
City of Grand Island



Tuesday, April 22, 2014
Council Session Packet

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

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.

Invocation - Father Jonathan Sorenson, St. Mary's Cathedral Catholic Church, 204 South Cedar Street

Pledge of Allegiance

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item C-1

Proclamation “School Nurse Day” May 7, 2014

Because our children are our future and investing in them will ensure our world for tomorrow, school nurses are in a very important position to make sure their health needs are met. School nurses understand the link between health and learning and are in a position to make a positive difference for children every day. Mayor Vavricek has proclaimed May 7, 2014 as "School Nurse Day". See attached PROCLAMATION.

Staff Contact: Mayor Jay Vavricek

THE OFFICE OF THE MAYOR
City of Grand Island
State of Nebraska

PROCLAMATION

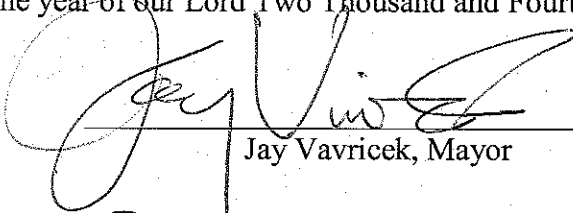
- WHEREAS, children are the future and, by investing in them today, we are ensuring our world for tomorrow; and
- WHEREAS, all students have a right to have their health needs safely met while in the school setting; and
- WHEREAS, children today face more complex and life-threatening health problems requiring care in school; and
- WHEREAS, school nurses have served a critical role in improving public health and in ensuring student's academic success for more than 100 years; and
- WHEREAS, school nurses are professional nurses that advance the well-being, academic success, and life-long achievements of all students by serving on the frontlines and providing a critical safety net for our nation's most fragile children; and
- WHEREAS, school nurses act as liaison to the school community, parents, and health care providers on behalf of children's health by promoting wellness and improving health outcomes for our nation's children; and
- WHEREAS, school nurses support the health and educational success of children and youth by providing access to care when children's cognitive development is at its peak; and
- WHEREAS, school nurses are members of school-based mental health teams; and
- WHEREAS, school nurses understand the link between health and learning and are in a position to make a positive difference for children every day; and
- WHEREAS, the Nebraska School Nurses Association and the National Association of School Nurses celebrates and acknowledges the accomplishments of school nurses everywhere and their efforts of meeting the needs of today's students by improving the delivery of health care in our schools and offers gratitude for the nation's school nurses, who contribute to our local communities by helping students stay healthy, in school, and ready to learn, and keeping parents and guardians at work, not just on this National School Nurse Day, but at every opportunity throughout the year.

NOW, THEREFORE, I, Jay Vavricek, Mayor of the City of Grand Island, Nebraska,
do hereby proclaim May 7, 2014 as

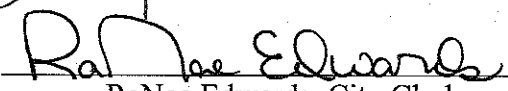
“SCHOOL NURSE DAY”

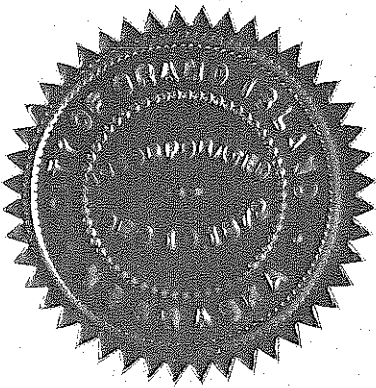
in Grand Island and commend its observance to all citizens

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of
the City of Grand Island to be affixed this twenty-second day of
April in the year of our Lord Two Thousand and Fourteen.


Jay Vavricek, Mayor

Attest:


RaNae Edwards, City Clerk





City of Grand Island

Tuesday, April 22, 2014

Council Session

Item C-2

Recognition of Korean War Hero Flights to Washington, DC

The Mayor and City Council will recognize the outstanding efforts of those people who are working to make the Korean War Hero Flights to Washington, D.C. a success. On May 8, 2014, 29 Korean Veterans from Hall County will take the first flight to Washington, D.C. to visit the Korean War Memorial. We thank those veterans for their service to our country.

Staff Contact: Mayor Jay Vavricek

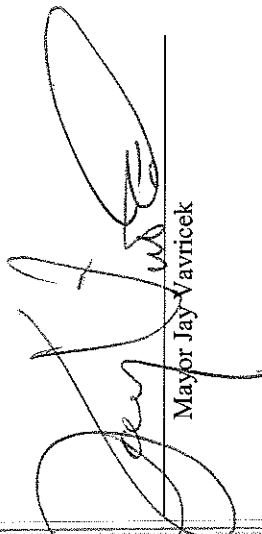


Certificate of Recognition

Awarded to

“Korean War Hero Flight”

and its volunteers for the opportunity for veterans to see the Korean War Memorial
in Washington, D.C.


Mayor Jay Vavricek


City Administrator Mary Lou Brown


City Clerk RaNaë Edwards



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item E-1

**Public Hearing on Request from the City of Grand Island for a
Conditional Use Permit for a 130' Communications Tower located
at 700 East Bischeld Street**

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig A. Lewis, Building Department Director

Meeting: April 22, 2014

Subject: Request from Grand Island Utilities for Approval of a Conditional Use Permit to Allow Construction of a Communication Tower at Phelps Control Center at 700 E. Bischeld Street

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

Presenter(s): Craig Lewis, Building Department Director

Background

This is a request to allow for the construction of a 130 foot lattice communication tower at 700 East Bischeld Street to facilitate departmental communications. The property is currently zoned M2, Heavy Manufacturing Zone, the Grand Island Zoning Code requires that all communication towers receive the approval of City Council in the form of a conditional use permit prior to construction.

The intent of the tower and telecommunication facilities and antenna regulations are to protect residential areas and land uses from the potential adverse impact of the installation of towers and antennas through careful design, siting, and camouflaging, to promote and encourage shared use/collocation of towers, and to ensure that towers and antennas are compatible with the surrounding land uses.

Discussion

The City Code specifies eight items to be submitted with the application for a tower development permit, all of those items have been submitted, with the exception of:

1). the engineering of the tower and foundation design, and, 2). a building permit application for the proposed tower. It appears reasonable to delay the submittal of these two items until after the City Council has approved the location. At the time of a request for a building permit then the engineering for the construction needs to be submitted before a building permit would be issued.

An affidavit supplying evidence that it is not practical to collocate with any towers within a one mile radius has been submitted by the applicant. There are four towers identified

within the one mile radius of the proposed site, all four of those towers have been determined by the applicant as impractical for co-location.

The proposed site is within the airport approach zone, an application has been submitted to the Federal Aviation Administration, but a determination has not yet been received. Based on the proposed height of the tower a determination of no hazard to air navigation is anticipated.

Airport Administration recently requested that a tower constructed in the Airport approach zone be lighted. The City Council confirmed that request and approved the construction with a condition that the tower be lighted.

Staff continues to support lighting of communication towers only if required by the Federal Aviation Administration but if required as a condition of approval within the airport approach zone would suggest that such lighting be in conformance with FAA Advisory Circular AC 70/7460-1K.

Alternatives

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

1. Approve the conditional use permit finding that the proposed use is a listed conditional use in the zoning code and that it will not be detrimental to public health, safety, and the general welfare of the community.
2. Disapprove or/Deny the conditional use permit, finding that the proposal does not conform to the purpose of the zoning regulations.
3. Modify the conditional use to meet the wishes of the Council
4. Refer the matter to a special committee for a determination of a finding of fact.
5. Table the issue.

Recommendation

City Staff recommends that the Council approve the request for a conditional use permit to construct this communication tower, finding that the request does promote 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 request for a conditional use permit as specified in the staff recommendation published in the Council packet and presented at the City Council meeting and finding that the application will conform 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: Install new 130 foot tall communications tower for Grand Island Utilities exclusive use.
2. The owner(s) of the described property is/are: City of Grand Island
3. The legal description of the property is: Joehnicks add to the City of Grand Island all blocks 5-8-9.
4. The address of the property is: 700 East Bischeld Street
5. The zoning classification of the property is: M2
6. Existing improvements on the property is: Phelps Control Center
7. The duration of the proposed use is: Continual
8. Plans for construction of permanent facility is: May 2014 through October 2014
Residential to the west.
9. The character of the immediate neighborhood is: Industrial & Ag to the east.
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.
Not Applicable. See supporting documents.
11. Explanation of request: See "Application to develop Utilities Communication Tower" attached with support figures.

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

3-25-14
Date

As representative of City of Grand Island Utilities Department-Phelps Control Center.
[Signature]
Owners(s)

308-385-5462 x. 142
Phone Number

700 E. Bischeld St.
Address

Grand Island NE 68801
City State Zip

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

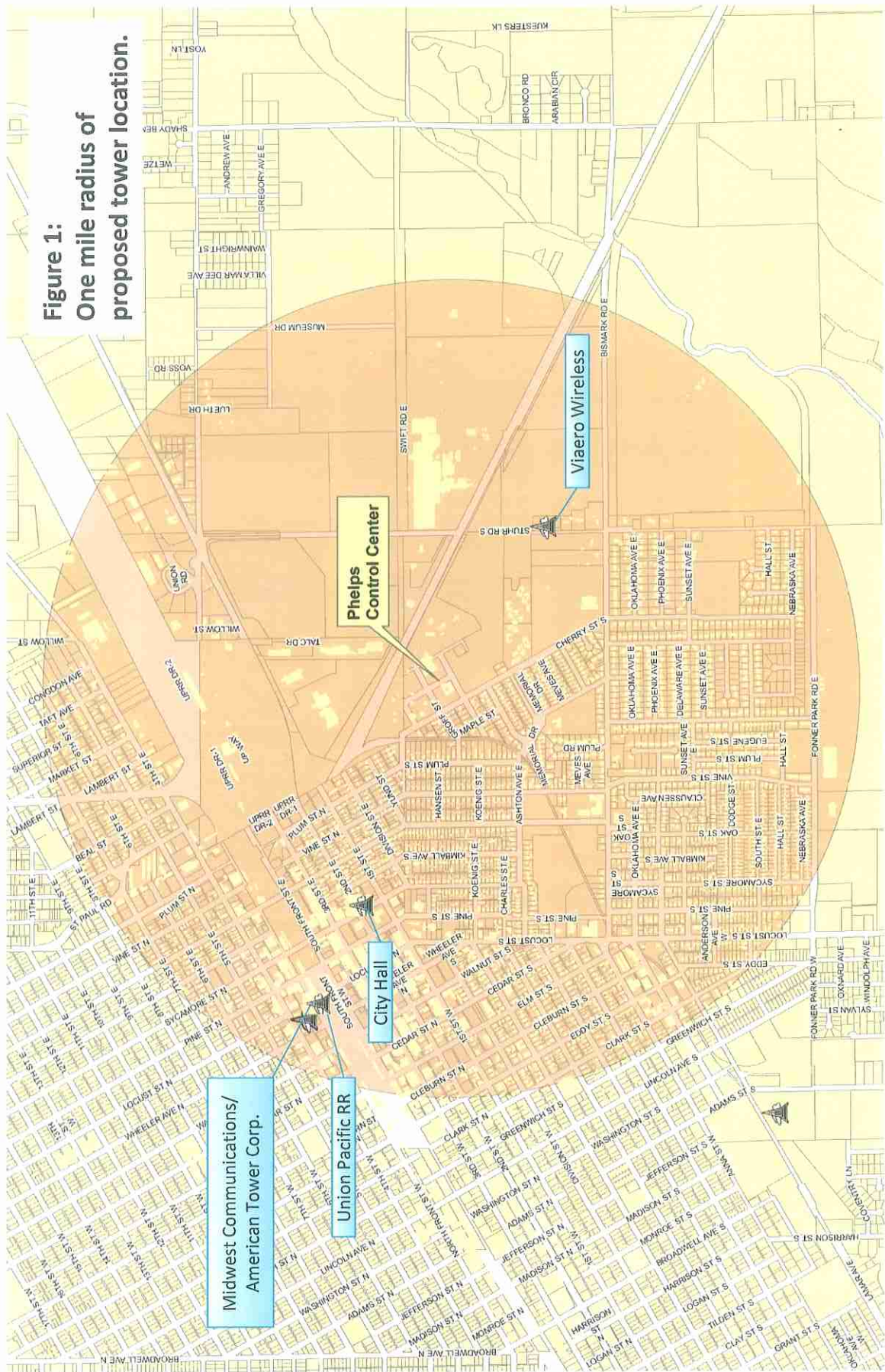


Figure 4:
Photo realistic proposed
tower site view.





City of Grand Island

Tuesday, April 22, 2014

Council Session

Item E-2

**Public Hearing on Acquisition of Utility Easement - North of
Fonner Park Road between Adams Street and Lincoln Avenue -
Chief Fabrication, LLC**

Staff Contact: Tim Luchsinger, Utilities Director

Council Agenda Memo

From: Tim Luchsinger, Utilities Director

Meeting: April 22, 2014

Subject: Acquisition of Utility Easement – North of Fonner Park Road between Adams St. and Lincoln Ave. – Chief Fabrication, LLC

Item #'s: E-2 & G-5

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Chief Fabrication, LLC, located through a part of Lot One (1) Chief Fab Second Subdivision (north of Fonner Park Road between Adams Street and Lincoln Avenue), in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

Chief Industries is constructing a new addition to their Fabrication Plant on Adams Street. A new transformer, conduit, cable, and pad will be constructed to provide electrical service to the newest section of the building. An easement is needed to provide access to the new equipment.

Alternatives

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

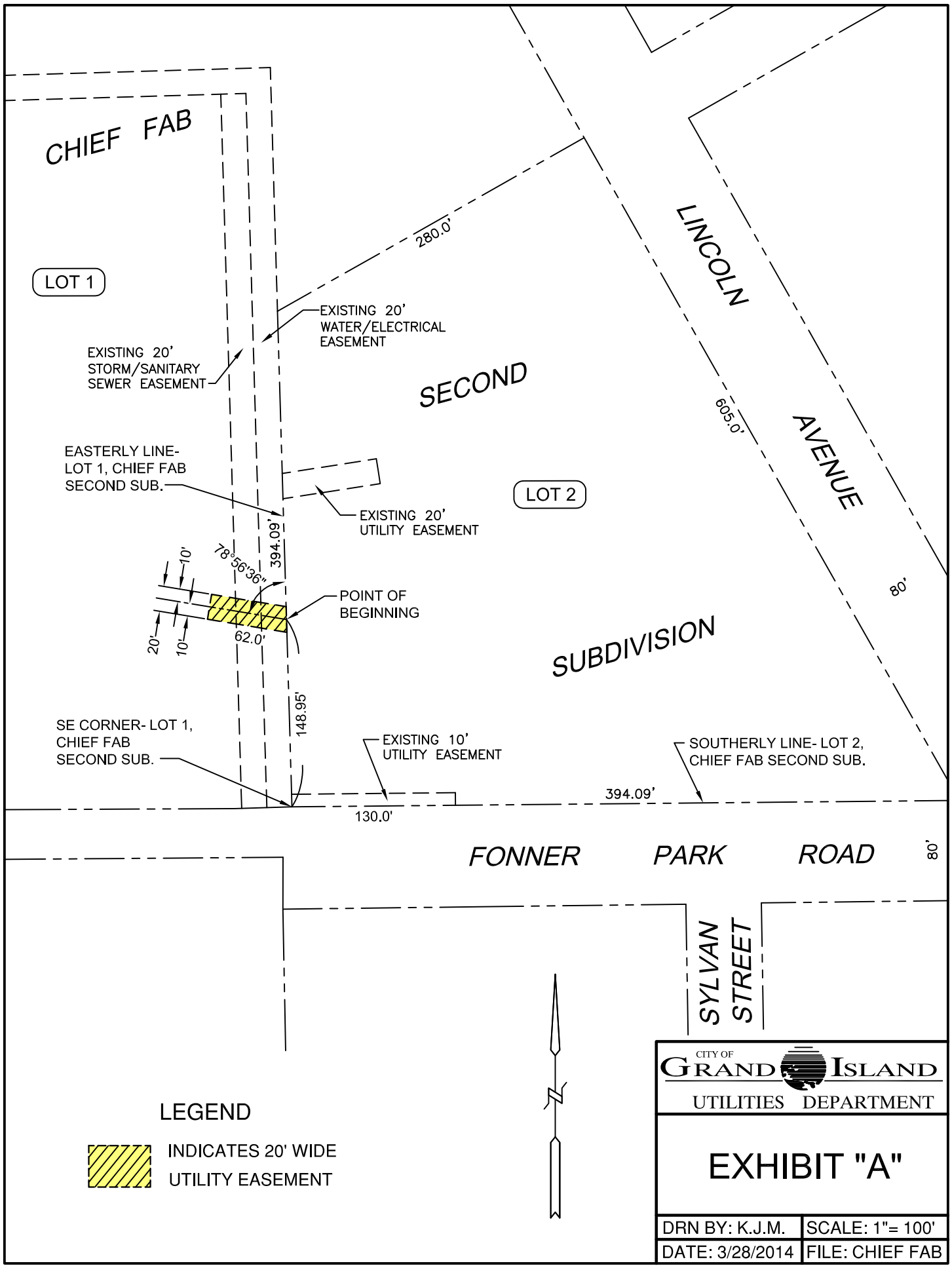
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, April 22, 2014

Council Session

Item E-3

**Public Hearing on Acquisition of Utility Easement - at the 1st 1/4
Mile West of St. Paul Road on the South Side of Airport Road -
Bredthauer**

Staff Contact: Tim Luchsinger, Utilities Director

Council Agenda Memo

From: Tim Luchsinger, Utilities Director

Meeting: April 22, 2014

Subject: Acquisition of Utility Easement – the First ¼ Mile West of St. Paul Road on the South Side of Airport Road - Bredthauer

Item #'s: E-3 & G-6

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Oscar and Rose Ann Bredthauer, located through a part of the Northeast Quarter (NE ¼) of Section Four (4), Township Eleven (11) North, Range Nine (9) West, of the 6th PM, Hall County, Nebraska (the first ¼ mile west of St. Paul Road on the south side of Airport Road), in order to have access to install, upgrade, maintain, and repair power appurtenances, including water lines.

Discussion

Water Main District 466T has been designed to construct a 16" water main along the south side of Airport Road. A permanent easement needs to be obtained to locate the new pipe. Negotiations were conducted with three property owners including having the properties appraised.

The property owners have agreed to the appraised value as the cost to obtain the easement. The cost for the Bredthauer property easement will be \$6,300.00.

Alternatives

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

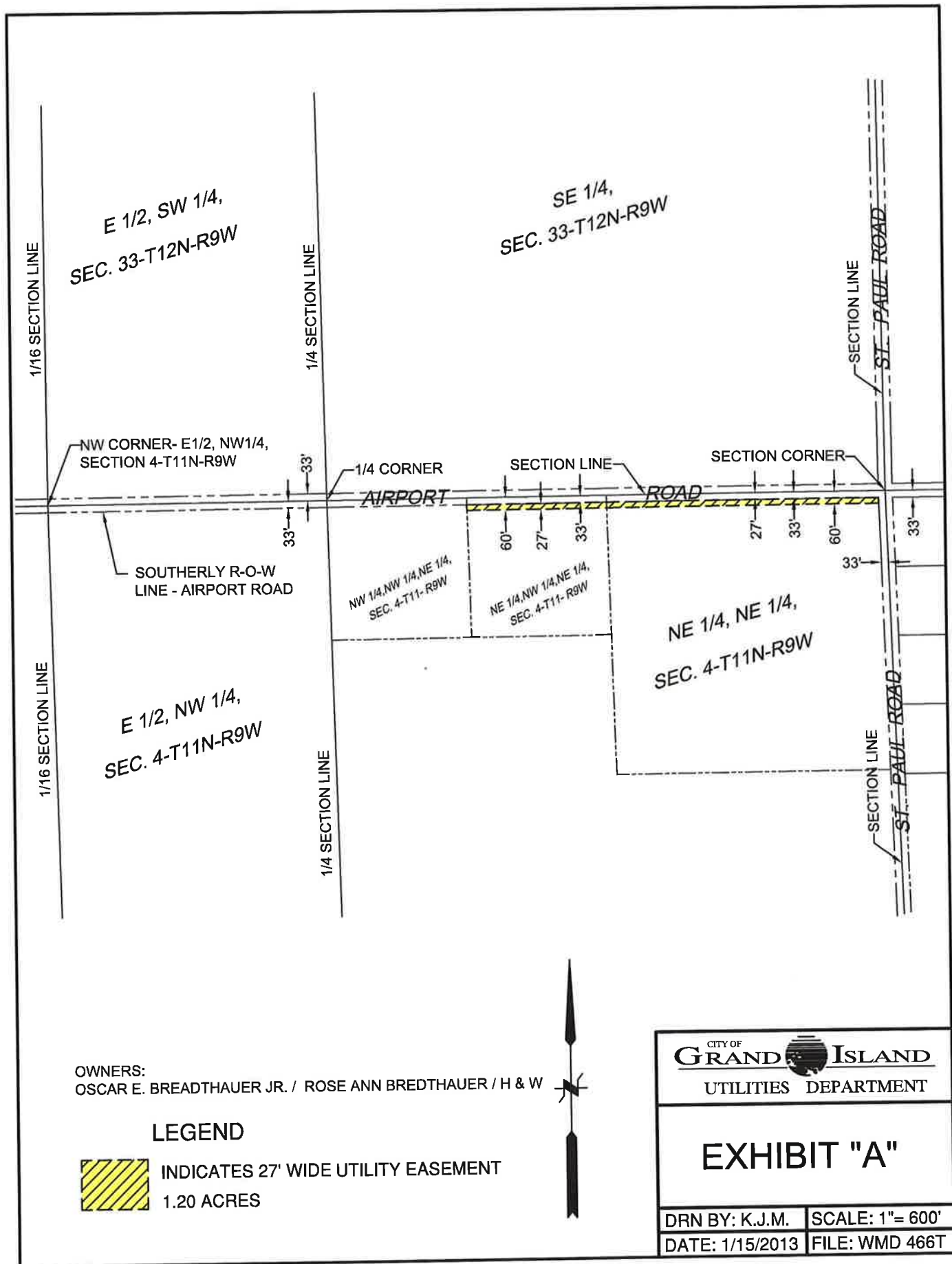
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the resolution for the acquisition of the easement for Six Thousand Three Hundred Dollars (\$6,300.00).

Sample Motion

Move to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, April 22, 2014

Council Session

Item E-4

**Public Hearing on Acquisition of Utility Easement - East of
Substation C on the South Side of Airport Road - Douglas &
Tamara Petersen**

Staff Contact: Tim Luchsinger, Utilities Director

Council Agenda Memo

From: Tim Luchsinger, Utilities Director

Meeting: April 22, 2014

Subject: Acquisition of Utility Easement – East of Substation C on the south side of Airport Road – Douglas and Tamara Petersen

Item #'s: E-4 & G-8

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Douglas R. and Tamara K. Petersen, located through a part of the East Half of the Northwest Quarter (E½, NW¼) and part of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW¼, NW¼, NE¼) Section Four (4), Township Eleven (11) North, Range Nine (9) West, of the 6th PM, Hall County, Nebraska (east of Substation C on the south side of Airport Road), in order to have access to install, upgrade, maintain, and repair power appurtenances, including water lines.

Discussion

Water Main District 466T has been designed to construct a 16" water main along the south side of Airport Road. A permanent easement needs to be obtained to locate the new pipe. Negotiations were conducted with three property owners including having the properties appraised.

The property owners have agreed to the appraised value as the cost to obtain the easement. The cost for the Douglas and Tamara Petersen property easement will be \$6,880.00.

Alternatives

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

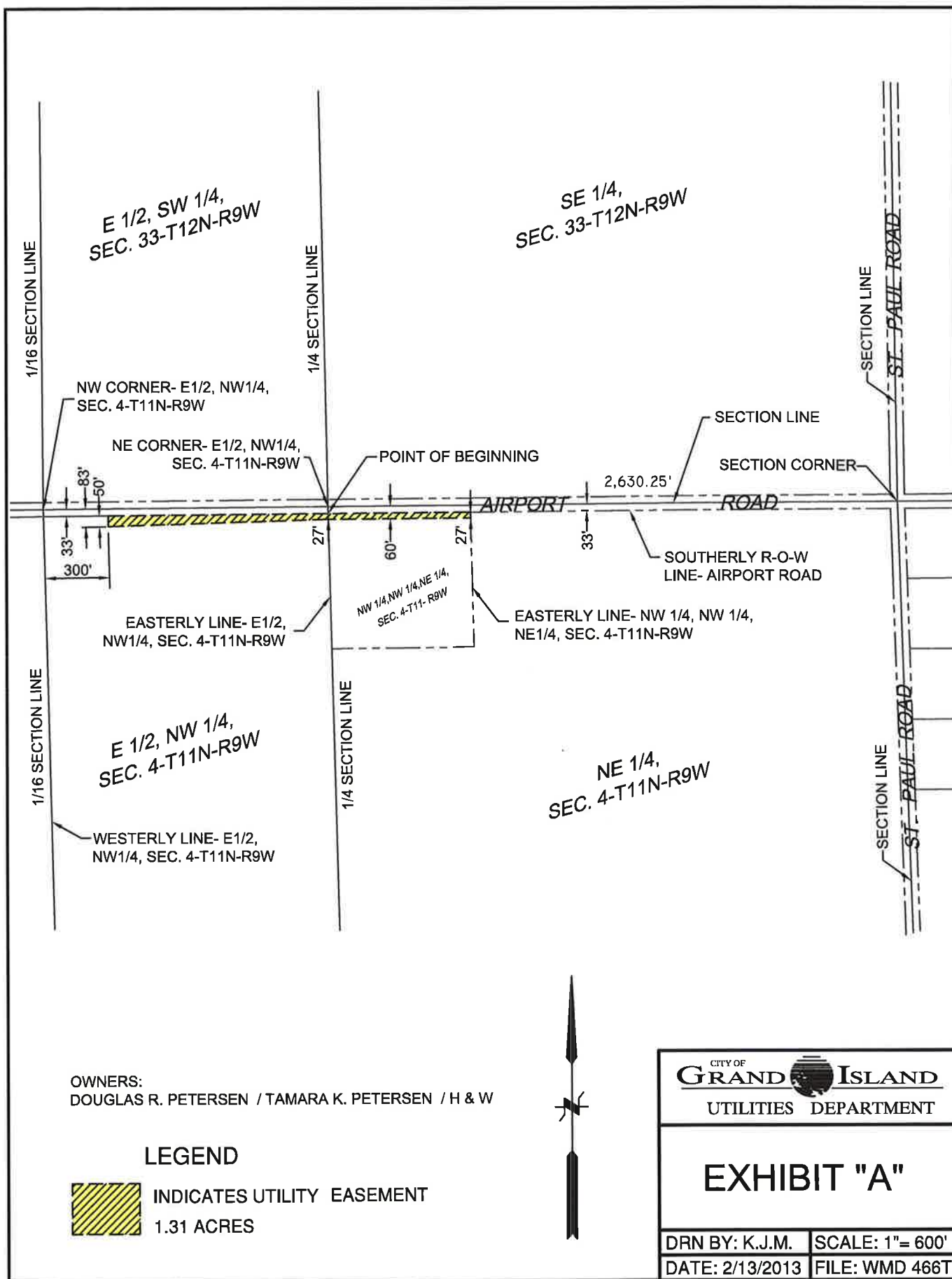
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the resolution for the acquisition of the easement for Six Thousand Eight Hundred and Eighty Dollars (\$6,880.00).

Sample Motion

Move to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, April 22, 2014

Council Session

Item E-5

**Public Hearing on Acquisition of Utility Easement - West of Sky
Park Road on the South Side of Airport Road - Petersen Farms,
Inc.**

Staff Contact: Tim Luchsinger, Utilities Director

Council Agenda Memo

From: Tim Luchsinger, Utilities Director

Meeting: April 22, 2014

Subject: Acquisition of Utility Easement – West of Sky Park Road on the south side of Airport Road – Petersen Farms, Inc.

Item #'s: E-5 & G-10

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Petersen Farms, located through a part of Lot One (1) Wilson's subdivision, Hall County, Nebraska (west of Sky Park Road on the south side of Airport Road), in order to have access to install, upgrade, maintain, and repair power appurtenances, including water lines.

Discussion

Water Main District 466T has been designed to construct a 16" water main along the south side of Airport Road. A permanent easement needs to be obtained to locate the new pipe. Negotiations were conducted with three property owners including having the properties appraised.

The property owners have agreed to the appraised value as the cost to obtain the easement. The cost for the Douglas and Tamara Petersen property easement will be \$6,990.00.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the resolution for the acquisition of the easement for Six Thousand Nine Hundred and Ninety Dollars (\$6,990.00).

Sample Motion

Move to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, April 22, 2014

Council Session

Item E-6

Public Hearing on Acquisition of Public Right-of-Way in Section 24, Township 11 North, Range 10 (Chief Industries, Inc.)

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: April 22, 2014

Subject: Public Hearing on Acquisition of Public Right-of-Way in Section 24, Township 11 North, Range 10 (Chief Industries, Inc.)

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

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

Background

Street Improvement District No. 1261; Westgate Road – North Road East to Paved Section of Westgate Road, was created by the City Council on April 23, 2013. In order for this district to be constructed the City needs to acquire public right-of-way, as shown on the attached sketch.

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council.

Discussion

Engineering staff of the Public Works Department have worked with the property owner, who has agreed to donate this piece of right-of-way to the City to construct property access for Street Improvement District No. 1261. This public right-of-way will provide sufficient space to construct a proper radius for the street and allow for improved drainage by connecting the initial phase of the Moores Creek Drainway to the Westgate Industrial Park Road area.

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

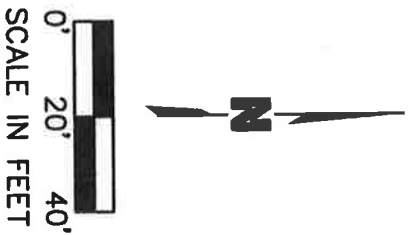
City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the public right-of-way.

Sample Motion

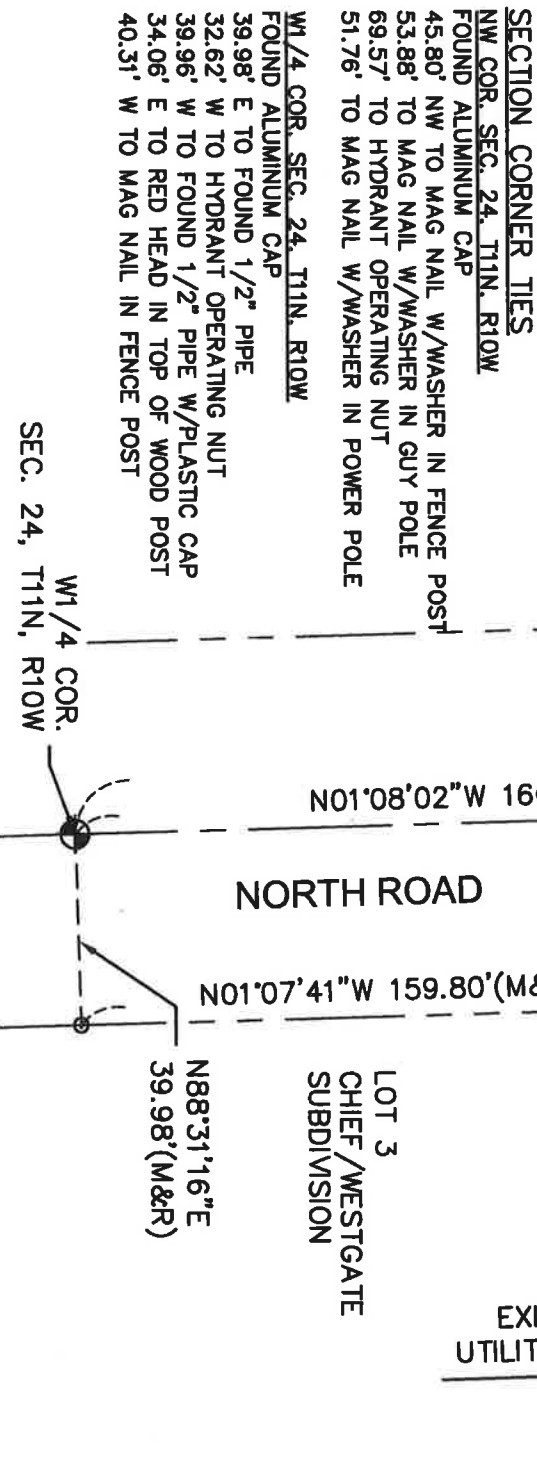
Move to conduct a Public Hearing and approve the acquisition of the public right-of-way.

SURVEY RECORD

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA



- LEGEND**
- ⊙ FOUND PROPERTY CORNER
 - SET PROPERTY CORNER
 - × CALCULATED POINT
 - ⊕ SECTION CORNER
 - (M) MEASURED DISTANCE
 - (R) RECORDED DISTANCE



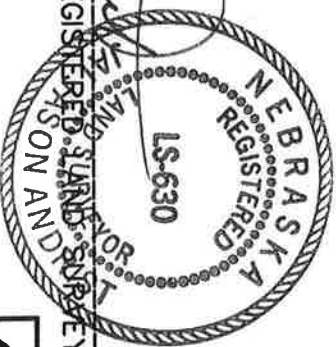
LEGAL DESCRIPTION

A TRACT OF LAND CONSISTING OF PART OF LOT 3 OF CHIEF/WESTGATE SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 24, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER (W1/4 COR.) OF SAID SECTION 24; THENCE ON AN ASSUMED BEARING OF N88°31'16"E A DISTANCE OF 39.98 FEET TO A POINT ON THE EAST RIGHT-OF-WAY (R.O.W.) LINE OF NORTH ROAD, SAID LINE ALSO BEING THE WEST LINE OF SAID CHIEF/WESTGATE SUBDIVISION; THENCE N01°07'41"W ALONG SAID EAST R.O.W. LINE A DISTANCE OF 159.80 FEET TO THE POINT OF INTERSECTION OF SAID EAST R.O.W. LINE AND THE SOUTH R.O.W. LINE OF WESTGATE ROAD, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 3 AND THE POINT OF BEGINNING; THENCE N88°47'19"E ALONG SAID SOUTH R.O.W. LINE A DISTANCE OF 20.00 FEET; THENCE S51°56'56"W A DISTANCE OF 25.02 FEET TO A POINT ON THE EAST R.O.W. LINE OF NORTH ROAD; THENCE N01°07'41"W ALONG SAID EAST R.O.W. LINE A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 150.00 SQUARE FEET MORE OR LESS.

DWG: F:\projects\013-2010\PBIN\Final_Plat\0132010_ROW-WESTGATE.dwg
DATE: Mar 05, 2014 4:43pm XREFS: 0132010-ROW 0132010_XTOPO USER: jjimenez

DAI JASON ANDRIST, NEBRASKA REGISTERED LAND SURVEYOR NO. LS-630
DATE March 5th, 2014



OLSSON
ASSOCIATES

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



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item F-1

#9482 - Consideration of Creation of Sanitary Sewer District No. 532; Westwood Park Subdivision (Second and Final Readings)

Staff Contact: John Collins PE - Public Works Director

Council Agenda Memo

From: Terry Brown, Assistant Public Works Director

Meeting: April 22, 2014

Subject: Consideration of Creation of Sanitary Sewer District No. 532; Westwood Park Subdivision

Item #'s: F-1

Presenter(s): John Collins, Public Works Director

Background

Council action is needed to create a sanitary sewer district. The boundary for the proposed district was selected in order to serve the remainder of the Westwood Park Subdivision (see attached sketch). A petition for sanitary sewer with the above district was circulated in the area and signed by 26 residents.

This same boundary was used for Sanitary Sewer District No. 529 in August 2012, however the lowest bid received at that time was 65% above the engineer's estimate.

Discussion

If the district is created, a notice will be mailed to all affected property owners, a 30-day protest period allowed and an open house meeting held to review the project with property owners. The Public Works Department recommends that the assessments for the district be spread equally across the lots in the district.

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 creation of Sanitary Sewer District No. 532. A ten (10) year assessment period is recommended.

Sample Motion

Move to approve the ordinance.

ORDINANCE NO. 9482

An ordinance creating Sanitary Sewer District No. 532 of the City of Grand Island, Nebraska; defining the boundaries thereof; providing for the laying of sanitary sewer mains in said district; providing for plans and specifications and securing bids; providing for the assessment of special taxes for constructing such sewer and collection thereof; and providing 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. Sanitary Sewer District No. 532 is hereby created for the construction of an eight (8.0) inch sanitary sewer main and appurtenances thereto for Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-One (21), Twenty-Two (22), Twenty-Three (23), Twenty-Four (24), Twenty-Five (25), Twenty-Six (26), Twenty-Seven (27), Twenty-Eight (28), Twenty-Nine (29), Thirty (30), Thirty-One (31), Thirty-Two (32), Thirty-Three (33), Thirty-Four (34), Thirty-Five (35), Thirty-Six (36), Thirty-Seven (37), Thirty-Eight (38), Thirty-Nine (39), Forty (40), Forty-One (41), Forty Two (42), Forty-Three (43), Forty-Four (44), Forty-Five (45), Forty-

Approved as to Form	by _____
April 18, 2014	City Attorney

ORDINANCE NO.9482 (Cont.)

Six (46), Forty-Seven (47), Westwood Park Subdivision in the City of Grand Island, Hall County Nebraska; and Section Fourteen (14), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., Hall County, Nebraska.

SECTION 2. The boundaries of such sanitary sewer district shall be as follows:

Beginning at the northeast corner of Lot 1, Westwood Park Subdivision, then southerly on the east line of Lots 1, 45, 46, 47 and an extension thereof to the southeast corner of Lot 47, thence easterly on an extension of the south line of said Lot 47, Westwood Park Subdivision to a point 33' west of the east line of Section 14-11-10 said point being on the west line of North Road, thence south on the west line of North Road for a distance of 300', thence westerly on a line south of and parallel to the south line of Lots 42 & 47, Westwood Park Subdivision for a distance of 300', thence northerly on a line 300' west of and parallel to the west line of North Road for a distance of 300' to the south line of Lot 42, Westwood Park Subdivision, thence westerly on the southerly line of Lots 41 & 42, Westwood Park Subdivision, to the southwest corner of said Lot 41, Westwood Park Subdivision, said point being on the east line of Lot 36, Westwood Park Subdivision, thence southerly on the east line of Lots 30, 31, 32, 33, 34, 35, & 36, Westwood Park Subdivision to the northwest corner of Lot 28, Westwood Park Subdivision, thence easterly on the north line of Lots 24, 25, 26, 27, & 28, Westwood Park Subdivision, and an extension thereof to a point on the east line of Section 14-11-10, said line also being the east line of Westwood Park Subdivision, thence southerly on the east line of Westwood Park Subdivision to the southeast corner of Westwood Park Subdivision, thence west on the south line of Lots 19, 20, 21, 22, & 23, Westwood Park Subdivision and an extension thereof to the southwest corner of Lot 19, Westwood Park Subdivision, thence north on the west line of Lot 19, Westwood Park Subdivision, to the southeast corner of Lot 18, Westwood Park Subdivision, thence west on the south line of Lot 18, Westwood Park Subdivision, to the east line of Sweetwood Drive, thence southerly on the east line of Sweetwood Drive for a distance of 19', thence westerly on the south line of Lot 17, Westwood Park Subdivision, and an extension thereof to the southwest corner of Lot 17, Westwood Park Subdivision, thence northerly on the west line of Lots 13, 14, 15, 16, & 17, and an extension thereof to the north line of Elmwood Drive, thence easterly on the north line of Elmwood Drive to the southwest corner of Lot 12, Westwood Park Subdivision, thence northerly on the west line of Lot 12, Westwood Park Subdivision, to the northwest corner of Lot 12, Westwood Park Subdivision, thence east on the north line of Lot 12, Westwood Park Subdivision, to the southwest corner of Lot 11, Westwood Park Subdivision, thence northerly on the west line of Lot 10 & 11, and an extension thereof to the northwest corner of Lot 10, Westwood Park Subdivision, thence east on the north line of Lot 10, Westwood Park Subdivision, to the west line of Sweetwood Drive, thence north on the west line of Sweetwood Drive, to the north line of Driftwood Drive, thence east on the north line of Driftwood Drive to the southwest corner of Lot 7, Westwood Park Subdivision,

ORDINANCE NO.9482 (Cont.)

thence north on the west line of Lot 7, Westwood Park Subdivision to the north line of Westwood Park Subdivision, thence easterly on the north line of Westwood Park Subdivision to the point of beginning.

SECTION 3. Said improvement shall be made in accordance with plans and specifications prepared by the Engineer for the City who shall estimate the costs thereof, and submit the same to the City Council, and thereafter, bids for the construction of such sanitary sewer shall be taken and contracts entered into in the manner provided by law.

SECTION 4. The cost of construction of such sanitary sewer main connection district shall be reported to the City Council, and the Council, sitting as a Board of Equalization, shall determine benefits to abutting property by reason of such improvement pursuant to Section 16-6,103, R.R.S. 1943. The special benefits shall not be levied as special assessments but shall be certified by resolution of the City Council to the Hall County Register of Deeds. A connection fee in the amount of the special benefit accruing to each property in the district shall be paid to the City of Grand Island at such time as such property becomes connected to the sanitary sewer main in such district. No property thus benefited by sanitary sewer main improvements shall be connected to the sanitary sewer main until the connection fee is paid.

SECTION 5. This ordinance shall be in force and take effect from and after its passage, approval and publication, without the plat, as provided by law.

SECTION 6. This ordinance, with the plat, is hereby directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 7. After passage, approval and publication of this ordinance, notice of the creation of said district shall be published in the Grand Island Independent, a legal newspaper published and of general circulation in said City, as provided by law.

ORDINANCE NO.9482 (Cont.)

Enacted: April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item F-2

#9483 - Consideration of Amending Chapter 22 of the Grand Island City Code Relative to Parking (Second and Final Readings).

Staff Contact: Steve Lamken - Police Chief

Council Agenda Memo

From: Steven Lamken, Police Chief

Meeting: April 22, 2014

Subject: Consideration of Amending Chapter 22 of the Grand Island City Code Relative to Parking

Item #'s: F-2

Presenter(s): Steven Lamken, Police Chief

Background

The City Council voted to approve changes to Chapter 22 of the City Code relative to parking on April 8, 2014. The Police Department has reviewed the amended changes that were given first vote approval and has concerns regarding requiring the accumulation of five unpaid parking citations before a vehicle could be towed and impounded.

Discussion

The City Council gave first round approval to amendment to Chapter 22 of the City Code relevant to parking. The Council amended Section 22-106 (1) B to require a vehicle to accumulate five unpaid parking citations before it could be towed and impounded.

The Police Department has reviewed this amendment and requests that the Council reconsider the number of unpaid citations before a vehicle could be towed and impounded. We believe that permitting five citations will make any attempt to enact a scofflaw ineffective. It would be very rare that any vehicle would be issued five parking violations in a year or that the vehicle owner would not pay any of the citations. We do not believe that the ordinance as currently written permitting five unpaid parking citations will serve as a deterrent to illegal parking or a deterrent to ignoring citations.

We request the City Council reconsider Section 22-106 (1) B. It's the Grand Island Police Department's opinion to support the initial recommendation of towing and impounding after two unpaid parking citations.

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 amend Section 2-106 (1) B of the City Code to read “Have two (2) or more unpaid overdue parking tickets, or”...

Sample Motion

Move to amend Section 22-106 (1) B of the City Code to read “Have two (2) or more unpaid overdue parking tickets, or”...

ORDINANCE NO. 9483

An ordinance to amend Chapter 22 of Grand Island City Code; to amend Section 22-102; Section 22-104; and Section 22-106; to clarify and/or make general corrections to various code sections, to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 22-102; Section 22-104; and Section 22-106; of the Grand Island City Code is hereby amended to read as follows:

§22-102. Official Police Tag Ticket to Be Issued

Each violator of the parking provisions of this article or Article XII in this chapter shall be given notice in the form of an official police ~~tag~~ ticket attached to the offending motor vehicle, which notice shall require such violator to appear at the police department.

§22-104. Appearance In Response to Police Tag Ticket

Persons receiving police ~~tags~~ tickets for violations of this article or Article XII of this chapter shall have five (5) days from the date on which the official ~~tag~~ ticket was attached to the offending motor vehicle to report in person to the Police Department with said official police ~~tag~~ ticket and pay the amounts set out in §22-103, or to mail the official police ticket and full payment as set out in §22-103 to the Police Department. Further, said persons shall also be in violation of the provisions of this Code and subject to the penalties provided herein.

§22-106. Impounding of Vehicles Generally

(1) Whenever any vehicle is found by a ~~police officer~~ an employee authorized by the Police Department to:

- (A) Be parked, abandoned, or left standing in the streets or alleys of the City in violation of the provisions of this chapter; or
- (B) Have five (5) or more unpaid overdue parking tickets; or
- (C) Be a danger to the public, health, welfare and or safety.

such ~~police officer~~ Police Department employee may remove and convey such vehicle, or cause such vehicle to be removed and conveyed by means of towing or otherwise, to the automobile pound. A ~~police tag shall be attached to such impounded vehicle indicating that such vehicle has been impounded, and directing the owner or operator to appear at the police department.~~ A report documenting the reason for and the towing of the vehicle shall be completed by the Police Department employee and placed in a designated location for such reports. No impounded vehicle shall be ~~discharged~~ released or removed from impoundment prior to the public sale

Approved as to Form	<input type="checkbox"/>	_____
April 10, 2014	<input type="checkbox"/>	City Attorney

ORDINANCE NO. 9483 (Cont.)

provided for in §22-108 except by ~~the~~ payment by the owner, operator, or driver of such impounded vehicle, of all unpaid overdue parking tickets, ~~of~~ an impounding fee as set forth in the User Fee Schedule approved and adopted by the City Council, ~~plus~~ and any towing and storage charge assessed against such automobile as provided for in §22-107. Further, no impounded vehicle shall be released from impoundment without:

(A) The person claiming the vehicle, or another person accompanying them, presenting for inspection a valid driver's license; and

(B) The vehicle being properly registered and insured for operation upon the roadway in accordance with State Statute.

In the event that conditions (A) and (B) above cannot be met, the vehicle may be released to a towing service only after the owner arranges for the vehicle to be towed from the impoundment facility by the towing service and is not operated on the roadway.

(2) When, and if, the owner, operator, or custodian of such automobile presents himself/herself at the Police Department ~~in response to the impoundment notice~~, it shall be the duty of the ~~officer in charge~~ Police Department to inform such person of the nature of the violation for which such vehicle was impounded. In case the owner, driver, or custodian of any impounded vehicle executes an affidavit denying the facts upon which the impoundment has been based, and protesting the payment of such impounding, towing, and storage fees, the receipt for the same shall be marked, "Paid Under Protest," and in such case it shall become the duty of the chief of police to make complaint in conformity with the provisions of this Code, or other ordinances of the City. If such person is found not guilty by the court upon such charges, it shall be the duty of the chief of police to refund to such person the fees so paid under protest.

(3) Neither the owner, lessee, nor occupant of the premises from which any abandoned vehicle shall be removed, nor the City of Grand Island shall be liable for any loss or damage to such vehicle which occurs during its removal or while in the possession of the City or its contractual agent, or as a result of any subsequent disposition.

(4) It shall be the duty of the chief of police, or their designee, to account for any fees collected by ~~him~~ the Police Department under the provisions of this section to the city treasurer, who shall place the same in the police fund. The chief of police, or their designee, shall ~~also~~ keep a record of ~~the name of the owner of~~ each impounded vehicle containing the name of the owner, the registration plate numbers (if any), ~~and~~ the make, ~~and~~ model and year of the vehicle, ~~of each impounded vehicle, as well as the nature of each violation involved and the ultimate disposition of each impoundment~~ impounded vehicle.

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

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

ORDINANCE NO. 9483 (Cont.)

Enacted: April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item F-3

#9484 - Consideration of Vacation of Lots 69, 70, 71 and 84 of Copper Creek Estates Subdivision Second and Final Readings).

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: April 22, 2014

Subject: Request to Vacate Lots 69, 70, 71 and 84 of Copper Creek Estates Subdivision along with all Easements

Item #'s: F-3

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

Background

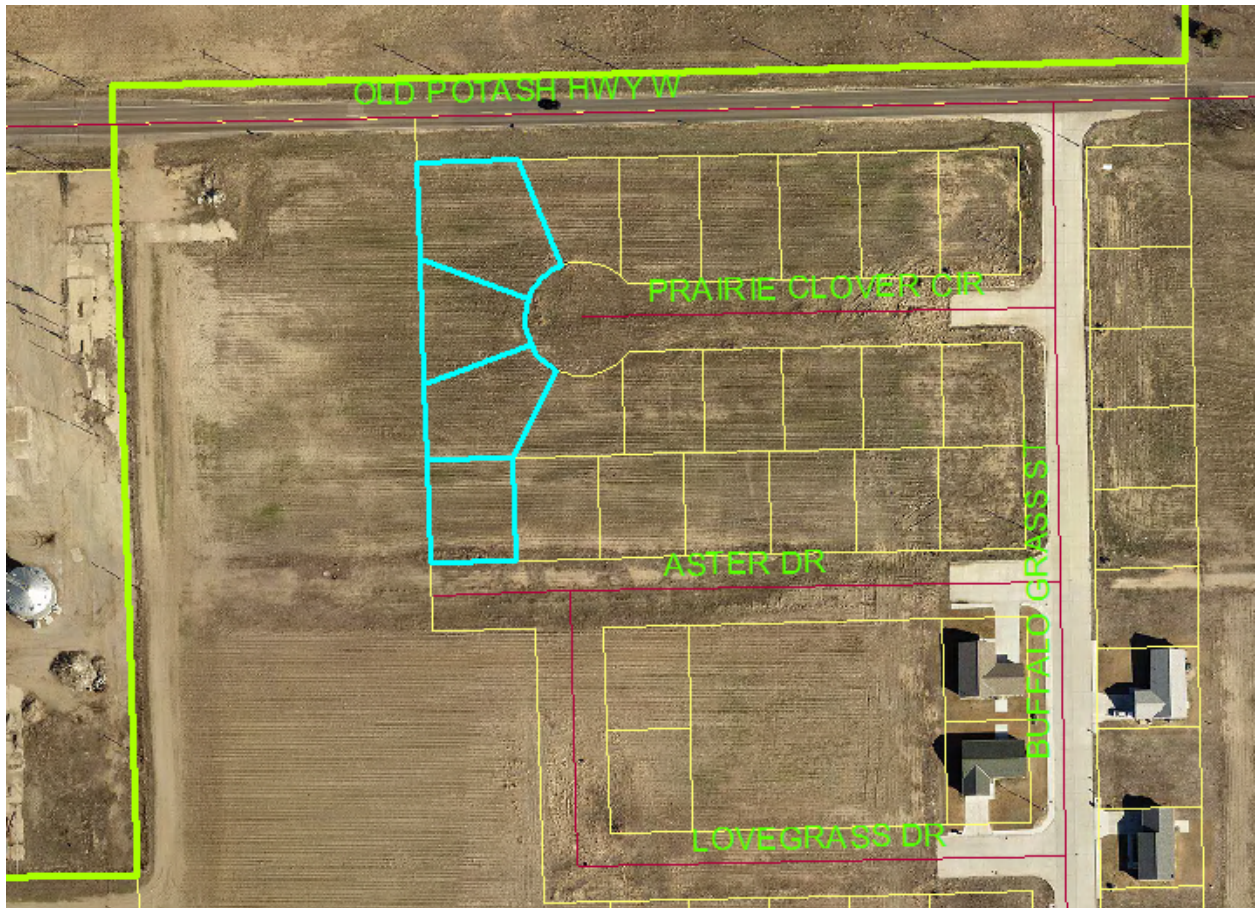
Sean O'Connor with the Guarantee Group LLC., as the owner of the impacted property has requested that the City vacate Lots 69, 70, 71 and 84 of Copper Creek Estates Subdivision and the easements on those lots.

This item was passed on first reading at the April 8, 2014 City Council Meeting.

Discussion

This request was made to facilitate the replatting of this property into Copper Creek 7th Subdivision. Vacating these lots will eliminate any issues with partial lots that would be created by the proposed new Copper Creek 7th Subdivision. Copper Creek 7th Subdivision is up for consideration at this meeting. Vacating and replatting these lots and easements will not result in any issues with installed utilities.

Staff is recommending that Council retain the right-of-way that was dedicated for Aster Drive, Prairie Clover Circle and Old Potash Highway.



Copper Creek Estates Subdivision with Lots 69, 70, 71 and 84 highlighted.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the ordinance to vacate lots 69, 70, 71 and 84 of Copper Creek Estate Subdivision.

Sample Motion

Move to approve as recommended.

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9484

An ordinance to vacate Lots Sixty-Nine (69), Seventy (70), Seventy-One (71) and Eighty-Four (84) of Copper Creek Estates Subdivision in the City of Grand Island, Hall County, Nebraska; to provide for the recording of 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 the plat dated March 7, 2006 and approved by the City of Grand Island, Nebraska, on March 7, 2006 for Lots Sixty-Nine (69), Seventy (70), Seventy-One (71) and Eighty-Four (84) of Copper Creek Estates Subdivision in the City of Grand Island, Hall County, Nebraska; is hereby vacated including all easements dedicated with the plat across said lots but excluding any right-of-way dedicated for Aster Drive, Old Potash Highway and Prairie Clover Circle as shown on the attached "Exhibit A".

Approved as to Form	▣ _____
April 18, 2014	▣ City Attorney

ORDINANCE NO. 9484 (Cont.)

SECTION 2. That the title to the property vacated by Section 1 of this ordinance shall revert to the owner or owners of the real estate abutting the same in proportion to the respective ownership of such real estate.

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

SECTION 4. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 5. 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.

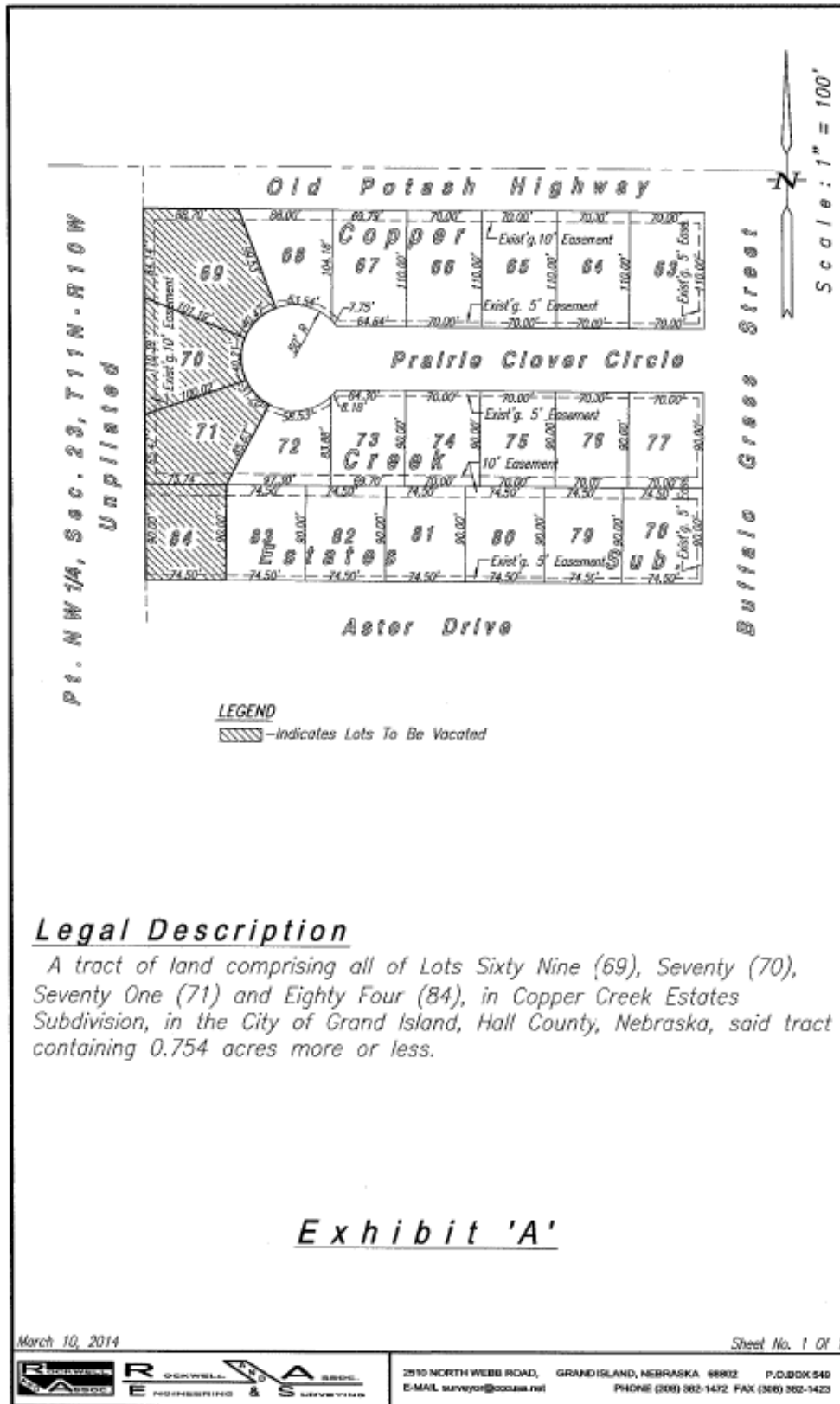
Enacted: April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

ORDINANCE NO. 9484 (Cont.)





City of Grand Island

Tuesday, April 22, 2014

Council Session

Item F-4

#9485 - Consideration of Creation of Sanitary Sewer District No. 533; Lots 1, 2, 21 & 22, all in Block 5 of Valley View Subdivision

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

Council Agenda Memo

From: Terry Brown, Manager of Engineering Services

Meeting: April 22, 2014

Subject: Consideration of Creation of Sanitary Sewer District No. 533; Lots 1, 2, 21 & 22, all in Block 5 of Valley View Subdivision

Item #'s: F-4

Presenter(s): John Collins, Public Works Director

Background

Council action is needed to create a sanitary sewer district. The boundary for the proposed district was selected in order to serve the remainder of the Valley View Subdivision (see attached sketch). A petition for sanitary sewer with the above district was signed by 1 of the 2 property owners.

Discussion

If the district is created, a notice will be mailed to all affected property owners, a 30-day protest period allowed and an open house meeting held to review the project with property owners. The Public Works Department recommends that the assessments for the district be spread equally across the lots in the district.

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 creation of Sanitary Sewer District No. 533. A ten (10) year assessment period is recommended.

Sample Motion

Move to approve the ordinance.



CITY OF
GRAND ISLAND
 PUBLIC WORKS DEPARTMENT

DATE: 4/14/14
 DRAWN BY: KJK
 SCALE 1" = 200'

SANITARY SEWER DISTRICT 533
 SUNSET AVENUE

ORDINANCE NO. 9485

An ordinance creating Sanitary Sewer District No. 533 of the City of Grand Island, Nebraska; defining the boundaries thereof; providing for the laying of sanitary sewer mains in said district; providing for plans and specifications and securing bids; providing for the assessment of special taxes for constructing such sewer and collection thereof; and providing 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. Sanitary Sewer District No. 533 is hereby created for the construction of an eight (8.0) inch sanitary sewer main and appurtenances thereto for Lots One (1), Two (2), Twenty-One (21), and Twenty-Two (22), all in Block Five (5), Valley View Subdivision in the City of Grand Island, Hall County Nebraska.

SECTION 2. Said improvement shall be made in accordance with plans and specifications prepared by the Engineer for the City who shall estimate the costs thereof, and submit the same to the City Council, and thereafter, bids for the construction of such sanitary sewer shall be taken and contracts entered into in the manner provided by law.

Approved as to Form	▣ _____
April 18, 2014	▣ City Attorney

ORDINANCE NO. 9485 (Cont.)

SECTION 3. The cost of construction of such sanitary sewer main connection district shall be reported to the City Council, and the Council, sitting as a Board of Equalization, shall determine benefits to abutting property by reason of such improvement pursuant to Section 16-6,103, R.R.S. 1943. The special benefits shall not be levied as special assessments but shall be certified by resolution of the City Council to the Hall County Register of Deeds. A connection fee in the amount of the special benefit accruing to each property in the district shall be paid to the City of Grand Island at such time as such property becomes connected to the sanitary sewer main in such district. No property thus benefited by sanitary sewer main improvements shall be connected to the sanitary sewer main until the connection fee is paid.

SECTION 4. This ordinance shall be in force and take effect from and after its passage, approval and publication, without the plat, as provided by law.

SECTION 5. This ordinance, with the plat, is hereby directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 6. After passage, approval and publication of this ordinance, notice of the creation of said district shall be published in the Grand Island Independent, a legal newspaper published and of general circulation in said City, as provided by law.

Enacted: April 22,2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-1

Approving Minutes of April 8, 2014 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

April 8, 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 April 8, 2014. Notice of the meeting was given in *The Grand Island Independent* on April 2, 2014.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following City Council members were present: Linna Dee Donaldson, Chuck Haase, Julie Hehnke, John Gericke, Mark Stelk, Mike Paulick, and Vaughn Minton. Councilmembers Kent Mann, Mitch Nickerson, and Peg Gilbert were absent. 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 Pastor John Hayes, Grace Baptist Church, 1115 South Vine Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Jimmy Riley and board member Craig Garrett.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Child Abuse Prevention Month" April 2014. Mayor Vavricek proclaimed the month of April, 2014 as "Child Abuse Prevention Month". Yolanda Nuncio and Donna Helzer were present to receive the proclamation.

Recognition of Project Hunger for their Easter Basket Extravaganza, April 12, 2014. Mayor Vavricek and the City Council recognized the volunteers of Project Hunger for their 18th annual Easter Basket Extravaganza to be held at the Conestoga Mall on Saturday, April 12, 2014. Doug Winder, Jay Wren, and Jan Vavricek were present for the recognition on behalf of Project Hunger.

Recognition of the Nebraska State Fair. Mayor Vavricek and the City Council recognized the Nebraska State Fair. Ken Gnadl presented an aerial picture of the Nebraska State Fair from September 1, 2013. Janet Krueger, President of the Nebraska State Fair Board of Directors thanked the Council and citizens for all their hard work in hosting the Nebraska State Fair. Joseph McDermott presented to the City of Grand Island with a check in the amount of \$100,000.00 to be used toward the Grand Vision Plan.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement Located at 3120 W. Old Potash Highway (Kenneth and Mary Brand). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 3120 W. Old Potash Highway 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 three-phase pad-mounted transformer. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3112 W. Old Potash Highway (Robert and Lois Walker, Trustees). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 3112 W. Old Potash Highway 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 three-phase pad-mounted transformer. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3200 West Bachman Street in Wilson Concrete Subdivision (Wilson Concrete Company). Public Works Director John Collins reported that acquisition of a utility easement located at 3200 West Bachman Street was needed in order to construct 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.

Public Hearing on Acquisition of Public Right-of-Way in Section 24, Township 11 North, Range 10 (Little B's Corporation). Public Works Director John Collins reported that acquisition of a public right-of-way located in Section 24, Township 11 North, Range 10 was needed in order to construct Street Improvement District No. 1261; Westgate Road – North Road east to paved section of Westgate Road. Staff recommended approval. No public testimony was heard.

ORDINANCES:

#9482 - Consideration of Creation Sanitary Sewer District No. 532; Westwood Park Subdivision

Public Works Director John Collins reported that Council action was needed in order to create Sanitary Sewer District No. 532. A petition was received signed by 26 residents of the Westwood Park Subdivision. A ten year assessment period was recommended.

Motion by Haase, second by Paulick to approve Ordinance #9482 on first reading only. Upon roll call vote, all voted aye. Motion adopted.

#9483 - Consideration of Amending Chapter 22 of the Grand Island City Code Relative to Parking

Police Chief Steve Lamken reported that amendments to Chapter 22 would update language in code, make provisions for the towing of vehicles that create a safety concern, create a provision for towing a vehicle that has unpaid parking tickets issued to it and to formalize the standards for the release of vehicles from impoundment.

Motion by Haase, second by Donaldson to approve Ordinance #9483 on first reading only.

Comments were made regarding towing cars after 2 tickets and it being too stringent. It was mentioned that the statute of limitations for parking tickets was one year.

Motion by Haase, second by Gericke to amend the 2 unpaid parking tickets to 5 unpaid parking tickets. Upon roll call vote, Councilmembers Paulick, Stelk, Gericke, Hehnke, and Haase voted aye. Councilmembers Minton and Donaldson voted no. Mayor Vavricek cast the 6 sixth and deciding vote in support. Motion adopted.

Discussion was held regarding snow routes. Chief Lamken stated there were ordinances that had specific language to deal with other issues such as this. Mentioned was booting vehicles in the downtown area as had been done in the past. Chief Lamken did not recommend using a boot as they could damage cars and the Police Department no longer had a boot.

Upon roll call vote of the main motion, Councilmembers Minton, Stelk, Gericke, Hehnke, Haase, and Donaldson voted aye. Councilmember Paulick voted no. Motion adopted.

#9484 - Consideration of Vacation of Lots 69, 70, 71 and 84 of Copper Creek Estates Subdivision

Regional Planning Director Chad Nabity reported that Sean O'Connor with the Guarantee Group LLC as owner, requested the City vacate Lots 69, 70, 71 and 84 of Copper Creek Estates Subdivision and the easements on those lots. This request would facilitate the replatting of this property into Copper Creek 7th Subdivision.

Motion by Haase, second by Minton to approve Ordinance #9484 on first reading only. Upon roll call vote, all voted aye. Motion adopted.

CONSENT AGENDA: Consent Agenda item G-12 was removed to the April 22, 2014 meeting as it related to Ordinance #9484. Motion by Haase, second by Minton to approve the Consent Agenda excluding item G-12. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of March 25, 2014 City Council Regular Meeting.

Approving Minutes of April 1, 2014 City Council Study Session.

#2014-73 – Approving Acquisition of Utility Easement located at 3120 West Old Potash Highway (Kenneth and Mary Brand).

#2014-74 – Approving Acquisition of Utility Easement located at 3112 West Old Potash Highway (Robert and Lois Walker, Trustees).

#2014-75 – Approving Bid Award for Water Main Project 2014-W-5 – Airport Road & Academy Drive with The Diamond Engineering Company of Grand Island, NE in an Amount of \$258,295.99.

#2014-76 – Approving Acquisition of Utility Easement located at 3200 West Bachman Street in Wilson Concrete Subdivision (Wilson Concrete Company).

#2014-77 – Approving Interlocal Cooperative Agreement with Hall County for Use of a County Road for the Various Locations in Grand Island (Resurfacing) Project.

#2014-78 – Approving Change Order No. 1 for Fire Station No. 4 (3690 West State Street) & Fire Station No. 3 (2310 South Webb Road) Concrete Pavement Replacement – 2013 with The Diamond Engineering Company of Grand Island, NE for an Increase of \$1,435.00 and a Revised Contract Amount of \$101,239.00.

#2014-79 – Approving Temporary Construction Easement for Street Improvement District No. 1260; Webb Road (Wilson Concrete Company) in an Amount of \$7,790.00.

#2014-80 – Approving Acquisition of Public Right-of-Way in Section 24, Township 11 North, Range 10 (Little B's Corporation).

#2014-81 – Approving Purchase of a New Front-End Loader for the Streets Division of the Public Works Department from Ziegler Inc. of Minnesota in an Amount of \$170,920.00.

#2014-82 – Approving Final Plat and Subdivision Agreement for Copper Creek Estates 7th Subdivision. This item was removed from the agenda at the request of Regional Planning Director Chad Nabity and will be brought back to the April 22, 2014 Council meeting as it was related to Ordinance #9484.

RESOLUTION:

#2014-83 - Consideration of Approving Contract for Grandeur Vision Plan. Mayor Vavricek reported that a task force had been formed to explore a community wide Visioning process for Grand Island/Hall County. Seven Requests for Proposals were received and reviewed. After contract negotiations had been held it was recommended to hire Design Workshop, Inc. of Denver, Colorado in an amount not-to-exceed \$103,210. Mayor stated the \$100,000 from the Nebraska State Fair for the Grandeur Vision Plan had been obtained and no tax payer dollars would be used.

The following people spoke in support:

- Hall County Board Supervisor Pam Lancaster, 2809 Apache Road
- Ray O'Connor, 611 Fleetwood Road
- Ken Gnadt, 1610 Gretchen Avenue

Kim Jensen, 2207 Woodridge Lane read a statement on behalf of her husband, Jeremy Jensen. He requested this vote not take place until after the Primary Election and that the Mayoral candidates serve on the steering committee.

Randy Gard, president of the Grand Island Area Economic Development Corporation (EDC) was present to answer questions regarding the EDC, Chamber of Commerce, and Convention Visitors Bureau business plan.

Comments were made regarding the process and funding through the budget. Mentioned was the importance of supporting both projects and to work simultaneously. City Administrator Mary Lou Brown stated the city project was a grass roots broad look and would cross over with the business plan.

Cindy Johnson, president of the Chamber of Commerce explained that Market Street was hired to do the business plan for EDC, Chamber of Commerce, and Convention Visitors Bureau. She stated there would be involvement from city staff and there would be duplication of the two plans. The city's plan was more extensive.

Mayor Vavricek commented on the private donations and that if the amount was over \$100,000 and there were not enough donations, he would pay it out of his pocket. He stated no tax payer money would be used for this project. Finance Director Jaye Monter stated donations would be receipted into Special Revenue Fund 295.

Motion by Haase, second by Minton to approve Resolution #2014-83. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Gericke, second by Hehnke to approve the Claims for the period of March 26, 2014 through April 8, 2014, for a total amount of \$4,601,511.11. Unanimously approved.

ADJOURN TO EXECUTIVE SESSION: Motion by Paulick, second by Hehnke to adjourn to Executive Session at 8:35 p.m. for the purpose of a strategy session with respect to labor negotiations with IAFF Local 647. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Minton, second by Gericke to return to Regular Session at 9:05 p.m. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:05 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-2

**Receipt of Official Documents – Pawnbroker’s Official Bonds for
G.I. Loan Shop, 1004 West 2nd Street and Express Pawn, 645
South Locust Street**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk
Meeting: April 22, 2014
Subject: Approving Renewal of Pawnbrokers Official Bond
Item #'s: G-2
Presenter(s): RaNae Edwards, City Clerk

Background

Chapter 25 of the Grand Island City Code requires that all persons who shall engage in the business of pawnbroker are required to make application to the Mayor and City Council. Along with the application and fee, a bond is required which is to be approved by the Mayor and City Council. Each license expires on April 30th of each year and must be renewed prior to that date.

Discussion

G.I. Loan Shop, 1004 West Second Street and Express Pawn, 645 South Locust Street has submitted their application, fee, and bond for renewal of their pawnbroker's license. (See attached)

Alternatives

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

1. Move to approve the renewals
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 application and bond for renewal of pawnbroker's license.

Sample Motion

Move to approve the renewal applications and bonds for G.I. Loan Shop, 1004 West 2nd Street and Express Pawn, 645 South Locust Street.



Pawnbroker's License Application

Business Owner Name: Darbo Beazley
Business Owner Address: 1810 Hwy 58 Dannebrog Ne 68831
Business Manager Name: Patricia Beazley
Business Manager Address: 1810 Hwy 58 Dannebrog Ne 68831
Business Street Address: 1004 W 2nd Grand Island, Ne 68801
Telephone: 308-382-9573

Location of storage of goods if kept at location other than business location:

List all criminal convictions (except minor traffic infractions) of owner, manager, or all officers and shareholders (if applicant is a corporation):

Offense	Location of Court	Conviction Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

If additional space is required, continue on back of the application.

Additional Documents Required:

1. All applicants must include bond to the City of Grand Island in the sum of \$5,000 with the application.
2. All corporate applicants must attach a copy of Articles of Incorporation and list of officers/shareholders.

All licenses expire on April 30th of each year. The City of Grand Island requires payment of an occupation tax in the amount of \$100.00 when the license is issued as well as a license fee in the amount of \$100.00 for a total of \$200.00.

All licenses are subject to approval and issuance by the City Council. Be sure you are familiar with the City Code and State Statutes pertaining to pawnbrokers.

Bond Continuation Certificate

Nationwide Mutual Insurance Company, hereinafter called Company, in consideration of an Agreed Premium hereby continues in force Bond Number 7900369972

Bond Description Pawn Broker

in the sum of \$ 5,000.00

on behalf of G I Loan Shop, Inc.

1004 W 2nd

Grand Island NE 68802

in favor of City of Grand Island

for the extended term beginning 12:00:00 a.m. May 1, 2014

and ending 11:59:59 p.m. April 30, 2015

subject to all terms, conditions and limitations contained in the original bond.

This continuation certificate is executed upon the express condition that the Company's liability under the bond and all continuation certificates issued shall not be cumulative and shall in no event exceed in the aggregate the largest single amount stated on the original bond, any rider attached thereto, of any continuation certificate.

SIGNED, SEALED AND DATED 5 / 1 / 2014

NATIONWIDE MUTUAL INSURANCE COMPANY

By: _____



Stephen S. Rasmussen, President

Continuation Certificate
The Original Certificate is to be filed with the Obligee Named.



Pawnbroker's License Application

Business Owner Name: Express Pawn, Inc.

Business Owner Address: 11550 I Street, Suite 150 Omaha, NE 68137

Business Manager Name: Anthony Espinoza

Business Manager Address: 921 S Locust Grand Island, NE 68801

Business Street Address: 645 S Locust Grand Island, NE 68801

Telephone: (308) 646-0878

Location of storage of goods if kept at location other than business location:

N/A

List all criminal convictions (except minor traffic infractions) of owner, manager, or all officers and shareholders (if applicant is a corporation):

Offense	Location of Court	Conviction Date
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

If additional space is required, continue on back of the application.

Additional Documents Required:

1. All applicants must include bond to the City of Grand Island in the sum of \$5,000 with the application.
2. All corporate applicants must attach a copy of Articles of Incorporation and list of officers/shareholders.

All licenses expire on April 30th of each year. The City of Grand Island requires payment of an occupation tax in the amount of **\$100.00** when the license is issued **as well as** a license fee in the amount of **\$100.00**.

All licenses are subject to approval and issuance by the City Council. Be sure you are familiar with the City Code and State Statutes pertaining to pawnbrokers.



SURETY RIDER

- ☒ OLD REPUBLIC SURETY COMPANY
☐ OLD REPUBLIC INSURANCE COMPANY
☐ BITUMINOUS CASUALTY
☐ OLD REPUBLIC GENERAL INSURANCE CORPORATION

TO BE ATTACHED TO AND FORM PART OF

Pawnbroker's License

(Type of bond)

Bond Number W150105461

IN FAVOR OF City of Grand Island; 100 East 1st Street; Grand Island, NE 68801
(Obligees)

ON BEHALF OF Wyoming Financial Lenders, Inc. D/B/A Payday Express
(Principal)

EFFECTIVE 09/20/11

(Original Effective Date)

IT IS AGREED THAT, in consideration of the original premium charged for this bond, and any additional premium that may be properly chargeable as a result of this rider,

1. The Surety hereby gives its consent to:

☐ INCREASE

☒ CHANGE THE NAME OF THE PRINCIPAL

☐ DECREASE

☐ CHANGE THE ADDRESS OF THE PRINCIPAL

☐ CHANGE THE EFFECTIVE DATE

☐ CHANGE THE EXPIRATION DATE

☐ OTHER _____

(of) the attached bond

FROM: Wyoming Financial Lenders, Inc. D/B/A Payday Express

TO: Wyoming Financial Lenders, Inc. D/B/A Express Pawn

EFFECTIVE: 04/06/12

2. PROVIDED, however, that this attached bond shall be subject to all its agreements, limitations, and considerations except as herein expressly modified, and that the liability of the Surety under the attached bond and under the attached bond as changed by this rider shall not be cumulative.

3. Signed and sealed this 6th day of April, 2012.

ACCEPTED BY:

Old Republic Surety Company

SURETY

By: Mary L. Hansen

(TITLE)

Mary L. Hansen

ATTORNEY-IN-FACT

ORSC 22381 (1/93)



Old Republic Surety Company

BOND NO. W150105461

LICENSE BOND

KNOW ALL MEN BY THESE PRESENTS, That we Wyoming Financial Lenders, Inc. D/B/A Payday Express
645 South Locust Grand Island, NE 68801

as Principal, and Old Republic Surety Company organized under the laws of the state of
Wisconsin, as Surety, are held and firmly bound unto
City of Grand Island, NE

as Oblige in the sum of Five Thousand Dollars (\$5,000.00)
lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors, administrators,
successors and assigns, jointly and severally, firmly, by these presents.

WHEREAS, the said Principal has applied to said Oblige for a license to or permit as a
Pawnbroker's License

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the said Principal shall indemnify said Oblige against
all loss which the Oblige may be subject by reason of said Principal's non-compliance caused by said Principal's breach of any ordinance,
rule or regulation relating thereto, then the above obligation shall be void, otherwise to be and remain in full force and effect.

This obligation may be canceled by said Surety by giving thirty (30) days notice in writing of its intention to do so to said Oblige;
and provided further, that nothing herein shall affect any rights or liabilities which shall have accrued under this bond prior to the date
of termination; and the said Surety shall be relieved of any further liability under this bond thirty (30) days after receipt of said notice
by the said Oblige.

The term of this bond is for a period commencing September 20, 2011
and terminating September 20, 2014 provided, however, this bond may
be continued from year to year by continuation certificate executed by said Surety.

Signed, sealed and dated the 20th day of September, 2011.

Wyoming Financial Lenders, Inc. D/B/A Payday Express

Principal

By [Signature]



Old Republic Surety Company

By [Signature]

Andrew C Bassett

Attorney-in-fact

ORSC 22427 (11-93)



POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock insurance corporation, does make, constitute and appoint:
Andrew C Bassett Of HASTINGS, NE

its true and lawful Attorney(s)-in-Fact, with full power and authority, not exceeding \$10,000,000, for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, *(other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, asbestos abatement contract bonds, waste management bonds, hazardous waste remediation bonds or black lung bonds)*, as follows: Effective Date: 9/20/2011 12:00:00 AM

Bond Number: W150105461

Bond Amount: Five Thousand Dollars (\$5,000.00)

Principal Name: Wyoming Financial Lenders, Inc. D/B/A Payday Express

Obligee Name: City of Grand Island of Grand Island, NE

and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a special meeting held on February 18, 1982.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18, 1982.

RESOLVED that the president, any vice president or assistant vice president, in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
- (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or
- (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

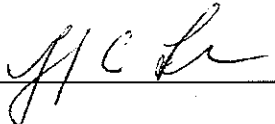
RESOLVED FURTHER that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 20th day of September, 2011

OLD REPUBLIC SURETY COMPANY


Assistant Secretary




Gerald C. Leach

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 20th day of September, 2011, personally came before me, Gerald C. Leach and Rick A. Johnson, to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say: that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.




Notary Public

My Commission Expires: 12/2/2012 12:00:00 AM

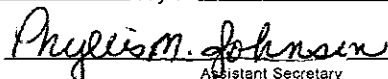
CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

0405437



Signed and sealed at the City of Brookfield, WI this 20th day of September, 2011


Assistant Secretary

ORSC 22262 (3-06)

ELLERBROCK-NORRIS, INC.

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock insurance corporation, does make, constitute and appoint:

BRIAN K. BASSETT, MARY L. HANSEN, ANDY BASSETT, BENJAMIN J. KOHLER, TRACY L. PRITCHARD, GARY M. JANISCH, JON C. JACKSON, RONNETT M. KITTEN, CHAD M. BEEZLEY OF HASTINGS, NE

its true and lawful Attorney(s)-in-Fact, with full power and authority, not exceeding \$20,000,000, for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, (other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, asbestos abatement contract bonds, waste management bonds, hazardous waste remediation bonds or black lung bonds), as follows:

ALL WRITTEN INSTRUMENTS IN AN AMOUNT NOT TO EXCEED AN AGGREGATE OF ONE MILLION DOLLARS (\$1,000,000) ----- FOR ANY SINGLE OBLIGATION, REGARDLESS OF THE NUMBER OF INSTRUMENTS ISSUED FOR THE OBLIGATION.

and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This document is not valid unless printed on colored background and is multi-colored. This appointment is made under and by authority of the board of directors at a special meeting held on February 18, 1982. This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18, 1982.

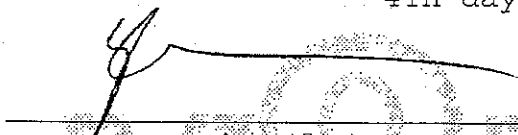
RESOLVED that, the president, any vice-president, or assistant vice president in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER, that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
- (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or
- (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

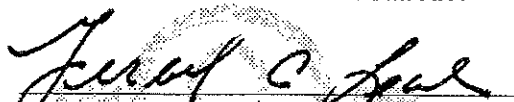
RESOLVED FURTHER, that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 4TH day of OCTOBER, 2011.


 Assistant Secretary

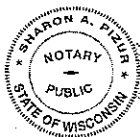


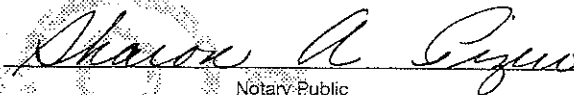
OLD REPUBLIC SURETY COMPANY


 President

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 4TH day of OCTOBER, 2011, personally came before me, GERALD C. LEACH and RICK A. JOHNSON to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say: that they are said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.




 Notary Public

My commission expires: 12/02/2012

CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

40-5437



Signed and sealed at the City of Brookfield, WI this 6th day of April, 2012


 Assistant Secretary

ELLERBROCK-NORRIS, INC.

THIS DOCUMENT HAS A COLORED BACKGROUND AND IS MULTI-COLORED ON THE FACE. THE COMPANY LOGO APPEARS ON THE BACK OF THIS DOCUMENT AS A WATERMARK. IF THESE FEATURES ARE ABSENT, THE DOCUMENT IS NOT VALID.



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-3

Approving Liquor Manager Designation for Henry Polak, 1316 North Lafayette with J-Boy's Seven Seas Lounge, 2332 North Broadwell Avenue

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: April 22, 2014

Subject: Request from Henry Polak, 1316 North Lafayette for Liquor Manager Designation with J-Boy's Seven Seas Lounge, 2332 North Broadwell Avenue

Item #'s: G-3

Presenter(s): RaNae Edwards, City Clerk

Background

Henry Polak, 1316 North Lafayette has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with J-Boy's Seven Seas Lounge 2332 North Broadwell Avenue Class "C-13059 Liquor License. Also submitted with the application was a Certificate of Achievement for a Responsible Beverage Service Training program completed by Mr. Polak.

This application has been reviewed by the Police Department and City Clerk's Office.

Discussion

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all liquor manager designations. All departmental reports have been received. See attached Police Department report.

Alternatives

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

1. Approve the requests.
2. Forward the requests with no recommendation.
3. Take no action on the requests.

Recommendation

City Administration recommends that the Council approve the request for Liquor Manager Designation.

Sample Motion

Move to approve the request from Henry Polak, 1316 North Lafayette for Liquor Manager Designation in conjunction with the Class "C-13059" Liquor License for J-Boy's Seven Seas Lounge, 2332 North Broadwell Avenue.

04/14/14
14:31

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 1

City : Grand Island
Occurred after : **:**:** **/**/****
Occurred before : **:**:** **/**/****
When reported : 08:00:00 04/08/2014
Date disposition declared : 04/10/2014
Incident number : L14040968
Primary incident number :
Incident nature : Liquor Lic Inv Liquor Lic Inv
Incident address : 2332 Broadwell Ave N
State abbreviation : NE
ZIP Code : 68803
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 : 1326
Long-term call ID :
Clearance Code : CL CL Case Closed
Judicial Status : NCI Non-criminal Incident
=====

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	63343	04/14/14	J-Boys Lounge,	Business
Involved				
NM	134043	04/14/14	Polak, Henry G	Liquor Manager

LAW INCIDENT CIRCUMSTANCES:

Se Circu	Circumstance code	Miscellaneous
1	LT03	LT03 Bar/Night Club

LAW INCIDENT NARRATIVE:

Henry Polak is Requesting to be the Liquor Manager at J-Boy's Lounge & Package Store.

LAW INCIDENT OFFENSES DETAIL:

Se Offe	Offense code	Arson Dama
---------	--------------	------------

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 13:39:07 04/14/2014

318

Grand Island Police Department
Supplemental Report

Date, Time: Mon Apr 14 13:39:18 CDT 2014
Reporting Officer: Vitera
Unit- CID

Henry Polak is requesting to be the liquor manager at J-Boy's Lounge and Package Store. According to his application, Henry has lived in Grand Island since 1982 and has no criminal record. I checked Spillman and NCJIS and only found a citation in 1997 for Violating Motor Carrier Safety Regulations. I checked Henry through a law enforcement-only database and didn't find anything detrimental to his application. I also did a general Internet check on Henry and didn't find anything. I checked Henry for warrants and checked on his driver's license status. He has a valid license, and no warrants for his arrest.

Based upon the information in Henry's application and the searches I conducted, I can't find anything that would preclude Henry from becoming the liquor manager at J-Boy's Lounge and Package Store. The Grand Island Police Department does not object to Henry's application.



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-4

**#2014-82 - Approving Final Plat and Subdivision Agreement for
Copper Creek Estates 7th Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: April 22, 2014

Subject: Copper Creek Estates 7th Subdivision – Final Plat

Item #'s: G-4

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

Background

This property is located west of North Road and south of Old Potash Hwy., in the City of Grand Island, in Hall County, Nebraska. It Consists of (31 Lots) and 5.85 acres.

Discussion

The plat for Copper Creek Estates 7th Subdivision Final Plat was considered by the Regional Planning Commission at the April 2, 2014 meeting.

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

A roll call vote was taken and the motion passed with 9 members present and voting in favor (Connick, O'Neill, Ruge, Reynolds, Heckman, Haskins, Vincent, 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:

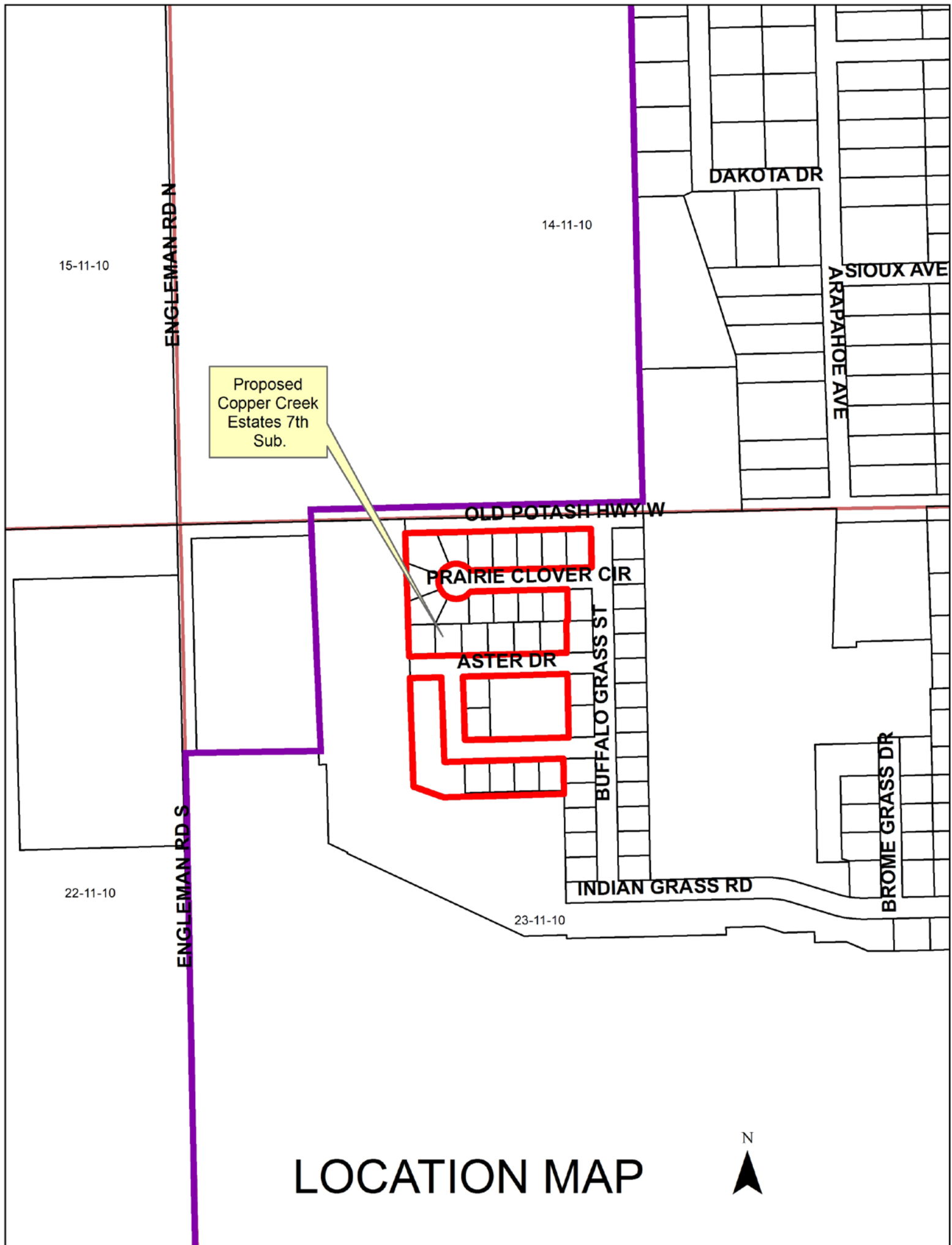
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve as recommended.



The Guarantee Group, LLC
Developer/Owner

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

To create 31 lots located west of North Road and south of Old Potash Hwy., in the City of Grand Island, in Hall County, Nebraska.

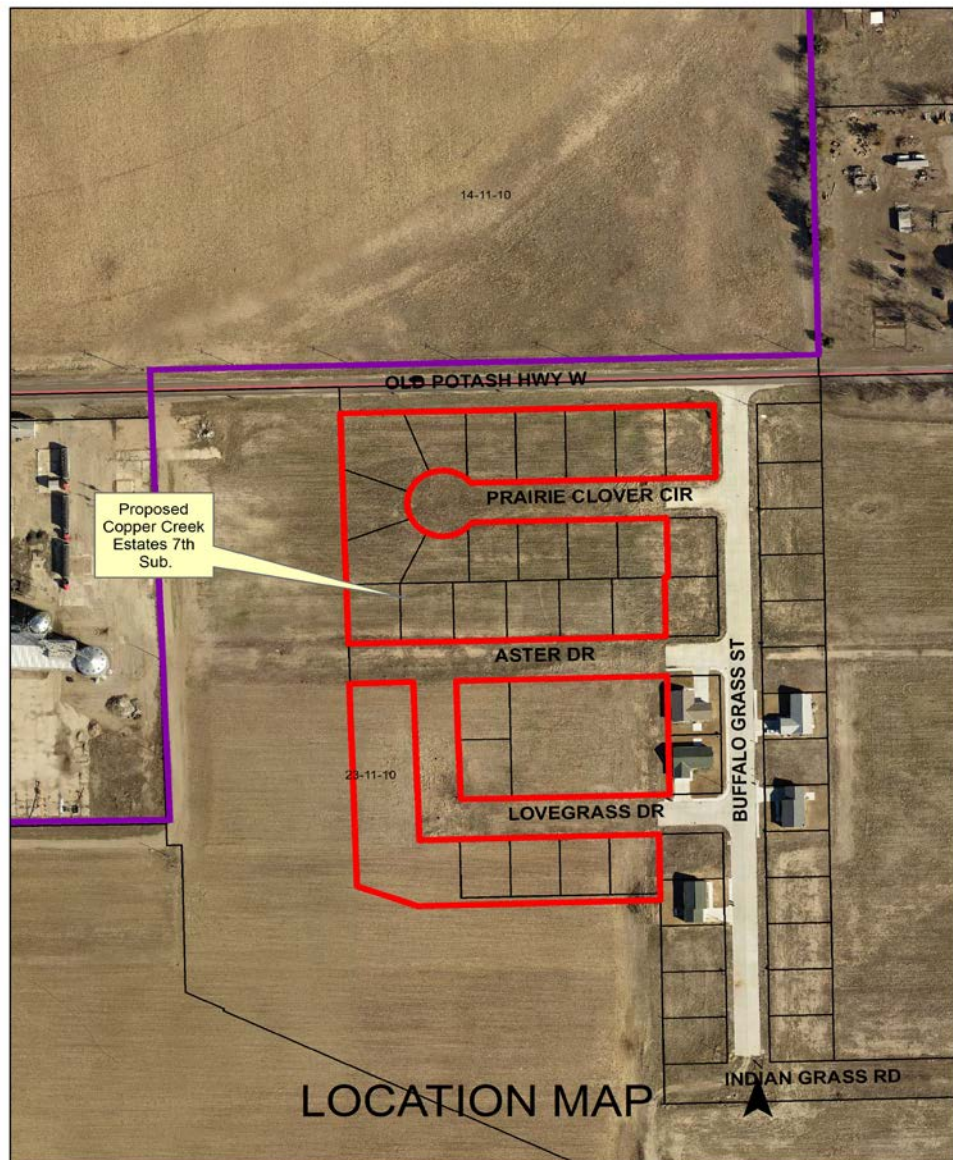
Size: 5.85 acres

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.



RESOLUTION 2014-82

WHEREAS The Guarantee Group, LLC, being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "COPPER CREEK ESTATES SEVENTH SUBDIVISION", to be laid out into 31 lots, on a tract of land comprising all of Lots Sixty Three (63) thru Sixty Eight (68), Part of Vacated Lots Sixty Nine (69) thru Seventy One (71), Lots Seventy Two (72) thru Seventy Six (76), Lots Seventy Nine (79) thru Eighty Three (83), Part of Vacated Lot Eighty Four (84), Lots Eighty Five (85) and Eighty Six (86), Lots Eighty Nine (89) thru Ninety Two (92) and Outlot 'C', Copper Creek Estates Subdivision along with a part of the Northwest Quarter (NW1/4), all in Section Twenty Three (23), Township Eleven (11) North, Range Ten (10) West of the 6th 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 SEVENTH 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, April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
April 18, 2014	▣ City Attorney



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-5

**#2014-84 - Approving Acquisition of Utility Easement - North of
Fonner Park Road between Adams Street and Lincoln Avenue -
Chief Fabrication, LLC**

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

Staff Contact: Tim Luchsinger, Utilities Director

RESOLUTION 2014-84

WHEREAS, a public utility easement is required by the City of Grand Island from Chief Fabrication, LLC, to survey, construct, inspect, maintain, repair, replace, relocate, extend, remove, and operate thereon, public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on April 22, 2014, for the purpose of discussing the proposed acquisition of a twenty foot wide easement located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

Commencing at the southeast corner of Lot One (1) Chief Fab Second Subdivision in the City of Grand Island, Hall County, Nebraska; thence northerly along the easterly line of said Lot One (1), a distance of one hundred forty eight and ninety five hundredths (148.95) feet to the ACTUAL Point of Beginning; thence deflecting left 78°56'36" and running in a northwesterly direction, a distance of sixty two (62.0) feet to the point of termination. The side lines of the above described tract shall be prolonged or shortened as required to terminate on the easterly line of said Lot One (1) Chief Fab Second Subdivision.

The above-described easement tracks and right-of-ways containing 0.028 acres, more or less, as shown on the plat dated 3/28/2014, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Chief Fabrication, on the above-described tract of land.

- - -

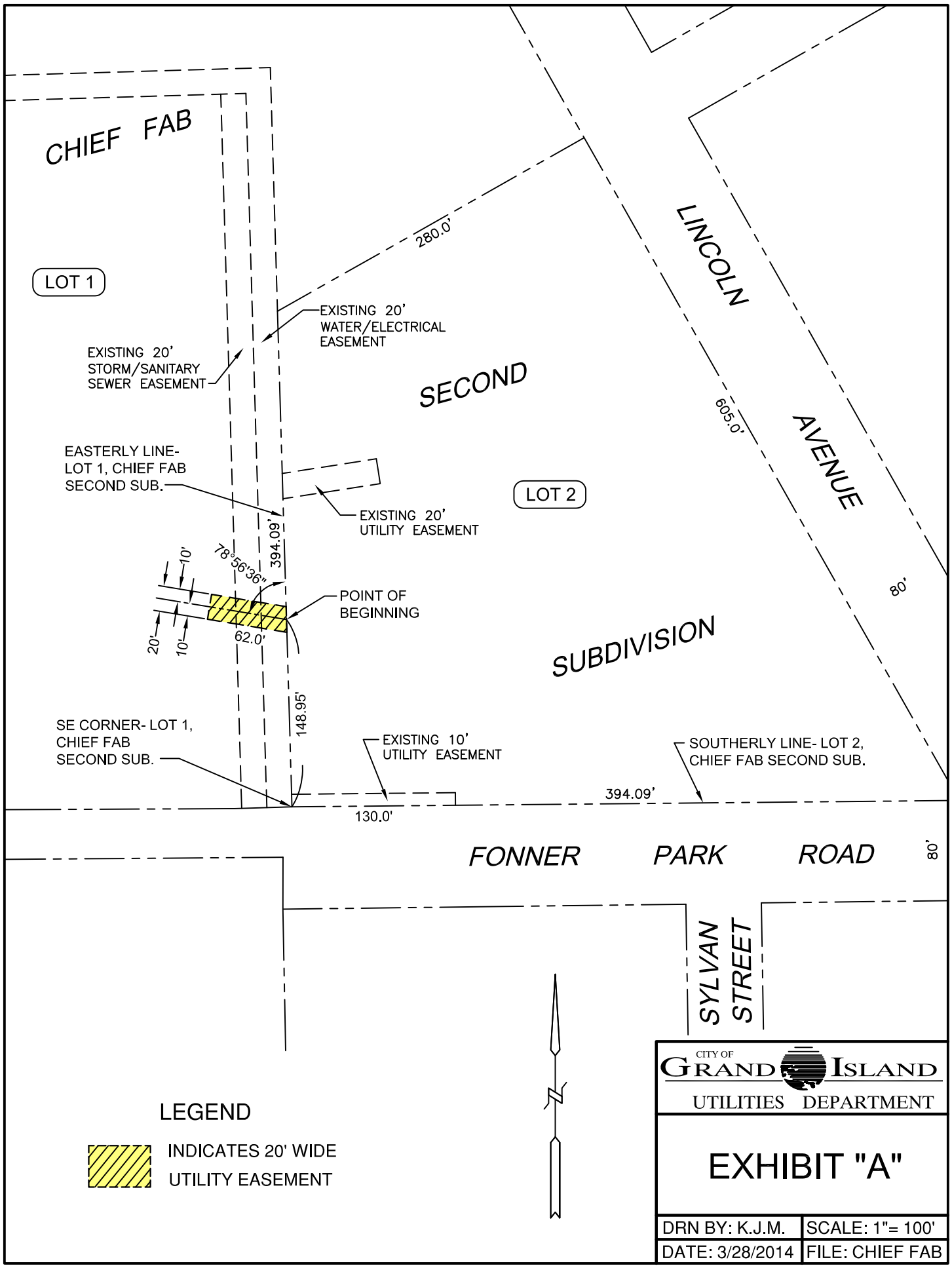
Adopted by the City Council of the City of Grand Island, Nebraska April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 18, 2014	☐ City Attorney





City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-6

#2014-85 - Approving Acquisition of Utility Easement - the 1st 1/4 Mile West of St. Paul Road on the South Side of Airport Road - Bredthauer

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

Staff Contact: Tim Luchsinger, Utilities Director

RESOLUTION 2014-85

WHEREAS, a public utility easement is required by the City of Grand Island from Oscar E. and Rose Ann Bredthauer, to survey, construct, inspect, maintain, repair, replace, relocate, extend, remove, and operate thereon, public utilities and appurtenances, including water lines, and;

WHEREAS, a public hearing was held on April 22, 2014, for the purpose of discussing the proposed acquisition of a 27 foot utility easement located in Hall County, Nebraska; and more particularly described as follows:

The southerly twenty seven (27.0) feet of the northerly sixty (60.0) feet of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter (NE1/4, NW1/4, NE1/4) and the southerly twenty seven (27.0) feet of the northerly sixty (60.0) feet of the Northeast Quarter of the Northeast Quarter (NE1/4, NE1/4) all of said Section Four (4), Township Eleven (11) North, Range Nine (9) West, except the easterly thirty three (33.0) feet dedicated as St. Paul Road right-of-way.

The above-described easement and right-of-way containing 1.20 acres, more or less, as shown on the plat dated 1/15/2013, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Oscar E. and Rose Ann Bredthauer, on the above-described tract of land.

- - -

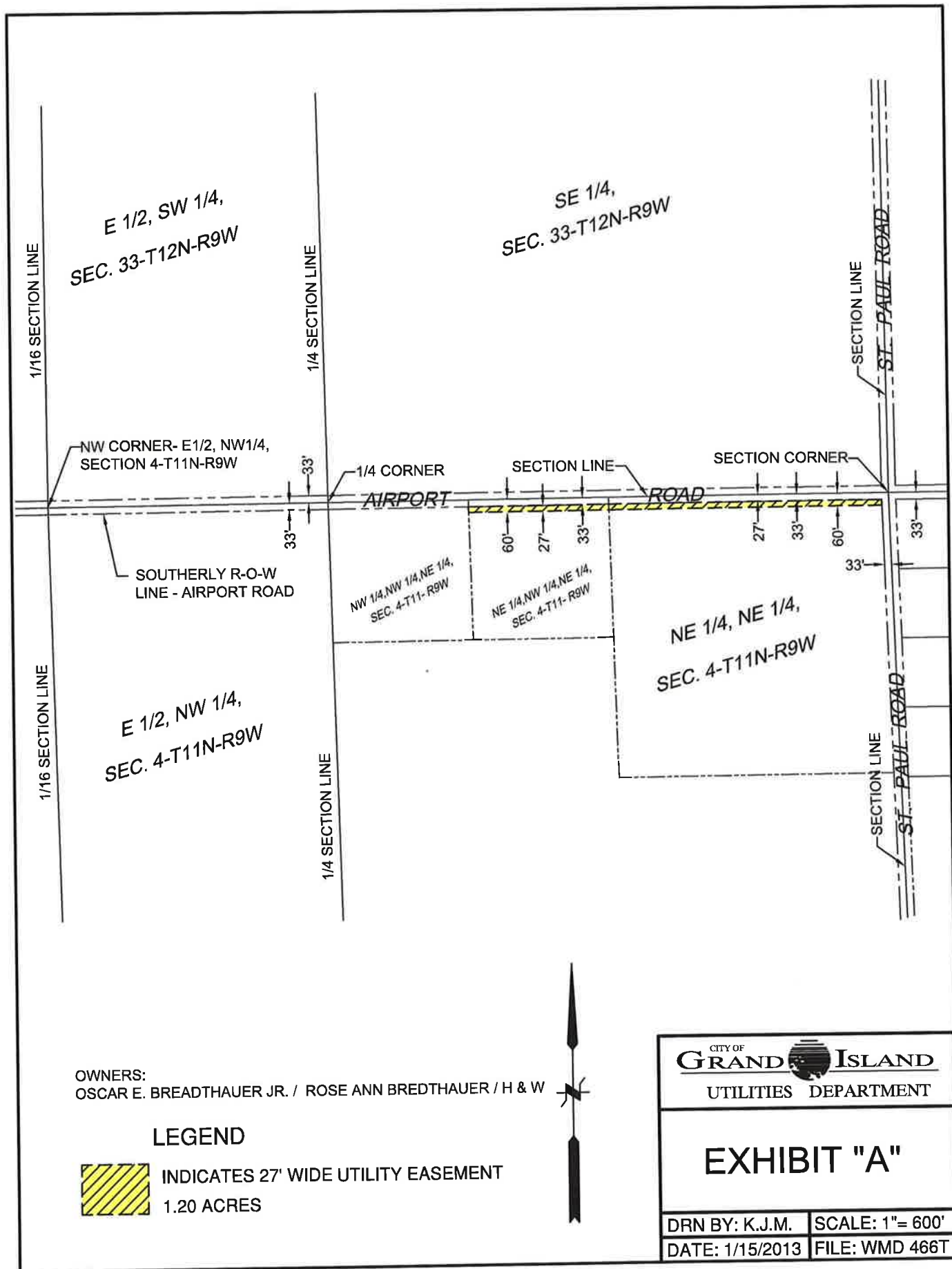
Adopted by the City Council of the City of Grand Island, Nebraska April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
April 18, 2014	▣ City Attorney





City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-7

#2014-86 - Approving Temporary Construction Occupancy Agreement - the 1st 1/4 Mile West of St. Paul Road on the South Side of Airport Road - Bredthauer

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Tim Luchsinger, Utilities Director

Meeting: April 22, 2014

Subject: Agreement for Temporary Construction Occupancy – the first ¼ mile west of St. Paul Road on the south side of Airport Road - Bredthauer

Item #'s: G-7

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. An Agreement for Temporary Construction Occupancy is needed relative to the property of Oscar and Rose Ann Bredthauer, 50 feet wide, south of the permanent easement that is located at the first ¼ mile west of St. Paul Road, on the south side of Airport Road.

Discussion

Water Main District 466T has been designed to construct a 16" water main along the south side of Airport Road. An Agreement for Temporary Construction Occupancy is needed for:

- 1) Temporary construction use and rights to the above described real estate \$2,960.00
- 2) Abandonment of the existing well and installation of a new well - \$17,373.55
- 3) Re-leveling, re-grading and filling any settling after restoration has occurred - \$3,000.00
- 4) Electrical - \$1,200.00

The property owners have agreed to the Agreement for Temporary Construction Occupancy in the amount of \$24,533.55, the total cost of 1-4 listed above.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the Agreement for Temporary Construction Occupancy in the amount of Twenty Four Thousand Five Hundred Thirty Three Dollars and Fifty Five cents (\$24,533.55).

Sample Motion

Move to approve the Temporary Construction Occupancy Agreement.

AGREEMENT FOR TEMPORARY CONSTRUCTION OCCUPANCY

Agreement made and entered into by and between the City of Grand Island, a municipal corporation of the State of Nebraska, herein referred to as "City", and OSCAR E. BREDTHAUER JR. and ROSE ANN BREDTHAUER, Husband and Wife, herein referred to as "Owner", whether one or more.

Recitals

WHEREAS, the City intends to construct WATER MAIN DISTRICT 466T, on or adjacent to property owned by Owner; and

WHEREAS, it may be necessary for the City, its officers, agents, employees, contractors, subcontractors, and authorized representatives to enter upon, travel over, excavate, clear, backfill, store materials upon, and otherwise use the lands herein described which are owned by Owner during the afore mentioned construction project.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained within this agreement, the parties agree as follows:

Section One Right of Entry

Owner hereby grants to the City, its officers, agents, employees, contractors, subcontractors, and authorized representatives the right to enter upon the following described real estate:

The southerly fifty (50.0) feet of the northerly one hundred ten (110.0) feet of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter (NE1/4, NW1/4, NE1/4), and the southerly fifty (50.0) feet of the northerly one hundred ten (110.0) feet of the Northeast Quarter of the Northeast Quarter (NE1/4, NE1/4), all of Section Four (4), Township Eleven (11) North, Range Nine (9) West, in Hall County, Nebraska, except the easterly thirty three (33.0) feet dedicated as St. Paul Road right-of-way, said described real estate containing a total of 2.22 acres more or less.

to do such work as may be necessary or appropriate for the construction of WATER MAIN DISTRICT 466T and related facilities on or adjacent to such property. Such right of entry shall include, but not be limited to the right to enter upon, travel over, excavate, clear fences, drives, trees, bushes, and other improvements, backfill, store materials upon, and otherwise use the above described premises.

Section Two Term of Agreement

The premises may be occupied and used by the City for the purposes related hereto during the period beginning upon execution of this agreement and continuing until the construction work for WATER MAIN DISTRICT 466T and related facilities has been completed.

Section Three
Restoration

The City agrees to: (a) restoration of the property as reasonably practical to its grade and condition prior to construction and prior to the termination of the Agreement; (b) salvaging topsoil from areas requiring excavations and replace the topsoil after construction, (c) remove and replace driveways in conflict with the project as per the standard specifications for the City of Grand Island.

Section Four
Compensation

The compensation for the temporary construction occupancy shall be Twenty Four Thousand Five Hundred Thirty-three and Fifty Five Cents (\$24,533.55). Such compensation includes:

\$ 2,960.00 – Temporary construction use and rights to previously described real estate.
\$17,373.55 – Abandonment of existing well and installation of new well.
\$ 3,000.00 – Re-leveling, regarding and filling any settling after restoration has occurred.
\$ 1,200.00 - Electrical

Section Five
Assignment

It is understood that the rights of the Owner do not automatically transfer upon sale or lease of the real estate. The City agrees to permit assignment of the rights and obligations of the Owner to a sub-sequential buyer or tenant, provided the Owner obtains the City's prior written consent, which the City shall not unreasonably withhold.

Dated _____, 201~~3~~⁴

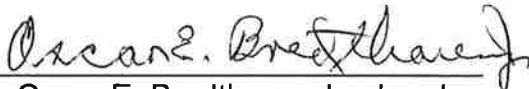
CITY OF GRAND ISLAND, NEBRASKA
a Municipal Corporation

By _____

Title _____

Owner:

By


Oscar E. Bredthauer, husband

Owner:


Rose Ann Bredthauer, wife

WATER MAIN DISTRICT
CITY OF GRAND ISLAND

Tr. 2-Bredthauer, Jr., Oscar E. and Rose Ann

Dated this _____ day of _____, 20____

On the above date, before me a General Notary Public duly
commissioned and qualified, personally came

to me known to be the identical person _____

whose name _____ affixed to the

foregoing instrument as grantor _____

and acknowledged the same to be a voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year above written.

Notary _____

STATE OF _____

County

SEAL

Dated this 3 day of April, 2014

On the above date, before me a General Notary Public duly
commissioned and qualified, personally came

OSCAR JR & ROSE ANN BREDTHAUER

to me know to be the identical person S

whose name S affixed to the

foregoing instrument as grantor S

and acknowledged the same to be a voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year above written.

Notary Steven Shaw

STATE OF Nebraska

SEAL



Dated this _____ day of _____, 20____

On the above date, before me a General Notary Public duly
commissioned and qualified, personally came

to me know to be the identical person _____

whose name _____ affixed to the

foregoing instrument as grantor _____

and acknowledged the same to be a voluntary act and deed.

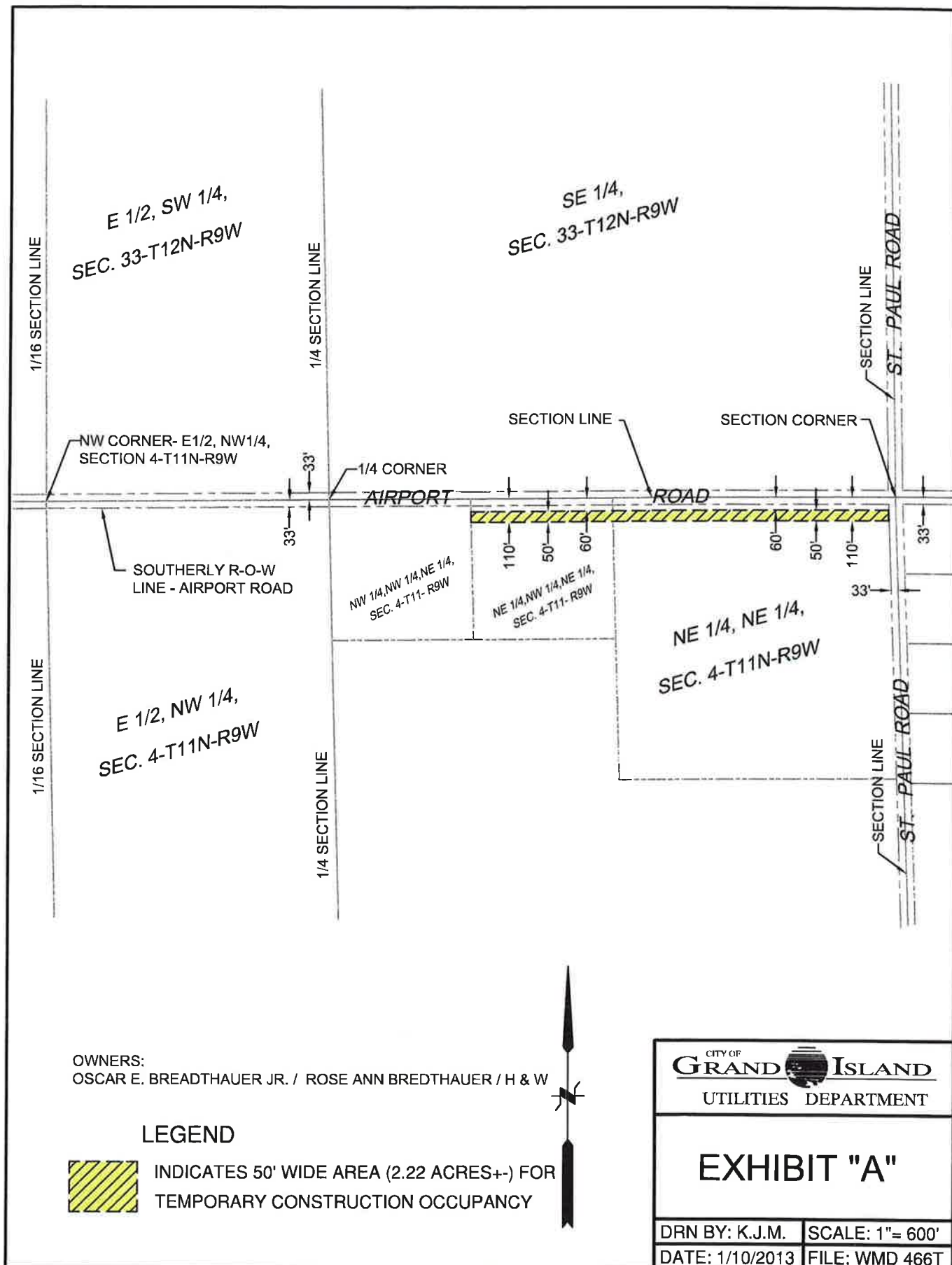
WITNESS my hand and Notarial Seal the day and year above written.

Notary _____

STATE OF _____

County

SEAL



RESOLUTION 2014-86

WHEREAS, an Agreement for Temporary Construction Occupancy is required by the City of Grand Island from Oscar E. and Rose Ann Bredthauer, to enter upon, travel over, excavate, clear fences, drives, trees, bushes, and other improvements, backfill, store materials upon, and otherwise use the below described premises; and

WHEREAS, a public hearing was held on April 22, 2014, for the purpose of discussing the proposed 50 foot Temporary Construction Occupancy Agreement located in Hall County, Nebraska; and more particularly described as follows:

The southerly fifty (50.0) feet of the northerly one hundred ten (110.0) feet of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter (NE1/4, NW1/4, NE1/4), and the southerly fifty (50.0) feet of the northerly one hundred ten (110.0) feet of the Northeast Quarter of the Northeast Quarter (NE1/4, NE1/4), all of Section Four (4), Township Eleven (11) North, Range Nine (9) West, in Hall County, Nebraska, except the easterly thirty three (33.0) feet dedicated as St. Paul Road right-of-way, said described real estate containing a total of 2.22 acres more or less.

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 an Agreement for Temporary Construction Occupancy from Oscar E. and Rose Ann Bredthauer, in the amount of \$24,533.55, on the above described tract of land, and the Mayor is hereby authorized to sign the Agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 18, 2014	☐ City Attorney



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-8

#2014-87 - Approving Acquisition of Utility Easement - East of Substation C on the South Side of Airport Road - Douglas & Tamara Petersen

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

Staff Contact: Tim Luchsinger, Utilities Director

RESOLUTION 2014-87

WHEREAS, a public utility easement is required by the City of Grand Island from Douglas R. and Tamara K. Petersen, to survey, construct, inspect, maintain, repair, replace, relocate, extend, remove, and operate thereon, public utilities and appurtenances, including water lines, and;

WHEREAS, a public hearing was held on April 22, 2014, for the purpose of discussing the proposed acquisition of a 27 foot utility easement located in, Hall County, Nebraska; and more particularly described as follows:

Commencing at the northeast corner of the East Half of the Northwest Quarter (E1/2, NW1/4) Section Four (4), Township Eleven (11) North, Range Nine (9) West; thence southerly along the easterly line of the East Half of the Northwest Quarter (E1/2, NW1/4) said Section Four (4), a distance of thirty three (33.0) feet to the southerly right-of-way line of Airport Road, being the ACTUAL Point Of Beginning; thence westerly along the southerly right-of-way line of said Airport Road to a point three hundred (300.0) feet east of the westerly line of the East Half of the Northwest Quarter (E1/2, NW1/4) said Section Four (4); thence southerly and parallel with the westerly line of the East Half of the Northwest Quarter (E1/2, NW1/4) said Section Four (4), a distance of fifty (50.0) feet; thence northwesterly to a point on the easterly line of the East Half of the Northwest Quarter (E1/2, NW1/4) said Section Four (4), said point being twenty seven (27.0) feet south of the southerly right-of-way line of said Airport Road; thence easterly and parallel with the southerly right-of-way line of said Airport Road, to the easterly line of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW1/4, NW1/4, NE1/4) said Section Four (4); thence northerly along the easterly line of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW1/4, NW1/4, NE1/4) said Section Four (4), a distance of twenty seven (27.0) feet to a point on the southerly right-of-way line of said Airport Road; thence westerly along the southerly right-of-way line of said Airport Road, to the said Point Of Beginning.

The above-described easement and right-of-way containing a total of 1.31 acres, more or less, as shown on the plat dated 2/13/2013, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Douglas R. and Tamara K. Petersen, on the above-described tract of land.

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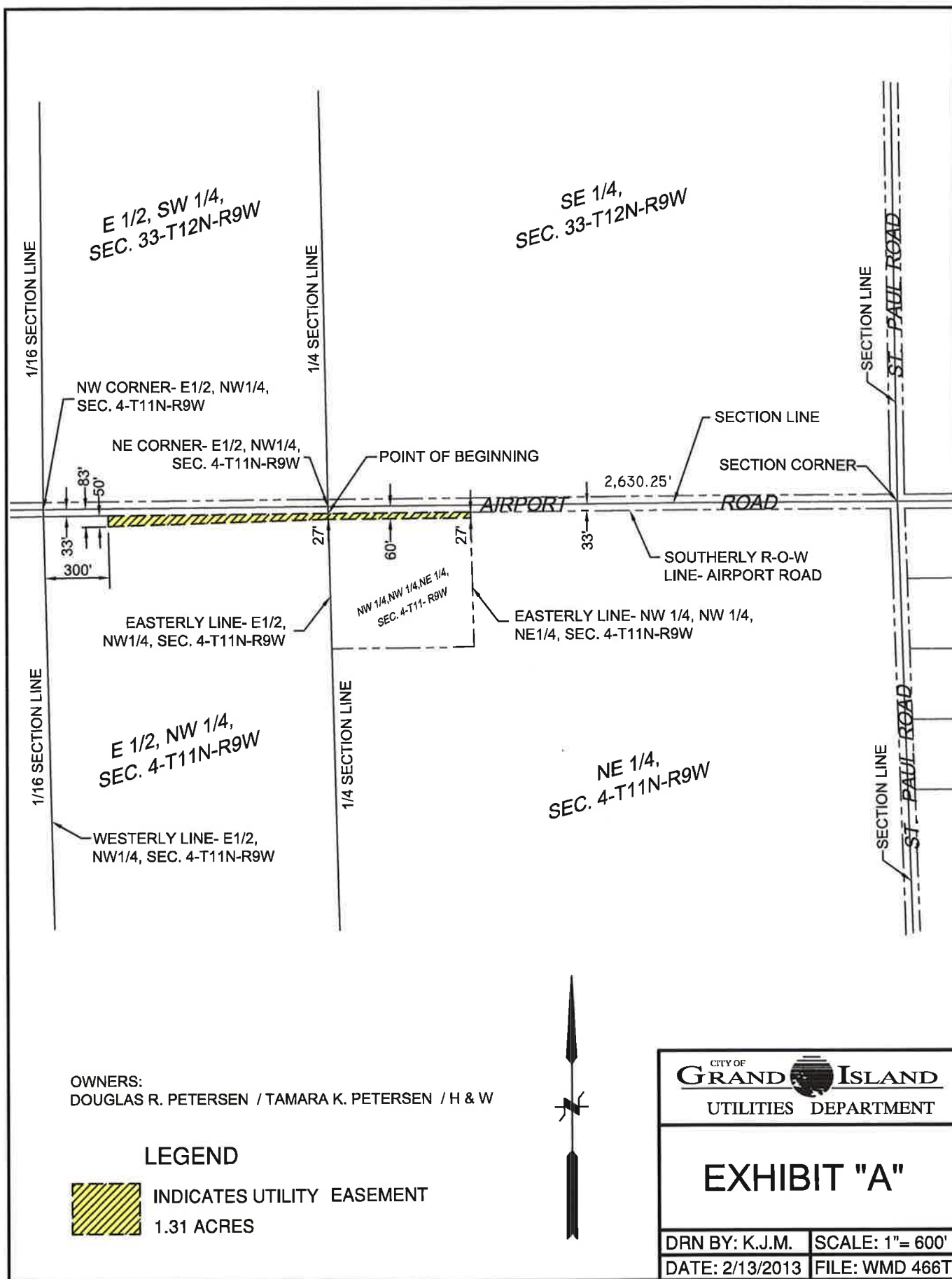
Approved as to Form	by _____
April 18, 2014	City Attorney

Adopted by the City Council of the City of Grand Island, Nebraska April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk





City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-9

#2014-88 - Approving Temporary Construction Occupancy Agreement - East of Substation C on the South Side of Airport Road - Douglas & Tamara Petersen

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Tim Luchsinger, Utilities Director

Meeting: April 22, 2014

Subject: Agreement for Temporary Construction Occupancy –
East of Substation C on the south side of Airport Road –
Douglas and Tamara Petersen

Item #'s: G-9

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. An Agreement for Temporary Construction Occupancy is needed relative to the property of Douglas R. and Tamara K. Petersen, 50 feet wide, south of the permanent easement on the east side of Substation C, south side of Airport Road.

Discussion

Water Main District 466T has been designed to construct a 16" water main along the south side of Airport Road. An Agreement for Temporary Construction Occupancy is needed for:

- 1) Temporary construction use and rights to previously described real estate - \$2,850.00
- 2) Relocation of irrigation pipelines - \$3,979.69
- 3) Relocation of center pivot guidance wire - \$1,890.25
- 4) Re-leveling, regrading and filling any settling after restoration has occurred - \$3,000.00

The property owners have agreed to the Agreement for Temporary Construction Occupancy in the amount of \$11,719.94, the total cost of 1-4 listed above.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the Agreement for Temporary Construction Occupancy in the amount of Eleven Thousand Seven Hundred Nineteen Dollars and Ninety Four Cents (\$11,719.94).

Sample Motion

Move to approve the Temporary Construction Occupancy Agreement.

AGREEMENT FOR TEMPORARY CONSTRUCTION OCCUPANCY

Agreement made and entered into by and between the City of Grand Island, a municipal corporation of the State of Nebraska, herein referred to as "City", and DOUGLAS R. PETERSEN and TAMARA K. PETERSEN, Husband and Wife, herein referred to as "Owner", whether one or more.

Recitals

WHEREAS, the City intends to construct WATER MAIN DISTRICT 466T, on or adjacent to property owned by Owner; and

WHEREAS, it may be necessary for the City, its officers, agents, employees, contractors, subcontractors, and authorized representatives to enter upon, travel over, excavate, clear, backfill, store materials upon, and otherwise use the lands herein described which are owned by Owner during the afore mentioned construction project.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained within this agreement, the parties agree as follows:

Section One Right of Entry

Owner hereby grants to the City, its officers, agents, employees, contractors, subcontractors, and authorized representatives the right to enter upon the following described real estate:

Commencing at the northeast corner of the East Half of the Northwest Quarter (E1/2, NW1/4) Section Four (4), Township Eleven (11) North, Range Nine (9) West; thence southerly along the easterly line of the East Half of the Northwest Quarter (E1/2, NW1/4) said Section Four (4), a distance of sixty (60.0) feet to the ACTUAL Point Of Beginning; thence southwesterly to a point four hundred eighty (480.) feet east and forty five and nine tenths (45.9) feet south of the northwest corner of the East Half of the Northwest Quarter (E1/2, NW1/4) said Section Four (4); thence southerly, parallel with the westerly line of the East Half of the Northwest Quarter (E1/2, NW1/4) said Section Four (4), a distance of thirty one and one tenth (31.1) feet; thence easterly parallel to the northerly line of said Section Four (4) to a point on the easterly line of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW1/4, NW1/4, NE1/4) said Section Four (4); thence northerly along the easterly line of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW1/4, NW1/4, NE1/4) said Section Four (4), a distance of fifty (50.0) feet; thence westerly parallel to the northerly line of said Section Four (4) to the said Point Of Beginning, said described real estate containing 1.55 acres more or less.

to do such work as may be necessary or appropriate for the construction of WATER MAIN DISTRICT 466T and related facilities on or adjacent to such property. Such right of entry shall include, but not be limited to the right to enter upon, travel over, excavate, clear fences, drives, trees, bushes, and other improvements, backfill, store materials upon, and otherwise use the above described premises.

Section Two
Term of Agreement

The premises may be occupied and used by the City for the purposes related hereto during the period beginning upon execution of this agreement and continuing until the construction work for WATER MAIN DISTRICT 466T and related facilities has been completed.

Section Three
Restoration

The City agrees to: (a) restoration of the property as reasonably practical to its grade and condition prior to construction and prior to the termination of the Agreement; (b) salvaging topsoil from areas requiring excavations and replace the topsoil after construction, (c) remove and replace driveways in conflict with the project as per the standard specifications for the City of Grand Island.

Section Four
Compensation

The total compensation for the temporary construction occupancy shall be Eleven Thousand Seven Hundred Nineteen Dollars and Ninety Four Cents (\$11,719.94). Such compensation includes:

- \$2,850.00 – Temporary construction use and rights to previously described real estate.
- \$3,979.69 – Relocation of irrigation pipelines.
- \$1,890.25 – Relocation of center pivot guidance wire.
- \$3,000.00 – Releveling, regrading and filling any settling after restoration has occurred.

Section Five
Assignment

It is understood that the rights of the Owner do not automatically transfer upon sale or lease of the real estate. The City agrees to permit assignment of the rights and obligations of the Owner to a sub-sequential buyer or tenant, provided the Owner obtains the City's prior written consent, which the City shall not unreasonably withhold.

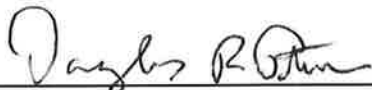
Dated _____

CITY OF GRAND ISLAND, NEBRASKA
a Municipal Corporation


By _____

Title _____

OWNER



Douglas R. Petersen, husband

Owner:


Tamara K. Petersen, wife

WATER MAIN DISTRICT
CITY OF GRAND ISLAND

Tr.1-Petersen, Douglas

Dated this 3 day of April, 2014

On the above date, before me a General Notary Public duly

commissioned and qualified, personally came

Douglas Petersen
Tamara Petersen

to me know to be the identical persons

whose name _____ affixed to the

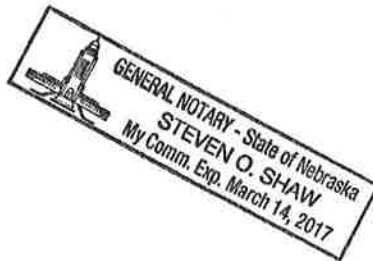
foregoing instrument as grantor _____

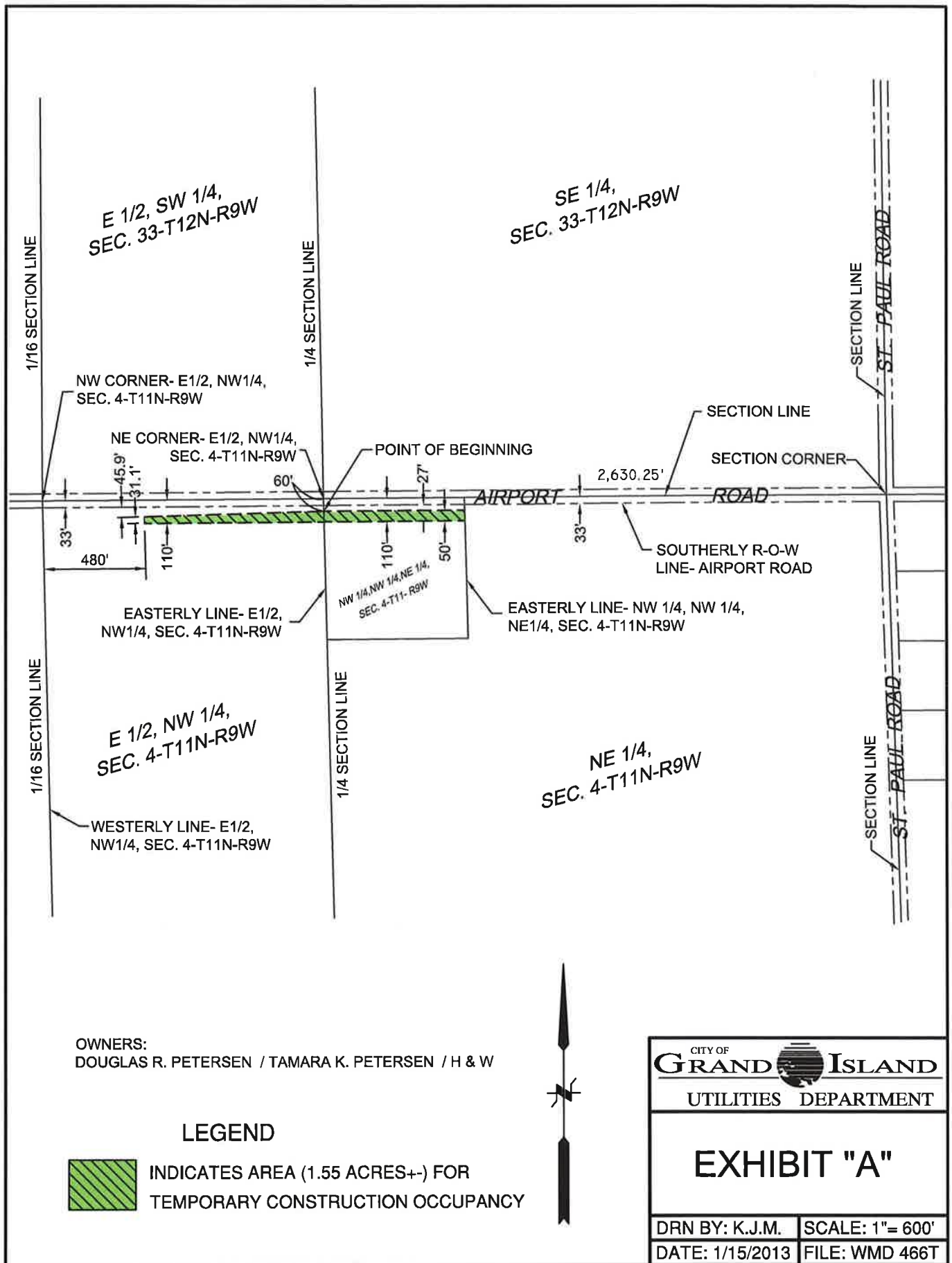
and acknowledged the same to be a voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year above written.

Steven Shaw
Notary

STATE OF Nebraska
Hall County





RESOLUTION 2014-88

WHEREAS, an Agreement for Temporary Construction Occupancy is required by the City of Grand Island from Douglas R. and Tamara K. Petersen, to enter upon, travel over, excavate, clear fences, drives, trees, bushes, and other improvements, backfill, store materials upon, and otherwise use the below described premises; and

WHEREAS, a public hearing was held on April 22, 2014, for the purpose of discussing the proposed 50 foot Temporary Construction Occupancy Agreement located in Hall County, Nebraska; and more particularly described as follows:

Commencing at the northeast corner of the East Half of the Northwest Quarter (E1/2, NW1/4) Section Four (4), Township Eleven (11) North, Range Nine (9) West; thence southerly along the easterly line of the East Half of the Northwest Quarter (E1/2, NW1/4) said Section Four (4), a distance of sixty (60.0) feet to the ACTUAL Point Of Beginning; thence southwesterly to a point four hundred eighty (480.) feet east and forty five and nine tenths (45.9) feet south of the northwest corner of the East Half of the Northwest Quarter (E1/2, NW1/4) said Section Four (4); thence southerly, parallel with the westerly line of the East Half of the Northwest Quarter (E1/2, NW1/4) said Section Four (4), a distance of thirty one and one tenth (31.1) feet; thence easterly parallel to the northerly line of said Section Four (4) to a point on the easterly line of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW1/4, NW1/4, NE1/4) said Section Four (4); thence northerly along the easterly line of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW1/4, NW1/4, NE1/4) said Section Four (4), a distance of fifty (50.0) feet; thence westerly parallel to the northerly line of said Section Four (4) to the said Point Of Beginning, said described real estate containing 1.55 acres more or less.

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 an Agreement for Temporary Construction Occupancy from Douglas R. and Tamara K. Petersen, in the amount of \$11,719.94, on the above described tract of land, and the Mayor is hereby authorized to sign the Agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 18, 2014	☐ City Attorney



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-10

#2014-89 - Approving Acquisition of Utility Easement - West of Sky Park Road on the South Side of Airport Road - Petersen Farms, Inc.

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

Staff Contact: Tim Luchsinger, Utilities Director

RESOLUTION 2014-89

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

WHEREAS, a public hearing was held on April 22, 2014, for the purpose of discussing the proposed acquisition of a 27 foot utility easement located in, Hall County, Nebraska; and more particularly described as follows:

The southerly twenty seven (27.0) feet of the northerly sixty (60.0) feet of Lot One (1) Wilson's Subdivision except the westerly three hundred twenty six and one tenth (326.1) feet and the easterly one thousand one hundred eighty nine (1,189.0) feet thereof.

The above-described easement and right-of-way containing a total of 1.33 acres, more or less, as shown on the plat dated 1/15/2013, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Petersen Farms, Inc., on the above-described tract of land.

- - -

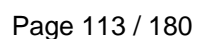
Adopted by the City Council of the City of Grand Island, Nebraska April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 18, 2014	☐ City Attorney





City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-11

#2014-90 - Approving Temporary Construction Occupancy Agreement - West of Sky Park Road on the South Side of Airport Road - Petersen Farms, Inc.

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Tim Luchsinger, Utilities Director

Meeting: April 22, 2014

Subject: Agreement for Temporary Construction Occupancy –
West of Sky Park Road on the south side of Airport Road
– Petersen Farms, Inc.

Item #'s: G-11

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Petersen Farms, 50 foot wide, south of the permanent easement on west of Sky Park Road on the south side of Airport Road.

Discussion

Water Main District 466T has been designed to construct a 16" water main along the south side of Airport Road. An Agreement for Temporary Construction Occupancy is needed for:

- 1) Temporary construction use and rights to previously described real estate - \$4,520.00
- 2) Relocation of reuse pit, let-down pipe, and well suction piping - \$9,725.00
- 3) Relocation of electrical service to reuse pit pump - \$1,200.00
- 4) Re-leveling, re-grading, and filling any settling after restoration has occurred - \$3,000.00

The property owners have agreed to the Agreement for Temporary Construction Occupancy in the amount of \$18,445.00, the total cost of 1-4 listed above.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the Agreement for Temporary Construction Occupancy in the amount of Eighteen Thousand Four hundred Forty Five Dollars (\$18,445.00).

Sample Motion

Move to approve the Temporary Construction Occupancy Agreement.

AGREEMENT FOR TEMPORARY CONSTRUCTION OCCUPANCY

Agreement made and entered into by and between the City of Grand Island, a municipal corporation of the State of Nebraska, herein referred to as "City", and PETERSEN FARMS, INC., a Nebraska Corporation, herein referred to as "Owner", whether one or more.

Recitals

WHEREAS, the City intends to construct WATER MAIN DISTRICT 466T, on or adjacent to property owned by Owner; and

WHEREAS, it may be necessary for the City, its officers, agents, employees, contractors, subcontractors, and authorized representatives to enter upon, travel over, excavate, clear, backfill, store materials upon, and otherwise use the lands herein described which are owned by Owner during the afore mentioned construction project.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained within this agreement, the parties agree as follows:

Section One Right of Entry

Owner hereby grants to the City, its officers, agents, employees, contractors, subcontractors, and authorized representatives the right to enter upon the following described real estate:

The southerly fifty (50.0) feet of the northerly one hundred ten (110.0) feet of Lot One (1) Wilson's Subdivision, Hall County, Nebraska, except the westerly three hundred twenty six and one tenth (326.1) feet and the easterly one thousand one hundred eight nine (1,189.0) feet thereof, said described real estate containing a total of 2.46 acres more or less.

to do such work as may be necessary or appropriate for the construction of WATER MAIN DISTRICT 466T and related facilities on or adjacent to such property. Such right of entry shall include, but not be limited to the right to enter upon, travel over, excavate, clear fences, drives, trees, bushes, and other improvements, backfill, store materials upon, and otherwise use the above described premises.

Section Two Term of Agreement

The premises may be occupied and used by the City for the purposes related hereto during the period beginning upon execution of this agreement and continuing until the construction work for WATER MAIN DISTRICT 467T and related facilities has been completed.

Section Three

Restoration

The City agrees to: (a) restoration of the property as reasonably practical to its grade and condition prior to construction and prior to the termination of the Agreement; (b) salvaging topsoil from areas requiring excavations and replace the topsoil after construction, (c) remove

and replace driveways in conflict with the project as per the standard specifications for the City of Grand Island.

Section Four
Compensation

The total compensation for the temporary construction occupancy shall be Eighteen Thousand Four Hundred forty Five Dollars (\$18,445.00). Such compensation includes:

- \$4,520.00 – Temporary construction use and rights to previously described real estate.
- \$9,725.00 – Relocation of reuse pit, let-down pipe, and well suction piping.
- \$1,200.00 – Relocation of electrical service to reuse pit pump.
- \$3,000.00 – Releveling, regrading and filling any settling after restoration has occurred.

Section Five
Assignment

It is understood that the rights of the Owner do not automatically transfer upon sale or lease of the real estate. The City agrees to permit assignment of the rights and obligations of the Owner to a sub-sequential buyer or tenant, provided the Owner obtains the City's prior written consent, which the City shall not unreasonably withhold.

Dated _____, 2014

CITY OF GRAND ISLAND, NEBRASKA
a Municipal Corporation

By _____

Title _____

OWNER
PETERSEN FARMS, INC.
a Nebraska Corporation

By Douglas Peterson Pres.

Title President

WATER MAIN DISTRICT
CITY OF GRAND ISLAND

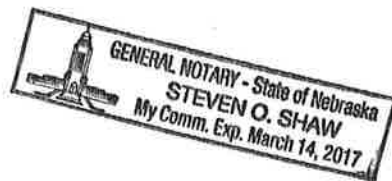
Tr. 5-Petersen Farms, Inc.

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

On this 3rd day of April, 2014, before me, the undersigned, a Notary Public in and for said County and State, personally appeared:

Douglas Petersen of PETERSEN FARMS, INC., a Nebraska Corporation, to me known personally to be the identical person and official who signed the foregoing Agreement for Temporary Construction Occupancy, and acknowledged the execution thereof to be their voluntary act and deed on behalf of the organization for the purpose therein expressed.

WITNESS my hand and Notarial Seal the date above written.



Steven Shaw
Notary Public



RESOLUTION 2014-90

WHEREAS, an Agreement for Temporary Construction Occupancy is required by the City of Grand Island from Petersen Farms, Inc., to enter upon, travel over, excavate, clear fences, drives, trees, bushes, and other improvements, backfill, store materials upon, and otherwise use the below described premises; and

WHEREAS, a public hearing was held on April 22, 2014, for the purpose of discussing the proposed 50 foot Temporary Construction Occupancy Agreement locate in Hall County, Nebraska; and more particularly described as follows:

The southerly fifty (50.0) feet of the northerly one hundred ten (110.0) feet of Lot One (1) Wilson's Subdivision, Hall County, Nebraska, except the westerly three hundred twenty six and one tenth (326.1) feet and the easterly one thousand one hundred eighty nine (1,189.0) feet thereof, said described real estate containing a total of 2.46 acres more or less.

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 an Agreement for Temporary Construction Occupancy from Petersen Farms, Inc., in the amount of \$18,445.00, on the above described tract of land, and the Mayor is hereby authorized to sign the Agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 18, 2014	☐ City Attorney



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-12

#2014-91 - Approving Bid Award - Phelps Control Warehouse Construction

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

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

Meeting: April 22, 2014

Subject: Approving Bid Award - Phelps Control Center New Warehouse Construction

Item #'s: G-12

Presenter(s): Tim Luchsinger, Utilities Director

Background

On June 25, 2013, City Council approved a contract with Webb Architects to evaluate space requirements and develop a preliminary design and building estimate for the remodel of Phelps Control Center and a new warehouse to be constructed immediately north of Phelps Control Center. The warehouse would provide much needed additional space for a growing spare parts inventory for the City substations and transmission system. It was determined by City staff to use a phased approach to construct this building. Upon completion of a preliminary design of the new warehouse, on October 8, 2013, City Council approved Amendment #1 to the Architectural contract to proceed with the detailed design and specifications and provide construction management.

Discussion

The following bids were received by the City on April 8, 2014 for the labor and materials to construct the new warehouse. The engineer's estimate for this work is \$1,850,000.

Bidder	Bid Price	Exceptions
Lacy Construction Co., Grand Island, NE	\$1,140,000.00	None
Chief Industries, Inc., Grand Island, NE	\$1,154,525.00	None
Sampson Construction, Kearney, NE	\$1,251,000.00	None

Alternatives

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

1. Move to approve

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

Recommendation

City Administration recommends that the Council award the contract for the Phelps Control Center New Warehouse construction to the low bidder, Lacy Construction Company of Grand Island, Nebraska, in the amount of \$1,140,000.00.

Sample Motion

Move to approve the contract for the Phelps Control Center New Warehouse to Lacy Construction Company of Grand Island, Nebraska, in the amount of \$1,140,000.00.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: April 8, 2014 at 2:00 p.m.
FOR: Phelps Control Center New Warehouse
DEPARTMENT: Utilities
ESTIMATE: \$1,850,000.00
FUND/ACCOUNT: 520
PUBLICATION DATE: March 13, 2014
NO. POTENTIAL BIDDERS: Unlimited

SUMMARY

Bidder:	<u>Lacy Construction Co.</u> Grand Island, NE	<u>Chief Industries, Inc.</u> Grand Island, NE
Bid Security:	Merchants Bonding Co.	Fidelity & Deposit Co.
Exceptions:	None	None
Bid Price:	\$1,118,380.00	\$1,141,776.00
Sales Tax:	\$ 21,620.00	\$ 12,752.00
Total Bid:	\$1,140,000.00	\$1,154,528.00

Bidder:	<u>Sampson Construction</u> Kearney, NE
Bid Security:	Liberty Mutual Insurance Co.
Exceptions:	None
Bid Price:	\$1,220,000.00
Sales Tax:	\$ 31,000.00
Total Bid:	\$1,251,000.00

cc: Tim Luchsinger, Utilities Director
Mary Lou Brown, City Administrator
Stacy Nonhoff, Purchasing Agent
Travis Burdett, Assist. Utilities Director

Bob Smith, Assist. Utilities Director
Jaye Monter, Finance Director
Pat Gericke, Utilities Admin. Assist.
Christy Leshner, PCC Utilities Secretary

P1724

RESOLUTION 2014-91

WHEREAS, the City of Grand Island invited sealed bids for the Phelps Control Center new Warehouse Construction, according to plans and specifications on file with the Utilities Department; and

WHEREAS, on April 8, 2014, bids were received, opened and reviewed; and

WHEREAS, Lacy Construction 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 \$ 1,140,000.00; and

WHEREAS, the bid of Lacy Construction Company is less than the estimate for the Phelps Control Center new Warehouse Construction.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Lacy Construction, in the amount of \$1,140,000.00, for the Phelps Control Center new Warehouse Construction, is hereby approved as the lowest responsible bid and that and the Mayor is hereby authorized, on behalf of the City, to execute the contract between the City of Grand Island and Lacy Construction Company.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
April 18, 2014	▣ City Attorney



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-13

#2014-92 - Approving Bid Awards - Substation J Control Building and Relay Panels

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

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

Meeting: April 22, 2014

Subject: Approving Bid Award - Substation J Control Building and Relay Panels

Item #'s: G-13

Presenter(s): Tim Luchsinger, Utilities Director

Background

On September 24, 2013, City Council awarded a contract to IES Commercial, Inc., to construct a new electrical substation near Platte Generating Station to help serve the growing load along the Highway 281 corridor and Industrial Park. This contract did not include the control building and protective relay panels. It was intended that a contract be issued separately for that portion of the substation due to the uniqueness of the project scope and the additional design that was needed.

The control building for this new substation will be a weather hardened facility that will serve as a backup control center for operating the electric system during conditions that require the evacuation of the primary control center.

Discussion

Knowing that most likely, the building and panels would be provided by separate suppliers, bids specifications required separate pricing for each piece with the provision of purchasing the building and panels under separate contracts if deemed favorable. Bids were received by the City on March 25, 2014 for the labor and materials for the Substation J Control Building and Relay Panels. A summary table of the bids is attached. The engineer's estimate for this work is \$750,000.00.

All three bids as evaluated failed to meet the requested timeline; however, all three met the technical specifications. By selecting the building from Modular Connections, LCC and the panels from Electrical Power Products, Inc., the lowest total cost is obtained. Utilities staff recommends that the Council award the bid for the relay panels to Electrical Power Products, Inc., of Des Moines, Iowa, for their original bid price of \$168,825.00,

plus freight and applicable sales tax, and the bid for the control building to Modular Connections, LLC of Springfield, New York, for their bid price of \$293,468.90, for a total of \$462,293.90, plus freight and applicable sales tax.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the bid for the relay panels to Electrical Power Products, Inc., of Des Moines, Iowa, for their original bid price of \$168,825.00, plus freight and applicable sales tax, and the bid for the control building to Modular Connections, LLC of Springfield, New York for their bid in the amount of \$293,468.90, for a total of \$462,293.90 plus freight and applicable sales tax.

Sample Motion

Move to approve the bid for the relay panels to Electrical Power Products, Inc., of Des Moines, Iowa for their original bid price of \$168,825.00, plus freight and applicable sales tax, and the bid for the control building to Modular Connections, LLC of Springfield, New York in the amount of \$293,468.90, for a total of \$462,293.90, plus freight and applicable sales tax.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: March 25, 2014 at 2:00 p.m.
FOR: Substation J Control Building
DEPARTMENT: Utilities
ESTIMATE: \$750,000.00
FUND/ACCOUNT: 520
PUBLICATION DATE: February 28, 2014
NO. POTENTIAL BIDDERS: 8

SUMMARY

Bidder:	<u>CG Automation Solutions USA, Inc.</u> Springfield, NY	<u>Electrical Power Products, Inc.</u> Des Moines, IA
Bid Security:	The Hanover Insurance Co.	Federal Insurance Co.
Exceptions:	None	None

Bid Price:		
Building:	<u>\$586,428.00</u>	<u>\$380,227.00</u>
Panels:	<u>\$321,500.00</u>	<u>\$168,825.00</u>
Total:	<u>\$907,928.00</u>	<u>\$549,052.00</u>

Bidder:	<u>Modular Connections, LLC</u> Bessemer, AL
Bid Security:	North American Specialty Ins. Co.
Exceptions:	Noted

Bid Price:	
Building:	<u>\$293,468.90</u>
Panels:	<u>\$314,555.39</u>
Total:	<u>\$608,024.29</u>

cc: Tim Luchsinger, Utilities Director
Mary Lou Brown, City Administrator
Pat Gericke, Utilities Admin. Assist.

Bob Smith, Assist. Utilities Director
Jaye Monter, Finance Director
Travis Burdett, Assist. Utilities Director

P1721

Substation J Control Building and Relay Panels Bid Summary

	Electrical Power Products, Inc., Des Moines, IA	Modular Connections, LLC, Springfield, NY	CG Automation Solutions USA, Inc., Bessemer, AL
Building Bid Price	\$380,227.00	\$293,468.90	\$586,428.00
Panel Bid Price	\$168,825.00	\$314,555.39	\$321,500.00
Total Bid Price	\$549,052.00	\$608,024.29	\$907,928.00
Evaluated Building Bid Price	\$406,842.89*	\$293,468.90	\$331,043.00
Evaluated Panel Bid Price	\$183,272.81**	\$314,555.39	\$321,500.00
Evaluated Total Bid Price	\$587,485.64*	\$608,024.29	\$652,543.00

* Taxes have been added. Original bid did not include taxes.

** Taxes and freight have been added. Original bid did not include taxes or freight.

RESOLUTION 2014-92 (A)

WHEREAS, the City of Grand Island invited sealed bids Substation J Control Building and Relay Panels, according to plans and specifications on file with the Utilities Department; and

WHEREAS, March 25, 2014, bids were received, opened and reviewed; and

WHEREAS, Modular Connections, LLC of Springfield, New York, submitted a bid for the Control Building at Substation J, 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 \$293,468.90, plus freight and applicable sales tax; and

WHEREAS, the bid of Modular Connections, LLC, is less than the estimate for the Control Building at Substation J.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid Modular Connections, LLC, in the amount of \$293,469.90 plus freight and applicable sales tax, for the Control House at Substation J, is hereby approved as the lowest responsible bid, and the Mayor is hereby authorized to sign the contract on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
April 18, 2014	▣ City Attorney

RESOLUTION 2014-92 (B)

WHEREAS, the City of Grand Island invited sealed bids Substation J Control Building and Relay Panels, according to plans and specifications on file with the Utilities Department; and

WHEREAS, March 25, 2014, bids were received, opened and reviewed; and

WHEREAS, Electrical Power Products, Inc., of Des Moines, Iowa, submitted a bid for Relay Panels 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 \$168,825.00, plus freight and applicable sales tax; and

WHEREAS, the bid of Electrical Power Products, Inc., is less than the estimate for the Relay Panels for the Substation J Control Building.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Electrical Power Products, Inc., in the amount of \$168,825.00, plus freight and applicable sales tax for the Relay Panels at Substation J, is hereby approved as the lowest responsible bid, and the Mayor is hereby authorized to sign the contract on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
April 18, 2014	▣ City Attorney



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-14

**#2014-93 - Approving Acquisition of Public Right-of-Way in
Section 24, Township 11 North, Range 10 (Chief Industries, Inc.)**

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

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

RESOLUTION 2014-93

WHEREAS, public right-of-way is being acquired by the City of Grand Island from Chief Industries, Inc. to provide sufficient space to construct a proper radius for the street and allow for improved drainage by connecting the initial phase of the Moores Creek Drainway to the Westgate Road area and eliminating the ditch section, described as follows:

PART OF LOT 3 OF CHIEF/WESTGATE SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER (NW ¼) OF SECTION 24, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER (W ¼ COR.) OF SAID SECTION 24; THENCE ON AN ASSUMED BEARING OF N88°31'16"E A DISTANCE OF 39.98 FEET TO A POINT ON THE EAST RIGHT-OF-WAY (R.O.W.) LINE OF NORTH ROAD, SAID LINE ALSO BEING THE WEST LINE OF SAID CHIEF/WESTGATE SUBDIVISION; THENCE N01°07'41"W ALONG SAID EAST R.O.W. LINE A DISTANCE OF 159.80 FEET TO THE POINT OF INTERSECTION OF SAID EAST R.O.W. LINE AND THE SOUTH R.O.W. LINE OF WESTGATE ROAD, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 3 AND THE POINT OF BEGINNING; THENCE N88°47'19"E ALONG SAID SOUTH R.O.W. LINE A DISTANCE OF 20.00 FEET; THENCE S51°56'56"W A DISTANCE OF 25.02 FEET TO A POINT ON THE EAST R.O.W. LINE OF NORTH ROAD; THENCE N01°07'41"W ALONG SAID EAST R.O.W. LINE A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 150.00 SQUARE FEET MORE OR LESS.

WHEREAS, an agreement for the public right-of-way has been reviewed and approved by the City Legal Department.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to enter into the Agreement for the public right-of-way on the above described tracts of land.

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, April 22, 2014.

Jay Vavricek, Mayor

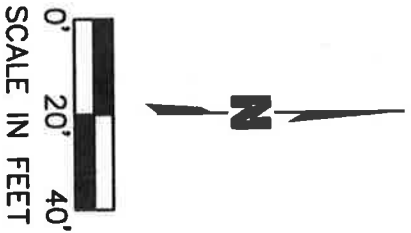
Attest:

RaNae Edwards, City Clerk

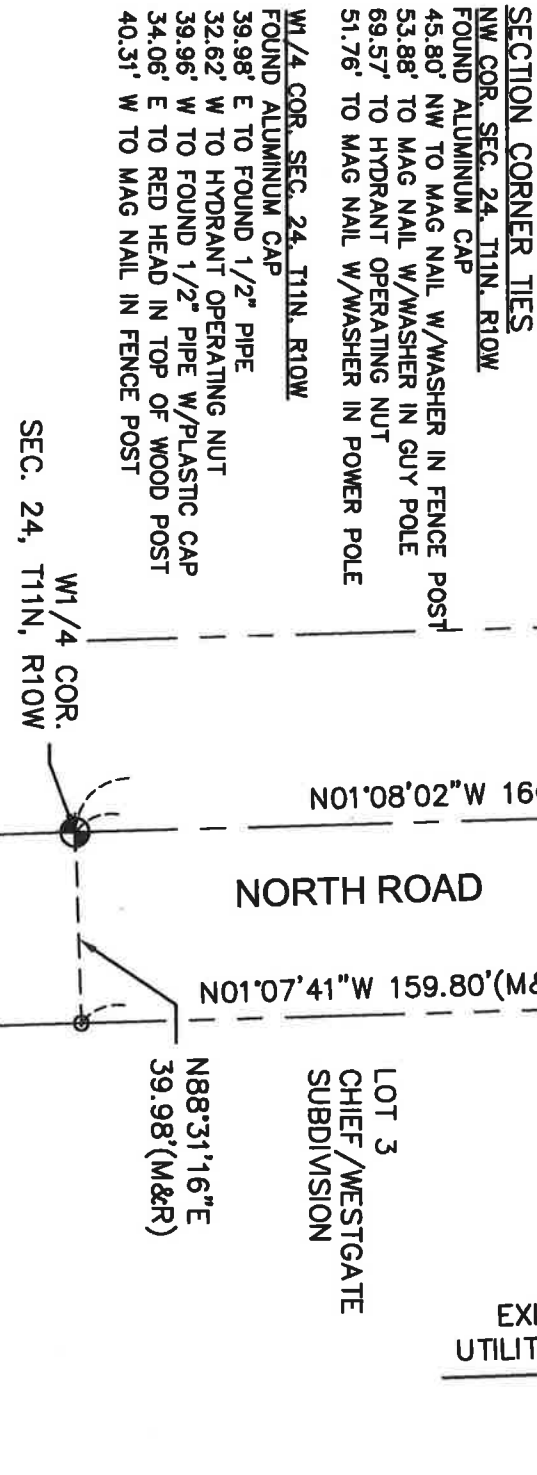
Approved as to Form	☐ _____
April 18, 2014	☐ City Attorney

SURVEY RECORD

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA



- LEGEND**
- ⊙ FOUND PROPERTY CORNER
 - SET PROPERTY CORNER
 - × CALCULATED POINT
 - ⊕ SECTION CORNER
 - (M) MEASURED DISTANCE
 - (R) RECORDED DISTANCE



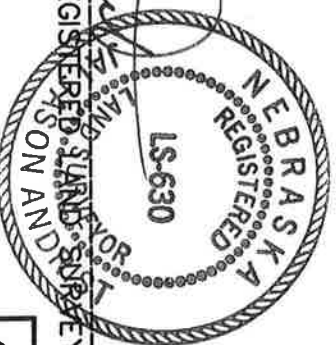
LEGAL DESCRIPTION

A TRACT OF LAND CONSISTING OF PART OF LOT 3 OF CHIEF/WESTGATE SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 24, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER (W1/4 COR.) OF SAID SECTION 24; THENCE ON AN ASSUMED BEARING OF N88°31'16"E A DISTANCE OF 39.98 FEET TO A POINT ON THE EAST RIGHT-OF-WAY (R.O.W.) LINE OF NORTH ROAD, SAID LINE ALSO BEING THE WEST LINE OF SAID CHIEF/WESTGATE SUBDIVISION; THENCE N01°07'41"W ALONG SAID EAST R.O.W. LINE A DISTANCE OF 159.80 FEET TO THE POINT OF INTERSECTION OF SAID EAST R.O.W. LINE AND THE SOUTH R.O.W. LINE OF WESTGATE ROAD, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 3 AND THE POINT OF BEGINNING; THENCE N88°47'19"E ALONG SAID SOUTH R.O.W. LINE A DISTANCE OF 20.00 FEET; THENCE S51°56'56"W A DISTANCE OF 25.02 FEET TO A POINT ON THE EAST R.O.W. LINE OF NORTH ROAD; THENCE N01°07'41"W ALONG SAID EAST R.O.W. LINE A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 150.00 SQUARE FEET MORE OR LESS.

DWG: F:\projects\013-2010\PBIN\Final_Plat\0132010_ROW-WESTGATE.dwg
DATE: Mar 05, 2014 4:43pm XREFS: 0132010-ROW 0132010_XTOPO USER: jjimenez

DAI JASON ANDRIST, NEBRASKA REGISTERED LAND SURVEYOR NO. LS-630
DATE March 5th, 2014



OLSSON
ASSOCIATES

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



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-15

#2014-94 - Approving Change Order No. 1 for the Third and Wheeler Historical Lighting Project

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

Council Agenda Memo

From: Scott Griepenstroh, Project Manager

Meeting: April 22, 2014

Subject: Approving Change Order No. 1 for the Third and Wheeler Historical Lighting Project

Item #'s: G-15

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

Background

On May 24, 2011 City Council approved the Project Program Agreement between the City Of Grand Island and Nebraska Department of Roads for utilizing Federal-aid Transportation Enhancement (TE) Program funds for the Third and Wheeler Downtown Historical Lighting Improvement project.

This project will construct 20 Historical Street Lights one block west, one block east and one half block south of the Kaufmann Park at 3rd Street and Wheeler Avenue. The purpose of the project is to revitalize and preserve historical Downtown Grand Island, and to provide adequate lighting for pedestrians and motorists. The design of the street lighting poles and luminaires is based on other historical lights located in Grand Island's Downtown.

The brick paver strip along the public sidewalk in the project corridor will also be replaced to upgrade walkway conditions and embellish the historical appearance. Adjacent deteriorated sidewalk will also be replaced at some locations.

The Downtown Business Improvement District will provide the local matching funds (20%) through their revenues and through funding awarded by the Community Redevelopment Authority.

Discussion

As per the contract documents, the existing brick pavers are to be replaced in the strips along the walkway through the project corridor. The replacement brick pavers were specified to be salvaged street brick pavers with adequate strength to support a vehicle load, red/brown in color, and similar to existing pavers in the downtown area. After the

contract was awarded, the Contractor's supplier indicated the salvaged brick pavers were no longer available.

The Contractor approached the project sponsors and requested to be permitted to provide newly fabricated ornamental brick pavers that meet the strength, color and appearance requirements. This change order is being processed to allow the substitution of the specified brick pavers. The replacement brick pavers were approved by representatives of the Downtown Business Improvement District.

At the request of the Grand Island Downtown Business District, the Contractor will be permitted to use gray colored self-leveling silicone joint sealing filler over the expansion material between the concrete street light foundations and the sidewalk. This change order is being processed to allow the substitution of the specified joint sealing material.

This is a Zero Dollar Change Order. No adjustment to the total construction contract of \$226,719.40 will be made.

Construction commenced on April 7, 2014. The project is expected to be completed in June, 2014. Public Works staff are performing the majority of inspection and project management tasks.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve Change Order No. 1 for the Third and Wheeler Historical Lighting Project.

Sample Motion

Move to approve the resolution.

**Nebraska Department of Roads
Change Order Report**

Date: 4/8/2014

Page: 1 of 3

Contract ID: 4651X

Change Order Nbr: 001

Change Order Description: Material Substitution - Brick Pavers and Joint Sealant

CO/SA #: _____ **Potential for Design Error/Omission:** No

Vendor: 3247 MID-PLAINS POWER, LLC

Primary Project Information: 42651 000 ENH-40(60)

Primary Project Location: 3RD/WHEELER, GRAND ISLAND

Contract Desc: ELECTRICAL

Change Order Approval Date:

Letting Date: 06.27.2013

Change Order Type: SUPPLEMENTAL AGREEMENT

Force Acct ID: 0

Zero Dollar Change Order: Y

**Nebraska Department of Roads
Change Order Report**

Date: 4/8/2014

Page: 2 of 3

Contract ID: 4651X

Change Order Nbr: 001

Change Order Description: Material Substitution - Brick Pavers and Joint Sealant

We hereby request approval of changes in the plans, specifications, or work not included in the plans or contract, described as follows:

As per the contract documents, the existing brick pavers are to be replaced in the strips along the walkway through the project corridor. The replacement brick pavers were specified to be salvaged street brick pavers with adequate strength to support a vehicle load, red/brown in color, and similar to existing pavers in the downtown area. After the contract was awarded, the Contractor's supplier indicated the salvaged brick pavers were no longer available.

The Contractor approached the project sponsors and requested to be permitted to provide newly fabricated ornamental brick pavers that meet the strength, color and appearance requirements. Representatives of the City of Grand Island and the Grand Island Downtown Business Improvement District concurred to accept the following brick pavers proposed by the Contractor.

Manufacturer: Glen-Gery Corporation

Product: Autumn Haze Paver

Dimensions: Thickness – 2.25" Width – 4" Length – 8"

This change order is being processed to allow substitution of the specified brick pavers. The special provision "Brick Paver" is amended to include the following.

The Contractor may propose to substitute salvaged street brick pavers with newly fabricated ornamental brick pavers. The acceptance of the substitute brick pavers will be based on similarity of color and appearance to other brick pavers in the project area. Newly fabricated brick pavers shall conform to ASTM International Standard Specification C 902, Class SX (Standard Specification for Pedestrian and Light Traffic Paving Brick).

If the thickness of the substitute brick pavers does not meet the required approximate dimension as shown in the plan detail "Typical Proposed Brick Paver Detail," the thickness of the concrete base supporting the brick pavers shall be increased by the difference.

No adjustment to the unit price for the contract item "Brick Pavers" will be made for substituting salvaged street brick pavers with newly fabricated ornamental brick pavers.

At the request of the Grand Island Downtown Business District, the Contractor will be permitted to use gray colored self-leveling silicone joint sealing filler over the expansion material between the concrete street light foundations and the sidewalk. The type of joint sealing filler as specified in the plan detail "Street Lighting Concrete Foundation in Sidewalk" may be disregarded.

The material used for the self-leveling silicone joint sealing filler shall follow the requirements of Table 1014.01 of the 2007 Edition of the Nebraska Dept. of Roads Standard Specifications for Highway Construction or shall be on the Nebraska Department of Roads Approved Products List.

No adjustment to the unit price for the contract item "Street Lighting Unit Type A" will be made for substituting self-leveling silicone joint sealing filler for the type originally specified in the plans.

No additional working days to the contract time allowance are being granted. Additional working day consideration is not applicable to these changes.

The Federal Highway Administration has been notified of these changes.

Nebraska Department of Roads
Change Order Report

Date: 4/8/2014
Page: 3 of 3

Contract ID: 4651X Change Order Nbr: 001
Change Order Description: Material Substitution - Brick Pavers and Joint Sealant

Change Order Signature Page

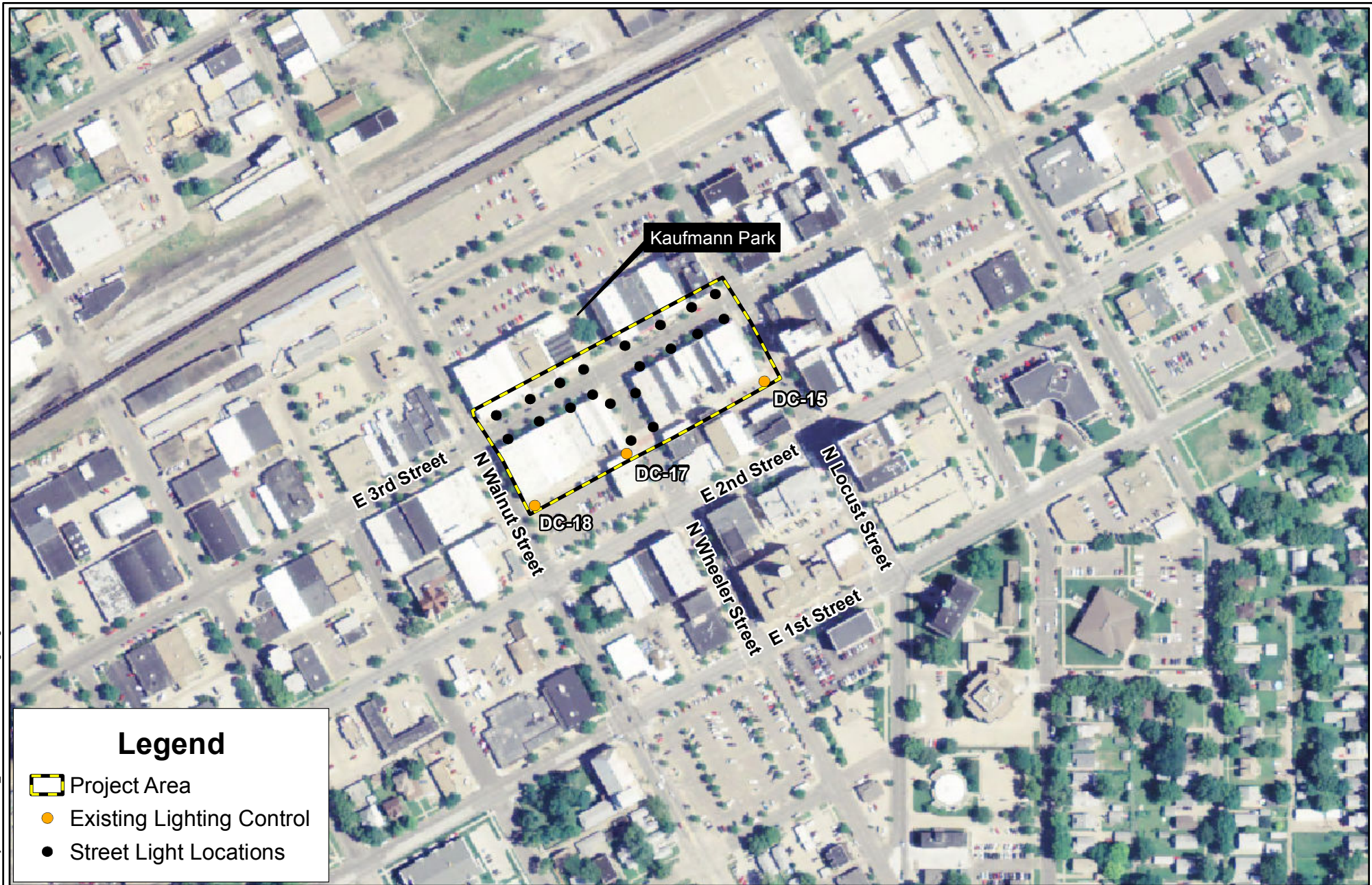
<u>Scott A. Ginter</u>	<u>4/8/14</u>	<u>Scott A. Ginter</u>	<u>4/8/14</u>
Project Manager	Date	LPA Responsible Charge	Date

_____	_____	_____	_____
State Representative	Date	District Engineer	Date

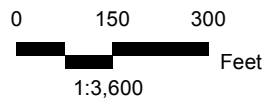
_____	_____	_____	_____
Contractor name and title	Date	FHWA	Date

_____	_____
MAYOR	DATE

_____	_____
CITY CLERK	DATE



Data Source: 2010 NAIP Aerial Photograph, Hall County



Grand Island Historic Lighting
NDOR Project No. ENH-40(60)
C.N. 42651
Hall County, Nebraska
Aerial Site Map
Exhibit 1

RESOLUTION 2014-94

WHEREAS, on July 9, 2013, by Resolution 2013-226, the City of Grand Island awarded Mid-Plains Power, LLC of Grand Island, Nebraska the bid in the amount of \$226,719.40 for the Third Street and Wheeler Avenue Historical Lighting Project; and

WHEREAS, it has been determined that additional work is necessary to complete such project; and

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

WHEREAS, the result of such modifications will increase the contract amount by \$0.00 for an unchanged contract price of \$226,719.40.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 1 between the City of Grand Island and Mid-Plains Power, LLC of Grand Island, Nebraska & the Nebraska Department of Roads to provide the modifications.

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 18, 2014	☐ City Attorney



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-16

**#2014-95 - Approving Authorization for Emergency Sanitary
Sewer Repairs at the Northeast Corner of State Street & Huston
Avenue**

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

Council Agenda Memo

From: Marvin Strong PE, Wastewater Plant Engineer

Meeting: April 22, 2014

Subject: Approving Authorization for Emergency Sanitary Sewer Repairs at the Northeast Corner of State Street & Huston Avenue

Item #'s: G-16

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

Background

Emergency sanitary sewer repairs were needed for a collapsed sanitary sewer manhole near the Christian School at State Street and Huston Avenue.

Since the beginning of calendar year 2013 there have been six (6) sanitary sewer collapses in the collection system.

- West end of Seedling Mile Access Road (part of the North Interceptor) - \$63,192.94
- East end of 7th Street/4th Street/Sky Park Road (part of the North Interceptor) - \$59,462.96
- Sycamore Street (in the street between 21st Street & 22nd Street) - \$71,570.56
- Sycamore Street (in alley between 21st Street & 22nd Street) - \$16,194.17
- Sycamore Street (in alley between 21st Street & 22nd Street – \$2,500.00 - Approximate cost of this repair, which requires slip lining due to a crack in the line. Johnson TV has been contacted for such work, as City staff doesn't have the ability to cut out the necessary tap in the line – this work has not been done as of yet
- *Christian School at the northeast corner of State Street & Huston Avenue - \$26,164.12

Actual costs of \$236,584.75 to date, with an approximate cost of \$2,500.00 for the final Sycamore Street alley repair, equates to a total cost of \$239,084.75.

Discussion

The Diamond Engineering Company of Grand Island, Nebraska was hired by providing a quote of \$26,320.00 to effect the necessary emergency repairs. Three other contractors were contacted to solicit quotes from; O'Hara Plumbing of Grand Island, Nebraska whom stated they were not available to do the repairs, Merryman Excavation, Inc. of

Woodstock, IL and Van Kirk Bros. Contracting of Sutton, Nebraska both provided no response on performing the work or submitting a quote.

The Diamond Engineering Co. will be paid based on actual time and materials incorporated into the repair work, an invoice summary is included for reference. Since the total is over \$20,000.00 council approval is necessary. We are requesting permission to use the emergency procurement procedures as outlined in Section 27-13 of the City Code.

Summary of total costs included in this repair are shown in the following table.

<i>Vendor</i>	<i>Item</i>	<i>Price</i>
The Diamond Engineering Co.		
	State St & Huston Ave Repairs	\$26,000.00
<i>The Diamond Engineering Co. Total</i>		<i>\$26,000.00</i>
Ace Hardware		
	Chain Links	\$164.12
<i>Ace Hardware Total</i>		<i>\$164.12</i>
<i>Grand Total</i>		<i>\$26,164.12</i>

The quote submitted by The Diamond Engineering Co. included a Con-Shield manhole at a cost of \$320.00 to be installed, however this item wasn't available for two (2) weeks.

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 usage of the City's Emergency Procurement Procedures and pass a resolution authorizing payment of the vendors listed with the corresponding amounts for the necessary sanitary sewer repairs.

Sample Motion

Move to approve the usage of the City's Emergency Procurement Procedures and authorize payment of the vendors listed with the corresponding amounts for the necessary sanitary sewer repairs.

THANK YOU FOR SHOPPING AT
JELINEK ACE HARDWARE
1704 WEST 3RD STREET
GRAND ISLAND, NE 68803
(308) 382-1874

3/25/14 2:31PM MLH 556 SALE


52622	6 EA	1.79 EA N
LINK CHAIN QUICK 3/16"20		10.74
52623	2 EA	1.99 EA N
LINK CHAIN QUICK 1/4" 20		3.98
5365325	60 EA	2.49 EA N
CHAIN PASS 2/0 BLU 125'		149.40

SUB-TOTAL: 164.12 TAX:
TOTAL: 164.12
CHARGE AMT: 164.12



==>> JRNL#I48634 INV#376999/1 <<==
CUST # 100715/ 19
ACE REWARDS ID # 19702306141

Five Points sewer repair


Name : X Scott Cameron
3-CITY EMPLOYEE'S PIC
Acct: SEWER INFRA-STRUCTURE
PO#: 021056

Engineers and Contractors

**1521 West Anna Street; P.O. Box 1327
Grand Island, NE 68802
(308)382-8362 Fax (308)382-8389**

Invoice No: **4084**

Date: 4/10/2014

Bill To: City of Grand Island
Attn: Catrina - Public Works Dept.
PO Box 1968
Grand Island, NE 68802

Job No. G.I. #2211

[illegible]

Make all checks payable to: The Diamond Engineering Company
If you have any questions concerning this invoice, call: (308) 382-8362

No FINANCE CHARGE is made on Accounts Paid in Full within 30 Days following Invoice Date. A PERIODIC RATE OF 1% per Month, which is an ANNUAL PERCENTAGE RATE OF 12%, will be added to the unpaid balance after 30 days.

An Equal Opportunity Employer

R E S O L U T I O N 2014-95

WHEREAS, the Wastewater Division of the Public Works Department needed to perform an emergency sanitary sewer repair at the northeast corner of State Street & Huston Avenue; and

WHEREAS, permission is requested to use the emergency procurement procedures as outlined in Section 27-13 of the City Code; and

WHEREAS, The Diamond Engineering Co. of Grand Island, Nebraska has been hired to do said repairs, with a quote of \$26,320.00; and

WHEREAS, three other contractors were contacted to solicit quotes from; O'Hara Plumbing of Grand Island, Nebraska whom stated they were not available to do the repairs, Merryman Excavation, Inc. of Woodstock, IL and Van Kirk Bros. Contracting of Sutton, Nebraska both provided no response on performing the work or submitting a quote; and

WHEREAS, such repairs consisted of the following expenses:

<i>Vendor</i>	<i>Item</i>	<i>Price</i>
The Diamond Engineering Co.		
	State St & Huston Ave Repairs	\$26,000.00
<i>The Diamond Engineering Co. Total</i>		<i>\$26,000.00</i>
Ace Hardware		
	Chain Links	\$164.12
<i>Ace Hardware Total</i>		<i>\$164.12</i>
<i>Grand Total</i>		<i>\$26,164.12</i>

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the sanitary sewer repair at the northeast corner of State Street & Huston Avenue, in the total amount of \$26,164.12 is hereby approved; with payments detailed herein to the vendors listed with the corresponding amounts.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ April 18, 2014 <input type="checkbox"/> City Attorney



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-17

#2014-96 - Approving Bid Award for Hot-Mix Asphalt 2014

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

Council Agenda Memo

From: Shannon Callahan, Streets Superintendent

Meeting: April 22, 2014

Subject: Approving Bid Award for Hot-Mix Asphalt 2014

Item #'s: G-17

Presenter(s): John Collins, Public Works Director

Background

Asphalt Hot-Mix is used by the Streets Division's asphalt crew throughout the construction season to patch potholes and sections of roadways that are showing signs of failure. Each year this material is bid and awarded based on the lowest unit price.

Asphalt is produced to very detailed specifications; in the last several years the City and the NDOR have been changing specifications to find better mixes for roadway projects. These changes have spurred changes in the way the Streets Division has bid and recommended awarding this material for the upcoming construction season.

First, the bidders were given the opportunity to write-in mixes that they would be producing this season. This allows a wider variety of mixes with set prices to be available to Streets and the bidders are not bound to making outdated mix types that no longer have specifications relevant to any other jobs.

The other difference is the way in which the bid is awarded; a primary and secondary bid award is being recommended based on each mix type. This will allow Streets' to purchase asphalt based on the type of mix best suited for each patching job and prices will be set for more than one producer so the material can be hauled in the event the other producer is not running or broken down.

Discussion

Three bids were received and opened on April 9, 2014; the bid summary can be found in Attachment 1 and a copy of the bidding documents is on file and available for inspection and review in the City Clerk's office. The bid award recommendation is listed below.

Standard Mix Id	Binder	Primary Award	Secondary Award
SPR	64-34	J.I.L. Asphalt Paving Co. \$49.50	Gary Smith Construction Co. \$55.00
Alternative Mix Id	Binder	Primary Award	Secondary Award
SPL – Recycle	64-22	J.I.L. Asphalt Paving Co. \$50.10	Constructors, Inc. \$56.00
SPL-A	64-22	J.I.L. Asphalt Paving Co. \$53.95	
SPR	64-22	J.I.L. Asphalt Paving Co. \$43.55	Gary Smith Construction Co. \$52.00
SPS	52-34	Constructors, Inc. \$50.00	
Type B	64-22	J.I.L. Asphalt Paving Co. \$41.65	Gary Smith Construction Co. \$45.00
Type B Recycle	64-22	J.I.L. Asphalt Paving Co. \$34.65	
Type C	64-22	Gary Smith Construction Co. \$52.00	J.I.L. Asphalt Paving Co. \$55.45

*All bid prices are per Ton

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 Hot-Mix Asphalt 2014 according to the above stated bid recommendation.

Sample Motion

Move to approve the purchase of the Hot-Mix Asphalt 2014 according to the above stated bid recommendation.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: April 9, 2014 at 2:00 p.m.
FOR: Asphalt Hot-Mix for 2014
DEPARTMENT: Public Works
ESTIMATE: \$60.00 per ton
FUND/ACCOUNT: 10033503-85547
PUBLICATION DATE: March 26, 2014
NO. POTENTIAL BIDDERS: 3

SUMMARY

Bidder:	<u>J.I.L. Asphalt Paving Co.</u> Grand Island, NE	<u>Gary Smith Construction Co., Inc.</u> Grand Island, NE
Exceptions:	None	Noted

Bid Price:		
Type SPR (64-34):	\$49.50	\$55.00
Type B (64-22):	\$41.65	\$45.00
Type B Recycle (64-22):	\$34.65	
SPR (64-22):	\$43.55	\$52.00
SPL-A (64-22):	\$53.95	
SPL – Recycle (64-22):	\$50.10	
Type C (64-22):	\$55.45	\$52.00

Bidder:	<u>Constructors, Inc.</u> Lincoln, NE
Exceptions:	None

Bid Price:	
Type SPR:	\$60.00
SPL (64-22):	\$56.00
SPS (52-34):	\$50.00

cc: John Collins, Public Works Director
Mary Lou Brown, City Administrator
Stacy Nonhoff, Purchasing Agent

Catrina DeLosh, PW Admin. Assist.
Jaye Monter, Finance Director
Shannon Callahan, Street Superintendent

P1727

R E S O L U T I O N 2014-96

WHEREAS, the City of Grand Island invited sealed bids for furnishing Hot-Mix Asphalt for 2014, according to plans and specifications on file with the Streets Division of the Public Works Department; and

WHEREAS, on April 9, 2014 bids were received, opened and reviewed; and,

WHEREAS, J.I.L. Asphalt Paving Co., Gary Smith Construction Co., and Constructors, Inc. submitted the lowest and best bids within the bid specifications for Asphalt Hot-Mix 2014.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bids of:

Standard Mix Id	Binder	Primary Award	Secondary Award
SPR	64-34	J.I.L. Asphalt Paving Co. \$49.50	Gary Smith Construction Co. \$55.00
Alternative Mix Id	Binder	Primary Award	Secondary Award
SPL – Recycle	64-22	J.I.L. Asphalt Paving Co. \$50.10	Constructors, Inc. \$56.00
SPL-A	64-22	J.I.L. Asphalt Paving Co. \$53.95	
SPR	64-22	J.I.L. Asphalt Paving Co. \$43.55	Gary Smith Construction Co. \$52.00
SPS	52-34	Constructors, Inc. \$50.00	
Type B	64-22	J.I.L. Asphalt Paving Co. \$41.65	Gary Smith Construction Co. \$45.00
Type B Recycle	64-22	J.I.L. Asphalt Paving Co. \$34.65	
Type C	64-22	Gary Smith Construction Co. \$52.00	J.I.L. Asphalt Paving Co. \$55.45

*All bid prices are per Ton

for hot-mix asphalt purchased in the 2014 calendar year, are hereby approved;

Approved as to Form April 18, 2014	by _____ City Attorney
---------------------------------------	---------------------------

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

- 2 -



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-18

#2014-97 - Approving Bid Award for Handicap Ramp Project No. 2014-HC-1

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

Council Agenda Memo

From: Scott Griepenstroh, Public Works Project Manager

Meeting: April 22, 2014

Subject: Approving Bid Award for Handicap Ramp Project No. 2014-HC-1

Item #'s: G-18

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

Background

On March 15, 2014 the Engineering Division of the Public Works Department advertised for bids for the construction of handicap ramps at various intersections in the City. The City is required to have a planned schedule for upgrading public sidewalk ramps to conform to American with Disabilities Act (ADA) standards. The current schedule and budget will bring the City into compliance in approximately 23 years.

Reconstruction of ramps is also required in conjunction with street resurfacing activities. Last year's resurfacing locations did not require reconstruction of sidewalk ramps, therefore in order to remain on schedule; sites near elementary schools were selected for improvement. Public sidewalk ramps will be reconstructed at Knickrehm, Newell, and Wasmer Schools, as well as the 10th Street area & Louise Street area. The attached map shows the locations for this year's work.

Discussion

Two (2) bids were received and opened on April 1, 2014. The Engineering Division of the Public Works Department and the Purchasing Division of the City's Attorney's Office have reviewed the bids that were received. A summary of the bids is shown below.

Bidder	Exceptions	Bid Price
Galvan Construction, Inc. of Grand Island, NE	None	\$191,064.00
The Diamond Engineering Co. of Grand Island, NE	Noted	\$292,414.80

Funds are available in Account No. 10033503-85318 & 10033506-85351.

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 bid award to the low compliant bidder, Galvan Construction, Inc. of Grand Island, Nebraska in the amount of \$191,064.00.

Sample Motion

Move to approve the bid award.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: April 1, 2014 at 2:00 p.m.
FOR: Handicap Ramp Project 2014-HC-1
DEPARTMENT: Public Works
ESTIMATE: \$267,325.00
FUND/ACCOUNT: 10033503-85318 & 10033506-85351
PUBLICATION DATE: March 15, 2014
NO. POTENTIAL BIDDERS: 14

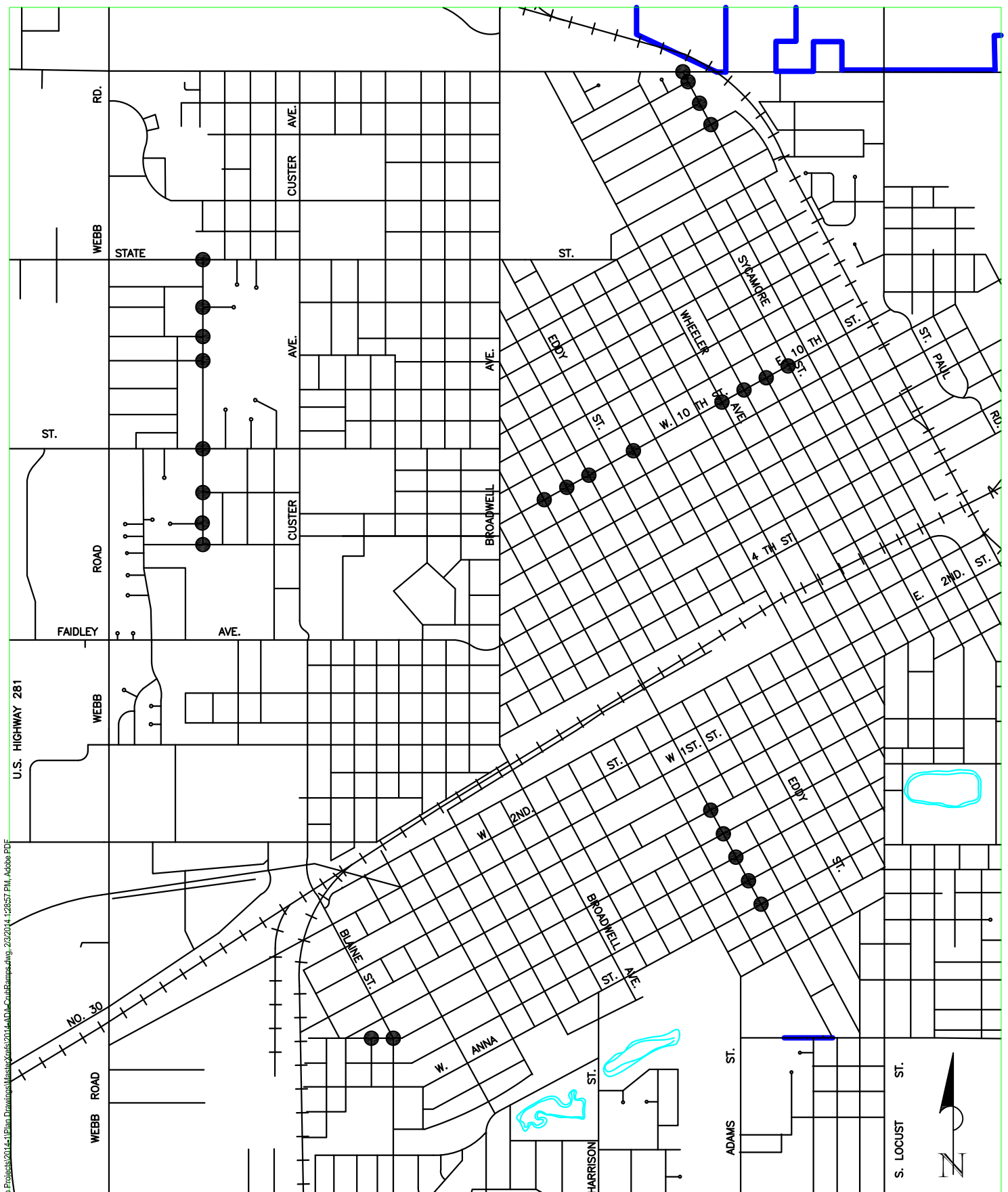
SUMMARY

Bidder:	<u>Galvan Construction, Inc.</u> Grand Island, NE	<u>The Diamond Engineering Co.</u> Grand Island, NE
Bid Security:	Cashier's Check	Universal Surety Co.
Exceptions:	None	Noted
Bid Price:		
Section A:	\$24,721.75	\$ 35,968.40
Section B:	\$38,787.50	\$ 55,601.85
Section C:	\$44,204.75	\$ 68,553.15
Section D:	\$71,206.25	\$110,858.10
Section E:	<u>\$12,143.75</u>	<u>\$ 21,433.30</u>
Total Bid:	\$191,064.00	\$292,414.80

cc: John Collins, Public Works Director
Mary Lou Brown, City Administrator
Scott Griepentstroh, PW Project Manager

Catrina DeLosh, PW Admin. Assist.
Stacy Nonhof, Purchasing Agent

P1725



J:\Sidewalk-Dist-Eng\Projects\Handicap Ramp Projects\2014\14Plan Drawings\Map\2014 ADA Curb Ramp Map.dwg, 2/2/2014 12:25:57 PM, Adobe PDF



DATE: 02-03-2014

DRAWN BY: MWL

APPVD. BY:

SCALE NONE

PROPOSED 2014 ADA CURB RAMP LOCATIONS

PLAN

1/1

RESOLUTION 2014-97

WHEREAS, the City of Grand Island invited sealed bids for Handicap Ramp Project 2014-HC-1, according to plans and specifications on file with the Public Works Department; and

WHEREAS, on April 1, 2014 bids were received, opened, and reviewed; and

WHEREAS, Galvan Construction, Inc. 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 \$191,064.00; and

WHEREAS, Galvan Construction Inc.'s bid is less than the estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Galvan Construction, Inc. of Grand Island, Nebraska in the amount of \$191,064.00 for Handicap Ramp Project 2014-HC-1 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, April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 18, 2014	☐ City Attorney



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item G-19

#2014-98 - Approving Interlocal Agreement with Grand Island Public Schools

Staff Contact: Todd McCoy, Parks & Recreation Director

Council Agenda Memo

From: Todd McCoy, Parks and Recreation Director

Meeting: April 22, 2014

Subject: Approve an Interlocal Agreement with Grand Island Public Schools to Maintain City and School Property near Walnut Middle School

Item #'s: G-19

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

Background

Last year the Walnut Middle School east entry drive was relocated in an effort to enhance the intersection and school access. As a result of the project, City and School property lines became somewhat irregular.

Discussion

In an effort to maintain City and School property near the school, staff is recommending approving the attached Interlocal Agreement. The City Parks and Recreation Department will maintain all areas south of the Walnut east entry drive. The Schools will maintain the drive and areas to the north.

The Grand Island School Board approved the agreement on April 10, 2014.

Alternatives

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

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

Recommendation

City Administration recommends that the City Council approve an Interlocal Agreement to maintain the area near Walnut Middle School.

Sample Motion

Move to approve the Interlocal Agreement with Grand Island Public Schools to maintain the area near Walnut Middle School.

INTERLOCAL AGREEMENT

This Interlocal Agreement made between the **CITY OF GRAND ISLAND, NEBRASKA**, a Municipal Corporation, hereinafter called the “City” and the **GRAND ISLAND PUBLIC SCHOOLS**, hereinafter called “GIPS”.

WHEREAS, the City and GIPS own adjacent properties near Walnut Middle School in Grand Island, Nebraska; and

WHEREAS, as a result of the 2013 Walnut Middle School entry road relocation project, the City and GIPS adjacent properties lines are somewhat irregular; and

WHEREAS, GIPS has the interest and resources to maintain a section of the City property north of the Walnut entry drive off Custer Avenue; and

WHEREAS, the City has the interest and resources to maintain a section of the GIPS property south of the Walnut entry drive off Custer Avenue; and

WHEREAS, attached hereto as Exhibit “A” and incorporated herein by this reference is a zone map showing Zone #1 which GIPS agrees to maintain and Zone #2 which the City agrees to maintain, pursuant to the terms stated below.

NOW THEREFORE, incorporating the above recitals as if fully set forth herein, the parties hereby agree as follows:

1. This Interlocal Agreement is for a term of ten (10) years beginning April 1, 2014 with a renewal option for an additional ten (10) years at the conclusion of the first term as stated previously. It is understood and agreed by and between the parties that either party shall have the absolute right to provide to the other party thirty (30) days written notice to terminate the agreement without any cause, at any time during the ten (10) year period, or during the additional ten (10) year renewal option.

GIPS AGREES TO MAINTAIN CITY PROPERTY ZONE #1 OF EXHIBIT “A”

2. GIPS shall be responsible for all landscape maintenance, including all mowing, fertilizer, sprinklers, sidewalk snow removal, and general upkeep of City property. Any landscaping modifications to City property may be performed by GIPS upon obtaining written consent from the City.

3. GIPS shall not assign, sublet or part with the possession of the whole or any part of the City property without first obtaining the written consent of the City.

4. GIPS agrees to indemnify the City for any claim made by GIPS employees or by any other persons, for personal injury or property damage arising out of GIPS use of equipment

on the premises or equipment brought onto the premises after the commencement of this Interlocal Agreement, which premises GIPS agrees to accept at all times during the term of this Agreement as is, where is, and the City has no responsibility for its condition or state of repair. GIPS agrees not to remove from City premises any equipment or property located on the premises at the commencement of this Agreement, except as authorized in writing by the City.

5. GIPS agrees that the City property north of the Walnut entry drive shall be maintained as publicly accessible open green space consistent with park use.

THE CITY AGREES TO MAINTAIN GIPS PROPERTY ZONE #2 OF EXHIBIT "A"

6. The City shall be responsible for all landscape maintenance, including all mowing, fertilizer, sprinklers, and general upkeep of GIPS property. Any landscaping modifications to GIPS property may be performed by the City upon obtaining written consent from GIPS.

7. The City shall not assign, sublet or part with the possession of the whole or any part of the GISP property without first obtaining the written consent of GIPS.

8. The City agrees to indemnify GIPS for any claim made by the City employees or by any other persons, for personal injury or property damage arising out of City use of equipment on the premises or equipment brought onto the premises after the commencement of this Interlocal Agreement, which premises the City agrees to accept at all times during the term of this Agreement as is, where is, and GIPS has no responsibility for its condition or state of repair. The City agrees not to remove from GIPS premises any equipment or property located on the premises at the commencement of this Agreement, except as authorized in writing by GIPS.

IN WITNESS WHEREOF, the parties hereby have executed this Interlocal Agreement.

Attest:

CITY OF GRAND ISLAND, NEBRASKA,
A Municipal Corporation,

RaNae Edwards, City Clerk

By: _____
Jay Vavricek, Mayor

GRAND ISLAND PUBLIC SCHOOLS,

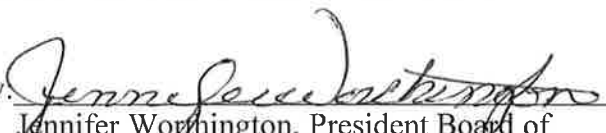
By: 
Jennifer Worthington, President Board of
Education



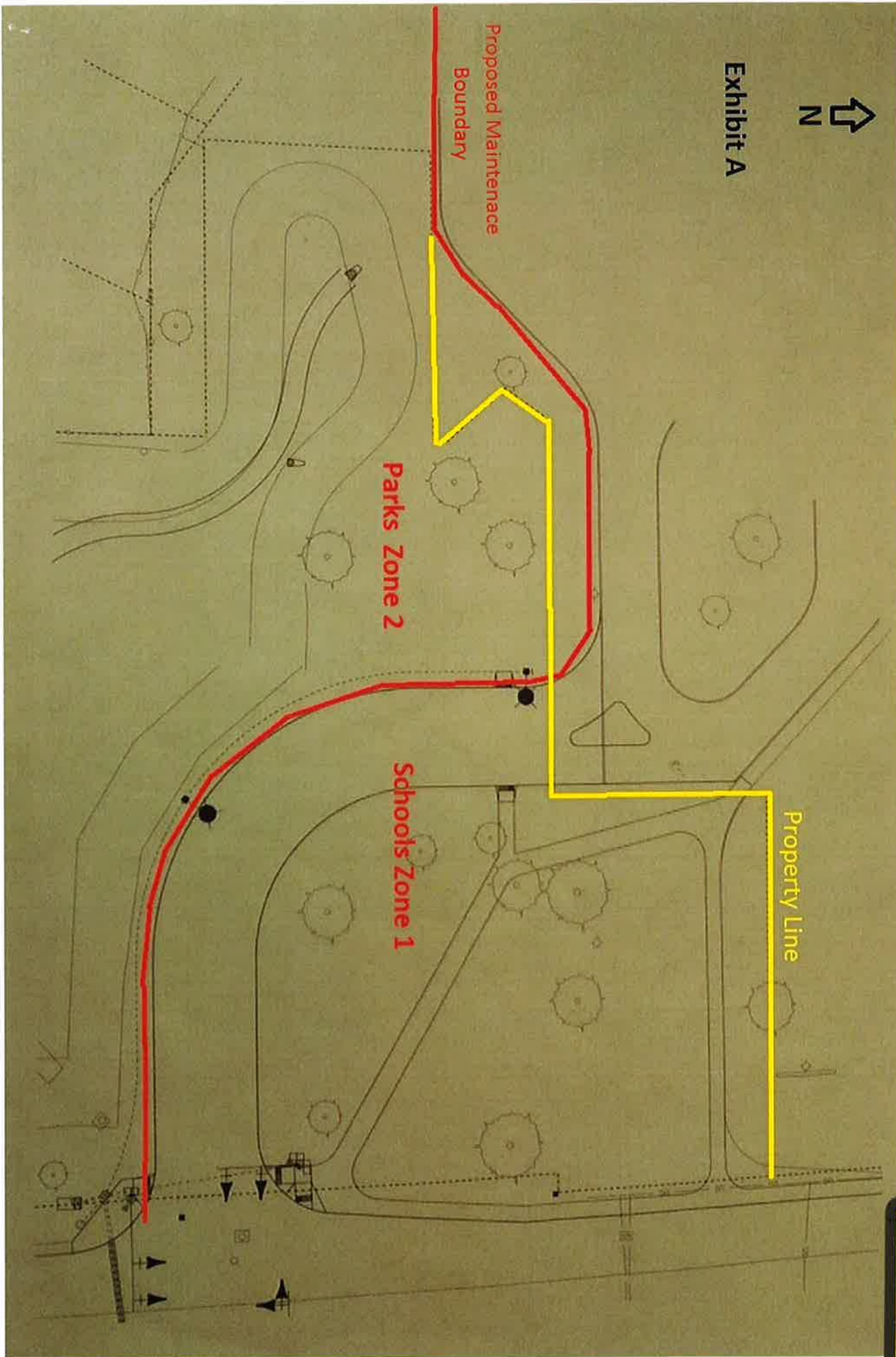
Exhibit A

Proposed Maintenance
Boundary

Parks Zone 2

Schools Zone 1

Property Line



tabbles

EXHIBIT

A

RESOLUTION 2014-98

WHEREAS, the City of Grand Island and Grand Island Public Schools own adjacent properties near Walnut Middle School in Grand Island, Nebraska; and

WHEREAS, as a result of the 2013 Walnut Middle School entry road relocation project, the adjacent properties lines between the City of Grand Island and Grand Island Public Schools are somewhat irregular; and

WHEREAS, the Grand Island Public Schools has the interest and resources to maintain a section of the City property north of the Walnut entry drive off Custer Avenue referred to in Zone #1 of Interlocal Agreement; and

WHEREAS, the City of Grand Island has the interest and resources to maintain a section of the Grand Island Public Schools property south of the Walnut entry drive off Custer Avenue referred to in Zone #2 of Interlocal Agreement; and

WHEREAS, an interlocal agreement has been developed detailing the responsibilities of both parties.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that an Interlocal Agreement by and between the City of Grand Island and the Grand Island Public Schools detailing the responsibilities between both parties is hereby approved.

BE IT FURTHER RESOLVED, the Mayor is hereby authorized and directed to sign the Interlocal Agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 18, 2014	☐ City Attorney



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item H-1

Consideration of Request from the City of Grand Island for a Conditional Use Permit for a 130' Communications Tower located at 700 East Bischeld Street

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

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item I-1

#2014-99 - Consideration of Approving Request from the YMCA for Permission to Use City Streets, Hike/Bike Trail, and State Highway for a State Fair Marathon/Half Marathon/5K Race

Staff Contact: Mary Lou Brown, City Administrator

Council Agenda Memo

From: Steven Lamken, Police Chief

Meeting: April 22, 2014

Subject: YMCA Request for Bill Seymore, State Fair Marathon

Item #'s: I-1

Presenter(s): Steven Lamken, Police Chief

Background

The YMCA in cooperation with the State Fair are expanding the Bill Seymore one half marathon to a full marathon. The YMCA is seeing Council approval and notice to the Nebraska Department of Roads for the marathon route.

Discussion

The YMCA in cooperation with the State Fair is expanding the Bill Seymore half marathon to a full marathon. The YMCA is seeking Council approval and notice to the Nebraska Department of Roads for the marathon route.

The Marathon will be held the morning of Saturday, August 23rd. The Marathon route will require the use of City streets and bike trails as well as crossing Highway 34 and running in one lane of Highway 30. Please see the attached map of the route.

State Statute 39-1359 requires the City Council to approve the route and for the City to then inform the Nebraska Department of Roads that the route has approval if it closes or blocks any part of a State highway. This is a new requirement for any race, parade or march that would create some closure of the highway. This action then makes the City responsible for the liability of using a State highway for the event.

The marathon planners from the YMCA and State Fair have met with public safety, public works and the county highway department and other affected departments in planning for the event. The route being presented to the Council for approval is agreed upon as the best identified alternative for the marathon.

For information purposes, any future such event will need to be presented to the Council if the event crosses or uses part of a State highway.

Alternatives

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

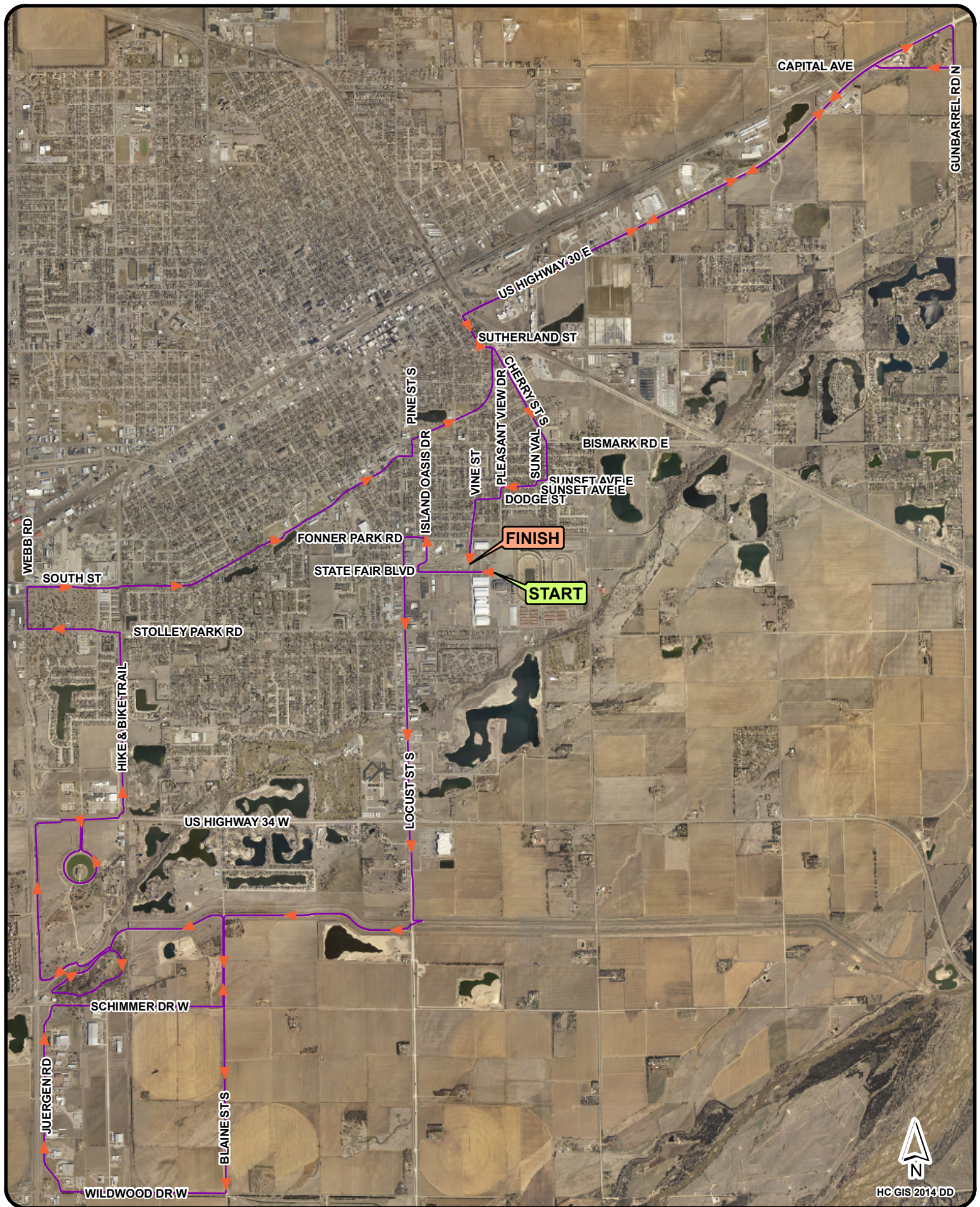
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

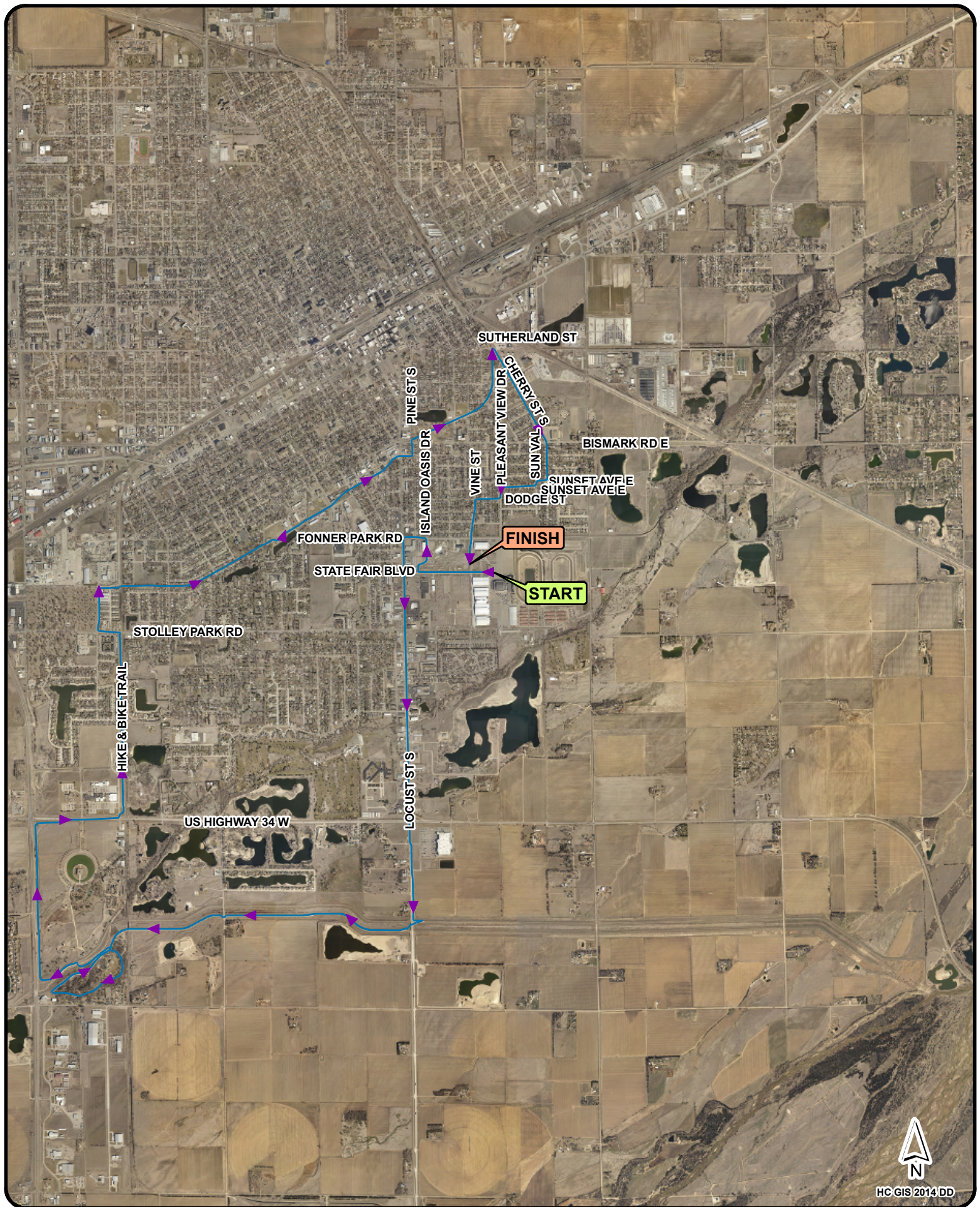
City Administration recommends that the Council approve the YMCA's presented route for the Bill Seymore/State Fair Marathon and direct that the Nebraska Department of Roads be notified of this action.

Sample Motion

Move to approve the YMCA's presented route for the Bill Seymore/State Fair Marathon and direct that the Nebraska Department of Roads be notified of this action.



2014 NEBRASKA STATE FAIR MARATHON
26.2 TOTAL MILES



2014 NEBRASKA STATE FAIR HALF MARATHON
13.1 TOTAL MILES

RESOLUTION 2014-99

WHEREAS, the YMCA and State Fair are expanding the Bill Seymore half marathon to be a full marathon race, and;

WHEREAS, the YMCA has worked with City and County departments in planning the marathon race route and developing an acceptable route; and

WHEREAS, Nebraska State Statute 39-1359 now requires cities to obtain Council approval and proper notification of the Nebraska Department of Roads when any event is going to require the closure or partial closure of a State highway; and

WHEREAS, the recommended race route for the marathon requires crossing Highway 34 and the closure of one lane of traffic on east Highway 30.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, to approve the presented route for the Bill Seymore/State Fair marathon to be run on Saturday, August 23, 2014 and direct that the State of Nebraska Department of Roads be notified of the approved route.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 18, 2014	☐ City Attorney



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item J-1

Approving Payment of Claims for the Period of April 9, 2014 through April 22, 2014

*The Claims for the period of April 9, 2014 through April 22, 2014 for a total amount of \$6,566,133.07.
A MOTION is in order.*

Staff Contact: Jaye Monter, Finance Director