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# City of Grand Island



## Tuesday, March 11, 2014 Council Session Packet

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### **City Council:**

**Linna Dee Donaldson**  
**John Gericke**  
**Peg Gilbert**  
**Chuck Haase**  
**Julie Hehnke**  
**Kent Mann**  
**Vaughn Minton**  
**Mitchell Nickerson**  
**Mike Paulick**  
**Mark Stelk**

### **Mayor:**

**Jay Vavricek**

### **City Administrator:**

**Mary Lou Brown**

### **City Clerk:**

**RaNae Edwards**

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

### **Call to Order**

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

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

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**Invocation - Pastor Terry Brandenburg, Peace Lutheran Church, 1710 N. North Road**

**Pledge of Allegiance**

**Roll Call**

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

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

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

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





# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item E-1

**Public Hearing on Request from Full Circle Venue LLC dba Full Circle Venue, 1010 Diers Avenue, Suite 4 for a Change of Location for Class “C-88739” Liquor License to 3333 Ramada Road**

Staff Contact: RaNae Edwards

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** March 11, 2014

**Subject:** Public Hearing on Request from Full Circle Venue LLC dba Full Circle Venue, 1010 Diers Avenue, Suite 4 for a Change of Location for Class “C-88739” Liquor License to 3333 Ramada Road

**Item #'s:** E-1 & I-1

**Presenter(s):** RaNae Edwards, City Clerk

## **Background**

Full Circle Venue LLC dba Full Circle Venue, 1010 Diers Avenue, Suite 4 has submitted an application for a Change of Location for their Class “C-88739” Liquor License to 3333 Ramada Road.

In June 2012, Denny’s requested and received a liquor license which did not include the Convention Center area. Starting in December 2012 we began receiving requests for Special Designated Liquor (SDL) Licenses for the Convention area. We approved four SDLs in a two month period and began discussions with the owner and applicants that the intent of the Liquor Control Commission was not to use SDLs in place of a permanent license.

Numerous discussions were held with the owner regarding building and fire code requirements for a permanent liquor license. Approval was given by the City Council on May 9, 2013 to Denny’s for a Liquor License for the area of the Convention Center pending code compliance, which was never attained and subsequently the application was withdrawn. The current applicant is requesting the same location and convention center area.

## **Discussion**

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Clerk, Building, Fire, Health, and Police Departments. Attached is the Police Department’s background investigation and recommendation.

New discussions with the building owner concerning life safety compliance followed this current application. By the February 11, 2014 Council Meeting, these discussions and a time certain schedule of code compliant actions had not been completed. Further discussion has subsequently taken place. The compliancy issues have been identified and are still incumbent upon the owner of the location. A meeting with the owner and architect has now satisfied the fire and building code officials' concerns for a reasonable timetable to bring the building into full compliance and at the same time allow for conditions that will provide an equivalent or acceptable standard of safety in the interim with a target completion date of July 2014.

### **Alternatives**

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

1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

### **Recommendation**

City staff recommends that the Council **approve** the application of licensure for the convention area of the facility under the following conditions:

- 1) Any event with 100 or more people must have a fire watch. 2 security personnel present if attendance is over 200 people; and 3 security personnel present if over 300 people. This condition is in place until such time as all necessary changes to the building are made and completion and passing of final inspections has occurred according to time certain completion dates agreed upon by owner.
- 2) The owner of the building will meet with building and fire code officials and discuss his commitment to and understanding of the life safety plans under development by his architect and will submit a signed letter of intent.
- 3) The owner of the building will fulfill obligations to provide an approved schedule and remodel plan to meet code compliance.

### **Sample Motion**

Move to **approve** the application for a change of location requested by Full Circle Venue LLC dba Full Circle Venue, 1010 Diers Avenue, Suite 4 to 3333 Ramada Road for the Class "C-88739" Liquor License with conditions listed above.



*Working Together for a  
Better Tomorrow. Today.*

February 14, 2014

To Chuyen Ngo, Dan Thayer, Craig Lewis, RaNae Edwards:

After discussing the meeting with Craig Lewis, I felt like I needed to also put in writing the intent of the words used and any explanations; and to allow for any rebuttals if there is not agreement on what I am about to write in conclusion of the meeting. Thank you Dan for your list and hopefully any change or additions to your list and remarks will be understood and acceptable to all.

On Feb 25<sup>th</sup> Casey Williams could approach the city council with his existing application for approval of a transfer of liquor license to the Howard Johnson Convention area.

- We actually had discussed that there would be two pending actions for council's approval. (Approved pending the following actions)
  - May 1<sup>st</sup> – Courtyard Egress Completed
  - May 31<sup>st</sup> – Sprinkler System in Convention area completed
- I don't believe the above is the intent of the conversation. I believe the wording we should have used is "approved under conditions" not "pending" the above two deadlines.

So...the license could be recommended for approval to the Council and the Fire Marshal could recommend approval to the Liquor Commission on Feb. 25, under the following conditions:

- The convention center may be used for numbers up to OL. but any event over 100 must have fire watch. 2 security personnel if over 200 people and 3 security personnel if over 300. (Until such time as the entire changes to the building necessary for and completion of final inspections is approved)
- The owner of the building will fulfill obligations to an approved schedule and remodel plan to meet code compliance.

If City and Fire Marshal approvals are acceptable to the Commission, a license could be issued at that time.

- Owner Obligations: (This list of obligations will not be included in the Council memorandum rather summarized in the one condition above and are not the responsibility of the applicant of the liquor license)
  - Rooms with no secondary egress from the unit are not to be used and are to be "signed". (already a standing order)
  - 3/17/14-Plan for Secondary Egress from rooms with windows or doors to the courtyard submitted (Marv Webb) (the 15<sup>th</sup> is a Saturday, so I propose we move the date to the 17th)
  - 3/31/14-Plan for Entire facility (Concept Plan Life Safety) - Plan will include locations of fire walls, sprinkler systems etc. (Marv Webb)
  - 4/15/14-Submitted plans to be approved by Fire and Building Plan reviews

City Hall • 100 East First Street • Box 1968 • Grand Island, Nebraska 68802-1968  
(308) 385-5444, Ext. 220 • FAX: 385-5423 • Emergency: 385-5000

- 5/01/14-Physical corrections compliant to the approved (March 17) plans are to be completed. (including window installation of room 187)
- 5/31/14-Sprinkler system in the convention center installed and in service. (Rooms above the convention by this time must either be sprinklered or have egress windows installed)
- 6/16/14-A plan for those 4 rooms (5 rooms minus room 187 = 4) that need secondary escape needs to be submitted and a discussion of completion date and phases in a meeting (I have added this to the conditions as I believe this is a very good time to revisit the progress and commitments)
- 7/30/14-Entire project according to the April 15<sup>th</sup> reviewed plan is to be completed according to such plan. (Firewalls, sprinkler systems, etc.)
- If any one condition is not met on the dates listed (unless dates are granted to change)
  - The Fire Marshal (myself) will withdraw his approval from the State Liquor Commission and it is anticipated that the Liquor Commission would then hold a hearing in which I have no doubt the license would be pulled after discussing this yesterday with the commission. I suspect it might even be pulled administratively.
  - A re-evaluation of the occupancy of the building will take place between building and fire departments and if no more extension of time is considered the appropriate course, all uses within the entire building will be ordered to desist. (Please don't assume that a simple request for more time will be considered reasonable. There is little room for variance)

Re-cap

- 1) Rooms without windows (secondary means of escape) cannot be used. Once a window is installed in any unit, that unit can be placed in service up to July 30 (completion date of entire project). Call Fire Marshal to confirm and inspect if you wish to put in service.
- 2) The convention center may be used for numbers up to the current permitted OL (Occupancy Load), but any event over 100 must have fire watch. 2 security personnel if over 200 people and 3 security personnel if over 300 (regardless of whether the convention center only is sprinklered).

Final Comment:

I would still like to have a conversation with and signed written commitment from Chuyen prior to the 25<sup>th</sup> of February where we can discuss the commitment level and the ability to follow through. Without this conversation and written commitment a positive recommendation for a liquor license would not be forthcoming nor occupancy of the building be allowed past the original March 1 deadline.

Also, I need to send Shayne Murphy (fire inspector) out to do a general inspection. Due to the fact that we are conceding to a time frame to complete code compliance, I think it is important that we keep up with the general inspections. Please expect him any day now or call for an appointment if it works out better for you to do that.

  
 Fire Marshal Fred Hotz  
 Division Chief Grand Island Fire



Life Safety Division

I have reviewed and agree to the conditions identified above.



02/04/14  
09:50

Grand Island Police Department  
LAW INCIDENT TABLE

450  
Page: 1

City : Grand Island  
Occurred after : 15:37:59 02/03/2014  
Occurred before : 15:37:59 02/03/2014  
When reported : 15:37:59 02/03/2014  
Date disposition declared : 02/03/2014  
Incident number : L14020259  
Primary incident number :  
Incident nature : Liquor Lic Inv Liquor Lic Inv  
Incident address : 3333 Ramada Rd  
State abbreviation : NE  
ZIP Code : 68801  
Contact or caller :  
Complainant name number :  
Area location code : PCID Police - CID  
Received by : Vitera D  
How received : T Telephone  
Agency code : GIPD GIPD Grand Island Police Dept  
Responsible officer : Vitera D  
Offense as Taken :  
Offense as Observed :  
Disposition : ACT Active  
Misc. number : RaNae  
Geobase address ID : 14250  
Long-term call ID :  
Clearance Code : CL CL Case Closed  
Judicial Status : NCI Non-criminal Incident  
= = = = =

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	56540	02/03/14	Williams, Misti A	Owner
NM	64076	02/03/14	Williams, Casey J	Owner
NM	69835	02/03/14	Howard Johnson Riverside Inn,	Establishment
NM	156454	02/03/14	Full Circle Venue,	Establishment

LAW INCIDENT CIRCUMSTANCES:

Se Circu	Circumstance code	Miscellaneous
1	LT14 LT14 Hotel/Motel/Etc.	

LAW INCIDENT NARRATIVE:

Full Circle Venue is Requesting a Change of Location for Their Liquor License.

LAW INCIDENT OFFENSES DETAIL:

Se Offe	Offense code	Arson Dama
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1 AOFF AOFF Alcohol Offense 0.00

LAW INCIDENT RESPONDERS DETAIL:

Se Responding offi Unit n Unit number

-----  
1 Vitera D 318 Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq Name Date  
-----  
1 Vitera D 15:58:29 02/03/2014

318

Grand Island Police Department  
Supplemental Report

Date, Time: Mon Feb 03 15:58:40 CST 2014  
Reporting Officer: Vitera  
Unit- CID

Full Circle Venue is trying to change the location of their liquor license from 1010 N. Diers Ave. Suite 4 to 3333 Ramada Road. I did the original investigation when Full Circle Venue received its license over three and one half years ago. Since then, we have had very few problems with Full Circle Venue.

I did a quick check on the owners (Misti and Casey Williams) to see if their criminal history had significantly changed. I looked up Misti and Casey in Spillman and NCJIS. Casey had nothing new in NCJIS. Misti had an alcohol sale to a minor on 12/9/11. They each had a couple of new entries in Spillman but nothing too damaging to their liquor license.

It is my understanding that the Fire Department and the Building Department have serious concerns about the building located at 3333 Ramada Road and have been trying to work with the manager and owner of the building to address their concerns. SDL requests have recently been denied due to their safety concerns. Since the SDL's have been denied, a permanent license is also out of the question until the safety issues are resolved.

In summary, from strictly a law enforcement perspective that is concerned with criminal activity of the owners/applicants of Full Circle Venue and the business itself, the Grand Island Police Department would normally not object to this change of location due to the lack of such activity. However, knowing that the Fire Department and the Building Department will not approve of a liquor license at this location until corrective action is taken or at least planned, the Police Department will acknowledge their concerns and yield to their position and not give a positive recommendation until one is given by them.



# **City of Grand Island**

**Tuesday, March 11, 2014**

**Council Session**

## **Item E-2**

**Public Hearing on Request from Garry & Jeanne Williams and  
Midland Ag Service, Inc. for a Conditional Use Permit for a Sand  
and Gravel Mining Operation located at 1672 South Shady Bend  
Road and 3116 Stolley Park Road**

**Staff Contact: Craig Lewis**



## **Council Agenda Memo**

**From :** Craig A. Lewis, Building Department Director

**Meeting:** March 11, 2014

**Subject:** Public Hearing on Request of Lyman-Richey Corp. dba Central Sand and Gravel for a Conditional Use Permit to Continue to Operate a Sand and Gravel Mining Operation at 1672 S. Shady Bend Road  
Garry and Jeanne Williams are the Owners of Tract "A" 56 acres located within the North One-Half of the Southeast Quarter Section of 23-11-9  
Midland Ag. Services, Inc. Roger Luebbe President is the Owner of Tract "B" 72 acres located within the South One-Half of the Southwest and Southeast Quarter of Section 23-11-9 in Hall County

**Item #'s:** E-2 & H-1

**Presenter:** Craig Lewis, Building Department Director

### **Background**

This request is for council approval for the continued operation of a sand and gravel mining operation at the above referenced address. A conditional use permit is required as the current zoning classification, TA or Transitional Agriculture, does not allow for this type of use as a permitted principal use. The zoning classification does list as a permitted conditional use, commercial mines, quarries, sand and gravel pits and accessory uses. Conditional uses as listed in the zoning code must be approved by the City Council.

The original request was presented to and approved by the City Council on March 27, 2007 for a 7 year period.

### **Discussion**

Sand and gravel operations have been a part of Grand Island and the surrounding areas for a long time. As residential development continues to expand and the two uses become closer neighbors more conditions need to be implemented to assure a compatible existence for both uses.

City administration has developed the following restrictions, or conditions which appear appropriate to impose upon sand and gravel operations, these conditions were imposed on the original approval and appear appropriate for the continued use.

**1). USE:** The proposed uses are limited to those listed in the application, sand and gravel pumping processing, storage, stocking piling, distribution, and sales, both wholesale and retail. Retail sale may also include the sale of black dirt, river rock, and similar landscaping materials. The storage, recycling, or processing of other aggregate materials, such as asphalt or concrete is not allowable unless specifically listed, nor are the operation of concrete or asphalt batch plants.

**2). CLOSURE:** A drawing of the proposed development of the property after the closing of the sand and gravel operation was provided with the original application. The finished width of the developable property at the time the operation of mining is terminated shall be 300' adjacent to any public right of way and 200' adjacent to neighboring property lines.

**3). PRIMARY CONDITIONS:** (a). The permit shall be granted for a period not to exceed 10 years with the possibility of renewal for an additional time at the end of the 10 year period.

(b). Pumping of product shall not be allowed within 150 feet of any public road right of way and protected by a 6 foot earthen berm during pumping. The finished width of developable property adjacent to the public right of way shall be 300 feet at the time of termination of the operation. A setback of 100 feet from any adjacent property line shall be maintained.

(c). Pumping and other activities (including lighting) at the site shall be limited to daylight hours, (15) minutes before sunrise and (15) minutes after sunset Mondays through Fridays. No pumping or other processing activities shall be permitted on Sundays or from fifteen minutes after sunset to fifteen minutes before sunrise. Applicant shall cease pumping operations at noon on Saturdays and no pumping or hauling will be allowed on Sundays. One exception to this condition shall be in the months of March, April, October, and November where activities may operate from 6:00 a.m. to 10:00 p.m. to allow for winter conditions.

(d). Any internal combustion pump motors utilized shall be equipped with a functioning "hospital grade muffler" designed to reduce exhaust noise by 32 to 40 decibels.

(e). Materials and equipment shall not be stored on the property within any easements or the regulated floodway as determined by the Federal Emergency Management Agency or its successor and the entity with jurisdiction and authority to enforce floodplain regulations. No product, material or equipment shall be stored within an easement or in such a manor that it would violate any safety provisions of the National Electric Safety Code.

(f). All dead trees, rubbish, and debris, if any, must be cleared from the real estate as soon as practical and such real estate must, at all times, be kept in a clean and neat condition.

(g). No trash, rubbish, debris, dead trees, lumber, bricks, refuse or junk material of any nature whatsoever shall be dumped, placed or located upon such real estate.

(h). Applicant shall not use the real estate in any way so as to create or result in an unreasonable hazard or nuisance to adjacent land owners or to the general public.

(i). Applicant shall maintain any and all drainage ditches that may be located upon the real property.

(j). Applicant shall not permit the hauling of sand and gravel from the premises and over and across any public highway or road unless said sand and gravel is completely dry and free from water or is hauled in trucks which are designed and equipped so as to prevent water from leaking onto the traveled portion of the roadbed.

(k). All water accumulated upon the premises by virtue of such mining and pumping operations shall be retained upon the premises and shall not flow upon or encroach upon any adjacent land. Only surface waters that have historically flowed from the premises shall be permitted to leave the same through historical natural drainage ways.

(l). Applicant shall continue the mining operation but if, at anytime during the life of the permit issued, the operation shall cease for a period of a continuous 18 months, the permit shall become void and a renewal shall be obtained before becoming once again operational.

An additional request is to incorporate a small fishing pond on Midland Ag's property to the north with the proposed lake development. This request would allow access from the existing pond to the developed lake. The proposal would be to maintain 150' of land along the east and west property lines adjacent to the pond and provide approximately 300' of common lake along the common property line.

## **ALTERNATIVES**

It appears the Council has the following alternatives concerning the issue:

1. Approve the request with the proposed conditions, finding that the proposed application is and will continue to be in conformance with the purpose of the zoning regulations.
2. Deny the request, finding that the proposed application does not conform to the purpose of the zoning regulation.
3. Approve the request with additional or revised conditions and a finding of fact.
4. Refer the matter to a special committee for a determination of a finding of fact.

## **RECOMMENDATION**

Approve the request with conditions as stated above assuming the City Council finds that the proposed use and application promotes the health, safety, and general welfare of the community, protects property against blight and depreciation, and is generally harmonious with the surrounding neighborhood.

## **SAMPLE MOTION**

Move to approve the conditional use with the conditions identified by the City Administration, published in the Council packet and presented at the Council meeting, and finding that the application conforms with the purpose of the zoning regulations.

## Conditional Use Permit Application

pc: Building, Legal, Utilities  
Planning, Public Works

1. The specific use/construction requested is: To allow sand and gravel mining on the described property.
2. The owner(s) of the described property is/are: Midland Ag Service, Inc.
3. The legal description of the property is: within the South One-Half of the Southeast Quarter and part of the East one-Half of the Southeast Quarter of Section 23, Township 11 North, Range 9 East of the 6th P.M. Hall County, NE
4. The address of the property is: 3116 Stolley Park Road
5. The zoning classification of the property is: Transitional Agriculture
6. Existing improvements on the property is: None
7. The duration of the proposed use is: 2014- 2034
8. Plans for construction of permanent facility is: To mine the property for gravel removal
9. The character of the immediate neighborhood is: Rural with the described land presently being farmed.
10. There is hereby **attached** a list of the names and addresses of all property owners within 200' of the property upon which the Conditional Use Permit is requested.
11. Explanation of request: SEE ATTACHED.

I/We do hereby certify that the above statements are true and correct and this application is signed as an acknowledgement of that fact.

2-13-14  
Date

Midland Ag Service, Inc.  
Owners(s)

308-382-8185  
Phone Number

1012 South Shady Bend Road  
Address

Grand Island  
City

NE  
State

68801  
Zip

**Please Note: Delays May Occur if Application is Incomplete or Inaccurate.**

## Conditional Use Permit Application

pc: Building, Legal, Utilities  
Planning, Public Works

1. The specific use/construction requested is: To allow sand and gravel mining on the described property.
2. The owner(s) of the described property is/are: Garry and Jeanne Williams
3. The legal description of the property is: An approximate 56 acre parcel of land located within the North One-Half of the Southeast Quarter of Section 23, Township 11 North, Range 9 East of the 6th P.M., Hall County, NE
4. The address of the property is: 1672 Shady Bend Road South
5. The zoning classification of the property is: Transitional Agriculture
6. Existing improvements on the property is: None
7. The duration of the proposed use is: 2014 to 2034
8. Plans for construction of permanent facility is: To mine the property for gravel removal.
9. The character of the immediate neighborhood is: Rural with the described land presently being farmed.
10. There is hereby **attached** a list of the names and addresses of all property owners within 200' of the property upon which the Conditional Use Permit is requested.
11. Explanation of request: SEE ATTACHED.

I/We do hereby certify that the above statements are true and correct and this application is signed as an acknowledgement of that fact.

2-13-2014  
Date

Garry Williams Jeanne Williams  
Owners(s)

308-381-0794  
Phone Number

610 Midaro Drive  
Address

Grand Island NE 68801  
City State Zip

**Please Note: Delays May Occur if Application is Incomplete or Inaccurate.**



Pumping Restrictions-  
150' R.O.W.  
100' Property Line

100'

100'

200'

300'

TRACT " A "

150'

200'

200'

TRACT " B "

300'

100'

150'


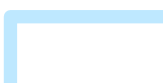
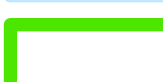
STOLLEY PARK RD E

SHADY BEND RD S

LOCATION MAP



**Legend**

-  150' Boundary
-  200' Boundary
-  300' Boundary





# **City of Grand Island**

**Tuesday, March 11, 2014**

**Council Session**

## **Item E-3**

**Public Hearing on Request from Central Nebraska Transload I, LLC, 4331 Juergen Road for a Conditional Use Permit for a Chemical/Hazardous Material Transload (Rail Car to Truck) Facility located at 1213-1215 & 1221 East Hwy 30**

**Staff Contact: Craig Lewis**

# **Council Agenda Memo**

**From:** Craig A. Lewis, Building Department Director

**Meeting:** March 11, 2014

**Subject:** Conditional Use Permit for Temporary Use as Chemical Warehouse and Distribution Facility at 1213-1215 & 1221 East Highway #30

**Item #'s:** E-3 & H-2

**Presenter(s):** Craig Lewis, Building Department Director

## **Background**

This is a request of Central Nebraska Transload I, LLC to allow for the approval of a three year temporary use for a chemical warehouse and distribution facility. The property is currently zoned M-2 Heavy Manufacturing. The zoning classification requires chemicals, industrial, nonhazardous, wholesale uses to come before the City Council and receive approval in the form of a conditional use permit. The City Code does provide for City Council approval of temporary uses, not to exceed two years in undeveloped areas and six months in developed areas.

## **Discussion**

The City Code does identify temporary uses as an authorized conditional use and also list as a conditional use chemical wholesale facilities. This request is to warehouse chemicals in railcar tankers on site and then transfer the chemical to truck tankers for distribution to customers. Two to four railcar tankers of Sodium Hydroxide and three to six railcar tankers of Sulfuric Acid per month is proposed to be stored and trans loaded. The Fire department has reviewed this proposal and would recommend approval with the conditions that the operations and storage comply with the requirements of Fire codes and NFPA life safety codes.

## **Alternatives**

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



1. Approve the request with the proposed conditions, finding that the proposed application is and will continue to be in conformance with the purpose of the zoning regulations.
2. Disapprove or /Deny the request, finding that the proposed application does not conform to the purpose of the zoning regulations.
3. Approve the request with additional or revised conditions and a finding of fact.
4. Refer the matter to a special committee for a determination of a finding of fact.

### **Recommendation**

Approve the request if all conditions are met as presented by City Administration and if the City Council finds that the proposed use and application promotes the health, safety, and general welfare of the community, protects property against blight and depreciation, and is generally harmonious with the surrounding neighborhood.

### **Sample Motion**

Move to approve the conditional use with the conditions identified by the City Administration, published in the Council packet and presented at the Council meeting, finding that the application conforms with the purpose of the zoning regulations.



Non-Refundable Fee: \$1,000.00  
Return by: \_\_\_\_\_  
Council Action on: \_\_\_\_\_

## Conditional Use Permit Application

pc: Building, Legal, Utilities  
Planning, Public Works

1. The specific use/construction requested is: Chemical / Hazardous Material transload  
(Rail car to truck ) and store in Rail car on site
2. The owner(s) of the described property is/are: Central Nebraska Transload I, LLC
3. The legal description of the property is: Luzenac Second Sub LT2 ,Luzenac Third Sub LT2
4. The address of the property is: 1213/1215-1221 East Hwy 30
5. The zoning classification of the property is: 03/04
6. Existing improvements on the property is: Warehouse Buildings
7. The duration of the proposed use is: 36 months
8. Plans for construction of permanent facility is: 3 phases over 3 years
9. The character of the immediate neighborhood is: Industrial / Commercial
10. There is hereby **attached** a list of the names and addresses of all property owners within 200' of the property upon which the Conditional Use Permit is requested.
11. Explanation of request: We would like to set up temporary transload of Caustic Soda (Sodium Hydroxide ), 2-4 railcars per month (each railcar contains 15,600 gallons) and Sulfuric Acid  
3-6 railcars per month (each railcar contains 13,000 gallons).  
MSDS sheets for both chemicals are attached.

I/We do hereby certify that the above statements are true and correct and this application is signed as an acknowledgement of that fact.

  
Michael Lilienthal Owner

Central Nebraska Transload I, LLC  
Owners(s)

02/19/2014  
Date

308-382-6031  
Phone Number

4331 Juergen Road  
Address

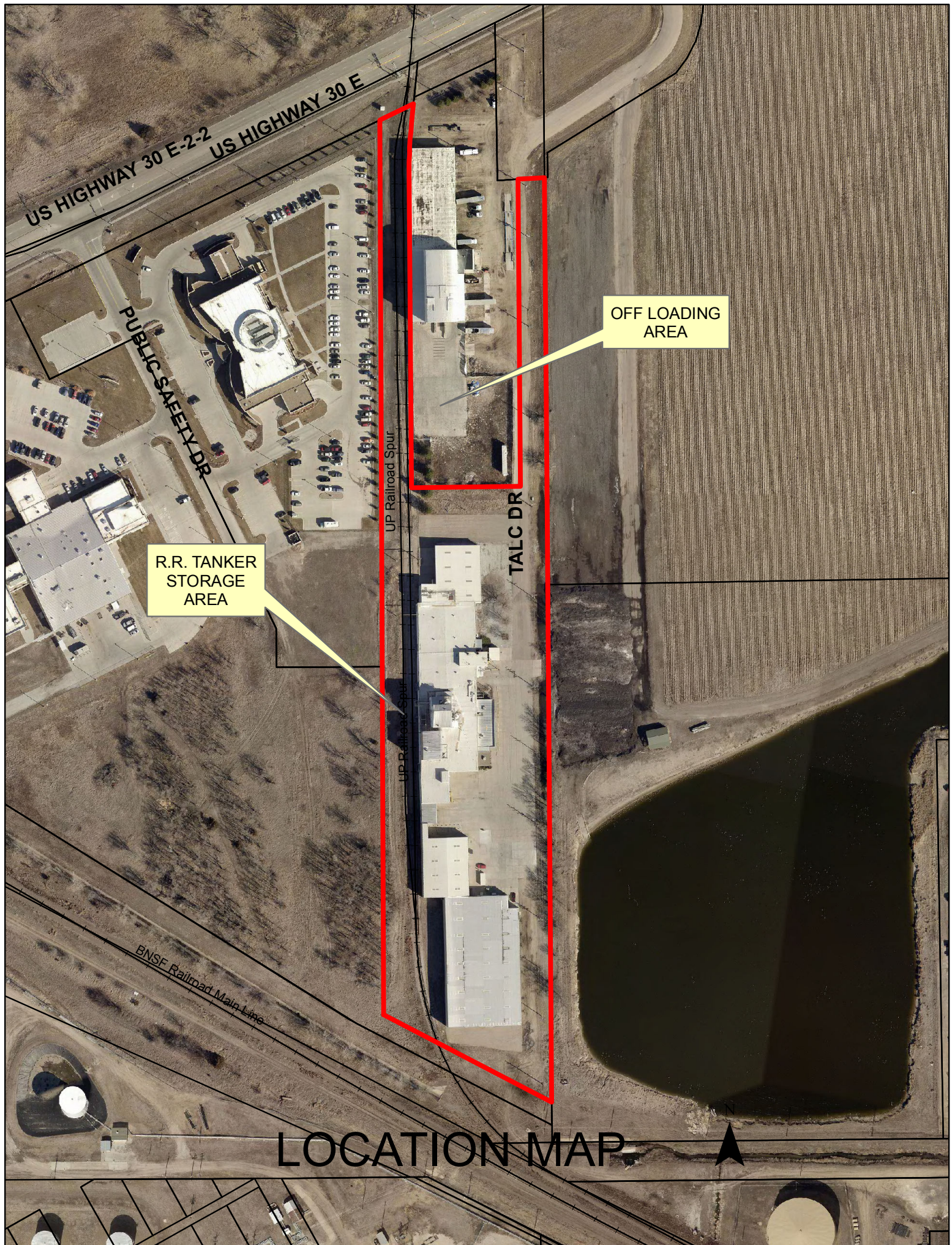
Grand Island  
City

NE  
State

68801  
Zip

**Please Note: Delays May Occur if Application is Incomplete or Inaccurate.**









# **City of Grand Island**

**Tuesday, March 11, 2014**

**Council Session**

## **Item E-4**

**Public Hearing on Vacating the Street and Alley Right-of-Way and Easements - Groff Street, Alley in Block 9, and Easements all within Joehnck's Addition to the City of Grand Island**

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

# **Council Agenda Memo**

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

**Meeting:** March 11, 2014

**Subject:** Ordinance # 9474 - Vacation of Part of Groff Street, the Alley in Block Nine, and Easements within Joehnck's Addition to the City of Grand Island

**Item #'s:** E-4 & F-1

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

## **Background**

The Burdick Station Power Plant campus is located on the property between Cherry Street and the BNSF Railroad. The area houses the Power Plant and related substations, the Phelps Control Center, and material storage areas for the Electric Department.

The Utilities Department needs to vacate a part of Groff Street, the alley in Block Nine (9), and utility easements all within the referenced property being a part of Joehnck's Addition to the City of Grand Island, Hall County, Nebraska.

Attached are two maps for reference.

## **Discussion**

The property is wholly owned by the City and the areas requested to be vacated are maintained for the operation of the Burdick Station Power Plant and Control Center's operations. The entire area is restricted from public access in conformance with federal regulations. Vacation of the various tracts will clean up abnormalities in the property rights and allow for proper use, operations and maintenance of the lands.

## **Alternatives**

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

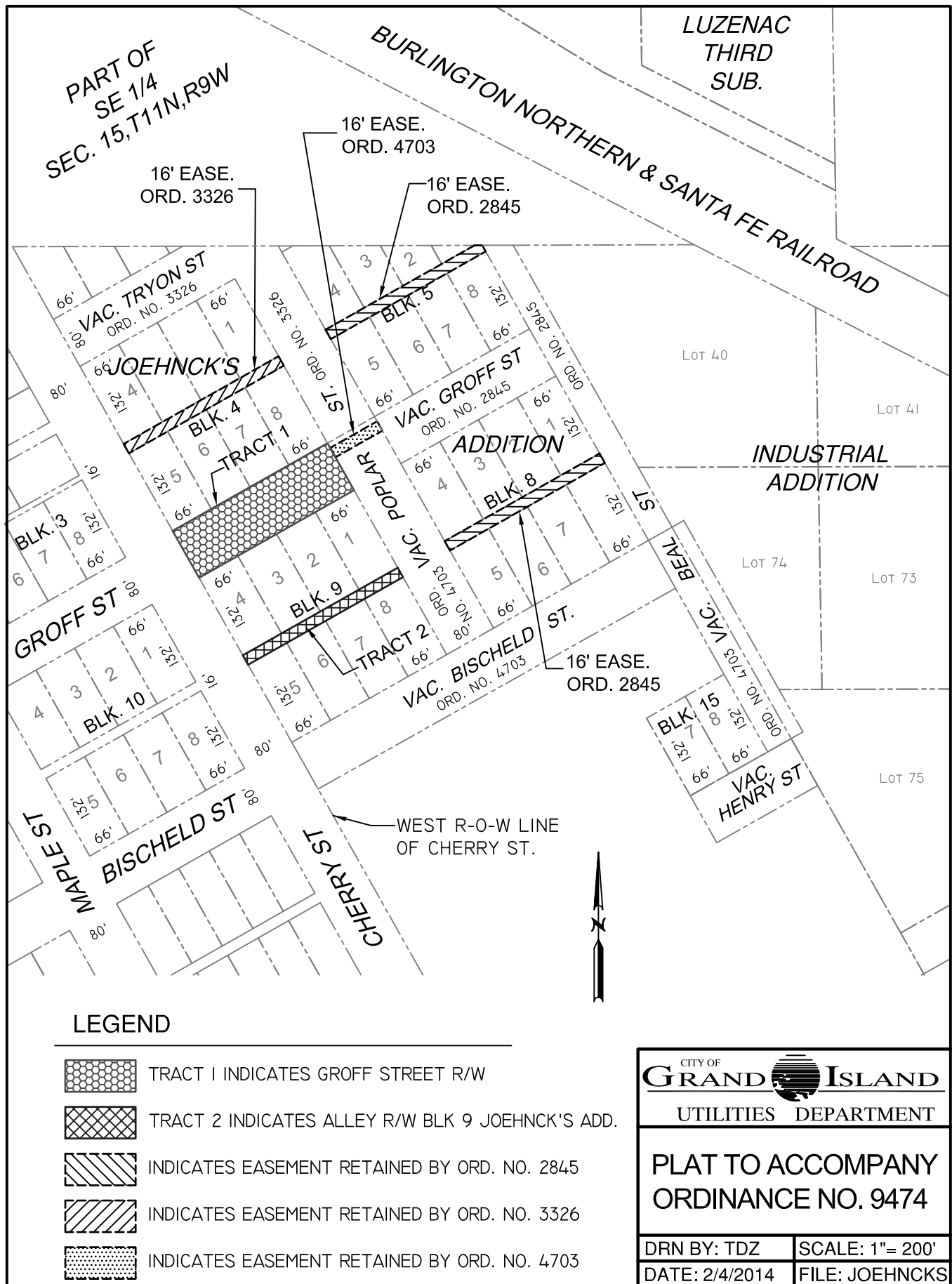
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

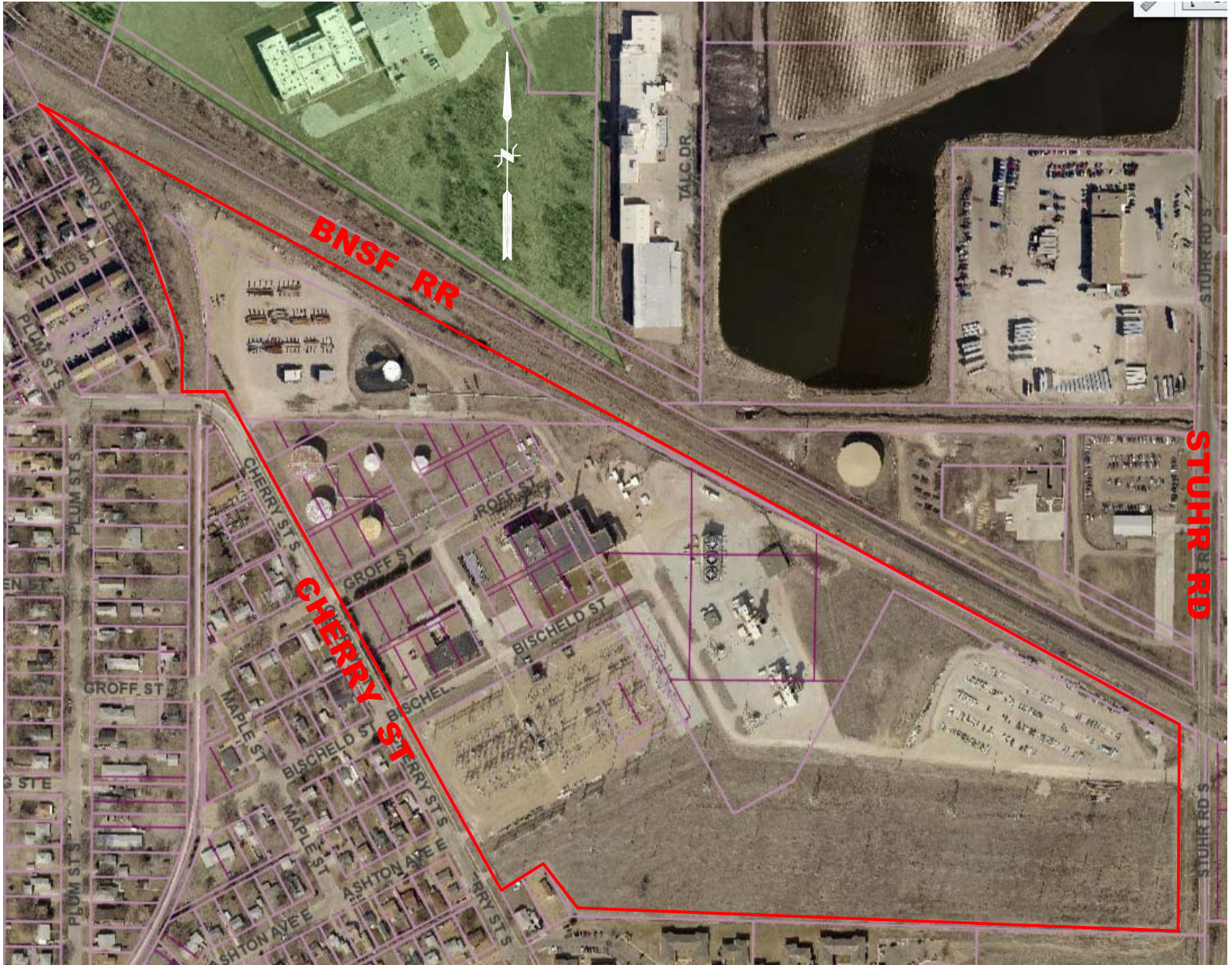
## **Recommendation**

City Administration recommends that the Council approve Ordinance No. 9474, to vacate part of Groff Street, the alley in Block Nine (9), and easements all within Joehnck's Addition to the City of Grand Island.

## **Sample Motion**

Move to approve Ordinance No. 9474, to vacate part of Groff Street, the alley in Block Nine (9), and easements all within Joehnck's Addition to the City of Grand Island, Hall County, Nebraska.









# **City of Grand Island**

**Tuesday, March 11, 2014**

**Council Session**

## **Item E-5**

### **Public Hearing on Acquisition of Property for the North End of Moores Creek Drainway (Stahla)**

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

# **Council Agenda Memo**

**From:** Terry Brown PE, Assistant Public Works Director

**Meeting:** March 11, 2014

**Subject:** Public Hearing on Acquisition of Property for the North End of Moores Creek Drainway (Stahla)

**Item #'s:** E-5 & G-9

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

## **Background**

On September 10, 2013 the City's Legal Department requested authorization to acquire approximately 80 acres of pasture land located north of Eagle Scout Lake along Highway 2 through eminent domain. Such request was postponed to the September 24, 2013 council meeting, and once again to the October 8, 2013 council meeting when approval to pursue such action was received through Resolution No. 2013-310.

City staff made reasonable offers to the listed owner, for purchase of such land, in excess of the fair market value to no avail.

On October 1, 2013 City legal staff met with the property owner and his attorney to again attempt to negotiate a purchase price for the property in question. The property owner held fast in his demand for a price per acre far in excess of fair market value. Consequently, his demand was rejected by City legal staff.

Nebraska State Statute Section 19-709, R.R.S. 1943, authorizes the City to appropriate private property for use of the City for public facilities. Since the proposed use of the land is for a public purpose, Chapter 76, Article 7 of the Nebraska Revised Statutes permits the City to acquire it through eminent domain.

## **Discussion**

The Public Works Department wishes to convert this parcel into a detention cell to allow the City of Grand Island to better control storm water runoff and drainage affecting Northwest Grand Island.

A Petition to Condemn Real Property was filed in the Hall County Court for the approximately 80 acres of pasture land. On January 31, 2014 the Report of Appraisers was filed by Hall County Court with a determination that the amount of damages suffered by the Condemnee, Bob Stahla Mobile Home Service, Inc. is \$230,340.00.

### **Alternatives**

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

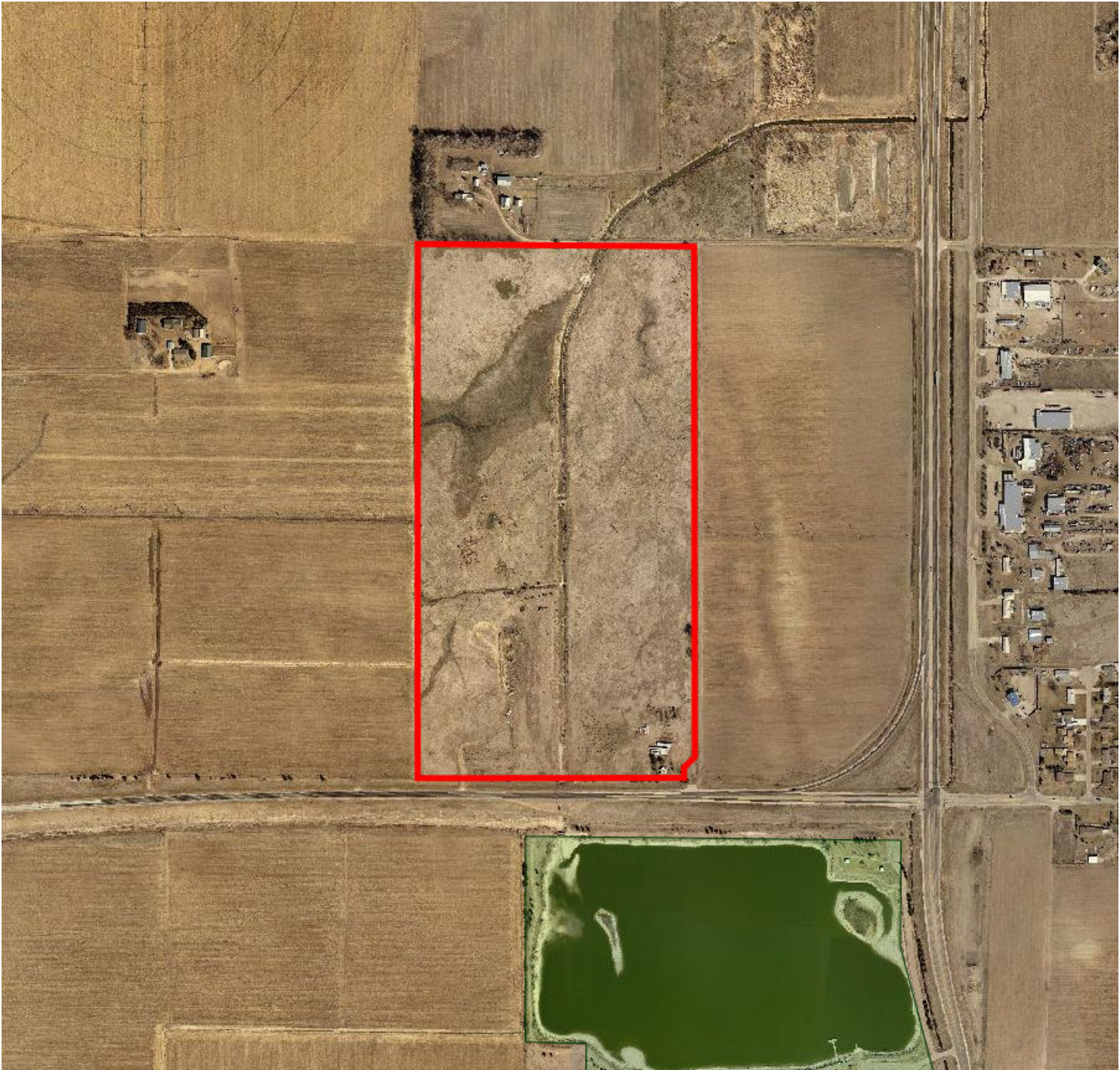
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **Recommendation**

City Administration recommends that the Council conduct a Public Hearing and approve acquisition of such land, in the amount of \$230,340.00.

### **Sample Motion**

Move to approve the acquisition of the land from Bob Stahla Mobile Home Service, Inc., of Grand Island, Nebraska.





# **City of Grand Island**

**Tuesday, March 11, 2014**

**Council Session**

## **Item E-6**

**Public Hearing on Acquisition of Utility Easement for Sanitary  
Sewer Tap District No. 530T - Sanitary Sewer Extension to  
Interstate 80 (Lawney L. Rathman)**

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

# **Council Agenda Memo**

**From:** Terry Brown PE, Assistant Public Works Director

**Meeting:** March 11, 2014

**Subject:** Public Hearing on Acquisition of Utility Easement for Sanitary Sewer Tap District No. 530T – Sanitary Sewer Extension to Interstate 80 (Lawney L. Rathman)

**Item #'s:** E-6 & G-14

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

## **Background**

A public utility easement is needed to accommodate the extension of sanitary sewer to Interstate 80. The public utility easement will allow for the construction, operation, maintenance, extension, repair, replacement, and removal of sanitary sewer within the easement.

Such sanitary sewer district was created by City Council through Ordinance No. 9348 at the December 6, 2011 meeting.

## **Discussion**

The purchase price of the necessary public utility easement is as follows, and has been agreed upon between the City and the property owner.

<b><i>Property Owner</i></b>	<b><i>Legal Description</i></b>	<b><i>Amount</i></b>
Lawney L. Rathman Revocable Living Trust	<u>PERMANENT EASEMENT NO. 1</u> A TRACT OF LAND LOCATED IN THE EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) A DISTANCE OF 177.10 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 AND THE ACTUAL POINT OF	\$34,292.00

	<p>BEGINNING; THENCE CONTINUING S86°48'58"W ALONG SAID SOUTH LINE OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) A DISTANCE OF 30.03 FEET; THENCE N00°48'35"W PARALLEL WITH AND 30.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1179.31 FEET; THENCE N88°22'17"E A DISTANCE OF 30.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S00°48'35"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1178.49 FEET OF THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 35,367 SQUARE FEET OR 0.812 ACRES MORE OR LESS.</p> <p style="text-align: center;">AND</p> <p><u>PERMANENT EASEMENT NO. 2</u> A TRACT OF LAND LOCATED IN THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 152.10 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 AND THE ACTUAL POINT OF BEGINNING; THENCE S00°43'06"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 220.79 FEET; THENCE S12°20'17"W A DISTANCE OF 420.40 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S00°36'02"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2019.47 FEET TO THE SOUTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE S86°54'01"W ALONG SAID SOUTH LINE OF THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 30.03 FEET; THENCE N00°36'02"W PARALLEL WITH AND 30.00 FEET WEST OF SAID RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2024.18 FEET; THENCE N12°20'17"E A DISTANCE OF 395.58 FEET; THENCE N05°21'00"W A DISTANCE OF 239.93 FEET TO THE NORTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE N86°48'58"E ALONG SAID NORTH LINE OF THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 55.03 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 83,421 SQUARE FEET OR 1.915 ACRES MORE OR LESS.</p>	
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## **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

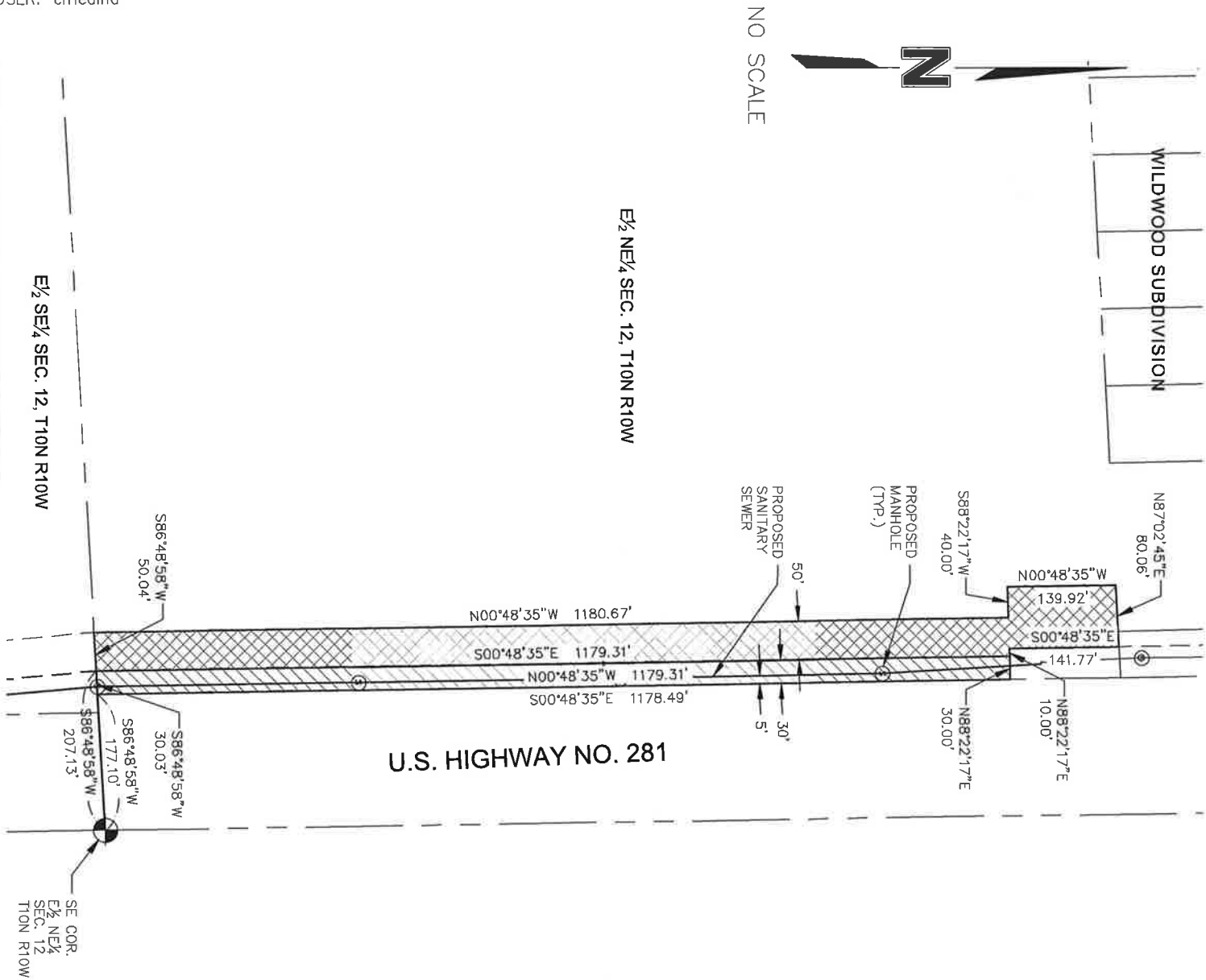
## **Recommendation**

City Administration recommends that the Council approve acquisition of the necessary Public Utility Easement.

## **Sample Motion**

Move to approve the acquisition of the necessary Public Utility Easement.





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DATE: Nov 26, 2012 1:27pm XREFS: 121867\_pbase 0120030\_xbase

LEGAL DESCRIPTION OF PERMANENT EASEMENT

A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) A DISTANCE OF 177.10 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 AND THE ACTUAL POINT OF BEGINNING; THENCE CONTINUING S86°48'58"W ALONG SAID SOUTH LINE OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) A DISTANCE OF 30.03 FEET; THENCE N00°48'35"W PARALLEL WITH AND 30.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1179.31 FEET; THENCE N88°22'17"E A DISTANCE OF 30.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S00°48'35"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1178.49 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 35.367 SQUARE FEET OR 0.812 ACRES MORE OR LESS.

LEGAL DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) A DISTANCE OF 207.13 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE CONTINUING S86°48'58"W ALONG SAID SOUTH LINE OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) A DISTANCE OF 50.04 FEET; THENCE N00°48'35"W PARALLEL WITH AND 80.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1180.67 FEET; THENCE S88°22'17"W A DISTANCE OF 40.00 FEET; THENCE N00°48'35"W PARALLEL WITH AND 120.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 139.92 FEET; THENCE N87°02'45"E A DISTANCE OF 80.06 FEET; THENCE S00°48'35"E PARALLEL WITH AND 40.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 141.77 FEET; THENCE N88°22'17"E A DISTANCE OF 10.00 FEET; THENCE S00°48'35"E PARALLEL WITH AND 30.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1179.31 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 70.261 SQUARE FEET OR 1.613 ACRES MORE OR LESS.

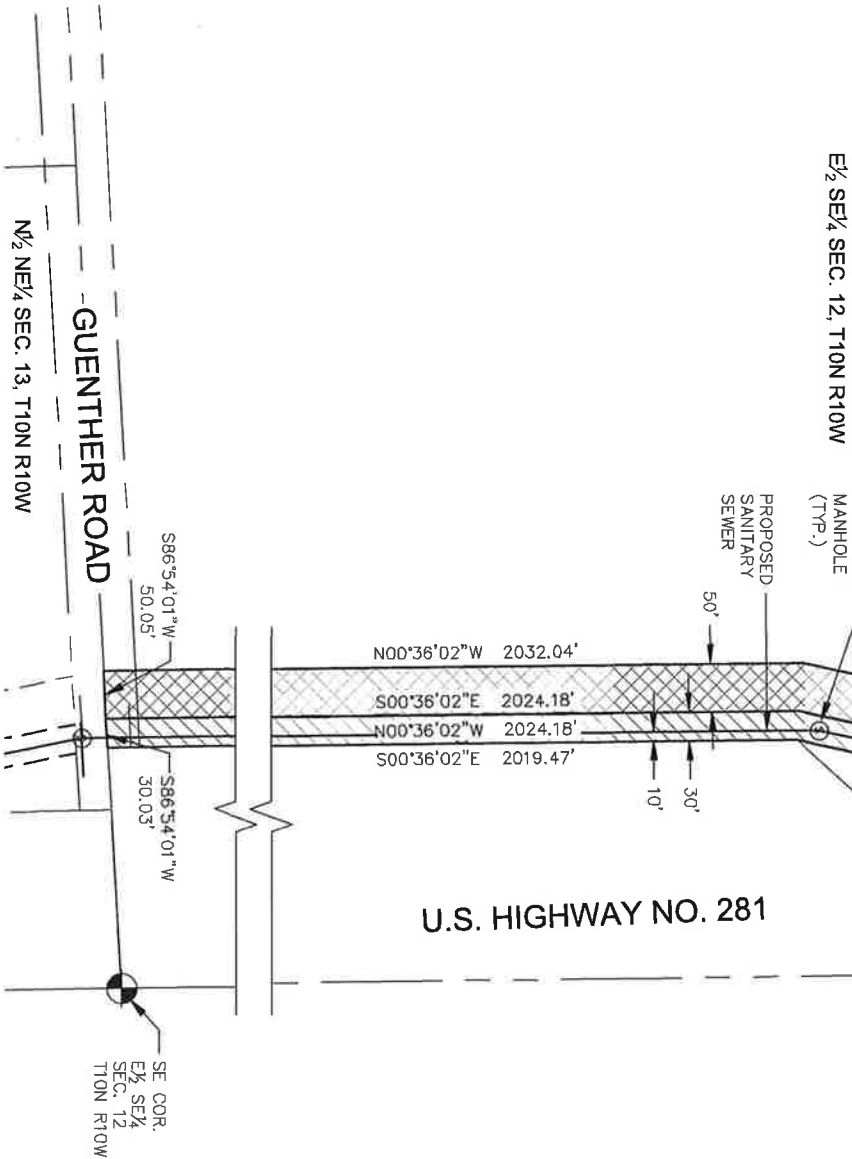
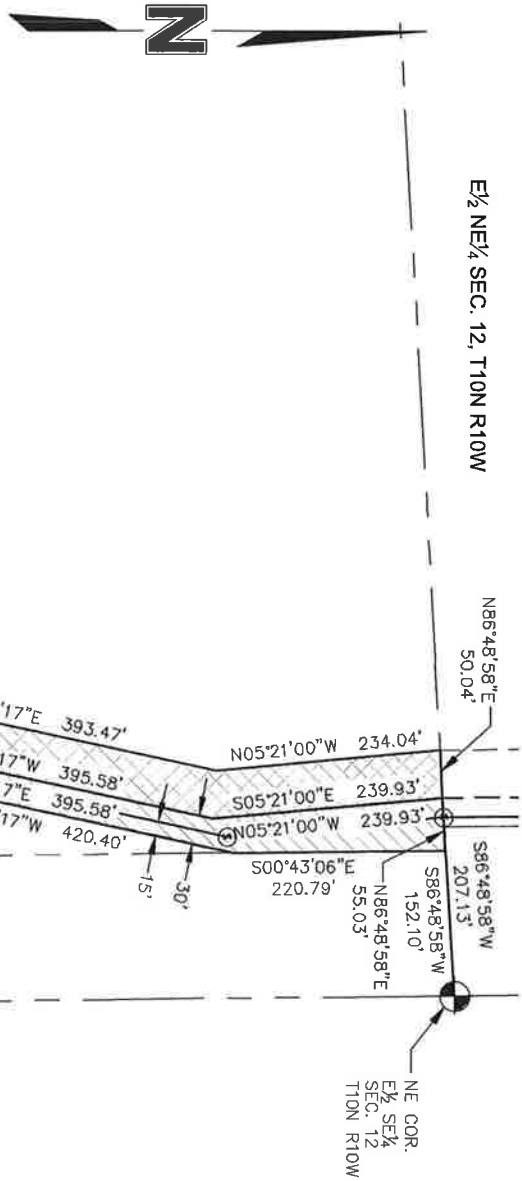
PROJECT NO:	012-1867	CITY OF GRAND ISLAND	EXHIBIT
DRAWN BY:	LH	EASEMENT	A
DATE:	11/20/2012		

PERMANENT EASEMENT

TEMPORARY CONSTRUCTION EASEMENT

2727 W. 2ND STREET  
SUITE 105  
HASTINGS, NE 68901  
TEL 402.463.0240  
FAX 402.463.0187

**OLSSON**  
ASSOCIATES



LEGAL DESCRIPTION OF PERMANENT EASEMENT

A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 152.10 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 AND THE ACTUAL POINT OF BEGINNING; THENCE S00°43'06"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 220.79 FEET; THENCE S12°20'17"W A DISTANCE OF 420.40 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S00°36'02"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2019.47 FEET TO THE SOUTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE S86°54'01"W ALONG SAID SOUTH LINE OF THE SOUTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 30.03 FEET; THENCE N00°36'02"W PARALLEL WITH AND 30.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2024.18 FEET; THENCE N12°20'17"E A DISTANCE OF 395.58 FEET; THENCE N05°21'00"W A DISTANCE OF 239.93 FEET TO THE NORTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE N86°48'58"E ALONG SAID NORTH LINE OF THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 55.03 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 83,421 SQUARE FEET OR 1.915 ACRES MORE OR LESS.

LEGAL DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 207.13 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE S05°21'00"E A DISTANCE OF 239.93 FEET; THENCE S12°20'17"W A DISTANCE OF 395.58 FEET; THENCE S00°36'02"E PARALLEL WITH AND 30.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2024.18 FEET TO THE SOUTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE S86°54'01"W ALONG SAID SOUTH LINE OF THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 50.05 FEET; THENCE N00°36'02"W PARALLEL WITH AND 80.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2032.04 FEET; THENCE N12°20'17"E A DISTANCE OF 393.47 FEET; THENCE N05°21'00"W A DISTANCE OF 234.04 FEET TO THE NORTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE N86°48'58"E ALONG SAID NORTH LINE OF THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 50.04 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 132,981 SQUARE FEET OR 3.053 ACRES MORE OR LESS.

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DATE: Nov 26, 2012 1:28pm XREFS: 121867\_pbase 0120030\_xbase  
USER: cmedina

PROJECT NO:	012-1867	CITY OF GRAND ISLAND EASEMENT	 POLSSON ASSOCIATES	2727 W. 2ND STREET SUITE 105 HASTINGS, NE 68901 TEL 402.463.0240 FAX 402.463.0187	EXHIBIT
DRAWN BY:	LH				A
DATE:	11/20/2012				



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item F-1

**#9474 - Consideration of Vacating the Street and Alley Right-of-Way and Easements - Groff Street, the Alley in Block 9, and Easements all within Joehnck's Addition to the City of Grand Island**

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

Staff Contact: Tim Luchsinger, Stacy Nonhof

\* This Space Reserved for Register of Deeds\*

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## ORDINANCE NO. 9474

An ordinance to vacate part of Groff Street, the alley in Block Nine (9), and easements all within Joehnck's Addition to the City of Grand Island, Hall County, Nebraska, and to provide the effective date thereof.

WHEREAS, the City of Grand Island, as owner of all land abutting the following street, alley, and easements, has determined the necessity of vacating such street, alley, and easement; and

WHEREAS, the City Council, after public hearing on March 11, 2014 approved the vacating of such street, alley, and easements;

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

### SECTION 1

That the portion of Groff Street from the easterly line of Cherry Street to the westerly line of vacated Poplar Street, all in Joehnck's Addition to the City of Grand Island, Hall County, Nebraska, be, and the same is hereby vacated.

### SECTION 2

The title to said vacated Groff Street shall remain vested in the City of Grand Island, Nebraska.

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney

ORDINANCE NO. 9474 (Continued)

SECTION 3

That the alley in Block Nine (9) Joehnck's Addition to the City of Grand Island, Hall County, Nebraska, be, and the same is hereby vacated.

SECTION 4

The title to said vacated alley shall remain vested in the City of Grand Island, Nebraska.

SECTION 5

That the easements in Block Five (5), and Block Eight (8) Joehnck's Addition to the City of Grand Island, Hall County, Nebraska, as retained by Ordinance #2845; the easement in Block Four (4) Joehnck's Addition to the City of Grand Island, Hall County, Nebraska, as retained by Ordinance #3326; and the easement in vacated Poplar Street, as retained by Ordinance #4703; be, and the same are hereby vacated.

SECTION 6

That a certified copy of this ordinance is hereby directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 7

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

Enacted: March 11, 2014.

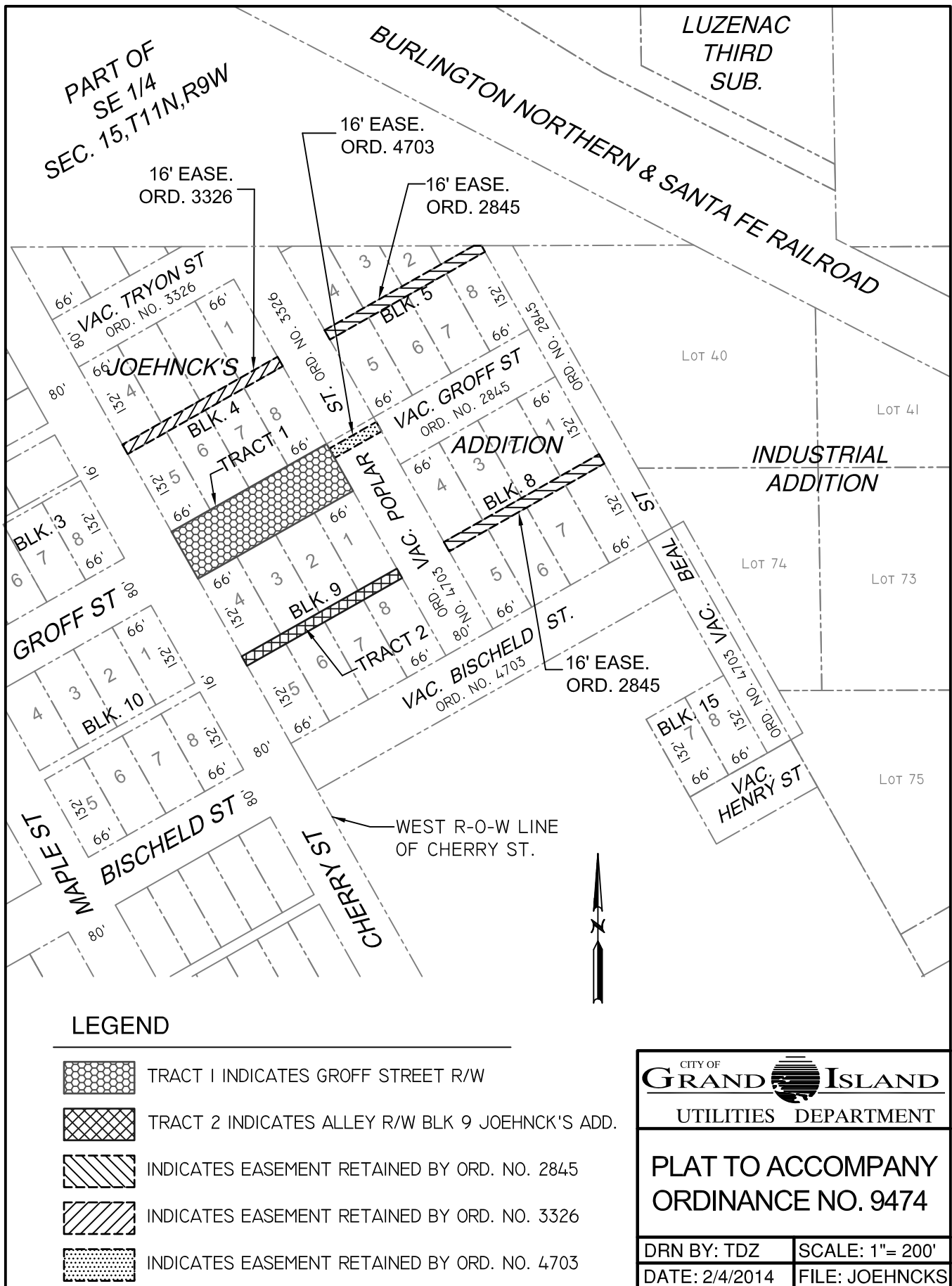
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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item F-2

### **#9475 - Consideration of Amending Chapter 8 of the Grand Island City Code Relative to Buildings**

Staff Contact: Craig Lewis

# **Council Agenda Memo**

**From:** Craig A. Lewis, Building Department Director

**Meeting:** March 11, 2014

**Subject:** Amendment to Chapter 8 of the Grand Island City Code to Adopt the 2012 International Building Code and the 2012 International Residential Code

**Item #'s:** F-2

**Presenter(s):** Craig Lewis, Building Department Director

## **Background**

The City of Grand Island has for generations adopted and enforced building codes which regulate the construction of buildings within the City and jurisdictional areas. The purpose of these codes is to provide minimum requirements to safeguard the public safety, health and general welfare, through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations.

## **Discussion**

The City currently adopts and enforces the 2009 edition of the International Building and Residential codes as published by the International Code Council. The Building Code Advisory Board has recently reviewed the 2012 editions of these two codes and recommends their adoption with the revisions as outlined in the attached amended Chapter 8 of the City Code.

The State of Nebraska does require that political subdivisions who enforce building codes adopt the State Building Code, which is the latest edition of the International codes. The 2012 edition is the latest edition.

## **Alternatives**

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



1. Approve the request and amend the City Code to adopt the International Building and Residential codes.
2. Disapprove or /Deny the request.
3. Modify the conditional use to meet the wishes of the Council
4. Table the issue

### **Recommendation**

City Administration recommends that the Council approve the recommendation of the Building Code Advisory Board and amend Chapter 8 to adopt the 2012 International Building and Residential codes and begin enforcement April 15, 2014.

### **Sample Motion**

Move to approve Ordinance #9475 amending Chapter 8 of the Grand Island City Code and adopting the 2012 editions of the International Building and Residential Codes.

## ORDINANCE NO. 9475

An ordinance to amend Chapter 8 of the Grand Island City Code; to amend Sections 8-1 through 8-4; Sections 8-7; 8-9.1; 8-9.2; 8-15; 8-16; 8-18; and 8-19 and add Section 8-20.1 to make general corrections to various code sections as now existing, and 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 8-1 through 8-4; Sections 8-7; 8-9.1; 8-9.2; 8-15; 8-16; 8-18; 8-19 and 8-20.1 of the Grand Island City Code are hereby amended to read as follows:

### **Article I. General** **Division 1. International Building Code**

#### **§8-1. International Building Code (IBC) Adopted**

The International Building Code, 20~~12~~<sup>09</sup> Edition, published by the International Code Council, is hereby adopted, together with any amendments thereto as may be made from time to time, except such portions as are hereinafter deleted, modified, or amended by ordinance and set forth in this chapter of the City Code. The following sections of the Appendix shall also be adopted:

Appendix C Group U – Agricultural Buildings

Appendix I – Patio Covers

One copy of the International Building Code, 20~~12~~<sup>09</sup> Edition, and all supplements or amendments thereto shall be filed in the office of the city clerk as provided by law.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

#### **§8-2. International Residential Code (IRC) Adopted**

The International Residential Code, 20~~12~~<sup>09</sup> Edition, published by the International Code Council, is hereby adopted, together with any amendments thereto as may be made from time to time, except such portions as are hereinafter deleted, modified, or amended by ordinance and set forth in this chapter of the City Code.

One copy of the International Residential Code, 20~~12~~<sup>09</sup> Edition, and all supplements or amendments thereto shall be filed in the office of the City Clerk as provided by law.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Approved as to Form	☐ _____
March 6, 2014	☐ City Attorney

**§8-3. International Building Code (IBC) and International Residential Code (IRC); Standards Adopted**

The following standards shall be used with the International Building Code and the International Residential Code adopted by §8-1 and §8-2 above:

Acceptable Wind Load Design Procedures:

2012~~09~~ I.B.C. - Basic Wind Speed ~~90 mph~~

The ultimate design wind speed shall be 120 mph, in risk category II,III,&IV.

Exposure C only

Roof Snow Load - 30 pounds per sq. ft.

Frost Depth - 36 inch minimum

Seismic Design Category A, Site Class D

IRC, Table R301.5 Amend live load for sleeping rooms from 30 pounds to 40 pounds per square foot.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

**§8-4. IBC - Certain Sections Not Adopted**

It is especially provided that the following chapters, sections, and tables of the International Building Code are not adopted or approved, and the same shall be of no force and effect:

Chapter 1

Section 101.4.1 Gas

Section 101.4.2 Mechanical

Section 101.4.3 Plumbing

Section 101.4.4 Property Maintenance

Section 101.4.6 Energy

Section 103 Department of Safety

Section 106 Floor and Roof design Loads

Section 107.2.5.1 Design Flood Elevations

Section 108 Temporary Structures and Uses

Section 112 Service Utilities

Section 113 Board of Appeals

Chapter 13 – Energy Efficiency

Section 1809.5 – Frost Protection; #2 Constructing in accordance with ASCE-32, and Exception: 1,2,3.

Chapter 27 – Electrical

Chapter 28 – Mechanical

Chapter 30 – Elevators and Conveying Systems

Chapter 32 – Encroachments into the Public Right-of-Way

Chapter 33 – Safeguards During Construction

Chapter 34 – Existing Structures

Appendix A Employee Qualifications

Appendix B Board of Appeals

Appendix D Fire Districts

Appendix E Supplementary Accessibility Requirements

Appendix F Rodent Proofing

Appendix G Flood-Resistant Construction  
Appendix H Signs  
Appendix J Grading  
Appendix K Administrative Provisions  
Appendix L Earthquake Recording Instrumentation  
Appendix M Tsunami-Generated Flood Hazard

Amended by Ordinance No. 8955, effective 3-31-2005  
Amended by Ordinance No. 9162, effective 05-01-2008  
Amended by Ordinance No. 9365, effective 03-30-2012

**§8-7. IBC - Amendment of Section 1704**

Section 1704.~~24~~ of the International Building Code is hereby amended in part to read as follows:

Section 1704.2 General. Where application is made for construction as described in this section, the owner or the registered design professional in responsible charge acting as the owner's agent may be required to employ one or more special inspectors to provide inspections during construction on the types of work listed under Section 170~~5~~4.

Amended by Ordinance No. 8955, effective 3-31-2005  
Amended by Ordinance No. 9162, effective 05-01-2008  
Amended by Ordinance No. 9365, effective 03-30-2012

**§8-9.1. IBC – Amend Section 309 by adding section 309.3 Tenant Separation**

A tenant separation wall complying with section 70~~8~~9 shall be required between any tenant space in all buildings with independent tenants with exits to the exterior.

Amended by Ordinance No. 9162, effective 05-01-2008  
Amended by Ordinance No. 9365, effective 03-30-2012

**§8-9.2. IBC – Amend Section 406.~~34~~2 #2 by adding 2’ or more in residential zoned properties.**

Amended by Ordinance No. 9162, effective 05-01-2008  
Amended by Ordinance No. 9365, effective 03-30-2012

**§8-15. Amend Chapter 29 section 2901.1 replace reference to International Plumbing code to Uniform Plumbing Code and International Private Sewage Disposal Code to State of Nebraska Title 124.**

**Amend table 2902.1 footnote F replace the number 15 to 30. Reserved**

Amended by Ordinance No. 8955, effective 03-31-2005  
Amended by Ordinance No. 9365, effective 03-30-2012

**§8-16. IRC – Amendment of Table R301.2(1) and Table 301.5**

Section R301.2 of the International Residential Code is hereby amended by adding criteria as set forth in Table R301.2(1). Ground snow load – 25#

Wind Speed -- 90  
Seismic Design Category A, Site Class D.  
Weathering --sever  
Frost line Depth --36”  
Termite -- M/H  
Winter Design Temp -- -3  
Ice Barrier Underlayment Required – NO  
Flood Hazard – Firm  
Air Freezing Index -- >1000-2000  
Mean Annual Temp – 50 F

ORDINANCE NO. 9475 (Cont.)

Amend Table R301.5 Minimum Uniform Distributed Live Loads – Sleeping Rooms – 40#

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

**§8-18. IRC. Amend Section R302.5.1 and R501.3**

Section R302.5.1 Opening protection., delete, equipped with a self-closing device.

Section R501.3 Fire protection of floors, delete entire section.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

**§8-19. IRC – Amendment of Section R311.7.5.14**

Section R311.7.5.14 of the International Residential Code is hereby amended to reflect that the maximum riser height shall be 8 inches.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9365, effective 03-30-2012

**§8-20.1 IRC Section R907 Reroof #2. Add or asphalt shingle.**

**#3. Delete**

SECTION 2. Sections 8-1 through 8-4; Sections 8-7; 8-9.1; 8-9.2; 8-15; 8-16; 8-18; 8-19 and 8-20.1 as now existing, and any ordinances or parts of ordinances in conflict herewith are repealed.

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

SECTION 4. That this ordinance shall be in force and take effect April 15, 2014 and shall be published within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item F-3

**#9476 - Consideration of Vacation of a Utility Easement Located in Copper Creek Estates Subdivision (The Guarantee Group, LLC)**

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



# **Council Agenda Memo**

**From:** Terry Brown PE, Assistant Public Works Director

**Meeting:** March 11, 2014

**Subject:** Consideration of Vacation of a Utility Easement Located in Copper Creek Estates Subdivision (The Guarantee Group, LLC)

**Item #'s:** F-3

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

## **Background**

A utility easement was dedicated with the original Copper Creek Estates Subdivision plat on January 31, 2006. Such easement is not necessary to accommodate existing or proposed utilities and vacating it will support the new plat, which will be Copper Creek Estates Seventh Subdivision.

## **Discussion**

The developer/property owner of Cooper Creek Estates Subdivision is requesting to vacate the originally dedicated easement. There are no utilities currently within this easement that will be affected by this vacation. The attached sketch details the referenced easement to be vacated.

## **Alternatives**

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

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

### **Recommendation**

City Administration recommends that the Council pass an ordinance vacating the easement located in Copper Creek Estates Subdivision.

### **Sample Motion**

Move to pass an ordinance vacating the easement.

ORDINANCE NO. 9476

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

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

SECTION 1. That an existing utility easement within Copper Creek Estates Subdivision in Grand Island, Hall County, Nebraska, more particularly described as follows:

A TRACT OF LAND COMPORISING THE SOUTHERLY TEN (10) FEET OF LOTS EIGHT NINE (89), NIENTY (90), NINETY ONE (91) AND NINETY TWO (92); THE WESTERLY TEN (10) FEET OF THE SOUTHERLY SEVENTY FIVE (75) FEET OF THE NORTHERLY EIGHTY (80) FEET OF LOT EIGHTY NINE (89), NINETY (90), NINETY ONE (91) AND NINETY TWO (92); AND THE EASTERLY TEN (10) FEET OF THE SOUTHERLY SEVENTY FIVE (75) FEET OF THE NORTHERLY EIGHTY (80) FEET OF LOT NINETY TWO 92), ALL IN COPPER CREEK ESTATES SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA, SAID TRACT CONTAINING 5700 SQ. FT. MORE OR LESS.

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney

ORDINANCE NO. 9476 (Cont.)

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

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

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

Enacted: March 11, 2014

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Jay Vavricek, Mayor

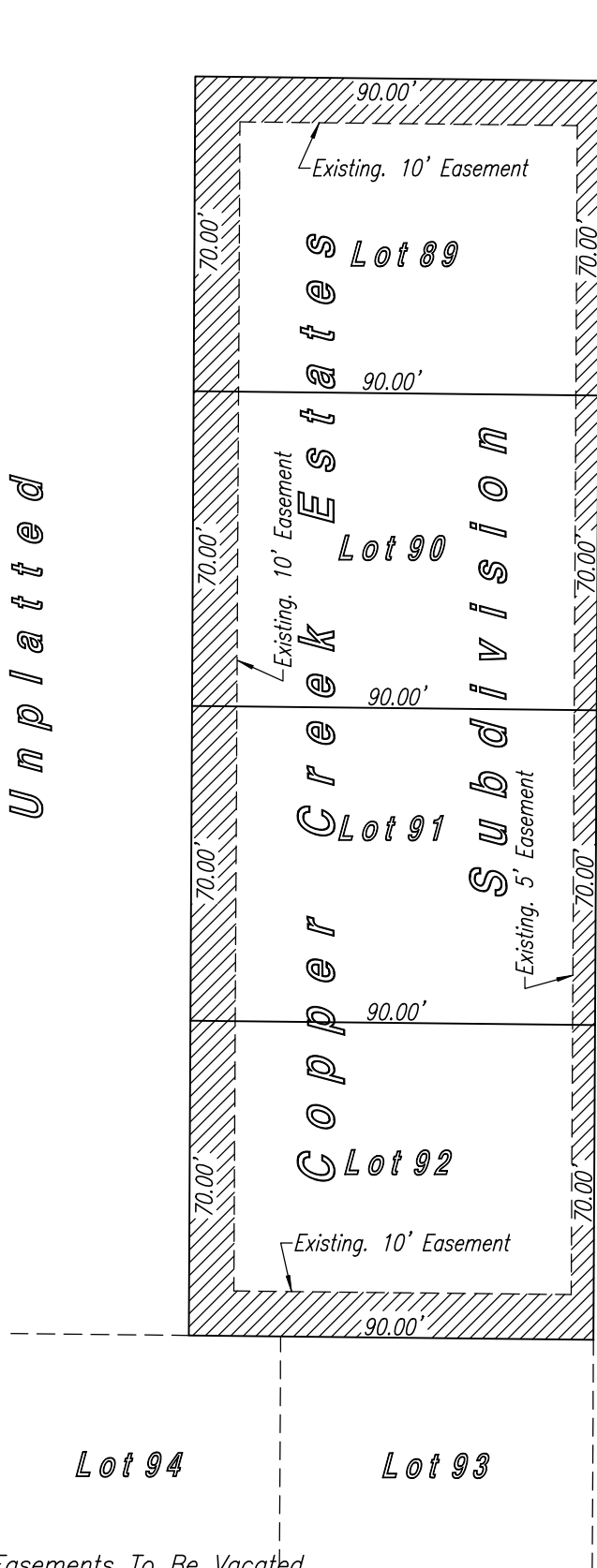
Attest:

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RaNae Edwards, City Clerk

Pt. NW 1/4, Sec. 23, T11N - R10W

Unplatted



Scale: 1" = 40'

LEGEND

—Indicates Easements To Be Vacated

**Description (Easement To Be Vacated)**

A tract of land comprising the southerly Ten (10.00) feet of Lots Eighty Nine (89), Ninety (90), Ninety One (91) and Ninety Two (92); the westerly Ten (10.00) feet of the southerly Seventy Five (75.00) feet of the northerly Eighty (80.00) feet of Lot Eighty Nine (89); the northerly Five (5.00) feet of Lots Eighty Nine (89), Ninety (90), Ninety One (91) and Ninety Two (92); and the easterly Ten (10.00) feet of the southerly Seventy Five (75.00) feet of the northerly Eighty (80.00) feet of Lot Ninety Two (92), all in Copper Creek Estates Subdivision, in the City of Grand Island, Nebraska, said tract containing 5700 Sq. Ft. more or less.

**Exhibit 'A'**

Date : February 28, 2014

Sheet No. 1 Of 1



ROCKWELL AND ASSOC.  
ENGINEERING & SURVEYING

2510 NORTH WEBB ROAD,  
E-MAIL [surveyor@cccusa.net](mailto:surveyor@cccusa.net)

GRAND ISLAND, NEBRASKA 68802 P.O.BOX 549  
PHONE (308) 382-1472 FAX (308) 382-1423



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item F-4

**#9477 - Consideration of Setting Forth Gender Neutral Calculation for Pre-84 Police Pension**

Staff Contact: Robert Sivick



# **Council Agenda Memo**

**From:** Robert J. Sivick, City Attorney

**Meeting:** March 11, 2014

**Subject:** Consideration of Setting Forth a Method for Calculating Gender Neutral Lump Sum Pension Benefits for Pre-1984 Police Retirees

**Item #'s:** F-4

**Presenter(s):** Robert J. Sivick, City Attorney

## **Background**

In 1983 the Nebraska Legislature passed LB237 which contained the Police Officers Retirement Act (Act), codified in Article 10(a) of Chapter 16, §§16-1001 - 1019 of the Nebraska Revised Statutes. The Act and the resulting statutes addressed issues regarding pensions for police officers employed by Cities of the First Class.

In November, 2012 it was discovered in 2005 the Police Pension Committee (Committee) ceased calculating lump sum pension benefits for pre-84 police retirees on a gender specific basis. On February 5, 2013 the Grand Island City Council (Council) approved Resolution 2013-26(B) which directed the Committee to henceforth calculate those benefits on a gender specific basis.

In April, 2013 retired Grand Island Police Captain Peter E. Kortum filed a complaint against the City of Grand Island (City) with the United States Equal Employment Opportunity Commission (USEEOC) alleging he suffered discrimination on the basis of his gender when the City calculated his lump sum pension benefits. Shortly thereafter five other current Grand Island Police Officers hired prior to 1984 also filed complaints with the USEEOC alleging they would face gender discrimination when they retired.

In July, 2013 the USEEOC issued a determination there was reason to believe Captain Kortum suffered gender discrimination on the basis of how his lump sum pension benefits were calculated. Rather than litigating the matter the City entered into settlement negotiations with Captain Kortum and the USEEOC. On November 26, 2013 the Council approved Resolution 2013-376 setting forth a monetary settlement between the City and Captain Kortum.

However, the passage of Resolution 2013-376 did not settle the City's dispute with the USEEOC or the five other police officers alleging prospective gender discrimination. City legal staff negotiated terms which include a provision the City will not admit violating any provision of Title VII of the Civil Rights Act of 1964 which prohibits various forms of discrimination. In addition, City legal staff negotiated a term the City's governing body, that being the Council, will set forth a method of calculating lump sum police pension benefits on a gender neutral basis. The Ordinance before you for consideration tonight does so.

## **Discussion**

This matter arose largely because the Act was poorly drafted in 1983 and contained numerous inconsistencies. In particular, §16-1002(1) of the Act requires, "[a]ll actuarial and mortality assumptions adopted by the city or retirement committee shall be on a sex-neutral basis". In contrast, §16-1007(2)(c) of the Act requires lump sum pension benefits be calculated based on "the average of the cost of three annuity contracts purchased on the open market." City staff discovered gender neutral annuity products were unavailable for purchase in Nebraska and the gender neutral annuity quotes used to calculate benefits were actually quotes for females. This vastly increased the cost borne by the City's taxpayers as the purchase price of an annuity for a female of a particular age is much higher than that for a male of the same age due to the longer life expectancy of females. Given this situation it was difficult if not impossible for the City to comply with the Act as presently written.

Grand Island City staff in conjunction with the staff of other First Class Cities and the League of Nebraska Municipalities worked with Senator Mike Gloor in drafting LB 929 which was amended into LB 759 last week. That bill sets forth a definition of "sex neutral" and a method of calculating lump sum pension benefits on a gender neutral basis. The language of proposed Ordinance 9477 mirrors the language of LB 759.

Approving Ordinance 9477 will allow the City to settle its disputes with the USEEOC related to gender discrimination complaints filed by past and present Grand Island Police Officers. Not approving Ordinance 9477 will constitute a rejection of any settlement with the USEEOC necessitating the matters be resolved through further litigation.

## **Alternatives**

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

1. Move to approve.
2. Move to deny.
3. Take no action on the issue.

### **Recommendation**

The City Administration recommends the approval of Ordinance 9477.

### **Sample Motion**

Move to approve Ordinance 9477.

ORDINANCE NO. 9477

An Ordinance to set forth a method of calculating gender neutral lump sum pension benefits for police officers hired prior to 1984.

WHEREAS, the Grand Island City Council has decided to repeal Resolution 2013-26(B) and replace the method of calculating Lump Sum Police Pension Benefits provided by the City of Grand Island in that Resolution with the method set forth in this Ordinance and to bring the City's method of calculating said benefits in accordance with LB 759 presently pending before the Nebraska Legislature.

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

That in calculating Lump Sum Police Pension Benefits on a sex neutral basis in accordance with the Nebraska Police Officers Retirement Act set forth in Article 10 of Chapter 16 of the Nebraska Revised Statutes the following definition of sex neutral shall mean:

- I. The benefit calculation provided to the City by a licensed domestic or foreign insurance or annuity company with a product available for purchase in Nebraska that utilizes a blended, non-gender specific rate for actuarial assumptions, mortality assumptions, and annuity conversion rates for a particular participant, except that if a blended, non-gender specific rate is not available for purchase in Nebraska, the benefit calculation shall be performed using the arithmetic mean of the male-specific actuarial assumptions, mortality assumptions, or annuity conversion rates and the female-specific actuarial assumptions, mortality assumptions, or annuity conversion rates, as applicable, for a particular participant, and the arithmetic mean shall be determined by adding the male-specific

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March 7, 2014	☐ City Attorney

actuarial assumptions, mortality assumptions, or annuity conversion rates to the female-specific actuarial assumptions, mortality assumptions, or annuity conversion rates applicable to a particular participant and dividing the sum by two.

II. Any ordinances or parts of ordinances or Resolutions in conflict are hereby repealed.

III. This ordinance shall be in full force and will take effect from and after its passage and publication pursuant to law.

Enacted: March 11, 2014.

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Jay Vavricek, Mayor

ATTEST:

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RaNae Edwards, City Clerk



# **City of Grand Island**

**Tuesday, March 11, 2014**

**Council Session**

## **Item G-1**

### **Approving Minutes of February 25, 2014 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING  
February 25, 2014

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 February 25, 2014. Notice of the meeting was given in *The Grand Island Independent* on February 19, 2014.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following City Council members were present: Kent Mann, Linna Dee Donaldson, Chuck Haase, Julie Hehnke, Mitch Nickerson, Peg Gilbert, John Gericke, Mark Stelk, Mike Paulick, and Vaughn Minton. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, Treasurer and Finance Director Jaye Monter, City Attorney Robert Sivick, and City Engineer and Public Works Director John Collins.

INVOCATION was given by Father Todd Philipsen, Blessed Sacrament Catholic Church, 518 West State Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Joe Huston and board member Ramona Otto.

PRESENTATION AND PROCLAMATION:

Proclamation "Habitat for Humanity – Build a Dream Day" February 28, 2014. Mayor Vavricek proclaimed February 28, 2014 as "Habitat for Humanity – Build a Dream Day". Dana Jelinek with Habitat for Humanity was present to receive the proclamation.

Recognition of Crane Trust Nature Center. Mayor Vavricek recognized the Crane Trust Nature Center for their leadership in promoting Central Nebraska and the upcoming spring migration of the sandhill cranes. Chuck Cooper, President and CEO of the Crane Trust Nature Center was present for the recognition and mentioned a video that would be aired on April 25, 2014 on PBS and throughout the nation.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement Located at 1011 Claude Road (Morrison Enterprises, LLC). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 1011 Claude Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of providing a loop or two-way feed to all transformers at this location. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement in Vlach Subdivision (Vlach Properties, LLC). Public Works Director John Collins reported that acquisition of a utility easement located in the Vlach Subdivision was needed in order to install and maintain utilities for Street Improvement District No. 1260; Webb Road – South Webb Road extending north from Stolley

Park Road to Union Pacific Railroad Tracks. Staff recommended approval. No public testimony was heard.

CONSENT AGENDA: Consent Agenda item G-10 was removed for further discussion. Motion by Donaldson, second by Paulick to approve the Consent Agenda excluding item G-10. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of February 11, 2014 City Council Regular Meeting.

Approving Minutes of February 18, 2014 City Council Study Session.

Approving Appointments of Councilmembers Kent Mann and Chuck Haase to the Metropolitan Planning Organization (MPO) Policy Board.

Approving Appointment of Councilmember Mike Paulick to the Building Code Advisory Board.

Approving Request for Liquor Manager Designation for Jeff Deline, 3721 West Capital Avenue, Apt. A301 with Ruby Tuesday, 3429 West 13<sup>th</sup> Street.

#2014-29 – Approving Acquisition of Utility Easement Located at 1011 Claude Road (Morrison Enterprises, LLC).

#2014-30 – Approving Bid Award for Mark V HMI Upgrades at Platte Generating Station, Fall of 2014 with GE Energy Control Solutions of Longmont, CO in an Amount of \$150,934.27.

#2014-31 – Approving Bid Award for Burdick Pump Station High Service Pump #2 Recondition with Engineered Pump Services of Mukwonago, WI in an Amount of \$34,607.61.

#2014-32 – Approving Change Order #1 – Utility Management System with Mainsaver Software Inc. of San Diego, CA for an Increase of \$26,040.00 and a Revised Contract Amount of \$235,360.00.

#2014-33 – Approving Agreement with Olsson Associates for Construction Engineering Services for the Various Locations in Grand Island (Resurfacing) Project in an Amount of \$305,106.99. Public Works Director John Collins reported that this was a change order with Olsson Associates for a federal project. Discussion was held concerning the 80% match. Project Manager Scott Greipenstroh explained the fixed fee of \$34,000 and stated the state would fund \$275,000 of the \$305,000 total cost of the project. Anything above the total cost of the project would be the responsibility of the City.

Motion by Gilbert, second by Haase to approve Resolution #2014-33. Upon roll call vote, all voted aye. Motion adopted.

#2014-34 – Approving Acquisition of Utility Easement in Vlach Subdivision (Vlach Properties, LLC).

#2014-35 – Approving Temporary Construction Easement for Street Improvement District No. 1260; Webb Road (Vlach Properties, LLC) in an Amount of \$4,048.00.



#2014-36 – Approving Contract for Soft Drink Service for Aquatic Facilities with PepsiCo Food Service of Grand Island, NE.

RESOLUTIONS:

#2014-37 - Consideration of Approving Change Order #1 – Air Quality Control System (AQCS) at Platte Generating Station, AMEC. Utilities Director Tim Luchsinger reported that AMEC of Tucker, GA was awarded the contract for Air Quality Control System at Platte Generating Station. Change Order #1 was needed to replace switchgear cabinets and breakers in an amount of \$896,510.00 and a revised contract amount of \$42,085,841.00. Comments were made concerning an impact on rates. Mr. Luchsinger stated no rate change would be needed.

Motion by Haase, second by Minton to approve Resolution #2014-37. Upon roll call vote, all voted aye. Motion adopted.

#2014-38 – Consideration of Approving Coal Supply for Platte Generating Station – 87,000 Tons for 2014 and 335,000 Tons for 2015. Utilities Director Tim Luchsinger reported that the City Electric Department through Western Fuels Association invited bids for 87,000 tons of coal for the remainder of 2014, and the year 2015 Coal Supply. Cloud Peak Energy from the Cordero Rojo Mines submitted bids in accordance with terms and contract specifications. Staff recommended approving the contract with Cloud Peak Energy.

Comments were made by Council concerning the efficiency in the market place and the benefit to rate payers.

Motion by Haase, second by Paulick to approve Resolution #2014-38. Upon roll call vote, all voted aye. Motion adopted.

#2014-39 – Consideration of Approving Applications for Civic and Community Center Financing Fund Grant. Finance Director Jaye Monter reported that the City of Grand Island would seek the opportunity to apply for a \$1,125,000 grant from the Civic and Community Center Financing Fund from the State of Nebraska's Department of Economic Development (DED) Department. Two applications would be submitted: the Veterans Athletic Field Complex Expansion and the Island Oasis Water Park Expansion and Facility Update. Staff recommended approval.

Discussion was held concerning the ongoing costs to support these projects. Ms. Monter stated funding for these projects would be included in the 2015 budget. Parks & Recreation Director Todd McCoy stated they estimated \$75,000 additional costs for the Veterans Field and \$50,000 additional costs for the Water Park per year. City Administrator Mary Lou Brown stated indirect impacts would benefit the City from the Veterans Field with additional tournaments bringing in more people who would pay sales tax, hotel tax, food and beverage tax. Ms. Monter stated only one project would be funded by DED.

Motion by Minton, second by Nickerson to approve Resolution #2014-39. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Gilbert, second by Minton to approve the Claims for the period of February 12, 2014 through February 25, 2014, for a total amount of \$6,587,476.98. Unanimously approved. Councilmember Hehnke abstained from claim #69313 in the amount of \$281.25. Comments were made regarding the purchase of a tablet by the Legal Department.

ADJOURN TO EXECUTIVE SESSION: Motion by Gilbert, second by Nickerson to adjourn to Executive Session at 8:09 p.m. for the purpose of a strategy session with respect to pending litigation and labor negotiations with IBEW Local 1507, Utilities, Wastewater, Finance, and Service Clerical. Unanimously approved.

RETURN TO REGULAR SESSION: Motion by Gilbert, second by Stelk to return to Regular Session at 9:23 p.m. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:23 p.m.

RaNae Edwards  
City Clerk



# **City of Grand Island**

**Tuesday, March 11, 2014**

**Council Session**

## **Item G-2**

**Approving Minutes of March 4, 2014 City Council Study Session**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

March 4, 2014

Pursuant to due call and notice thereof, a Study Session 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 March 4, 2014. Notice of the meeting was given in the *Grand Island Independent* on February 26, 2014.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following Councilmembers were present: Vaughn Minton, Mike Paulick, Mark Stelk, John Gericke, Mitch Nickerson, Julie Hehnke, and Linna Dee Donaldson. Councilmembers Kent Mann, Chuck Haase, and Peg Gilbert were absent. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, City Attorney Robert Sivick, City Treasurer and Finance Director Jaye Monter, and City Engineer and Public Works Director John Collins.

INVOCATION was given by Community Youth Council member Joe Huston followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Joe Huston.

SPECIAL ITEMS:

Presentation of City Code Chapter 5 – Animal Code and Related Changes. Assistant City Attorney Stacy Nonhof reported that a lot of work had gone into the proposed changes for Chapter 5 of the Grand Island City Code relating to Animals. The Legal Department had worked closely with the Central Nebraska Humane Society and the Animal Advisory Board and both had approved the recommended changes to Chapter 5 along with changes to the Approved Animals List and the Waiver Schedule.

Ms. Nonhof stated the proposed changes would bring Chapter 5 of the City Code up to date, promote a more livable community, define stronger penalties and establish realistic enforcement. Reviewed were the proposed changes in Chapter 5. §5-1 Definitions were explained.

§5-2 Animal Advisory Board would increase the number of members from 7 to 9. Appointed members would include: 1 licensed veterinarian, 3 residents of the City of Grand Island, and 1 member of the City Council. Non-appointed members would include: Chief of Police or their designee, Director of the Health Department or their designee, City Attorney or their designee, and the Director of the Animal Control Authority or their designee.

Clarified was the City Council appointment would be made by the Mayor with Council approval and the increase in the board was an addition of 2 residents of the City of Grand Island.

§5—3 Procedure of Animal Advisory Board was reviewed with voting members of the Board being the veterinarian, 3 residents of the City of Grand Island, City Council member, Chief of

Police, Director of the Animal Control Authority, and the Director of the Health Department. The non-voting member would be the City Attorney.

Article II. Commercial Animal Establishments §5-7.1 Selling animals on City or private property was a new section of the City Code. This would require obtaining written permission of the property owner to sell animals. Refusal to leave upon request would be punishable by a fine.

Article IV – Animal Care §5-14 Shelter defined what was acceptable shelter. §5-15 Enclosure defined acceptable enclosures, restraint systems and that the enclosure other than a yard fence must be 10 feet from the property line. §5-18 Number of Animals; Limits would reduce the number of rabbits from 30 to 15, the number of birds from 64 to 30 and would allow residential property to have up to 8 chicken hens, but must be properly confined at all times at least 15 feet from property line.

Comments were made concerning current enclosures. Ms. Nonhof stated those in place would be grandfathered. Councilmembers commented on the number of phone calls received from citizens not wanting chickens in the City.

Article IV – Animal Care §5-21 Food, Water Health Care, Grooming ; Owner's Duty provided for the minimum standards of pet ownership with regards to shelter, grooming requirements, enclosure safety and health care.

Dr. Missy Girard, 210 Stolley Park Road, Animal Board member answered questions concerning the dangers of matting of the fur. Ms. Nonhof answered questions regarding enforcement. She stated most issues were complaint driven. Explained was the process Animal Code Officers take to resolve the problem. Barking dogs were discussed. Ms. Nonhof stated there were 3,000 pet licenses last year.

Article IV – Animal Care §5-22 Cruelty to Animals Prohibited added this subsection making it unlawful to leave an animal unattended in a dwelling, motor vehicle or trailer under such conditions or for a period of time that endangered the health or well-being of the animal.

Article VI – Animal Control §5-34 Running at Large made the restraint system consistent with prior sections and now applied to all animals not just dogs. This section gave the Animal Control Authority or law enforcement the discretion to either impound the animal or return it to the owner.

Article VI – Animal Control §5-5-34.1 Animal Training and Shows had been removed as it was discovered this provision of the Code was not used and no longer was needed.

Article VI – Animal Control §5-36.1 Dangerous and Potentially Dangerous Animals; Actions Required; Costs was a new section. This would require animals declared dangerous or potentially dangerous to be spayed or neutered and implanted with a microchip within 30 days of being declared. Costs of the procedures would be the responsibility of the owner and failure to comply would subject the animal to impoundment. This section also subjects the owner to a fine – each and every day after the initial 30 days that these actions are not taken.

Ms. Nonhof stated the reasons for spaying or neutering an animal was for behavior modification. Dr. Girard explained micro chipping. She stated most dangerous dogs had not been spayed or neutered. City Attorney Robert Sivick commented on the due process of declaring an animal potentially dangerous or dangerous.

Article VI – Animal Control §5-38 Animal Noise would subject the owner of the animal to a fine and the owner to a Nuisance Owner declaration.

Article IV – Animal Control §5-40 Wild Animals Prohibited would add Section D making the owner of an animal subject to a fine if the owner fails to obtain an animal license.

Discussion was held regarding the Approved Animal List and the need to license these animals.

Article VII – Penalties §5-46 Nuisance Owner was re-written. This section would provide a procedure for having an owner declared a Nuisance Owner. The Nuisance Owner declaration requires the owner to surrender the animal to the Animal Control Authority. The Owners could appeal the declaration to the Animal Advisory Board. Nuisance Owners would be prohibited from owning or residing with any animal for a period of 2 years from the date of declaration. If a Nuisance Owner was found to be in possession of an animal, the Animal Control Authority may immediately impound the animal. Any violation is subject to a fine – a continuing violation is subject to daily fines.

Ms. Nonhof stated the appeal process for the Nuisance Owner was the same as the appeal for a dangerous animal. City Attorney Robert Sivick stated prohibiting citizens from owning pets was done to protect society. There were very few cases this would apply to.

Article VIII – Appeal Procedure §5-47 Dangerous and Potentially Dangerous; Nuisance Owner; Declaration; Appeal; Disposition would add Nuisance Ownership and reduces the allowed presentation time from one hour to thirty minutes per side.

Reviewed was the Waiver Fine Schedule Updates which would bring the schedule into conformity with City Code. This would increase fines for Chapter 5 and Chapter 16 violations. It would also include a list on the schedule violations of Chapter 17 that were not previously on the Schedule. It would increase the fine for Shoplifting and would create a second offense and would clarify violations in Chapter 22. Increased fines for third offense violations of §39-4 and §39-5 were also included. Ms. Nonhof stated all fines go to the school system.

Ms. Nonhof stated the last updated Approved Animal List was on February 16, 1998. These changes would reflect the reality of the situation now. Changes were in conformity with the definition of wild animals in Chapter 5 of the City Code which included animals that were currently sold in Grand Island. The list conformed to the Nebraska Game and Parks.

Compliments were made to the Animal Enforcement Officers present and the work they do along with the Animal Advisory Board. It was the intention to bring this back to Council. Council recommended not bringing this back at next week's meeting.

Lauri Dethloff, Central Nebraska Humane Society Executive Director thanked the Council for taking the time to look at this topic and being pro-active. After discussion with the Council Mayor Vavricek recommended this issue would come back to Council on March 25, 2014.

ADJOURNMENT: The meeting was adjourned at 9:00 p.m.

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-3

**#2014-40 - Approving Final Plat and Subdivision Agreement for ALR Subdivision**

Staff Contact: Chad Nabity



# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** March 11, 2014

**Subject:** ALR Subdivision - Final Plat

**Item #'s:** G-3

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

## **Background**

This property is located east of Webb Road and south of west North Front Street in the City of Grand Island, in Hall County, Nebraska. Consisting of (2 Lots) and 2.077 acres.

## **Discussion**

The final plat for ALR Subdivision Final Plat was considered by the Regional Planning Commission at the February 5, 2014 meeting.

The proposed south lot of this development does not have access to a public street. The City of Grand Island Utilities department owns the lot between this property and Webb Road. The City of Grand Island has previously granted drive access across this lot to facilitate the development of the adjoining lots. (See the property south of here including the old Hill Furniture store, Charter Offices and the Axford building.) The developer has had a traffic impact study conducted and the Engineering Division of Public Works has agreed that the addition of this drive access at this location is unlikely to create any significant issues. A statement has been added under paragraph 8 of the attached subdivision agreement that notifies future owners of the traffic generation that can occur at this location without negatively impacting Webb Road. Most uses allowed in the B1 zoning district would be unlikely to generate larger volumes of traffic.

The agreement also specifically authorizes the Grand Island Building Department to issue building permits for lot two based on the access to Webb Road granted by the City.

Finally this agreement creates the access easement across city owned property that will allow the development of lot two.

A motion was made by Bredthauer and seconded by Reynolds to approve the plat as presented.

A roll call vote was taken and the motion passed with 7 members present and voting in favor (McCarty, O'Neill, Reynolds, Vincent, Heckman, Haskins and Bredthauer) and no one voting against.

### **Alternatives**

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

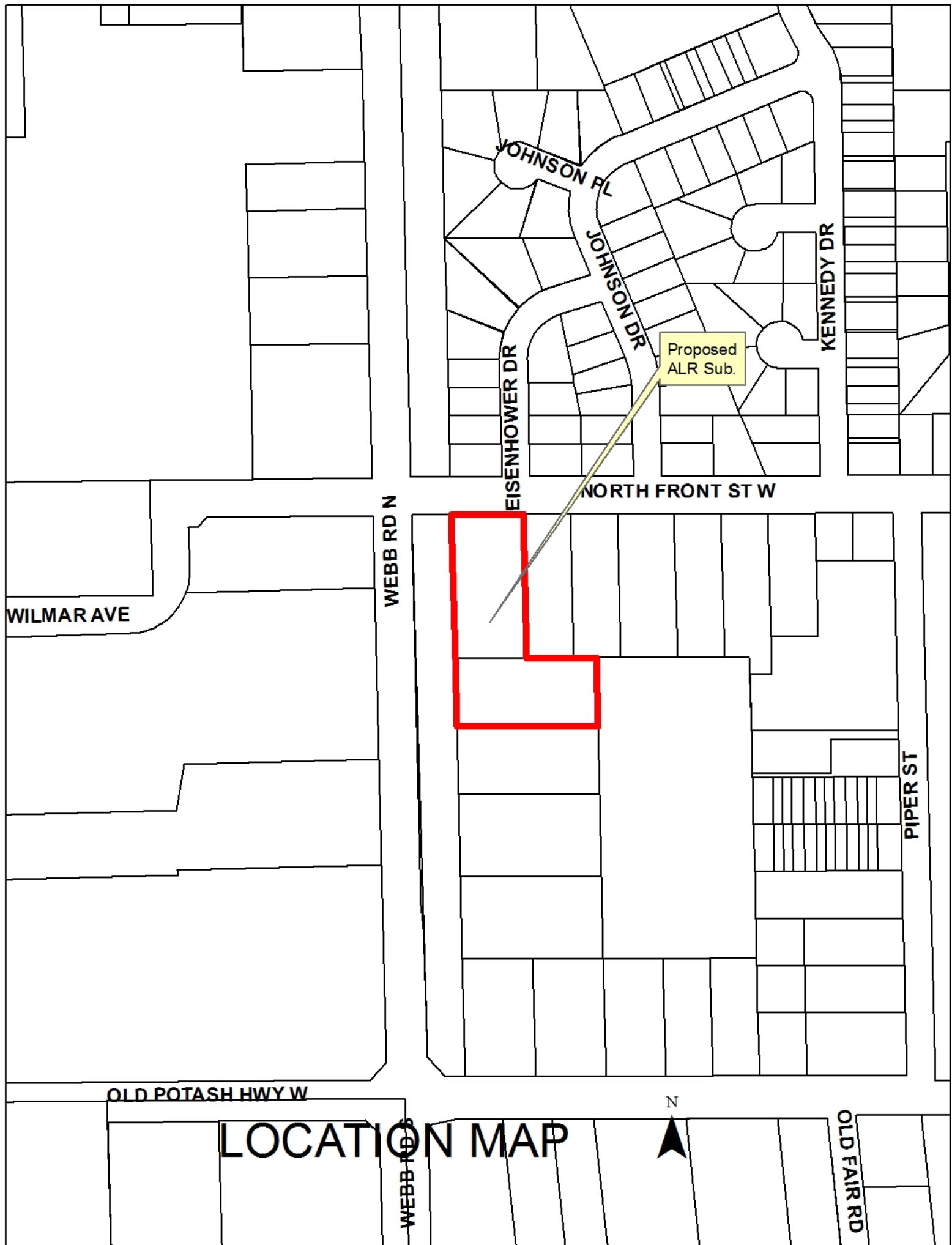
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue
- 5.

### **Recommendation**

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

### **Sample Motion**

Move to approve as recommended.



**ALR Enterprises, LLC**  
**Developer/Owner**

ALR Enterprises, LLC  
Andrew L Rathgen, Managing Member  
4135 Indianhead Drive  
Grand Island NE 68803

To create 2 lots located east of Webb Road and south of west North Front Street in the City of Grand Island, in Hall County, Nebraska.

**Size:** 2.077 acres

**Zoning:** B2 – General Business Zone

**Road Access:** City Roads

**Water Public:** City water will be available as extension will be required with this subdivision

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



\* This Space Reserved for Register of Deeds \*

## SUBDIVISION AGREEMENT

### **ALR SUBDIVISION**

(Lots 1 and 2)

In the City of Grand Island, Nebraska

The undersigned, ALR ENTERPRISES, L.L.C., A Nebraska Limited Liability Company, hereinafter called the Subdivider, as owner of a tract of land comprising all of Lot Nineteen (19), Warren Subdivision, and the North Half (N½) of Lot One (1), DRD Subdivision, all in the City of Grand Island, Hall County, Nebraska, said tract containing 2.077 acres more or less;

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 ALR 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 ALR 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 North Front Street where it abuts the subdivision.

2.     **Water.** Public water is available to the subdivision and the Subdivider agrees to extend, connect and provide water 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. Water may be extended from Webb Road across property owned by the Grand Island Utilities department only within the easement dedicated for access to this property from Webb Road.

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. Sanitary sewer to serve Lot Two (2) must be extended across the South One-Half (S½) of Lot One (1) of DRD subdivision at the owners expense prior to building on this lot.

4. **Storm Drainage.** The Subdivider agrees to provide and maintain positive drainage from all lots. Storm drainage from Lot Two (2) shall be conveyed to the detention cell to the east according to plans approved by the Director of Public Works.

5. **Sidewalks.** The Subdivider shall maintain all public sidewalks required by the City of Grand Island on Lot One (1). As Lot Two (2) does not front on a public street sidewalks are not required. If the sidewalks adjacent to Webb Road are damaged as a result of construction on Lot Two (2) the Subdivider agrees to repair any such damages.

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. The westerly line of Lot Two (2) shall be considered a street frontage for landscaping purposes.

7. **Accessory Structure.** The Subdivider agrees that the accessory structure on Lot Two (2) shall be removed or made compliant by the issuance of a permit for a principal structure on or before October 31, 2014 or One Hundred Eighty (180) days from the date of filing of this agreement if that date falls after October 31, 2014.

8. **Traffic Impacts and Required Street Improvements.** The Subdivider will not object to necessary street improvement projects to mitigate the traffic impacts of the driveway permitted with this agreement on Webb Road if and when the traffic at the drive way on Lot Two (2) exceeds the following average trip traffic counts:

Average Daily Trips                753  
Average AM Peak Hour Trips: 116  
Average PM Peak Hour Trips: 46

9. **Curb Cut and Easement.** The City grants approval for a curb cut on the

east side of North Webb Road, Thirty (30) feet in length and centered at a location approximately Three Hundred Twenty-Five (325) feet south of the northwest corner of Lot Six (6), Webb Road Subdivision to the City of Grand Island, Hall County, Nebraska, and City shall grant to Subdivider an easement for ingress and egress across said Lot Six (6), Webb Road Subdivision as set forth in Exhibit A, attached hereto. Granting this easement shall be considered approval by the Grand Island City Council for issuance of building permits on Lot Two (2) as required by City Code as this lot does not front onto a public way or approved private street.

10. **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.

11. **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.



12. **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 ALR 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.

13. **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 \_\_\_\_\_, 2014.

ALR ENTERPRISES, L.L.C., A  
NEBRASKA LIMITED LIABILITY  
COMPANY, Subdivider

By: \_\_\_\_\_  
Andrew L. Rathjen, Managing Member

STATE OF NEBRASKA            )  
  ) ss  
COUNTY OF HALL            )

On \_\_\_\_\_, 2014, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Andrew J. Rathjen, Managing Member of ALR Enterprises L.L.C., a Nebraska Limited Liability Company, 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 on behalf of ALR Enterprises, L.L.C.

WITNESS my hand and notarial seal the date above written.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

CITY OF GRAND ISLAND, NEBRASKA  
A Municipal Corporation

Jay Vavricek, Mayor                      By: \_\_\_\_\_

Attest: \_\_\_\_\_

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

STATE OF NEBRASKA   )  
  ) ss  
COUNTY OF HALL       )

On \_\_\_\_\_, 2014, before me, the undersigned,, a Notary Public in and for said County and State, personally came Jay Vavricek, 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 2014-\_\_\_\_, and that the City's corporate seal was thereto affixed by proper authority.

WITNESS my hand and notarial seal the date above written.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

---

(RETURN TO: Jerom E. Janulewicz, PO Box 2300, Grand Island, NE 68802)

### **EASEMENT**

The City of Grand Island, Nebraska, a municipal corporation, as Grantor, for one dollar (\$1.00) consideration, receipt of which is hereby acknowledged, hereby grants and conveys to ALR Enterprises, LLC, a Nebraska limited liability company, as Grantee, a permanent and perpetual easement to construct, operate, and maintain a driveway in, upon, and over Lot Six (6), Webb Road Subdivision to the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

Fifteen (15) feet on each side of a line being three hundred twenty-five (325) feet south of and parallel to the north line of Lot Six (6), Webb Road Subdivision to the City of Grand Island, Hall County, Nebraska.

It is understood and agreed that the Grantee may construct such driveway for ingress and egress purposes to Lot Two (2), ALR Subdivision to the City of Grand Island, Hall County, Nebraska, the construction of such driveway to be performed pursuant to specifications approved by Grantor's Director of Public Works. The Grantor agrees to restore the surface of the Grantee's driveway, at no expense to Grantee, if the surface of the Grantee's driveway is disrupted as a result of the Grantor's maintenance, repair or construction of any city utilities in the driveway area.

For further consideration of the Grantor granting to the Grantee the easement described above, the Grantee agrees to maintain at its expense the grass and foliage upon that part of Lot Six (6), Webb Road Subdivision, adjacent to Lot Two (2), ALR Subdivision, and for that purpose the Grantor hereby grants the Grantee an easement to go upon Lot Six (6) Webb Road Subdivision, for the exercise of such rights and obligations.

The Grantor hereby covenants that the easement hereby granted shall run with the title to such tract of land and shall be binding upon the Grantee, its successors and assigns.

City of Grand Island, Nebraska

By: \_\_\_\_\_  
Jay Vavricek, Mayor

[attest]

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

STATE OF NEBRASKA     )  
                                      ) ss.  
COUNTY OF HALL        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2014, by Jay Vavricek, Mayor, on behalf of said City of Grand Island, Nebraska.

\_\_\_\_\_  
Notary Public

North Front Street

LEGEND

- Indicates 1/2" Iron Pipe Found Unless Otherwise Noted
- Indicates 1/2" Iron Pipe w/Survey Cap Placed Unless Otherwise Noted
- A-Indicates ACTUAL Distance
- R-Indicates RECORDED Distance

Scale: 1" = 50'

Webb Road

Subdivision

Webb Road

Webb Road

Subdivision

Warren

Subdivision

Subdivision

Surveyor's Certificate

I hereby certify that on January 4, 2014, I completed an accurate survey of 'ALR SUBDIVISION', in the City of Grand Island, 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.

(Seal) Deryl D. Sorgentfrei, Reg. Land Surveyor No. 578

Approvals

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

Chairman

Date

Approved and accepted by the City of Grand Island, Nebraska, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Mayor

City Clerk

(Seal)

**ALR SUBDIVISION**  
**IN THE CITY OF GRAND ISLAND, NEBRASKA**

ROCKWELL AND ASSOC. L.L.C. - ENGINEERING & SURVEYING - GRAND ISLAND, NEBRASKA

Sheet No. 1 Of 1

Legal Description

A tract of land comprising all of Lot Nineteen (19), Warren Subdivision and the North Half of Lot One (1), DRD Subdivision, all in the City of Grand Island, Hall County, Nebraska, said tract containing 2.077 acres more or less.

Dedication

KNOW ALL MEN BY THESE PRESENTS, that, ALR ENTERPRISES, L.L.C., a Nebraska Limited Liability Company, being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as 'ALR SUBDIVISION' in the City of Grand Island, 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, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

ALR ENTERPRISES, L.L.C., a Nebraska Limited Liability Company

Andrew L. Rathjen, Managing Member

Acknowledgement

State Of Nebraska ss  
County Of Hall

On the \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me, a Notary Public within and for said County, personally appeared ANDREW L. RATHJEN, Managing Member of ALR ENTERPRISES, L.L.C., a Nebraska Limited Liability Company, and to me personally known to be the identical person whose signature is affixed hereto, and that he did acknowledge the execution thereof to be his voluntary act and deed and the voluntary act and deed of said Company and the he was empowered to make the above dedication for and in behalf of said Company.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Grand Island, Nebraska, on the date last above written.  
My commission expires \_\_\_\_\_.

Notary Public

(Seal)

R E S O L U T I O N    2014-40

WHEREAS, ALR Enterprises, LLC, a Nebraska Limited Liability Company, being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as ALR SUBDIVISION, to be laid out into 2 lots on a tract of land comprising all of Lot Nineteen (19), Warren Subdivision and the North Half of Lot One (1), DED Subdivision, all in the City Of Grand Island, in Hall County, Nebraska, said tract containing 2.077 acres, and has caused a plat thereof to be acknowledged by it; and

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the form of subdivision agreement hereinbefore 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 ALR 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, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-4

**#2014-41 - Approving Final Plat and Subdivision Agreement for  
Baxter Acres Subdivision**

Staff Contact: Chad Nabity



# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** March 11, 2014

**Subject:** Baxter Acres Subdivision – Final Plat

**Item #'s:** G-4

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

## **Background**

This property is located south of Capital Ave and west of Engleman Rd., in the City of Grand Island 2 mile jurisdiction, in Hall County, Nebraska. Consisting of (2 Lots) and 20.00 acres.

## **Discussion**

The plat for Baxter Acres Subdivision Plat was considered by the Regional Planning Commission at the March 5, 2014 meeting.

A motion was made by Connick and seconded by Ruge to approve the plat as presented.

A roll call vote was taken and the motion passed with 8 members present and voting in favor (Connick, O'Neill, Ruge, Hayes, Heckman, Haskins, Connelly and Bredthauer) and no one voting against.

## **Alternatives**

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

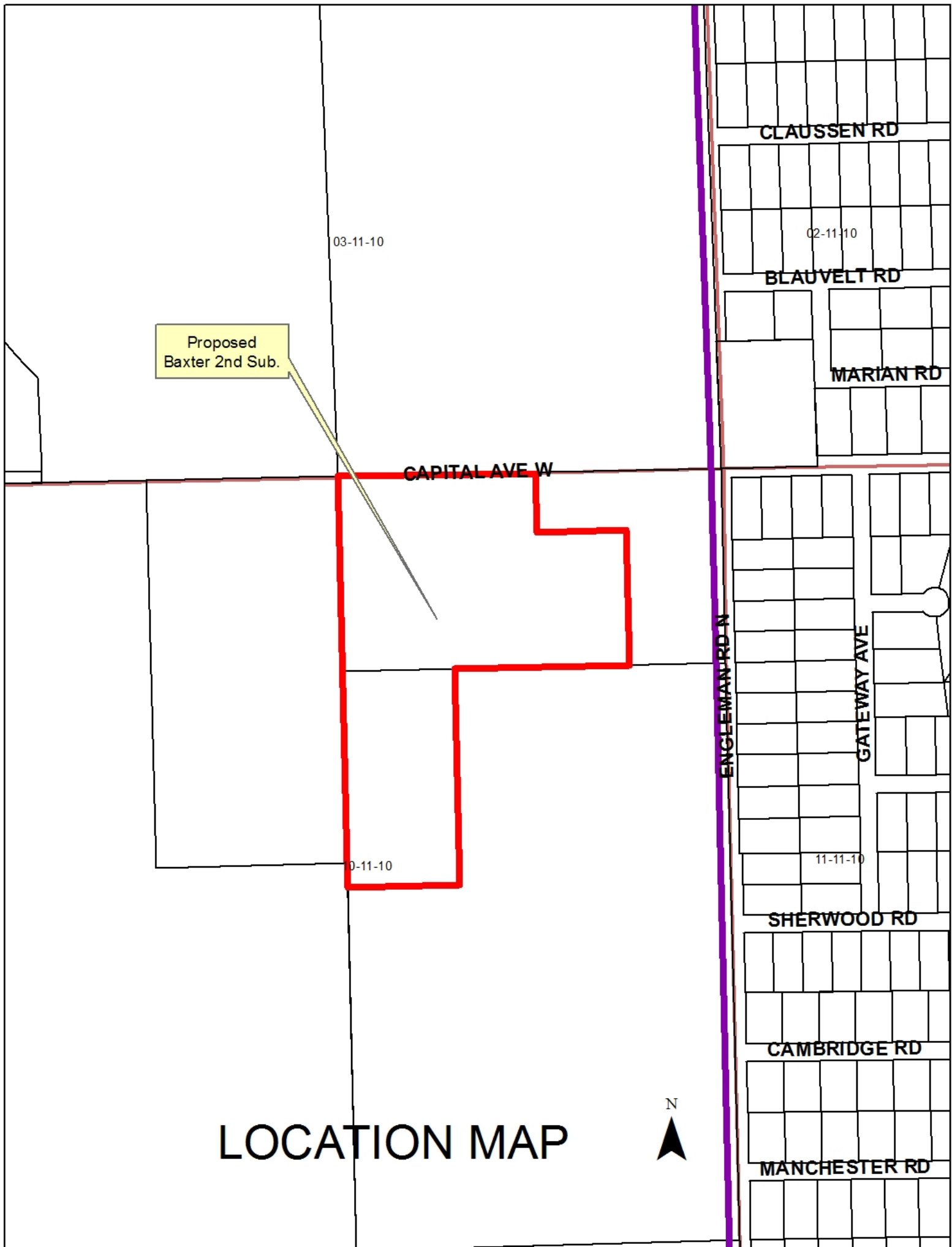
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **Recommendation**

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

### **Sample Motion**

Move to approve as recommended.



**Elizabeth Baxter  
Developer/Owner**

Elizabeth Baxter  
4444 West 13<sup>th</sup> St  
Grand Island NE 68803

To create 2 lots located west of Engleman Rd. and south of Capital Ave., in the City of Grand Island 2 mile jurisdiction, in Hall County, Nebraska.

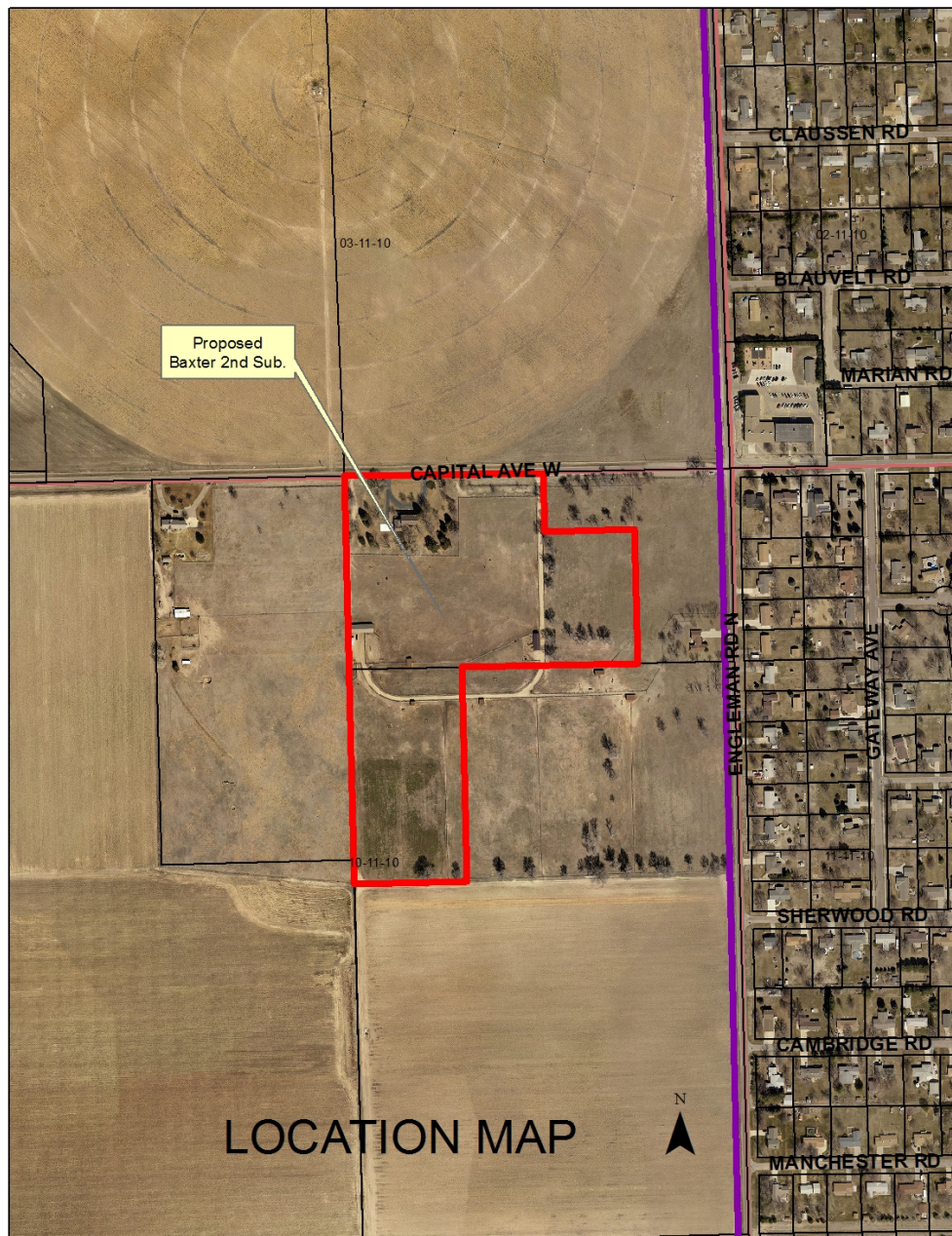
**Size:** 20 acres

**Zoning:** AG 2– Secondary Agricultural Zone

**Road Access:** Existing County Road

**Water Public:** City water will be available

**Sewer Public:** City sewer is not available.

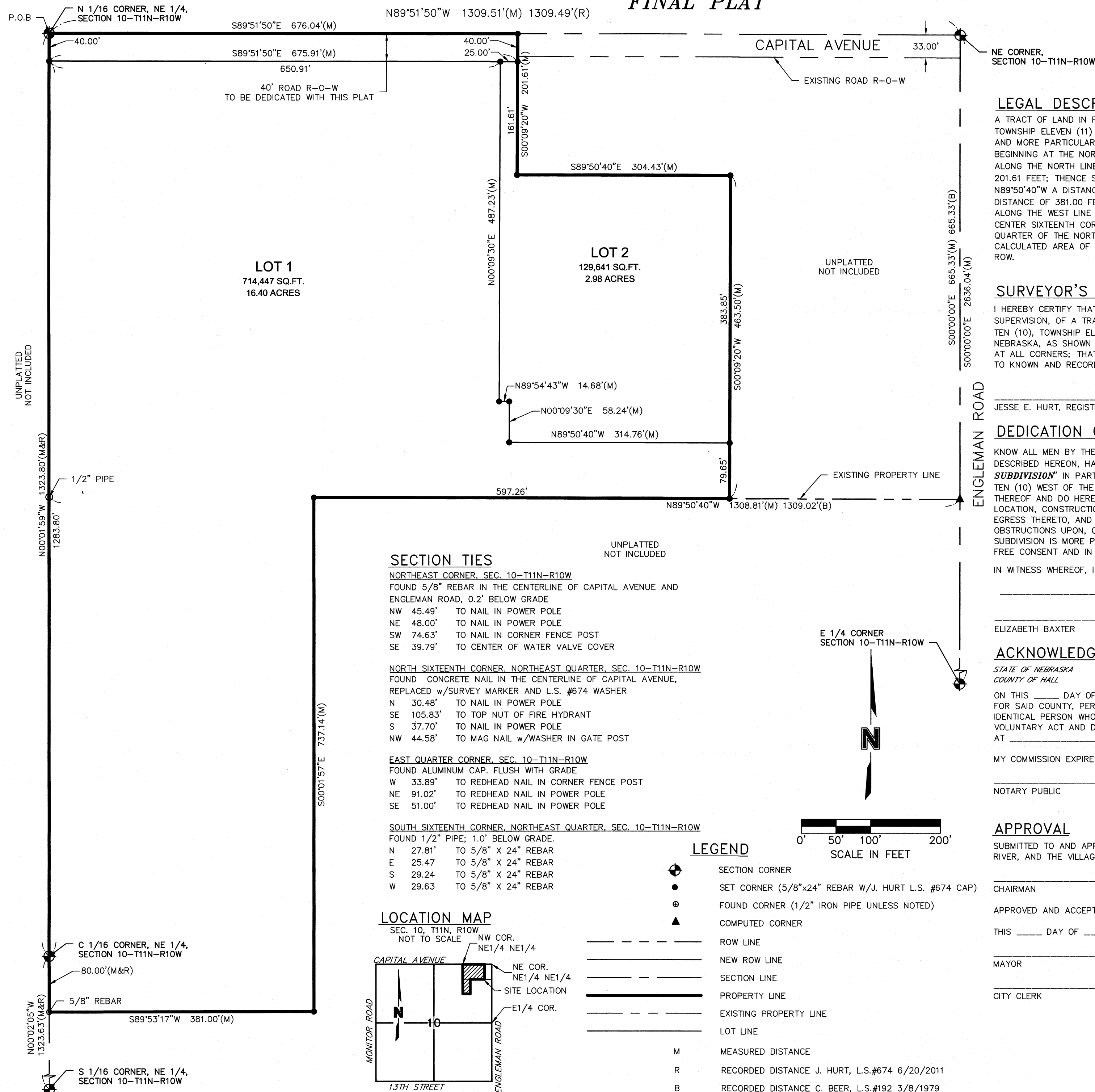




# BAXTER SECOND SUBDIVISION

## CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

### FINAL PLAT



#### LEGAL DESCRIPTION

A TRACT OF LAND IN PART OF THE EAST HALF OF THE NORTHEAST QUARTER (E 1/2, NE 1/4) OF SECTION TEN (10), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTH SIXTEENTH CORNER OF THE NORTHEAST QUARTER; THENCE ON AN ASSUMED BEARING S89°51'50"E, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER A DISTANCE OF 676.04 FEET; THENCE S00°09'20"W A DISTANCE OF 201.61 FEET; THENCE S89°50'40"E A DISTANCE OF 304.43 FEET; THENCE S00°09'20"W A DISTANCE OF 463.50 FEET; THENCE N89°50'40"W A DISTANCE OF 597.26 FEET; THENCE S00°01'57"E A DISTANCE OF 737.14 FEET; THENCE S89°53'17"W A DISTANCE OF 381.00 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE N00°02'05"W ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 80.00 FEET TO THE CENTER SIXTEENTH CORNER OF THE NORTHEAST QUARTER; THENCE N00°01'59"W ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 1323.80 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 871,129 SQUARE FEET OR 20.00 ACRES MORE OR LESS OF WHICH 0.60 ACRES IS NEW DEDICATED ROAD ROW.

#### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON \_\_\_\_\_, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF A TRACT OF LAND IN PART OF THE EAST HALF OF THE NORTHEAST QUARTER (E 1/2, NE 1/4) OF SECTION TEN (10), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT IRON MARKERS, EXCEPT WHERE INDICATED, WERE FOUND AT ALL CORNERS; THAT THE DIMENSIONS ARE AS SHOWN ON THE PLAT; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

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

#### DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS, THAT ELIZABETH BAXTER, A MARRIED PERSON, BEING THE OWNER OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "**BAXTER SECOND SUBDIVISION**" IN PART OF THE EAST HALF (E 1/2, NE 1/4) OF SECTION TEN (10), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF AND DO HEREBY DEDICATE THE EASEMENTS, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE FOR PUBLIC SERVICE UTILITIES, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS 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 IS MORE PARTICULARLY DESCRIBED IN THE DESCRIPTION HEREON AS APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT

\_\_\_\_\_, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

ELIZABETH BAXTER

#### ACKNOWLEDGMENT

STATE OF NEBRASKA  
COUNTY OF HALL

ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014, BEFORE ME \_\_\_\_\_, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED ELIZABETH BAXTER, A MARRIED PERSON, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HER VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT \_\_\_\_\_, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

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

NOTARY PUBLIC

#### APPROVAL

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

CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

MAYOR

CITY CLERK

OWNERS: ELIZABETH BAXTER  
SUBDIVIDER: ELIZABETH BAXTER  
SURVEYOR: OLSSON ASSOCIATES  
ENGINEER: OLSSON ASSOCIATES  
NUMBER OF LOTS: 2

**OLSSON ASSOCIATES**

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

PROJECT NO. 2014-3012  
BAXTER SURVEY  
FB

RESOLUTION 2014-41

WHEREAS, Elizabeth Baxter, being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "BAXTER ACRES SUBDIVISION", to be laid out into 2 lots, on a tract of land in part of the East Half of the Northeast Quarter (E1/2, NE ¼) of Section Ten (10), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M., in the City of Grand Island 2 mile jurisdiction, Hall County Nebraska, and has caused a plat thereof to be acknowledged by it; and

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the form of subdivision agreement hereinbefore 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 BAXTER ACRES 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, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-5

**#2014-42 - Approving Final Plat and Subdivision Agreement for  
Copper Creek Estates Sixth Subdivision**

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** March 11, 2014

**Subject:** Copper Creek Estates Sixth Subdivision – Final Plat

**Item #'s:** G-5

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

## **Background**

This property is located west of North Rd and south of Old Potash Hwy, in the City of Grand Island, in Hall County, Nebraska. Consisting of (53 Lots) and 15.224 acres.

## **Discussion**

The plat for Copper Creek Estates Sixth Subdivision Final Plat was considered by the Regional Planning Commission at the February 5, 2014 meeting.

A motion was made by Bredthauer and seconded by Reynolds to approve the plat as presented.

A roll call vote was taken and the motion passed with 7 members present and voting in favor (McCarty, O'Neill, Reynolds, Vincent, Heckman, Haskins and Bredthauer) and no one voting against.

## **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

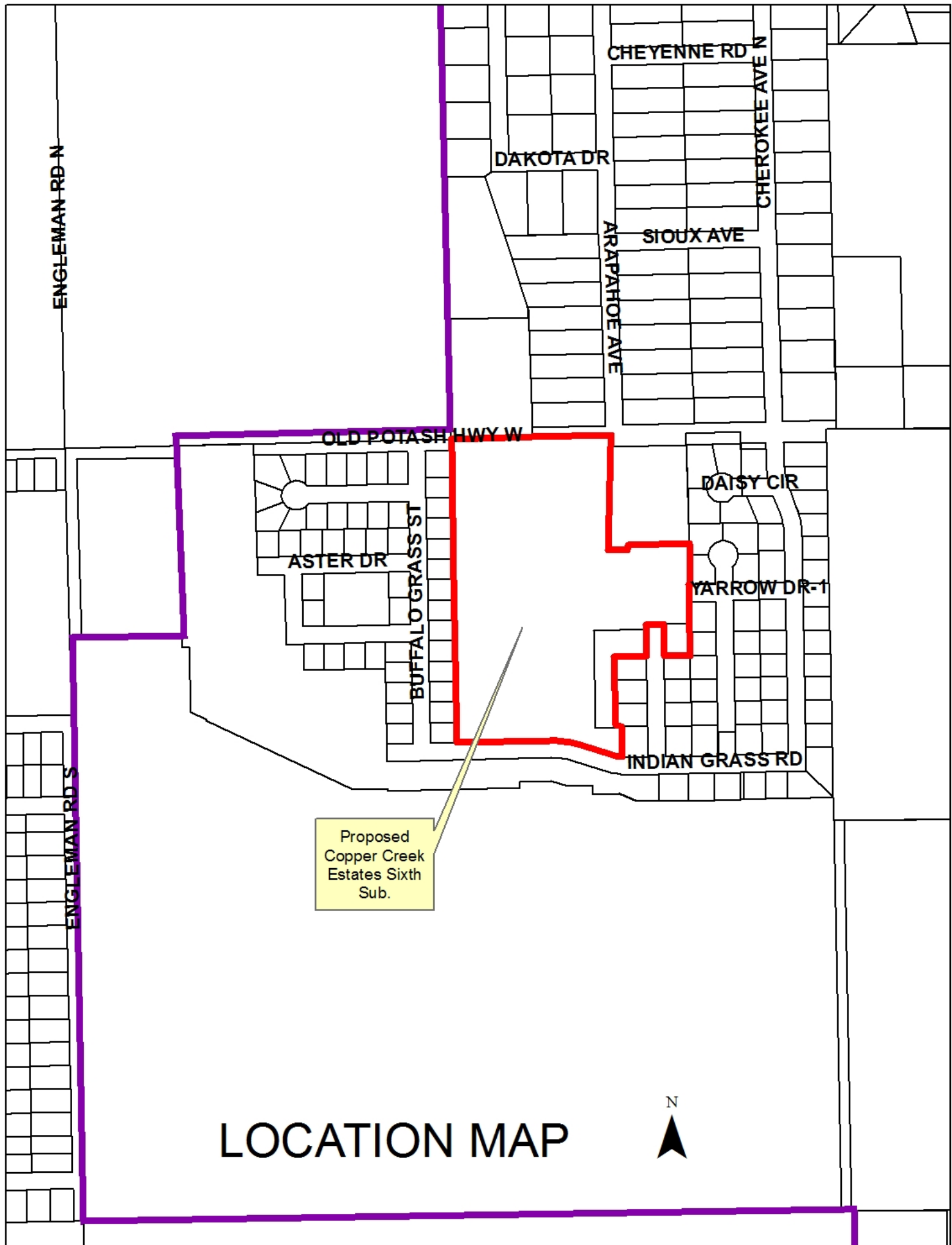


### **Recommendation**

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

### **Sample Motion**

Move to approve as recommended.



**The Guarantee Group, LLC.**  
**Developer/Owner**

The Guarantee Group, LLC  
Sean P. O'Connor  
2502 N Webb Rd  
Grand Island NE 68803

To create 53 lots located west of North Road and south of Old Potash Highway in the City of Grand Island, in Hall County, Nebraska.

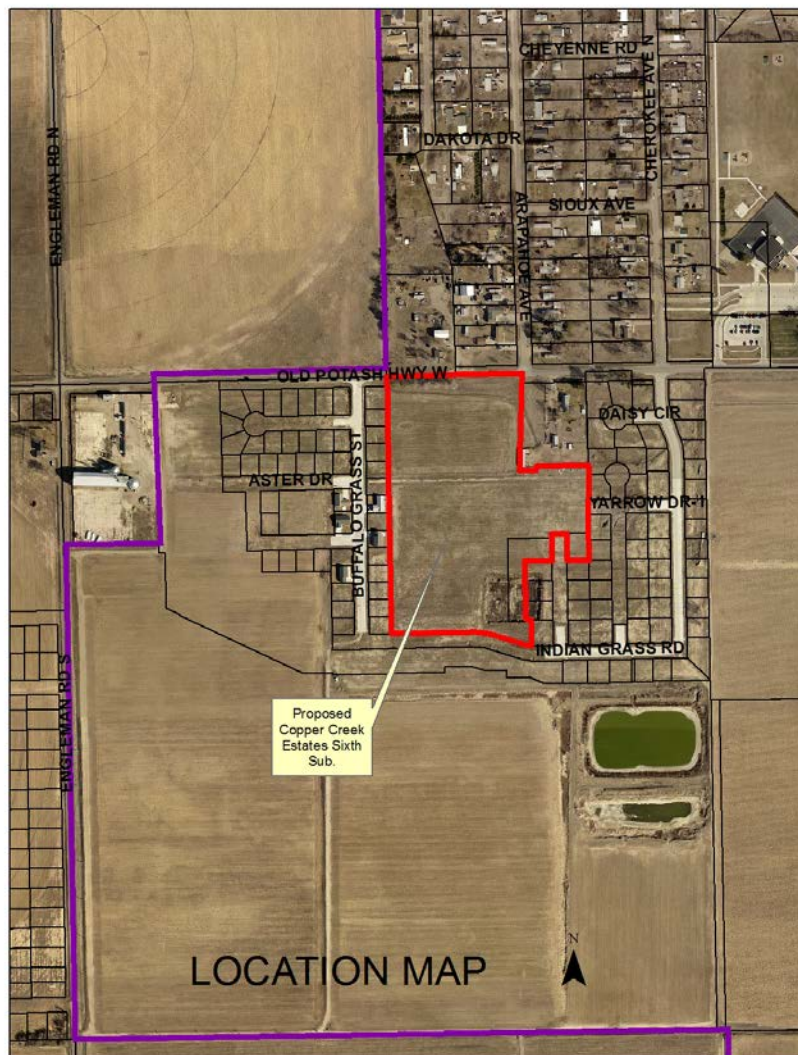
**Size:** 15.224 acres

**Zoning:** R2 – Low Density Residential Zone

**Road Access:** City Roads

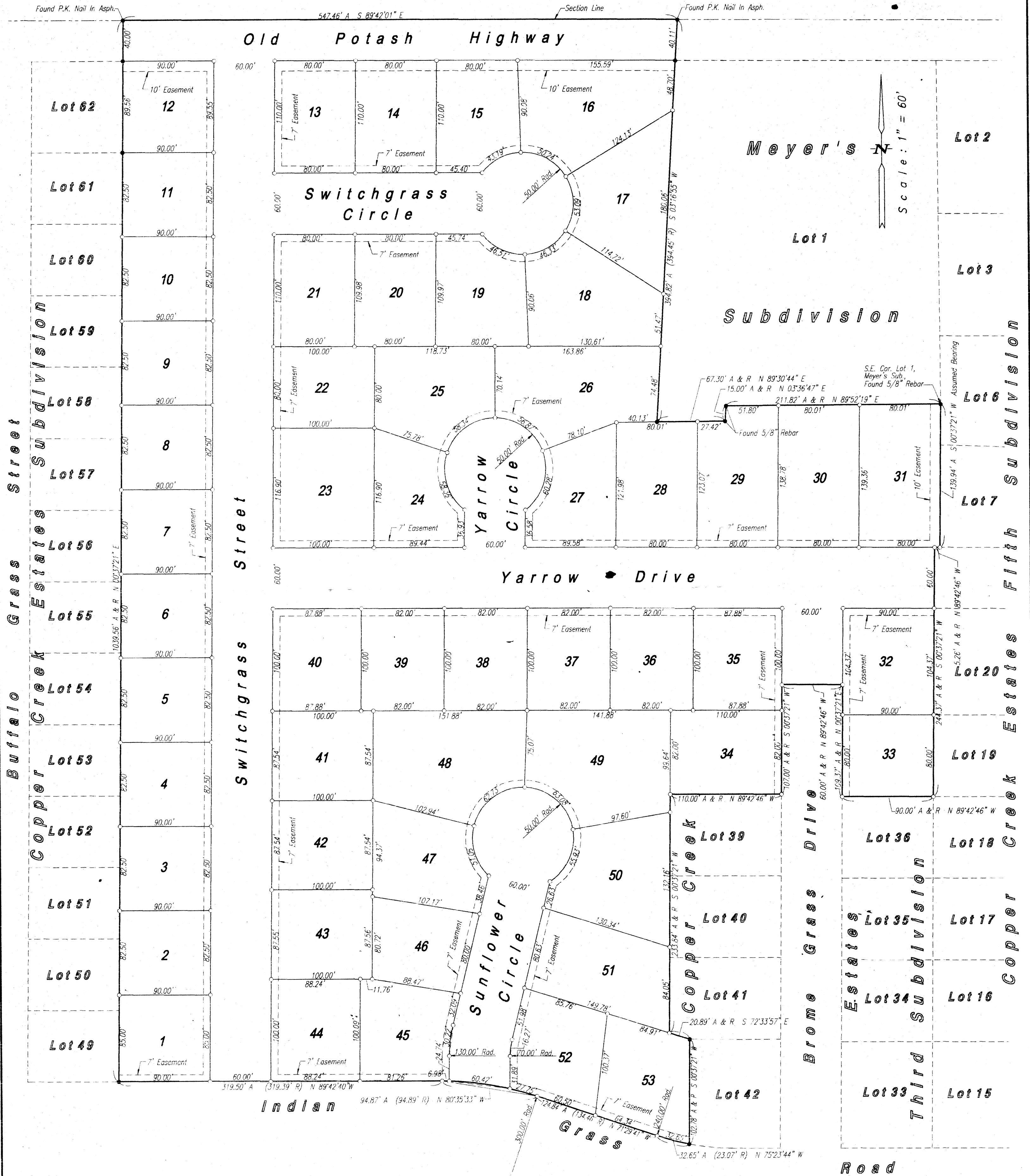
**Water Public:** City water will be available as extension will be required with this subdivision

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



# **LEGEND**

•-Indicates 1/2" Iron Pipe Found Unless Otherwise Noted  
 ○-Indicates 1/2" Iron Pipe w/Survey Cap Placed Unless Otherwise Noted  
 A-Indicates ACTUAL Distance  
 R-Indicates RECORDED Distance  
 All Distances Shown On Curves Are CHORD Distances  
 All Distances Shown On Cul-de-sacs Are CHORD Distances



## **COPPER CREEK ESTATES SIXTH SUBDIVISION IN THE CITY OF GRAND ISLAND, NEBRASKA**

ROCKWELL AND ASSOC. LLC - ENGINEERING & SURVEYING - GRAND ISLAND, NEBRASKA

Sheet No. 1 Of 2

RESOLUTION 2014-42

WHEREAS, The Guarantee Group, LLC, a Nebraska Corp., being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "COPPER CREEK ESTATES 6TH SUBDIVISION", to be laid out into 53 lots, a tract of land comprising all of Lots Thirty Seven (37) and Thirty Eight (38) Copper Creek Estates Third Subdivision as a part of the Northwest Quarter (NW1/4), all in Section Twenty Three (23), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M., in the City of Grand Island, Hall County Nebraska, and has caused a plat thereof to be acknowledged by it; and

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the form of subdivision agreement hereinbefore 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 COPPER CREEK ESTATES 6TH 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, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-6

**#2014-43 - Approving Final Plat and Subdivision Agreement for  
Westgate Industrial Park 2nd Subdivision**

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** March 11, 2014

**Subject:** Westgate Industrial Park 2<sup>nd</sup> Subdivision – Final Plat

**Item #'s:** G-6

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

## **Background**

This property is located east of North Road and north of Westgate Road, in the City of Grand Island, in Hall County, Nebraska. Consisting of (13 Lots) and 27.46 acres.

## **Discussion**

The plat for Westgate Industrial Park 2<sup>nd</sup> Subdivision Plat was considered by the Regional Planning Commission at the March 5, 2014 meeting.

A motion was made by Connick and seconded by Ruge to approve the plat as presented.

A roll call vote was taken and the motion passed with 8 members present and voting in favor (Connick, O'Neill, Ruge, Heckman, Haskins, Hayes, Connelly and Bredthauer) and no one voting against.

## **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

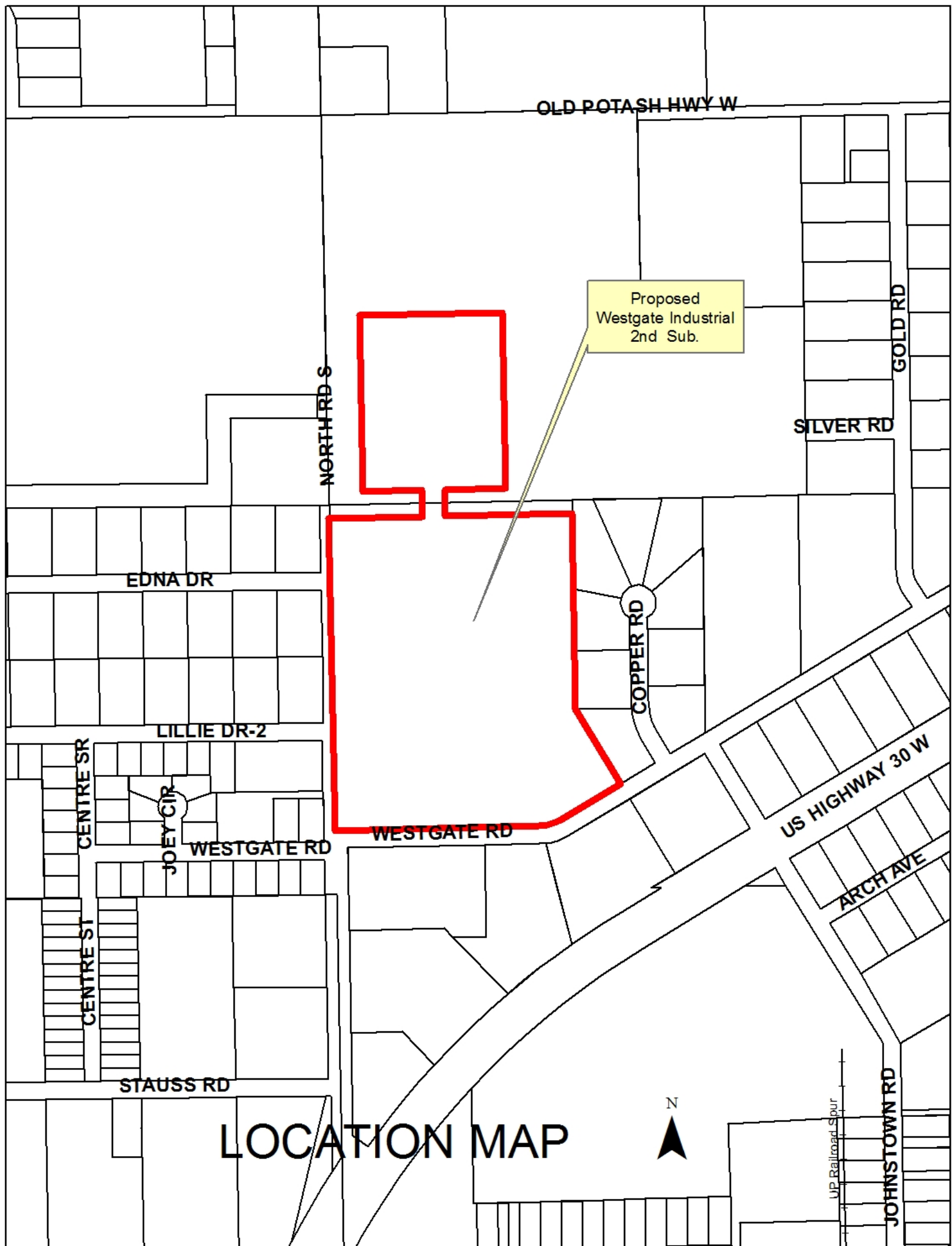
### **Recommendation**

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

### **Sample Motion**

Move to approve as recommended.





**Little B's Corporation, A Nebraska Corporation**  
**Developer/Owner**

Little B's Corporation, A Nebraska Corporation  
4444 West 13<sup>th</sup> St  
Grand Island NE 68803

To create 13 lots located east of North Road and north of Westgate Rd., in the City of Grand Island, in Hall County, Nebraska.

**Size:** 27.46 acres

**Zoning:** B2 – General Business Zone, M2 – Heavy Manufacturing Zone, M1 – Light Manufacturing Zone

**Road Access:** City Streets adjacent and to be extended

**Water Public:** City water will be available as extension will be required with this subdivision

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





# WESTGATE INDUSTRIAL PARK 2nd SUBDIVISION

IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

## FINAL PLAT

### LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWENTY FOUR (24), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 24; THENCE ON AN ASSUMED BEARING OF N01°07'52"E ALONG THE WEST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 235.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N01°07'52"W ALONG SAID WEST LINE OF THE NORTHWEST QUARTER A DISTANCE OF 1053.21 FEET TO A POINT ON THE SOUTHWEST CORNER OF A SURVEY, INST.# \_\_\_\_\_, FILED \_\_\_\_\_; THENCE N88°46'09"E, ALONG THE SOUTH LINE OF SAID SURVEY, A DISTANCE OF 336.86 FEET; THENCE N01°07'52"W A DISTANCE OF 90.00 FEET TO A POINT ON SAID SURVEY; THENCE S88°46'09"W, ALONG SAID SURVEY, A DISTANCE OF 201.86 FEET; THENCE N01°07'52"W, ALONG SAID SURVEY, A DISTANCE OF 602.25 FEET; THENCE N88°52'08"E A DISTANCE OF 468.73 FEET; THENCE S01°07'52"E A DISTANCE OF 601.44 FEET TO A POINT ON SAID SURVEY; THENCE S88°46'09"W, ALONG SAID SURVEY, A DISTANCE OF 206.88 FEET; THENCE S01°07'52"E A DISTANCE OF 90.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SURVEY; THENCE N88°46'09"E, ALONG SAID SOUTH LINE OF SURVEY, A DISTANCE OF 432.64 FEET TO THE SOUTHEAST CORNER OF SAID SURVEY, SAID POINT ALSO BEING ON THE WEST LINE OF WESTGATE NINTH SUBDIVISION; THENCE S01°10'34"E, ALONG SAID WEST LINE, A DISTANCE OF 671.00 FEET; THENCE S31°06'13"E, ALONG THE WEST LINE OF WESTGATE NINTH SUBDIVISION, A DISTANCE OF 297.38 FEET TO THE SOUTHWEST CORNER OF SAID WESTGATE NINTH SUBDIVISION SAID POINT ALSO BEING THE NORTHERLY R.O.W. LINE OF WESTGATE ROAD; THENCE S58°52'27"W, ALONG SAID NORTHERLY R.O.W. LINE, A DISTANCE OF 243.55 FEET; THENCE ON A CURVE IN A CLOCKWISE DIRECTION ALONG SAID NORTHERLY R.O.W. LINE, HAVING A DELTA ANGLE OF 29°55'54" HAVING A RADIUS OF 140.00 FEET, AND A CHORD BEARING OF S74°14'55"W AND A CHORD DISTANCE OF 72.31 FEET; THENCE S88°46'58"W, ALONG SAID NORTHERLY R.O.W. LINE, A DISTANCE OF 637.69 FEET TO A POINT BEING THE SOUTHEAST CORNER OF A R.O.W. SURVEY, INST.# \_\_\_\_\_, FILED \_\_\_\_\_; THENCE N54°18'59"W, ALONG SAID NORTHERLY R.O.W. LINE, A DISTANCE OF 24.98 FEET TO A POINT ON THE NEW EAST R.O.W. LINE OF NORTH ROAD; THENCE S88°46'58"W, ALONG SAID R.O.W. A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 1,196,152.80 SQUARE FEET OR 27.46 ACRES MORE OR LESS OF WHICH 2.56 ACRES IS NEW DEDICATED ROAD R.O.W.

### SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT ON \_\_\_\_\_, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF A TRACT OF LAND IN PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWENTY FOUR (24), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT IRON MARKERS, EXCEPT WHERE INDICATED, WERE FOUND AT ALL CORNERS; THAT THE DIMENSIONS ARE AS SHOWN ON THE PLAT; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

JAI JASON ANDRIST, REGISTERED LAND SURVEYOR NUMBER, LS-630

### DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS, LITTLE B'S CORP., A NEBRASKA CORPORATION AND THE CITY OF GRAND ISLAND BEING THE OWNER OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "**WESTGATE INDUSTRIAL PARK 2ND SUBDIVISION**" IN PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWENTY FOUR (24), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF AND DO HEREBY DEDICATE THE EASEMENTS, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE FOR PUBLIC SERVICE UTILITIES, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS 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 OWNERS AND PROPRIETORS.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT

\_\_\_\_\_, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

GREG BAXTER, PRESIDENT, LITTLE B'S CORP., A NEBRASKA CORPORATION

JAY VAVRICEK, MAYOR, CITY OF GRAND ISLAND

### ACKNOWLEDGMENT

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014, BEFORE ME \_\_\_\_\_, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED GREG BAXTER, PRESIDENT, LITTLE B'S CORP., A NEBRASKA CORPORATION, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT \_\_\_\_\_, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

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

NOTARY PUBLIC

### ACKNOWLEDGMENT

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014, BEFORE ME \_\_\_\_\_, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED JAY VAVRICEK, MAYOR, CITY OF GRAND ISLAND, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT \_\_\_\_\_, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

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

NOTARY PUBLIC

### APPROVAL

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

CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014

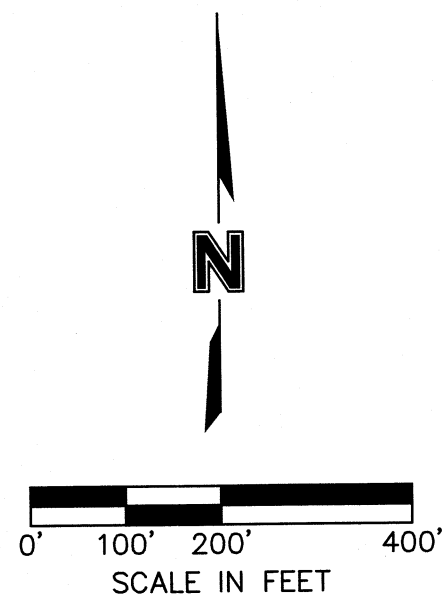
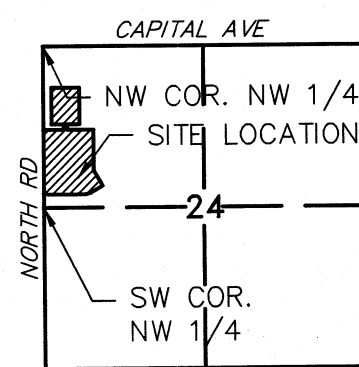
MAYOR

CITY CLERK

CURVE TABLE					
CURVE #	DELTA	RADIUS	LENGTH	DIRECTION	CHORD
C1	29°55'54"	140.00'	73.14'	N74°14'55"E	72.31'
C2	14°57'57"	140.00'	36.57'	N81°43'53"E	36.46'
C3	14°57'57"	140.00'	36.57'	N66°45'56"E	36.46'

### LOCATION MAP

SEC. 24, T11N, R10W  
NOT TO SCALE



### LEGEND

- SECTION CORNER
- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND PROPERTY CORNER
- SECTION LINE
- SUBDIVISION PROPERTY LINE
- PROPERTY LINE
- M MEASURED DISTANCE
- P PLATTED DISTANCE WESTGATE SUB.
- P1 PLATTED DISTANCE WESTGATE NINTH SUB.

### SECTION CORNER TIES

NW COR. NW1/4, SEC. 24, T11N, R10W  
FOUND ALUMINUM CAP IN ASPHALT  
45.80' NW TO MAG NAIL & WASHER IN TOP FENCE POST  
53.88' SW TO MAG NAIL & WASHER IN GUY POLE  
69.57' SSW TO TOP NUT OF FIRE HYDRANT  
51.76' NE TO MAG NAIL & WASHER IN POWER POLE

SW COR. NW1/4 SEC. 24, T11N, R10W  
FOUND ALUMINUM CAP IN ASPHALT  
39.98' E TO FOUND 1/2 " IRON PIPE  
32.62' W TO TOP NUT ON FIRE HYDRANT  
39.96' W FOUND 1/2 " IRON PIPE W/PLASTIC CAP  
34.06' E TO RED HEAD IN TOP OF WOOD POST  
40.31' W TO MAG NAIL IN FENCE POST

OWNERS: LITTLE B'S CORP., A NEBRASKA CORPORATION & CITY OF GRAND ISLAND  
SUBDIVIDER: LITTLE B'S CORP., A NEBRASKA CORPORATION  
SURVEYOR: OLSSON ASSOCIATES  
ENGINEER: OLSSON ASSOCIATES  
NUMBER OF LOTS: 13

**OLSSON ASSOCIATES**

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

PROJECT NO. 2013-2866  
WESTGATE INDUSTRIAL  
FB GRAND ISLAND



RESOLUTION 2014-43

WHEREAS Little B's Corp., a Nebraska Corporation, and the City of Grand Island being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "WESTGATE INDUSTRIAL PARK 2ND SUBDIVISION", to be laid out into 13 lots, in Part of the Northwest Quarter (NW1/4) of Section Twenty Four (24), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M., in the City of Grand Island, Hall County Nebraska, and has caused a plat thereof to be acknowledged by it; and

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the form of subdivision agreement hereinbefore 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 WESTGATE INDUSTRIAL PARK 2ND 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, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-7

**#2014-44 - Approving Bid Award - Truck with Service Crane Body and Tip Mounted Hydraulic Capstan for the Underground Division, Utilities Department**

Staff Contact: Tim Luchsinger, Stacy Nonhof

# **Council Agenda Memo**

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

**Meeting:** March 11, 2014

**Subject:** 2014 Truck Chassis with Service Crane Body & Tip-Mounted Capstan – Underground Division, Utilities Department

**Item #'s:** G-7

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

## **Background**

The Electric Underground Division of the Utilities Department has a 1998 GMC Sierra K2500 truck that was originally used for underground utilities locating and for light crew work. This truck is now used for support of daily work of an underground crew and used to haul materials, set small transformers and single phase pads. Current work practices have changed over time as to not allow the truck to continue to support work activities, therefore, it was scheduled to be replaced this year by a truck with greater capacity and function. Sufficient funds were budgeted in this year's budget to replace the truck.

## **Discussion**

Specifications for replacement of Unit #1683 were prepared by Department staff, advertised in accordance with the City Purchasing Code, sent to eight potential bidders, and posted on the City's Web Site. The bids were publically opened on February 18, 2014. Six bids were received as tabulated below. The estimated amount for this replacement vehicle was \$150,000.

<b>Bidder</b>	<b>Base Bid</b>	<b>Trade-In</b>	<b>Net Bid</b>
Sid Dillon Ford Crete, Nebraska Cab & Chassis: 2015 Ford F550 Crane: Palfinger – PSC-4329 Utility Body: Palfinger – PSB 43-11CS Exceptions: Noted	\$104,139.00	\$(4,500.00)	<b>\$ 99,639.00</b>

<b>Bidder</b>	<b>Base Bid</b>	<b>Trade-In</b>	<b>Net Bid</b>
Roy's Grand Dodge Chrysler Jeep Grand Island, NE Cab & Chassis: Dodge Ram – 5500 Crane: Palfinger – PSC-4329 Utility Body: Palfinger – PSB 43-11CS Exceptions: Noted	\$105,200.00	\$(4,100.00)	<b>\$100,902.00</b>
Palfleet Truck Equipment Council Bluffs, IA Cab & Chassis: Dodge Ram – 5500 Crane: Palfinger – PSC-4329 Utility Body: Palfinger – PSB 43-11CS Exceptions: Noted	\$105,002.00	\$(4,100.00)	<b>\$100,902.00</b>
Palfleet Truck Equipment Council Bluffs, IA Cab & Chassis: Ford – 550 Crane: Palfinger – PSC-4329 Utility Body: Palfinger – PSB 43-11CS Exceptions: Noted	\$105,409.00	\$(4,000.00)	<b>\$101,409.00</b>
Gene Steffy Chrysler Center Fremont, NE Cab & Chassis: Dodge Ram – DPOL 94 Crane: Palfinger – PSC-4329 Utility Body: Palfinger – PSB 43-11CS Exceptions: Noted	\$ 57,904.00	\$(3,000.00)	<b>\$ 54,904.00</b>
Hansen International Truck, Inc. Grand Island, NE Cab & Chassis: International – Terra Star Crane: Palfinger – PSC-4329 Utility Body: Palfinger – PSB 43-11CS Exceptions: Noted	\$116,904.00	\$(4,000.00)	<b>\$112,904.00</b>

Three bidders properly submitted documents with noted exceptions. The lowest bidder was Sid Dillon Ford of Crete, Nebraska with a bid of \$104,139.00 and a trade-in value of \$4,500.00. All noted exceptions appeared to meet or exceed bid document specified minimums with the exception of two items in the cab-chassis:

- The rear axle ratio of 4.88 was bid in place of the specified 4.44.
- A 175 amp alternator was bid in place of the specified 200 amp rated alternator. According to the document, a chassis comes standard with 200 amps, with a noted possible upgrade to a dual alternator set up to 357 amps for a cost adder of \$324.00.

While a greater amperage could be of benefit with the use of a 12 volt to a 120 volt inverter, this standard equipment would adequately meet the intended needs of the unit and would not limit or detract from normal operation.



*The second low bidder*, Roy's Grand Dodge of Grand Island, with a net bid of \$100,902.00, appeared to meet or exceed specifications with the exception of one item in the cab-chassis portion:

- A black painted bumper in place of the specified chrome

*The third low bidder* was Hansen International, of Grand Island with a net bid of \$112,204.00. Exceptions included:

- A 6.4 liter engine instead of the specified 6.7 liter engine
- A bench seat in place of the specified 40/console/40 seat
- No jack
- Two 12 volt power outlets in place of the specified three outlets

*Gene Steffy, Fremont, Nebraska* – recalled his bid due to an obvious miscalculation – omission of the chassis cost.

*Pal Fleet, Council Bluffs, Iowa* – Dodge Chassis – only supplied three copies of the bid form, not the specified three complete copies of the bid document.

*Pal Fleet, Council Bluffs, Iowa* - Ford Chassis – only supplied three copies of the bid form, not the specified three complete copies of the bid document.

After evaluating the bids for Unit #1683, the Utilities Department recommends accepting the bid from Sid Dillon Ford of Crete, Nebraska with a bid of \$104,139.00 and a trade-in value of \$4,500.00. The current truck will be offered to other City departments at the trade-in value.

## **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 purchase of the 2014 Truck with Service Crane Body and Tip-Mounted Hydraulic Capstan (Unit #1683), from Sid Dillon Ford of Crete, Nebraska, in the amount of \$104,139.00 and a trade-in value of \$4,500.00.

## **Sample Motion**

Move to approve the purchase of a 2014 Truck with Service Crane Body & Tip-Mounted Hydraulic Capstan (Unit #1683), from Sid Dillon Ford of Crete, Nebraska, in the amount of \$104,139.00 and a trade-in value of \$4,500.00.





*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** February 18, 2014 at 2:00 p.m.

**FOR:** 2014 Truck Chassis w/Service Crane Body & Tip-Mounted Capstan

**DEPARTMENT:** Utilities

**ESTIMATE:** \$150,000.00

**FUND/ACCOUNT:** 520

**PUBLICATION DATE:** January 22, 2014

**NO. POTENTIAL BIDDERS:** 8

**SUMMARY**

<b>Bidder:</b>	<b><u>Sid Dillon Ford</u></b> Crete, NE	<b><u>Roy's Grand Dodge Chrysler Jeep</u></b> Grand Island, NE
<b>Exceptions:</b>	Noted	Noted
<b><u>Bid Price:</u></b>	<b><u>Make/Model</u></b>	<b><u>Make/Model</u></b>
<b>Cab &amp; Chassis:</b>	2015 Ford – F-550	Dodge Ram - 5500
<b>Crane:</b>	Palfinger – PSC-4329	Palfinger – PSC-4329
<b>Utility Body:</b>	Palfinger – PSB 43-11CS	Palfinger – PSB 43-11CS
<b>Total Bid:</b>	\$104,139.00	\$105,200.00
<b>Trade-in:</b>	\$ 4,500.00	\$ 4,100.00
<b>Final Bid:</b>	\$ 99,639.00	\$100,902.00

**Bidder:** Palfleet Truck Equipment  
Council Bluffs, IA  
**Exceptions:** Noted

**Bid Price:** **Make/Model**  
**Cab & Chassis:** Dodge Ram – 5500  
**Crane:** Palfinger – PSC-4329  
**Utility Body:** Palfinger – PSB 43-11CS

**Total Bid:** \$105,002.00  
**Trade-in:** \$ 4,100.00  
**Final Bid:** \$100,902.00

**Palfleet Truck Equipment**  
Council Bluffs, IA  
Noted

**Make/Model**  
Ford - 550  
Palfinger – PSC-4329  
Palfinger – PSB 43-11CS

\$105,409.00  
\$ 4,000.00  
\$101,409.00

**Bidder:** Gene Steffy Chrysler Center  
Fremont, NE  
**Exceptions:** Noted

**Bid Price:** **Make/Model**  
**Cab & Chassis:** Ram – DPOL 94  
**Crane:** Palfinger – PSC-4329  
**Utility Body:** Palfinger – PSB 43-11CS

**Total Bid:** \$57,904.00  
**Trade-in:** \$ 3,000.00  
**Final Bid:** \$54,904.00

**Hansen International Truck, Inc.**  
Grand Island, NE  
Noted

**Make/Model**  
International – Terra Star  
Palfinger – PSC-4329  
Palfinger – PSB 43-11CS

\$116,904.00  
\$ 4,000.00  
\$112,904.00

cc: Tim Luchsinger, Utilities Director  
Mary Lou Brown, City Administrator  
Randy Leiser, Elec. Underground Supt.

Bob Smith, Assist. Utilities Director  
Pat Gericke, Utilities Admin. Assist.  
Jaye Monter, Finance Director

**P1710**



RESOLUTION 2014-44

WHEREAS, the City of Grand Island invited sealed bids for a 2014 Truck Chassis with Service Crane Body and Tip-Mounted Capstan (Unit #1683); and

WHEREAS, on February 18, 2014, bids were received, opened and reviewed; and

WHEREAS, Sid Dillon Ford of Crete, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$104,139.00 and a trade-in value of \$4,500.00; and

WHEREAS, the bid Sid Dillon Ford of Crete, Nebraska, is less than the estimate for the 2014 Chassis with Service Crane Body and Tip-Mounted Capstan (Unit #1683).

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Sid Dillon Ford, in the amount of \$104,139.00 and a trade-in value of \$4,500.00, for a 2014 Truck Chassis with Service Crane Body and Tip-Mounted Capstan (Unit #1683), is hereby approved as the lowest responsive bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-8

**#2014-45 - Approving Bid Award - Water Main Project 2014-W-1  
Construction - Garfield Avenue and Union Pacific Railroad Tracks**

Staff Contact: Tim Luchsinger, Stacy Nonhof

# **Council Agenda Memo**

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

**Meeting:** March 11, 2014

**Subject:** Approving Bid Award – Water Main Project 2014-W-1 –  
Garfield Street and Union Pacific Railroad

**Item #'s:** G-8

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

## **Background**

The Utilities Department has an ongoing program to replace the water mains that go under the Union Pacific Railroad throughout the center of town. The existing water line at the Garfield Street/UPRR crossing was originally installed in 1933 and is the next crossing planned to be reconstructed.

Water Main Project 2014-W-1 will directional bore a 20" diameter steel casing under the tracks, install a new 10" ductile-iron water main within the casing, and reconnect the piping to the existing main. A sketch of the crossing area is attached for reference.

## **Discussion**

Requests for bids were advertised in accordance with City Procurement Codes. Five plan service firms and eight construction companies received copies of the bid documents and plans. Four bids were received and publicly opened at 2:00 p.m. on February 19, 2014.

The bids have been reviewed and evaluated. The bid from Van Kirk Brothers Contracting contains a miscalculation in the extension of the material quantity times the unit price. The correction is shown on the attached spreadsheet – Item D.1.37. The evaluated bid increases their total bid by \$2.50 for an evaluated Total Bid of \$149,289.29. The other bids are without errors. Tabulated below are the Evaluated Bid Prices:

<b>Bidder</b>	<b>Bid Security</b>	<b>Exceptions</b>	<b>Evaluated Bid Price</b>
Diamond Engineering Co. Grand Island, NE	Universal Surety Co.	None	\$148,416.76

<b>Bidder</b>	<b>Bid Security</b>	<b>Exceptions</b>	<b>Evaluated Bid Price</b>
Van Kirk Bros Cont. Sutton, NE	Universal Surety Co.	None	\$149,289.29
General Excavating Lincoln, NE	Universal Surety Co.	None	\$207,281.85
Merryman Excavation Woodstock, IL	Fidelity & Deposit Co.	None	\$272,775.75

### **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 award the contract for Water Main Project 2014-W-1 to the low bidder, The Diamond Engineering Company of Grand Island, Nebraska, in the amount of \$148,416.76.

### **Sample Motion**

Move to approve the contract for Water Main Project 2014-W-1 to The Diamond Engineering Company of Grand Island, Nebraska, in the amount of \$148,416.76.





Stacy Nonhof, Purchasing Agent

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** February 19, 2014 at 2:00 p.m.  
**FOR:** Water Main Project 2014-W-1  
**DEPARTMENT:** Utilities  
**ESTIMATE:** \$220,000.00  
**FUND/ACCOUNT:** 525  
**PUBLICATION DATE:** January 31, 2014  
**NO. POTENTIAL BIDDERS:** 7

**SUMMARY**

<b>Bidder:</b>	<b><u>The Diamond Engineering Co.</u></b> Grand Island, NE	<b><u>Van Kirk Bros. Contracting</u></b> Sutton, NE
<b>Bid Security:</b>	Universal Surety Co.	Universal Surety Co.
<b>Exceptions:</b>	None	None
<b>Bid Price:</b>	\$148,416.76	\$149,286.79
<b>Bidder:</b>	<b><u>General Excavating</u></b> Lincoln, NE	<b><u>Merryman Excavation</u></b> Woodstock, IL
<b>Bid Security:</b>	Universal Surety Co.	Fidelity & Deposit Co.
<b>Exceptions:</b>	None	None
<b>Bid Price:</b>	\$207,281.85	\$272,775.75

cc: Tim Luchsinger, Utilities Director  
Mary Lou Brown, City Administrator  
Tom Barnes, Utilities Engineer

Bob Smith, Assist. Utilities Director  
Jaye Monter, Finance Director  
Pat Gericke, Utilities Admin. Assist.

**P1713**



**BIDS RECEIVED FOR WATER MAIN PROJECT 2014-W-1**  
**GARFIELD AND UPRR AND 3RD STREET WEST**

February 19, 2014

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT	Merryman Excavating Woodstock, IL		General Excavation Lincoln, NE		Van Kirk Bros. Cont Sutton, NE		Diamond Engineering Grand Island, NE	
				UNIT \$	TOTAL \$	UNIT \$	TOTAL \$	UNIT \$	TOTAL \$	UNIT \$	TOTAL \$
D.1.01	BORE AND JACK 20"X0.375" STL. CASING	163.00	LF	552.00	89,976.00	450.00	73,350.00	325.00	52,975.00	324.00	52,812.00
D.1.02	10"D.I. PIPE (R.J.)	335.70	LF	97.00	32,562.90	79.00	26,520.30	60.00	20,142.00	70.00	23,499.00
D.1.03	8"D.I PIPE (S.J.)	377.90	LF	80.50	30,420.95	65.00	24,563.50	37.00	13,982.30	45.00	17,005.50
D.1.04	6" D.I.PIPE (SJ)	5.00	LF	176.00	880.00	59.00	295.00	60.00	300.00	53.70	268.50
D.1.05	10"X8" M.J. CROSS	1.00	EA	991.00	991.00	750.00	750.00	665.00	665.00	715.00	715.00
D.1.06	10"X6" M.J. TEE	2.00	EA	675.00	1,350.00	620.00	1,240.00	465.00	930.00	555.00	1,110.00
D.1.07	10"X45° M.J. BEND	1.00	EA	506.00	506.00	550.00	550.00	350.00	350.00	467.00	467.00
D.1.08	10"X22 1/2° M.J. BEND	1.00	EA	505.00	505.00	550.00	550.00	350.00	350.00	467.00	467.00
D.1.09	10"X6" M.J.REDUCER	2.00	EA	648.00	1,296.00	300.00	600.00	288.00	576.00	300.00	600.00
D.1.10	8"X6° M.J. TEE	1.00	EA	598.00	598.00	550.00	550.00	340.00	340.00	415.00	415.00
D.1.11	8"X6" M.J. REDUCER	1.00	EA	307.00	307.00	300.00	300.00	225.00	225.00	230.00	230.00
D.1.12	8"RETAINER GLAND	1.00	EA	373.00	373.00	100.00	100.00	65.00	65.00	68.00	68.00
D.1.13	8" M.J. CAP W/2" TAP	1.00	EA	287.00	287.00	260.00	260.00	175.00	175.00	240.00	240.00
D.1.14	6" SLEEVE COUPLING	1.00	EA	404.00	404.00	220.00	220.00	210.00	210.00	300.00	300.00
D.1.15	DUC-LUGS & REDI-ROD	9.00	SET	325.00	2,925.00	150.00	1,350.00	50.00	450.00	100.00	900.00
D.1.16	10" R.S. GATE VALVE	2.00	EA	2,570.00	5,140.00	2,100.00	4,200.00	2,150.00	4,300.00	2,260.00	4,520.00
D.1.17	8" R.S. GATE VALVE	2.00	EA	1,885.00	3,770.00	1,500.00	3,000.00	1,485.00	2,970.00	1,495.00	2,990.00
D.1.18	6 R.S. GATE VALVE	1.00	EA	1,435.00	1,435.00	1,100.00	1,100.00	960.00	960.00	1,000.00	1,000.00
D.1.19	VALVE BOX	5.00	EA	321.00	1,605.00	250.00	1,250.00	150.00	750.00	215.00	1,075.00
D.1.20	FIRE HYDRANT ASSEMBLY (COMPLETE)	3.00	EA	5,315.00	15,945.00	2,100.00	6,300.00	5,400.00	16,200.00	2,012.00	6,036.00
D.1.21	1" CORPORATION STOP W/TAP ON MAIN	4.00	EA	583.00	2,332.00	550.00	2,200.00	275.00	1,100.00	391.00	1,564.00
D.1.22	1" TYPE "K" COPPER PIPE	194.00	LF	49.50	9,603.00	40.00	7,760.00	22.00	4,268.00	26.50	5,141.00
D.1.23	1" CURB STOP W/BOX	4.00	EA	699.00	2,796.00	550.00	2,200.00	400.00	1,600.00	350.00	1,400.00
D.1.24	SERVICE RECONNECTION	4.00	EA	1,020.00	4,080.00	620.00	2,480.00	100.00	400.00	290.00	1,160.00
D.1.25	BELL BLOCK	1.00	EA	2,320.00	2,320.00	1,100.00	1,100.00	460.00	460.00	560.00	560.00
D.1.26	THRUST BLOCK	5.00	EA	1,470.00	7,350.00	260.00	1,300.00	175.00	875.00	417.00	2,085.00
D.1.27	I-BEAM BLOCK	1.00	EA	5,875.00	5,875.00	1,450.00	1,450.00	925.00	925.00	870.00	870.00
D.1.28	REMOVE EXISTING WATER MAIN	20.00	LF	42.50	850.00	35.00	700.00	15.00	300.00	14.00	280.00
D.1.29	REMOVE AND SALVAGE EXISTING HYDRANT	1.00	EA	851.00	851.00	800.00	800.00	500.00	500.00	445.00	445.00
D.1.30	REMOVE VALVE BOX AND ABANDON VALVE	1.00	EA	851.00	851.00	400.00	400.00	150.00	150.00	170.00	170.00
D.1.31	REMOVE WATER MANHOLE	1.00	EA	1,275.00	1,275.00	1,000.00	1,000.00	400.00	400.00	510.00	510.00
D.1.32	REMOVE ASPH. /CONC. ROADWAY	139.10	SY	67.00	9,319.70	13.00	1,808.30	8.00	1,112.80	9.80	1,363.18
D.1.33	REPLACE CONCRETE ROADWAY	139.10	SY	82.50	11,475.75	82.00	11,406.20	62.50	8,693.75	51.20	7,121.92
D.1.34	REMOVE ASPH. /CONC. DRIVEWAY	68.80	SY	40.50	2,786.40	13.00	894.40	8.00	550.40	11.50	791.20
D.1.35	REPLACE CONCRETE DRIVEWAY	68.80	SY	69.50	4,781.60	82.00	5,641.60	55.00	3,784.00	42.00	2,889.60
D.1.36	REMOVE CONCRETE SIDEWALK	253.50	SF	5.40	1,368.90	1.80	456.30	1.00	253.50	0.85	215.48
D.1.37	REPLACE CONCRETE SIDEWALK	253.50	SF	10.00	2,535.00	8.00	2,028.00	5.00	1,267.50	6.65	1,685.78
D.1.38	SEEDING & MULCHING	7,000.00	SF	0.50	3,500.00	1.60	11,200.00	0.20	1,400.00	0.24	1,680.00
D.1.39	TRAFFIC CONTROL	1.00	LS	7,225.00	7,225.00	4,150.00	4,150.00	3,500.00	3,500.00	2,760.00	2,760.00
D.1.40	8 MIL POLYWRAP	719.00	LF	0.45	323.55	1.75	1,258.25	1.16	834.04	1.40	1,006.60
<b>EVALUATED AMOUNT</b>					<b>272,775.75</b>		<b>207,281.85</b>		<b>149,289.29</b>		<b>148,416.76</b>
<b>As Read Amount</b>									<b>149,286.79</b>		

RESOLUTION 2014-45

WHEREAS, the City of Grand Island invited sealed bids for Water Main Project 2014-W-1 at Garfield Street and the Union Pacific Railroad Crossing, according to plans and specifications on file with the Utilities Department; and

WHEREAS, on February 19, 2014, bids were received, opened and reviewed; and

WHEREAS, The Diamond Engineering Company of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$148,416.76; and

WHEREAS, the bid of The Diamond Engineering Company is less than the estimate for Water Main Project 2014-W-1 at Garfield Street and the Union Pacific Railroad Crossing.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of The Diamond Engineering Company, in the amount of \$148,416.76, for Water Main Project 2014-W-1 construction, is hereby approved as the lowest responsible bid and the Mayor is hereby authorized to, on behalf of the City, execute the contract between the City of Grand Island and The Diamond Engineering Company.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney





# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-9

### **#2014-46 - Approving Acquisition of Property for the North End of Moores Creek Drainway (Stahla)**

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

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

RESOLUTION 2014-46

WHEREAS, the City is interested in acquiring property from Bob Stahla Mobile Homes, Inc. to convert a parcel of land into a detention cell to allow the City of Grand Island to better control storm water runoff and drainage affecting Northwest Grand Island; and more particularly described as follows:

The West Half of the Southeast Quarter (W ½, SE ¼) of Section Thirty Two (32), Township Twelve (12) North, Range Nine (9) West of the 6<sup>th</sup> P.M consisting of Seventy-Six and Seventy-Eight Hundredths (76.78) Acres, more or less, Hall County, Nebraska EXCEPTING therefrom tracts of land more particularly described in Return of Appraisers recorded in Book 11, Page 634 and Report of Appraisers recorded in the Register of Deeds Office as Document No. 76-007493; and

WHEREAS, Section 19-709, R.R.S. 1943, authorizes the City to appropriate private property for use of the City for public facilities; and

WHEREAS, a public hearing for acquisition of such property was held on March 11, 2014 by the Grand Island City Council; and

WHEREAS, a Petition to Condemn Real Property was filed in the Hall County Court for the approximately 80 acres of past land; and

WHEREAS, on January 31, 2014 the Report of Appraisers was filed by Hall County Court with a determination that the amount of damages suffered by the Condemnee, Bob Stahla Mobile Home Service, Inc. is \$230,340.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the acquisition of the above-described property from Bob Stahla Mobile Home Service, Inc. of Grand Island, Nebraska in the amount of \$230,340.00 is hereby approved; and

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

- - -

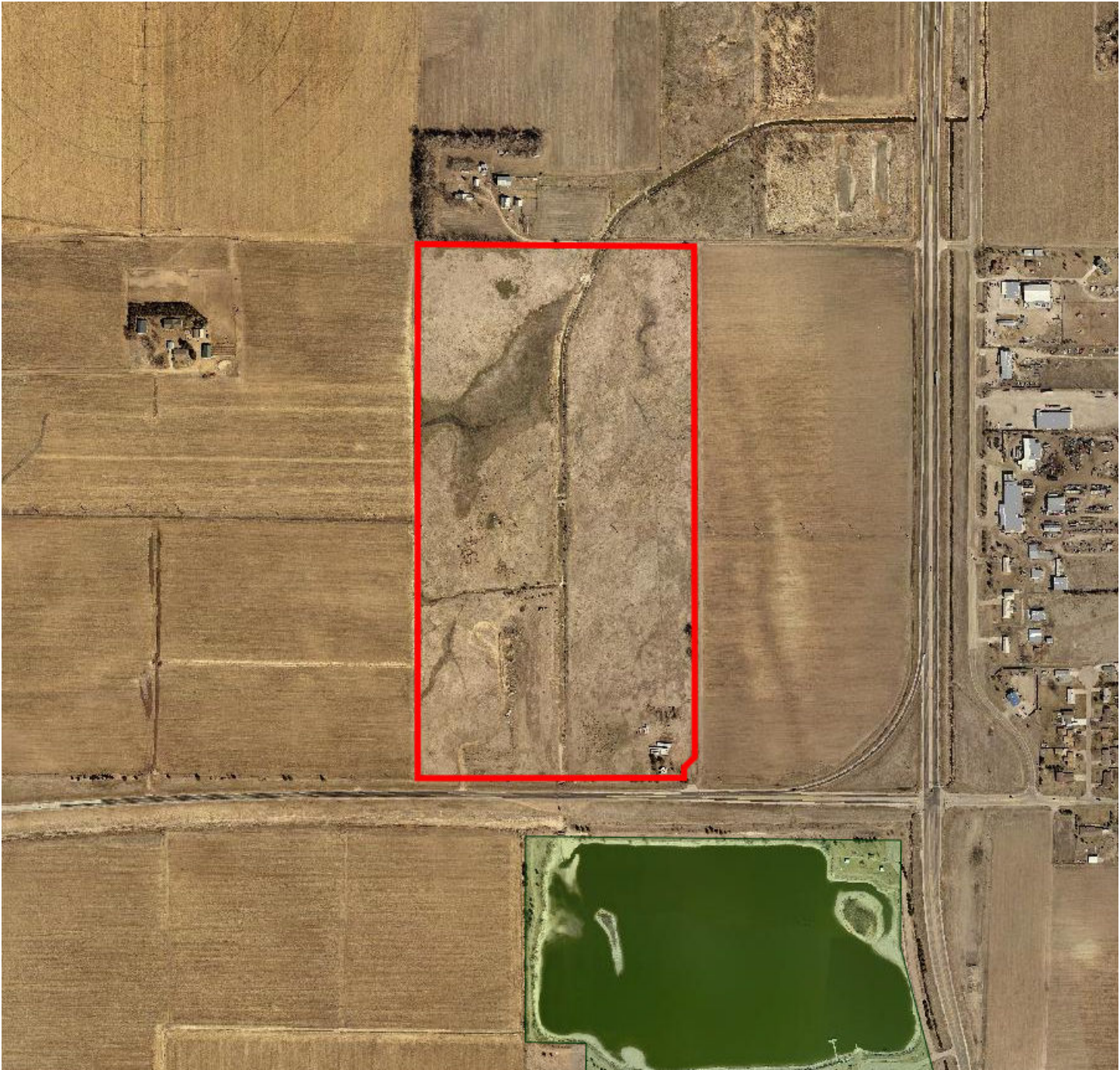
Adopted by the City Council of the City of Grand Island, Nebraska, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney





# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-10

**#2014-47 - Approving Agreement for Engineering Consulting Services Related to Westgate Industrial Park Drainage Improvement District No. 2013-D-4**

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



# **Council Agenda Memo**

**From:** Terry Brown PE, Assistant Public Works Director

**Meeting:** March 11, 2014

**Subject:** Approving Agreement for Engineering Consulting Services Related to Westgate Industrial Park Drainage Improvement District No. 2013-D-4

**Item #'s:** G-10

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

## **Background**

Drainage Improvement District No. 2013-D-4 was created by the City Council on October 22, 2013. Legal notice of the creation of the District was published in the Grand Island Independent on October 28, 2013. A notification letter of the district creation was also mailed to all affected property owners.

The District is made up of the north half of Gold Road east to Claude Road and is shown on the attached exhibit. The project will consist of running a pipe along Gold Road and outletting to the existing drainage ditch to drain property within the district boundary which currently does not drain.

On December 17, 2013, by Resolution No. 2013-401 City Council approved the continuation of such drainage improvement district.

The Engineering Division put together a Request for Qualifications (RFQ) solicitation package for eight (8) of the 2014 Capital Improvement Projects (CIP). The consultants had the option to submit for as many or as few of the projects they felt their firm was qualified for. The request was for design and construction engineering services to be started by the end of the 2014 construction season for the selected projects. Each project was evaluated on the predetermined criteria (detailed in the RFQ) and will be awarded to the consultant that scores the best on that particular project, regardless of the consultant's qualifications on another project.

- Project 1 - Westgate Industrial Park Drainage District No. 2013-D-4
- Project 2 - Blaine Street Bridge Replacements; Project No. 2014-B-1
- Project 3 - Husker Highway Sanitary Tap District No. 531T
- Project 4 - Heartland Shoot Park Paving Improvements; Project No. 2014-HPSP-1
- Project 5 - Traffic Signal Faidley Ave. & Diers Ave. Intersection; Project No. 2014-TS-1
- Project 6 - Faidley Ave. Paving Improvements (2,000 ft. connect to North Road); Project No. 2014-P-1

- Project 7 - CDBG Handicap Ramps 4<sup>th</sup> to 5<sup>th</sup> Streets; Sycamore St. to Eddy St.; Project No. 2014-2G
- Project 8 – Webb Road Paving District No. 1260 Construction Services

On January 22, 2014 the Engineering Division of the Public Works Department advertised for Engineering Services for Westgate Industrial Park Drainage Improvement District No. 2013-D-4, with twelve (12) potential respondents.

### **Discussion**

Six (6) engineering firms submitted qualifications for the engineering services for Westgate Industrial Park Drainage Improvement District No. 2013-D-4. Olsson Associates of Grand Island, Nebraska was selected as the top engineering firm based on the pre-approved selection criteria.

- Firm experience and qualifications on similar work (50%)
- Proposed project schedule/approach (40%)
- Past experience working with the City of Grand Island Public Works Department (10%)

Compensation for Olsson Associates' design and construction services will be provided on a fixed fee basis for \$30,545.00.

### **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 agreement with Olsson Associates of Grand Island, Nebraska, in the amount of \$30,545.00.

### **Sample Motion**

Move to approve the resolution.







RESOLUTION 2014-47

WHEREAS, by Resolution 2013-401 Grand Island City Council approved continuation of Westgate Industrial Park Drainage District No. 2013-D-4; and

WHEREAS, the City of Grand Island solicited proposals for engineering consulting services for such project; and

WHEREAS, the City of Grand Island and Olsson Associates of Grand Island, Nebraska wish to enter into an Engineering Services Agreement to provide engineering consulting services for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Engineering Services Agreement between the City of Grand Island and Olsson Associates of Grand Island, Nebraska for engineering consulting services related to the Westgate Industrial Park Drainage District No. 2013-D-4, in the amount of \$30,545.00, 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, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney





# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-11

**#2014-48 - Approving Agreement for Engineering Consulting Services Related to Blaine Street Bridge Replacements; Project No. 2014-B-1**

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

# **Council Agenda Memo**

**From:** Terry Brown PE, Assistant Public Works Director

**Meeting:** March 11, 2014

**Subject:** Approving Agreement for Engineering Consulting Services Related to Blaine Street Bridge Replacements; Project No. 2014-B-1

**Item #'s:** G-11

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

## **Background**

This bridge replacement will update the north bridge structure with two (2) box culverts and the south bridge structure with two (2) Arch RCP culvert pipes. The roadway will also be widened to improve traffic flow in this area.

The Engineering Division put together a Request for Qualifications (RFQ) solicitation package for eight (8) of the 2014 Capital Improvement Projects (CIP). The consultants had the option to submit for as many or as few of the projects they felt their firm was qualified for. The request was for design and construction engineering services to be started by the end of the 2014 construction season for the selected projects. Each project was evaluated on the predetermined criteria (detailed in the RFQ) and will be awarded to the consultant that scores the best on that particular project, regardless of the consultant's qualifications on another project.

- Project 1 - Westgate Industrial Park Drainage District No. 2013-D-4
- Project 2 - Blaine Street Bridge Replacements; Project No. 2014-B-1
- Project 3 - Husker Highway Sanitary Tap District No. 531T
- Project 4 - Heartland Shoot Park Paving Improvements; Project No. 2014-HPSP-1
- Project 5 - Traffic Signal Faidley Ave. & Diers Ave. Intersection; Project No. 2014-TS-1
- Project 6 - Faidley Ave. Paving Improvements (2,000 ft. connect to North Road); Project No. 2014-P-1
- Project 7 - CDBG Handicap Ramps 4<sup>th</sup> to 5<sup>th</sup> Streets; Sycamore St. to Eddy St.; Project No. 2014-2G
- Project 8 – Webb Road Paving District No. 1260 Construction Services

On January 22, 2014 the Engineering Division of the Public Works Department advertised for Engineering Services for Blaine Street Bridge Replacements; Project No. 2014-B-1, with twelve (12) potential respondents.

## **Discussion**

Five (5) engineering firms submitted qualifications for the engineering services for Blaine Street Bridge Replacements; Project No. 2014-B-1. Alfred Benesch & Company of Lincoln, Nebraska was selected as the top engineering firm based on the pre-approved selection criteria.

- Firm experience and qualifications on similar work (50%)
- Proposed project schedule/approach (40%)
- Past experience working with the City of Grand Island Public Works Department (10%)

Compensation for Alfred Benesch & Company's engineering design, environmental and hydraulic services will be provided on a fixed fee basis for \$59,078.47. An amendment to this agreement will be brought before council at a later date to address construction phase services.

## **Alternatives**

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

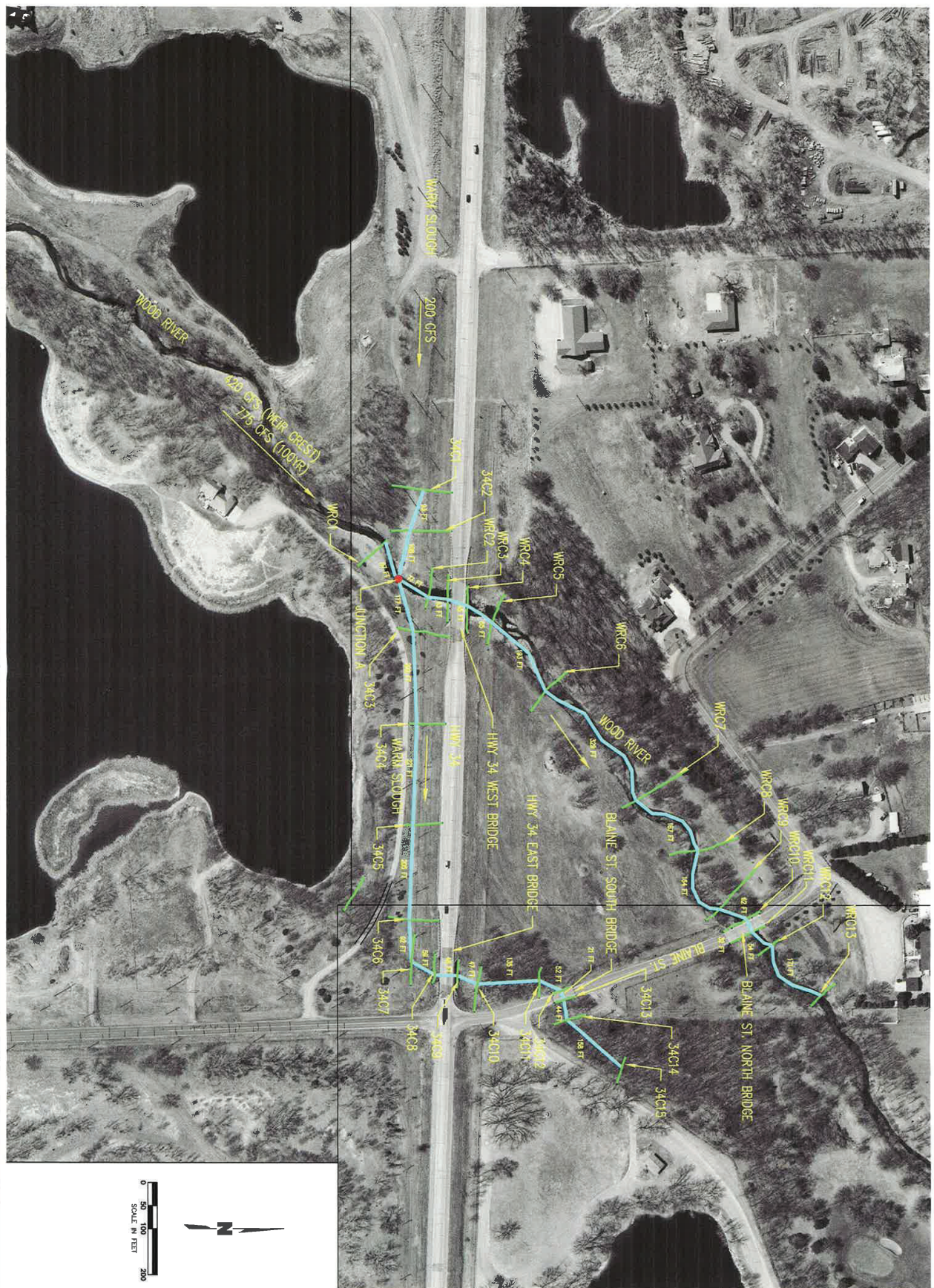
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council approve the agreement with Alfred Benesch & Company of Lincoln, Nebraska, in the amount of \$59,078.47.

## **Sample Motion**

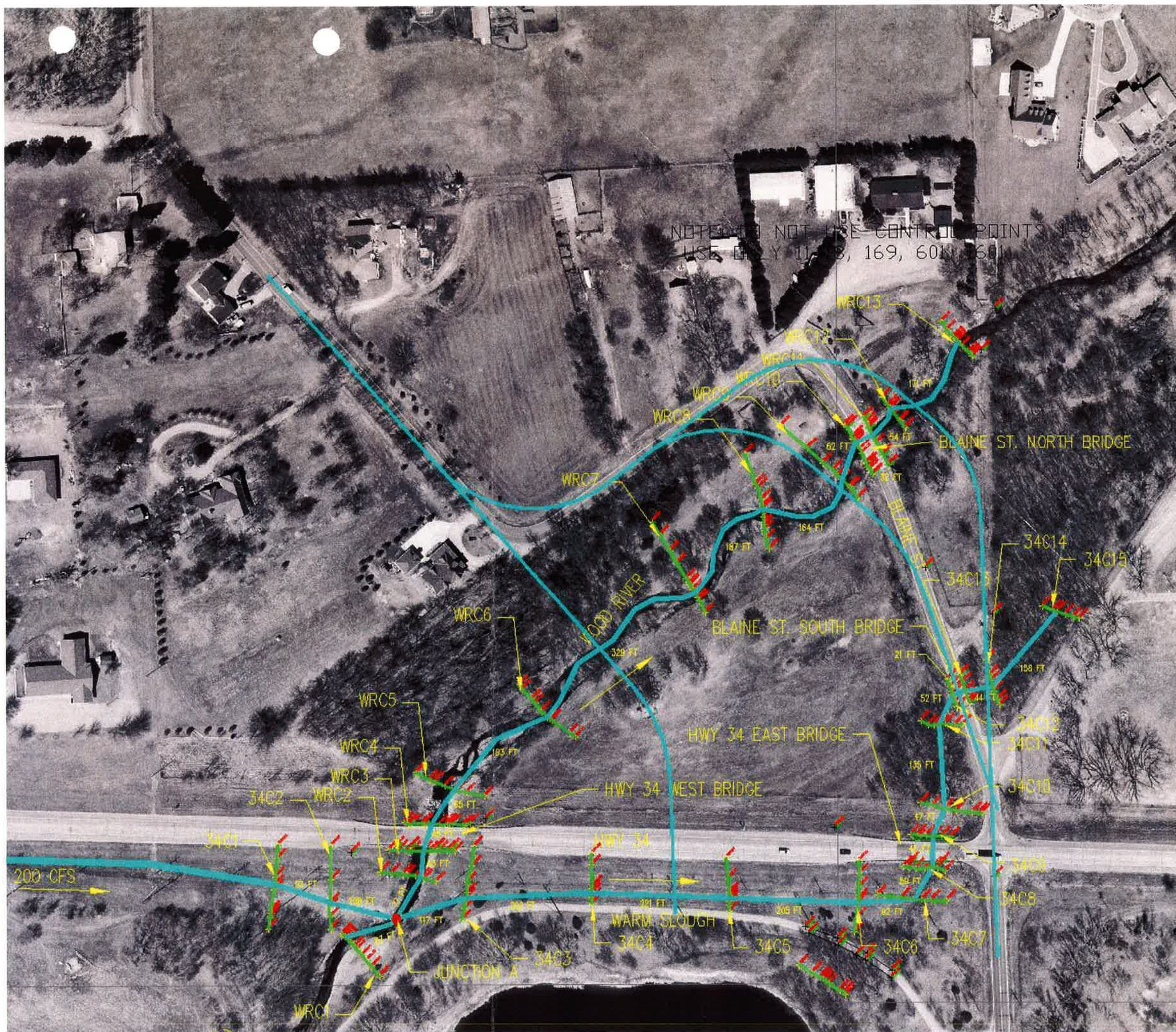
Move to approve the resolution.



DATE	DESCRIPTION
2002	REVISIONS









RESOLUTION 2014-48

WHEREAS, on January 22, 2014 the Engineering Division of the Public Works Department advertised for Engineering Services for Blaine Street Bridge Replacements; Project No. 2014-B-1; and

WHEREAS, on February 6, 2014 five (5) engineering firms submitted qualifications for such services; and

WHEREAS, based on the pre-approved selection criteria Alfred Benesch & Company of Lincoln, Nebraska was selected as the top engineering firm; and

WHEREAS, the City of Grand Island and Alfred Benesch & Company of Lincoln, Nebraska wish to enter into an Engineering Services Agreement to provide engineering design services for such project; and

WHEREAS, an amendment will be brought before council at a later date to address construction phase services.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Engineering Services Agreement between the City of Grand Island and Alfred Benesch & Company of Lincoln, Nebraska for engineering design services related to Blaine Street Bridge Replacements; Project No. 2014-B-1, in the amount of \$59,078.47, 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, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-12

**#2014-49 - Approving Agreement for Engineering Consulting Services Related to Faidley Avenue Paving Improvements; Project No. 2014-P-1**

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

# **Council Agenda Memo**

**From:** Terry Brown PE, Assistant Public Works Director

**Meeting:** March 11, 2014

**Subject:** Approving Agreement for Engineering Consulting Services Related to Faidley Avenue Paving Improvements; Project No. 2014-P-1

**Item #'s:** G-12

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

## **Background**

This project will extend paving to join the two (2) existing segments of Faidley Avenue, between North Road and Irongate Avenue.

The Engineering Division put together a Request for Qualifications (RFQ) solicitation package for eight (8) of the 2014 Capital Improvement Projects (CIP). The consultants had the option to submit for as many or as few of the projects they felt their firm was qualified for. The request was for design and construction engineering services to be started by the end of the 2014 construction season for the selected projects. Each project was evaluated on the predetermined criteria (detailed in the RFQ) and will be awarded to the consultant that scores the best on that particular project, regardless of the consultant's qualifications on another project.

- Project 1 - Westgate Industrial Park Drainage District No. 2013-D-4
- Project 2 - Blaine Street Bridge Replacements; Project No. 2014-B-1
- Project 3 - Husker Highway Sanitary Tap District No. 531T
- Project 4 - Heartland Shoot Park Paving Improvements; Project No. 2014-HPSP-1
- Project 5 - Traffic Signal Faidley Ave. & Diers Ave. Intersection; Project No. 2014-TS-1
- Project 6 - Faidley Ave. Paving Improvements (2,000 ft. connect to North Road); Project No. 2014-P-1
- Project 7 - CDBG Handicap Ramps 4<sup>th</sup> to 5<sup>th</sup> Streets; Sycamore St. to Eddy St.; Project No. 2014-2G
- Project 8 – Webb Road Paving District No. 1260 Construction Services

On January 22, 2014 the Engineering Division of the Public Works Department advertised for Engineering Services for Faidley Avenue Paving Improvements; Project No. 2014-P-1, with twelve (12) potential respondents.



## **Discussion**

Nine (9) engineering firms submitted qualifications for the engineering services for Faidley Avenue Paving Improvements; Project No. 2014-P-1. Alfred Benesch & Company of Lincoln, Nebraska was selected as the top engineering firm based on the pre-approved selection criteria.

- Firm experience and qualifications on similar work (50%)
- Proposed project schedule/approach (40%)
- Past experience working with the City of Grand Island Public Works Department (10%)

Compensation for Alfred Benesch & Company's services will be provided on a fixed fee basis for \$60,885.81, which consists of engineering design services. An amendment to this agreement will be brought before council at a later date to address construction phase 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 the agreement with Alfred Benesch & Company of Lincoln, Nebraska, in the amount of \$60,885.81.

## **Sample Motion**

Move to approve the resolution.



EXHIBIT A	FAIDLEY AVENUE EXTENTION	<div><div><div>CITY OF</div><div>GRAND ISLAND</div><div>PUBLIC WORKS DEPARTMENT</div></div></div>
	GRAND ISLAND, NEBRASKA	

RESOLUTION 2014-49

WHEREAS, on January 22, 2014 the Engineering Division of the Public Works Department advertised for Engineering Services for Faidley Avenue Paving Improvements; Project No. 2014-P-1; and

WHEREAS, on February 6, 2014 nine (9) engineering firms submitted qualifications for such services; and

WHEREAS, based on the pre-approved selection criteria Alfred Benesch & Company of Lincoln, Nebraska was selected as the top engineering firm; and

WHEREAS, the City of Grand Island and Alfred Benesch & Company of Lincoln, Nebraska wish to enter into an Engineering Services Agreement to provide engineering consulting services for such project; and

WHEREAS, an amendment will be brought before council at a later date to address construction phase services.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Engineering Services Agreement between the City of Grand Island and Alfred Benesch & Company of Lincoln, Nebraska for engineering design services related to Faidley Avenue Paving Improvements; Project No. 2014-P-1, in the amount of \$60,885.81, 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, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney





# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-13

**#2014-50 - Approving Agreement for Engineering Construction Services Related to Webb Road Street Improvement District No. 1260; South Webb Road Extending North from Stolley Park Road to Union Pacific Railroad Tracks**

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



# **Council Agenda Memo**

**From:** Terry Brown PE, Assistant Public Works Director

**Meeting:** March 11, 2014

**Subject:** Approving Agreement for Construction Engineering Services Related to Webb Road Street Improvement District No. 1260; South Webb Road Extending North from Stolley Park Road to Union Pacific Railroad Tracks

**Item #'s:** G-13

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

## **Background**

Street Improvement District No. 1260 was created by the City Council on February 12, 2013. Legal notice of the creation of the District was published in the Grand Island Independent on February 18, 2013. A notification letter of the district creation was also mailed to all affected property owners.

The District consists of South Webb Road extending north from Stolley Park Road to the Union Pacific Railroad tracks. The project consists of widening the roadway from 24' to 41' for a 3-lane section with improved drainage and elimination of the ditch section. This project is currently estimated at \$1.7 million and would be assessed to adjacent property owners. Depending on the method of assessments, City owned property is estimated to range from \$962,159 to \$1,188,000.

On April 9, 2013, by Resolution No. 2013-107 City Council approved the continuation of such street improvement district.

The Engineering Division put together a Request for Qualifications (RFQ) solicitation package for eight (8) of the 2014 Capital Improvement Projects (CIP). The consultants had the option to submit for as many or as few of the projects they felt their firm was qualified for. The request was for design and construction engineering services to be started by the end of the 2014 construction season for the selected projects. Each project was evaluated on the predetermined criteria (detailed in the RFQ) and will be awarded to the consultant that scores the best on that particular project, regardless of the consultant's qualifications on another project.

- Project 1 - Westgate Industrial Park Drainage District No. 2013-D-4
- Project 2 - Blaine Street Bridge Replacements; Project No. 2014-B-1
- Project 3 - Husker Highway Sanitary Tap District No. 531T
- Project 4 - Heartland Shoot Park Paving Improvements; Project No. 2014-HPSP-1
- Project 5 - Traffic Signal Faidley Ave. & Diers Ave. Intersection; Project No. 2014-TS-1

- Project 6 - Faidley Ave. Paving Improvements (2,000 ft. connect to North Road); Project No. 2014-P-1
- Project 7 - CDBG Handicap Ramps 4<sup>th</sup> to 5<sup>th</sup> Streets; Sycamore St. to Eddy St.; Project No. 2014-2G
- Project 8 – Webb Road Paving District No. 1260 Construction Services

On January 22, 2014 the Engineering Division of the Public Works Department advertised for Construction Engineering Services for Webb Road Street Improvement District No. 1260; South Webb Road extending north from Stolley Park Road to Union Pacific Railroad Tracks, with twelve (12) potential respondents.

## **Discussion**

Three (3) engineering firms submitted qualifications for the engineering services for Webb Road Street Improvement District No. 1260; South Webb Road extending north from Stolley Park Road to Union Pacific Railroad Tracks. Olsson Associates of Grand Island, Nebraska was selected as the top engineering firm based on the pre-approved selection criteria.

- Firm experience and qualifications on similar work (50%)
- Proposed project schedule/approach (40%)
- Past experience working with the City of Grand Island Public Works Department (10%)

Compensation for Olsson Associates' services will be provided on a time and expense basis not to exceed \$127,700.00.

As noted on Page 92 of the 2013/2014 Budget Summary III book this project will be funded with bond proceeds/assessments.

## **Alternatives**

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

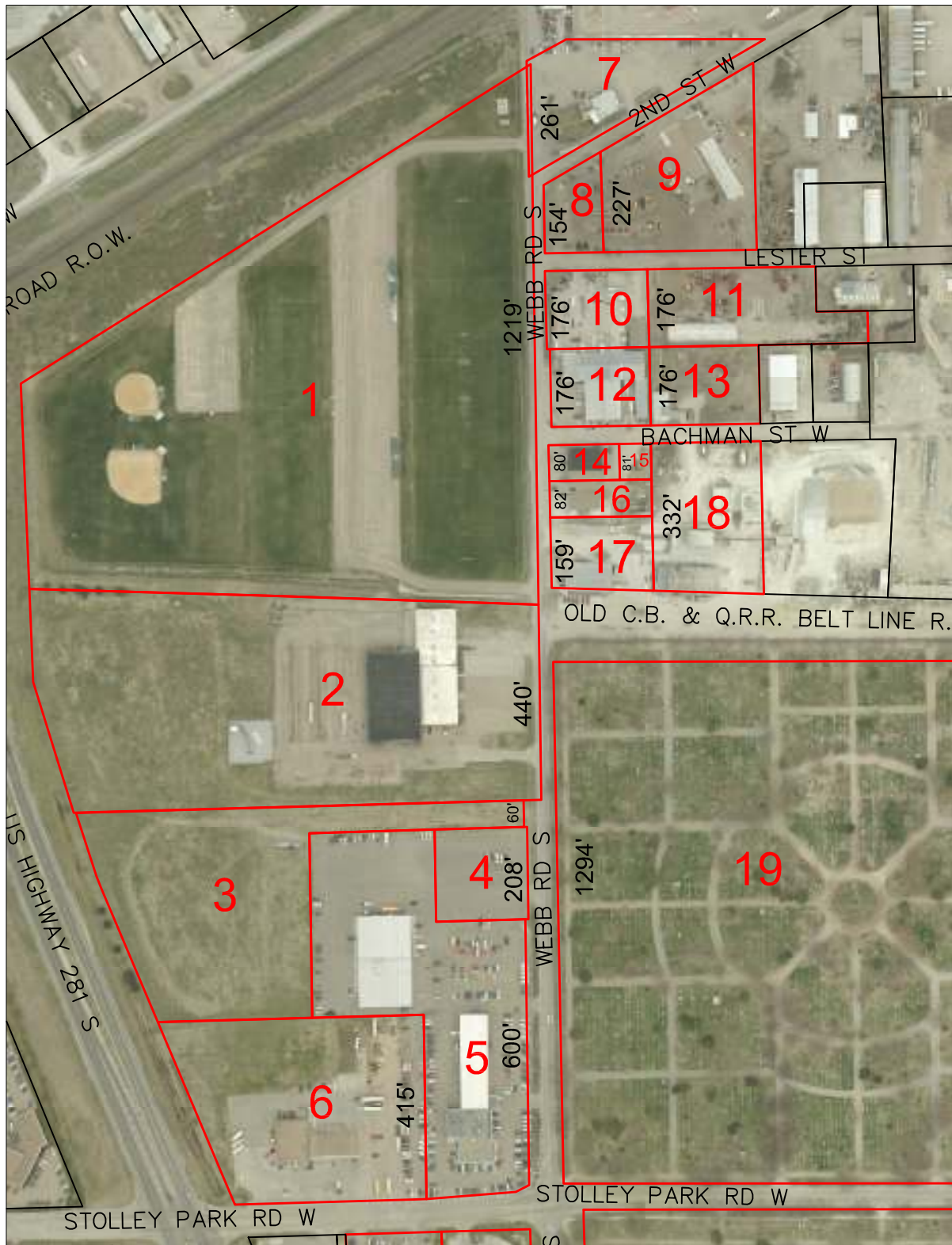
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council approve the agreement with Olsson Associates of Grand Island, Nebraska, in the amount of \$127,700.00.

## **Sample Motion**

Move to approve the resolution.



**CITY OF  
GRAND ISLAND**  
PUBLIC WORKS DEPARTMENT

DATE: 01/28/13
DRAWN BY: TJY
APPVD. BY: XXX:
SCALE: NONE

WEBB RD., W 2ND ST TO  
W STOLLEY PARK RD.  
PROPOSAL

PLAN  
/

RESOLUTION 2014-50

WHEREAS, by Resolution 2013-107 Grand Island City Council approved continuation of Webb Road Street Improvement District No. 1260; South Webb Road extending north from Stolley Park Road to Union Pacific Railroad Tracks; and

WHEREAS, the City of Grand Island solicited proposals for engineering consulting services for such project; and

WHEREAS, the City of Grand Island and Olsson Associates of Grand Island, Nebraska wish to enter into an Engineering Services Agreement to provide engineering consulting services for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Engineering Services Agreement between the City of Grand Island and Olsson Associates of Grand Island, Nebraska for engineering construction services related to Webb Road Street Improvement District No. 1260; South Webb Road extending north from Stolley Park Road to Union Pacific Railroad Tracks, in the amount of \$127,700.00, 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, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney





# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-14

**#2014-51 - Approving Acquisition of Utility Easement for Sanitary Sewer Tap District No. 530T - Sanitary Sewer Extension to Interstate 80 (Lawney L. Rathman)**

*This item relates to the aforementioned Public Hearing item E-6.*

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

## RESOLUTION 2014-51

WHEREAS, a public utility easement is required by the City of Grand Island for the Sanitary Sewer District No. 530T; – Sanitary Sewer Extension to Interstate 80, to construct and maintain such project; and

WHEREAS, acquisition of the public utility easement is as follows:

### Lawney L. Rathman Revocable Living Trust – \$34,292.00

#### PERMANENT EASEMENT NO. 1

A TRACT OF LAND LOCATED IN THE EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) A DISTANCE OF 177.10 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 AND THE ACTUAL POINT OF BEGINNING; THENCE CONTINUING S86°48'58"W ALONG SAID SOUTH LINE OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) A DISTANCE OF 30.03 FEET; THENCE N00°48'35"W PARALLEL WITH AND 30.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1179.31 FEET; THENCE N88°22'17"E A DISTANCE OF 30.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S00°48'35"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1178.49 FEET OF THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 35,367 SQUARE FEET OR 0.812 ACRES MORE OR LESS.

AND

#### PERMANENT EASEMENT NO. 2

A TRACT OF LAND LOCATED IN THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 152.10 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 AND THE ACTUAL POINT OF BEGINNING; THENCE S00°43'06"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 220.79 FEET; THENCE S12°20'17"W A DISTANCE OF 420.40 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S00°36'02"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2019.47 FEET TO THE SOUTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE S86°54'01"W ALONG SAID SOUTH LINE OF THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 30.03 FEET; THENCE N00°36'02"W PARALLEL WITH AND 30.00 FEET WEST OF SAID RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2024.18 FEET; THENCE N12°20'17"E A DISTANCE OF 395.58 FEET; THENCE N05°21'00"W A DISTANCE OF 239.93 FEET TO THE NORTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE N86°48'58"E ALONG SAID NORTH LINE OF THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 55.03 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 83,421 SQUARE FEET OR 1.915 ACRES MORE OR LESS.

Approved as to Form	<input type="checkbox"/>
March 7, 2014	<input type="checkbox"/> City Attorney

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 such public utility easement from Lawney L. Rathman Revocable Living Trust, on the above-described tracts of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 11, 2014.

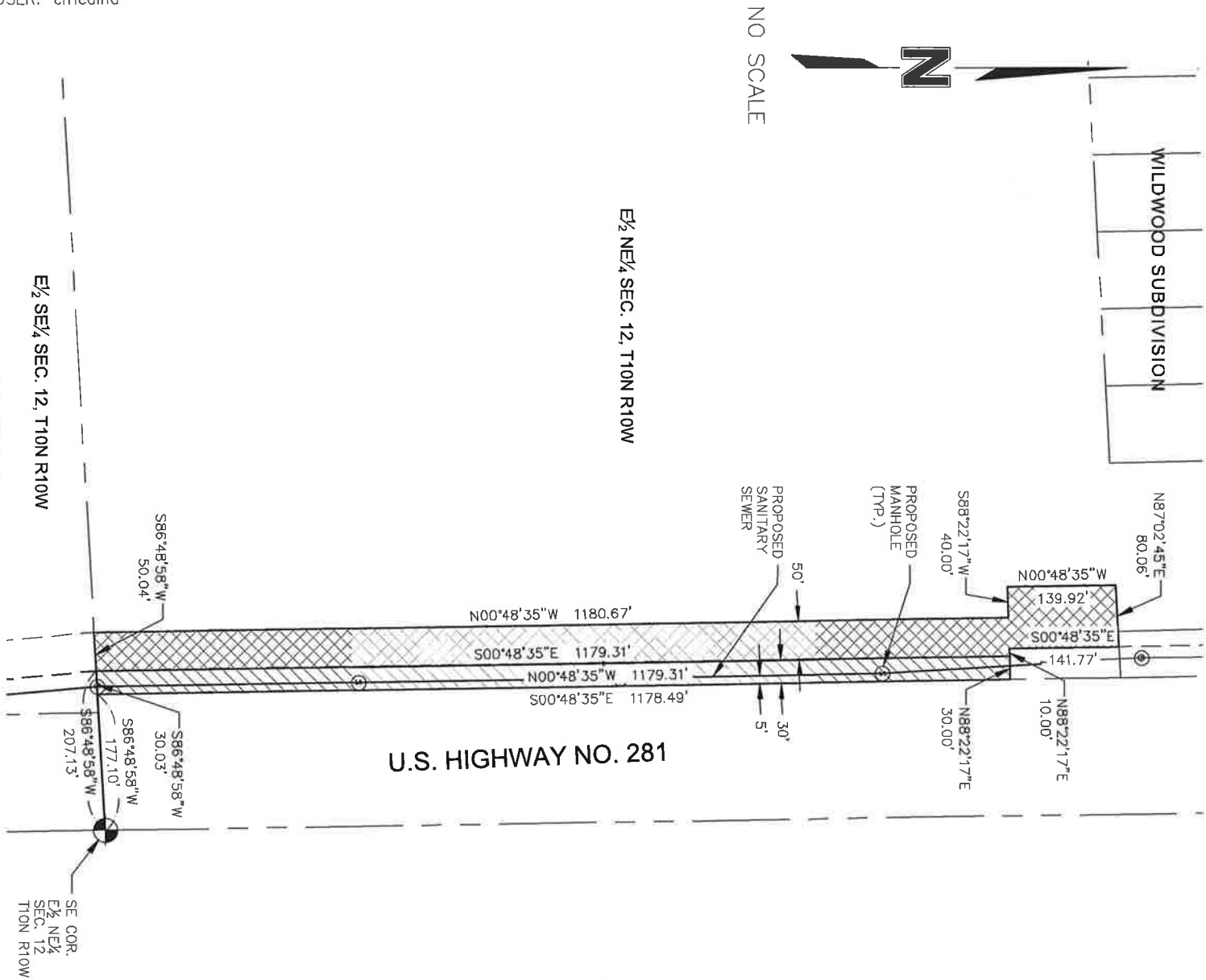
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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk



E½ NE¼ SEC. 12, T10N R10W

E½ SE¼ SEC. 12, T10N R10W

LEGAL DESCRIPTION OF PERMANENT EASEMENT

A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) A DISTANCE OF 177.10 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 AND THE ACTUAL POINT OF BEGINNING; THENCE CONTINUING S86°48'58"W ALONG SAID SOUTH LINE OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) A DISTANCE OF 30.03 FEET; THENCE N00°48'35"W PARALLEL WITH AND 30.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1179.31 FEET; THENCE N88°22'17"E A DISTANCE OF 30.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S00°48'35"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1178.49 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 35.367 SQUARE FEET OR 0.812 ACRES MORE OR LESS.

LEGAL DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT

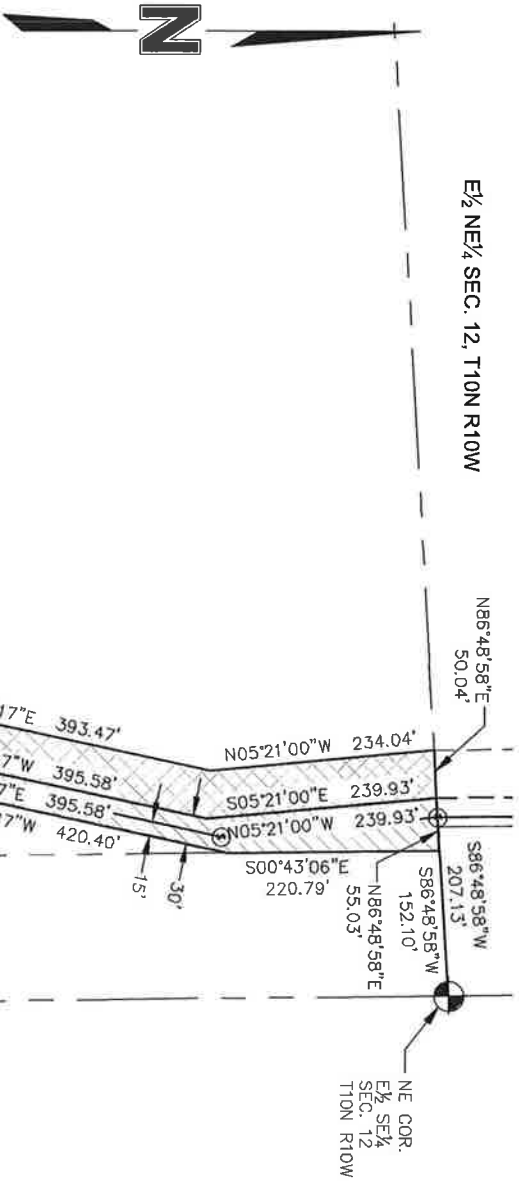
A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) A DISTANCE OF 207.13 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE CONTINUING S86°48'58"W ALONG SAID SOUTH LINE OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) A DISTANCE OF 50.04 FEET; THENCE N00°48'35"W PARALLEL WITH AND 80.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1180.67 FEET; THENCE S88°22'17"W A DISTANCE OF 40.00 FEET; THENCE N00°48'35"W PARALLEL WITH AND 120.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 139.92 FEET; THENCE N87°02'45"E A DISTANCE OF 80.06 FEET; THENCE S00°48'35"E PARALLEL WITH AND 40.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 141.77 FEET; THENCE N88°22'17"E A DISTANCE OF 10.00 FEET; THENCE S00°48'35"E PARALLEL WITH AND 30.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1179.31 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 70.261 SQUARE FEET OR 1.613 ACRES MORE OR LESS.

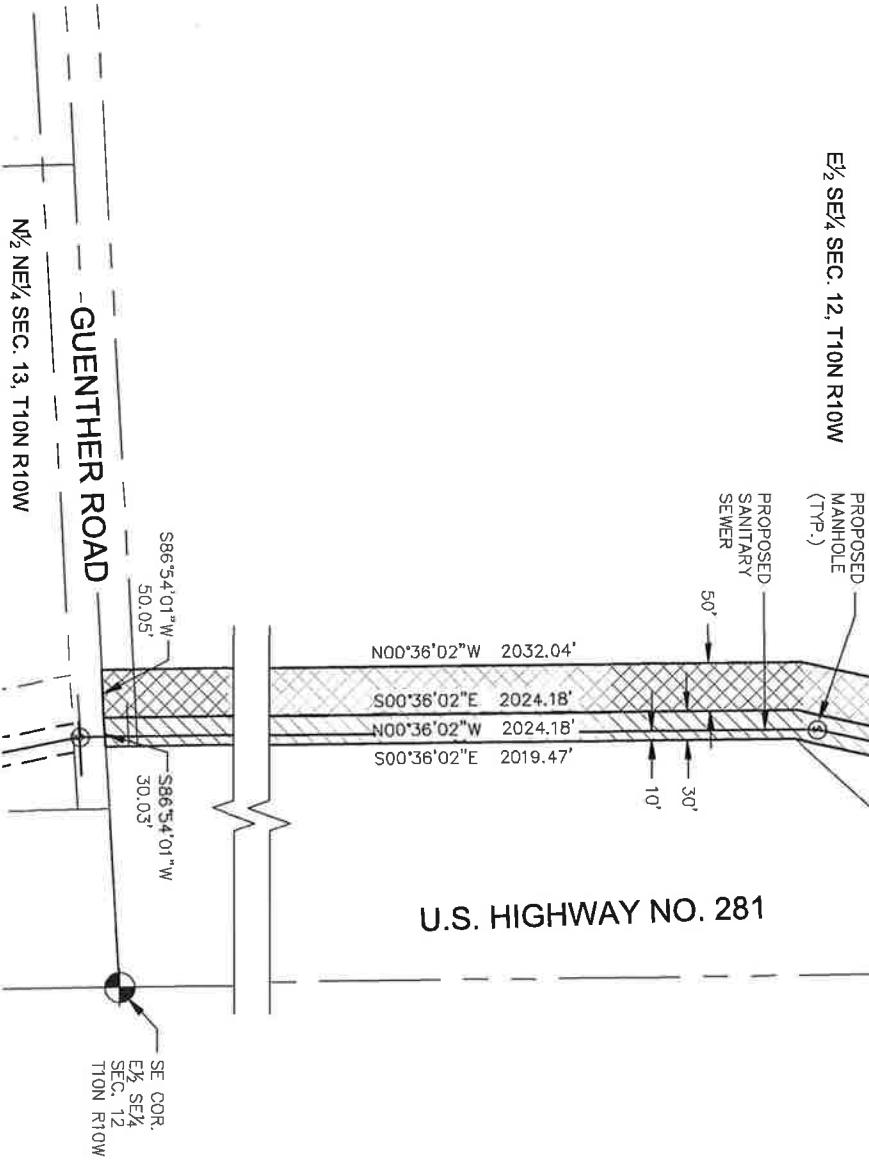
PROJECT NO:	012-1867	CITY OF GRAND ISLAND	EXHIBIT
DRAWN BY:	LH	EASEMENT	A
DATE:	11/20/2012		

- PERMANENT EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT





NO SCALE



USER: cmedina

DWG: F:\Projects\012-1867\PBIN\Easements\0121867\_EASE-RATHMAN 2.dwg  
DATE: Nov 26, 2012 1:28pm XREFS: 121867\_pbase 0120030\_xbase

LEGAL DESCRIPTION OF PERMANENT EASEMENT

A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 152.10 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 AND THE ACTUAL POINT OF BEGINNING; THENCE S00°43'06"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 220.79 FEET; THENCE S12°20'17"W A DISTANCE OF 420.40 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S00°36'02"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2019.47 FEET TO THE SOUTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE S86°54'01"W ALONG SAID SOUTH LINE OF THE SOUTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 30.03 FEET; THENCE N00°36'02"W PARALLEL WITH AND 30.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2024.18 FEET; THENCE N12°20'17"E A DISTANCE OF 393.47 FEET; THENCE N05°21'00"W A DISTANCE OF 234.04 FEET; THENCE S05°21'00"E A DISTANCE OF 239.93 FEET; THENCE S00°43'06"E A DISTANCE OF 220.79 FEET; THENCE S12°20'17"W A DISTANCE OF 420.40 FEET; THENCE S00°36'02"E PARALLEL WITH AND 30.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2024.18 FEET TO THE SOUTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE S86°54'01"W ALONG SAID SOUTH LINE OF THE SOUTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 30.03 FEET; THENCE N00°36'02"W PARALLEL WITH AND 80.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2032.04 FEET; THENCE N12°20'17"E A DISTANCE OF 393.47 FEET; THENCE N05°21'00"W A DISTANCE OF 234.04 FEET TO THE NORTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE N86°48'58"E ALONG SAID NORTH LINE OF THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 50.04 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 83,421 SQUARE FEET OR 1.915 ACRES MORE OR LESS.

LEGAL DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 207.13 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE S05°21'00"E A DISTANCE OF 239.93 FEET; THENCE S12°20'17"W A DISTANCE OF 395.58 FEET; THENCE S00°36'02"E PARALLEL WITH AND 30.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2024.18 FEET TO THE SOUTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE S86°54'01"W ALONG SAID SOUTH LINE OF THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 50.05 FEET; THENCE N00°36'02"W PARALLEL WITH AND 80.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2032.04 FEET; THENCE N12°20'17"E A DISTANCE OF 393.47 FEET; THENCE N05°21'00"W A DISTANCE OF 234.04 FEET TO THE NORTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE N86°48'58"E ALONG SAID NORTH LINE OF THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 50.04 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 132,981 SQUARE FEET OR 3.053 ACRES MORE OR LESS.



PERMANENT EASEMENT

TEMPORARY CONSTRUCTION EASEMENT

PROJECT NO:	012-1867	CITY OF GRAND ISLAND	EXHIBIT
DRAWN BY:	LH	EASEMENT	
DATE:	11/20/2012		A



# **City of Grand Island**

**Tuesday, March 11, 2014**

**Council Session**

## **Item G-15**

**#2014-52 - Approving Temporary Construction Easement for  
Sanitary Sewer Tap District No. 530T – Sanitary Sewer Extension  
to Interstate 80 (Lawney L. Rathman)**

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

# **Council Agenda Memo**

**From:** Terry Brown PE, Assistant Public Works Director

**Meeting:** March 11, 2014

**Subject:** Approving Temporary Construction Easement for Sanitary Sewer Tap District No. 530T – Sanitary Sewer Extension to Interstate 80 (Lawney L. Rathman)

**Item #'s:** G-15

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

## **Background**

Sanitary Sewer Tap District No. 530T; Sanitary Sewer Extension to Interstate 80 was created by City Council through Ordinance Resolution No. 9348 at the December 6, 2011 meeting.

Temporary construction easements are needed to accommodate the extension of sanitary sewer to Interstate 80, which must be approved by City Council. The temporary construction easements will allow for the installation of sanitary sewer to this area.

A sketch is attached to show the temporary construction easement areas.

## **Discussion**

A temporary construction easement is needed from one (1) property owner for Sanitary Sewer Tap District No. 530T; Sanitary Sewer Extension to Interstate 80 to be constructed.

Value of each tract was agreed upon between the City and the property owner.

<b><i>Property Owner</i></b>	<b><i>Legal Description</i></b>	<b><i>Amount</i></b>
Lawney L. Rathman Revocable Living Trust	TEMPORARY EASEMENT NO. 1 A TRACT OF LAND LOCATED IN THE EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID EAST	\$13,050.00

HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) A DISTANCE OF 207.13 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE CONTINUING S86°48'58"W ALONG SAID SOUTH LINE OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) A DISTANCE OF 50.04 FEET; THENCE N00°48'35"W PARALLEL WITH AND 80.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1180.67 FEET; THENCE S88°22'17"W A DISTANCE OF 40.00 FEET; THENCE N00°48'35"W PARALLEL WITH AND 120.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 139.92 FEET; THENCE N87°02'45"E A DISTANCE OF 80.06 FEET; THENCE S00°48'35"E PARALLEL WITH AND 40.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 141.77 FEET; THENCE N88°22'17"E A DISTANCE OF 10.00 FEET; THENCE S00°48'35"E PARALLEL WITH AND 30.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1179.31 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 70,261 SQUARE FEET OR 1.613 ACRES MORE OR LESS.

AND

TEMPORARY EASEMENT NO. 2

A TRACT OF LAND LOCATED IN THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 207.13 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE S05°21'00"E A DISTANCE OF 239.93 FEET; THENCE S12°20'17"W A DISTANCE OF 395.58 FEET; THENCE S00°36'02"E PARALLEL WITH AND 30.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2024.18 FEET TO THE SOUTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE S86°54'01"W ALONG SAID SOUTH LINE OF THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 50.05 FEET; THENCE N00°36'02"W PARALLEL WITH AND 80.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2032.04 FEET; THENCE N12°20'17"E A DISTANCE OF 393.47 FEET; THENCE N05°21'00"W A DISTANCE OF 234.04 FEET TO THE NORTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE N86°48'58"E ALONG SAID NORTH LINE OF THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 50.04 FEET TO THE POINT OF BEINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 132,981 SQUARE FEET OR 3.053 ACRES MORE OR LESS.



## **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 Temporary Construction Easement between the City of Grand Island and the affected property owner for Sanitary Sewer Tap District No. 530T; Sanitary Sewer Extension to Interstate 80, in the amount of \$13,050.00.

## **Sample Motion**

Move to approve the temporary construction easements.

## RESOLUTION 2014-52

WHEREAS, a temporary construction easement is required by the City of Grand Island, from an affected property owner in the Sanitary Sewer Tap District No. 530T; Sanitary Sewer Extension to Interstate 80 project area:

Lawney L. Rathman Revocable Living Trust – \$13,050.00

### TEMPORARY EASEMENT NO. 1

A TRACT OF LAND LOCATED IN THE EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) A DISTANCE OF 207.13 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE CONTINUING S86°48'58"W ALONG SAID SOUTH LINE OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) A DISTANCE OF 50.04 FEET; THENCE N00°48'35"W PARALLEL WITH AND 80.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1180.67 FEET; THENCE S88°22'17"W A DISTANCE OF 40.00 FEET; THENCE N00°48'35"W PARALLEL WITH AND 120.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 139.92 FEET; THENCE N87°02'45"E A DISTANCE OF 80.06 FEET; THENCE S00°48'35"E PARALLEL WITH AND 40.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 141.77 FEET; THENCE N88°22'17"E A DISTANCE OF 10.00 FEET; THENCE S00°48'35"E PARALLEL WITH AND 30.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1179.31 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 70,261 SQUARE FEET OR 1.613 ACRES MORE OR LESS.

AND

### TEMPORARY EASEMENT NO. 2

A TRACT OF LAND LOCATED IN THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 207.13 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE S05°21'00"E A DISTANCE OF 239.93 FEET; THENCE S12°20'17"W A DISTANCE OF 395.58 FEET; THENCE S00°36'02"E PARALLEL WITH AND 30.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2024.18 FEET TO THE SOUTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE S86°54'01"W ALONG SAID SOUTH LINE OF THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 50.05 FEET; THENCE N00°36'02"W PARALLEL WITH AND 80.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2032.04 FEET; THENCE N12°20'17"E A DISTANCE OF 393.47 FEET; THENCE N05°21'00"W A DISTANCE OF 234.04 FEET TO THE NORTH LINE OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼); THENCE N86°48'58"E ALONG SAID NORTH LINE OF THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) A DISTANCE OF 50.04 FEET TO

Approved as to Form	<input type="checkbox"/>
March 7, 2014	<input type="checkbox"/> City Attorney

THE POINT OF BEINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 132,981 SQUARE FEET OR 3.053 ACRES MORE OR LESS.

WHEREAS, such Temporary Construction easement has been reviewed and approved by the City Legal Department.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to compensate the affected property owner for the Temporary Construction easement on the above described tracts of land, in the total amount of \$13,050.00.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 11, 2014.

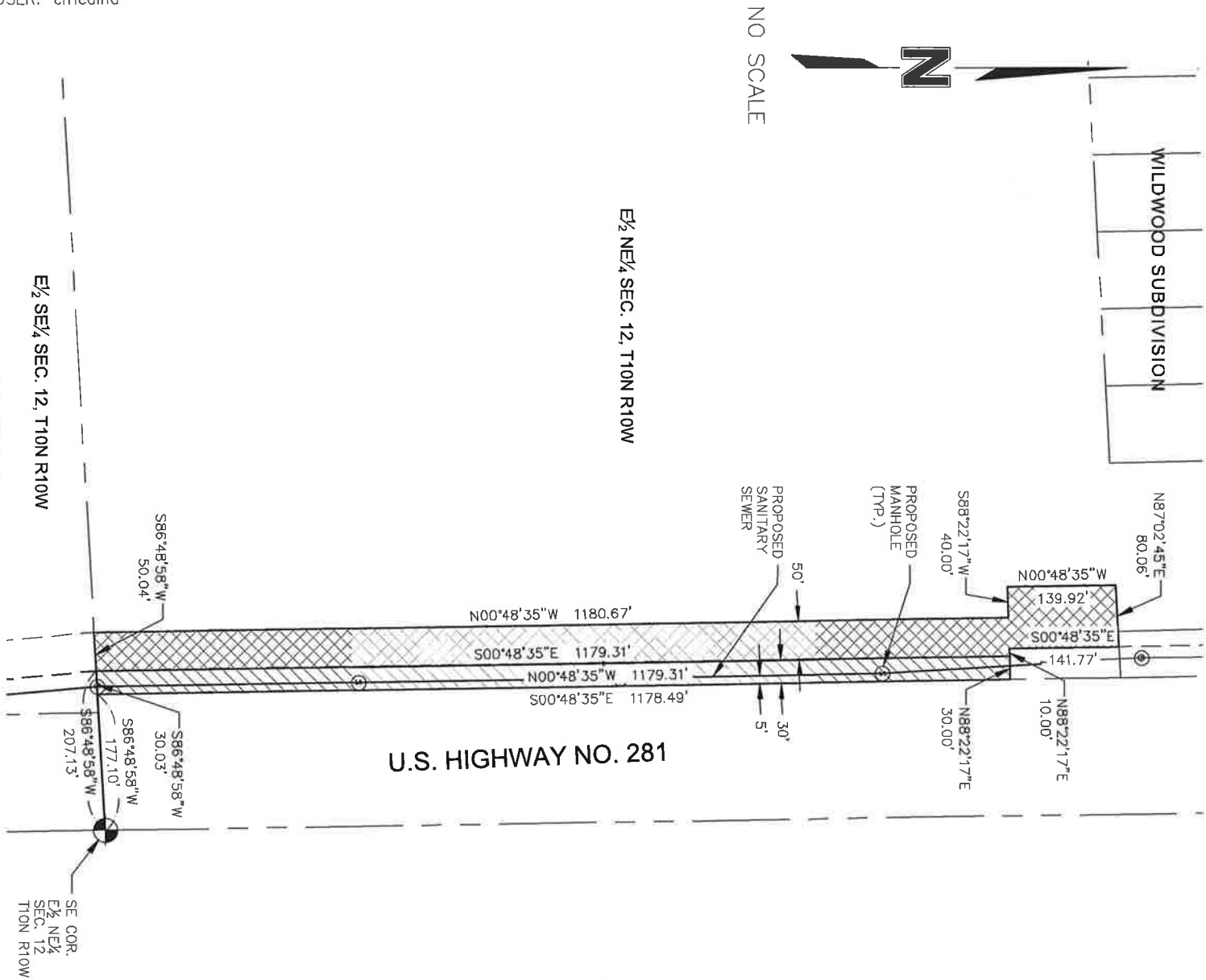
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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk



LEGAL DESCRIPTION OF PERMANENT EASEMENT

A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) A DISTANCE OF 177.10 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 AND THE ACTUAL POINT OF BEGINNING; THENCE CONTINUING S86°48'58"W ALONG SAID SOUTH LINE OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) A DISTANCE OF 30.03 FEET; THENCE N00°48'35"W PARALLEL WITH AND 30.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1179.31 FEET; THENCE N88°22'17"E A DISTANCE OF 30.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S00°48'35"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1178.49 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 35.367 SQUARE FEET OR 0.812 ACRES MORE OR LESS.

LEGAL DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) A DISTANCE OF 207.13 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE CONTINUING S86°48'58"W ALONG SAID SOUTH LINE OF SAID EAST HALF (E½) OF THE NORTHEAST QUARTER (NE¼) A DISTANCE OF 50.04 FEET; THENCE N00°48'35"W PARALLEL WITH AND 80.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1180.67 FEET; THENCE S88°22'17"W A DISTANCE OF 40.00 FEET; THENCE N00°48'35"W PARALLEL WITH AND 120.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 139.92 FEET; THENCE N87°02'45"E A DISTANCE OF 80.06 FEET; THENCE S00°48'35"E PARALLEL WITH AND 40.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 141.77 FEET; THENCE N88°22'17"E A DISTANCE OF 10.00 FEET; THENCE S00°48'35"E PARALLEL WITH AND 30.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 1179.31 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 70.261 SQUARE FEET OR 1.613 ACRES MORE OR LESS.

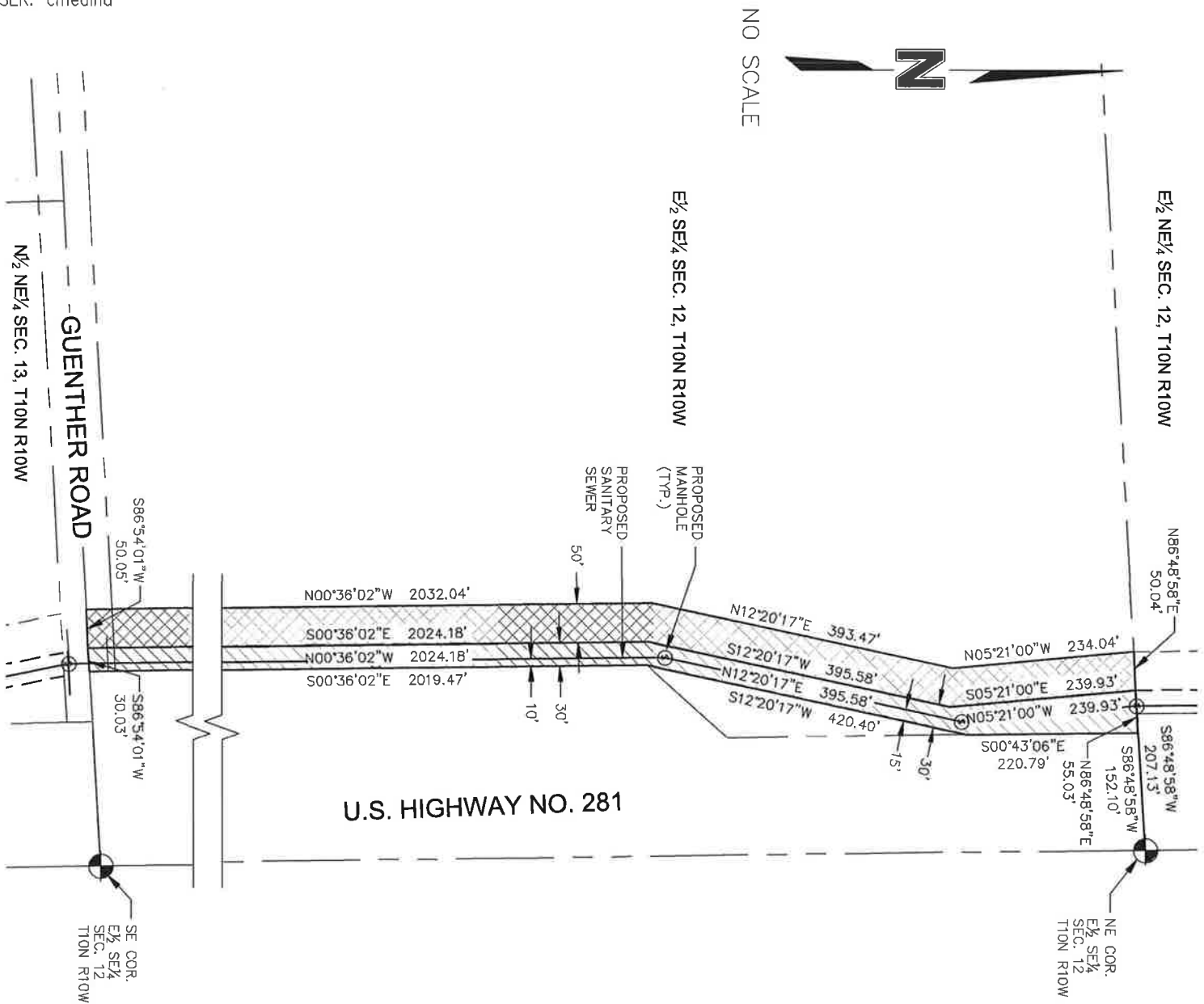
PROJECT NO:	012-1867	CITY OF GRAND ISLAND	EXHIBIT
DRAWN BY:	LH	EASEMENT	A
DATE:	11/20/2012		

DWG: F:\Projects\012-1867\PBIN\Easements\0121867\_EASE-RATHMAN 1.dwg USER: cmedina  
DATE: Nov 26, 2012 1:27pm XREFS: 121867\_pbase 0120030\_xbase

PERMANENT EASEMENT  
TEMPORARY CONSTRUCTION EASEMENT

2727 W. 2ND STREET  
SUITE 105  
HASTINGS, NE 68901  
TEL 402.463.0240  
FAX 402.463.0187





**LEGAL DESCRIPTION OF PERMANENT EASEMENT**

A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 152.10 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 AND THE ACTUAL POINT OF BEGINNING; THENCE S00°43'06"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 220.79 FEET; THENCE S12°20'17"W A DISTANCE OF 420.40 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281; THENCE S00°36'02"E ALONG SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2019.47 FEET TO THE SOUTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE S86°54'01"W ALONG SAID SOUTH LINE OF THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 30.03 FEET; THENCE N00°36'02"W PARALLEL WITH AND 30.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2024.18 FEET; THENCE N12°20'17"E A DISTANCE OF 395.58 FEET; THENCE N05°21'00"W A DISTANCE OF 239.93 FEET TO THE NORTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼); THENCE N86°48'58"E ALONG SAID NORTH LINE OF THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 55.03 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 83,421 SQUARE FEET OR 1.915 ACRES MORE OR LESS.

## LEGAL DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND LOCATED IN THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 WEST OF THE SIXTH P.M., HALL COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼), THENCE S86°48'58"W (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 207.13 FEET TO THE ACTUAL POINT OF BEGINNING, THENCE S05°21'00"E A DISTANCE OF 239.93 FEET, THENCE S12°20'17"W A DISTANCE OF 395.58 FEET, THENCE S00°36'02"E PARALLEL WITH AND 30.00 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2024.18 FEET TO THE SOUTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼), THENCE S86°54'01"W ALONG SAID SOUTH LINE OF THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 50.05 FEET, THENCE N00°36'02"W PARALLEL WITH AND 80.00 FEET WEST OF SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #281 A DISTANCE OF 2032.04 FEET, THENCE N12°20'17"E A DISTANCE OF 393.47 FEET, THENCE N05°21'00"W A DISTANCE OF 234.04 FEET TO THE NORTH LINE OF SAID EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼), THENCE N86°48'58"E ALONG SAID NORTH LINE OF THE EAST HALF (E½) OF THE SOUTHEAST QUARTER (SE¼) A DISTANCE OF 50.04 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 132,981 SQUARE FEET OR 3.053 ACRES MORE OR LESS.



# PERMANENT EASEMENT

# TEMPORARY CONSTRUCTION EASEMENT

PROJECT NO: 012-1867	CITY OF GRAND ISLAND EASEMENT	 2727 W. 2ND STREET SUITE 105 HASTINGS, NE 68901 TEL 402.463.0240 FAX 402.463.0187	EXHIBIT
DRAWN BY: LH			A
DATE: 11/20/2012			



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-16

**#2014-53 - Approving Bid Award for Webb Road Street Improvement District No. 1260; South Webb Road Extending North from Stolley Park Road to Union Pacific Railroad Tracks**

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

# **Council Agenda Memo**

**From:** Keith Kurz P.E. - Public Works Engineer

**Meeting:** March 11, 2014

**Subject:** Approving Bid Award for Webb Road Street Improvement District No. 1260; South Webb Road Extending North from Stolley Park Road to Union Pacific Railroad Tracks

**Item #'s:** G-16

**Presenter(s):** John Collins P.E. - Public Works Director

## **Background**

Street Improvement District No. 1260 was created by the City Council on February 12, 2013. Legal notice of the creation of the District was published in the Grand Island Independent on February 18, 2013. A notification letter of the district creation was also mailed to all affected property owners.

The District consists of South Webb Road extending north from Stolley Park Road to the Union Pacific Railroad tracks. The project consists of widening the roadway from 24' to 41' for a 3-lane section with improved drainage and elimination of the ditch section. This project was estimated at \$1.7 million total project costs (including engineering, construction, construction testing and services, etc.) and would be assessed to adjacent property owners.

On April 9, 2013, by Resolution No. 2013-107 City Council approved the continuation of such street improvement district.

On February 13, 2014 the Engineering Division of the Public Works Department advertised for bids for Webb Road Street Improvement District No. 1260; South Webb Road Extending North from Stolley Park Road to Union Pacific Railroad Tracks. There were eighteen (18) potential bidders for the project.

## **Discussion**

One (1) bid was received and opened on March 4, 2014. The bid was submitted in compliance with the contract, plans, and specifications. A summary of the bid is shown below.

<b><i>Bidder</i></b>	<b><i>Exceptions</i></b>	<b><i>Total Bid</i></b>
The Diamond Engineering Co. of Grand Island, NE	None	Bid Section "A"- \$1,271,080.55 Bid Section "B"- \$90,371.25 Alternate Bid Section "1A"- \$97,500.00

\*Bid Section "A" and "B" will be awarded. Alternate Bid Section "1A" will not be awarded. The total contract amount for construction is \$1,361,451.80.

As noted on Page 92 of the 2013/2014 Budget Summary III book this project will be funded with bond proceeds/assessments.

## **Alternatives**

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

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

## **Recommendation**

City Administration recommends that the Council approve awarding a contract to The Diamond Engineering Company of Grand Island, Nebraska in the amount of \$1,361,451.80 as the compliant bid that meets specifications.

## **Sample Motion**

Move to approve the bid award.





Stacy Nonhof, Purchasing Agent

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** March 4, 2014 at 2:00 p.m.  
**FOR:** Street Improvement District No. 1260 - South Webb Road  
**DEPARTMENT:** Public Works  
**ESTIMATE:** \$1,700,000.00  
**FUND/ACCOUNT:** 40033525-90130  
**PUBLICATION DATE:** February 13, 2014  
**NO. POTENTIAL BIDDERS:** 18

**SUMMARY**

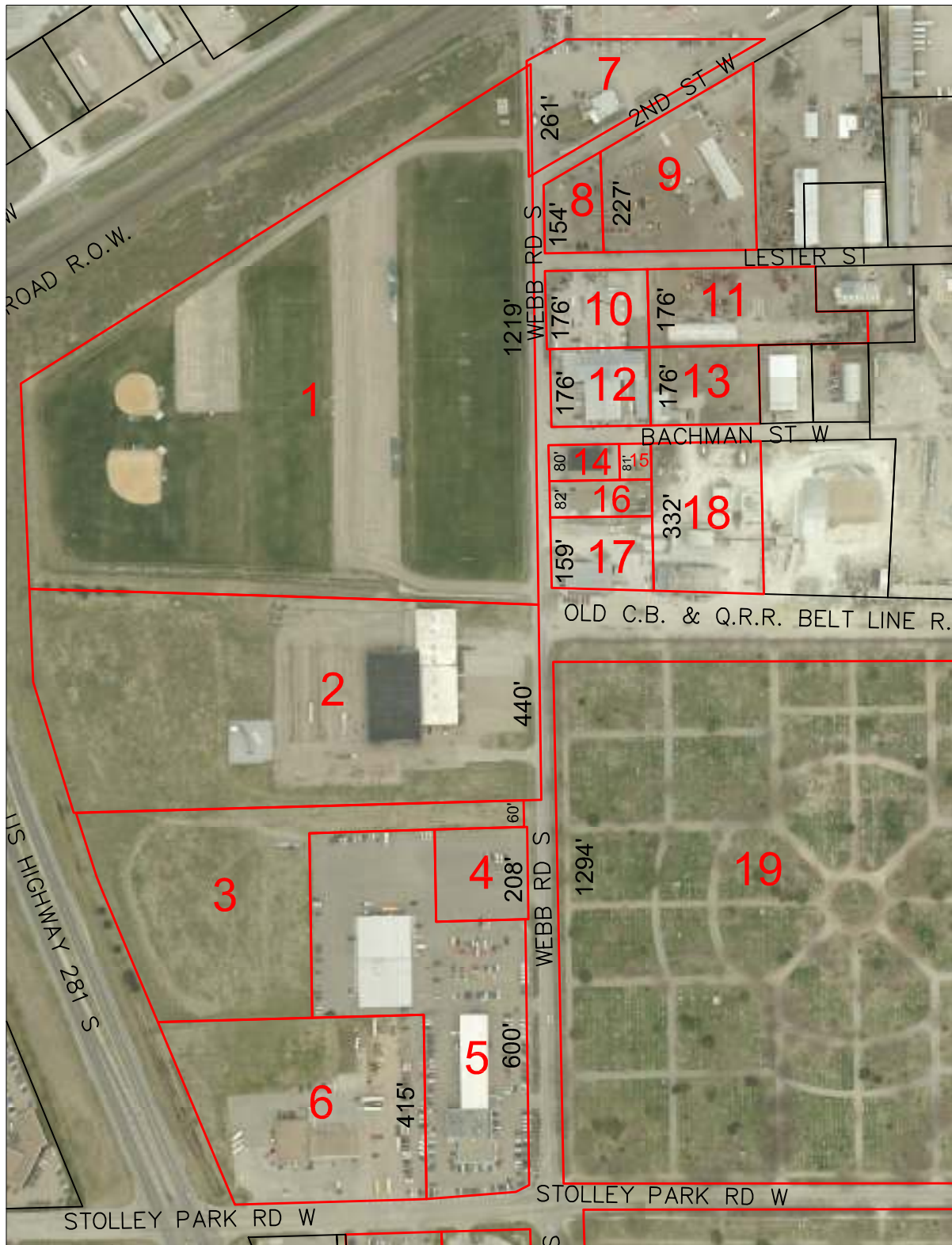
**Bidder:** The Diamond Engineering Co.  
Grand Island, NE  
**Bid Security:** Universal Surety Co.  
**Exceptions:** None

**Bid Price:**  
**Section "A":** \$1,271,080.55  
**Section "1A":** \$ 97,500.00  
**Section "B":** \$ 90,371.25  
**Section "A" + "B":** \$1,361,451.80  
**Alternate Sec. 1A:** \$ 97,500.00

cc: John Collins, Director  
Mary Lou Brown, City Administrator  
Terry Brown, PW Engineer

Catrina DeLosh, PW Admin. Assist.  
Jaye Monter, Finance Director

**P1715**



**CITY OF  
GRAND ISLAND**  
PUBLIC WORKS DEPARTMENT

DATE: 01/28/13
DRAWN BY: TJY
APPVD. BY: XXX:
SCALE: NONE

WEBB RD., W 2ND ST TO  
W STOLLEY PARK RD.  
PROPOSAL

PLAN  
/

RESOLUTION 2014-53

WHEREAS, the City of Grand Island invited sealed bids for Webb Road Street Improvement District No. 1260; South Webb Road Extending North from Stolley Park Road to Union Pacific Railroad Tracks, according to plans and specifications on file with the City Engineer/Public Works Director; and

WHEREAS, on March 4, 2014 bids were received, opened, and reviewed; and

WHEREAS, The Diamond Engineering Company of Grand Island, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$1,361,451.80; and

WHEREAS, The Diamond Engineering Company's bid was below the engineer's estimate for the project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of The Diamond Engineering Company of Grand Island, Nebraska in the amount of \$1,361,451.80 for Webb Road Street Improvement District No. 1260; South Webb Road Extending North from Stolley Park Road to Union Pacific Railroad Tracks is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-17

**#2014-54 - Approving Bid Award for Westgate Road Paving  
District No. 1261; North Road to Copper Road**

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



# **Council Agenda Memo**

**From:** Keith Kurz P.E. - Public Works Engineer

**Meeting:** March 11, 2014

**Subject:** Approving Bid Award for Westgate Road Paving District No. 1261; North Road to Copper Road

**Item #'s:** G-17

**Presenter(s):** John Collins P.E. - Public Works Director

## **Background**

Street Improvement District No. 1261 was created by the City Council on April 23, 2013. Legal notice of the creation of the District was published in the Grand Island Independent on April 29, 2013. A notification letter of the district creation was also mailed to all affected property owners.

The District will consist of Westgate Road extending east from North Road to the existing hard surface portion of Westgate Road. This area was platted in November 1987. The project would consist of paving, as well as connecting the initial phase of the Moores Creek Drainway to this area and eliminating the ditch section. The total project was estimated at \$580,000.00 (including construction, engineering, construction testing and services, etc.) and would be assessed to adjacent property owners. All property owners in this proposed district signed the district creation petition form.

On May 28, 2013, by Resolution No. 2013-156 City Council approved the continuation of such street improvement district.

On February 13, 2014 the Engineering Division of the Public Works Department advertised for bids for Westgate Road Paving District No. 1261; North Road to Copper Road. There were eighteen (18) potential bidders for the project.

## **Discussion**

One (1) bid was received and opened on March 4, 2014. The bid was submitted in compliance with the contract, plans, and specifications. A summary of the bid is shown below.

<b><i>Bidder</i></b>	<b><i>Exceptions</i></b>	<b><i>Total Bid</i></b>
The Diamond Engineering Co. of Grand Island, NE	None	Bid Section "A" – \$510,539.96 Bid Section "B" –\$75,831.05 Bid Section "C" - \$39,865.90

Bid Section "A" is for the pavement and grading for Westgate Road drainage and represents the assessed portion of the project. Bid Section "B" and "C" are for part of the Moore's Creek Extension project and will be paid for out of the general fund through the CIP budget. These projects were bid together due to the similar types of work and close proximity to each other in order to economize all the projects based on scale.

As noted on Page 92 of the 2013/2014 Budget Summary III book this project will be funded with bond proceeds/assessments.

### **Alternatives**

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

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

### **Recommendation**

City Administration recommends that the Council approve awarding a contract to The Diamond Engineering Company of Grand Island, Nebraska in the amount of \$626,236.91 as the compliant bid that meets specifications.

### **Sample Motion**

Move to approve the bid award.



Stacy Nonhof, Purchasing Agent

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** March 4, 2014 at 3:00 p.m.

**FOR:** Street Improvement District No. 1261 –  
Westgate Road

**DEPARTMENT:** Public Works

**ESTIMATE:** \$580,000.00

**FUND/ACCOUNT:** 40033525-90047

**PUBLICATION DATE:** February 13, 2014

**NO. POTENTIAL BIDDERS:** 22

**SUMMARY**

**Bidder:** The Diamond Engineering Co.  
Grand Island, NE

**Bid Security:** Universal Surety Co.

**Exceptions:** None

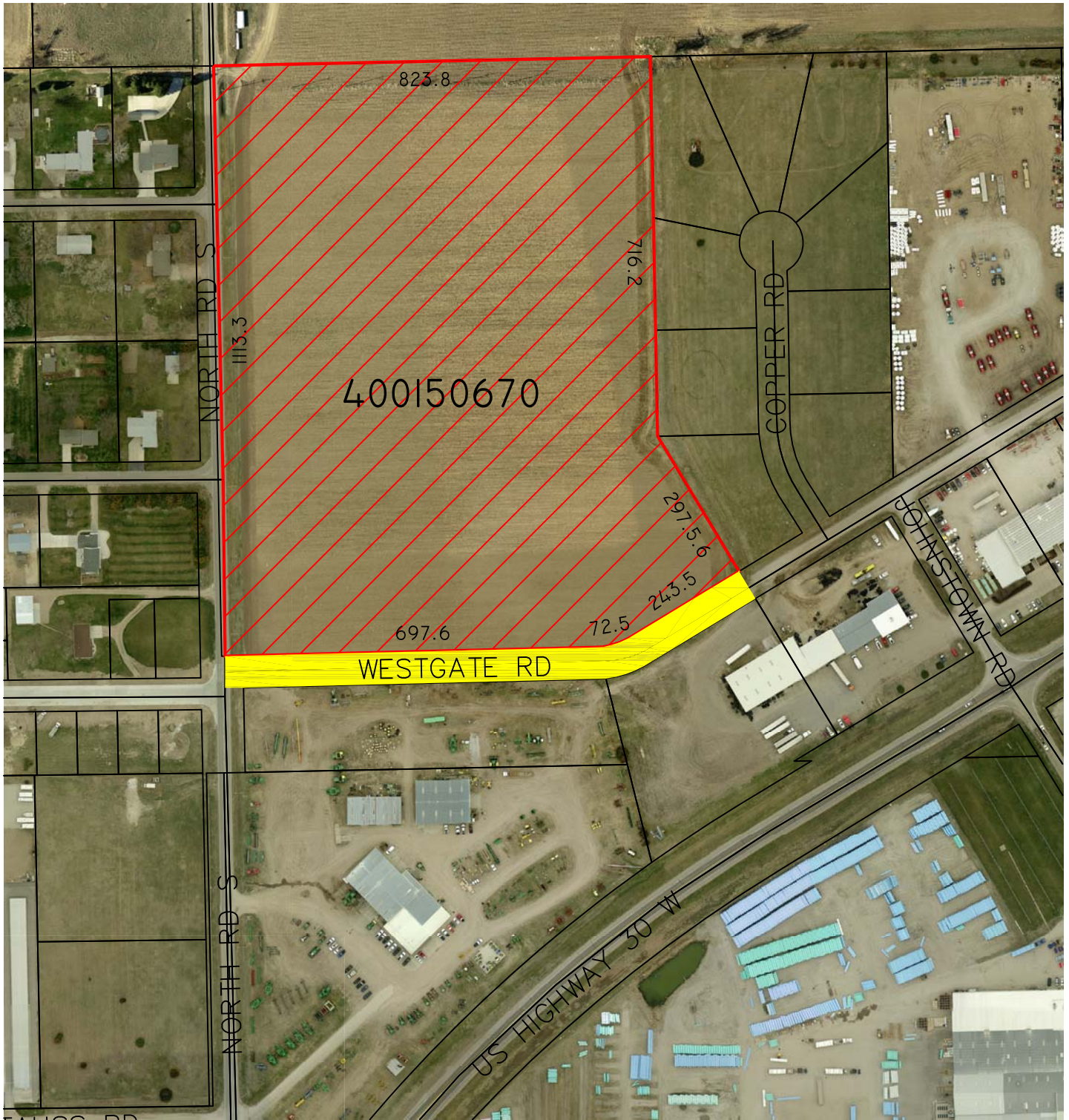
**Bid Price:**

<b>Section A:</b>	<b>\$510,539.96</b>
<b>Section B:</b>	<b>\$ 75,831.05</b>
<b>Section C:</b>	<b><u>\$ 39,865.90</u></b>
<b>Total A, B &amp; C:</b>	<b>\$626,236.91</b>

cc: John Collins, Public Works Director  
Mary Lou Brown, City Administrator  
Terry Brown, PW Engineer

Catrina DeLosh, PW Admin. Assist.  
Jaye Monter, Finance Director

**P1717**

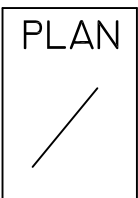


- = PROPOSED PAVING DISTRICT
- = AG DEFERMENT AREA



DATE: 05/16/13
DRAWN BY: TJY
APPVD. BY:
SCALE: NONE

WESTGATE RD POTENTIAL  
STREET IMPROVEMENT  
AG DEFERMENT AREA





RESOLUTION 2014-54

WHEREAS, the City of Grand Island invited sealed bids for Westgate Road Paving District No. 1261; North Road to Copper Road, according to plans and specifications on file with the City Engineer/Public Works Director; and

WHEREAS, on March 4, 2014 bids were received, opened, and reviewed; and

WHEREAS, The Diamond Engineering Company of Grand Island, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$626,236.91; and

WHEREAS, The Diamond Engineering Company's bid is within 7.5% of the engineer's estimate for the project and is considered fair and reasonable; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of The Diamond Engineering Company of Grand Island, Nebraska in the amount of \$626,236.91 for Westgate Road Paving District No. 1261; North Road to Copper Road is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item G-18

**#2014-55 - Approving Agreement for Engineering Consulting Services to Determine the Benefited Area of Proposed Husker Highway Sanitary Sewer Tap District No. 531T**

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

# **Council Agenda Memo**

**From:** Terry Brown PE, Assistant Public Works Director

**Meeting:** March 11, 2014

**Subject:** Approving Agreement for Engineering Consulting Services to Determine the Benefited Area of Proposed Husker Highway Sanitary Sewer Tap District No. 531T

**Item #'s:** G-18

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

## **Background**

This project will plan, design and build the extension of the sanitary sewer interceptor at the North Road and Husker Highway intersection to extend sanitary sewer availability to a defined tap district area (to be determined) and elimination of lift station #23. Funding for this project is with the State Revolving Fund (SRF) loan through Nebraska Department of Environmental Quality (NDEQ).

The Engineering Division put together a Request for Qualifications (RFQ) solicitation package for eight (8) of the 2014 Capital Improvement Projects (CIP). The consultants had the option to submit for as many or as few of the projects they felt their firm was qualified for. The request was for design and construction engineering services to be started by the end of the 2014 construction season for the selected projects. Each project was evaluated on the predetermined criteria (detailed in the RFQ) and will be awarded to the consultant that scores the best on that particular project, regardless of the consultant's qualifications on another project.

- Project 1 - Westgate Industrial Park Drainage District No. 2013-D-4
- Project 2 - Blaine Street Bridge Replacements; Project No. 2014-B-1
- Project 3 - Husker Highway Sanitary Tap District No. 531T
- Project 4 - Heartland Shoot Park Paving Improvements; Project No. 2014-HPSP-1
- Project 5 - Traffic Signal Faidley Ave. & Diers Ave. Intersection; Project No. 2014-TS-1
- Project 6 - Faidley Ave. Paving Improvements (2,000 ft. connect to North Road); Project No. 2014-P-1
- Project 7 - CDBG Handicap Ramps 4<sup>th</sup> to 5<sup>th</sup> Streets; Sycamore St. to Eddy St.; Project No. 2014-2G
- Project 8 – Webb Road Paving District No. 1260 Construction Services

On January 22, 2014 the Engineering Division of the Public Works Department advertised for Engineering Consulting Services for the proposed Husker Highway Sanitary Sewer Tap District No. 531T, with twelve (12) potential respondents.

## **Discussion**

Six (6) engineering firms submitted qualifications for the engineering services for the proposed Husker Highway Sanitary Sewer Tap District No. 531T. Olsson Associates of Grand Island, Nebraska was selected as the top engineering firm based on the pre-approved selection criteria.

- Firm experience and qualifications on similar work (50%)
- Proposed project schedule/approach (40%)
- Past experience working with the City of Grand Island Public Works Department (10%)

Compensation for Olsson Associates' services will be provided on a fixed fee basis for \$20,345.00, which consists of a corridor study and preliminary design services.

The benefited area of this sanitary sewer district will be determined through such consulting services, with a request to create a district to follow.

Upon creation of this tap district, at a later date, an amendment to this agreement will be brought before council to address final design and construction phase 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 the agreement with Olsson Associates of Grand Island, Nebraska, in the amount of \$20,345.00.

## **Sample Motion**

Move to approve the resolution.





EXHIBIT A	HUSKER HIGHWAY SANITARY SEWER MAIN EXTENSION SERVICE BOUNDARY	 CITY OF <b>GRAND ISLAND</b> PUBLIC WORKS DEPARTMENT
	GRAND ISLAND, NEBRASKA	

RESOLUTION 2014-55

WHEREAS, the City of Grand Island is researching the proposed Husker Highway Sanitary Sewer Tap District No. 531T; and

WHEREAS, the City of Grand Island solicited proposals for engineering consulting services for such project; and

WHEREAS, the City of Grand Island and Olsson Associates of Grand Island, Nebraska wish to enter into an Engineering Services Agreement to provide engineering consulting services for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Engineering Services Agreement between the City of Grand Island and Olsson Associates of Grand Island, Nebraska for engineering consulting services to determine the benefited area of proposed Husker Highway Sanitary Sewer Tap District No. 531T in the amount of \$20,345.00, 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, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item H-1

**Consideration of Request from Garry & Jeanne Williams and Midland Ag Service, Inc. for a Conditional Use Permit for a Sand and Gravel Mining Operation located at 1672 South Shady Bend Road and 3116 Stolley Park Road**

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

Staff Contact: Craig Lewis



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item H-2

**Consideration of Request from Central Nebraska Transload I, LLC, 4331 Juergen Road for a Conditional Use Permit for a Chemical/Hazardous Material Transload (Rail Car to Truck) Facility located at 1213-1215 & 1221 East Hwy 30**

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

Staff Contact: Craig Lewis



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item I-1

**#2014-56 - Consideration of Request from Full Circle Venue LLC dba Full Circle Venue, 1010 Diers Avenue, Suite 4 for a Change of Location for Class “C-88739” Liquor License to 3333 Ramada Road**

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

Staff Contact: RaNae Edwards



RESOLUTION 2014-56

WHEREAS, an application was filed by Full Circle Venue LLC doing business as Full Circle Venue, 1010 Diers Avenue, Suite 4 for a Change of Location for Class "C-88739" Liquor License to 3333 Ramada Road; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on March 1, 2014; such publication cost being \$17.75; and

WHEREAS, a public hearing was held on March 11, 2014 for the purpose of discussing such liquor license application.

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

\_\_\_\_\_ The City of Grand Island hereby recommends approval of the above-identified liquor license application contingent upon final inspections.

\_\_\_\_\_ The City of Grand Island hereby makes no recommendation as to the above-identified liquor license application.

\_\_\_\_\_ The City of Grand Island hereby makes no recommendation as to the above-identified liquor license application with the following stipulations:

\_\_\_\_\_

\_\_\_\_\_ The City of Grand Island hereby recommends denial of the above-identified liquor license application for the following reasons: \_\_\_\_\_

\_\_\_\_\_

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney



# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item I-2

**#2014-57 - Consideration of Approving Transfer of Property at  
1306 West Third Street from General Fund to Utilities Department**

**Staff Contact: Councilmember Mike Paulick**

# **Council Agenda Memo**

**From:** Mike Paulick, Councilmember

**Meeting:** March 11, 2014

**Subject:** Transfer of Property at 1306 West Third Street from General Fund to Utilities Department

**Item #'s:** I-2

**Presenter(s):** Mike Paulick, Councilmember

## **Background**

The property at 1306 West Third Street was purchased in July of 1996 and most recently was leased to the State of Nebraska Department of Administrative Services, which expired June 30, 2011. A request for proposal to purchase was issued in July of 2011 with little interest from the general public. At the May 28, 2013 Council meeting, the Council was presented with Consideration of Request for Approval of Transfer of Building located at 1306 West 3<sup>rd</sup> Street and Related Department Relocations, and approved a resolution to obtain an appraisal to determine a fair market value for the City property at 1306 West 3<sup>rd</sup> Street. Hendricksen Appraisal Company was retained to provide that appraisal and presented the written document on September 16, 2013. The results in that appraisal determined a value of the building site at \$485,000 and the adjacent lots to the northeast of the principal property at \$26,000 for a total value of the entire tract at \$51,000, and this appraisal was accepted by Council at the November 12, 2013 Council meeting. A request for proposal to purchase was also issued on November of 2013, and one bid from Hall County was received. This bid was later requested by Hall County to be removed from consideration, and the bid was rejected by Council at the February 11, 2014 meeting.

## **Discussion**

The City Utilities Department has identified this property as advantageous to the overall long-term operations of the Utilities Department. Current plans would include moving the Utilities Engineering Division, currently located at the Phelps Control Center, to this building, along with other utilities distribution functions. The transfer of this property to the Utilities Department appears to be the best use of the property now and for the future.

## **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**

Councilmember Paulick recommends that the Council approve the Transfer of Property at 1306 West Third Street from General Fund to Utilities Department for the appraised value of \$511,000.

## **Sample Motion**

Move to Transfer Property at 1306 West Third Street from General Fund to Utilities Department for the appraised value of \$511,000.

RESOLUTION 2014-57

WHEREAS, the City of Grand Island is proposing to transfer the property at 1306 West 3<sup>rd</sup> Street (One-Stop property) from a general fund asset to an enterprise fund asset; and

WHEREAS, the City obtained an appraisal to determine the fair market value for the One-Stop property and concur the value of the property to be \$511,000; and

WHEREAS, the Mayor and City Council have approved the transfer of the property to the City Utilities Department and established a fair market value of \$511,000.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the property located at 1306 West 3<sup>rd</sup> Street shall be transferred for a fair market value of \$511,000 to the Utilities Department for their use and benefit.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 11, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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

Approved as to Form	☐ _____
March 7, 2014	☐ City Attorney





# City of Grand Island

Tuesday, March 11, 2014

Council Session

## Item J-1

### **Approving Payment of Claims for the Period of February 26, 2014 through March 11, 2014**

*The Claims for the period of February 26, 2014 through March 11, 2014 for a total amount of \$3,965,557.56. A MOTION is in order.*

Staff Contact: Jaye Monter, Finance Director