
City of Grand Island

City Council Information Packet



Tuesday, December 18, 2001

Council Session

Call to Order

**Pledge of Allegiance /Invocation - Pastor Todd Bowen, Covenant Presbyterian
Church, 418 West 12th Street**

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

Item C1

It's About Kids!

It's About Kids! assets will be presented by Barb Zaruba, Kylie Roe and Maggie Jobes.



Tuesday, December 18, 2001

Council Session

City of Grand Island

Item C2

Recognition of Dan Neville and Arley Pickinpaugh for 2001 National SWANA Heavy Equipment ROAD-E-O Competition Awards

The Mayor will present certificates of accomplishments to Dan Neville and Arley Pickinpaugh, Solid Waste Division employees who recently participated in the National Solid Waste Association North America Road-e-o landfill equipment competition. Dan Neville placed 1st in the Articulated Loader Division and Arley Pickinpaugh placed 3rd in the Compactor Division. Congratulations to these operators. Steve Riehle will also introduce Kevin McKennon as the Solid Waste Division Superintendent.



Tuesday, December 18, 2001

Council Session

City of Grand Island

Item C3

Presentation by Betty Curtis Regarding Hazardous Waste Collection Report

*Betty Curtis from the Clean Community Systems will present to the Mayor and City Council a
report on the Hazardous Waste Collections.*



Tuesday, December 18, 2001

Council Session

City of Grand Island

Item C4

Presentation by Betty Curtis to the Fire Department for Thermal Imaging Camera

Betty Curtis representing Clean Community Systems will present a thermal imaging camera to the Fire Department.



Tuesday, December 18, 2001

Council Session

City of Grand Island

Item C5

Presentation of Electric and Water Annual Audits

Shelly Stromp, Senior Manager with KPMG, will present the Independent Auditors' Report of the Financial Statements relative to the City of Grand Island Electric Department and Water Department, for the year ended September 30, 2001. No major issues were noted in the audits.



Tuesday, December 18, 2001

Council Session

City of Grand Island

Item C6

Presentation on Comprehensive Human Service Needs Assessment

Tim Keelan and Justin Piester with Hanna:Keelan, Lincoln, Nebraska, will present findings from the Community Human Service Needs Assessment. The Assessment was a collaborative effort of the City of Grand Island Community Youth Council, Heartland United Way, the Commission on Innovation and Restructuring, Grand Island Community Foundation, St. Francis Medical Foundation, and the Nebraska Foundation for Children and Families. The assessment will help guide the efficient delivery of services in Grand Island for the next several years.



Tuesday, December 18, 2001

Council Session

City of Grand Island

Item C7

Presentation on Housing Study

The City of Grand Island, with grant funding from the Nebraska Department of Economic Development and the Community Redevelopment Authority, undertook a comprehensive look at housing needs in Grand Island. The information obtained assists in development of community housing goals, identifies needed housing types/price products, designates future housing locations, and lists possible present obstacles or barriers that may now exist that prevent the provision of needed housing. The study is available to developers, funding entities, city staff, and other interested persons. The last housing study completed by the City was in 1995; up to date information is required by the Department of Economic Development, Community Development Block Grant Program. Representatives of Hanna:Keelan will be in attendance to present the findings of the recently completed housing market study.



Tuesday, December 18, 2001

Council Session

City of Grand Island

Item E1

Public Hearing on Annexation of Property Being Platted as B & C Subdivision

Public Hearing concerning annexation of property being platted as B & C Subdivision an addition to the City of Grand Island. The property is located South of Stolley Park Road, and West of Stuhr Road in part of the SE 1/4 of 22-11-09. It is appropriate to solicit public comment. The action item is contained under Ordinances.



Tuesday, December 18, 2001

Council Session

December 6, 2001

Honorable Ken Gnadt, Mayor
And Members of the Council
City Hall
Grand Island, NE 68801

Dear Mayor and Members of the Council:

**RE: Annexation of Property Being Platted as B & C Subdivision, located South
of Stolley Park Road and West of Stuhr Road.**

At the regular meeting of the Regional Planning Commission, held December 5, 2001, the above item was considered following a public hearing. The above item is to Annex the property that is being platted as B & C subdivision, located in the SE ¼ of Section 22, Township 11, Range 9.

This annexation will have no effect on the 2 mile extraterritorial jurisdiction exercised by the City Of Grand Island. City services are available to this property.

No members of the public spoke in opposition of this item.

No members of the public spoke in favor of this item.

Following further discussion a motion was made by Miller and 2nd by Hooker to approve and recommend the City of Grand Island recommend this annexation.

The motion carried with a unanimous vote by the 9 members present (Hayes, Webb, Lechner, Amick, Haskins, Ruge, Miller, O'Neill, Eriksen).

Yours truly,

Chad Nabity AICP
Planning Director

cc: Director of Building Inspections
 City Attorney
 Director of Utilities
 Director of Public Works
 Manager of Postal Operations
 Benjamin & Associates
 Applicant

City of Grand Island

Item E2

Public Hearing on Request for a Conditional Use Permit to Operate a Salvage Yard of Heartland Insurance Pool Inc. at 1203 E. Airport Rd.

This is a request of Heartland Insurance Pool Inc. to operate a salvage yard at 1203 E. Airport Road. This is the location of an existing conditional use permit which allows for the storage of disabled vehicles, issued in 1997. The permit issued in 1997 had three requirements; 1) perimeter fencing shall be a minimum of eight feet in height and visually screen the stored vehicles from public view; 2) vehicles stored shall be organized in rows, with no stacking; and 3) landscaping shall be provided and maintained along Airport and ST. Paul roads.

The property is currently zoned M-2 Heavy Manufacturing, that zoning classification requires operations such as this to obtain approval from the City Council in the form of a conditional use permit.

Approval appears reasonable, with the same restrictions applied and the fencing modified to include eight feet in height along the south side. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.



Tuesday, December 18, 2001

Council Session

City of Grand Island

Item E3

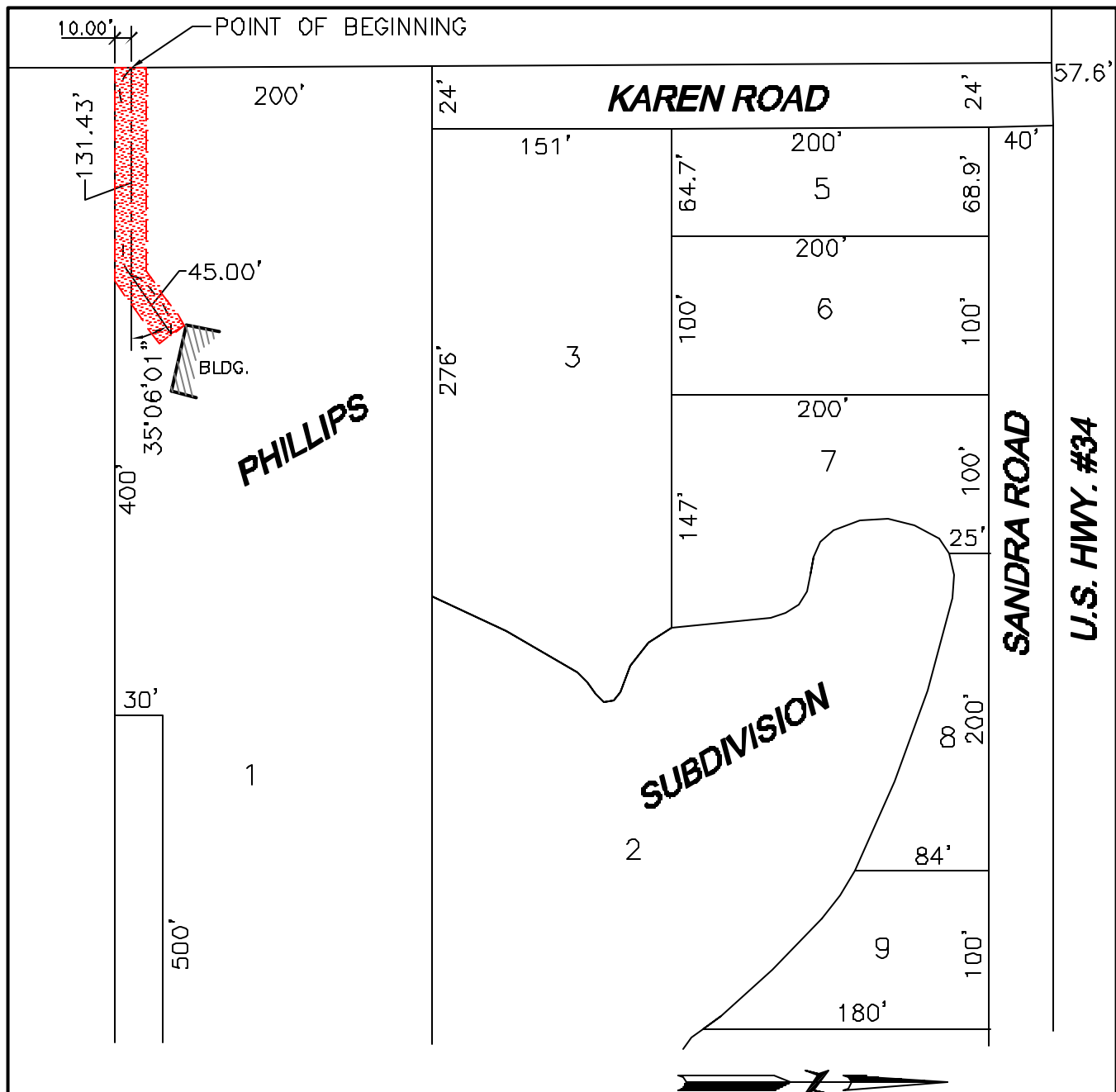
Public Hearing on Acquisition of Utility Easement Located at 1405 Hwy. 34 West

Acquisition of utility easement relative to property of Beverly Enterprises-Nebraska, Inc. (known locally as Lakeview Nursing Home), located at 1405 Hwy. 34 West, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. Beverly Healthcare Lakeview has added additional rooms to the building creating the need for additional electrical power. This easement will be used to locate underground primary electrical cable and a pad mounted transformer to serve the entire facility. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.



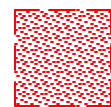
Tuesday, December 18, 2001

Council Session



LEGAL DESCRIPTION

Part of Lot One (1) Phillips Subdivision in the City of Grand Island, Hall County, Nebraska. The centerline of the twenty foot (20') wide utility easement and right-of-way being more particularly described as follows: Beginning at the Southwest corner of said Lot One (1); thence northerly along the westerly line of said Lot One (1), a distance of ten feet (10') to the Actual Point of Beginning; thence easterly, parallel with the southerly line of said Lot One (1), a distance of one hundred thirty-one and forty-three hundredths feet (131.43'); thence deflecting left thirty-five degrees, six minutes, one second (35° 06' 01") northeasterly, a distance of forty-five feet (45.00') and containing 0.08 acres more or less.



INDICATES 20' WIDE
UTILITY EASEMENT

**CITY OF
GRAND ISLAND**
UTILITIES DEPARTMENT

EXHIBIT "A"

DRAWN BY: ZEX

SCALE: 1"=100'

DATE: 11/15/2001

FILE: PHILLIPS_SUB

City of Grand Island

Item E4

Public Hearing on Acquisition of Utility Easement - Robert K. and Judith K. Poland

Acquisition of utility easement relative to the property of Robert K. and Judith K. Poland, located in Section 23-11-9, north of Stolley Park Road and approximately 1/4 mile east of Stuhr Road, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used for an overhead distribution line originally constructed over 20 years ago. A termination pole had to be moved. To make sure the pole remained in the easement, an investigation of the property documents was completed. This revealed that no easement existed. This easement document will correct that situation and allows for the relocation of the termination pole. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.



Tuesday, December 18, 2001

Council Session

City of Grand Island

Item E5

Public Hearing on Acquisition of Utility Easement Located at 1508 East Stolley Park Road

Acquisition of utility easement relative to the property of Richard D. and Jacqueline A. Rezac, Located at 1508 East Stolley Park Road is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement is for an overhead distribution line originally constructed over 20 years ago. A termination pole had to be moved. To make sure the pole remained in the easement, an investigation of the property documents was completed. This revealed that no easement existed. The easement document will correct that situation and allows for the relocation of the termination pole. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.



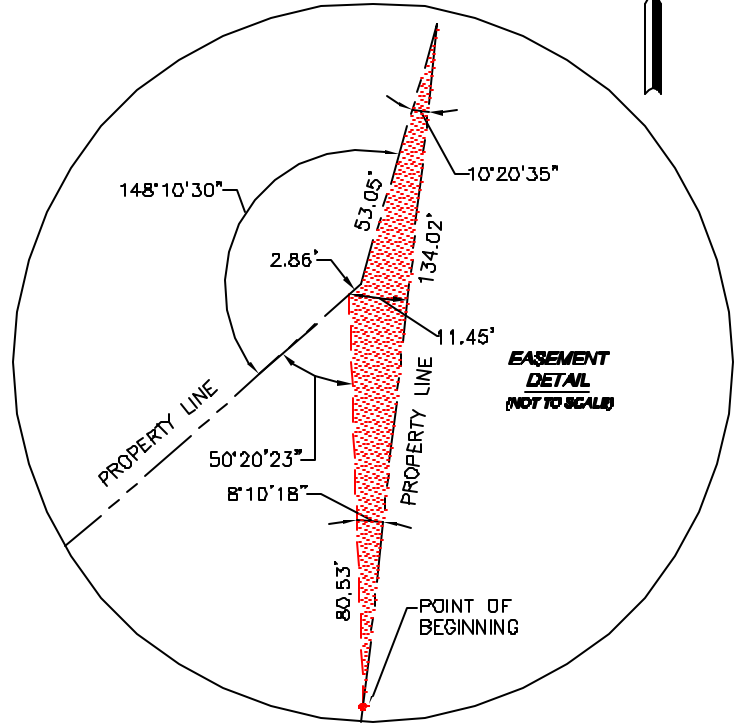
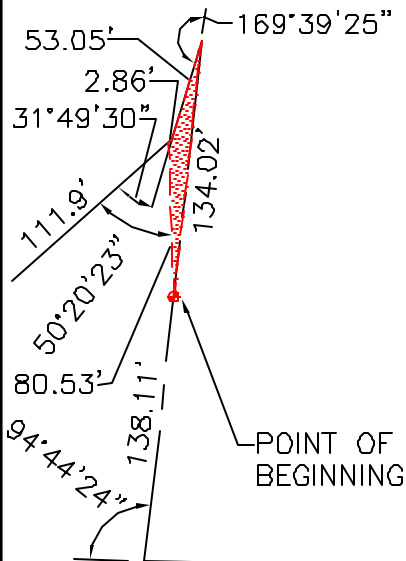
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SOUTH LINE
LOT 3 ISLAND

PART OF LOT 4 ISLAND
AND
W 1/2, SE 1/4, SW 1/4
SEC 23, T-11-N, R-9-W

65' WIDE ELEC. TRANS. EASEMENT



GRANTOR:
RICHARD D. REZAC & JACQUELINE A. REZAC
HUSBAND & WIFE

SE CORNER,
SW 1/4, SEC. 23-11-9

ROAD
STUHR

SW CORNER,
SEC. 23-11-9

1,981.68'
STOLLEY PARK ROAD

SE CORNER
W 1/2, SE 1/4, SW 1/4,
SEC 23-11-9

CITY OF
GRAND ISLAND
UTILITIES DEPARTMENT

EXHIBIT "A"

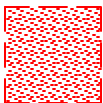
DRAWN BY: ZEX

SCALE: 1"=100'

DATE: 11/26/2001

FILE: SEC. 23-11-9

LEGEND



INDICATES UTILITY EASEMENT

City of Grand Island

Item F1

#8707 Consideration of Annexation of Property Being Platted as B & C Subdivision

This item refers to the aforementioned Public Hearing. Annexation of property being platted as B & C Subdivision and addition to the City of Grand Island. The property is located South of Stolley Park Road and West of Stuhr Road in part of the SE 1/4 of 22-11-09. Approval is recommended.



Tuesday, December 18, 2001

Council Session

ORDINANCE NO. 8707

An ordinance to annex B & C Subdivision into the City of Grand Island; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

WHEREAS, Robert Loewenstein and Cindy Loewenstein, husband and wife, as owners, have caused to be laid out into lots, a tract of land located in Fractional East Half of the Southeast Quarter (E1/2, SE1/4) of Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, under the name of B & C SUBDIVISION, which is proposed to be an addition to the City of Grand Island; and

WHEREAS, after public hearing on December 5, 2001, the Regional Planning Commission recommended the approval of annexing such addition into the City of Grand Island; and

WHEREAS, after public hearing on December 18, 2001, the City Council found and determined that such annexation be approved.

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

SECTION 1. That B & C Subdivision is hereby annexed into the City of Grand Island, and shall be entitled to all the rights and privileges, and shall be subject to all the laws, ordinances, rules, and regulations of the City of Grand Island

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

ORDINANCE NO. 8707 (Cont.)

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

Enacted: December 18, 2001.

Ken Gnadt, Mayor

Attest:

RaNae Edwards, City Clerk

City of Grand Island

Item F2

#8708 Consideration of Salary Increase for City Council and Mayor

Elected officers in cities of the first class such as Grand Island may be paid such compensation as the mayor and city council fix by ordinance. (Neb. Rev. Stat. §16-310). Section 16-326 authorizes the compensation paid to the city council to be changed for the entire council at the commencement of the new term for one or more members, in the case of Grand Island, this being the first regular meeting in the month of December during evenly numbered years. The compensation for the mayor may be changed only at the time of the commencement of the new term. Section 16-502 prohibits any officer of the city from receiving any pay or perquisites other than their salary. These same statutory provisions are reiterated in the Constitution of Nebraska, Article III, section 19.

In summary, the mayor and city council can enact a new compensation schedule to be effective at the first regular meeting in December, 2002. The amounts paid under any revised compensation schedule is within the discretion of the mayor and city council. The City Attorney's office makes no recommendation concerning this matter.

CJC/sp



Tuesday, December 18, 2001

Council Session

ORDINANCE NO. 8708

An ordinance to amend Chapter 2 of the Grand Island City Code; to amend Sections 2-26 and 2-27 pertaining to salaries of elected officials; to repeal Sections 2-26 and 2-27 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 2-26 of the Grand Island City Code is hereby amended to read as follows:

§2-26. City Council Members; Compensation

The annual compensation for members of the city council shall be \$8,000 ~~\$5,000~~ per year, payable monthly in equal installments as required by law.

SECTION 2. Section 2-27 of the Grand Island City Code is hereby amended to read as follows:

§2-27. Mayor; Compensation

The annual compensation for the mayor shall be \$18,000 ~~\$12,000~~ per year, payable monthly in equal installments as required by law.

SECTION 3. Sections 2-26 and 2-27 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 4. The salary adjustments identified above shall become effective on December 1, 2002.

SECTION 5. That this ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Approved as to Form	?	_____
December 14, 2001	?	City Attorney

ORDINANCE NO. 8708 (Cont.)

Enacted: December 18, 2001.

Ken Gnadt, Mayor

Attest:

RaNae Edwards, City Clerk

City of Grand Island

Item G1

Approving Minutes of December 4, 2001 City Council Regular Meeting

*The Minutes of December 4, 2001 City Council Regular Meeting are submitted for approval.
See attached MINUTES.*



Tuesday, December 18, 2001

Council Session

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

December 4, 2001

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 December 4, 2001. Notice of the meeting was given in the Grand Island Independent on November 28, 2001.

Council President Pielstick called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Pielstick, Seifert, Larson, Hornady, Whitesides, Haase, Murray, Walker and Sorensen. Mayor Gnadt and Councilmember Ward were absent. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, Finance Director David Springer, Public Works Director Steve Riehle and City Attorney Charlie Cuypers.

PLEDGE OF ALLEGIANCE was said followed by INVOCATION given by the Reverend Tim Anderson, St. Stephen's Episcopal Church, 422 West 2nd Street.

RESERVE TIME TO SPEAK ON AGENDA ITEMS: Three individuals reserved time to speak on agenda items.

SPECIAL ITEMS:

Election of City Council President. Marlan Ferguson, City Administrator, reported that the City Council was required to elect one Councilmember to the office of Council President for a term of one year and that the Council President automatically assumed the duties of the Mayor in the event that the Mayor was absent or otherwise unable to fulfill his duties. Councilmember Sorensen nominated Councilmember Whitesides. There being no further nominations, motion was made by Councilmember Hornady, second by Murray that Councilmember Whitesides be President by acclamation. Motion adopted unanimously.

ORDINANCES:

#8704 – Consideration of Proposed Modifications to City Council Ward Boundaries Resulting from Redistricting (Final Reading)

Councilmember Murray made a motion to approve Ordinance #8704, second by Walker. Upon roll call vote, all voted aye.

Councilmember Sorensen moved that the statutory rules requiring ordinances to be read by title on three different days be suspended and that ordinance numbered:

#8705 – Consideration of Creating Sanitary Sewer District #503, Edna Drive in Gosda Subdivision

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of the ordinance on its first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage. Councilmember Hornady seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Council President Whitesides: Is there any one in the audience interested in this ordinance? Steve Riehle, Public Works Director, reported that this Ordinance provided for the establishment of a Sanitary Sewer District located in Gosda Subdivision. The District would provide for the construction of a sanitary sewer line and related appurtenances to Edna Drive. The area was not currently served by the City sanitary sewer system. The costs would be primarily funded through assessments. The formation of the District was in accordance with State law. A 30 day protest period follows the publication of creation of the District.

City Clerk: Ordinance #8705 on its first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion was adopted unanimously.

City Clerk: Ordinance #8705 on its final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion was adopted unanimously.

Council President Whitesides: By reason of the roll call votes on first reading and then upon final passage, Ordinance #8705 is declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-18 was removed. Councilmember Pielstick requested that items G-9, G-15 and G-16 be removed from the Consent Agenda. Councilmember Haase requested that item G-19 be removed from the Consent Agenda. Motion by Pielstick, second by Haase, carried unanimously to approve the Consent Agenda minus item G-9, G-15, G-16, G-18 and G-19.

Receipt of Official Document Including Civil Service Minutes of November 13, 2001.

Approving Minutes of November 20, 2001 City Council Regular Meeting.

Approving Minutes of November 27, 2001 City Council Special Study Session.

Approving Request of Jess D. Vetrovsky, 200 South LaSalle, Beatrice, Nebraska, for Liquor Manager Designations for Gas 'N Shop, Inc. dba Gas 'N Shop, at 4150 West Highway 30, 1814 North Eddy Street, 806 North Eddy Street and 1219 West 2nd Street.

#2001-322 - Approving City Council Meeting Schedule for 2002.

#2001-323 – Awarding Bid for (2) Cardiac Monitors to Medtronic Physio-Control Corporation, Redmond, Washington, in the Amount of \$20,700.00.

#2001-324 – Awarding Contract for Purchase and Installation of Ball Field Lights at George Park to Ensley Electrical Services, Grand Island, Nebraska, in the Amount of \$76,470.00.

#2001- 325 – Awarding Bid for Dump Truck for Cemetery to Nebraska Truck Center, Grand Island, Nebraska, in the Amount of \$27,073.00.

#2001-327 - Awarding Bid for Distribution Feeder Protection Relays to Wesco Distribution, Inc., Sioux City, Iowa, in the Amount of \$84,789.40.

#2001-328 – Awarding Contract for General Work Contract for New Combustion Turbines at Burdick Station to The Industrial Company, Steamboat Springs, Colorado, in the Amount of \$10,997,615.00.

#2001-329 – Awarding Freight Contract to Union Pacific Railroad Company for Three Years.

#2001-330 – Approving Agreement with CH2M Hill, Englewood, Colorado, for Engineering Consulting Services for Review of Sewage Sludge Handling and Disposal Methods in the Amount of \$73,800.00.

#2001-331 – Approving Amendment to Community Development Voluntary Acquisition Program Guidelines.

#2001-334 – Approving Certificate of Final Completion for 2001-AC-1 Asphalt Maintenance Project with J.I.L. Asphalt Paving Company, Grand Island, Nebraska.

#2001-326 – Awarding Contracts for Tree Trimming Project 2002-TT-1 to Sheffield Tree Service, Grand Island, Nebraska, Sections 02-1, 02-2, 02-3, 02-5, 02-6, 02-7 and 02-8 in the Amount of \$44,600.00 and to Wright Tree Service, Inc., Des Moines, Iowa, Section 02-4 in the Amount of \$19,855.00. Motion by Larson, second by Murray to approve Resolution #2001-326. Councilmember Pielstick mentioned the problems that occurred last year with tree removal. Gary Mader, Utilities Director, reported that the contract deals with the problems mentioned by Councilmember Pielstick. Upon roll call vote, all voted aye.

#2001-332 – Approving Modification to Community Development Block Grant Project Area. Motion by Hornady, second by Murray to approve Resolution #2001-332. Councilmember Pielstick questioned whether this Grant included agricultural land. Cindy Johnson, Community Projects Director, reported that there is agricultural land included in this grant and that it had been approved by the State. Upon roll call vote, all voted aye.

#2001-333 – Approving Change Order #1 to the Contract for Street Improvement District #1238, Tech Drive with The Diamond Engineering Company, Grand Island, Nebraska, in the Amount of \$14,132.00 for a Revised Contract Amount of \$310,222.67. Motion by Hornady, second by Murray to approve Resolution #2001-333. Councilmember Pielstick asked if the college was

paying for these changes. Steve Riehle, Public Works Director, reported that the college requested these changes and it would be paid through the assessments by the college. Upon roll call vote, all voted aye.

#2001-302 – Approving Continuation of Sanitary Sewer District #502, Livengood Subdivision, Rapien Subdivision, Sharon Rose Subdivision and Part of Section 10-11-9. Motion by Seifert, second by Walker to approve Resolution #2001-302. Randy Rapien, 226 Lakeside Drive, spoke in opposition to the continuation of Sanitary Sewer District #502. Councilmember Seifert asked about a tap district. Steve Riehle explained that tap districts would need to be bonded by the City. City Attorney Charlie Cuypers stated that tap districts would affect our bond ratings. Upon roll Call vote, Larson, Hornady Walker and Whitesides voted aye. Pielstick, Seifert, Haase, Murray and Sorensen voted nay. Motion failed.

#2001-335 – Approving Discontinuation of Street Improvement District #1241, Jay Street. Motion by Seifert, second by Hornady to approve Resolution #2001-335. Councilmember Haase questioned what would happen if this was not approved, would the street stay graveled. Steve Riehle, Public Works Director, reported that it would unless another plan was developed. Gap paving was discussed. Upon roll call vote, all voted aye.

REQUEST AND REFERRALS:

Consideration of Residency Requirements for Department Directors Relative to Employee Handbook. Brenda Sutherland, Personnel Director, reported that the Council had spent time in recent weeks reviewing the proposed Personnel Rules for City employees. One area that had been somewhat controversial was the Residency Policy for Department Directors. The Council expressed a desire to address this separately from the rest of the Personnel Rules. A decision rendered by the Council would determine the policy for residency requirements for the Department Directors in the proposed Personnel Rules.

Lewis Kent, 624 East Meves, spoke in opposition to changing the residency requirement for directors to 10 miles. Councilmember Haase stated that she felt the directors should live within the 2 mile jurisdiction.

Motion by Pielstick, second by Murray to approve the residency requirement with the 10 mile change. Upon roll call vote, Pielstick, Larson, Hornady, Whitesides, Walker, and Murray voted aye. Councilmembers Seifert, Haase and Sorensen voted nay. Motion adopted.

RESOLUTIONS:

#2001-336 – Approving Grand Island Public Library Expansion Project, Phase II – Agreement for Cost Share Between the City and the Foundation. Steve Fosselman, Library Director, introduced Jerry Bryant, President of the Library Board Foundation. Mr. Bryant reported that the Library Board had unanimously approved the funding agreement with the City.

Councilmember Sorensen questioned the total fee which ranged from \$80,000 to \$100,000. It was explained that projected costs for the expansion included professional fees estimated to cost

approximately \$100,000.00. Councilmember Larson commended the Library Board for working together with the City to privately and publicly fund this project.

Motion was made by Seifert, second by Pielstick to approve Resolution #2001-336. Upon roll call vote, all voted aye.

PAYMENT OF CLAIMS:

Motion by Murray, second by Walker, carried unanimously to approve the Claims for the period of November 21, 2001 through December 4, 2001, claims #114090, #114173 and #113845 through #114307 for a total amount of \$6,221,699.90.

ADJOURNMENT: The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk

City of Grand Island

Item G2

Approving Minutes of December 11, 2001 City Council Special Meeting

The Minutes of the December 11, 2001 City Council Special Meeting are submitted for approval. See attached MINUTES.



Tuesday, December 18, 2001

Council Session

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL SPECIAL MEETING

December 11, 2001

Pursuant to due call and notice thereof, a Special 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 December 11, 2001. Notice of the meeting was given in the Grand Island Independent on December 7, 2001.

Mayor Ken Gnadt called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Ward, Seifert, Larson, Hornady, Whitesides, Haase, Murray, Walker and Sorensen. Councilmember Pielstick was absent. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, Finance Director David Springer and City Attorney Charlie Cuypers.

PLEDGE OF ALLEGIANCE was said.

ORDINANCE:

Ordinance #8706 – Approving Issuance of General Obligation Bonds. David Springer, Finance Director, reported that due to the markets and the low interest rates it was time to refinance the general obligation bonds for the South Locust Project. Bill Beavers representing Ameritas was present and explained the advantage of refinancing short term debt.

Bruce Lefler, Vice President from Ameritas Investment Corporation explained the debt service schedule. A total of \$4,370,000.00 bond would be issued for the South Locust Project. These are Nebraska issued bonds and are tax free.

Councilmember Sorensen moved that the statutory rules requiring ordinances to be read by title on three different days be suspended and that ordinances numbered:

#8706 – Consideration of Approving Issuance of General Obligation Bonds

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of this ordinance on its first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage. Councilmember Hornady seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Mayor: Is there any one in the audience interested in these ordinances? No public testimony was heard.

City Clerk: Ordinance #8706 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye.

City Clerk: Ordinances #8706 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinance #8706 is declared to be lawfully passed and adopted upon publication as required by law.

ADJOURNMENT: Adjourn the meeting at 7:20 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk

City of Grand Island

Item G3

Approving Minutes of December 11, 2001 City Council Study Session

The Minutes of the December 11, 2001 City Council Study Session are submitted for approval. See attached MINUTES.



Tuesday, December 18, 2001

Council Session

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

December 11, 2001

Pursuant to due call and notice thereof, a Study Session of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on December 11, 2001. Notice of the meeting was given in the Grand Island Independent on December 5, 2001.

Mayor Ken Gnadt called the meeting to order at 7:20 p.m. The following members were present: Councilmembers Ward, Seifert, Larson, Hornady, Whitesides, Haase, Murray, Walker and Sorensen. Councilmember Pielstick was absent. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, City Attorney Charlie Cuypers and Finance Director David Springer.

Year End Update by the Finance Department. David Springer, Finance Director, updated the Council on the City's fiscal year, completed September 30, 2001. In light of the upcoming Council Retreat, decisions for funding operations and projects will need to be decided on. Reviewed were the operating summary, revenue summary, expenditure summary, year-end fund cash balances, and general fund appropriations report.

Councilmember Seifert asked Mr. Springer to explain the reason for the reserves. Mr. Springer explained that the reserves are used in emergency situations such as tornadoes, economic disasters, etc. He also explained that this year we are further ahead than in other years. Mr. Ferguson, City Administrator, stated that Grand Island is the envy of other cities in Nebraska.

Discussion Concerning Commercial Vehicles Parking in Residential Districts. Charlie Cuypers, City Attorney, reported that this issue had been looked at two years ago with a truck parking ordinance amended on March 23, 1998. Currently City Code prohibits trucks which have a listed gross vehicle weight (GVW) of six tons or more parking in residential areas.

Councilmember Walker stated that he received a complaint of a truck parked in a residential district and was concerned about the height of the trucks and the visibility factors in residential areas. Mr. Cuypers requested direction from the Council on this issue. Lewis Kent, 624 East Meves, requested that he would like to see trucks of 1½ ton or larger banned from parking in residential districts.

Councilmember Larson stated he did not have concerns of having some kind of measurement, but was concerned about those people who did not have a place to park their vehicle and how to handle that. Discussed was the number of vehicles throughout the city where this was a problem. Mr. Cuypers stated that he would look into this matter and how other cities are handling these problems and bring his findings back to the Council.

Review of Building Codes. Craig Lewis, Building Department Director, reviewed the building code regulations. Mr. Lewis explained building code regulations were written by three different national organizations. Codes work on occupancy, type of construction, performance code, prescriptive code, etc. Mr. Lewis stated Council has total control of amending codes and making changes, but suggested following the national guidelines as in depth studies have been done.

Zoning regulations were discussed with emphasis on building set backs and detached garages. Councilmember Larson asked if the building department had looked at other cities to see what they are doing with their building codes. Mr. Lewis stated their department has contact with other cities daily. Discussed were the purposes of regulations and how important they are for the City. The Zoning Board of Adjustment was mentioned.

ADJOURNMENT: The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk

City of Grand Island

Item G4

Approving Councilmember Appointments to Boards and Committees

The following appointments are submitted for your approval:

Legislative Committee – League Board: Glen Murray

Regional Planning Commission: Joyce Haase and Tom Ward

Joint City/County Facilities: Glen Murray and Fred Whitesides

Downtown Development Board: Margaret Hornady and Jackie Pielstick

Transportation Committee: Larry Seifert

Community Development Board: Jackie Pielstick

Systems (Information): Gale Larson

Grand Island Economic Development Corporation Board: Gale Larson

Board of Health: Bob Sorensen

Glen Murray, Glen Murray



Tuesday, December 18, 2001

Council Session



City of Grand Island

Item G5

Approving Appointments to Business Improvement District #2, Downtown

With Council approval, I would like to appoint Sharon Walsh of Heart of the Country to serve a three-year term on Business Improvement District #2. Her term begins December 18, 2001 and would end on December 31 of 2002.

I would also like to appoint Cindy Duff of Prairie Winds, to fill the unexpired term of Bob Rye. Her appointment would become effective immediately, expire on December 13, 2003. In addition, I would like to appoint Tom Emerton of Bradley Law Firm to fill a three-year term, effective immediately, and expiring on December 31, 2004.

Thank you for your consideration.



Tuesday, December 18, 2001

Council Session

City of Grand Island

Item G6

Approving Request of Heartland Insurance Pool Inc. for Conditional Use Permit.

This item relates to the aforementioned Public Hearing. This is a request of Heartland Insurance Pool Inc. to operate a salvage yard at 1203 E. Airport Road. This is the location of an existing conditional use permit which allows for the storage of disabled vehicles, issued in 1997. The permit issued in 1997 had three requirements; 1) perimeter fencing shall be a minimum of eight feet in height and visually screen the stored vehicles from public view; 2) vehicles stored shall be organized in rows, with no stacking; and 3) landscaping shall be provided and maintained along Airport and ST. Paul roads.

The property is currently zoned M-2 Heavy Manufacturing, that zoning classification requires operations such as this to obtain approval from the City Council in the form of a conditional use permit.

Approval appears reasonable, with the same restrictions applied and the fencing modified to include eight feet in height along the south side.



Tuesday, December 18, 2001

Council Session

City of Grand Island

Item G7

Approving Request of Kenneth Stiles, 3333 Ramada Road, for Liquor Manager Designation for Stratford Plaza, LLC dba Best Western Riverside Inn, 3333 Ramada Road

Kenneth Stiles, 3333 Ramada Road, representing Stratford Plaza, LLC dba Best Western Riverside Inn, 3333 Ramada Road, has submitted an application with the City Clerk's Office for Liquor Manager Designation in conjunction with the Class "C-50389" Liquor License. This application has been reviewed by the Police Department and City Clerk's Office. Approval is recommended.



Tuesday, December 18, 2001

Council Session

City of Grand Island

Item G8

Approving Preliminary Plat for Starostka Subdivision

Starostka Group Co., owners, have submitted the preliminary plat for Starostka Subdivision, located North of Old Highway 30, and West of Industrial Lane. This plat proposes to develop resubdivide all of lot 11, and part of lot 10 Commercial Industrial Park Subdivision. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of December 5, 2001, unanimously voted to recommend approval. See attached staff report and RESOLUTION.



Tuesday, December 18, 2001

Council Session

December 6, 2001

Honorable Ken Gnadt, Mayor
and Members of the Council
City Hall
Grand Island NE 68801

Dear Mayor and Members of the Council:

RE: PRELIMINARY PLAT – Starostka Subdivision, located North of Old Highway 30, and West of Industrial Lane, in the City of Grand Island.

At the regular meeting of the Regional Planning Commission, held December 5, 2001 the above item was considered. This preliminary plat proposes to resubdivide all of lot 11, and part of lot 10 Commercial Industrial Park Subdivision, into 7 lots. This property is currently zoned M2 Heavy Manufacturing Zone, and consists of 6.782 acres more or less.

A motion was made by Ruge and seconded by Haskins to **approve** and recommend that the City Council **approve** the preliminary plat of Starostka Subdivision subject to approval of subdivision agreements.

The Planning Commission passed this motion with a unanimous vote of the 10 members present (Miller, Amick, O'Neill, Hooker, Hayes, Obermeier, Ruge, Lechner, Eriksen, Haskins)

Yours truly,

Chad Nabity AICP
Planning Director

cc: City Attorney
Director of Utilities
Director of Public Works
Director of Building Inspections
Manager of Postal Operations
Olsson Associates

City of Grand Island

Item G9

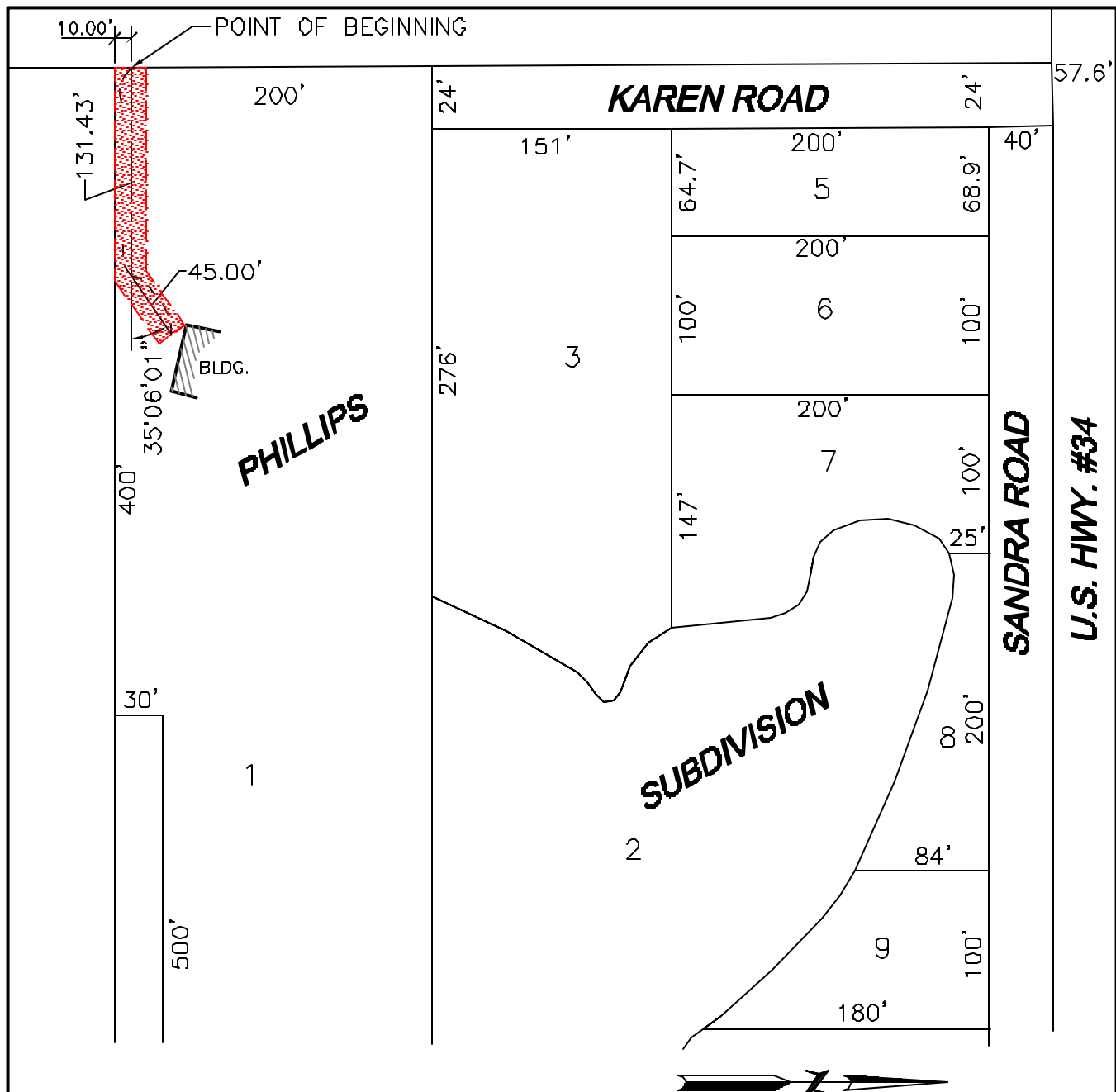
#2001-337 Approving Acquisition of Utility Easement - Beverly Enterprises (1405 Hwy. 34 West)

This item relates to the aforementioned Public Hearing. Acquisition of utility easement relative to property of Beverly Enterprises-Nebraska, Inc. (known locally as Lakeview Nursing Home), located at 1405 Hwy. 34 West, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. Beverly Healthcare Lakeview has added additional rooms to the building creating the need for additional electrical power. This easement will be used to locate underground primary electrical cable and a pad mounted transformer to serve the entire facility. Approval is recommended. See attached RESOLUTION.



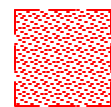
Tuesday, December 18, 2001

Council Session



LEGAL DESCRIPTION

Part of Lot One (1) Phillips Subdivision in the City of Grand Island, Hall County, Nebraska. The centerline of the twenty foot (20') wide utility easement and right-of-way being more particularly described as follows: Beginning at the Southwest corner of said Lot One (1); thence northerly along the westerly line of said Lot One (1), a distance of ten feet (10') to the Actual Point of Beginning; thence easterly, parallel with the southerly line of said Lot One (1), a distance of one hundred thirty-one and forty-three hundredths feet (131.43'); thence deflecting left thirty-five degrees, six minutes, one second (35° 06' 01") northeasterly, a distance of forty-five feet (45.00') and containing 0.08 acres more or less.



INDICATES 20' WIDE
UTILITY EASEMENT

CITY OF
GRAND ISLAND
UTILITIES DEPARTMENT

EXHIBIT "A"

DRAWN BY: ZEX

SCALE: 1"=100'

DATE: 11/15/2001

FILE: PHILLIPS_SUB

RESOLUTION 2001-337

WHEREAS, a public utility easement is required by the City of Grand Island, from Beverly Enterprises-Nebraska, Inc., a California corporation, to install, upgrade, maintain, and repair power appurtenances, including lines and transformers; and

WHEREAS, a public hearing was held on December 18, 2001, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot One (1), Phillips Subdivision in the city of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Beginning at the southwest corner of Lot One (1) Phillips Subdivision; thence northerly along the westerly line of said Lot One (1), a distance of Ten (10.0) feet to the Actual Point of Beginning; thence easterly, parallel with the southerly line of said Lot One (1), a distance of One Hundred Thirty One and Forty Three Hundredths (131.43) feet; thence deflecting left 35°06'01" northeasterly, a distance of Forty Five (45.0) feet.

The above-described easement and right-of-way containing a total of 0.08 acres, more or less as shown on the plat dated November 15, 2001, 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 Beverly Enterprises-Nebraska, Inc., a California corporation, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ?	_____
December 14, 2001 ?	City Attorney

City of Grand Island

Item G10

#2001-338 Approving Acquisition of Utility Easement - Robert K. and Judith K. Poland

This item relates to the aforementioned Public Hearing. Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of Robert K. and Judith K. Poland, located in Section 23-11-9 north of Stolley Park Road approximately ¼ mile east of Stuhr Road, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

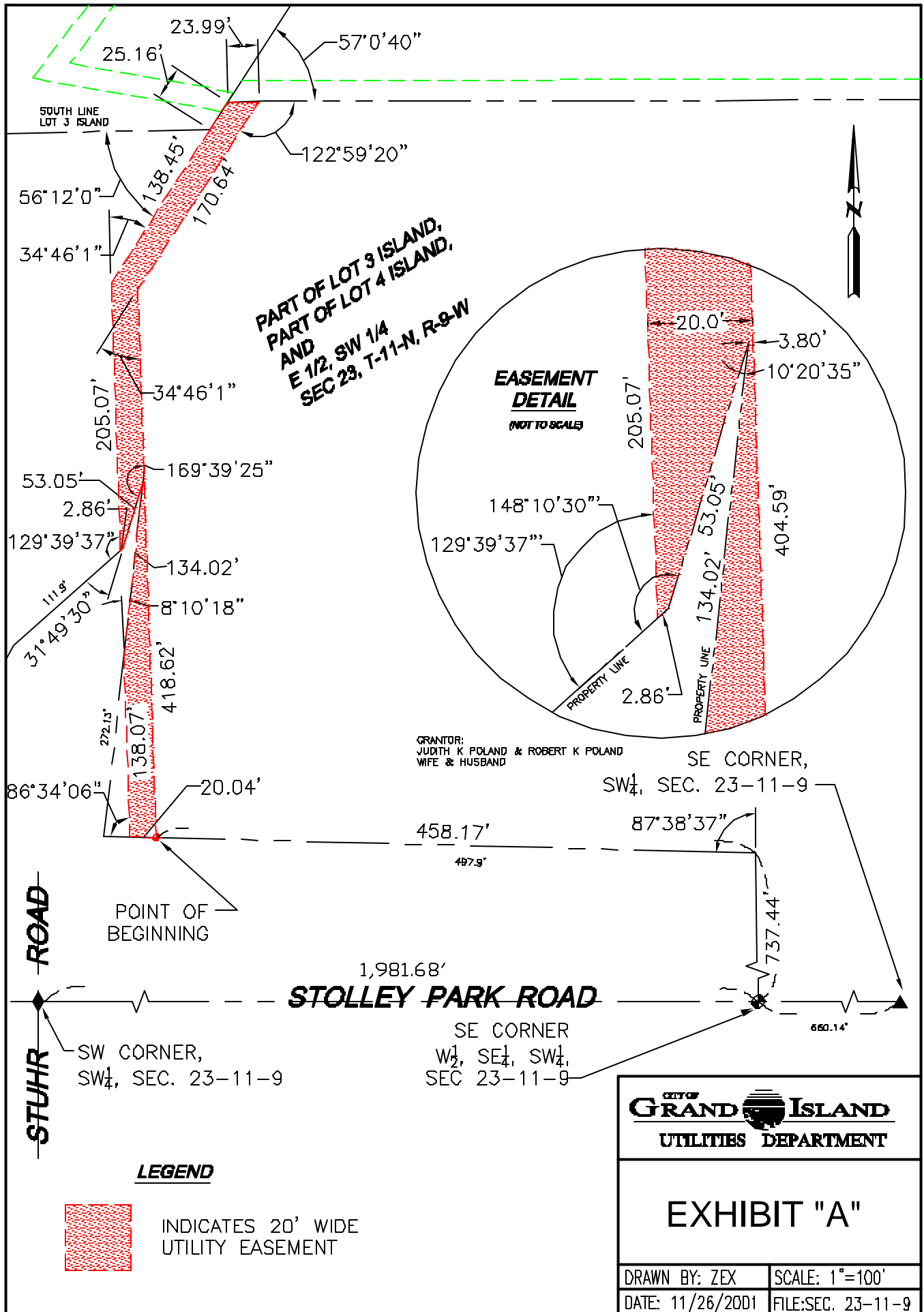
This easement is for an overhead distribution line originally constructed over 20 years ago. A termination pole had to be moved. To make sure the pole remained in the easement, an investigation of the property documents was completed. This revealed that no easement existed. This easement document will correct that situation and allows for the relocation of the termination pole.

One dollar (\$1.00) for the easement will be paid to the grantor. Approval is recommended. See attached RESOLUTION.



Tuesday, December 18, 2001

Council Session



CITY OF GRAND ISLAND UTILITIES DEPARTMENT	
EXHIBIT "A"	
DRAWN BY: ZEX	SCALE: 1"=100'
DATE: 11/26/2001	FILE: SEC. 23-11-9

RESOLUTION 2001-338

WHEREAS, a public utility easement is required by the City of Grand Island, from Robert K. Poland and Judith K. Poland, husband and wife, to install, upgrade, maintain, and repair power appurtenances, including lines and transformers; and

WHEREAS, a public hearing was held on December 18, 2001, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Three (3) Island, Lot Four (4) Island and the East Half of the Southwest Quarter (E1/2, SW1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Commencing at the southwest corner of Section Twenty Three (23), Township Eleven (11) North, Range Nine (9) West; thence easterly along the southerly line of said Section Twenty Three (23), a distance of One Thousand Nine Hundred Eighty One and Sixty Eight Hundredths (1981.68) feet to the southeast corner of the West Half of the Southeast Quarter of the Southwest Quarter (W1/2, SE1/4, SW1/4) of said Section Twenty Three (23); thence northerly along the easterly line of said West Half of the Southeast Quarter of the Southwest Quarter (W1/2, SE1/4, SW1/4), a distance of Seven Hundred Thirty Seven and Forty Four Hundredths (737.44) feet; thence deflecting left 87°38'37" northwesterly, a distance of Four Hundred Fifty Eight and Seventeen Hundredths (458.17) feet to the Actual Point of Beginning; thence continuing westerly on the last described course, a distance of Twenty and Four Hundredths (20.04) feet; thence deflecting right 86°34'06", a distance of One Hundred Thirty Eight and Seven Hundredths (138.07) feet; thence deflecting right 8°10'18" northeasterly along a line described in Document 99-110079 recorded in the Register of Deeds Office, Hall County, Nebraska; a distance of One Hundred Thirty Four and Two Hundredths (134.02) feet; thence deflecting left 169°39'25" southwesterly, a distance of Fifty Three and Five Hundredths (53.05) feet; thence deflecting right 31°49'30" southwesterly, a distance of Two and Eighty Six Hundredths (2.86) feet; thence deflecting right 129°39'37" northerly, a distance of Two Hundred Five and Seven Hundredths (205.07) feet; thence deflecting right 34°46'01" northeasterly, a distance of One Hundred Thirty Eight and Forty Five Hundredths (138.45) feet to a point on the south line of Lot Three (3) Island, Section Twenty Three (23), Township Eleven (11) North, Range Nine (9) West, said point being the most southeasterly corner of a tract of land described in Document 87-104260 recorded in the Register of Deeds Office, Hall County, Nebraska; thence continuing along the last described course and being the most easterly line of said reference tract, a distance of Twenty Five and Sixteen Hundredths (25.16) feet to the southwest corner of a tract of land described in Document 86-107401 recorded in the Register of Deeds Office, Hall County, Nebraska; thence deflecting right 57°0'40" easterly, along the southerly line of said referenced tract, a distance of Twenty Three and Ninety Nine Hundredths (23.99) feet; thence deflecting right 122°59'20" southwesterly, a distance of One Hundred Seventy and Sixty Four Hundredths (170.64)

Approved as to Form ? _____
December 14, 2001 ? City Attorney

feet; thence deflecting left 34°46'01" southerly, a distance of Four Hundred Eighteen and Sixty Two Hundredths (418.62) feet to the Point of Beginning.

The above-described easement and right-of-way containing a total of 0.253 acres, more or less as shown on the plat dated November 26, 2001, 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 Robert K. Poland and Judith K. Poland, husband and wife, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ?	_____
December 14, 2001 ?	City Attorney

City of Grand Island

Item G11

#2001-339 Approving Acquisition of Utility Easement - Richard D. and Jacqueline A. Rezac - 1508 East Stolley Park Road

This item relates to the aforementioned Public Hearing. Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of Richard D. and Jacqueline A. Rezac, located at 1508 East Stolley Park Road in Section 23-11-9 north of Stolley Park Road, approximately 1/4 mile east of Stuhr Road, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

This easement is for an overhead distribution line originally constructed over 20 years ago. A termination pole had to be moved. To make sure the pole remained in the easement, an investigation of the property documents was completed. This revealed that no easement existed. This easement document will correct that situation and allows for the relocation of the termination pole. One dollar (\$1.00) for the easement will be paid to the grantor. Approval is recommended. See attached RESOLUTION.



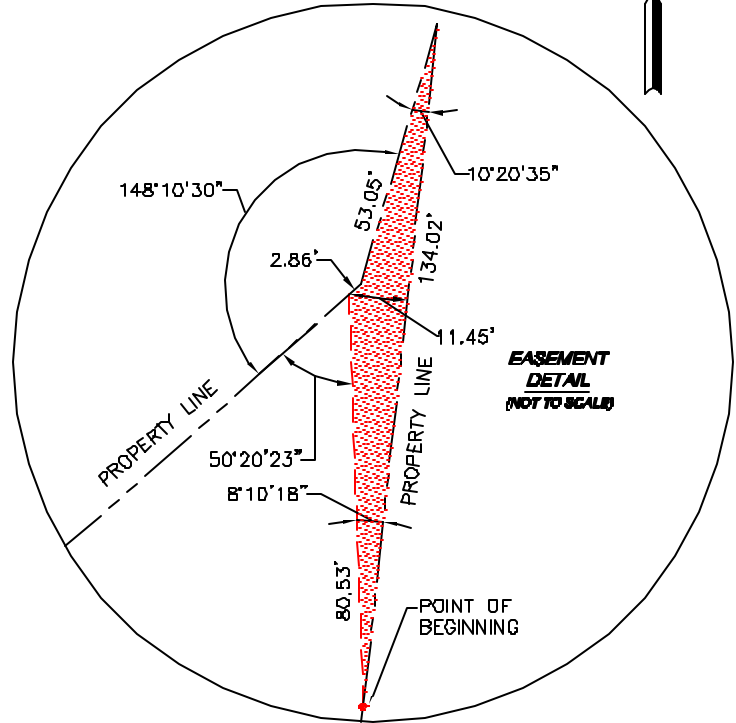
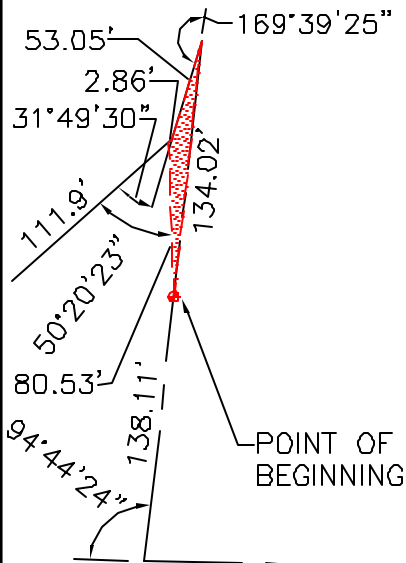
Tuesday, December 18, 2001

Council Session

SOUTH LINE
LOT 3 ISLAND

PART OF LOT 4 ISLAND
AND
W 1/2, SE 1/4, SW 1/4
SEC 23, T-11-N, R-9-W

65' WIDE ELEC. TRANS. EASEMENT



GRANTOR:
RICHARD D. REZAC & JACQUELINE A. REZAC
HUSBAND & WIFE

SE CORNER,
SW 1/4, SEC. 23-11-9

ROAD
STUHR

SW CORNER,
SEC. 23-11-9

1,981.68'
STOLLEY PARK ROAD

SE CORNER
W 1/2, SE 1/4, SW 1/4,
SEC 23-11-9

CITY OF
GRAND ISLAND
UTILITIES DEPARTMENT

EXHIBIT "A"

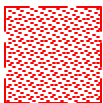
DRAWN BY: ZEX

SCALE: 1"=100'

DATE: 11/26/2001

FILE: SEC. 23-11-9

LEGEND



INDICATES UTILITY EASEMENT

RESOLUTION 2001-339

WHEREAS, a public utility easement is required by the City of Grand Island, from Richard D. Rezac and Jacqueline A. Rezac, husband and wife, to install, upgrade, maintain, and repair power appurtenances, including lines and transformers; and

WHEREAS, a public hearing was held on December 18, 2001, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Four (4) Island and part of the West Half of the Southeast Quarter of the Southwest Quarter (W1/2, SE1/4, SW1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Commencing at the southwest corner of Section Twenty Three (23), Township Eleven (11) North, Range Nine (9) West; thence easterly along the southerly line of said Section Twenty Three (23), a distance of One Thousand Nine Hundred Eighty One and Sixty Eight Hundredths (1981.68) feet to the southeast corner of the West Half of the Southeast Quarter of the Southwest Quarter (W1/2, SE1/4, SW1/4) of said Section Twenty Three (23); thence northerly along the easterly line of said West Half of the Southeast Quarter of the Southwest Quarter (W1/2, SE1/4, SW1/4), a distance of Seven Hundred Thirty Seven and Forty Four Hundredths (737.44) feet; thence deflecting left 87°38'37" northwesterly, a distance of Four Hundred Ninety Seven and Nine Tenths (497.9) feet to a point on a line described in Document 99-110079 recorded in the Hall County, Nebraska Register of Deeds Office; thence deflecting right 94°44'24" northeasterly along said line, a distance of One Hundred Thirty Eight and Eleven Hundredths (138.11) feet, to the Actual Point of Beginning; thence continuing northeasterly along said line, a distance of One Hundred Thirty Four and Two Hundredths (134.02) feet; thence deflecting left 169°39'25" southwesterly along said line, a distance of Fifty Three and Five Hundredths (53.05) feet; thence deflecting right 31°49'30" southwesterly along said line, a distance of Two and Eighty Six Hundredths (2.86) feet; thence deflecting left 50°20'23" southerly, a distance of Eighty and Fifty Three Hundredths (80.53) feet to the Point of Beginning.

The above-described easement and right-of-way containing a total of 0.02 acres, more or less as shown on the plat dated November 26, 2001, 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 Richard D. Rezac and Jacqueline A. Rezac, husband and wife, on the above-described tract of land.

Approved as to Form ? _____
December 14, 2001 ? City Attorney

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ?	_____
December 14, 2001 ?	City Attorney

City of Grand Island

Item G12

#2001-340 Approving Purchase of Mobile Video Cameras

The Grand Island Police Department is in the process of replacing 4 mobile video cameras in our police cruisers. This is a routine rotation of police equipment. Four mobile units are replaced yearly from our inventory of 18. The amount has been budgeted in capital account #100.20.12310.05615. Sur-Tec, Inc. 246 N. W. Plaza Drive, Kansas City, MO. Purchase price of a single unit is \$4,195.00. Comparative prices include: State Bid \$4,330; Mobile Vision In Car Video \$5,695. Purchase of 4 mobile video cameras from Sur-Tec, Inc. in the amount of \$17,128 is recommended. See attached resolution.



Tuesday, December 18, 2001

Council Session

R E S O L U T I O N 2001-340

WHEREAS, as part of a routine rotation of police equipment the City of Grand Island obtained quotes to replace four mobile video cameras for police cruisers; and

WHEREAS, the lowest price per unit received was \$4,195.00 from Sur-Tec, Inc. of Kansas City, Missouri; and

WHEREAS, due to the total cost of four units, it is necessary to obtain City Council approval for such purchase.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the quote of Sur-Tec, Inc. of Kansas City, Missouri in the amount of \$4,195 for each unit, plus shipping and insurance for a total of \$17,128 for four mobile video cameras for police cruisers is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ?	_____
December 14, 2001 ?	City Attorney

City of Grand Island

Item G13

#2001-341 Awarding Bid for 2002 Truck with Chipping Box

Specifications were developed for a replacement chipper truck for the Line Division of the Electric Department. Bids were advertised in the Grand Island Independent and mailed to six bidders.

Bids were returned from two local bidders who also offered two alternate bids. The bids are as follows:

<i>Bidder</i>	<i>Bid Price</i>	<i>Less Trade-In</i>	<i>Total</i>
<i>Nebraska Truck Center, Inc.</i>	<i>\$52,015.00</i>	<i>\$2,500.00</i>	<i>\$49,515.00</i>
<i>Hansen International with:</i>			
<i>1) Matt Friend Body</i>	<i>\$54,015.16</i>	<i>\$1,700.00</i>	<i>\$52,315.16</i>
<i>2) LCL Body</i>	<i>\$54,140.16</i>	<i>\$1,700.00</i>	<i>\$52,440.16</i>
<i>3) Teague Body</i>	<i>\$59,456.44</i>	<i>\$1,700.00</i>	<i>\$57,756.44</i>

The low bid of Nebraska Truck Center has minor exceptions that are acceptable to the department.

It is the Utility Department recommendation to accept the low bid of Nebraska Truck Center, Inc. of Grand Island for the replacement truck including trade-in in the amount of \$49,515.00. Sufficient funds have been budgeted in the 520 Electric Fund.



Tuesday, December 18, 2001

Council Session

R E S O L U T I O N 2001-341

WHEREAS, the City of Grand Island invited sealed bids for one new 2002 Truck with Chipping Box for the Line Division of the Utilities Department, according to plans and specifications on file with the Purchasing Division of the Legal Department; and

WHEREAS, on November 28, 2001, bids were received, opened and reviewed; and

WHEREAS, Nebraska Truck Center 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 \$52,015.00, less a trade-in of \$2,500 for a net amount of \$49,515; and

WHEREAS, Nebraska Truck Center's bid is less than the engineer's estimate for such vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Nebraska Truck Center Inc. of Grand Island, Nebraska, in the amount of \$49,515 after trade in for one new 2002 truck with chipping box is hereby approved as the lowest responsive bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form	?
December 14, 2001	? City Attorney

City of Grand Island

Item G14

#2001-342 Awarding Bid for Uniform Rental for Utilities & Public Works Employees

Several divisions within the Public Works and Utilities Departments have had uniform rental agreements in order to maintain standard uniforms for City employees in these departments. The Union Contracts require the employees to pay 40% of the cost and the City 60%. Not all employees take advantage of the uniforms so the total numbers change from time to time. The current supplier is Jackson Services and has been for the last seven years.

Bid documents were prepared with bids being due on Monday, November 19, 2001. There were four bids received that were evaluated by the Public Works and Utilities Departments. Bids were received from Paramount/Liberty Linen & Uniform Rental, Lincoln, NE; Jackson Services, Inc., Columbus, NE; Uniservice, Inc., Hastings, NE; and Western Uniform, Salina, KS.

It is the recommendation of the Public Works and Utilities Departments that Council approve the bid of Paramount/Liberty Linen & Uniform Rental, Lincoln, NE. The amount of funds necessary to cover this purchase will vary depending on the need of the employees. The amount spent for uniform rental in the last fiscal year by City Departments was \$22,000.00 and it is anticipated that approximately the same amount will be necessary to cover the Uniform Rental Agreement for this upcoming year. The actual unit prices are from 0% to 10% less than the previous year.

THE FOLLOWING OFFICIALS CONSIDERED THE MATTER AND VOTED AS FOLLOWS: 100-20-12540-05140 (SIGNED BY ALL)



Tuesday, December 18, 2001

Council Session



R E S O L U T I O N 2001-342

WHEREAS, the City of Grand Island invited sealed bids for Uniform Rental for the Public Works and Utilities Department, according to plans and specifications on file with the Purchasing Division of the Legal Department; and

WHEREAS, on November 19, 2001, bids were received, opened and reviewed; and

WHEREAS, Paramount/Liberty Linen and Uniform Rental of Lincoln, 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.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Paramount/Liberty Linen and Uniform Rental of Lincoln, Nebraska for uniform rental is hereby approved as the lowest responsive bid.

BE IT FURTHER RESOLVED, that a rental agreement between the City and Paramount/Liberty Linen and Uniform Rental be entered into, and 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 on December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form	?
December 14, 2001	? City Attorney

City of Grand Island

Item G15

#2001-343 Awarding Bid for Protective Relay Panels

As part of the Combustion Turbine addition at Burdick Station, control panels will be required to allow the new generators to be connected to the City's electric system. These panels include relaying, switches, and associated internal wiring. Our engineer for the project, Sargent & Lundy, developed specifications for these items. The specifications were then issued for bid in accordance with the City's procurement requirements.

Specifications for protective relay panel were sent out to four bidders. The engineers' estimate for this project was \$200,000. Bids were received as follows.

<i>Bidder</i>	<i>Bid Price</i>
<i>Harlo</i>	<i>\$ 93,944</i>
<i>Siemens</i>	<i>\$108,130</i>

The bid from Keystone Electrical Manufacturing was rejected due to receiving the bid after the opening and the bid bond was not attached to the outside of the envelope. The bid from Harlo met all specified requirements. The bid from Siemens was not in compliance with technical requirements of the specifications. Sargent & Lundy recommends that Harlo Corporation be awarded this contract. They also recommend that the option for Harlo to perform the panel wiring design be included for this contract in the amount of \$4,656, for a total bid of \$98,600.



Tuesday, December 18, 2001

Council Session

R E S O L U T I O N 2001-343

WHEREAS, the City of Grand Island invited bids for Protective Relay Panels as part of the combustion turbine addition at Burdick Station, according to the plans and specifications on file at the Platte Generating Station; and

WHEREAS, on November 29, 2001, bids were received, opened and reviewed; and

WHEREAS, Harlo Corporation of Gradville, Michigan, submitted a bid in accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$93,944, plus \$4,656 for Harlo to perform the panel wiring design; and

WHEREAS, Harlo Corporation's bid is less than the engineer's estimate for said project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Harlo Corporation of Gradville, Michigan, in the total amount of \$98,600 for protective relay panels and the panel wiring design as part of the combustion turbine addition at Burdick Station is hereby approved as the lowest responsive bid submitted.

BE IT FURTHER RESOLVED, that a contract between the City and such contractor be entered into; and the Mayor is hereby authorized and directed to execute such contract on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ?	_____
December 14, 2001 ?	City Attorney

City of Grand Island

Item G16

#2001-344 Awarding Bid for Precast Concrete for CT Addition - Burdick Station

As part of the Combustion Turbine addition at Burdick Station, various pre-cast concrete components will be required to complete the project. These components include oil sumps, washing water recovery pits, and pulling chambers. Our engineer for the project, Sargent & Lundy, developed specifications for these items. The specifications were then issued for bid in accordance with the City's procurement requirements.

Specifications for a precast concrete contractor were sent out to five bidders. The engineers' estimate for this project was \$78,600. Only one bid was received, from American Concrete Products Company of Omaha, Nebraska, in the amount of \$42,002. This bid met all specified requirements. Based on their evaluation, Sargent & Lundy recommends that American Concrete Products be awarded this project in the amount of \$42,002.

The Utilities Department recommends that American Concrete Products, Company from Omaha, Nebraska be awarded the contract for this work in the amount of \$42,002. This is part of a bonded project.



Tuesday, December 18, 2001

Council Session



RESOLUTION 2001-344

WHEREAS, the City of Grand Island invited bids for Precast Concrete as part of the Combustion Turbine addition at Burdick Station, according to the plans and specifications on file at the Platte Generating Station; and

WHEREAS, on November 30, 2001, one bid was received, opened and reviewed; and

WHEREAS, American Concrete Products Company of Omaha, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$42,002; and

WHEREAS, American Concrete Products Company's bid is less than the engineer's estimate for said project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of American Concrete Products Company of Omaha, Nebraska, in the amount of \$42,002 for precast concrete as part of the combustion turbine addition at Burdick Station is hereby approved as the lowest responsive bid submitted.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ?	_____
December 14, 2001 ?	City Attorney

City of Grand Island

Item G17

#2001-345 Awarding Bid for Design, Detailing, Furnishing, Fabrication and Delivery of Steel Structures - CT Addition Burdick Station

As part of the Combustion Turbine addition at Burdick Station, steel structures will be required for adding on to the Cherry Street Substation. The steel structures provide support for the conductor and electrical bus required to tie the new generators into the existing electric transmission system. The engineer for the project, Sargent & Lundy, developed specifications for these structures. Included in the specifications were design and fabrication. The specifications were then issued for bid in accordance with the City's procurement requirements.

Specifications for steel structures were sent out to five bidders. The engineers' estimate for this project was \$300,000. Only one bid was received; from Valmont Industries for \$149,285. The bid was evaluated to be compliant with the specifications except that design would not be approved by an engineer registered in Nebraska. The additional cost for this service is \$2,500. Based on their evaluation, Sargent & Lundy recommends that this requirement be included in the contract award for a total cost of \$151,785.

The Utilities Department recommends that Valmont Industries of Tulsa, Oklahoma be awarded the contract for this work in the amount of \$151,785. This is part of a bonded project.



Tuesday, December 18, 2001

Council Session

RESOLUTION 2001-345

WHEREAS, the City of Grand Island invited bids for Design, Detailing, Furnishing, Fabrication, and Delivery of Steel Structures as part of the Combustion Turbine addition at Burdick Station, according to the plans and specifications on file at the Platte Generating Station; and

WHEREAS, on December 11, 2001, one bid was received, opened and reviewed; and

WHEREAS, Valmont Industries of Tulsa, Oklahoma, submitted a bid in accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, except that the design would not be approved by an engineer registered in Nebraska; such bid being in the amount of \$149,285; and

WHEREAS, Sargent & Lundy, the project engineers, recommends that this requirement be included in the contract award which increases the cost to \$151,785; and

WHEREAS, Valmont Industries' bid is less than the engineer's estimate for said project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Valmont Industries of Tulsa, Oklahoma, in the adjusted amount of \$151,785 for design, detailing, furnishing, fabrication, and delivery of steel structures as part of the combustion turbine addition at Burdick Station is hereby approved as the lowest responsive bid submitted.

BE IT FURTHER RESOLVED, that a contract between the City and such contractor be entered into; and the Mayor is hereby authorized and directed to execute such contract on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ?	_____
December 14, 2001 ?	City Attorney

City of Grand Island

Item G18

#2001-346 Approving Final Plat and Subdivision Agreement for B & C Subdivision

Robert & Cindy Loewenstein, owners, have submitted the final plat for B & C Subdivision, located in the SE 1/4 of 22-11-9. This plat proposes to create 2 lots on a currently unplatted parcel of land. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of December 5, 2001, unanimously voted to recommend approval. See attached staff report and RESOLUTION.



Tuesday, December 18, 2001

Council Session

December 6, 2001

Honorable Ken Gnadt, Mayor
and Members of the Council
City Hall
Grand Island NE 68801

Dear Mayor and Members of the Council:

RE: FINAL PLAT – B & C Subdivision, located in the SE ¼ of Section 22, Township 11, Range 9, in the City of Grand Island.

At the regular meeting of the Regional Planning Commission, held December 5, 2001 the above item was considered. This final plat proposes to create 2 lots on a currently unplatted parcel of land in the SE ¼ of Section 22, Township 11, Range 9.. This property is currently zoned TA Transitional Agricultural Zone and consists of 3.731 acres.

A motion was made by Hooker and seconded by Hayes to **approve** and recommend that the City Council **approve** the final plat of B & C Subdivision as an addition to the City of Grand Island subject to approval of subdivision agreements.

The Planning Commission passed this motion with a unanimous vote of the 9 members present (Miller, Amick, Eriksen, O'Neill, Hooker, Hayes, Lechner, Haskins, Ruge)

Yours truly,

Chad Nabity AICP
Planning Director

cc: City Attorney
Director of Utilities
Director of Public Works
Director of Building Inspections
Manager of Postal Operations
Benjamin & Associates

R E S O L U T I O N 2001-346

WHEREAS, Robert Loewenstein and Cindy Loewenstein, husband and wife, as owners, have caused to be laid out into lots, a tract of land located in Fractional East Half of the Southeast Quarter (E1/2, SE1/4) of Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, under the name of B & C SUBDIVISION, and have caused a plat thereof to be acknowledged by them; and

WHEREAS, such subdivision was approved by the Regional Planning Commission on November 7, 2001; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Board of Education of School District No. 2 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 owners 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 B & C 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 on December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ? _____
December 14, 2001 ? City Attorney

City of Grand Island

Item G19

#2001-347 Approving Final Plat and Subdivision Agreement for Crane Valley 4th Subdivision

Concord Development, owners, have submitted the final plat for Crane Valley 4th Subdivision, located North of Diers Avenue, and East of Concord Avenue, in the City of Grand Island. This plat proposes to resubdivide all of lot 1 & 2 Crane Valley 3rd Subdivision into 4 lots. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of December 5, unanimously voted to recommend approval. See attached staff report and RESOLUTION.



Tuesday, December 18, 2001

Council Session

December 6, 2001

Honorable Ken Gnadt, Mayor
and Members of the Council
City Hall
Grand Island NE 68801

Dear Mayor and Members of the Council:

RE: FINAL PLAT – Crane Valley 4th Subdivision, located North of Diers Avenue, and East of Concord Avenue, in the City of Grand Island.

At the regular meeting of the Regional Planning Commission, held December 5, 2001 the above item was considered. This final plat proposes to resubdivide all of lot 1 & 2, Crane Valley 3rd Subdivision into 4 lots. This property is currently zoned B2 General Business and consists of 9 acres.

A motion was made by Ruge and seconded by Haskins to **approve** and recommend that the City Council **approve** the final plat of Crane Valley 4th Subdivision subject to approval of subdivision agreements.

The Planning Commission passed this motion with a unanimous vote of the 10 members present (Miller, Amick, O'Neill, Hooker, Hayes, Obermeier, Ruge, Lechner, Haskins, Eriksen)

Yours truly,

Chad Nabity AICP
Planning Director

cc: City Attorney
Director of Utilities
Director of Public Works
Director of Building Inspections
Manager of Postal Operations
Ross Engineering, Inc.

R E S O L U T I O N 2001-347

WHEREAS, Concord Development, L.L.C., as owner, has caused to be laid out into lots, a tract of land comprising of a replat of Lots One (1) and Two (2), Crane Valley Third Subdivision to the City of Grand Island, located in the West Half of the Northeast Quarter (W1/2, NE1/4) of Section Thirteen (13), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in the City of Grand Island in Hall County, Nebraska, under the name of CRANE VALLEY FOURTH SUBDIVISION, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, such subdivision was approved by the Regional Planning Commission on December 5, 2001; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Board of Education of School District No. 2 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 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 CRANE VALLEY FOURTH 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.

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Adopted by the City Council of the City of Grand Island, Nebraska on December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ? _____	
December 14, 2001 ?	City Attorney

City of Grand Island

Item G20

#2001-348 Approving Final Plat and Subdivision Agreement for Paustian 2nd Subdivision

Terry Walter, owner, has submitted the final plat for Paustian 2nd Subdivision, located North of Seedling Mile Road, between Gunbarrel & Shady Bend Road. This plat proposes to resubdivide all of lot 2 Paustian Subdivision into 2 lots. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of December 5, 2001, voted to recommend approval. See attached staff report and RESOLUTION.



Tuesday, December 18, 2001

Council Session

December 6, 2001

Honorable Ken Gnadt, Mayor
and Members of the Council
City Hall
Grand Island NE 68801

Dear Mayor and Members of the Council:

RE: FINAL PLAT – Paustian 2nd Subdivision, located North of Seedling Mile Road, between Gunbarrel & Shady Bend Road, in the City of Grand Island.

At the regular meeting of the Regional Planning Commission, held December 5, 2001 the above item was considered. This final plat proposes to resubdivide all of lot 2, Paustian Subdivision into 2 lots. This property is currently zoned TA Transitional Agricultural.

A motion was made by Haskins and seconded by Hooker to **approve** and recommend that the City Council **approve** the final plat of Paustian 2nd Subdivision subject to approval of subdivision agreements.

The Planning Commission passed this motion with 9 members present voting in favor (Miller, O'Neill, Hooker, Hayes, Obermeier, Ruge, Lechner, Haskins, Eriksen) and 1 member abstaining (Amick).

Yours truly,

Chad Nabity AICP
Planning Director

cc: City Attorney
Director of Utilities
Director of Public Works
Director of Building Inspections
Manager of Postal Operations
Brady & Swanson

R E S O L U T I O N 2001-348

WHEREAS, Terry L. Walter, a single person, as owner, has caused to be laid out into lots, a tract of land comprising all of Lot Two (2), Paustian Subdivision, an addition to the City of Grand Island in Hall County, Nebraska, under the name of PAUSTIAN SECOND SUBDIVISION, and has caused a plat thereof to be acknowledged by him; and

WHEREAS, such subdivision was approved by the Regional Planning Commission on December 5, 2001; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Board of Education of School District No. 2 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 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 PAUSTIAN SECOND SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

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Adopted by the City Council of the City of Grand Island, Nebraska on December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ? _____	
December 14, 2001 ? City Attorney	

City of Grand Island

Item G21

#2001-349 Approving a 20 Minute Express Zone Parking Space at 414 West 3rd Street

Eunice Hawk and Robert Reineke submitted a request for a 20 minute parking express zone for their take-out restaurant, The Hot Spot at 414 W. 3rd. The Downtown Improvement Board reviewed the request at their December 7, 2001 meeting and recommend approval with the following condition; that the space be designated as 20 minute for the period of 11 am until 2 pm. The remainder of the day will be a 2 hour time limit. The applicant agreed with this condition.



Tuesday, December 18, 2001

Council Session

R E S O L U T I O N 2001-349

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

WHEREAS, it is requested that one on-street 20-minute parking express zone stall be established at 414 West Third Street; and

WHEREAS, the Downtown Improvement Board reviewed the request, and recommended the space be designated as 20-minute parking for the period of 11 a.m. to 2 p.m., with a 2-hour time limit for the remainder of the day; and

WHEREAS, the applicant is agreeable to the 20-minute express zone parking during the 11 a.m. to 2 p.m. time frame; and

WHEREAS, it is in the best interests of the City to effect such regulations.

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

1. One on-street 20-minute express parking stall be established at 414 West Third Street between the hours of 11 a.m. and 2 p.m.; and that parking in such stall be limited to two hours for the remainder of the day.
2. The Street Department is directed to erect and maintain the sign and street markings necessary to effect the above regulation.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 13, 2001.

RaNae Edwards, City Clerk

City of Grand Island

Item G22

#2001-350 Approving Time Extension to Contract for Sanitary Sewer Districts 492 and 493 in R&B, Grand West and Old Potash Subdivisions.

The City Council awarded the contract for construction of Sanitary Sewer District 492 and 493 to The Diamond Engineering Company on April 24, 2001. District 492 is virtually complete, but additional time is required to complete asphalt and concrete work and miscellaneous clean up tasks. The Contractor was asked to perform emergency sanitary sewer repairs at other locations for the City during the construction period, which slowed progress on the project. In District 493, the Right of Way needed for the work was not acquired until November 20, 2001. As a result, the project is in the beginning stages. The Diamond Engineering Company is requesting a July 15, 2002 completion date.



Tuesday, December 18, 2001

Council Session

RESOLUTION 2001-350

WHEREAS, on April 24, 2001, by Resolution 2001-99, the City of Grand Island approved a contract with The Diamond Engineering Company of Grand Island, Nebraska for the construction of Sanitary Sewer Districts 492 and 493; and

WHEREAS, due to utilizing said contractor for other emergency sanitary sewer repairs, and delays in acquiring right-of-way, it is necessary to extend the completion date of the work; and

WHEREAS, The Diamond Engineering Company has requested an extension of the completion date to July 15, 2002.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the request of The Diamond Engineering Company of Grand Island, Nebraska, to extend the completion date for the construction of Sanitary Sewer Districts 492 and 493 to July 15, 2002 is hereby granted.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ? _____ December 14, 2001 ? City Attorney
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City of Grand Island

Item G23

#2001-351 Approving Certificate of Final Completion for Sidewalk District No. 1, 2001 and Setting Board of Equalization Date.

The City Council awarded the contract for Sidewalk District No. 1 - 2001 to Galvan Construction, Grand Island, Nebraska on November 6, 2001. The work commenced November 20, 2001 and was completed in December 2001. The performance of the contract was supervised by the Public Works Department, Engineering Division and a Certificate of Final Completion has been issued, subject to City Council approval.



Tuesday, December 18, 2001

Council Session

R E S O L U T I O N 2001-351

WHEREAS, the Public Works Director of the City of Grand Island has issued a Certificate of Final Completion for Sidewalk District No. 1, 2001, certifying that Galvan Construction, Inc. of Grand Island, Nebraska, under contract dated November 19, 2001, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Public Works Director recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs with the Public Works Director's recommendations.

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

1. The Public Works Director's Certificate of Final Completion for Sidewalk District No. 1, 2001, is hereby confirmed.
2. A warrant be issued from Account No. 400.01.40024.05640 in the amount of \$2,969.60 payable to Galvan Construction, Inc. for the total amount due the contractor.
3. The costs of engineering in the amount of \$296.96 be credited to Account No. 130.130.04516 from Account No. 400.01.40024.05640.
4. The City Council will sit as a Board of Equalization on January 22, 2002 to determine benefits and set assessments for Sidewalk District No. 1, 2001.

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Adopted by the City Council of the City of Grand Island, Nebraska on December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form	?
December 14, 2001 ? City Attorney	

City of Grand Island

Item G24

#2001-352 Approving Change Order #1 - Ash Pond Closure

The Platte Generating Station has two on-site landfill areas for disposal of the plant's coal ash. The first area was filled several years ago, and the Nebraska Department of Environmental Quality directed the City to install a closure cover for this area. Closure entails moving fill materials and topsoil in place over the stored ash, grading the site and seeding it.

The original closure contract was bid and awarded in accordance with the City Purchasing Code. Hooker Brothers Construction Company from Grand Island was awarded the project on September 11, 2001 in the amount of \$54,445.00.

When the Phase I ash pond was originally constructed, materials were stockpiled for closure. However, there were not enough materials available to complete closure in accordance with NDEQ regulations. To obtain enough on-site borrow material to complete the cover, the contractor was directed to take materials from the original borrow region on the west side of the plant site, which required rebuild of the access road to the west plant well site.

Change Order #1 outlines this addition to the original contract in the amount of \$2,830.00. The final contract price is \$57,275.00.

The plant staff has reviewed the contractor's pricing for the change, and evaluates it as in



Tuesday, December 18, 2001

Council Session

R E S O L U T I O N 2001-352

WHEREAS, on September 11, 2001, by Resolution 2001-234, the City Council for the City of Grand Island awarded the contract for Ash Pond Phase I Closure to Hooker Brothers Construction Company of Grand Island, Nebraska; and

WHEREAS, it has been determined that modifications to the work to be performed by Hooker Brothers Construction Company are necessary; and

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

WHEREAS, the result of such modifications for this project will increase the contract amount by \$2,830, for a revised contract amount of \$57,275.

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 Hooker Brothers Construction Company to provide the following modifications:

	<u>Amount</u>
Gravel surfacing.....	\$ 165.00
Access road.....	2,665.00

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form	?
December 14, 2001	? City Attorney

City of Grand Island

Item G25

#2001-353 Approving First Addendum to the Interlocal Cooperation Agreement for the City/County Geographic Information System

This addendum clarifies cost sharing between City and County for GIS related expenses and adds the newly created GIS Director as a party to the agreement.



Tuesday, December 18, 2001

Council Session

RESOLUTION 2001-353

WHEREAS, on December 16, 1996, by Resolution 96-349, the City of Grand Island approved an Interlocal Agreement with the County of Hall for the establishment, sharing and maintenance of a City/County Geographical Information System (GIS); and

WHEREAS, it is necessary to provide for continued updates, on a periodic basis, of the GIS database through aerial photography, aerial mapping, and other means; and

WHEREAS, it is recommended that an Addendum to such Interlocal Agreement be entered into to allow for such continued updates which will allow the parties to take advantage of joint or cooperative purchases and to eliminate duplication of efforts.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the First Addendum to the Interlocal Cooperation Agreement for The City/County Geographic Information System is hereby approved to allow and provide for continued updates to the GIS database through aerial photography, aerial mapping, and other means in accordance with the addendum.

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Adopted by the City Council of the City of Grand Island, Nebraska on December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ? _____
December 14, 2001 ? City Attorney

City of Grand Island

Item G26

#2001-354 Approving Amendment to Architectural Agreement for the Library

On September 12, 2000, by Resolution 2000-266, the City of Grand Island approved a proposal from The Clark Enersen Partners for the Project to Determine Feasibility of Expansion of the Present Library (Phase I) with contingent provisions to proceed upon approval of the Mayor and City Council with Design of Expansion of the library (Phase II). Phase I has been completed and a resolution authorizing proceeding with Phase II is now before the Council. The original contract was reviewed to determine whether there were terms and conditions which required revision or supplementing based on the currently envisioned scope of Phase II. A Supplement to Standard Form of Agreement Between Owner and Architect and Agreement with Standard Form of Architect Services has been drafted by the City Attorney's Office and approved by The Clark Enersen Partners. As in the case of Phase I, compensation to be paid for Phase II services to The Clark Enersen Partners is based on hourly rates, not to exceed \$15,475.00 including \$2,500.00 budgeted for reimbursable items such as travel, meals, lodging, etc.

The City Attorney's Office and the Grand Island Public Library recommend approval of the resolution and the supplement as drafted.

CJC/sp



Tuesday, December 18, 2001

Council Session



R E S O L U T I O N 2001-354

WHEREAS, on September 12, 2000, by Resolution 2000-266, the City of Grand Island approved a proposal from The Clark Enersen Partners of Lincoln, Nebraska, for the project to determine feasibility of expansion of the present library; and

WHEREAS, Design and Expansion of the Library, Phase II, is ready to proceed; and

WHEREAS, it is recommended that The Clark Enersen Partners be allowed to proceed with Phase II of such project at a rate not to exceed \$15,475, including \$2,500 for reimbursables; and

WHEREAS, the proposed Supplement to Standard Form of Agreement Between Owner and Architect with Standard Form of Architect's Services setting out the terms and conditions of Phase II of such project has been reviewed and approved by the City Attorney

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Supplement to Standard Form of Agreement Between the City of Grand Island and The Clark Enersen Partners of Lincoln, Nebraska with Standard Form of Architect's Services setting out the terms and conditions of Phase II architectural services for the expansion of the Grand Island Public Library is hereby approved; and the Mayor is hereby authorized and directed to execute such supplement on behalf of the City of Grand Island.

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Adopted by the City Council of the City of Grand Island, Nebraska on December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ? _____ December 14, 2001 ? City Attorney
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City of Grand Island

Item G27

#2001-314 Approving Employee Handbook

The Council has been reviewing the proposed Employee Handbook for employees of the City of Grand Island. During this process, we have discussed changes from the current Personnel Rules. There is one addition in this final copy on page 24 of the Handbook. It falls under the heading of PAID HOLIDAYS. It states that the Mayor may designate such special holidays as circumstances merit. This was added to accommodate a situation such as we have this year with Christmas. If this is acceptable to the Council, I feel that as a group we have reached consensus on the final draft and would recommend passage at this time. In addition to the Employee Handbook, it is also recommended that the City Personnel Department be renamed the Human Resources Department and the positions therein renamed accordingly. Thanks to all of you for the time and attention that you have given this project.



Tuesday, December 18, 2001

Council Session

WELCOME

Welcome to the City of Grand Island! We want to thank you for joining our team. We believe that each employee contributes directly to the growth and success of our organization. We hope that the employment relationship that we share is a long and mutually rewarding one. The purpose of this employee handbook is to acquaint you with policies set forth by the City of Grand Island. These Personnel Rules and Regulations state the intent of the Mayor and City Council in providing for the employment conditions and benefits for employees of the City of Grand Island. You should familiarize yourself with the contents of the Personnel Rules Handbook, as you are responsible for abiding by the rules that are outlined within.

For convenience, in this handbook, we will refer to your employer as The City of Grand Island, The City, we, our, or us. If you have questions regarding the material presented here, please feel free to ask your supervisor or call the Human Resources Department.

Again, best wishes for success in your new position with the City of Grand Island!

LEGAL EFFECT

The policies in this manual are subject to change as the City grows and changes. Any changes in this manual shall apply to existing as well as future employees. If and when provisions are formally changed, you will be notified and appropriate replacement documentation will be provided. No statement or promise made by a supervisor, manager, or department head may be interpreted as a change in policy, nor will it constitute an agreement with an employee.

The City Personnel Rules are not a contract, express or implied. This handbook replaces (supersedes) all other previous Personnel Rules for the City of Grand Island as of 11-01-01.

EQUAL EMPLOYMENT OPPORTUNITY

The City of Grand Island affirms its commitment to providing a work environment that does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, mental or physical disability, marital status, or national origin. The City will operate in full compliance with applicable federal, state and local laws prohibiting

discrimination in employment. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

SCOPE

The City of Grand Island is made up of several different departments. The departments that are governed by these rules are as follows:

City Attorney's Office	Mayor's Office
Finance Department	Community Projects Department
Parks & Recreation Department	Police Department
Fire Department	Public Works Department
Utilities Department	Public Library
Human Resources Department	City Administrator's Office
Building Department	

Regional Planning Department
Grand Island/Hall County Health Department
Grand Island/Hall County Emergency Management Department

The following are exempted from these rules:

The Mayor and City Council
Members of appointive boards, commissions, and committees.
Independent contractors
Correctional System inmates

Although persons employed as temporary employees, interns and citizen volunteers are not eligible for benefits under the City's policy, they are still expected to follow the policies set forth as they represent the City.

The City Administrator's Office is governed by the Personnel Rules, however, the City Administrator serves at the pleasure of the Mayor and Council.

The City Personnel System shall be divided into two classifications of service, classified and unclassified. Classified service includes all employees governed by the Civil Service Act of the State of Nebraska. Departments that would have employees that fall under this category,

would be the Police and Fire departments. All other employees of the City would be considered unclassified.

All appointments and removals of employees who are in the classified service shall be subject to Civil Service Rules and Regulations.

These rules and regulations apply to all employees of the City except where labor contracts, Civil Service Rules, State statutes, or other City ordinances supersede these rules.

MAYOR AND CITY COUNCIL

The Mayor and the City Council shall be the ultimate policy-making authority for the City of Grand Island. The Mayor as chief executive officer of the City, pursuant to Section 16-312 of the statutes of the State of Nebraska, shall be responsible for the proper administration of the affairs of the City. The Mayor is the appointing authority under the Civil Service Act of the State of Nebraska.

Pursuant to Section 16-308 of said statutes, the Mayor shall upon approval of the City Council, appoint or remove a city administrator, city clerk, city treasurer, city engineer, city attorney, and such other officers as required by law.

The Mayor may designate his or her administrative responsibilities under these rules to the City Administrator, as the Chief Administrative Officer; provided the Mayor may not designate any duties or responsibilities in violation of the State statute. The Mayor has the right to approve or disprove any personnel actions taken pursuant to these personnel rules.

GENERAL POLICIES

APPLICATION PROCESS

The City's Human Resources Department is responsible for the posting of all employment opportunities. Vacancies will be advertised publicly as well as internally. Unbiased consideration will be given to all applicants.

The City may refuse to consider an applicant or place his or her name on an eligibility list for any of the following reasons:

- The applicant lacks the minimum qualification stated in the official job description.
- The applicant has been found guilty of a crime of such a nature as to render the applicant unsuitable for the job for which application is being made.
- The applicant has been dismissed or resigned for disciplinary reasons from any employment within the past five years for a cause that would constitute a cause for termination under these rules.
- The applicant has made a false statement on his or her application.
- The applicant is deemed unfit to perform the duties of the job for which application is made as indicated by unfavorable reports received from references or by character or medical investigations.
- The applicant does not hold a valid driver's license when required by the nature of the job.
- The applicant for a position is a member of the same household and/or an immediate family member within the same supervisory chain of command. An immediate family member would be any of the following; spouse, child (including stepchildren), sibling, parent, grandparent and in-laws of the same relation. Family members are otherwise eligible for employment with the city provided they are not in the same supervisory chain of command.

SEXUAL AND OTHER UNLAWFUL HARASSMENT

The City of Grand Island is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive. Actions, words, jokes or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated. All men and women are to be treated equally with dignity and respect.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This form of employee misconduct undermines the integrity of the workplace and will not be tolerated. The following is a partial list of examples of sexual harassment:

- Unwelcome sexual advances – physical or verbal.
- Offering employment benefits in exchange for sexual favors.
- Making threats after a negative response to sexual advances.
- The use of derogatory comments, epithets, slurs or jokes.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor and the Director of Personnel. All allegations of sexual harassment will be quickly and discreetly investigated. Any supervisor or Director who becomes aware of possible sexual or other unlawful harassment is to report it immediately to the Personnel Director. If the Human Resources Director is not available, report to the City Attorney.

An employee shall not suffer retaliation for coming forward with a complaint of harassment. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination.

DRUG-FREE WORKPLACE

The City of Grand Island is committed to providing a safe work environment. The City absolutely prohibits the distribution, manufacture, possession, sale, use, transfer, transport or purchase of illegal drugs, or being under the influence of alcohol or drugs at the workplace, on City premises, or in City vehicles. Any violation of this policy is subject to discipline up to and including termination, for the first offense.

The substances that are prohibited include but are not limited to the following:

- Alcohol
- Cannabinoids (marijuana, hashish)
- Depressants (tranquilizers)
- Hallucinogens (PCP, LSD, designer drugs" etc.)
- Narcotics (heroin, morphine, etc.)
- Stimulants (cocaine, methamphetamines, diet pills, etc.)

Any employee convicted of violating a criminal drug statute in this workplace must inform the City of such a conviction (including pleas of guilty and no contest) within five days of the conviction occurring. Failure

to inform the City will subject the employee to disciplinary action, up to and including termination for the first offense. By law, the City will notify the federal grant agency or contracting officer within 10 days of receiving such notice from an employee or otherwise receiving notice of such conviction.

The City reserves the right to offer employees convicted of violating a criminal drug statute in the workplace, the opportunity to participate in a rehabilitation or drug abuse assistance program, at the employee's expense, as an alternative to discipline. If such an opportunity is offered and accepted, the employee must successfully complete the program before returning to their position as a condition of employment.

The City shall test all applicants who have been offered a position with the City prior to starting their new job. Job placement is contingent on the results of the drug testing. The City will test for the following substances for all new hires;

- Amphetamine/Methamphetamine
- Cannabinoids
- Cocaine metabolites
- Opiates
- PCP

The City reserves the right to test any employee that it has reasonable cause to believe is under the influence of alcohol or drugs while in the workplace.

The City shall also maintain a testing program as is required by the U.S. Department of Transportation (DOT). This program will apply to employees in job classifications that require a Commercial Driver's License (CDL). Employees in this classification will receive additional information in the orientation process from the Human Resources Department.

CORRECTIVE AND DISCIPLINARY ACTIONS

Employees are expected to act in a mature and professional manner while performing services for the City Of Grand Island. Below is a partial list of behaviors that an employee may be disciplined for. Depending on the severity of the infraction, an employee may be subject to discipline up to and including termination. The following is a list, not all-inclusive, providing examples of unacceptable conduct:

- Failure to observe safety rules and regulations.

- Failure to report to work at the appointed time or place, or for departing prior to the designated time, including abuse of rest periods.
- Solicitation, or distribution or display of, unauthorized literature while on City time.
- Operating a personal business while on City time.
- Intimidation or coercion.
- Abuse or waste of City equipment, tools, or material.
- Using abusive language or making false or malicious statements concerning any employee, the City, or its services.
- Horseplay, loafing, or sleeping on the job.
- Unauthorized posting, removing, or altering of bulletin board notices.
- Violation of City, Department, or Division written or verbal policies or procedures.
- Unauthorized use or release of confidential, sensitive or privileged information.
- Intentional unavailability for or refusal to work over-time or respond to emergency call-out.
- Abuse of sick leave or other paid leaves.
- Conduct unbecoming a City employee.

An employee may be discharged, even for a first offense, for the following violations. This list is representative of dischargable behaviors but is not all-inclusive.

- Insubordination.
- Theft of public or private property.
- Misappropriation of public property.
- Unlawful harassment.

- Consumption or possession of alcohol or nonprescribed drugs on City time or property.
- Being under the influence of alcohol or nonprescribed drugs while in the workplace.
- Gambling or fighting on City time or property.
- Conviction of a felony.
- Abusive, offensive, or obscene language or conduct towards the public, City officials, or employees.
- Demeaning, disruptive or uncooperative conduct in the workplace.
- Intentional or negligent damage or destruction of private or public property.
- Fraud, falsification or deceit in the conduct of City business.
- Incompetence or unsatisfactory performance.
- Unauthorized possession or use of firearms or hazardous materials on City time or property.
- Work disruption or stoppage, strike, or other forms of job action or withholding of services.
- Acts or threats of physical violence directed towards City officials or employees.
- Soliciting favors, gifts, services, or bribes in the conduct of City business.
- Conduct unbecoming a City employee or tending to discredit or impair the duties and the responsibilities of the employee's position.
- Violation of the "Employment of Relatives" Policy.

Any employee arrested or convicted of any offense other than a minor traffic violation must report the incident to his or her supervisor. Failure to report such matters can result in discipline, up to and including termination.

DISCIPLINE AND APPEAL PROCEDURE

A. General Statement

It is the policy of the City of Grand Island to provide a system of progressive discipline, which affords an opportunity for the resolution of unsatisfactory employee performance or conduct. Except in the case of a written reprimand I and reprimand II, such system shall include an appeal procedure to assure the equitable and consistent application of discipline.

Discipline may begin with the least severe, appropriate disciplinary action and progress, if necessary, to more severe actions. The severity of the incident may warrant any level of initial disciplinary action, so as to be appropriate for the offense.

B. Progressive Discipline

Progressive discipline is the successive application of increasingly severe disciplinary actions. These actions, in order of severity, are written reprimand I, written reprimand II, suspension, suspension and demotion, and discharge.

C. Written Reprimand I

A written reprimand I must be imposed by the employee's immediate supervisor for minor violations or incidents. The reprimand must inform the employee of the violation or incident, the required correction action, and the consequences of a reoccurrence of the violation or incident.

A copy of the written reprimand I must be delivered to the employee and the Human Resources Department by the immediate supervisor. The immediate supervisor must retain a copy of the written reprimand I in departmental records. A written reprimand I shall be placed in the employee's personnel file.

D. Written Reprimand II

A written reprimand II may be imposed by a Department Director, the City Administrator or the Mayor for repeated minor violations or incidents, or for a violation or incident of a more serious nature. The written reprimand II must inform the employee of the violation or incident, the required corrective action, and the consequences of a reoccurrence of the violation or incident. Copies of the written reprimand II must be delivered to the employee and the Personnel Department for placement in the employee's personnel file.

E. Suspension and Demotion

A suspension is a period of time where the employee is removed from the workplace without pay. Suspension is normally imposed for a disciplinary or dischargable offense or for an employee's failure to take corrective action in response to a written reprimand I or II. A suspension may be imposed as initial discipline for a violation or incident of a serious nature.

A demotion is a change in status to a position subordinate to that held by an employee prior to imposition of discipline and may be imposed by the Department Director, the City Administrator or Mayor in conjunction with a suspension for a violation or incident of a serious nature.

For non-exempt employees under the Fair Labor Standards Act (FLSA), a suspension, not to exceed five working days, may be imposed by the Department Director, the City Administrator or the Mayor. For exempt employees under the FLSA, any suspension must be for a period of at least one workweek.

Prior to imposition of suspension and/or demotion as a disciplinary action, a written notice of suspension and/or demotion shall be prepared, and signed by the Department Director, the City Administrator, or the Mayor. The notice of suspension and/or demotion must inform the employee of the following:

- (a) A statement of the violation(s) or incident(s)
- (b) A brief explanation of the evidence underlying the violation(s) or incident(s)
- (c) The discipline to be imposed
- (d) Any required corrective action by the employee
- (e) The consequences of a reoccurrence of the violations(s) or incident(s)
- (f) The employee's right to request an appeal hearing before the Mayor

A copy of the notice of suspension and/or demotion shall be delivered to the employee, either personally or by delivery to the employee's last known place of residence, at least seventy-two (72) hours, excluding Saturday, Sunday and Holidays, prior to imposition of the disciplinary action. At the discretion of the person issuing the notice of suspension and/or demotion, the employee may be suspended with pay immediately upon delivery of the notice pending implementation of the disciplinary action. A copy of the notice of suspension and/or demotion must be delivered to the Personnel Department for placement in the employee's personnel file.

A proposed suspension (and demotion) may be appealed pursuant to the procedure set out hereafter.

F. Discharge

A discharge may be imposed by the Mayor for an employee's failure to correct their workplace conduct in response to a suspension. A discharge may also be imposed as initial discipline for a violation or incident of a serious nature.

Prior to imposition of discharge as a disciplinary action, a written notice of discharge shall be prepared, and signed by the Department Director, the City Administrator, or the Mayor. The notice of discharge must inform the employee of the following:

- (a) A statement of the violation(s) or incident(s)
- (b) A brief explanation of the evidence underlying the violation(s) or incident(s)
- (c) A statement that discharge is to be imposed
- (d) The employee's right to request an appeal hearing before the Mayor

A copy of the notice of discharge shall be delivered to the employee, either personally or by delivery to the employee's last known place of residence, at least seventy-two (72) hours, excluding Saturday, Sunday and Holidays, prior to imposition of the disciplinary action. The employee shall be suspended with pay immediately upon delivery of the notice of discharge pending implementation of the disciplinary action or a final determination by the Mayor on the proposed disciplinary action following an appeal hearing. A copy of the notice of discharge must be delivered to the Human Resources Department for placement in the employee's personal file.

A proposed discharge may be appealed pursuant to the procedures set out hereafter.

G. Appeal Procedure

A regular status, non-introductory employee may appeal a suspension, a suspension and demotion, or a discharge in accordance with the following procedure:

- a. Following delivery of a notice of suspension (and demotion), or notice of discharge, the employee shall have seventy-two (72) hours, excluding Saturday, Sunday and Holidays, to request an appeal hearing before the Mayor. Such request shall be in writing and delivered to the office of the Mayor at City Hall.
- b. Upon receipt of a request for an appeal hearing, the Mayor shall within five (5) working days cause to be set a time and place for the appeal hearing and written notification thereof shall be provided to the employee, the Human Resources Director and City Attorney. The appeal hearing shall be held within fifteen (15) working days after receipt of the request for hearing. The appeal hearing shall be conducted informally and recorded electronically.

- c. At the hearing, the City Attorney, Department Director and/or City Administrator shall present oral or written statements, reports and documents supporting the disciplinary action.
- d. The accused employee, the employee's representative and attorney, or other person on the employee's behalf, may present oral or written statements, reports and documents in response to the proposed disciplinary action.
- e. Each side shall be limited to a total time for making their respective presentations of one (1) hour or less. The Mayor upon good cause shown may extend the time for presentation.
- f. Upon conclusion of the appeal hearing, the Mayor shall make a determination in writing to dismiss, modify, or impose the proposed disciplinary action. The proceedings before the Mayor at the appeal hearing shall constitute the sole basis on which the Mayor's determination shall be based. Modification may include any lesser disciplinary action than that which was proposed, including written reprimand II, reduction in pay, demotion, or change in the terms of suspension and/or demotion and may provide for a period of probation, counseling, treatment, or other corrective actions on the part of the employee.

A copy of the Mayor's written determination shall be delivered to the employee, either personally or by delivery to the employee's last known place of residence. A copy of the Mayor's written determination shall be delivered to the City Administrator, City Attorney, and the Human Resources Director. The Human Resources Department shall place a copy of the Mayor's written determination in the employee's personnel file.

Should the employee be dissatisfied with the Mayor's determination, the employee may appeal to the District Court of Hall County, Nebraska, in accordance with the procedures provided by the statutes of the State of Nebraska. The filing of a petition in error by the employee or the service of summons upon the City shall not stay enforcement of a disciplinary action. The City may do so voluntarily, or the City may comply with such stay as is ordered by the District Court of Hall County.

EMPLOYEE GRIEVANCES

The following will be the grievance procedure for employees of the City Of Grand Island, except those that are members of a recognized bargaining unit. Members of bargaining units shall use the grievance procedures provided in their respective labor agreements.

Each person may present a grievance to their immediate supervisor who will respond in writing within 5 working days. Written notification of this grievance will be forwarded to the Human Resources Director, Department Director and City Administrator.

If the person is not satisfied with the decision of their immediate supervisor, they may present the grievance to the Department Director who will notify the Human Resources Director and City Administrator. The Department Director will, with the advice and consent of the City Administrator, respond in writing within 5 working days.

In the event that the person is not satisfied with the decision of the Department Director, they may notify the Human Resources Director in writing within 5 working days. The Personnel Director will investigate the grievance and forward the results to the grievant, the City Administrator, and the Mayor. The Mayor may conduct a review of the record and notify the grievant of the Mayor's decision.

The following are the prerogative of management and are not subject to the grievance process. Except where limited by provisions elsewhere in these rules, nothing in the rules shall be construed to restrict, limit, or impair the rights, powers, and the authority of the City as granted to it under the laws of the State of Nebraska, and City ordinances. These rights powers and authority include, but are not limited to the following:

- Discipline or discharge for just cause arising under the City Personnel Rules.
- Direct the work force.
- Hire, assign, or transfer employees.
- Determine the mission of the City.
- Determine the methods, means, number of personnel needed to carry out the City's mission.
- Introduce new or improved methods or facilities.
- Change existing methods or facilities.
- Relieve employees because of lack of work.
- Contract out for goods or services.
- The right to classify jobs and allocate individual employees to appropriate classifications based upon duty assignments.

RESIGNATIONS, RETIREMENT AND LAYOFFS

RESIGNATIONS: To resign in good standing, an employee must give the Department Director written notice at least 14 calendar days prior to termination, unless the Department Director agrees to permit a shorter period.

RETIREMENT: An employee may, but is not required to, retire on the first day of the month following his or her 65th birthday. Uniformed members of the Police and Fire Divisions shall be retired in accordance with the provisions of State statutes covering retirement of these classifications.

Retired employees, except police officers and firefighters, shall, when eligible, receive a pension as provided for in City Ordinance No. 4244 as amended. Police officers and firefighters, when eligible, shall receive a pension as provided for by State statutes.

The Mayor may, at his or her discretion, grant an early retirement option under the general employee pension plan upon the request of an employee. The employee must be at least 55 years of age and must have at least ten years of participation in the employee pension plan.

REDUCTION IN FORCE: Whenever it is determined to be in the best interest of the City to reduce its workforce, the Director of the affected department will submit a recommendation to the Mayor and City Administrator for the implementation of the reduction.

Factors that will be taken into consideration shall include, but are not limited to:

- The employment policies and staffing needs of the department, together with contracts, ordinances, and statutes related thereto;
- Required federal, state, or local certifications or licenses;
- Seniority;
- The performance appraisal of the employees affected, including any recent or pending disciplinary actions;
- The knowledge, skills and abilities of the employee;
- The multiple job skills recently or currently being performed by the employee;

Upon the receipt of the Director's recommendations, a determination will be made as to the classifications to be affected by a reduction in force and the number of employees to be laid off. A determination as to whether any employees within a job classification should be exempted from consideration due to the existence of a required federal, state, or local certification or license will also be made at this time.

In considering which of the employees within a job classification are to be laid off, the Mayor and City Administrator will determine the length of continuous employment within the department of each employee in the job classification. If an employee has 10 or more years of seniority over the next considered employee, then seniority will be the primary factor for determining layoff. If there is less than 10 years difference in seniority, then the primary factors to be considered will be; performance appraisals, pending or recent disciplinary actions, knowledge, skills and abilities, and multiple job skills that are currently being performed by the employee.

RECALL: Employees laid off under this reduction in force policy shall be eligible for recall for a period of 2 years after layoff. If, within 2 years after layoff, a new position is opened within the reduced job classification for the department, the employee shall be recalled in the reverse order of layoff. After 2 years, the employee will have no preference for rehire.

SEVERENCE PAY: Employees with 5 or more years of continuous employment with the City whose employment is terminated by a reduction in force will be entitled to severance pay equal to one month's pay. Employees who retire or are terminated through disciplinary action will not receive severance pay. The Mayor may grant severance pay in resignation cases when deemed appropriate.

The Mayor may grant severance pay greater than one month's pay upon a determination that such action is in the best interest of the City.

USE OF CITY PROPERTY AND EQUIPMENT

Property and equipment that is provided by the City to carry out the duties of day to day business is to be used in the way that it is intended. Personal use of City property and equipment including computers and Internet service is prohibited. While it is sometimes necessary to use the phone for personal calls, this use should be limited.

POLITICAL ACTIVITY

City employees may not interfere or use the influence of their office for political reasons. They shall not participate in any political activity during normal working hours or when otherwise engaged in the performance of official duties. No employee shall engage in any political activity while wearing a uniform required

by the City. An employee may not represent themselves as an employee of the City while being involved in an outside political activity.

Employees in certain departments will be additionally restricted due to funding of that department through state and federal funds. Employees are urged to contact their Department Director to determine the degree of political involvement allowed. Employees may not be dismissed or disciplined because they refuse to make a contribution to a political organization.

EMPLOYEE ORGANIZATIONS

City employees have the right to choose whether they wish to belong to employee organizations. No employee may be reprimanded, threatened, or discriminated against because the employee elects to join or refrain from belonging to an employee organization.

SAFETY AND RISK MANAGEMENT

It is the goal of the City of Grand Island to provide a safe and healthful workplace for all employees. The city's policy is aimed at minimizing exposure of our employees and visitors to our facilities to health or safety risks.

In order to accomplish this, each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to their supervisor. Employees that violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their supervisor. Such reports are necessary to comply with laws and initiate worker's compensation benefits.

The City has safety committees comprised of employees and management to help ensure a safe and healthful workplace. In addition to departmental safety committees, the City shall maintain a Risk Management Committee that is comprised of members that represent and act as liaisons between the different departments of the City. This committee is responsible for the coordination of all citywide safety activities, analysis of citywide accident trends, and recommending procedures that may improve safety in the departments.

WORKER'S COMPENSATION

The City Of Grand Island will comply fully with the Worker's Compensation Program that has been established under State statute.

When accidents occur at work, they must be reported immediately to the supervisor and the appropriate paperwork filled out at that time and sent in to the office. A supervisor must have prior knowledge and approve a doctor's visit. A doctor's report may be required to substantiate the injury.

RESIDENCY

All Emergency Management employees are required to reside within the two mile zoning jurisdiction of the City of Grand Island. All Department Directors are required to reside within ten miles of the zoning jurisdiction and all Utilities Department employees are required to reside within the residency boundaries of the department.

Employees that drive City vehicles home and senior management personnel need to check their department's S.O.P.'s in reference to residency requirements.

Employees will establish residency within six months after the calendar day of the start of employment and will maintain residency during the term of employment. For purposes of these Personnel Rules, residency will mean the employee's domicile.

EMPLOYMENT OF RELATIVES

Regular status employees who are members of the same family are eligible for City employment provided that they are not in the same supervisory chain of command. They may, however, be employed in different divisions of the same department or in different departments. For purposes of defining this policy, family members shall include; spouse, children, stepchildren, parents, siblings, and in-laws of the same relation. Employees must notify the City if they are in violation of this policy. If the City cannot accommodate a transfer request and one of the employees affected does not voluntarily resign to correct the violation, the employee with the least amount of seniority with the City will be asked to resign or be terminated.

OUTSIDE EMPLOYMENT

Employees may hold other employment outside of City employment with prior approval from their Director as long as it does not interfere with the duties of the City job and does not conflict with the interests of the City.

DRESS CODE

Employees of the City are required to dress in a manner that would be considered professional attire. Employees that work in departments with uniforms are required to dress in the approved uniform. For those that work in the offices, professional attire is appropriate. As long as the City continues to recognize Fridays as "Casual for Cause" days, the dress code for that day shall be casual. Whether it is a casual day or a regular workday, employees are expected to be clean and well groomed. If a supervisor feels that someone is not dressed appropriately for work, they may be asked to go home and return properly attired. If asked to do this it will be on the employee's own time which will not be counted as hours worked.

POSITION CLASSIFICATION

The Personnel Department will be responsible for the maintenance of a classification plan based on an analysis of duties of each position in the City. Written specifications, also known as job descriptions, will be approved by the City Administrator. Each description will define the class, summarize the duties to be performed and, establish the minimum standards of experience and qualifications required for appointment. Duties described in the job description may not be all-inclusive and do not restrict the assignment of other duties.

Each Department Director is responsible for the assignment of duties, location of work, tools and equipment furnished, work schedule, and working conditions. Directors may request a classification review of any position in his or her department at any time.

An employee may request a classification review of his or her own position at any time, provided the position has not been reviewed within the last 6 months. Such requests will be submitted to the Human Resources Director in writing through the Department Director.

EMPLOYMENT CATAGORIES

Each employee is employed in a classification that is considered either "exempt" or "non-exempt". Non-exempt employees are entitled to overtime pay under the Fair Labor Standards Act for hours worked over 40 in the same workweek. Exempt employees are not entitled to such overtime pay. In addition to these distinctions, each employee will also fall into one of the following employment categories:

TEMPORARY/SEASONAL employees are those who are hired as interim replacements or seasonal help to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. While temporary employees receive all legally mandated benefits, such as worker's compensation and social security, they are not eligible for any other benefit programs offered by the City of Grand Island.

REGULAR PART-TIME employees are those that work less than 40 hours per week and are not seasonal/temporary or in their introductory period. Employees that work 30 hours per week or more are eligible for single coverage health insurance benefits. Employees that work less than 30 hours per week will not be eligible to take part in the City's health plan. Benefits for regular part-time employees, who work at least 30 hours per week, are prorated based on their average hours of work during the year.

REGULAR FULL-TIME employees are those who are not in a temporary, introductory, or part-time status and who are regularly scheduled to work a full-time schedule with the City. These employees are eligible for the City's benefits program.

INTRODUCTORY PERIOD

All employees, other than temporary/seasonal, shall normally serve an introductory period as determined by the department that shall not be less than six months. The introductory period is an essential part of the employment selection process. It gives the City and the employee the opportunity to make sure the job is a good fit. An employee's performance that does not meet required standards may be terminated without recourse within the introductory period. When it is determined that the services of the employee have not been acceptable, the Department Director shall notify the employee in writing of the date that the termination will be in effect. A performance report, together with a copy of the termination, shall be forwarded to the Human Resources Department and City Administrator for approval.

A newly hired employee will accrue vacation during the introductory period, but it will not be considered "earned" until the introductory period is successfully completed. An employee that leaves the City's employ during the introductory period will not be compensated for the accrued vacation.

A performance evaluation and change of status form that requests that they be removed from the introductory status will signify successful completion of the introductory period. The Department Director may extend the introductory period upon written notification to the employee and the Human Resources Director.

While serving the introductory period, an employee may be appointed or promoted to a position in a different class. When this occurs, the employee will begin a new introductory period for the position to which he or she has been appointed or promoted to. The same is true for employees that request reassignment into a different position.

An employee may also serve additional introductory periods in the case of a promotion. When promoted, an employee will serve an introductory period that resembles that required for the original appointment.

REGULAR STATUS

Once an employee successfully completes their introductory period, the employee is then appointed to regular status.

An employee that is hired in Step A or B shall be eligible for a step increase upon successful completion of the introductory period. Any employee hired in a step higher than B shall not be eligible for a step increase until the completion of one year of employment with the City.

Upon appointment to regular status, an employee will receive the following vacation time:

1. Upon completion of the six month introductory period – 5 days
2. Upon completion of a one year period – an additional 5 days

Regular status employees will then begin accruing vacation leave and be eligible to use accrued vacation at the rate established by these rules.

COMPENSATION AND BENEFITS

HOURS OF WORK

The 40-hour workweek shall be the standard workweek unless otherwise provided. All employees may be required to work over 40 hours per week. Employees in non-exempt classifications shall be compensated at a rate of time and one half of their regular rate of pay for all hours worked over 40 in the work week. Exempt employees are not eligible for overtime for hours worked in excess of 40 during the workweek. For purposes of calculating overtime, hours worked shall include actual hours worked, vacation and holidays.

Department Directors may establish work periods and hours of work, which differ from the standard to meet special department needs or workloads, with the approval of the City Administrator.

COMPENSATORY TIME: Compensatory time may be taken in lieu of time and half pay for overtime worked if approved by the Department Director. Each hour of overtime worked will be credited at one and one-half hours of time that can be taken off at a later date. The use of Compensatory time must be permitted by the Department rules and meet the Departments needs. These hours need to be recorded in the payroll system at the time of accrual and use.

When allowed by the Department Director, an employee may accrue no more than 60 hours of compensatory time. Any exceptions to this provision must have the written authorization of the Human Resources Director.

LUNCH PERIODS: Lunch periods may be established in one-hour or one half-hour increments. In the event that the employee is required to work through the lunch period or have lunch at their desk, the time will be added to the hours worked for the day.

REST PERIODS: Rest periods, more commonly referred to as "breaks" may be taken in 15 minute increments during each one-half workday when possible. No more than one break per half workday is permitted. Employees are encouraged to take breaks when the work load allows, but may not save up break time to use in larger increments than 15 minutes or to leave work early. Break time is to be used in the spirit in which is intended for and abuse of rest periods may be cause for disciplinary action.

PAY SCHEDULES: The City Human Resources Department in conjunction with the Finance Department will maintain pay schedules for approved classifications as prescribed by City Ordinance. The City may revise the pay schedule when changes in classes, availability of labor supply, prevailing rates of pay/comparability or economic conditions so dictate. The new pay schedules will become effective upon the effective date of the ordinance that has been approved by the Mayor and City Council.

All new employees will normally be hired at Step A of the pay grade of their position. However, due to extenuating circumstances, an employee may be hired at a higher step with the written approval of the City Administrator. Any employee, who starts in Steps A or B and successfully completes their introductory period, may move to the next Step after 6 months of service. Once an employee reaches Step C and above, they will remain in each Step for at least 1 year with their performance to be evaluated on the anniversary of the change of status. Following is an example:

Step A	Entry level
Step B	Upon successful completion of the introductory period, not less than 6 months.
Step C	Upon 6 months of service in Step B or successful completion of the introductory period.
Steps D-H	Upon the annual anniversary of the change of status with a satisfactory evaluation.

Prior to advancing in a step or grade, employees will be evaluated on their performance at least annually. An employee must receive satisfactory performance ratings in order to receive an increase in pay, other than a cost-of-living increase.

An employee receiving the highest possible rating in all categories may be considered for more than a one-step increase when recommended by the Department Director and approved by the City Human Resources Director and City Administrator.

PROMOTIONS: An employee who is promoted will be placed in the lowest step of his or her new pay grade that will permit an increase of at least 3%. After successfully completing the six-month introductory period in their

new position, they may be reviewed by their Department Director for a step increase at this time.

DEMOTIONS: The pay of any employee who is demoted will be on the same step of the pay grade for the job classification to which the employee is being demoted. The City Administrator may at his or her discretion place the demoted employee on a step of the new pay grade that will ensure that the pay of the demoted employee has been reduced.

PAY PERIODS: All employees will be paid biweekly. The pay period may be larger or smaller than two weeks. The Finance Director may, at his or her own discretion, because of a holiday or other unforeseen incidents, change the day on which paychecks will be issued. Direct deposit is strongly encouraged for all City employees.

LEAVE

The following types of leave are established and shall apply to all employees covered by these rules and regulations:

- | | |
|---------------------|--------------------------|
| 1. Paid Holidays | 7. Administrative Leave |
| 2. Vacation Leave | 8. Leave of Absence |
| 3. Sick Leave | 9. Funeral Leave |
| 4. Accident Leave | 10. Family Medical Leave |
| 5. Military Leave | 11. Personal Leave |
| 6. Court Leave | 12. Compensatory Time |
| 13. Convenience Day | |

All departments shall maintain a record of each employee accounting for time worked. All types of leave used must be documented on an Absence Report form as provided by the Human Resources Department. Each department is responsible for keeping track of vacation and sick leave for the employees within the department. The records should reflect hours earned, used, and unused.

PAID HOLIDAYS

The City recognizes the following holidays as paid holidays and the dates that they will be observed on:

New Year's Day	January 1
Arbor Day	Last Friday in April
Memorial Day	Last Monday in May

Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving Day	
Christmas Day	December 25

When a holiday falls on a Saturday, it will be observed on the preceding Friday. When a holiday falls on a Sunday, it will be observed on the following Monday. The Mayor may designate such special holidays as circumstances merit.

Non-exempt regular full-time and part-time employees who are required to work on a holiday will be granted overtime pay for the time period worked. Regular part-time employees, who work an average of at least 30 hours per week, will be eligible for paid holidays on a prorated basis.

Temporary/Seasonal employees are not eligible for paid holidays, and if required to work on a holiday will be paid for the time worked at their normal rate of pay.

If a holiday occurs while an employee is on Worker's Compensation or other disability compensation, no credit for the holiday will be allowed. In order to receive pay for an observed holiday, an employee must not have been absent without pay on the workday immediately preceding or immediately following the holiday unless excused by his or her supervisor.

Employees in classifications that do not provide for overtime pay (exempt) shall receive annually a paid holiday to be known as a Convenience Day. The employee's supervisor must approve the date selected.

VACATION LEAVE

All regular status full-time employees are eligible to take vacation leave as it is earned and will accrue vacation leave in bi-weekly increments in the following manner:

Years 1 through 4	10 working days
Years 5 through 6	15 working days
Years 7 through 8	16 working days
Years 9 through 10	17 working days
Years 11 through 12	18 working days
Year 13	19 working days
Years 14 through 19	20 working days

Years 20 through 24	21 working days
Year 25 and beyond	22 working days

Regular part-time status employees will accrue vacation at a prorated amount based on the average hours worked.

Temporary/seasonal employees are not eligible for paid vacations.

Directors will make every effort to grant requested vacation time, however, it must be approved in advance, and will be granted on the basis of work requirements of the department. Seniority will be considered when scheduling vacations within the department.

Each employee will take a period of vacation that allows him or her to be away from the workplace for a minimum of five consecutive days which may include weekends, holidays and vacation. Holidays, which occur during an employee's vacation, do not count as vacation time.

Vacation leave must be used in not less than one-hour increments.

CARRY-OVER

Employees will be allowed to carry-over the maximum amount of vacation that they earn in one year, plus 80 hours. Current vacation time and carry-over time may be used during a single calendar year when authorized.

An employee who fails to use his or her vacation time through the employee's own decision loses all but the maximum carry-over amounts as mentioned above. The Human Resources Director and City Administrator may waive the provisions of this section in extreme circumstances for the good of the City.

TRANSFERS

When an employee transfers from one department to another in the City Personnel System, his or her vacation accrual will be transferred to the new department. Transfers made for the convenience of the employee will result in loss of preference in the scheduling of vacation time.

PAYMENT FOR VACATION TIME NOT TAKEN

Upon termination, regular status employees will be paid in cash for all unused accrued vacation. In the event of the death of a regular status

employee, payment will be made to the employee's beneficiary or estate for all unused accrued vacation time.

ADVANCE VACATION

The City Administrator may advance vacation leave to a regular status employee in an amount not to exceed that which the employee would earn during the calendar year. Employees who have been advanced vacation leave will reimburse the City for all used unearned vacation leave upon termination.

SICK LEAVE

Sick leave is defined as a period in which an employee is incapacitated for performance of his or her duties by sickness or injury. It may be a period when an employee is away from work because of medical, surgical, dental or optical appointments or treatment. An employee would qualify for sick leave in the event that his or her exposure to a contagious disease would jeopardize the health of others by being present at the workplace.

Another situation where an employee would qualify for sick leave is to care for an immediate family member that is ill or injured. For purposes of sick leave, "immediate family member" shall mean a child, spouse, parent and parents-in-law. "Child" shall include a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing "in loco parentis".

Sick leave may also be used to cover disabilities related to pregnancy.

ACCRUAL OF SICK LEAVE

Sick leave will be accrued at a rate of one working day per month for full-time regular status employees. Part-time regular status employees, who work at least 30 hours per week, will accrue sick leave based on their average hours of work.

RESTRICTIONS ON SICK LEAVE USE

Department Directors may grant sick leave with pay in accordance with the following provisions:

- Sick leave may not be granted in advance of accrual.
- Sick leave will be charged in one-hour increments.
- Sick leave may not be used as vacation leave.

- Introductory period employees will be entitled to sick leave at the same rate as regular status employees.
- Leave without pay may be granted for sickness and disability extending beyond earned balances in accordance with FMLA leave, if applicable.
- After six continuous months of service, vacation leave balances may be used for sick leave when sick leave balances have been exhausted.
- The amount of sick leave granted for necessary care of a sick member of an employee's immediate family may not exceed five consecutive workdays unless the Department Director grants more time because of unusual circumstances.
- In the event of the death of a member of an employee's immediate family, household, or a close friend, the employee may use sick leave balances to cover up to five working days. The Department may grant more time because of unusual circumstances.
- The amount of sick leave charged against an employee's accrual will be computed on the basis of the exact number of days or hours an employee is scheduled to work, not to exceed 8 hours, when leave is utilized.
- Holidays or other regular days off will not be counted in charging sick leave.
- Extended or planned sick leave needs to be requested in advance whenever possible, e.g., surgery, maternity leave, etc.
- Employees are encouraged to use personal leave for non-emergency dental, optical, and medical appointments and examinations. Sick leave may be denied for the same by the Department Director if personal leave balances are available for the employee's use.
- When an employee transfers within the City Personnel System, the employee's sick leave accrual will be transferred to the new assignment with the employee.
- Employees who are laid off and reinstated will have restored that portion of their unused sick leave accrual.
- The applicability of the Family and Medical Leave Act Policy must be determined at the time sick leave is requested.
- When an employee is unable to perform his or her duties due to an injury or sickness arising from the course of employment, any available leave may be used for the period of time that no compensation is allowed pursuant to

Section 48-119 of the Nebraska Revised Statutes, commonly known as Nebraska Worker's Compensation Law. If no leave is available, accident leave may be used for the period of time that no compensation is allowed under said law.

- All sick leave accrual will expire on the date of separation and no employee will be reimbursed for outstanding sick leave at the time of termination except as provided in these rules and regulations.

COMPENSATION FOR UNUSED SICK LEAVE

The City will include in the second paycheck in January of each year; payment for an employee's unused sick leave in excess of 960 hours accrued in the preceding calendar year. Employees will be compensated at the rate of one-half of their hourly rate of pay for each hour in excess of 960, based on the employee's current rate of pay at the time of compensation.

All employees, except those that are covered in the Police Department and Fire Department bargaining agreements, will be paid for one-half of their accumulated sick leave at the time of their retirement. The rate of compensation will be based on the employee's salary at the time of retirement.

Department Director's will be paid for one-half of their accumulated sick leave, not to exceed 30 days of pay, upon their resignation. The rate of compensation will be based on their salary at the time of termination. Compensation for unused sick leave will be the same as provided for all other employees above.

The death of an employee will be treated the same as retirement, and payment will be made to the employee's beneficiary or estate.

REPORTING OF ABSENCE ON SICK LEAVE

In the event that an employee is absent from work, for reasons that entitle the employee to use sick leave, the employee is responsible for notifying their supervisor at least 30 minutes prior to duty time. If the employee fails to notify their supervisor or the person designated to receive such calls, no sick leave will be approved, except in unusual circumstances to be determined by the Department Director.

Immediately upon return to work, the employee needs to submit an Absence Report form as provided in these rules.

INVESTIGATION OF USE OF SICK LEAVE

Department Directors may investigate the alleged illness of an employee absent on sick leave. False or fraudulent use of sick leave may be cause for disciplinary action and may result in termination.

MEDICAL STATEMENT

An employee who is absent on sick leave for more than three consecutive days because of an illness of their own or that of an immediate family member, will be required to furnish a statement signed by the attending physician or other proof of illness satisfactory to the Department Director before returning to work.

FUNERAL LEAVE

As mentioned earlier, upon the death of a member of the employee's immediate family or a close friend, an employee may be allowed leave for funeral purposes upon approval of the Department Director. This leave will be deducted from the employee's sick leave account.

COURT LEAVE

An employee who is required to serve as a witness or juror in a federal, state, county, police, or municipal court or as a litigant in a case resulting directly from the employee's work with the City, will be granted court leave with full pay to serve in that capacity.

An employee who is called to testify in other litigation that does not involve the employee's employment with the City, will not be granted court leave but may use vacation leave, compensatory time, or leave without pay.

An employee who is called as a witness or for jury duty will provide his or her supervisor with the original summons or subpoena from the court and at the conclusion of duty, a signed statement from the clerk of the court, or other evidence, showing actual time in attendance in court.

Fees received for jury service in a federal, state or county court will be deposited with the Finance Director upon the employee's receipt. This does not apply to funds received by employees who would not have been on duty with the City.

ADMINISTRATIVE LEAVE

Department Directors may grant administrative leave with pay for the following purposes:

- To participate in examinations, funerals and activities directly related to his or her work.
- To compete for positions in the City Personnel System.
- To present grievances or appeals to a government official.

Department Directors may not grant administrative leave in excess of fifteen days. The Mayor must approve requests for leave in excess of fifteen days.

MILITARY LEAVE

The City will follow provisions relating to military leave as provided by Nebraska Statutes. Additional Active Duty Leave will be granted for members of the military when they have been called to active duty and the period as defined under State statute has expired. The eligible employee will receive pay for 2 additional pay periods, minus any hours that they are available to work during that period. Their health insurance benefits may remain in place at the same premium level for 3 additional calendar months at their request.

An employee will only be eligible to receive the additional Active Duty Leave one time during the course of a military action.

ACCIDENT LEAVE

Accident leave is provided by the City to allow a period of recovery from on-the-job accidents. Full pay and benefits will be provided for 150 calendar days, subject to the waiting provisions in Section 48-119 of the Nebraska Workers Compensation Law. Pursuant to that provision, no compensation will be allowed for the first seven calendar days after a disability begins unless that disability continues for six weeks or longer. When the disability lasts less than six weeks, employees may use any additional leave for the initial seven days and will be granted accident leave if no other leave is available.

Employees governed by the Civil Service Act of the State of Nebraska will be provided accident leave according to state statute.

Workers Compensation Benefits, that replace lost salary, are to be retained by the employee, and the City will supplement these benefits up to the full gross salary during the period of time that the employee continues to receive salary benefits under these rules.

Should the employee receiving accident leave pay collect from any other party for wages, he or she must reimburse the City for wages paid as accident leave to the extent wages are collected from any other party.

LEAVE OF ABSENCE

Department Directors may grant an employee a leave of absence without pay for a period not to exceed 30 days. The Mayor must approve a request for a leave of absence without pay in excess of 30 days.

PERSONAL LEAVE DAYS

The City provides two non-cumulative personal leave days each calendar year to all full-time regular status employees. Personal leave days are provided to employees to use in lieu of sick days for routine medical visits and to allow employees to take care of other personal business.

One personal leave day must be taken within the first 180 calendar days of the year and one personal leave day must be taken within the second 185 calendar days of the year. Prior approval of the Department Director is required for the days that are requested off. Regular status part-time employees, who work on an average of at least 30 hours per week, are eligible for personal leave days on a prorated basis. Personal leave must be used in not less than one-hour increments.

CONVENIENCE DAY

One convenience day will be granted each calendar year to all exempt employees. This leave must be used in a full-day increment and the date of leave approved by the employee's supervisor.

HEALTH INSURANCE

Health/dental insurance benefits are provided to regular status full-time employees. This insurance covers the employee and the employee's spouse and children, when eligible. Regular status part-time employees that maintain an average of at least 30 hours of work per week are eligible for single coverage benefits only. The City maintains the right to require employees to pay a portion of the insurance premium cost.

Employees are eligible to participate in the program on the first of the month following completion of 60 days of employment. A copy of the current health benefit plan will be given to all eligible new employees in the orientation process and is available to all personnel who request it through the Human Resources Department.

Retired employees with at least 10 or more years of service and who have attained the age of 55 may retain health insurance coverage at their expense until they reach the age when they are eligible for Medicare.

LIFE/ACCIDENTAL DEATH INSURANCE

All regular status employees who work on average at least 30 hours per week will receive City-paid life/accidental death insurance coverage. Employees may obtain additional life and accidental death insurance at their own expense through the City.

A copy of the current life insurance benefit plan will be given to all eligible new hires during orientation and is available to all personnel who request it through the City Human Resources Department.

CAFETRIA PLAN

The City provides employees with the opportunity to set money aside from their paychecks into a cafeteria plan. This plan allows an employee to set money aside for expected medical and daycare expenses on a pre-tax basis. For more details, contact the Human Resources Department.

PENSION PLAN

The City provides a pension plan that employees are eligible for immediately. Participation is mandatory upon first day of employment. Employees defer 6% (pre-tax) of their pay into the pension plan. The City matches the 6% contributed by the employee. Employees direct 100% of Employee and Employer contributions. The vesting schedule is as follows:

- 1 year = 60%
- 2 years = 70%
- 3 years = 80%
- 4 years = 90%
- 5 years = 100%

LONG TERM DISABILITY

The City provides its employees with long term disability coverage. Employees are eligible for coverage the first of the month following 60 days of continuous employment.

TUITION REIMBURSEMENT

Tuition reimbursement will be available, subject to the following restrictions, for the purpose of enhancing the knowledge and skills of employees to better perform their current duties.

Qualification Process – the Department Director based on the following considerations will make the determination of whether a request qualifies for the Tuition Reimbursement Program:

- Is there budget authority?
- Is the course job related?
- Is there supervisor approval?
- Is the employee requesting reimbursement eligible for other assistance programs?

Approval Process – To receive tuition reimbursement, the employee must submit a “Tuition Request Form”, which contains the qualification information listed above, as well as the employee’s financial request prior to beginning the course.

Reimbursement is limited to BASE TUITION ONLY. No reimbursement will be allowed for books or other fees. Tuition reimbursement is available only to regular full-time status employees. If the employee is eligible for other assistance programs, the City will provide secondary benefits only.

Tuition will be limited to the following in-state rates:

Two-year degree – Central Community College rates
Four-year degree – University of Nebraska at Kearney rates
Specialized or master’s Study – University of Nebraska at Kearney rates

Reimbursement Process – Any employee requesting tuition reimbursement will submit a grade report indicating the grade received for the class that was taken. Reimbursement will be as follows:

A or B – 100%
C – 80%

The Department Director will include the request for reimbursement in the next payroll period. Annual tuition reimbursement will be limited as follows:

Less than two years of service:	\$300.00
Two to five years of service:	\$600.00
Five to ten years of service:	\$2,000.00
Over ten years of service:	No limitations

BILINGUAL PAY

Employees who are proficient in an approved second language will be paid \$500 per calendar year, payable in the second check in November. In order for an employee to collect bilingual pay, the employee must be actively employed in

November. The Department Director will determine whether bilingual skills are needed based upon the interaction of the department with the public. If bilingual skills are needed, the Department Director will determine which languages are “approved” based upon the needs of the department as they relate to the demographics of Grand Island.

A test will be given by the Human Resources Department to test the proficiency of the employees in each approved language before an employee is eligible for bilingual pay. The bilingual test will measure, among other things, an employee’s conversational ability.

Bilingual pay will be prorated based on the employee’s average hours worked. An employee that is hired as an interpreter will not be eligible for bilingual pay.

CREDIT UNION

The City of Grand Island provides employees with the opportunity to join a credit union. The degree to which an employee participates by investing and borrowing is optional.

CLOTHING ALLOWANCE

Some departments require certain items of clothing as standard equipment. In those instances where a requirement has been imposed, the cost of said requirement will be either partially or fully paid by the City.

REIMBURSABLE BUSINESS TRAVEL EXPENSES

The City will follow the provisions of Ordinance 7978, as updated, commonly known as the “Miscellaneous Expenditures Act” in determining reimbursable expenses. When there is any conflict between this provision and Ordinance 7978, as amended, Ordinance 7978 shall supersede these provisions.

Authorized expenses may include:

- Registration costs, tuition costs, fees or charges.
- Mileage at the then current rate allowed by Section 81-1176 of the statutes of the State of Nebraska, or actual travel expenses if travel is by commercial or charter means.
- Meals and lodging at a rate not exceeding the applicable federal rate as set forth in the Joint Travel Regulations (JTR), unless a fully itemized claim is

submitted substantiating the costs actually incurred in excess of such rate and such additional expenses are expressly approved by the Mayor and City Council. A copy of the JTR is available through the Finance Department.

Authorized expenses shall not include expenditures for any incurred by a spouse unless the spouse is also an employee of the City and if the expenses incurred relate to the spouse's job.

FAMILY and MEDICAL LEAVE ACT POLICY

This policy establishes the rights and obligations of the City Of Grand Island and its employees with respect to leave necessary for medical care of employees and their families pursuant to the 1993 Family and Medical Leave Act more commonly referred to as FMLA.

An employee must be employed by the City for at least 12 months (the 12 months need not be consecutive) to be eligible to receive leave under this policy. Additionally, the employee must have worked at least 1,250 hours in the year preceding the date the employee seeks to start the leave.

Eligible employees are entitled to take up to 12 weeks of unpaid leave during a 12 month period for the following purposes: childbirth, adoption or placement of a foster child; or to care for a child, spouse, or parent with a serious health condition; or one's own serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider. The City will observe a rolling 12-month period for purposes of tracking leave.

Employees requesting leave due to the birth, adoption, or placement of a foster child are required to provide written notice at least 30 days prior to the date that leave is anticipated to begin or as is possible if the event would occur earlier than anticipated.

Employees requesting family leave related to the serious health condition of themselves or a child, spouse, or parent may be required to submit a health care provider's statement verifying the need for such leave, the beginning and ending dates, and the estimated time required. Failure to provide required certifications may result in the denial of the leave or request for leave on an intermittent basis.

When both spouses are employed by the City, they are jointly entitled to a combined total of 12 weeks of leave if the leave is for the birth, adoption, or placement of a foster child or to care for a parent with a serious health condition. Each spouse is entitled to 12 weeks of leave if the leave is due to his or her own serious health condition or to care for a son, daughter, or spouse with a serious health condition.

An eligible employee that is taking FMLA leave is required to use all accrued sick leave before going on unpaid status. The employee may choose, but is not required, to use accrued vacation and personal leave prior to taking leave on unpaid status.

Benefits While on Leave – During any period of leave under this policy, an employee's group health insurance coverage will be maintained at the same level and under the same conditions as before the leave began. Employees who normally made a contribution toward their health insurance coverage must continue to do so. If the employee has leave banks accrued and is using them, the employee's contribution will be collected in the same manner as if the employee were reporting to work. However, if the employee's leave banks have been exhausted, the employee must arrange with the Finance Department prior to the start of their leave, for the payment of the employee's share of the premiums and other voluntary deductions. Once an employee has exhausted all leave banks, they will not accrue any other benefits. This includes vacation time, sick leave time, holidays and personal days.

Return to Duty – An employee who has taken leave for their own serious health condition, will be required to present certification of fitness for duty from a health care provider prior to returning to work. Failure to provide certification may cause denial of reinstatement.

Upon return to duty, an employee is entitled to restoration of the former position or an equivalent position with equivalent pay and benefits.

NOTES

R E S O L U T I O N 2001-314

WHEREAS, on October 28, 1996, by Resolution 96-294, the City Council of the City of Grand Island adopted the current *City Personnel Rules and Regulations*; and

WHEREAS, as a result of numerous meetings with department directors and a study session with elected officials, significant changes to such rules and regulations have been recommended; and

WHEREAS, a copy of the proposed *Employee Handbook* is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the *Employee Handbook* attached hereto as Exhibit "A" is hereby approved and adopted effective January 1, 2002.

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Adopted by the City Council of the City of Grand Island, Nebraska on December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ? _____
December 14, 2001 ? City Attorney

City of Grand Island

Item G28

#2001-355 Approving FY2000-2001 Year-End Encumbrances to Amend FY2001-2002 Annual Budget

Each year we bring before the City Council our fiscal year-end encumbrances for approval to ensure that we utilize unused appropriation from the previous year. Encumbrances represent commitments related to contracts not yet performed or for outstanding Purchase Orders at year-end. Attached is a summary of encumbrances by Fund that we requesting to be "rolled forward". By rolling forward these encumbrances, we are allowing unused appropriation from FY2000-2001 to be used in the FY2001-2002 budgets. Each Department includes encumbrances in their cash projections during the budget process, so there is minimal cash flow effect on the FY2001-2002 budget. Staff approval is recommended. See staff memo.



Tuesday, December 18, 2001

Council Session

December 13, 2001

To: Mayor and City Council

From: David Springer, Finance Director

RE: Approval of FY00-01 Year end Encumbrances to Amend FY01-02 Budget

Background

Each year we bring before the City Council our fiscal year end encumbrances to be approved by the City Council to ensure we utilize unused appropriation from the previous fiscal year.

Discussion

Encumbrances represent commitments related to contracts not yet performed (executory contracts) and are used to control expenditures for the year and to enhance cash management. In addition to contracts, encumbrances for all outstanding Purchase Orders at year-end. The Finance Department personnel met with each department at the end of the fiscal year to ensure the accuracy of the outstanding encumbrance balance as of September 30, 2001. Attached is a summary of encumbrances by Fund that we are requesting to be "rolled forward". By rolling forward these encumbrances we are allowing unused appropriation from FY00-01 to be used in the FY2001 - 02 budgets. Each Department includes encumbrances in their cash projections during the budget process, so there is no cash flow effect on the FY01-02 Budget. We have in the past discussed the Encumbrance process with the Nebraska State Auditors office and have their approval for how we handle our encumbrances. The State Auditors office recommended that each year we have our City Council approve the encumbrances through a resolution; therefore we are complying with their recommendation.

Recommendation

We recommend that the City Council approve the outstanding encumbrances as of September 30, 2001, which represents unused appropriation from FY00-01.

cc: City Attorney
City Clerk

ENCUMBRANCES

September 30, 2001

Exhibit A

<u>FUND</u>	<u>FUND #</u>	<u>ENCUMBRANCES</u>
General Fund	100 \$	1,069,121.47
Enhanced 911 Communications	215 \$	11,703.75
Family Preservation Grant	229 \$	475.00
Community Development	250 \$	8,500.00
Police Grants	260 \$	3,184.42
Downtown Operations	270 \$	52,737.93
Business Improvement District #2	276 \$	2,276.23
Capital Projects	400 \$	3,660,790.70
Solid Waste Agency	505 \$	62,022.74
Golf Course	510 \$	826.37
Sewer Utility	530 \$	170,570.93
Data Processing	605 \$	4,161.23
Central Garage	610 \$	25,654.68
TOTAL	\$	5,072,025.45

R E S O L U T I O N 2001-355

WHEREAS, the City of Grand Island recognizes and uses an encumbrance system for recognizing and paying debts and expenses relating to appropriations remaining at the conclusion of each respective fiscal year; and

WHEREAS, said encumbrances may be paid from said appropriations pursuant to authority granted by the laws of the State of Nebraska; and

WHEREAS, at the close of business on September 30, 2001, there were outstanding encumbrances relating to certain appropriations in the Annual Budget for Fiscal Year 2000-2001 and Program for Municipal Services in the amount of \$5,072,025.45 for all funds, the details of which are shown on Exhibit "A" attached hereto; and

WHEREAS, it is advisable that the Mayor and Council of the City of Grand Island, Nebraska, review and approve said encumbrances.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the encumbrances shown on Exhibit "A" attached hereto totaling \$5,072,025.45 for all funds and relating to the Annual Budget for Fiscal Year 2000-2001 and Program for Municipal Services is hereby approved.

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Adopted by the City Council of the City of Grand Island, Nebraska on December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form	?
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/>	
December 14, 2001	? City Attorney

City of Grand Island

Item I1

#2001-356 Consideration of Designating December 24, 2001 as a Holiday

Inasmuch as the Federal, State and County offices will be closed Monday, December 24, 2001 as part of the Christmas holiday, it is recommended that the City declare Monday, December 24, 2001 a paid holiday for City employees and all City offices be closed. Approval is recommended. See attached RESOLUTION.



Tuesday, December 18, 2001

Council Session

R E S O L U T I O N 2001-356

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF
THE CITY OF GRAND ISLAND, NEBRASKA, that on Monday, December 24, 2001, and shall be
declared a paid holiday for City employees all City offices shall be closed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on December 18, 2001.

RaNae Edwards, City Clerk

Approved as to Form ?	_____
December 14, 2001 ?	City Attorney

City of Grand Island

Item J1

Payment of Claims for the Period of December 5, 2001 through December 18, 2001

The Claims for the period of December 5, 2001 through December 18, 2001, claims #114182, #113394, #113416, #112569 and Claims #114308 through #114935 for a total amount of \$2,016,965.67. A MOTION is in order.



Tuesday, December 18, 2001

Council Session

City of Grand Island

Item X1

Discussion Concerning Two Pending Litigation Issues

ADJOURN TO EXECUTIVE SESSION

Discussion Concerning Two Pending Litigation Issues

RETURN TO REGULAR SESSION



Tuesday, December 18, 2001

Council Session