



City of Grand Island

Tuesday, November 12, 2019

Council Session

Item G-11

**#2019-330 - Approving Dedicated Parking Stalls in the Public
Parking Lot at 3rd Street and Pine Street- Pinnacle Bank**

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

Council Agenda Memo

From: John Collins PE, Public Works Director

Meeting: November 12, 2019

Subject: Approving Dedicated Parking Stalls in the Public Parking Lot at 3rd Street and Pine Street- Pinnacle Bank

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

Background

Pinnacle Bank, located at 106 East 3rd Street, has requested designated parking stalls south of their building across 3rd Street, as shown on the attached exhibit.

Discussion

Pinnacle Bank is planning to open the 106 East 3rd Street location in mid-November 2019, with a request to dedicate three (3) parking stalls in the northern part of the parking south across 3rd Street from their location. City staff have negotiated an agreement with Pinnacle Bank, with the guidance of the City Attorney, a copy of which is attached for review. The fee is set at \$400.00 per year, per stall; for a total of \$1,200.00 annually, with the first year prorated. It should be noted there are current parking lease agreements in place at the following locations.

- Southern portion of 3rd Street and Pine Street parking lot- ProCon Management, Inc.
- Oak Street and South Front Street (southeast) parking lot- American Red Cross
- Oak Street and South Front Street (southwest) parking lot- Grand Generation Center
- South Front Street (east of YMCA) parking lot- YMCA

It is the intent to add a standard parking lease fee to the 2020/2021 Fiscal Year Fee Schedule.

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 resolution authorizing dedicated parking stalls in the public parking lot at 3rd Street and Pine Street for Pinnacle Bank, according to Exhibit “A”.

Sample Motion

Move to approve the resolution.

LEASE

This lease agreement is made on October ____, 2019 by and between the CITY OF GRAND ISLAND, NEBRASKA, a Municipal Corporation, hereafter referred to as “City” and PINNACLE BANK, a Corporation, hereinafter referred to as “Bank”.

1. **STATEMENT OF PURPOSE.** The purpose of this agreement is to set forth the terms and conditions under which the Bank will lease from the City three (3) parking spaces south of the bank, the location of which is shown on Exhibit “A”, attached hereto and made a part hereof by reference.

2. **TERM OF LEASE.** This lease shall run for a term of two (2) years commencing on _____. This lease shall be automatically renewable for up to two (2) additional two (2) year terms unless the Bank notifies the City in writing prior to the end of the then current term of its intention not to renew this lease for an additional term.

3. **CONSIDERATION.** In consideration of this lease the Bank agrees to pay to the City as rentals for the three (3) parking spaces One Thousand Two Hundred Dollars (\$1,200.00) per year or Four Hundred Dollars (\$400.00) per stall per year. This rental shall be due and payable to the city of Grand Island in annual installments on or before January 1 of the current year. Any partial year rental will be pro-rated.

4. **SIGNS AND MARKINGS.** The City will supply and install the posts. The Bank shall supply the signs and name placard (maximum size of 12” x 18”) indicating that the aforementioned parking spaces are leased for private parking, and shall be responsible for any damage, theft, etc. of such. The signs will indicate that the aforementioned parking spaces are for their customer parking and that violators will be towed at owner’s expense.

5. **ENFORCEMENT.** The Bank shall be responsible for enforcing that parking is only for Bank customers. The Bank shall be responsible for calling tow companies for parking violations. The Bank shall not call Grand Island Police Department for enforcement.

6. **NOTICES.** All notices in connection with this lease shall be sent to the following addresses by first class mail, postage prepaid:

City of Grand Island
Attn: City Attorney
P.O. Box 1968
Grand Island, NE 68802

Pinnacle Bank
3610 W Capital Ave
Grand Island, NE 68803

7. CHOICE OF LAWS. This agreement shall be construed in accordance with the laws of the State of Nebraska.

8. ENTIRE AGREEMENT. This lease constitutes the entire agreement between the parties hereto, notwithstanding any other written or oral agreements to the contrary. This lease may be amended only in writing, duly approved and executed by both parties.

CITY OF GRAND ISLAND, NEBRASKA

By _____ Date _____
Roger Steele, Mayor

Attest: _____
City Clerk

The contract is in due form according to law and hereby approved.

Attorney for the City

Date _____

PINNACLE BANK, A Corporation

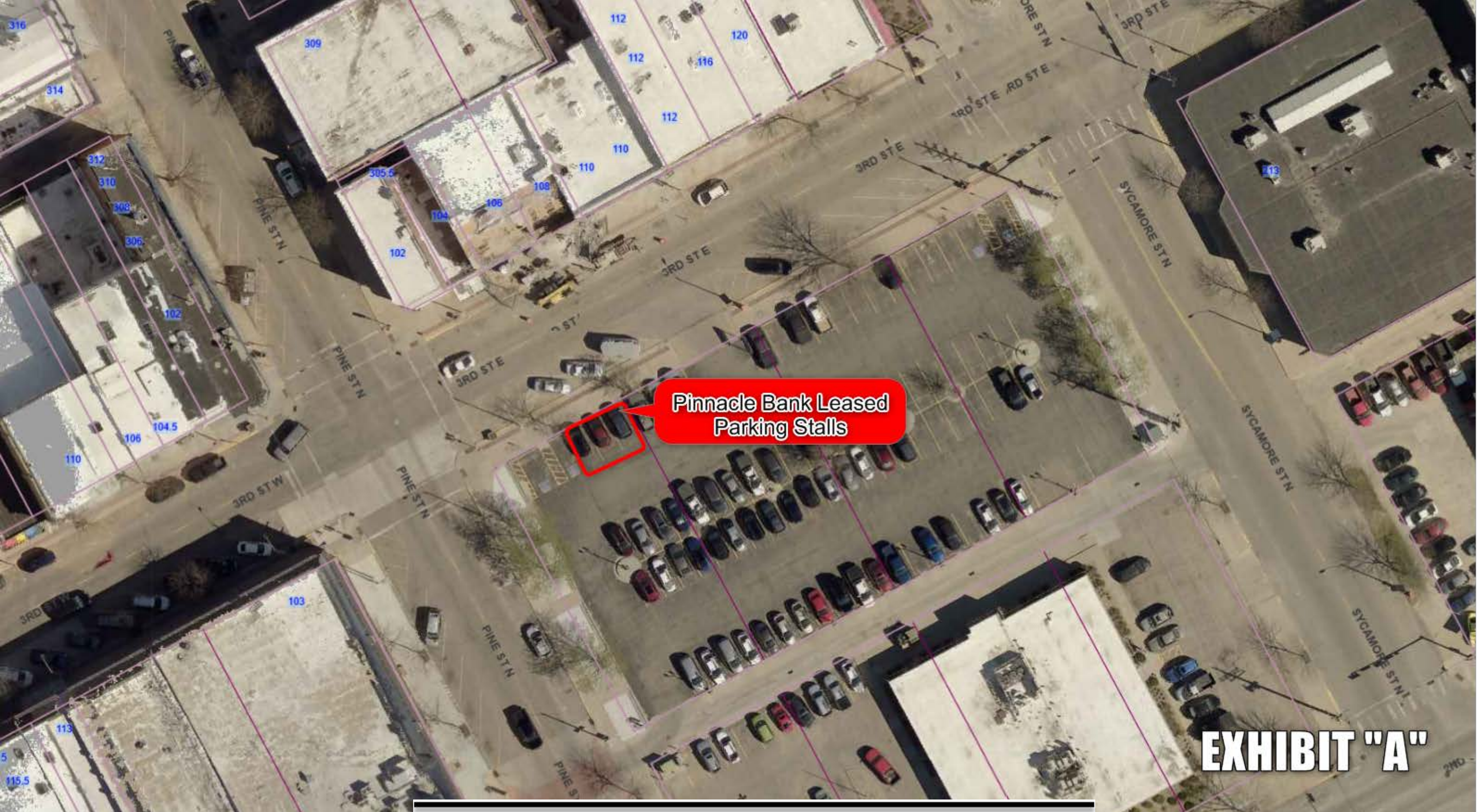
By _____ Date _____
Bart Qualsett

Title _____

STATE OF NEBRASKA)
) ss:
COUNTY OF HALL)

The foregoing document was executed before me on October _____, 2019 by _____ President of the PINNACLE BANK a Corporation, on behalf of said corporation.

Notary Public



RESOLUTION 2019-330

WHEREAS, the City Council, by authority of 22-77 of the Grand Island City Code, may be resolution, entirely prohibit, or fix a time limit for the parking and stopping of vehicles in or on any public street, public property, or portion thereof; and

WHEREAS, Pinnacle Bank requests to dedicate three (3) parking stalls in the public parking lot at 3rd Street and Pine Street, according to attached Exhibit "A"; and

WHEREAS, an agreement for such dedicated parking stalls has been reviewed and approved by the City Legal Department.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to enter into the Parking Lease Agreement with Pinnacle Bank for their location at 106 East 3rd Street, according to the attached Exhibit "A".

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

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Adopted by the City Council of the City of Grand Island, Nebraska, November 12, 2019.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 8, 2019	☐ City Attorney