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# City of Grand Island



**Tuesday, September 24, 2002**

## **Council Session Packet**

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### **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**

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

**Call to Order**

**Pledge of Allegiance /Pastor Allen Runyon, Grand Island Family Church, 2304  
Macron Street**

**Roll Call**

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

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

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

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



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item C1

### **"It's About Kids!" Presentations by Ashley Suntych and George Burgess**

*Youth Leadership Tomorrow, "It's About Kid's!" assets will be presented by Ashley Suntych and George Burgess.*

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item C2

### Proclamation "Republic of China Day" October 10, 2002

*Whereas, the Republic of China on Taiwan will be observing its 91st anniversary on October 10, 2002 and because the Taiwan province and the State of Nebraska have established a sister state relationship and in recognition of the strong economic and cultural ties, Grand Island as the fourth largest Nebraska city, plays in the economic connection between the Taiwan province and the State of Nebraska, the Mayor has proclaimed October 10, 2002 as "Republic of China Day" and urges all citizens to join us in extending our congratulations and best wishes to the Republic of China on Taiwan during this celebration. See attached PROCLAMATION.*

Staff Contact: Mayor Gnadt

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

**PROCLAMATION**

WHEREAS, the Republic of China on Taiwan will be observing its 91st anniversary on October 10, 2002; and

WHEREAS, Taiwan province and the State of Nebraska, through an act of the Nebraska Legislature, have established a sister state relationship in recognition of the strong economic and cultural ties; and

WHEREAS, as the state's fourth largest city, Grand Island is an integral part of the economy of the State of Nebraska and plays an important role in the economic connection between the Taiwan province and the State of Nebraska; and

WHEREAS, due to expanded international development programs and humanitarian relief operations, the people of the Republic of China on Taiwan deserve appropriate recognition and credit as dynamic participants in the international community.

NOW, THEREFORE, I, Ken Gnadt, Mayor of Grand Island, Nebraska, do hereby proclaim October 10, 2002 as

***Republic of China Day***

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-fourth day of September in the year of our Lord two thousand two.

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Mayor of Grand Island, Nebraska

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 24, 2002

## Council Session

### Item D1

#### **#2002-BE-8 - Determining Benefits for Business Improvement District No. 4**

*In July, the City Council adopted Ordinance #8751 creating Business Improvement District #4, South Locust Street from Fonner Park Road to Stolley Park Road. The Ordinance established the purpose of the District, described the boundaries, and established that real property in the area would be subject to a special assessment to support purposes established through the creation of the District. Public improvements and facilities addressed in the creating Ordinance include: 1) improvement of any public place or facility including landscaping, physical improvements for decoration or security purposes, and plantings and maintenance of any landscaped greenway, trees, etc; snow removal from the sidewalks parallel to South Locust Street, purchase of equipment, materials, supplies or other expenses to accomplish the purposes of the District; and 2) employing or contracting for personnel, including administrators for any improvement program under the act ...as necessary to carry out the purposes of the act. A voluntary board has been appointed to oversee the activities of the district. DISCUSSION The creating Ordinance requires that a proposed budget for the District be considered by the Business Improvement District #4 Board and forwarded to the City Council for consideration and a subsequent date set for the Board of Equalization in order for the Council to approve the assessments. The BID #4 Board met on Tuesday, August 6, 2002 and approved a budget for the FY 2002-2003. The District was established for a 10-year period of time with anticipated assessment revenues of \$275,000 over the course of the 10-year period. The 2002-2003 Budget provides for special assessments in the amount of \$3 per front footage for a total of \$14,784.93. The Board established this assessment based on the anticipated completion of the South Locust Street improvements next summer/fall and anticipating maintenance costs associated with the improvements. The Board also allowed for funding to be available for banners, signage and similar items that might be identified in the South Locust Street Identity and Design Plan.*

*It is recommended that the City Council, in its capacity as the Board of Equalization, determine the benefits of the District. Secondly, it is recommended that the City Council approve the assessments as provided for in the associated Ordinance.*

Staff Contact: Cindy Johnson

## RESOLUTION 2002-BE-8

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Business Improvement District No. 4, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$14,784.93; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Business Improvement District No. 4, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Sonic of Grand Island LTD	Lot 1, Janisch Subdivision	360.00
Niels McDermott	Lot 1 (except E 10'), Brownell Subdivision	132.00
James & Margot Wiltgen	Lot 5, Kirkpatrick Subdivision	210.00
Wiltgen Corp. II	Lot 6, Kirkpatrick Subdivision	210.00
James Scott Zana	Lot 1, R & R Subdivision	420.00
Fontenelle Oil Co.	Block 9 (except City E1/2, S1/2), Pleasant Home Subdivision	420.00
Locust Street LLC	Block 16 (except City), Pleasant Home Subdivision	840.00
M & W Investment Co.	Lot 1 and Pt of Lot 2, Roepke Subdivision	463.50
M & W Investment Co.	Lot 1, Roepke 2 <sup>nd</sup> Subdivision	136.50
Edwards Building Corp.	Lot 1 (except City), Fonner Subdivision	450.00
Grand Island Associates, LLC	Lot 1, Fonner 4 <sup>th</sup> Subdivision	1,463.70
5500 L Street Properties Co.	Lot 5 (except City), Fonner 2 <sup>nd</sup> Subdivision	600.00
5500 L Street Properties Co.	Lot 6, Fonner 2 <sup>nd</sup> Subdivision	1,200.00
Three Circle Irrigation Inc.	Lot 1, Fonner 3 <sup>rd</sup> Subdivision	978.00
Edwards Building Corp.	Replatted Lot 3, Fonner 3 <sup>rd</sup> Subdivision	420.00
Kenneth & Rose Mary Staab	Part SE1/4, SE1/4, 21-11-9 (52 x 264')	156.00
KWM Co.	Pt SE1/4, SE1/4, 21-11-9 (20 ac to City)	405.00
Michael, Carey & Barb Reilly	Lot 1, JNW Subdivision	462.00
Edwards Building Corp.	Lot 1, JNW 2 <sup>nd</sup> Subdivision	496.50
Sax's Pizza of America	Lot 2, Sax's Subdivision	210.00
Jack Lingeman Phyllis/Kent Schuele Trust	Pt SE1/4, SE1/4 21-11-9	402.00

## RESOLUTION 2002-BE-8

U-Haul Realty Estate Co.	Pt SE1/4, SE1/4, 21-11-9 (except City)	600.00
Sax's Pizza of America	Lot 3, Sax's Subdivision	488.28
Toukan Properties, LLC	Lot 1, Zlomke Subdivision	197.25
Byco, Inc.	Lot 2, R & R Subdivision	420.00
Cobalt Auto Stores, Inc.	Lot 2, Fonner 4 <sup>th</sup> Subdivision	450.00
Central NE Goodwill Industries	Lot 1, Goodwill 3 <sup>rd</sup> Subdivision	355.20
EPS Investments George Schroeder	Lot 1, Labelindo 2 <sup>nd</sup> Subdivision	840.00
Three Circle Irrigation	N 14' of Lot 3, Fonner 3 <sup>rd</sup> Subdivision	42.00
Hall County Livestock Improvement Association	Lot 1, Fonner 4 <sup>th</sup> Subdivision and south line of Brownell Subdivision	957.00
<b>TOTAL</b>		<b>\$14,784.93</b>

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Adopted by the City Council of the City of Grand Island, Nebraska, on September 24, 2002.

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RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item D2

### **#2002-BE-9 - Determining Benefits for Sanitary Sewer District #493, Old Potash Subdivision**

*The Certificate of Final Completion for Sanitary Sewer District No. 493, Old Potash Subdivision, was approved on August 27, 2002 with September 24, 2002 set as the date for Council to sit as the Board of Equalization. The contract for Sanitary Sewer District 492 was awarded to The Diamond Engineering Company of Grand Island, Nebraska on April 24, 2001; work commenced in Summer 2001 and was completed in June 2002. This project was completed on schedule and at a construction price of \$534,936.45. Total cost of the project, including engineering, is \$687,422.85. Costs for the project break down as follows:*

*Original Bid \$524,030.54*

*Overruns \$ 10,905.91*

*No Change Orders \$ 0*

*Engineering \$ 64,098.21*

*Easements \$ 79,765.19*

*Publication, T.V. Inspection, etc. \$ 8,623.00*

*Total Cost \$687,422.85*

*The original Estimate at time of District Creation in June 2000 was \$753,499.00. It is recommended that Council assess the properties adjacent to the project. Levying Assessments will allow the City to recover the majority of District costs.*

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

## RESOLUTION 2002-BE-9

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Sanitary Sewer District 493, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$619,378.62; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 493, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Richard D. & Kimberly A. Wiseman	Lot 1, Potash Subdivision	6,428.46
Matthew Jay & Gloria June Ostrander	Lot 2, Potash Subdivision	6,428.46
Kurt E. Kruse	Lot 3, Potash Subdivision	6,428.46
Stephen D. & Rona Rae Kucera	Lot 4, Potash Subdivision	6,004.59
Merle W. & Kathleen Plantenberg	Lot 5, Potash Subdivision	7,543.91
Phillip J. & Sheri L. McCormick	Lot 6, Potash Subdivision	7,203.08
Michael J. & Laura J. Nelson	Lot 7, Potash Subdivision	7,203.08
Steve W. & Theresa D. Olsfulka	Lot 8, Potash Subdivision	7,203.08
James P. & Gloria Smith	Lot 9, Potash Subdivision	7,203.08
Steven L. & Diana K. Kelly	Lot 10, Potash Subdivision	7,203.08
Coad Jay Miller and Martina Petra Doetsch	Lot 11, Potash Subdivision	7,203.08
Frazer & Jennal Raffaeli	Lot 12, Potash Subdivision	7,512.92
Dennis Kemper & Sandra McIntosh	Lot 13, Potash Subdivision	6,493.53
Verlon H. & Pamela S. Shears	Lot 14, Potash Subdivision	6,493.53
Aquilino & Tammy L. Alverado	Lot 15, Potash Subdivision	6,493.53
Raymond W. & Deanna K. Rollins	Lot 16, Potash Subdivision	6,493.53
Michael T. & Kathy A. Evans	Lot 17, Potash Subdivision	6,493.53
Kurtis L. & Suzanne L. Bowden	Lot 18, Potash Subdivision	6,493.53
Patricia J. Nowak	Lot 19, Potash Subdivision	6,493.53
Albert & Bernice Ziola	Lot 20, Potash Subdivision	6,493.53
Robin & Marilyn G. Arnol	Lot 21, Potash Subdivision	6,493.53

## RESOLUTION 2002-BE-9

Jeffrey Lee Griess & Barbara A. Griess	Lot 22, Potash Subdivision	6,493.53
Garry L. & Dorothy A. Smith	Lot 23, Potash Subdivision	6,493.53
Clinton L. & Michele T. Simmons	Lot 24, Potash Subdivision	6,493.53
Thomas L. & Melissa D. Murphy	Lot 25, Potash Subdivision	6,493.53
Deryne J. & Lisa C. Eastman	Lot 26, Potash Subdivision	6,493.53
Cody J. & Kelly Cox	Lot 27, Potash Subdivision	6,493.53
Jonathan P. & Sandra J. Borer	Lot 28, Potash Subdivision	6,493.53
Gary L. & Karen S. O'Neill	Lot 29, Potash Subdivision	6,493.53
Diana M. & Kim M. McDonald	Lot 30, Potash Subdivision	6,493.53
John L. & Sheryl A. Haile	Lot 31, Potash Subdivision	6,493.53
Robert L. & Catherine E. Knapp	Lot 32, Potash Subdivision	6,493.53
Juan R. & Marie E. Juarez	Lot 33, Potash Subdivision	6,493.53
Steven C. Best	Lot 34, Potash Subdivision	6,493.53
Hall County Housing Authority	Lot 35, Potash Subdivision	6,493.53
Scott A. & Carol A. Janzen	Lot 36, Potash Subdivision	6,493.53
Betty A. Pokorney	Lot 37, Potash Subdivision	6,493.53
Daniel H. & Judith C. Weeks	Lot 38, Potash Subdivision	6,493.53
Randall F. & Sheri L. Robinson	Lot 39, Potash Subdivision	6,493.53
Daniel I. & Lisa J. Jacobsen	Lot 40, Potash Subdivision	6,493.53
Gary L. & Debra A. Beckstrom	Lot 41, Potash Subdivision	6,493.53
David Allen South	Lot 42, Potash Subdivision	6,493.53
Garry Lee & Rosie L. Thompson	Lot 43, Potash Subdivision	6,738.31
Leona M. Buchanan	Lot 44, Potash Subdivision	6,738.31
Wendy Janette & Kelly A. Baier	Lot 45, Potash Subdivision	6,738.31
Steven R. & Margaret Ann Dady	Lot 46, Potash Subdivision	6,738.31
Shannon K. Zegar	Lot 47, Potash Subdivision	6,738.31
Jeffrey Lynn & Leanne Renee Mead	Lot 48, Potash Subdivision	6,738.31
James M. & Josie M. O'Connor	Lot 49, Potash Subdivision	6,738.31
Steven Grant Crumrine	Lot 50, Potash Subdivision	6,738.31
Wayne F. McGown	Lot 51, Potash Subdivision	6,509.95
David E. & Danielle E. Kneeland	Lot 52, Potash Subdivision	6,428.46
John W. & Mary S. Parker	Lot 53, Potash Subdivision	6,428.46
David C. Nagorski	Lot 54, Potash Subdivision	6,428.46
Scott J. Hendrickson	Lot 1, Pontious Subdivision, exc. E 100 feet of N 185.47 feet	15,299.99

## RESOLUTION 2002-BE-9

Elliot D. & June S. Schneider	Lot 2, Pontious Subdivision, except E. 100 feet of 185.47 feet	6,428.46
Donald L. & Barbara M. Pontious	The South 425.47 feet of the East 290.4 feet of the SE1/4SE1/4 of Section 14-11-10	11,305.45
Rudolf F. & Jeannice R. Plate, and Tim C. Plate	Lot 24, Westwood Park Seventh Subdivision	7,822.77
Rudolf F. & Jeannice R. Plate, and Tim C. Plate	Lot 23, Westwood Park Seventh Subdivision	6,893.23
Rudolf F. & Jeannice R. Plate, and Tim C. Plate	Lot 22, Westwood Park Seventh Subdivision	6,893.23
Rudolf F. & Jeannice R. Plate, and Tim C. Plate	Lot 21, Westwood Park Seventh Subdivision	6,893.23
Rudolf F. & Jeannice R. Plate, and Tim C. Plate	Lot 20, Westwood Park Seventh Subdivision	6,893.23
Rudolf F. & Jeannice R. Plate, and Tim C. Plate	Lot 19, Westwood Park Seventh Subdivision	6,893.23
Rudolf F. & Jeannice R. Plate, and Tim C. Plate	Part of the NE1/4, SE1/4 of 14-11-10, more particularly described as follows:  Beginning at the southwest corner of Westwood Park Seventh Subdivision; thence west a distance of 552.9 feet to the northwest corner of Potash Subdivision; thence north 150.0 feet; thence east 552.9 feet; thence south 150.0 feet to the point of beginning.	33,781.39
The Meadows Apartment Homes LLC	Lot 1, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 2, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 3, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 4, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 5, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 6, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 7, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 8, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 9, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 10, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 11, Country Meadows Subdivision	5,653.84
The Meadows Apartment Homes LLC	Lot 12, Country Meadows Subdivision	5,653.84
The Meadows Apartment Homes LLC	Lot 13, Country Meadows Subdivision	5,653.84
The Meadows Apartment Homes LLC	Lot 14, Country Meadows Subdivision	5,653.84
The Meadows Apartment Homes LLC	Lot 15, Country Meadows Subdivision	6,935.06
T & E Cattle Company	Part of W1/2, SW1/4 of Section 13-11-10, more particularly described as follows:	64,563.30

## RESOLUTION 2002-BE-9

Beginning at the intersection of the west line of SW1/4 of Section 13 and the east prolongation of the south ROW line of Faidley Avenue; thence east 150.0 feet; thence south parallel to the west line of said SW1/4 of Section 13 to the east prolongation of the north ROW line of Reed Road; thence west 150 feet to the west line of said SW1/4 of Section 13; thence north on the west line of said SW1/4 of Section 13 to the point of beginning; except the west 146 feet as described.

**TOTAL**

**\$619,378.62**

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Adopted by the City Council of the City of Grand Island, Nebraska, on September 24, 2002.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item D3

### **#2002-BE-10 - Determining Benefits for Sanitary Sewer District # 503, Edna Drive in Gosda Subdivision**

*The Certificate of Final Completion for Sanitary Sewer District No. 503, Edna Drive in Gosda Subdivision, was approved on August 27, 2002 with September 24, 2002 set as the date for Council to sit as the Board of Equalization. The contract for Sanitary Sewer District 503 was awarded to The Diamond Engineering Company of Grand Island, Nebraska on May 21, 2002; work commenced in Summer 2002 and was completed in August 2002. This project was completed on schedule and at a construction price of \$37,559.20. Total cost of the project, including engineering, is \$43,194.55. Costs for the project break down as follows:*

*Original Bid \$ 39,212.90*

*Underruns (\$ 1,653.70)*

*No Change Orders \$ 0*

*Engineering \$ 4,913.13*

*No Easements \$ 0*

*Publication, T.V. Inspection, etc. \$ 722.22*

*Total Cost \$ 43,194.55*

*The original estimate at time of District Creation was \$47,447.61. It is recommended that Council assess the properties adjacent to the project. Levying Assessments will allow the City to recover the majority of District costs.*

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

R E S O L U T I O N   2002-BE-10

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Sanitary Sewer District 503, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$43,194.55; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 503, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Sheryl L. & Bob Haase	Lot 1, Block 2, Gosda Subdivision	2,667.47
Randy A. & Mary E. Leiser	Lot 2, Block 2, Gosda Subdivision	2,667.47
Daniel Patrick & Carrie Lee Monroy	Lot 3, Block 2, Gosda Subdivision	2,667.47
Roseann Anderson	Lot 4, Block 2, Gosda Subdivision	2,667.47
Robert E. & April L. Smith	Lot 5, Block 2, Gosda Subdivision	2,667.47
David L. & Maxine L. Vieth	Lot 6, Block 2, Gosda Subdivision	2,667.47
David W. & Suzanne M. Segger-Jensen	Lot 7, Block 2, Gosda Subdivision	2,667.47
Patrick D. & GERALYN C. Powers	Lot 8, Block 2, Gosda Subdivision	3,183.25
Wanda J. Grobe	Lot 1, Block 1, Gosda Subdivision	2,667.47
Frederick M. & Heather E. Graves	Lot 2, Block 1, Gosda Subdivision	2,667.47
Lester E. & Betty L. Cornish	Lot 3, Block 1, Gosda Subdivision	2,667.47
James L. & Brenda L. Scheer	Lot 4, Block 1, Gosda Subdivision	2,667.47
Tracy G. Martin	Lot 5, Block 1, Gosda Subdivision	2,667.47
Nis N. Jr. & Sharon K. Bennetzen	Lot 6, Block 1, Gosda Subdivision	2,667.47
John W. & Brenda L. Creigh	Lot 7, Block 1, Gosda Subdivision	2,667.47
Thimgan Family Trust	Lot 8, Block 1, Gosda Subdivision	2,666.72
<b>TOTAL</b>		<b>\$43,194.55</b>

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Adopted by the City Council of the City of Grand Island, Nebraska, on September 24, 2002.

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

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

Tuesday, September 24, 2002

Council Session

## Item E1

### **Public Hearing on Annexation Component to the Grand Island Comprehensive Development Plan**

*Chad Nabity, Planning Director, has submitted a proposal to add an annexation Component to the Grand Island Comprehensive Development Plan. This proposal has been approved by the Regional Planning Commission at their June 6, 2002 meeting. It is appropriate at this time to solicit public comment. The action item is contained under the Consent Agenda.*

Staff Contact: Chad Nabity



June 6, 2002

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

Dear Mayor and Members of the Council:

**RE: Annexation Component to the Grand Island Comprehensive Development Plan. (C-12-2002GI)**

At the regular meeting of the Regional Planning Commission, held June 6, 2002 the above item was considered following a public hearing. This item proposes to amend the Comprehensive Development Plan for Grand Island by adding an annexation component to the plan. (See attached Policy Statement & Map)

Nabity explained this component contains a map of areas that should periodically be considered for annexation and policy statements regarding identification of additional areas for possible annexation. Nabity recommended that the Planning Commission recommend in favor of amending the Grand Island Comprehensive Development Plan by adding this section on annexation to the plan as presented.

No members of the public spoke in opposition of annexation.

No members of the public spoke in favor of annexation.

Following further discussion a motion was made by O'Neill and 2<sup>nd</sup> by Haskins to recommend the City Council approve the amendment to the Grand Island Comprehensive Development Plan by adding this section on annexation to the plan as presented including the map and policy statement.

A roll call vote was taken and the motion passed unanimously with 11 members present voting in favor (Miller, Amick, Eriksen, Hooker, Hayes, Lechner, Haskins, Ruge, O'Neill, Obst, Wagoner).

Yours truly,

Chad Nabity AICP  
Planning Director

cc: City Attorney  
Director of Public Works  
Director of Utilities  
Director of Building Inspections

## **Agenda Item # 6**

### **PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:**

May 24, 2002

**SUBJECT:** Annexation Component to the Grand Island Comprehensive Development Plan (*C-12-2002GI*)

**PROPOSAL:** To amend the Comprehensive Development Plan for Grand Island by adding an annexation component to the plan. This component contains a map of areas that should periodically be considered for annexation and policy statements regarding identification of additional areas for possible annexation.

### **EVALUATION:**

In 1994, the Unicameral changed the statutory requirements for a Comprehensive Development Plan. They required that all plans amended after January 1, 1995 include an annexation component. §19-903-4

The new plans that we are working on will include annexation components for all of the municipalities.

I believe that it appropriate at this time to add an annexation component to the Grand Island Comprehensive Plan.

The areas identified in this plan include the nine areas under consideration. They also include the other seven areas that were not recommended for immediate annexation. In addition to the identified areas 3 policy statement regarding annexation are proposed

- Require the owner of any and all properties adjacent to the corporate limits of the City of Grand Island to file subdivision plats on such properties as additions to the City of Grand Island.
- Consider sandpit lakes as property that is urban/suburban in character.
- To consider extension of the extraterritorial jurisdiction of the City along with all approved annexations.

The first is formalizing the current policy of requiring all subdivisions that occur adjacent to the Grand Island city limits to be submitted as additions to the City.

The second protects the ability of Grand Island to grow to the south. Sandpits are commercial/industrial uses while they are operating and they cannot be considered agricultural uses when they cease to operate. The south and east sides of Grand Island are ringed with sandpit lakes. In order to provide for orderly growth of the City Of Grand Island, it is necessary to specify that sandpit lakes are suburban/urban uses.

The third provides for orderly growth by allow the City Of Grand Island to impact the type and nature of development in its 2 mile jurisdiction. The extraterritorial jurisdiction should expand with the city. In some cases it may be in the best interest of everyone if the City not extend its jurisdiction to the 2 mile limit. The annexation under consideration would extend the ETJ across the Platte River into Hamilton County. I would suggest that Grand Island not cross the Platte River until we have developed far enough to the south and east that our jurisdiction is about 1 mile into Hamilton County. The river is a major barrier to development.

**RECOMMENDATION:**

That the Regional Planning Commission recommend that the Grand Island City Council amend the Grand Island Comprehensive Development Plan by adding this section on annexation to the plan as presented.

\_\_\_\_\_ Chad Nabity AICP, Planning Director

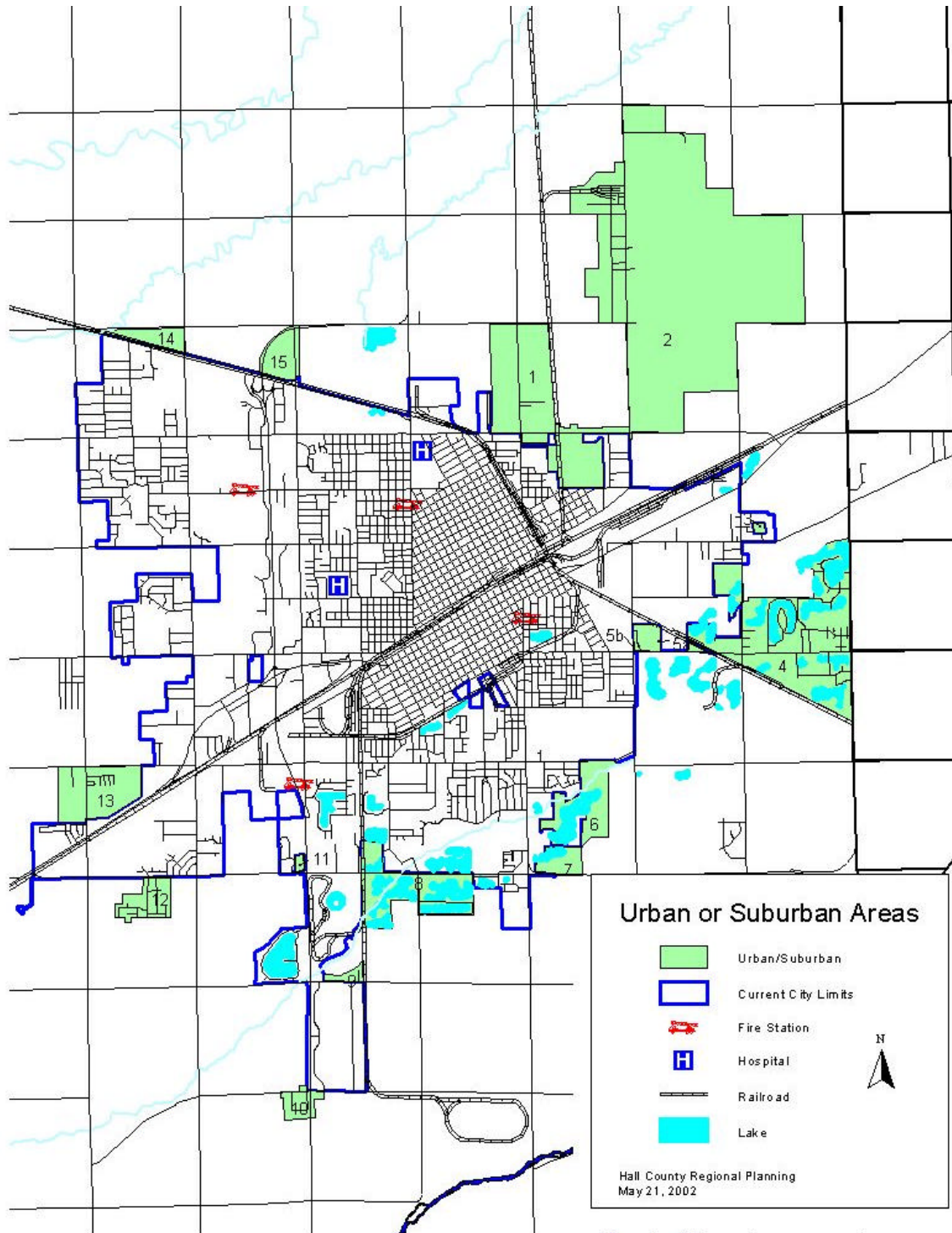
## **Grand Island Comprehensive Development Plan**

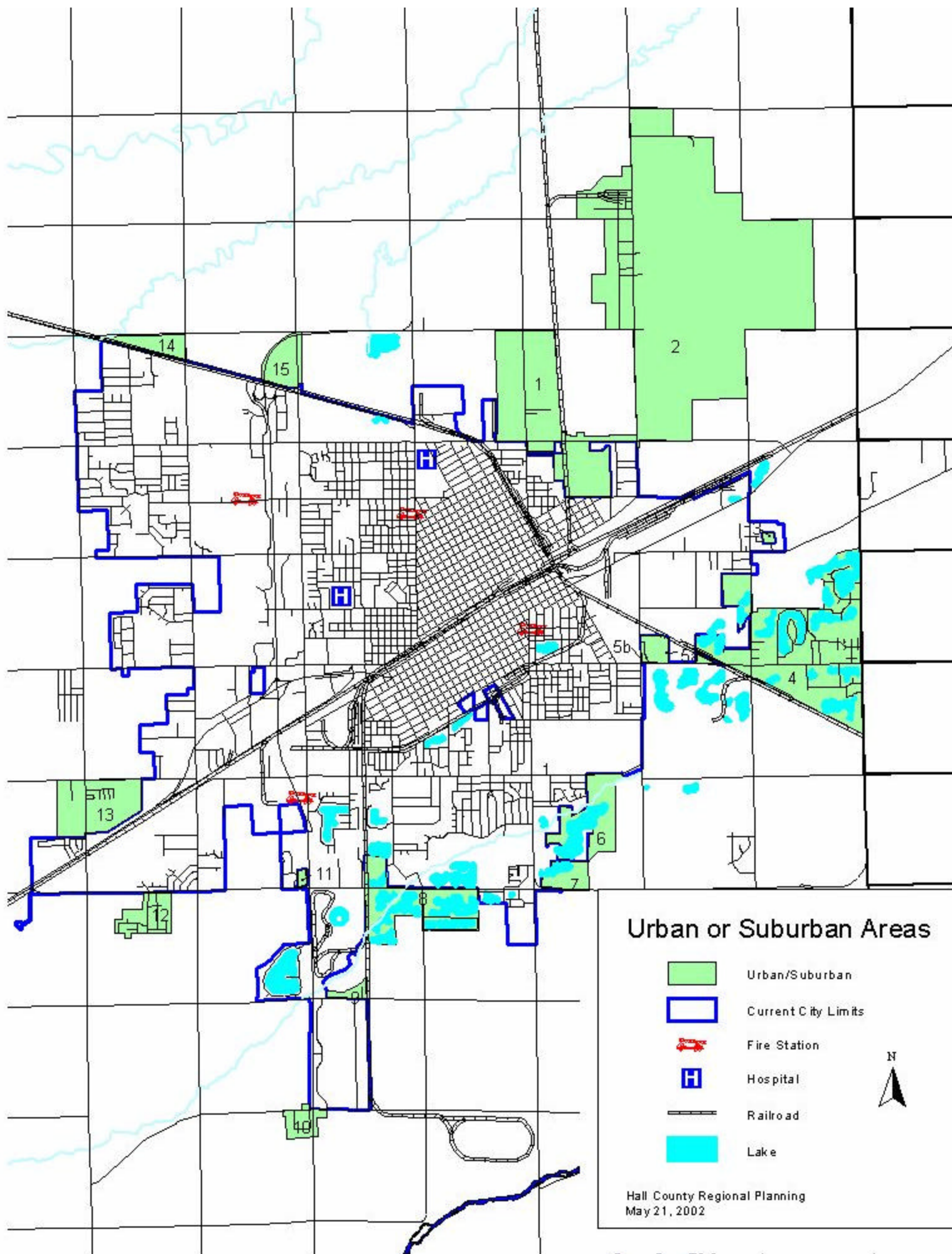
### **Annexation Plan**

The attached map “Urban and Suburban Areas” May 21, 2002 Hall County Regional Planning Commission identifies areas that can and should periodically be considered for annexation by the City of Grand Island.

In addition to the areas identified on the map mentioned above, it is the Policy of the City of Grand Island, in accordance with this Comprehensive Development Plan, to:

- Require the owner of any and all properties adjacent to the corporate limits of the City of Grand Island to file subdivision plats on such properties as additions to the City of Grand Island.
- Consider sandpit lakes as property that is urban/suburban in character.
- To consider extension of the extraterritorial jurisdiction of the City along with all approved annexations.





### Urban or Suburban Areas

- Urban/Suburban
- Current City Limits
- Fire Station
- Hospital
- Railroad
- Lake



Hall County Regional Planning  
May 21, 2002



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item E2

### Public Hearing on Amendment to the Grand Island Zoning Map

*The Evangelical Free Church, as the owner is requesting a change of zoning for property located at 2916 W. Stolley Park Road. This application proposes to change the zoning from R-4 High Density Residential to RO Residential Office. This change is in conformance with the Grand Island Comprehensive Plan. The Regional Planning Commission at their regular meeting held September 4, 2002 unanimously voted to approve and recommend the Grand Island City Council approve this amendment to the Grand Island Zoning Map. The action item is contained under Ordinances.*

Staff Contact: Chad Nabity

## Agenda Item #4

### PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

September 27, 2001

**SUBJECT:** *Zoning Change (C-18-2001GI)*

**PROPOSAL:** To rezone the westerly 142.09 feet of Lot 1 Block 1 of West Bel Air Third Subdivision approximately 0.8 acres of land north of Stolley Park Road and east of the spur line to the power plant from R4-High Density Residential to RO-Residential Office zone, in the City of Grand Island.

#### OVERVIEW:

##### Site Analysis

*Current zoning designation:*

R4- High Density Residential

*Permitted and conditional uses:*

R4 - Recreational uses, non-profit community uses churches, preschools and daycare facilities, parking lots for adjacent uses and residential uses at a density of 1 dwelling units per 1000 square feet, (parking requirements are the real limitation on residential development).

*Comprehensive Plan Designation:*

*Existing land uses.*

Vacant Lot

##### Adjacent Properties Analysis

*Current zoning designations:*

**North and East:** R4-High Density Residential,  
**South,** RO-Residential Office and R2-Low Density Residential

**West:** -B2-General Business.

*Permitted and conditional uses:*

TA- Agricultural uses, recreational uses and residential uses at a density of 2 dwelling units per acre.

*Comprehensive Plan Designation:*

**North, East:**

**South:** Designated for future Medium Density Residential to Office and Low to Medium Density Residential Development

**West:** Designated for commercial development

*Existing land uses:*

**North, and East:** Single Family Residential, Detention Cell and Church

**West:** Detention Cell, Rail Road Spur Line, and Commercial Development.

**South:** Office Development, Single Family Detached and Duplex/Townhome Development to the South and East



## **EVALUATION:**

### **Positive Implications:**

- *Consistent with the City's Comprehensive Land Use Plan:* The subject property is designated for long term medium density to office redevelopment.
- *Accessible to Existing Municipal Infrastructure:* City water and sewer services are available to service the rezoning area.
- *Uses would be consistent with the level of service provided by Stolley Park Road:* Stolley Park Road is a The development of commercial facilities at this intersection is likely to divert traffic that would have to travel further to the east to obtain the same services.
- *Monetary Benefit to Applicant:* Would allow the applicant to sell this property for development into office uses. Given the size of the property it has limited potential for residential development.
- *The detention cell provides a buffer between this property and single family development to the north.* The existing detention cell is already buffering this site from the single family development to the north. There should not be any conflicts between office uses at this location and the single family.
- *Existing RO immediately to the South:* This change would be an extension of the existing RO on the south side of Stolley Park Road. It would also provide a transition between the B2 to the west and the R4 on the east and north.

### **Negative Implications:**

- *None foreseen.* It does not appear that there are any negative consequences to this proposed change.

### **RECOMMENDATION:**

That the Regional Planning Commission recommend that the Grand Island City Council change the zoning on the this site from R4-High Density Residential to RO-Residential Office Zone.

---

Chad Nabity AICP, Planning Director

### **§36-28. RO - Residential Office Zone**

*Purpose:* To provide the highest density of residential uses as well as for various office, personal services and professional uses. This zone is also used as a transitional zone between lower density residential zones and business or manufacturing zones.

#### **(A) Permitted Principal Uses:**

- (1) Dwelling units
- (2) Boarding and lodging houses, fraternity and sorority houses
- (3) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises
- (4) Public parks and recreational areas
- (5) Country clubs as defined herein
- (6) Public, parochial and private schools having a curriculum equivalent to an elementary or higher educational level, and colleges offering courses of general instruction, including convents, monasteries, dormitories, and other related living structures when located on the same site as the college.
- (7) Churches, synagogues, chapels, and similar places of religious worship and instruction of a quiet nature
- (8) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall be of such exterior design as to harmonize with nearby properties.
- (9) Public and quasi-public buildings for cultural use.
- (10) Railway right-of-way but not including railway yards or facilities.
- (11) Nonprofit community buildings and social welfare establishments.
- (12) Hospitals, nursing homes, convalescent or rest homes.
- (13) Radio and television stations (no antennae), private clubs and meeting halls
- (14) Vocational or trade schools, business colleges, art and music schools and conservatories, and other similar uses.
- (15) Beauty parlors and barber shops.
- (16) Office and office buildings for professional and personal services such as real estate, insurance, savings and loan associations, banks, accountants, architects, engineers, photographers, doctors, dentists, optometrists, chiropractors, podiatrists, etc. Retail activities shall be permitted but limited to uses pertaining to professional prescription services such as pharmacies, opticians, audiology, medical supply shops or items clearly accessory with the service such as picture frames to the photographer, shampoo and hair care items to the beauty and barber shop or similar uses.
- (17) Mortuaries, funeral homes, and funeral chapels.
- (18) Preschools, nursery schools, day care centers, children's homes, and similar facilities.

#### **(B) Permitted Accessory Uses:**

- (1) Customary home occupations

#### **(C) Permitted Conditional Uses:** The following uses may be permitted, if approved by the city council, in accordance with the procedures set forth in Article VIII and X of this chapter:

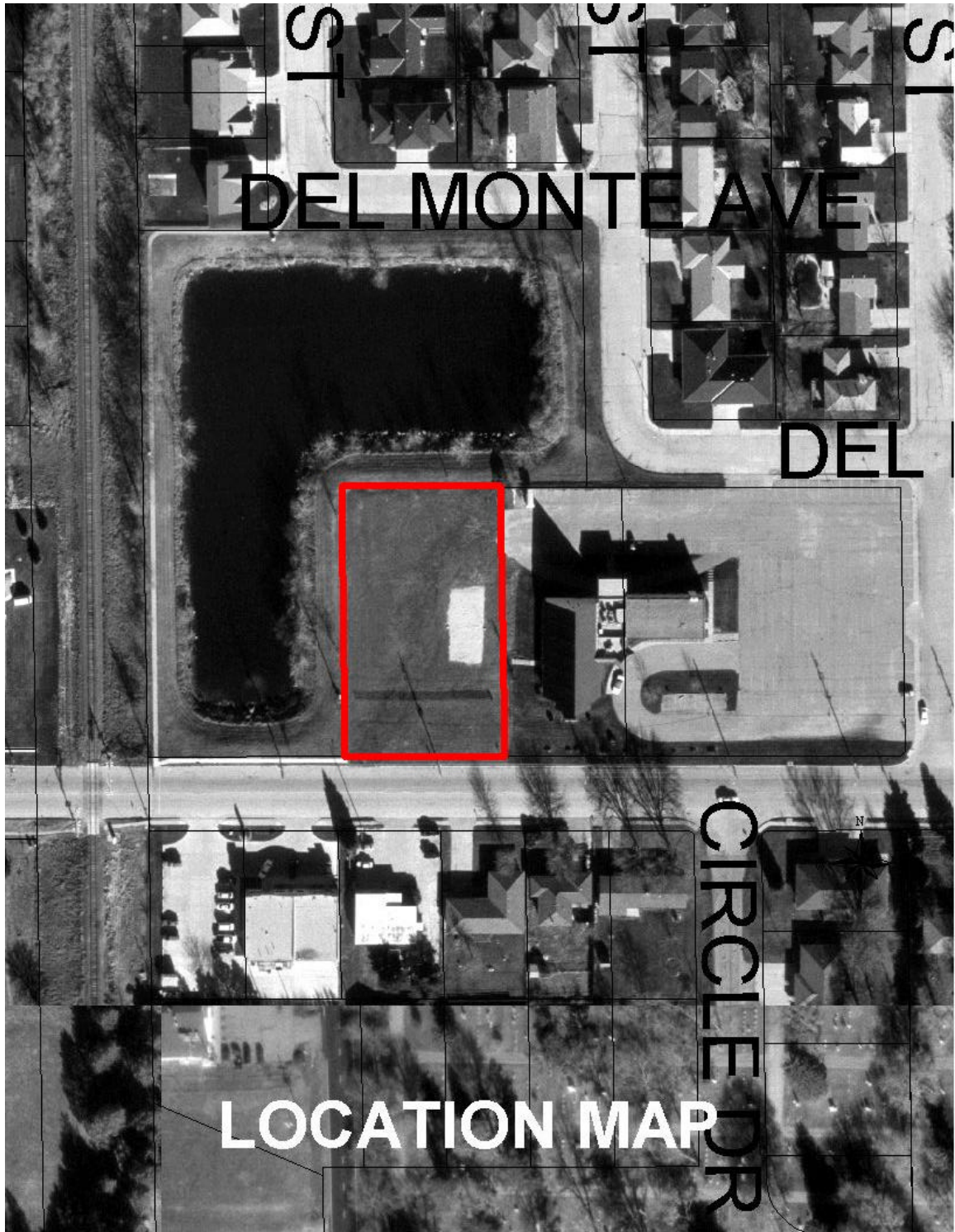
- (1) Driveways, parking lots or buildings when directly associated with or accessory to a permitted principal use in an adjacent zone.
- (2) Towers
- (3) Off-street parking areas for schools and places of worship/instruction on lands adjacent to and within three hundred (300.0) feet of the principal building associated with the aforementioned uses.

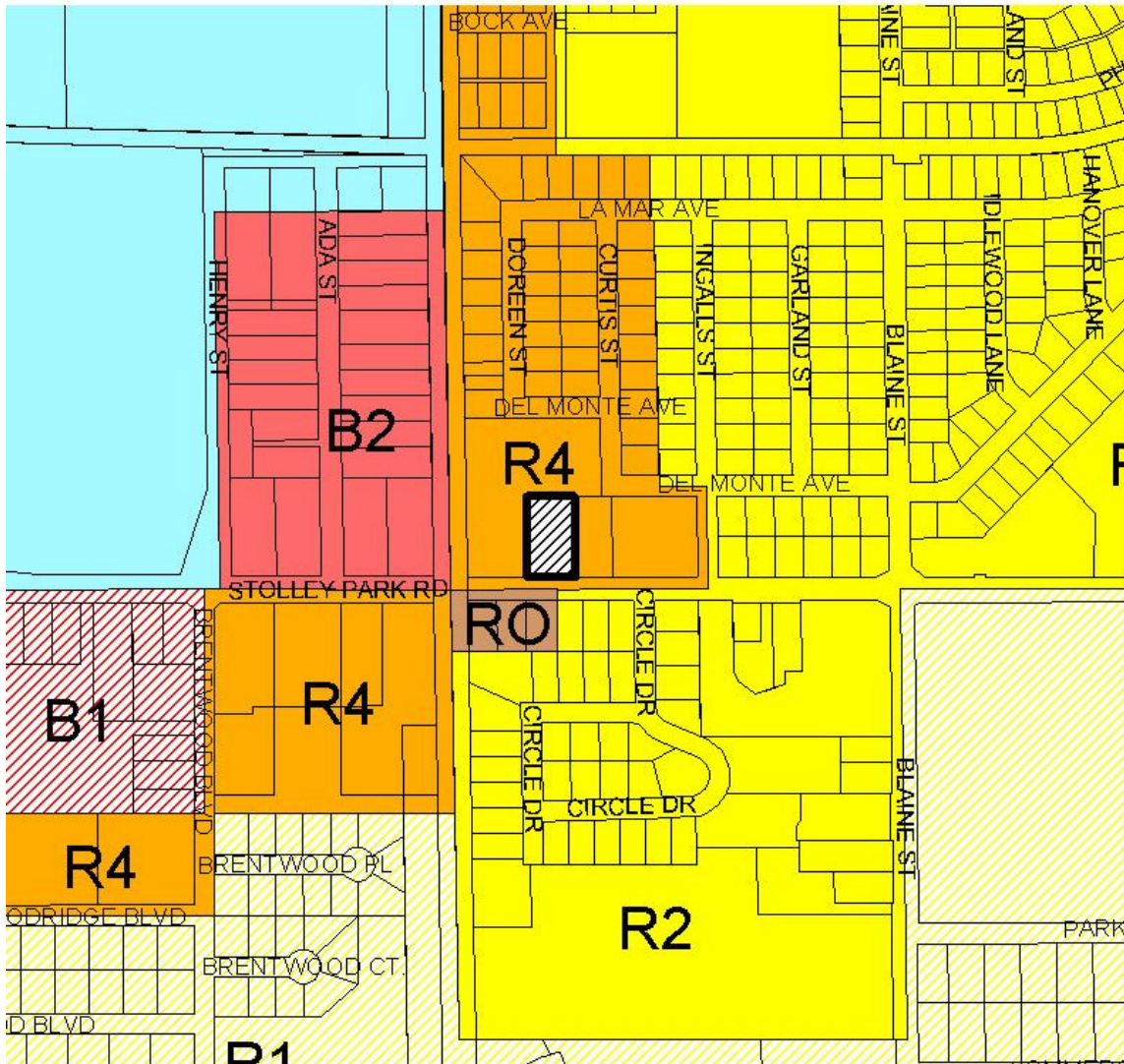
#### **(D) Space Limitations:**

- (1) Minimum lot area per dwelling units: None
- (2) Minimum zoning lot: 6,000 square feet
- (3) Minimum lot width: 50 feet
- (4) Maximum height of building: 150 feet
- (5) Minimum front yard: 10 feet
- (6) Minimum rear yard: 10 feet
- (7) Minimum side yard: 5 feet, except a corner lot shall have a 10 foot set back adjacent to the side street
- (8) Maximum ground coverage: 75%

#### **(E) Miscellaneous Provisions:**

- (1) Supplementary regulations shall be complied with as defined herein
- (2) Only one principal building shall be permitted on one zoning lot except as otherwise provided herein.





# Requested Zoning



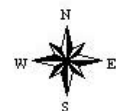
From R4: High Density Residential Zone



To RO: Residential Office Zone

Scale: 1" = 400'

C-18-2002G1



Regional Planning Commission  
100 East 1st St  
Grand Island, NE 68801  
308-385-5444 Ext 210

September 5, 2002

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

Dear Mayor and Members of the Council:

**RE: An amendment to the Zoning Map for properties located at 2916 W. Stolley Park Road from R-4 High Density Residential to RO Residential Office.**

At the regular meeting of the Regional Planning Commission, held September 4, 2002 the above item was considered following a public hearing. This application proposes to rezone property comprising of the land located at 2916 W. Stolley Park Road, in the City of Grand Island. This application proposes to rezone the land from R-4 High Density Residential Zone to RO Residential Office Zone.

Sam Huston spoke in favor of this rezoning. Nobody spoke against this item.

Following further discussion a motion was made by Ruge 2<sup>nd</sup> by Hayes to approve and recommend that the City of Grand Island approve this amendment to the Grand Island Zoning Map.

The Planning Commission passed this motion with 10 members voting in favor (Haskins, Ruge, Eriksen, O'Neill, Lechner, Miller, Obst, Amick, Hooker, Hayes).

Yours truly,

Chad Nabity AICP  
Planning Director

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



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item E3

### **Public Hearing on Request of Heartland Catering, Inc., 700 East Stolley Park Road, for Class "CK" Liquor License**

*Heartland Catering, Inc., 700 East Stolley Park Road, has submitted an application with the City Clerk's Office for a Class "CK" Liquor License. A Class "CK" Liquor License allows for the sale of alcoholic beverages on and off sale within the corporate limits of the City and for a catering license to deliver, sell or dispense alcoholic liquors for consumption at a location designated on a Special Designated License (SDL). This application has been reviewed by the Building, Fire, Health and Police Departments. It is appropriate at this time to solicit public comment. The action item is contained under the Consent Agenda.*

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item E4

### **Public Hearing on Acquisition of Utility Easement - Garry and Jeanne Williams - Located at 610 Midaro Drive**

*Acquisition of utility easement located at 610 Midaro Drive, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to locate primary electrical underground cable and a pad mounted transformer to serve a new home at this location. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.*

Staff Contact: Robert H. Smith





# City of Grand Island

Tuesday, September 24, 2002

Council Session

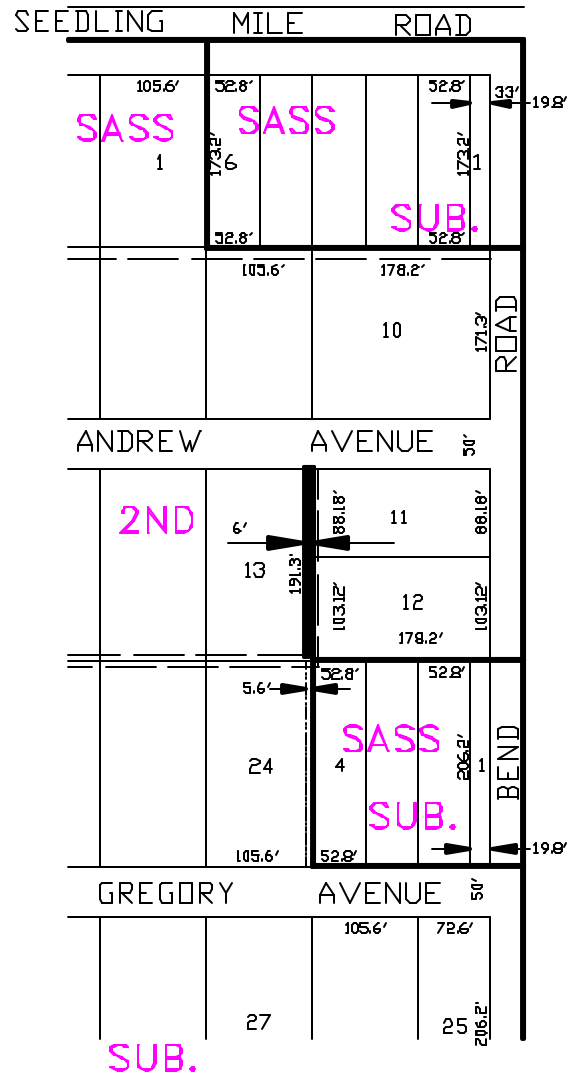
## Item E5

### **Public Hearing on Acquisition of Public Utility Easement in Sanitary Sewer District 500 at 3511 Andrew Avenue**

*Sanitary Sewer District No. 500 was created by the Grand Island City Council on May 22, 2001. The District completed the 30-day protest period on June 28, 2001 and was continued by Council on July 10, 2001. Council action is necessary for the City of Grand Island to acquire public easements for the District. In conjunction with the installation of Sanitary Sewer District No. 500, it is necessary to acquire an easement for the installation, upgrade, maintenance and repair of the sanitary sewer mains to be installed under the District. The property owner has been contacted regarding the terms of this easement and it is now time for Council approval of the acquisition. It is recommended that Council approve acquisition of the easements. The cost of the easement is expected to be a small portion of the District costs. The easement is necessary so the construction can proceed. The action item is contained under the Consent Agenda.*

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





PERMANENT EASEMENT

EXHIBIT "A"



# City of Grand Island

Tuesday, September 24, 2002

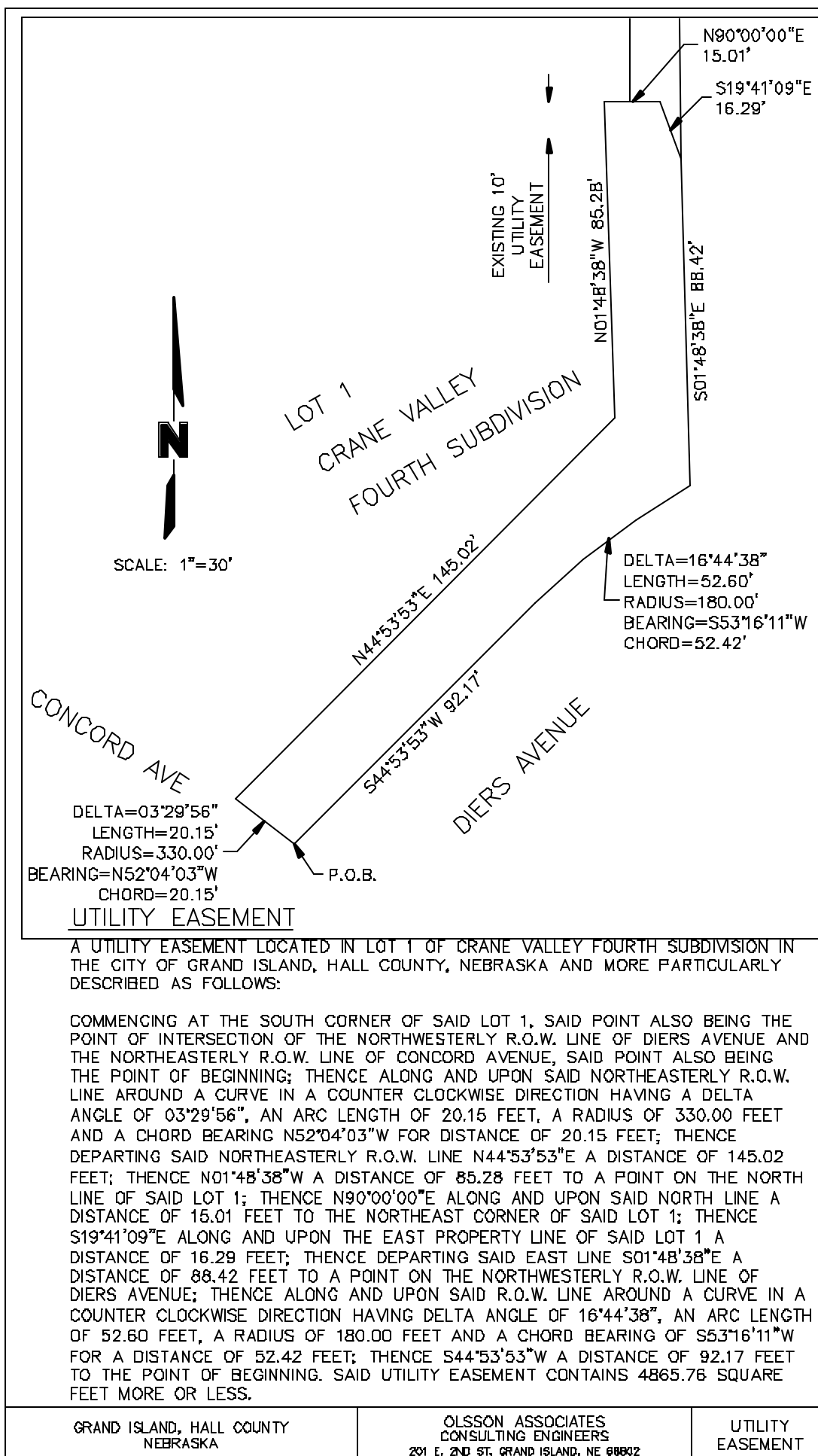
Council Session

## Item E6

### **Public Hearing on Acquisition of Public Utility Easement in Lot One, Crane Valley Fourth Subdivision**

*Council action is necessary for the City of Grand Island to acquire public easements. It is necessary to acquire an easement for the installation, upgrade, maintenance and repair of the sewer mains to be installed in conjunction with new construction in Crane Valley Fourth Subdivision. The sewer is being routed outside of the current easements to allow for changes in the design for the property. The property owner has been contacted regarding the terms of this easement and it is now time for Council approval of the acquisition. It is recommended that Council approve acquisition of the easement. The cost of the easement is a token fee of \$1.00. The easement should be acquired so the property can develop. The action item is contained under the Consent Agenda.*

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



A UTILITY EASEMENT LOCATED IN LOT 1 OF CRANE VALLEY FOURTH SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH CORNER OF SAID LOT 1, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF THE NORTHWESTERLY R.O.W. LINE OF DIERS AVENUE AND THE NORTHEASTERLY R.O.W. LINE OF CONCORD AVENUE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG AND UPON SAID NORTHEASTERLY R.O.W. LINE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 03°29'56", AN ARC LENGTH OF 20.15 FEET, A RADIUS OF 330.00 FEET AND A CHORD BEARING N52°04'03"W FOR DISTANCE OF 20.15 FEET; THENCE DEPARTING SAID NORTHEASTERLY R.O.W. LINE N44°53'53"E A DISTANCE OF 145.02 FEET; THENCE N01°48'38"W A DISTANCE OF 85.28 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE N90°00'00"E ALONG AND UPON SAID NORTH LINE A DISTANCE OF 15.01 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE S19°41'09"E ALONG AND UPON THE EAST PROPERTY LINE OF SAID LOT 1 A DISTANCE OF 16.29 FEET; THENCE DEPARTING SAID EAST LINE S01°48'38"E A DISTANCE OF 88.42 FEET TO A POINT ON THE NORTHWESTERLY R.O.W. LINE OF DIERS AVENUE; THENCE ALONG AND UPON SAID R.O.W. LINE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING DELTA ANGLE OF 16°44'38", AN ARC LENGTH OF 52.60 FEET, A RADIUS OF 180.00 FEET AND A CHORD BEARING OF S53°16'11"W FOR A DISTANCE OF 52.42 FEET; THENCE S44°53'53"W A DISTANCE OF 92.17 FEET TO THE POINT OF BEGINNING. SAID UTILITY EASEMENT CONTAINS 4865.76 SQUARE FEET MORE OR LESS.



# City of Grand Island

Tuesday, September 24, 2002

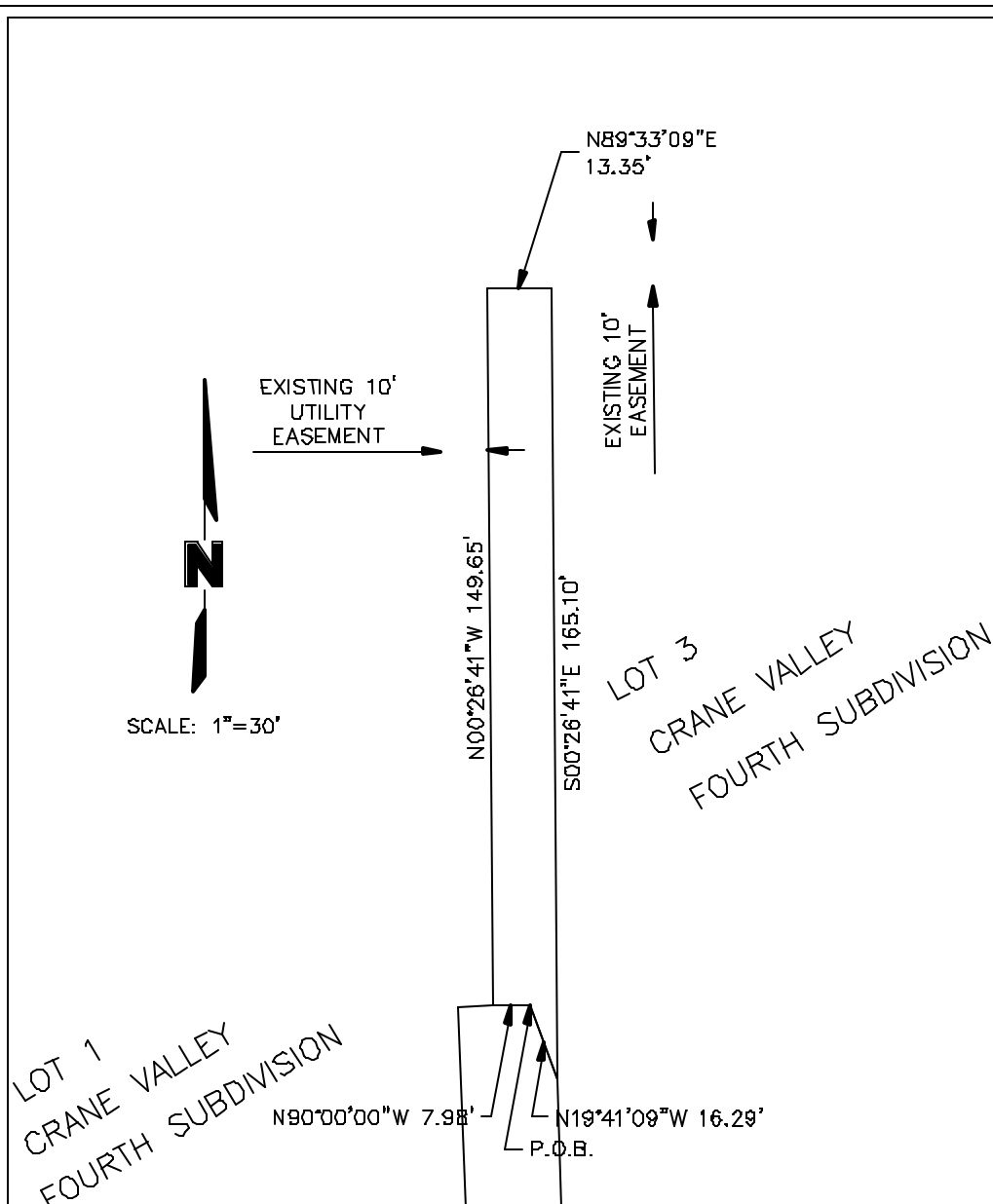
Council Session

## Item E7

### **Public Hearing on Acquisition of Public Utility Easement in Lot Three, Crane Valley Fourth Subdivision.**

*Council action is necessary for the City of Grand Island to acquire public easements. It is necessary to acquire an easement for the installation, upgrade, maintenance and repair of the sanitary sewer mains to be installed in conjunction with new construction in Crane Valley Fourth Subdivision. The sewer is being routed outside of the current easements to allow for changes in the design for the property. The property owner has been contacted regarding the terms of this easement and it is now time for Council approval of the acquisition. It is recommended that Council approve acquisition of the easement. The cost of the easement is a token fee of \$1.00. The easement should be acquired so the property can develop. The action item is contained under the Consent Agenda.*

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



### UTILITY EASEMENT

A UTILITY EASEMENT LOCATED IN LOT 3 OF CRANE VALLEY FOURTH SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 OF SAID SUBDIVISION, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N90°00'00"W ALONG AND UPON THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 7.98 FEET TO THE POINT OF INTERSECTION OF SAID NORTH LINE AND THE EAST LINE OF AN EXISTING UTILITY EASEMENT; THENCE N00°26'41"W ALONG AND UPON SAID EASEMENT LINE WHICH IS 10 FEET EAST OF AND PARALLEL TO THE WEST PROPERTY LINE OF LOT 3 OF SAID SUBDIVISION A DISTANCE OF 149.65 FEET; THENCE N89°33'09"E ALONG AND UPON AN EXISTING EASEMENT LINE WHICH IS 10 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 13.35 FEET; THENCE DEPARTING SAID EASEMENT LINE S00°26'41"E A DISTANCE OF 165.10 FEET TO A POINT ON THE EAST LINE OF LOT 1 OF SAID SUBDIVISION; THENCE N19°41'09"W ALONG AND UPON SAID EAST LINE A DISTANCE OF 16.29 FEET TO THE POINT OF BEGINNING. SAID UTILITY EASEMENT CONTAINS 2039.72 SQUARE FEET MORE OR LESS.



# City of Grand Island

Tuesday, September 24, 2002

## Council Session

### Item F1

#### **#8771 - Consideration of Assessments for Business Improvement District No. 4**

*In July, the City Council adopted Ordinance #8751 creating Business Improvement District #4, South Locust Street from Fonner Park Road to Stolley Park Road. The Ordinance established the purpose of the District, described the boundaries, and established that real property in the area would be subject to a special assessment to support purposes established through the creation of the District. Public improvements and facilities addressed in the creating Ordinance include: 1) improvement of any public place or facility including landscaping, physical improvements for decoration or security purposes, and plantings and maintenance of any landscaped greenway, trees, etc; snow removal from the sidewalks parallel to South Locust Street, purchase of equipment, materials, supplies or other expenses to accomplish the purposes of the District; and 2) employing or contracting for personnel, including administrators for any improvement program under the act ...as necessary to carry out the purposes of the act. A voluntary board has been appointed to oversee the activities of the district.*

*The creating Ordinance requires that a proposed budget for the District be considered by the Business Improvement District #4 Board and forwarded to the City Council for consideration and a subsequent date set for the Board of Equalization in order for the Council to approve the assessments. The BID #4 Board met on Tuesday, August 6, 2002 and approved a budget for the FY 2002-2003. The District was established for a 10-year period of time with anticipated assessment revenues of \$275,000 over the course of the 10-year period. The 2002-2003 Budget provides for special assessments in the amount of \$3 per front footage for a total of \$14,784.93. The Board established this assessment based on the anticipated completion of the South Locust Street improvements next summer/fall and anticipating maintenance costs associated with the improvements. The Board also allowed for funding to be available for banners, signage and similar items that might be identified in the South Locust Street Identity and Design Plan.*

*It is recommended that the City Council approve the assessments as provided for in the Ordinance.*

Staff Contact: Cindy Johnson

## ORDINANCE NO. 8771

An ordinance to assess and levy a special tax to pay the 2002-2003 revenue year cost of Business Improvement District No. 4 of the City of Grand Island, Nebraska; to provide for the collection of such special tax; to repeal any provisions of the Grand Island City Code, ordinances, 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. There is hereby assessed upon the following described lots, tracts, and parcels of land, specially benefited, for the purpose of paying the 2002-2003 revenue year cost of Business Improvement District No. 4 of the City of Grand Island, as adjudged by the Council of the City, sitting as a Board of Equalization, to the extent of benefits accruing thereto by reason of such Business Improvement District, after due notice having been given thereof as provided by law; and a special tax for such 2002-2003 revenue year cost is hereby levied at one time upon such lots, tracts and lands as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Sonic of Grand Island LTD	Lot 1, Janisch Subdivision	360.00
Niels McDermott	Lot 1 (except E 10'), Brownell Subdivision	132.00
James & Margot Wiltgen	Lot 5, Kirkpatrick Subdivision	210.00
Wiltgen Corp. II	Lot 6, Kirkpatrick Subdivision	210.00
James Scott Zana	Lot 1, R & R Subdivision	420.00
Fontenelle Oil Co.	Block 9 (except City E1/2, S1/2), Pleasant Home Subdivision	420.00
Locust Street LLC	Block 16 (except City), Pleasant Home Subdivision	840.00
M & W Investment Co.	Lot 1 and Pt of Lot 2, Roepke Subdivision	463.50
M & W Investment Co.	Lot 1, Roepke 2 <sup>nd</sup> Subdivision	136.50
Edwards Building Corp.	Lot 1 (except City), Fonner Subdivision	450.00

Approved as to Form ? \_\_\_\_\_  
September 19, 2002 ? City Attorney

# ORDINANCE NO. 8771 (Cont.)

Grand Island Associates, LLC	Lot 1, Fonner 4 <sup>th</sup> Subdivision	1,463.70
5500 L Street Properties Co.	Lot 5 (except City), Fonner 2 <sup>nd</sup> Subdivision	600.00
5500 L Street Properties Co.	Lot 6, Fonner 2 <sup>nd</sup> Subdivision	1,200.00
Three Circle Irrigation Inc.	Lot 1, Fonner 3 <sup>rd</sup> Subdivision	978.00
Edwards Building Corp.	Replatted Lot 3, Fonner 3 <sup>rd</sup> Subdivision	420.00
Kenneth & Rose Mary Staab	Part SE1/4, SE1/4, 21-11-9 (52 x 264')	156.00
KWM Co.	Pt SE1/4, SE1/4, 21-11-9 (20 ac to City)	405.00
Michael, Carey & Barb Reilly	Lot 1, JNW Subdivision	462.00
Edwards Building Corp.	Lot 1, JNW 2 <sup>nd</sup> Subdivision	496.50
Sax's Pizza of America	Lot 2, Sax's Subdivision	210.00
Jack Lingeman Phyllis/Kent Schuele Trust	Pt SE1/4, SE1/4 21-11-9	402.00
U-Haul Realty Estate Co.	Pt SE1/4, SE1/4, 21-11-9 (except City)	600.00
Sax's Pizza of America	Lot 3, Sax's Subdivision	488.28
Toukan Properties, LLC	Lot 1, Zlomke Subdivision	197.25
Byco, Inc.	Lot 2, R & R Subdivision	420.00
Cobalt Auto Stores, Inc.	Lot 2, Fonner 4 <sup>th</sup> Subdivision	450.00
Central NE Goodwill Industries	Lot 1, Goodwill 3 <sup>rd</sup> Subdivision	355.20
EPS Investments George Schroeder	Lot 1, Labelindo 2 <sup>nd</sup> Subdivision	840.00
Three Circle Irrigation	N 14' of Lot 3, Fonner 3 <sup>rd</sup> Subdivision	42.00
Hall County Livestock Improvement Association	Lot 1, Fonner 4 <sup>th</sup> Subdivision and south line of Brownell Subdivision	957.00
<b>TOTAL</b>		<b>\$14,784.93</b>

SECTION 2. The special tax shall become delinquent in fifty (50) days from date of this levy; the entire amount so assessed and levied against each lot or tract may be paid within fifty (50) days from the date of this levy without interest and the lien of special tax thereby satisfied and released. After the same shall become delinquent, interest at the rate of fourteen percent (14%) per annum shall be paid thereon.

SECTION 3. The city treasurer of the City of Grand Island, Nebraska, is hereby directed to collect the amount of said taxes herein set forth as provided by law.



ORDINANCE NO. 8771 (Cont.)

SECTION 4. Such special assessments shall be paid into a fund to be designated as the "Business Improvement District No. 4".

SECTION 5. Any provision of the Grand Island City Code, any ordinance, or part of an ordinance in conflict herewith is hereby repealed.

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

Enacted: September 24, 2002.

---

Ken Gnadt, Mayor

Attest:

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item F2

### **#8772 - Consideration of Assessments for Sanitary Sewer District #493, Old Potash Subdivision**

*This item relates to the action taken earlier whereby the Council, acting as the Board of Equalization, determined benefits associated with Sanitary Sewer District #493, Old Potash Subdivision. The District was established June 13, 2000 and construction was completed in Spring 2002. This ordinance provides for setting the assessment and levying the special taxes. Approval is recommended. See attached ORDINANCE.*

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

? This Space Reserved for Register of Deeds ?

## ORDINANCE NO. 8772

An ordinance assessing and levying a special tax to pay the cost of construction of Sanitary Sewer District No. 493 of the City of Grand Island, Nebraska; providing for the collection of such special tax; repealing any provisions of the Grand Island City Code, ordinances, and 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. There is hereby assessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of construction of said sanitary sewer main in said Sanitary Sewer District No. 493, as adjudged by the Mayor and Council of the City, to the extent of benefits thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and land as follows:

Approved as to Form ? \_\_\_\_\_  
September 19, 2002 ? City Attorney

# ORDINANCE NO. 8772 (Cont.)

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Richard D. & Kimberly A. Wiseman	Lot 1, Potash Subdivision	6,428.46
Matthew Jay & Gloria June Ostrander	Lot 2, Potash Subdivision	6,428.46
Kurt E. Kruse	Lot 3, Potash Subdivision	6,428.46
Stephen D. & Rona Rae Kucera	Lot 4, Potash Subdivision	6,004.59
Merle W. & Kathleen Plantenberg	Lot 5, Potash Subdivision	7,543.91
Phillip J. & Sheri L. McCormick	Lot 6, Potash Subdivision	7,203.08
Michael J. & Laura J. Nelson	Lot 7, Potash Subdivision	7,203.08
Steve W. & Theresa D. Olsfulka	Lot 8, Potash Subdivision	7,203.08
James P. & Gloria Smith	Lot 9, Potash Subdivision	7,203.08
Steven L. & Diana K. Kelly	Lot 10, Potash Subdivision	7,203.08
Coad Jay Miller and Martina Petra Doetsch	Lot 11, Potash Subdivision	7,203.08
Frazer & Jennal Raffaeli	Lot 12, Potash Subdivision	7,512.92
Dennis Kemper & Sandra McIntosh	Lot 13, Potash Subdivision	6,493.53
Verlon H. & Pamela S. Shears	Lot 14, Potash Subdivision	6,493.53
Aquilino & Tammy L. Alverado	Lot 15, Potash Subdivision	6,493.53
Raymond W. & Deanna K. Rollins	Lot 16, Potash Subdivision	6,493.53
Michael T. & Kathy A. Evans	Lot 17, Potash Subdivision	6,493.53
Kurtis L. & Suzanne L. Bowden	Lot 18, Potash Subdivision	6,493.53
Patricia J. Nowak	Lot 19, Potash Subdivision	6,493.53
Albert & Bernice Ziola	Lot 20, Potash Subdivision	6,493.53
Robin & Marilyn G. Arnol	Lot 21, Potash Subdivision	6,493.53
Jeffrey Lee Griess & Barbara A. Griess	Lot 22, Potash Subdivision	6,493.53
Garry L. & Dorothy A. Smith	Lot 23, Potash Subdivision	6,493.53
Clinton L. & Michele T. Simmons	Lot 24, Potash Subdivision	6,493.53
Thomas L. & Melissa D. Murphy	Lot 25, Potash Subdivision	6,493.53
Deryne J. & Lisa C. Eastman	Lot 26, Potash Subdivision	6,493.53
Cody J. & Kelly Cox	Lot 27, Potash Subdivision	6,493.53
Jonathan P. & Sandra J. Borer	Lot 28, Potash Subdivision	6,493.53
Gary L. & Karen S. O'Neill	Lot 29, Potash Subdivision	6,493.53
Diana M. & Kim M. McDonald	Lot 30, Potash Subdivision	6,493.53
John L. & Sheryl A. Haile	Lot 31, Potash Subdivision	6,493.53
Robert L. & Catherine E. Knapp	Lot 32, Potash Subdivision	6,493.53
Juan R. & Marie E. Juarez	Lot 33, Potash Subdivision	6,493.53

# ORDINANCE NO. 8772 (Cont.)

Steven C. Best	Lot 34, Potash Subdivision	6,493.53
Hall County Housing Authority	Lot 35, Potash Subdivision	6,493.53
Scott A. & Carol A. Janzen	Lot 36, Potash Subdivision	6,493.53
Betty A. Pokorney	Lot 37, Potash Subdivision	6,493.53
Daniel H. & Judith C. Weeks	Lot 38, Potash Subdivision	6,493.53
Randall F. & Sheri L. Robinson	Lot 39, Potash Subdivision	6,493.53
Daniel I. & Lisa J. Jacobsen	Lot 40, Potash Subdivision	6,493.53
Gary L. & Debra A. Beckstrom	Lot 41, Potash Subdivision	6,493.53
David Allen South	Lot 42, Potash Subdivision	6,493.53
Garry Lee & Rosie L. Thompson	Lot 43, Potash Subdivision	6,738.31
Leona M. Buchanan	Lot 44, Potash Subdivision	6,738.31
Wendy Janette & Kelly A. Baier	Lot 45, Potash Subdivision	6,738.31
Steven R. & Margaret Ann Dady	Lot 46, Potash Subdivision	6,738.31
Shannon K. Zegar	Lot 47, Potash Subdivision	6,738.31
Jeffrey Lynn & Leanne Renee Mead	Lot 48, Potash Subdivision	6,738.31
James M. & Josie M. O'Connor	Lot 49, Potash Subdivision	6,738.31
Steven Grant Crumrine	Lot 50, Potash Subdivision	6,738.31
Wayne F. McGown	Lot 51, Potash Subdivision	6,509.95
David E. & Danielle E. Kneeland	Lot 52, Potash Subdivision	6,428.46
John W. & Mary S. Parker	Lot 53, Potash Subdivision	6,428.46
David C. Nagorski	Lot 54, Potash Subdivision	6,428.46
Scott J. Hendrickson	Lot 1, Pontious Subdivision, exc. E 100 feet of N 185.47 feet	15,299.99
Elliot D. & June S. Schneider	Lot 2, Pontious Subdivision, except E. 100 feet of 185.47 feet	6,428.46
Donald L. & Barbara M. Pontious	The South 425.47 feet of the East 290.4 feet of the SE1/4SE1/4 of Section 14-11-10	11,305.45
Rudolf F. & Jeannice R. Plate, and Tim C. Plate	Lot 24, Westwood Park Seventh Subdivision	7,822.77
Rudolf F. & Jeannice R. Plate, and Tim C. Plate	Lot 23, Westwood Park Seventh Subdivision	6,893.23
Rudolf F. & Jeannice R. Plate, and Tim C. Plate	Lot 22, Westwood Park Seventh Subdivision	6,893.23
Rudolf F. & Jeannice R. Plate, and Tim C. Plate	Lot 21, Westwood Park Seventh Subdivision	6,893.23
Rudolf F. & Jeannice R. Plate, and Tim C. Plate	Lot 20, Westwood Park Seventh Subdivision	6,893.23
Rudolf F. & Jeannice R. Plate, and Tim C. Plate	Lot 19, Westwood Park Seventh Subdivision	6,893.23

# ORDINANCE NO. 8772 (Cont.)

Rudolf F. & Jeannice R. Plate, and Tim C. Plate	Part of the NE1/4, SE1/4 of 14-11-10, more particularly described as follows:  Beginning at the southwest corner of Westwood Park Seventh Subdivision; thence west a distance of 552.9 feet to the northwest corner of Potash Subdivision; thence north 150.0 feet; thence east 552.9 feet; thence south 150.0 feet to the point of beginning.	33,781.39
The Meadows Apartment Homes LLC	Lot 1, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 2, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 3, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 4, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 5, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 6, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 7, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 8, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 9, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 10, Country Meadows Subdivision	5,808.77
The Meadows Apartment Homes LLC	Lot 11, Country Meadows Subdivision	5,653.84
The Meadows Apartment Homes LLC	Lot 12, Country Meadows Subdivision	5,653.84
The Meadows Apartment Homes LLC	Lot 13, Country Meadows Subdivision	5,653.84
The Meadows Apartment Homes LLC	Lot 14, Country Meadows Subdivision	5,653.84
The Meadows Apartment Homes LLC	Lot 15, Country Meadows Subdivision	6,935.06
T & E Cattle Company	Part of W1/2, SW1/4 of Section 13-11-10, more particularly described as follows:  Beginning at the intersection of the west line of SW1/4 of Section 13 and the east prolongation of the south ROW line of Faidley Avenue; thence east 150.0 feet; thence south parallel to the west line of said SW1/4 of Section 13 to the east prolongation of the north ROW line of Reed Road; thence west 150 feet to the west line of said SW1/4 of Section 13; thence north on the west line of said SW1/4 of Section 13 to the point of beginning; except the west 146 feet as described.	64,563.30
<b>TOTAL</b>		<b>\$619,378.62</b>

SECTION 2. The special tax shall become delinquent as follows: One-tenth of the total amount shall become delinquent in fifty days; one-tenth in one year; one-tenth in two years; one-tenth in three years; one-tenth in four years; one-tenth in five years; one-tenth in six

ORDINANCE NO. 8772 (Cont.)

years; one-tenth in seven years; one-tenth in eight years; and one-tenth in nine years respectively, after the date of such levy; provided, however, the entire amount so assessed and levied against any lot, tract or parcel of land may be paid within fifty days from the date of this levy without interest, and the lien of special tax thereby satisfied and released. Each of said installments, except the first, shall draw interest at the rate of seven percent (7.0%) per annum from the time of such levy until they shall become delinquent. After the same become delinquent, interest at the rate of fourteen percent (14.0%) per annum shall be paid thereof, until the same is collected and paid.

SECTION 3. The treasurer of the City of Grand Island, Nebraska, is hereby directed to collect the amount of said taxes herein set forth as provided by law.

SECTION 4. Such special assessments shall be paid into a fund to be designated as the "Sewer Extension Fund" for Sanitary Sewer District No. 493.

SECTION 5. Any provision of the Grand Island City Code, and any provision of any ordinance, or part of ordinance, in conflict herewith is hereby repealed.

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

Enacted: September 24, 2002.

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Ken Gnadt, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item F3

### **#8773 - Consideration of Assessments for Sanitary Sewer District #503, Edna Drive in Gosda Subdivision**

*This item relates to the action taken earlier whereby the Council, acting as the Board of Equalization, determined benefits associated with Sanitary Sewer District #503, Edna Drive in Gosda Subdivision. The District was established December 4, 2001 and construction was completed in Summer 2002. This ordinance provides for setting the assessment and levying the special taxes. Approval is recommended. See attached ORDINANCE.*

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



? This Space Reserved for Register of Deeds ?

### ORDINANCE NO. 8773

An ordinance assessing and levying a special tax to pay the cost of construction of Sanitary Sewer District No. 503 of the City of Grand Island, Nebraska; providing for the collection of such special tax; repealing any provisions of the Grand Island City Code, ordinances, and 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. There is hereby assessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of construction of said sanitary sewer main in said Sanitary Sewer District No. 503, as adjudged by the Mayor and Council of the City, to the extent of benefits thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and land as follows:

Approved as to Form ? \_\_\_\_\_  
September 19, 2002 ? City Attorney

# ORDINANCE NO. 8773 (Cont.)

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Sheryl L. & Bob Haase	Lot 1, Block 2, Gosda Subdivision	2,667.47
Randy A. & Mary E. Leiser	Lot 2, Block 2, Gosda Subdivision	2,667.47
Daniel Patrick & Carrie Lee Monroy	Lot 3, Block 2, Gosda Subdivision	2,667.47
Roseann Anderson	Lot 4, Block 2, Gosda Subdivision	2,667.47
Robert E. & April L. Smith	Lot 5, Block 2, Gosda Subdivision	2,667.47
David L. & Maxine L. Vieth	Lot 6, Block 2, Gosda Subdivision	2,667.47
David W. & Suzanne M. Segger-Jensen	Lot 7, Block 2, Gosda Subdivision	2,667.47
Patrick D. & GERALYN C. Powers	Lot 8, Block 2, Gosda Subdivision	3,183.25
Wanda J. Grobe	Lot 1, Block 1, Gosda Subdivision	2,667.47
Frederick M. & Heather E. Graves	Lot 2, Block 1, Gosda Subdivision	2,667.47
Lester E. & Betty L. Cornish	Lot 3, Block 1, Gosda Subdivision	2,667.47
James L. & Brenda L. Scheer	Lot 4, Block 1, Gosda Subdivision	2,667.47
Tracy G. Martin	Lot 5, Block 1, Gosda Subdivision	2,667.47
Nis N. Jr. & Sharon K. Bennetzen	Lot 6, Block 1, Gosda Subdivision	2,667.47
John W. & Brenda L. Creigh	Lot 7, Block 1, Gosda Subdivision	2,667.47
Thimgan Family Trust	Lot 8, Block 1, Gosda Subdivision	2,666.72
<b>TOTAL</b>		<b>\$43,194.55</b>

SECTION 2. The special tax shall become delinquent as follows: One-tenth of the total amount shall become delinquent in fifty days; one-tenth in one year; one-tenth in two years; one-tenth in three years; one-tenth in four years; one-tenth in five years; one-tenth in six years; one-tenth in seven years; one-tenth in eight years; and one-tenth in nine years respectively, after the date of such levy; provided, however, the entire amount so assessed and levied against any lot, tract or parcel of land may be paid within fifty days from the date of this levy without interest, and the lien of special tax thereby satisfied and released. Each of said installments, except the first, shall draw interest at the rate of seven percent (7.0%) per annum from the time of such levy until they shall become delinquent. After the same become delinquent, interest at

ORDINANCE NO. 8773 (Cont.)

the rate of fourteen percent (14.0%) per annum shall be paid thereof, until the same is collected and paid.

SECTION 3. The treasurer of the City of Grand Island, Nebraska, is hereby directed to collect the amount of said taxes herein set forth as provided by law.

SECTION 4. Such special assessments shall be paid into a fund to be designated as the "Sewer Extension Fund" for Sanitary Sewer District No. 503.

SECTION 5. Any provision of the Grand Island City Code, and any provision of any ordinance, or part of ordinance, in conflict herewith is hereby repealed.

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

Enacted: September 24, 2002.

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Ken Gnadt, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item F4

### **#8774 - Consideration of Amendment to the Grand Island Zoning Map**

*This item relates to the aforementioned Public Hearing. The Evangelical Free Church, as the owner is requesting a change of zoning for property located at 2916 W. Stolley Park Road. This application proposes to change the zoning from R-4 High Density Residential to RO Residential Office. This change is in conformance with the Grand Island Comprehensive Plan. The Regional Planning Commission at their regular meeting held September 4, 2002 unanimously voted to approve and recommend the Grand Island City Council approve this amendment to the Grand Island Zoning Map. See attached ORDINANCE.*

Staff Contact: Chad Nabity

ORDINANCE NO. 8774

An ordinance rezoning certain tracts of land within the zoning jurisdiction of the City of Grand Island; changing the land use classification of a tract of land comprising of a part of Lot One (1), Block One (1) of West Bel Air Third Subdivision in the city of Grand Island, Hall County, Nebraska, from R4-High Density Residential Zone to RO-Residential Office Zone; directing the such zoning change and classification be shown on the Official Zoning Map of the City of Grand Island; amending the provisions of Section 36-7; and providing for publication and an effective date of this ordinance.

WHEREAS, the Regional Planning Commission on September 4, 2002, held a public hearing and made a recommendation on the proposed zoning of such area; and

WHEREAS, notice as required by Section 19-923, R.R.S. 1943, has been given to the Board of Education of School District No. 2 in Hall County, Nebraska; and

WHEREAS, after public hearing on September 24, 2002, the City Council found and determined the change in zoning be approved and made.

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

SECTION 1. The following tract of land is hereby rezoned and reclassified and changed from R4-High Density Residential Zone to RO-Residential Office Zone:

The Westerly 142.09 feet of Lot 1, Block 1 of West Bel Air Third Subdivision in the city of Grand Island, Hall County, Nebraska.

SECTION 2. That the Official Zoning Map of the City of Grand Island, Nebraska, as established by Section 36-7 of the Grand Island City Code be, and the same is, hereby ordered to be changed, amended, and completed in accordance with this ordinance.

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

ORDINANCE NO. 8774 (Cont.)

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: September 24, 2002.

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Ken Gnadt, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 24, 2002

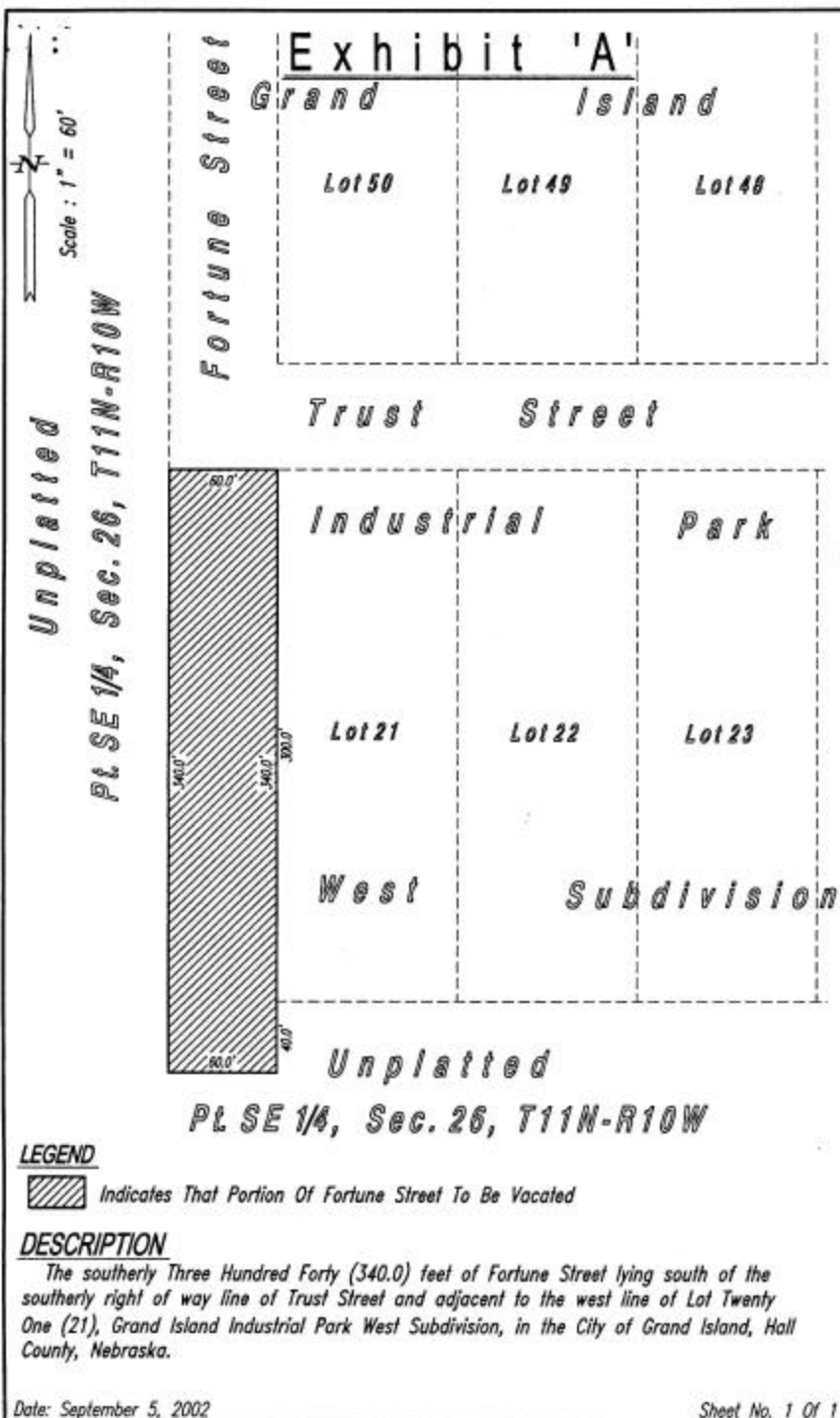
Council Session

## Item F5

### **#8775 - Consideration of Vacating Fortune Street from the Intersection with Trust Street South 340', Grand Island Industrial Park West Subdivision.**

*Council action is required for vacation of a public Street through the passing of an Ordinance. The current owner of the adjacent property, Indianhead Golf Club, L.L.C., is in the process of developing Indianhead Seventh Subdivision. The vacation of the street will allow the development of this Subdivision. The Regional Planning Commission will be considering a final plat for this area at the October meeting. It is recommended that Council approve Vacation of the Street. The Utilities, Building, Planning and Public Works Departments have reviewed and approved the request. Filing and staff costs should be less than the \$75.00 application fee charged for Vacation of a Street. See attached ORDINANCE.*

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





\* This Space Reserved for Register of Deeds \*

#### ORDINANCE NO. 8775

An ordinance to vacate a portion of Fortune Street, south of Trust Street and adjacent to Grand Island Industrial Park West Subdivision in the City of Grand Island, Hall County, Nebraska; to provide for filing this ordinance in the office of the Register of Deeds of Hall County; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. That the portion of Fortune Street located south of Trust Street and adjacent to Grand Island Industrial Park West Subdivision in the City of Grand Island, Hall County, Nebraska, more particularly described as follows, is hereby vacated:

The southerly Three Hundred Forty (340.0) feet of Fortune Street lying south of the southerly right-of-way line of Trust Street and adjacent to the west line of Lot Twenty One (21), Grand Island Industrial Park West Subdivision in the City of Grand Island, Hall County, Nebraska; as shown on the diagram dated September 5, 2002, marked Exhibit "A", attached hereto and incorporated herein by reference.

Approved as to Form? \_\_\_\_\_  
September 19, 2002 ? City Attorney

ORDINANCE NO. 8775 (Cont.)

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

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

SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: September 24, 2002.

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

Attest:

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



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item F6

### **#8776 - Consideration of Conveyance of a Tract of Land in the Southeast Quarter (SE1/4) of Section 23-11-11**

*The tract of land involved in this transaction was originally part of the CHAAP system of Hike/Bike Trails, however when the adjoining farmland was sold, the purchaser removed a half mile of shelterbelt which was adjacent to the trail, consisting of evergreens and a variety of deciduous trees, effectively leaving the trail with a barren, unattractive appearance. The U.S. Army Corps of Engineers granted the City another trail route that included some trees and vegetation with the understanding that the City could sell the first right of way if an opportunity came along. We have received an offer to buy the right of way from Doug Petersen, the owner of the main tract of farmland, for a price of \$1,000/acre, an amount that adequately compensates the City for its investment in this trail.*

*The terms of the transaction are quite simple. The City is proposing to give the buyer a quitclaim deed. There is no need to have survey work done since this was performed just a couple of years ago. Likewise, the buyer will satisfy himself as the quality of the title and there will be no title insurance required as part of the deal. Basically, the City is getting its investment back and Mr. Petersen is getting full ownership of the trail right of way.*

Staff Contact: Charlie Cuypers

ORDINANCE NO. 8776

An ordinance to direct and authorize the conveyance of a tract of land located in a part of the Southeast Quarter (SE1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Eleven (11) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, to provide for the giving of notice of such conveyance and the terms thereof; to provide for the right to file a remonstrance against such conveyance; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. The conveyance to Doug Petersen of a tract of land located in a part of the Southeast Quarter (SE1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Eleven (11) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, more particularly described as follows is hereby authorized and directed:

All of the westerly Thirty (30.0) feet of the Southeast Quarter (SE1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Eleven (11) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska; AND

All of the northerly Thirty (30.0) feet of the southerly Sixty Three (63.0) feet of the Southeast Quarter (SE1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Eleven (11) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska.

The combined area of the above-described tracts measures 3.57 acres, more or less.

SECTION 2. The consideration for such conveyance shall be Three Thousand Five Hundred Seventy Dollars (\$3,570.00). Such conveyance shall be by Quit Claim Deed. A title insurance policy is not required to be furnished by the City.

ORDINANCE NO. 8776 (Cont.)

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

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

SECTION 5. The conveyance of said real estate is hereby authorized, directed and confirmed; and if no remonstrance be filed against such conveyance, the Mayor and City Clerk shall make, execute and deliver to Doug Petersen a Quit Claim Deed for said real estate, and the execution of such deed is hereby authorized without further action on behalf of the City Council.

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

Enacted: September 24, 2002.

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Ken Gnadt, Mayor

ORDINANCE NO. 8776 (Cont.)

Attest:

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



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item F7

### **#8777 - Consideration of Approving Two Hour Parking Designation for the North Side of First Street from Wheeler Avenue to Sycamore Street**

*Section 13-17 of the City Code restricts parking in the congested parking area. The Code must be revised by Ordinance. The Public Works Department, working with the Community Projects Department, is proposing to add First Street between Wheeler Avenue and Sycamore Street to the congested parking area. The additional restriction on parking between Wheeler Avenue and Pine Street is in conjunction with changes to the parking ramp fee structure. The restriction between Pine Street and Sycamore Street is being made to provide more parking for City Hall and Health Department visitors. Hours for restricted parking would be 8:00 a.m. to 5:30 p.m. excluding Sundays and holidays. It is recommended that Council amend the Ordinance to add these areas to the congested parking area, restricting parking to two hours along the North side of First Street between Wheeler Avenue and Sycamore Street. Minimal costs would be incurred for signs and installation. See attached ORDINANCE.*

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

## ORDINANCE NO. 8777

An ordinance to amend Chapter 13 of the Grand Island City Code; to amend Section 13-12 pertaining to parking fees in Congested Parking Zones; to amend Section 13-13 pertaining to parking fee in Express Zones; to amend Section 13-17 pertaining to congested parking areas; to repeal Sections 13-12, 13-13, 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 13-12 of the Grand Island City Code is hereby amended to read as follows:

**§13-12. Parking Fee – Metered Zone**

The metered zone parking fees set forth in the City of Grand Island Fee Schedule are found and determined to be a reasonable fee for deposit from those who park vehicles for the specified periods of time in parking spaces designated to be within a Metered Zone between the hours of 8:00 a.m. and 5:30 p.m., on any day except Sunday, or a holiday designated by the mayor.

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

**§13-13. Parking Fee - Express Zone**

The express zone parking fees set forth in the City of Grand Island Fee Schedule are found and determined to be a reasonable fee for deposit from those who park vehicles for the specified periods of time in parking spaces designated to be within an Express Zone between the hours of 8:00 a.m. and 5:30 p.m., on any day except Sunday, or a holiday designated by the mayor.

SECTION 3. 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;

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



ORDINANCE NO. 8777 (Cont.)

- (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
- (I) The north side of First Street between Wheeler Avenue and Sycamore 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 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 and/or pavement markings.

SECTION 4. Sections 13-12, 13-13, 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: September 24, 2002.

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Ken Gnadt, Mayor

Attest:

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item G1

### **Receipt of Official Document - Civil Service Minutes of August 23, 2002**

*Receipt of Official Document - Civil Service Minutes of August 23, 2002. See attached MINUTES.*

Staff Contact: Brenda Sutherland



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*Working Together for a  
Better Tomorrow. Today.*

**MINUTES**  
**CIVIL SERVICE COMMISSION**  
**Friday, August 23 , 2002**

**Roll Call:      Members Present:   Burns, Hilligas, Leeper**  
**Members Absent:   None**  
**Also Present:        Curt Rohling, Fire Operations Division Chief**

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

**Notice of the meeting was published in the August 21, 2002 edition of the Grand Island Independent.**

**Hilligas moved to approved the minutes of the August 7, 2002, meeting. Burns seconded the motion, which carried unanimously upon roll call vote.**

**The Commission received a request from the Fire Department to certify names to fill two Firefighter/EMT positions. Hilligas moved to certify the top four names, namely, Brown, Calleroz, Mann and Michel. Burns seconded the motion, which passed unanimously upon roll call vote.**

**There being no further business, Hilligas moved to adjourn the meeting at 8:40 a.m. Burns seconded the motion, which carried unanimously upon roll call vote.**

**Respectfully submitted,**

**Brenda Sutherland, Secretary**  
**Civil Service Commission**

**Approved by Civil Service Commission 9/10/02**  
**Copies of approved Minutes to: City Clerk**



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item G2

### **Approving Minutes of September 10, 2002 City Council Regular Meeting**

*The Minutes of the September 10, 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

September 10, 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 September 10, 2002. Notice of the meeting was given in the Grand Island Independent on September 4, 2002.

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

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Youth Minister Brian Pielstick, Independent Bethel Baptist Church, 1223 East 6<sup>th</sup> Street.

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

#### PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Always Remember 9-11 Day", September 11, 2002. Mayor Gnadt proclaimed September 11, 2002 as "Always Remember 9-11 Day" and encouraged all citizens to honor the victims of September 11 by reaffirming their commitment to sustaining our newfound patriotism through volunteerism, community involvement, and service.

ADJOURN TO BOARD OF EQUALIZATION: Motion by Hornady, second by Sorensen, carried unanimously to adjourn to the Board of Equalization.

#2002-BE-6 – Determining Benefits for Business Improvement District #2, Downtown. Motion by Murray, second by Whitesides, to approve Resolution #2002-BE-6 carried unanimously.

#2002-BE-7 – Determining Benefits for Business Improvement District #3, South Locust Street from Highway 34 to Stolley Park Road. Motion by Murray, second by Whitesides, to approve Resolution #2002-BE-7 carried unanimously.

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

#### PUBLIC HEARINGS:

Public Hearing on Request of Stalker Development, Ltd., Harry Stalker, President, for Conditional Use Permit for Temporary Placement of a Hot Dog Stand Located at 410 South Webb Road. Chad Nabity, Regional Planning Director, reported that Harry Stalker, President of Stalker Development, Ltd., 410 South Webb Road, had submitted an application with the City Clerk's Office for a Conditional Use Permit to allow for a 14' x 33' mobile kitchen to be used as a hot dog stand for drive-in customers at 410 South Webb Road. A conditional use permit was required as the applicant is requesting utility connections to this temporary building. No public testimony was heard.

Public Hearing Concerning Change to the Grand Island Zoning Ordinance to Allow Self Storage Facilities in TZ Transitional Agriculture and B2 General Business Zone. Chad Nabity, Regional Planning Director, reported that this item would change the Grand Island Zoning Ordinance to define and allow self-storage facilities within various zoning districts as presented, as requested by Bryce Bartu. Mr. Nabity also stated that at the regular meeting of the Regional Planning Commission on August 7, 2002, they voted to recommend approval of this item with 6 members present voting for, 2 members voting against, and 1 member abstaining. Ron Depue, Attorney for Bryce Bartu spoke in favor. The following people spoke in opposition: Virginia Stevens, 3035 North Webb Road; Golda Bockbrader, 3005 North Webb Road; Carol Swanson, 3023 North Webb Road; and Amy Norton, 3131 North Webb Road. No further public testimony was heard.

Public Hearing to Consider Revisions to the Grand Island Zoning Ordinance Pertaining to Salvage Yards and Conditional Use Permits. Chad Nabity, Regional Planning Director, reported that this would change the Grand Island Zoning Ordinance Chapter 36 pertaining to salvage yards, and conditional use permits. At the regular meeting of the Regional Planning Commission on August 7, 2002, they unanimously voted to approve these changes. The proposed revisions would update the definition of salvage yards to include items other than wrecked autos, established a more complete set of standards for the physical items required in order to operate a yard, such as sight obscuring fencing completely around the facility, proper storage of EPA hazardous materials, and sets out in detail the process for reviewing violations by operators. Jim Lennon representing Alter Scrap Processing and Tim Barts, 3371 North Highway 281 spoke in opposition. No further public testimony was heard.

Public Hearing on Setting Occupation Tax for Downtown Improvement and Parking District #1. Cindy Johnson, Community Projects Director, reported that this request was the annual Council action to establish the occupation tax that supports the budget for Downtown Improvement and Parking District #1. Assessments in this district were based upon an occupation tax on the public space of the businesses operating within the District and were ordinarily paid by the business occupants of the space. This district had been in place since 1975, and was primarily focused on physical improvements such as the purchase and maintenance of parking lots and public green areas, the alleyway improvement project, purchase of holiday decorations, flags, banners, trees, parking monitoring, and snow removal and other activities as allowed by NE. Rev. Statutes 19-4016-4038. The FY2002-2003 occupation tax factor was \$00.1354 per square foot of public use space, with a minimum annual fee of \$104.72. This level was slightly higher than last year's tax factor of \$00.1260. The increase would allow for the continuation and completion of many of the projects underway in the Downtown area. These projects were identified in the Downtown Identity and Design Study and had been adopted as priorities of the Downtown Board. Efforts

included: maintenance and care of the green space area in the downtown, including the pocket park on South Front Street, Kaufman-Cummings Park, as well as the entryway signage, and parking enforcement. No public testimony was heard.

Public Hearing on General Property, Parking District #2 and Community Redevelopment Authority Tax Request. David Springer, Finance Director, reported that Nebraska State Statute 77-1601-02 required that the City of Grand Island conduct a public hearing if the property tax request changed from one year to the next. The general property tax request increased from \$6,050,018 in FY2001-2002 to \$6,480,000 for FY2002-2003, or an increase of \$429,982. This represented a 7.1% increase in property tax dollars and a 0.3% decrease in the city of grand Island's levy. The property tax request for Parking District #2, also known as the Parking Ramp (Fund 271), decreased from \$47,250 in FY2001-2002 to \$30,018 for FY2002-2003, or a decrease of \$17,232. Parking District #2's levy decreased by 36.4%. The property tax request for the Community Redevelopment Authority increased from \$402,431 in FY2001-2002 to \$431,150 for FY2002-2003, an increase of \$28,719. This represented a 7.1% increase in property tax dollars and no change in the CRA's levy. Mr. Springer stated the City Council needed to pass a resolution by majority vote setting the property tax request for the General property tax at \$6,480,000, the Parking District #2 property tax at \$30,180 and the Community Redevelopment Authority property tax at \$431,150. No public testimony was heard.

Public Hearing on Proposed Use of Local Law Enforcement block Grant Funds. Police Chief Kyle Hetrick, reported that the Grand Island Police Department was eligible for federal LLEBG funds annually. This year, the award was \$33,593. Because of Hall County being federally designated as a "disparate community", 25% of the funds would be awarded to the Hall County Sheriff's Office. Our share, including the city match of \$2,604, would be \$23,432. These funds were not to be used for personnel costs; just police equipment. Chief Hetrick also stated there was a federal mandate that required a public hearing regarding the dispersing of the block grant funds. Additionally, a grant advisory board meeting was held to discuss the funds allocation. In September 2002, members of the grant advisory board consisting of Dr. Kent Mann, Jerry Janulewicz, Carol Castleberry, Charlotte Lanzdorf, and Chief Hetrick discussed the 2001 grant. The grant funds were tentatively allocated for the following: portable radios with replacement batteries and chargers and for supplemental replacement and installation costs of wireless communication equipment. No public testimony was heard.

Public Hearing on Request of GCB Restaurant Group, LLC dba Garden Café & Bakery/Tiffany's Lounge, 3333 Ramada Road, for Class "C" Liquor License. City Clerk RaNae Edwards, reported that Brian Lockman, Owner of GCB Restaurant Group, LLC dba Garden Cafe & Bakery/Tiffany's Lounge, 3333 Ramada Road, had submitted an application with the City Clerk's Office for a Class "C" Liquor License. A Class "C" Liquor License allows for the sale of alcoholic beverages on and off sale within the corporate limits of the City. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on August 28, 2002; notice to applicant of date, time and place of hearing mailed on August 28, 2002; notice to the general public of date, time and place of hearing published on August 31, 2002; Chapter 4 of City Code and departmental reports as required by City Code. No public testimony was heard.

Public Hearing on Request of Daryl V. Harney dba Scooter's BBQ, 3234 West Schimmer Road, for Class "C" Liquor License. City Clerk RaNae Edwards, reported that Daryl V. Harney dba Scooter's BBQ, 3234 West Schimmer Road, had submitted an application with the City Clerk's Office for a Class "C" Liquor License. A Class "C" Liquor License allows for the sale of alcoholic beverages on and off sale within the corporate limits of the City. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on August 29, 2002; notice to applicant of date, time and place of hearing mailed on August 29, 2002; notice to the general public of date, time and place of hearing published on August 31, 2002; Chapter 4 of City Code and departmental reports as required by City Code. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at Faidley and Weis Drive. (Farm Credit Services) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at Faidley and Weis Drive (west of Webb Road), was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate both water and electric lines on the north side of the property and electric lines only on the west side of the property. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located North of Husker and West of Highway 281. (Pedcor Investments) Gary Mader, Utilities Director, reported that acquisition of a utility easement located in the Pedcor Subdivision north of Husker Highway and west of Highway 281, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate underground cable and pad-mounted transformers to serve new apartment buildings. No public testimony was heard.

#### ORDINANCES:

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

- #8762 - Consideration of Vacating Public Utility Easement at 2910 West 5<sup>th</sup> Street
- #8763 - Consideration of Vacating Public Utility Easement at 2320 South Locust Street
- #8764 – Consideration of Downtown Business Improvement District #2 Assessments
- #8765 – Consideration of Downtown Business Improvement District #3, South Locust Street from Highway 34 to Stolley Park Road, Assessments
- #8768 – Consideration of Amendment to Chapter 13 of City Code Relative to Occupation Tax for Downtown Improvement and Parking District #1 and Downtown Fees
- #8770 – Consideration of Creation of Sidewalk District No. 1, 2002

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

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



City Clerk: Ordinances #8762, #8763, #8764, #8765, #8768 and #8770 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. Motion adopted.

City Clerk: Ordinance #8762, #8763, #8764, #8765, #8768 and #8770 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. Motion adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinances #8762, #8763, #8764, #8765, #8768 and #8770 are declared to be lawfully passed and adopted upon publication as required by law.

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

#8766 – Consideration Concerning Changes to the Grand Island Zoning Ordinance to Define and Allow Self-Storage Facilities within the TA Transitional Agriculture and B2 General Business Zone

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of this ordinance on its first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage. Councilmember Murray seconded the motion. Upon roll call vote, Councilmembers Larson, Whitesides and Murray voted yes. Councilmembers Pielstick, Ward, Seifert, Hornady, Haase, Walker, and Sorensen voted no. Motion failed.

Motion was made by Murray and second by Larson to approve Ordinance #8766 on first reading. Councilmembers Pielstick and Seifert voiced concerns about the owner of this property beginning work before the zoning changes were in place. Councilmember Larson questioned what was permitted on TA ground. Discussion was held concerning set backs, location of storage units and appearances. Al Avery, 3125 North Webb Road spoke in opposition. Upon roll call vote, Councilmembers Whitesides and Murray voted yes. Councilmembers Pielstick, Ward, Seifert, Larson, Hornady, Haase, Walker and Sorensen voted no. Motion failed.

Councilmember Larson requested this issue be brought back before Council at a Study Session.

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

#8767 – Consideration Concerning Revisions to the Grand Island Zoning Ordinance Pertaining to Salvage Yards and Conditional Use Permits

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of this ordinance on its first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage. Councilmember

Pielstick seconded the motion. Upon roll call vote, Councilmembers Pielstick, Ward, Seifert, Larson, Hornady, Whitesides, Haase and Murray voted yes. Councilmembers Walker and Sorensen voted no. Motion was adopted.

Jim Lennon representing Alter Scrap Processing and Lewis Kent, 624 East Meves spoke in opposition. Councilmembers Pielstick and Whitesides voiced concerns about fencing.

City Clerk: Ordinance #8767 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Pielstick, Ward, Seifert, Larson, Hornady, Whitesides, Haase and Murray voted yes. Councilmembers Walker and Sorensen voted no. Motion was adopted.

City Clerk: Ordinance #8767 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, Councilmembers Pielstick, Ward, Seifert, Larson, Hornady, Whitesides, Haase and Murray voted yes. Councilmembers Walker and Sorensen voted no. Motion was adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinance #8767 is declared to be lawfully passed and adopted upon publication as required by law.

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

#8769 – Consideration of Approving Salary Ordinance

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

Jarrett Daugherty, FOP President, spoke in opposition to changes in the Salary Ordinance with regards to the FOP. Don Dreier, 2520 South Stuhr Road spoke in support of the Police Officers. City Administrator Marlan Ferguson explained the reasons for the changes. Human Resources Director Brenda Sutherland explained the AFSCME changes. Councilmember Whitesides suggested that Council wait until the appeal process is complete. Police Chief Kyle Hetrick spoke in support of the changes. Discussion was held regarding the overtime pay. No further public testimony was heard.

Motion was made by Whitesides to table the 7-K portion of Ordinance #8769 relative to FOP to a later date. Seconded by Seifert. Carried unanimously to approve.

City Clerk: Ordinance #8769 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #8769 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinance #8769 is declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Motion by Pielstick, second by Hornady, carried unanimously to approve the Consent Agenda.

Approving Minutes of August 27, 2002 City Council Regular Meeting. Councilmember Hornady abstained.

Approving Request of Stalker Development, Ltd, Harry Stalker, President, for Conditional Use Permit for Temporary Placement of a Hot Dog Stand Located at 410 South Webb Raod.

Approving Request of GCB Restaurant Group, LLC dba Garden Café & Bakery/Tiffany's Lounge, 3333 Ramada Road, for Class "C" Liquor License.

Approving Request of Timothy Peterson, 11010 South 17<sup>th</sup> Street, Bellevue, Nebraska, for Liquor Manager Designation for GCB Restaurant Group, LLC dba Garden Café & Bakery/Tiffany's Lounge, 3333 Ramada Road.

Approving Request of Daryl V. Harney dba Scooter's BBQ, 3234 West Schimmer Road, for Class "C" Liquor License. Councilmember Pielstick voted no.

#2002-272 – Approving Use of Local Law Enforcement Block Grant Funds.

#2002-273 – Approving Acquisition of Utility Easement Located at Faidley and Weis Drive. (Farm Credit Services)

#2002-274 – Approving Acquisition of Utility Easement Located North of Husker Highway and West of Highway 281. (Pedcor Investments)

#2002-275 – Approving Final Plat and Subdivision Agreement for Commercial Industrial Park Third Subdivision. It was noted that Gary Jacobson, owner, had submitted the final plat for Commercial Industrial Park Third Subdivision, located South of Frontage Road, and East of Webb Road for the propose to resubdivide part of Commercial Industrial Park Subdivision into 3 new lots.

#2002-276 – Approving Amendment to Agreement with CH2MHill for Review of Sewage Sludge Handling and Disposal at the Wastewater Treatment Plant in an Amount Not to Exceed \$625,149.00.

#2002-277 – Approving Supplemental Agreement with the Nebraska Department of Roads for Two New Northbound Bridges on South Locust Street for a Cost of 20% of the Engineering Services or Approximately \$30,000.00.

#2002-278 – Approving Bid Award for Water Main District #440 with Starostka Group Company, Grand Island, Nebraska in an Amount of \$93,167.12.

#2002-279 – Approving Bid Award for 2003-2004 Coal Supply with RAG Energy Sales, Inc., of Englewood, Colorado.

#2002-280 – Approving Authorization of Grant Application from the Transportation Enhancement Program for Historic Lighting in Downtown.

#2002-281 – Approving Nomination of Central Nebraska Ethnic Festival to the Nebraska Community Improvement Program.

#2002-282 – Approving Annual Maintenance and Support Contract for Accounting Software and Integrated Financial Program with Process, Inc., dba Munis in an Amount of \$73,829.70.

#2002-283 – Approving Annual Maintenance and Support Contract for Ambulance Billing Software with Sweet Computer Services, Inc. in an Amount of \$1,860.00.

#2002-284 – Approving Amendment Chapter 5 of the Grand Island City Code Relative to the Approved Animal List.

#### REQUESTS AND REFERRALS:

Request to Use a Portion of the Alley West of Eddy Street Between 2<sup>nd</sup> Street and 3<sup>rd</sup> Street for Parking. Public Works Director Steve Riehle, reported that U Save Pharmacy, Central Pharmacy, located at 802 West 2nd Street, recently completed a paving project in the alley behind their store. Tim Terjak owns the property directly north of the Pharmacy across the alley at 216 North Eddy. This property was a residential rental facility. Prior to the paving project, tenants of the Terjak property used the alley to park behind the residence. Since the completion of the paving project, the Grand Island Police Department had been enforcing the “No Parking” restrictions for alleys. Mr. Terjak requested a License Agreement from the City to allow parking in this area. He requested permission to use the north 2’-3’ of the alley for parking. City staff had reviewed his request and do not feel they should approve the request due to traffic in the alley. Mr. Terjak had decided to appeal that decision to the City Council. It was recommended that Council deny the appeal and maintain the No Parking restriction for the alley.

Tim Terjek, 1547 North Monitor Road spoke in support.

Motion was made by Seifert, second by Sorensen, to approve this request. Motion adopted unanimously.

#### RESOLUTIONS:

#2002-285 – Consideration of Approving Property Tax Request for FY2002-2003 General All-Purpose Property Tax, Community Redevelopment Authority and Parking District #2 (Ramp). Finance Director David Springer, reported that the general property tax request increased from

\$6,050,018 in FY2001-2002 to \$6,480,000 for FY2002-2003, or an increase of \$429,982. This represented a 7.1% increase in property tax dollars and a 0.3% decrease in the city of Grand Island's levy. The property tax request for Parking District #2, also known as the Parking Ramp (Fund 271), decreased from \$47,250 in FY2001-2002 to \$30,018 for FY2002-2003, or a decrease of \$17,232. Parking District #2's levy decreased by 36.4%. The property tax request for the Community Redevelopment Authority increased from \$402,431 in FY2001-2002 to \$431,150 for FY2002-2003, an increase of \$28,719. This represented a 7.1% increase in property tax dollars and no change in the CRA's levy. It was recommended that the City Council pass Resolution #2002-285 by majority vote setting the property tax request for the General property tax at \$6,480,000, the Parking District #2 property tax at \$30,180 and the Community Redevelopment Authority property tax at \$431,150.

Motion was made by Sorensen, second by Hornady, to approve Resolution #2002-285. Carried unanimously to approve.

#2002-271 – Consideration of Approving 1% Increase to the Lid Limit. City Administrator Marlan Ferguson, reported that in 1998 the Nebraska State Legislature passed LB 989, which put a cap on the amount of restricted revenues a political subdivision could budget for. The restricted revenues that the City of Grand Island included in the budget were Property Taxes, Payments in Lieu of Property Tax, Local Option Sales Tax, Motor Vehicle Tax and State Aid. Of those restricted revenues, property tax was the only revenue that the City could control. The increase in restricted funds authority using the 1% additional amount and the population growth (when available) was not an increase in budgeted revenues. It only provided the ability to increase restricted revenues, particularly property tax, in a future year if necessary.

A lengthy discussion was held concerning the advantages of approving the 1% increase to the lid limit. Motion was made by Whitesides, seconded by Seifert, to approve Resolution #2002-271. Carried unanimously to approve.

#### PAYMENT OF CLAIMS:

Motion by Whitesides, second by Seifert, carried unanimously to approve the Claims for the period of August 28, 2002 through September 10, 2002, for a total amount of \$2,005,605.98.

ADJOURNMENT: The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item G3

### Approving Appointment to Regional Planning Commission

*The Mayor is asking the Council's approval to re-appoint Dianne Miller to serve a three-year term on the Regional Planning Commission. Her new appointment would become effective November 1, 2002, and expire on October 31, 2005.*

Staff Contact: Mayor Ken Gnadt



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item G4

### Approving Garbage and Refuse Haulers Permits

*Full Circle, Inc., Central Waste Disposal, Scott's Hauling, Clark Brothers Sanitation, and Mid-Nebraska Disposal, Inc. have submitted applications for renewal of their garbage and/or refuse haulers permits which will expire on September 30, 2002. All City Code requirements have been met by these businesses. Approval is recommended.*

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item G5

### **Approving Request of Heartland Catering, Inc., 700 East Stolley Park Road, for Class "CK" Liquor License**

*This item relates to the aforementioned Public Hearing. Heartland Catering, Inc., 700 East Stolley Park Road, has submitted an application with the City Clerk's Office for a Class "CK" Liquor License. A Class "CK" Liquor License allows for the sale of alcoholic beverages on and off sale within the corporate limits of the City and for a catering license to deliver, sell or dispense alcoholic liquors for consumption at a location designated on a Special Designated License (SDL). This application has been reviewed by the Building, Fire, Health and Police Departments. Approval is recommended.*

Staff Contact: RaNae Edwards





# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item G6

### **Approving Request of Gary Shovlain, 2211 Riverside Drive, for Liquor Manager Designation for Heartland Catering, Inc., 700 East Stolley Park Road**

*Gary Shovlain, 2211 Riverside Drive, representing Heartland Catering, Inc. 700 East Stolley Park Road, has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "CK" Liquor License acted upon earlier. 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, September 24, 2002

Council Session

## Item G7

### **#2002-286 - Approving Annexation Component to the Grand Island Comprehensive Development Plan**

*This item relates to the aforementioned Public Hearing. Chad Nabity, Planning Director, has submitted a proposal to add an annexation Component to the Grand Island Comprehensive Development Plan. This proposal has been approved by the Regional Planning Commission at their June 6, 2002 meeting. Approval is recommended.*

Staff Contact: Chad Nabity

R E S O L U T I O N   2002-286

WHEREAS, the Mayor and City Council of the City of Grand Island are committed to the orderly plan necessary to accommodate future growth and transportation needs; and

WHEREAS, on August 24, 1992, by Resolution 92-215, the City of Grand Island approved and adopted the Comprehensive Land Use and Transportation Plan and associated figures and maps as prepared by the firm of BRW, Inc. of Minneapolis, Minnesota; and

WHEREAS, Neb. Rev. Stat. §19-903 requires that all comprehensive plans amended after January 1, 1995 shall include an annexation component to enable the municipality to identify and determine appropriate areas for future annexation; and

WHEREAS, on June 6, 2002, the Regional Planning Commission approved an amendment to such plan to add an annexation component to the plan which contains a map of areas to be considered for annexation and policy statements identifying additional areas for possible annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island hereby approves and adopts an amendment to the Comprehensive Land Use and Transportation Plan to incorporate the Annexation Plan as shown on the attached Exhibit "A".

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on September 24, 2002.

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RaNae Edwards, City Clerk

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

Tuesday, September 24, 2002

Council Session

## Item G8

### **#2002-287 - Approving Acquisition of Utility Easement - Garry and Jeanne Williams - 610 Midaro Drive**

*This item relates to the aforementioned Public Hearing.*

**Background:**

*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 Garry L. and Jeanne S. Williams, located 115 feet north of the end of Midaro Drive at 610 Midaro Drive, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.*

*This easement will be used to locate primary electrical underground cable and a pad-mounted transformer to serve a new home at this location.*

**Recommendation:**

*Approve the request to obtain the needed easement.*

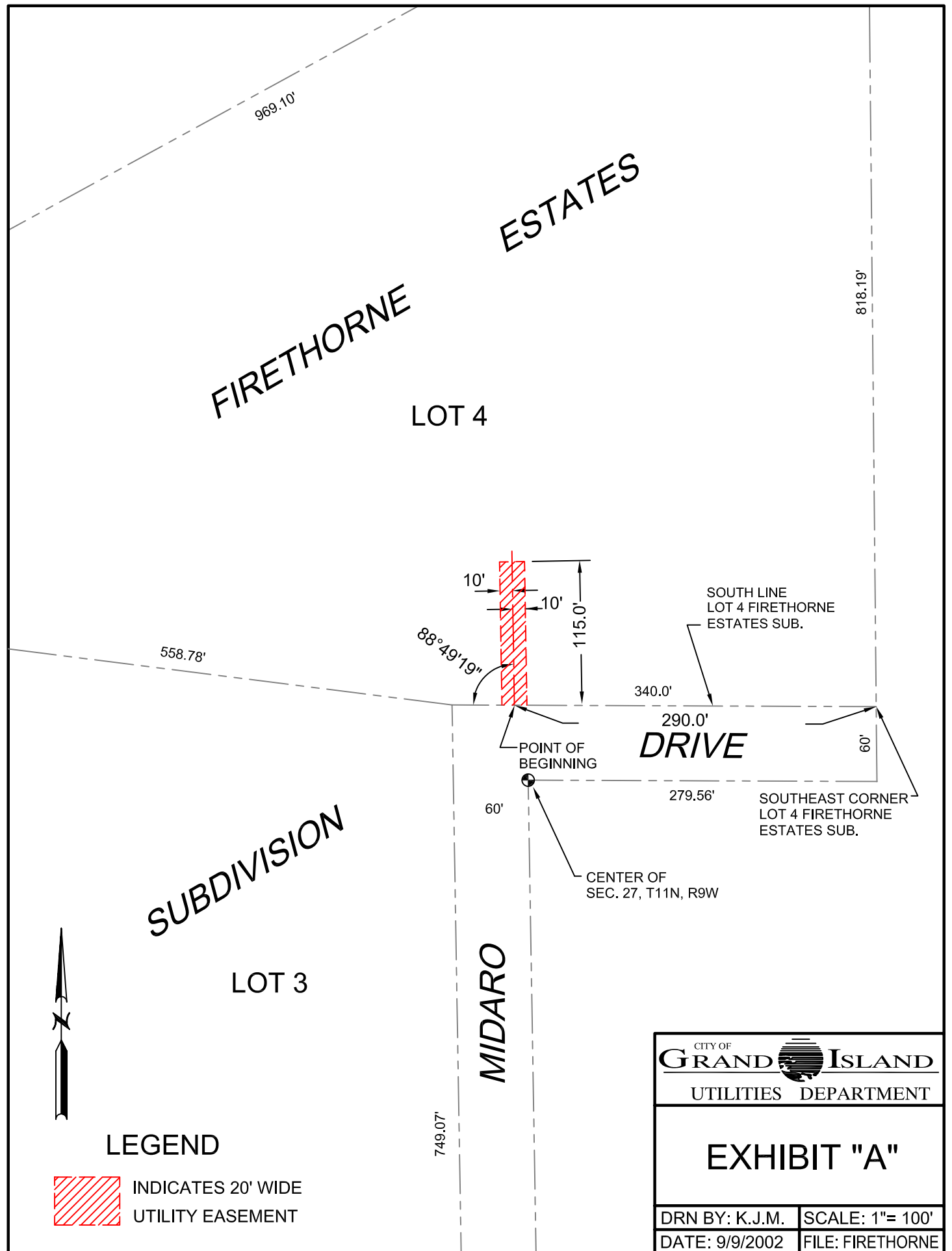
**Fiscal Effects:**

*One dollar (\$1.00) for the easement will be paid to the grantor.*

**Alternatives:**

*As suggested by City Council. See attached RESOLUTION.*

**Staff Contact: Robert H. Smith**



R E S O L U T I O N    2002-287

WHEREAS, a public utility easement is required by the City of Grand Island, from Garry L. Williams and Jeanne S. Williams, husband and wife, to install, upgrade, maintain, and repair power appurtenances, including lines and transformers; and

WHEREAS, a public hearing was held on September 24, 2002, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Four (4) Firethorne Estates Subdivision, an addition to the City of Grand Island, Hall County, Nebraska, the centerline of the twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows:

Commencing at the southeast corner of Lot Four (4) Firethorne Estates Subdivision; thence westerly along the southerly line of Lot Four (4) said Firethorne Estates Subdivision, a distance of Two Hundred Ninety (290.0) feet to the Actual Point of Beginning; thence deflecting right 88°49'19" and running in a northerly direction, a distance of One Hundred Fifteen (115.0) feet.

The above-described easement and right-of-way containing a total of 0.528 acres, more or less as shown on the plat dated September 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 Garry L. Williams and Jeanne S. Williams, husband and wife, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 24, 2002.

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RaNae Edwards, City Clerk

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



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item G9

### **#2002-288 - Approving Acquisition of Public Utility Easement in Sanitary Sewer District 500 , Located at 3511 Andrew Avenue**

*This item relates to the aforementioned Public Hearing. Acquisition of a utility easement located at 3511 Andrew Avenue is required in order to have access to install sanitary sewer mains. See attached RESOLUTION.*

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

RESOLUTION 2002-288

WHEREAS, a public utility easement is required by the City of Grand Island, from James H. Webb and Judy A. Webb, husband and wife, for the purpose of installing, upgrading, maintaining and repairing sanitary sewer mains and service lines for Sanitary Sewer District 500; and

WHEREAS, a public hearing was held on September 24, 2002, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Thirteen (13), Sass Second Subdivision in the City of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

A tract of land being the east Six (6.0) feet of Lot Thirteen (13), Sass Second Subdivision, excepting the south Six (6.0) feet thereof; as shown on the plat dated March 27, 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 James H. Webb and Judy A. Webb, husband and wife, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 24, 2002.

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RaNae Edwards, City Clerk

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





# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item G10

### **#2002-289 - Approving Acquisition of Public Utility Easement in Lot One, Crane Valley Fourth Subdivision**

*This item relates to the aforementioned Public Hearing. Acquisition of a utility easement located at 906 North Diers Avenue is required in order to have access to install sanitary sewer mains. See attached RESOLUTION.*

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

## RESOLUTION 2002-289

WHEREAS, a public utility easement is required by the City of Grand Island, from Concord Development, L.L.C., a limited liability company, for the purpose of realigning the sanitary sewer service lines due to a change in the construction plans for development in the area; and

WHEREAS, a public hearing was held on September 24, 2002, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot One (1) Crane Valley Fourth Subdivision in the City of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Commencing at the south corner of said Lot 1, said point also being the point of intersection of the northwesterly R.O.W. line of Diers Avenue and the northeasterly R.O.W. line of Concord Avenue, said point also being the point of beginning; thence along and upon said northeasterly R.O.W. line around a curve in a counter clockwise direction having a delta angle of  $03^{\circ}29'56''$ , an arc length of 20.15 feet, a radius of 330.00 feet and chord bearing  $N52^{\circ}04'03''W$  for a distance of 20.15 feet; thence departing said northeasterly R.O.W. line  $N44^{\circ}53'53''E$  a distance of 145.02 feet; thence  $N01^{\circ}48'38''W$  a distance of 85.28 feet to a point on the north line of said Lot 1; thence  $N90^{\circ}00'00''E$  along and upon said north line a distance of 15.01 feet to the northeast corner of said Lot 1; thence  $S19^{\circ}41'09''E$  along and upon the east property line of said Lot 1 a distance of 16.29 feet; thence departing said east line  $S01^{\circ}48'38''E$  a distance of 88.42 feet to a point on the northwesterly R.O.W. line of Diers Avenue; thence along and upon said R.O.W. line around a curve in a counter clockwise direction having a delta angle of  $16^{\circ}44'38''$ , an arc length of 52.60 feet, a radius of 180.00 feet and a chord bearing of  $S53^{\circ}16'11''W$  for a distance of 52.42 feet; thence  $S44^{\circ}53'53''W$  a distance of 92.17 feet to the point of beginning.

The above-described easement and right-of-way containing a total of 4865.76 square feet, more or less as shown on the plat 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 Concord Development, L.L.C., a limited liability company, on the above-described tract of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, September 24, 2002.

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

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RaNae Edwards, City Clerk

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



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item G11

### **#2002-290 - Approving Acquisition of Public Utility Easement in Lot Three, Crane Valley Fourth Subdivision**

*This item relates to the aforementioned Public Hearing. Acquisition of a utility easement located at 920 North Diers Avenue is required in order to have access to install sanitary sewer mains. See attached RESOLUTION.*

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

R E S O L U T I O N    2002-290

WHEREAS, a public utility easement is required by the City of Grand Island, from Shafer Properties, for the purpose of realigning the sanitary sewer service lines due to a change in the construction plans for development in the area; and

WHEREAS, a public hearing was held on September 24, 2002, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Three (3) Crane Valley Fourth Subdivision in the City of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Commencing at the northeast corner of Lot 1 of said Subdivision, said point also being the point of beginning; thence N90°00'00"W along and upon the north line of said Lot 1 a distance of 7.98 feet to the point of intersection of said north line and the east line of an existing Utility Easement; thence N00°26'41"W along and upon said easement line which is 10 feet east of and parallel to the west property line of Lot 3 of said Subdivision a distance of 149.65 feet; thence N89°33'09"E along and upon an existing easement line which is 10 feet south of and parallel to the north line of said Lot 3 a distance of 13.35 feet; thence departing said easement line S00°26'41"E a distance of 165.10 feet to a point on the east line of Lot 1 of said subdivision; thence N19°41'09"W along and upon said east line a distance of 16.29 feet to the point of beginning.

The above-described easement and right-of-way containing a total of 2039.72 square feet, more or less as shown on the plat 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 Shafer Properties, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 24, 2002.

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RaNae Edwards, City Clerk

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



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item G12

### **#2002-291 - Approving Bid Award for Storage Building at Fire Station #4**

*The bid opening for the storage building was held on September 12, 2002. Two bids were received. Both bids were over the estimated cost. We are eliminating the cost for site preparation [\$3,169] from the bid and include two alternate add-ons for material and labor for continuous eave lites at both sidewalls and changing the bottom chord truss load adjustment for a total cost of \$685. This allowed the project to fall within the estimate or a total of \$29,847. It is the recommendation of the Fire Department to accept the bid of \$29,847 by Husker Sales & Dist., Inc. of Grand Island, NE as the most responsive bid.*

Staff Contact: Jim Rowell

*Purchasing Division of Legal Department*  
**INTEROFFICE MEMORANDUM**



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a  
Better Tomorrow, Today*

**RE-BID OPENING**

**BID OPENING DATE:** September 12, 2002

**FOR:** Storage Building for Station #4

**DEPARTMENT:** Fire Department

**ENGINEER'S ESTIMATE:** \$30,185.00

**FUND/ACCOUNT:**

**PUBLICATION DATE:** September 4, 2002

**NO. POTENTIAL BIDDERS:**

**SUMMARY**

<b>Bidder:</b>	<u>Chiefs</u> Grand Island, NE	<u>Husker Sales</u> Grand Island, NE
<b>Bid Security:</b>	American Institute of Architects	\$2,100.00
<b>Exceptions:</b>	NONE	NONE
<b>Bid Price:</b>	\$42,400.00	\$32,331.00

cc: Jim Rowell, Fire Chief  
RaNae Edwards, City Clerk  
Dale Shotkoski, Purchasing Agent  
Laura Berthelsen, Legal Assistant

**P0760**

R E S O L U T I O N   2002-291

WHEREAS, the City of Grand Island invited sealed bids for Storage Building – Fire Station No. 4, according to plans and specifications on file with the Purchasing Division of the Legal Department; and

WHEREAS, on September 12, 2002, bids were received, opened and reviewed; and

WHEREAS, all bids were over the estimated cost of the project; and

WHEREAS, site preparation work was removed from the specifications, and alternate additions for were included to get the bids below the estimated cost; and

WHEREAS, Husker Sales and Distribution, Inc. of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$29,847; and

WHEREAS, Husker Sales and Distribution, Inc.'s adjusted bid is less than the estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the adjusted bid of Husker Sales and Distribution, Inc. of Grand Island, Nebraska, in the amount of \$29,847 for Storage Building at Fire Station No. 4 is hereby approved as the lowest responsive bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on September 24, 2002.

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RaNae Edwards, City Clerk

Approved as to Form      ✕
September 19, 2002   ✕   City Attorney





# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item G13

### **#2002-292 - Approving Bid Award - Snow Removal Services, Street and Transportation Division, Public Works Department**

*The Street Division of the Public Works Department is in need of Snow Removal Services for the winter of 2002-2003. Bids were opened on September 9, 2002. Nickman Brothers of Kearney, Nebraska submitted the only bid. Their bid is as follows:*

*Truck Plows for two emergency routes: \$95.00 per hour*

*Front End Loaders: No bid*

*Motor Graders: No bid*

*Hauling Snow: \$95.00 per hour*

*There are sufficient funds in Account No. 10033502-85213 for this purpose. It is recommended that Council approve award to Nickman Brothers of Kearney for plowing two Snow Emergency Routes and residential area snow clearing at the above rates.*

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

*Purchasing Division of Legal Department*  
**INTEROFFICE MEMORANDUM**



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** September 9, 2002 at 11:00 a.m.

**FOR:** Snow Removal Services

**DEPARTMENT:** Public Works – Street Department

**ENGINEER'S ESTIMATE:** Truck Plows for 2 Emergency Routes \$100/hr.  
Front End Loaders \$115/hr.  
Motor Graders \$115/hr.  
Hauling Snow \$95/hr.

**FUND/ACCOUNT:** 10033502-85213

**PUBLICATION DATE:**

**NO. POTENTIAL BIDDERS:**

**SUMMARY**

**Bidder:** Nickman Brothers  
Kearney, NE

**Exceptions:**

**Bid Price:** Truck Plows for 2 Emergency Routes \$95/hr.  
Front End Loaders NO BID  
Motor Graders NO BID  
Hauling Snow \$95/hr.

cc: Steve Riehle, Public Works Director  
Scott Johnson, Street Superintendent  
RaNae Edwards, City Clerk  
Dale Shotkoski, Purchasing Agent  
Laura Berthelsen, Legal Assistant

**P749**

R E S O L U T I O N   2002-292

WHEREAS, the City of Grand Island invited bids for 2002-2003 snow removal operations, Public Works Department, Street and Transportation Division, according to the plans and specifications on file in the office of the Public Works Department; and

WHEREAS, on September 9, 2002, one bid was received, opened and reviewed; and

WHEREAS, Nickman Brothers of Kearney, Nebraska, submitted the only bid in accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, such bid being two emergency snow routes and residential area snow clearing at the following rates:

	<u>Bid Pricing Per Hour</u>
Truck Plows	\$95.00
Hauling Snow	95.00

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

1. The bid of Nickman Brothers of Kearney, Nebraska, for snow removal services for two emergency routes and residential area snow clearing in the amounts identified above are hereby approved as the lowest responsive bids submitted for those services.
2. A contract as required by law and approved by the City Attorney's office for said project be entered into between the City and said contractor; and that the Mayor is hereby authorized and directed to execute said contracts on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on September 24, 2002.

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

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

Tuesday, September 24, 2002

Council Session

## Item G14

### **#2002-293 - Approving Amendment to the Speed Limit on South Locust Between Stagecoach Road and Stolley Park Road**

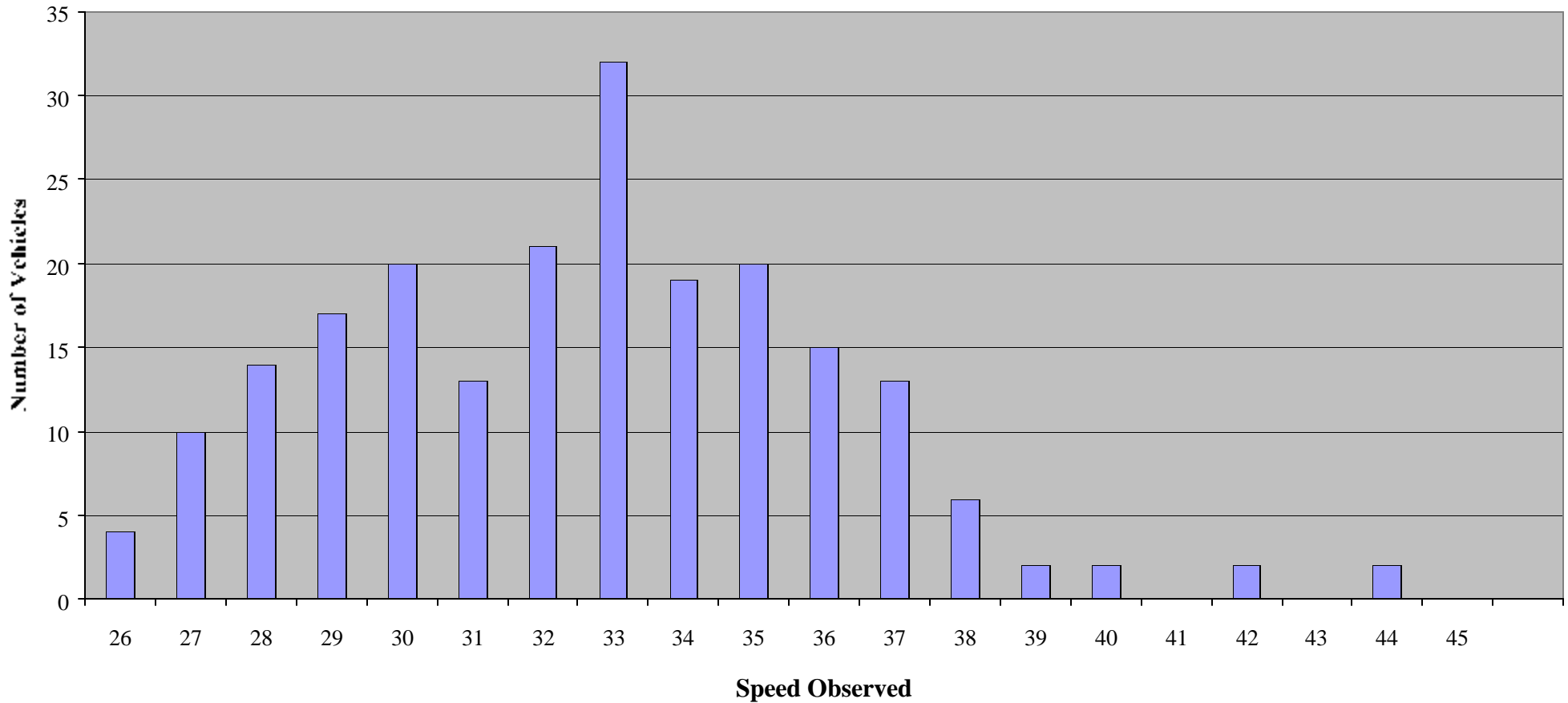
*State statute sets the speed limit for residential streets at 25 miles per hour (mph) and 20 mph for the Central Business District. All other speed limits are established by the City Council. The speed limit on South Locust Street from Stagecoach Road to Stolley Park Road has been set at 30 mph during the construction on the roadway.*

*Now that the work has been substantially completed, speed studies were performed to determine the appropriate speed for the area. The results are as follows: In the 2100 block of South Locust, the 85 Percentile Speed is 37 mph; Top end of the 10 mph pace is 38 mph, and recommended limit is 35 mph. In the 2500 block of South Locust, the 85 Percentile Speed is 40 mph; Top end of the 10 mph pace is 42 mph; and recommended limit is 35 mph. Two graphs have been attached to show the statistics gathered during the speed study.*

*The Public Works Department and the Grand Island Police Department feel that the speed limit should be set at 35 mph for this section of roadway due to the congestion of the area and number of driveways entering the street. It is recommended that Council approve the 35 mph speed limit for this section of the road. The alternative is to leave the speed limit set at 30 mph.*

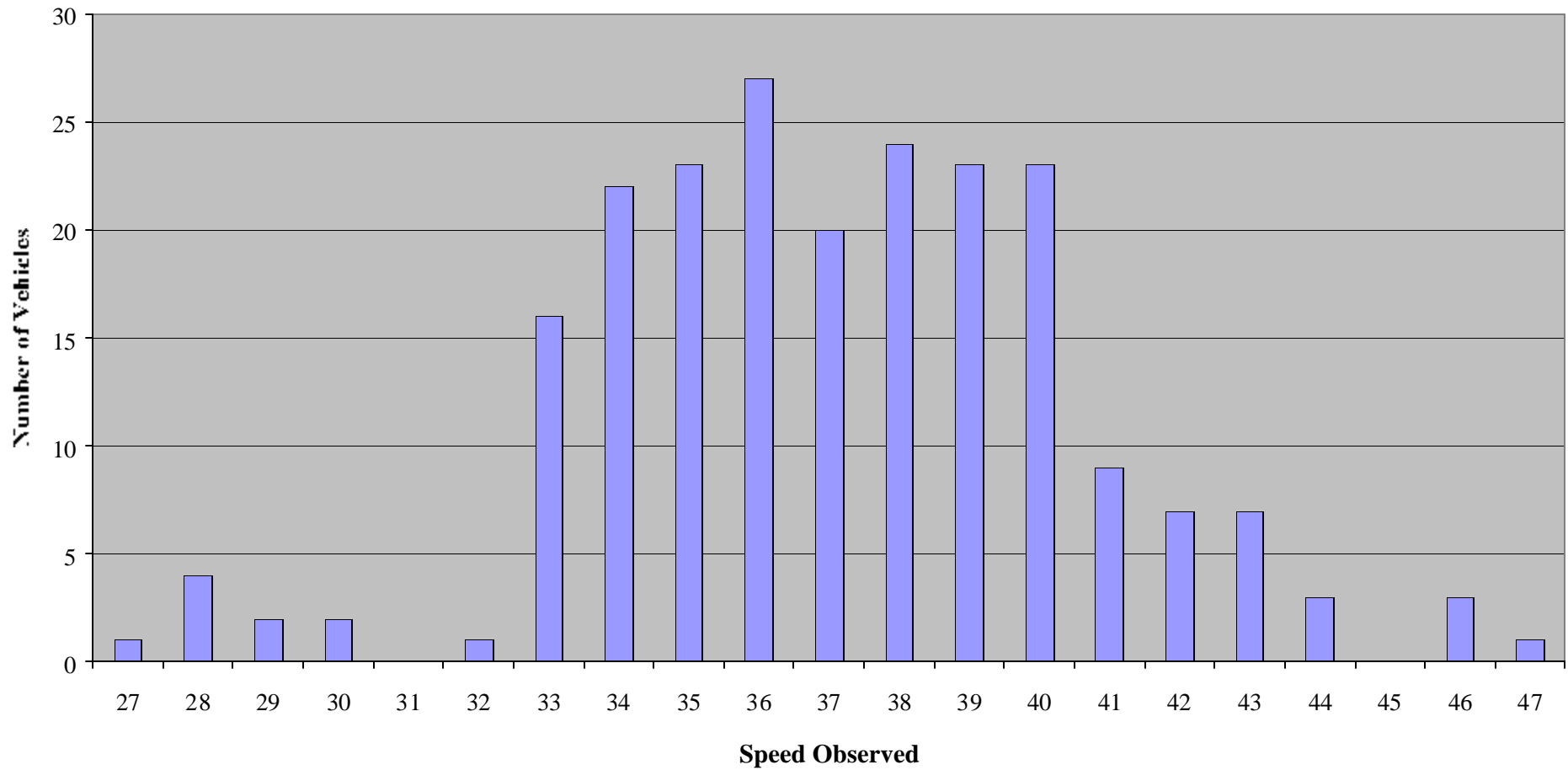
Staff Contact: Steve Riehle, City Engineer/Public Works Director

## 2100 Block of South Locust      Speed Study 09/09/2002



Number of Vehicles Observed:	214 vehicles
Median Speed:	33.5 mph
Average Speed:	37 mph
85%ile Speed:	37 mph
Bottom of 10 mph Pace Speed:	29 mph
Top of 10 mph Pace Speed:	38 mph
Percent of Vehicles in the Pace:	86.00 percent

## 2500 Block of South Locust      Speed Study 09/05/2002



Number of vehicles observed:	218 vehicles
Median Speed:	37.2 mph
Average Speed:	37 mph
85 <sup>th</sup> Percentile Speed:	40 mph
Bottom of 10 mph pace speed:	33 mph
Top of 10 mph pace speed:	42 mph
Percent of vehicles in the pace	88.6 percent

## R E S O L U T I O N   2002-293

WHEREAS, the City Council, by authority of Section 22-51 of the Grand Island City Code, may by resolution, establish speed limits upon the streets of the City of Grand Island.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that speed limits within the City of Grand Island are established as follows:

<b>Street</b>	<b>From</b>	<b>To</b>	<b>Limit</b>
Adams Street	Stolley Park Road	County Industrial Area	30
Anna Street	Blaine Street	Locust Street	30
Blaine Street	U.S. Highway 34	Stolley Park Road	35
Broadwell Avenue	Anna Street	Prospect Avenue	30
Broadwell Avenue	Prospect Street	BNRR	35
Broadwell Avenue	BNRR	North City Limits	45
Capital Avenue	Engleman Road	North Road	35
Capital Avenue	North Road	U.S. Highway 281	45
Capital Avenue	U.S. Highway 281	St. Paul Road	35
Cherry Street	Bismark Road	Sutherland Street	35
Concord Street	Diers Avenue	North of Diers Avenue for 370 feet to the dead end	30
Custer Avenue	Old Lincoln Highway/ Old Potash Highway	Capital Avenue	30
Diers Avenue	The dead end south of Faidley Avenue	Capital Avenue	30
Eddy Street	Fourth Street	State Street	30
Eleventh Street	Custer Street	Ruby Street	20

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

Engleman Road	Husker Highway	350 feet north of Stolley Park Road	45
Engleman Road	400 feet south of Lariat Lane	Capital Avenue	45
Engleman Road	Capital Avenue	400 feet north of Michigan Avenue	40
Faidley Avenue	U.S. Highway 281	Webb Road	35
Faidley Avenue	Webb Road	Custer Avenue	30
Fonner Road	South Locust Street	Stuhr Road	35
Fourth Street	Sycamore Street	BNRR	25
Fourth Street	BNRR	UPRR	30
Fourth Street	UPRR	Taft Street	35
Fourth Street	Taft Street	Seventh Street	45
Husker Highway	West city limits	North Road	50
Independence Avenue	Capital Avenue	Nebraska Highway 2	40
Locust Street	South City Limits	U.S. Highway 34	50
Locust Street	U.S. Highway 34	<u>Stagecoach Road</u> <del>Wood River Bridge</del>	40
<u>Locust Street</u>	<u>Stagecoach Road</u>	<u>Stolley Park Road</u>	<u>35</u>
Locust Street	<u>Stolley Park Road</u> <del>Wood River Bridge</del>	Charles Street	30
Locust Street	Charles Street	First Street	25
Nebraska Highway 2	Northwest Avenue extended (west city limits)	1200' west of Diers Avenue	55
Nebraska Highway 2	1200' west of Diers Avenue	100' west of O'Flannagan's Street	50



Nebraska Highway 2 – City Route	100' west of O'Flannagan's Street	Broadwell Avenue	50
North Road	Husker Highway	U.S. Highway 30	35
North Road	U.S. Highway 30	Old Potash Highway	50
North Road	Old Potash Highway	Nebraska Highway 2	40
Old Lincoln Highway	Garfield Street	Broadwell Avenue	30
Old Highway 30	West intersection with U.S. Highway 30	Webb Road	45
Old Highway 30	Webb Road	East intersection with U.S. Highway 30	35
Old Potash Highway	West City Limits	U.S. Highway 281	45
Old Potash Highway	U.S. Highway 281	Custer Avenue	35
Second Street	Webb Road	St. Joseph RR	35
Seedling Mile Road	U.S. Highway 30	Shady Bend Road	35
Seedling Mile Road	Shady Bend Road	East City Limits	45
Shady Bend Road	South City Limits	North City Limits	35
Sky Park Road	Seventh Street	Capital Avenue	45
State Street	North Road	Moore's Creek Floodway	45
State Street	Moore's Creek Floodway	U.S. Highway 281	35
Stolley Park Road	West City Limits	U.S. Highway 30	50
Stolley Park Road	U.S. Highway 30 / North Road	U.S. Highway 281	45
Stolley Park Road	U.S. Highway 281	South Locust Street	35
Stolley Park Road	South Locust Street	East City Limits	45
Stuhr Road	South City Limits	U.S. Highway 30	35

Sycamore Street	Fourth Street	Capital Avenue	30
Thirteenth Street	West City Limits	¼ mile West of U.S. Highway 281	50
Thirteenth Street	¼ mile West of U.S. Highway 281	U.S. Highway 281	35
U.S. Highway 30	West City Limits	Johnstown Road	55
U.S. Highway 30	Johnstown Road	East Intersection with Old Highway 30	45
U.S. Highway 30	East Intersection with Old Highway 30	Grant Street	35
U.S. Highway 30 (2 <sup>nd</sup> Street)	Grant Street	Broadwell Avenue	35
U.S. Highway 30 (2 <sup>nd</sup> Street)	Broadwell Avenue	Greenwich Street	30
U.S. Highway 30 (eastbound) / Greenwich Street	First Street	Second Street	30
U.S. Highway 30 (1 <sup>st</sup> Street and 2 <sup>nd</sup> Street)	Greenwich Street	Eddy Street	30
U.S. Highway 30 (1 <sup>st</sup> Street and 2 <sup>nd</sup> Street)	Eddy Street	Sycamore Street	25
U.S. Highway 30 (1 <sup>st</sup> Street and 2 <sup>nd</sup> Street)	Sycamore Street	300 feet East of the BNRR	35
U.S. Highway 30	300 feet East of the BNRR	1300 feet East of Stuhr Road	40
U.S. Highway 30	1300 feet East of Stuhr Road	Shady Bend Road	45
U.S. Highway 34	U.S. Highway 281	Blaine Street	50
U.S. Highway 34	Blaine Street	¼ mile West of Locust Street	55
U.S. Highway 34	¼ mile West of Locust Street	¼ mile East of Locust Street	45

		(east city limits)	
U.S. Highway 34/281	Milepost No. 229.16 (Wildwood Drive)	Milepost No. 231.16 (Husker Highway)	55
U.S. Highway 281	Milepost No. 67.6 (Husker Highway)	Milepost No. 68.1 (south intersection with Webb Road)	55
U.S. Highway 281	Milepost No. 68.1 (south intersection with Webb Road)	Milepost No. 72 (NE Highway 2)	50
Walnut Street	Charles Street	First Street	30
Webb Road	South Intersection with U.S. Highway 281	Nebraska Highway 2 (city route)	35

**OTHER SPEED ZONES:**

The speed limit for all alleys within the downtown Congested Parking Area as defined in Section 13-17 of the Grand Island City Code shall be 10 miles per hour.

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Adopted by the City Council of the City of Grand Island, Nebraska on September 24, 2002.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item G15

### **#2002-294 - Approving Change Order #1 Concrete Overlay of Tennis Courts at Buechler Park**

*The Parks and Recreation Department has developed Change Order #1 to the contract for the concrete overlay of Buechler Park Tennis Courts. The contract was awarded to L & L Construction of Grand Island on July 29, 2002 in the amount of \$35,532.00. The net increase of Change Order #1 is \$1,584.12, which allows for the additional concrete required and the installation of a vapor barrier. The revised contract amount will be \$37,116.12. Approval is recommended. See attached RESOLUTION.*

Staff Contact: Steve Paustian

R E S O L U T I O N   2002-294

WHEREAS, on July 23, 2002, by Resolution 2002-224, the City Council for the City of Grand Island awarded the bid for concrete overlay of tennis courts at Buechler Park to L & L Concrete & Construction, Inc. of Grand Island, Nebraska; and

WHEREAS, it has been determined that modifications to the work to be performed by L & L Concrete and Construction are necessary; and

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

WHEREAS, the result of such modifications will increase the contract amount by \$1,584.12.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 1, between the City of Grand Island and L & L Concrete and Construction, Inc. of Grand Island, Nebraska to provide the following modifications:

	<u>Amount</u>
Extra rolls of polyethylene and labor.....	\$ 672.00
Extra cubic yards of class 47-B concrete.....	912.12

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Adopted by the City Council of the City of Grand Island, Nebraska on September 24, 2002

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

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



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item G16

### **#2002-295 - Approving Certificate of Final Completion for Concrete Overlay of Tennis Courts in Buechler Park**

*The Park and Recreation Department has recommended that the Certificate of Final Completion be issued for concrete overlay of tennis courts in Buechler park. The contract was awarded to L & L Construction of Grand Island on July 29, 2002. The work commenced in August and was completed in early September. The performance of the contract was supervised by the Park and Recreation Department and a Certificate of Final Completion has been issued by the Park and Recreation Department, subject to City Council approval. Approval is recommended. See attached RESOLUTION.*

Staff Contact: Steve Paustian

RESOLUTION 2002-295

WHEREAS, the Parks and Recreation Director of the City of Grand Island has issued his Certificate of Final Completion for Concrete Overlay of Tennis Courts in Buechler Park certifying that L & L Concrete & Construction, Inc. of Grand Island, Nebraska, under contract dated July 29, 2002, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Parks and Recreation Director recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs in the Parks and Recreation Director's recommendation.

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

1. The Parks and Recreation Director's Certificate of Final Completion for Concrete Overlay of Tennis Courts in Buechler Park is hereby confirmed.
2. That a warrant be issued from Account No. 40044450-90030 in the amount of \$37,116.12 payable to L & L Concrete & Construction, Inc. for the final amount due the contractor.

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Adopted by the City Council of the City of Grand Island, Nebraska on September 24, 2002.

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RaNae Edwards, City Clerk

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

Tuesday, September 24, 2002

Council Session

## Item G17

### **#2002-296 - Approving Certificate of Final Completion of Park Maintenance Building**

*The Park and Recreation Department has recommended that the Certificate of Final Completion be issued for the Park Maintenance Building Construction project. The contract was awarded to Chief Construction of Grand Island on January 29, 2002. The work commenced in early spring of 2002 and was completed in August of 2002. The performance of the contract was supervised by the Park and Recreation Department and a Certificate of Final Completion has been issued by the Park and Recreation Director, subject to City Council approval. Approval is recommended. See attached RESOLUTION.*

Staff Contact: Steve Paustian



R E S O L U T I O N   2002-296

WHEREAS, the Parks and Recreation Director of the City of Grand Island has issued his Certificate of Final Completion for Park Maintenance Building Construction certifying that Chief Construction of Grand Island, Nebraska, under contract dated January 29, 2002, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Parks and Recreation Director recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs in the Parks and Recreation Director's recommendation.

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

1. The Parks and Recreation Director's Certificate of Final Completion for Park Maintenance Building Construction is hereby confirmed.
2. That a warrant be issued from Account No. 40044450-90034 in the amount of \$17,092.44 payable to Chief Construction for the final amount due the contractor.

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Adopted by the City Council of the City of Grand Island, Nebraska on September 24, 2002.

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RaNae Edwards, City Clerk

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

Tuesday, September 24, 2002

Council Session

## Item G18

### **#2002-297 - Approving Certificate of Final Completion and Setting Board of Equalization Date of October 22, 2002 for Street Improvement District 1240, Grand West Third Subdivision**

*A Contract in the amount of \$222,829.65 for Street Improvement District 1240 was awarded to The Diamond Engineering Company of Grand Island on June 25, 2002 and signed July 2, 2002. Work on the project was completed in September 2002. This project was completed at a construction price of \$223,264.98. Total cost of the project, including Engineering Services is \$236,660.88. It is recommended that Council accept the Certificate of Final Completion and schedule the Board of Equalization for October 22, 2002. The majority of costs for this project will be assessed to the adjacent properties.*

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

R E S O L U T I O N   2002-297

WHEREAS, the Public Works Director of the City of Grand Island has issued a Certificate of Final Completion for Street Improvement District No. 1240, located on Tech Drive in the City of Grand Island, certifying that The Diamond Engineering Company of Grand Island, Nebraska, under contract dated July 2, 2002, has completed such project according to the terms, conditions, and stipulations for such improvements; and

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

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

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

1.     The Public Works Director's Certificate of Final Completion for Street Improvement District No. 1240, is hereby confirmed.
2.     The City Council will sit as a Board of Equalization on October 22, 2002 to determine benefits and set assessments for Street Improvement District No. 1240.
3.     The costs of contract administration be credited to Account No. 100.130.04516 from Account No. 40033525-90046 in the amount of \$13,395.90.

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Adopted by the City Council of the City of Grand Island, Nebraska on September 24, 2002.

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RaNae Edwards, City Clerk

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



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item G19

### **#2002-298 - Approving Correction to the AFSCME Contract**

*An error in the AFSCME contract was found in Article V, Section E. The previous contract had an amendment that allowed employees to carry no more than the amount of vacation that they could accrue in one year plus eighty hours. This amendment was inadvertently missed in the new contract. The contract needs to be corrected to reflect the correct amount of vacation carry-over that an employee may have. Approval is recommended.*

Staff Contact: Brenda Sutherland

RESOLUTION 2002-298

WHEREAS, on August 27, 2002, by Resolution 2002-269, the City of Grand Island approved a Labor Agreement with the Nebraska Public Employees , Local 251 of the American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME) for the period of October 1, 2002 through September 30, 2007; and

WHEREAS, an update pertaining to vacation carry-over amounts, which was agreed to by the parties to the contract, was overlooked and not incorporated into the final agreement; and

WHEREAS, it is necessary to amend such agreement to incorporate the agreed upon vacation carry-over amounts.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Section E of Article V – Vacations, in the Labor Agreement with the Nebraska Public Employees , Local 251 of the American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME) for the period of October 1, 2002 through September 30, 2007 is hereby amended to read as follows:

"An employee will be allowed to carry no more than the maximum amount of vacation that he or she can earn in one year, plus eighty (80) hours."

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such amendment to the Labor 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 September 24, 2002.

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RaNae Edwards, City Clerk

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

Tuesday, September 24, 2002

Council Session

## Item H1

### **Request to Refer Proposed Amendment to Chapter 36 of the Grand Island City Code Relative to Vehicle Sales and Rental Businesses to Regional Planning Commission**

*The City has previously considered whether to require certain minimum improvements for all vehicle sales and rental lots and in 1999 required all new lots to have hard surfaced storage and display areas. Since then there have been several car lots started which have been the subject of complaints concerning whether the premises are suited for this type of use based on appearance, lack of space, storage of used tires, batteries, oil, etc. Dealing with complaints about car lots has become a continual, if not continuous, problem for the building department, police department, public works and code compliance office. Currently we are dealing with problems involving four dealerships.*

*City staff is requesting the Mayor and City Council revisit the issue of requiring minimum improvements for car lots. The first step is to refer the matter to the Regional Planning Commission for a public hearing and recommendation. We are asking that the City Council consider this carefully and refer the matter for future proceedings before the regional planning commission only if there is general support for the proposal from the council as a whole.*

Staff Contact: Charlie Cuypers

ORDINANCE NO. \_\_\_\_

An ordinance to amend Chapter 36 of the Grand Island City Code; to amend Section 36-49 pertaining to minimum improvement requirements for vehicle sales and rental businesses; to repeal Section 36-49 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. The Mayor and City Council do hereby find that the public interest will be served by the following amendments to the Grand Island City Code, that no business existing on the effective date of this ordinance shall have or retain rights of any nature to operate an automotive/truck/recreational vehicle sales and/or rental business based on the prior provisions of the code and that all such businesses within the City of Grand Island and its extra-territorial jurisdiction shall comply with this ordinance by April 1, 2004 or cease operation.

SECTION 2. Section 36-49 of the Grand Island City Code is hereby amended to read as follows:

**§36-49. Vehicle Sales and Rental Businesses; Minimum Improvement Requirements**

All businesses engaged in automotive/truck/recreational vehicle sales and/or rentals shall have the following minimum improvements and equipment:

(A) All areas on which vehicles are displayed and offered for sale and/or rental shall be provided with a permanent type, dust-free surface such as asphaltic cement concrete, Portland cement concrete, or paving brick.

(B) Any business engaged in vehicles sales and/or rentals shall have a principal building which complies with the Grand Island City Code and all applicable building, electrical, plumbing and fire codes.

(C) Any business engaged in vehicle sales and/or rentals shall have space within the principal building or an accessory building for storage of all vehicle parts, new or used. All such parts must be stored within said space.

(D) All hazardous materials, regulated waste and used vehicle fluids shall be stored and disposed of in accordance with state and federal laws and the rules and regulations of the U.S. Environmental Protection Agency and the Nebraska Department of Environmental Quality. Tank storage of fluids and wastes must be situated within a suitable overflow enclosure.

(E) Any business engaged in vehicle sales and/or rentals shall comply with the Grand Island City Code landscaping and screening regulations and minimum off-street parking and loading space requirements prior to commencing operations.

ORDINANCE NO. \_\_\_\_\_ (Cont.)

**~~§36-49. Storage and Display Requirements~~**

~~\_\_\_\_\_ All storage and display areas associated with automotive/truck/recreational vehicle sales or rentals shall be hardsurfaced in accordance with the requirements of §36-48.~~

SECTION 3. Section 36-49 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

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

Enacted: October 8, 2002.

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

Attest:

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





# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item I1

### **#2002-299 - Approving Adoption of the 2002 Addition of the Grand Island City Code**

*The City Code is reissued as a new edition periodically in order to clean up references to amendments, deleting old numbers, and generally updating the work available to the public. The last edition was adopted in 1995 and because the City Code is now available on the internet, it is prudent to approve and adopt the City Code as the 2002 edition. There are no provisions of the code which are amended by adopting this edition, but a substantial amount of accumulated, unnecessary, amendment references would be eliminated. In preparing the 2002 edition, our staff proof-read and verified the accuracy of the entire code, so the work should be as error-free as is practical. Our staff recommendation is to adopt a new edition every year or two, so this edition may be considered overdue. Adoption is recommended.*

Staff Contact: Charlie Cuypers

RESOLUTION 2002-299

WHEREAS, the official Grand Island City Code was compiled and is maintained by the City Attorney's office, which code establishes the ordinances approved and adopted by the Grand Island Mayor and City Council for enforcement within the city limits of Grand Island, and the 2-mile extra-territorial jurisdiction; and

WHEREAS, amendments to the Grand Island City Code are approved and adopted by the Mayor and City Council on a regular basis to incorporate changes recommended by various boards, Department Directors, Councilmembers and/or the public; and

WHEREAS, it is recommended that the current Grand Island City Code, as amended, be ratified, affirmed, adopted as the 2002 Edition of the Grand Island City Code; and

WHEREAS, a copy of the 2002 Edition of the Grand Island City Code will be filed and maintained in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Grand Island City Code, 2002 Edition is hereby ratified, affirmed, approved and adopted.

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Adopted by the City Council of the City of Grand Island, Nebraska on September 24, 2002.

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RaNae Edwards, City Clerk

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

Tuesday, September 24, 2002

Council Session

## Item J1

### **Payment of Claims for the Period of September 11, 2002 through September 24, 2002**

*The Claims for the period of September 11, 2002 through September 24, 2002 for a total amount of \$5,353,706.73. A MOTION is in order.*

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, September 24, 2002

Council Session

## Item X1

### Discussion Concerning FOP Union Negotiations

*ADJOURN TO EXECUTIVE SESSION:*

*Discussion Concerning FOP Union Negotiations.*

*RETURN TO REGULAR SESSION:*

Staff Contact: Marlan Ferguson