Bid Alternate #1- 2" top	+228.28	TON	\$ 87.00	\$ 19,860.36
CO1-7	Bid Alternate #2- 4" base	+95.74	TON	\$ 86.00	\$ 8,233.64
CO1-8	Bid Alternate #2- 2" top	+47.37	TON	\$ 86.00	\$ 4,073.82
CO1-9	Bid Alternate #3- 4" base	+26.05	TON	\$ 88.00	\$ 2,292.40
CO1-10	Bid Alternate #3- 2" top	+18.02	TON	\$ 88.00	\$ 1,585.76
CO1-11	Bid Alternate #1- thickness from 1.5" to 2.0"	+162.00	TON	\$ 87.00	\$ 14,094.00
CO1-12	Bid Alternate #2- limits	-1,140.00	SY	\$ 28.07	\$ (31,999.20)
<b>Change Order No. 1 Total =</b>					<b>\$ (20,095.60)</b>

Contract Price Prior to this Change Order..... \$ 3,093,150.00  
Net Increase Resulting from this Change Order..... \$ (20,095.60)  
Revised Contract Price Including this Change Order..... \$ 3,073,054.40

#### The Above Change Order Accepted:

Van Kirk Bros. Contracting

By \_\_\_\_\_ Date \_\_\_\_\_

#### Approval Recommended:

By \_\_\_\_\_ Date \_\_\_\_\_  
John Collins PE, Public Works Director/City Engineer

#### Approved for the City of Grand Island, Nebraska

By \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

Attest \_\_\_\_\_  
City Clerk

RESOLUTION 2018-270

WHEREAS, on November 14, 2017, via Resolution No.2017-319, the City of Grand Island awarded Van Kirk Bros. Contracting of Sutton, Nebraska the bid in the amount of \$3,093,150.00 for Cell 3 Liner and Leachate System at the Grand Island Regional Landfill; and

WHEREAS, it has been determined that modifications need to be made to allow for completion of such project; and

WHEREAS, such modifications have been incorporated into Change Order No. 1; and

WHEREAS, the result of such modifications will decrease the contract amount by \$20,095.60 for a revised contract price of \$3,073,054.40.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 1 in the amount of (\$20,095.60) between the City of Grand Island and Van Kirk Bros. Contracting of Sutton, Nebraska to provide the modifications.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

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

Attest:

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

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-19

**#2018-271 - Approving Employee Assistance Program Contract  
Renewal with Family Resources of Greater Nebraska, P.C.**

Staff Contact: Aaron Schmid, Human Resources Director



# **Council Agenda Memo**

**From:** Aaron Schmid, Human Resources Director

**Meeting:** September 11, 2018

**Subject:** Approval of Employee Assistance Program (EAP)  
Contract Renewal

**Presenter(s):** Aaron Schmid, Human Resources Director

## **Background**

The City of Grand Island provides employees with an Employee Assistance Program (EAP). This benefit is designed to assist employees in resolving personal problems (e.g. mental health, family issues, substance/alcohol abuse and financial issues) through counseling by qualified mental health professionals. The City also utilizes EAP for in-house services such as critical incident stress debriefing, harassment training and wellness education. The City currently has a contract with Family Resources of Greater Nebraska (Family Resources) that will expire September 30, 2018.

## **Discussion**

The current contract with Family Resources includes an option for renewal. The renewal period would run from October 1, 2018 to September 30, 2019. The current pricing will remain the same for 2018-2019. The City and employees continue to be satisfied with services. While services are meeting expectations, the City does intend to conduct a RFP next year.

## **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 contract renewal with Family Resources of Greater Nebraska PC to provide EAP services to City employees.

### **Sample Motion**

Move to approve the contract renewal with Family Resources of Greater Nebraska to provide EAP services to City employees.

**EMPLOYEE ASSISTANCE PROGRAM CONTRACT**  
**between**  
**The City of Grand Island**  
**and**  
**Family Resources of Greater Nebraska PC**



***Helping You Move Forward!***

**October 1, 2018 – September 30, 2019**

**August 16, 2018**

# **FAMILY RESOURCES OF GREATER NEBRASKA PC EMPLOYEE ASSISTANCE PROGRAM**

## **EMPLOYER AGREEMENT**

This Agreement is made by and between **Family Resources of Greater Nebraska, PC**, a Nebraska professional corporation, (hereinafter FRGN) and **the City of Grand Island** (hereinafter Employer.)

**Whereas**, FRGN provides Employee Assistance Program services; and

**Whereas**, Employer desires to provide such services to its employees;

**Now therefore**, the parties agree that Employer will purchase from FRGN, Employee Assistance Program services for its employees in the manner and on the terms and conditions as set forth below.

**Term and Termination:** This agreement shall be for a term of one year commencing October 1, 2018. Either party may terminate this Agreement at any time upon sixty days prior written notice to the other party.

**Eligibility for Services:** The services provided by FRGN under this agreement shall be available to Employer's employees and employee family members, hereinafter called clients. Employee family members as used herein shall mean:

- a. the employee's spouse;
- b. the employee's domestic partner
- c. the employee's minor children;
- d. the employee's parents, siblings or others who regularly reside with the employee and are legal dependents of the employee.

**Fees:** For services provided under this agreement, the Employer shall pay FRGN an annual fee of **\$13,000.00** to be billed on a quarterly basis. The fee shall be paid quarterly in installments equal to twenty-five percent (25%) of the annual fee which will be billed in the amount of \$3250.00.

The City of Grand Island agrees to submit an updated employee roster on a quarterly basis.

**Contract Renewal:** This agreement shall be for a term of one year commencing October 1, 2017 and shall automatically renew for the 12 month period of October 1, 2017 to September 30, 2018 thereafter unless terminated as provided herein. Either party may terminate this Agreement at any time upon sixty days prior written notice to the other party.

If this agreement is terminated by either party during a period for which payment has already been made, FRGN shall refund to the Employer within thirty (30) days after the effective date of termination, the pro-rata portion of fees paid for the period of time following termination.

**Program Services:** In consideration for the fee described in paragraph 3, FRGN will provide program services that are designed to identify and resolve problems for clients impaired by personal concerns. These services may vary from case to case depending upon the nature of the client's presenting issue(s) and the various resources available for its resolution, but shall generally include the following **Employee Assistance services**:

- a. Meet with client for assessment of presenting issues and/or concerns.
- b. Develop and recommend a plan of action.
- c. When clinically appropriate, mental health/substance abuse professionals shall provide short-term, solution-focused counseling to assist clients resolve concerns.
- d. When clinically appropriate, refer within FRGN or to outside professionals, for appropriate diagnosis, treatment, on-going therapy and/or assistance.
- e. Where the client is referred for treatment, on-going therapy and/or assistance, provide follow-up contact to monitor progress and assist with post-treatment planning.
- f. Assist with assessing insurance or other third-party payment of expenses of outside services to which referred.

**Employer services:**

Consult with and train appropriate persons within the Employer's organization to identify and resolve job-performance issues relating to employee concerns.

The above services shall be limited in quantity to those services purchased by Employer and described in EXHIBIT A, attached hereto. Additional services described in EXHIBIT B are also available to Employer on an as-needed basis at the fees stated therein.

This Employee Assistance Program shall not provide medical diagnosis or treatment, long term counseling, psychiatric care, legal advice or financial advice, but may refer employees to appropriate resources within FRGN or to other professionals that provide those services.

**Access to Services:** All initial contacts by the client shall be with FRGN's Grand Island office, either in person or by telephone. Assessment and counseling services for clients will be provided at the offices of FRGN in Grand Island unless it is in the best interest of the client to be served in another location with services provided by a FRGN affiliate provider.

**Additional Services:** If a client is referred for services beyond those provided under this Agreement, the clients will be advised of this and his/her financial responsibility for the cost of such services, and assisted in evaluating any available health insurance

reimbursement or other third-party coverage. Such services may, when deemed appropriate, be provided by FRGN or an affiliate described in paragraph 5 above.

**Reports:** FRGN shall provide annual and quarterly reports to the Employer that shall contain the following information:

Quarterly:

- a. Total number of client inquiries regarding program services.
- b. Total number of clients who actually used the services.

Annually as requested:

- c. Total number of contacts with employees and family members.
- d. Whether the contacts were in person or telephone sessions.
- e. What additional referrals, if any, were made to professional or community resources.
- f. Nature of referrals to services, (i.e., whether they were self-initiated, initiated by a family member or by the Employer.)
- g. Such other information to which the parties mutually agree.

**Employer's Obligations:** In addition to payment of fees as provided in paragraph 4 herein, the Employer shall:

- a. Provide FRGN with a current employee roster, including employee's mailing address and update such information on a quarterly basis.
- b. Appoint an internal employee assistance coordinator to plan and assist in implementing the program and act as Liaison with the program.
- c. Provide FRGN with a copy of all employment policies currently in force.
- d. Provide FRGN with current hospitalization and health insurance policies and other employee benefits relevant to the program to enable FRGN to make effective referrals.

**Confidentiality:** Reports and information provided to Employer shall be summaries and shall not identify any employee or family member by name or other identifier. Information regarding any identified or identifiable individual employee or family member shall be confidential, and shall not be provided to the Employer without the individuals' expressed written consent. A copy of FRGN's Policy on Client Confidentiality is attached to this agreement.

**HIPAA Privacy Rule:** Family Resources of Greater Nebraska agrees to the provisions of these requirements to protect the interest of all parties and agrees to provide each client with the appropriate HIPPA documentation.

**Miscellaneous:** The laws of the State of Nebraska shall govern this agreement. This agreement may not be assigned, except as provided in paragraph 5 regarding FRGN affiliates, without the written agreement of both parties. The foregoing constitutes the entire agreement of the parties and supersedes all prior agreements either oral or written.

IN WITNESS THEREOF, the parties have executed this agreement on \_\_\_\_\_, 2018.

*City of Grand Island*

*Family Resources of Greater Nebraska, PC*

By: \_\_\_\_\_  
*Mayor*

By: \_\_\_\_\_  
*Authorized Official*

## EXHIBIT A

**Employee Assistance Program  
Services Purchased by  
The City of Grand Island  
From  
Family Resources of Greater Nebraska, PC**

**Six Session Per Incident EAP**

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**Provide up to six 50-minute sessions per family member per incident** with a licensed mental health professional or substance abuse counselor, per contract year. Sessions for initial consultation and assessment are included in the six-session limit. Complete evaluations for substance abuse utilize only one EAP session. Sessions remaining after the assessment is completed may be used for short-term, solution focused therapy if such therapy is determined by the assessing clinician to be clinically appropriate. Sessions are available to all full and part time employees, their spouses, life partners, significant others if in two year minimum relationship, their dependent children under the age of 26, and dependent parents who resides with the employee (proof of residence and dependency required).

**Provide up to two follow-up phone** contacts per client, per incident if deemed necessary by the therapist.

**Provide 24-hour emergency telephone access** to a licensed mental health professional.

**Provide up to four employee orientation meetings** for new hires upon request of personnel department as well as unlimited access via the Family Resources website.

**Provide up to twenty hours of onsite supervisory and/or employee Wellness Education In-services, when requested.** Topics to be selected by an authorized Official of the City of Grand Island.

**Provide Mandatory Supervisory Sessions** upon request and obtain all necessary paperwork to conduct business with referral source. At the discretion of Family Resources staff, up to three sessions may be required per mandatory referral, at no additional cost to the city. This process would not affect an employees' personal sessions. Releases of information would be obtained during this process to insure complete cooperation between EAP, employee, City supervisor and HR in correcting workplace behavior or performance situations.

**Provide sufficient posters and/or brochures** at Employer's sites to promote EAP services.

**Provide electronic newsletters** up to six times per contract year to the office of Human Resources for inclusion in the city's employee newsletter.

**Compile and submit quarterly utilization reports**

**Provide up to 50 hours per contract year of telephone consultation** with licensed mental health professionals for Employer's designated managers. The time of each call will be recorded and counted against the annual total. The minimum time recorded shall be 10 minutes. Response time for this consultation will be 15 minutes for those calls designated as an "emergency" by Employer's designated managers and 2 hours for all other calls.



## **EXHIBIT B**

### **Additional Employee Assistance Program Services Available to The City of Grand Island From Family Resources of Greater Nebraska, PC**

**\*The following services are available on an as-requested basis.**

On-site critical incident stress debriefing services: \$150.00/counselor/hour (including travel time)  
This service includes the following: FRGN shall provide a qualified mental health provider who will serve as the coordinator of Critical Incident Stress Debriefing services. This mental health provider will work closely with Employer's existing in-house team of trained professionals and will serve as the contact for initiation of services, contact and coordination of the team, oversee periodic meetings and training and will serve as the mental health provider at each incident as requested by Employer. The mental health provider's time will be recorded in minimum segments of at least 15 minutes and charges for the service will be billed to Employer quarterly.

Additional phone consultation with designated managers @\$25.00 per call. This service allows Employer the opportunity to purchase telephone consultation in addition to the 10 hours provided in Exhibit A.

Additional follow-up phone calls for employees and covered family members @ \$25.00 per call. This service allows employer the opportunity to purchase additional follow-up services beyond the two follow-up contacts provided in Exhibit A. (This service may be helpful for clients using EAP services because of a supervisory referral.)

With the prior approval of Employer, in-person, follow-up for employees or covered family members @ \$80.00 per hour

Wellness educational in-services: \$150.00/hour. (beyond the 20 hours included Exhibit A)

Interpretation Services: \$50.00 per hour

Contracted interpreters must meet certain standards as set forth by the  
management of Family Resources of Greater Nebraska.

Group Conflict Resolution involving three or more employees: \$150.00 per hour plus mileage

Emotional Quotient Inventory: \$250.00 per employee

- Includes testing, scoring, individual employee report, one department report, and one department follow-up session with Family Resources staff.
- Recommended delivery through departments
- Can be contracted for one department up to full staff

## **Confidentiality Policy Employee Assistance Program**

As an Employee Assistance Program Provider, Family Resources of Greater Nebraska (FRGN) strives to maintain the highest standards of program confidentiality to comply with legal and ethical mandates and meet the needs of our clients. In this regard, we have established specific guidelines for our own professional conduct with respect to protecting the confidence of client company employees and immediate family members.

Basic Philosophy: Except as noted in subsequent sections, FRGN, including our clinicians, staff, sub-contractors and affiliates will refrain from disclosing or communicating any information identifying and/or describing a user of our services to anyone, including an employee's family, fellow employees or supervisors, or any other persons outside our organization.

Release of Confidential Information: When assistance of any employee is requested by that person's employer and/or supervisor, we will request that the employee sign a Release of Information Form allowing our clinicians (including sub-contractors, consultants and affiliates) to communicate with the company and/or supervisor to facilitate the documentation, assessment and resolution of work-related performance problems. That release shall specify the information that may be disclosed, the purpose for such disclosure, and the effective period during which confidential information may be released to a specific party. If the employee declines to sign the Release of Information Form, we cannot confirm that the employee is a client. The company and/or supervisor may request such a release from the employee in conjunction with reviewing the performance-based consequences that will occur if the clinician cannot provide the company/supervisor with reason to expect a realistic improvement in the employee's job performance. We will request from the employee a signed Release of Information Form, which authorizes the EAP to release information to the company and/or supervisor when documentation of work performance or relationships appears necessary for making an accurate assessment or to ensure appropriate action on the part of the employee or supervisor in resolving the problem.

Communication with Treatment Providers: When an employee's issues necessitate referral to a treatment provider outside of FRGN, the employee will be asked to sign a Release of Information Form allowing our clinician or consultant to share relevant assessment information with the intended treatment provider. If it is not possible to obtain a written release (as in telephone assessment), the clinician will ask for verbal permission to release the aforementioned information and will document in the employee's record whether permission is verbally granted.

Communication of Aggregate Information: In the case of employees who refer themselves to FRGN or who are referred by a family member, we will verify such referrals only through aggregate demographic data reported to the company on a quarterly basis. The same type of information will be reported on employee family members who use our services. This demographic information does not contain data that could be used to identify specific individuals and/or family members.

Disclosure Without a Release: Federal or state laws may, in specific instances, require the disclosure of employee information irrespective of a signed and authorized release form. When a clinician has reasonable suspicion that physical or sexual abuse of a child or vulnerable adult has occurred or that there is a threat of harm to oneself or another person by the employee or an immediate family member, then disclosure to the appropriate authorities is necessary and, in

many instances, legally mandated. Records may also have to be released without a signed consent by the employee or family member if subpoenaed by a court of law.

Security Clearance: With client companies whose employees have security clearances, FRGN agrees to work cooperatively with security personnel, within established State and Federal guidelines, on medical records and information. FRGN requests that the company's personnel and/or department charged with overseeing and maintaining security continues to assume primary responsibility to ensure the integrity of the company security system. Security personnel will need to manage and assess security issues with those employees referred by self or the company for EAP services. If security obtains a signed consent from a referred employee for the disclosure of confidential information to the company and/or security personnel, FRGN will provide the designated information that may be needed by security personnel to assess the employee's risk in this respect. In the absence of a signed and authorized release, the employer must assume the responsibility for monitoring employees deemed to be a risk for breaching security.

## POINTS OF CLARIFICATION

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### **INTERPRETOR NEEDS:**

Family Resources of Greater Nebraska agrees to provide interpretive services if and when any employee of the City of Grand Island and/or their family members as covered in the EAP, who do not speak proficient English or who may be hearing impaired, requests utilization of the EAP services. The City of Grand Island will be billed all fees, in addition to the basic contract amount, incurred by Family Resources through interpreter contracting. See fee schedule. **Spanish Counseling services are provided in Grand Island at the office of a Family Resources affiliate.**

### **EMPLOYEE LIST**

The City of Grand Island must agree to provide a current employee list at the beginning of each quarter of the contract to be utilized for employment verification at the initial time of service.

### **HANDLING OF HARRASSMENT ISSUES:**

Should any therapist providing service to any employee of the City of Grand Island become aware of any type of harassment issues occurring in the workplace, it will be the policy of Family Resources of Greater Nebraska to request said employee to sign a release of information so that open communication can begin between the employee, the therapist, and the Personnel Administrator for the City of Grand Island.

### **RANDOM DRUG TESTING FOLLOW-UP:**

In accordance with an organization's drug testing policy, Family Resources through the contracted EAP service, would provide counseling and evaluation services, up to six sessions, to any employee who tests positive for drug use in the workplace. These mandatory sessions do not count against an employee's personal sessions. Complete substance abuse evaluations require the use of two of the six EAP sessions available to any one individual to complete.

### **CONFLICT RESOLUTION SERVICES:**

If conflict resolution is needed between two employees, their individual EAP sessions may be utilized. If conflict resolution services are needed between three or more people or within a total department, additional group conflict resolution services may be purchased. See fee schedule.

### **LOCATION OF SERVICE DELIVERY:**

All EAP services would be delivered in the Family Resources of Greater Nebraska offices in Grand Island, Kearney or York, NE unless it is in the best interest of the client to be served by an affiliate provider in another location. Practice staff will determine this need upon initial contact with the Family Resources office.

RESOLUTION 2018-271

WHEREAS, pursuant to Neb. Rev. Stat., §16-201, the City has the authority to make all contracts and do all other acts in relation to the property and concerns of the City necessary to the exercise of its corporate powers; and

WHEREAS, Family Resources of Greater Nebraska PC is the service provider of the City of Grand Island's Employee Assistance Program (EAP); and

WHEREAS, the proposed contract renewal is for \$13,000 per year for the contract duration of one year.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized to execute the agreement by and between the City of Grand Island and Family Resources of Greater Nebraska PC for the period of October 1, 2018 through September 30, 2019.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

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

Attest:

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

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-20

**#2018-272 – Approving Change Order No. 3 for Grand Island  
Veteran’s Athletic Fields – Phase 2 Construction**

Staff Contact: Todd McCoy

# **Council Agenda Memo**

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

**Meeting:** September 11, 2018

**Subject:** Approve Change Order No. 3; to Nemaha Landscape Const. Inc., for the Veteran's Athletic Fields – Phase 2 Expansion

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

## **Background**

On October 24, 2017 City Council approved, by Resolution 2017-306, the bid award to Nemaha Landscape Const. Inc. to build six new youth multi-purpose baseball/softball fields, concessions, restrooms, and additional parking at the Veteran's Athletic Complex in the amount of \$5,577,348.00.

On February 27, 2018 Change Order No. 1 was approved by City Council in the amount of \$21,907.00.

On May 22, 2018 Change Order No. 2 was approved by City Council in the amount of \$20,915.93.

## **Discussion**

As construction has progressed a number of contract changes have been recommended. (See attached Change Order #3 Summary for detail.)

Request for Change No. 3 – Installation of new irrigation well, VFD, and motor.  
Increase: \$103,766.43

Request for Change No. 19 – Approval of using on-site topsoil in outfields.  
NO COST

Request for Change No. 23 – Temporary connection to fire hydrant for testing of irrigation system.  
Increase: \$1,496.00

Request for Change No. 25 – Installation of sidewalk culvert for drainage.  
Increase: \$969.00

Request for Change No. 29 – Additional electrical conduit/wire and irrigation line to place well at proposed location.

Increase \$18,177.80

The total increase to the existing contract from Change Order No. 3 is \$124,409.23. This project is funded with Food and Beverage Tax revenue.

### **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 Veteran's Athletic Fields – Phase 2 Expansion Change Order No. 3 in the amount of \$124,409.23. Doing so will increase the total amount of the contract with Nemaha Landscape to \$5,744,580.16.

### **Sample Motion**

Move to approve Change Order No. 3 to Nemaha Landscape of Lincoln, Nebraska.





*Working Together for a  
Better Tomorrow, Today.*

**CHANGE ORDER #3**

TO: **Nemaha Landscape Construction Inc.**  
**430 W Pioneers Blvd**  
**Lincoln, NE 68522**

PROJECT: **GI Veteran's Athletic Field Construction Phase 2**

You are hereby directed to make the following change in your contract.

1. Installation of irrigation well, VFD and motor. Well pit restoration.  
Substantial completion date: October 26, 2018  
Final Completion date: December 22, 2018  
increase \$103,766.43
2. RFC #19 – Approval of using on-site topsoil as the root-zone below  
the proposed outfields. No cost \$ 0.00
3. RFC #23 – Temporary connection to fire hydrant for testing of  
irrigation system. Includes 80 LF of 4-inch PVC pipe and necessary  
fittings and thrust blocks. increase \$ 1,496.00
4. RFC #25 – Installation of sidewalk culvert for drainage. increase \$ 969.00
5. RFC #29 – Additional electrical conduit/wire and irrigation line to  
place well at proposed location. increase \$ 18,177.80

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<b>The original Contract Sum</b>	<b><u>\$ 5,577,348.00</u></b>
<b>Previous Change Order Amounts</b>	<b><u>\$ 42,822.93</u></b>
<b>The Contract Sum is increased by this Change Order</b>	<b><u>\$ 124,409.23</u></b>
<b>The total modified Contract Sum to date</b>	<b><u>\$5,744,580.16</u></b>
<b>The Contract Time is unchanged.</b>	

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*City Hall • 100 East First Street • Box 1968 • Grand Island, Nebraska 68802-1968  
(308) 385-5444 ext. 290 • Fax: 385-5488*

Approval and acceptance of this Change Order acknowledges understanding and agreement that the cost and time adjustments included represent the complete values arising out of and/or incidental to the work described herein. Additional claims will not be considered.

APPROVED: **CITY OF GRAND ISLAND**

By \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

Attest \_\_\_\_\_

\_\_\_\_\_  
Approved as to Form, City Attorney

ACCEPTED: **Nemaha Landscape Construction Inc.**

By \_\_\_\_\_ Date \_\_\_\_\_

*City Hall • 100 East First Street • Box 1968 • Grand Island, Nebraska 68802-1968  
(308) 385-5444 ext. 290 • Fax: 385-5488*

RESOLUTION 2018-272

WHEREAS, on October 24, 2017 by Resolution 2017-306, February 27, 2018 by Amended Resolution 2018-45 and May 22, 2018 by Resolution 2018-149, the City Council of the City of Grand Island awarded Nemaha Landscape Construction, Inc. of Lincoln, Nebraska, the bid in the amount of \$5,577,348.00 and Change Order #1 amount of \$21,907.00 and Change Order #2 amount of \$20,915.93, for the Grand Island Veteran's Athletic Fields – Phase 2 construction; and

WHEREAS, it has been determined by work order directives that a request for installation of a new irrigation well, VFD and motor, using on-site topsoil in outfields, temporary connection to fire hydrant for testing of irrigation system, installation of sidewalk culvert for drainage and additional electrical conduit/wire and irrigation line to place well at proposed location; and

WHEREAS, such modifications will be funded through the Food and Beverage Tax; and

WHEREAS, such modifications have been incorporated into Change Order No. 3; and

WHEREAS, the result of such modifications will increase the contract amount by \$124,409.23 for a revised contract price of \$5,744,580.16.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 3 between the City of Grand Island and Nemaha Landscape Construction, Inc. from Lincoln, Nebraska to provide the modifications set out as follows:

1. Installation of new irrigation well, VFD and motor.....\$103,766.43
2. Approval of using on-site topsoil in outfields.....\$ No Cost
3. Temporary connection to fire hydrant for testing of irrigation system.....\$ 1,496.00
4. Installation of sidewalk culvert for drainage.....\$ 969.00
5. Additional electrical conduit/wire and irrigation line to place well at proposed location.....\$ 18,177.80

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Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

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

Attest:

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

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-21

**#2018-273 – Approving Change Order No. 4 for Grand Island  
Veteran’s Athletic Fields – Phase 2 Construction**

Staff Contact: Todd McCoy

# **Council Agenda Memo**

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

**Meeting:** September 11, 2018

**Subject:** Approve Change Order No. 4; to Nemaha Landscape Const. Inc., for the Veteran's Athletic Fields – Phase 2 Expansion

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

## **Background**

On October 24, 2017 City Council approved, by Resolution 2017-306, the bid award to Nemaha Landscape Const. Inc. to build six new youth multi-purpose baseball/softball fields, concessions, restrooms, and additional parking at the Veteran's Athletic Complex in the amount of \$5,577,348.00.

On February 27, 2018 Change Order No. 1 was approved by City Council in the amount of \$21,907.00.

On May 22, 2018 Change Order No. 2 was approved by City Council in the amount of \$20,915.93.

On September 11, 2018 Change Order No. 3 is considered by City Council in the amount of \$124,409.23.

## **Discussion**

As construction has progressed a number of contract changes have been recommended. (See attached Change Order #4 Summary for detail.)

Request for Change No. 14 – Increasing tree sizes and changing some shrubs to trees. Increase: \$6,386.94

Request for Change No. 31R – Sod high traffic areas between ball fields. Increase: \$20,981.55

Request for Change No. 33 – Install metering service for project next to electrical transformer. Increase: \$5,396.00

Request for Change No. 34 – Widen proposed 6ft and 8ft sidewalks to 10ft to match hike/bike trail system. Increase: \$4,608.45

The total increase to the existing contract from Change Order No. 4 is \$37,372.94. This project is funded with Food and Beverage Tax revenue.

### **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 Veteran's Athletic Fields – Phase 2 Expansion Change Order No. 4 in the amount of \$37,372.94. Doing so will increase the total amount of the contract with Nemaha Landscape to \$5,781,953.10.

### **Sample Motion**

Move to approve Change Order No. 4 to Nemaha Landscape of Lincoln, Nebraska.



*Working Together for a  
Better Tomorrow, Today.*

**CHANGE ORDER #4**

TO: **Nemaha Landscape Construction Inc.  
430 W Pioneers Blvd  
Lincoln, NE 68522**

PROJECT: **GI Veteran's Athletic Field Construction Phase 2**

You are hereby directed to make the following change in your contract.

- |                                                                                                                                      |                      |
|--------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| 1. RFC #14 - Increasing tree sizes and changing some shrubs to trees.                                                                | increase \$ 6,386.94 |
| 2. RFC #31R – Sod high traffic areas between ball fields.                                                                            | increase \$20,981.55 |
| 3. RFC #33 – Install metering service for project next to proposed electrical transformer.                                           | increase \$ 5,396.00 |
| 4. RFC #34 – Widen proposed 6 ft. and 8 ft. sidewalks to 10 ft. along west edge of parking lots for future hiker/biker trail system. | increase \$ 4,608.45 |

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<b>The original Contract Sum</b>	<b><u>\$ 5,577,348.00</u></b>
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<b>Previous Change Order Amounts</b>	<b><u>\$ 167,232.16</u></b>
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<b>The Contract Sum is increased by this Change Order</b>	<b><u>\$ 37,372.94</u></b>
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<b>The total modified Contract Sum to date</b>	<b><u>\$5,781,953.10</u></b>
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**The Contract Time is unchanged.**

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Approval and acceptance of this Change Order acknowledges understanding and agreement that the cost and time adjustments included represent the complete values arising out of and/or incidental to the work described herein. Additional claims will not be considered.

**APPROVED: CITY OF GRAND ISLAND**

*City Hall • 100 East First Street • Box 1968 • Grand Island, Nebraska 68802-1968  
(308) 385-5444 ext. 290 • Fax: 385-5488*

By \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

Attest \_\_\_\_\_

\_\_\_\_\_  
Approved as to Form, City Attorney

ACCEPTED: **Nemaha Landscape Construction Inc.**

By \_\_\_\_\_ Date \_\_\_\_\_

*City Hall • 100 East First Street • Box 1968 • Grand Island, Nebraska 68802-1968  
(308) 385-5444 ext. 290 • Fax: 385-5488*



RESOLUTION 2018-273

WHEREAS, on October 24, 2017 by Resolution 2017-306, February 27, 2018 by Amended Resolution 2018-45, May 22, 2018 by Resolution 2018-149 and Resolution 2018-272, the City Council of the City of Grand Island awarded Nemaha Landscape Construction, Inc. of Lincoln, Nebraska, the bid in the amount of \$5,577,348.00 and Change Order #1 amount of \$21,907.00, Change Order #2 amount of \$20,915.93 and Change Order #3 amount of \$124,409.23, for the Grand Island Veteran's Athletic Fields – Phase 2 construction; and

WHEREAS, it has been determined by work order directives that a request increasing tree sizes and changing some shrubs to trees, sod high traffic areas between ball fields, install metering service for project next to electrical transformer and widening proposed 6ft and 8ft sidewalks to 10ft to match hike/bike trail system; and

WHEREAS, such modifications will be funded through the Food and Beverage Tax; and

WHEREAS, such modifications have been incorporated into Change Order No. 4; and

WHEREAS, the result of such modifications will increase the contract amount by \$37,372.94 for a revised contract price of \$5,781,953.10.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 4 between the City of Grand Island and Nemaha Landscape Construction, Inc. from Lincoln, Nebraska to provide the modifications set out as follows:

1. Increase tree sizes and change some shrubs to trees.....\$ 6,386.94
2. Sod high traffic areas between ball fields.....\$20,981.55
3. Install metering service for project next to electrical transformer.....\$ 5,396.00
4. Widen proposed 6ft and 8ft sidewalks to 10ft to match hike/bike trail system.....\$ 4,608.45

---

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

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

Attest:

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

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item I-1

**#2018-274 - Consideration of Approving General Property, Downtown Improvement Parking District #2 (Ramp) and Community Redevelopment Authority (CRA) Tax Request for FY 2018-2019**

*This item relates to the aforementioned Public Hearing item E-5.*

Staff Contact: Patrick Brown

## RESOLUTION 2018-274

WHEREAS, Nebraska Revised Statute Section 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the City passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the City that the property tax request for the current year be a different amount than the property tax request for the prior year; and

WHEREAS, the final levy of the Municipality for the fiscal year 2018-2019 for all general municipal purposes is set at .3755 per one hundred dollars of actual valuation; and

WHEREAS, the final levy of the Municipality for the fiscal year 2018-2019 for Downtown Improvement Parking District No. 2 is set at .01744 per one hundred dollars of actual valuation; and

WHEREAS, the final levy of the Municipality for the fiscal year 2018-2019 for the Community Redevelopment Authority is set at .0224 per one hundred dollars of actual valuation.

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

1. The amount to be raised by taxation for all general municipal purposes for the fiscal year commencing on October 1, 2017 in the amount of \$11,734,634 shall be levied upon all the taxable property in the City of Grand Island and based on a current assessed valuation of \$3,125,035,627; and
2. The amount to be raised by taxation for Downtown Improvement Parking District No. 2 for the fiscal year commencing October 1, 2017 in the amount of \$8,080 shall be levied upon all the taxable property within the Downtown Improvement Parking District No. 2 and based on a current assessed valuation of \$46,328,175; and
3. The amount to be raised by taxation for the Community Redevelopment Authority for the fiscal year commencing October 1, 2017 in the amount of \$700,008 shall be levied upon the taxable property in the City of Grand Island and based on a current assessed valuation of \$3,125,035,627.

- - -

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney

Adopted by the City Council of the City of Grand Island, Nebraska on September 11, 2018.

---

Jeremy L. Jensen, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item I-2

**#2018-275 - Consideration of Approving 1% Increase to the  
Restricted Revenues Lid Limit**

Staff Contact: Patrick Brown

# **Council Agenda Memo**

**From:** Patrick Brown, Finance Director

**Meeting:** September 11, 2018

**Subject:** Consideration of Approving 1% Increase to the Restricted Revenues Lid Limit

**Presenter(s):** Patrick Brown, Finance Director  
William Clingman, Assistant Finance Director

## **Background**

In 1998, the Nebraska State Legislature passed LB989, which put a lid on the amount of restricted revenues a political subdivision can budget. The restricted revenues for the City of Grand Island included in the budget are Property Taxes, Local Option Sales Tax, Motor Vehicle Tax, Highway Allocation and Municipal Equalization Funds.

## **Discussion**

Each year in the budget document sent to the State of Nebraska on or before September 20, political subdivisions are allowed by State Statute to raise the total restricted revenue funds authority amount from the prior year by 2.5%. This total may also be increased by an additional 1% with a 75% affirming vote, based on members present at the meeting, of the Political Subdivisions governing board (City Council).

The restricted revenue authority base amount of the prior year is used in the calculation of the maximum amount of restricted revenues the City can budget to receive in each proposed budget year. The restricted revenues in the proposed budget year less allowable exceptions cannot be higher than the prior year's restricted revenue base. Therefore each budget year, we want to increase the prior year's restricted revenue base with the additional 1% allowance in order to be able to budget all restricted revenues available for the proposed budget year.

For example, if local option sales taxes, motor vehicle taxes, highway allocation state gasoline taxes, municipal equalization funds, and property tax valuations increase each year at a rate greater than the 2.5% allowed by State Statue for restricted revenues to increase. Then the City may be placed in a position of not being able to budget all of the property tax revenues available for the new budget year in order to stay under the restricted revenue lid limit.

With limited funding sources for the general fund, and the increasing needs of our growing community, City Council should be the deciding authority as to the level of property tax funding needed; not the limit of the prior year restricted revenues total.

The additional 1% increase for the FY2018-2019 State of Nebraska budget report will increase the prior year restricted revenues base by \$312,728.99. This increase in restricted funds authority is not an increase in budgeted revenues or authorized expenditures. Approving the additional 1% each year only provides the political subdivision the ability to increase the prior year's restricted revenues total in order to budget all restricted revenue funding sources each budget year.

### **Alternatives**

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

1. Approve the additional 1% increase to the Restricted Revenue Lid Limit.
2. Disapprove or deny the additional 1% increase.

### **Recommendation**

City Administration recommends that the Council approve the additional 1% increase to the Restricted Revenue Lid Limit.

### **Sample Motion**

Move to approve the additional 1% increase to the Restricted Lid Limit for the 2018-2019 Budget.

## RESOLUTION 2018-275

WHEREAS, pursuant to Neb. Rev. Stat. §13-519, the City of Grand Island is limited to increasing its total of budgeted restricted revenues to no more than the prior year's total of budgeted restricted funds plus two and one-half percent (2 1/2%) expressed in dollars; and

WHEREAS, §13-519 authorizes the City of Grand Island to exceed the foregoing budget limit by an additional one percent (1%) increase in budgeted restricted revenues upon the affirmative vote of at least 75% of the governing body present at the meeting; and

WHEREAS, the Annual Budget document for Fiscal Year 2018-2019 and Program for Municipal Services in the Lid Computation for Fiscal Year 2018-2019 supported by the detail relating to restricted revenue accounts, proposes an additional increase in the prior year's budgeted restricted funds of an additional one percent (1%) as provided by the statute; and

WHEREAS, approval of the additional one percent (1%) increase in budgeted restricted revenues provides maximum funding sources, does not increase authorized expenditures and is in the best interests of the City of Grand Island and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that by affirmative vote by more than 75% of the City Council, budgeted restricted revenue funds for Fiscal Year 2018-2019 shall be increased by an additional one percent (1%) as provided by Neb. Rev. Stat. §13-519.

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Adopted by the City Council of the City of Grand Island, Nebraska on September 11, 2018.

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Jeremy L. Jensen, Mayor

Attest:

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney





# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item J-1

### **Approving Payment of Claims for the Period of August 29, 2018 through September 11, 2018**

*The Claims for the period of August 29, 2018 through September 11, 2018 for a total amount of \$6,871,623.15. A MOTION is in order.*

Staff Contact: Patrick Brown