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# **City of Grand Island**

## **City Council Information Packet**



**Tuesday, November 06, 2001**

**Council Session**

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**Call to Order**

**Pledge of Allegiance / Invocation - Herb Schutte, Associate Pastor, Grace Luthern Church**

**Roll Call**

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

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

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

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

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# City of Grand Island

## Item C2

### It's About Kids!

*An It's About Kids! Assets will be presented by Andrew Pedersen and Kasie Simmons.*



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# City of Grand Island

## Item C3

### **Musical Presentation by the Girls Trio, Grand Island Senior High Vocal Music Department**

*A musical presentation will be presented by the Girls Trio from Grand Island Senior High Vocal Music Department. Jody Ramsey, Senior High Vocal Music teacher will also be present.*



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# City of Grand Island

## Item C4

### **Recognition of Central Catholic Girls Golf Team for Class "C" State Runner Up Title**

*The Grand Island Girls Golf Team won the runner-up title to the Class "C" State Golf Championship Title. Coach Bob Ley and the team will be present for the meeting. Also recognized will be Ashley Stec, first place and Lindsey Vivian, second place for Class "C" Individual Championship Titles.*



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# City of Grand Island

## Item C5

### Proclamation "National Home Care Month" and "National Hospice Month", November 2001

*Whereas, home care is the most preferred method of health care delivery among people who are disabled, elderly and chronically ill, yet eager to live independently in their own homes; and because home care is a rapidly growing alternative to hospitalization and thousands of home care professionals and volunteers combine compassionate care and technological advances to ensure brighter lives for their patients, the Mayor has proclaimed the month of November, 2001 as "National Home Care Month" and "National Hospice Month". Representatives from Tabatha Health Care will be present to receive this Proclamation.*



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

PROCLAMATION

**Whereas,** hospice care provides humane and comforting support for patients who are terminally ill and their families, including pain control, palliative medical care and social, emotional and spiritual services; and

**Whereas,** hospice fulfills basic human needs of feeling comfortable in familiar surroundings and of attaining physical and emotional peace during the last stage of life;

**Whereas,** more than 40,000 professionals and 90,000 volunteers provide comforting and supportive hospice services to nearly 700,000 patients and their families in an estimated 3,300 hospice programs throughout the United States;

**Whereas,** there is a need to increase public discussion about advances in pain control and the care options available to individuals of all ages, races and backgrounds who are at the end of life; and

**Whereas,** Tabitha Health Care Services, St. Francis Home Health/Hospice, Option Care, Home Care & Companions have joined the National Hospice and Palliative Care Organization, and an estimated 3,300 other hospice programs to commemorate November 2001 as National Hospice Month and call on all Americans to observe this occasion with appropriate ceremonies and activities;

**Now, therefore, be it resolved** that I, Ken Gnadt, Mayor, do hereby proclaim November 2001 as

***NATIONAL HOSPICE MONTH***

in the city of Grand Island and encourage the support and participation of all citizens in learning more about the hospice concept of care for people who are elderly, disabled and infirm.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Grand Island to be affixed this sixth day of November in the year of our Lord Two Thousand and One.

\_\_\_\_\_  
**Ken Gnadt, Mayor**

Attest:

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

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

PROCLAMATION

- WHEREAS, home care is the oldest and most comforting form of health service delivery in the United States, enabling the ill and disabled to receive high-quality medical assistance and retain a sense of dignity and independence in the comfort and security of their own homes since the 1880's; and
- WHEREAS, home care in the United States is a growing alternative to hospitalization for acute and chronic illnesses, serving more than 7 million Americans each year; and
- WHEREAS, thousands of hardworking individuals, in association with more than 20,000 home care agencies promote the health and welfare of society by providing cost-effective home care services that stimulate quicker and fuller recoveries and improvements than institutional care; and
- WHEREAS, these dedicated home care professionals and volunteers form a network of caring support in our nation's vast health care system and are deserving of special honor and appreciation for their many contributions; and
- WHEREAS, Tabitha Health Care Services, Home Care & Companions, NMC Home Care, Olsten Health Services, Option Care, St. Francis Medical Center Home Health Services, and The National Association for Home Care, and home care agencies throughout the United States have declared the month of November, 2000 as National Home Care Month and are calling upon all Americans to observe this occasion with appropriate ceremonies and activities.

NOW, THEREFORE, I, Ken Gnadt, Mayor of Grand Island, Nebraska, do hereby proclaim the month of November, 2001 as

***National Home Care Month***

In the City of Grand Island and urge all of our citizens to support the home care profession in its efforts to provide safe, affordable health care in the homes of our elderly, disabled, and infirm.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Grand Island to be affixed this \_\_\_\_\_ day of October in the year of our Lord two thousand and one.

\_\_\_\_\_  
Mayor of Grand Island, Nebraska

Attest:

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



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# City of Grand Island

## Item C6

### Proclamation "Adoption Awareness Month", November 2001

*Whereas, every child deserves a loving, nurturing, and permanent family. There are many children with special needs in the state of Nebraska waiting for adoptive parents and families. The Mayor has proclaimed the month of November 2001 as "Adoption Awareness Month" and encourages community agencies, religious organizations, businesses, and others to celebrate adoption, honor families that grow through adoption, further an awareness of the changes and issues in adoption, and focus attention on those children who live in the shadow of uncertain futures while they await permanent families. See attached PROCLAMATION.*



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# City of Grand Island

## Item C7

### Proclamation "Homeless Awareness Week", November 11-17, 2001

*Every day there are men, women and children who do not have a place they can call home. November is "National Hunger and Homeless Awareness" month and November 11-17, 2001 is "National Hunger and Homeless Awareness" week. The Mayor in conjunction with the Community Humanitarian Resource Center, Inc. has proclaimed the week of November 11-17, 2001 as "Homeless Awareness Week" and encourages all citizens to recognize and support the efforts of homeless shelters. See attached PROCLAMATION.*



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

PROCLAMATION

- WHEREAS, every day there are men, women and children in Grand Island who do not have a place they can call home; and
- WHEREAS, the Community Humanitarian Resource Center, Inc. is committed to sheltering the homeless; and
- WHEREAS, every year, public and private agencies observe HOMELESS AWARENESS WEEK to increase and focus attention on the needs of homeless individuals and families; and
- WHEREAS, the theme of HOMELESS AWARENESS WEEK this year is "It takes a Community to end Homelessness; and
- WHEREAS, November 11<sup>th</sup> through the 17<sup>th</sup>, 2001, is HOMELESS AWARENESS WEEK in Grand Island.

NOW, THEREFORE, I, Ken Gnadt, Mayor of Grand Island, Nebraska, do hereby proclaim November 11-17, 2001 as

***HOMELESS AWARENESS WEEK***

in the City of Grand Island, and I urge all citizens to recognize and support the efforts of homeless shelters.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Grand Island to be affixed this sixth day of November in the year of our Lord Two Thousand and One.

\_\_\_\_\_  
Mayor of Grand Island, Nebraska

Attest:

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

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# City of Grand Island

## Item E2

### **Public Hearing on Acquisition of Right of Way Located on Willow Street at the Intersection with Seedling Mile Road**

*Right-of-Way was acquired for a cul-de-sac at the north end of Willow Drive at the intersection with Seedling Mile Road when the Livengood Subdivision was filed. This cul-de-sac was planned to accommodate the closing of the historical section of Seedling Mile Road east of Willow Drive. The cul-de-sac on the Livengood Subdivision plat was centered on Willow Drive necessitating considerable relocation work for the utility pole north and east of the intersection. The acquisition of this Right-of-Way will allow the cul-de-sac to be redesigned and shifted to the east, eliminating the need for the utility relocation work. LANNCO, L.L.C. has agreed to deed 0.0587 acres to the City of Grand Island. The action item is on the Consent Agenda. It is appropriate at this time to solicit public comment.*



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# City of Grand Island

## Item E3

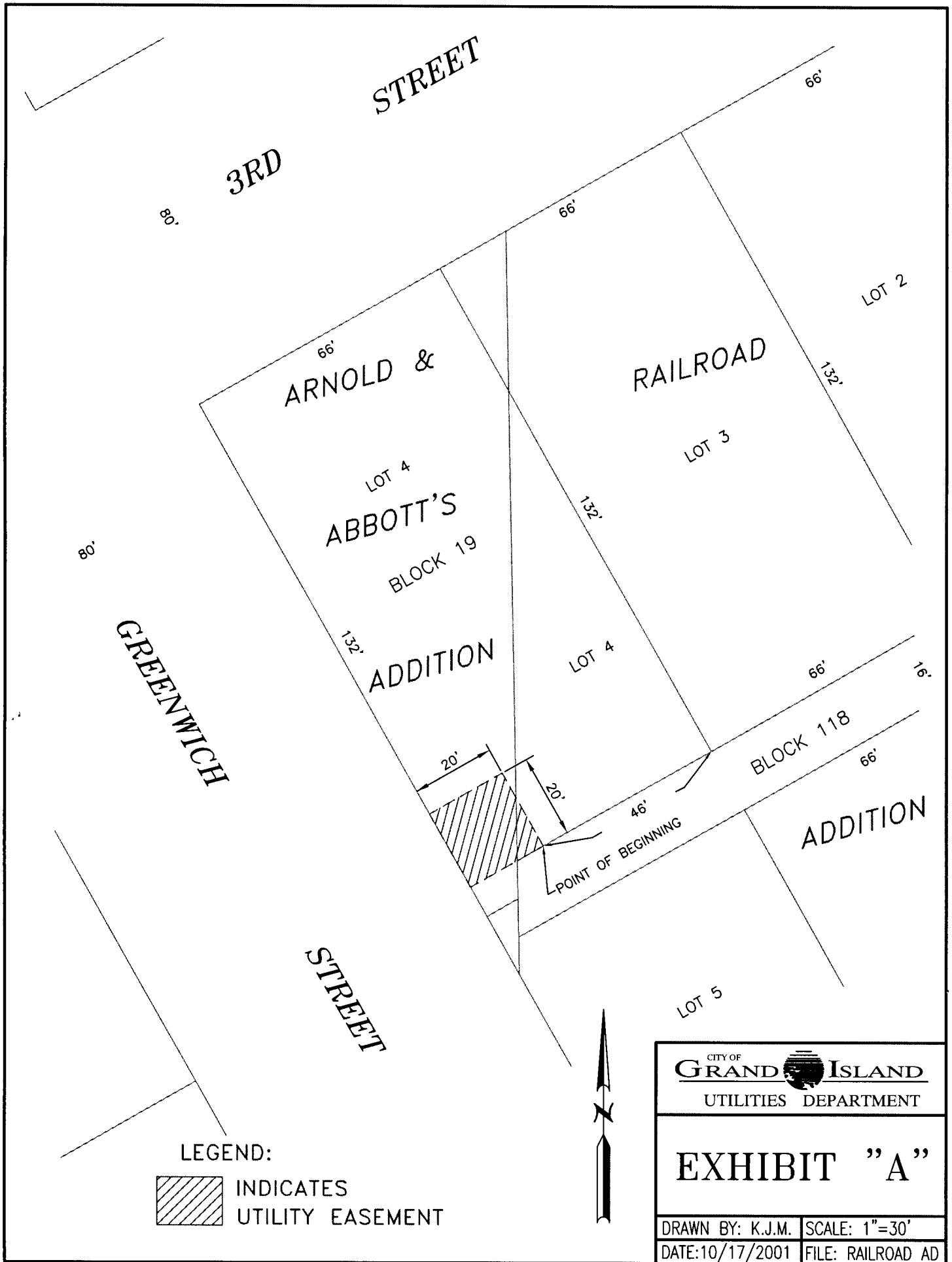
### **Public Hearing on Acquisition of Utility Easement Located at the Southwest Corner of 923 West 3rd Street - Beazley**

*Acquisition of utility easement relative to the property of Joy M. and Marietta Beazley, located in the southwest corner of 923 West 3rd Street - Greenwich between 2nd and 3rd Streets, is required in order to have access to install, upgrade, maintain, and repair power appurtenances including lines and transformers. This easement is for the continuation of the Downtown Underground Project. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.*



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# City of Grand Island

## Item E4

### Public Hearing on Proposed Modifications to City Council Ward Boundaries Resulting from Redistricting

#### **BACKGROUND/DISCUSSION**

*Every 10 years, in conjunction with the release of Census data, governing bodies are required to review the boundaries of their existing wards to address any population shifts that might result in a need to equalize population. In July, the City Council formed a Redistricting Committee to review the boundaries of the City Council wards, make recommendations relative to proposed ward boundary modifications and explore the idea of amending the make-up of the elected municipal body to allow for at-large representatives.*

*Census data provided to the Committee indicated that redrawing or balancing of the wards is required to more equitably equalize population and representation. According to the 2000 Census figures for overall city population, the approximate number of residents per ward should be 8,588. Current population figures are:*

*Ward 1 9,307  
Ward 2 9,164  
Ward 3 8,980  
Ward 4 7,683  
Ward 5 7,807*

*Reductions in population are needed in Wards 1 and 3 and increases in Wards 4 and 5.*

*Based on this information, the Committee requested staff develop a number of recommendations*



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# City of Grand Island

## Item F1

### **#8703 Consideration of Vacation of Right of Way Located on Willow Street at the Intersection with Seedling Mile Road**

*Right-of-Way was acquired for a cul-de-sac at the north end of Willow Drive at the intersection with Seedling Mile Road when the Livengood Subdivision was filed. This cul-de-sac was planned to accommodate the closing of the historical section of Seedling Mile Road east of Willow Drive. The cul-de-sac on the Livengood Subdivision plat was centered on Willow Drive necessitating considerable relocation work for the utility pole north and east of the intersection. The vacation of the Right-of-Way will allow the cul-de-sac to be redesigned and shifted to the east, eliminating the need for the utility relocation work. The vacated 0.015 acres will revert to LANNCO, L.L.C. as the abutting property owner. See attached ORDINANCE.*



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U.P.R.R.

R-O-W

399.57'

LIVENGOOD

16' EASEMENT

274.10'

Lot 2

453.88'

Lot 1



SUB.

20' EASEMENT

40' EASEMENT

SEEDLING MILE ROAD

SHARON  
ROSE  
SUB

WILLOW STREET

RAPIEN  
SUB

SW CORNER  
LOT 2

POINT OF  
BEGINNING  
75.85°

81.08° (ARC)  
58.48' (CORD)

SE CORNER  
LOT 2

24.15'

60°R

80°R

28.44'

167.59'

139.15'

33'

33'

46.09° (ARC)  
44.96' (CORD)

86'

LEGEND



INDICATES VACATED  
RIGHT-OF-WAY

CITY OF  
**GRAND ISLAND**  
UTILITIES DEPARTMENT

**PLAT TO ACCOMPANY  
ORDINANCE NO. 8703**

DRAWN BY: TWB	SCALE: 1"=100'
DATE: 9/27/2001	FILE: LIVENGOOD

\* This Space Reserved for Register of Deeds \*

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ORDINANCE NO. 8703

An ordinance to vacate a portion of an existing right-of-way located in part of Livengood Subdivision, Grand Island, Hall County, Nebraska; to provide for filing this ordinance in the office of the Register of Deeds of Hall County; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. That a portion of the existing right-of-way along Seedling Mile Road in a part of Livengood Subdivision in the city of Grand Island, Hall County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of Lot Two (2) Livengood Subdivision; thence easterly along the southerly line of said Lot Two (2), a distance of seventy five and eighty five hundredths (75.85) feet to a corner of said Lot Two (2) being the actual Point of Beginning; thence continuing easterly along the prolongation of the previously described southerly line of said Lot Two (2), a distance of twenty four and fifteen hundredths (24.15) feet to a point on a curve; thence northeasterly along the arc of a curve to the right whose radius is sixty (60.0) feet,

Approved as to Form? _____ November 6, 2001    ?    City Attorney
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ORDINANCE NO. 8703 (Cont.)

a distance of forty six and nine hundredths (46.09) feet (long cord distance = 44.96 feet, central angle = 44°00'33") to a point of intersection with the Willow Street cul-de-sac right-of-way; thence southwesterly along the Willow Street cul-de-sac right-of-way, being an arc of a curve to the left whose radius is sixty (60.0) feet, a distance of sixty one and eight hundredths (61.08) feet (long cord distance = 58.48 feet, central angle = 58°19'32") to the Point of Beginning, and containing 0.015 acres, more or less, as shown on the drawing dated September 27, 2001, marked Exhibit "A" attached hereto and incorporated herein by reference;

is hereby vacated.

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

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

SECTION 5. This ordinance shall be in force and take effect from and after its passage and publication, without the drawing, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: November 6, 2001.

\_\_\_\_\_  
Ken Gnadt, Mayor

Attest:

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

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# City of Grand Island

## Item F2

### **#8704 Consideration of Proposed Modifications to City Council Ward Boundaries Resulting from Redistricting**

*This item relates to the aforementioned Public Hearing. Approval is recommended. See attached Ordinance.*



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ORDINANCE NO. 8704

An ordinance to amend Chapter 14 of the Grand Island City Code pertaining to Elections; to amend Section 14-3 pertaining to wards and boundaries; to define the boundaries of the Wards in the City of Grand Island; to adopt a revised map of such wards; to repeal Section 14-3 as currently existing; 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 14-3 of the Grand Island City Code is hereby amended to read as follows:

**§14-3. Wards; Boundaries**

The City of Grand Island, Nebraska, is hereby divided into five wards, numbered 1 through 5, the boundaries of such wards defined as shown on the drawing entitled, "*Election Ward Map of the City of Grand Island, Nebraska*," dated November 1, 2001, which drawing is attached hereto and is hereby adopted and made a part of this ordinance by reference, to have the same force and effect as if such drawing and all notations, references, and other information shown thereon were fully set forth and described herein. The drawing and ordinance shall remain on file in the office of the city clerk.

SECTION 2. Section 14-3 of the Grand Island City Code as currently existing is hereby repealed.

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

Enacted: November 6, 2001.

\_\_\_\_\_  
Ken Gnadt, Mayor

Attest:

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

Approved as to Form ? _____ November 6, 2001 ? City Attorney
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# City of Grand Island

## Item G1

### **Receipt of Official Document from Full Circle, Inc. for Refuse Haulers Permit**

*Michael Lilienthal, representing Full Circle, Inc., 3719 Westgate Road, has submitted an application for a Refuse Haulers License. The following items have been received as required by the Grand Island City Code Section 17: Fee of \$60.00, Equipment Inspection/Certificate from the Health Department and Certificate of Insurance. Approval is recommended.*



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# City of Grand Island

## Item G2

### Approving Minutes of October 23, 2001 City Council Regular Meeting

*The Minutes of the City Council Regular Meeting are submitted for approval.*



**Tuesday, November 06, 2001**

**Council Session**

## OFFICIAL PROCEEDINGS

### CITY OF GRAND ISLAND, NEBRASKA

#### MINUTES OF CITY COUNCIL REGULAR MEETING

October 23, 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 October 23, 2001. Notice of the meeting was given in the Grand Island Independent on October 17, 2001.

Mayor Ken Gnadt called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Pielstick, Ward, Seifert, Hornady, Whitesides, Haase, Murray, Walker and Sorensen. Councilmember Larsen was 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 Dennis Reich, Calvary Lutheran Church, 1304 North Custer Avenue. Lisa Koewn and Racheal Strong presented an *It's About Kids!* Asset.

#### PRESENTATIONS AND PROCLAMATIONS:

Proclamation, October 24, 2001, "United Nations Day". Mayor Gnadt proclaimed October 24, 2001 as "United Nations Day" and encouraged all citizens to participate in all activities related to this observance.

#### PUBLIC HEARINGS:

Public Hearing on Request of Union Pacific Railroad for Renewal of Conditional Use Permit for a 10' x 12' Skid-mounted Shed Located at 1219½ West North Front Street. Craig Lewis, Building Department Director, reported that Jim Colbert, representing Union Pacific Railroad, 23 Old Town Square, Suite 250, Fort Collins, Colorado, had submitted an application with the City Clerk's Office for a renewal of a Conditional Use Permit for a 10' x 12' skid-mounted shed located at 1219½ West North Front Street. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located on Stuhr Road, ½ Mile South of Seedling Mile Road. (Melvin W. & Joann Meyer) Gary Mader, Utilities Director, reported that acquisition of a utility easement located on Stuhr Road, ½ Mile south of Seedling Mile Road, was required in order to have access to relocate overhead power lines for the East Highway 30 project. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located on Stuhr Road, ½ Mile South of Seedling Mile Road. (M.J. Lake, L.L.C.) Gary Mader, Utilities Director, reported that acquisition of a utility easement located on Stuhr Road, ½ Mile south of Seedling Mile Road, was required



in order to have access to relocate overhead power lines for the East Highway 30 project. No public testimony was heard.

ORDINANCE:

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

#8700 – Consideration of Creating Street Improvement District #1241 (Jay Street from Capital Avenue to Dack Avenue)

#8702 – Consideration of Creating Water Main District #434T (Schimmer Drive)

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of these ordinances on their first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage. Councilmember Ward 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. Steve Riehle, Public Works Director, stated that a request had been made for the creation of Street Improvement District #1241 to provide for paving Jay Street from Capital Avenue to Dack Avenue. This district is subject to protest by adjacent property owners. A ten (10) year assessment period was recommended. No further public testimony was heard.

City Clerk: Ordinances #8700 and #8702 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye.

City Clerk: Ordinances #8700 and #8702 on final passage. All those in favor of the passage of these ordinances 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, Ordinances #8700 and #8702 are declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Item G-9 was removed from the consent agenda. Motion by Pielstick, second by Ward, carried unanimously to approve the Consent Agenda minus G-9..

Receipt of Official Document Including Civil Service Minutes of September 18, 2001.

Approving Minutes of October 9, 2001 City Council Regular Meeting.

Approving Minutes of October 16, 2001 City Council Study Session. Councilmember Ward abstained.

Approving Request of Union Pacific Railroad for Renewal of Conditional Use Permit for a 10' x 12' Skid-mounted Shed Located at 1219½ West North Front Street.

#2001-289 - Approving Acquisition of Utility Easement Located on Stuhr Road, ½ Mile South of Seedling Mile Road. (Melvin W. & Joann Meyer)

#2001-290 – Approving Acquisition of Utility Easement Located on Stuhr Road, ½ Mile South of Seedling Mile Road. (M.J. Lake, L.L.C.)

#2001-291 – Awarding Bid for (4) 2002 Vehicles for the Utilities Department Under State Contracts: CA5706 Ford F-250 XLT Truck to Anderson Ford, \$31,049.00; CA5697 Chevrolet Impala to Husker Auto Group, \$16,597.77; CA5707 Ford F-250 Truck to Anderson Ford, \$32,138.00 and CA5709 Ford ½ Ton F-150 Pickup to Anderson Ford, \$22,729.00.

#2001-292 – Awarding Contract for 115 kV Manual Disconnect Switches to USCO Poer Equipment Corporation, Birmingham, Alabama, in the Amount of \$75,516.00.

#2001-293 – Awarding Contract for 115 kV Circuit Breakers to General Electric-Hitachi-HVB, Suwanee, Georgia, in the Amount of \$149,585.00.

#2001-294 – Awarding Contract for Railroad Track Tie Replacement to Railworks Track Systems, Inc., Grand Island, Nebraska, in the Amount of \$49,304.25.

#2001-295 – Approving Amendment No. 1 to the Gas Supply Agreement with ONEOK Energy Marketing.

#2001-296 – Awarding Contract for Consulting Engineering Agreement with Olsson Associates for Northwest Transportation Study on Independence Avenue in an Amount Not to Exceed \$71,980.00.

#2001-297 – Approving Renewal of Interlocal Agreement with Hall County Relative to Juvenile Accountability Block Grant Funds.

#2001-298 – Approving Certificate of Final Completion for Skate Park Equipment with American Ramp Company, Joplin, Missouri.

#2001-299 – Approving Certificate of Final Completion for Installation of Irrigation System at Webb Road Athletic Field with Tilley Sprinkler Systems, Grand Island, Nebraska.

#2001-300 – Approving Certificate of Final Completion for Site Preparation for Park Maintenance Building with Dobesh Land Leveling, Grand Island, Nebraska.

#2001-301 – Approving Continuation and Construction of Sanitary Sewer District #501 (Freedom Acres Subdivision and a Portion of Stolley Park Road to North Road).

#2001-303 – Approving Change Order #2 for Irrigation and Landscape Changes to Street Improvement District #1221 (South Locust Project) with The Diamond Engineering Company, Grand Island, Nebraska, in a Net Increase of \$71,834.65, for an Adjusted Contract Amount of \$5,150,257.36.

#2001-302 – Approving Continuation and Construction of Sanitary Sewer District #502 (Livengood Subdivision, Rapien Subdivision, Sharon Rose Subdivision, and a Part of Section 10, Township 11, Range 9). Motion was made by Pielstick, second by Seifert to approve Resolution #2001-302. Steve Riehle, Public Works Director, stated that Sanitary Sewer District #502 was created by Ordinance #8689 on August 28, 2001 by a petition request. This Sanitary Sewer District provides for the construction of a sanitary sewer line and related appurtenances. State law provides for a 30-day protest period, during which time owners of the property within the district may protest the district creation. Receipt of protest owners representing over 50% of the front footage in the district prohibits continuation of the district. The protest period ended at 5:00 p.m. on October 4, 2001. There were two protests filed against this district or 24.27%. Continuation and construction of Sanitary Sewer District #502 was recommended.

Randy Rapien, 226 Lakeside Drive, spoke in opposition. Councilmember Pielstick made a motion to table Resolution #2001-302 to a study session to further study this issue. Second by Seifert. Unanimously approved.

RESOLUTION:

#2001-304 – Approving Policy of Military Duty Leave. Brenda Sutherland, Personnel Director, reported that with the recent events that had occurred in our county, a few employees of the City had been or may be called to active duty. The current Military Duty Leave policy follows state statutes, allowing 15 working days of paid military leave in a year's time. After reviewing this matter, it had been recommended that Council approve extending the pay for two full pay periods following the expiration of the 15 day allotment, minus any time that the employee may have worked during that period and to allow the continuation of their health insurance benefits at their current level for three calendar months.

Ranae Ehlers, 204 East 22<sup>nd</sup> Street, wife of a Grand Island Police Officer who had been called to active duty spoke about her concerns for the military duty leave. Mentioned was the fact that the military health doctors were located in Lincoln.

Much discussion took place on this subject with suggestions of the City supplementing military coverage and working with the local doctors to be designated by the military as preferred providers. City Administrator Marlan Ferguson, stated that staff had discussed these issues at length and recommended the two full pay periods and an additional three months insurance coverage. Mr. Ferguson stated that this was above what the state statutes requires.

Councilmember Pielstick stated that she had no problem with extending the pay, but felt that Council needed to look at the insurance issues at a study session. Councilmember Whitesides stated that Council could approve Resolution #2001-304 to give the families coverage and still discuss this issue at a study session.

Motion was made by Whitesides to approve Resolution #2001-304 with an effective date of September 11, 2001, second by Hornady, approved unanimously.

PAYMENT OF CLAIMS:

Motion by Whitesides, second by Murray, carried unanimously to approve the Claims for the period of October 10, 2001 through October 23, 2001, claims #110755, #111160, #111201, #111266, #111267, #111353, #111439, #111522, #111623 and #112147 through #112786 for a total amount of \$3,280,908.70.

Councilmembers Haase and Walker abstained.

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

Respectfully submitted,

RaNae Edwards  
City Clerk

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# City of Grand Island

## Item G5

**Approving Request of Michelle Uldrich, 1011 South Greenwich Street, for Liquor Manager Designation for Grand Island Pizza Hut, Inc. dba Pizza Hut, 1608 South Locust Street**

*Michelle Uldrich, 1011 South Greenwich Street, representing Grand Island Pizza Hut, Inc. dba Pizza Hut, 1608 South Locust Street, has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "A-31060" Liquor License. This application has been reviewed by the Police Department and City Clerk's Office. Approval is recommended.*



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**Council Session**

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# City of Grand Island

## Item G6

### **#2001-305 Approving Acquisition of Right of Way Located on Willow Street at the Intersection with Seedling Mile Road**

*Right-of-Way was acquired for a cul-de-sac at the north end of Willow Drive at the intersection with Seedling Mile Road when the Livengood Subdivision was filed. This cul-de-sac was planned to accommodate the closing of the historical section of Seedling Mile Road east of Willow Drive. The cul-de-sac on the Livengood Subdivision plat was centered on Willow Drive necessitating considerable relocation work for the utility pole north and east of the intersection. The acquisition of this Right-of-Way will allow the cul-de-sac to be redesigned and shifted to the east, eliminating the need for the utility relocation work. LANNCO, L.L.C. has agreed to deed 0.0587 acres to the City of Grand Island. See attached RESOLUTION.*



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**Council Session**

R E S O L U T I O N    2001-305

WHEREAS, street right-of-way is required by the City of Grand Island, Nebraska from LANNCO, L.L.C, a Limited Liability Company, along Seedling Mile Road near Willow Street; and

WHEREAS, a public hearing was held on November 6, 2001, for the purpose of discussing the proposed acquisition of street right-of-way through a part of Lot Two (2), Livengood Subdivision in the city of Grand Island, Hall County, Nebraska; the right-of-way being more particularly described as follows:

Commencing at the southwest corner of Lot Two (2) Livengood Subdivision; thence easterly along the southerly line of said Lot Two (2), a distance of seventy five and eighty five hundredths (75.85) feet to a corner of said Lot Two (2); thence continuing easterly along the prolongation of the previously described southerly line of said Lot Two (2), a distance of twenty four and fifteen hundredths (24.15) feet to a point on a curve; thence northeasterly along the arc of a curve to the right whose radius is sixty (60.0) feet, a distance of forty six and nine hundredths (46.09) feet (long cord distance = 44.96 feet, central angle = 44°00'33") to a point of intersection with the Willow Street cul-de-sac right-of-way, said point being the actual Point of Beginning; thence continuing easterly along the previously described arc of a curve to the right, a distance of one hundred forty two and forty one hundredths (142.41) feet (long cord distance = 111.26 feet, central angle = 135°59'27") to a point on the southerly line of said Lot Two (2), being one hundred thirty nine and fifteen hundredths (139.15) feet westerly of the Southeast corner of said Lot Two (2); thence westerly along the southerly line of said Lot Two (2), a distance of twenty eight and forty four hundredths (28.44) feet to a corner of said Lot Two (2); thence northwesterly along the Willow Street cul-de-sac right-of-way, being a arc of a curve to the left whose radius is sixty (60.0) feet, a distance of ninety five and twenty three hundredths (95.23) feet (long cord distance = 85.55 feet, central angle = 90°56'28") to the Point of Beginning. The above-described right-of-way containing 0.0587 acres, more or less, as shown on the plat dated September 27, 2001 attached hereto and incorporated herein by this 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 street right-of-way from LANNCO, L.L.C., a limited liability company, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 6, 2001.

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

Approved as to Form    ?    _____
November 6, 2001        ?    City Attorney

U.P.R.R.

R-O-W

399.57'

LIVENGOOD

16' EASEMENT

274.10'

Lot 2

453.88'

20' EASEMENT

Lot 1

SUB.

POINT OF BEGINNING

SW CORNER LOT 2

SE CORNER LOT 2

40' EASEMENT

75.85°

24.15'

142.41' (ARC)  
111.26' (CORD)

80° R

80' R  
95.23' (ARC)  
85.55' (CORD)

28.44'

167.59'

SEEDLING MILE ROAD

33'

33'

46.09° (ARC)  
44.96' (CORD)

86'

SHARON  
ROSE  
SUB

WILLOW STREET

RAPIEN  
SUB

LEGEND



INDICATES ACQUIRED  
RIGHT-OF-WAY

CITY OF  
**GRAND ISLAND**  
UTILITIES DEPARTMENT

EXHIBIT "A"

DRAWN BY: TWB	SCALE: 1"=100'
DATE: 9/27/2001	FILE: LIVENGOOD



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# City of Grand Island

## Item G7

### **#2001-306 Approving Acquisition of Utility Easements - Joy M. and Marietta Beazley**

*This item relates to the aforementioned Public Hearing. Acquisition of a utility easement, relative to the property of Joy M. and Marietta Beazley, located in the southwest corner of 923 West 3rd Street (Greenwich between 2nd and 3rd Streets), in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement is required for the continuation of the Downtown Underground Project. The amount paid for this easement is the same as the other downtown acquired easements (\$1,000.00). Approval is recommended. See attached RESOLUTION.*



**Tuesday, November 06, 2001**

**Council Session**

RESOLUTION 2001-306

WHEREAS, a public utility easement is required by the City of Grand Island, from Joy M. Beazley and Marietta Beazley, husband and wife, to install, upgrade, maintain, and repair power appurtenances, including lines and transformers; and

WHEREAS, a public hearing was held on November 6, 2001, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Fractional Lot Four (4), Fractional Block One Hundred Eighteen (118), Railroad Addition; and Fractional Lot Four (4), Fractional Block Nineteen (19), Arnold & Abbott's Addition; both in the city of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Commencing at the Southeast corner of Fractional Lot Four (4), Fractional Block One Hundred Eighteen (118), Railroad Addition; thence westerly along the southerly line of said Fractional Lot Four (4), a distance of forty six (46.0) feet to the Actual Point of Beginning; thence continuing westerly along the southerly line of said Fractional Lot Four (4) and its extension, a distance of twenty (20.0) feet to a point on the easterly right-of-way line of Greenwich Avenue; thence northerly along the easterly right-of-way line of Greenwich Avenue, a distance of twenty (20.0) feet; thence easterly parallel with the southerly line of said Fractional Lot Four (4), a distance of twenty (20.0) feet; thence southerly parallel with the easterly line of said Fractional Lot Four (4), a distance of twenty (20.0) feet to the Point of Beginning.

The above-described easement and right-of-way containing a total of 400 square feet, more or less as shown on the plat dated October 17, 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 Joy M. Beazley and Marietta Beazley, husband and wife, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 6, 2001.

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RaNae Edwards, City Clerk

Approved as to Form ?	_____
November 6, 2001 ?	City Attorney

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# City of Grand Island

## Item G8

### **#2001-307 Awarding Bid for Purchases for Chevrolet S10 Pick-Up - Utilities Department, Meter Readers**

*The Utilities Department, Meter Reader Division, has submitted a request for the purchase of a Chevrolet S10 Pick-up. The low bid was submitted by Husker Auto Group, Lincoln, Nebraska per State Bid, Contract #CA5518, in the amount of \$16,297.77. Funds were budgeted in the 2001-2002 budget, and there are sufficient funds for this purchase in account number 520. It is recommended that the bid be awarded to Husker Auto Group of Lincoln, Nebraska in the amount of \$16,297.77 per State Bid. See attached RESOLUTION.*



**Tuesday, November 06, 2001**

**Council Session**

R E S O L U T I O N   2001-307

WHEREAS, the Utilities Department is scheduled to purchase a vehicle during the 2001/2002 fiscal year; and

WHEREAS, said vehicle can be obtained from the State contract holder; and

WHEREAS, purchasing the vehicle from the State contract holder meets all statutory bidding requirements; and

WHEREAS, the funding for such vehicle is provided in their 2001/2002 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of one 2002 Chevrolet S10 Pickup from the State contract holder, Husker Auto Group of Lincoln, Nebraska, for the total amount of \$16,297.77 is hereby accepted and approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on November 6, 2001.

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

Approved as to Form	?
November 6, 2001	? City Attorney

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# City of Grand Island

## Item G9

### **#2001-308 Awarding Bid for Purchase of Eight (8) Ford Police Vehicles**

*The Police Department has submitted a request for awarding a bid for (8) 2002 Ford Crown Victoria police vehicles. One bid was received from Anderson Ford, Grand Island, Nebraska, in the amount of \$165,728.00 for the eight vehicles. There are sufficient funds for this purchase in account number 100.20.12310.05625. It is recommended that the bid be awarded to Anderson Ford, Grand Island, Nebraska, in the total amount of \$165,728.00. See attached RESOLUTION.*



**Tuesday, November 06, 2001**

**Council Session**

R E S O L U T I O N   2001-308

WHEREAS, the City of Grand Island invited sealed bids for Eight (8) New 2002 Four-Door Police Interceptor Vehicles, according to the plans and specifications on file with the Purchasing Division of the Legal Department; and

WHEREAS, on October 25, 2001 one bid was received, opened and reviewed; and

WHEREAS, Anderson Ford of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement for bids and specifications and all other statutory requirements contained therein, such bid being in the amount of \$186,728 with a trade-in allowance of \$21,000 for a net amount of \$165,728.00; and

WHEREAS, Anderson Ford's bid is less than the 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 Anderson Ford of Grand Island, Nebraska, for eight new 2002 four-door police interceptor vehicles in the amount of \$165,728.00 after trade-in is hereby approved as the lowest acceptable bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on November 6, 2001.

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RaNae Edwards, City Clerk

Approved as to Form	?
November 5, 2001	? City Attorney

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# City of Grand Island

## Item G10

### **#2001-309 Awarding Bid for Sidewalk District No. 1 - 2001 to Galvan Construction, Inc.**

*The Public Works Department, Engineering Division, and the Purchasing Division of the City Attorney's office recommend awarding the bid to Galvan Construction, Inc. in the amount of \$2,969.60. The engineers estimate was \$5,120.00. Bids were received ranging from \$2,969.60 to \$6,400.00. There are sufficient funds for this purchase in account number 400.01.40024.05640. See attached RESOLUTION.*



**Tuesday, November 06, 2001**

**Council Session**

RESOLUTION 2001-309

WHEREAS, the City of Grand Island invited sealed bids for Sidewalk District No. 1, 2001, according to plans and specifications on file with the City Engineer; and

WHEREAS, on October 17, 2001, bids were received, opened and reviewed; and

WHEREAS, Galvan Construction, Inc. of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$2,969.60; and

WHEREAS, Galvan Construction Inc.'s bid is less than the engineer's estimate of \$5,120.00 for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Galvan Construction, Inc. of Grand Island, Nebraska, in the amount of \$2,969.60 for Sidewalk District No. 1, 2001 is hereby approved as the lowest responsive bid.

BE IT FURTHER RESOLVED, that a contract for such project 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 on November 6, 2001.

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RaNae Edwards, City Clerk

Approved as to Form	?
November 6, 2001	? City Attorney



# **CONTRACT AGREEMENT**

## CONTRACT AGREEMENT

THIS AGREEMENT made and entered into this Sixth day of November, 2001, by and between Galvan Construction Inc. hereinafter called the Contractor, and the City of Grand Island, Nebraska, hereinafter called the City.

WITNESSETH:

THAT, WHEREAS, in accordance with law, the City has caused contract documents to be prepared and an advertisement calling for bids to be published, for construction of **SIDEWALK DISTRICT NO. 1, 2001**; and

WHEREAS, the City, in the manner prescribed by law, has publicly opened, examined, and canvassed the proposals submitted, and has determined the aforesaid Contractor to be the lowest responsive bidder, and has duly awarded to the said Contractor a contract therefore, for the sum or sums named in the Contractor's bid, a copy thereof being attached to and made a part of this contract;

NOW, THEREFORE, in consideration of the compensation to be paid to the Contractor and of the mutual agreements herein contained, the parties have agreed and hereby agree, the City for itself and its successors, and the Contractor for itself, himself, or themselves, and its, his, or their successors, as follows:

ARTICLE I. That the Contractor shall (a) furnish all tools, equipment, superintendence, transportation, and other construction materials, services and facilities; (b) furnish, as agent for the City, all materials, supplies and equipment specified and required to be incorporated in and form a permanent part of the completed work; (c) provide and perform all necessary labor; and (d) in a good substantial and workmanlike manner and in accordance with the requirements, stipulations, provisions, and conditions of the contract documents as listed in the attached General Specifications, said documents forming the contract and being as fully a part thereof as if repeated verbatim herein, perform, execute, construct and complete all work included in and covered by the City's official award of this contract to the said Contractor, such award being based on the acceptance by the City of the Contractor's bid;

ARTICLE II. That the City shall pay to the contractor for the performance of the work embraced in this contract and the contractor will accept as full compensation therefore the sum (subject to adjustment as provided by the contract) of Two thousand nine hundred sixty-nine dollars and sixty cents Dollars \$ 2,969.60

for all services, materials, and work covered by and included in the contract award and designated in the foregoing Article I; payments thereof to be made in cash or its equivalent in the manner provided in the General Specifications.

ARTICLE III. The contractor hereby agrees to act as agent for the City in purchasing materials and supplies for the City for this project. The City shall be obligated to the vendor of the materials and supplies for the purchase price, but the contractor shall handle all payments hereunder on behalf of the City. The vendor shall make demand or claim for payment of the purchase price from the City by submitting an invoice to the contractor. Title to all materials and supplies purchased hereunder shall vest in the City directly from the vendor. Regardless of the method of payment, title shall vest immediately in the City. The contractor shall not acquire title to any materials and supplies incorporated into the project. All invoices shall bear the contractor's name as agent for the City. This paragraph will apply only to these materials and supplies

actually incorporated into and becoming a part of the finished product of **SIDEWALK DISTRICT NO. 1, 2001.**

CONTRACT AGREEMENT (Continued)

ARTICLE IV. That the contractor shall start work as soon as possible after the contract is signed and the required bond is approved. This work shall be completed no later than November 1, 2001.

ARTICLE V. The Contractor agrees to comply with all applicable State fair labor standards in the execution of this contract as required by Section 73-102, R.R.S. 1943. The Contractor further agrees to comply with the provisions of Section 48-657, R.R.S. 1943, pertaining to contributions to the Unemployment Compensation Fund of the State of Nebraska. During the performance of this contract, the contractor and all subcontractors agree not to discriminate in hiring or any other employment practice on the basis of race, color, religion, sex, national origin, age or disability. The Contractor agrees to comply with all applicable Local, State and Federal rules and regulations.

ARTICLE VI. Should the Contractor fail to perform the work within the periods of time stipulated above, the Contractor shall pay the City \$100.00 per calendar day of default unless extension of time granted by the City specifically provides for waiving of liquidated damages.

IN WITNESS WHEREOF, the parties hereto have executed this Contract Agreement as of the date and year first above written.

Contractor Galvan Construction, Inc.

By \_\_\_\_\_

Date \_\_\_\_\_

Title \_\_\_\_\_

CITY OF GRAND ISLAND, NEBRASKA,

By \_\_\_\_\_

Date \_\_\_\_\_

Mayor

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

City Clerk

The contract and bond are in due form according to law and are hereby approved.

\_\_\_\_\_

Date \_\_\_\_\_

Attorney for the City



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# City of Grand Island

## Item G11

### #2001-310 Approving Renewal of Agreement for Golf Professional

*A request is before you to extend the Golf Professionals Contract at Jackrabbit Run Golf Course. Scott Brunzell has served as the golf professional at the City Course since it opened in 1979. The City and golfing public have enjoyed a professionally run pro shop since the course has opened. This quality operation is led by Scott Brunzell's professionalism.*

*The contract to be renewed is very similar to the one he has been operating under for the least twenty years. Two modifications however, are proposed in this contract. The first change reflects a contract period of five years with the contract being automatically renewable for an additional four-year term. This has been done at Scott's request, as he will be 62 in nine years and anticipates being able to retire at that time. The contract still retains the clause that allows either party to terminate the contract at the end of any calendar year upon at least ninety(90) day's prior written notice.*

*The second change reflects the possibility of a new minimum wage being set by Congress. If that change occurs the Pro's monthly installment payment will be modified to reflect the minimum wage increase based on an annual 4500 minimum wage hours worked per year.*

*A copy of the Golf Professional's contract is available for review in the office of the City Clerk.*



**Tuesday, November 06, 2001**

**Council Session**

RESOLUTION 2001-310

WHEREAS, on October 28, 1996, by Resolution 96-304, the City of Grand Island approved a contract with Scott Brunzell, as an independent contractor, for Golf Professional for the municipal golf course facility; and

WHEREAS, the contract will expire on December 31, 2001; and

WHEREAS, the parties wish to enter into a new the contract to best serve the interest of both the City and Mr. Brunzell; and

WHEREAS, a proposed contract has been reviewed and approved by the City Attorney's office.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Contract between the City and Scott Brunzell to have Mr. Brunzell serve as golf professional at the municipal golf course in the capacity of an independent contract is hereby approved; 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 on November 6, 2001.

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RaNae Edwards, City Clerk

Approved as to Form ? _____ November 6, 2001 ? City Attorney
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# City of Grand Island

## Item G12

### **#2001-311 Approving Change Order for Engineering Services for Wading Pools**

*The Parks & Recreation Department has developed Change Order #1 to the contract for Engineering Services for the Wading Pool Project . The contract was awarded to Olsson Associates, Grand Island, Nebraska, on January 1, 2001 in the amount of \$36,262.00. The net increase of Change Order #1 is \$8,129.36, which allows for costs associated with the modification of the wading pool design and filing fees as required by the Nebraska State Health Department. The revised contract amount will be \$44,391.36. Approval is recommended.*



**Tuesday, November 06, 2001**

**Council Session**

R E S O L U T I O N   2001-311

WHEREAS, on January 10, 2000, by Resolution 2000-4, the City Council for the City of Grand Island awarded the proposal for engineering services for construction of wading pools at Lincoln Park, Pier Park and Grace Abbott Park to Olsson Associates of Grand Island, Nebraska; and

WHEREAS, it has been determined that modifications to the work to be performed by Olsson Associates 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 \$8,129.36, for a revised contract amount of \$44,391.36.

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 Olsson Associates to provide the following modifications:

	<u>Amount</u>
Filing fees for plans and specifications sent to the State of Nebraska .....	\$ 1,450.00
Re-bid plan revisions, plan duplication services and additional design work.....	6,679.36

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on November 6, 2001.

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

Approved as to Form	?
November 6, 2001	? City Attorney



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# City of Grand Island

## Item G13

### **#2001-312 Approving Change Order #2 to the Contract with J.I.L. Asphalt Paving Company for 2001-AC-1 Asphalt Maintenance Project**

*The contract was awarded to J.I.L. Asphalt Paving Company, Grand Island, Nebraska, on April 10, 2001 in the amount of \$481,376.83. Change Order #1, approved by Council on May 22, 2001 provided \$99,781.65 for resurfacing the outside lanes of Second Street. The Public Works Department created Change Order #2 to allow for additional base material and topsoil for Independence Avenue. The net increase of Change Order #2 is \$2,074.00. The revised contract amount will be \$583,232.48. Sufficient funds are available in account number 400.01.40089.05630. See attached RESOLUTION.*



**Tuesday, November 06, 2001**

**Council Session**

R E S O L U T I O N   2001-312

WHEREAS, on April 10, 2001, by Resolution 2001-87, the City Council for the City of Grand Island awarded the bid for 2001-AC-1 Asphalt Maintenance Project to J.I.L. Asphalt Paving Company of Grand Island, Nebraska; and

WHEREAS, it has been determined that modifications to the work to be performed by J.I.L. Asphalt Paving Company are necessary; and

WHEREAS, such modifications have been incorporated into Change Order No. 2; and

WHEREAS, the result of such modifications for this project will increase the contract amount by \$2,074.00, for a revised contract amount of \$583,232.48.

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. 2, between the City of Grand Island and J.I.L. Asphalt Paving Company to provide the following modifications:

	<u>Amount</u>
Base Material to Raise Road .....	\$ 1,242.00
Top Soil for Shoulder of the Road .....	832.00

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on November 6, 2001.

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

Approved as to Form	?
November 6, 2001	? City Attorney

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# City of Grand Island

## Item G14

### **#2001-313 Approving Additional Funds for Emergency Repair to Sanitary Sewer at Capital and Diers**

*The Public Works Department, Wastewater Division performed emergency repairs to the Sanitary Sewer System located on Diers Avenue south of Capital Avenue. On August 28, 2001, the Council approved the use of the emergency procurement procedures for the repairs. The Diamond Engineering Company, Grand Island, Nebraska was hired to complete the repair at a cost of \$40,000. Due to unforeseen work that was necessary to complete the repair, the bidder was unable to meet their quoted price. Final cost for the repair work was \$56,376.40. Sufficient funds are available in account number 530.00.53084.05213. Approval of the use of emergency procurement procedures for the adjusted total is recommended. See attached RESOLUTION.*



**Tuesday, November 06, 2001**

**Council Session**

R E S O L U T I O N   2001-313

WHEREAS, on August 28, 2001, by Resolution 2001-222, the City of Grand Island authorized and approved the use of the emergency procurement procedures under Section 27-13 of the Grand Island City Code for sanitary sewer repairs at Diers Avenue and Capital Avenue; and

WHEREAS, the contract for the sanitary sewer repair work was awarded to the Diamond Engineering Company of Grand Island, Nebraska for an amount not to exceed \$40,000; and

WHEREAS, due to unforeseen work that was necessary to complete the emergency repair work, the City has been notified that such bidder is unable to meet their quoted price and provided the City with the final cost of the repair to be \$56,373.40; and

WHEREAS, it is recommended that the adjusted quote for sanitary sewer repair work be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the adjusted quote provided by the Diamond Engineering Company of Grand Island, Nebraska, in the amount of \$56,373.40 for sanitary sewer repair is hereby approved as the lowest responsive bid received.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on November 6, 2001.

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RaNae Edwards, City Clerk

Approved as to Form	?
November 6, 2001	? City Attorney

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# City of Grand Island

## Item I1

### #2001-314 Approving Employee Handbook

*The Council has spent time recently reviewing the City's Personnel Rules. Attached is the proposed new City of Grand Island Employee Handbook. The proposed handbook has an overall different look as compared to the current Personnel Rules. The purpose of the update was to create a document that was easier to read and understand and which accurately reflects the City's policies in regards to its employees. The notable changes were reviewed at the Council Study Session on October 16, 2001 and additional information was discussed in regards to Military Leave at the Council meeting on September 23, 2001. There is also a recommendation to change the title of the Personnel Department to the Human Resources Department. It is recommended that the proposed Employee Handbook and the title change to Human Resources Department be approved by Council and have an effective date of December 1, 2001.*



**Tuesday, November 06, 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 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 65<sup>th</sup> 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 CATEGORIES**

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.

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.

## **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 December 1, 2001.

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Adopted by the City Council of the City of Grand Island, Nebraska on November 6, 2001.

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RaNae Edwards, City Clerk

Approved as to Form ? _____
November 5, 2001    ?    City Attorney

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# City of Grand Island

## Item J1

### **Payment of Claims for the Period of October 24, 2001 to November 6, 2001**

*The Claims for the period of October 24, 2001 through November 6, 2001, claims #112787 through #113392 for a total amount of \$7,401,978.34. A MOTION is in order.*



**Tuesday, November 06, 2001**

**Council Session**