

Tuesday, April 09, 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 - Councilmember Jackie Pielstick

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.



Tuesday, April 09, 2002 Council Session

Item C1

It's About Kids! Presentations by Lindsey Shoemaker, Mollie Seim and Abby Robbins

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

Staff Contact: RaNae Edwards



Tuesday, April 09, 2002 Council Session

Item C2

Proclamation "April is for the Arts" Month 2002

Whereas, the Arts and Humanities contribute to the betterment of our community and the enrichment of our daily lives, the City along with the Moonshell Arts & Humanities Council has designated April as the month to celebrate the Arts & Humanities in Grand Island and recognize those that teach, support, participate or simply appreciate the Arts and Humanities in Grand Island. The Mayor has proclaimed "April is for the Arts" month, 2002. See attached PROCLAMATION.

Staff Contact: RaNae Edwards





THE OFFICE OF THE MAYOR

City of Grand Island State of Nebraska

PROCLAMATION

WHEREAS, the Arts and Humanities contribute to the betterment of our

community and the enrichment of our daily lives; and

WHEREAS, Moonshell Arts and Humanities Council designates April as the

month to celebrate the Arts and Humanities in Grand Island; and

WHEREAS, the mission of Moonshell Arts and Humanities Council is to

foster excellence in the arts and humanities in Nebraska's heartland through collaboration and coordination with allied

organizations; and

WHEREAS, the vision of Moonshell Arts and Humanities Council is to play

a strategic role in the development, enhancement and promotion of the arts and humanities in the tri-city region of Central

Nebraska; and

WHEREAS, April is the month to also recognize those that teach, support,

participate or simply appreciate the Arts and Humanities in

Grand Island; and

WHEREAS, "April is for the Arts" celebrates music, art, dance, literature,

theater, history and more.

NOW, THEREFORE, I, Ken Gnadt, Mayor of Grand Island, Nebraska, do hereby proclaim the month of April, 2002 as

"APRIL IS FOR THE ARTS"

in the City of Grand Island, and I urge all citizens to join in the celebration.

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

Mayor of Grand Island, Nebraska

Attest:

RaNae Edwards, City Clerk







Tuesday, April 09, 2002 Council Session

Item C3

Proclamation "Public Health Month" April 2002

Whereas, Nebraskans are living longer due to the public health efforts by identifying and addressing patterns of disease, illness, injury and by controlling the spread of disease, maintaining safe food and drinking water, and providing maternal and child health services, the Mayor has proclaimed the month of April, 2002 as "Public Health Month". See attached PROCLAMATION.

Staff Contact: RaNae Edwards





THE OFFICE OF THE MAYOR

City of Grand Island State of Nebraska

PROCLAMATION

WHEREAS, Nebraskans have achieved almost 30 additional years of life

expectancy since 1900; and

WHEREAS, public health efforts are credited with the majority of

improvements in our health status and expanded life expectance;

and

WHEREAS, public health succeeds by identifying and addressing patterns of

disease, illness and injury in populations; and

WHEREAS, public health is about ensuring healthy living and working

environments; and

WHEREAS, public health measures such as controlling the spread of disease,

maintaining safe food and drinking water, and providing maternal and child health services, have prevented countless

deaths and improved our quality of life; and

WHEREAS, public health efforts lead the way to building a comprehensive

bioterrorism prevention program; and

WHEREAS, public health services benefit all citizens, regardless of age,

culture or race; and

WHEREAS, public health services result in healthy Nebraskans in healthy

communities: and

WHEREAS, it is important that we do not take public health for granted and

that we recognize the need to maintain and improve our current

public health efforts.

NOW, THEREFORE, I, Ken Gnadt, Mayor of Grand Island, Nebraska, do hereby

proclaim the month of April, 2002 as

PUBLIC HEALTH MONTH

in the City of Grand Island, and I urge all citizens to observe the month with appropriate programs and activities.









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

	Mayor of Grand Island, Nebraska	
Attest:	RaNae Edwards, City Clerk	







Tuesday, April 09, 2002 Council Session

Item C4

Proclamation "Taiwan Heritage Week" May 5-11, 2002

Throughout our nation's history, Americans have drawn strength, hope, and inspiration from their ethnic heritage. Our ancestors came from every corner of the world, brining the myriad cultures, experiences, and beliefs that shape our nation today. Inasmuch as the people and culture of Taiwan have made invaluable contributions to every sector of our society, the Mayor has proclaimed May 5-11, 2002 as "Taiwan Heritage Week". See attached PROCLAMATION.

Staff Contact: RaNae Edwards

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

PROCLAMATION

WHEREAS,	America has been continually renewed and enriched by the many different people who choose to come here and become our fellow citizens. Each brings a part of his or ler own heritage, which over time becomes part of our common heritage, and			
WHEREAS,	we seek to become a more united people, we must not forget our roots, for they remind us of who we are and of what we have to share with others; and			
WHEREAS,	Americans of Taiwan descent can be proud of their roots and of their vital role in the continued growth of our nation; and			
WHEREAS,	from business to the arts, from government to academia, they have strengthened our nation and enriched our cultural heritage; and			
WHEREAS,	this observance offers us an opportunity to learn more about the outstanding contributions that men and women from Taiwan have made to our nation and the world.			
NOW, THEREFORE, I, Ken Gnadt, Mayor of Grand Island, Nebraska, do hereby proclaim the week of May 5-11, 2002 as				
Taiwan Heritage Week				
	in the City of Grand Island, Nebraska, and during this special week, let us all remember to cherish the diversity that is American's greatest strength and to celebrate the spirit of community that binds us together as a nation. IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Grand Island to be affixed this 9th day of April in the year of our Lord Two Thousand and Two.			
	Mayor of Grand Island, Nebraska			
	Attest:			
	RaNae Edwards, City Clerk			



Tuesday, April 09, 2002 Council Session

Item C5

Proclamation "National Library Week" April 14-20, 2002

National Library Week will be observed April 14-20, 2002. The theme for 2002 is: @ your library.

First sponsored in 1958, National Library Week is a national observance sponsored by the American Library Association (ALA) and libraries across the country each April. It is a time to celebrate the contributions of our nation's libraries and librarians and to promote library use and support. All types of libraries - school, public, academic and special - participate. See attached PROCLAMATION.

Staff Contact: STEVE FOSSELMAN





THE OFFICE OF THE MAYOR

City of Grand Island State of Nebraska

PROCLAMATION

WHEREAS, our nation's libraries and librarians play a vital role in connecting

millions of people with the resources they need to live, learn, work,

govern and thrive in the 21st Century; and

WHEREAS, Americans use libraries to find jobs, to learn to read, to be literate

online, to find vital health facts, to research their environment and

diets - and to find food for our souls; and

WHEREAS, free people need free libraries, and America's libraries are the

cornerstones of our democracy; and

WHEREAS, librarians are the guardians of free access to information and

resources. Libraries are for everyone, everywhere; and

WHEREAS, every library - whether public, school, academic or special - has

something unique to offer that ties its community to the very

concept of a free people in a free land; and

WHEREAS, a library is just as important a part of a community's infrastructure

as any road, bridge, public building or utility; and

WHEREAS, libraries are places of opportunity, education and self-help.

Libraries are part of the American dream; and

WHEREAS, libraries bring you the world. Nowhere else can you have access to

nearly anything on the Web or in print as well as personal service

and assistance in finding it; and

WHEREAS, in times of economic instability, Americans turn to - and depend on

- their libraries and librarians; and

WHEREAS, awareness and support must be increased for libraries by increasing

the visibility of libraries in a positive context and by communicating clearly and strongly why libraries are both unique

and valuable: and

WHEREAS, millions of people pass through the library each year, but without

adequate support, library resources may not be there when we med them. We must ensure our libraries have a future with sustained

funding and support; and







WHEREAS,

libraries and library supporters across America and beyond are celebrating National Library Week with The Campaign for America's Libraries, "@ your library"; and

NOW, THEREFORE, I, Ken Gnadt, Mayor of Grand Island, Nebraska, do hereby proclaim April 14-20, 2002 as

NATIONAL LIBRARY WEEK

in the City of Grand Island, and I encourage all citizens to support and use their library. Discover or rediscover the wealth of resources available at your library. Rediscover America @ your library.

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

	Mayor of Grand Island, Nebraska
Attest:	RaNae Edwards, City Clerk







Tuesday, April 09, 2002 Council Session

Item C6

Proclamation "Fair Housing Month" April 2002

Whereas, the passage of Title VIII of the Civil Rights Act of 1968, known as the Fair Housing Act, enunciated a national policy of non-discrimination in the sale, rental or financing of housing based on race, color, religion, sex, national origin, familial status or disability, whereby reducing the barriers in American society in obtaining the housing of one's choice, the Mayor has proclaimed the month of April 2002 as "Fair Housing Month" and encourages all citizens to take note of the observance by continuing to address discrimination in our communities. See attached PROCLAMATION.

Staff Contact: RaNae Edwards





THE OFFICE OF THE MAYOR

City of Grand Island State of Nebraska

PROCLAMATION

WHEREAS,

April 2002 marks another milestone in the history of civil rights in this country by acknowledging the 34rd anniversary of the passage of Title VIII of the Civil Rights Act of 1968, better known as the Fair Housing Act, which enunciated a national policy of non-discrimination in the sale, rental or financing of housing based on race, color, religion, sex, national origin, familial status or disability, and;

WHEREAS,

Shelter is a basic human need and, when shelter is denied, the quality of human life is greatly diminished, making it essential that America and the State of Nebraska be rededicated to the policy that housing in Nebraska and throughout the United States be made available to all persons on the basis of equality and fairness, and;

WHEREAS,

In the thirty-plus years since the passage of the Fair Housing Act, judicial and administrative enforcement, as well as public and private efforts to comply voluntarily with the law, have reduced barriers in American society to obtaining the housing of one's choice, and

WHEREAS,

The State of Nebraska recognizes, acknowledges and values the efforts of those who seek justice through the public and private enforcement of Nebraska's fair housing laws. Nebraska especially recognizes the employees and Commissioners of the State of Nebraska's Equal Opportunity Commission and the Commission's partnerships with the United States Department of Housing and Urban Development, the City of Omaha Human Relations Department, and the City of Lincoln Civil Rights Commission, and the Family Housing Advisory Service's Fair Housing Center of Nebraska for their pursuit of "Housing for All Through Justice for All."

NOW, THEREFORE,I, Ken Gnadt, Mayor of Grand Island, Nebraska, do hereby proclaim the month of April 2002 as

FAIR HOUSING MONTH

in the City of Grand Island and urge all citizens to take due note of the observance by continuing to address discrimination in our communities.

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

	Mayor of Grand Island, Nebraska	
Attest:		
	RaNae Edwards, City Clerk	







Tuesday, April 09, 2002 Council Session

Item E1

Public Hearing on Request of Todd Carpenter and Doug Redman for Conditional Use Permit for a Parking Lot Located at 1717 West 2nd Street

Todd Carpenter and Doug Redman, 2106 North Webb Road, have submitted an application with the City Clerk's Office for a Conditional Use Permit for a parking lot located at 1717 West 2nd Street. The property under consideration is the south one half of the block. The property is currently zoned R-3 medium density residential and as such parking lots are allowed only if approved by the City Council in the form of a conditional use permit. 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



Tuesday, April 09, 2002 Council Session

Item E2

Public Hearing on Request of Dennis and Barbara Stark for Conditional Use Permit for Construction of a New Home While Living in Current Home Located at 3460 North Webb Road

Dennis and Barbara Stark, 3460 North Webb Road, have submitted an application with the City Clerk's Office for a Conditional Use Permit for construction of a new home while living in their current home located at 3460 North Webb Road. The property is currently zoned A-G, Agricultural Zone, this zoning classification allows that only one principal building shall be permitted on one zoning lot. Section 36-119 of the Grand Island Zoning code does allow for temporary buildings and uses not to exceed two years in undeveloped areas, as a conditional use 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



Tuesday, April 09, 2002 Council Session

Item E3

Public Hearing on Request of Gas Island LLC dba Gas Island, 2012 North Webb Road for a Class "D" Liquor License

Mark Masek, owner of Gas Island LLC dba Gas Island, 2012 North Webb Road has submitted an application with the City Clerk's Office for a Class "D" Liquor License. A Class "D" Liquor License allows for the sale of alcoholic liquor off sale only inside the corporate limits of the City of Grand Island. This application has been reviewed by the Building, Fire, Health and Police Departments. It is appropriate at this time to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: RaNae Edwards



Tuesday, April 09, 2002 Council Session

Item E4

Public Hearing on Acquisition of Permanent Utility Easements for Sanitary Sewer District 493

A Public Hearing is required for acquisition of Public Utility Easements. These easements will be used to construct Sanitary Sewer District 493. The individual Owners have agreed to the terms for the easements. It is appropriate at this time to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: Steve Riehle, City Engineer/Public Works Director



Tuesday, April 09, 2002 Council Session

Item E5

Public Hearing on Proposed Grant Application to Department of Economic Development Relative to Community Development Funding for Renovation and Expansion of Central Nebraska Goodwill Industries Behavioral Health Rehabilitation Center

The Nebraska Department of Economic Development accepts applications through the Community Development Block Grant Program for grant funding to assist with public works activities, including community centers, senior centers, primary health and mental health clinics and dependent care facilities. Applications can only be submitted by municipalities. Community Projects staff has met with a number of agencies who had requested the City make application on their behalf. After careful review of the proposed projects and discussion with the DED Program Representative, City staff is recommending the submittal of an application for the renovation and expansion of Central Nebraska Goodwill Industries Behavioral Health Rehabilitation Center. The Center is a site for comprehensive behavioral health services including day rehabilitation, employment services, day support, community support, and housing for persons with a serious mental illness. The City's request to CDBG is for funding in the amount of \$322,500; total cost of the project is anticipated to be approximately \$432,500. The remaining \$110,000 is available through Central Nebraska Goodwill Industries. Community Projects staff will monitor and oversee the grant activities. It is appropriate at this time to solicit public input. This is the first of the two required Public Hearings. The action item is contained under the Consent Agenda.

Staff Contact:



Tuesday, April 09, 2002 Council Session

Item E6

Public Hearing on Acquisition of Public Utility Easement and Ingress/Egress Easement at 2322-2328 South Locust (Gary Shovlain)

A Public Hearing is required for acquisition of Easements. These easements will be used for construction of the South Locust project. The Owner has agreed to the terms for the easements. It is appropriate at this time to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: Steve Riehle, City Engineer/Public Works Director



Tuesday, April 09, 2002 Council Session

Item F1

#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

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 February 26, 2002 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 ?

? 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

Approved as to Form ? _____April 4, 2002 ? City Attorney

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, without the drawing, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: April 9, 2002.

RaNae Edwards, City Clerk

Ken Gnadt, Mayor

Attest:



Tuesday, April 09, 2002 Council Session

Item F2

#8729 - Consideration of Amendment to Chapter 29 of the Grand Island City Code Relative to Health Inspections

The Health Department is proposing to amend Chapter 29 of the Grand Island City Code relative to Food Establishment Inspections. Currently the City Code allows for bi-annual inspections of food establishments. It is recommended that inspections of food establishments be conducted based on risks associated with the establishment. Priority will be given to high-risk operations such as full service food operations and businesses with outstanding sanitation violations.

Staff Contact: Sonja Simpson

ORDINANCE NO. 8729

An ordinance to amend Chapter 29 of the Grand Island City Code; to amend

Section 29-7 pertaining to inspections of food establishments; to repeal Section 29-7 as now

existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for

publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF

GRAND ISLAND, NEBRASKA:

SECTION 1. Section 29-7 of the Grand Island City Code is hereby amended to

read as follows:

§29-7. Inspections

All food establishments must be inspected by an authorized representative of the Grand Island-Hall County Health Department, or its designated representative, prior to obtaining a permit pursuant to this chapter. Inspections of food establishments thereafter shall be conducted periodically by the Grand Island-Hall County Health

Department. bi-annually.

SECTION 2. Section 29-7 as now existing, and any ordinances or parts of

ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. That this ordinance shall be in force and take effect from and after

its passage and publication, within fifteen days in one issue of the Grand Island Independent as

provided by law.

Enacted: April 9, 2002.

Ken Gnadt, Mayor

Attest:

RaNae Edwards, City Clerk



Tuesday, April 09, 2002 Council Session

Item F3

#8730 - Consideration of Amendment to Chapter 17 of the Grand Island City Code Relative to Junked Vehicles

The Code Compliance Office is encountering a substantially increased number of junked vehicles in our community in early 2002. In order to make enforcement of the junked vehicle code simpler and more efficient, we are proposing several changes. Enclosed with this week's issue of the "Blues" is a memo which discusses at length the proposed elimination of the special interest vehicle exception to the code, explaining that this exception is rarely properly used and has been the subject of an increasing amount of abuse. The revisions to the junked vehicle code which are proposed with this ordinance include:

a Elimination of the distinction between vehicles which are currently licensed and those which are unlicensed found in §17-39. The existing code allows licensed junked vehicles to be stored outdoors for a period of up to sixty days, while unlicensed vehicles must be placed within an enclosure immediately. As a practical matter, it is impossible for the Code Compliance Officer to determine with any certainty the length of time that a licensed vehicle has been stored outdoors and frankly, the distinction is one which seldom comes up in the course of enforcement action. Because the distinction between licensed and unlicensed vehicles is an impediment to efficient enforcement of the code and as a practical matter rarely comes up, we are proposing that the distinction be eliminated.

b Elimination of the exception for storing inoperative special interest vehicles outdoors. The reasons for proposing elimination of this exception are discussed at length in the memorandum sent to the Council with this week's issue of the "Blues", but may be summarized as the exception is virtually never asserted for the reasons which appear on the face of the ordinance and is being abused by persons claiming that vehicles previously used in such events as demolition derbies and dirt track racing are special interest vehicles. Additionally, the exception is being asserted frivolously on an increasing basis by persons simply claiming to have an interest in restoring vehicles which have no collectible or restoration interest.

c Substituting the term "building" for the terms "enclosure" with the meaning remaining the same, that is, a structure with four walls and a roof erected in compliance with the City Code. This would eliminate the increasing number of claims by persons that a screening fence constitutes an enclosure within the meaning of the code.

d There are some additional minor changes to the code intended to make the language more consistent and understandable.

CJC/sp

Staff Contact: Charlie Cuypers

ORDINANCE NO. 8730

An ordinance to amend Chapter 17 of the Grand Island City Code; to amend Sections 17-39, 17-40, 17-41, and 17-43 pertaining to Junked Vehicles; to repeal Sections 17-39, 17-40, 17-41, and 17-43 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 17-39 of the Grand Island City Code is hereby amended to read as follows:

§17-39. Definitions

The following definitions are applicable to all Code sections pertaining to junked or inoperable vehicles:

- (1) <u>Junked Vehicle</u> means any vehicle as defined in Chapter 22 of the City Code which is in storage and is inoperable or totally or partially wrecked or dismantled, or which does not display valid license plates.
 - (A) is not currently licensed, and which is inoperable or which is totally or partially wrecked or dismantled; or
 - (B) is currently licensed, and has been inoperable or totally or partially wrecked or dismantled for a continuous period of more than 60 days.
- (2) <u>Special Interest Vehicle</u> means any vehicle which is designed for, or being used for, some purpose other than normal street use, including, but not limited to antique autos, drag racers, show vehicles, and recreational vehicles.
- <u>(3) Enclosure</u> means a garage or other building with four walls and a roof erected in compliance with the city building codes.
- (2) Building means a structure with four walls and a roof erected in compliance with the city building codes.
- (<u>3</u>)(<u>4</u>) <u>Storage</u> means placement, maintenance, or keeping for any length of time in excess of seventy-two hours. (<u>4</u>)(<u>5</u>) <u>Wrecked</u> means a vehicle that has been damaged to such an extent that such vehicle, if operated on the streets or highways, would be in violation of one or more state statutes, <u>city ordinances</u>, or city code sections pertaining to the condition of vehicles being operated on the <u>alleys</u>, streets or highways.
- (5)(6) <u>Dismantled</u> means lacking any vehicle part, the absence of which, if such a vehicle were operated on the streets or highways, would cause such vehicle to be in violation of one or more state statutes, city ordinances, or city code sections pertaining to the condition of vehicles being operated on the <u>alleys</u>, streets or highways.
- (6)(7) <u>Inoperable</u> means having one or more parts necessary for the operation of a vehicle either not attached to such vehicle or in non-working condition, including but not limited to a fully charged battery and all tires fully inflated.

SECTION 2. Section 17-40 of the Grand Island City Code is hereby amended to

read as follows:

§17-40. Junked Vehicles; Public Nuisances

The storage of any junked vehicle or any vehicle parts on any tract of land within the City of Grand Island shall be deemed a public nuisance and may be abated pursuant to Section 20-15 of the Grand Island City Code upon

Approved as to Form	?	
April 4, 2002		City Attorney

ORDINANCE NO. 8730 (Cont.)

written request by the Director of the Department of Health, Grand Island Police Department, the Building Department Director, or the Code Compliance Officer to the City Attorney pursuant to Section 20-15 of the Grand Island City Code. It shall be unlawful for any owner, owner's duly authorized agent or person in possession, charge or control, or the occupant of such a tract to cause, maintain, or permit such public nuisance to exist on said property, except in a manner as set forth below.

SECTION 3. Section 17-41 of the Grand Island City Code is hereby amended to

read as follows:

§17-41. Storage of Junked Vehicles

(A) Junked vehicles and vehicle parts, whether junked, salvaged, or new, may be stored:

- (1) On any tract being used as a junk or auto salvage yard, which is in full compliance with all city code sections pertaining to such businesses, including zoning.
- (2) On any tract being <u>lawfully</u> used for a business activity related to junked vehicles, such as an automotive body shop, so long as the junked vehicles and parts are stored in an area that is screened from adjoining property and the public right-of-way by a sight-obscuring fence at least six feet in height, or such junked vehicles and junked parts are removed from the premises within fourteen days of becoming junked; provided, that junked vehicles being displayed for sale as whole units by a licensed automobile dealer are not subject to this screening requirement.
- (3) On any other tract, so long as such junked vehicles and such vehicle parts are placed within an <u>building</u> enclosure.
- (B) Junked vehicles which are special interest vehicles may be stored on any tract so long as they are kept in enclosures or are kept within outdoor storage areas that are maintained in such a way that they do not constitute a health hazard and which are screened from ordinary public view by means of a fence, hedge, or other similar means.

SECTION 4. Section 17-43 of the Grand Island City Code is hereby amended to

read as follows:

§17-43. Storage of Damaged Vehicles

No automobile repair shop, or automobile body shop, or dealer may store any customer, inventory, or owned vehicles on the public right-of-way or streets, but shall be required to store such vehicles on the business premises.

SECTION 5. Sections 17-39, 17-40, 17-41, and 17-43 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

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

April 4, 2002 City Attorney

ORDINANCE NO. 8730 (Cont.)

Enacted: April 9, 2002.		
	Ken Gnadt, Mayor	
Attest:		
RaNae Edwards, City Clerk		

April 4, 2002 City Attorney



Tuesday, April 09, 2002 Council Session

Item F4

#8731 - Consideration of Amendment to Chapter 20 of the Grand Island City Code Relative to Disorderly Houses

The Grand Island Police Department has requested enactment of an ordinance prohibiting "disorderly houses". A number of communities in Nebraska, including the City of Lincoln, prohibit maintenance of a disorderly house, this being any property, including a room, house, building, structure or other place where unlawful or illegal acts are committed or which unreasonably interfere with the health, safety, welfare and property of citizens or are a public or common nuisance. The ordinance as drafted proposes to prohibit owners, occupants or persons in possession, charge or control of a property to maintain a disorderly house and prohibits other persons from residing in, visiting or frequenting a disorderly house. The proposed ordinance compliments the existing ordinance prohibiting disturbing the peace and will facilitate police officers in policing and clearing a disorderly house and the City Attorney's Office in enjoining persons from maintaining such a property as a public nuisance. The City Attorney's Office and Grand Island Police Department recommend approval of the ordinance prohibiting maintenance of "disorderly houses" as drafted.

Staff Contact: Charlie Cuypers

ORDINANCE NO. 8731

An ordinance to amend Chapter 20 of the Grand Island City Code; to add Sections 20-17 and 20-18 pertaining to disorderly house; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 20-17 of the Grand Island City Code is hereby added to read as follows:

§20-17. Disorderly House

- (A) The term "disorderly house" as used in this code shall mean any room, house, building, structure, or premises, where unlawful or illegal acts are being committed.
- (B) It shall be unlawful for the owner, occupant or person in possession, charge, or in control of any room, house, building, structure, or premises to knowingly collect or permit to be collected therein persons who are engaging in any unlawful act, or to knowingly make, cause, permit, or suffer to be made therein any loud or improper noise to the annoyance or disturbance of any person or neighborhood.
- (C) It shall be unlawful for any person to be a resident or occupant of, or visit or frequent any disorderly house with knowledge of, and participation in, the illegal activities occurring therein.

SECTION 2. Section 20-18 of the Grand Island City Code is hereby added to read as follows:

§20-18. Failure to Disperse

- (A) Whenever a police officer has probable cause to believe that a person or persons are creating a disturbance of the peace and quiet of any person or neighborhood, such police officer may order said person or persons not residing on the premises to disperse for the purpose of abating the said disturbance.
- (B) It shall be unlawful for any person to refuse to comply with a lawful order to disperse given by a police officer in the performance of the officer's duties under this section.

SECTION 3. Any ordinance or parts of ordinances in conflict herewith be, and hereby are, repealed.

Approved as to Form ? _____ April 4, 2002 ? City Attorney

ORDINANCE NO. 8731 (Cont.)

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

Enacted: April 9, 2002.

Ken Gnadt, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form April 4, 2002

City Attorney



Tuesday, April 09, 2002 Council Session

Item F5

#8732 - Consideration of Creating Street Improvement District 1244 - Alley from Cedar to Elm Street between 3rd Street and South Front Street

Council action is required to approve an Ordinance to create a Street Improvement District in the Alley from Cedar to Elm between Third Street and South Front Street for construction of new concrete surfacing and public storm sewer.

As part of the Downtown underground electric improvement plan, it is necessary to replace the existing alley pavement. This District is needed as a financing method if Council would like to bond the improvements. Street Improvement District 1242 also applied to this phase of the alley project, however, it was protested out by the adjacent property owners and may be discontinued at the April 9, 2002 Council meeting. Adequate funds for the District are available in account no.40033530-90052. Approval is Recommended. See attached RESOLUTION.

Staff Contact: Steve Riehle, City Engineer/Public Works Director

• This Space Reserved for Register of Deeds •

ORDINANCE NO. 8732

An ordinance to create Street Improvement District No. 1244; to define the boundaries of the district; to provide for the improvement of an alley within the district by paving, curbing, guttering, storm drainage, and other incidential work in connection therewith; to provide for the filing of this ordinance with the Hall County Register of Deeds; and to provide the publication and effective date of this ordinance.

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

SECTION 1. Alley Improvement District No. 1244 in the City of Grand Island, Nebraska, is hereby created.

SECTION 2. The boundaries of the district shall be as follows:

Beginning at a point where the east line of Cedar Street intersects a prolongation of the north line of Block 59, Original Town; thence south on the east line of Cedar Street to the north line of Third Street; thence west on a prolongation of the north line of Third Street to the west line of Cedar Street; thence north on the west line of Cedar Street to the northeast corner of Lot 8, Block 59, Original Town; thence west on the north line of Lots 5, 6, 7, 8, Block 59, Original Town to the

Approved as to Form
April 4, 2002 City Attorney

ORDINANCE NO. 8732 (Cont.)

east line of Elm Street; thence south on the east line of Elm Street to the north line of Third Street; thence west on a prolongation of the north line of Third Street to the west line of Elm Street; thence north on the west line of Elm Street to a point where it intersects a prolongation of the north line of Block 59, Original Town; thence east on said prolongation to the east line of Elm Street; thence south on the east line of Elm Street to the southwest corner of Lot 4, Block 59, Original Town; thence east on the south line of Lots 1, 2, 3, 4, Block 59, Original Town to the west line of Cedar Street; thence north on the west line of Cedar Street to the northeast corner of Block 59, Original Town; thence east on a prolongation of the north line of Block 59, Original Town to the point of beginning, all as shown on the plat dated April 4, 2002, attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 3. The following alley in the district shall be improved by paving and other incidental work in connection therewith:

The alley from Cedar Street to Elm Street, between Third Street and South Front Street, in the City of Grand Island, Hall County, Nebraska.

Said improvements shall be made in accordance with plans and specifications approved by the Engineer for the City of Grand Island and approved by the Mayor and City Council.

SECTION 4. All improvements shall be made at public cost.

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

SECTION 6. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, as provided by law.

SECTION 7. After passage, approval and publication of this ordinance, without the plat, notice of the creation of said district shall be published in the Grand Island Independent, a legal newspaper published and of general circulation in said City, as provided by law.

Approved as to Form
April 4, 2002
City Attorney

ORDINANCE NO. 8732 (Cont.)

Enacted: April 9, 2002.		
	Ken Gnadt, Mayor	
Attest:		
RaNae Edwards, City Clerk		

Approved as to Form
April 4, 2002

City Attorney



Tuesday, April 09, 2002 Council Session

Item G1

Approving Minutes of March 26, 2002 City Council Regular Meeting

The Minutes of the March 26, 2002 City Council 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 March 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 March 26, 2002. Notice of the meeting was given in the Grand Island Independent on March 20, 2002.

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

<u>PLEDGE OF ALLEGIANCE</u> was said followed by the <u>INVOCATION</u> given by Councilmember Jackie Pielstick.

<u>RESERVE TIME TO SPEAK ON AGENDA ITEMS</u>: Four individuals reserved time to speak on agenda items.

PRESENTATIONS AND PROCLAMATIONS:

At the request of Mayor Gnadt, John Sorensen spoke regarding the Abbott Sisters' Day held in Lincoln and at Stuhr Museum on March 20, 2002.

<u>It's About Kids!</u> Youth Leadership Tomorrow, It's About Kids! assets were presented by Jason Meis.

<u>Proclamation</u> "Child Abuse Prevention Month" April 2002. The month of April 2002 was proclaimed as "Child Abuse Prevention Month". Kelly Usrey, Troop Leader and Engleman Elementary School 2nd Graders from Brownie Girl Scout Troop #703 presented blue ribbons to the Council and members of the audience.

<u>Proclamation "Severe Weather Awareness Week" April 1-5, 2002.</u> The week of April 1-5, 2002 was proclaimed as "Severe Weather Awareness Week". Howard Maxon, Civil Defense Director was present and reminded everyone that n Wednesday, April 3, 2002, a Tornado Watch/Warning Exercise was scheduled for Nebraska conducted by the National Weather Service in cooperation with State and Local Emergency Management and electronic news media.

Recognition of the Senior High School Advanced Carpentry Class. The Mayor and Council recognized the Senior High School Advanced Carpentry Class and their instructor, Mark Brei for constructing a home at 4106 Manchester Road. This program started in 1991 and would be the 11th home built by students from Senior High School. The home would be completed around the first of May 2002.

Recognition of the Grand Island Senior High School Basketball Team for Class "A" State Championship Title. The Mayor and Council recognized the Grand Island Senior High School "Islander Basketball Team" for their Class "A" State Championship win. Coach Dave Oman, assistant coaches and several team members were present for the presentation. Principal Dr. Mann also was also present.

Recognition of Captain Terry Leslie of the Grand Island Fire Department for the NE EMS Educators Association "Paramedic of the Year" Award. The Mayor and Council recognized Terry Leslie for the award of "Paramedic of the Year" he received by the NE EMS Educators Association at a conference held in Columbus.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement Located in the Alley Behind 320 North Lincoln Avenue. (Jack A. and Janice A. Luth) Gary Mader, Utilities Director reported that acquisition of a utility easement relative to the property of Jack A. and Janice A. Luth located in the alley behind 320 North Lincoln Avenue (3rd Street and Lincoln Avenue), was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate a pad mounted transformer to serve the new building on the west side of Lot 2. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 546 Industrial Lane – Old Highway 30 and Industrial Lane. (L & P Investments, L.L.C.) Gary Mader, Utilities Director reported that acquisition of a utility easement relative to the property of L & P Investments, L.L.C. located at Lot 1 Starostka Subdivision, 546 Industrial Lane, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate a pad mounted transformer to serve buildings now under construction and future buildings in the Starostka Subdivision. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 2932 West Old Highway 30. (L & P Investments, L.L.C.) Gary Mader, Utilities Director reported that acquisition of a utility easement relative to the property of L & P Investments, L.L.C. located at Lot 4 Starostka Subdivision, 2932 West Old Highway 30, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate a pad mounted transformer to serve buildings now under construction and future buildings in the Starostka Subdivision. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3006 West Old Highway 30. (L & P Investments, L.L.C.) Gary Mader, Utilities Director reported that acquisition of a utility easement relative to the property of L & P Investments, L.L.C. located at Lot 5 Starostka Subdivision, 3006 West Old Highway 30, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate a pad mounted transformer to serve buildings now under construction and future buildings in the Starostka Subdivision. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3018 West Old Highway 30. (L & P Investments, L.L.C.) Gary Mader, Utilities Director reported that acquisition of a utility easement relative to the property of L & P Investments, L.L.C. located at Lot 6 Starostka Subdivision, 3018 West Old Highway 30, was required in order to have access to install, upgrade, maintain, and repair

power appurtenances. This easement would be used to locate a pad mounted transformer to serve buildings now under construction and future buildings in the Starostka Subdivision. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3030 West Old Highway 30. (L & P Investments, L.L.C.) Gary Mader, Utilities Director reported that acquisition of a utility easement relative to the property of L & P Investments, L.L.C. located at Lot 7 Starostka Subdivision, 3030 West Old Highway 30, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate a pad mounted transformer to serve buildings now under construction and future buildings in the Starostka Subdivision. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located in the Alley Behind 323 North Cleburn Street. (William D. and Beverly K. Livengood) Gary Mader, Utilities Director reported that acquisition of a utility easement relative to the property of William D. and Beverly K. Livengood located in the alley behind 323 North CleburnStreet, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate a pad mounted transformer to serve the entire block. No public testimony was heard.

Public Hearing for Change of Land Use Designation for Properties Comprising of Lot 1, The Village Second Subdivision and Lots 4 & 5, Woodland Second Subdivision from RD Residential Development Zone and B-2 General Business Zone with an AC Arterial Commercial Overlay to RD Residential Development Zone. (Thayer Family LLC) Chad Nabity, Regional Planning Director reported that the Thayer Family LLC, had submitted a request to rezone approximately 17.246 acres of land comprised of Lot 1, The Village 2nd Subdivision and Lots 4 & 5, Woodland 2nd Subdivision from RD & B2 to RD. The purpose of the request was to rezone the property to allow additional properties within the approved RD zone. The Regional Planning Commission, at their meeting of March 6, 2002, voted unanimously to approve the request. No public testimony was heard.

ORDINANCES:

Motion by Sorensen, second by Whitesides, carried unanimously to table Ordinance #8721 until the April 9, 2002 Council Meeting.

#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

Councilmember Murray moved that Ordinance #8697 be removed from the table and acted upon at this council meeting. Upon roll call vote, all voted aye.

#8697 – Consideration of Creating Street Improvement District #1240 for Manfield Road, Allen Avenue and Morrison Drive in Grand West 2nd Subdivision

The original motion made by Walker and seconded by Hornady to reconsider Ordinance #8697 was then voted upon. Upon roll call vote, all voted aye.

Motion by Murray, second by Walker to approve Ordinance #8697 on final reading. Upon roll call vote, all voted aye.

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

#8727 – Consideration of Change of Land Use Designation for Properties Comprising of Lot 1, The Village Second Subdivision and Lots 4 & 5, Woodland Second Subdivision from RD Residential Development Zone and B-2 General Business Zone with an AC Arterial Commercial Overlay to RD Residential Development Zone

#8728 - Consideration of Vacating Utility Easement in Lot 1, The Village Second Subdivision and Lots 4 & 5, Woodland Second 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 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? Jean Roark representing Thayer Family LLC spoke in favor of Ordinance #8727. No further public testimony was heard.

City Clerk: Ordinances #8727 and #8728 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: Ordinance #8727 and #8728 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 #8727 and #8728 are declared to be lawfully passed and adopted upon publication as required by law.

<u>CONSENT AGENDA</u>: Item G-12 was removed from the Consent Agenda. Motion by Pielstick, second by Larson, carried unanimously to approve the Consent Agenda.

Approving Minutes of March 12, 2002 City Council Regular Meeting.

<u>Approving Minutes of March 19, 2002 City Council Study Session.</u> Councilmember Larson abstained.

#2002-56 – Approving Reconfiguration of Detention Cell Including Acquisition of Real Estate and Approval of Exchange Agreement. This item was tabled until the April 9, 2002 City Council Meeting.

#2002-70 – Approving Acquisition of Utility Easement Located in the Alley Behind 320 North Lincoln Avenue – 3rd Street and Lincoln Street. (Jack A. and Janice A. Luth)

#2002-71 – Approving Acquisition of Utility Easement located in the Southwest Corner of Property at 546 Industrial Lane – Old Highway 30 and Industrial Lane. Lot 1, Starostka Subdivision (L & P Investments, L.L.C.)

- #2002-72 Approving Acquisition of Utility Easement located in the Southwest Corner of Property at 2932 West Old Highway 30. Lot 4, Starostka Subdivision. (L & P Investments, L.L.C.)
- #2002-73 Approving Acquisition of Utility Easement located in the Southeast Corner of Property at 3006 West Old Highway 30. Lot 5, Starostka Subdivision. (L & P Investments, L.L.C.)
- #2002-74 Approving Acquisition of Utility Easement located in the Southeast Corner of Property at 3018 West Old Highway 30. Lot 6, Starostka Subdivision. (L & P Investments, L.L.C.)
- #2002-75 Approving Acquisition of Utility Easement located in the Southeast Corner of Property at 3030 West Old Highway 30. Lot 7, Starostka Subdivision. (L & P Investments, L.L.C.)
- #2002-76 Approving Acquisition of Utility Easement Located in the Alley Behind 323 North Cleburn Street. (William D. and Beverly K. Livengood) Councilmember Pielstick voted no.
- #2002-77 Approving Final Plat and Subdivision Agreement for The Village Third Subdivision. It was noted that Janice Thayer, owner, had submitted the final plat for The Village Third Subdivision, located west of Ramada Road, and south of Woodland Drive for the propose to combine all of lot 1, The Village Second Subdivision, and all of lots 4 & 5 Woodland Second Subdivision into 29 lots.
- #2002-79 Approving Agreement with the Nebraska Children and Families Foundation for Family Preservation and Support Grant.
- #2002-80 Approving Contract for Ready-Mix Concrete for the 2002 Construction Season to Gerhold Concrete Company, Inc., Grand Island, Nebraska in the Amount of \$55.00 per cubic yard.
- #2002-81 Approving Contract for Concrete Repair Work for the 2002 Construction Season to O.K. Paving, Grand Island, Nebraska in the Amount of \$25.95 per square yard.
- #2002-82 Approving Ambulance Fee Schedule.
- #2002-83 Approving Contract for Lower Roof Replacement at Fire Station #2 to Weathercraft Company, Grand Island, Nebraska in the Amount of \$14,315.00.
- #2002-84 Approving Bid Award for (2) Police Motorcycles to Harley-Davidson Central, Grand Island, Nebraska in the Amount of \$13,794.00 per unit.
- #2002-85 Approving Bid Award for Office Furniture for Police Station to Eakes Office Plus, Grand Island, Nebraska in the Amount of \$12,975.44.
- #2002-86 Approving Expenditure of Funds for Food and Drink for Volunteers During Free Week.
- #2002-87 Approving contract for Inspection and Repair at Island Oasis Water Park to Neuman Pools, Beaver Dam, Wisconsin in an Amount not to exceed \$30,000.00.
- #2002-88 Approving Bid Award for Project Impact Weather Radios to Weather or Not, Inc., Shawnee, Kansas in the Amount of \$67.00 per unit for the first 1,000 units and \$66.00 per unit for an additional 2,500.

#2002-89 – Approving Emergency Repairs to 30" Water line at the Well Field to Diamond Engineering Company, Grand Island, Nebraska in an Amount not to exceed \$40,000.00.

#2002-90 – Approving Donation of Surplus Property from the Fire Department as follows: a.) 1982 Chevrolet one-ton truck with utility box to Elba Fire Department, Elba, Nebraska; b.) 1983 Ford fire truck chassis referred to as Engine 4 to Alda Fire Department, Alda, Nebraska; and c.) old aerial ladder truck referred to as Ladder 1.

#2002-78 — Approving Final Plat and Subdivision Agreement for Meadowlark West Fourth Subdivision. Motion by Larson, second by Pielstick, carried unanimously to refer Resolution #2002-78 back to the Planning Commission at the applicants request. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Whitesides, second by Sorensen, carried unanimously to approve the Claims for the period of March 13, 2002 through March 26, 2002, for a total amount of \$2,502,125.22.

ADJOURNMENT: The meeting was adjourned at 8:05 p.m.

Respectfully submitted,

RaNae Edwards City Clerk



Tuesday, April 09, 2002 Council Session

Item G2

Approving Minutes of April 2, 2002 City Council Study Session

The Minutes of the April 2, 2002 City Council Study Session are submitted for approval. See attached MINUTES.

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION April 2, 2002

Pursuant to due call and notice thereof, a Study Session of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on April 2, 2002. Notice of the meeting was given in the Grand Island Independent on March 27, 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, Public Works Director Steve Riehle, City Attorney Charlie Cuypers and Finance Director David Springer.

PLEDGE OF ALLEGIANCE was said.

Presentation by Tobacco Free Hall County. Susan Haecker, Chairwoman for Tobacco Free Hall County spoke concerning second hand smoke and requested the City Council to establish a policy banning smoking in or within 20' of the entrance to any municipal building, city vehicle, or parks where youth play ball. Ms. Haecker explained LB-1292 passed by the State Legislature. Collette Shaughnessy representing Central Nebraska Council on Alcoholism introduced the IMPROV Team, students associated with Youth Leadership Tomorrow. The IMPROV Team performed a skit regarding the use of tobacco. Bill Gavers, Boys Tennis and Basketball Coach spoke about children and the effects of smoking and tobacco use. Jason Meis, Anna Speed, Barb Zaruba and Jason Harper spoke in support of the smoking ban. Discussion was held concerning the enforcement of this policy in the parks. John Luna, 712 East 8th Street spoke concerning the negative effects of smoking and commended the youth for their efforts.

<u>Presentation of Police Department's Annual Report.</u> Police Chief Kyle Hetrick presented the 2001 Police Department Annual Report. Briefly reviewed were the accomplishments and activities of the Grand Island Police Department. Statistics and financial summaries were mentioned. Special features of the department were highlighted which included, Military Service, Retirees, Gang Investigation Unit, Honor Guard, Special Weapons and Tactics, Central Nebraska Drug Court, Kids, Cops, Counselors, and Character, National Night Out and others.

<u>Discussion Regarding Community Policing.</u> Police Chief Kyle Hetrick reviewed "Community Orientated Policing". Mentioned were the strategies that had been implemented within the Grand Island Police Department and the community. Highlighted were the current programs, partnerships and internal changes that were being done within the department. John Luna, 712 East 8th Street spoke in favor of "Community Orientated Policing" and encouraged community involvement. George Solt, 3523 East Seedling Mile Road spoke about what the Police

Department does that the people in the community do not see because of confidentiality. Mr. Solt complemented the Officer's and the department.

<u>Presentation of Northwest Traffic Improvement Study.</u> Steve Riehle, Public Works Director reported that safety concerns on Manchester, Mansfield and Cannon Roads near Westridge Middle School had been expressed by the Northwest Neighborhood Association with recommendations of extending Independence Avenue from Manchester to 13th Street as a solution.

Olsson Associates presented an overview of the Northwest Area Traffic Study. The following recommendations were presented:

Extend Independence Avenue from Manchester Road to 13th Street

Extend Shanna Street to Independence Avenue

Extend Lariat Lane to Shanna Street

Build School Drive from Independence Avenue (Loop Drive Desirable)

Construct a Complete Sidewalk System Around Westridge Middle School

Improve Cannon Road from Mansfield Road to North Road

Improve Geometrics at Cannon Road/Mansfield Road Intersection

Install Crosswalks at:

All Legs at Cannon/Mansfield

West Leg at Manchester/Mansfield

All Legs at Manchester/Independence

Install all Traffic Control Devices per MUTCD Standards

Provide 3-Lane Section (one for exclusive LT Lane) where Collector Streets Intersect Arterial Streets

Continue Traffic Monitoring Program

Conceptual designs were reviewed along with preliminary costs and assessments for each design. Council discussed conceptual designs with regards to traffic access and drainage.

Mark Miller, 4246 Vermont Avenue representing the Northwest Neighborhood Association spoke in support of extending Independence Avenue south.

ADJOURNMENT: The meeting was adjourned at 9:40 p.m.

Respectfully submitted,

RaNae Edwards City Clerk



Tuesday, April 09, 2002 Council Session

Item G3

Approving Request of Todd Carpenter and Doug Redman for Conditional Use Permit for a Parking Lot Located at 1717 West 2nd Street

This item relates to the aforementioned Public Hearing. Todd Carpenter and Doug Redman, 2106 North Webb Road, have submitted an application with the City Clerk's Office for a Conditional Use Permit for a parking lot located at 1717 West 2nd Street. The south one half of this block is currently zoned R-3, medium density residential, parking lots within that zoning classification are allowed only if approved by the City Council in the form of a conditional use permit. The east portion of the south half of this block has already received a conditional use to allow for the required parking for the retail establishment on the north part of the block. This property has in the past served as a parking lot for retail trade and resurrection appears reasonable. This request has been reviewed by the Building, Legal, Utilities, Planning and Public Works Departments.

Staff Contact: Craig Lewis



Tuesday, April 09, 2002 Council Session

Item G4

Approving Request of Dennis and Barbara Stark for Conditional Use Permit for Construction of a New Home While Living in Current Home Located at 3460 North Webb Road

This item relates to the aforementioned Public Hearing. Dennis and Barbara Stark, 3460 North Webb Road, have submitted an application with the City Clerk's Office for a Conditional Use Permit for construction of a new home while living in their current home located at 3460 North Webb Road. The current zoning classification of AG, Agricultural Zone, permits only one principal building for each tract of land, however section 36-119 of the city code does allow for the Council to approve temporary buildings and uses for a two year period in undeveloped areas. This provision of the code has been utilizes in the past on properties large enough to temporarily support the request. This request has been reviewed by the Building, Legal, Utilities, Planning and Public Works Departments approval appears reasonable.

Staff Contact: Craig Lewis



Tuesday, April 09, 2002 Council Session

Item G5

Approving Request of Gas Island LLC dba Gas Island, 2012 North Webb Road for a Class "D" Liquor License

This item relates to the aforementioned Public Hearing. Mark Masek, owner of Gas Island LLC dba Gas Island, 2012 North Webb Road has submitted an application with the City Clerk's Office for a Class "D" Liquor License. A Class "D" Liquor License allows for the sale of alcoholic liquor off sale only inside the corporate limits of the City of Grand Island. This application has been reviewed by the Building, Fire, Health and Police Departments.

Staff Contact: RaNae Edwards



Tuesday, April 09, 2002 Council Session

Item G6

Approving Request of David Masek, HC 76, Box 44, Purdum, Nebraska for Liquor Manager Designation for Gas Island LLC dba Gas Island, 2012 North Webb Road

David Masek, HC 76 Box 44, Purdum, Nebraska, representing Gas Island LLC dba Gas Island, 2012 North Webb Road, has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "D" Liquor License. This application has been reviewed by the Police Department and City Clerk's Office. Approval is recommended.

Staff Contact: RaNae Edwards



Tuesday, April 09, 2002 Council Session

Item G7

#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 in order to accommodate future commercial development of Meadowlark West Fourth Subdivision. A public hearing regarding this matter was held during the February 26, 2002 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

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.

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Adopted by the City Council of the City of Grand Island, Nebraska on April 9, 2002.

April 4, 2002 ? City Attorney

RaNae Edwards, City Clerk

Approved as to Form ?
April 4, 2002 ? City Attorney



Tuesday, April 09, 2002 Council Session

Item G8

#2002-78 - Final Plat and Subdivision Agreement for Meadowlark West 4th Subdivision

Robert M. Allen Family Limited Partnership, owners, have submitted the final plat for Meadowlark West 4th Subdivision, located South of 13th Street, West of Webb Road, and East of Hwy 281, in the City of Grand Island. This plat proposes to resubdivide to replat 11 lots (1-5 and 24-29 of Meadowlark West Third Subdivision into 12 lots. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of April 3, 2002, unanimously voted to recommend approval. See attached RESOLUTION.

Staff Contact: chad nabity



WHEREAS, Robert M. Allen Family Limited Partnership, as owner, has caused to be laid out into lots and an Outlot, a tract of land comprising all of Lots One (1) through Seven (7), and Twenty Four (24) through Twenty Nine (29), Meadowlark West Third Subdivision, in the City of Grand Island, and the City of Grand Island Detention Cell B-6A, all in the East Half of the Northeast Quarter (E1/2, NE1/4) of Section 13, Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska, under the name of MEADOWLARK WEST FOURTH SUBDIVISION, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, such subdivision was approved by the Regional Planning Commission on 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 owner and the City of Grand Island.

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

BE IT FURTHER RESOLVED that the final plat of MEADOWLARK WEST 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.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on April 9, 2002.

RaNae Edwards, City Clerk



Tuesday, April 09, 2002 Council Session

Item G9

#2002-91 - Approving Acquisition of Permanent Utility Easements for Sanitary Sewer District 493

Sanitary Sewer District No. 493 was created by the Grand Island City Council on June 13, 2000. The District completed the 30-day protest period on July 21, 2000 and was continued by Council on August 15, 2000. Council action is necessary for the City of Grand Island to acquire public easements and right-of-way for the District. In conjunction with the installation of Sanitary Sewer District No. 493, it is necessary to acquire easements for the installation, upgrade, maintenance and repair of the sewer mains to be installed under the District. The bids were opened and the contract awarded without the easements so the project could proceed. The property owners have agreed to the terms of the easements and it is now time for Council approval of the agreements. The Public Works Department recommends passing a Resolution approving acquisition of these easements. The costs for the easements are expected to be a small portion of the project costs. See attached RESOLUTION.

Staff Contact: Steve Riehle, City Engineer/Public Works Director

WHEREAS, easements are required by the City of Grand Island, from the following parties for the installation, upgrade, maintenance, and repair of Sanitary Sewer District No. 493; and

WHEREAS, a public hearing was held on April 9, 2002, for the purpose of discussing the proposed acquisition of an easement and right-of-way affecting the following tracts of land:

Name	Property Description
Steven Grant Crumrine	Lot Fifty (50), Potash Subdivision, more particularly described as
	follows:
	Being the south ten (10.0) feet of Lot Fifty (50), Potash Subdivision.
Dennis Kemper and Sandra Kemper	Lot Thirteen (13), Potash Subdivision, more particularly described
a/k/a Sandra McIntosh	as follows:
	Being the southerly four (4.0) feet of the northerly twelve (12.0)
	feet of Lot Thirteen (13), Potash Subdivision.
Verlon H. Shears and Pamela S. Shears	Lot Fourteen (14), Potash Subdivision, more particularly described
	as follows:
	Being the southerly four (4.0) feet of the northerly twelve (12.0) feet of Lot Fourteen (14), Potash Subdivision.
Aquilino Alvarado and Tammy L.	Lot Fifteen (15), Potash Subdivision, more particularly described
Alvarado	as follows:
Tivatado	as follows.
	Being the southerly four (4.0) feet of the northerly twelve (12.0)
	feet of Lot Fifteen (15), Potash Subdivision.
Raymond W. Rollins and Deanna K.	Lot Sixteen (16), Potash Subdivision, more particularly described
Rollins	as follows:
	Being the southerly four (4.0) feet of the northerly twelve (12.0)
Kirtis L. Bowden and Suzanne L.	feet of Lot Sixteen (16), Potash Subdivision. Lot Eighteen (18), Potash Subdivision, more particularly described
Bowden	as follows:
Bowden	as ronows.
	Being the southerly four (4.0) feet of the northerly twelve (12.0)
	feet of Lot Eighteen (18), Potash Subdivision.

Patricia J. Nowak	Lot Nineteen (19), Potash Subdivision, more particularly described as follows:
	Being the southerly four (4.0) feet of the northerly twelve (12.0) feet of Lot Nineteen (19), Potash Subdivision.
Albert Ziola and Bernice Ziola	Lot Twenty (20), Potash Subdivision, more particularly described as follows:
	Being the southerly four (4.0) feet of the northerly twelve (12.0) feet of Lot Twenty (20), Potash Subdivision.
Robin Arnold and Marilyn G. Arnold	Lot Twenty One (21), Potash Subdivision, more particularly described as follows:
	Being the southerly four (4.0) feet of the northerly twelve (12.0) feet of Lot Twenty-one (21), Potash Subdivision.
Jeffery Lee Griess and Barbara A. Griess	Lot Twenty Two (22), Potash Subdivision, more particularly described as follows:
	Being the southerly four (4.0) feet of the northerly twelve (12.0) feet of Lot Twenty-two (22), Potash Subdivision.
Steven R. Dady and Margaret Ann Dady	Lot Forty Six (46), Potash Subdivision, more particularly described as follows:
	Being the south ten (10.0) feet of Lot Forty-six (46), Potash Subdivision.
Shannon K. Zegar	Lot Forty Seven (47), Potash Subdivision, more particularly described as follows:
	Being the north ten (10.0) feet of Lot Forty-seven (47), Potash Subdivision.
Scott Hendrickson	Part of Lot One (1), Pontious Subdivision, more particularly described as follows:
	A tract of land being the northerly 12.0 feet of the westerly 429.6 feet of Lot One (1), Pontious Subdivision, excluding the westerly
	8.0 feet of Lot One (1); being an existing permanent easement, AND A tract of land being the easterly 6.0 feet of the westerly
	14.0 feet of Lot One (1), Pontious Subdivision, excluding the northerly 12.0 feet of Lot One (1), Pontious Subdivision.
Barry Niedfelt	Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) of Section Twenty Three (23), Township Eleven (11) North, Range

	,	
	Ten (10) West of the 6 th P.M., more particularly described as	
	follows:	
	Beginning at a point thirty-three (33') South of and four feet (4')	
	West of the Northeast corner of the NW1/4, NE1/4, Section 23-	
	11-10, thence continuing South on a line four (4') West of and	
	parallel to the East line of the NW1/4, NE1/4, Section 23-11-10	
	for a distance of thirty feet (30') thence West on a line sixty-three	
	feet (63') South of and parallel to the North line of Section 23-11-	
	10 for a distance of sixteen feet (16') thence North on a line twenty	
	feet (20') West of and parallel to the East line of NW1/4, NE 1/4,	
	Section 23-11-10 for a distance of thirty feet (30') thence East on	
	a line thirty-three feet (33') South of and parallel to the North line	
	of Section 23-11-10 for a distance of sixteen feet (16') to the point	
	of beginning.	
Donald Pontious and Barbara Pontious	Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) of	
	Section Fourteen (14), Township Eleven (11) North, Range Ten	
	(10) West of the 6 th P.M., more particularly described as follows:	
	(10) West of the Control pulled the follows:	
	Beginning at the Northeast corner of Lot One (1), Pontious	
	Subdivsion, thence east along the south line of Lot Eleven (11),	
	Potash Subdivision a distance of Fifty (50.0) feet, thence south a	
	distance of Twelve (12.0) feet on a line parallel to the east line of	
	Lot One (1), Pontious Subdivision thence west a distance of Fifty	
	(50.0) feet on a line parallel to the south line of Lot Eleven (11),	
	Potash Subdivision, to the east line of Lot One (1) Pontious	
	Subdivision, thence north a distance of Twelve (12) feet on said	
	east line to the point of beginning.	
Estate of George Pontious, Deceased	Part of Lot Two (2), Pontious Subdivision and Lot One (1)	
5	Pontious Subdivision, more particularly described as follows:	
	A tract of land being the northerly twelve (12.0) feet of the easterly	
	One hundred (100.00) feet of Lot One (1), Pontious Subdivision;	
	AND A tract of land being the easterly Sixteen (16.0) feet	
	of Lot One (1) Pontious Subdivision, excluding the northerly	
	twelve (12.0) feet of Lot One (1) of Pontious Subdivision; AND A	
	tract of land being the northerly Forty (40.0) feet of the easterly	
	Sixteen (16.0) feet of Lot Two (2), Pontious Subdivision.	
	, , , , , , , , , , , , , , , , , , , ,	

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 easements from the parties identified above on the above-described tracts of land.

Adopted by the City Council of the City of C	Grand Island, Nebraska, April 9, 2002.	
	RaNae Edwards, City Clerk	



Tuesday, April 09, 2002 Council Session

Item G10

#2002-92 - Approving Discontinuation of Street Improvement District 1242 - Alley from Cedar to Elm between 3rd Street and South Front Street

Street Improvement District 1242 was created by the City Council on February 26, 2002. Legal notice of creation of the District was published in the Grand Island Daily Independent March 5, 2002. Notification was also mailed to all property owners on that date, stating that the construction would take place unless more than 50% of the abutting landowners submitted written protests during the protest period. The District was created for paving, public storm sewer and private roof drain storm sewer connections.

This District completed the 20-day protest period at 5:00 p.m., Monday, March 25, 2002. There were protests filed against this District by three abutting property owners. These owners represented 386 front feet or 73.1% of the total District frontage of 528 feet.

The Public Works Department recommends discontinuation of this District. Creation of another District for replacement of the existing concrete surfacing and public storm sewer will be requested in case Council would like to bond the work. See attached RESOLUTION.

Staff Contact: Steve Riehle, City Engineer/Public Works Director

WHEREAS, Street Improvement District No. 1242 was created by Ordinance No. 8717 on February 26, 2002; and

WHEREAS, notice of the creation of such Street Improvement District No. 1242 was published in the *Grand Island Independent* on March 5, March 12, and March 19, 2002, in accordance with the provisions of Section 16-619 et seq., Neb. Rev. Stat. 1943; and

WHEREAS, Section 16-620, Neb. R.R.S. 1943, provides that if owners of record title representing more than 50% of the front footage of the property abutting or adjoining the streets, avenues or alleys, or parts thereof to be improved in any district shall file with the City Clerk within twenty days from the first publication of said notice written objections to such street improvement district, said work shall not be done and the ordinance shall be repealed; and

WHEREAS, protests were filed with the City Clerk against the creation of Street Improvement District No. 1242 by abutting property owners representing 73.1% of the total district frontage.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that sufficient protests having been filed with the City Clerk against the creation of Street Improvement District No. 1242, such district should not be continued and the ordinance which created said district shall be repealed.

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Adopted by the City Council of the City of Grand Island, Nebraska on April 9, 2002.

RaNae Edwards, City Clerk

Approved as to Form April 4, 2002

City Attorney



Tuesday, April 09, 2002 Council Session

Item G11

#2002-93 - Approving Continuation of Street Improvement District 1243 - Alley from Elm to Cleburn between 3rd Street and South Front Street.

Street Improvement District 1243 was created by the City Council on February 26, 2002. Legal notice of creation of the District was published in the Grand Island Daily Independent March 5, 2002. Notification was also mailed to all property owners on that date, stating that the construction would take place unless more than 50% of the abutting landowners submitted written protests during the protest period. The District was created for paving, public storm sewer and private roof drain storm sewer connections.

This district completed the 20-day protest period at 5:00 p.m., Monday, March 25, 2002. There were no protests filed against this district. Adequate funds for the project are available in account no. 40033530-90052. There are no alternatives because State statute provides that the District must be continued since it passed the protest period. The District should be continued as this phase will complete the downtown alley projects. See attached RESOLUTION.

Staff Contact: Steve Riehle, City Engineer/Public Works Director

WHEREAS, Street Improvement District No. 1243 was created by Ordinance No. 8718 on February 26, 2002; and

WHEREAS, notice of the creation of such street improvement district was published in the Grand Island Independent on March 5, March 12, and March 19, 2002, in accordance with the provisions of Section 16-619, R.R.S. 1943; and

WHEREAS, Section 16-620, R.R.S. 1943, provides that if the owners of record title representing more than 50% of the front footage of the property abutting upon the streets, avenues, or alleys, or parts thereof which are within such proposed district shall file with the City Clerk within twenty days from the first publication of said notice written objections to such street improvement district, said work shall not be done and the ordinance shall be repealed; and

WHEREAS, the protest period ended on March 25, 2002, and no protests were filed with the City Clerk against the creation of Street Improvement District 1243 by abutting property owners.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that insufficient protests having been filed with the City Clerk against the creation of Street Improvement District No. 1243, such district shall be continued and constructed according to law.

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Adopted by the City Council of the City of Grand Island, Nebraska on April 9, 2002.

RaNae Edwards, City Clerk

April 4, 2002 ? City Attorney



Tuesday, April 09, 2002 Council Session

Item G12

#2002-94 - Approving Change Order #2 to the Contract with Kayton Electric for Electrical System Improvements at the Wastewater Treatment Plant

The contract for the City of Grand Island Waste Water Treatment Electrical System Improvements was awarded to Kayton Electric of Grand Island by the Council on April 10, 2001 in the amount of \$953,046.00. Change Order No. 1, approved by Council on August 14, 2001, resulted in no increase in project cost.

During construction, additional materials such as electrical conduit, upgraded wiring, and replacement sensors were added to the items of work required to complete the project. Emergency stop connections on the equipment electrical control circuits were added to improve safety and a fan was mounted off the basement floor to provide working area clearance around Raw Waste Water Pump No. 5. Total cost for the changes was negotiated to \$11,935.00. The revised contract amount will be \$964,981.00. Approval is recommended. See attached RESOLUTION.

Staff Contact: Steve Riehle, City Engineer/Public Works Director

WHEREAS, on April 10, 2001, by Resolution 2001-85, the City Council for the City of Grand Island awarded the bid for electrical system improvements at the Wastewater Treatment Plant to Kayton Electric of Grand Island, Nebraska; and

WHEREAS, it has been determined that modifications to the work to be performed by Kayton Electric are necessary; and

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

WHEREAS, this change order will increase the total contract price by \$11,935.00, for a revised contract amount of \$964,981.00.

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 Kayton Electric to provide the following modifications:

	Amount
Install 7.0 l.f. of 4" electrical conduit, reinforced in concrete encased duct bank	\$3,940.00
Install 10 l.f. of 4" electrical conduit, reinforced in concrete encased duct bank	560.00
Discount for electrical building door installed without windows	(600.00)
Upgrade conductor wire sizing	2,175.00
Mount fan off basement floor at Raw Waste Water Pump No. 5	1,930.00
Upgrade General Electric Switchgear	1,375.00
Connect lighting and sump pump load to new power center	970.00
Discount for sidewalk damaged by trucking contractor	(390.00)
Repair deteriorated conduit for proper electrical bonding	375.00
Install new conduit, add outlets in bar rake room	1,600.00

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Adopted by the City Council of the City of Grand Island, Nebraska on April 9, 2002.

RaNae Edwards, City Clerk

Approved as to Form ?

April 4, 2002 ? City Attorney



Tuesday, April 09, 2002 Council Session

Item G13

#2002-95 - Approving Application to Nebraska Department of Economic Development Community Block Grant Program for Central Nebraska Goodwill Industries

The Nebraska Department of Economic Development accepts applications through the Community Development Block Grant Program for grant funding to assist with public works activities, including community centers, senior centers, primary health and mental health clinics and dependent care facilities. Applications can only be submitted by municipalities. Community Projects staff has met with a number of agencies who had requested the City make application on their behalf. After careful review of the proposed projects and discussion with the DED Program Representative, City staff is recommending the submittal of an application for the renovation and expansion of Central Nebraska Goodwill Industries Behavioral Health Rehabilitation Center. The Center is a site for comprehensive behavioral health services including day rehabilitation, employment services, day support, community support, and housing for persons with a serious mental illness. The City's request to CDBG is for funding in the amount of \$322,500; total cost of the project is anticipated to be approximately \$432,500. The remaining \$110,000 is available through Central Nebraska Goodwill Industries. Community Projects staff will monitor and oversee the grant activities. Approval is recommended.

Staff Contact:

WHEREAS, the Nebraska Department of Economic Development accepts applications through the Community Development Block Grant program for grant funding to assist with public works activities, including community centers, senior centers, primary health and mental health clinics and dependent care facilities; and

WHEREAS, applications are accepted only from municipalities; and

WHEREAS, the Community Projects Department staff has reviewed projects submitted by a number of agencies who have requested the City's assistance in obtaining grant funds; and

WHEREAS, the Community Projects Department staff is recommending the submittal of an application for the renovation and expansion of Central Nebraska Goodwill Industries Behavioral Health Rehabilitation Center; and

WHEREAS, the total cost of the project is anticipated to be \$432,500; and

WHEREAS, the City wishes to request grant funding for such project in the amount of \$322,500, with the remaining costs to be paid by Central Nebraska Goodwill Industries; and

WHEREAS, the City is not expected to contribute financially to the project, but will monitor and oversee the grant activities.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island, Nebraska is authorized to apply for assistance from the Nebraska Department of Economic Development through its Community Development Block Grant program for the renovation and expansion of Central Nebraska Goodwill Industries Behavioral Health Rehabilitation Center; and the Mayor is hereby authorized and directed to execute such application and other documentation on behalf of the City of Grand Island for such grant process.

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Adopted by the City Council of the City of Grand Island, Nebraska on April 9, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? ______ April 5, 2002 ? City Attorney



Tuesday, April 09, 2002 Council Session

Item G14

#2002-96 - Approving Bid Award for Water Main Project 2002-W-4

The referenced Project will provide for the installation of an 8" main in Old Highway 30 from Webb Road, east for a distance of approximately 640 feet. The construction will enhance service, reliability, backup capabilities, and complete the connection to the Industrial Lane area. Attached for reference is a map of the project area.

The bid documents were submitted to six (6) general contractors, two (2) subcontractors, and six (6) information services. The bids were publicly opened at 11:00 am on April 2, 2002 and two bids were opened and read. Each bid form has been checked and evaluated for completeness and accuracy; and are acceptable as submitted. A summary of the bids received is listed below:

Bidder: Exceptions: Bid Price:

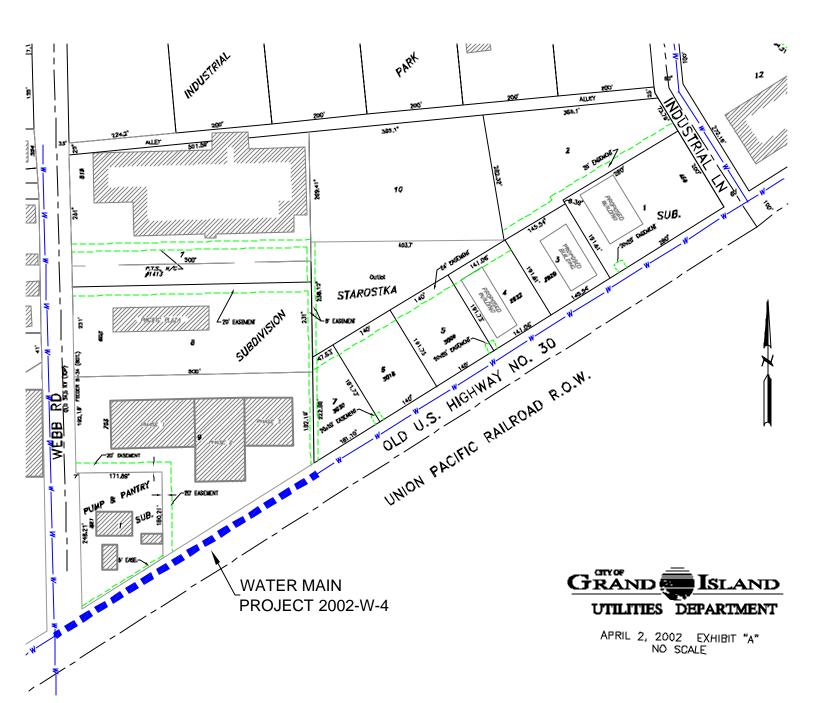
The Diamond Engineering Co. None \$26,738.71

Grand Island, NE

Starostka Group Co. None \$33,512.32 Grand Island, NE

It is recommended the Council award the contract for Water Main Project 2002-W-4, to the Diamond Engineering Co., in the amount of \$26,738.71. Their bid is without exceptions, below the engineer's estimate of \$30,000.00, and meets all City contract requirements. Construction funds are available in Enterprise Funds 525 FY 2001-2002 budget. See attached RESOLUTION.

Staff Contact: Gary R. Mader; Dale Shotkoski



WHEREAS, the City of Grand Island invited sealed bids for Water Main Project 2002-W-4, according to plans and specifications on file with the Utility Engineering Office located at Phelps Control Center; and

WHEREAS, on April 2, 2002, bids were received, opened and reviewed; and

WHEREAS, Diamond Engineering Company of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$26,738.71; and

WHEREAS, Diamond Engineering Company's bid is less than the engineer's estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Diamond Engineering Company of Grand Island, Nebraska, in the amount of \$26,738.71 for Water Main Project 2002-W-4 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.

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Adopted by the City Council of the City of Grand Island, Nebraska on April 9, 2002.

RaNae Edwards, City Clerk



Tuesday, April 09, 2002 Council Session

Item G15

#2002-97 - Approving Acquisition of Ingress/Egress Easement Located at 2322-2328 South Locust Street. (Gary Shovlain)

This item relates to the aforementioned Public Hearing. The driveway entrance at 2322-2328 South Locust is being moved to serve two properties. This will require an Ingress/Egress Easement to be filed. The changes have been reviewed by the City Attorney, Building, Planning and Public Works Departments. The new Ingress/Egress Easement will be filed with the Register of Deeds.

Staff Contact: Steve Riehle, City Engineer/Public Works Director

WHEREAS, an ingress/egress easement is required by the City of Grand Island, from Gary E. Shovlain and Linda D. Shovlain, husband and wife, to allow public access including the rights of ingress/egress on a tract of land adjacent to South Locust Street; and

WHEREAS, a public hearing was held on April 9, 2002, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Sixteen (16) Shovlain Subdivision in the City of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

The North Sixteen (16.0) feet of Lot Two (2), Shovlain Subdivision in the City of Grand Island, Hall County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire an ingress/egress easement from Gary E. Shovlain and Linda D. Shovlain, husband and wife, on the above-described tract of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, April 9, 2002.

RaNae Edwards, City Clerk

Approved as to Form ?
April 4, 2002 ? City Attorney



Tuesday, April 09, 2002 Council Session

Item G16

#2002-98 - Approving Acquisition of Permanent Easement Located at 2322-2328 South Locust Street. (Gary Shovlain)

This item relates to the aforementioned Public Hearing. A Public Utility Easement was acquired at this location for the South Locust Project. The Public Utilities Easement must be shifted approximately 16' south because the driveway is being moved. This will require approximately 16' of additional easement from the property to the South. The new Public Utilities Easement will be filed with the Register of Deeds. Approximately 16' of easement on the property to the North will be vacated at a future Council meeting. The changes have been reviewed by the City Attorney, Building, Planning and Public Works Departments.

Staff Contact: Steve Riehle, City Engineer/Public Works Director

WHEREAS, a public utility easement is required by the City of Grand Island, from Gary E. Shovlain and Linda D.Shovlain, husband and wife, to install, upgrade, maintain, and repair power appurtenances, including lines and transformers; and

WHEREAS, a public hearing was held on April 9, 2002, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Two (2) Shovlain Subdivision, in Section Twenty Eight (28), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in the City of Grand Island, Hall County, Nebraska, the utility easement and right-of-way being more particularly described as follows:

Referring to the northeast corner of Lot 2 Shovlain Subdivision; thence on an assumed bearing of south 88°38'47" west along the north line of said Lot 2 a distance of 5.51 feet; thence south 01°24'10" east a distance of 120.46 feet to a point on the south line of said Lot 2; thence south 89°22'22" west along the south line of said Lot 2 a distance of 31.01 feet; thence north 01°06'42" west a distance of 5.00 feet; thence north 89°22'22" east a distance of 28.99 feet; thence north 01°24'12" west a distance of 83.66 feet to the actual point of beginning; thence south 88°36'03" west a distance of 21.51 feet; thence north 01°24'02" west a distance of 9.0 feet; thence north 88°36'03" east a distance of 21.50 feet; thence south 01°24'10" east a distance of 9.0 feet to the point of beginning. Containing an area of 139.5 square feet, more or less.

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

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Adopted by the City Council of the City of Grand Island, Nebraska, April 9, 2002.

RaNae Edwards, City Clerk

Approved as to Form ?
April 5, 2002 ? City Attorney



Tuesday, April 09, 2002 Council Session

Item G17

#2002-99 - Approving Bid Award for Grand Island Public Library Renovation Project - Phase II

The City Clerk conducted a bid opening at 11:30 AM, Tuesday, April 2, 2002 for a City Council-approved library renovation project. Two bids were received: \$82,000 from Starostka Group Co., Grand Island, NE and \$115,800 from Farris Construction Co., Hastings, NE. The library recommends that the City Council approve a bid award to Starostka Group Co. in the amount of \$82,000 which is within the engineer's estimate, and that the City be authorized to execute a contract with Starostka Group Co. for the needed library renovations.

Staff Contact: STEVE FOSSELMAN

WHEREAS, the City of Grand Island invited sealed bids for Grand Island Public Library Expansion Project, Phase II, according to plans and specifications on file at the Grand Island Public Library; and

WHEREAS, on April 2, 2002, bids were received, opened and reviewed; and

WHEREAS, Starostka Group Co. 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 \$82,000; and

WHEREAS, Starostka Group Co.'s bid is less than the engineer's estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Starostka Group Co. of Grand Island, Nebraska, in the amount of \$82,000 for Grand Island Public Library Expansion Project, Phase II 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.

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Adopted by the City Council of the City of Grand Island, Nebraska on April 9, 2002.

RaNae Edwards, City Clerk



Tuesday, April 09, 2002 Council Session

Item G18

#2002-100 - Approving Bid Award - Hot Mix Asphalt for 2002 Street Maintenance

The Street & Transportation Division of the Public Works Department solicited informal quotes from all the available local vendors for Types B & C Hot Mix Asphalt for the 2002 construction season for use in Division operations. The Public Works Department, Street & Transportation Division, and the Purchasing Division of the City Attorney's Office have reviewed all quotes received for Hot Mix Asphalt. A summary of the quotes received is shown below.

Bidders Quotes:

Gary Smith Construction Company Grand Island, NE Type B - \$16.75 per ton Type C - \$19.75 per ton

J.I.L. Asphalt
Grand Island, NE
Type B - \$18.00 per ton
Type C - \$21.00 per ton

Werner Construction Hastings, NE Type B - \$27.50 per ton Type C - \$33.50 per ton

It is recommended that the purchase be awarded to Gary Smith Construction Company, Inc. in the amount of \$16.75 per ton for Type B Asphalt and \$19.75 per ton for Type C Asphalt as the lowest responsible quote. The average amount of asphalt purchased each season totals approximately \$50,000. Approximately 100 individual purchases will be made. There are sufficient funds in Street & Transportation Division Operating Funds Account No. 10033503-85545 to purchase this material. Approval is recommended. See attached RESOLUTION.

Staff Contact: Steve Riehle, City Engineer/Public Works Director

WHEREAS, the Street and Transportation Division of the City of Grand Island solicited quotes for Hot Mix Asphalt for the 2002 street maintenance season; and

WHEREAS, the average amount of concrete purchased each season totals approximately \$50,000, and will consist of approximately 100 individual purchases; and

WHEREAS, Gary Smith Construction Company, Inc. of Grand Island, Nebraska, submitted a quote for such asphalt, such quote being in the amount of \$16.75 per ton for Type B Asphalt and \$19.75 per ton for Type C Asphalt; and

WHEREAS, it is recommended that Gary Smith Construction Company, Inc. be approved to provide such material at the above-stated price.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the quote of Gary Smith Construction Company, Inc. of Grand Island, Nebraska for Hot Mix Asphalt for the 2002 street maintenance season in the amount of \$16.75 per ton for Type B Asphalt and \$19.75 per ton for Type C Asphalt is hereby approved as the best quote received.

BE IT FURTHER RESOLVED, that a contract by and 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.

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Adopted by the City Council of the City of Grand Island, Nebraska on April 9, 2002.

RaNae Edwards, City Clerk

Approved as to Form ¤_

April 4, 2002



Tuesday, April 09, 2002 Council Session

Item G19

#2002-101 - Approving Bid Award for Purchase of Ford F350 Pickup and Chevrolet Silverado 2500HD Pickup - Public Works Department, Wastewater Treatment Division

The Public Works Department, Wastewater Treatment Division has submitted a request for the purchase of a Ford F350 Supercab 4 Wheel Drive Pickup and a Chevrolet Silverado 2500HD 4 Wheel Drive Pickup. The low state bid for the Ford F350 was submitted by Anderson Ford, Inc. of Grand Island, Nebraska per State Bid, Contract #CA5706, in the amount of \$28,899.00. The low state bid for the Chevrolet 2500HD was submitted by Husker Auto Group, Lincoln, Nebraska per State Bid, Contract #CA5705, in the amount of \$26,737.20. It is recommended that the bids be awarded to Anderson Ford, Inc. of Grand Island, Nebraska for the Ford F350 and to Husker Auto Group of Lincoln, Nebraska for the Chevrolet 2500HD.

Funds for these purchases were budgeted in the 2001-2002 budget in account number 53030054-85625. See attached RESOLUTION.

Staff Contact: Steve Riehle, City Engineer/Public Works Director

WHEREAS, the Wastewater Treatment Division of the Public Works Department is scheduled to purchase two pickups during the 2001/2002 fiscal year; and

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

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

WHEREAS, the funding for such trucks 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 the following vehicles from the State contract holder, Husker Auto Group of Lincoln, Nebraska, is hereby accepted and approved:

Chevrolet Silverado 2500HD 4-wheel drive pickup \$26,737.20 Ford F350 Supercab 4-wheel drive pickup \$28,899.00

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Adopted by the City Council of the City of Grand Island, Nebraska on April 9, 2002.

RaNae Edwards, City Clerk

Approved as to Form



Tuesday, April 09, 2002 Council Session

Item G20

#2002-102 - Approving Bid Award for Filter Face Piping Repairs at Island Oasis

The Parks and Recreation Department, has submitted a request for awarding a bid for filter face piping at Island Oasis two bids were received ranging from \$12,300.00 to \$15,500. The low bid was submitted by Neuman Pools of Beaver Dam Wisconsin in the amount of \$12,300.00. There are sufficient funds for this purchase in account number 10044525-85324. The engineers estimate was \$15,000.00. It is recommended that the bid be awarded to Neuman Pools of Beaver Dam, Wisconsin in the amount of \$12,300.00. See attached RESOLUTION.

Staff Contact: stevep

WHEREAS, the City of Grand Island invited sealed bids for Filter Face Piping Repairs at Island Oasis Water Park, according to plans and specifications on file in the Parks and Recreation Department; and

WHEREAS, on April 4, 2002, bids were received, opened and reviewed; and

WHEREAS, Neuman Pools of Beaver Dam, Wisconsin, 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 \$12,300; and

WHEREAS, Neuman Pools' bid is less than the engineer's estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Neuman Pools of Beaver Dam, Wisconsin, in the amount of \$12,300 for filter face piping repairs at Island Oasis Water Park 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.

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Adopted by the City Council of the City of Grand Island, Nebraska on April 9, 2002.

RaNae Edwards, City Clerk



Tuesday, April 09, 2002 Council Session

Item H1

Consideration of Request by Petition for Water Main District on Gretchen Street and Refer to Utilities Department to Begin Design

A petition has been received by the City Clerk's Office for a Water Main District on Gretchen Street. 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



Tuesday, April 09, 2002 Council Session

Item I1

#2002-103 - Approving a Resolution Endorsing Transportation Improvements for Grand Island And The Enactment By The Nebraska Unicameral of a New State-Wide Comprehensive Transportation Program

The Nebraska League of Municipalities has requested that the City Council consider a Resolution encouraging the Nebraska Unicameral to enact a new state-wide comprehensive transportation program. Grand Island has been asked to identify several transportation capital improvements that are vital to improved safety and growth of the community. South Locust Street, US Highway 30 East and US Highway 30 through the City of Grand Island, US Highway 34 - Locust Street to US Highway 281, and Capital Avenue from US Highway 281 to St. Paul Road are identified as vital projects. The City is unable to finance all capital transportation improvements without the assistance of the State of Nebraska, Nebraska Department of Roads and other agencies, and the State cannot address City needs without the enactment of a new Program. See attached RESOLUTION.

Staff Contact: Steve Riehle, City Engineer/Public Works Director

WHEREAS, one of the major responsibilities of City government is to plan for the immediate and long-term transportation needs of the city; and

WHEREAS, the City Council of the City of Grand Island has identified the transportation capital improvements that are needed in the City; and

WHEREAS, these specific transportation capital improvements are essential to the health, safety and welfare of its citizens in the future; and

WHEREAS, these specific transportation capital improvements are vital to the economic well-being of the City and to its long-term growth and development; and

WHEREAS, failure to undertake these transportation capital improvements will impede and may prevent the economic needs and goals of the City from being accomplished; and

WHEREAS, the City is unable to finance such capital transportation improvements without substantial assistance from the State of Nebraska and the Nebraska Department of Roads and other state government entities; and

WHEREAS, the State of Nebraska and the Department of Roads and other state government entities cannot sufficiently address the transportation needs of the City and other counties and cities across the state without the enactment of a new Comprehensive Transportation Program by the Nebraska Unicameral.

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

- 1. Priority Transportation Projects. After careful investigation of the transportation needs in the City, the following transportation capital improvements are hereby declared to be vital to the future economic growth and development of the City and the safety of its citizens:
 - (A) South Locust Street
 - (B) US Highway 30 East and US Highway 30 through the City of Grand Island
 - (C) US Highway 34 Locust Street to US Highway 281
 - (D) Capital Avenue from US Highway 281 to St. Paul Road
- 2. New Comprehensive Transportation Program. The City hereby endorses and supports the enactment of a new Comprehensive Transportation Program by the Nebraska Legislature of sufficient size and magnitude to address the specific transportation capital improvements set forth in Section 1 above.

Approved as to Form ?
April 4, 2002 ? City Attorney

3. The City Clerk shall send copies of the Resolution and any supporting documentation to: Governor Mike Johanns; State Senators, all candidates for State Senator; all local news media outlets; the League of Nebraska Municipalities; and Nebraska on the Move.	
Adopted by the City Council of the City of Grand Island, Nebraska on April 9, 2002.	
	RaNae Edwards, City Clerk



Tuesday, April 09, 2002 Council Session

Item I2

#2002-104 - Approving Support of the Central Nebraska Regional Airport Efforts Towards the U.S. Department of Transportation's Small Communities Air Service Development Program

The Central Nebraska Regional Airport is seeking to establish the Central Nebraska Air Service Consortium consisting of local communities and counties to apply for a grant from the Small Community Air Service Development Pilot Program. This program has been funded by Congress for two years in the amount of \$45,000,000 to make available grants for local air service development in up to 40 communities and/or consortia. The Central Nebraska Regional Airport has obtained commitments from a number of area communities and counites to participate in the grant application and funding of the air service development effort. The administration of the City of Grand Island is recommending authorization to pay \$24,000 to the consortium over the next two years to be used as part of this development program and to participate in the grant application. Approval of the resolution as drafted is recommended.

Staff Contact: Marlan Ferguson

WHEREAS, the Department of Transportation (DOT) is soliciting proposals from communities and consortiums of communities interested in participating in the Small Community Air Service Development Pilot Program; and

WHEREAS, the program was created to improve air service to airports that suffer from infrequent service and high airfares; and

WHEREAS, the program is limited to no more than 40 communities, with no more than four communities or consortia of communities to be located in each state; and

WHEREAS, \$27.5 million has been authorized for the program in fiscal year 2002 (FY02), and Congress appropriated \$20 million for the program as part of the FY02 DOT Appropriations bill last year; and

WHEREAS, the Central Nebraska Regional Airport is seeking to establish the Central Nebraska Air Service Consortium to provide funding under this two year program, and have requested the assistance of the City of Grand Island and surrounding communities in the promotion of the Small Communities Air Service Development Program to develop affordable and reliable air service to the Grand Island area.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island supports the Central Nebraska Regional Airport in their efforts towards the U.S. Department of Transportation's Small Communities Air Service Development Program.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to proceed with documentation to include the City of Grand Island as a member of the Central Nebraska Air Service Consortium.

BE IT FURTHER RESOLVED, that approximately \$24,000 in funding by the City of Grand Island to be paid to the Central Nebraska Air Service Consortium in equal installments during fiscal years 2001-2002 and 2002-2003 is hereby approved and authorized to assist in raising the necessary funds to make the program a success.

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Adopted by the City Council of the City of Grand Island, Nebraska on April 9, 2002.

RaNae Edwards, City Clerk

Approved as to Form ?
April 5, 2002 ? City Attorney



Tuesday, April 09, 2002 Council Session

Item J1

Payment of Claims for the Period of March 27, 2002 through April 9, 2002

The Claims for the period of March 27, 2002 through April 9, 2002 for a total amount of \$10,374,713.96. A MOTION is in order.

Staff Contact: RaNae Edwards