
City of Grand Island



Tuesday, June 8, 2021 Council Session Agenda

City Council:

Jason Conley
Michelle Fitzke
Bethany Guzinski
Chuck Haase
Maggie Mendoza
Vaughn Minton
Mitchell Nickerson
Mike Paulick
Justin Scott
Mark Stelk

Mayor:

Roger G. Steele

City Administrator:

Jerry Janulewicz

City Clerk:

RaNae Edwards

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.

Invocation - Pastor John Hayes, Grace Baptist Church, 1115 South Vine Street

Pledge of Allegiance

Roll Call

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.

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, June 8, 2021

Council Session

Item C-1

Central Nebraska Regional Airport Sanitary Sewer Project Presentation

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 8, 2021

Subject: Central Nebraska Regional Airport Sanitary Sewer Project Presentation

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

Background

The Central Nebraska Regional Airport Collection System originated with the Army Air Corp Base built during World War II and is currently owned by Hall County and operated by the Airport Authority. It consists of approximately 24,900 linear feet of sanitary sewer. Many areas of the private gravity infrastructure have been slip lined, most of which appears to be defective. The two existing lift stations are very near or at the end of life. The majority of this infrastructure is estimated to be between 50 and 75 years old.

On February 14, 2017, via Resolution No. 2017-33, City Council approved an agreement with HDR Engineering, Inc. of Omaha, Nebraska in the amount of \$35,550.00 for engineering services related to the Central Nebraska Regional Airport Sanitary Sewer Collection System Rehabilitation; Project No. 2017-S-4. This first phase of services included infrastructure evaluation, environmental records review, interviews, and development of a master plan.

On May 12, 2020, via Resolution No. 2020-117, City Council approved an amendment to the original agreement in the amount of \$267,000.00 to address final design of a new lift station, collection system, force main, rehabilitation of a portion of the existing gravity sewer, as well as the abandonment of the existing system.

Discussion

At this time the Central Nebraska Regional Airport Sanitary Sewer project is ready for bid solicitation, with funding to be determined beforehand.

Conclusion

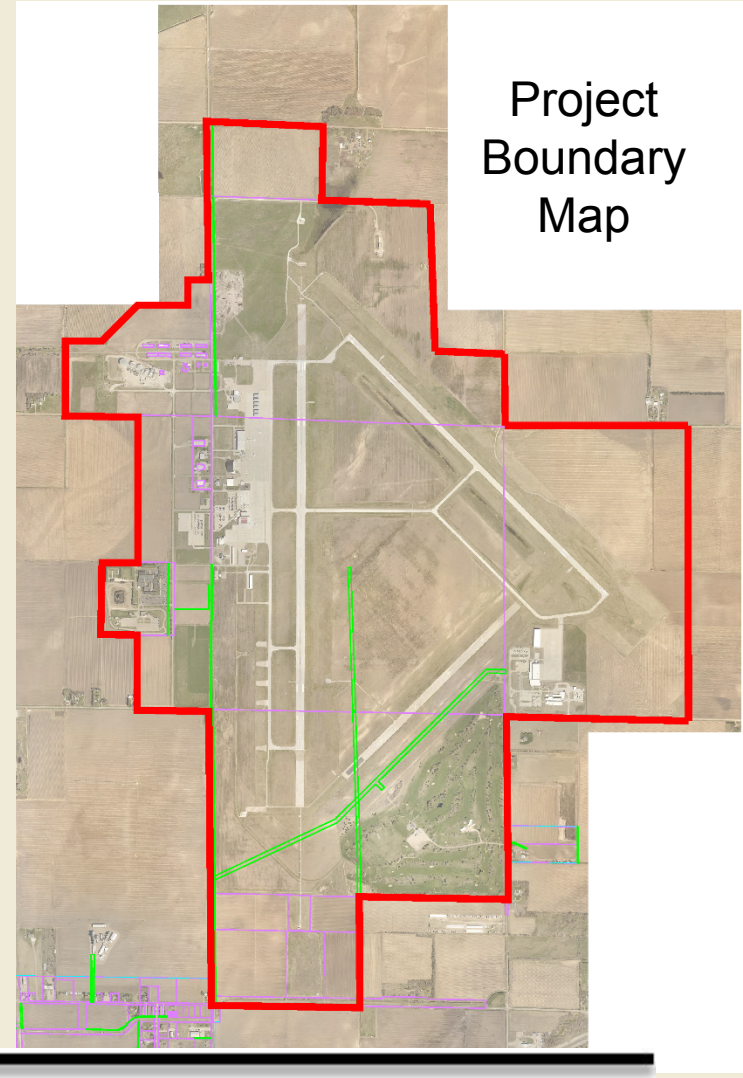
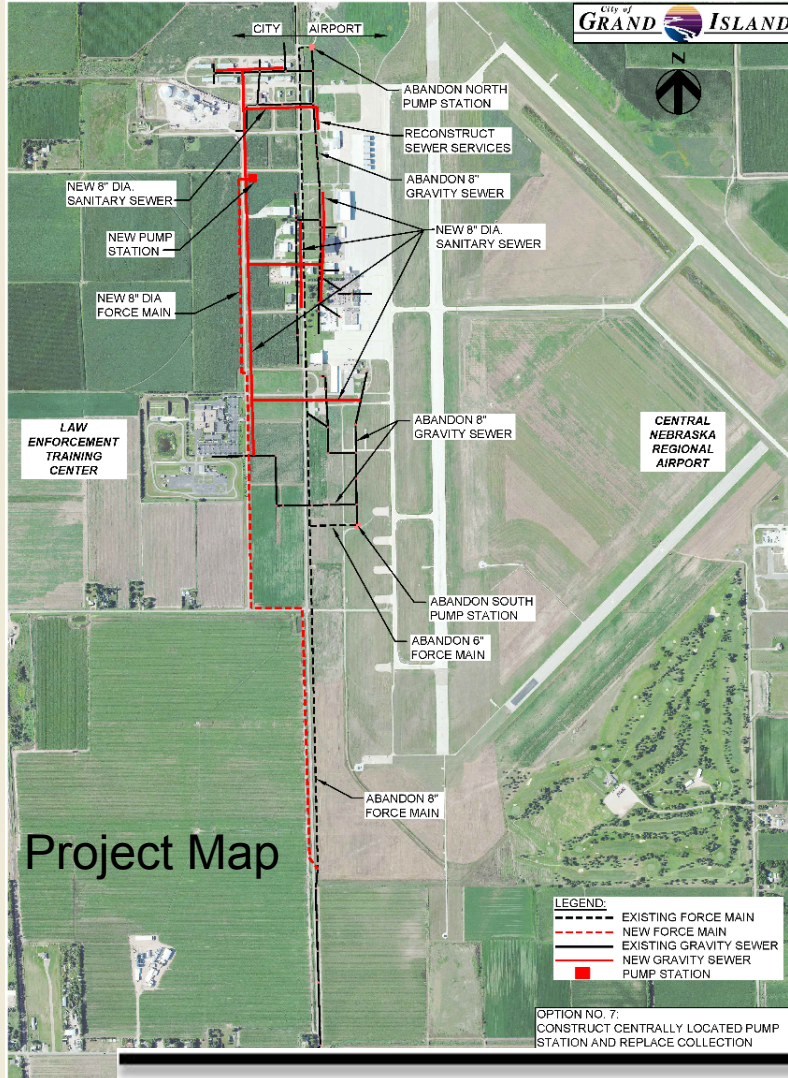
This item is presented to the City Council to allow for any questions to be answered and to create a greater understanding of the issue at hand.



CNRA Sanitary Sewer Project

History

- WWII vintage collection system
- Managed by CNRA
- Hall County property
- Several failed attempts to transfer
- Condition is very poor
- Assessment begin about 5 years ago



Proposed Project

- Estimated Cost: \$7.85 million*
- ARP eligible
- City, County, CNRA Interlocal Agreement
- Ready to bid

* Prices are volatile due to COVID response



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item C-2

Transfer Station Operations and Facility Improvement Presentation

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

Council Agenda Memo

From: Jeff Wattier, Solid Waste Superintendent

Meeting: June 8, 2021

Subject: Transfer Station Operations and Facility Improvement Presentation

Presenter(s): John Collins PE, Public Works Director
Patrick Brown, Finance Director
Jeff Wattier, Solid Waste Superintendent

Background

The Solid Waste Division of the Public Works Department is an enterprise fund with no property tax dollars used to support the division. The entire budget comes from rate paying customers through tipping fees. A cost of service based rate study looks at all costs for the operation and allocates those costs of service to the customer classes according to the costs of providing service. Rates are then designed to equitably cover those costs.

The current Solid Waste Transfer Station building, which is located at 5050 West Old Potash Highway, was constructed in 1983 and is no longer large enough to handle the current traffic and/or waste flows. A study has been completed to look at traffic patterns, investigate potential improvement/expansion ideas to enhance operations and allow for present business as well as projected future conditions.

Customer counts at the Transfer Station have increased by 173%, with a tonnage increase of 124% from FY 2000 to FY 2017.

- FY 2000 = 10,345 customers and 28,578 tons
- FY 2017 = 28,236 customers and 63,910 tons

On April 10, 2018, via Resolution No. 2018-94, City Council awarded an agreement to SCS Engineers of Omaha, Nebraska in the amount of \$60,130.00 for engineering consulting services related to a Transfer Station Operations and Facility Improvement Study for the Solid Waste Division.

The current solid waste rates are based on Resolution No. 2020-170, which was approved by City Council on July 28, 2020.

An updated rate study was undertaken to ensure sufficient funding for planned projects.

Discussion

The revised Solid Waste Rate Study reflects anticipated cost of the planned construction program and operations, which are detailed in tonight's presentation.

With regards to rates, the Public Works Department's primary goal is to minimize the monthly rate paid by each customer. Staffing levels, training, scheduling of projects and various other activities are done with this goal in mind.

The final report includes average recommended transfer station rate increases for fiscal years 2022 through 2030.

October 1, 2022- 3.57%
October 1, 2023- 2.75%
October 1, 2024- 2.75%
October 1, 2025- 2.75%
October 1, 2026- 2.75%
October 1, 2027- 2.75%
October 1, 2028- 2.75%
October 1, 2029- 2.75%
October 1, 2030- 2.75%

Each year of rate adjustments will be considered by City Council through the Fee Schedule.

Conclusion

This item is presented to the City Council to allow for any questions to be answered and to create a greater understanding of the issue at hand.



Transfer Station Evaluation Study

June 8, 2021

SCS ENGINEERS

About Us

Project Team

- Ken Armentrout - Project Engineer
- Max Hartong - Financial Analyst
- Mike Kalish - Project Director
- Vita Quinn - Project Director
- Joel Stenberg - Project Engineer
- Spencer Wilkins - Data Analyst

Project Objectives

Review Existing Transfer Station and Operations

- Meet Current Needs
- Potential Growth
- Improvements

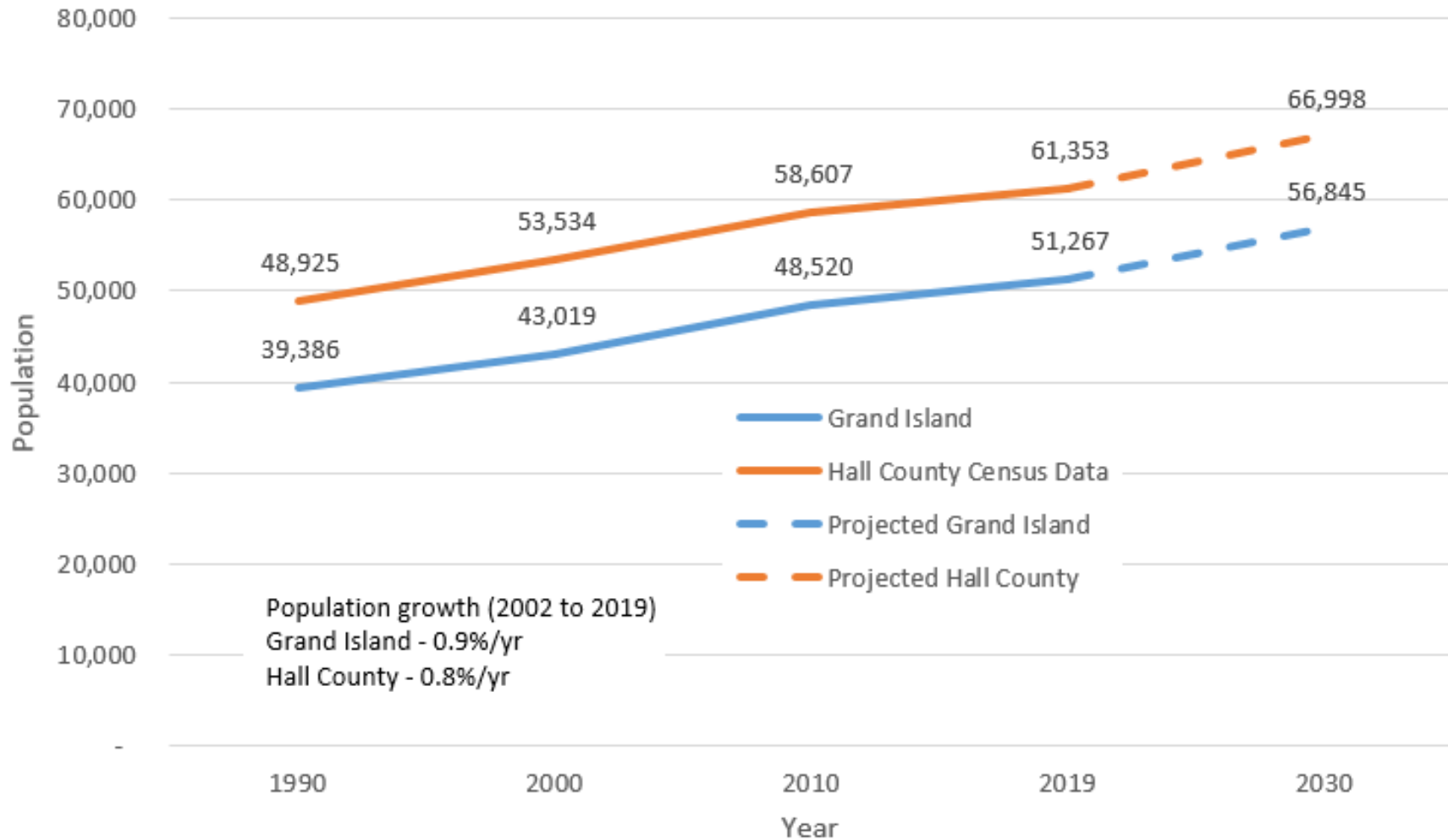
Possible Infrastructure and Operational Improvements

- Existing MSW Transfer Station with Improvements
- New MSW Transfer Station

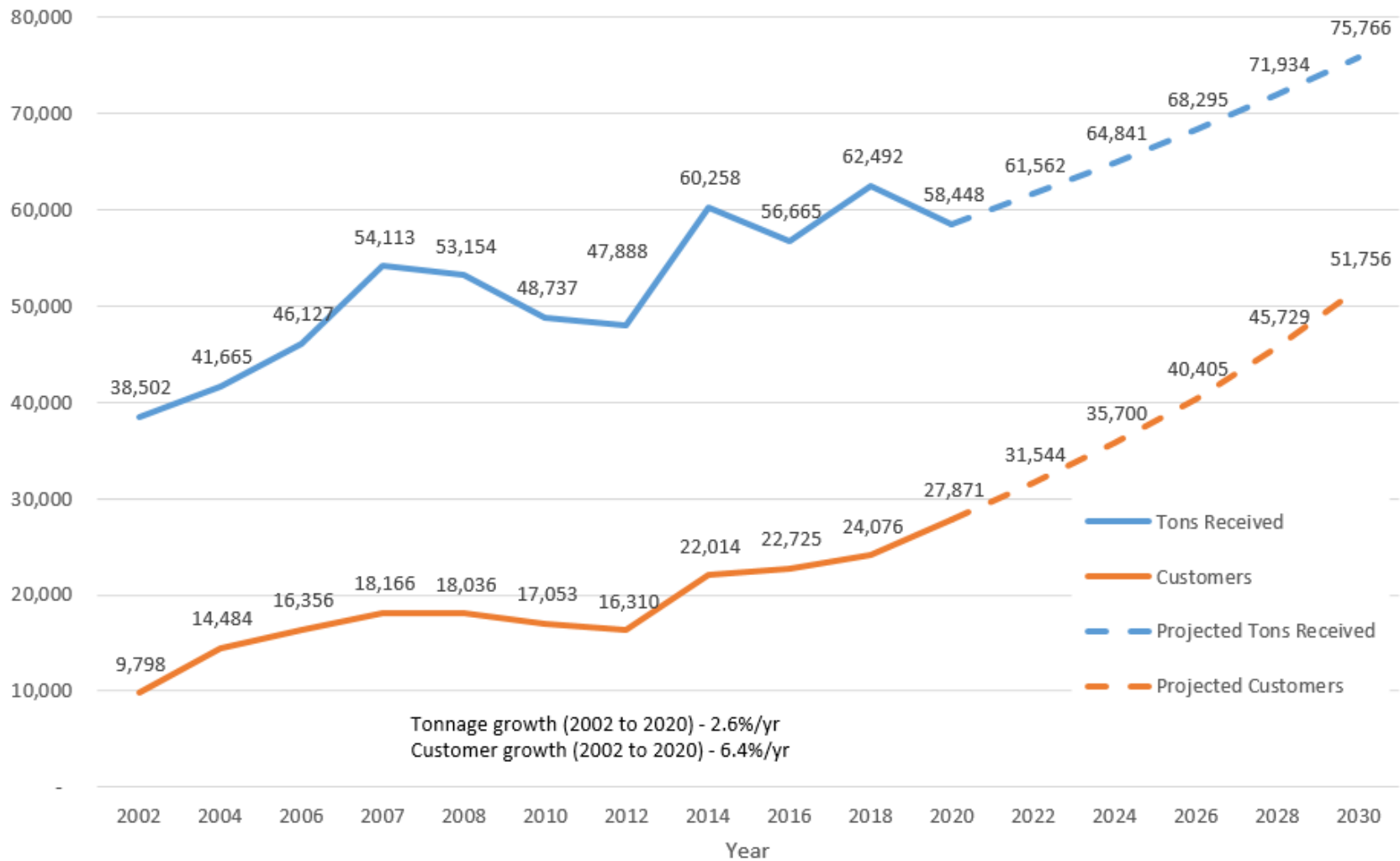
Key Issues - Technical

- Market and Operational Growth
- Operations
- Existing Infrastructure
- Safety
- Customer Experience
- Cost

Market Growth



Operational Growth



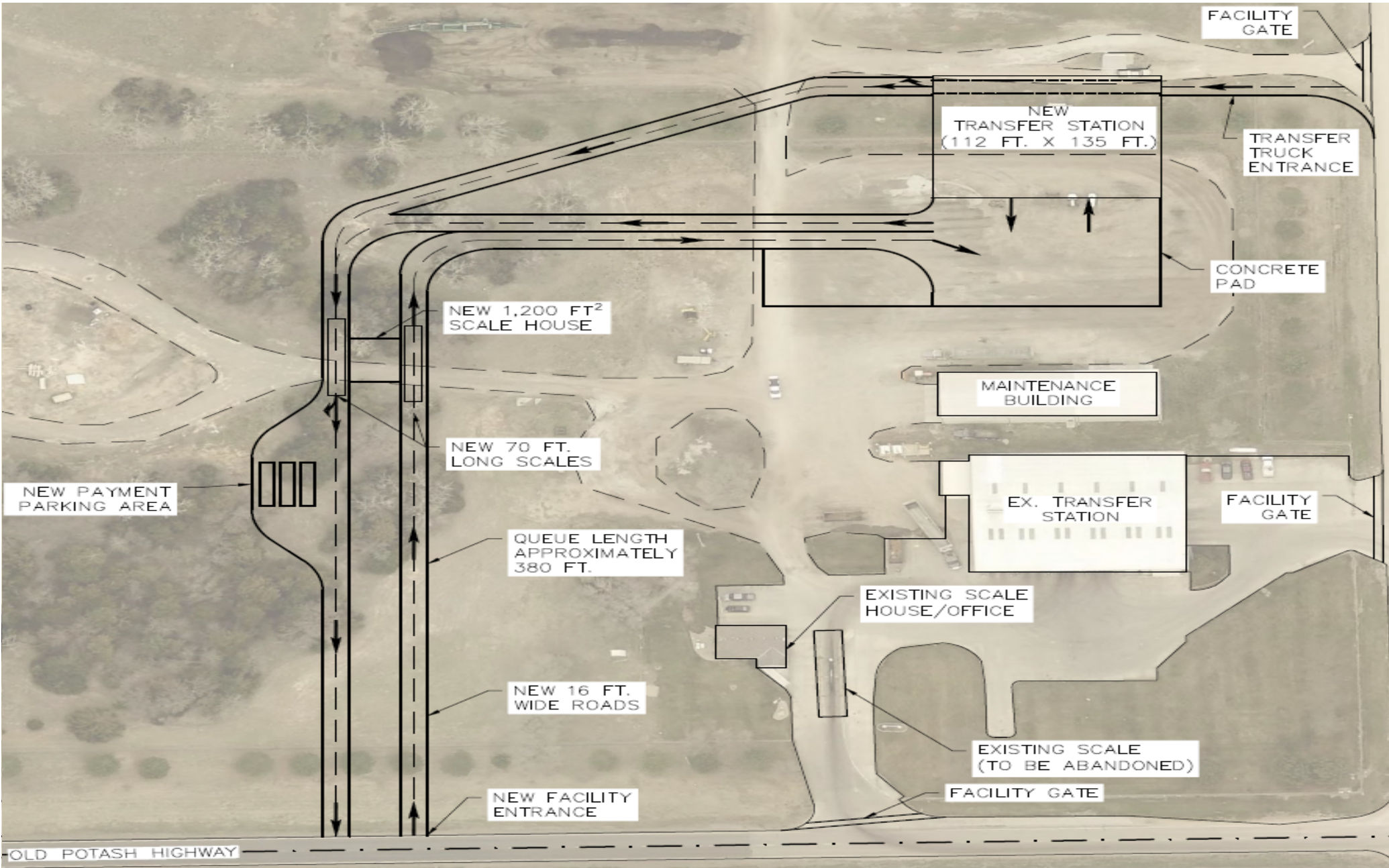
New MSW Transfer Station

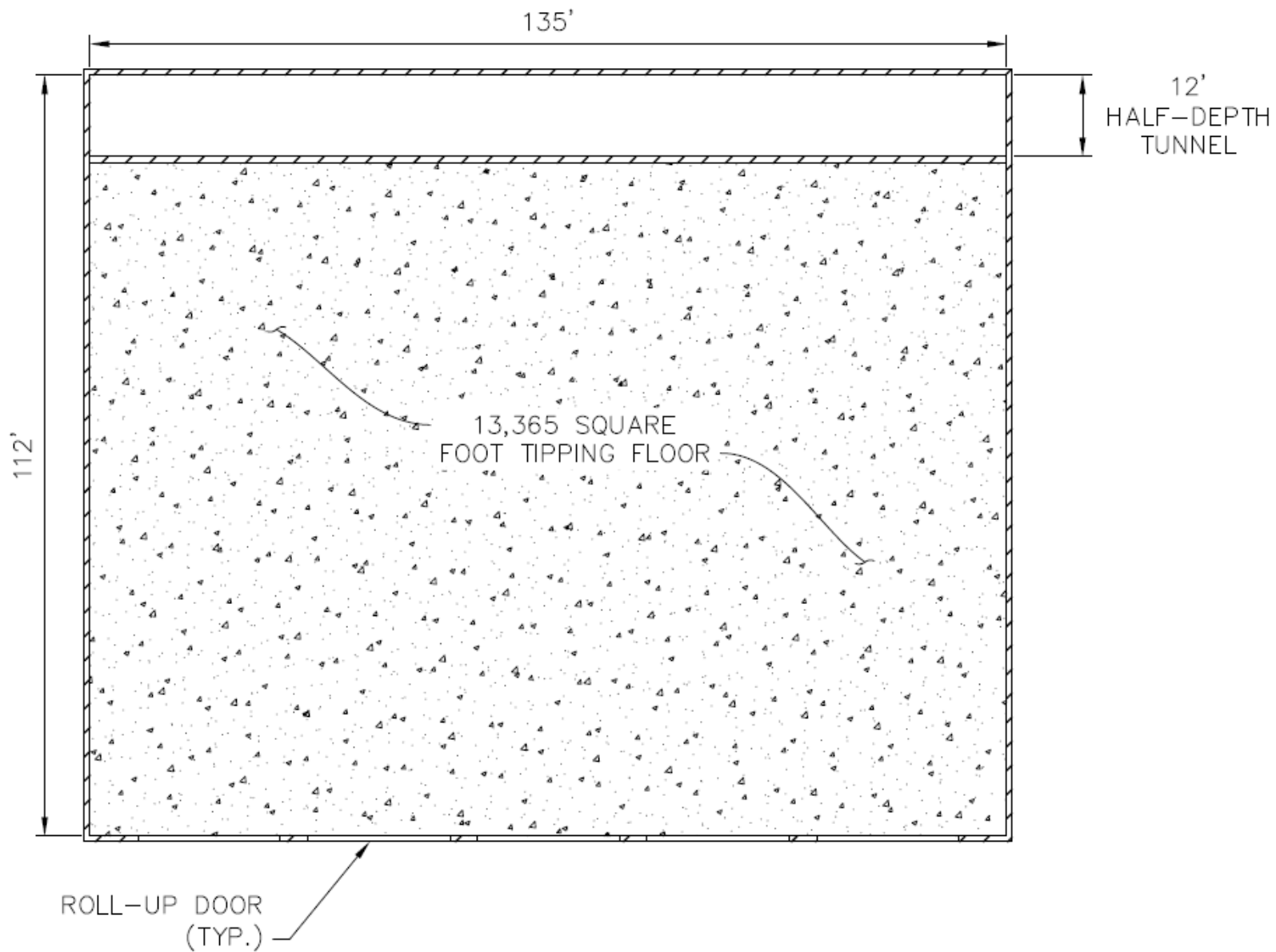
- Advantages

- Better traffic flow
- Safety improvements (taller ceilings, more ambient light)
- New transfer station building to extend useful life
- New 13,365 SF tipping floor with 5 functional bays
- Enough que length for all customer types in average condition and each individual customer traffic type at peak condition
- New scale house and inbound/outbound scales

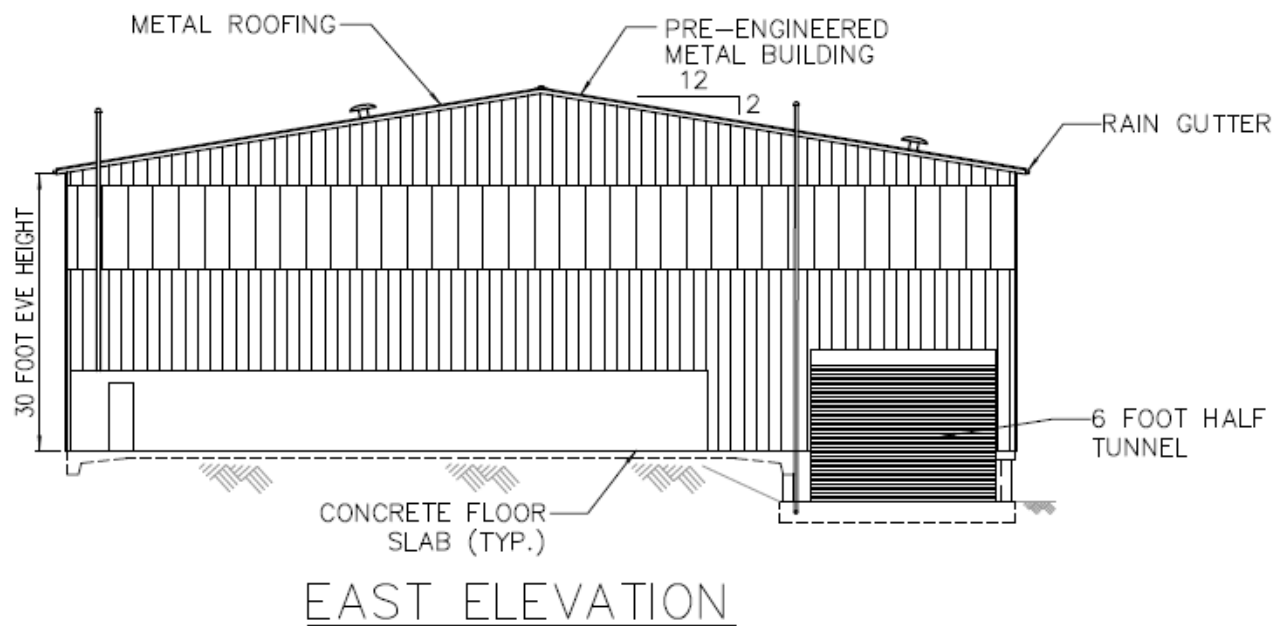
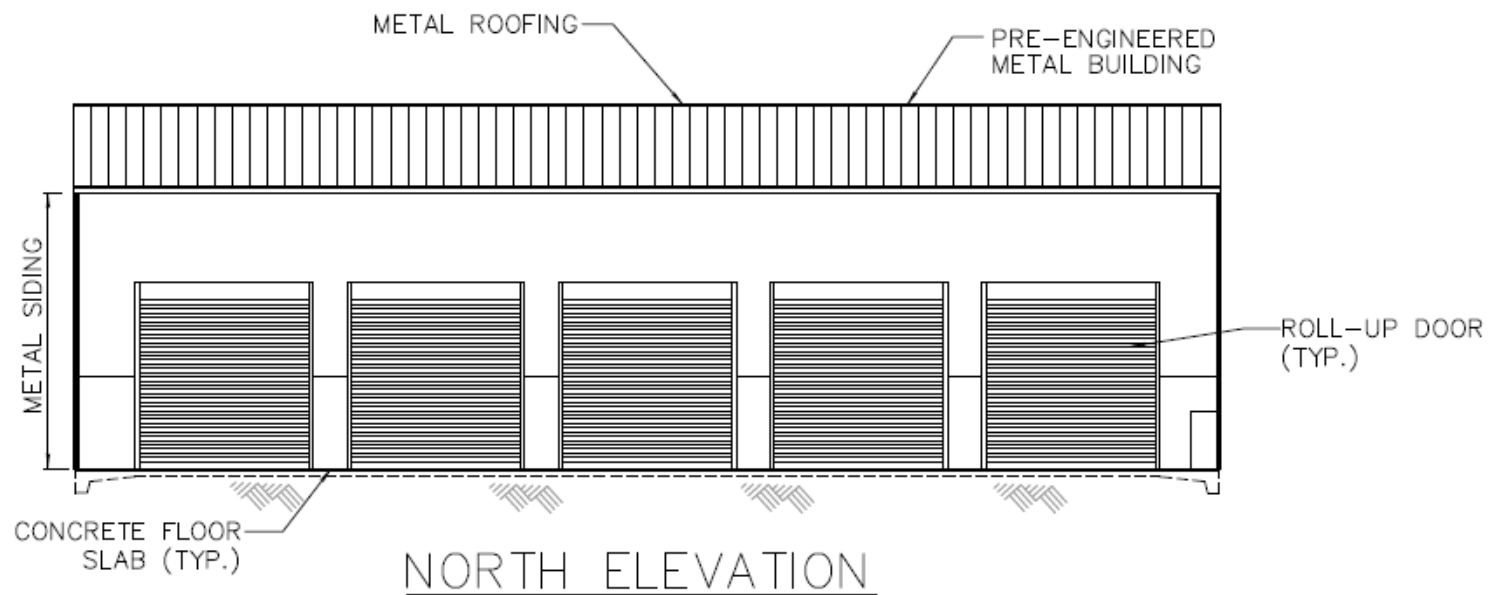
- Disadvantages

- Higher capital cost - \$4.2 million





CONCEPT FLOOR PLAN



Key Issues - Financing

- Large capital investment in transfer station improvements
- Desire for operations to be financially sustainable and to minimize rate increases

These all put pressure on tipping fees



Data

- FY 2020 Budgets
- Historical tonnage data
- Beginning Fund Balances
- Capital Improvement Program
- Fleet and Personnel Data

This data was then brought into our
revenue sufficiency model

Determining Revenue Sufficiency

Cash Flow Model If...

Cash in > Cash Out

- Cash Flow Surplus
- Fund Balance Increases

Sustainable

Cash in < Cash Out

- Cash Flow Deficit
- Fund Balance Decreases

Not Sustainable

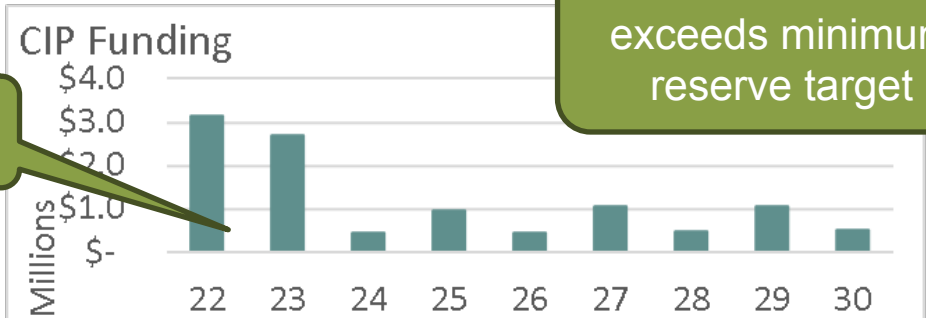
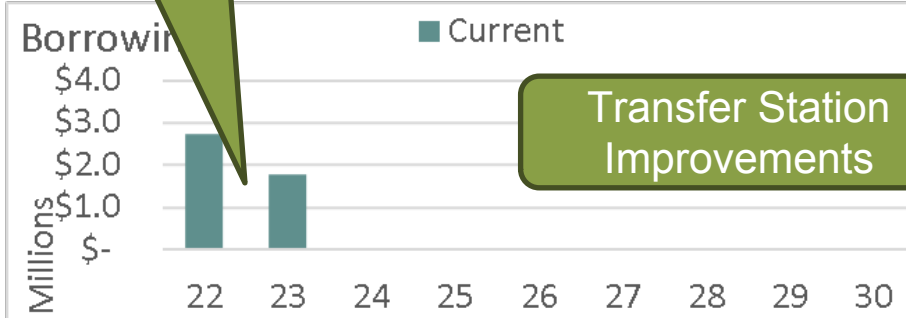
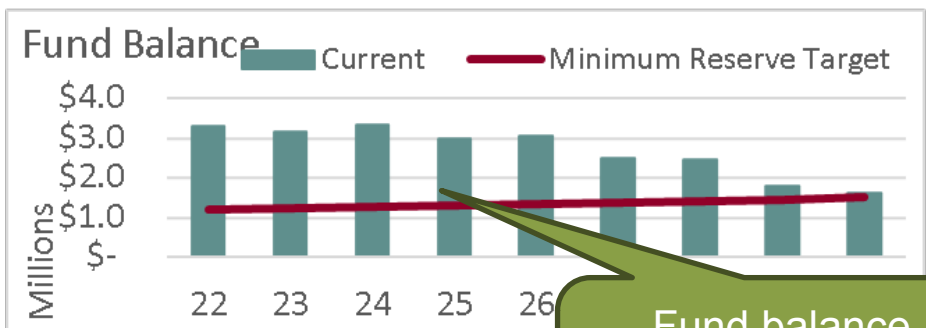
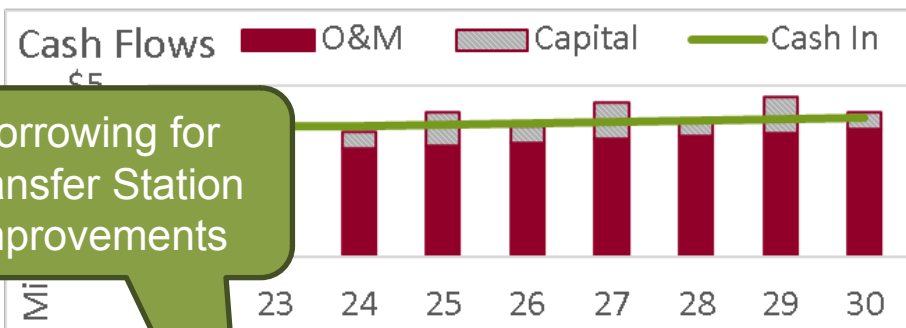
Debt Funded Improvements - New Transfer Station

Grand Island, NE

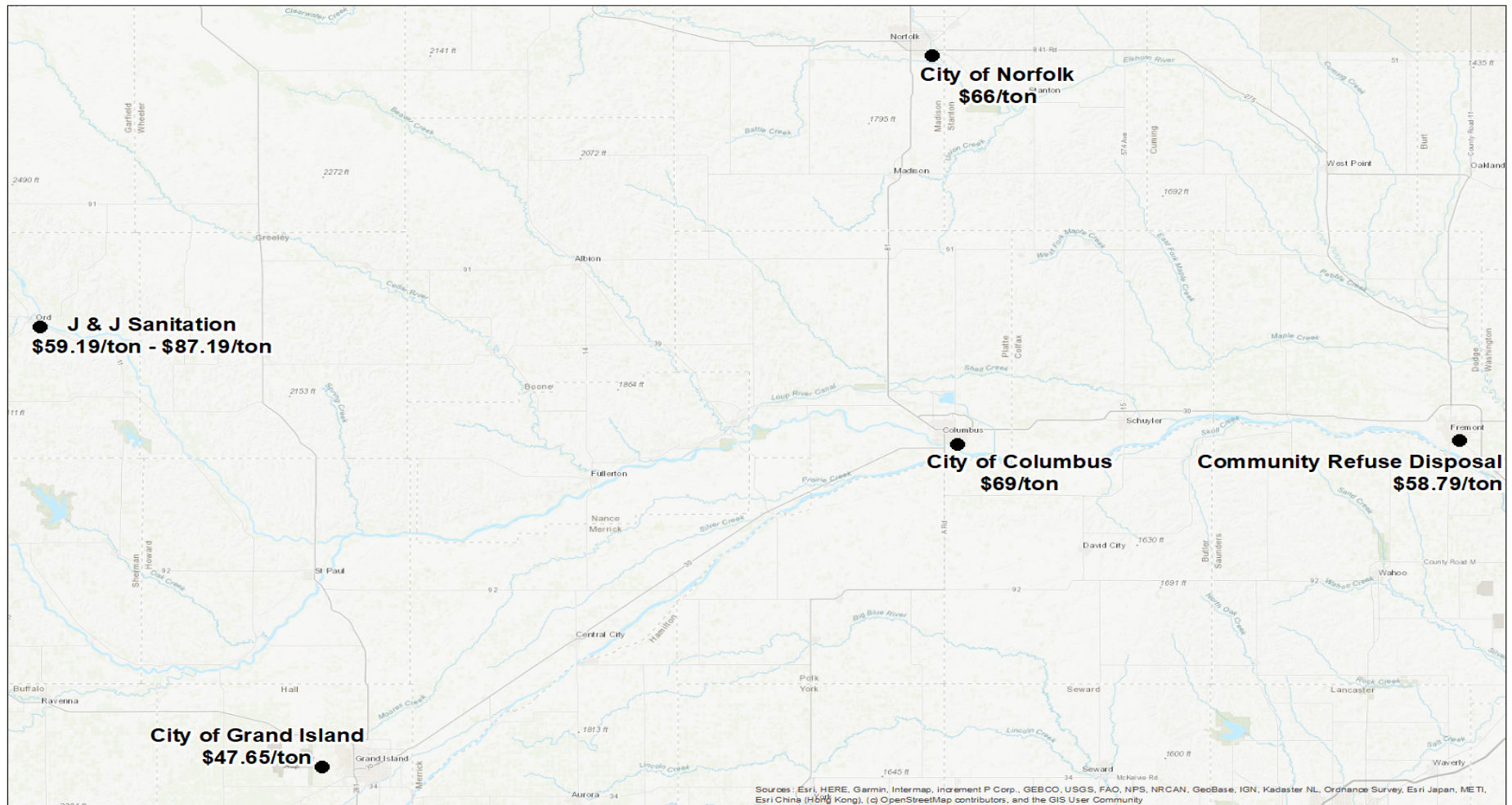
Scenario D - Debt Funded Transfer Station Improve

3.57% increase in FY 2022
and 2.75% annual
adjustments thereafter

	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Revenue Adjustment \$M	\$0.05	\$0.04	\$0.04	\$0.04	\$0.04	\$0.05	\$0.05	\$0.05	\$0.05
Revenue Adjustment %	3.57%	2.75%	2.75%	2.75%	2.75%	2.75%	2.75%	2.75%	2.75%
Cash Funded Capital	\$3.14	\$2.70	\$0.47	\$0.97	\$0.46	\$1.08	\$0.50	\$1.05	\$0.51
Transfer Station Compacted Rate	\$38.34	\$39.40	\$40.48	\$41.59	\$42.74	\$43.91	\$45.12	\$46.36	\$47.63



Transfer Station Fee Comparison



Tipping rates shown are for unlicensed haulers.

Questions?

Contact Information

Vita Quinn

Phone: 386-546-7719

Email: vquinn@scsengineers.com

Joel Stenberg

Phone: 402-938-0320

Email: jstenberg@scsengineers.com



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item E-1

Public Hearing on Zoning Change for Property located South of Brookline Drive and East of Bellwood Drive from R2 Low Density Residential to B2 General Business. (Richard Larson)

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

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP Director

Meeting: June 8, 2021

Subject: Rezone from R2 Low Density Residential to B2 General Business Zone

Presenter(s): Chad Nabity, AICP Director

Background

An application has been made to rezone a tract of land consisting of Lot 31 of Matthew's Subdivision in Grand Island, Hall County, Nebraska from R2 Low Density Residential to B2 General Business Zone. This property is in the south of Brookline Drive and east Bellwood Drive extended.

Discussion

This property is zoned R2 Low Density Residential. This property is planned for commercial development based on the 2004 Comprehensive Plan.

At the regular meeting of the Regional Planning Commission, held May 5, 2021 the above item was considered following a public hearing.

O'Neill opened the public hearing:

Nabity stated the property is located on Brookline Drive east of Bellwood Drive. The Future Land Use Map shows the proposed property has been designated possible commercial uses. The request is a change of zoning from R2 – Low Density Residential to B2 - General Business Zone. The proposal is consistent with the comprehensive plan and staff recommends approval.

No members of the public had comments.

O'Neill closed the hearing:

A motion was made by Ruge and second by Olson to recommend approval of a change in zoning for Lot 31 of Matthews Subdivision in Grand Island, Hall County, Nebraska from R2-Low Density Residential to B2 General Business.

The motion carried with nine members voting yes (Nelson, O'Neill, Ruge, Olson, Rainforth, Rubio, Hendricksen, Randone and Doane) and no members voting no.

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

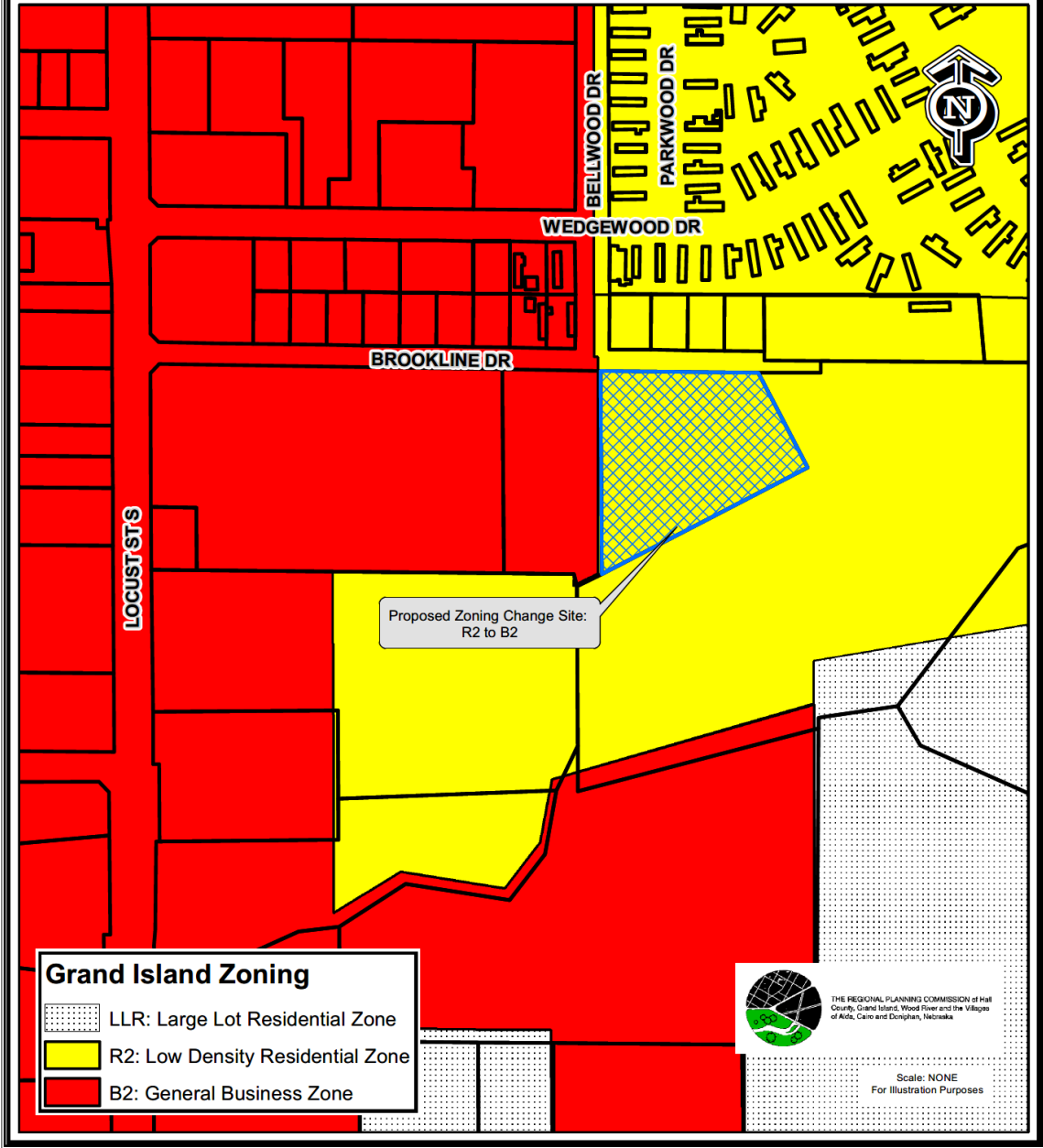
City Administration recommends that the Council approve the proposed changes as recommended.

Sample Motion

Move to approve the ordinance as presented.

**Proposed Zoning Change
Revised Location Map**

Part of Lot 31 Matthews Sub



Agenda Item 4

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

April 27, 2021

SUBJECT: *Zoning Change* (C-15-2021GI)

PROPOSAL: Richard Larson is requesting a change of zoning be considered for property located on Brookline Drive east of Bellwood Drive extended.t. An application has been made to rezone Lot 31 of Matthews Subdivision from **R2** Low Density Residential to **B2** General Business Zone.

OVERVIEW:

Site Analysis

Current zoning designation: **R2-** Low Density Residential

Permitted and conditional uses: **R2:** Residential uses at a density of 7 dwelling units per acre with 35% coverage, recreational uses, educational and religious uses along with agricultural uses

Comprehensive Plan Designation: General Commercial

Existing land uses. Vacant

Proposed Zoning Designation **B2-** General Business Zone

Intent of zoning district: **B2:** The intent of this zoning district is to provide for the service, retail and wholesale needs of the general community. This zoning district will contain uses that have users and traffic from all areas of the community and trade areas, and therefore will have close proximity to the major traffic corridors of the City. Residential uses are permitted at the density of the (R-4) High Density Residential Zoning District.

Permitted and conditional uses: **B2:** Residential uses at a density of up to 43 units per acre, a variety of commercial, retail, office and service uses.

Adjacent Properties Analysis

Current zoning designations: **North, South and East: R2-** Low Density Residential, **West: B2-** General Business Zone with an AC Arterial Commercial Overlay

Intent of zoning district: **R2:** The intent of this zoning district is to provide for residential uses at a maximum density of seven dwelling units per acre with supporting community facilities.

B2: The intent of this zoning district is to provide for the service, retail and wholesale needs of the general

community. This zoning district will contain uses that have users and traffic from all areas of the community and trade areas, and therefore will have close proximity to the major traffic corridors of the City. Residential uses are permitted at the density of the (R-4) High Density Residential Zoning District.

Permitted and conditional uses:

R2: Residential uses at a density of 7 dwelling units per acre with 35% coverage, recreational uses, educational and religious uses along with agricultural uses

B2: Residential uses at a density of up to 43 units per acre, a variety of commercial, retail, office and service uses.

Existing land uses:

North: Residential
South: Wood River
East: Residential
West: Commercial

EVALUATION:

Positive Implications:

- *Consistent with the City's Comprehensive Land Use Plan:* The subject property is designated for General Commercial uses at this location.
- *Consistent with the existing Commercial development:* This property is adjacent to a high volume corridor; the proposal will act as traffic barrier for residential neighborhoods.
- *Consistent with existing uses:* This change is consistent with the existing uses in the area.

Negative Implications:

- *None foreseen.*

Other Considerations

This proposal is consistent with the 2004 comprehensive plan. The proposed property has been designated possible commercial uses as shown below on the Future Land Use Map for the City of Grand Island.

RECOMMENDATION:

That the Regional Planning Commission recommends that the Grand Island City Council change the zoning on this site from R2 –Low Density Residential to B2 General Business.

_____ Chad Nabity

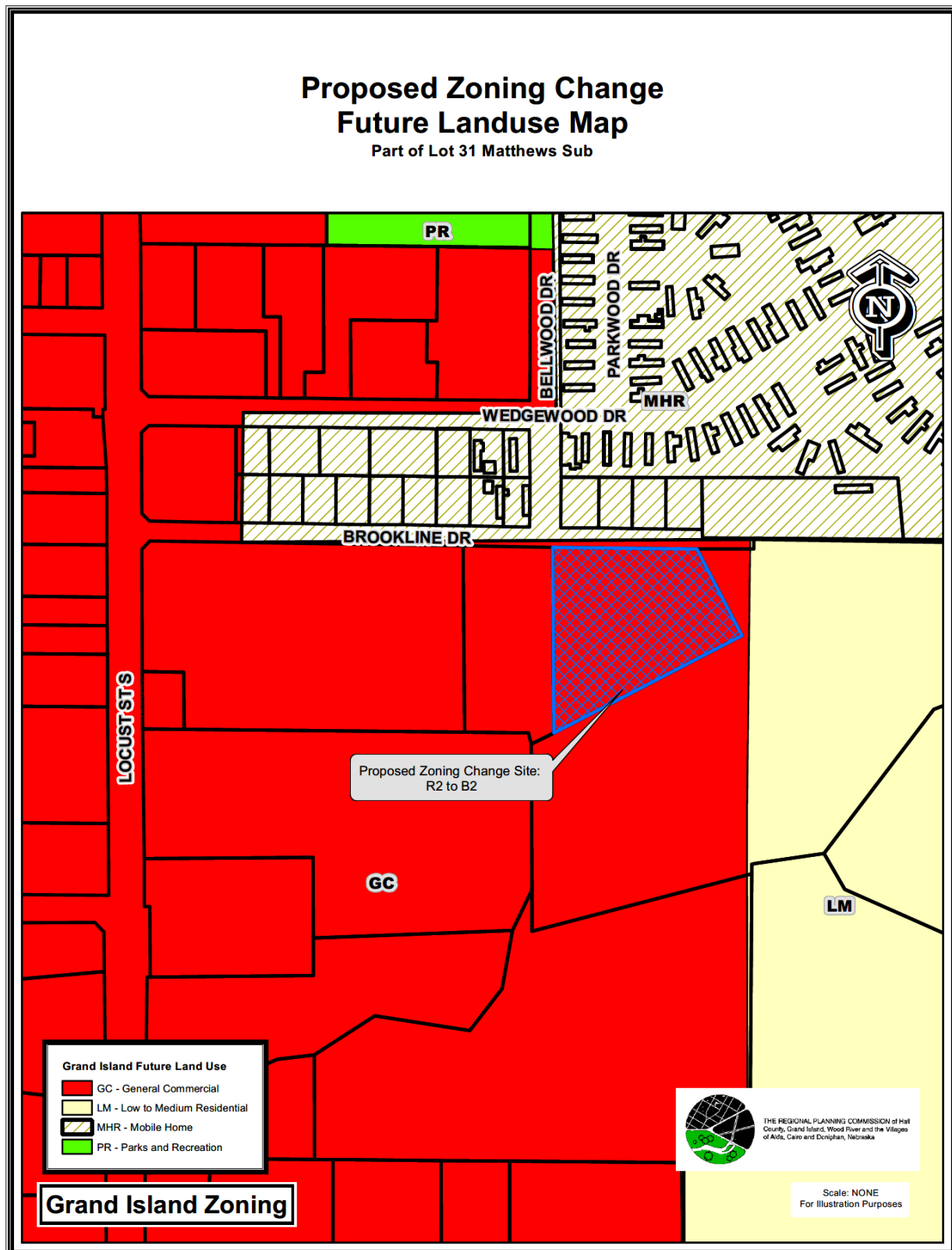


Figure 1 Future Land Use Map from the Grand Island Comprehensive Plan



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item E-2

Public Hearing on Acquisition of Utility Easement - 5620 N. Quandt Road (Darlene Ann Niemoth)

Council action will take place under Consent Agenda item G-4.

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Tim Luchsinger, Utilities Director
Stacy Nonhof, Interim City Attorney

Meeting: June 8, 2021

Subject: Acquisition of Utility Easement – 5620 N. Quandt Road
(Well 103) - Niemoth

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 a ten (10.0) foot utility easement relative to the property of Darlene A. Niemoth, located through a part of the North Half of the Northeast Quarter (N ½, NE ¼), of Section Twenty-Three (23), Township Twelve (12) North, Range Nine (9) West, of the 6th PM, Hall County, Nebraska (5620 N. Quandt Road) in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

Darlene Niemoth and Jared Leiser have requested to have the 13.8 kV 3-phase overhead power line relocated to accommodate a pivot location. The existing line from the north (One-R Road) will be removed and approximately 2,643 linear feet of 13.8 kV 3-phase overhead line will be installed from the east (Quandt Road) to accommodate the relocation of the well service. The proposed easement will allow the Utilities Department to install, access, operate, and maintain the electrical infrastructure at this location.

Alternatives

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

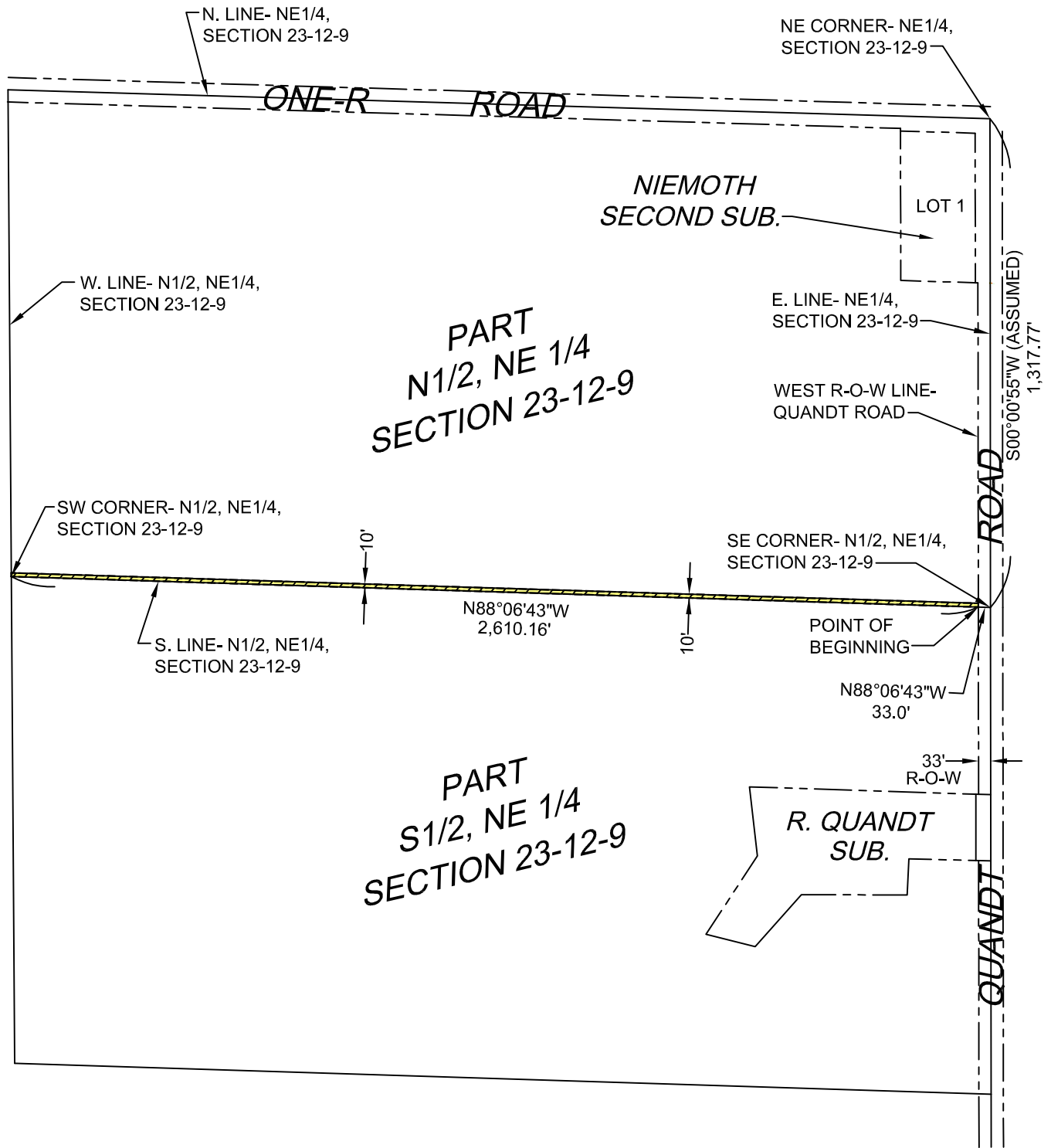
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

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.



LEGEND



INDICATES 10' WIDE
UTILITY EASEMENT



CITY OF
GRAND ISLAND
UTILITIES DEPARTMENT

EXHIBIT "A"



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item F-1

#9827 - Consideration of Approving Zoning Change for Property located South of Brookline Drive and East of Bellwood Drive from R2 Low Density Residential to B2 General Business. (Richard Larson)

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

Staff Contact: Chad Nabity

ORDINANCE NO. 9827

An ordinance rezoning a certain tract of land within the zoning jurisdiction of the City of Grand Island; changing the land use classification of Lot 31 of Matthew's Subdivision in City of Grand Island, Hall County, Nebraska, from R-2 Low Density Residential to B-2 General Business as more particularly described below; 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 May 5, 2021, 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 June 8, 2021, 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-2 Low Density Residential to B-2 General Business Zone;

A TRACT OF LAND CONSISTING OF LOT THIRTY-ONE (31) MATTHEW'S IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

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.

Approved as to Form	▣ _____
June 3, 2021	▣ City Attorney

ORDINANCE NO. 9827 (Cont.)

SECTION 2. 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.

Enacted: June 8, 2021

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item F-2

#9828 – Consideration of Amending Chapter 22-103 of the Grand Island City Code Relative to Parking Fines

Staff Contact: Stacy Nonhof, Assistant City Attorney

Council Agenda Memo

From: Stacy R. Nonhof, Interim City Attorney

Meeting: June 8, 2021

Subject: Amending Chapter 22 of City Code to Amend the Fine for Parking Violations

Presenter(s): Stacy R. Nonhof, Interim City Attorney

Background

The minimum fine under the City's Waiver Fine Schedule is currently twenty-five (\$25.00) dollars. GIPD has asked that the parking fine be made the same as the minimum fine of all other City Code violations.

Discussion

This ordinance amends Chapter 22 of City Code, Parking Fines to increase the fine from \$20.00 to \$25.00. This ordinance makes the City parking fine the same as the minimum fine on the City's Waiver Fine 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 Ordinance amending Chapter 22 of City Code.

Sample Motion

Move to approve the Ordinance.

ORDINANCE NO. 9828

An ordinance to amend Chapter 22 of Grand Island City Code; to amend Section 22-103; to clarify and/or make general corrections to various code sections, to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 22-103 of the Grand Island City Code is hereby amended to read as follows:

§22-103. Parking Fines

Parking violators of this article or Article XII of this chapter shall pay a fine of twenty-five dollars (\$25.00) for each violation. Fines must be paid at the Police Department.

SECTION 2. Any ordinance or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: June 8, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 3, 2021	☐ City Attorney



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item F-3

#9829 – Consideration of Amending Chapter 16 of the Grand Island City Code Relative to Fireworks

Staff Contact: Cory Schmidt, Fire Chief

Council Agenda Memo

From: Fred Hotz, Fire Prevention Division Chief

Meeting: June 8, 2021

Subject: Request to Amend Chapter 16 of the Grand Island City Code Relative to Fireworks Sales

Presenter(s): Fred Hotz, Fire Prevention Division Chief

Background

May 5th, 2021 the Governor signed into legislation LB 152 which made changes to the allowed fireworks sales. With the emergency clause, it became law on May 10. The ordinance language for the sale of fireworks in Grand Island immediately became outdated. Chapter 16 ordinance language currently references permissible fireworks. By definition, this permissible list created by the State Fire Marshal's office identified each acceptable (permissible) firework. This list will no longer be created by the State Fire Marshal's office.

Discussion

This Ordinance will amend Chapter 16 of City Code to coincide with the State of Nebraska new fireworks sales statutes. Below is synopsis of the impact by the change:

- State statute 28-1241 has updated references with a 1-1-21 date to Federal CFR requirements for fireworks. As before only fireworks labeled as 1.4G (consumer fireworks) are acceptable for sale in Nebraska – and now the only 1.4G fireworks that remain prohibited are wire sparklers.
- Bottle rockets are now legal to purchase in Nebraska (1.4G)
- Firecrackers with explosive composition exceeding 50 milligrams are not 1.4G and are not acceptable for sale. Traditional M-80's and Cherry Bombs are still not legal in Nebraska as they are not 1.4G products
- Note that there is a firecracker called 'M-80' that has been sold in Nebraska for several years. This is a legal product as it does not

contain more than 50 milligrams of explosive composition. It is a regular firecracker and has a 1.4G label

- The State Fire Marshal's Office can prohibit specific fireworks as a response to complaints after testing
- Display fireworks (commercial) are labeled as 1.3G explosives and cannot be sold to the public
- Local jurisdictions can continue to enforce ordinances more restrictive than state law

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 changes to Chapter 16 of City Code.

Sample Motion

Move to approve ordinance approving changes to Chapter 16 of Grand Island City Code.

ORDINANCE NO. 9829

An ordinance to amend Chapter 16 of Grand Island City Code ; to amend Sections 16-12, 16-13, 16-15, 16-16, 16-20 and Section 16-22; to clarify and/or make general corrections to various code sections, to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Sections 16-12, 16-13, 16-15, 16-16, 16-20 and Section 16-22 of the Grand Island City Code is hereby amended to read as follows:

§16-12. Generally

It shall be unlawful for any person to possess, sell, offer for sale, bring into this City, or discharge any pyrotechnics, commonly known as fireworks other than ~~permissible~~ consumer fireworks; provided, that the provisions of this section shall not apply to:

- (1) Any fireworks for purposes of public exhibitions or displays purchased from a licensed distributor or the holder of a display license to be issued by the State Fire Marshal, which license shall be good only for the calendar year in which issued and which shall not authorize the holder to sell or hold for sale any ~~permissible~~ consumer fireworks as defined in §16-20 or any firecrackers of any description, whether soft shell or hard shell;
- (2) Any public exhibition or display under the auspices of the City of Grand Island;
- (3) Any fireworks brought into this state for storage by a licensed distributor and held for sale outside of this State;
- (4) Any fireworks furnished for agricultural purposes pursuant to written authorization from the State Fire Marshal to any holder of a distributor's license; or
- (5) Toy cap pistols or toy caps each of which does not contain more than twenty-five hundredths of a grain of explosive material.

§16-13. Permit to Sell Fireworks

It shall be unlawful for any person to sell or offer for sale ~~permissible~~ consumer fireworks in the City without first making application to the Fire Administration Office (City Hall) for a permit and receiving a permit to do so from the Life Safety Division. Permits shall require that applicants disclose any location within the geographic boundaries of the City where they are storing fireworks for sale. Permits shall require applicants to offer proof of a valid liability insurance policy of at least one million dollars (\$1,000,000.00) naming the City as an additional insured party. This policy must be in full force and effect for the entire period of lawful fireworks sales as set forth in §16-15. Such permits shall be in accordance with the City of Grand Island Fee Schedule and shall be valid for the calendar year in which issued, and shall at

Approved as to Form	☐ _____
June 2, 2021	☐ City Attorney

ORDINANCE NO. 9829(Cont.)

all times be displayed at the place of business of the holder thereof. Such permits shall not be transferable.

§16-15. Dates and Times of Lawful Sale

~~Permissible~~ Consumer fireworks may be sold or offered for sale in the City of Grand Island on June 28 through and including July 4 of each year. ~~Permissible~~ Consumer fireworks may only be sold during the following times:

June 28 through July 2 – 8:00 a.m. to 10:00 p.m.

July 3 – 8:00 a.m. to 11:00 p.m.

July 4 – 8:00 a.m. to midnight

§16-16. Temporary Fireworks Stands

Any person having obtained a permit to sell ~~permissible~~ consumer fireworks may sell or offer for sale such fireworks only from a temporary stand or enclosure erected or placed on real estate for that purpose. No fireworks shall be sold from permanent buildings or structures in the City. If fireworks are to be sold from a temporary stand or enclosure, such stand or enclosure shall be of wood or steel frame construction covered with metal or wood. Any temporary enclosure or stand shall be permitted only in those areas of the City zoned for business or manufacturing, and only after a permit is obtained from the Life Safety Division for the erection or placement of such temporary enclosures or stands. Such temporary enclosures or stands shall be permitted to remain on real estate where ~~permissible~~ consumer fireworks are sold for only the period beginning on June 22 through and including July 9 of each year. Any such temporary stand or enclosure shall not be located closer than twenty-five feet from any building, and at least one hundred feet from any station where gasoline and oil for motor vehicles is sold. Such temporary stand or enclosure shall not exceed five hundred square feet in size. Such temporary enclosures shall only be permitted as an accessory to a permitted principal use on improved property, no vacant lots shall be utilized for sale of fireworks. Temporary stands with customer openings adjacent to a public street or sidewalk shall maintain a ten (10) foot setback to protect customers from traffic on the adjacent street or sidewalk.

§16-20. Definitions

~~Permissible Consumer fireworks~~ shall mean ~~only sparklers, vesuvius fountains, spray fountains, torches, color fire cones, star and comet type color aerial shells without explosive charge for the purpose of making a noise, firecrackers not to exceed two inches in length and three eighths of an inch in diameter, total pyrotechnic composition not to exceed 50.0 milligrams each in weight, color wheels, and any other fireworks approved under~~ Neb. Rev. Stat. §§28-1241(7) and 28-1247. See also *Rules and Regulations concerning fireworks in the State of Nebraska Administrative Code, Title 157*.

ORDINANCE NO. 9829(Cont.)

Consumer fireworks not permitted include wire sparklers and any other fireworks that have been tested by the Nebraska State Fire Marshal as a response to complaints and deemed to be unsafe.

Person as used in this Article shall include any person, firm, partnership, association of persons, or corporation.

Sale shall include barter, exchange, or gift or offer therefor, and each such transaction made by any person whether as principal, proprietor, agent, servant, or employee.

§16-22. Discharge of Fireworks

Permissible Consumer fireworks may be discharged, exploded, or used in the City of Grand Island on June 28 through and including July 4 of each year; provided that on such days the discharge and explosion of fireworks shall be permitted during the following times:

June 28 through July 2	8:00 a.m. to 10:00 p.m.
July 3	8:00 a.m. to 11:00 p.m.
July 4	8:00 a.m. to midnight

The discharge of fireworks within the City of Grand Island on any dates or times other than as set out in this section shall require a permit from the Life Safety Division. Public exhibition applications shall be accompanied by documentation of a display license issued by the State Fire Marshal. Private party display applications will not require a State Fire Marshal license, but displays will be limited to permissible consumer fireworks as described in §16-20 of this Article. Applicant shall also show that there will not be any substantial danger to people or property. Factors that will be considered when reviewing an application will include, but not be limited to, where the fireworks will be discharged, the procedures used to discharge the fireworks and the qualifications of the individuals discharging the fireworks.

SECTION 2. Any ordinance or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. 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. 9829(Cont.)

Enacted: June 8, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item G-1

Approving Minutes of May 25, 2021 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

May 25, 2021

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 May 25, 2021. Notice of the meeting was given in *The Grand Island Independent* on May 19, 2021.

Mayor Roger G. Steele called the meeting to order at 7:00 p.m. The following City Council members were present: Michelle Fitzke, Bethany Guzinski, Mitch Nickerson, Chuck Haase, Vaughn Minton, Maggie Mendoza, Jason Conley, Mike Paulick and Mark Stelk. Councilmember Justin Scott was absent. The following City Officials were present: City Administrator Jerry Janulewicz, City Clerk RaNae Edwards, Finance Director Patrick Brown, Interim City Attorney Stacy Nonhof and Public Works Director John Collins.

PRESENTATION:

Budget Review. Finance Director Patrick Brown stated Year to date (YTD) Sales Tax receipts for the General Fund were down 1.3% or \$107,000. YTD Property Tax revenue were 1.9% more than the same period last year. YTD Licenses & Permits receipts were up 14.9% over the same period last year. This increase was due to one large permit for Tabatha, Inc. for \$145,000 and the overall rising costs of construction. Motor Vehicle Sales Tax and Motor Vehicle Tax revenues were up 17.6% or \$218,000 for the FY 2021. Food and Beverage Occupation tax were up \$46.3% or \$74,000. Rental Car Occupation Tax were up by 9.6% and the Hotel Occupation Taxes were up 70% over last March but were currently down year to date by 13.4%.

Mr. Brown answered questions concerning the ARC Funds and property tax levy. Tom O'Neill, 2017 Barbara Avenue thanks the City employees for all their hard work during the pandemic.

PUBLIC HEARINGS:

Public Hearing on Request from Chipotle Mexican Grill, Inc. dba Chipotle Mexican Grill 26-3809, 3440 W. State Street for a Class "I" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "I" Liquor License had been received from Chipotle Mexican Grill, Inc. dba Chipotle Mexican Grill 26-3809, 3440 W. State Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 23, 2021; notice to the general public of date, time, and place of hearing published on May 15, 2021; notice to the applicant of date, time, and place of hearing mailed on April 23, 2021. Staff recommended approval contingent upon final inspections. John Latka, 409 South 17th Street, Omaha, Nebraska legal counsel for Chipotle Mexican Grill spoke in support. No further public testimony was heard.

Public Hearing on Request from Eddies Esquina, LLC dba Eddies Esquina, 417 N. Sycamore Street for a Class "D" Liquor License. City Clerk RaNae Edwards reported that an application

for a Class "I" Liquor License had been received from Eddies Esquina, LLC dba Eddies Esquina, 417 N. Sycamore Street for a Class "D" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 29, 2021; notice to the general public of date, time, and place of hearing published on May 15, 2021; notice to the applicant of date, time, and place of hearing mailed on April 29, 2021. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Amendment to the Redevelopment Plan for CRA No. 2 located at 1607 South Locust Street (Bosselman Real Estate LLC). Regional Planning Director Chad Nabity reported that Bosselman Real Estate LLC had submitted an application to amend their approved plan for tax increment financing at their corporate office located at 1607 South Locust Street. The original redevelopment plan for this property approved on September 8, 2015 proposed the development of a 100 room hotel to the west of the corporate office building. Changes in the market for hotel space have caused Bosselman's to reexamine the plan and they are now proposing a quick serve restaurant at this location. Staff recommended approval. Rich Ost diek, 4136 Michigan Avenue spoke in support. No further public testimony was heard.

Public Hearing on Amendment to the Redevelopment Plan for CRA No. 6 located at 722 North Eddy Street (Ebc Obermiller LLC). Regional Planning Director Chad Nabity reported that Adam Miller (Miller Tire), representing the Ebc Obermiller LLC, the owner of 722 N Eddy Street had submitted an application for tax increment financing to aid in the redevelopment and renovation of this commercial property south of 8th Street and west of Eddy Street. 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:

- #9824 - Consideration of Sale of Property - Abandoned Cleburn Well Site - 360 N. Cleburn
- #9825 - Consideration of Sale of Property - Abandoned Blain Well Site - 1510 N. Illinois
- #9826 - Consideration of Amendments to Chapter 32-25 of the Grand Island City Code Relative to Permit; Fee

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 Paulick seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

- #9824 - Consideration of Sale of Property - Abandoned Cleburn Well Site - 360 N. Cleburn

Utilities Director Tim Luchsinger reported that a request for proposals was advertised on March 31, 2021, for the property described as the South 1/2 of Lot 8, Block 110, Railroad Addition (360

N. Cleburn Street). Proposals were received on May 6, 2021. One offer was received from HLK, LLC, in the amount of \$25,000.00. Staff recommended approval.

Motion by Stelk, second by Nickerson to approve Ordinance #9824.

City Clerk: Ordinance #9824 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 #9824 on second and final reading. All those in favor of this passage of this ordinance on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Steele: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9824 is declared to be lawfully adopted upon publication as required by law.

#9825 - Consideration of Sale of Property - Abandoned Blain Well Site - 1510 N. Illinois

Utilities Director Tim Luchsinger reported that a request for proposals was advertised on March 31, 2021, for the property at Lot 7, Block 2, Blain Addition to the City of Grand Island (1510 N. Illinois). Proposals were received on May 6, 2021. One offer was received from Alfredo Luevano, Jr., and Tina Marie Medano, in the amount of \$500.00. Staff recommended approval.

Motion by Paulick, second by Minton to approve Ordinance #9825.

City Clerk: Ordinance #9825 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 #9825 on second and final reading. All those in favor of this passage of this ordinance on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Steele: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9825 is declared to be lawfully adopted upon publication as required by law.

#9826 - Consideration of Amendments to Chapter 32-25 of the Grand Island City Code Relative to Permit; Fee

Public Works Director John Collins reported that this Ordinance would amend Chapter 32 of City Code to have it comply with the City's Fee Schedule. The inspection fee would be the amount set by the Fee Schedule as approved by this Council.

Motion by Guzinski, second by Fitzke to approve Ordinance #9826.

City Clerk: Ordinance #9826 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 #9826 on second and final reading. All those in favor of this passage of this ordinance on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Steele: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9826 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of May 11, 2021 City Council Regular Meeting.

#2021-113 - Approving Request from Chipotle Mexican Grill, Inc. dba Chipotle Mexican Grill 26-3809, 3440 W. State Street for a Class "I" Liquor License and Liquor Manager Designation for Brian Hexsel, 5211 Seward Street, Omaha, Nebraska.

#2021-114 - Approving Request from Eddies Esquina, LLC dba Eddies Esquina, 417 N. Sycamore Street for a Class "D" Liquor License and Liquor Manager Designation for Karina Terrazas, 804 Geddes Street, Grand Island, Nebraska.

#2021-115 - Approving Change Order #1 - Precipitator, Bottom Ash and Boiler Industrial Cleaning - Spring 2021 with Meylan Enterprises, Inc. of Omaha, Nebraska for an Increase of \$5,454.01 and a Revised Contract Amount of \$201,766.00.

#2021-116 - Approving Bid Award - Gas Turbine #2 Lube Oil Replacement with Sapp Bros., Inc. of Grand Island, Nebraska in an Amount of \$186,011.34.

#2021-117 - Approving Change Order #1 for Fire Station 2 Addition with Hackel Construction, Inc. of Ord, Nebraska for an Increase of \$876.09 and a Revised Contract Amount of \$403,176.09.

#2021-118 - Approving Bid Award for Final Clarifier No. 1 Renovation; Project No. 2021-WWTP-3 with Fab Tech Wastewater Solutions, LLC of O'Fallon, Missouri in an Amount of \$192,000.00.

#2021-119 - Approving Bid Award for Mastic Surface Treatment; Project No. 2021-MST-1 with Hall Brothers, Inc. of Marysville, Kansas in an Amount of \$153,604.28.

#2021-120 - Approving Change Order No. 1 for Capital Avenue Drainage Improvements- North Road to Moores Creek; Project No. 2020-D-2 with Van Kirk Bros. Contracting of Sutton, Nebraska for an Extension from May 15, 2021 to June 14, 2021.

#2021-121 - Approving Final Plat and Subdivision Agreement for Norman Acres Subdivision. It was noted that William & Jessica Norman, owners, had submitted the Final Plat and Subdivision Agreement for Norman Acres Subdivision located south of F Road and east of Gunbarrel Road for the purpose of creating 1 lot on 3.02 acres.

#2021-122 - Approving Final Plat and Subdivision Agreement for Highland North Second Subdivision. It was noted that A & H Holdings, LLC, owners, had submitted the Final Plat and Subdivision Agreement for Highland North Second Subdivision for the purpose of creating 26 lots on 4.235 acres.

#2021-123 - Approving Final Plat and Subdivision Agreement for Bosselman Business Park Subdivision. It was noted that Bosselman Real Estate, LLC, owners, had submitted the Final Plat and Subdivision Agreement for Bosselman Business Park Subdivision for the purpose of creating 3 lots on 10.60 acres.

#2021-124 - Approving Subordination Agreement for 209 Cherokee Avenue (Betti Dugger).

#2021-125 - Approving Change Order #1 - Renovation of Stolley Concession Building in Stolley Park with Lyon Pride Roofing, Inc. of Giltner, Nebraska for an Increase of \$5,057.00 and a Revised Contract Amount of \$52,607.50.

RESOLUTIONS:

#2021-126 - Consideration of Approving Amendment to the Redevelopment Plan for CRA No. 2 located at 1607 South Locust Street (Bosselman Real Estate LLC). This item was related to the aforementioned Public Hearing. Staff recommended approval.

Motion by Guzinski, second by Stelk to approve Resolution #2021-126. Upon roll call vote, all voted aye. Motion adopted.

#2021-127 - Consideration of Approving Amendment to the Redevelopment Plan for CRA No. 6 located at 722 North Eddy Street (Ebc Obermiller LLC). This item was related to the aforementioned Public Hearing. Staff recommended approval. Adam Miller, owner (Miller Tire), representing Ebc Obermiller LLC, 722 N Eddy Street answered questions regarding the buffer between properties.

Motion by Haase, second by Conley to approve Resolution #2021-127. Upon roll call vote, all voted aye. Motion adopted.

#2021-128 - Consideration of Renaming Kaufman Park to Amur Plaza. Assistant Finance Director Brian Schultz reported that Amur Equipment Finance, founded in 1996 would like to work with the City and Grow Grand Island in a Public/Private partnership to design and construct the existing “Railside Plaza” and north to South Front Street into an updated park/plaza. The new area would incorporate a permanent stage, permanent bathrooms and new green space. The goal would be to have as much green space as possible and celebrate historic Nebraska including prairie grass. The construction when completed would actually add

additional parking stalls to the immediate area. The anticipated cost of the project scope is approximately \$650,000, Amur is looking to pay up to 50% of the project cost, essentially matching any public funds and grants. They would look to additional private entities to make up any shortfalls of the project. As part of their donation they are requesting that the entire plaza be officially named after their company. The new area would tentatively be named “Amur Plaza” or “Amur Park” dependent on which designation if any the City decides to navigate. Currently the area is not an official park, but could potentially be given that designation in the future. Amur is seeking naming rights consideration on the project prior to making a sizeable contribution and being the lead on the project vision/design.

Amos Anson, 4234 Arizona Avenue and Brent Lindner, 1322 W. Dodge Street spoke in support. Discussion was held regarding the design of the project, parking, stage and maintenance.

Motion by Haase, second by Guzinski to approve Resolution #2021-128. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Guzinski to approve the payment of claims for the period of May 12, 2021 through May 25, 2021 for a total amount of \$5,009,094.07. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:05 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item G-2

Approving Appointment of Bart Qualset to the Community Redevelopment Authority (CRA) Board

Mayor Steele is recommending the appointment of Bart Qualset to serve on the Community Redevelopment Authority to replace Glen Murray. The above recommendation is made in compliance with the Grand Island City Code and approval is requested. The appointment would become effective immediately upon approval by the City Council and would expire on September 30, 2025.

Staff Contact: Mayor Roger Steele



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item G-3

#2021-129 - Approving Generation Study - Engineering Services

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Timothy G. Luchsinger, Utilities Director
Stacy Nonhof, Interim City Attorney

Meeting: June 8, 2021

Subject: Generation Study - Engineering Services

Presenter(s): Timothy G. Luchsinger, Utilities Director

Background

The City of Grand Island has several sources of generation to meet the capacity requirements of the Southern Power Pool with a total generating capacity of 238 MW and a peak City load of 170 MW. As this generation ages and environmental requirements change, Department staff have discussed what generation mix would best meet these capacity requirements. The Department was planning on demolishing the decommissioned Burdick building and installing a 10MW reciprocating internal combustion engine on that site to replace a 14 MW combustion turbine that is 53 years old, however, the project was suspended due to the unknown economic impact of the pandemic. The recent event in February placed an unprecedented demand on the Department's generating units in severe weather conditions during which areas of improvement for both operating procedures and equipment were identified.

An outside review of the meeting generation capacity requirements now and in the future, as well as improvements for operation in severe weather events, was considered necessary by management staff to best determine the long term operating strategy of the Department.

Discussion

A Request for Proposal for Engineering Services for the Generation Study was publicly advertised in accordance with the City purchasing code. Proposals from the following firms were received:

Black & Veatch, Overland Park, Kansas
Sargent and Lundy, Chicago, Illinois
Shermco Industries, LaVista, Nebraska

Using a matrix of the Department's established evaluation criteria, which included pricing and commercial terms, fees, company and personnel experience, contract forms, and proposal responsiveness, these proposals were reviewed by Department staff. A tabulation of the evaluation factors resulted in Sargent & Lundy as the best respondent.

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 presented in this motion.

Recommendation

City Administration recommends that the Council award the Proposal for Generation Study - Engineering Services to Sargent & Lundy of Chicago, Illinois, as the best evaluated proposal, with a proposal price of not to exceed \$116,000.00.

Sample Motion

Move to approve the proposal from Sargent & Lundy of Chicago, Illinois, for the Generation Study - Engineering Services for a price not to exceed \$116,000.00.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL
FOR
GENERATION STUDY – ENGINEERING SERVICES**

RFP DUE DATE: April 29, 2021 at 4:00 p.m.

DEPARTMENT: Utilities

PUBLICATION DATE: April 2, 2021

NO. POTENTIAL BIDDERS: 5

PROPOSALS RECEIVED

Shermco Industries – IA/NE
LaVista, NE

Black & Veatch Corporation
Overland Park, KS

Sargent & Lundy
Chicago, IL

cc: Tim Luchsinger, Utilities Director
Jerry Janulewicz, City Administrator
Stacy Nonhof, Purchasing Agent
Karen Nagel, Utilities Secretary

Pat Gericke, Utilities Admin. Assist.
Patrick Brown, Finance Director
Lynn Mayhew, Assist. Utilities Director

P2271

RESOLUTION 2021-129

WHEREAS, the City of Grand Island invited Request for Proposals for Generation Study Engineering Services, according to plans and specifications on file with the Utilities Department; and

WHEREAS, on April 29, 2021, proposals were received, opened and reviewed; and

WHEREAS, Sargent & Lundy of Chicago, Illinois, submitted a proposal in accordance with the terms of the advertisement of proposals and plans and specifications and all other statutory requirements contained therein, such proposal being an amount not to exceed \$116,000.00; and

WHEREAS, the proposal from Sargent & Lundy has been evaluated as the best proposal.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal for Generation Study Engineering Services from Sargent & Lundy is hereby approved as the lowest responsible proposal for a cost not to exceed \$116,000.00.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 8, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 3, 2021	▣ City Attorney



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item G-4

#2021-130 - Approving Acquisition of Utility Easement - 5620 N. Quandt Road (Darlene Ann Niemoth)

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

Staff Contact: Tim Luchsinger, Stacy Nonhof

RESOLUTION 2021-130

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

WHEREAS, a public hearing was held on June 8, 2021, for the purpose of discussing the proposed acquisition of a ten (10.0) foot utility easement located through a part of the North Half of the Northeast Quarter (N ½, NE ¼) of Section Twenty-Three (23), Township Twelve (12) North, Range Nine (9) West, of the 6th PM, Hall County, Nebraska, and more particularly described as follows:

Commencing at the Northeast corner of the Northeast Quarter (NE1/4) of Section Twenty-Three (23), Township Twelve (12) North, Range Nine (9) West, of the 6th PM, Hall County, Nebraska; thence southerly along the easterly line of said Northeast Quarter (NE1/4), on an assumed bearing of S00°00'055"W, a distance of one thousand three hundred seventeen and seventy-seven hundredths (1,317.77) feet to the Southeast corner of the North Half of the Northeast Quarter (N1/2,NE1/4) of said Section Twenty-Three (23), thence N88°06'43"W, along the southerly line of the North Half of the Northeast Quarter (N1/2,NE1/4) of said Section Twenty-Three (23), a distance of thirty-three (33.0) feet to a point on the westerly right-of-way line of Quandt Road, said point also being the ACTUAL Point of Beginning; thence continuing N88°06'43"W, along the southerly line of the North Half of the Northeast Quarter (N1/2,NE1/4) of said Section Twenty-Three (23), a distance of two thousand six hundred ten and sixteen hundredths (2,610.16) feet to the Southwest corner of the North Half of the Northeast Quarter (N1/2,NE1/4) of said Section Twenty-Three (23), said point being the point of termination.

The above-described easement and right-of-way containing a total of .6 acres, more or less, as shown on the plat dated 5/4/2021, 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 Darlene A. Niemoth, on the above-described tract of land.

- - -

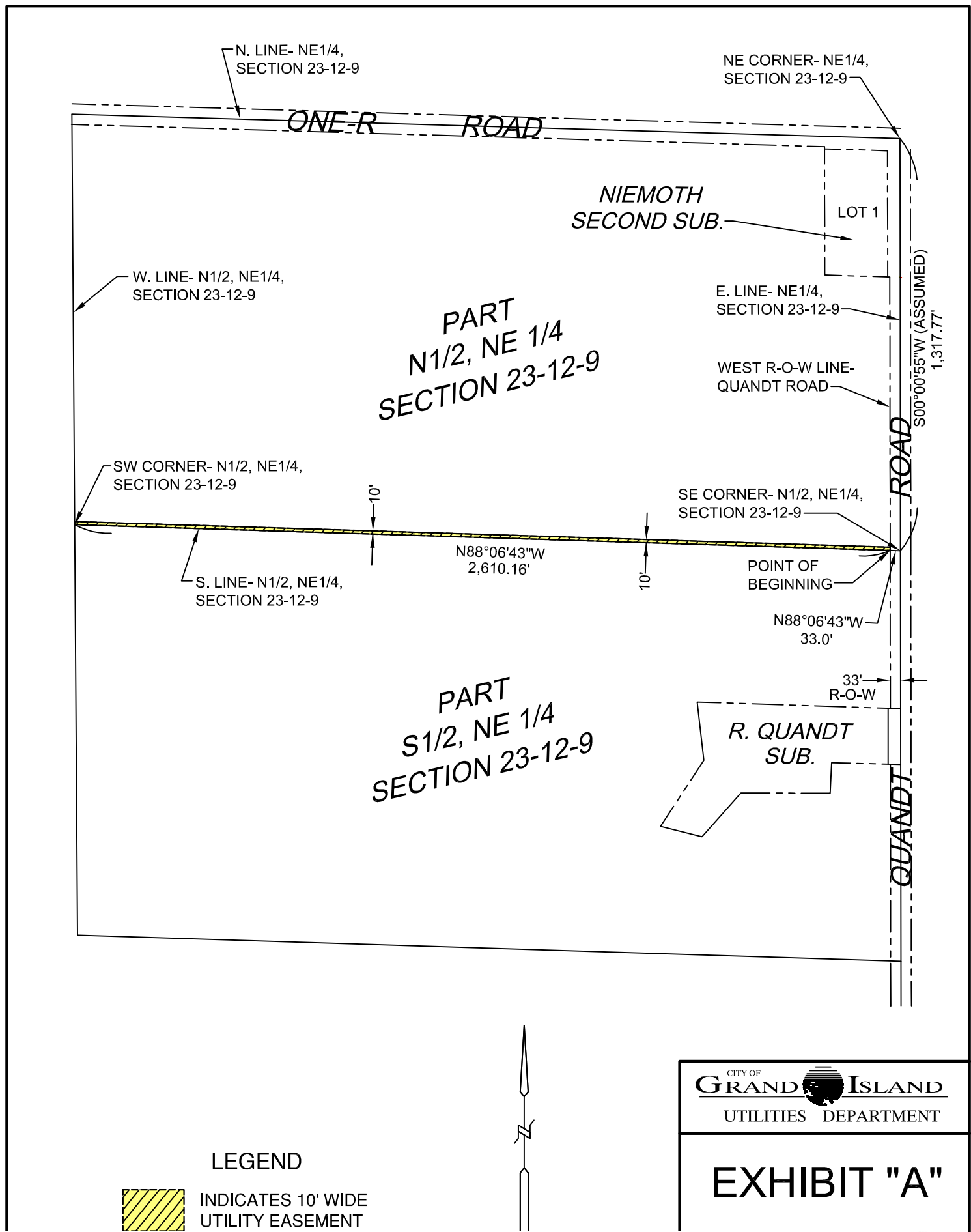
Adopted by the City Council of the City of Grand Island, Nebraska, June 8, 2021.

Approved as to Form	by _____
June 3, 2021	City Attorney

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk





City of Grand Island

Tuesday, June 8, 2021

Council Session

Item G-5

#2021-131 - Approving Renewal of Agreement for Enterprise Asset Management System for the Public Works Department

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 8, 2021

Subject: Approving Renewal of Agreement for Enterprise Asset Management System for the Public Works Department

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

Background

The Enterprise Asset Management System (EAMS) focuses on the needs of the Public Works Department, such as the work order process, customer service requests, asset reports, asset inspections, preventative maintenance, inventory, workflow management, capital improvement tracking, and document support. This system results in a significant improvement in planning, budgeting, and reporting.

On June 24, 2014, via Resolution No. 2014-177, City Council approved an agreement in the amount of \$121,840.00 for the initial year implementation costs, with Years 1-3 costs being \$76,000.00 annually, with Cartegraph Systems, Inc. of Dubuque, Iowa as the provider for the Public Works EAMS.

On April 24, 2018, via Resolution No. 2018-1147, City Council approved a renewal of the original agreement with Cartegraph Systems, Inc. in the total amount of \$240,210.00 for a full three (3) year term, with an annual cost of \$80,070.00 each of the three (3) years.

Discussion

The current agreement with Cartegraph Systems, Inc. expires August 12, 2021. In order to continue using the current application renewal of the original agreement is necessary, with the recommendation of continuing with the original vendor; Cartegraph Systems, Inc. of Dubuque, Iowa. Changing applications would be effort intense and require additional fees.

An agreement with Cartegraph Systems, Inc. in the total amount of \$255,000.00 has been reached for the full three (3) year term of the agreement, with an annual cost of \$85,000.00 for each of the three (3) years.

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 three (3) year agreement renewal with Cartegraph Systems, Inc. of Dubuque, Iowa in the total amount of \$255,000.00, with an annual cost of \$85,000.00 for each of the three (3) years.

Sample Motion

Move to approve the resolution.

RESOLUTION 2021-131

WHEREAS, On June 24, 2014, via Resolution No. 2014-177, City Council approved an agreement in the amount of \$121,840.00 for the initial year implementation costs, with Years 1-3 costs being \$76,000.00 annually, with Cartegraph Systems, Inc. of Dubuque, Iowa as the provider for the Public Works Enterprise Asset Management System (EAMS); and

WHEREAS, such agreement focuses on the needs of the Public Works Department, such as the work order process, customer service requests, asset reports, asset inspections, preventative maintenance, inventory, workflow management, capital improvement tracking, and document support; and

WHEREAS, on April 24, 2018, via Resolution No. 2018-1147, City Council approved a renewal of the original agreement with Cartegraph Systems, Inc. in the total amount of \$240,210.00 for a full three (3) year term, with an annual cost of \$80,070.00 each of the three (3) years; and

WHEREAS, the current agreement with Cartegraph Systems, Inc. expires August 12, 2021; and

WHEREAS, a renewal agreement with Cartegraph Systems, Inc. in the total amount of \$255,000.00 has been reached for the full three (3) year term of the agreement, with an annual cost of \$85,000.00 for each of the three (3) years.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the agreement renewal with Cartegraph Systems, Inc. of Dubuque, Iowa is hereby approved in the total amount of \$255,000.00, with an annual cost of \$85,000.00 for each of the three (3) years.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 8, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 3, 2021	▣ City Attorney



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item G-6

#2021-132 - Approving Award of Professional Engineering Consulting Services for Lift Station No. 17 Improvements; Project No. 2021-S-9

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 8, 2021

Subject: Approving Award of Professional Engineering Consulting Services for Lift Station No. 17 Improvements; Project No. 2021-S-9

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

Background

A Request for Qualifications (RFQ) for engineering consulting services for Lift Station 17 Improvements; Project No. 2021-S-9 was advertised in the Grand Island Independent on September 3, 2020. The RFQ was also sent to sixteen (16) potential firms by the Engineering Division of the Public Works Department.

Lift Station No. 17 Improvements; Project No. 2021-S-9 is for the relocation and construction of a new sanitary sewer lift station that will replace the existing lift station which is currently located north of the intersection of South Locust Street and Exchange Road, on the west side of South Locust Street. Due to lack of space, the replacement lift station would more than likely go on the east side of South Locust Street. Along with a new lift station, new force main will need to be installed such that the discharge location will outlet to manhole 287 just east of the existing lift station. Also included will be the associated paving, sidewalk, traffic control and all other items needed to complete the project.

Discussion

Three (3) submittals were opened on September 24, 2020, reviewed and scored.

Using the evaluation criteria set out in the Request for Qualifications the submittal from Olsson, Inc. of Grand Island, Nebraska was scored as the highest ranking firm. Negotiations with the selected firm resulted in an agreed upon amount of \$121,000.00 for such services.

Funds for the consulting services are in the approved 2020/2021 Wastewater Division budget.

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 award of Professional Engineering Consulting Services for Lift Station No. 17 Improvements; Project No. 2021-S-9 to Olsson, Inc. of Grand Island, Nebraska for an amount not to exceed \$121,000.00.

Sample Motion

Move to approve the award of the proposal.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL
FOR 2021 CAPITAL IMPROVEMENT PROJECTS**

RFP DUE DATE: September 24, 2020 at 4:15 p.m.
DEPARTMENT: Public Works
PUBLICATION DATE: September 3, 2020
NO. POTENTIAL BIDDERS: 16

PROPOSALS RECEIVED

JEO Consulting Group
Grand Island, NE

Leo A Daly
Omaha, NE

Olsson, Inc.
Lincoln, NE

HDR
Des Moines, IA

Benesch
Grand Island, NE

cc: John Collins, Public Works Director
Jerry Janulewicz, City Administrator
Stacy Nonhof, Purchasing Agent

Catrina DeLosh, Admin. Asst. PW
Patrick Brown, Finance Director
Keith Kurz, Asst. Public Works Director

P2230



RESOLUTION 2021-132

WHEREAS, the City Of Grand Island invited submittals for professional engineering consulting services for Lift Station No. 17 Improvements; Project No. 2021-S-9, according to the Request For Qualifications (RFQ) on file with the Engineering Division of the Public Works Department; and

WHEREAS, on September 24, 2020 submittals were received, reviewed, and evaluated in accordance with established criteria in the RFQ; and

WHEREAS, Olsson, Inc. of Grand Island, Nebraska submitted qualifications in accordance with the terms of the Request for Qualifications and all statutory requirements contained therein and the City Procurement Code with the work performed at an amount not to exceed \$121,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the submittal from Olsson, Inc. of Grand Island, Nebraska for professional engineering consulting services for Lift Station No. 17 Improvements; Project No. 2021-S-9 is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 8, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 3, 2021	☐ City Attorney



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item G-7

#2021-133 - Approving Amendment No. 2 to Engineering Consulting Agreement for North Road- Old Potash Highway to 13th Street Roadway Improvements; Project No. 2019-P-6

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 8, 2021

Subject: Approving Amendment No. 2 to Engineering Consulting Agreement for North Road- Old Potash Highway to 13th Street Roadway Improvements; Project No. 2019-P-6

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

Background

The North Road- Old Potash Highway to 13th Street Roadway Improvements; Project No. 2019-P-6 is for the improvement of North Road from just north of the intersection with Old Potash Highway and the intersection with 13th Street. The Engineering Division of the Public Works Department is proposing a concrete curb and gutter roadway section with associated sidewalk, traffic control, drainage and all other related improvements needed to complete the project.

On March 12, 2019, via Resolution No. 2019-86, City Council approved an Engineering Services Agreement with Alfred Benesch & Company of Lincoln, Nebraska in the amount of \$96,524.00 for the conceptual design and cost estimate of North Road- Old Potash Highway to 13th Street Roadway Improvements; Project No. 2019-P-6.

On November 12, 2019, via Resolution No. 2019-336, City Council approved Amendment No. 1 to the original agreement with Alfred Benesch & Company in the amount of \$133,772.00 to include final engineering design for North Road- Old Potash Highway to 13th Street Roadway Improvements; Project No. 2019-P-6.

Discussion

With final design nearing completion it is now time to move forward with the bidding phase and construction observation services for North Road- Old Potash Highway to 13th Street Roadway Improvements; Project No. 2019-P-6. An amendment to the original agreement with Alfred Benesch & Company is requested, in the amount of \$376,401.00, resulting in a revised agreement amount of \$606,697.00. This amendment will allow for the creation of bid documents and engineering construction services.

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 Amendment No. 2 to the original agreement with Alfred Benesch & Company of Lincoln, Nebraska, in the amount of \$376,401.00.

Sample Motion

Move to approve the resolution.

RESOLUTION 2021-133

WHEREAS, on March 12, 2019, via Resolution No. 2019-86 the Grand Island City Council approved entering into an agreement with Alfred Benesch & Company of Lincoln, Nebraska in the amount of \$96,524.00 for North Road- Old Potash Highway to 13th Street; Project No. 2019-P-6; and

WHEREAS, on November 12, 2019, via Resolution No 2019-336, City Council approved Amendment No. 1 to the original agreement with Alfred Benesch & Company in the amount of \$133,772.00 to include final engineering design; and

WHEREAS, the original agreement is now being amended to include the bidding phase and construction observation services for such project; and

WHEREAS, such amendment is in the amount of \$376,401.00, for a revised agreement amount of \$606,697.00; and

WHEREAS, Amendment No. 2 to the original agreement with Alfred Benesch & Company of Lincoln, Nebraska is required to proceed with this project

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Amendment No. 2 with Alfred Benesch & Company of Lincoln, Nebraska for final engineering design services related to North Road- Old Potash Highway to 13th Street is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 8, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 3, 2021	☐ City Attorney



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item G-8

#2021-134 - Approving Amendment No. 2 to Engineering Consulting Agreement for Custer Avenue- Forrest Street to Old Potash Highway Roadway Rehabilitation; Project No. 2019-P-13

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 8, 2021

Subject: Approving Amendment No. 2 to Engineering Consulting Agreement for Custer Avenue- Forrest Street to Old Potash Highway Roadway Rehabilitation; Project No. 2019-P-13

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

Background

The Custer Avenue- Forrest Street to Old Potash Highway Roadway Rehabilitation; Project No. 2019-P-13 is for the rehabilitation of Custer Avenue. The proposal is to improve the ride/pavement condition along this stretch of existing concrete curb and gutter roadway.

On November 12, 2019, via Resolution No. 2019-341, City Council approved an Engineering Services Agreement with Olsson, Inc. of Grand Island, Nebraska in the amount of \$100,900.00 for Custer Avenue- Forrest Street to Old Potash Highway Roadway Rehabilitation; Project No. 2019-P-13.

On July 28, 2020, via Resolution No. 2020-171, City Council approved Amendment No. 1 to the original engineering agreement in the amount of \$27,000.00 to include final design for this project.

Discussion

With final design complete for Phase I of Custer Avenue Roadway Rehabilitation; Project No. 2019-P-13, which consists of Old Potash Highway to Faidley Avenue, it is necessary to amend the original agreement with Olsson, Inc. to allow for bidding phase services and to continue with design for the next phase from Faidley Avenue to 13th Street. One or both of these phases will be bid out to construction next budget year for which construction services will be required at a later date. At this time, an amendment to the original agreement with Olsson, Inc. is requested for the next design phase, in the amount of \$43,000.00, for a total revised agreement amount of \$170,900.00.

Work on the final phase, 13th Street to Forrest Street, will begin at a later date.

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 Amendment No. 2 to the original agreement with Olsson, Inc. of Grand Island, Nebraska, in the amount of \$43,000.00.

Sample Motion

Move to approve the resolution.

RESOLUTION 2021-134

WHEREAS, on November 12, 2019, via Resolution No. 2019-341, City Council approved an Engineering Services Agreement with Olsson, Inc. of Grand Island, Nebraska in the amount of \$100,900.00 for Custer Avenue- Forrest Street to Old Potash Highway Roadway Rehabilitation; Project No. 2019-P-13; and

WHEREAS, on July 28, 2020, via Resolution No. 2020-171, City Council approved Amendment No. 1 to the original engineering agreement in the amount of \$27,000.00 to include final design for this project; and

WHEREAS, the original agreement is now being amended to include bidding phase services for Custer Avenue- Forrest Street to Old Potash Highway Roadway Rehabilitation; Project No. 2019-P-13; and

WHEREAS, such amendment is in the amount of \$43,000.00, for a revised total agreement amount of \$170,900.00; and

WHEREAS, Amendment No. 2 to the original agreement with Olsson, Inc. of Grand Island, Nebraska is required to proceed with this project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Amendment No. 2 with Olsson, Inc. of Grand Island, Nebraska for Custer Avenue- Forrest Street to Old Potash Highway Roadway Rehabilitation; Project No. 2019-P-13 is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 8, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 3, 2021	☐ City Attorney



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item G-9

#2021-135 - Approving Tri-City Drug and Safe Streets Task Force (TCDSSTF) New Location Office Set Up

Staff Contact: Robert Falldorf, Police Chief

Council Agenda Memo

From: Robert Falldorf, Police Chief

Meeting: June 8, 2021

Subject: Tri-City Drug and Safe Streets Task Force (TCDSSTF)
New Location Office Set Up

Presenter(s): Robert Falldorf, Police Chief

Background

The Police Department acts as the fiduciary for the Tri-City Drug and Safe Streets Task Force (TCDSSTF). As such, purchases are subject to City of Grand Island Purchasing regulations, even though said purchases are funded through Asset Forfeiture, the United States Attorney's Office, and the Federal Bureau of Investigations.

These purchases are in relation to the building and up-fitting of the new TCDSSTF offsite office location.

Discussion

The Police Department submits on behalf of the Tri-City Drug and Safe Streets Task Force (TCDSSTF) invoices and competitive pricing for:

1. Training room tables \$4,950.66
2. Storage and Shelving \$12,587.40
3. Panel Systems and Electrical Components \$10,052.28
4. Construction Materials and Labor \$62,498.00

Parts 1 through 3 total \$27,590.34. Competitive pricing for these expenses is included. Because the winning contract was done through the OMNIA Competitive Purchasing Contract, an RFP was not done.

Competitive pricing for part 4 (Construction materials and labor) is attached separately. The total request for this item is \$90,088.34 to be paid for via Asset Forfeiture, US Attorney's Office, and FBI funding, with the Police Department acting only as the fiduciary on behalf of the TCDSSTF.

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 purchases of Training Tables, Storage and Shelving, Panel Systems and Electrical, and Construction Materials and Labor on behalf of the Tri-City Drug and Safe Streets Task Force.

Sample Motion

Move to approve the purchasing for office equipment and construction on the behalf of the Task Force.

RESOLUTION 2021-135

WHEREAS, the Grand Island Police Department, acting as the fiduciary for the Tri-City Drug and Safe Streets Task Force, has received a request to authorize funding for \$90,088.34 in office furnishings and construction purchases.

WHEREAS, funds for this purchase come from TCDSSTF funding sources outside of the City of Grand Island tax funds, specifically being funded by Asset Forfeiture, The United States Attorney's Office funding, and the Federal Bureau of Investigations funding.

WHEREAS, this purchase is done following competitive pricing consistent with the City of Grand Island purchasing guidelines, and regulation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, approve the purchase as the fiduciary for the Tri-City Drug and Safe Streets Task Force for \$27,590.34 to Eakes Office Supply and \$62,498.00 to Stump Construction, to for the purchase of training room tables, storage and shelving, panel systems and electrical components, and construction labor and materials, for the total of \$90,088.34.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 8, 2021.

Roger G.Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 3, 2021	▣ City Attorney



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item G-10

#2021-136 - Approving Final Plat and Subdivision Agreement for Bolanos Second Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP, Regional Planning Director

Meeting: June 8, 2021

Subject: Bolanos Second Subdivision – Final Plat

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

Background

This property is located south of 4th Street and west of St. Paul Road in Grand Island, Nebraska. (5 lots, 2.799 acres). This property is zoned M-2 Heavy Manufacturing.

Discussion

The final plat for Bolanos Second Subdivision was considered at the Regional Planning Commission at the March 3, 2021 meeting.

A motion was made by Rainforth and second by Ruge to approve final plat for Bolanos Second Subdivision.

The motion was carried with eight members voting in favor (O'Neill, Ruge, Randone, Robb, Olson, Monter, Rubio and Rainforth) with no members 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
Edwin Bolanos
711 East 4th Street
Grand Island, NE 68801

To create

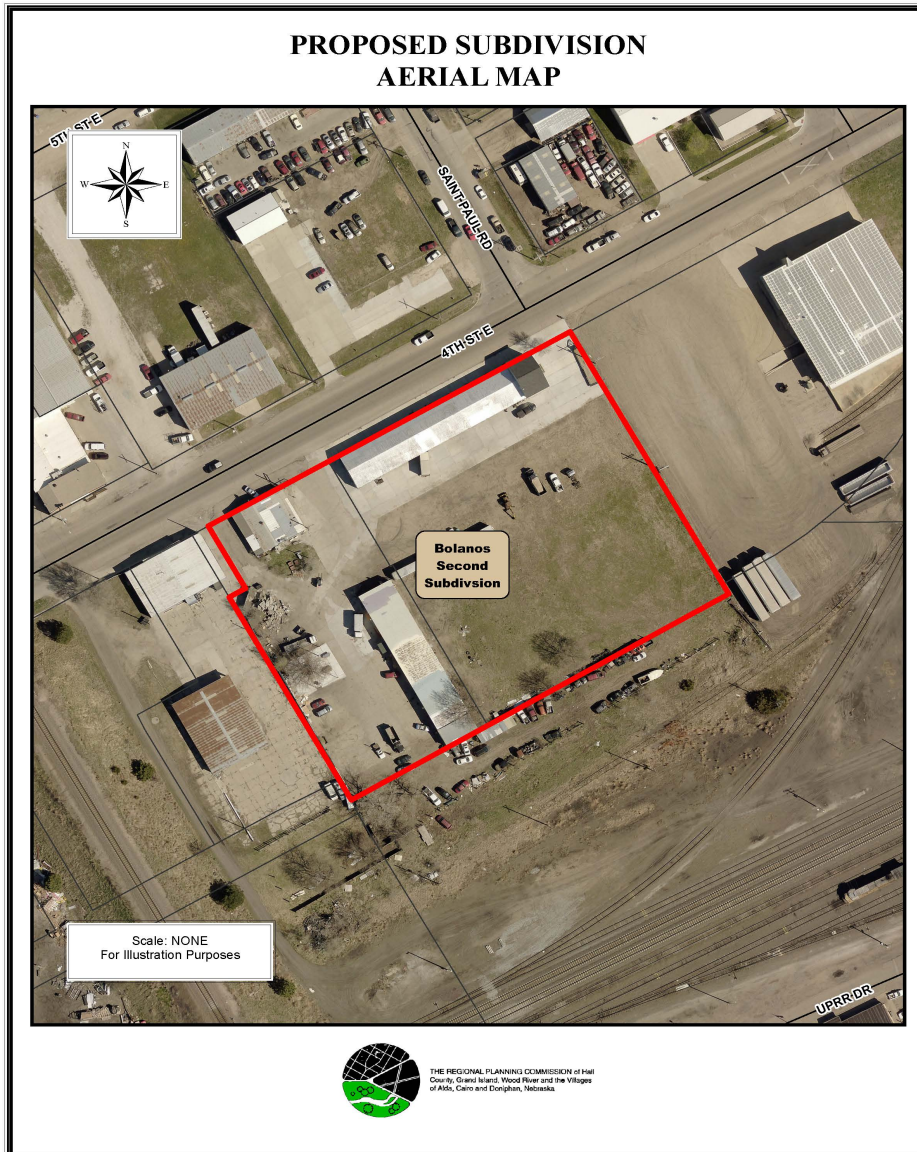
Size: Final Plat 5 lots, 2.799 Acres

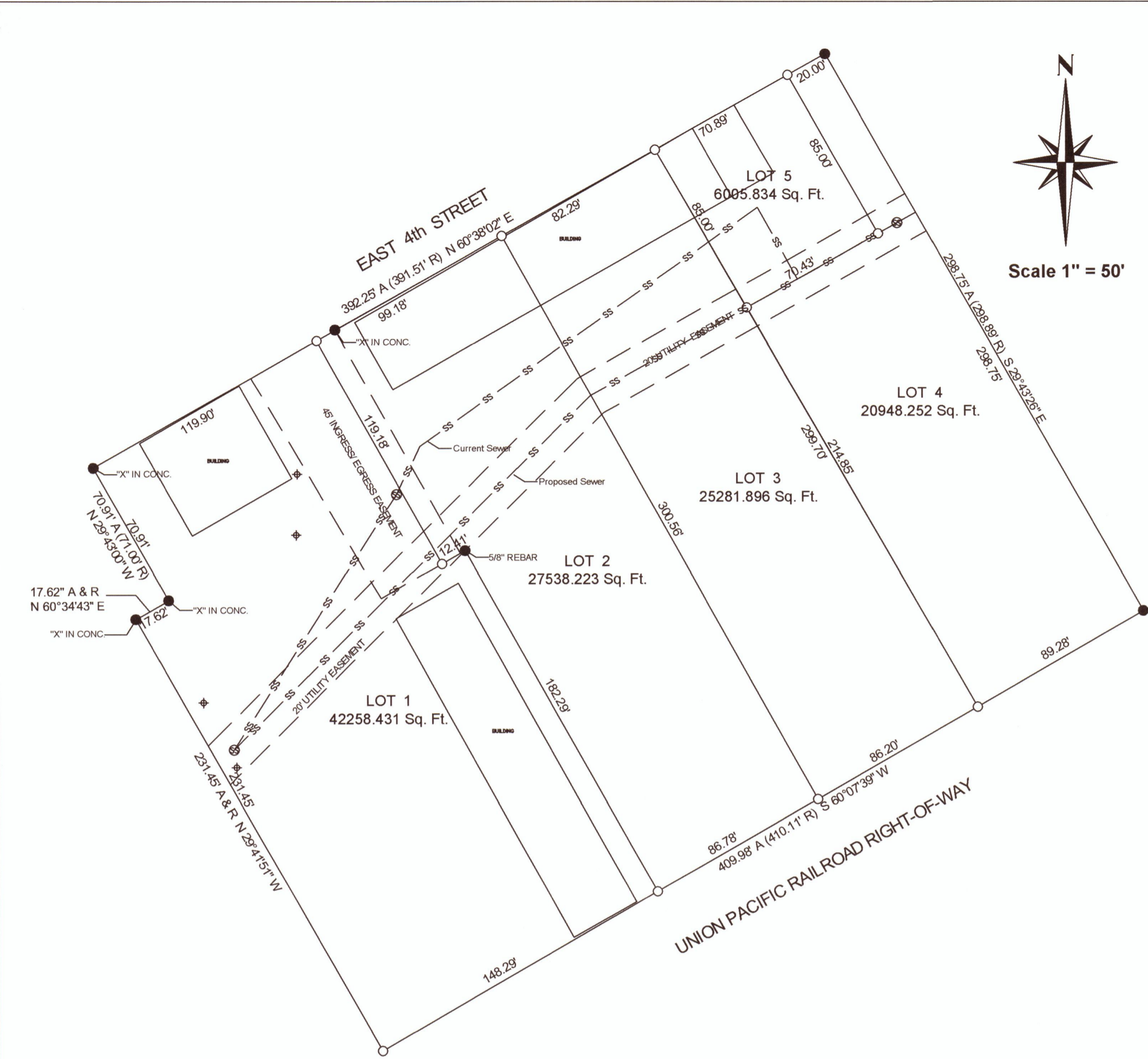
Zoning: M-2 Heavy Manufacturing

Road Access: 4th Street concrete curb and gutter city street.

Water: Water is available to the subdivision on the north side of 4th Street

Sewer: Sewer is available to the subdivision and will be extended to all lot.





BOLANOS SECOND SUBDIVISION
GRAND ISLAND, NEBRASKA
UTILITES

LEGAL DESCRIPTION

A Replat of Lot One (1) and Lot Two (2), Bolanos Subdivision, in the City of Grand Island, Hall County, Nebraska containing 2.799 Acres More or Less.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Edwin Danilo Bolanos, a single person, being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as BOLANOS SECOND SUBDIVISION' in City of Grand Island, Hall County, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the easements, if any, as shown thereon for the location, construction and maintenance of public service utilities, together with the right of ingress and egress thereto, 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 subdivision 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 owner and proprietor.

IN WITNESS WHEREOF, I have affixed my signature hereto, at Grand Island, Nebraska.

Edwin Danilo Bolanos
Date_____

ACKNOWLEDEGERMENT

State of Nebraska

County of Hall

On the ____day of _____, 2020, before me _____ a Notary Public within and for said County, personally appeared Edwin Danilo Bolanos, and to me personally known to be the identical persons whose signature is affixed hereto, and that he did acknowledge 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 _____, on the date last above written.

My commission expires _____, 20__

Notary Public

APPROVALS

Submitted to and approved by the Regional Planning Commission of Hall County, Grand Island and Wood River, and The Villages of Alda, Cairo, and Doniphan, Nebraska

Chairman

Date

Approved and accepted by the City of Grand Island, Hall County, Nebraska this _____
Day of _____, 2020

Mayor

City Clerk

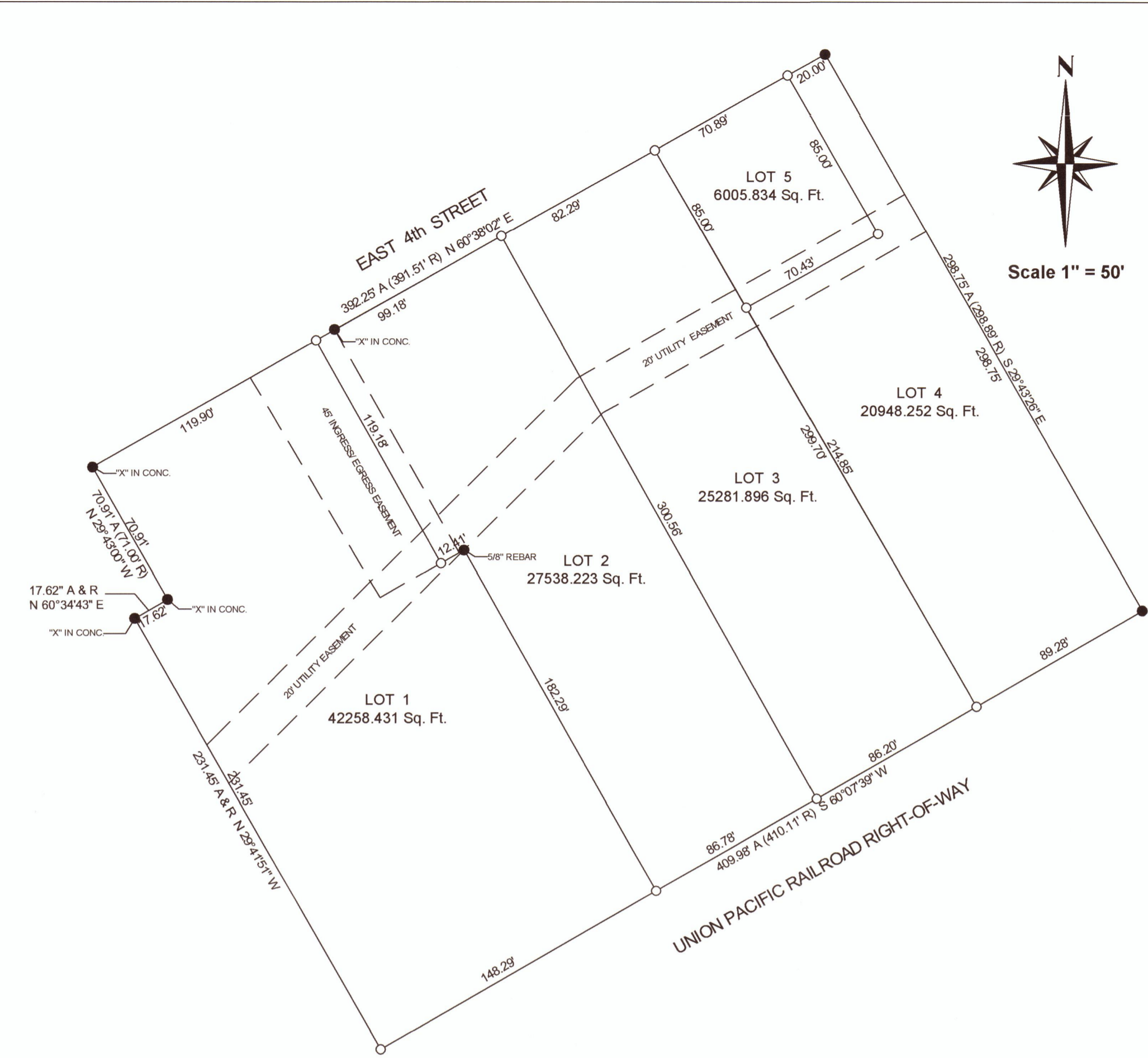
SURVEYORS CERTIFICATE

I hereby certify that on September 13, 2020, I completed an accurate survey of 'BOLANOS SECOND SUBDIVISION', in Hall County, Nebraska, as shown on the accompanying plat thereof; that the lots, blocks, streets, avenues, alleys, parks, commons and other grounds as contained in said subdivision as shown on the accompanying plat thereof are well and accurately staked off and marked; that iron markers were placed at all lot corners; that the dimensions of each lot are as shown on the plat; that each lot bears its own number; and that said survey was made with reference to known and recorded monuments.

Brent D Cyboron
Nebraska Professional Registered Land Surveyor No. 727

BOLANOS SECOND
SUBDIVISION

LOCATION: GRAND ISLAND, NEBRASKA			
TITLE: 711 E. 4th Street			
SCALE: AS SHOWN 1" = 50'	DATE: 9/14/2020	DRAWN: BRENT C	PAGE: 1 OF 1
BENESCH PROJECT NO:	DRAWING NO: 20-104	REVISION:	1/27/2021



BOLANOS SECOND SUBDIVISION
GRAND ISLAND, NEBRASKA

LEGAL DESCRIPTION

A Replat of Lot One (1) and Lot Two (2), Bolanos Subdivision, in the City of Grand Island, Hall County, Nebraska containing 2.799 Acres More or Less.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Edwin Danilo Bolanos, a single person, being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as BOLANOS SECOND SUBDIVISION' in City of Grand Island, Hall County, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the easements, if any, as shown thereon for the location, construction and maintenance of public service utilities, together with the right of ingress and egress thereto, 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 subdivision 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 owner and proprietor.

IN WITNESS WHEREOF, I have affixed my signature hereto, at Grand Island, Nebraska.

Edwin Danilo Bolanos
Date _____

ACKNOWLEDEGEMENT

State of Nebraska

County of Hall

On the ____ day of _____, 2020, before me _____ a Notary Public within and for said County, personally appeared Edwin Danilo Bolanos, and to me personally known to be the identical persons whose signature is affixed hereto, and that he did acknowledge 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 _____, on the date last above written.

My commission expires _____, 20__

Notary Public

APPROVALS

Submitted to and approved by the Regional Planning Commission of Hall County, Grand Island and Wood River, and The Villages of Alda, Cairo, and Doniphan, Nebraska

Chairman Date

Approved and accepted by the City of Grand Island, Hall County, Nebraska this _____
Day of _____, 2020

Mayor City Clerk

BOLANOS SECOND SUBDIVISION

LOCATION: GRAND ISLAND, NEBRASKA

TITLE: 711 E. 4th Street

SCALE AT A3: 1" = 50'	DATE: 9/14/2020	DRAWN: BRENT C	PAGE: 1 OF 1
GENESCH PROJECT NO:	DRAWING NO: 20-104	REVISION: 1/27/2021	

* This Space Reserved for Register of Deeds *

SUBDIVISION AGREEMENT

BOLANOS SECOND SUBDIVISION
LOTS 1-5 INCLUSIVE

In the City of Grand Island, Hall County Nebraska

The undersigned, EDWIN BOLANOS, hereinafter called the Subdivider, as owner of a tract of land in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

A Replat of Lot One (1) and Lot Two (2), Bolanos Subdivision, in the City of Grand Island, Hall County, Nebraska;

desires to have subdivided as a subdivision the foregoing tract of land located within the corporate limits of the City of Grand Island, Nebraska, and hereby submits to the City Council of such City for acceptance as provided by law an accurate map and plat of such proposed subdivision, to be known as BOLANOS SECOND SUBDIVISION, designating explicitly the land to be laid out and particularly describing the lots, easements, and streets belonging to such subdivision, with the lots designated by number, easements by dimensions, and streets by name,

and proposes to cause the plat of such subdivision when finally approved by the Regional Planning Commission and the City Council to be acknowledged by such owner, certified as to accuracy of survey by a registered land surveyor, and to contain a dedication of the easements to the use and benefit of public utilities, and of the street to the use of the public forever. In consideration of the acceptance of the plat of said BOLANOS SECOND SUBDIVISION, the Subdivider hereby consents and agrees with the City of Grand Island, Nebraska, that it will install or provide at its expense the following improvements:

1. **Paving.** The Subdivider agrees to waive the right to object to the creation of any paving or repaving district for 4th Street where it abuts the subdivision.
2. **Water.** Public water supply is available to the subdivision, and all new structures requiring service shall be connected to such water supply.
3. **Sanitary Sewer.** Public sanitary sewer is available to the subdivision and the Subdivider agrees to extend, connect and provide sanitary sewer service to all lots in the subdivision in accordance with plans and specifications approved by the Director of Public Works, and subject to the City's inspection.
4. **Storm Drainage.** The Subdivider agrees to provide and maintain positive drainage from all lots, according to the drainage plan, so that storm drainage is conveyed to a public right-of-way or to other drainage systems so approved by the Director of Public Works. If the Subdivider fails to grade and maintain such drainage the City may create a drainage district to perform such work. The Subdivider agrees to waive the right to object to the creation of any drainage district benefitting the subdivision.

5. **Sidewalks.** The Subdivider shall maintain all public sidewalks required by the City of Grand Island.

6. **Landscaping.** The Subdivider agrees to comply with the requirements of the Landscaping Regulations of the City of Grand Island, and plans as submitted to and approved by the City's Building Department. Landscaping may be waived for Lots 2, 3 and 5 due to the location of the existing structures.

7. **Existing Structure.** The Subdivider acknowledges that an existing roofed open wall structure crosses Lots 2, 3 and 5. It is the responsibility of the Subdivider to meet all fire and building codes with respect to this structure in the event that Lots 2, 3 and 5 are no longer under common ownership. This will include but may not be limited to building firewalls on the property lines between Lot 2 and 3 and Lots 3 and 5.

8. **Easements.** Any easements shall be kept free of obstructions and the Subdivider shall indemnify the City for any removal or repair costs caused by any obstructions. In addition, the duty to maintain the surface of any easements to keep them clear of any worthless vegetation or nuisance shall run with the land.

9. **Engineering Data.** All final engineering plans and specifications for public improvements shall bear the signature and seal of a professional engineer registered in the State of Nebraska and shall be furnished by the Subdivider to the Department of Public Works for approval prior to contracting for construction of any improvements. Inspections of improvements under construction shall be performed under the supervision of a professional engineer registered in the State of Nebraska, and upon completion shall be subject to inspection and approval by the Department of Public Works prior to acceptance by the City of Grand

Island. An "as built" set of plans and specifications including required test results bearing the seal and signature of a professional engineer registered in the State of Nebraska shall be filed with the Director of Public Works by the Subdivider prior to acceptance of these improvements by the City.

10. **Warranty.** The undersigned owner, as Subdivider, warrants that it is the owner in fee simple of the land described and proposed to be known as BOLANOS SECOND SUBDIVISION, and that an abstract of title or title insurance commitment will be submitted for examination, if necessary, upon request of the City of Grand Island.

11. **Successors and Assigns.** This agreement shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their successors, assigns, heirs, devisees, and legatees. Where the term "Subdivider" is used in this agreement, the subsequent owners of any lots in the subdivision shall be responsible to perform any of the conditions of this agreement if the Subdivider has not performed such conditions.

Dated _____, 2021.

EDWIN BOLANOS, Subdivider

By: _____
Edwin Bolanos

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

On _____, 2021, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Edwin Bolanos, known personally to me to be the identical person and such officer who signed the foregoing Subdivision Agreement and acknowledged the execution thereof to be his voluntary act and deed for the purpose therein expressed.

WITNESS my hand and notarial seal the date above written.

CITY OF GRAND ISLAND, NEBRASKA
A Municipal Corporation

By: _____
Roger G. Steele, Mayor

RaNae Edwards, City Clerk

On _____, 2021, before me, the undersigned,, a Notary Public in and for said County and State, personally came Roger G. Steele, Mayor of the City of Grand Island, Nebraska, a municipal corporation, known to me to be such officer and the identical person who signed the foregoing Subdivision Agreement and acknowledged that the foregoing signature was his voluntary act and deed pursuant to Resolution 2021-____, and that the City's corporate seal was thereto affixed by proper authority.

Notary Public

- 5 -

RESOLUTION 2021-136

WHEREAS know all men by these presents, that Edwin Danilo Bolanos, single person, being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as “BOLANOS SECOND SUBDIVISION”, A Replat of Lot One (1) and Lot Two (2), Bolanos Subdivision, in the City of Grand Island, Hall County, Nebraska.

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; and

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 BOLANOS 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, June 8, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 3, 2021	☐ City Attorney



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item H-1

Consideration of Referring Blighted and Substandard Study for Area #33 to the Regional Planning Commission (Innate Development, LLC)

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, Director Grand Island CRA

Meeting: June 8, 2021

Subject: Proposed Blighted and Substandard Area #33

Presenter(s): Chad Nabity, Director Grand Island CRA

Background

Enclosed you will find a copy of a Substandard and Blight Study as prepared for Scott Rief with Innate Development by Marvin Planning Consultants. This study is approximately 205 acres of property north of Husker Highway and west of Prairieview Street. The study as prepared and submitted indicates that this property could be considered blighted and substandard. The full study is attached for your review and consideration. This is a revised version of a previously submitted study.

Innate Development has submitted this study for the review and consideration of the Grand Island City Council as permitted by Nebraska law. The decision on whether to declare an area blighted and substandard is entirely within the jurisdiction of the City Council with a recommendation from the Planning Commission. If the study is approved it is anticipated that an application for Tax Increment Financing would follow.

The question before Council will be whether to send the study to the Planning Commission for its review and feedback. If the item is not sent to the Planning Commission, the Council cannot declare the area blighted and substandard. Planning Commission will meet July 7, and would have a recommendation ready following that meeting.

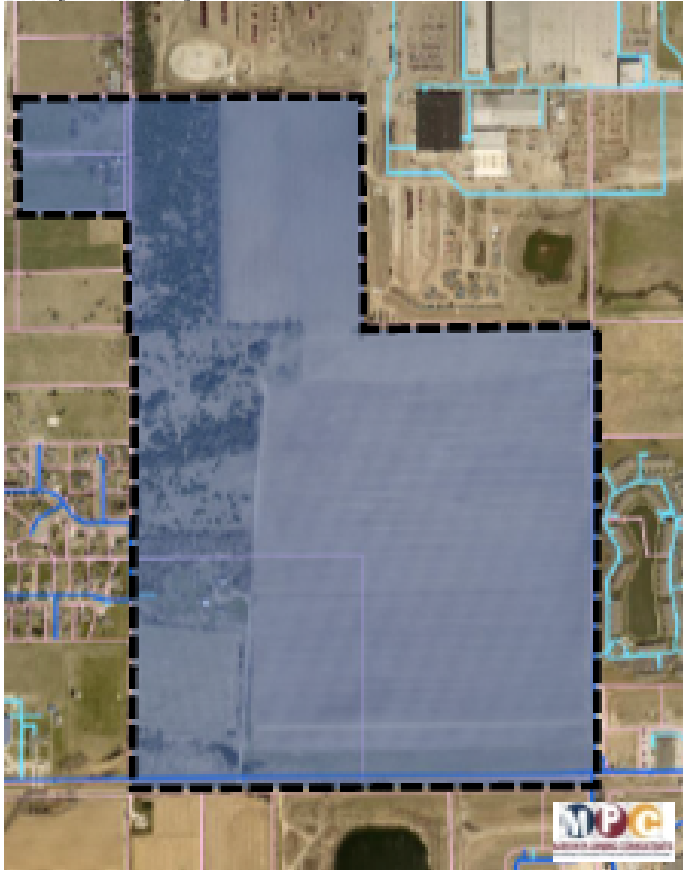
Once an area has been declared blighted and substandard, the CRA can accept redevelopment proposals for the area.

Discussion

The action item tonight relates to the study for proposed CRA Area No. 33 in south central Grand Island as shown below. The study was prepared for 205 acres, all of which is in the Grand Island City Limits.

Study Area

Figure 1
Study Area Map



Source: Hall County/Grand Island GIS, Marvin Planning Consultants 2021

While practicing as Grand Island City Attorney, Jerry Janulewicz reviewed the Nebraska Statutes and case law pertaining to the declaration of property as blighted and substandard. His comments on this application are as follows:

The statutes which provide for the creation of a redevelopment area or redevelopment project within a redevelopment area require the following procedure:

- A request is made to the city council to declare an area to be substandard and blighted and in need of development for purposes of enabling the creation of a redevelopment area or a redevelopment project within a redevelopment area.
- The city council submits the question of whether an area is substandard and blighted to the planning commission for its review and recommendation prior to making its declaration that an area is substandard and blighted.
- The planning commission must hold a public hearing and submit its written recommendations within 30 days holding a public hearing on the request.
- Upon receipt of the recommendations from the planning commission the city council may make its findings and declaration with respect to the property within an area.

- Unless the city council of the city in which such area is located has, by resolution adopted after a public hearing with notice, declared such area to be a substandard and blighted area in need of redevelopment, the Community Redevelopment Agency cannot prepare a redevelopment plan for a redevelopment project area.
- Following a declaration that an area is substandard and blighted, the Community Redevelopment Agency is authorized to prepare or cause to be prepared and recommend redevelopment plans to the governing body of the city and to undertake and carry out redevelopment projects within its area of operation and may enter into contracts with redevelopers of property containing covenants, restrictions, and conditions regarding the use of such property for residential, commercial, industrial, or recreational purposes or for public purposes in accordance with the redevelopment plan and such other covenants, restrictions, and conditions as the authority may deem necessary to prevent a recurrence of substandard and blighted areas or to effectuate the purposes of the Community Development Law, and to provide grants, loans, or other means of financing to public or private parties in order to accomplish the rehabilitation or redevelopment in accordance with a redevelopment plan. Within the area of operation of the Community Redevelopment Authority, the authority may exercise its statutory powers with respect to the redevelopment project.

Neb. Rev. Stat. §§ 18-2107; 18-2109.

As stated in Fitzke v. City of Hastings, 582 N.W.2d 301 (Neb. 1998):

A CRA is not authorized to prepare a redevelopment plan for a redevelopment project area unless the governing body of the city first enacts a resolution declaring such area to be “a substandard or blighted area in need of redevelopment.” § 18–2109. After such a declaration has been made and a redevelopment plan has been prepared and approved, a CRA is authorized to enter into contracts with redevelopers of property containing covenants, restrictions, and conditions regarding the use of such property for residential, commercial, industrial, or recreational purposes or for public purposes in accordance with the redevelopment plan and such other covenants, restrictions, and conditions as the [CRA] may deem necessary to prevent a recurrence of substandard or blighted areas and to provide grants, loans, or other means of financing to public or private parties in order to accomplish the rehabilitation or redevelopment in accordance with a redevelopment plan. § 18–2107(4). The CRA may utilize tax increment financing to pay for redevelopment projects undertaken pursuant to the CDL. § 18–2124.

“Under this statutory scheme, a private development project would be eligible for tax increment financing only if it is included within an area which has previously been declared blighted or substandard and is in furtherance of an existing redevelopment plan for that area. The declaration of property as blighted or substandard is not simply a formality which must be met in order to assist a private developer with tax increment

financing; it is the recognition of a specific public purpose which justifies the expenditure of public funds for redevelopment.”Fitzke, id., citing Monarch Chemical Works, Inc. v. City of Omaha, 203 Neb. 33, 277 N.W.2d 423 (1979). The legislative intent underlying the Community Development Law is the elimination of blighted and substandard areas and to prevent the reoccurrence of blight through a cooperative effort of the public and private sectors, not to aid private developers. Fitzke, id.

At this point, Council is only making a decision about whether to forward the study to the Planning Commission for its recommendation or not. According to NRSS §18-2109, it is clear that the Planning Commission must hold a public hearing and have the opportunity to review the Blight Study prior to Council declaring the property substandard and blighted. If Council wishes to consider a declaration of substandard and blight, State Statute requires that the question of whether an area is substandard and blighted is submitted to the Planning Commission for hearing, review and recommendation.

Blighted Area of the Community

The City of Grand Island, as a City of the First Class, is permitted to designate an area of up to 35% of the municipal limits as blighted and substandard. As of May 25, 2021, 22.74% of the City has been declared blighted and substandard. Proposed Area 32 would add 43 acres (0.23%) bringing total to 22.96%. This study for area 33 would add 205 acres or 1.05%. The total area declared blighted and substandard if both areas 32 and 33 are approved is 24.02%.

Until we reach 30% of the City declared blighted and substandard we do not need to be concerned with approaching our statutory limitation regarding the amount of the City that has been declared blighted and substandard. Approximately 200 acres is required at this time to equal 1% of city limits. It does not appear that the declaration of Area 33 would significantly impact the City’s ability to declare other areas blighted and substandard.

Alternatives

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

1. Move to forward the Study to the Planning Commission for its recommendation.
2. Move to not forward the Study to the Planning Commission for its recommendation.
3. Refer the issue to a committee.
4. Postpone the issue to future date.
5. Take no action on the issue.

Recommendation

City Administration recommends that the Council move to forward the study to the Planning Commission if Council wishes to consider the use of Tax Increment Financing as a redevelopment tool for this property.

Sample Motion

Move to forward the Study to the Planning Commission for their review and recommendation.



City of Grand Island, NE
Blight and Substandard Study
Area #33
March 2021



PURPOSE OF THE BLIGHT AND SUBSTANDARD STUDY

The purpose of completing this Blight and Substandard study is to examine existing conditions within Study Area 33 of the city of Grand Island. This study has been commissioned by the Innate Development LLC in order to analyze the possibility of declaring the area as blighted and substandard within this specific study area.

The City of Grand Island, when considering conditions of Blight and Substandard, will be looking at those issues and definitions provided for in the Nebraska Community Redevelopment Law as found in Chapter 18, Section 2104 of the Revised Nebraska State Statutes, as follows:

"The governing body of a city, to the greatest extent it deems to be feasible in carrying out the provisions of the Community Development Law, shall afford maximum opportunity, consistent with the sound needs of the city as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprises. The governing body of a city shall give consideration to this objective in exercising its powers under the Community Development Law, including the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the city, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations, relating to the use of land and the use and occupancy of buildings and improvements, the disposition of any property acquired, and the providing of necessary public improvements."

The Nebraska Revised Statutes §18-2105 continues by granting authority to the governing body for formulation of a workable program; disaster assistance; effect. The statute reads,

"The governing body of a city or an authority at its direction for the purposes of the Community Development Law may formulate for the entire municipality a workable program for utilizing appropriate private and public resources to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted areas, or to undertake such of the aforesaid activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of substandard and blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted areas or portions thereof."

"Notwithstanding any other provisions of the Community Development Law, where the local governing body certifies that an area is in need of redevelopment or rehabilitation as a result of flood, fire, hurricane, earthquake, storm, or other catastrophe respecting which the Governor of the state has certified the need for disaster assistance under federal law, the local governing body may approve a redevelopment plan and a redevelopment project with respect to such area without regard to the provisions of the Community Development Law requiring a general plan for the municipality and notice and public hearing or findings other than herein set forth."

Based on the Nebraska Revised Statutes §18-2103 the following definitions shall apply:

"Blighted area" means an area (a) which, by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the

sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted. A redevelopment project involving a formerly used defense site as authorized under section 18-2123.01 shall not count towards the percentage limitations contained in this subdivision;"

"Extremely blighted area means a substandard and blighted area in which: (a) The average rate of unemployment in the area during the period covered by the most recent federal decennial census is at least two hundred percent of the average rate of unemployment in the state during the same period; and (b) the average poverty rate in the area exceeds twenty percent for the total federal census tract or tracts or federal census block group or block groups in the area;"

"Substandard area means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare; and"

"Workforce housing means:

- (a) Housing that meets the needs of today's working families;
- (b) Housing that is attractive to new residents considering relocation to a rural community;
- (c) Owner-occupied housing units that cost not more than two hundred seventy-five thousand dollars to construct or rental housing units that cost not more than two hundred thousand dollars per unit to construct. For purposes of this subdivision (c), housing unit costs shall be updated annually by the Department of Economic Development based upon the most recent increase or decrease in the Producer Price Index for all commodities, published by the United States Department of Labor, Bureau of Labor Statistics;
- (d) Owner-occupied and rental housing units for which the cost to substantially rehabilitate exceeds fifty percent of a unit's assessed value; and
- (e) Upper-story housing."

This Blight and Substandard Study is only for a portion of the corporate limits of the city which has not previously been so designated. The Study is intended to give the Grand Island CRA, Hall County Regional Planning Commission and Grand Island City Council the basis for identifying and declaring Blighted and Substandard conditions existing within the City's jurisdiction and as allowed under Chapter 18, Section 2123.01. Through this process, the City and property owners will be attempting to address economic and/or social liabilities which are harmful to the well-being of the entire community.

The study area can be seen in Figure 1 of this report. A Redevelopment Plan to be submitted in the future will contain, in accordance with the law, definite local objectives regarding appropriate land uses, improved traffic, public transportation, public utilities and other public improvements, and the proposed land uses and building requirements in the redevelopment area and shall include:

- The boundaries defining the blighted and substandard areas in question (including existing uses and conditions of the property within the area), and
- A list of the conditions present, which qualify the area as blighted and substandard.

BLIGHT AND SUBSTANDARD ELIGIBILITY STUDY

This study targets the entire corporate limits of the community for evaluation. The area is indicated in Figure 1 of this report. The existing uses in this area includes several uses including, a residential area which was once a farmyard and the rest of the property is used for agricultural purposes.

Through the redevelopment process, the City of Grand Island can guide future development and redevelopment throughout the area. The use of the Community Redevelopment Act by the City is intended to redevelop and improve areas of the community. Using the Community Redevelopment Act, the City of Grand Island can assist in the elimination of negative conditions and implement different programs/projects identified for the City.

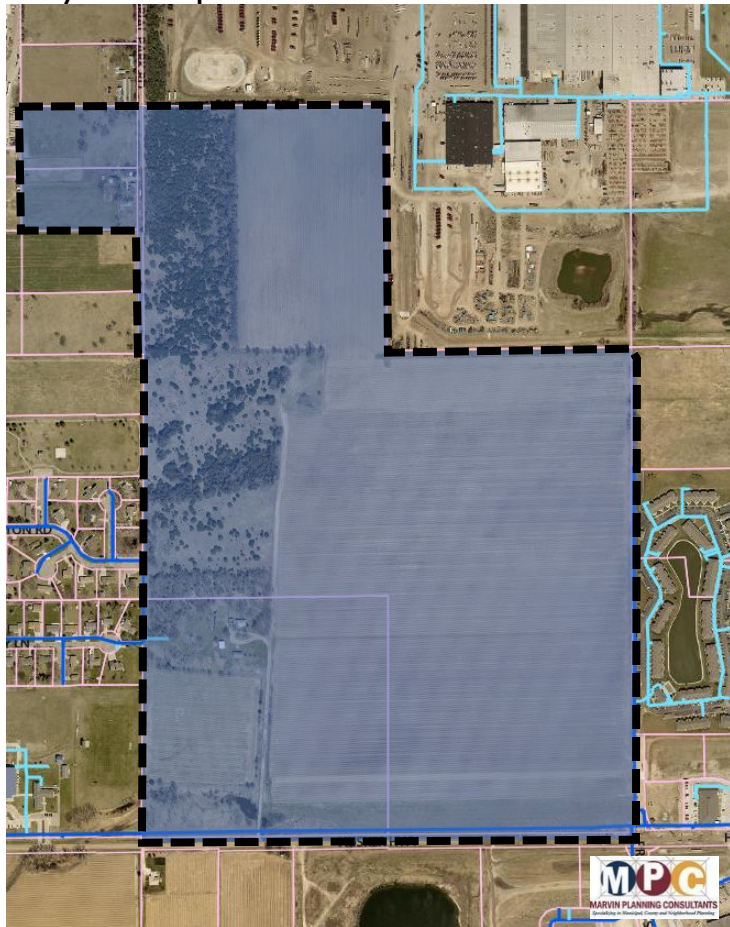
The following is the description of the designated area within the City of Grand Island.

A Tract described as follows: **MISC TRACTS SE1/4 NW1/4 & NE1/4 SW1/4 & PT W1/2 SE1/4 25-11-10 plus the north half of the R.O.W. along Husker Highway, 158.69 AC** and a tract described as follows: **MISCELLANEOUS TRACTS PT SE1/4 SW1/4 25-11-10; plus, Hayman's Subdivision Lots 5 and 6 and adjacent right-of-way of Memorial Park Road; plus, the north half of the R.O.W. along Husker Highway, 40.09 AC.** Total acres for this area is 205.24 acres.

Study Area

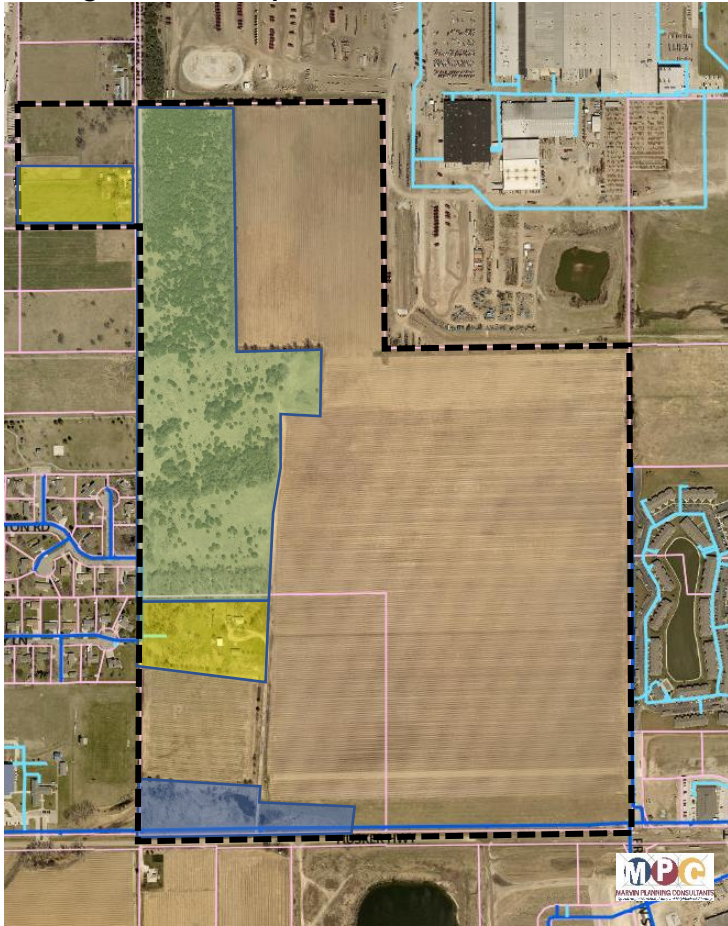
Figure 1

Study Area Map



Source: Hall County/Grand Island GIS, Marvin Planning Consultants 2021

Figure 2
Existing Land Use Map

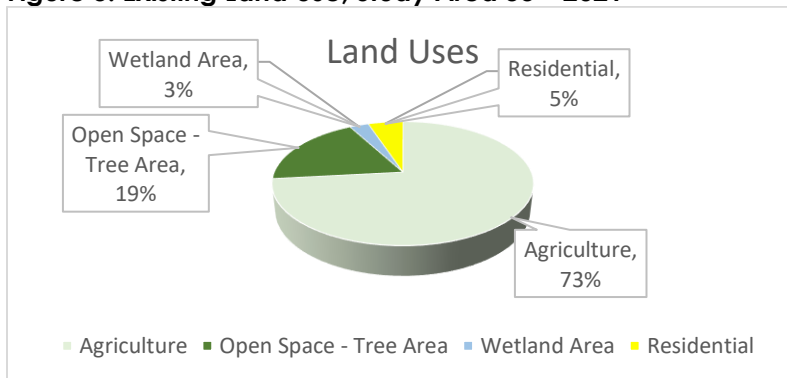


Source: Hall County Assessor's Office, Marvin Planning Consultants 2021

EXISTING LAND USES

The term “Land Use” refers to the developed uses in place within a building or on a specific parcel of land. The number and type of uses are constantly changing within a community and produce a number of impacts either benefitting or detracting from the community. Because of this, the short and long-term success and sustainability of the community is directly contingent upon available resources utilized in the best manner given the constraints the City faces during the course of the planning period. Existing patterns of land use are often fixed in older communities and neighborhoods, while development in newer areas is often reflective of current development practices.

Figure 3: Existing Land Use, Study Area 33 – 2021



Source: Marvin Planning Consultants 2021

Existing Land Use Analysis within Study Area

As part of the planning process, a survey was conducted through both in-field observations, as well as data collection online using the Hall County Assessors website. This survey noted the use of each parcel of land within the study area. Figure 3 shows the different uses present within the corporate limits of the area. The different uses also have the overall percent of the total area.

FINDINGS OF BLIGHT AND SUBSTANDARD CONDITIONS ELIGIBILITY STUDY

This section of the study examines the conditions found in the study area. The Findings Section will review the conditions based upon the statutory definitions.

CONTRIBUTING FACTORS

There were a number of conditions examined and evaluated in the field and online. There are a number of conditions to be reviewed in detail, on the following pages, while some of the statutory conditions are not present.

Structural Conditions

Structural conditions were evaluated, structures were either rated as: Excellent, Very Good, Above Normal, Normal, Below Normal, Poor or Very Poor. The data and rating system come from the Hall County Assessor's database and is the same database used to value properties in the area. According to the data there are five structures in the study area.

Based upon the data provided to the planning team, the following is the breakdown for structures in the study area:

- 0 (0.00%) structures rated as Excellent
- 0 (0.00%) structure rated as Very Good
- 0 (0.00%) structures rated as Above Normal
- 5 (55.55%) structures rated Normal
- 0 (0.00%) structures rated Below Normal
- 4 (44.44%) structures rated Poor
- 0 (0.00%) structure rated as Very Poor

Figure 4: Structure Conditions





Based upon these data, an assumption has been made that normal condition and less would constitute the possibility of some or considerable deterioration. It is common for older structures to need more maintenance and upkeep in order to maintain a good or higher condition. Even a structure rated as normal will show some signs of deteriorating which in turn can become a dilapidated structure in the future if it is not addressed over time. Overall, 80.00% of the structures in this study area are considered to in Poor Conditions.

Due to the stated conditions found in the Hall County Assessor's data, the condition of the structure is a contributing factor.

Deterioration of Site or Other Improvements

Sidewalk Conditions

Sidewalks, regardless of the area and uses within a community, should provide a safe means of movement for pedestrians. Sidewalks become increasingly more important along transportation routes considered to be arterials and highways. A sidewalk allows for pedestrian movement while keeping people off heavily traveled streets.

The sidewalk conditions were analyzed in the Study Area. The sidewalks were rated on three categories: Fair, Poor, and missing completely.

Within the study area there is approximately 2,664 lineal feet or .50 miles of area where sidewalk could or should be located. The area along Husker Highway is a rapidly developing area of Grand Island with the new hospital and multiple commercial business located between the study area and US Highway 281. After reviewing the conditions in the field, the following is how the sidewalk conditions breakdown within the study area:

- 0 (0.00%) lineal feet of Excellent sidewalk
- 0 (0.00%) lineal feet of Good sidewalk
- 0 (0.00%) lineal feet of Average sidewalk
- 0 (0.00%) lineal feet of Fair sidewalk
- 2,664 (100.00%) lineal feet of no sidewalk

Due to the lack of sidewalk, sidewalks are considered a direct contributing factor.

Figure 5: Sidewalk Conditions

Source: Hall County Assessor's Office, Marvin Planning Consultants 2021

Curb and Gutter

Curb and Gutters have a number of direct and indirect roles in communities. Their primary function is to be a barrier to collect and direct water to be drained away. On a secondary level, they can help define where the streets start and stop, and they act as a physical barrier between pedestrian and vehicular traffic.

Curb and gutter for the Study Area were examined similarly to sidewalks. The curb and gutter were graded as either Excellent, Good, Average, Fair, Poor and Missing. There is not any curb and gutter within the study area. And is considered rural section drainage.

Within the study area there is approximately 2,664 lineal feet of curb and gutter possible. Of the total area, approximately 855 feet of concrete paving and underground pipe was constructed during the hospital project. In addition, there were several inlets constructed along the area. After reviewing the conditions in the field, the following is how the curb and gutter conditions breakdown within the corporate limits:

- **855 (32.10%) lineal feet of Excellent curb and gutter**
- **0 (0.00%) lineal feet of Good curb and gutter**
- **0 (0.00%) lineal feet of Average curb and gutter**
- **0 (0.00%) lineal feet of Fair curb and gutter**
- **1,809 (67.90%) lineal feet of no curb and gutter**

The majority of this area's street and drainage have been designed and constructed in a manner referred to as rural section. There is a good reason since this area had once been under the county highway departments jurisdiction. Rural section street/road is one where water drains directly from the driving surface into ditches paralleling the street. This approach is adequate; however, this design typically sees the ditches begin to silt in and/or have tall grass growing in them. These factors quickly deteriorate the ability of the ditch to adequately drain away water from the driving surface and this typically leads to localized flooding and ponding. As this area becomes more urban, it needs to have urban amenities.

Figure 6
Curb and Gutter Conditions



Source: Hall County Assessor's Office, Marvin Planning Consultants 2021



Streets

Streets within a community are essential to moving people and vehicles from place to place. Their condition and construction have an impact on the appearance of a community, which leads directly to how a community is perceived by the outside world.

Within the study area there is approximately 2,664 lineal feet or .50 miles of street possible. After reviewing the conditions in the field, the following is how the street conditions breakdown within the corporate limits:

- **855 (32.1%) lineal feet of Excellent street**
- **0 (0.0%) lineal feet of Good street**
- **0 (0.0%) lineal feet of Average street**
- **1,809 (67.9%) lineal feet of Fair street**
- **0 (0.0%) lineal feet of Poor street**

The newly paved area north and west of the new hospital is a well-designed and excellent driving surface. As development continues west of this pavement, the additional 1,800 feet of frontage is in need of upgrading.

Figure 7: Street Conditions

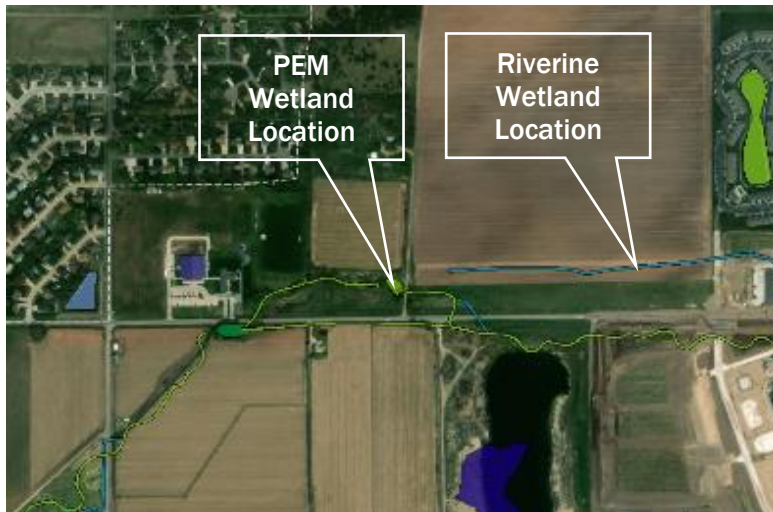
Source: Hall County Assessor's Office, Marvin Planning Consultants 2021



Insanitary and Unsafe Conditions

Along Husker Highway on the actual site is a drainage way which filters through a Palustrine Emergent Wetland (PEM). Within this wetland, there is a high probability that water sitting in the area may create Insanitary and Unsafe Conditions due to the water and the potential for breeding of mosquitoes and their ability to spread disease. The wetland is currently present and has been identified on the Wetland Mapper, therefore, this issue needs some level of mitigation which improves the overall safety of this body of water.

In addition, there is a small Riverine Wetland running along the south side of the study area.

Figure 8: Insanitary and Unsafe Conditions

Source: Wetlands Mapper (fws.gov), Marvin Planning Consultants 2021



Groundwater Control Area

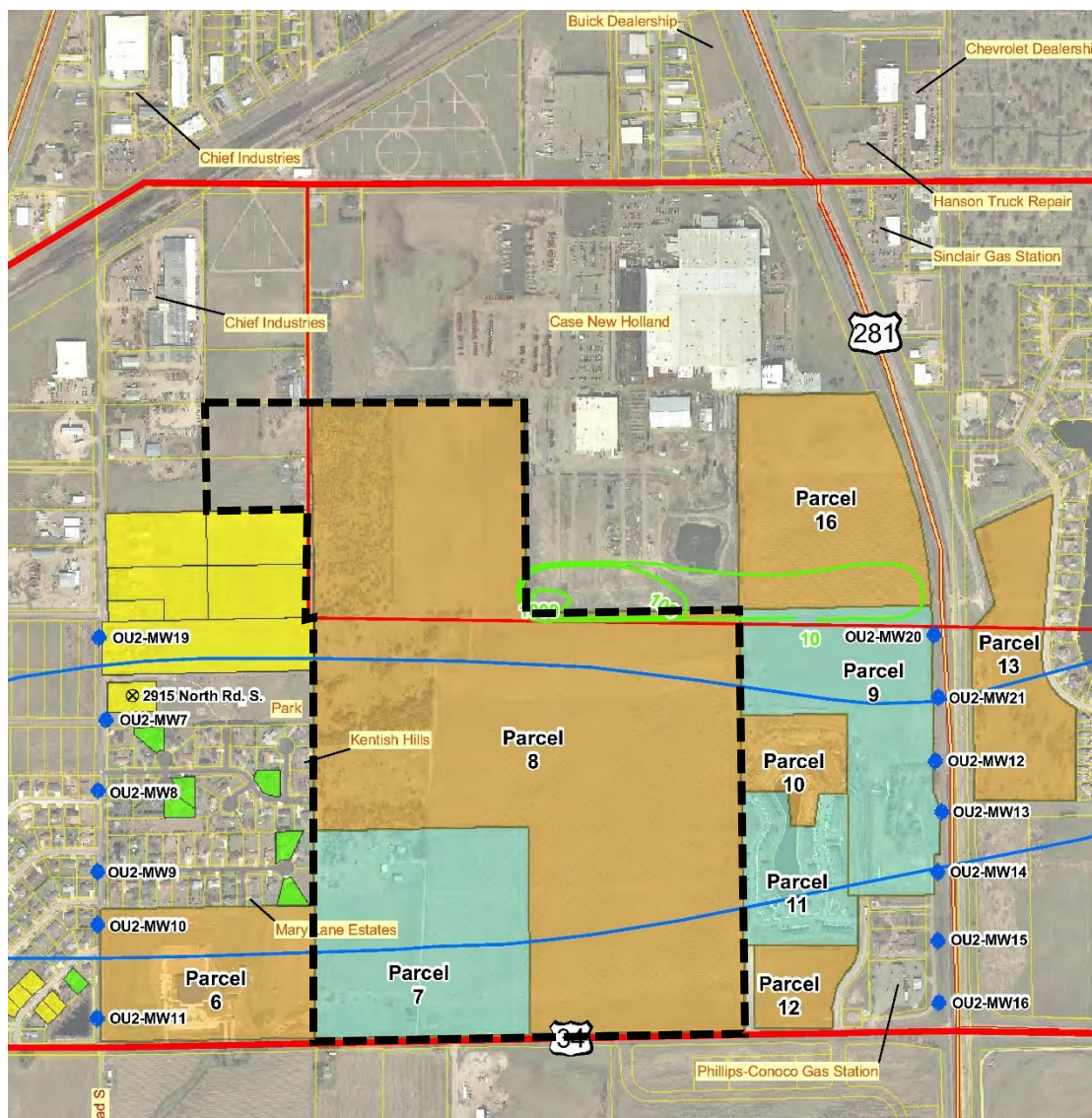
The study area sits in the middle of the Parkview Well Superfund Site dating to September 30, 2007. The site has two areas of groundwater contamination and associated source areas resulting from historical mismanagement of industrial solvents.

The Superfund Site has established remedies in place for the source and its associated Plumes. These remedies are established in order to minimize exposure by humans, especially the consumption of the water within this area.

This area has strict guidelines regarding future operations in the area including the drilling of new water wells with a design capacity of 50 gallons per minute or more; unless an individual party chooses to demonstrate through prescribed hydrological studies that such contamination is not present.

Figure 5 of the Parkview Well Superfund Site (Groundwater Control Area #3) indicates all of the proposed areas of this study are within the adopted boundaries of said Control Area #3. Figure 9 of this study contains a portion of said Figure from Groundwater Control Area #3.

Figure 9: Groundwater Control Area #3 and Study Area



Source: City of Grand Island

Age of Structure

Age of structures can be a contributing factor to the blighted and substandard conditions in an area. Statutes allow for a predominance of structures 40 years of age or older to be a contributing factor regardless of their condition. The following paragraphs document the structural age of the structures within the Study Area. Note the age of structure was determined from the Appraisal data within the Hall County Assessor's website data.

TABLE 2: AVERAGE STRUCTURAL AGE, BY METHOD – 2021

Number	Year	Age		Cumulative
2	1938	83	166	166
4	1952	69	276	442
1	1954	67	67	509
2	1957	64	128	637
9				637
				70.8

Source: Grand Island GIS Aerials, Hall County Assessor's and Marvin Planning Consultants 2021

Age of Structure

Within the study area there are nine structures. After researching the structural age on the Hall County Assessor's website, the following breakdown was determined:

- 9 (100.0%) unit was determined to be 40 years of age or older.

However, when examining the age based upon a cumulative approach, as in Table 1 the average age of the primary structures is equal to 70.8 years; thus, meeting the requirements of the statutes.

The age of the structures would be a direct contributing factor.

Figure 10: Age of Structures



Blighting Summary

These conditions are contributing to the blighted conditions of the study area.

- **Substantial number of deteriorating structures**
 - Within the study are 100.00% of the structures were deemed to be in a normal condition or worse.
- **Deterioration of site or other improvements**
 - Curb and gutter are missing over a majority of the frontage along Husker Highway.
 - The study area has what is considered rural section (ditches) and the drainage areas appear to be silting in.
 - A majority of the frontage of Husker Highway has average or poorer condition.
 - Sidewalks are missing within the entire study area.
- **Insanitary and Unsafe Conditions**
 - There is a Palustrine Emergent Wetland located in the study area. Standing water could create a sanitary and safety issue with mosquitoes.
 - There is also a Riverine Wetland on the south side which could create similar issues to the Palustrine Emergent Wetland.
 - The study area sits atop of Groundwater Contamination Area #3 which contains plumes of contaminated water and has strict guidelines for certain activities on the ground above and well drilling.

Criteria under Part B of the Blight Definition

- **The average age of the residential or commercial units in the area is at least forty years.**
 - 9 (100.00%) buildings or improvements were determined to be 40 years of age or older.
 - 0 (0.00%) buildings or improvements were determined to be less than 40 years of age.
 - The average age based upon a cumulative age calculation is 70.8 years.

The other criteria for Blight were not present in the area, these included:

- Diversity of Ownership
- Factors Which Are Impairing And/or Arresting Sound Growth
- Dangerous conditions to life or property due to fire or other causes
- Faulty Lot Layout
- Improper Subdivision or Obsolete Platting
- Stable or decreasing population based on the last two decennial censuses.
- Tax or special assessment delinquency exceeding fair value of the land.
- Defective or unusual condition of title,
- Unemployment in the designated area is at least 120% of the state or national average.
- One-half of unimproved property is over 40 years old.
- The per capita income of the area is lower than the average per capita income of the city or village in which the area is designated.

These issues were either not present or were limited enough as to have little impact on the overall condition of the study area.

Substandard Conditions

Average age of the residential or commercial units in the area is at least 40 years.

Age of structures can be a contributing factor to the blighted and substandard conditions in an area. Statutes allow for a predominance of structures 40 years of age or older to be a contributing factor regardless of their condition. The following paragraphs document the structural age of the structures within the Study Area. Note the age of structure was determined from the Appraisal data within the Hall County Assessor's website data.

TABLE 2: AVERAGE STRUCTURAL AGE, BY METHOD – 2021

Number	Year	Age		Cumulative
2	1938	83	166	166
4	1952	69	276	442
1	1954	67	67	509
2	1957	64	128	637
9				637
				70.8

Source: Grand Island GIS Aerials, Hall County Assessor's and Marvin Planning Consultants 2021

Age of Structure

Within the study area there are nine structures. After researching the structural age on the Hall County Assessor's website, the following breakdown was determined:

- 9 (100.0%) unit was determined to be 40 years of age or older.

However, when examining the age based upon a cumulative approach, as in Table 1 the average age of the primary structures is equal to 70.8 years; thus, meeting the requirements of the statutes.

The age of the structures would be a direct contributing factor.

Figure 11: Age of Structures



Substandard Summary

Nebraska State Statute requires that "...an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, **age** or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;"

This Study Area meets the definition of Substandard as defined in the Revised Nebraska State Statutes.

FINDINGS FOR BLIGHT AND SUBSTANDARD STUDY AREA #33

Blight Study Area #33 has several items contributing to the Blight and Substandard Conditions. These conditions include:

Blighted Conditions

- **Substantial number of deteriorated or deteriorating structures.**
- **Condition of Structures**
- **Insanitary and Unsafe Conditions**
- **Average age of the residential or commercial units in the area is at least 40 years.**

Substandard Conditions

- **Average age of the structures in the area is at least forty years.**



City of Grand Island

Tuesday, June 8, 2021

Council Session

Item J-1

Approving Payment of Claims for the Period of May 26, 2021 through June 8, 2021

The Claims for the period of May 26, 2021 through June 8, 2021 for a total amount of \$3,886,276.88. A MOTION is in order.

Staff Contact: Patrick Brown, Finance Director