



City of Grand Island

Tuesday, December 17, 2019

Council Session

Item I-4

#2019-379 - Consideration of Approving Memorandum of Agreement for the Transfer of the Veterans Home Cemetery to the City of Grand Island

Staff Contact: Jerry Janulewicz

Council Agenda Memo

From: Jerry Janulewicz, City Administrator

Meeting: December 17, 2019

Subject: Veterans Home Cemetery

Presenter(s): Jerry Janulewicz, City Administrator

Background

In March of 2016, the City Council approved a Memorandum of Agreement (“MOA”) with the Nebraska Department of Administrative Services (“DAS”) that provided for a transfer of lands and buildings comprising the Nebraska State Veterans Home at Grand Island. The MOA provided that the agricultural land, referred to as the Phase I lands, would initially be conveyed to the City and the remaining property, consisting of the cemetery and the buildings and immediate campus lands, would be offered to the City as Phase II and transferred upon mutually agreeable terms. Through further investigation and due diligence, City Administration determined that acceptance of the Veterans Home buildings and campus lands would not be in the City’s best interests due to the financial burden that would be imposed upon the City, its residents, and taxpayers. Current discussions involve transferring the buildings and campus to a real estate developer utilizing the CRA as a conduit for transfer pursuant to a redevelopment plan, if approved by Council and the CRA governing board.

DAS is requesting that the City accept transfer of the Veterans Home Cemetery as outlined in the accompanying Memorandum of Agreement. The State’s Vacant Building and Lands Board is expected to approve a transfer at its December 20, 2019 meeting.

Discussion

The Veterans Home Cemetery consists of approximately 10 acres together with related small buildings and facilities. Burials at the site were generally restricted to former residents of the Veterans Home and their spouses. There are 14 spaces reserved for future burials. Any additional burials would be at the discretion of the City Council. The expense of maintaining the Cemetery, either through additional city staff and equipment or by private contractor, could be paid using rental income received from leasing the remaining agricultural lands transferred to the City in Phase I.

Conclusion

City Administration recommends approval of the MOA that provides for transfer of the Veterans Home Cemetery and the conditions of such transfer.

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

Sample Motion

Move to approve the resolution.

Memorandum of Agreement

This memorandum of Agreement by and among the City of Grand Island (“City”) and the State of Nebraska by and through the Nebraska Department of Administrative Services and the Nebraska Department of Veterans Affairs, (“State”) this 17th day of December, 2019.

Whereas, a cemetery is located on the grounds of the Grand Island Veterans Home (GIVH).

Parcel # 400145379, miscellaneous tracts S5-T11-R9; 3.76 Acres

Parcel# 400145376, miscellaneous tracts S5-T11-R9; 2.28 Acres

Whereas, the State of Nebraska intends to transfer ownership of the Grand Island Veterans Cemetery to the City of Grand Island.

Now, therefore, in consideration of the premises herein, the City and State agree as follows:

- 1) Commencing upon final approval of this agreement by State and by Grand Island City’s Council, the City shall:
 - a) Assume responsibility for general maintenance of the cemetery grounds to include the following: general landscaping maintenance and snow removal.
 - b) Protect the cemetery by continued maintenance of fencing and protective boundary obstacles to general accessible areas.
 - c) Protect the cemetery grounds from commercial and residential encroachment through greenspace buffer or the addition of public cemetery areas.
 - d) Permit future internments of those individuals identified on the list of reserved gravesites provided by State on January 4, 2019 (the “reserved internments”). Additional internments shall be permitted at the discretion of City’s City Council.
 - e) For reserved internments only, open and close the gravesite and set headstones provided by the Nebraska Department of Veterans Affairs, all at no cost or fee to the deceased’s estate or next of kin. City’s fee schedule and policies shall apply to all non-reserved internments permitted by City.
 - f) Unless otherwise permitted by City, only headstones provided by the Veterans Administration as arranged through the County Veterans Service Office shall be permitted.
 - g) Maintain the cemetery records received from the state and shall update such records as needed.
- 2) State agrees to transfer the Veterans Home Cemetery property to the City of Grand Island by quitclaim deed.

Dated: _____, 2019.

Dated: _____, 2019.

STATE OF NEBRASKA, DEPARTMENT OF
ADMINISTRATIVE SERVICES

CITY OF GRAND ISLAND

BY: _____

By: _____

Roger G. Steele, Mayor

[attest]

Dated: _____, 2019.

RaNae Edwards, City Clerk

STATE OF NEBRASKA, DEPARTMENT OF
VETERANS AFFAIRS

BY: _____

RESOLUTION 2019-379

WHEREAS, the Memorandum of Agreement, executed in March and April, 2016, by and between the City of Grand Island ("City") and the State of Nebraska Department of Administrative Services ("DAS") contemplated that DAS would transfer the former Nebraska State Veterans Home buildings, campus grounds, and cemetery to the City upon mutually agreeable terms; and

WHEREAS, it is right and fitting that the City and community honor the veterans interred at the Nebraska Veterans Home Cemetery at Grand Island by accepting transfer of the Veterans Home Cemetery, thereby assuming responsibility for the continued maintenance and care of the cemetery grounds pursuant a Memorandum of Agreement dated December 17, 2019 with DAS.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Memorandum of Agreement by and between City and DAS dated December 17, 2019 should be and is hereby approved.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 17, 2019.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 13, 2019	☐ City Attorney