
City of Grand Island



Tuesday, March 12, 2002

Council Session Packet

City Council:

Joyce Haase
Margaret Hornady
Gale Larson
Glen Murray
Jackie Pielstick
Larry Seifert
Robert Sorensen
Scott Walker
Tom Ward
Fred Whitesides

Mayor:

Ken Gnadt

City Administrator:

Marlan Ferguson

City Clerk:

RaNae Edwards

7:00:00 PM

Council Chambers - City Hall
100 East First Street

Call to Order

**Pledge of Allegiance /Invocation - Pastor Julio Calero, Centro de Vida Cristiana, 2921
Roselawn Drive**

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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



City of Grand Island

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Council Session

Item C1

Update on Community Youth Council Asset Development Program

For the last two years, the Community Youth Council has been involved in encouraging the development of assets in youth in Grand Island. Forty developmental assets have been identified that positively impact young lives. In 2001, the CYC contracted with Community Plus to facilitate asset building classes and programs for youth throughout the community. Judy Sandstrom with Community Plus will be present to update the Council on this year's activities. In addition, individuals who have been identified by the CYC will be recognized for their role in developing assets in our youth.

Staff Contact:





City of Grand Island

Tuesday, March 12, 2002

Council Session

Item C2

It's About Kids! Presentations by Lindsey Shoemaker, Abby Robbins and Maggie Jobes

Youth Leadership Tomorrow, It's About Kids! assets will be presented by Lindsey Shoemaker, Abby Robbins and Maggie Jobes.

Staff Contact: RaNae Edwards





City of Grand Island

Tuesday, March 12, 2002

Council Session

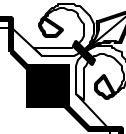

Item C3

Proclamation, "American Red Cross Month" March 2002

Whereas, the American Red Cross is one of the nations' oldest most recognized humanitarian organizations providing compassionate care when disasters and other crises threaten to overwhelm and destroy families within our community and around the world, the Mayor has proclaimed the month of March 2002 as "American Red Cross Month" and encourages all citizens, especially during these trying times for our country to support the Central Plains Chapter's noble humanitarian mission with a gift of time, blood or money. See attached PROCLAMATION.

Staff Contact: RaNae Edwards





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

PROCLAMATION

WHEREAS, one of the nations' oldest, most recognized humanitarian organizations, the American Red Cross is woven tightly into the fabric of Grand Island, Nebraska, providing compassionate care when disasters and other crises threaten to overwhelm and destroy families. When our nation experienced a grievous tragedy on September 11, the people of the Central Plains Chapter gave of their time and their hearts in unprecedented ways to help bring comfort and peace to those in need, and help Grand Island, Nebraska prepare for or prevent the occurrence of further tragedy. We are indeed fortunate in our community to have this organization with over 800 volunteers and 5,917 blood donors dedicated to relieving suffering and saving lives; and

WHEREAS, the American Red Cross was founded in 1881 by a visionary women named Clara Barton and chartered by Congress in 1905 to act in times of need. Now, each year, the Central Plains Chapter responds to more than 70 disasters in our community alone: high profile natural disasters, single-family fires that rarely even make the news, and other man-made emergencies. At such times, Americans trust and rely upon their local Red Cross chapters to provide services for families robbed of their loved ones, homes, livelihoods or dignity; and

WHEREAS, other Red Cross services include recruiting 9,453 people annually to donate blood, ensuring its safety and providing hospitals with half the nations' supply of blood and blood products for lifesaving medical treatments and routine medical procedures; and

WHEREAS, our military men and women join the effort to fight terrorism a world away, Red Cross workers in the Central Plains Chapter are working around the clock to fulfill a historical role: keeping service members and their families in touch and offering other small comforts to ease the strain of being far from home; and

WHEREAS, residents of Grand Island, Nebraska get information they need to maintain safe and healthy lives through Red Cross courses in lifesaving skills – first aid, CPR, water safety and much more; and



WHEREAS,

the Red Cross also responds to international emergencies. The Red Cross helped create and administer America's Fund for Afghan Children, with money donated by thousands of children right here in our community and across the nation who were asked to donate one dollar. Already, a million dollars' worth of essential supplies and medicine has been shipped to Afghanistan; and

WHEREAS,

last year, the Red Cross rushed immediate cash aid and supplies to other countries rocked by natural disasters and helped people in more than 40 nations get access to safe drinking water and battle malnutrition and life-threatening diseases such as measles; and

WHEREAS,

through its work, the Red Cross, an enduring American institution, restores hope at home and throughout the world every day, and its vital services would not be possible without generous contributions from the American people.

NOW, THEREFORE, I, Ken Gnadt, Mayor of Grand Island, Nebraska, by the virtue of the authority vested in me, do hereby proclaim March 2002 as

AMERICAN RED CROSS MONTH

in the City of Grand Island, and request that each member of our community support the Central Plains Chapter's noble humanitarian mission with a gift of time, blood or money. Together, we can save lives and make our world a safer, better place.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Grand Island to be affixed this 12th day of March in the year of our Lord Two Thousand and Two.

Mayor of Grand Island, Nebraska

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, March 12, 2002

Council Session

Item C4

East Neighborhood Association Presentation to the Grand Island Fire Department

The East Neighborhood Association Officers will present the proceeds of their fund-raiser to the Grand Island Fire Department. To receive the donation will be Fire Captain Scott Kuehl - President of the International Association of Fire Fighters Local #647.

Staff Contact:





City of Grand Island

Tuesday, March 12, 2002

Council Session

Item C5

Recognition of Life Saving Efforts by Jeff Vodehnal, Utilities Employee

The Mayor and City Council will recognize the life saving efforts of Jeff Vodehnal a Utilities employee. On Tuesday, February 26, 2002, while eating at the Platte-Duetsche, Jeff performed the Heimlich maneuver on a man choking and who had passed out. Jeff was able to remove a piece of steak from this man's throat before the Fire Department arrived. We congratulate Jeff on his heroic efforts in this life saving event.

Staff Contact: RaNae Edwards





Certificate of Appreciation

Awarded to:

Jeff Vodehnal

Your quick actions to aid a person in need were invaluable—you are truly a hero. Thank you for going above and beyond to save a life.

Mayor, Ken Gnad

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, March 12, 2002

Council Session

Item E1

Public Hearing on Request of Earl and Linda Hardy for Conditional Use Permit for Child Care Facility Located at 1721 South Arthur

Earl and Linda Hardy, 2918 Circle Drive, have submitted an application with the City Clerk's Office for a Conditional Use Permit for a Child Care Facility located at 1721 South Arthur. The property is currently zoned R-2 Low Density Residential, this classification requires the operation of a Day-Care facility to be approved by the City Council. This request has been reviewed by the Building, Legal, Utilities, Planning and Public Works Departments. It is appropriate at this time to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: Craig Lewis





City of Grand Island

Tuesday, March 12, 2002

Council Session

Item E2

Public Hearing on Acquisition of Utility Easement - Myrtle Grimminger Located Behind 516 West 3rd Street

Acquisition of a utility easement relative to the property of Myrtle Grimminger located in the rear alley behind 516 West 3rd Street, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to locate a pad mounted transformer to serve the entire block. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: Gary Mader





City of Grand Island

Tuesday, March 12, 2002

Council Session

Item E3

Public Hearing on Acquisition of Utility Easement - Salvation Army - 810 West 3rd Street

Acquisition of a utility easement relative to the property of the Salvation Army located at 810 West 3rd Street, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to locate a pad mounted transformer to serve the entire block. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: Gary Mader





City of Grand Island

Tuesday, March 12, 2002

Council Session

Item E4

Public Hearing on Proposed Grant Application to Nebraska Department of Economic Development Relative to Community Development Funding for Rehabilitation Efforts.

The Nebraska Department of Economic Development accepts applications through the Community Development Block Grant program for grant funding for acquisition, rehabilitation, construction and production of affordable housing to increase the supply of decent, safe and sanitary housing for low-to-moderate income Nebraskans and to promote and advance the goals of the 2000-2005 Nebraska Consolidated Plan for Housing and Community Development. The results of the recently completed housing study indicate a significant need for rehabilitation of existing housing in the Community Development Project Area, generally described as northeast Grand Island. The Community Projects Department has prepared an application for submittal to the Nebraska Department of Economic Development, seeking \$250,000 in grant funding to assist with the renovation of up to 10 homes. No community match is required. It is appropriate at this time to solicit public comment regarding the proposed application. The action item is contained in the Consent Agenda.

Staff Contact:





City of Grand Island

Tuesday, March 12, 2002

Council Session

Item F1

#8721 - Consideration of Conveyance of Real Estate in Meadowlark West Third Subdivision and Part of the SE1/4NE1/4 of Section 13-11-10 to Reconfigure Detention Cell

The Robert M. Allen Family Limited Partnership, the owner of Eagle Run, has requested that Detention Cell B-6A previously dedicated to the City of Grand Island be reconfigured in order to accommodate future commercial development of Meadowlark West Fourth Subdivision. A public hearing regarding this matter was held during the last regular City Council meeting. The Public Works Department has reviewed and approved the reconfiguration. There are two actions before the Council in connection with this matter, including (a) an ordinance approving acquisition of the reconfigured cell as Outlot "A", and (b) approving an exchange agreement swapping the existing detention cell B-6A tract for Outlot "A". Other than the cost of preparation of documents for presentation to the City Council and the publication of a notice of public hearing, the City of Grand Island is incurring no other expenses in connection with the exchange transaction. We recommend that the ordinance and resolution be approved as drafted.

Staff Contact: Charlie Cuypers

ORDINANCE NO. 8721

An ordinance to direct and authorize the conveyance of a tract of land located in the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Thirteen (13), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska, to provide for the giving of notice of such conveyance and the terms thereof; to provide for the right to file a remonstrance against such conveyance; 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. The conveyance to Robert M. Allen Family Limited Partnership of a tract of land known as Detention Cell B-6A located in the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Thirteen (13), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska, more particularly described as follows is hereby authorized and directed:

To ascertain the actual point of beginning, commence at the southeast corner of said Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4); thence running north on the east line of said Section Thirteen (13) for a distance of Seven Hundred (700.0) feet; thence deflecting left ninety degrees and no minutes (90°00') and running west on a line for a distance of Two Hundred Seventy (270.0) feet to the actual point of beginning; thence continuing west on said line for a distance of Two Hundred Thirty (230.0) feet; thence deflecting right ninety degrees and no minutes (90°00') and running north on a line for a distance of Two Hundred Seventy (270.0) feet; thence deflecting right ninety degrees and no minutes (90°00') and running east on a line for a distance of Two Hundred Thirty (230.0) feet; thence deflecting right ninety degrees and no minutes (90°00') and running south on a line for a distance of Two Hundred Seventy (270.0) feet to the actual point of beginning; said tract of land containing 62,100 square feet, or 1.4 acres, more or less, identified as Cell B-6A as shown on Exhibit "B" dated 2-6-74, attached hereto and incorporated herein by reference. The description herein is set out in a Warranty Deed dated July 23, 1974 and recorded on July 31, 1974 in

Approved as to Form ? _____
March 7, 2002 ? City Attorney

ORDINANCE NO. 8721 (Cont.)

Miscellaneous Records Book 175, Page 526 in the Office of the Register of Deeds, Hall County, Nebraska.

SECTION 2. The consideration for such conveyance shall be the acquisition of a tract of land consisting of approximately 1.47 acres, more or less, located in a part of Lot Six (6), Meadowlark West Third Subdivision to be used for the reconfiguration of such detention cell. Such conveyance shall be conditioned upon the terms and conditions of an Exchange Agreement between the parties. A title insurance policy is not required to be furnished by the City.

SECTION 3. As provided by law, notice of such conveyance and the terms thereof shall be published for three consecutive weeks in the *Grand Island Independent*, a newspaper published for general circulation in the City of Grand Island. Immediately after the passage and publication of this ordinance, the City Clerk is hereby directed and instructed to prepare and publish such notice.

SECTION 4. Authority is hereby granted to the electors of the City of Grand Island to file a remonstrance against the conveyance of such within described real estate; and if a remonstrance against such conveyance signed by legal electors of the City of Grand Island equal in number to thirty percent of the electors of the City of Grand Island voting at the last regular municipal election held in such City be filed with the city council within thirty days of passage and publication of such ordinance, said property shall not then, nor within one year thereafter, be conveyed.

SECTION 5. The conveyance of said real estate is hereby authorized, directed and confirmed; and if no remonstrance be filed against such conveyance, the Mayor and City Clerk shall make, execute and deliver to Robert M. Allen Family Limited Partnership, a deed for

ORDINANCE NO. 8721 (Cont.)

said real estate, and the execution of such deed is hereby authorized without further action on behalf of the City Council.

SECTION 6. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: March 12, 2002.

Ken Gnadt, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, March 12, 2002

Council Session

Item G1

Receipt of Official Document - Civil Service Minutes of February 19, 2002

The Minutes of the February 19, 2002 Civil Service Meeting are submitted. See attached MINUTES.

Staff Contact: Brenda Sutherland



CITY OF
GRAND



ISLAND

*Working Together for a
Better Tomorrow. Today.*

**MINUTES
CIVIL SERVICE COMMISSION
February 19, 2002**

**Roll Call: Members Present: Leeper, Burns, Hilligas
 Members Absent: None
 Also Present: Police Sgt. Mehlin**

Leeper called the meeting to order at 8:28 a.m. Notice of the meeting was published in the February 15, 2002, edition of the Grand Island Independent.

Hilligas moved to approve the minutes of the January 22, 2002, meeting. Burns seconded the motion, which carried unanimously upon roll call vote.

The Commission received a request from the Police Department to certify candidates to fill two Police Officer positions. Hilligas moved to certify the top four names, namely, Luft, Penner, Anderson and Erickson. Burns seconded the motion, which carried unanimously upon roll call vote.

There being no further business, Burns moved to adjourn the meeting at 8:33 a.m. Hilligas seconded the motion, which carried unanimously upon roll call vote.

Respectfully submitted,

Brenda Sutherland, Secretary
Civil Service Commission
By Al Satterly, Sec. Designee

Approved by Civil Service Commission: 3/7/02
Copies of approved Minutes to: City Clerk



City of Grand Island

Tuesday, March 12, 2002

Council Session

Item G2

Approving Minutes of February 26, 2002 City Council Regular Meeting

The Minutes of the February 26, 2002 City Council Regular Meeting are submitted for approval. See attached MINUTES.

Staff Contact: RaNae Edwards



OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

February 26, 2002

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on February 26, 2002. Notice of the meeting was given in the Grand Island Independent on February 20, 2002.

Mayor Ken Gnadt called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Pielstick, Ward, Seifert, Larson, Hornady, Whitesides, Haase, Murray, Walker and Sorensen. 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 the INVOCATION given by Councilmember Jackie Pielstick.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Police Officer Scott Arnold for 20 Years of Service. The Mayor and City Council recognized Police Officer Scott Arnold for 20 Years of dedicated service to the City of Grand Island.

Presentation of the "Howard Eakes Community Awards" by Betty Curtis Representing Clean Community Systems. Betty Curtis representing Clean Community System presented the "Howard Eakes Community Awards", a new community award for beautification efforts in Grand Island. Dan Eakes and Ron Eakes presented the awards to: Harry Houch, H & H Distributing; Mr. Ramsey and Ms. Miller, Bar Middle School and Youth on Trac.

Proclamation "Read Across America/Grand Island" March 4, 2002. The Mayor proclaimed March 4, 2002 as "Read Across America/Grand Island". Deb Harder, Principal of Gates Elementary School and five students were present to receive the Proclamation.

RESERVE TIME TO SPEAK ON AGENDA ITEMS: 5 individuals reserved time to speak on agenda items.

BORAD OF EQUALIZATION: Motion by Sorensen, second by Whitesides, carried unanimously to adjourn to the Board of Equalization.

#2002-BE-2 – Board of Equalization to Determine Benefits for 2001 Weed Abatement Program. City Attorney Charlie Cuypers reported that Chapter 17 – Garbage, Refuse, Waste and Weeds, Article III – Weeds, sets forth the procedure for levying special assessments against real estate

on which the City has performed mowing operations during the preceding year. There were only five properties subject to special assessments for mowing during calendar year 2001. Each of these properties was owned by persons residing outside the community of Grand Island. Motion by Murray, second by Sorensen, carried unanimously to approve.

#2002-BE-3 – Board of Equalization to Determine Benefits for Street Improvement District #1237, Wortman Drive. Steve Riehle, Public Works Director, reported that work had been completed and special assessments had been calculated for the District. The Certificate of Final Completion was approved by Council on January 22, 2002. The total to be assessed, including Engineering Services equals \$399,311.75. All costs of this District would be assessed to Central Community College. Motion by Pielstick, second by Larson, carried unanimously to approve.

RETURN TO REGULAR SESSION: Motion by Hornady, second by Sorensen, carried unanimously to return to Regular Session.

PUBLIC HEARINGS:

Public Hearing on Request of Richard and Pat Hartman for Conditional Use Permit for Gravel Pumping Facilities at 5075 South Locust Street. Craig Lewis, Building Department Director, reported that Richard and Pat Hartman had submitted an application with the City Clerk's Office for a Conditional Use Permit for a gravel pumping facility located at 5075 South Locust Street. This request had been reviewed by the Building, Legal, Utilities, Planning and Public Works Departments. No public testimony was heard.

Public Hearing on Request of Balz, Inc. dba Balz Sprots Bar, 3421 West State Street, for Addition to Premise to Liquor License "C-39140". RaNae Edwards, City Clerk, reported that Balz, Inc. dba Balz Sports Bar, 3421 West State Street, had submitted an application with the City Clerk's Office for an Addition to Premise Liquor License, in conjunction with their Class "C-39140" Liquor License presently held. The request would add an area of approximately 28' x 35' to the north portion of the main floor in the building located at 3421 West State Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on February 12, 2002; notice to applicant of date, time and place of hearing mailed on February 12, 2002; notice to the general public of date, time and place of hearing published on February 15, 2002; Chapter 4 of City Code and departmental reports as required by City Code. No public testimony was heard.

Public Hearing on Request of Dolphin Enterpirse NE, LLC dba Conoco 1 Stop, 2105 West 2nd Street for Change of Location to Liquor License "C-49918" from 2107 West 2nd Street to 2105 West 2nd Street. RaNae Edwards, City Clerk, reported that Dolphin Enterprise NE LLC, dba Conoco 1 Stop, 2105 West 2nd Street, had submitted an application with the City Clerk's Office for a change of location for their current liquor license "C-49918" from 2107 West 2nd Street to 2105 West 2nd Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on February 18, 2002; notice to applicant of date, time and place of hearing mailed on February 15, 2002; notice to the general public of date, time and place of hearing published on February 15, 2002; Chapter 4 of City Code and departmental reports as required by City Code. No public testimony was heard.

Public Hearing on Reconfiguration of Detention Cell at Eagle Run Including Acquisition of Real Estate. Charlie Cuypers, City Attorney, reported that the Robert M. Allen Family Limited Partnership, the owner of Eagle Run, had requested that Detention Cell B-6A previously dedicated to the City of Grand Island be reconfigured in order to accommodate future commercial development of Meadowlark West Fourth Subdivision. The Public Works Department had reviewed and approved the reconfiguration. Other than the cost of preparation of documents for presentation to the City Council and the publication of a notice of public hearing, the City of Grand Island could incur no other expenses in connection with the estrange transaction. Mike Yost, 201 East 2nd Street, requested that Ordinance #8721 and Resolution #2002-56 which related to this item be deferred to the March 12, 2002 City Council Regular Meeting. No further public testimony was heard.

REQUESTS AND REFERRALS:

Request to Reconsider Creating Street Improvement District #1240, Grand West 2nd Subdivision. Steve Riehle, Public Works Director, reported that creation of this District was considered at the February 12, 2002 Council meeting. Due to area resident's concerns regarding drainage in the area, the Ordinance to create the district failed on the 2nd reading. Councilmember Scott Walker, who voted against creation at the February 12th meeting, made a request for the issue to be brought forward and discussed again at this meeting. Several Councilmembers requested that Staff review the policies of other Cities regarding Street Improvement Districts.

Motion was made by Walker, second by Hornady, to reconsider Creating Street Improvement District #1240. Walker then made a motion to table this request to the March 19, 2002 Study Session for further review, second by Pielstick, carried unanimously.

ORDINANCES:

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

- #8717 – Consideration of Creating Alley Improvement District #1242
- #8718 – Consideration of Creating Alley Improvement District #1243
- #8719 – Consideration of Establishing Assessments for Street Improvement District #1237, Wortman Drive
- #8720 – Consideration of Establishing Assessments for 2001 Weed Abatement Program
- #8722 – Consideration of Conveyance of Property Located at 1122 East 9th Street
- #8723 – Consideration of Conveyance of Property Located at 1119 East 9th Street
- #8724 – Consideration of Conveyance of Property Located at 1115 East 9th Street
- #8725 – Consideration of Vacation of Easement at Riverside Farm 3rd Subdivision
- #8726 – Consideration of Vacation of Easement at Meadowlark West 3rd Subdivision

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of 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 Seifert seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

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

City Clerk: Ordinances #8717, #8718, #8719, #8720, #8722, #8723, #8724, #8725 and #8726 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 #8717, #8718, #8719, #8720, #8722, #8723, #8724, #8725 and #8726 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 #8717, #8718, #8719, #8720, #8722, #8723, #8724, #8725 and #8726 are declared to be lawfully passed and adopted upon publication as required by law.

Ordinance #8721 – Consideration of Conveyance of Real Estate in Meadowlark West Third Subdivision and Part of the SE1/4 NE1/4 of Section 13-11-10 Hall County, Nebraska to Reconfigure Detention Cell was deferred to the March 12, 2002 City Council Meeting.

CONSENT AGENDA: Councilmember Larson requested item G-12 be removed from the consent agenda. Councilmember Seifert requested that item G-8 be removed from the consent agenda. Motion by Pielstick, second by Whitesides, carried unanimously to approve the Consent Agenda minus items G-8, G-12 and G-14.

Receipt of Official Document – Civil Service Minutes of January 22, 2002.

Receipt of Official Document – Tort Claim Filed by Wayne A. and Norma G. Devine.

Receipt of Official Document – Tort Claim Filed by Jack D. and Annette L. Stratman.

Receipt of Official Document – Tort Claim Filed by Victor L. Gosda.

Approving Minutes of February 12, 2002 City Council Regular Meeting. Councilmembers Larson and Ward abstained.

Approving Minutes of February 19, 2002 City Council Study Session. Councilmembers Larson and Ward abstained.

Approving Appointment of Luris Calero to the Public Library Board Effective March 1, 2002 and Expiring June 30, 2004.

Approving Request of Balz, Inc. dba Balz Sports Bar, 3421 West State Street, for Addition to Premise to Liquor License “C-39140”.

Approving Request of Dolphin Enterprise LLC dba Conoco 1 Stop, 2105 West 2nd Street for Change of Location to Liquor License "C-49918" from 2107 West 2nd Street to 2105 West 2nd Street.

#2002-53 – Approving Bid Award for Galvanized Chain Link Fence and Gates to Hurricane Fence Company, Grand Island, Nebraska in the Amount of \$128,604.25.

#2002-55 – Approving Bid Award for 15.5kV 2000 A. Outdoor Circuit Breakers to Wesco, Grand Island, Nebraska in the Amount of \$370,851.60.

#2002-57 – Approving Agreement with Grand Island Amateur Radio Society for Project Impact Funding.

#2002-58 – Approving Discontinuation of Sanitary Sewer District #504, Dale Roush Subdivision and Dale Roush 2bd Subdivision.

#2002-59 – Approving Extension to Contract for Gas Recovery at the Landfill for EPA Testing Requirements with HDR Engineering, Inc., Omaha, Nebraska in the Amount of \$19,500.00.

#2002-60 – Approving Contract for (2) SelfCheck Workstations with Epixtech, Inc., Provo, Utah in the Amount of \$34,571.00.

Approving Request of Richard and Pat Hartman for Conditional Use Permit for Gravel Pumping Facilities at 5075 South Locust Street. Motion was made by Murray, second by Ward to approve the Conditional Use Permit. Councilmember Seifert mentioned his concern about feedlot run off into the sand pit and ground water contamination. John Amick, Attorney, 410 Amick Acres, representing the Hartman's was present and stated that these issues would be covered at the planning commission hearings. Future development was discussed by the Council. Mr. Amick stated that future building around the sand pit would be along time in the future. Craig Lewis, Building Department Director, stated that future development would need to have zoning changes. Councilmember Hornady asked whether the large equipment required for a gravel pumping operation would damage Mr. Hartman's already fragile house. No comment was made by Mr. Amick. Upon roll call vote, all voted aye. Motion was adopted.

#2002-54 – Approving Bid Award for Water Main District #434T, #437, #438T and #439T and Sanitary Sewer District #499 to Starostka Group Company, Grand Island, Nebraska, in the Amount of \$1,197,212.71. Motion was made by Larson, second by Seifert to award this bid to Diamond Engineering instead of Starostka Group as recommended by staff. Councilmember Larson stated that there was only 2% difference in the bids and Diamond Engineering has a track record of completing jobs on time. Councilmember Whitesides questioned the bidding procedure. City Attorney Charlie Cuyper stated that both bidders were qualified. Staff recommended the lowest bidder and had followed procurement code. Councilmember Pielstick raised concerns about change orders that are sure to happen. Councilmember Walker asked whether there was a completion date for this project in the bids. Public Works Director Steve

Reihle stated that there was. Councilmember Hornady voiced concerns about not following staff recommendations an opening the City up to future problems.

David Plautz, 4063 Manchester Road, representing Diamond Engineering spoke about the bidding process and felt the re-bid was wrong and unfair. Councilmember Ward asked what liability the City would have if they awarded the contract to Diamond Engineering versus Starostka Group. Mr. Cuypers stated there would probably be no problem awarding the bid to the lowest bidder Starostka Group, but there might by problems if we awarded to the higher bider, Diamond Engineering. Dave Starostka, 429 Industrial Lane, representing Starostka Group stated his company is qualified to do this project and have done others in Grand Island.

Upon roll call vote to award the contract to Diamond Engineering, Councilmembers Seifert and Larson voted aye. Councilmembers Pielstick, Ward, Hornady, Whitesides, Haase, Murray, Walker and Sorensen, voted nay. Motion failed.

Motion was made by Pielstick to approve Resolution #2002-54 awarding the bid to Starostka Group, second by Whitesides. Upon roll call voted Councilmembers Pielstick, Ward, Hornady, Whitesides, Haase, Murray, Walker and Sorensen, voted aye. Councilmembers Seifert and Larson voted nay. Motion was adopted.

#2002-56 – Approving Reconfiguration of Detention Cell Including Acquisition of Real Estate and Approval of Exchange Agreement with the Robert M. Allen Family Limited Partnership. This item was deferred to the March 12, 2002 City Council Meeting.

PAYMENT OF CLAIMS:

Motion by Whitesides, second by Seifert, carried unanimously to approve the Claims for the period of February 13, 2002 through February 26, 2002, for a total amount of \$2,521,541.27.

EXECUTIVE SESSION: Motion by Hornady, second by Pielstick, carried unanimously to adjourn to executive session at 8:30 p.m. for the purpose of an update on the Hartman appeal.

RETURN TO REGULAR SESSION: Motion by Pielstick, second by Ward, carried unanimously to reconvene in regular session at 8:45 p.m.

#2002-61 – Consideration of Approving Security on Appeal. It was noted that Nebraska Revised Statute §25-1916 requires that during an appeal to the Nebraska Court of Appeals or Supreme Court, an appellant, such as the City of Grand Island, must file a bond or other security in an amount equal to the judgment and accrued interest to insure payment if the appeal is denied. In lieu of purchasing a commercial supersedeas bond, an agreement had been made with the attorney for Richard and Patricia Hartman to substitute a pledge of the funds available to pay the judgment. In order for the pledge to be executed by the Finance Director, the Mayor and City Council must approve the pledge and authorize the Finance Director to sign and file the document. A commercial supersedeas bond would require much the same approval on the part of the Mayor and City Council and would require payment of a premium in the amount of

approximately \$2,000.00. Motion by Whitesides, second by Hornady, carried unanimously to approve.

ADJOURNMENT: The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, March 12, 2002

Council Session

Item G3

Approving Minutes of March 4, 2002 City Council Retreat

The Minutes of the March 4, 2002 City Council Retreat are submitted for approval. See attached MINUTES.

Staff Contact: RaNae Edwards



OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION (RETREAT)

March 4, 2002

Pursuant to due call and notice thereof, a Study Session (Retreat) of the City Council of the City of Grand Island, Nebraska was conducted at Plum Street Station, 603 North Plum Street, on March 4, 2002. Notice of the meeting was given in the Grand Island Independent on February 26, 2002.

Mayor Ken Gnadt called the meeting to order at 4:00 p.m. The following members were present: Councilmembers Pielstick, Ward, Seifert, Larson, Hornady, Whitesides, Haase, Murray, Walker and Sorensen. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, Public Works Director Steve Riehle and Finance Director David Springer.

Pat Mader, President of the Hall County Historical Society welcomed the Mayor and City Council and gave an update about the depot.

OPENING COMMENTS:

Mayor Gnadt made a few statements about the State of the City address. Reviewed was the foresight of our city fathers and the progress that Grand Island has made over the years. The Mayor suggested 0% increases in departmental budgets and no new hires for the City.

SNAPSHOT REVIEW/PAST GOALS:

City Administrator Marlan Ferguson briefed the Council on the agenda for the night. Reviewed were the following 2000-2001 Council Goals:

1. Community Events Center
2. Softball Fields
3. Police Substation in Northwest Grand Island
4. Speed Slides at Island Oasis Water Park
- 5-6. New Technology Infrastructure
Recreation Vehicle Park
- 7-10. Expanding Hike and Bike Trails
Improving City Information Technology
Implement Greenspace Regulations
Affordable Housing

Other issues discussed at last years council retreat were reviewed.

FINANCIAL STATUS:

Finance Director David Springer presented an overview of the City's financial condition and stated that this was a preview to the upcoming budget. The general budget five-year capital and capital projects were reviewed. Also reviewed were the project list both currently in progress and those planned for the future.

SALES TAX STATUS:

Finance Director David Springer presented the Sales Tax Analysis for February 2002 and the tentative budget preparation schedule. Sales Tax was up approximately 7% from October 2001 to February 2002.

INFORMATION MANAGEMENT:

INTEGRATED SOFTWARE UPDATE:

Finance Director David Springer stated that a new integrated technician (IT) was hired and had started working within the last month. The first of the year the City went on-line with a new payroll and claims package. The Utilities package is being worked on as far as billing and databases. Remote locations were discussed in regards to connecting with the City's database.

WEBSITE:

Community Projects Director Cindy Johnson updated the Mayor and Council on the new website. Ms. Johnson stated that this would always be an evolving project. To keep information current and assessable to the customers, changes were inevitable.

PAPERLESS COUNCIL PACKETS:

Community Projects Director Cindy Johnson briefed the Mayor and Council on the paperless packet. The goal was to have the packet assessable through the internet. Ms. Johnson stated that the City Code would be on-line in the near future and the benefits that would bring.

ECONOMIC DEVELOPMENT REPORT:

City Administrator Marlan Ferguson reviewed the Grand Island Economic Development Projects.

ANNEXATION:

City Administrator Marlan Ferguson mentioned the annexation issues discussed at last years' council retreat. Reviewed were the possible urban areas that could be annexed and the reasons for that.

The following 15 sites were reviewed:

1. St. Paul Road from Capital Avenue to Airport Road
2. Airport
3. Fairacres located in the eastern part of Grand Island

4. East lakes located south of the Wood River, west of Gunbarrel Road and north of the Burlington Northern Railroad tracks
5. East Bismark Road located north of Bismark Road and east of Stuhr Road
- 6&7. Firethorne and Vanosdall Subdivisions located in the southern part of the City around Firethorne and Vanosdall Lake
8. South lakes located in the southeast part of the City
9. Scheel Subdivision located in the southern part of the City, north of Schimner Drive and west of the St. Joseph Railroad tracks
10. South of US Highway 281 located along Cougar Drive, Antelope Drive, Elk Drive, US Highway 281 and Wildwood Drive
11. Langenheder Street located in the southern part of the City along Langenheder Street, north of Husker Highway and west of US Highway 281
12. Schroeder and Fireside Subdivision located in the southwest part of the City along Schroeder Avenue, Graham Avenue, Springview Drive, Laura Avenue, Hillside Drive, Summer Circle, Grassridge Drive and Westview Drive
13. Stolley Park Road and Engleman Road located along Engleman Road, south of Stolley Park Road
14. Airport Road and North Road located north of the Burlington Northern Santa Fe Railroad tracks, west of North Road and south of Airport Road
15. North Webb Road located north of the existing city limits along Airport Road and south and west of North Road

City Attorney Charlie Cuypers briefed the Council regarding the process of annexation.

DEPARTMENT/PROJECT REPORTS:

City Administrator Marlan Ferguson gave an informative power point presentation regarding departmental projects.

LONG RANGE PLANNING:

Community Projects Director Cindy Johnson facilitated the discussion on the long range planning. The following items were brought forward by the Mayor and Council as goals the Council wanted to work on:

1. Off site study sessions
2. Communications with the Council and public
3. Odor Issues
4. Economic Development
5. Current Projects not finished
6. Annexation
7. Zoo Reuse Plan 1) Theme Playground & Train Rides 2) Arboretum 3) Pavilion 4) Ice Rink
8. Rehabilitation Home Grants – Community Wide
9. Replacement of Fire Station #1
10. Hike/Bike Trails – 1) Downtown 2) CHAAP Land
11. By Pass Connection in Eastern Part of Grand Island

12. Planning Infrastructure – sidewalks, sewer, drainage, water, electric, etc.
13. Traffic Controls for Highway 281
14. Community Policing – Proactive
15. Enforce Noise Ordinance
16. Director Accountability
17. Police Department working with Businesses to Deter Crime
18. Economic Development along South Locust to I-80
19. Heartland Event Center
20. GITV – 1) More Community Events 2) Update Equipment
21. Health Department Facility Needs
22. Communication/Notification regarding planning issues
23. Drainage
24. ½ Cent Sales Tax – Community Development
25. ½ Cent Sales Tax – Public Safety
26. Air Service
27. Affordable Housing
28. Neighborhood Associations
29. Softball Fields
30. Governmental Facilities Infrastructure
31. Parking Near City Hall (Ramp/Garage)
32. Plate Property
33. Qualified City/County Grant Writer
34. Program to Avoid Duplication – City/County Combine Services

DEVELOPMENT OF COUNCIL GOALS & OBJECTIVES:

City Administrator Marlan Ferguson reviewed facilitated the finalization of the goals.

It was the consensus of the Council that the goals and objectives and those project in progress from 2001-2002 would continue to be a priority. The following were listed as “givens”:

1. Affordable Housing
2. Hike/Bike Trails
3. Softball Fields
4. Parks
5. Heartland Events Center
6. CHAAP Cleanup
7. CHAAP Development
8. Old City Hall
9. Library Expansion - \$5 million
10. Replace Fire Station #1
11. Greenspace

The tabulated priorities by the Council were:

1. ½ Cent Sales Tax
2. Promote Heartland Events Center

3. Solve Odor Issues
4. Communication with Council/Public
5. Long Term Planning on Infrastructure
6. Health Department Building Needs
7. Community Policing
8. Development of Zoo Property

ADJOURNMENT: The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, March 12, 2002

Council Session

Item G4

Approving Request of Earl and Linda Hardy for Conditional Use Permit for Child Care Facility Located at 1721 South Arthur

This item relates to the aforementioned Public Hearing. Earl and Linda Hardy, 2918 Circle Drive, have submitted an application with the City Clerk's Office for a Conditional Use Permit for a Child Care Facility located at 1721 South Arthur. This request has been reviewed by the Building, Legal, Utilities, Planning and Public Works Departments. The zoning classification allows day-care facilities as a conditional use to provide for public input, give neighboring property owners an opportunity to express their concerns, and allows the Council to determine the suitability of the proposed location to be utilized as a day-care facility within the residential neighborhood. The intent was certainly to allow day-care operations within the residential zones, but I question if properties along collector or arterial streets might be more appropriate for this type of business use rather than a location which is entirely surrounded by single family dwellings that would not normally experience the additional traffic created by this type of use. If approved the Council may wish to impose the following restrictions; 1). Employee parking must be provided for on site. 2). Any signage for the facility shall be unlighted, limited to a maximum of 20 square feet, and attached to the building.

Staff Contact: Craig Lewis





City of Grand Island

Tuesday, March 12, 2002

Council Session

Item G5

#2002-56 - Approving Reconfiguration of Detention Cell Including Acquisition of Real Estate and Approval of Exchange Agreement

The Robert M. Allen Family Limited Partnership, the owner of Eagle Run, has requested that Detention Cell B-6A previously dedicated to the City of Grand Island be reconfigured as shown on the attached drawing in order to accommodate future commercial development of Meadowlark West Fourth Subdivision. The public hearing required as part of this transaction was held during the last City Council meeting. The Public Works Department has reviewed and approved the reconfiguration. There are two actions before the Council in connection with this matter, including (a) an ordinance approving acquisition of the reconfigured cell as Outlot "A", and (b) approving an exchange agreement swapping the existing detention cell B-6A tract for Outlot "A". Other than the cost of preparation of documents for presentation to the City Council and the publication of a notice of public hearing, the City of Grand Island is incurring no other expenses in connection with the exchange transaction. We recommend that the ordinance and resolution be approved as drafted.

Staff Contact: Charlie Cuypers



AGREEMENT FOR EXCHANGE OF REAL ESTATE

THIS AGREEMENT is made and entered into on this _____ day of _____, 2002, by and between the CITY OF GRAND ISLAND, NEBRASKA, A Municipal Corporation, hereinafter referred to as "City" and ROBERT M. ALLEN FAMILY LIMITED PARTNERSHIP, hereinafter referred to "Developer".

1. **STATEMENT OF PURPOSE.** The purpose of this Agreement for Exchange of Real Estate (Exchange Agreement) is to exchange the tracts of real estate known as Detention Cell B-6A now owned by the City, hereinafter more particularly described as Tract 1, for the tract of real estate to be utilized as a reconfigured detention cell shown as Outlot "A" on the drawing attached hereto as Exhibit 1 and made a part hereof by reference; Outlot "A" being more particularly described herein as Tract 2.

2. **REAL ESTATE TO BE CONVEYED.** For purposes of this transaction, Detention Cell B-6A (Tract 1) shall be considered as conveyed to the Developer in exchange for the Developer conveying to the City Outlot "A" (Tract 2) as an even exchange with no net consideration paid by either party to the other. The City and the Developer shall each bear their own expenses, including obtaining at their sole discretion current commitments for owners' policies of title insurance for Tracts 1 or 2. In the event either party elects to obtain an owner's policy of title insurance, the commitment shall be issued not more than ten (10) days following execution of this exchange agreement and a copy provided forthwith to the other party. The grantee shall have a period of not more than twenty (20) days thereafter to examine the commitment to ascertain whether there is any defect or condition affecting the title to the insured real estate. In the event there is such a objectionable defect or condition, the grantor shall have a reasonable period of time, not to exceed forty-five (45) days, within which to cure such defect or condition and provide notice of the same to the grantee or at the grantor's option, to provide the grantee written notice of said party's election to cancel this exchange agreement.

3. **CLOSING AND POSSESSION.** The closing of the conveyances of Tracts 1 and 2 shall occur at the earliest opportunity following compliance with the terms and conditions of this exchange agreement, the statutes of the State of Nebraska and the ordinances of the City of Grand Island, whereupon the respective parties may take possession of Tracts 1 and 2 as

grantees. The conveyances of Tracts 1 and 2 by the respective parties shall be by warranty deed, without reservation or exceptions except those of record.

4. WARRANTIES OF PARTIES. The City and Developers warrant the following to each other as grantors respectively for Tracts 1 and 2:

- a. Each grantor shall have and be able to convey to the grantee at closing marketable fee simple title to their respective tract, free and clear of all liens, claims and encumbrances.
- b. There shall be no pending legal proceedings or actions of any kind whatsoever, or judgments or claims of any nature whatsoever pending against the grantor of their respective tract.
- c. There shall be no uncured violations of any federal, state, local laws, ordinances or regulations on the respective tracts.
- d. The respective tracts shall be in substantially the same physical condition as each is on the date of execution of this exchange agreement.
- e. There shall be no unpaid bills, charges, costs or expenses of any kind which create or permit the filing of a statutory lien of any kind against the respective tracts.

5. TAXES. Detention B-6A is not subject to real estate taxes while owned by the City. The Developers shall pay all real estate taxes which accrue as to Outlot A as of the date closing.

6. NOTICES. All notices envisioned under the terms and conditions of this exchange agreement shall be sent to the other party by first class United States mail, postage prepaid and addressed as follows:

City of Grand Island
Attn: Mayor
P.O. Box 1968
Grand Island, NE 68802-1968

Robert M. Allen Family Limited Partnership
1115 West Second Street
P.O. Box 987
Hastings, NE 68902-0987

7. CHOICE OF LAW. This exchange agreement shall be construed in accordance with the laws of the State of Nebraska and the United States of America.

8. ENTIRE AGREEMENT. This exchange agreement shall constitute the entire agreement between the City and the Developers, notwithstanding any written or oral agreements to the contrary. This exchange agreement may be amended only in writing, duly reviewed, approved and executed by the respective parties.

9. BINDING EFFECT. The terms and conditions contained herein shall extend to and be obligatory on the successors, assigns, heirs and legal representatives of the parties hereto.

Attest: CITY OF GRAND ISLAND, NEBRASKA,
A Municipal Corporation,

RaNae Edwards, City Clerk

By: _____
Ken Gnadt, Mayor

ROBERT M. ALLEN FAMILY LIMITED
PARTNERSHIP,

By: _____
Robert M. Allen, General Partner

STATE OF NEBRASKA)
) ss:
COUNTY OF HALL)

The foregoing instrument was acknowledged before me this ____ day of _____, 2002, by Robert M. Allen, general partner, on behalf of the Robert M. Allen Family Limited Partnership.

Notary Public

Old Detention Cell Property Description

A tract of land known as Detention Cell B-6A located in the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Thirteen (13), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska, more particularly described as follows is hereby authorized and directed:

To ascertain the actual point of beginning, commence at the southeast corner of said Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4); thence running north on the east line of said Section Thirteen (13) for a distance of Seven Hundred (700.0) feet; thence deflecting left ninety degrees and no minutes (90°00') and running west on a line for a distance of Two Hundred Seventy (270.0) feet to the actual point of beginning; thence continuing west on said line for a distance of Two Hundred Thirty (230.0) feet; thence deflecting right ninety degrees and no minutes (90°00') and running north on a line for a distance of Two Hundred Seventy (270.0) feet; thence deflecting right ninety degrees and no minutes (90°00') and running east on a line for a distance of Two Hundred Thirty (230.0) feet; thence deflecting right ninety degrees and no minutes (90°00') and running south on a line for a distance of Two Hundred Seventy (270.0) feet to the actual point of beginning; said tract of land containing 62,100 square feet, or 1.4 acres, more or less, identified as Cell B-6A as shown on Exhibit "B" dated 2-6-74, attached hereto and incorporated herein by reference. The description herein is set out in a Warranty Deed dated July 23, 1974 and recorded on July 31, 1974 in Miscellaneous Records Book 175, Page 526 in the Office of the Register of Deeds, Hall County, Nebraska.

New Detention Cell Property Description

A tract of land located in the City of Grand Island Detention Cell B-6A and part of Lot Six (6), Meadowlark West Third Subdivision in the City of Grand Island, Hall County, Nebraska, all in the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Thirteen (13), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., Hall County, Nebraska, and more particularly described as follows:

Commencing at the southeast corner of Lot 7, Meadowlark West Third Subdivision; thence on an assumed bearing of S90°00'00"W along the south line of said Lot 7, a distance of 216.07 feet to a point being the southeast corner of said Detention Cell B-6A, said point also being the point of beginning; thence N89°52'44"W a distance of 336.73 feet; thence N00°07'16"E a distance of 190.13 feet; thence S89°51'18"E a distance of 336.73 feet; thence S00°07'16"W a distance of 189.99 feet to the point of beginning. Said tract contains 63999.42 square feet or 1.47 acres more or less, as shown on the drawing dated February 18, 2002, attached hereto as Exhibit "A" and incorporated herein by reference.

RESOLUTION 2002-56

WHEREAS, Robert M. Allen Family Limited Partnership has expressed an interest in reconfiguring the detention cell known as the City of Grand Island Detention Cell B-6A in order to accommodate future development in and around Meadowlark West Third Subdivision in the City of Grand Island, Hall County, Nebraska; and

WHEREAS, such property owner has recommended exchanging property with the City of Grand Island in order to reconfigure such detention cell; and

WHEREAS, a public hearing was held on February 26, 2006 for the purpose of discussing the proposed acquisition of property located in the City of Grand Island Detention Cell B-6A and part of Lot Six (6), Meadowlark West Third Subdivision in the City of Grand Island, Hall County, Nebraska, all in the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Thirteen (13), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., Hall County, Nebraska, and more particularly described as follows:

Commencing at the southeast corner of Lot 7, Meadowlark West Third Subdivision; thence on an assumed bearing of S90°00'00"W along the south line of said Lot 7, a distance of 216.07 feet to a point being the southeast corner of said Detention Cell B-6A, said point also being the point of beginning; thence N89°52'44"W a distance of 336.73 feet; thence N00°07'16"E a distance of 190.13 feet; thence S89°51'18"E a distance of 336.73 feet; thence S00°07'16"W a distance of 189.99 feet to the point of beginning. Said tract contains 63999.42 square feet or 1.47 acres more or less, as shown on the drawing dated February 18, 2002, attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, an Exchange Agreement has been prepared by the City Attorney's office for such property exchange.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island is hereby authorized to acquire approximately 1.47 acres of property from Robert M. Allen Family Limited Partnership, for use in reconfiguring the existing detention cell adjacent to Lot Six (6) Meadowlark West Third Subdivision as set out in the Exchange Agreement.

BE IT FURTHER RESOLVED, that the Exchange Agreement for such conveyance of property is hereby approved; and the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on March 12, 2002.

Approved as to Form ? _____ March 7, 2002 ? City Attorney

RaNae Edwards, City Clerk

Approved as to Form ? _____
March 7, 2002 ? City Attorney



City of Grand Island

Tuesday, March 12, 2002

Council Session

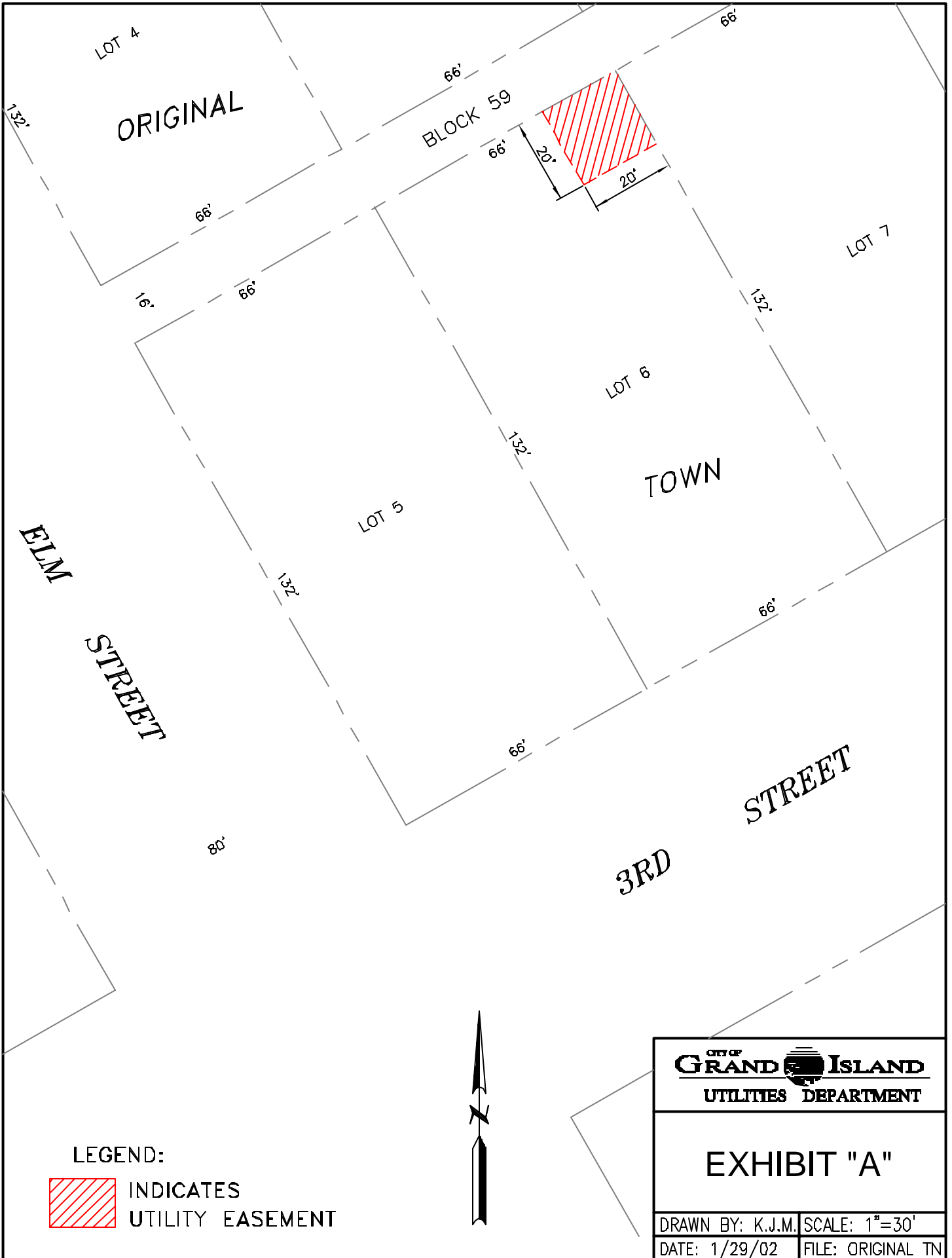
Item G6

#2002-62 - Approving Acquisition of Utility Easement - Myrtle Grimminger

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of Myrtle B. Grimminger, located in the rear alley located behind 516 West 3rd Street, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

This easement will be used to locate a pad mounted transformer to serve the entire block. This is integral to the Downtown Underground Project to eliminate overhead power lines. The payment of \$1,000.00 for this easement is the same as the other downtown locations. See attached RESOLUTION.

Staff Contact: Gary Mader



RESOLUTION 2002-62

WHEREAS, a public utility easement is required by the City of Grand Island, from Myrtle Grimminger, a widow, to install, upgrade, maintain, and repair power appurtenances, including lines and transformers; and

WHEREAS, a public hearing was held on March 12, 8, 2002, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Six (6), Block Fifty Nine (59), Original Town, now the city of Grand Island, Hall County, Nebraska, the utility easement and right-of-way being more particularly described as follows:

The northerly Twenty (20.0) feet of the easterly Twenty (20.0) feet of Lot Six (6), Block Fifty Nine (59) Original Town, now the City of Grand Island, Hall County, Nebraska.

The above-described easement and right-of-way containing a total of 400 square feet, more or less as shown on the plat dated January 29, 2002, 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 Myrtle Grimminger, a widow, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 12, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____ March 7, 2002 ? City Attorney
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City of Grand Island

Tuesday, March 12, 2002

Council Session

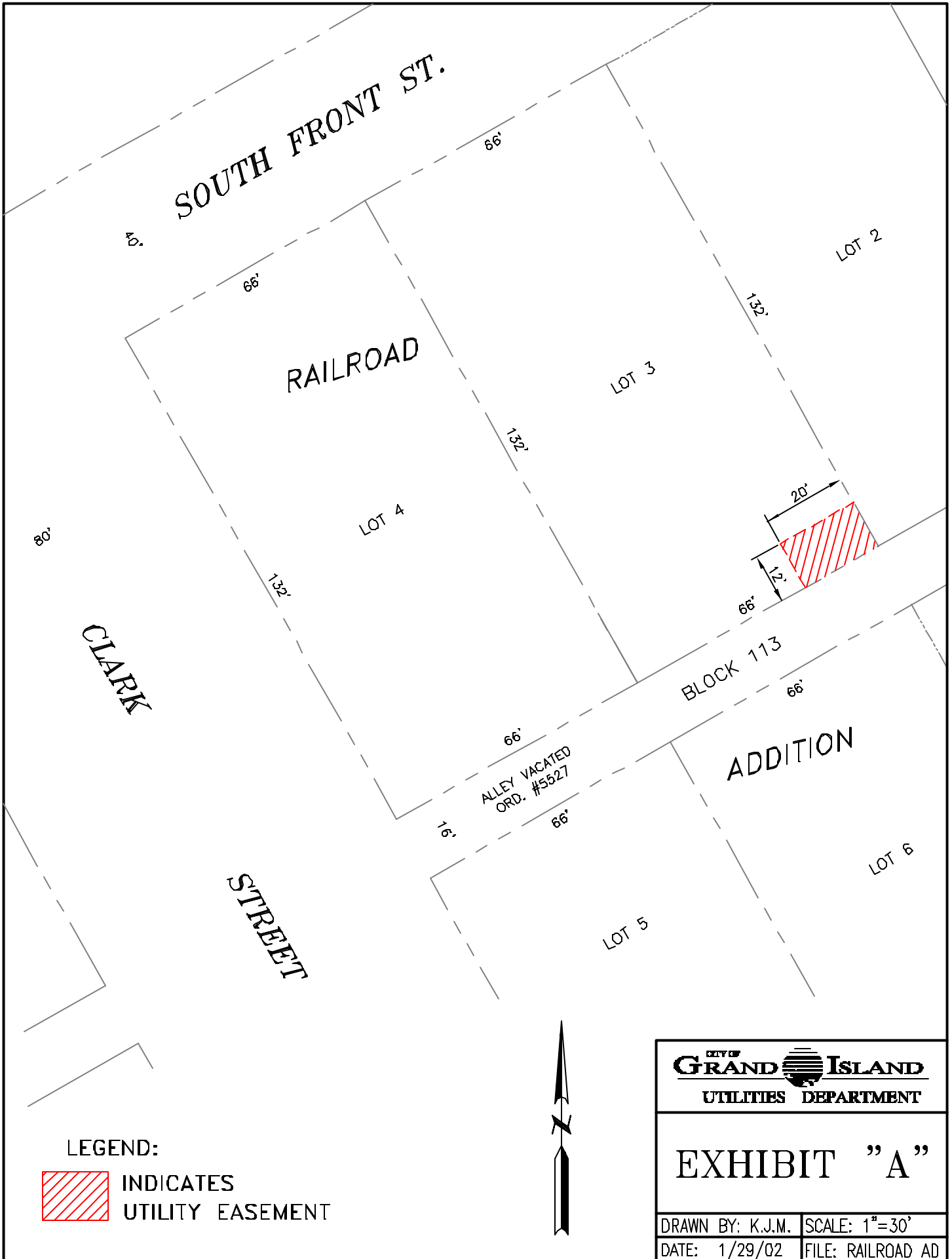
Item G7

#2002-63 - Approving Acquisition of Utility Easement - Salvation Army

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of the Salvation Army, located behind the Salvation Army Building located at 810 West 3rd Street, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

This easement will be used to locate a pad mounted transformer to serve the entire block. This is integral to the Downtown Underground Project to eliminate overhead power lines. The payment of \$1,000.00 for this easement is the same as the other downtown locations.

Staff Contact: Gary Mader



SOUTH FRONT ST.

RAILROAD

CLARK STREET

STREET

LOT 2

LOT 3

LOT 4

BLOCK 113

ADDITION

LOT 5

LOT 6

ALLEY VACATED
ORD. #5527

LEGEND:

 INDICATES
UTILITY EASEMENT



<small>CITY OF</small> GRAND ISLAND UTILITIES DEPARTMENT	
<h1>EXHIBIT "A"</h1>	
DRAWN BY: K.J.M.	SCALE: 1"=30'
DATE: 1/29/02	FILE: RAILROAD AD

RESOLUTION 2002-63

WHEREAS, a public utility easement is required by the City of Grand Island, from The Salvation Army, an Illinois corporation, to install, upgrade, maintain, and repair power appurtenances, including lines and transformers; and

WHEREAS, a public hearing was held on March 12, 8, 2002, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Three (3), Block One Hundred Thirteen (113), Railroad Addition to the city of Grand Island, Hall County, Nebraska, the utility easement and right-of-way being more particularly described as follows:

The southerly Twelve (12.0) feet of the easterly Twenty (20.0) feet of Lot Three (3), Block One Hundred Thirteen (113) Railroad Addition to the City of Grand Island, Hall County, Nebraska.

The above-described easement and right-of-way containing a total of 240 square feet, more or less as shown on the plat dated January 29, 2002, 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 The Salvation Army, an Illinois corporation, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 12, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____ March 7, 2002 ? City Attorney
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City of Grand Island

Tuesday, March 12, 2002

Council Session

Item G8

#2002-64 - Approving Bid Award - Turbine Generator Control Engineering Services - Platte Generating Station

The control and protective systems associated with the PGS turbine generator are of late 70's design. That equipment is obsolete and no longer supported by the manufacturers. The Utilities Department proposes to replace these critical systems during the scheduled 2002 Fall outage. Funds are budgeted in the '01 - '02 electric budget for this project. Three main systems are included; turbine electro-hydraulic control, generator voltage control, and generator protective relaying.

In addition to the system replacements, the RFP also required the engineer to provide generator transient modeling for the PGS generator. With deregulation, the problems in California, and the general uneasiness concerning the stability and strength of the nation's electric system, FERC and MAPP are requiring this modeling of all electric generators.

Requests for Proposal (RFP) were advertised in accordance with the City Procurement Code and RFPs were sent to four firms. Three responses were received. The RFP required the bidders to respond with a not to exceed price for the engineering work.

Lutz, Daily & Brai Kansas City, KS \$147,700

Black & Veatch Kansas City, MO \$260,000

Sargent & Lund Chicago, IL \$295,000%

%Did not provide price for transient modeling

The proposals were reviewed and scored separately by three utilities engineering staff members with expertise in this scope of work; the Assistant Utilities Director, the Production Engineer and PGS Superintendent.

The not to exceed cost proposed by LD&B of \$147,700 was considerably less than those proposed by B&V. However, review of the proposal breakdown and the subsequent conference calls indicated that LD&B was minimizing consulting engineering costs by relying on design and drawing preparation by the replacement equipment suppliers or contractors. Black & Veatch and Sargent and Lundy are proposing total system engineering and document preparation. The Department has traditionally used the total engineering approach as it allows a better controlled product, provides detailed specifications for bidding equipment and contractor services, and provides for more efficient installation and



operational trouble shooting. In the method proposed by LD&B, the apparent engineering saving is offset by increased contractor engineering, drawing preparation, and installation costs. Overall project cost would be expected to remain approximately the same. In addition, control and coordination of the finished product is reduced. This method is not recommended for this critical project.

After evaluation of the proposals, it is the recommendation of the Utilities Department that this contract for engineering services be awarded to Black and Veatch for an amount not to exceed \$260,000, with the expenditure from Electric Fund 520. There are sufficient funds available. See attached RESOLUTION.

Staff Contact: Gary R. Mader;Dale Shotkoski

RESOLUTION 2002-64

WHEREAS, the City of Grand Island invited proposals for PGS Unit 1 Turbine/Generator Engineering Services for the Utilities Department, according to plans and Request for Proposals on file at the Platte Generating Station; and

WHEREAS, proposals were due on February 26, 2002; and

WHEREAS, Black & Veatch of Kansas City, Missouri, submitted a proposal in accordance with the terms of the Request for Proposals and all other statutory requirements contained therein; such proposal being in an amount not to exceed \$260,000; and

WHEREAS, a proposed agreement with Black & Veatch for such services has been reviewed and approved by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of Black & Veatch of Kansas City, Missouri for PGS Unit 1 turbine/generator engineering services for an amount not to exceed \$260,000 is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on March 12, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____ March 8, 2002 ? City Attorney
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City of Grand Island

Tuesday, March 12, 2002

Council Session

Item G9

#2002-65 - Approving Amendment to Community Development Rehabilitation Program Guidelines

The Community Projects Department facilitates a Rehabilitation Deferred Loan Program to assist with rehabilitation of owner occupied housing. Funding for the Program has historically been obtained through grants from the Nebraska Department of Economic Development, Community Development Block Grant Program. City guidelines for the Rehabilitation Deferred Loan Program have been established and are updated as needed to reflect changing community conditions. The Community Development Advisory Board, at the January meeting, has recommended a modification to the Program Guidelines to increase the amount of the maximum deferred payment loan from \$15,000 per home to \$20,000, with an additional \$5,000 available in the event that needed critical repairs exceed the standard amount. The rehabilitation deferred loan is secured by a mortgage on the property which is due at the time the property is sold or transferred to a new owner. There is no demand for payment until this occurs. No interest is charged during the life of the deferred payment loan. Other minor modifications of a housekeeping and formatting nature were also recommended. Approval of amending the Rehabilitation Program Guidelines is recommended.

Staff Contact:

RESOLUTION 2002-65

WHEREAS, the City of Grand Island, through the Community Projects Department, facilitates a Rehabilitation Deferred Loan Program to assist with rehabilitation of owner-occupied housing; and

WHEREAS, the current guidelines for the Rehabilitation Deferred Loan Program outlines that no more than \$15,000 can be used for a deferred loan to repair or rehabilitate such property to "Minimum Property Standards" in conformance with guidelines established by the Community Development Division; and

WHEREAS, funding for the program is available through grants from the Nebraska Department of Economic Development, Community Development Block Grant Program; and

WHEREAS, it is proposed that the guidelines be changed to increase the maximum deferred payment loan amount from \$15,000 to \$20,000, with an additional \$5,000 available in the event that needed critical repairs exceed the standard amount.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the guidelines for the Rehabilitation Deferred Loan Program be amended to increase the maximum deferred payment loan amount from \$15,000 to \$20,000, with an additional \$5,000 available in the event that needed critical repairs exceed the standard amount.

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Adopted by the City Council of the City of Grand Island, Nebraska on March 26, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____ March 8, 2002 ? City Attorney
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City of Grand Island

Tuesday, March 12, 2002

Council Session

Item G10

#2002-66 - Approving Application to Department of Economic Development for Community Development Block Grant Funds for Housing Rehabilitation Efforts.

The Nebraska Department of Economic Development accepts applications through the Community Development Block Grant program for grant funding for acquisition, rehabilitation, construction and production of affordable housing to increase the supply of decent, safe and sanitary housing for low-to-moderate income Nebraskans and to promote and advance the goals of the 2000-2005 Nebraska Consolidated Plan for Housing and Community Development. The results of the recently completed housing study indicate a significant need for rehabilitation of existing housing in the Community Development Project Area, generally described as northeast Grand Island. The Community Projects Department has prepared an application to the Nebraska Department of Economic Development seeking \$250,000 in grant funding to assist with the renovation of up to 10 homes. No community match is required. Approval is recommended.

Staff Contact:



RESOLUTION 2002-66

WHEREAS, the City of Grand Island, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as amended, for Small Cities Community Development Block Grant Program, and Cranston-Gonzalez National Affordable Housing Act of 1990 (HOME Program) funds distributed by the Department of Economic Development through the Affordable Housing Program; and

WHEREAS, the City of Grand Island has identified the northeast area of the city as having facilities and infrastructure in need of redevelopment; and

WHEREAS, a Housing Needs Assessment was completed identifying the need for rehabilitation of existing homes in such area; and

WHEREAS, it is recommended that a grant application be filed to seek grant funding from the Nebraska Department of Economic Development, Community Development Block Grant program to assist in the redevelopment efforts; and

WHEREAS, a public hearing was held on March 12, 2002 with respect to the proposed application to request \$250,000 for owner-occupied housing rehabilitation and received favorable public comment.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to proceed with the formulation of any and all documents, contract or other memoranda between the City of Grand Island and the Nebraska Department of Economic Development so as to effect application for and acceptance of the grant application requesting \$250,000 for owner-occupied housing rehabilitation.

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Adopted by the City Council of the City of Grand Island, Nebraska on March 12, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____ March 7, 2002 ? City Attorney
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City of Grand Island

Tuesday, March 12, 2002

Council Session

Item G11

#2002-67 - Approving Lease Agreement with the State of Nebraska for Storage Space at the Army Ammunition Plant

The City of Grand Island has continued several building leases originally made by the U.S. Army Corps of Engineers on the 420 acre CHAAP tract acquired by the City for a multi-purpose recreational facility. The principal change made to the building leases by the City was to increase the amount of rentals. The Nebraska State Patrol has requested an extension of one year for their lease of a building and a small storage yard. The original lease approved by the City last year authorized this sort of extension, subject to approval by the City. We recommend the one year extension of the building lease with the Nebraska State Patrol at the same \$500.00/year rate.

Staff Contact: Charlie Cuypers

RESOLUTION 2002-67

WHEREAS, the City of Grand Island is the owner of an approximately 420 acre tract of land at the former Cornhusker Army Ammunition Plant, which has several buildings which were leased by the US Army Corp of Engineers during their ownership of the property; and

WHEREAS, on May 22, 2001, by Resolution 2001-132, a lease was approved for the Nebraska State Patrol to continue to utilize storage space in accordance with a Lease Agreement between the City and the Nebraska Department of Administrative Services; and

WHEREAS, the Nebraska Department of Administrative Services has requested that the lease be continued for at least one additional year pending development of the property.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that a one-year extension of the Building Lease by and between the City and the Nebraska Department of Administrative Services to lease storage area at the former Cornhusker Army Ammunition Plant at a rate of \$500 per year is hereby approved.

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Adopted by the City Council of the City of Grand Island, Nebraska on March 12, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____ March 7, 2002 ? City Attorney
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City of Grand Island

Tuesday, March 12, 2002

Council Session

Item G12

#2002-68 - Approving Final Plat and Subdivision Agreement for Riverside Farm 4th Subdivision

Clark Gauthier, owners, have submitted the final plat for Riverside Farm 4th Subdivision, located North of Highway 34, and West of Blaine Street, in the City of Grand Island. This plat proposes to replat lot 1 Riverside Farm Third Subdivision into 5 new lots. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of March 6, 2002, unanimously voted to recommend approval. See attached RESOLUTION.

Staff Contact: Chad Nabity



RESOLUTION 2002-68

WHEREAS, Clark A. Gauthier and Stephanie R. Gauthier, husband and wife, as owners, have caused to be laid out into lots, a tract of land comprising all of Lot One (1), Riverside Farm Third Subdivision, in the City of Grand Island in Hall County, Nebraska, under the name of RIVERSIDE FARM FOURTH SUBDIVISION, and have caused a plat thereof to be acknowledged by them; and

WHEREAS, such subdivision was approved by the Regional Planning Commission on March 6, 2002; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Board of Education of School District No. 2 in Grand Island, Hall County, Nebraska, as required by Section 19-923, R.R.S. 1943; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the form of subdivision agreement hereinbefore described is hereby approved, and the Mayor is hereby authorized to execute such agreement on behalf of the City of Grand Island.

BE IT FURTHER RESOLVED that the final plat of RIVERSIDE FARM FOURTH SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

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Adopted by the City Council of the City of Grand Island, Nebraska on March 12, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____
March 7, 2002 ? City Attorney



City of Grand Island

Tuesday, March 12, 2002

Council Session

Item G13

#2002-69 - Approving Funding of Economic Development Requests (NWPS Funds)

On September 26, 2000, the City Council approved Resolution 2000-291 establishing an Economic Development Policy for the annual contribution, currently \$86,000 per year, of Northwestern Public Service. A request has been received for funding in the amount of \$73,310.00 from the Grand Island Area Economic Development Corporation to assist with the purchase of 127 acres of land to expand the Platte Valley Industrial Park. This request was one which was specifically considered in connection with drafting and approving the policy; accordingly the local committee charged with reviewing funding requests, has recommended approval because the park expansion furthers the purposes of the contribution. The administration concurs in the recommendation.

Staff Contact: Charlie Cuypers

RESOLUTION 2002-69

WHEREAS, Northwestern Public Service (NWPS) makes an annual contribution for economic development purposes to the City of Grand Island in the amount of \$86,000; and

WHEREAS, on September 26, 2000, the Mayor and City Council approved Resolution 2000-291 establishing an economic development policy for receiving, considering and making recommendations regarding requests for disbursement of said funds; and

WHEREAS, the office of the City Administrator has received a recommendation for funding from the local economic development committee for \$73,310 to the Grand Island Area Economic Development Corporation to assist with the purchase of 127 acres of land to expand the Platte Valley Industrial Park; and

WHEREAS, said request is consistent with the intent of NWPS in making its annual economic development contribution, and the policy established by the Mayor and City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the request of the Grand Island Area Economic Development Corporation for \$73,310 to assist with the purchase of 127 acres of land to expand the Platte Valley Industrial Park is hereby approved.

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Adopted by the City Council of the City of Grand Island, Nebraska on March 12, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____ March 7, 2002 ? City Attorney
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City of Grand Island

Tuesday, March 12, 2002

Council Session

Item H1

Consideration of Request by Petition for Water Main District at Roberta Avenue Between Barbara Avenue and Del Mar Avenue and Refer to Utilities Department to Begin Design

A petition has been received by the City Clerk's Office for a Water Main District in Roberta Avenue between Barbara Avenue and Del Mar Avenue in the Kay-Dee Addition to the City of Grand Island. It has been requested that this be referred to the Utilities Department to begin design for the Water Main District. A MOTION is in order.

Staff Contact: Gary Mader





City of Grand Island

Tuesday, March 12, 2002

Council Session

Item J1

Payment of Claims for the Period of February 27, 2002 through March 12, 2002

The Claims for the period of February 27, 2002 through March 12, 2002 for a total amount of \$2,251,969.12. A MOTION is in order.

Staff Contact: RaNae Edwards

