
City of Grand Island



Tuesday, April 23, 2002

Council Session Packet

City Council:

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

Mayor:

Ken Gnadt

City Administrator:

Marlan Ferguson

City Clerk:

RaNae Edwards

**7:00:00 PM
Council Chambers - City Hall
100 East First Street**

Call to Order

**Pledge of Allegiance /Invocation - Pastor Russell Wolf, United Pentecostal Church,
515 South Oak Street**

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item C1

It's About Kids! Presentations by Kailey Rock and Melissa Freeland

Youth Leadership Tomorrow, It's About Kids! assets will be presented by Kailey Rock and Melissa Freeland.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item C2

Proclamation "Sexual Assault Awareness Month" April 2002


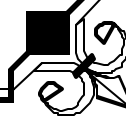
Because sexual assault affects every person in the State of Nebraska either as a victim/survivor of sexual assault or as a family member, significant other, neighbor or co-worker and inasmuch as hundreds of volunteers have generously given of their time to educate and promote sexual assault prevention programs, the Mayor has proclaimed the month of April 2002 as "Sexual Assault Awareness Month" and encourages public awareness of the violence of sexual assault. See attached PROCLAMATION.

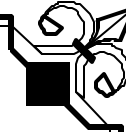

Staff Contact: RaNae Edwards



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

PROCLAMATION

- WHEREAS, sexual assault affects every person in the State of Nebraska either as a victim/survivor of sexual assault or as a family member, significant other, neighbor or co-worker; and
- WHEREAS, a Take Back the Night March was chosen to emphasize the artistic, creative, and innovative ways that survivors of sexual violence have used to heal; and to empower victims who have not yet become survivors. This march will be held on April 23 beginning here at City Hall; and
- WHEREAS, citizens of Grand Island and Hall County are working to provide quality care and assistance to sexual assault survivors. Hundreds of volunteers have staffed the 24-hour hotline, responded to emergency calls and offered support during medical exams and criminal justice proceedings; and
- WHEREAS, Crisis Center volunteers and staff promote sexual assault prevention by offering educational programs to schools, churches, and civic organizations. They also train medical, mental health, law enforcement, education, and criminal justice professionals regarding sexual assault issues; and
- WHEREAS, Nebraska sexual assault programs and other professionals and supporters have joined together as a group to support each other in their work and to provide the State of Nebraska and its citizens with a central 800 number; and
- WHEREAS, locally the Crisis Center provides sexual assault survivors with a 24 hour crisis line, safe shelter, assistance with protection orders, support groups, transportation, financial assistance, and referrals for legal, medical, and professional services; and
- WHEREAS, during April 2002 efforts will be intensified to promote public awareness of the violence of sexual assault; to emphasize the need for citizen involvement in efforts to reduce sexual assault through public education and changing public attitudes; to publicize local education efforts; to increase community support for agencies providing sexual assault services; and to increase awareness of the healing power of creative expression.
- 
- 



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

SEXUAL ASSAULT AWARENESS MONTH

in the City of Grand Island, and I urge all citizens to support
efforts to reduce sexual assault; and

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

Mayor of Grand Island, Nebraska

Attest:

RaNae Edwards, City Clerk





City of Grand Island

Tuesday, April 23, 2002

Council Session

Item C3

Proclamation "Electrical Safety Month" May 2002

As part of a nationwide effort to reduce electrical accidents, the City of Grand Island has joined with the Electrical Safety Foundation International (ESFI) in a public education drive to raise awareness about electrical safety.

Each year thousands of citizens are injured or die from electrical fires and electric shock or electrocution. On average, 69,700 residential fires are caused by faulty electrical wiring systems, appliances, tools, or air conditioning, claiming 488 lives, injuring 2,405 victims and causing nearly \$890 million in property damage. On average, one person is electrocuted in the home each day and nearly five are electrocuted on the job each week. Millions of dollars are lost in corporate and personal productivity and assets because of related insurance and workers compensation claims and related litigation.

In May, the Electrical Safety Foundation kicks off National Electrical Safety Month to remind citizens to respect electricity at home, work, school, and play and of the simple steps one can take to avoid the personal tragedy behind the statistics. Steps like replacing old, worn or frayed electrical cords, testing smoke detectors and ground fault circuit interrupters (GFCIs) and performing electrical safety audits.

The City of Grand Island is pleased to be part of moving this important initiative forward promoting a healthy respect for electricity and the safe use of electrical equipment. In addition, the Utility Administration office may be contacted at 385-5444 Ext. 281 to schedule an electrical safety demonstration to school groups, work groups, clubs, or service organizations. See attached PROCLAMATION.

Staff Contact: Gary Mader



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

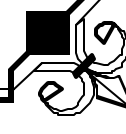

PROCLAMATION

- WHEREAS, electricity is essential to our way of life; and
- WHEREAS, electricity powers industry, agriculture and our schools, heats and cools our homes, cooks our meals and washes our clothes; and
- WHEREAS, electricity is all around us and although it is essential to our way of life, it is also essential to **respect** the use of electricity; and
- WHEREAS, following basic electrical safety precautions can help prevent injury or death to thousands of people each year; and
- WHEREAS, citizens are encouraged to check their home and workplace for possible electrical hazards to help protect lives and property; and
- WHEREAS, citizens are encouraged to test their smoke detectors and ground fault circuit interrupters monthly and after every major electrical storm; and
- WHEREAS, property damage due to electrical-related fires amounts to nearly \$890 million each year; and
- WHEREAS, the efforts of the Electrical Safety Foundation International (ESFI), the U.S. Consumer Product Safety Commission (CPSC), and the City of Grand Island Electrical Safety Program are to promote and educate the public about the importance of **respecting** electricity and practicing electrical safety in the home, school, and workplace; and,
- WHEREAS, the City of Grand Island is actively helping to move this effort forward in order to reduce the number of electrical injuries and deaths from electrical hazards.

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

ELECTRICAL SAFETY MONTH

in the City of Grand Island, and I encourage all citizens to conduct an electrical safety check of their home, school and work place.



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

Mayor of Grand Island, Nebraska

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item C4

Proclamation "Information Security Awareness Week" April 20-26, 2002

We are at a time in the history of our society where computers and communication systems are at the core of our lives. With the current climate and the rise in cyber crime, Information Security (INFOSEC) has become an integral part of making our country and planet a safe place. Information Security is the cornerstone of secure e-Commerce, National Security and many other things that effect the lives of all of us in the United States every single day. Security on the Internet and other networks has been misunderstood. Information Security Awareness Week is an important vehicle for dispelling misconceptions and educating the public about the role ethics, trust, technology and education play in maintaining a safe computing environment. The Mayor has proclaimed April 20-26, 2002 as "Information Security Awareness Week". See attached PROCLAMATION.

Staff Contact: David Springer

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

PROCLAMATION

- WHEREAS, the importance of Information Security Awareness is an integral part of any Information Security Program; and
- WHEREAS, a growing awareness of the dangers posed by Cyber-Terrorism, Information Warfare, and the criminal use of computer systems has raised academic and professional interest in promoting public awareness in Information Security; and
- WHEREAS, the security of the United States of America remains uncertain and depends upon continued public support and increased understanding of the essential role each individual play in Cyberspace.

NOW, THEREFORE, I, Ken Gnadt, Mayor of Grand Island, Nebraska, do hereby proclaim April 20-26, 2002 as

***INFORMATION SECURITY
AWARENESS WEEK***

in the City of Grand Island, and commend this observance to the people of this City.

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

Mayor of Grand Island, Nebraska

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item E1

Public Hearing on Acquisition of Utility Easement Located on the East Side of Elm Street, Between 1st Street and Division Streets - St. Mary's Church

Acquisition of utility easement located on the east side of Elm Street, between 1st Street and Division Street, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to locate underground primary lines and a pad mounted transformer to serve the new Parish Center. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: Gary R. Mader



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item E2

Public Hearing on Acquisition of Utility Easement Located in the Southwest Corner of the Liederkrantz Building

Acquisition of utility easement located in the southwest corner of the Liederkrantz building located at 403 West 1st Street, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to locate a pad-mounted transformer to serve the entire block. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: Gary R. Mader



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item E3

Public Hearing on Acquisition of Right of Way Located in the SW 1/4 of Section 13-11-10

Acquisition of right-of-way located in the SW 1/4 of Section 13-11-10, along the east side of North Road from the Rogers Well property at Old Potash north to the ditch 370.0 feet north of Faidley Avenue is required in order to construct and maintain a drainage ditch as an extension of the Moores Creek Drainway. 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



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item E4

Public Hearing on Grant Application to the Affordable Housing Trust Fund for Housing Development

The Nebraska Department of Economic Development Affordable Housing Program is intended to provide funds to eligible recipients for acquisition, rehabilitation, construction and production of affordable housing to increase the supply of decent, safe, and sanitary housing for low—to-moderate income Nebraskans and to provide a mechanism to leverage private investment in the development of affordable housing. The Affordable Housing Program is funded with resources from US Department of Housing and Urban Development Programs (the Community Development Block Grant Program) and the HOME Investment Partnerships Program, as well as the state-funded Nebraska Affordable Housing Trust Fund (AHTF).

The City of Grand Island, Community Projects Department, is preparing a grant application to the Affordable Housing Trust Fund for funding to assist in the category of Homeownership New Construction with Infrastructure. This category covers infrastructure and development subsidies as it relates to new construction and down payment assistance.

A public hearing has been scheduled to receive comment relative to the City's submittal of the grant application for development of infrastructure in conjunction with the construction of 115 single family homes in a 23 acre parcel of undeveloped land in the northeast area of Grand Island. The grant funds (\$400,000) will be used for site development, infrastructure development, architect, engineering, and related fees, as well as grant administration. The AHTF, along with other resources such as Community Development Block Grant Funds, and NIFA, will be used to bring the cost of construction of the houses down to affordable sales prices. Without these partnerships, the housing could not be made available to low to moderate income families. As evidenced in the 2001 Housing Study, quality housing for low to moderate income families is needed in Grand Island.

The Department of Economic Development requires a public hearing be held in conjunction with submittal of the grant application. A resolution authorizing the submittal of the grant application has been prepared for Council consideration. It is appropriate at this time to solicit public comment. The action item is contained under Consent Agenda.

Staff Contact:



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item F1

#8733 - Consideration of Conveyance of Real Estate in Part of Block 13, Koehler Subdivision to Correct Title Defect

On March 27, 1942, the City of Grand Island authorized condemnation of several tracts of land to be used in Pier Park, including all of Block 13, Koehler Subdivision, Grand Island, Hall County, Nebraska. The South 100 feet of Block 13 contained two houses, neither of which were utilized as park property. Later the City authorized the sale of this tract; however, for reasons unknown, the documents which conveyed title to the buyer were not properly recorded. A local title insurance company has asked that the City prepare and approve replacement documents to correct this defect in the chain of title to the South 100 feet of Block 13. This conveyance which is now before the Council does nothing more than correct a defect in the chain of title and does not involve a new transaction or the exchange of funds. Approval of the ordinance correcting the chain of title to the South 100 feet of Block 13, Koehler Subdivision, Grand Island, Hall County, Nebraska, as drafted is recommended.

Staff Contact: Charlie Cuypers

ORDINANCE NO. 8733

An ordinance to direct and authorize the conveyance of two tracts of land comprising of a part of Block Thirteen, Koehler Subdivision in the City of Grand Island, 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.

WHEREAS, on March 27, 1942, by Ordinance 1910, the City of Grand Island authorized the condemnation of all of Blocks 13, 14, and 15 in Koehler Subdivision to be used for Pier Park; and

WHEREAS, the south one hundred (100.0) feet of Block Thirteen (13) Koehler Subdivision contains two houses, neither of which is utilized as park property; and

WHEREAS, in order to establish a clear chain of title to the property in the south one hundred (100.0) feet of Block Thirteen, Koehler Subdivision, a Quitclaim Deed from the City to the current property owners is appropriate.

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

SECTION 1. The conveyance to Darrin M. Watro and Judilyn M. Watro, husband and wife, of a tract of land comprising of the East Eighty (80.0) feet of the South One Hundred (100.0) feet of Block Thirteen (13), Koehler Subdivision in the City of Grand Island, Hall County, Nebraska; is hereby authorized and directed.

SECTION 2. The conveyance to Peter L. Pittz and Ellen F. Pittz, husband and wife, of a tract of land comprising of the south One Hundred (100.0) feet, except the east Eighty

ORDINANCE NO. 8733 (Cont.)

(80.0) feet of the south One Hundred (100.0) feet of Block Thirteen (13), Koehler Subdivision, located on part of the Southeast Quarter of the Southwest Quarter (SE1/4, SW1/4) of Section Fifteen (15), Township Eleven (11) North, Range Nine (9) West and part of Lot Fourteen (14) of the County Subdivision of the West Half of the Southwest Quarter (W1/2, SW1/4) of Section Fifteen (15), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in the City of Grand Island, Hall County, Nebraska; is hereby authorized and directed.

SECTION 3. The consideration for each such conveyance shall be One Dollar (\$1.00). A title insurance policy is not required to be furnished by the City.

SECTION 4. 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 5. 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 6. 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 the parties identified above, a Quitclaim Deed for said

ORDINANCE NO. 8733 (Cont.)

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

SECTION 7. 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 23, 2002.

Ken Gnadt, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item F2

#8734 - Consideration of Amending Chapter 13 of City Code Relative to Regulations for Sidewalk Usage in Downtown

Chapter 13-50 of the City Code regulates the usage of sidewalk displays, sandwich board signs, vending carts, and sidewalk cafes located within or directly abutting the Downtown Business District. The Downtown Improvement Board has developed and adopted regulations pertaining to the issuance of permits for these purposes. The applications are reviewed, and approved by, the Building Department Director, Hall County Department of Health, Public Works Department, Fire Department, Police Department as well as the Downtown Development Director and Downtown Improvement Board. In order to facilitate and expedite the application process, it is recommended that Chapter 13-50 be amended to allow the Downtown Improvement Board to administer and modify the Regulations pertaining to sidewalk usage in Business Improvement District #2 (Downtown). Approval is recommended.

Staff Contact:

ORDINANCE NO. 8734

An ordinance to amend Chapter 13 of the Grand Island City Code; to amend Section 13-50 pertaining to sidewalk usage in Business Improvement District No. 2; to repeal Section 13-50 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 13-50 of the Grand Island City Code is hereby amended to read as follows:

§13-50. Sidewalk Usage; Regulations

All sidewalk displays, sandwich board signs, vending carts, and sidewalk cafes located within or directly abutting Business Improvement District No. 2 shall comply with Public Right-of-Way Usage Regulations to be promulgated and adopted by the Downtown Business Improvement District Board ~~and approved by the Mayor and City Council~~. Copies of the Public Right-of-Way Usage Regulations shall be on file with the City Clerk, Community Projects Director, Downtown Development Director, and shall be available for public inspection.

SECTION 2. Section 13-50 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 23, 2002.

Ken Gnadt, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	?	_____
April 19, 2002	?	City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item F3

#8735 - Consideration of Amending City Code Relative to Implementation of Fees for Parking Ramp

As discussed at the City Council Retreat, the Downtown Improvement Board, at the suggestion of the Parking Ramp Committee, is recommending moving toward a “pay for parking” structure at the parking ramp. Since the structure was built, downtown property owners have funded the maintenance of this structure through an assessment district. No city tax dollars are used to support the operations and/or maintenance of the Ramp.

Unfortunately, many property owners on the outer perimeters of the improvement district did not realize any benefit from their assessments, as their properties are not in close proximity to the parking ramp. The new fees will place that responsibility on people who are actually using the ramp.

Upon Council approval, staff will commence with finalizing equipment/infrastructure pricing information, soliciting bids for the equipment and associated electrical work, and procurement of signage. It is anticipated this change would become effective with the new fiscal year, October 1, 2002.

A courtesy notice/flyer has been distributed to County, State, and Federal employees, as well as area businesses regarding the proposed user fees for the parking ramp in Downtown Grand Island.

Suggested fees are as follows:

\$25/month fee for lower level reserved space

\$20/month fee for middle and upper level reserved space

\$2/day fee for non-reserved spaces (\$1 8 a.m. - 12 noon; \$1 12 noon to 5 p.m.)

The two-hour parking on the lower level, and free extended parking on upper levels will be eliminated. Approval is recommended.

Staff Contact:

ORDINANCE NO. 8735

An ordinance to amend Chapter 13 of the Grand Island City Code; to amend Sections 13-4 and 13-17 and to add Section 13-55 pertaining to parking ramp regulations; to repeal Sections 13-4 and 13-17 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 13-4 of the Grand Island City Code is hereby amended to read as follows:

§13-4. Use of Revenue

The proposed uses to this additional revenue derived from the imposition of a general business license and occupation tax on businesses and users of the space within the district, are as follows:

- (1) The acquisition, construction, maintenance, administration, and operation of public off-street parking facilities for the benefit of the district area ~~on which no charge for use shall be made.~~
- (2) Improvement and decoration of any public place in the district area.
- (3) Promotion of public events which are to take place on or in public places in the district area.
- (4) Creation and implementing of a plan for improving the general architectural design of public areas in the district area.
- (5) The development of any public activities in the district area.
- (6) Any other project or undertaking for the betterment of the public facilities in the district area, whether the project be capital or noncapital in nature.

SECTION 2. Section 13-17 of the Grand Island City Code is hereby amended to read as follows:

§13-17. Congested Parking Area

The following areas of the City are found and determined to be areas where congestion of vehicular traffic is such that the public convenience and safety require regulation of parking by a parking meter system:

- (A) Third Street between Elm Street and Sycamore Street;
- (B) Second Street between Elm Street and Pine Street;
- (C) Cedar Street between Second Street and Third Street;
- (D) Walnut Street between First Street and South Front Street;
- (E) Wheeler Street between First Street and Third Street;
- (F) Locust Street between First Street and South Front Street;
- (G) Pine Street between Second Street and South Front Street;
- (H) The southern most row of parking stalls in the public parking lot on the south side of South Front Street and east of vacated Wheeler Street;
- (I) The public parking lot on the north side of Second Street and Walnut Street;
- (J) The western most row of parking stalls in the public parking lot on the east side of Pine Street, south of South Front Street; and

Approved as to Form ? _____
April 19, 2002 ? City Attorney

ORDINANCE NO. 8735 (Cont.)

~~—(K) The lower level of the public parking ramp on the east side of Locust Street, north of First Street.~~
All city-owned parking spaces located within said congested parking area shall be designated Metered Zone or Express Zone and subject to the parking meter system except those parking spaces reserved for handicapped parking only. One or more Express Zone spaces shall be located on each side of each block of on-street parking within the congested area and shall be designated by posted signs.

SECTION 3. Article VII – Parking Ramp Regulations and Section 13-55 is hereby added to Chapter 13 of the Grand Island City Code to read as follows:

§13-55. Parking Ramp Regulations

The Downtown Improvement Board is authorized to promulgate, subject to the approval and adoption by the City Council, such regulations and rates as are necessary and convenient to lease to the public the parking spaces in the public parking ramp on the east side of Locust Street, north of First Street. Said regulations and rates shall be enacted by resolution. The rates shall be set forth in the City of Grand Island Fee Schedule.

SECTION 4. Sections 13-4 and 13-17 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

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

Enacted: April 23, 2002.

Ken Gnadt, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item F4

#8736 - Consideration of Creating Sanitary Sewer District # 505, Livengood, Sharon Rose and Rapien Subdivisions and part of Sections 15-11-9 and 10-11-9

This Ordinance provides for the establishment of a Sanitary Sewer District located in Livengood, Sharon Rose and Rapien Subdivisions and part of Sections 15-11-9 and 10-11-9. The District would provide for the construction of a sanitary sewer line and related appurtenances along Seedling Mile Road and Willow Street. The area is not currently served by the City sanitary sewer system. The costs would be primarily funded through assessments. The issue has been discussed by Council at previous sessions, and background reference material is attached to this narrative. The formation of the District is in accordance with State law. A 30 day protest period follows the publication of creation of the District. See attached ORDINANCE.

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

Creation of Sanitary Sewer District 505
Livengood, Sharon Rose and Rapien Subdivisions and part of Sections 15- 11-9 and 10-11-9
April 19, 2002

Background

Sanitary Sewer District 502 was created by the City Council on August 28, 2001. The District completed the 30-day protest period at 5:00 p.m. Thursday, October 4, 2001, with protests filed by less than 50% of the front footage for the abutting property owners. Property owners in the area are concerned that they can not afford the Sanitary Sewer District. The item for consideration of continuation of the District was tabled at the October 23, 2001 Council meeting.

The following information was discussed at the December 4, 2001 Council meeting:

Total Costs

Public Works staff reviewed the total estimate for the project. The total estimate for the project may be 12 ½ % higher because of the Nebraska Department of Roads' US Highway 30 East project. We reviewed our estimates and do not see any areas where we were high so the initial total project cost estimate is the estimate we should use.

Grant Funding

Public Works Director Steve Riehle, Community Projects Director Cindy Johnson and Monty Montgomery of the Grand Island Area Economic Development Corporation met to explore funding options. The area is not eligible for Community Development Block Grant (CDBG) funds and would be a low priority for funding by the Community Redevelopment Authority (CRA).

Distribution of Assessments

Statute stipulates that the assessments should be allocated in proportion to the benefit to each property. The estimated assessments were calculated by distributing ½ of the project cost by lot area and ½ by front footage.

The motion to approve continuation of the District failed due to abutting property owners' concerns.

Discussion

The Public Works and Community Projects Departments further researched funding avenues such as Nebraska Department of Economic Development funding. We were unsuccessful in identifying funding streams that would be appropriate for this operation.

State statute provides that protests are calculated based strictly on front footage. The statutes call for assessments to be levied to the properties in proportion to their benefit. We reviewed several methods and believe the most equitable formula for determination of benefits and the assessments is to distribute 50% of the cost based on front footage and 50% according to lot area. This method of distributing the assessments was used for the original District costs estimate. The uploaded chart shows the benefits to the property owners for assessing based on a split between front footage and lot area versus strictly front footage.

Creation of Sanitary Sewer District 505

Page 2.

Nevada Railroad Materials(NRM) will soon be operating their wood railroad tie rehabilitation facility at 1308 East Seedling Mile Road. The Subdivision Agreement states that the subdivider will request a Sanitary Sewer District to serve the Subdivision. A copy of the Subdivision Agreement for Livengood Subdivision, along the north side of Seedling Mile Road is attached. Because of the estimated time needed to complete construction of a Sanitary Sewer District, NRM installed temporary facilities. The temporary facilities are a short-term solution and NRM would like to connect to City sanitary sewer.

Bob Ollendick of NRM will be present at the Council meeting to discuss the issue with the Council so NRM can start their operation in May or June of 2002.

Recommendation

The issue before the Council remains the creation of a sanitary sewer district to serve this area. Council has four alternatives:

1. **Creation of a Protest District** that has the same boundaries as the original district. A protest period would apply and Council would consider continuation of the District upon completion of the protest period. An Ordinance to create the District will be on the Agenda for Council consideration.
2. **Creation of a Tap District** whereby property owners would not be obligated to pay for their share of the sanitary sewer until they connect. The Wastewater Division of the Public Works Department does not have the financial resources to fund Tap Districts.
3. **Require NRM to build the Sanitary Sewer** as a project at their cost for the section of the sanitary sewer along Seedling Mile Road. The cost to NRM would be increase from an estimated \$28,000 to approximately \$140,000.
4. **Amend the Subdivision Agreement** to allow a private septic tank and leach field for the NRM property. NRM has verbally asked to be reimbursed for the money they spent for sanitary sewer piping on their property in anticipation of a public sanitary sewer main along Seedling Mile Road. Private septic tanks and leach fields within City limits should be discouraged if public sanitary sewer can be made available. An amended Subdivision Agreement could be brought forward for Council consideration at a future meeting.

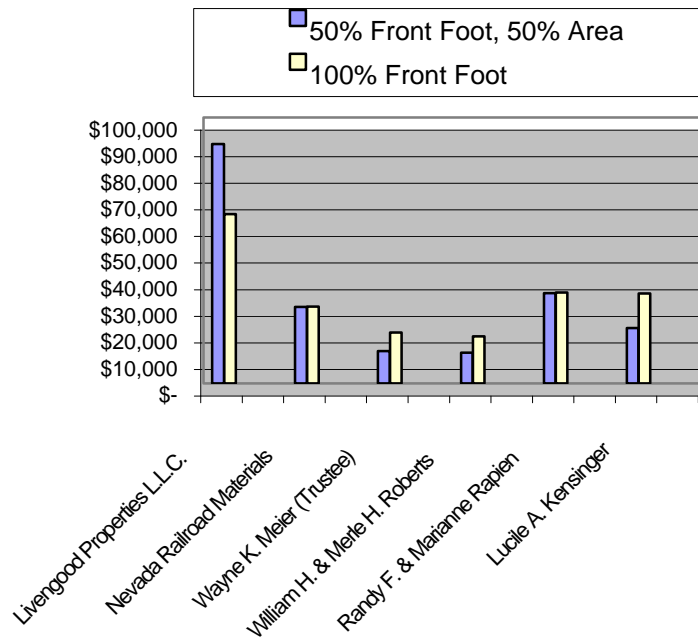
Financial Implications

If the District is created and continued, the majority of the costs will be assessed to the benefiting properties.

Sanitary Sewer District No. 505-Estimated Assessments

<u>Owner & Address</u>	Total Assessment Calculated 50% by Front Footage, 50% by Lot Area	Total Assessment Calculated By Frontage
Livengood Properties L.L.C.	\$ 89,968.04	\$ 63,716.73
Nevada Railroad Materials	\$ 28,770.53	\$ 28,908.37
Wayne K. Meier (Trustee)	\$ 12,211.49	\$ 19,076.38
William H. & Merle H. Roberts	\$ 11,581.88	\$ 17,663.76
Randy F. & Marianne Rapien	\$ 33,943.76	\$ 34,145.12
Lucile A. Kensinger	\$ 20,839.28	\$ 33,804.64
NDOR	\$ -	\$ -
	\$ 197,315.00	\$ 197,315.00

Assessment Calculations April 16, 2002



]

Entered As Instrument No.

0200108147

STATE OF NEBRASKA) ss
COUNTY OF HALL)

01 AUG 14 PM 1 38

Kathy Edwards
REC OF DEEDS

CASH 26.00

CHECK _____

REFUNDS _____

CASH _____

CHECK _____

200108147

* This Space Reserved for Register of Deeds *

Return to:
RANAE EDWARDS
City Clerk
100 East First Street
Grand Island, NE 68801

SUBDIVISION AGREEMENT

LIVENGOD SUBDIVISION

(Lots 1 and 2)

In the City of Grand Island, Nebraska

The undersigned, Livengood Properties, L.L.C., a Nebraska Limited Liability Company, hereinafter called the Subdivider, as owner of a tract of land comprising a part of the all that part of the East Half of the Southeast Quarter (E1/2, SE1/4) of Section Ten (10), in Township Eleven (11) North, Range Nine (9) West of the 6th P.M., lying south of a line drawn parallel with and distant Four Hundred (400.0) feet southerly from the centerline of the south main track of the Union Pacific Railroad Company and west from a line drawn parallel with and distant Four Hundred Fifty Five and Forty Five Hundredths (455.45) feet west from the east line of said East Half of the Southeast Quarter (E1/2, SE1/4) of said Section Ten (10), in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

All that part of the East Half of the Southeast Quarter (E1/2, SE1/4) of Section Ten (10), in Township Eleven (11) North, Range Nine (9) West of the 6th P.M., lying south of a line drawn parallel with and Four Hundred (400.0) feet in a southerly direction from the centerline of the south main track of the Union Pacific Railroad Company and

26.00

lying between two parallel lines drawn respectively One Hundred Eighty and Sixty Three Hundredths (180.63) feet and Four Hundred Fifty Five and Forty Five Hundredths (455.45) feet west of the east line of the East Half of the Southeast Quarter (E1/2, SE1/4) of said Section Ten (10), and parallel with said easterly line containing five acres, more or less, which portion is more particularly described as follows: beginning at a point on the south line of said Section Ten (10), which point of beginning is Two Hundred Eighty Seven and Sixty Three Hundredths (287.63) feet west of the southeast corner of said Section Ten (10), running thence north parallel to the east line of said Section Ten (10), a distance of Two Hundred Eighty Eight (288.0) feet, turning thence east and running parallel with the south line of said Section Ten (10), for a distance of One Hundred Seven (107.0) feet, turning thence north and running parallel with the east line of said Section Ten (10), to a point on the southerly right-of-way line of the Union Pacific Railroad Company; turning thence southwesterly along and upon said railroad right-of-way line to a point Four Hundred Fifty Five and Forty Five Hundredths (455.45) feet west of the east line of said Section Ten (10); turning thence south running parallel with the east line of said Section Ten (10), to a point on the south line of said Section Ten (10); turning thence east and running along and upon the south line of said Section Ten (10), for a distance of One Hundred Sixty Seven and Eighty Two Hundredths (167.82) feet to the point of beginning, all being in the City of Grand Island, Hall County, Nebraska, and containing 14.957 acres, more or less;

desires to have subdivided as a subdivision the foregoing tract of land located within the corporate limits of the City of Grand Island, Nebraska, and hereby submits to the City Council of such City for acceptance as provided by law an accurate map and plat of such proposed subdivision, to be known as LIVENGOD SUBDIVISION, designating explicitly the land to be laid out and particularly describing the lots, easements, and streets belonging to such subdivision, with the lots designated by number, easements by dimensions, and streets by name, and proposes to cause the plat of such subdivision when finally approved by the Regional Planning Commission and the City Council to be acknowledged by such owner, certified as to accuracy of survey by a registered land surveyor, and to contain a dedication of the easements to the use and benefit of public utilities, and

of the street to the use of the public forever. In consideration of the acceptance of the plat of said LIVENGGOOD SUBDIVISION, the Subdivider hereby consents and agrees with the City of Grand Island, Nebraska, that it will install or provide at its expense the following improvements:

1. **Paving.** The Subdivider agrees to waive the right to object to the creation of any paving or repaving district for Seedling Mile Road where it abuts the subdivision.

2. **Water.** Public water supply is available to the subdivision and the Subdivider agrees to extend, connect and provide water service to all lots in the subdivision in accordance with plans and specifications approved by the Director of Public Works, and subject to the City's inspection.

3. **Sanitary Sewer.** The Subdivider shall file a request to create a sanitary sewer district to serve the subdivision along with the submission of this agreement. The Subdivider waives the right to protest the creation of a sanitary sewer district within or abutting the subdivision. All lots in the subdivision shall be connected to sanitary sewer upon completion of the sanitary sewer district. In the alternative, the Subdivider shall construct a public sanitary sewer system, and shall extend, connect and provide sanitary sewer service to all lots in the subdivision in accordance with plans and specifications approved by the Director of Public Works, and subject to the City's inspection. Private sanitary sewer systems shall not be permissible.

4. **Storm Drainage.** The Subdivider agrees to grade all lots in the subdivision in conjunction with the development proposed thereon so that storm drainage is conveyed to a public right-of-way or to other drainage systems so approved by the Director of Public Works.

5. **Sidewalks.** Immediate sidewalk construction adjacent to Seedling Mile Road shall be waived. However, the sidewalks shall be constructed when the property owner is directed

to do so by the City Council. In the event a Street Improvement District is created to pave any public street in the subdivision, the Subdivider agrees to install public sidewalks within one year of the completion of such street improvement district in accordance with the City of Grand Island Sidewalk Policy.

6. **Landscaping.** The Subdivider agrees to comply with the requirements of the Landscaping Regulations of the City of Grand Island, and plans as submitted to and approved by the City's Building Department.

7. **Engineering Data.** All final engineering plans and specifications for public improvements shall bear the signature and seal of a registered professional engineer and shall be furnished by the Subdivider to the Department of Public Works for approval prior to contracting for construction of any improvements. Inspections of improvements under construction shall be performed under the supervision of a professional registered engineer and upon completion shall be subject to inspection and approval by the Department of Public Works prior to acceptance by the City of Grand Island. An "as built" set of plans and specifications including required test results bearing the seal and signature of a registered professional engineer shall be filed with the Director of Public Works by the Subdivider prior to acceptance of these improvements by the City.

8. **Warranty.** The undersigned owner, as Subdivider, warrants that it is the owner in fee simple of the land described and proposed to be known as LIVENGOD SUBDIVISION, and that an abstract of title will be submitted for examination, if necessary, upon request of the City of Grand Island.

9. **Successors and Assigns.** This agreement shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their successors, assigns, heirs,

devisees, and legatees. Where the term "Subdivider" is used in this agreement, the subsequent owners of any lots in the subdivision shall be responsible to perform any of the conditions of this agreement if the Subdivider has not performed such conditions.

Dated 8/1, 2001.

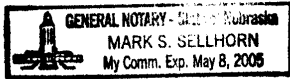
LIVENGODD PROPERTIES, L.L.C.,
a Nebraska Limited Liability Company,
Subdivider

By: William D. Livengood
William D. Livengood, President

STATE OF NEBRASKA)
LANCASTER) ss
COUNTY OF ~~LANCASTER~~)

On August 1, 2001, before me, the undersigned, a Notary Public in and for said County and State, personally appeared William D. Livengood, President of Livengood Properties, L.L.C., a Nebraska limited liability company, known personally to me to be the identical person and such officer who signed the foregoing Subdivision Agreement and acknowledged the execution thereof to be his voluntary act and deed for the purpose therein expressed on behalf of the corporation.

WITNESS my hand and notarial seal the date above written.



Mark S. Sellhorn
Notary Public

CITY OF GRAND ISLAND, NEBRASKA
A Municipal Corporation

By: Ken Gnad
Ken Gnad, Mayor

Attest: RaNae Edwards
RaNae Edwards, City Clerk



? This Space Reserved for Register of Deeds ?

ORDINANCE NO. 8736

An ordinance creating Sanitary Sewer District No. 505 of the City of Grand Island, Nebraska; defining the boundaries thereof; providing for the laying of sanitary sewer mains in said district; providing for plans and specifications and securing bids; providing for the assessment of special taxes for constructing such sewer and collection thereof; and providing for publication and the effective date of this ordinance.

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

SECTION 1. Sanitary Sewer District No. 505 is hereby created for the construction of ten (10.0) inch sanitary sewer mains and appurtenances thereto for Livengood Subdivision, Rapien Subdivision, Sharon Rose Subdivision, and a part of the Southeast Quarter (SE1/4) of Section Ten (10), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., and a part of the Northeast Quarter (NE1/4) of Section Fifteen (15), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., all in the city of Grand Island, Hall County, Nebraska.

Approved as to Form? _____
April 19, 2002 ? City Attorney

ORDINANCE NO. 8736 (Cont.)

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

Beginning at the northwest corner of Livengood Subdivision; thence south on the west line of Livengood Subdivision, Sharon Rose Subdivision and a prolongation thereof to the north line of U.S. Highway No. 30; thence northeasterly on the north line of U.S. Highway No. 30, said line also being the southerly line of Rapien Subdivision and a prolongation thereof to the south line of Section 10-11-9; thence east on the south lines of Section 10-11-9 and Section 11-11-9 to a point Ninety Three (93.0) feet east of the southwest corner of Section 11-11-9; thence north on a line Ninety Three (93.0) feet east of and parallel to the west line of Section 11-11-9 to a point on the north line of Lot 12, Bosselman Brothers Subdivision; thence southwesterly on the north lines of Bosselman Brothers Subdivision, Livengood Subdivision and a prolongation thereof to the point of beginning, all as shown on the plat dated April 18, 2002, attached hereto as Exhibit "A" and incorporated herein by reference.

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

SECTION 4. The cost of construction of such sanitary sewer district shall be assessed against the property within the district abutting upon the easement or other right-of-way within which such sanitary sewer main has been constructed, to the extent of benefits to such property by reason of such improvement, and a special tax shall be levied at one time to pay for such cost of construction as soon as can be ascertained as provided by law; and such special tax and assessments shall constitute a sinking fund for the payment of any warrants or bonds with interest, issued for the purpose of paying the cost of such sewer in such district; and such special assessments shall be paid and collected in a fund to be designated and known as the Sewer and Water Extension Fund and out of which all warrants issued for the purpose of paying the cost of sanitary sewer shall be paid.

ORDINANCE NO. 8736 (Cont.)

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

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

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

Enacted: April 23, 2002.

Ken Gnadt, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G1

Receipt of Official Documents - Civil Service Minutes of March 7, 2002

The Minutes of the March 7, 2002 Civil Service Meeting are submitted. See attached MINUTES.

Staff Contact: Brenda Sutherland

GRAND



ISLAND

*Working Together for a
Better Tomorrow. Today.*

MINUTES
CIVIL SERVICE COMMISSION
March 7, 2002

Roll Call:	Members Present:	Leeper, Burns, Hilligas
	Members Absent:	None
	Also Present:	Marlan Ferguson, City Administrator, Charles Cuypers, City Attorney, Dale Shotkoski, Asst. City Attorney, Brenda Sutherland, HR Director, Jim Rowell, Fire Chief, Curt Rohing, Fire Operations Chief

Burns called the meeting to order at 8:35 a.m.

Notice of the meeting was published in the March 5, 2002 edition of the Grand Island Independent.

Hilligas moved to approve the Minutes of the February 19, 2002, meeting. Burns seconded the motion, which carried unanimously upon roll call vote.

The Commission received a request from the Police Department to advertise and conduct the Police Officer examination. Hilligas moved to authorize the Secretary to advertise and conduct a Police Officer exam. Burns seconded the motion, which carried unanimously upon roll call vote.

The Commission received, from Rowell, a document outlining reclassification from Paramedic to FF/EMT. Rowell has received a request from a Paramedic to be reclassified to FF/EMT. No other requests have come to the Fire Department. Rowell reminded the Commission that existing employees could be reclassified and placed where they can still provide appropriate services. Sutherland explained the action taken by the Commission at the January 16, 2002, meeting was, "that should a reclassified individual want to return to the previous position as a paramedic, they must take and pass the entry level exam and be placed by the Commission on the Certified List for Paramedic." She also pointed to that fact we have been successful in testing and reclassifying our own FF/EMT to Paramedics. Rowell suggested Paramedics already trained, even with reclassification, would still provide expertise and experience, and sees this as a benefit to the Fire Department. He said the Fire Department tries to accomplish keeping the best, most qualified people on the force and would like a resolution today so we can proceed with hiring and training.

Shotkoski stated that there are no guarantees that a Paramedic reclassified to FF/EMT would again be eligible through testing for Paramedic. Ferguson stated he is concerned about reclassifying after going to the expense of training and placing Paramedics. Also, testing provides us the opportunity to recruit and hire the best candidates. Burns wondered if this type of reclassification should be a management prerogative.

Cuypers explained hiring policies that do not permit in-house preference given to current employees. In the past, a board of arbitrators determined that preferential treatment was not acceptable. For Civil Service positions, Nebraska statutes give local Civil Service Commissions the authority to appoint. Currently, we test for Fire and Police positions. Reclassification should not be done outside the jurisdiction of the Civil Service Commission. He stated that the Civil Service Rules and Regulations create rigidity in creating the ability to involve the public in applying for positions. He expressed concern that the rank and file is creating vacancies and would recommend that when a person is dissatisfied with a work position they not be given the opportunity to reclassify, especially when all positions require testing.

Burns stated that because, in Cuypers' legal opinion, we are in conflict with the Civil Service Rules and Regulations, the January 16, 2002, action taken should be rescinded. Burns moved to rescind the action taken by the Commission on January 16, 2002, namely, that the following should take place if a Paramedic reclassified as a FF/EMT wants to return to

the classification of Paramedic: Entry level FF/Paramedic examination administered, passing grades obtained and placement by the Commission on the Certified List for Paramedic. Hilligas seconded the motion, which carried unanimously upon roll call vote.

There being no further business, Burns moved to adjourn the meeting at 9:25 a.m. Hilligas seconded the motion, which carried unanimously upon roll call vote.

Respectfully submitted,

Brenda Sutherland, Secretary
Civil Service Commission

Approved by Civil Service Commission: 4/9/02
Copies of approved Minutes to: City Clerk



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G2

Receipt of Official Documents - Pawnbroker's Official Bonds for Wayne's Pawn Shop, Stewart's Loan and Pawnshop and GI Loan Shop

Chapter 25 of the Grand Island City Code allows for Pawnbrokers licenses. All permits expire on May 1st of each year. City Council approval is required for new applications and renewals. The City Clerk's Office has received applications and Official Bonds from Wayne's Pawn Shop, Stewart's Loan and Pawnshop and GI Loan Shop. Approval is recommended.

Staff Contact: RaNae Edwards



Pawnbroker's License Application

Business Owner Name: WAYNE E MAY

Business Owner Address: 2530 N. WEBB RD. GRAND ISLAND, NE 68803

Business Manager Name: SAME AS ABOVE

Business Manager Address: _____

Business Street Address: 203 WEST 3RD GRAND ISLAND, NE 68801

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

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

Offense	Location of Court	Conviction Date
<u>NONE</u>	_____	_____
_____	_____	_____
_____	_____	_____

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

Additional Documents Required:

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

All licenses expire on April 30th of each year. The City of Grand Island requires payment of an occupation tax in the amount of \$63.00 when the license is issued as well as a license fee in the amount of \$63.00.

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



Western Surety Company

CONTINUATION CERTIFICATE

Western Surety Company hereby continues in force Bond No. 05756024
briefly described as Pawnbroker City of Grand Island
for Wayne E. May & Ardith May dba Wayne's Pawn Shop
_____, as Principal,
in the sum of \$ FIVE THOUSAND AND NO/100 Dollars, for the term beginning
April 01, 2001, and ending April 01, 2004, subject to all
the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.

Dated this 22 day of January, 2001.



WESTERN SURETY COMPANY

By Stephen T. Pate
Stephen T. Pate, President

THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Stephen T. Pate of Sioux Falls
State of South Dakota, its regularly elected President
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, all of the following classes of documents to-wit:

Indemnity, Surety and undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity; bonds indemnifying employers against loss or damage caused by the misconduct of their employees; official, bail, and surety and fidelity bonds. Indemnity in all cases where indemnity may be lawfully given; and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company, and to compromise and settle any and all claims or demands made or existing against said Company.

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company, duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its President with the corporate seal affixed this 22 day of January, 2001.

ATTEST

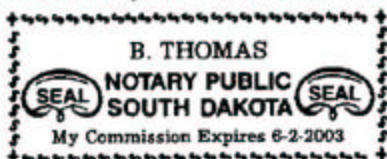
L. Nelson
Assistant Secretary

WESTERN SURETY COMPANY
By Stephen T. Pate
Stephen T. Pate, President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

On this 22 day of January, 2001, before me, a Notary Public, personally appeared
Stephen T. Pate and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as President
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



B. Thomas
Notary Public





Western Surety Company

CONTINUATION CERTIFICATE

Western Surety Company hereby continues in force Bond No. 41137041

briefly described as Pawnshop City of Grand Island

for LYLE L. STEWART AND DONNA L. STEWART DBA STEWART'S LOAN AND PAWNSHOP

_____, as Principal,

in the sum of \$FIVE THOUSAND AND NO/100 Dollars, for the term beginning

April 30, 2002, and ending April 30, 2003, subject to all

the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.

Dated this 19 day of February, 2002.



WESTERN SURETY COMPANY

By Stephen T. Pate
Stephen T. Pate, Executive Vice President

THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.



Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Stephen T. Pate of Sioux Falls,
State of South Dakota, its regularly elected Executive Vice President,
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, all of the following classes of documents to-wit:

Indemnity bonds and undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity, policies insuring employers against loss or damage caused by the misconduct of their employees; official, bail, and surety and fidelity bonds. Indemnity in all cases where indemnity may be lawfully given; and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company, and to compromise and settle any and all claims or demands made or existing against said Company.

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company, duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its
Executive Vice President with the corporate seal affixed this 19 day of February 2002.

ATTEST

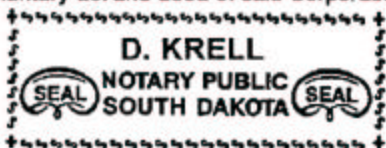
L. Nelson
Assistant Secretary

WESTERN SURETY COMPANY
By Stephen T. Pate
Stephen T. Pate, Executive Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

On this 19 day of February, 2002, before me, a Notary Public, personally appeared
Stephen T. Pate and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Executive Vice President
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to
be the voluntary act and deed of said Corporation.



D. Krell
Notary Public





Pawnbroker's License Application

Business Owner Name: Darbo R. Beasley
Business Owner Address: 1815 Hwy 58 Dannebrog, NE
Business Manager Name: Marietta Beasley
Business Manager Address: #16 St James Pl G. I. NE
Business Street Address: 1004 W 2nd

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

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

Offense	Location of Court	Conviction Date
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

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

Additional Documents Required:

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

All licenses expire on April 30 of each year. The City of Grand Island requires payment of an occupation tax in the amount of \$63.00 when the license is issued as well as a license fee in the amount of \$63.00.

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



OLD REPUBLIC SURETY COMPANY
P O BOX 1976
DES MOINES, IA 50306

CONTINUATION CERTIFICATE

BOND NUMBER	BOND DESCRIPTION	EFFECTIVE DATE	EXPIRATION DATE
RLI- 557589	PAWNBROKER	5/01/2002	5/01/2003

PRINCIPAL

BEAZLEY, DARLO R.
G.I. LOAN SHOP
1004 W 2ND
GRAND ISLAND, NE 68801

MAP 11 200

OFFICE

CITY OF GRAND ISLAND
2ND & PINE
GRAND ISLAND, NE 68801

THIS BOND CONTINUES IN FORCE TO THE ABOVE EXPIRATION DATE CONDITIONED AND PROVIDED THAT THE LOSSES OR RECOVERIES ON IT AND ANY AND ALL ENDORSEMENTS SHALL NEVER EXCEED THE PENALTY SET FORTH IN THE BOND AND WHETHER THE LOSSES OR RECOVERIES ARE WITHIN THE FIRST AND/OR SUBSEQUENT OR WITHIN ANY EXTENSION OR RENEWAL PERIOD, PRESENT, PAST OR FUTURE. ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.

SIGNED AND DATED THIS THIRTEENTH DAY OF JANUARY, 2002

40-7749
RATHMAN-OBERMILLER INSURANCE
P O BOX 759
GRAND ISLAND, NE 68802

OLD REPUBLIC SURETY COMPANY
SURETY

By *Genevieve J. Hester*
ASSISTANT SECRETARY



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G3

Approving Appointment to Regional Planning Commission

With Council approval, I would like to appoint Robert Obst to serve a term on The Regional Planning Commission. His term would begin immediately and expire on October 1, 2004.

Thank you for your consideration.

Staff Contact: Mayor



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G4

Approving Minutes of April 9, 2002 City Council Regular Meeting

*The Minutes of the April 9, 2002 City Council Regular Meeting are submitted for approval.
See attached MINUTES.*

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS
CITY OF GRAND ISLAND, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
April 9, 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 April 9, 2002. Notice of the meeting was given in the Grand Island Independent on April 3, 2002.

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

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Councilmember Jackie Pielstick.

RESERVE TIME TO SPEAK ON AGENDA ITEMS: No individuals reserved time to speak on agenda items.

PRESENTATIONS AND PROCLAMATIONS:

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

Proclamation "April is for the Arts" Month April 2002. Mayor Gnadt proclaimed the month of April, 2002 as "April is for the Arts". Trish Beam, representing the Convention and Visitors Bureau and Carolyn Carr representing Moonshell Arts & Humanities Council were present to receive the proclamation.

Proclamation "Public Health Month" April 2002. Mayor Gnadt proclaimed the month of April, 2002 as "Public Health Month". Sojna Simpson, Health Department Director was present to receive the proclamation.

Proclamation "Taiwan Heritage Week" May 5-11 2002. Mayor Gnadt proclaimed the week of May 5-11, 2002 as "Taiwan Heritage Week".

Proclamation "National Library Week" April 14-20, 2002. Mayor Gnadt proclaimed the week of April 14-20, 2002 as "National Library Week". Steve Fosselman, Library Director and Jerry Bryant, President of the Library Board were present to receive the proclamation.

Proclamation "Fair Housing Month" April 2002. Mayor Gnadt proclaimed the month of April, 2002 as "Fair Housing Month".

PUBLIC HEARINGS:

Public Hearing on Request of Todd Carpenter and Doug Redman for Conditional Use Permit for a Parking Lot Located at 1717 West 2nd Street. Craig Lewis, Building Department Director reported that Todd Carpenter and Doug Redman, 2106 North Webb Road, had 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 was the south one half of the block. The property was 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. No public testimony was heard.

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. Craig Lewis, Building Department Director reported that Dennis and Barbara Stark, 3460 North Webb Road, had 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 was 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. No public testimony was heard.

Public Hearing on Request of Gas Island LLC dba Gas Island, 2012 North Webb Road for a Class "D" Liquor License. City Clerk, RaNae Edwards reported that Mark Masek, owner of Gas Island LLC dba Gas Island, 2012 North Webb Road had submitted an application with the City Clerk's Office for a Class "D" Liquor License which allows for the sale of alcoholic liquor off sale only inside the corporate limits of the City of Grand Island. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on March 26, 2002; notice to applicant of date, time and place of hearing mailed on March 26, 2002; notice to the general public of date, time and place of hearing published on March 31, 2002; Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Acquisition of Permanent Utility Easements for Sanitary Sewer District #493. (Reed Road, Roth Road and Beachwood Drive) Steve Riehle, Public Works Director reported that acquisition of permanent utility easements relative to Sanitary Sewer District #493 located on Reed Road, Roth Road and Beachwood Drive were required in order to construct Sanitary Sewer District 493. The individual Owners had agreed to the terms for the easements. No public testimony was heard.

Public Hearing on Proposed Grant Application to Department of Economic Development Relative to Community Development Funding for Nebraska Goodwill Industries Behavioral Health Rehabilitation Center. Jeri Garrouette, Community Development Director reported that 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 could only be submitted by municipalities. Community

Projects staff had 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 recommended the submittal of an application for the renovation and expansion of Central Nebraska Goodwill Industries Behavioral Health Rehabilitation Center. The Center was 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 was for funding in the amount of \$322,500; total cost of the project was anticipated to be approximately \$432,500. The remaining \$110,000 was available through Central Nebraska Goodwill Industries. Community Projects staff would monitor and oversee the grant activities. Terry Loschen, 2102 Stagecoach Road and Chris Nolan-Brown, 1720 South Curtis Street spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Ingress/Egress Easement and Permanent Easement Located at 2322-2328 South Locust Street. (Gary Shovlain) This item was pulled from the Agenda.

ORDINANCES:

Motion by Pielstick, second by Whitesides, carried unanimously to table Ordinance #8721 and Resolution #2002-56 until the May 7, 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

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

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

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

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

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

#8732 – Consideration of Creating Street Improvement District #1244, Alley From Cedar Street to Elm Street Between 3rd Street and South Front Street

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 Pielstick seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Mayor: Is there any one in the audience interested in these ordinances? City Attorney Charlie Cuyper and Code Compliance Officer Tim Holloway presented a power point presentation

regarding Ordinance #8730 Junked Vehicles. Randy Boltz, 515 East Capital Avenue, Randy Schoenstein, 1132 Greenwich Street and Allan Doudna, 524 West 8th Street #4 spoke in opposition. John Luna, 712 East 8th Street spoke in favor. Steve Riehle, Public Works Director explained Ordinance #8732. No further public testimony was heard.

City Clerk: Ordinances #8729, #8730, #8731 and #8732 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 #8729m #8730, #8731 and #8732 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 #8729, #8730, #8731 and #8732 are declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Motion by Hornday, second by Seifert carried unanimously to table Resolution #2002-78 until May 7, 2002. Motion by Pielstick, second by Ward, carried unanimously to approve the Consent Agenda excluding items G-7, G-8, G-15 and G-16.

Approving Minutes of March 26, 2002 City Council Regular Meeting. Councilmembers Hornady and Seifert abstained.

Approving Minutes of April 2, 2002 City Council Study Session.

Approving Request of Todd Carpenter and Doub Redman for Conditional Use Permit for a Parking Lot Located at 1717 West 2nd Street. David Jelinek, 1723 West 1st Street questioned the notification process and asked about the landscaping.

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.

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

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.

#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. Tabled to the May 7, 2002 City Council Regular Meeting.

#2002-78 – Approving Final Plat and Subdivision Agreement for Meadowlark West Fourth Subdivision. Tabled to the May 7, 2002 City Council Regular Meeting.

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

#2002-92 – Approving Discontinuation of Street Improvement District #1242, Third Street and Front Street From Cedar Street to Elm Street.

#2002-93 – Approving Continuation of Street Improvement District #1243, Third Street and Front Street From Elm Street to Cleburn Street.

#2002-94 – Approving Change Order #2 to the Contract with Kayton Electric for Electrical System Improvements at the Wastewater Treatment Plant for a Net Increase of \$11,935.00 and a Revised Contract Amount of \$964,981.00.

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

#2002-96 – Approving Bid Award for Water Main Project #2002-W-4 with Diamond Engineering Company, Grand Island, Nebraska in an Amount of \$26,738.71.

#2002-97 – Approving Acquisition of Ingress/Egress Easement Located at 2322-2828 South Locust Street. (Gary Shovlain) This item was pulled from the Agenda.

#2002-98 – Approving Acquisition of Permanent Easement Located at 2322-2328 South Locust Street. (Gary Shovlain) This item was pulled from the Agenda.

#2002-99 – Approving Bid Award for Library Expansion Project with Starostka Group Company, Grand Island, Nebraska in an Amount of \$82,000.00.

#2002-100 – Approving Bid Award for Hot Mix Asphalt for 2002 Street Maintenance with Gary Smith Construction Company, Inc., Grand Island, Nebraska in an Amount of \$16.75 per ton for Type B Asphalt and \$19.75 per ton for Type C Asphalt.

#2002-101 – Approving Bid Award from State Contract No. CA5706 for Ford F350 Pickup and Chevrolet Silverado 2500HD Pickup for Wastewater Treatment Plant with Husker Auto Group, Lincoln, Nebraska in an Amount of \$26,737.20 for Chevrolet Silverado 2500HD Pickup and \$28,899.00 for Ford F350 Pickup.

#2002-102 – Approving Bid Award for Filter Face Piping Repair at Island Oasis with Neuman Pools, Beaver Dam, Wisconsin in an Amount of \$12,300.00.

REQUESTS AND REFERRALS:

Consideration of Request by Petition for Water Main District on Gretchen Street and to Refer to Utilities Department to Begin Design. Gary Mader, Utilities Director reported that a petition had been received by the City Clerk's Office for a Water Main District on Gretchen Street. It had been recommended that this be referred to the Utilities Department to begin design for the Water Main

District. Motion by Hornady, second by Murray, carried unanimously to forward to the Utilities Department.

RESOLUTIONS:

#2002-103 – Approving Endorsing Transportation Improvements for Grand Island and the Enactment by the Nebraska Unicameral of a New State Wide Transportation Program “Nebraska on the Move”. Steve Riehle, Public Works Director reported that the Nebraska League of Municipalities had requested that the City Council consider a Resolution encouraging the Nebraska Unicameral to enact a new state-wide comprehensive transportation program. Grand Island had been asked to identify several transportation capital improvements that were vital to improve 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 were identified as vital projects. The City was 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. Motion by Pielstick, second by Sorensen, carried unanimously to approve.

#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. Marlan Ferguson, City Administrator reported that the Central Nebraska Regional Airport was 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 counties to participate in the grant application and funding of the air service development effort. The administration of the City of Grand Island has recommended 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. Motion by Seifert, second by Sorensen, carried unanimously to approve.

PAYMENT OF CLAIMS:

Motion by Whitesides, second by Hornady, carried unanimously to approve the Claims for the period of March 27, 2002 through April 9, 2002, for a total amount of \$10,374,713.96.

ADJOURNMENT: The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G5

Approving Minutes of April 16, 2002 City Council Study Session

The Minutes of the April 16, 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 16, 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 16, 2002. Notice of the meeting was given in the Grand Island Independent on April 10, 2002.

Mayor Ken Gnadt called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Pie Istick, 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.

Betty Curtis, 205 North Wheeler, representing the Clean Community System invited the Mayor and City Council to a press conference to be held on April 23, 2002 for the "Trash Bash". Ms. Curtis introduced Glenda Mason and Brad Fossberg committee members for "Trash Bash" who explained some of the events for the day of May 4, 2002.

Discussion Concerning Central District Health Department Interlocal Agreement. Sonja Simpson, Health Department Director reported that LB692 was landmark legislation passed by the legislature in 2001. It allowed for a trust fund to be established from interest from the tobacco settlement funds. The purpose of the legislation was to establish a public health infrastructure for the state. Nebraska has 93 counties and only 6 had any kind of a public health department.

The lack of a coordinated public health infrastructure in the state makes it difficult to obtain major federal funding for public health programs. In addition, the health statistics in the state of Nebraska, in a number of areas, are low compared to other states. The legislation indicated that district health departments could be formed and those districts needed to be at least 3 counties and 30,000 population. Grand Island invited several counties to join with their established health department. Two counties (Hamilton and Merrick) have committed to joining the Grand Island Hall County Health Department.

The process of formation of the new district health department has had legal counsel by Earl Alschwede. A group of representatives of the three counties met in January of this year to draw up the agreement moving the current health department from a city county to a district health department. All 3 counties have agreed to the language of the agreement. A letter of approval was issued by the state on January 3, 2002 for the formation of the district health department.

The City Administrator had two concerns and recommended changes to the agreement. The first issue is in regards to the status of the employees. Since they are District employees is was recommended the District establish their own personnel policy and rules and regulations. By separate agreement they will be able to continue to be enrolled in the City's Health, Retirement, 457, Long Term and Life benefits, and the Cafeteria plan. The City would continue to be the fiscal agent. The

second issue was the make up of the board. Since the majority of the citizens are in Grand Island it was recommended that three appointed board positions come from within the City of Grand Island. Those folks would be very much aware of the public health needs and concerns of Grand Island. In addition the City would be asked to continue funding the programs in addition to Hall County's contribution, therefore it seemed only right that the City have additional representation on the board.

Councilmember Sorensen requested this item be placed on the May 23, 2002 Regular Council meeting for action by the Council. Councilmember Murray spoke of concerns with the representation on the board.

Discussion Concerning Annexation. Marlan Ferguson, City Administrator reported that further study had been given to the annexation issue since the presentation at the Council Retreat. When people live, work and play in close proximity to one another, municipalities were created to provide the services essential for the protection of the health, safety and well being of residents. Many factors drive annexation of urban and suburban areas adjacent to existing city boundaries. Expansion of municipalities should not be based on short-term economic analysis but should be based on a long-term plan to achieve the necessary expansion of services in the most economical manner.

Mr. Ferguson stated annexation of the proposed areas makes sense. It would be the right thing to do if services were to be provided and growth planned for. Municipalities have historically been charged with meeting the needs of the expanded community. The City would inherit these areas of the community at some point. It would be best to acquire and plan for improvements in infrastructure. Main trunk lines, lift stations, etc were already in place in many areas (paid for by customers at that time). Extending the infrastructure provides for growth opportunities in these areas. All subsequent customers benefit from this baseline infrastructure investment.

Mr. Ferguson further stated that municipalities provide for the protection of health, safety and well being of property owners in areas that were used primarily for residential, industrial, and commercial purposes, also orderly growth pursuant to land use, building, streets, sidewalks, sanitary sewer, storm sewer, water, electrical service, parks, libraries, fire protection, and police protection.

Mr. Ferguson reviewed the 15 areas possible for annexation. The following staff recommendations were given:

#1	North St. Paul Road	Not recommended at this time
#2	Airport	Recommends further consideration
#3	Fairacres	Recommends further consideration
#4	East Lakes	Recommends further consideration
#5a	East Bismark Road	Not recommended at this time
#5b	Stuhr Road North of Bismark	Recommends further consideration
#6	Firethorne Lake	Recommends further consideration
#7	Vanosdall Lake	Not recommended at this time
#8	South Lakes – East of Blaine – Rainbow Lake	Not recommended at this time
#9	Scheel Subdivision	Recommends further consideration
#10	South US Highway 281	Recommends further consideration
#11	Langenheder Street	Recommends further consideration
#12	Schroeder and Fireside Subdivisions	Recommends further consideration
#13	Stolley Park Road and Engleman Road	Not recommended at this time
#14	Airport Road and North Road	Not recommended at this time

#15 North Webb Road

Not recommended at this time

Mr. Ferguson discussed the timeline for the annexation, which would take approximately 2-3 months. Nine areas of annexation were recommended.

Councilmember Murray suggested that the Council establish some criteria as to which areas need to be annexed and recommended establishing a committee. Councilmember Larson asked if it was staff's recommendation to do all nine areas simultaneously. Mr. Ferguson stated that it was staff's recommendation but it could be done in stages. Charlie Cuyepers, City Attorney stated that the process is complicated enough, he would recommend doing them simultaneously. Councilmember Sorensen questioned public safety issues. Mr. Ferguson stated that they had visited with the Police and Fire Departments. The Police Department would not be a problem. The Fire Department would have issues that would need to be looked at regarding water hook-ups and employees. Councilmember Pielstick asked what the City could do to encourage the people in these areas to annex. Mr. Ferguson stated that they would be a part of the City and have the benefits that the City would offer. Also private wells were mentioned as possible problems for the residents.

Councilmember Ward requested a chart of the eastern part of town as to problems in this area before a decision by Council was made. Discussions with the residents would be imperative. Councilmember Haase stated concerns regarding the budget. Councilmember Hornady questioned the age of the houses in the East Lakes area. Craig Lewis, Building Department Director explained the septic tanks and leech field situations in the area. Councilmember Murray questioned the number of years it would take to provide services for the 9 areas. Mr. Ferguson stated it was hoped to have them all done within 5 years.

Bob Kutz, President of Kuester Lake Association spoke in opposition to the annexation of the East Lakes area and stated his concerns regarding the economics of this plan. John Luna, 712 East 8th Street, spoke concerning the high water table in the East Lakes area and concerns about contamination. Cost effectiveness was mentioned. Councilmember Murray requested more cost details before Council made any decisions.

ADJOURNMENT: The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G6

Approving Request of Donald Bradley, 4039 Manchester Road for Liquor Manager Designation for Sam's West, Inc. dba Sam's Club #6461, 1510 North Diers Avenue

Donald Bradley, 4039 Manchester Road representing Sam's West, Inc., dba Sam's Club #6461, 1510 North Diers Avenue, has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "D-26270" Liquor License. This application has been reviewed by the Police Department and City Clerk's Office. Approval is recommended.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, April 23, 2002

Council Session

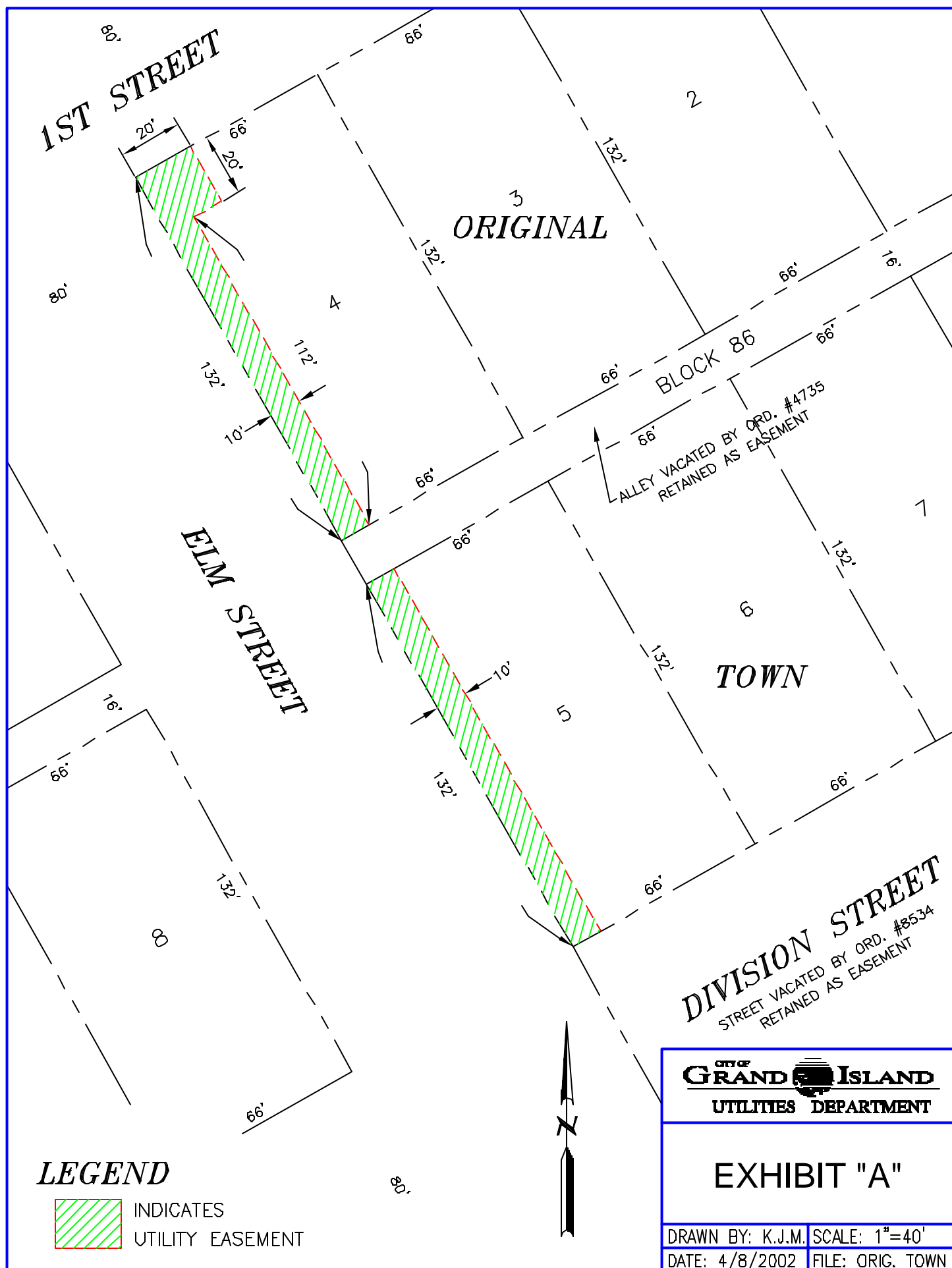
Item G7

#2002-105 - Approving Acquisition of Utility Easement Along the East Side of Elm Street, Between 1st Street and Division Street - St. Mary's Church

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of Sr. Mary's Church, located along the east side of Elm Street, between 1st Street and Division Street, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

This easement will be used to locate underground primary lines and a pad mounted transformer to serve the new Parish Center. The overhead power lines across the mid block will be removed after completion of the underground. One dollar (\$1.00) for the easement will be paid to the grantor.

Staff Contact: Gary R. Mader



RESOLUTION 2002-105

WHEREAS, a public utility easement is required by the City of Grand Island, from St. Mary's Church, a Nebraska corporation, to install, upgrade, maintain, and repair power appurtenances, including lines and transformers; and

WHEREAS, a public hearing was held on April 23, 2002, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lots Four (4) and Five (5), Block Eighty Six (86) Original Town, now the city of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

The westerly ten (10.0) feet of the southerly one hundred twelve (112.0) feet of Lot Four (4), Block Eighty Six (86) Original Town, now the City of Grand Island; and the westerly twenty (20.0) feet of the northerly twenty (20.0) feet of Lot Four (4), Block Eighty Six (86), Original Town now City of Grand Island; and the westerly ten (10.0) feet of Lot Five (5), Block Eight Six (86.0) Original Town now City of Grand Island, Hall County, Nebraska.

The above-described easement and right-of-way containing a combined total of 0.065 acres, more or less as shown on the plat dated April 8, 2002, marked Exhibit "A" attached hereto and incorporated herein by reference.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form ?	_____
April 19, 2002	? City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

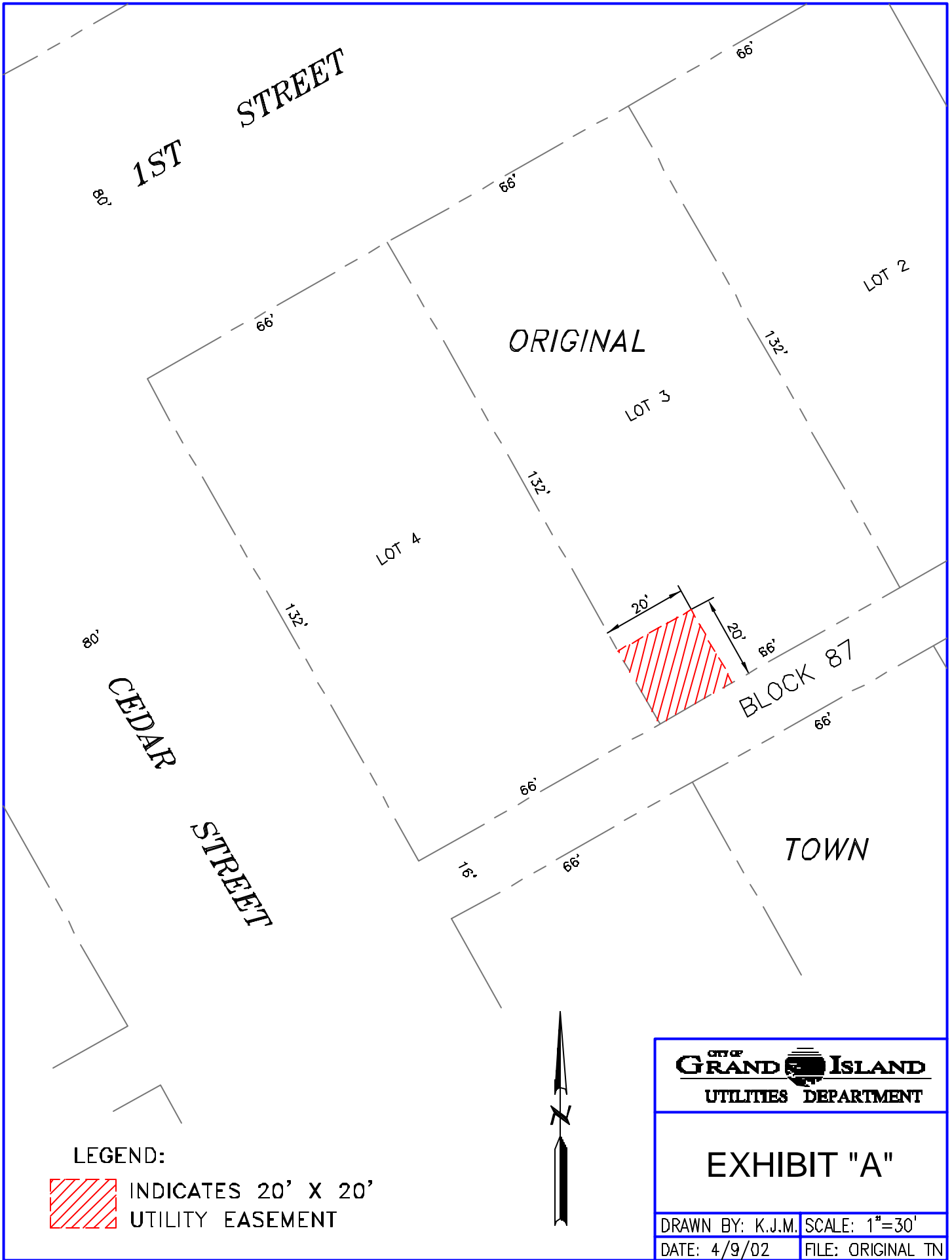
Item G8

#2002-106 - Approving Acquisition of Utility Easement - Grand Island Liederkrantz

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of the Grand Island Liederkrantz, located in the southwest corner of the Liederkrantz building located at 403 West 1st Street, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

This easement will be used to locate a pad-mounted transformer to serve the entire block. There is no other location available in this block to locate a transformer. One thousand dollars (\$1,000.00) for the easement will be paid to the grantor. The attached RESOLUTION.

Staff Contact: Gary R. Mader



R E S O L U T I O N 2002-106

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

WHEREAS, a public hearing was held on April 23, 2002, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Three (3), Block Eighty Seven (87) Original Town, now the city of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

The southerly twenty (20.0) feet of the westerly twenty (20.0) feet of Lot Three (3), Block Eighty Seven (87) Original Town, now the City of Grand Island, Hall County, Nebraska.

The above-described easement and right-of-way containing 400 square feet, more or less as shown on the plat dated April 9, 2002, marked Exhibit "A" attached hereto and incorporated herein by reference.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____
April 19, 2002 ? City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G9

#2002-107 - Approving Acquisition of Right of Way Located in SW 1/4 of Section 13-11-10, (Along the east side of North Road north of Old Potash Highway)

This item relates to the aforementioned Public Hearing. Acquisition of right-of-way located in the SW 1/4 of Section 13-11-10, along the east side of North Road from the Rogers Well property at Old Potash north to the ditch 370.0 feet north of Faidley Avenue is required in order to construct and maintain a drainage ditch as an extension of the Moores Creek Drainway. There are sufficient funds available in account no. 40033520-90013. See attached RESOLUTION.

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

RESOLUTION 2002-107

WHEREAS, the City is interested in acquiring property from T & E Cattle Company, a corporation, for the purpose of public right-of-way along North Road, adjacent to Faidley Avenue; and

WHEREAS, a public hearing was held on April 23, 2002 for the purpose of discussing the proposed acquisition of right-of-way being more particularly described as follows:

Tract No. 1: A tract of land comprising a part of the northwest corner of the Southwest Quarter (SW1/4) of Section Thirteen (13), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., in the City of Grand Island, Hall County, Nebraska more particularly described as follows:

Beginning at a point where the east line of North Road intersects the north line of Faidley Avenue, said point being Thirty Three (33.0) feet east of the west line of the Southwest Quarter (SW1/4) of Section 13-11-10; thence north on the east line of North Road for a distance of Three Hundred Seventy (370.0) feet; thence east on a line Sixty (60.0) feet south of and parallel to the north line of the Southwest Quarter (SW1/4) of Section 13-11-10 for a distance of One Hundred Thirteen (113.0) feet; thence south on a line One Hundred Thirteen (113.0) feet east of and parallel to the east line of North Road for a distance of Three Hundred Seventy (370.0) feet to the north line of Faidley Avenue; thence west on the north line of Faidley Avenue for a distance of One Hundred Thirteen (113.0) feet to the point of beginning, containing 0.96 acres more or less, as shown on the plat dated March 6, 2002 attached hereto as "Tract 1".

Tract No. 2: A tract of land comprising a part of the Southwest Quarter (SW1/4) of Section Thirteen (13), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in the City of Grand Island, Hall County, Nebraska, being more particularly described as follows:

Beginning at a point on the south line of Faidley Avenue, said point being Sixty Six (66.0) feet east of the intersection of the west line of the Southwest Quarter (SW1/4) of Section 13-11-10 and the south line of Faidley Avenue; thence east on the south line of Faidley Avenue for a distance of Eighty (80.0) feet; thence south on a line One Hundred Thirteen (113.0) feet east of and parallel to the east line of North Road for a distance of One Thousand Seven Hundred Twelve and Seven Tenths (1,712.70) feet more or less to a point; thence west on a line Four Hundred Thirty Three (433.0) feet north of and parallel to the south line of Section 13-11-10 for a distance of One Hundred Thirteen (113.0) feet to the east line of North Road; thence north on the east line of North Road to a point where it intersects a prolongation of the north line of Potash Subdivision; thence east on a prolongation of the north line of Potash Subdivision for a distance of Thirty Three (33.0) feet; thence north on a line Thirty Three (33.0) feet east of and parallel to the east line of

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North Road to the point of beginning, containing 3.8 acres more or less, as shown on the plat dated March 6, 2002 attached hereto as "Tract 2".

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 public right-of-way from T & E Cattle Company, a corporation, for the above-described property.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____
April 19, 2002 ? City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G10

#2002-108 - Approving Bid Award for Playground Equipment for Cedar Hills Park

Four bid were received ranging from \$24,845.00 to \$30,726.00. The low qualified bid was submitted by Churchich Recreational Design, of Omaha NE in the amount of \$30,289.00 The equipment estimate was \$35,000.00. Funds are available in account number 40044450 90036 to pay for the equipment. It is the recommendation of the Parks and Recreation Department to award a contract to Churchich Recreation Design in the amount of \$30,289.00.

Staff Contact: stevep

R E S O L U T I O N 2002-108

WHEREAS, the City of Grand Island invited sealed bids for Playground Equipment for Cedar Hills Park, according to plans and specifications on file in the Parks and Recreation Department; and

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

WHEREAS, Churchich Recreational Design of Omaha, 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 \$30,289.00; and

WHEREAS, Churchich Recreational Design'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 Churchich Recreational Design of Omaha, Nebraska, in the amount of \$30,289.00 for Playground Equipment for Cedar Hills Park is hereby approved as the lowest responsive bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form	☐
April 19, 2002	☐ City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G11

#2002-109 - Approving Bid Award for Playground Equipment for Ryder Park and Broadwell Park

The Park and Recreation Department has \$40,000.00 in the 2001-02 budget for the purchase of playground equipment. Requests for proposals were sent to various playground equipment vendors requesting three different playground equipment designs be developed with a not to exceed price of \$20,000.00 per unit. Six vendors responded and provided eighteen different options.

The Broadwell Park Neighborhood Association selected a design provided by Churchich Recreational Design of Omaha, NE for \$19,700.00 for Broadwell Park, feeling it best fits the needs of the area.

The second system selected will be installed at Ryder Park and was selected by staff to provide an element of play that is currently missing. The design selected was provided by PRS Associates of Bismark, North Dakota for \$16,391.00.

Funds are available in account number 14420.05608 for this purchase.

Staff Contact: steve p

RESOLUTION 2002-109

WHEREAS, the City of Grand Island invited proposals for Three (3) Playground Equipment Play Structures, according to plans and Request for Proposals on file with the Park Maintenance Supervisor; and

WHEREAS, proposals were due on March 28, 2002; and

WHEREAS, Churchich Recreational Design of Omaha, Nebraska, submitted a proposal in accordance with the terms of the Request for Proposals and all other statutory requirements contained therein; such proposal being in the amount of \$19,700 for playground equipment at Broadwell Park; and

WHEREAS, PRS Associates of Bismark, North Dakota, submitted a proposal in accordance with the terms of the Request for Proposals and all other statutory requirements contained therein; such proposal being in the amount of \$16,391 for playground equipment at Ryder Park.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of Churchich Recreational Design of Omaha, Nebraska for playground equipment at Broadwell Park in the amount of \$19,700 is hereby approved as the best proposal received for that type of playground equipment.

BE IT FURTHER RESOLVED, that the proposal of PRS Associates of Bismark, North Dakota, for playground equipment at Ryder Park in the amount of \$16,391 is hereby approved as the best proposal received for that type of playground equipment.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form	□	_____
April 19, 2002	□	City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G12

#2002-110 - Approving Bid Award - 2002-AC-1 Asphalt Maintenance Program

The Public Works Department, Engineering Division, and the Parks and Recreation Department, and the Purchasing Division of the City Attorney's Office recommend awarding the bid for the 2002-AC-1 Asphalt Maintenance Project. The engineers estimate was \$640,175.70. Two bids were received ranging from \$519,970.86 to \$537,170.32. The low bid was submitted by J.I.L Asphalt Paving Company, Grand Island, Nebraska. There are sufficient funds for this purchase in account numbers 40033536-90081, 40044450-90029, 40044450-90033, and 40044450-90021. See attached RESOLUTION.

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

RESOLUTION 2002-110

WHEREAS, the City of Grand Island invited sealed bids for Asphalt Maintenance Project 2002-AC-1, according to plans and specifications on file with the City Engineer; and

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

WHEREAS, J.I.L. Asphalt Paving 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 \$519,970.86; and

WHEREAS, J.I.L. Asphalt Paving 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 J.I.L. Asphalt Paving Co. of Grand Island, Nebraska, in the amount of \$519,970.86 for Asphalt Maintenance Project 2002-AC-1 is hereby approved as the lowest responsive bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form	☐
April 19, 2002	☐ City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G13

#2002-111 - Approving the Grant of a Gas Utility Easement to Northwestern Public Service in the SE 1/4, Section 34-12-9 (Law Enforcement Training Center)

Easements located at the Law Enforcement Training Center are required in order to give Northwestern Public Service access to install, upgrade, maintain, and repair natural gas pipelines and related equipment. The gas line was originally a private service to one customer. The line now serves multiple customers so it must be a public main located within a public easement. The easement will be given in consideration of \$1.00. Northwestern Public Service will pay for all damages to landscaping and improvements that occur during construction and maintenance of lines. See attached RESOLUTION.

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

RESOLUTION 2002-111

WHEREAS, Northwestern Public Service, a division of Northwestern Corporation, a Delaware corporation, has requested that the City of Grand Island grant them a Gas Utility Easement for a natural gas pipeline and related equipment along with all appurtenances thereto; and

WHEREAS, the easement affects two areas as described below located at the Law Enforcement Training Center:

Area "A": The west Ten (10.0) feet of the east Seventy (70.0) feet of the West Half of the Northeast Quarter of the Southeast Quarter (W1/2, NE1/4, SE1/4) of Section Thirty Four (34), Township Twelve (12) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska. Containing 0.30 acres more or less.

Area "B": A ten (10.0) foot wide strip of land over and across a portion of the North Half of the Southeast Quarter (N1/2, SE1/4) of Section Thirty Four (34), Township Twelve (12) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, with a centerline described as follows:

Commencing at the northeast corner of the West Half of the Northeast Quarter of the Southeast Quarter (W1/2, NE1/4, SE1/4) of said Section Thirty Four (34); thence south along the east line of the West Half of the Northeast Quarter of the Southeast Quarter (W1/2, NE1/4, SE1/4) of said Section Thirty Four (34) a distance of Eight Hundred Sixteen and Seven Tenths (816.70) feet; thence N89°34'35"W a distance of Sixty (60.0) feet to the Point of Beginning, located on the west right-of-way line of a dedicated road right-of-way; thence continuing N89°34'35"W a distance of Six Hundred Seven and Five Tenths (607.5) feet; thence N00°17'35"E a distance of Three Hundred Thirty Four and Nine Tenths (334.90) feet; thence N05°05'25"W a distance of Ninety Five (95.0) feet to the Point of Termination, containing 0.24 acres, more or less.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to grant a gas utility easement to Northwestern Public Service, a division of Northwestern Corporation, a Delaware corporation, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form ?	_____
April 19, 2002	? City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G14

#2002-112 - Approving Submittal of Grant Application to US Department of Justice on Behalf of Crisis Center for Safe Haven

The Crisis Center has requested that the City of Grand Island serve as the submitting body for a grant application to the United States Department of Justice for the development of a plan for implementation of a Safe Haven program. The Safe Haven program is intended to create safe places for visitation with and exchange of children in cases of domestic violence, child abuse, sexual assault or stalking. The grant funds are available to local governments that propose to enter into a collaborative working relationship with state and local courts and a nonprofit, nongovernmental entity in the local community that provides local shelters and programs for domestic violence and sexual assault victims. The City's role in this effort will be patterned to that used with the HIDTA grant; the City will serve as the recipient of the grant funding on behalf of the Crisis Center and will contract with the Crisis Center to provide these services. The City Attorney has reviewed the grant requirements to ensure compliance issues can be addressed. Approval is recommended.

Staff Contact:

RESOLUTION 2002-112

WHEREAS, the Safe Havens: Supervised Visitation and Safe Exchange Grant Program provides an opportunity for communities to support supervised visitation and safe exchange of children, by and between parents, in situations involving domestic violence, child abuse, sexual assault, or stalking; and

WHEREAS, grant funding for such program is available to local governments that propose to enter into a collaborative working relationship with state and local courts and a nonprofit, nongovernmental entity in the local community that provides local shelters and programs for domestic violence and sexual assault victims; and

WHEREAS, the Crisis Center has requested assistance from the City of Grand Island in seeking funding in the amount of \$119,961 to develop a plan for the expansion of the existing services in accordance with this program; and

WHEREAS, it is recommended that the City submit a grant application and related documentation to request funding on behalf of the Crisis Center through the Safe Havens Supervised Visitation and Safe Exchange Grant Program to expand services currently being provided by the Crisis Center; and

WHEREAS, if grant funding is awarded for such program, an agreement between the City of Grand Island and the Crisis Center will be entered into prior to receipt of such funding.

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 submit a grant application and related documentation to request funding on behalf of the Crisis Center from The Office of Justice Programs through the OJP Grants Management System for the Safe Havens Supervised Visitation and Safe Exchange Grant Program.

BE IT FURTHER RESOLVED, that if grant funding is awarded, the City of Grand Island will collaborate with the Crisis Center to develop a plan to expand the existing services in accordance with the grant program.

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Adopted by the City Council of the City of Grand Island, Nebraska on April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____ April 19, 2002 ? City Attorney
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City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G15

#2002-113 - Approving Renewal of Leases with CHAAP

When the City of Grand Island acquired the approximate 420 acre tract of land at Cornhusker Army Ammunition Plant (CHAAP) approximately 18 months ago, the City continued to lease out four buildings on the property which had been leased by the US Army Corps of Engineers during their ownership. The leases which were renegotiated and approved last year with the existing tenants were much like those issued by the army except that rentals were increased slightly. The leases as drafted included provisions for renewal for up to five additional one year terms. The City has received requests from each of the tenants for their leases to be renewed and a resolution has been drafted which extends the lease terms, including rentals for a one year period. Approval of the resolution extending the leases to Dominion Construction Company, Kirk Hartmann and Jerry Harders for an additional year is recommended.

Staff Contact:

R E S O L U T I O N 2002-113

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

WHEREAS, on May 22, 2001, by Resolution 2001-132, the City approved Building Leases with the tenants of the buildings pending development of the property; and,

WHEREAS, the leases provide an automatic one-year renewal if requested by the Lessee's; and

WHEREAS, each of the Lessee's have requested that their lease be extended for another year.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Building Leases at the former Cornhusker Army Ammunition Plant are hereby authorized to be extended for an additional year to the following Lessees in accordance with the Building Leases:

<u>Lessee</u>	<u>Description</u>	<u>Rental</u>
Dominion Construction Company	Storage building	\$2,000/yr.
Kirk Hartmann Barn use for storage	\$500/yr.	
Jerry Harders	Fire/guard building	\$500/yr.

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Adopted by the City Council of the City of Grand Island, Nebraska on April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____ April 19, 2002 ? City Attorney
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City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G16

#2002-114 - Approving Bid Award for Purchase of Dump Truck

The Public Works Department, Street and Transportation Division and the Purchasing Division of the City Attorney's office recommend awarding the bid for One (1) Minimum 26,000 GVW Dump Truck. Two bids were received ranging from \$45,791.74 to \$47,223.00. The low bid was submitted by Hansen International Truck, Inc. of Grand Island Nebraska in the amount of \$45,791.74. There are sufficient funds for this purchase in account number 10033501-85625. See attached RESOLUTION.

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

RESOLUTION 2002-114

WHEREAS, the City of Grand Island invited sealed bids for One Minimum 26,000 GVW Dump Truck for the Street and Transportation Division of the Public Works Department, according to plans and specifications on file with the Street Division of the Public Works Department; and

WHEREAS, on April 16, 2002, bids were received, opened and reviewed; and

WHEREAS, Hansen International 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 \$45,791.74; and

WHEREAS, Hansen International's bid is less than the estimate for such vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Hansen International of Grand Island, Nebraska, in the amount of \$45,791.74 for one minimum 26,000 GVW dump truck is hereby approved as the lowest responsive bid.

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Adopted by the City Council of the City of Grand Island, Nebraska on April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form	?
April 19, 2002	? City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G17

#2002-115 - Approving Bid Award for Greenhouse for Parks and Recreation Department

The Park and Recreation Department has submitted a request for awarding a bid for one greenhouse. Three bids were received ranging from \$45,846.00 to \$55,476.00. The low bid was submitted by Stuppy Greenhouse Manufacturing Company of North Kansas City Missouri in the amount of \$45,846.00. There are sufficient funds for this purchase in account number 40044450 90034. The budgeted estimate was \$75,000.00. It is recommended that the bid be awarded to Stuppy Greenhouse Manufacturing Company of North Kansas City Missouri in the amount of \$45,846.00. See attached RESOLUTION.

Staff Contact: stevep

RESOLUTION 2002-115

WHEREAS, the City of Grand Island invited proposals for Design/Material/Construction Services for Greenhouse Building, according to plans and Request for Proposals on file with the Parks and Recreation Department; and

WHEREAS, proposals were due on April 12, 2002; and

WHEREAS, Stuppy Greenhouse Manufacturing Company of North Kansas City, Missouri, submitted a proposal in accordance with the terms of the Request for Proposals and all other statutory requirements contained therein; such proposal being in the amount of \$45,846.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of Stuppy Greenhouse Manufacturing Company of North Kansas City, Missouri for design/material/construction services for Greenhouse Building in the amount of \$45,846.00 is hereby approved as the best proposal 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 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form	□	_____
April 19, 2002	□	City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G18

#2002-116 - Approving Change Order #3 for Street Improvement District 1221 - South Locust Street

The Public Works Department in coordination with Olsson Associates of Grand Island, Nebraska developed Change Order #3 to the contract for Street Improvement District 1221, South Locust Street from US Highway 34 to Stolley Park Road. The contract was awarded to The Diamond Engineering Company of Grand Island Nebraska on November 21, 2000 in the amount of \$4,996,117.60. The current contract price, following Change Orders 1 and 2, is \$5,150,257.36. The net increase of Change Order #3 is \$15,807.50. The revised contract amount will be \$5,166,064.86. Descriptions of the specific contract changes are attached. See attached RESOLUTION.

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

RESOLUTION 2002-116

WHEREAS, on November 21, 2000, by Resolution 2000-355, the City Council for the City of Grand Island awarded the bid for the construction of South Locust Street between U.S. Highway 34 and Stolley Park Road to the Diamond Engineering Company of Grand Island, Nebraska; and

WHEREAS, it has been determined that modifications to the work to be performed by the Diamond Engineering Company are necessary; and

WHEREAS, such modifications have been incorporated into Change Order No. 3; and

WHEREAS, the result of such modifications for this project will increase the contract amount by \$15,807.50, for a revised contract amount of \$5,166,064.86.

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. 3, between the City of Grand Island and the Diamond Engineering Company to provide the following modifications:

	<u>Amount</u>
Delete concrete for retaining wall at Star Motel property	(\$16,555.00)
Delete reinforcing steel for retaining wall at Star Motel property	(1,724.80)
Delete Patrician style railing at Harley Davidson property	(6,068.40)
Delete modular block retaining wall at Harley Davidson property	(1,749.30)
Add Jack and Bore 2" conduit under existing pavement	3,402.00
Relocate electrical circuit that feeds the Pump and Pantry and Best Western Signs	1,550.00
Add 6"x6" tapping sleeve	2,105.00
Add 12"x6" tapping sleeve.....	2,675.00
Add 12"x4" tapping sleeve.....	2,445.00
Tap existing water main for 1½" service.....	400.00
Add 1¼" corporation stop	225.80
Add 1¼" curb stop with box	494.40
Add 1¼" copper water service line.....	1,269.00
Remove and backfill swimming pool at Star Motel.....	4,881.80
Inlay preformed plastic pavement markings Type 4	10,557.00
Add 4"x3" DI reducer.....	80.00
Add 4" DI offset fitting.....	360.00
Purchase Patrician Style railing.....	2,900.00
Remove 24" FES	40.00
Remove 36" FES	45.00
Build 36" to 24" concrete collar	300.00
Adjust area inlet to grade.....	575.00
Construct steel pipe bollard.....	7,600.00

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April 19, 2002	? City Attorney

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Adopted by the City Council of the City of Grand Island, Nebraska on April 23, 2002.

RaNae Edwards, City Clerk

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April 19, 2002	? City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item G19

#2002-117 - Approving Application to Affordable Housing Trust Fund Grant for Housing Development

The Nebraska Department of Economic Development Affordable Housing Program is intended to provide funds to eligible recipients for acquisition, rehabilitation, construction and production of affordable housing to increase the supply of decent, safe, and sanitary housing for low—to-moderate income Nebraskans and to provide a mechanism to leverage private investment in the development of affordable housing. The Affordable Housing Program is funded with resources from US Department of Housing and Urban Development Programs (the Community Development Block Grant Program) and the HOME Investment Partnerships Program, as well as the state-funded Nebraska Affordable Housing Trust Fund (AHTF).

The City of Grand Island, Community Projects Department, is preparing a grant application to the Affordable Housing Trust Fund for funding to assist in the category of Homeownership New Construction with Infrastructure. This category covers infrastructure and development subsidies as it relates to new construction and down payment assistance.

A public hearing has been scheduled to receive comment relative to the City's submittal of the grant application for development of infrastructure in conjunction with the construction of 115 single family homes in a 23 acre parcel of undeveloped land in the northeast area of Grand Island. The grant funds (\$400,000) will be used for site development, infrastructure development, architect, engineering, and related fees, as well as grant administration. The AHTF, along with other resources such as Community Development Block Grant Funds, and NIFA, will be used to bring the cost of construction of the houses down to affordable sales prices. Without these partnerships, the housing could not be made available to low to moderate income families. As evidenced in the 2001 Housing Study, quality housing for low to moderate income families is needed in Grand Island.

The Department of Economic Development requires a public hearing be held in conjunction with submittal of the grant application. A resolution authorizing the submittal of the grant application has been prepared for Council consideration.

Staff Contact:

R E S O L U T I O N 2002-117

WHEREAS, the City of Grand Island, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as amended, for Small Cities Community Development Block Grant Program; and

WHEREAS, the City of Grand Island, Nebraska, has obtained its citizens' comments on community development housing needs; and has conducted public hearings upon the proposed application and received favorable public comment respecting the application which is for an amount of \$288,000 for site development, infrastructure development, architect, engineering, and related fees including grant administration for the construction of 115 single family homes in a 23-acre parcel of undeveloped land; and

WHEREAS, the local match for the project, including down payment assistance, the home buyers' bank mortgages, and costs associated with the construction and financing of infrastructure, will be no less than \$112,000.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to proceed with the formulation of any and all documents, contracts or other memoranda between the City of Grand Island and the Nebraska Department of Economic Development so as to effect application for and acceptance of the grant application for the purposes outlined above.

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Adopted by the City Council of the City of Grand Island, Nebraska on April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____
April 19, 2002 ? City Attorney



City of Grand Island

Tuesday, April 23, 2002

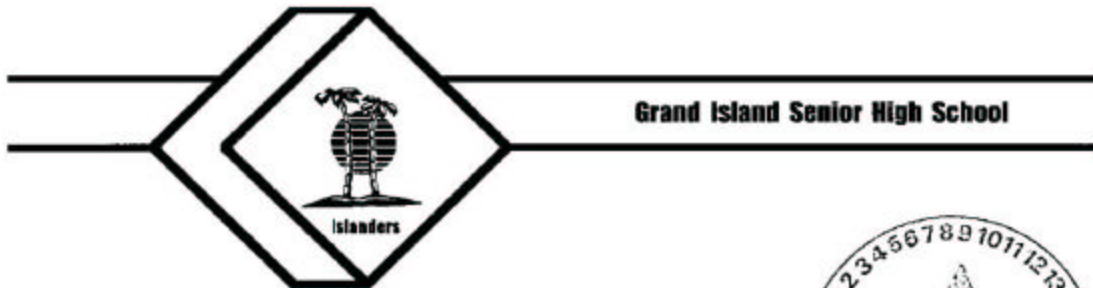
Council Session

Item H1

Consideration of Request from Grand Island Senior High School for Fireworks Display

The City Clerk's Office has received a request from Grand Island Senior High School for a fireworks display to be presented at the conclusion of the Graduation Commencement exercises on Saturday, May 11, 2002. The Police Fire and Legal Departments have reviewed this matter. A MOTION is in order.

Staff Contact:



April 9, 2002

City of Grand Island
Grand Island City Council
100 East 1st Street
Grand Island, NE 68801



Dear Members of the Council:

On behalf of the Seniors in the Class of 2002 at Grand Island Senior High School, I would like to request permission from the City Council to have a short fireworks display immediately following Commencement on Saturday, May 11, 2002 at 7:00 p.m.

We have contracted the services of a certified pyrotechnics specialist who will assemble and present the fireworks. The display is planned to be located on the South end of the Sports Complex in Memorial Stadium. Following the presentation of diplomas, the display will be ignited as the Class of 2002 "turns their tassels".

The fireworks display was a huge success last year and the Seniors of this graduating class ask permission to have a similar fireworks show as a part of their Commencement.

As the principal of Senior High, I ask for your approval to include a fireworks display as a part of our Commencement program on Saturday, May 11, 2002. Thank you for your consideration in this matter.

Sincerely,

Dr. Kent B. Mann, Principal
Grand Island Senior High School



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item H2

**Consideration of Request by Councilmember Whitesides for
Temporary Leave as Council President and Appointment of
Interim President**

Staff Contact:



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item I1

#2002-118 - Approving Adoption of Park and Recreation Department Scheduling and Access to Athletic Field Policy

The Grand Island Parks and Recreation Department is faced with ever increasing demand from various groups and organizations to use the City's baseball, softball and soccer fields for practice and competition. Additionally, the Department, on occasion, must deal with unauthorized use of fields, scheduling conflicts and questions concerning the Departments discretion and authority to manage the fields.

In order to clearly state the nature and extent of the Department's authority and discretion, as well as providing written guidelines of the factors considered by the Department in resolving various conflicts, disputes and issues regarding athletic field management, it is the intent of the Department, with the approval of the Mayor and City Council, to state the general principals and priorities of the City of Grand Island regarding athletic field management. See attachment.

Staff Contact: spaustian

PARKS AND RECREATION DEPARTMENT POLICY

SCHEDULING AND ACCESS TO ATHLETIC FIELDS

The Grand Island Parks and Recreation Department is faced with ever increasing demand from various groups and organizations to use the City's baseball, softball and soccer fields for practice and competition. Additionally, the Department, on occasion, must deal with unauthorized use of fields, scheduling conflicts and questions concerning the Department's discretion and authority to manage the fields.

PRINCIPALS GOVERNING SCHEDULING AND ACCESS

In order to clearly state the nature and extent of the Department's authority and discretion, as well as providing written guidelines of the factors considered by the Department in resolving various conflicts, disputes and issues regarding athletic field management, it is the intent of the Department, with the approval of the Mayor and City Council, to state the general principles and priorities of the City of Grand Island regarding athletic field management. The Department considers the two overriding principles are as follows:

- a. It is the intent of the City of Grand Island in the course of athletic field management to give priority to organizations and teams open to all members of the public, with consideration given to teams consisting of youth as noted below. This policy recognizes that the City of Grand Island and its athletic fields were created to serve the public interest and provide as broad as range of recreational opportunities as can be made available to residents of the City of Grand Island and the public. Recreational programs and leagues with prior proven experience in meeting the public purposes of this policy will be given first consideration.
- b. It is the intent of the City of Grand Island in the course of athletic field management to give priority to organizations and teams with players made up exclusively of youth, this term meaning boys and girls, ages 18 and under. This policy recognizes that the class consists of persons generally of school age, with less resources, mobility and access to athletic fields other than those operated by the Department as compared to older players.

For purposes of illustration only the following demonstrates the application of the foregoing priority system by the Department:

- a. Recreational programs open to all youth.
- b. Programs open to all adults.
- c. Competitive programs sponsored by non-profit entities and/or inter-scholastic competition (i.e. Legion baseball).
- d. Competitive or club teams or leagues consisting of youth. ("Elite" teams)
- e. Competitive or club teams or leagues consisting of adults or a mixture of youth and adults.

- f. Any team or league consisting of 50% or more persons that are not bona fide residents of the City of Grand Island.
- g. Special uses, clinic, etc.

The foregoing policy is also applicable to the scheduling of practice play on City athletic fields. Any dispute, conflict or issue relating to athletic field usage and/or scheduling shall be resolved by the Director of the Parks and Recreation Department in the Director's sole and exclusive discretion.

ATHLETIC FIELD ACCESS AND MAINTENANCE

The Parks and Recreation Department shall have sole and exclusive discretion in determining when athletic fields are available for play or closed due to field and/or weather conditions, maintenance or other reasons making the field and/or surrounding premises unsuitable for use by teams, officials or spectators. This would include closures related to ordinary maintenance, field preparation and the availability of safe and sanitary public facilities. Teams using the Department's athletic fields are prohibited from making any physical changes, whether permanent or temporary to the athletic field or surrounding premises. Any team violating the Department's restrictions on access and maintenance shall be subject to discipline, including but not limited to, limitations on future athletic field access and usage, temporary suspension or permanent suspension from usage of the Department's athletic fields with such discipline being imposed by the Department Director at the Director's sole and exclusive discretion. Any person or team found on a athletic field in violation of signage posted to indicate the field is closed or not available for play, shall be considered as trespassing and may be cited for a violation of the City Code.

RESOLUTION 2002-118

WHEREAS, as a result of increased demand from various groups and organizations to use the City's baseball, softball and soccer fields for practice and competition, it is necessary to implement a policy for the scheduling and access to the City's athletic fields; and

WHEREAS, it is recommended that such policy attached hereto as Exhibit "A" be approved and adopted effective immediately.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Parks and Recreation Department Policy for Scheduling and Access to Athletic Fields attached hereto as Exhibit "A" is hereby approved and adopted effective immediately.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____
April 19, 2002 ? City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item I2

#2002-119 - Approving Interlocal Agreement with the Central District Health Department

As discussed at the April 16, 2002 City Council Study Session, LB692 was landmark legislation passed by the legislature in 2001. It allowed for a trust fund to be established from interest from the tobacco settlement funds. The purpose of the legislation was to establish a public health infrastructure for the state. Nebraska has 93 counties and only 6 had any kind of a public health department. The lack of a coordinated public health infrastructure in the state makes it difficult to obtain major federal funding for public health programs. In addition, the health statistics in the state of Nebraska, in a number of areas, are low compared to other states. The legislation indicated that district health departments could be formed and those districts needed to be at least 3 counties and 30,000 population. Grand Island invited several counties to join with their established health department. Two counties (Hamilton and Merrick) have committed to joining the Grand Island Hall County Health Department. The process of formation of the new district health department has had legal counsel by Earl Alschwede. A group of representatives of the three counties met in January of this year to draw up the agreement moving the current health department from a city county to a district health department. All 3 counties have agreed to the language of the agreement. A letter of approval was issued by the state on January 3, 2002 for the formation of the district health department. Approval is recommended.

Staff Contact: Sonja Simpson

CENTRAL DISTRICT HEALTH DEPARTMENT

INTERLOCAL COOPERATION AGREEMENT BY AND BETWEEN THE CITY OF GRAND ISLAND, THE COUNTY OF HALL THE COUNTY OF HAMILTON AND THE COUNTY OF MERRICK

THIS AGREEMENT made and entered into this _____ day of _____, 2002 by and between the CITY OF GRAND ISLAND, NEBRASKA, hereinafter referred to as the "City"; the COUNTY OF HALL, NEBRASKA, hereinafter referred to as "Hall"; the COUNTY OF HAMILTON, NEBRASKA, hereinafter referred to as "Hamilton" and the COUNTY OF MERRICK, NEBRASKA, hereinafter referred to as "Merrick".

WITNESSETH:

WHEREAS, the City and Hall have had a joint City-County Health Department since 1972 and they along with Hamilton and Merrick agree to establish a District Health Department; and

WHEREAS, the parties to this agreement, pursuant to Nebraska law, desire to establish a District County Health Board hereinafter referred to as "The Board"; and

WHEREAS, the Health Department established by this Agreement shall be known as Central District Health Department; and

WHEREAS, the City and the Counties find that it is in the best interests of their residents that they join together through this agreement to furnish joint and cooperative health department services; and

WHEREAS, the City, Hall, Hamilton and Merrick desire to enter into this Agreement.

NOW, THEREFORE, subject to the approval of the Department of Health and Human Services of the State of Nebraska, the parties to this agreement mutually agree as follows:

1. All matters and activities pertaining to public health within the City and within Hall, Hamilton and Merrick counties will be administered, as herein provided, by the Department established by this agreement.

2. The Board shall consist of eleven members selected as provided in this agreement, with due consideration being given to the need to secure fair and equitable representation from the entire area to be served:

- a. One representative of the Hall County Board and one public-spirited citizen selected solely by the Hall County Board;

- b. One representative of the Hamilton County Board and one public-spirited citizen selected by the Hamilton County Board;
 - c. One representative of the Merrick County Board and one public-spirited citizen selected solely by the Merrick County Board.
 - d. One representative of the Grand Island City Council and one public-spirited citizen selected solely by the Grand Island City Council;
 - e. One physician, nominations for said position may be submitted by the county medical society of each of the counties involved, if such nominations are submitted, the nominees shall be considered for appointment and selected by the Board;
 - f. One dentist, nominations for said position may be submitted by the county dental society, if such nominations are submitted, they shall be considered for appointment and selected by the Board;
 - g. One member of the Board is a resident of the District and is a member of an ethnic minority in the District, shall be considered for appointment and selected by the Board;
 - h. The initial board members shall be selected by the appointment of two members representing Hall County, one member of the County Board and another public-spirited citizen, two members selected by the Grand Island City Council, one member from the council and one member of a public-spirited citizen; two members selected by the Hamilton County Board, one member of that Board and a public-spirited citizen; two members selected by the Merrick County Board, one member of that Board and a public-spirited citizen. Those eight persons so appointed shall select one physician and one dentist who are nominated as provided in subsections e. and f. above and an ethnic minority from the district. Those persons shall constitute the initial board. (Future board members shall be selected in accordance with the procedures set forth herein by the board as provided in Section 3 below.)
3. When the terms of any members of the Board expire, they shall be filled in the following manner; persons who are representing a County Board or a City Council shall be appointed by that County Board or that City Council, as shall another public-spirited citizen within the jurisdiction of that County Board or City Council. When the terms of the persons who are the physician, dentist, and ethnic minority shall expire, those persons' terms shall be filled by vote of the Central District Health Department Board, provided that the physician and dentist have been nominated by a county medical society within the boundary of the District or a county dental society within the boundary of the District for the physician and dentist respectively.

4. Board members' terms of office shall be in accordance with the following:
 - a. Three of the members shall be appointed for a term of one year.
 - b. Four of the members shall be appointed for a term of two years.
 - c. Four of the members shall be appointed for a term of three years.
 - d. After the term of any member shall expire, each new appointment shall be for a term of three years.
 - e. Appointments to fill any vacancies shall be for the unexpired term.
 - f. The initial Board shall determine the terms of its members so that three members serve for one year, four members serve for two years and four members serve for three years. Such action shall be taken within the first thirty days after the Board commences its existence and shall be recorded in its minutes.
 - g. If the board representative from the City Council or any County Board ceases to be a member of said Council or Board, the membership for said representative on the Board shall automatically terminate. The applicable entity shall nominate a new representative who shall be selected in accordance with the provisions of paragraph 3 above.
 - h. By majority vote of the County Boards and City Council, members of the Board shall be subject to removal for good cause shown, which shall include, but is not limited to, three consecutive unexcused absences from regularly scheduled meetings.
 - i. No board member shall be eligible to serve more than two consecutive three year terms.

5. The Board shall annually meet and organize by the election of one of its own members as president, one as vice-president and another as secretary. The Finance Director of the City shall serve as Treasurer of the department. The officers shall have such power as the board may establish from time to time. The Board may elect such other officers and appoint such committees, as it may deem necessary from time to time. The Board may adopt and promulgate such rules and regulations, consistent with applicable Nebraska law and this Agreement, for its own guidance and for the governance of the Department as may be necessary. The Board shall not transact business unless there is a quorum, herein defined as a majority of six (6) Board members present. All questions and matters before the Board shall be decided by majority vote of the members present.

6. Except as otherwise provided by this Agreement, the Board shall have the powers and duties as set forth by Nebraska Revised Statutes §71-1631, as amended. Pursuant to the Nebraska Interlocal Cooperation Act, the Central District Health Department shall constitute a

separate public body corporate and politic of the State of Nebraska and shall exercise all powers set forth in that Act for such a corporate body.

7. Except as otherwise provided by this Agreement, the Health Director of the Department shall have the powers and duties set forth by Nebraska Revised Statutes §71-1632, as amended.

8. The Secretary to the Board of Health shall keep minutes of all the meetings of the Board. The Department shall retain records of everything pertaining to expenses, income, complaints, work done, meetings had, pamphlets printed and distributed, cases handled, and of any other matters pertaining to the work of the Board and the Department. The Department may dispose of records pursuant to the Records Management act, Nebraska Revised Statutes, §84-1201, et seq.

9. The Department is hereby given full control over, and shall perform, all public health matters in the City of Grand Island, in Hall County, Hamilton County and Merrick County; all in the State of Nebraska.

10. Prior to June 1 each year, the Department shall prepare and submit to the City and Counties the proposed budget for the following fiscal year and an annual report of the last completed fiscal year's activities. Said annual report shall contain such information as provided by the Nebraska Revised Statute §71-1631(6) and such additional information pertaining to the Department's programs, operations, and finances as requested by any of the County Boards or the City Council. The City Council and County Boards shall have a joint meeting on or before July 15 each year and shall at that time agree upon the budget allocation for the ensuing fiscal year of the Department and the appointment of persons to the Board. The City Council and any of the County Boards involved in this agreement, may in their discretion, act on the proposed budget and the election of additional persons to the Board prior to the annual meeting of such council and boards at any official meeting they have and report the results of their action at the annual joint meeting.

11. All funds received by the Department shall be accounted for separately by the Treasurer of the City as fiscal agent for a nominal fee. The City will provide financial management services for the department, consisting of cash management, payroll processing and financial accounting.

12. The fiscal year of the Department shall be from October 1 through September 30 of the subsequent year.

13. The staffing levels will be under the direction of the Board of Health.

14. The Director of the Central District Health Department shall serve at the will of the Board of Health and shall be subject to its directions. The duties and responsibilities of the Director shall include direction and management of the day-to-day operations of the Central District Health Department; attending meetings of the Board of Health and giving them his or her opinion on any matter, either orally or in writing as may be required; preparing an annual

budget for submission to the Board of Health; and performing such other duties as may be required.

15. Employees of the Central District Health Department below the level of the Director shall be employees of the Central District Health Department and shall be entitled to benefits of the City personnel system. Any collective bargaining agreement covering such employees shall be subject to the approval of the Board of Health.

16. This Agreement shall take effect October 1, 2002 and shall automatically renew for successive terms of three years unless terminated as provided in paragraph 17 below.

17. Any party may terminate this Agreement at the end of a term by giving the other parties at least ninety (90) days prior written notice of such intent to terminate. This Agreement may also be terminated upon the failure of the City or any County to adopt a mutually agreed upon Department budget allocation on or before June 15 for the ensuing fiscal year. This Agreement shall remain in effect for ninety (90) days after said June 15. During such ninety (90) day period, each party shall continue its proportionate share of funding as established in the last agreed allocation. This Agreement may be terminated upon ninety (90) days notice by any party for breach of this Agreement, which shall include failure to provide funding in accordance with the agreed allocation.

18. This Agreement is made and entered into pursuant to the Interlocal Cooperation Act of the State of Nebraska.

19. All of the assets and liabilities of the City-County Health Department for the City and Hall shall be transferred to and vest in the Central District Health Department on September 30, 2002, pursuant to §13-806 R.R.S. 1943. The City and Hall agree that their Interlocal Cooperation Agreement for a Joint City-County Health Department dated July 11, 2000 shall terminate on September 30, 2002.

20. This Agreement shall be effective for the establishment of the Central District Health Department Board, planning for services and for organizational purposes, on April 1, 2002 but shall not be effective for providing services to the public by the Central District Health Department until October 1, 2002, at which time this Agreement shall be deemed fully operational and effective for all of its purposes as herein provided.

CITY OF GRAND ISLAND, NEBRASKA
A Municipal Corporation

DATED: _____

By _____
Mayor

ATTEST:

City Clerk

COUNTY OF HALL

DATED: _____

By _____
Chairman of the County Board

ATTEST:

County Clerk

COUNTY OF HAMILTON

DATED: _____

By _____
Chairman of the County Board

ATTEST:

County Clerk

COUNTY OF MERRICK

DATED: _____

By _____
Chairman of the County Board

ATTEST:

County Clerk

R E S O L U T I O N 2002-119

WHEREAS, since 1972, the City of Grand Island and the County of Hall have joined together to provide health services through the City-County Health Department; and

WHEREAS, as a result of tobacco settlement funds awarded to the State of Nebraska, Legislative Bill 692 was passed in 2001 to develop a public health infrastructure utilizing interest from the tobacco settlement funds; and

WHEREAS, the Grand Island – Hall County Health Department invited several counties to join with their established health department to form a district health department; and

WHEREAS, the County of Merrick and the County of Hamilton have committed to joining the Grand Island – Hall County Health Department, renaming the entity the "Central District Health Department"; and

WHEREAS, it is in the best interests of the residents of the City of Grand Island to provide joint and cooperative health department services; and

WHEREAS, an Interlocal Cooperation Agreement by and between the City of Grand Island, the County of Hall, the County of Hamilton, and the County of Merrick has been reviewed by the City Attorney.

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 interested and supports the concept of being included with the County of Hall, the County of Merrick, and the County of Hamilton to form the Central District Health Department.

BE IT FURTHER RESOLVED, that the Interlocal Agreement setting out the terms and conditions for such inclusion is hereby approved; and the Mayor is hereby authorized and directed to execute such interlocal agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____
April 19, 2002 ? City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item I3

#2002-120 - Approving Funding for the Central District Health Department Building

The health department has been actively seeking improved space for at least the past five years. After a number of meetings with various people offering space for rent, the health department accepted the offer from Hall County to eventually move into the Hall County Office Building. This building currently houses county attorney staff as well as probation and other legal staff. It is anticipated that the building will become available on November 1, 2002. In January of 2002, the Board of Health authorized that staff of the Health Department to meet with an architectural firm to develop plans for renovation of the HCOB to become a health department and develop a cost estimate of the project. Cal Hinz architectural firm met with staff on three occasions and developed the drawings as well as a cost estimate. The anticipated cost of the renovation is \$415,516.35. A cost estimate of the internal furnishings is being done. The health department cannot proceed with the project until funding is established. The Health Department has \$250,000 and Hall County is willing to put \$50,000 to the project. Correspondence related to the building project have been ongoing since June of 2001 when the health department had their budget hearing. The request then was made to have the county and the city assist the health department in funding of the project. The amount of money that the county and city contributes to the health department is \$124,400 each which represents 7.6% of the budget. This amount has not increased in the last 5 years despite increase in volume of services. The health department seeks funding from the city for the project. Approval is recommended.

Staff Contact: Sonja Simpson

R E S O L U T I O N 2002-120

WHEREAS, due to a lack of space in the building currently used by the Grand Island–Hall County Health Department, the County of Hall has offered to relocate the health department into the Hall County Office Building at 117 East First Street; and

WHEREAS, estimated renovation costs are \$415,516.35; and

WHEREAS, the County of Hall has agreed to provide \$50,000 in funding to help with the renovation costs; and

WHEREAS, a request has been made for the City of Grand Island to contribute matching funds to such renovation costs.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that funding in the amount of \$50,000 for renovation costs to the Hall County Office Building to locate the Central District Health Department in the building is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____
April 19, 2002 ? City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item I4

#2002-121 - Approving Interlocal Agreement with Hall County Airport Authority Regarding Airport Security

Since the September 11, 2001, terrorist attacks, the US Department of Transportation, Transportation Security Administration (TSA) have provided security at United States civil aviation airports using the National Guard. With the pending departure of the National Guard, TSA is requiring the airports which do not have federal law enforcement officers to provide uniformed law enforcement officers at any time passengers are undergoing screening at check points. The TSA has authorized reimbursement for airports such as the Central Nebraska Regional Airport for the cost of providing officers. Many airports have elected to contract with local law enforcement agencies to provide security personnel and this is the course which has been chosen by the Hall County Airport Authority.

An Interlocal Agreement between the City of Grand Island and the Hall County Airport Authority to provide members of the Grand Island Police Department for security has been negotiated. In accordance with the program established by TSA, this arrangement is proposed to run no longer than December 1, 2003. Basically, the contract between the City and Authority would provide for assigning uniformed officers to the Central Nebraska Regional Airport security, however, it is likely that a variety of officers will be given this assignment rather than simply dedicating particular persons to the project. The Authority will reimburse the City for its actual direct and indirect employee expenses for these security services. Additionally, the Authority has the option of requesting that the City establish an off-site work station at the airport in consideration of a payment of \$3,309.85 to the police department for providing a computer, appropriate programs, peripheral equipment and licenses necessary to operate our current law enforcement reporting and data collection program. The staff recommends that the Interlocal Cooperation Agreement between the City of Grand Island and the Hall County Airport Authority for providing security personnel to carry out Security Directive SD1542-02-01 be approved as drafted.

Staff Contact:



LAW ENFORCEMENT PERSONNEL AGREEMENT
ON BEHALF OF THE
TRANSPORTATION SECURITY ADMINISTRATION

April 2, 2002

DEPARTMENT OF TRANSPORTATION
TRANSPORTATION SECURITY ADMINISTRATION (TSA)

**MEMORANDUM OF AGREEMENT (MOA) BETWEEN
U.S. GOVERNMENT**

AND

Central Nebraska Regional Airport/Hall County Airport Authority

ARTICLE 1. PARTIES

The parties to this Memorandum of Agreement (MOA), or otherwise referred to herein as “Agreement,” are the Government of the United States of America (Government) and *Hall County Airport Authority*.

ARTICLE 2. SCOPE

a. Purpose:

The purpose of this Agreement is to provide financial relief in the form of full or partial reimbursement to: _____. *Hall County Airport Authority*, for its costs in fulfilling Security Directive SD 1542-02-01. The Security Directive takes precedence over anything in this MOA. This MOA neither guarantees nor forbids reimbursement through other programs that may be available as long as the United States Government does not fund the same expenses through different programs or agencies.

b. Contributions of the Parties:

(1) The Government agrees to reimburse or partially reimburse the cost of the law enforcement officers supplied by the SHA. Reimbursement is subject to the availability of appropriated funding for this purpose. Such funding shall cover services provided from inception of this agreement until such time as the TSA assumes responsibility for said services in accordance with Article 4, Effective Date and Term or such time that this MOA is terminated in accordance with Article 9.

(2) Hall County Airport Authority is responsible for providing law enforcement officers in accordance with SD 1542-02-01 regardless of the status of this agreement. Currently, TSA plans to terminate this agreement when it has its own federal law enforcement personnel at the airport’s Passenger Screening Locations.

ARTICLE 3. DEFINITIONS

- a. The “Supporting Host Agency” (SHA) is the organizational entity authorized to enter into this agreement. In most cases this will be the airport or its governing body.
- b. United States has the meaning in 49 USC 40102(41).
- c. The “Contracting Officer” (CO) is that person authorized to obligate funds on behalf of the U.S. Government.

ARTICLE 4. EFFECTIVE DATE AND TERM

The effective date and Term of this Agreement is _____ *May 1st*, 2002 and shall continue in effect until December 1, 2003 or until earlier terminated by the parties as provided herein. The TSA may choose to extend the term of this agreement, at its sole discretion, for up to an additional 90 days beyond the above stated completion date. The termination of this agreement by either party does not, in itself, relieve the airport from compliance with any federal law, rule, regulation, or directive in effect.

ARTICLE 5. POINTS OF CONTACT

For General program questions:

Alaskan Region: (AAL):	Rupert Workman, (907) 271-2255
Western-Pacific Region (AWP):	Bill Frank (310) 420-6114
	Don Harand (310) 725-3720
Southern Region (ASO):	Mike Terrell, (404) 305-6865
	Cathy Weaver, (404) 305-6841
Great Lakes Region (AGL):	Dave Knudson, (847) 294-7107
	Ken Behrns (847) 294-7817
New England Region (ANE):	Mary Carol Turano, (781) 238-7720
Central Region (ACE):	Bob Dickson (816) 329-3724
Eastern Region (AEA):	Mr. Garfield Harris, (718) 553-2568
Southwest Region (ASW):	Michele Jekel, (817) 222-5732
Northwest Mountain Region (ANM):	Steve Quinn, (425) 227-2723

TSA Program Office (please attempt to contact regional representative first):

Mr. Ron Neubauer (202) 493-2051; e-mail: Ron.Neubauer@ost.dot.gov

Assistant: Mr. Todd Watanabe (202) 493-0994; e-mail: Todd.Watanabe@ost.dot.gov

Non-FAA/TSA Party: *Bill Stovall or Heather Schmidt*

FAA Contracting Officer:

Ms. Kim Branch (703) 796-7118, fax: (703) 796-7176

ARTICLE 6. FUNDING AND PAYMENT

a. The total estimated cost of this agreement shall not exceed \$_____ [CO insert not-to-exceed (NTE) amount To Be Determined (TBD)] as reimbursement for *Hall County Airport Authority* providing the required law enforcement in accordance with SD 1542-02-01. Reimbursement does not include reimbursement of any fees or profit. This amount is considered a ceiling that *Hall County Airport Authority* may not exceed (except at their own risk) without the written approval of the Contracting Officer.

The ceiling amount of this agreement is [CO insert amount TBD]. This ceiling may be increased by mutual agreement of the parties. The amount presently available for payment and allotted to this Agreement is \$[CO insert amount TBD]. It is estimated that this amount is sufficient to provide for performance from date of award through [CO insert date TBD].

This agreement may be incrementally funded pursuant to the availability of funds.

b. This is not a funds obligating document. Funds will be obligated by a separate Purchase Order.

ARTICLE 7. AUDITS

The Government shall have the right to examine or audit relevant financial records for a period not to exceed three (3) years after expiration of the terms of this Agreement. [CO insert Name of SHA] must maintain an established accounting system that complies with generally accepted accounting principles.

ARTICLE 8. CHANGES, MODIFICATIONS

Changes and/or modifications to this Agreement shall be in writing and signed by a Government Contracting Officer and the *Bill Stovall of Hall County Airport Authority*. The modification shall cite the subject Agreement, and shall state the exact nature of the modification. No oral statement by any person shall be interpreted as modifying or otherwise affecting the terms of this Agreement.

ARTICLE 9. TERMINATION

a. In addition to any other termination rights provided by this MOA, either party may terminate this MOA at any time prior to its expiration date, with or without cause, and without incurring any liability or obligation to the terminated party (other than payment of amounts due and owing and performance of obligations accrued, in each case on or prior to the termination date) by giving the other party at least thirty (30) days prior written notice of termination. Termination by any party does not, in itself, relieve the airport from compliance with any federal law, rule, regulation, or directive in effect.

b. In the event of termination or expiration of this Agreement, any funds which have not been spent or obligated for allowable expenses prior to the date of termination, and are not reasonably necessary to cover termination expenses shall be de-obligated from this MOA.

ARTICLE 10. ORDER OF PRECEDENCE

In the event of any inconsistency between the terms of the Agreement or any law, regulation, or Security Directive, the inconsistency shall be resolved by giving preference in the following order:

- (a) Laws, Regulations, Security Directives
- (b) This MOA, then
- (c) The Appendices to this MOA

ARTICLE 11. PROTECTION OF INFORMATION

The parties agree that they shall take appropriate measures to protect proprietary, privileged, or otherwise confidential information that may come into their possession as a result of this Agreement.

AGREED:

Hall County Airport Authority

Federal Aviation Administration (for the TSA)

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

Appendix A (To be filled-out by SHA):

A	B	C	D	E
Checkpoint Designation	Operating hrs / 24-hour Period	Total <i>Average</i> Daily Operating Hours ¹	Number of Posted Officers Required – This Checkpoint ²	Row Totals: (multiply column C and column D)
1	13	13	1	13
			Total Average Daily Hours:	13

1. To calculate Average Daily Operating Hours: Take the sum of all operating hours for the checkpoint for a 7-day period and divide by 7.
2. Requirement is 1 officer for every 6 lanes. Normally this column will have a “1” or a “2”.

Appendix B: Basis for Cost (To be filled-out by SHA):

Requested Item for Reimbursement	Total Average Daily Hours (From Appendix A)	Total Average Supervisor Daily Hours (7-day average)	Requested Salary Rate / Hour	Does this rate include any overtime? (All, partial, none)	Total Funds requested / Day	TSA ONLY: Approvals
Posted Officers	13 hours		\$19.53	None	\$253.92	
Supervisory/ Administrative ³		0				
Request for Additional Costs (May explain on a separate sheet of paper) ⁴	Administration- \$4,500.00 Police Reporting Station: \$3309.85 **Off Site Police Reporting Station includes Computer, Radio Antennae & Installation, Printer & License Fees.			None	\$14.28	
Daily Total					\$268.20	

Notes:

3. Reimbursement for supervision is normally reserved for the largest airports with several checkpoints.
4. Requests for direct and indirect costs (except salaries) will not *normally* be considered. However, airports may consider requesting Airport Improvement Program (AIP) funds from the FAA. (However, this does not imply approval of AIP funds, which is a separate program that does not fall within this MOA.) Reasonable Administrative/Scheduling time may be considered here.

RESOLUTION 2002-121

WHEREAS, as a result of the September 11, 2001 terrorist attacks, the United States Department of Transportation, Transportation Security Administration (TSA) have provided security at United States civil aviation airports using the National Guard; and

WHEREAS, effective May 10, 2002, the National Guard will no longer be responsible for security duty at the airports, and the TSA is requiring the airports to provide uniformed law enforcement officers at any time passengers are undergoing screening at check points; and

WHEREAS, the TSA has authorized reimbursement for airports such as Central Nebraska Regional Airport for the cost of providing such officers, and many airports have elected to contract with local law enforcement agencies to provide security personnel; and

WHEREAS, the Central Nebraska Regional Airport has negotiated with the City of Grand Island to carry out the operational terms and conditions of the Law Enforcement Personnel Agreement dated April 2, 2002 on behalf of the TSA; and

WHEREAS, an Interlocal Cooperation Agreement by and between the City of Grand Island and the Hall County Airport Authority to provide uniformed officers for security purposes has been reviewed and approved by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Interlocal Cooperation Agreement by and between the City of Grand Island and the Hall County Airport Authority to provide uniformed officers to the Central Nebraska Regional Airport for security purposes is hereby authorized.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on April 23, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____
April 19, 2002 ? City Attorney



City of Grand Island

Tuesday, April 23, 2002

Council Session

Item J1

Payment of Claims for the Period of April 10, 2002 through April 23, 2002

The Claims for the period of April 10, 2002 through April 23, 2002 for a total amount of \$1,533,182.83. A MOTION is in order.

Staff Contact: RaNae Edwards