
City of Grand Island



Tuesday, March 04, 2003

Council Session Packet

City Council:

Joyce Haase
Margaret Hornady
Gale Larson
Robert Meyer
Mitchell Nickerson
Don Pauly
Jackie Pielstick
Larry Seifert
Scott Walker
Fred Whitesides

Mayor:

Jay Vavricek

City Administrator:

Marlan Ferguson

City Clerk:

RaNae Edwards

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

Call to Order

Pledge of Allegiance /Pastor Robert Stretch, Berean Bible Church, 4116 West Capital Avenue

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item C1

"It's About Kids!" Presentation by Wil Hotz

Youth Leadership Tomorrow, "It's About Kids!" asset will be presented by Wil Hotz.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item C2

Presentation to Chief Kyle Hetrick by Sergeant Steve Rathman for Patriotism Award from the Department of Defense

Police Sergeant Steve Rathman will present to Police Chief Kyle Hetrick a Patriotism Award on behalf of the Department of Defense. This certificate of appreciation is given for allowing members of the Armed Forces to stay employed full-time with the Grand Island Police Department and to be able to complete their military missions.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item C3

**Presentation by Sonja Simpson, Central District Health
Department Director, Regarding Updates to the Health Department**

Central District Health Department Director Sonja Simpson will update the Mayor and Council with regards to issues at the Health Department. Presented will be small pox vaccinations, new health department building, and upcoming events.

Staff Contact: Mayor Vavricek



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item D1

#2003-BE-3 - Determining Benefits for Sanitary Sewer District 499, Platte Valley Industrial Park

The Certificate of Final Completion was approved on January 28, 2003 with March 4, 2003 set as the date for Council to sit as the Board of Equalization. The contract for Sanitary Sewer District 499 was awarded to Starostka Group Company of Grand Island, Nebraska on February 26, 2002; work commenced on March 25, 2002 and was substantially complete by November 8, 2002. This project was completed at a construction price of \$565,978.12. Total assessed cost of the project is \$636,747.71 which breaks down as follows:

*Original Bid \$ 540,544.26
Overruns \$ 228.86
Change Order \$ 25,205.00
Engineering \$ 56,597.81
Easements \$ 4,200.00
Publication, \$ 9,971.78
T.V. Inspection, etc.*

Total Cost \$ 636,747.71

The original estimate in June of 2001 was \$705,840.92. It is recommended that Council hold a Board of Equalization and pass a Resolution to establish assessments. Most of the cost will be assessed against the properties that benefit from the project. Levying Assessments will allow the City to recover District costs.

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

RESOLUTION 2003-BE-3

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 499, 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 \$628,089.61; 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. 499, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Judith K. Poland	Lot 1, Platte Valley Industrial Park 3 rd Subdivision	40,367.34
Grand Island Area Economic Development Corp.	Lot 2, Platte Valley Industrial Park 3 rd Subdivision	22,707.71
Grand Island Area Economic Development Corp.	Lot 3, Platte Valley Industrial Park 3 rd Subdivision	21,349.19
Grand Island Area Economic Development Corp.	Lot 4, Platte Valley Industrial Park 3 rd Subdivision	28,952.90
Grand Island Area Economic Development Corp.	Lot 5, Platte Valley Industrial Park 3 rd Subdivision	29,300.39
Grand Island Area Economic Development Corp.	Lot 6, Platte Valley Industrial Park 3 rd Subdivision	29,444.84
Grand Island Area Economic Development Corp.	Lot 7, Platte Valley Industrial Park 3 rd Subdivision	29,063.57
City of Grand Island Utilities Dept.	Lot 8, Platte Valley Industrial Park 3 rd Subdivision	19,688.14
City of Grand Island Utilities Dept.	Lot 9, Platte Valley Industrial Park 3 rd Subdivision	19,561.70
City of Grand Island Utilities Dept.	Lot 10, Platte Valley Industrial Park 3 rd Subdivision	37,433.83
City of Grand Island Utilities Dept.	Lot 13, Platte Valley Industrial Park 3 rd Subdivision	37,612.05
Grand Island Area Economic Development Corp.	Lot 14, Platte Valley Industrial Park 3 rd Subdivision	31,149.55
Grand Island Area Economic Development Corp.	Lot 15, Platte Valley Industrial Park 3 rd Subdivision	31,439.99
Grand Island Area Economic Development Corp.	Lot 16, Platte Valley Industrial Park 3 rd Subdivision	33,996.87
Grand Island Area Economic Development Corp.	Lot 17, Platte Valley Industrial Park 3 rd Subdivision	20,892.85
Grand Island Area Economic Development Corp.	Lot 18, Platte Valley Industrial Park 3 rd Subdivision	22,007.31

RESOLUTION 2003-BE-3

Grand Island Area Economic Development Corp.	Lot 19, Platte Valley Industrial Park 3 rd Subdivision	84,437.32
Grand Island Area Economic Development Corp.	Lot 20, Platte Valley Industrial Park 3 rd Subdivision	21,221.83
City of Grand Island	Lot 22, Platte Valley Industrial Park 3 rd Subdivision	9,853.73
Virginia B. Prickett Graham	Part of the NW1/4, NW1/4 of Section 5-10-9, more particularly described as follows: Beginning at a point 11' west and 33' south of the NE corner of the NW1/4, NW1/4 of Section 5; thence west 33' south of and parallel to the north line of Section 5 to the east ROW line of Juergen Road; thence south 7'; thence southwest along the easterly ROW of Juergen Road a distance of 56.57'; thence south on the east ROW line of Juergen Road to a point of curvature; thence continuing southwesterly on a curve to the right, said line being the easterly ROW line of Juergen Road, to the north line of Lot 21 Platte Valley Industrial Park Third Subdivision; thence east on the northline of Lots 21 & 19 of Platte Valley Industrial Park Third Subdivision to a point 11' west of the east line of NW1/4, NW1/4 of Section 5, T10N-R9W; thence north on a line 11' west of & parallel to the east line of said NW1/4, NW1/4 of Section 5 to the point of beginning.	57,608.50
TOTAL		\$628,089.61

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Adopted by the City Council of the City of Grand Island, Nebraska, on March 4, 2003.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item E1

Public Hearing on Acquisition of Utility Easement Located at 410 Claude Road - Pitcher & Pitcher Properties

Acquisition of utility easement located at the northwest corner of 410 Claude Road, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to locate primary underground cable and a pad mounted transformer. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: Gary R. Mader



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item E2

Public Hearing on Acquisition of Utility Easement Located at 3242 West 2nd Street

Acquisition of utility easement located at 3242 West 2nd Street is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to locate underground cable and a pad mounted transformer. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: Gary R. Mader



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item E3

Public Hearing on Request of Hooker Brothers Sand & Gravel/Werner Construction, Inc. for an Amendment to the Time Frame of their Conditional Use Permit at 3860 South Locust Street

Richard Ray of Werner construction has submitted a request to modify the time frame allowed in the Conditional Use Permit granted at the February 18, 2003 City Council meeting. In reviewing their proposed work schedule for the coming year, Mr. Ray has requested the time frame be modified to allow the six month period beginning June 1, 2003 and ending November 30, 2003. This would allow for the operation of the asphalt plant and construction of the Locust Street project in October of 2003. This request has been reviewed by the Building, Legal, Utilities, Regional Planning, and Public Works Departments. It is appropriate at this time to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: Craig Lewis

**WERNER CONSTRUCTION, INC.**

129 East 2nd Street • P. O. Box 1087 • Hastings, Nebraska 68902-1087

Telephone: (402) 463-4545

Fax: (402) 463-4444



February 19, 2003

Mr. Craig Lewis
Grand Island Building Department
P.O. Box 1969
Grand Island, NE 68802-1968

Dear Craig:

Our schedule has changed since the meeting of 2/18/03. Werner Construction will not begin the asphalt paving portion of the South Locust project until the autumn of 2003. We anticipate moving the asphalt plant from its current location during March and April 2003. We would not operate the plant prior to moving it. Ideally, we would return the plant to 3860 S. Locust during October to complete the project.

The conditional use permit issued by the Grand Island City Council does not allow us to perform this activity; since it would expire on 8/27/03. I respectfully permit an amendment to the Conditional Use Permit to begin the six-month permit duration on 6/1/03. This would allow construction of the South Locust project in the autumn. The actual operating hours of the plant to build this road would be unaffected by this change.

Thank you for your assistance.

A handwritten signature in cursive script that reads 'Richard R. Ray'.
Richard R. Ray
Safety Director



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item F1

#8795 - Consideration of Assessments for Sanitary Sewer District 499, Platte Valley Industrial Park

This item relates to the action taken earlier whereby the Council, acting as the Board of Equalization, determined benefits associated with Sanitary Sewer District 499, Platte Valley Industrial Park. Construction of the District was completed in 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. 8795

An ordinance assessing and levying a special tax to pay the cost of construction of Sanitary Sewer District No. 499 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. 499, 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:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Judith K. Poland	Lot 1, Platte Valley Industrial Park 3 rd Subdivision	40,367.34

Approved as to Form ☐ _____
February 27, 2003 ☐ City Attorney

ORDINANCE NO. 8795 (Cont.)

Grand Island Area Economic Development Corp.	Lot 2, Platte Valley Industrial Park 3 rd Subdivision	22,707.71
Grand Island Area Economic Development Corp.	Lot 3, Platte Valley Industrial Park 3 rd Subdivision	21,349.19
Grand Island Area Economic Development Corp.	Lot 4, Platte Valley Industrial Park 3 rd Subdivision	28,952.90
Grand Island Area Economic Development Corp.	Lot 5, Platte Valley Industrial Park 3 rd Subdivision	29,300.39
Grand Island Area Economic Development Corp.	Lot 6, Platte Valley Industrial Park 3 rd Subdivision	29,444.84
Grand Island Area Economic Development Corp.	Lot 7, Platte Valley Industrial Park 3 rd Subdivision	29,063.57
City of Grand Island Utilities Dept.	Lot 8, Platte Valley Industrial Park 3 rd Subdivision	19,688.14
City of Grand Island Utilities Dept.	Lot 9, Platte Valley Industrial Park 3 rd Subdivision	19,561.70
City of Grand Island Utilities Dept.	Lot 10, Platte Valley Industrial Park 3 rd Subdivision	37,433.83
City of Grand Island Utilities Dept.	Lot 13, Platte Valley Industrial Park 3 rd Subdivision	37,612.05
Grand Island Area Economic Development Corp.	Lot 14, Platte Valley Industrial Park 3 rd Subdivision	31,149.55
Grand Island Area Economic Development Corp.	Lot 15, Platte Valley Industrial Park 3 rd Subdivision	31,439.99
Grand Island Area Economic Development Corp.	Lot 16, Platte Valley Industrial Park 3 rd Subdivision	33,996.87
Grand Island Area Economic Development Corp.	Lot 17, Platte Valley Industrial Park 3 rd Subdivision	20,892.85
Grand Island Area Economic Development Corp.	Lot 18, Platte Valley Industrial Park 3 rd Subdivision	22,007.31
Grand Island Area Economic Development Corp.	Lot 19, Platte Valley Industrial Park 3 rd Subdivision	84,437.32
Grand Island Area Economic Development Corp.	Lot 20, Platte Valley Industrial Park 3 rd Subdivision	21,221.83
City of Grand Island	Lot 22, Platte Valley Industrial Park 3 rd Subdivision	9,853.73
Virginia B. Prickett Graham	Part of the NW1/4, NW1/4 of Section 5-10-9, more particularly described as follows: Beginning at a point 11' west and 33' south of the NE corner of the NW1/4, NW1/4 of Section 5; thence west 33' south of and parallel to the north line of Section 5 to the east ROW line of Juergen Road; thence south 7'; thence southwest along the easterly ROW of Juergen Road a distance of 56.57'; thence south on the east ROW line of Juergen Road to a point of curvature; thence continuing southwesterly on a curve to the right, said line being the easterly ROW line of Juergen Road, to the north line of Lot 21 Platte Valley Industrial Park Third	57,608.50

ORDINANCE NO. 8795 (Cont.)

Subdivision; thence east on the northline of Lots 21 & 19 of Platte Valley Industrial Park Third Subdivision to a point 11' west of the east line of NW1/4, NW1/4 of Section 5, T10N-R9W; thence north on a line 11' west of & parallel to the east line of said NW1/4, NW1/4 of Section 5 to the point of beginning.

TOTAL

\$628,089.61

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 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. 499.

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.

ORDINANCE NO. 8795 (Cont.)

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

Enacted: March 4, 2003.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item G1

Receipt of Official Document - Civil Service Minutes of February 11, 2003

Receipt of Official Documents - Civil Service Minutes of February 11, 2003. See attached MINUTES.

Staff Contact: RaNae Edwards



MINUTES
CIVIL SERVICE COMMISSION
February 11, 2003

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

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

Notice of the meeting was published in the February 10, 2003, edition of the Grand Island Independent.

Hilligas moved to approve the minutes of the January 29, 2003, meeting. Leeper seconded the motion, which carried unanimously upon roll call vote.

The Commission received a request from the Fire Department to certify candidates to fill one Fire Captain position. Hilligas moved to certify the top three candidates, namely, Carlin, Miller and Blackburn. Burns seconded the motion, which passed unanimously upon roll call vote.

There being no further business, Hilligas moved to adjourn the meeting at 8:50 a.m. Burns seconded the motion, which carried unanimously upon roll call vote.

Respectfully submitted,

Al Satterly, Secretary Designee
Civil Service Commission

Approved by Civil Service Commission: 2/21/03
Copies of approved Minutes to: City Clerk



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item G2

Receipt of Official Document - Tort Claimed Submitted by Rhonda Hawthorne

The City of Grand Island has received a Tort Claim from Rhonda Hawthorne alleging certain claims in connection with a February 22, 2002 incident with the Grand Island Police Department. A copy of this claim is attached to comply with the Nebraska Political Subdivision Tort Claims Act. This is not an item for council action other than to simply acknowledge that the claim has been received. It is recommended that Council take no action other than acknowledging receipt of the claim.

Staff Contact: RaNae Edwards

CLAIM

John B. McDermott, as attorney for Rhonda Hawthorne, individually, and in her representative capacity as natural guardian and next of kin of her daughters, Megan Jean Hawthorne and Amanda Jacqueline Hawthorne, pursuant to the Nebraska Political Subdivision Tort Claims Act, does hereby make claim with the City of Grand Island for physical and personal damages as well as mental pain and suffering sustained and suffered by Rhonda Hawthorne and her children, Megan Jean Hawthorne and Amanda Jacqueline Hawthorne, as a result of actions by City of Grand Island, officers, agents and employees.

The facts giving rise to this claim are that on or about Friday, February 22, 2002, at approximately 12:30 a.m., agents, officers and employees of the Grand Island Police Department entered claimant's residence at 1728 St. Paul Road, Grand Island, Hall County, Nebraska, by forcibly opening four doors thereto and by intentionally shooting devices known as flash bangs into claimant's residence with the specific intent of frightening and terrorizing claimant and her minor children. At no time prior to the forced entry of claimants home did the agents, officers and employees of the City of Grand Island ever ask claimant to open the door to the residence. At all times herein the police officers of the City of Grand Island were acting in the course and scope of their employment with the City of Grand Island, Hall County, Nebraska. Apparently the officers of the City of Grand Island had staked out the house for several hours prior to their forced entry and were looking for claimant's husband, one Charles Hawthorne. From the observations of their stake out, the officers knew or should have known that Charles Hawthorne was not at the home. Upon their entry into the home, the police officers of the City of Grand Island detained the claimant, Rhonda Hawthorne, and hand cuffed her and placed her on the floor in the kitchen. She advised them at that time that her children were also in the home and the police officers of the City of Grand Island proceeded to gather the children into the kitchen where they were hand cuffed and made to lay on the kitchen floor while the police continued their search of the home. Claimant and her children are law bidding citizens, had violated no laws, and were terrorized and extremely frightened by the actions of the City's agents, officers and employees.

As a result of the actions of the police officers who are agents, officers and employees of the City of Grand Island, the claimant and her minor children, also claimants' herein, suffered mental pain and anguish and have had to undergo counseling, which counseling is continuous and ongoing. The claimant alleges that the conduct and acts of the agents, officers and employees of the City of

Grand Island were outrageous and that they were done intentionally to create fear and apprehension and terror in claimant and her minor children when the police knew or should have known that the Defendant, Charles Hawthorne, was not in the home at the time.

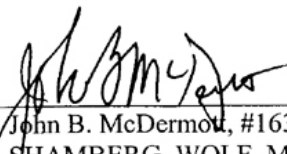
In addition to the intentional and outrageous conduct on the part of the officers, agents and employees of the City of Grand Island, the officers, agents and employees of the City of Grand Island were negligent in not taking lesser intrusive actions to determine whether Charles Hawthorne was even in the home before subjecting claimant and her minor children to the extremely frightening, terrifying and outrageous tactics of the Grand Island Police Department. Charles Hawthorne was not in the family home at the time of this outrageous intrusion upon the peace and quiet of claimant and her children. Additionally, claimant and her minor children were also falsely imprisoned by the agents, officers and employees of the City of Grand Island.

As a result of the actions of Defendant's officers, agents and employees, the claimant, for herself, and on behalf of her minor children, seeks compensatory damages for the damages done to the four doors of her home as well as for damages for the intentional infliction of emotional distress inflicted upon claimant and her minor children for the past, present and future mental pain and suffering in the sum of \$100,000.00. Claimant also seeks these damages based upon the negligence of the officers, agents and employees of the City of Grand Island in subjecting claimant and her children to the physical and mental pain and suffering inflicted upon them when the officers, agents and employees of the City of Grand Island knew or should have known that Charles Hawthorne was not in the home at the time of their entry and for the false imprisonment of claimant and her minor children.

DATED: February 19, 2003.

Respectfully submitted, Rhonda Hawthorne,
individually, and in her respective capacity as
Natural Guardian and Next of Kin of Megan
Jean Hawthorne and Amanda Jacqueline Hawthorne,
Claimants,

By



John B. McDermott, #16305
SHAMBERG, WOLF, McDERMOTT & DEPUE
202 West 3rd, Ste 201
PO Box 460
Grand Island, NE 68802
Telephone: (308) 384-1635
Their Attorneys



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item G3

Approving Minutes of February 18, 2003 City Council Regular Meeting

*The Minutes of February 18, 2003 City Council Regular Meeting are submitted for approval.
See attached MINUTES.*

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

February 18, 2003

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on February 18, 2003. Notice of the meeting was given in the Grand Island Independent on February 12, 2003.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Meyer, Whitesides, Pielstick, Larson, Nickerson, Seifert, Pauly, Hornady, Walker and Haase. The following City Officials were present: City Clerk RaNae Edwards, Public Works Director Steve Riehle, City Attorney Doug Walker and Finance Director David Springer.

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Elder Jerry Bady, Church of Christ, 2822 West Stolley Park Road.

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

PRESENTATIONS AND PROCLAMATIONS:

"It's About Kids!" Presentation by Paul Bennett. Youth Leadership Tomorrow, "It's About Kids!" asset was presented by Paul Bennett.

Presentation by McDermott & Miller, for FY 2002 City Single Audit and General Purpose Financial Statements. Mike Wassinger, representing McDermott & Miller presented the City Single Audit and General Purpose Financial Statements for FY 2002 2001 and stated that the City had received an unqualified opinion which was the best rating given. Mr. Wassinger thanked the staff for their cooperation.

PUBLIC HEARINGS:

Public Hearing on Changes to the Grand Island Zoning Map for Property Located at 4576 West US Highway 30. Chad Nabity, Regional Planning Director reported that Diane Means, owner, was requesting a change of zoning for property located at 4576 west US Highway 30. This application proposed to change the zoning from TA Transitional Agricultural to B2 General Business. This change was in conformance with the Grand Island Comprehensive Plan. The Regional Planning Commission at their regular meeting held February 5, 2003, voted to approve and recommended the Grand Island City Council approve this amendment to the Grand Island Zoning Map. Diane Means, 4576 West Highway 30 spoke in support. No further public testimony was heard.

Public Hearing on Request of Heartland Insurance Pool, Inc. for Conditional Use Permit Located at 1023 East Airport Road. Craig Lewis, Building Department Director reported that Mike Merrill of Heartland Insurance Pool, Inc., 1023 East Airport Road, had submitted an application with the City Clerk's Office for a Conditional Use Permit to allow for a salvage yard and insurance pool auction located at 1023 East Airport Road. The Grand Island city code amended by the City Council on September 10, 2002 required all salvage operations to acquire approval of the City Council in the form of an approved conditional use permit. No public testimony was heard.

Public Hearing on Request of Hooker Brother Sand & Gravel for a Conditional Use Permit Located at 3860 South Locust Street. Craig Lewis, Building Department Director reported that Hooker Brothers Sand & Gravel, 3860 South Locust Street, had submitted a request with the City Clerk's Office to renew their Conditional Use Permit to temporarily allow for a portable hot-mix asphalt plant, belonging to Werner Construction to be located at 3860 South Locust Street. On February 27, 2001, City Council approved this request for a two-year period of time. This property was zoned TA Transitional Agricultural and as such these types of uses were only allowed as temporary and must be approved by the City Council.

Robin Buettenback, 3742 South Locust, Ignacio Contreras, 3892 South Locust, and Otto Frauen, 394 J Road, Chapman spoke in opposition. Richard Ray representing Werner Construction spoke in support. No further public testimony was heard.

Public Hearing on Request of Manuel V. Garcia, dba Garcia's Mexican Restaurant, 610 West 2nd Street, for a Class "C" Liquor License. City Clerk, RaNae Edwards reported that Manuel V. Garcia, dba Garcia's Mexican Restaurant, 610 West 2nd Street had submitted an application with the City Clerk's Office for a Class "C" Liquor License which allows for the sale of alcoholic beverages on and off sale within the corporate limits of the City of Grand Island. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on January 22, 2003; notice to applicant of date, time and place of hearing mailed on January 29, 2003; notice to the general public of date, time and place of hearing published on February 8, 2003; Chapter 4 of the City Code. Manuel Garcia, owner of Garcia's Mexican Restaurant spoke in support. No further public testimony was heard.

Public Hearing on Request of Balz, Inc. dba Balz Sports Bar, 700 East Stolley Park Road, for Class "C" Liquor License. City Clerk, RaNae Edwards reported that Jeffrey S. Richardson, President, representing Balz Sports Bar, 700 East Stolley Park Road had submitted an application with the City Clerk's Office for a Class "C" Liquor License which allows for the sale of alcoholic beverages on and off sale within the corporate limits of the City of Grand Island. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on January 28, 2003; notice to applicant of date, time and place of hearing mailed on January 29, 2003; notice to the general public of date, time and place of hearing published on February 8, 2003; Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on One and Six Year Street Improvement Program. Steve Riehle, Public Works Director reported that adoption of a One and Six Year Street Improvement Program was required by State law as one of the requirements to receive approximately three million dollars of road funds each year. The Regional Planning Commission unanimously approved the One and Six Year Street Improvement Program at their meeting on Wednesday, February 5, 2003. The City Council reviewed the program at the Tuesday, February 11, 2003 Study Session. At that time, it was requested that the widening of Stolley Park Road west of US Highway 281 be moved from the 2005 construction season to the 2004 season. This change had been made.

Sam Huston, 2008 West Stolley Park Road spoke in opposition of the Stolley Park Road expansion. Valerie Palu, 4019 Kay Avenue spoke about problems at Kay Avenue and Macron Street. No further public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement in Lots 1 and 2, Lassonde Subdivision Located at 1027 Capital Avenue. (R & M Lassonde Family Trust) Steve Riehle, Public Works Director reported that Fred Hoppe would be developing the property directly south of the Lassonde Subdivision. The Public Utility Easement would provide access for the installation and maintenance of the public sewer mains to serve this area. Ray Lassonde, 2915 West Stolley Park Road spoke about concerns he had and money already spent. No further public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement in Lot 2, Pedcor Subdivision Located at 3330 Husker Highway. (Pedcor Investments) Steve Riehle, Public Works Director reported that it was necessary to acquire an easement for the installation and maintenance of public sewer mains. The sewer would serve businesses along Langenheder Street north and west of the intersection of US Highway 281 and Husker Highway. Acquisition of this easement would significantly reduce the cost of the sanitary sewer district and the assessments to the benefiting properties. The property owner had been contacted regarding the terms of this easement and it was now time for Council approval of the acquisition. The cost of the easement was a minimal fee. No public testimony was heard.

ORDINANCES:

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

#8794 – Consideration of Change of Land Use Designation for Property Located at 4576 West US Highway 30

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

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

City Clerk: Ordinance #8794 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 any. Motion adopted.

City Clerk: Ordinance #8794 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 #8794 is declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Councilmember Whitesides requested items G-5, G-6, and G-14 be removed from the Consent Agenda. Councilmember Walker had questions concerning items G-12 and G-19. Councilmember Pielstick had a question concerning item G-16. Councilmember Larson had questions concerning items G-23 and G-24. Councilmember Nickerson had a question on item G-17. Motion by Whitesides, second by Walker, carried unanimously to approve the Consent Agenda excluding items G-5, G-6, G-14, G-16 and G-24.

Receipt of Official Document – Civil Service Minutes of January 29, 2003.

Approving Minutes of February 4, 2003 City Council Regular Meeting.

Approving Minutes of February 11, 2003 City Council Study Session. Councilmember Hornady abstained.

Approving Request of Heartland Insurance Pool, Inc. for Conditional use Permit Located at 1023 East Airport Road.

Approving Request of Heartland Catering, Inc. dba Heartland Catering, 700 East Stolley Park Road, Liquor License “C-57251” for Deletion of Designated Areas. Councilmember Meyers abstained.

Approving Request of Balz, Inc. dba Balz Sports Bar, 700 East Stolley Park Road, for Class “C” Liquor License. Councilmember Meyer abstained.

Approving Request of Jeffery Richardson, #47 Kuester Lake for Liquor Manager Designation for Balz, Inc. dba Balz Sports Bar, 700 East Stolley Park Road. Councilmember Meyer abstained.

Approving Preliminary Plat for Timberline Subdivision.

#2003-44 – Approving Final Plat and Subdivision Agreement for Country Meadows Second Subdivision.

#2003-45 – Approving One and Six Year Street Improvement Program.

#2003-46 – Approving Renewal of Leases at Cornhusker Army Ammunition Plant with Dominion Construction Company and Jerry Harders.

#2003-48 – Approving Certificate of Final Completion for Installation of Greenhouse with Stuppy Greenhouse of North Kansas City, Missouri.

#2003-50 – Approving Acquisition of Public Utility Easement in Lot 1, Pedcor Subdivision Located at 3330 Husker Highway.

#2003-51 – Approving Authorization of R.J. Thomazin, dba Thomazin Company for U.S. Department of Agriculture Power of Attorney for the City of Grand Island.

#2003-52 – Approving Memorandum of Understanding Between Omaha Public Power District and Grand Island Utilities Department.

#2003-53 – Approving Agreement with Jacobson Helgoth Consultants, Inc. of Omaha, Nebraska for Value Engineering Consulting Services at the Wastewater Treatment Plant in an Amount of \$39,100.00.

#2003-54 – Approving Agreement with Midwest Laboratories, Inc. of Omaha, Nebraska for Environmental Monitoring Services at the Grand Island Regional Landfill.

#2003-55 – Approving Amendment to Agreement for Engineering Services with Olsson Associates of Grand Island, Nebraska to Perform Right of Way Appraisals on South Locust Street from Stolley Park Road to Fonner Park Road .

#2003-56 – Approving Contracts with General Collection, Inc. and Credit Management of Grand Island, Nebraska for the Collection of Delinquent Ambulance Billings.

#2003-58 – Approving Bid Award for Sucks Lake Improvement Project with General Excavating of Lincoln, Nebraska in an Amount of \$414,080.87.

#2003-49 – Approving Acquisition of Public Utility Easement in Lots 1 and 2, Lassonde Subdivision Located at 1027 Capital Avenue. Motion by Pielstick, second by Walker to table Resolution #2003-49 to give staff time to review this issue with Mr. Lassonde. Upon roll call vote, motion was approved unanimously.

#2003-57 – Approving Bid Award for Exercise Equipment for the Fire Department with the following Companies: Wayne's Cyclery of Grand Island, Nebraska for 4 Treadmills in an Amount of \$4,820 per unit and 8 Elliptical Trainers in an Amount of \$3,250 per unit; Nova Health Equipment of Omaha, Nebraska for 8 Power Block Pro Stands in an Amount of \$59.50 per unit; and Push-Pedal-Pull of Omaha, Nebraska for 8 Power Block Pro sets in an Amount of \$625.00 per unit and 4 Weight Benches in an Amount of \$5,900. Discussion was held concerning the amount for treadmills. Motion was made by Whitesides, second by Seifert to table Resolution #2003-57 for further review. Upon roll call vote, Councilmembers Meyer,

Whitesides, Pielstick, Larson, Seifert, Pauly, Hornady, Walker and Haase voted yes. Councilmember Nickerson voted no. Motion adopted.

Approving Request of Hooker Brother Sand & Gravel for Conditional Use Permit Located at 1023 East Airport Road. Motion was made by Larson, second by Seifert to approve the request of Hooker Brother Sand & Gravel for a Conditional Use Permit. A lengthy discussion was held concerning the time limit and NDEQ regulations. Councilmember Whitesides offered an amendment to limit the conditional use permit to 6 months and that NDEQ regulations would have to be followed. Second by Councilmember Pielstick. Upon roll call vote, all voted yes. Amendment adopted.

Upon roll call vote of the original motion including the amendment, Councilmembers Meyer, Whitesides, Pielstick, Larson, Seifert, Pauly, Hornady, Walker and Haase voted yes. Councilmember Nickerson voted no. Motion adopted.

Approving Request of Manuel V. Garcia, dba Garcia's Mexican Restaurant, 610 West 2nd Street, for Class "C" Liquor License. Motion by Whitesides, second by Walker to approve the request of Manuel Garcia for a Class "C" Liquor License for Garcia's Mexican Restaurant. Upon roll call vote, Councilmembers Meyer, Whitesides, Larson, Nickerson, Seifert, Pauly, Hornady, Walker and Haase voted yes. Councilmember Pielstick voted no. Motion adopted.

#2003-47 – Approving Bid Award for 25 Police Mobile Data Radio Units with Platte Valley Communications of Grand Island, Nebraska in an Amount of \$1,104.00 per unit. Discussion was held concerning the progress of the communications equipment at the Police Department. Motion was made by Whitesides, second by Larson to approve Resolution #2003-47. Unanimously approved.

PAYMENT OF CLAIMS:

Motion by Whitesides, second by Pauly, carried unanimously to approve the Claims for the period of February 5, 2003 through February 18, 2003, for a total amount of \$1,960,340.06.

ADJOURNMENT: The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item G4

Approving Minutes of February 22, 2003 City Council Special Study Session (Retreat)

The Minutes of February 22, 2003 City Council Special Study Session (Retreat) are submitted for approval. See attached MINUTES.

Staff Contact: R

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION (RETREAT)

February 22, 2002

Pursuant to due call and notice thereof, a Study Session (Retreat) of the City Council of the City of Grand Island, Nebraska was conducted at Camp Augustine, 6574 South Locust Street, on February 22, 2002. Notice of the meeting was given in the Grand Island Independent on February 17, 2002.

Mayor Jay Vavricek called the meeting to order at 8:00 p.m. The following members were present: Councilmembers Pielstick, Meyer, Seifert, Larson, Hornady, Whitesides, Haase, Pauly, Walker and Nickerson. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, Public Works Director Steve Riehle, City Attorney Doug Walker, Community Projects Director Cindy Johnson, Finance Director David Springer, Police Chief Kyle Hetrick and Utilities Director Gary Mader.

OPENING COMMENTS:

City Administrator Marlan Ferguson welcomed the council and directors. Each councilmember introduced themselves and told why they ran for office.

Mayor Vavricek emphasized the importance of communication, vision of the council and positive leadership. Priorities are: jobs, job incentives, public safety, strong code compliance, efficiency in budgeting, communication, and shared vision building. Mayor Vavricek spoke about the last 80 days in office with regards to communication, economic development and administration issues.

REVIEW OF GOALS AND ACCOMPLISHMENTS:

City Administrator Marlan Ferguson reviewed the 2001-2002 Council Goals:

1. Implement a half-cent city sales tax
2. Continue efforts to support fundraising for the Heartland Events Center
3. Solve Grand Island's odor issue
4. Enhance communication between City government, elected officials and the public
5. Establish long-term plans for community infrastructure, growth and development
6. Address the Health Department's building needs
7. Consider community-policing program
8. Set Zoo Reuse Plan in motion – beginning with a theme playground and train

Discussion was held concerning the accomplishments and ongoing work being done on those goals.

FINANCIAL REPORT:

Finance Director David Springer presented an overview of the City's financial condition and stated that the City of Grand Island was in excellent financial shape compared to other cities in the state of Nebraska, but now was the time to watch spending. Sales tax receipts were reviewed with a record high for February.

Revenues and expenditures were discussed. Mr. Springer stated there was no new debt last year and suggested that new items in the future be paid for in cash. Capital spending was mentioned as a concern for the Finance Department.

Line item committed projects for 2003 in the amount of \$3,867,500 and planned projects in the amount of \$1,580,000 were reviewed along with future year's expenses. Mr. Springer stated that if items were to be added, something needed to be taken out of the budget.

REVIEW OF ONGOING EFFORTS:

City Administrator Marlan Ferguson reviewed ongoing efforts with regards to sales tax, multicultural needs, business improvement districts, economic development, code compliance and annexation.

The sales tax issue was discussed with regards to the May 2004 election. Discussed was infrastructure, such as water, sewer and street improvement districts, sidewalks, public safety, etc.

POLICE DEPARTMENT REPORT:

Police Chief Kyle Hetrick presented a power point presentation with regards to ongoing programs within the Police Department. Reviewed were bicycle patrol, traffic enforcement unit, community service officers, school resource officers, honor guard, Special Weapons and Tactics (SWAT), canine unit (proposed), community policing, technology, and public safety center.

LUNCH WITH HALL COUNTY BOARD OF SUPERVISORS:

The following Hall County Board Supervisors were present for the Joint City/County Special Study Session: Robert Rye, Jim Eriksen, Pamela Lancaster, Bud Jeffries, Bob Humiston, Scott Arnold and Marla Connelly County Clerk.

HEARTLAND EVENTS CENTER UPDATE:

Hugh Miner presented an update on the Heartland Events Center. Money raised was currently at \$19.25 million. Costs included: building \$21.5 million, equipment \$2,637,500 and other fees \$862,500 for a total of \$25 million. Not included in this price was \$10 million in infrastructure which would be provided by Fonner Park.

HOMELAND SECURITY:

City Administrator Marlan Feguson and Police Chief Kyle Hetrick updated the City Council and County Board on Homeland Security with regards to smallpox and bio-terrorism.

PUBLIC SAFETY CENTER (JAIL)/JOINT PROJECTS:

County Board Chair Pam Lancaster updated both Boards on the public safety center (jail) issue. Bonding would more than likely have to take place. Construction of the facility would take approximately 5 to 7 years to complete. Avenues other than bonding were being looked at to cover the \$20 million project, such as a private/public jail with a lease purchase agreement. Location of the jail was discussed. Approximately 50 to 75 acres of land would be required. Several options were being looked at, but no decision had been made.

Cindy Johnson, Community Projects Director updated the Boards on GITV Channel 56. Discussion was had regarding the problems of the transmitter and the tower. An alternate site for the tower was recommended by the Emergency Management Director. Approximately \$40,000 was needed for a new transmitter. The City will keep the County informed on developments with the tower and transmitter.

Police Chief Kyle Hetrick reviewed the Spillman Mobile Data project. Discussed were the hold ups, grant money, and problems associated with this project. Mr. Hetrick reported that the Spillman software had been up and running since December 5, 2001.

William Bennett, representing Abacus Business System presented a power point presentation with regards to the Spillman software. Mentioned were grants available through Homeland Security. Discussion was had with regards to when this system would be up and running. It was hoped to have these units in all patrol cars by April 1, 2003.

MAJOR COUNTY PROJECTS:

Pam Lancaster, Chair of the Hall County Board of Supervisors reviewed the following Major County Projects: total county road plan, which included a master transportation plan; Assessor plan to work on Board of Equalization protests; information technology; and the Central District Health Department's new building.

UTILITIES UPDATE:

Utilities Director Gary Mader updated the Council on utility generation, economic impact and water conservation/Platte River issues. Baseload capacity was discussed with regards to OPPD, Hastings MNPP, and NPPD.

BUSINESS IMPROVEMENT DISTRICT UPDATE:

Cindy Johnson, Community Projects Director updated the Council on the Business Improvement Districts. Discussed were assessments, budgets, business recruitment and retention. Mentioned were BID #3 and #4 eventually merging to work on events and a possible new business district along 2nd Street. Ms. Johnson stated that the life of business improvement districts were generally 5 to 10 years. Updated were Community Redevelopment Authority activities.

CAPP EXTENSION OF SERVICE:

Public Works Director Steve Riehle updated the Council for the city services to CAAP Energy Park. Discussion was held with regards to sewer and water outside the city limits. It was mentioned that typically the City does not extend sewer and water beyond the city limits without annexing the area.

WRAP UP AND FURTHER DIRECTION OF COUNCIL:

Mayor Vavricek asked for suggestions. Councilmember Walker commented on the possibility of having other sessions like these that could be held throughout the year. Mayor Vavricek commented on having a mini-retreat down the road in May. Also mentioned were communications efforts such as the web-site.

Senior Councilmember Seifert discussed past retreats and projects as they relate to the progress of Grand Island and its reputation. Mr. Seifert suggested that we have no new priorities, but take care of the ones we have been working on. Mentioned was long-term planning such as: public safety, community growth and needs, and keeping an eye on the future while taking care of today.

Discussion was held on joint ventures and communication with the County.

ADJOURNMENT: The meeting was adjourned at 4:05 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item G5

Approving Appointment of K.C. Hehnke to Business Improvement District #2 Board

It is recommended that K.C. Hehnke be appointed to the Business Improvement District #2 Board to fill the unexpired term of Mark Myers who has resigned from the Board. Hehnke's term would begin immediately and expire with the conclusion of BID #2 or on December 31, 2003.

Staff Contact: Cindy Johnson



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item G6

Approving Request of Ronnie L. Smith, 3019 East Stolley Park Road, #109 for Liquor Manager Designation for Carlos O'Kelly's Mexican Cafe, 1810 Diers Avenue

Ronnie L. Smith, 3019 West Stolley Park Road, #109, has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "I-33178" Liquor License of Carlos O'Kelly's Mexican Cafe, 1810 Diers Avenue. 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, March 04, 2003

Council Session

Item G7

Approving Request of Hooker Brothers Sand & Gravel/Werner Construction, Inc. for an Amendment to the Time Frame of their Conditional Use Permit at 3860 South Locust Street

This item relates to the aforementioned Public Hearing. Richard Ray of Werner Construction has submitted a request to modify the Conditional Use Permit granted by the City Council on February 18, 2003. This request is to allow for the placement of the portable asphalt plant from June 1, 2003 to November 30, 2003, with the actual operation of the plant in the fall of 2003 to allow for the autumn construction of the Locust street project. This request has been reviewed by Building, Legal, Utilities, Regional Planning and Public Works Departments. Approval appears reasonable with the same restriction as placed on the prior permits.

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item G8

#2003-59 - Approving Acquisition of Utility Easement at 410 Claude Road - Pitcher & Pitcher Properties

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 Pitcher and Pitcher Properties, located in the northwest corner of 410 Claude Road, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

The business at this location is Dramco Tools. They are expanding the business requiring increased electrical capacity. This easement will be used to locate primary underground cable and a pad mounted transformer.

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: Gary R. Mader

RESOLUTION 2003-59

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

WHEREAS, a public hearing was held on March 4, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot One (1), Westgate Third Subdivision in the City of Grand Island, Hall County, Nebraska, the twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows:

The northerly Twenty (20.0) feet of westerly One Hundred Ten (110.0) feet of Lot One (1) Westgate Third Subdivision.

The above-described easement and right-of-way containing a total of 0.05 acres, more or less as shown on the plat dated February 6, 2003, 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 Pitcher and Pitcher Properties, on the above-described tract of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 4, 2003.

RaNae Edwards, City Clerk

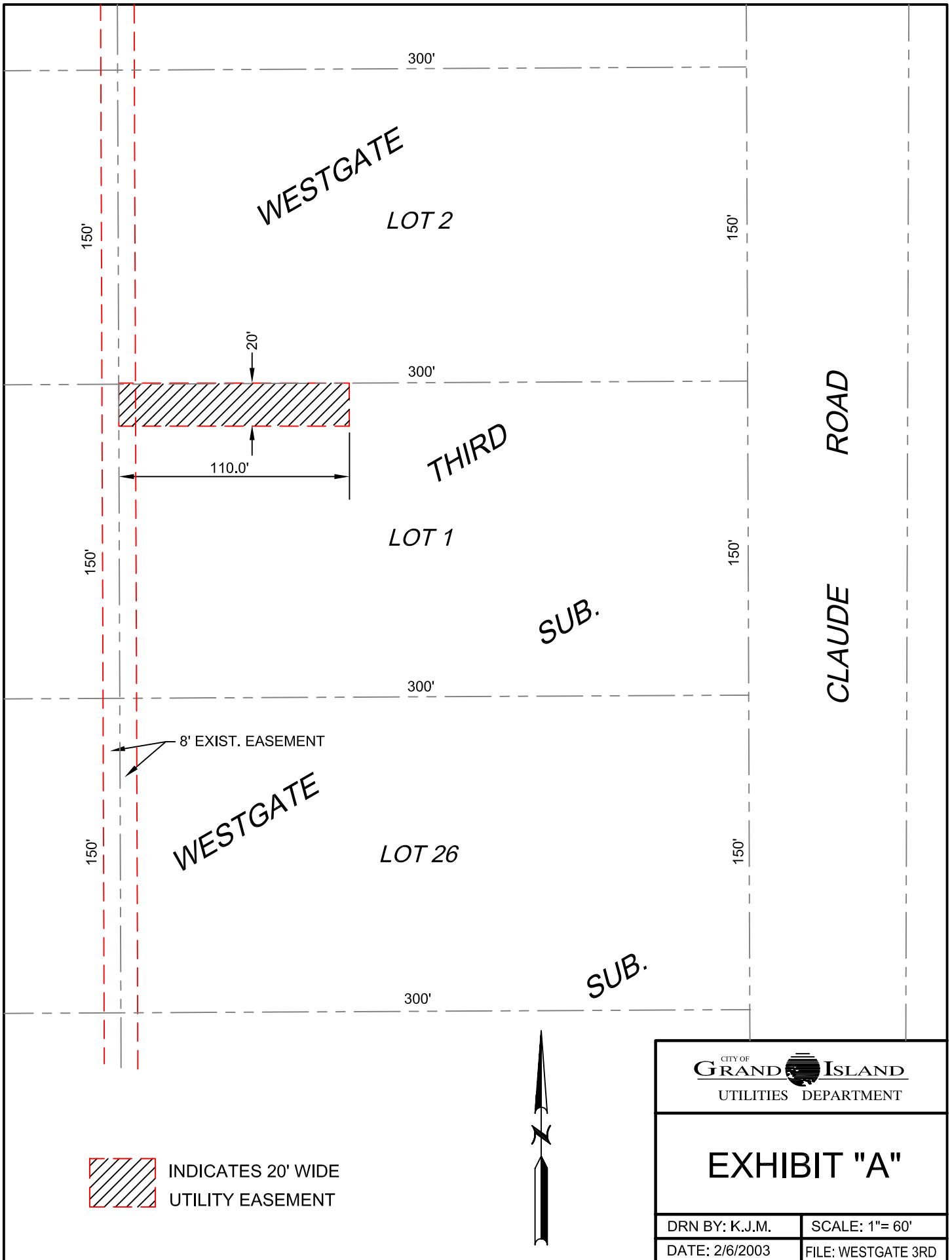


	
EXHIBIT "A"	
DRN BY: K.J.M.	SCALE: 1"= 60'
DATE: 2/6/2003	FILE: WESTGATE 3RD



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item G9

#2003-60 - Approving Acquisition of Utility Easement at 3242 West 2nd Street - Healthcare Support Service, LLC

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 Healthcare Support Service, LLC, located at 3242 West 2nd Street, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

This property was previously H & H Distributing. A new laundry facility will be located in the building requiring an upgrade of the electrical service. This easement will be used to locate underground cable and a pad mounted transformer for the new load.

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: Gary R. Mader

RESOLUTION 2003-60

WHEREAS, a public utility easement is required by the City of Grand Island from Healthcare Support Service, LLC, a Nebraska limited liability company, to install, upgrade, maintain, and repair power appurtenances, including lines and transformers; and

WHEREAS, a public hearing was held on March 4, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Two (2), Hoch Subdivision in the City of Grand Island, Hall County, Nebraska, the twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows:

Tract No. 1:

The westerly Twenty (20.0) feet of easterly Forty-One (41.0) feet of Lot Two (2) Hoch Subdivision.

Tract No. 2:

The centerline of a twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows:

Commencing at the southeast corner of Lot Two (2) Hoch Subdivision; thence southwesterly along the southerly line of said Hoch Subdivision, a distance of Forty-One (41.0) feet; thence northwesterly parallel with the easterly line of said Hoch Subdivision, a distance of Forty-Five (45.0) feet to the Actual Point of Beginning; thence southwesterly parallel with the southerly line of said Hoch Subdivision, a distance of Seventy Five and Five Tenths (75.5) feet; thence northwesterly parallel with the easterly line of said Hoch Subdivision, a distance of One Hundred Thirty (130.0) feet.

The above-described easements and rights-of-way containing a combined total of 0.205 acres, more or less as shown on the plat dated February 17, 2003, 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 Healthcare Support Service, LLC, a Nebraska limited liability company, on the above-described tracts of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 4, 2003.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 27, 2003	☐ City Attorney



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item G10

#2003-61 - Approving Terrorist Insurance for Utilities Operations

The city has been contacted by Factory Mutual Insurance regarding whether or not it wants to obtain terrorist insurance on the city's utility properties. The federal government has established a program in which it will insure 90% of the loss as a result of terrorist activities by foreign nationals and other such terrorist groups. To obtain any federal coverage however, the city needs to procure a terrorist insurance policy to protect the Utility Department assets. Staff is recommending that the city procure the terrorist policy based on the relatively small amount of the premium and the very large amount of damage that could potentially be done to the utility assets if terrorists attacked.

Staff Contact: Doug Walker

RESOLUTION 2003-61

WHEREAS, recent terrorist events have created exposure to municipal utility assets; and

WHEREAS, in response to the September 11, 2001 terrorist attacks, the federal government enacted the Terrorism Risk Insurance Act of 2002 which provides up to 90% coverage for damages caused by terrorist activities; and

WHEREAS, such federal coverage is conditioned on private terrorism insurance being in effect to cover losses arising out of acts of terrorism; and

WHEREAS, Factory Mutual Insurance Company, the insurance company that provides coverage for the City of Grand Island utility assets, has agreed to provide terrorism insurance coverage for the City's utility assets at a rate of \$15,835 per year; and

WHEREAS, it is recommended that such insurance coverage be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island is hereby authorized to obtain terrorism insurance coverage for the City's utility assets from Factory Mutual Insurance Company at the rate of \$15,835 per year.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 4, 2003.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item G11

#2003-62 - Approving Installation of Four Way Stop at the Intersection of Eddy Street and Koenig Street

Council action is required for the installation of stop signs. The traffic signal at the intersection of Koenig and Eddy Streets has been reviewed a number of times in the past 20 years. The intersection has not met the traffic warrants in some time, and many complaints are received from citizens who think the signal is unnecessary. The Public Works Department has considered removing the signal in the past, but left it in place for the children who walk to Wasmer Elementary School.

The traffic signal is malfunctioning and will be quite expensive to repair. The signal was upgraded in 1985 with federal funds, so the Public Works Department consulted the Nebraska Department of Roads and received their consent for the removal. A traffic engineering study showed that a four way stop is an appropriate safety measure for the intersection.

Contacts to the Public Works Department have suggested that we stop traffic on Koenig and allow traffic on Eddy to proceed through the intersection without stopping. Public Works, GIPD and the Principal at Wasmer Elementary School believe a four way stop will make it a safer intersection for children.

It is recommended that Council pass a Resolution to remove the traffic signal at the intersection of Koenig and Eddy Streets and install a four way stop. Street and Transportation Division employees will install a four way double bulb flashing light at the intersection similar to the one at the Eddy Street and Anna Street intersection. Costs, for the removal of the signals and installation of flashing signal heads and stop signs, are expected to be considerably less than the cost to repair the traffic signal.

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

RESOLUTION 2003-62

WHEREAS, the City Council, by authority of Section 22-27 of the Grand Island City Code, may by resolution regulate motor vehicle traffic upon the streets of the City of Grand Island; and

WHEREAS, the traffic signal at the intersection of Koenig and Eddy Streets is malfunctioning and will be expensive to repair; and

WHEREAS, the traffic flow of the intersection has been continually reviewed over the past 20 years, and engineering studies have indicated that a four-way stop is an appropriate safety measure for the intersection; and

WHEREAS, it is recommended that the current traffic signal at such intersection be replaced with stop signs requiring all traffic to stop before proceeding through the intersection; and

WHEREAS, it is in the city's best interests to effectuate such changes.

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

1. Stop signs be installed at the intersection of Koenig Street and Eddy Street, requiring all traffic to stop prior to entering such intersection.
2. The Street Department is hereby directed to install such signs to regulate traffic as outlined above.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 4, 2003.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item G12

#2003-63 - Approving Platte Valley State Bank & Trust Company to the Approved Financial Institutions List for Public Funds

State Statutes have required that the City Treasurer (Finance Director) deposit public funds in banks or capital stock financial institutions of approved and responsible standing as approved by the City Council. During the 2001 session of the Nebraska State Legislature, LB-362 was passed which allows mutually owned financial institutions to invest municipal monies. This Resolution provides for the authorization of Platte Valley State Bank & Trust Company to be added to our list of approved depositories of public funds. Approval is recommended.

Staff Contact: David Springer

RESOLUTION 2003-63

WHEREAS, Section 16-712, R.R.S. 1943, the city treasurer shall deposit, and at all times keep on deposit, for safekeeping, in banks or capital stock financial institutions of approved and responsible standing all money collected, received or held by him or her as city treasurer; and

WHEREAS, Section 16-713, R.R.S. 1943, the city treasurer may purchase certificates of deposit from and make time deposits in banks or capital stock financial institutions selected as depositories of city funds.

WHEREAS, Section 16-714, R.R.S. 1943, for the security of the fund so deposited, the city treasurer shall require each depository to give bond for the safekeeping and payment of such deposits and the accretions thereof, which bond shall run to the city and be approved by the mayor.

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

1. Wells Fargo; U. S. Bank; United Nebraska Bank; Union Bank and Trust Co.; Five Points Bank of Grand Island; Bank One Trust Co. N.A.; Cornerstone Bank; Bank of Doniphan; Heritage Bank; Nebraska Public Agency Investment Trust (NPAIT); The Principal Financial Group; KPM Investment Management, Inc.; Ameritas Life Insurance Corp.; ICMA Retirement Corp.; A.G. Edwards & Sons, Inc.; Ameritas Investment Corp.; Home Federal/Grand Island; the Equitable Building and Loan Association; and Platte Valley State Bank & Trust Company be and hereby are, designated and approved as depositories for all money collected, received, or held by the City of Grand Island, Nebraska.
2. The Finance Director or his/her designee, in his official capacity of the office, is directed and authorized to deposit such funds in said banks and capital stock financial institutions.
3. This authorization shall include the deposits of public funds in the hands of the Finance Director or his/her designee belonging to the City of Grand Island, Nebraska; the Compact for the Apprehension of Narcotics and Drug Offenders (CANDO); the High Intensity Drug Trafficking Area (HIDTA), the Tri-City Task Force, the Grand Island Community Redevelopment Authority (CRA); and the Grand Island/Hall County Health Department.
4. The Finance Director or his/her designee is hereby authorized to purchase certificates of deposit, treasury notes, treasury bills, treasury bonds, and or strips from the above named banks and capital stock financial institutions selected as depositories.

5. The Finance Director or his/her designee is hereby authorized by the mayor to require the depositories designated by this resolution to give security for the safekeeping and payment of City deposits and the accretion thereof, such security to be in the form and amounts as required by Nebraska statute and the Public Funds Deposit Security Act.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 4, 2003.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item I1

#2003-57 - Approving Agreement for Grant Funding for Exercise Equipment - Fire Department

The United states Congress established what is commonly called the Fire Act to help fire department across the country to be better prepared to meet the needs of the duties they perform. Those needs were put into five categories and any fire department can apply for grant funding in any category but only one category in any year. In the first year we applied for funds for physical fitness but we were not successful. In the second year we learned from our first effort and submitted an improved grant application. We were successful this time and council approved the acceptance of the grant in January this year. We then began the process of requesting bids on the equipment specified in the application.

The equipment is heavy duty commercial grade equipment that has the durability to withstand the daily use by several members of the department. The heavy duty construction and 6 horse power motor should hold up well. We did however include an extended warranty adding a year to the manufactures year warranty. The recommended low bid for the treadmill is a local business and service and maintenance should be readily available.

The details of the bids on the treadmills and the other equipment are as follows. On February 6, 2003, six bids were opened for the purpose of purchasing fitness equipment including treadmills, weights and elliptical machines for the fire department. Funds were made available through the Fire Act Grant which will provide funding for 90% or \$46,850.40 leaving the 10% city match of \$5,205.60.

There were six bids received for the treadmills ranging from \$4,820 to \$5,999 each. Wayne's Cyclery of Grand Island was the lowest responsive bid and are requesting approval to purchase four treadmills at \$4,820 each. There were six bids received for the elliptical trainers ranging from \$3,250 to \$4,395 each. Wayne's Cyclery of Grand Island was again the lowest responsive bid and are requesting approval to purchase eight trainers at \$3,250 each. Also included in Wayne's Cyclery bid is a one year extended quarterly service charge of \$400 for a total bid of \$45,680.

There were four bids received for the Power Block Pro sets ranging from \$625 to \$925 each. Push-Pedal-Pull of Omaha, NE was the lowest responsive bid and we are requesting approval to purchase eight of these at \$625 each. There were five bids received for weight benches ranging from \$225 to \$499 each. Push-Pedal-Pull of Omaha was again the lowest bid at \$225 each and are requesting approval to purchase four benches. Their total bid will be \$5,900.

We also received four bids for Power Block Pro Stands ranging from \$59.50 to \$119 each. Nova Health Equipment of Omaha, NE was the lowest bid and are requesting approval to purchase eight stands for a total bid of \$476.

Staff Contact: Jim Rowell

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: February 6, 2003

FOR: Exercise Equipment

DEPARTMENT: Fire Department

ENGINEER'S ESTIMATE: \$52,180.00

FUND/ACCOUNT: 10022101-85615
10022101-85540

PUBLICATION DATE: January 25, 2003

NO. POTENTIAL BIDDERS:

SUMMARY

Bidder:	<u>Wayne's Cyclery</u>	<u>Priority One Fitness</u>
	Grand Island, NE	Omaha, NE
Exceptions:	NONE	NOTED
Bid Price:	(1) \$19,280.00 (4) No Bid	(1) \$22,400.00 (4) \$ 952.00
	(2) \$13,000.00 (5) No Bid	(2) \$15,400.00 (5) \$1,116.00
	(3) No Bid	(3) \$ 6,992.00
Bidder:	<u>NOVA Health Equipment</u>	<u>Central States Fitness Systems</u>
	Omaha, NE	Greenwood, MO
Exceptions:	NOTED	NOTED
Bid Price:	(1) \$23,400.00 (4) \$ 476.00	(1) \$23,996.00 (4) No Bid
	(2) \$17,580.00 (5) \$ 3,160.00	(2) \$13,996.00 (5) \$1,996.00
	(3) \$ 7,400.00	(3) No Bid
Bidder:	<u>Body Basics</u>	<u>Push-Pedal-Pull</u>
	Lincoln, NE	Omaha, NE
Exceptions:	NONE	NOTED
Bid Price:	(1) \$19,280.00 (4) \$ 760.00	(1) \$19,900.00 (4) \$720.00
	(2) \$13,280.00 (5) \$ 1,080.00	(2) \$15,400.00 (5) \$900.00
	(3) \$ 5,760.00	(3) \$ 5,000.00

cc: Jim Rowell, Fire Chief
RaNae Edwards, City Clerk

Dale Shotkoski, Purchasing Agent
Laura Berthelsen, Legal Assistant

P802

R E S O L U T I O N 2003-57

WHEREAS, the City of Grand Island invited sealed bids for Exercise Equipment for the Fire Department, according to plans and specifications on file with the Purchasing Division of the Legal Department; and

WHEREAS, on February 6, 2003, bids were received, opened and reviewed; and

WHEREAS, Wayne's Cyclery 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 \$4,820 per unit for 4 treadmills and \$3,250 per unit for 8 elliptical trainers with a one year extended quarterly service charge of \$400 for a total bid of \$45,680 for those items; and

WHEREAS, Nova Health Equipment of Omaha, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$59.50 per unit for 8 Power Block Pro stands for a total amount of \$476.00 for those items; and

WHEREAS, Push-Pedal-Pull of Omaha, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$625.00 per unit for 8 Power Block Pro sets and \$225.00 per unit for 4 weight benches for a total bid of \$5,900 for those items; and

WHEREAS, the equipment is being purchased through a Federal Emergency Management Agency grant, with the City's portion of such funding to be 10% of the total costs or approximately \$5,205.60.

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

1. The bid of Wayne's Cyclery of Grand Island, Nebraska, in the amount of \$4,820 per unit for 4 treadmills and \$3,250 per unit for 8 elliptical trainers with a one year extended quarterly service charge of \$400 for a total bid of \$45,680 is hereby approved as the lowest responsible bid for those items.

2. The bid of Nova Health Equipment of Omaha, Nebraska, in the amount of \$59.50 per unit for 8 Power Block Pro stands is hereby approved as the lowest responsible bid for that item.

3. The bid of Push-Pedal-Pull of Omaha, Nebraska, in the amount of \$625.00 per unit for 8 Power Block Pro sets and \$225.00 per unit for 4 weight benches for a total bid of \$5,900 is hereby approved as the lowest responsible bid for those items.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 4, 2003.

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____
February 27, 2003 <input type="checkbox"/> City Attorney



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item I2

#2003-64 - Approving General Work Change Order #4 - Final - Burdick Station GT-2 and GT-3 - Combustion Turbine Project - Utilities Department

Background:

The Industrial Company (TIC) from Steamboat Springs, Colorado was awarded the General Construction Contract for the installation of utility combustion turbine generators on December 4, 2001. The contract includes the erection of the combustion turbines, foundations, piping systems, electrical duct banks, area drainage, transformers, circuit breakers, substation modifications, fire protection, fuel oil and natural gas systems, controls systems, pollution control systems, roads and buildings; essentially the entire project.

Discussion:

Since construction began there have been numerous additions and changes as the system and subsystem specific information has become available and engineering design finalized.

Proposed Final Change Order No. 4 to the General Construction Contract covers the below listed additions and changes. Our engineering consultants, Sargent and Lundy, and the Utilities Department staff have reviewed each change. In this Change Order, an amount of \$1,236,419.00 is associated with the costs incurred as a result of delivery and schedule problems by the turbine supplier, General Electric.

Summary of Change Order No. 4:

Revised cable tabulation for additional substation control and relaying circuits, as vendor and City information was received for final design. \$60,178.00

Revised switchyard drawings - added 4,000 feet of cable for grounding, increased size from 250 to 500 kcmil. \$54,860.00

Revised electrical drawings and schematics for balance of Plant relays, metering, and lockout relays. \$76,187.00

Revised cable tabulation - relocated Distributed Control System cabinet from turbine floor to Electrical Equipment Building. \$66,877.00

Heat trace due to drawing revisions - from adding fuel oil piping to GT-1 to eliminate 35 year old piping on GT-1 and add it to the new system. \$10,302.00

Premium time to improve schedule delay. \$135,743.00

Productivity loss impact due to GE material delivery. \$1,096,911.00

PCC relay panels - additional breaker failure relays, verification of existing circuits, and additional electrical testing were required to complete full integration to the existing Grand Island systems. \$121,569.00

Burdick control room panel - finalized protective relaying, additional electrical \$ 16,203.00 testing for full systems integration. \$16,203.00

Fuel pump control panel added relaying for dual pump sequencing. Original GE design had two, dual pump skids. Pump design was revised to a single dual pump skid. \$8,177.00

GEEPE fuel oil tubing rework. \$3,765.00

TOTAL \$1,650,772.00

Recommendation:

The Utilities Department recommends authorizing this Change Order #4 to the General Contract Work Contract at the Burdick Generating Station for an addition to the contract price of \$1,650,772.00. This results in a final contract price of \$13,962,822.42.

Fiscal Effects:

Bonded project. Pursuit of the Liquidated Damage provisions of the Turbine Generator Contract with General Electric Company is underway for these costs attributable to GE.

Alternatives:

None recommended. See attached RESOLUTION.

Staff Contact: Gary Mader; Dale Shotkoski



*Working Together for a
Better Tomorrow. Today.*

CHANGE ORDER # 4

TO: TIC, The Industrial Company
2211 Elk River Road
P.O. Box 774848
Steamboat Springs, CO 80477

Project: GENERAL CONTRACT WORK – CT ADDITION BURDICK GENERATING STATION

You are hereby directed to make the following change in your contract:

1. Additional payment of the items listed on the attached spreadsheet.

ADD: \$ 1,650,772.00 and/or DELETE: \$ _____

The original Contract Sum	\$ <u>10,997,615.00</u>
Previous Change Order Amounts	\$ <u>1,314,435.42</u>
The contract Sum is increased by this Change Order	\$ <u>1,650,772.00</u>
The total modified Contract Sum to date	\$ <u>13,962,822.42</u>

Approval and acceptance of this Change Order acknowledges understanding and agreement that the cost and time adjustments included represent the complete values arising out of and/or incidental to the Work described therein.

APPROVED: **CITY OF GRAND ISLAND**

By: _____

Date _____

Attest: _____

Approved as to Form, City Attorney

ACCEPTED: **TIC, THE INDUSTRIAL COMPANY**

By: _____

Date _____

RESOLUTION 2003-64

WHEREAS, on December 4, 2001, by Resolution 2001-328, the City Council for the City of Grand Island awarded the bid for general contract work on combustion turbines at Burdick Station to The Industrial Company of Steamboat Springs, Colorado; and

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

WHEREAS, such modifications have been incorporated into Change Order No. 4; and

WHEREAS, the result of such modifications will increase the contract amount by \$1,650,772.00 for a total contract price of \$13,962,822.42.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to execute Change Order No. 4, between the City of Grand Island and The Industrial Company of Steamboat Springs, Colorado to allow the modifications set out in Exhibit "A" attached hereto.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 4, 2003.

RaNae Edwards, City Clerk

Summary of Change Order No. 4:

Revised cable tabulation for additional substation control and relaying circuits, as vendor and City information was received for final design.	\$ 60,178.00
Revised switchyard drawings - added 4,000 feet of cable for grounding, increased size from 250 to 500 kcmil.	\$ 54,860.00
Revised electrical drawings and schematics for balance of Plant relays, metering, and lockout relays.	\$ 76,187.00
Revised cable tabulation - relocated Distributed Control System cabinet from turbine floor to Electrical Equipment Building.	\$ 66,877.00
Heat trace due to drawing revisions - from adding fuel oil piping to GT-1 to eliminate 35 year old piping on GT-1 and add it to the new system.	\$ 10,302.00
Premium time to improve schedule delay.	\$ 135,743.00
Productivity loss impact due to GE material delivery.	\$1,096,911.00
PCC relay panels - additional breaker failure relays, verification of existing circuits, and additional electrical testing were required to complete full integration to the existing Grand Island systems.	\$ 121,569.00
Burdick control room panel - finalized protective relaying, additional electrical testing for full systems integration.	\$ 16,203.00
Fuel pump control panel added relaying for dual pump sequencing. Original GE design had two, dual pump skids. Pump design was revised to a single dual pump skid.	\$ 8,177.00
GEEPE fuel oil tubing rework.	\$ 3,765.00
TOTAL	\$1,650,772.00



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item I3

#2003-65 - Approving Boundaries for Creation of Business Improvement District #5 and Establishing Initial Appointments to Board

The Business Improvement District for the downtown (BID #2) is in its last year of a five year life. BID #2 expires on September 30, 2003. Annual assessments are paid by property owners in the district and area based on valuation (a % of total valuation of all property in the district). Efforts have begun to create/form a new BID for the downtown. BID #5 would be effective October 1, 2003 and would have a life of five-years.

State statutes allow for the creation of business improvement districts and the expenditure of funds for improvement of public places or facilities within the district, including the acquisition, construction, maintenance, and operation of such improvements, creation and implementation of a plan for improving the general architectural design of public areas within the district, the development of any public activities and promotion of public events, including the management and promotion and advocacy of retail trade activities or other promotional activities, and employing or contracting for personnel for any improvement program under the act.

The first step in the creation process for the new downtown BID is to establish the boundaries for the district and designate a board to develop the goals, objectives and budget for the new district. Individuals who are willing to serve in this capacity are: Victor Aufdemberge, George Bartenbach, Jim Berglund, Cindy Duff, Tom Emerton, K.C. Hehnke, Helen Pohls, Steve Poppe, Steve Rasmussen, Sharon Walsh and Tom Ziller. Following the determination of district boundaries and board, the BID will return to the City Council with a recommendation relative to funding for the activities to be undertaken by the district. Approval is recommended.

Staff Contact: Cindy Johnson

RESOLUTION 2003-65

WHEREAS, Business Improvement District No. 2 was created pursuant to Ordinance No. 8402 on January 25, 1999; and

WHEREAS, funding for improvement projects for Business Improvement District No. 2 will expire on September 30, 2003; and

WHEREAS, the business owners within Business Improvement District No. 2 are interested in re-creating such district with boundaries set out below; and

WHEREAS, Section 19-4021, R.R.S. 1943, indicates that the boundaries of a business area for a potential business improvement district shall be declared by the city council prior to or at the same time as the appointment of the business improvement board; and

WHEREAS, the outer boundaries of the potential Business Improvement District No. 5 are described as follows:

Commencing at the Northeast corner of Lot 1, Block 54, Original Town of Grand Island, Hall County, Nebraska; thence southerly to the Northeast corner of Lot 1, Block 67, Original Town; thence easterly to the Northeast corner of Lot 1, Block 68, Original Town; thence southerly to the Southeast corner of said Lot 1, Block 68; thence westerly to a point on the southern boundary of Lot 3, Block 68, Original Town, which is 22 feet East of the Southwest corner of said Lot 3, Block 68; thence southerly to a point on Lot 6, Block 68, which is 22 feet East of the Southwest corner of said Lot 6, Block 68, Original Town; thence westerly to the Southeast corner of Lot 8, Block 67, Original Town; thence southerly to the Southeast corner of Lot 8, Block 78, Original Town; thence westerly to the Southwest corner of Lot 5, Block 79, Original Town; thence southerly to the Northwest corner of Block 9, County Subdivision to the City of Grand Island; thence easterly to the Northeast corner of said Block 9; thence southerly to the Southeast corner of said Block 9; thence westerly along the southern line of said Block 9 to the Northeast corner of Lot 1, Block 1, Hann's Addition; thence southerly along the eastern line of said Lot 1 a distance of 43.25 feet; thence westerly along a line 43.25 feet South of and parallel to the northern line of said Lot 1 to the point of intersection for said line and the western line of said Lot 1; thence southerly along the western line of Block 1, Hann's Addition, to a point on said line 50 feet North of the Southwest corner of Lot 4, Block 1, in said addition; thence easterly along a line 50 feet North of and parallel to the southern line of said Lot 4 for a distance of 67 feet; thence southerly a distance of 50 feet to the southern line of said Lot 4; thence westerly a distance of 67 feet to the Southwest corner of said Lot 4; thence northwesterly to the Southeast corner of Lot 8, Block 98, Railroad Addition to the City of Grand Island; thence westerly to the Southwest corner of Lot 7, Block 98, Railroad Addition; thence northerly to the Northwest corner of Lot 7, Block 98, Railroad Addition; thence easterly to the Northeast corner of Lot 8, Block 98, Railroad Addition; thence northerly on the eastern lot line of Lot 1, Block 98, to a point 66 feet South of the Northeast corner of Lot 1, Block

98, Railroad Addition; thence westerly to a point on the western lot line of said Lot 1, Block 98, located a distance of 66 feet South of the Northwest corner of said Lot 1, Block 98; thence southerly to the Southwest corner of said Lot 1, Block 98; thence westerly to the Southwest corner of Lot 2, Block 98, Railroad Addition; thence northerly to the Northwest corner of said Lot 2, Block 98; thence westerly to the Northwest corner of Lot 4, Block 98, Railroad Addition; thence northerly to the Southwest corner of Lot 4, Block 88, Original Town, thence westerly to the Southeast corner of Lot 1, Block 87, Original Town; thence westerly to the Southwest corner of Lot 4, Block 87, Original Town; thence northerly to the Southwest corner of Lot 5, Block 82, Original Town; thence westerly to the Southwest corner of Lot 8, Block 83, Original Town; thence northerly to the Southwest corner of Lot 1, Block 83, Original Town; thence westerly to the Southwest corner of Lot 4, Block 83, Original Town; thence northerly to the Northwest corner of said Lot 4, Block 83; thence easterly on the North line of said Lot 4 to a point 16 feet westerly of the Northeast corner of said Lot 4, Block 83; thence northerly to a point on the North lot line of Lot 5, Block 62, Original Town, 16 feet westerly of the Northeast corner of said Lot 5, Block 62; thence westerly to the Northeast corner of Lot 8, Block 61, Original Town; thence southerly to the Southeast corner of said Lot 8, Block 61; thence westerly to the Southwest corner of Lot 5, Block 61, Original Town; thence southerly to the Northwest corner of Lot 4, Block 85, Original Town; thence easterly to the Northeast corner of Lot 3, Block 85, Original Town; thence southerly to the Southeast corner of said Lot 3, Block 85; thence westerly to the Southwest corner of Lot 2, Block 106, Railroad Addition to the City of Grand Island; thence northerly to the Northwest corner of said Lot 2, Block 106; thence northwesterly to the Southwest corner of Lot 5, Block 107, Railroad Addition; thence northerly on the West line of said Lot 5, Block 107, a distance of 88 feet; thence easterly in a line parallel with the South line of said Lot 5 a distance of 66 feet to a point in the East line of said Lot 5; thence southerly to the Southeast corner of said Lot 5, Block 107; thence easterly along the South line of said Block 107 to a point 29.54 feet westerly of the Southeast corner of Lot 7, Block 107, Railroad Addition; thence northerly parallel to the East line of said Lot 7 a distance of 71.5 feet to a point; thence easterly parallel to the South line of said Lot 7, Block 107 a distance of 7.54 feet to a point; thence northerly parallel to the East line of said Lot 7, Block 107 to a point in the North line of said Lot 7 being 22 feet westerly of the Northeast corner of said Lot 7, Block 107; thence westerly to the Southwest corner of Lot 4, Block 107, Railroad Addition; thence northerly to a point in the West line of Lot 5, Block 108, Railroad Addition, located 88 feet northerly from the Southwest corner of said Lot 5, Block 108; thence easterly in a line parallel with the South line of said Lot 5, Block 108, a distance of 66 feet to a point in the East line of said Lot 5, Block 108; thence northerly to the Northeast corner of said Lot 5, Block 108; thence easterly along the North lot line of Lot 6, Block 108, Railroad Addition, to the Northeast corner of said Lot 6, Block 108; thence northerly to the Northwest corner of Lot 2, Block 108, Railroad Addition; thence westerly along the North line of said Block 108 a distance of 37 feet to a point; thence southerly to a point on the South lot line of Lot 3, Block 108, Railroad Addition, located a distance of 37 feet westerly of the Southeast corner of said Lot 3, Block 108; thence westerly to the Southwest corner of Lot 4, Block 108, Railroad Addition; thence southerly to the Northwest corner of Lot 5, Block 108, Railroad

Addition; thence westerly to the Northeast corner of Lot 8, Block 114, Railroad Addition; thence southerly to the Southeast corner of said Lot 8, Block 114; thence westerly to the Southwest corner of Lot 7, Block 114, Railroad Addition; thence northerly to a point on the West line of said Lot 7, Block 114, located 88 feet northerly from the Southwest corner of said Lot 7, Block 114; thence easterly on a line parallel with the South line of said Lot 7, Block 114, a distance of 66 feet to a point on the East line of said Lot 7, Block 114; thence northerly to the Southwest corner of Lot 1, Block 114, Railroad Addition; thence easterly to the Southeast corner of said Lot 1, Block 114; thence northerly to the Southeast corner of Lot 8, Block 113, Railroad Addition; thence westerly to the Southwest corner of Lot 5, Block 113, Railroad Addition; thence northerly to the Northwest corner of Lot 4, Block 113, Railroad Addition; thence easterly to the Northeast corner of Lot 1, Block 109, Railroad Addition; thence southerly to the Southeast corner of Lot 8, Block 109, Railroad Addition; thence easterly to the Southwest corner of Lot 6, Block 60, Original Town of Grand Island; thence northerly to the Southeast corner of Lot 4, Block 60, Original Town; thence westerly to the Southwest corner of said Lot 4, Block 60; thence northerly to the Northwest corner of said Lot 4, Block 60; thence easterly to the Northeast corner of Lot 1, Block 54, Original Town, being the point of beginning.

WHEREAS, it is suggested that a business improvement board be appointed to make recommendations to the city council for the potential establishment of a district and plans for improvements, if any, for such district.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the property set out within the above-identified boundaries be declared as future Business Improvement District No. 5.

BE IT FURTHER RESOLVED, that the following individuals be initially appointed to serve on the business improvement board: Sharon Walsh, Victor Aufdemberge, George Bartenbach, Steve Rasmussen, Steve Poppe, Helen Pohls, Cindy Duff, Tom Emerton, Tom Ziller, Jim Berglund, and K.C. Hehnke.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 4, 2003.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, March 04, 2003

Council Session

Item J1

Payment of Claims for the Period of February 19, 2003 through March 4, 2003

The Claims for the period of February 19, 2003 through March 4, 2003 for a total amount of \$3,717,413.59. A MOTION is in order.

Staff Contact: RaNae Edwards