

Tuesday, March 18, 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 John Hayes, Grace Baptist Church, 1115 South Vine Street

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B-RESERVE TIME TO SPEAK ON AGENDA ITEMS

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



Tuesday, March 18, 2003 Council Session

Item C1

"It's About Kids!" Presentations

"It's About Kids!" assets will be presented by Youth Leadership Tomorrow students to be announced at the meeting.

Staff Contact: RaNae Edwards



Tuesday, March 18, 2003 Council Session

Item C2

Recognition of Ron Underwood, Public Works Department for 35 Years of Service

The Mayor and City Council will recognize Ron Underwood, Senior Civil Engineer for 35 years of dedicated service with the Grand Island Public Works Department. The following is a listing of positions held during those 35 years:

Started with the City on 3-18-1968 as an Engineer Aide III

Promoted to Engineer Aide IV on 2-20-1973

Promoted to Engineering Assistant II on 7-27-1973

Promoted to Certified Senior Engineering Technician on 7-28-1977

Promoted to Engineer I on 8-2-1979

Promoted to Engineer II on 7-26-1982

Promoted to Senior Civil Engineer on 3-22-1993 he is still in this position.

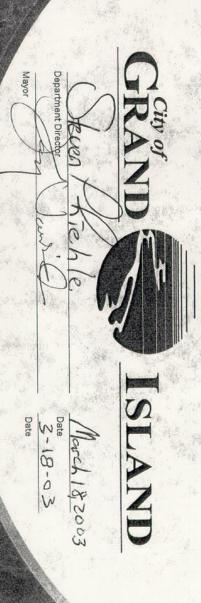
Staff Contact: Brenda Sutherland

Swiff Jime Venice and Service and Service

WE HEREBY EXPRESS OUR SINCERE APPRECIATION TO

RONALD UNDERWOOD

For your Loyalty, Diligence, and Outstanding Performance During Your Tenure With





Tuesday, March 18, 2003 Council Session

Item C3

Recognition of Fire Chief Jim Rowell for 30 Years of Service

The Mayor and City Council will recognize Fire Chief Jim Rowell for 30 years of dedicated service with the Grand Island Fire Department. The following is a listing of positions held during those 30 years:

Hired with the City on 2-26-1973 Promoted to Lieutenant on 1-5-1981 Promoted to Captain on 6-1-1982 Promoted to Fire Chief 11-12-1992

Staff Contact: Brenda Sutherland

WE HEREBY EXPRESS OUR SINCERE APPRECIATION TO

JIMMY ROWELL

For your Loyalty, Diligence, and Outstanding Performance During Your Tenure With



ISLAND

3-28-03 Date 2-17-03



Tuesday, March 18, 2003 Council Session

Item C4

Proclamation "Child Abuse Prevention Month" March, 2003

Because all children deserve love, comfortable homes, and tender care from parents and adults who make them feel safe, happy and loved and because many children were involved in substantiated cases of abuse and neglect by the Nebraska Department of Health and Human services in 2002, and because the effects of child abuse are felt by whole communities and need to be addressed by the entire community, the Mayor has proclaimed the month of March, 2003 as "Child Abuse Prevention Month". In conjunction with the Blue Ribbon Campaign, Junior Troop from Wasmer School will be attending the meeting to pass out blue ribbons. See attached Proclamation.

Staff Contact: RaNae Edwards





THE OFFICE OF THE MAYOR

City of Grand Island State of Nebraska

PROCLAMATION

WHEREAS, several hundred cases were investigated involving several

hundred children for child abuse and neglect through the Nebraska Health and Human Services System in Hall,

Hamilton, Merrick, and Howard Counties in 2002; and

WHEREAS, the effects of child abuse are felt by whole communities and

need to be addressed by the entire community; and

WHEREAS, effective child abuse prevention programs succeed because of

partnerships created among social service agencies, schools, religious organizations, law enforcement agencies, and the

business community; and

WHEREAS. all citizens should become more aware of child abuse and its

prevention within the community and become involved in supporting parents to raise their children in a safe, nurturing

environment.

WHEREAS, all children deserve loving hugs, warm homes, and tender care

from parents and adults who make them fee safe and happy

and loved.

NOW, THEREFORE, I, Jay Vavreck, Mayor of Grand Island, Nebraska, do

hereby proclaim the month of April, 2003 as

Child Abuse Prevention Month

in the City of Grand Island and call upon all citizens to increase their participation in our efforts to prevent child abuse and to wear a Blue Ribbon to show that it shouldn't hurt to be a child. Every child deserves a Blue Ribbon.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Grand Island to be affixed this 18th day of March in the year of our Lord Two Thousand and Three.

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







Tuesday, March 18, 2003 Council Session

Item C5

Proclamation "Abbott Sisters Day" March 20, 2003

March 20, 2003 is the second annual Abbott Sisters Day, and as was done last year, this event will be observed statewide as well as through this city's proclamation. The goal of Abbott Sisters Day is to raise public awareness of the lives and achievements of Edith and Grace Abbott, two Grand Island natives, so that these important women may continue to influence policy on children's and immigrants' issues and so that their story may serve as an inspiration for future generations. See attached Proclamation.

Staff Contact: Steve Fosselman





THE OFFICE OF THE MAYOR

City of Grand Island State of Nebraska

PROCLAMATION

WHEREAS, Grace Abbott is known as "the great American champion of

children's rights" and is recognized as having led the early twentieth century fights to end child labor and to establish child

health care; and

WHEREAS, Grace Abbott was, as Chief of the United States Children's

Bureau, the most powerful woman in the federal government at the time when the Great Depression hit, and her work provided

the first major effort to combat the economic crisis; and

WHEREAS, Edith Abbott was the first female dean of a major American

university graduate school, at the University of Chicago's

School of Social Service Administration; and

WHEREAS, Edith Abbott helped to establish the first graduate program of

social work in a major university, and has been recognized as "the chief architect of America's social work educational

system"; and

WHEREAS, Grace and Edith Abbott were born and bred in the city of Grand

Island in the state of Nebraska and were the children of O.A. Abbott, who was the state of Nebraska's first Lt. Governor, and of Elizabeth Abbott, who was a leader in the early days of the

women's suffrage movement in Nebraska; and

WHEREAS. Grace and Edith Abbott, to the ends of their lives, wished to be

known as "the Abbott Sisters of Nebraska"; and

WHEREAS, "The Abbott Sisters of Nebraska" are great American women

who – despite their important achievements for the rights of children, immigrants, and women – remain virtually unknown to

many Nebraskans; and

WHEREAS, The Abbott Sisters Project, a project of the Grand Island Public

library Foundation, has as its goal to raise public awareness of the lives and achievements of Grace and Edith Abbott, so that these important women may continue to influence policy on children's and immigrants' issues and so that their story may serve as an

inspiration for future generations.









NOW, THEREFORE, I, Jay Vavricek, Mayor of Grand Island, Nebraska, do hereby proclaim the $20^{\rm th}$ day of March, 2003 as

ABBOTT SISTERS' DAY

in the City of Grand Island, and I do hereby urge all citizens to recognize the remarkable contributions and selfless dedication of Grace and Edith Abbott to the citizens of Nebraska and the nation.

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

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







Tuesday, March 18, 2003 Council Session

Item E1

Public Hearing on Annexation of Property Being Platted as Neumann Subdivision

Public Hearing concerning annexation of property being platted as Neumann Subdivision an addition to the City of Grand Island. The property is located South of 13th Street, and West of North Road, in the N 1/2 NE 1/4 Section 14, Township 11, Range 10. The Regional Planning Commission at their meeting March 5, 2003, voted to approve and recommend the city council approve this annexation. It is appropriate to solicit public comment. The action item is contained under Ordinances

Staff Contact: Chad Nabity

Agenda Item #6

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

February 17, 2003

SUBJECT: Neumann Subdivision an Addition, Hearing for Annexation

PROPOSAL: To subdivide and plat a parcel of ground of approximately 55 acres of land west of North Road and south of 13th Street as an addition to the City of Grand Island.

OVERVIEW:

This hearing and the application for subdivision approval are being reconsidered due to an error in notifications on the part of the Hall County Regional Planning Department. We are required to notify effected school districts of subdivision at least 10 days prior to consideration by the planning commission. We notified district 2 but neglected to send the same notification to districts 82 and 3. Those notifications have been sent as required by law for this meeting. See the attached memo

This parcel of ground is contiguous with the Grand Island City Limits on both its northern and southern boundaries. Grand Island has had a policy for several years of annexing all properties adjacent to corporate limits at the time those properties are subdivided. The owner has submitted this subdivision as an addition to the City of Grand Island.

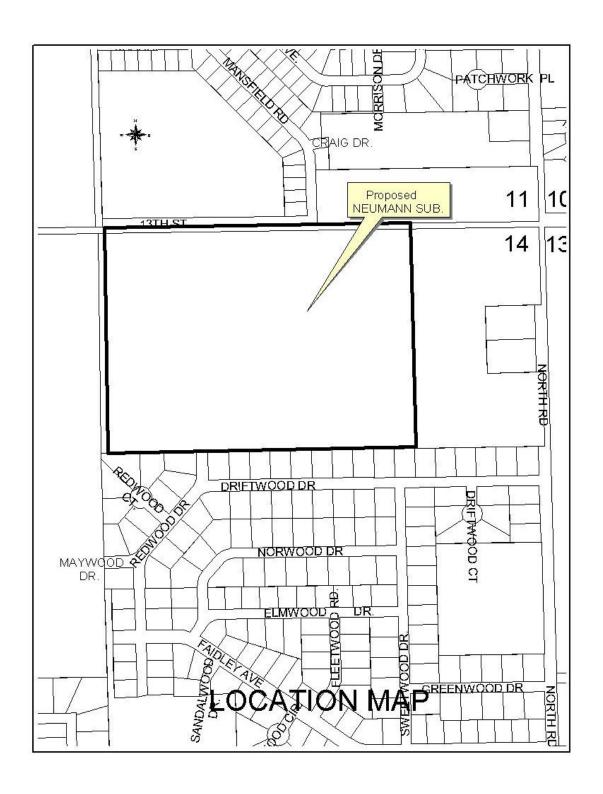
Sewer and water are available to this subdivision. This is within the Grand Island Utilities Electrical Service District.

In September of 2001 LB 210, a bill passed by the legislature and signed by the Governor during the last session became effective. This bill requires planning commission and municipalities to hold public hearings and take separate action to annex subdivisions platted as additions to a city.

RECOMMENDATION:

That the Regional Planning Commission recommend that the Grand Island City Council annex the property being platted as Neumann Subdivision.

Chad Nabity AICP, Planning Director	
, ,	



DATE: February 7, 2003

TO: Marlan Ferguson, City Administrator

FROM: Chad Nabity, Regional Planning Director

RE: Neumann Subdivision

An application was heard to approve Neumann Subdivision as an addition to the City of Grand Island, at the February meeting of the Hall County Regional Planning Commission. Neumann Subdivision is a one lot subdivision encompassing 55.059 acres in the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 14, Township 11 North, Range 10 West of the 6^{th} P.M., south of 13^{th} Street and West of North Road.

As a matter of policy the City of Grand Island requires that all subdivisions platted adjacent to the corporate limits of the community be submitted as additions to the City. The Neumann Subdivision is adjacent to the Grand Island City Limits on both the north and south sides of the subdivision (Of a 6234 foot perimeter 3635 feet are adjacent to the current corporate limits of Grand Island.)

State Statutes require that the planning commission notify impacted school districts of subdivision applications 10 days prior to the meeting at which the item will be considered. The Neumann Subdivision is currently within District 82 and District 3. Upon being platted as an addition to the City it is eligible to become part of District 2. A letter was sent to District 2 informing them of the application but we did not send letters to District 82 and District 3.

As a result of our mistake we will need to reconsider this application at the next meeting of the Regional Planning Commission on March 5th 2003. Letters have been sent to all of the school districts impacted by this application informing them of the time and place of the meeting. The earliest that the Grand Island City Council would consider this application would be March 18th 2003.

Cc: Doug Walker, Steven Riehle, Jim Werth, Duane Burns, Bill Mowinkle, Rockwell Associates, Jacqueline Hanover and Imogene Lechner

March 6, 2003

Honorable Jay Vavricek, Mayor And Members of the Council City Hall Grand Island, NE 68801

Dear Mayor and Members of the Council:

RE: Annexation of Property Being Platted as Neumann Subdivision, located South of 13th Street, and West of North Road.

At the regular meeting of the Regional Planning Commission, held March 5, 2003, the above item was considered following a public hearing. The above item is to Annex the property that is being platted as Neumann subdivision, located in the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 14, Township 11, Range 10.

This annexation will have no effect on the 2 mile extraterritorial jurisdiction exercised by the City Of Grand Island. City services are available to this property.

Char Kruse spoke against this item. She asked the commission to take a look at the timeliness of the annexation, and the property should stay in the Northwest School District until there is a final plan for the land. She also expressed concern with the traffic that is there now, and the amount of traffic that would be generated with a school in this area.

Bill Mowinkel spoke in opposition of this item. He expressed concerns with the city's policy to annex land as it is subdivided. He had concerns with the traffic on 13th street and getting students across Hwy 281 if a school is built on this property, and who will take care of the property until a school is built on it. Mr. Mowinkel said he feels the only reason for annexing this land is to take it out of the Northwest District, he said you can plat land without annexing it. He asked that this land not be annexed until there is a final plan to build a school on the property.

Steve Joel spoke in favor of this item. He said there is not final plan to build a school on this land at this time. They have strong recommendations to build a school on this land, and those recommendations are made due to the growth patterns of the city. He said they are buying the land in preparation for the future.

Duane Burns spoke in favor of the item. He said the school is buying this land with the requirement that with the purchase of the land it is subdivided, and annexed into the city. He said they feel it makes since that if the Grand Island School District owns the land it should be in their district.

Following further discussion a motion was made by O'Neill and 2nd by Miller to approve and recommend the City of Grand Island recommend this annexation.

The motion carried with 7 members present voting in favor (Miller, Eriksen, Hooker, Haskins, Ruge, O'Neill, Obst) three members voting against (Amick, Obermeier, Wagoner) and one member abstaining (Hayes).

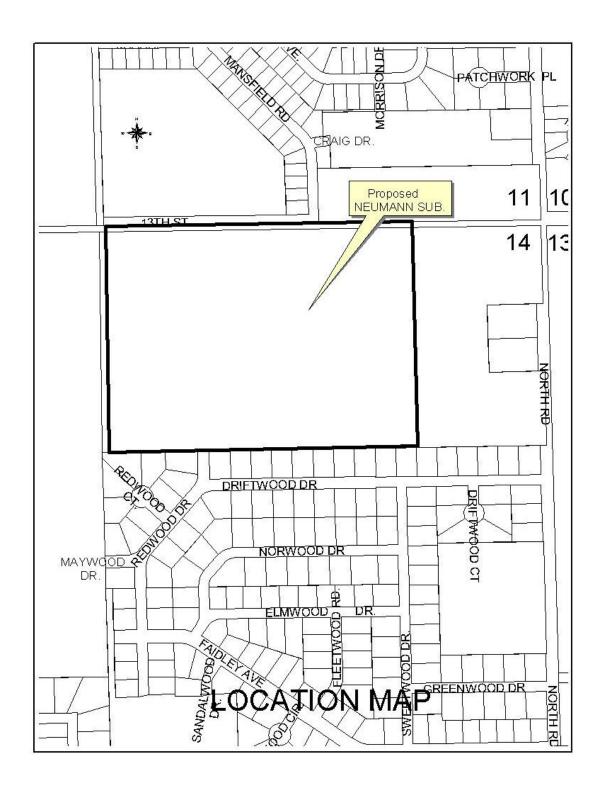
Yours truly,

Chad Nabity AICP Planning Director

Director of Building Inspections cc:

City Attorney Director of Utilities Director of Public Works Manager of Postal Operations Rockwell & Associates

Applicant





Tuesday, March 18, 2003 Council Session

Item E2

Public Hearing on Annexation of Property Being Platted as Timberline Subdivision

Public Hearing concerning annexation of property being platted as Timberline Subdivision an addition to the City of Grand Island. The property is located North of Hwy 11 and West of Webb Rd, in the SE 1/4 NE 1/4 Section 1, Township 11, Range 10. The Regional Planning Commission at their meeting March 5, 2003, unanimously voted to approve and recommend the city council approve this annexation. It is appropriate to solicit public comment. The action item is contained under Ordinances.

Staff Contact: Chad Nabity

March 6, 2003

Honorable Jay Vavricek, Mayor And Members of the Council City Hall Grand Island, NE 68801

Dear Mayor and Members of the Council:

RE: Annexation of Property Being Platted as Timberline Subdivision, located North of Hwy 11 and West of Webb Rd.

At the regular meeting of the Regional Planning Commission, held March 5, 2003, the above item was considered following a public hearing. The above item is to Annex the property that is being platted as Timberline subdivision, located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 11, Range 10.

This annexation will have no effect on the 2 mile extraterritorial jurisdiction exercised by the City Of Grand Island. City water is available to this property and it is located within the Grand Island Utility District.

No members of the public spoke in opposition of this item.

No members of the public spoke in favor of this item.

Following further discussion a motion was made by Ruge and 2nd by Miller to approve and recommend the City of Grand Island recommend this annexation.

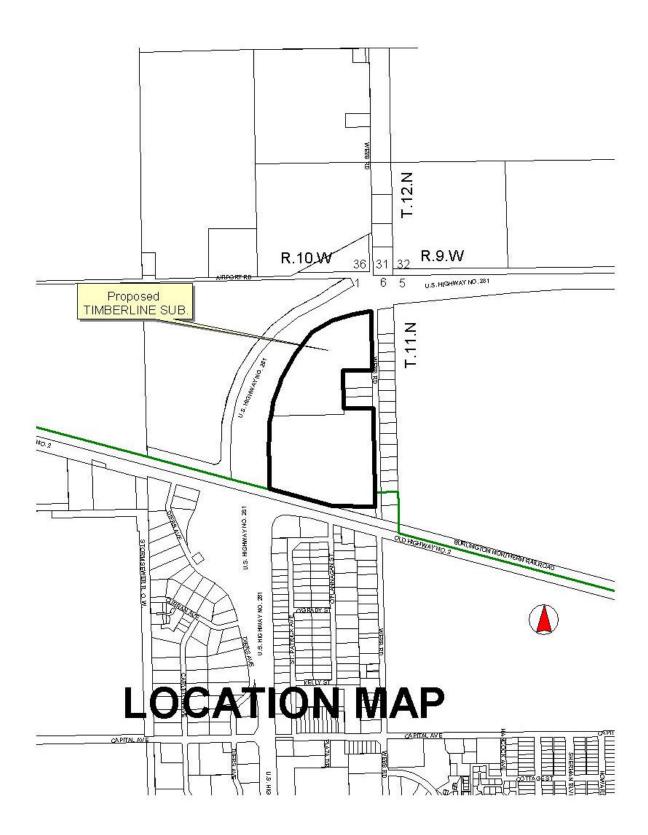
The motion carried with a unanimous vote by the 11 members present (Amick Haskins, O'Neill, Hooker, Eriksen, Miller, Obst, Ruge, Obermeier, Hayes, Wagoner).

Yours truly,

Chad Nabity AICP Planning Director

cc: Director of Building Inspections

City Attorney
Director of Utilities
Director of Public Works
Manager of Postal Operations
Benjamin & Associates





Tuesday, March 18, 2003 Council Session

Item E3

Public Hearing on Changes to the Grand Island Zoning Map for Property Located West of Diers Avenue and North of Faidley Avenue

Concord Development L.L.C., as the owner is requesting a change of zoning for property located North of Faidley Avenue, and West of Diers Avenue (Lot 3 Crane Valley 6th Subdivision). This application proposes to change the zoning from B2 General Business to RD Residential Development, and create the Final Plat of Crane Valley 7th Subdivision. This change is in conformance with the Grand Island Comprehensive Plan. The Regional Planning Commission at their regular meeting held March 5, 2003 unanimously voted to approve and recommend the Grand Island City Council approve this amendment to the Grand Island Zoning Map. It is appropriate to solicit public comment. The action item for the zoning change is contained under Ordinances and the action items for the final plats are contained under the Consent Agenda.

Staff Contact: Chad Nabity

Agenda Item # 10

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

February 19, 2003

SUBJECT: Zoning Change (C-5-2003GI)

PROPOSAL: To rezone the proposed Lot 3 of Crane Valley 6th Subdivision approximately 7.25 acres of land north of Faidley Avenue and west of Diers Avenue B2-General Commercial to RD- Residential Development Zone, in the City of Grand Island.

OVERVIEW: Site Analysis

Current zoning designation: B2- General Business

Permitted and conditional uses: B2-General Commercial including outdoor display

and sales, Office, Residential at a density of up to 43 units acre, Fabrication incidental to permitted

uses.

Comprehensive Plan Designation:

Existing land uses.

Commercial

Vacant Undeveloped Property

Adjacent Properties Analysis

Current zoning designations: North South and East: B2 General Business

West: -TA-Transitional Agriculture

Permitted and conditional uses: TA- Agricultural uses, recreational uses and

residential uses at a density of 2 dwelling units per acre. **B2**-General Commercial including outdoor display and sales, Office, Residential at a density of up to 43 units per acre, Fabrication incidental to

permitted uses.

Comprehensive Plan Designation: North, East, South: Commercial

West: Medium Density Residential to Office Uses

Existing land uses: North: Vacant property

East: Commercial Development, **West**: Agriculture and Drainage ROW **South**: Utility Substation, Vacant Property

EVALUATION:

Positive Implications:

- In general conformance with the City's Comprehensive Land Use Plan: This particular site is designated as commercial within the plan but adjacent properties are medium density residential to office uses. Residential uses are often found in and adjacent to most of the commercial zones in Grand Island. Higher density residential uses such as this are not uncommon.
- Uses would be consistent with the level of service intended for Faidley Avenue:
 Faidley Avenue is exceeds the minimum standards for a commercial street and is intended to function as an arterial street. Apartments using Faidley as a primary street would be appropriate. Left turn arrows were recently placed on Hwy 281 north and south bound, this should further facilitate this type of development.
- *Monetary Benefit to Applicant*: As always this change has the potential to benefit the applicant monetarily.

Negative Implications:

None foreseen

Other

The developer is proposing to build eight apartment buildings with eight dwelling units in each building on this site (64 units total). At the proposed density, this development would be 8.8 units per acre or 1 unit for every 4950 square feet. This is significantly less development than could be allowed in a B2 or RO or even R4 or R3 district. This development provides for public utilities within the development. Access from Faidley Avenue into the development splits to provide a circular access pattern to the apartments. The access to the apartments north of Faidley would be a private drive not a public street.

RECOMMENDATION:

That the Regional Planning Commission recommend that the Grand Island City Council change the zoning on the this site from B2- General Business Zone to RD-Residential Development Zone.

Chad Nabity AICP,	Planning Director
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March 6, 2003

Honorable Jay Vavricek, Mayor and Members of the Council 100 E. 1st Street Grand Island NE 68801

Dear Mayor and Members of the Council:

RE: An amendment to the Zoning Map for properties located west of Diers Avenue north of Faidley Avenue, from B2 General Business to RD Residential Development, and Final plat of Crane Valley 7th Subdivision.

At the regular meeting of the Regional Planning Commission, held March 5, 2003 the above item was considered following a public hearing. This application proposes to rezone property located north of Faidley Avenue, and west of Diers Avenue (Lot 3 Crane Valley 6th Subdivision) from B2 General Business to RD Residential Development, and create the final plat of Crane Valley 7th Subdivision.

Nobody from the public spoke for or against this item.

Following further discussion a motion was made by Haskins 2nd by Hooker to approve and recommend that the City of Grand Island approve this amendment to the Grand Island Zoning Map, and the final plat and subdivision agreements of Crane Valley 7th Subdivision.

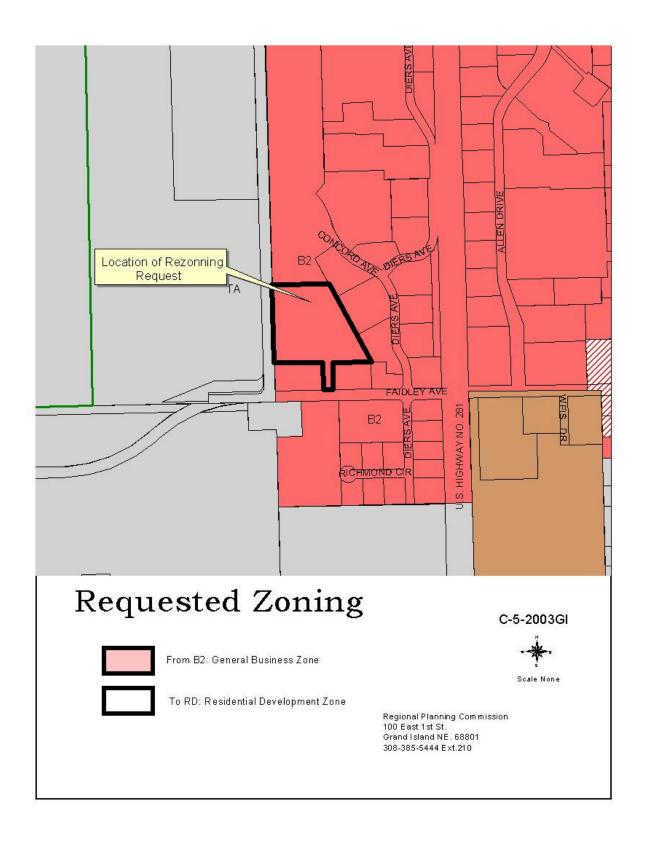
The Planning Commission passed this motion with 11 members voting in favor (Amick, Haskins, O'Neill, Hooker, Eriksen, Miller, Obst, Ruge, Obermeier, Hayes, Wagoner).

Yours truly,

Chad Nabity AICP Planning Director

cc: City Attorney

Director of Public Works
Director of Utilities
Director of Building Inspections
Manager of Postal Operations
Olsson Associates





Tuesday, March 18, 2003 Council Session

Item E4

Public Hearing on Request of Byco, Inc. dba Byco, 1309 Diers Avenue, for Class "D" Liquor License

Byco, Inc. dba Byco, 1309 Diers Avenue, has submitted an application for a Class "D" Liquor License. A Class "D" Liquor License allows for the sale of alcoholic beverages off sale only within the corporate limits of the City. This application has been reviewed by the Building, Fire, Health, and Police Departments. It is appropriate at this time to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: RaNae Edwards



Tuesday, March 18, 2003 Council Session

Item E5

Public Hearing on Request of Byco, Inc. dba Byco, 1222 South Locust Street, for Class "D" Liquor License

Byco, Inc. dba Byco, 1222 South Locust Street, has submitted an application for a Class "D" Liquor License. A Class "D" Liquor License allows for the sale of alcoholic beverages off sale only within the corporate limits of the City. This application has been reviewed by the Building, Fire, Health, and Police Departments. It is appropriate at this time to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: RaNae Edwards



Tuesday, March 18, 2003 Council Session

Item E6

Public Hearing on Request of Thomas Graves for a Conditional Use Permit for Automotive Salvage Yard Located at 403 East 4th Street

Thomas G. Graves, President of Owl Auto Parts, 403 East 4th Street, has submitted a request with the City Clerk's Office for a Conditional Use Permit to allow for the operation of automotive salvage yards at six locations along and adjacent to East Fourth Street. 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



Non-Refundable Fee:	\$155.00	
Return by:		
Council Action on:		

Conditional Use Permit Application

pc: Building, Legal, Utilities Planning, Public Works

1. The specific use/construction requested is:	Automotive Salvage Yard
2. The owner(s) of the described property is/are:	Thomas G. Graves
3. The legal description of the property is:	See Attached Sheet
4. The address of the property is:	403 East 4th Street
5. The zoning classification of the property is:	M2 Heavy Manufacturing
6. Existing improvements on the property is:	Chain Link Fence
7. The duration of the proposed use is:	Indefinite
8. Plans for construction of permanent facility	None
9. The character of the immediate neighborhood is:	Business/Industrial
1. There is hereby attached a list of the nam of the property upon which the Conditional	nes and addresses of all property owners within 200'
2. Explanation of request: See Attached	Sheet
cknowledgment of that fact.	e true and correct and this application is signed as an nas S Scaves Owner(s)
	E 4th (308) 382-6710
Address	Phone Number

Please Note: Delays May Occur if Application is Incomplete or Inaccurate.

Sinco 1946

403 East 4th Street Grand Island, NE 68801

February 20, 2003

City of Grand Island Mayor and City Council City Hall 100 East First Street Grand Island, Ne. 68802

Mayor and City Council;

Owl Auto Parts Inc., has been operating an automotive, light pick up, salvage yard in Grand Island for 57 years. Our primary business is dismantling vehicles and storing the parts for future sales. Because of the nature of our business, it is necessary to store salvage parts, that are in good repair, in outside storage lots.

We have always maintained these outside lots with fencing and gates that are locked. Each of our yards is neatly organized with our complete vehicles and our salvaged parts in rows or on racks. All yards are inspected daily and any refuse picked up as needed.

We do not have piles of scrap materials in any of our yards. After each of our vehicles is dismantled, the parts kept for recycling are put in their respective places and the scrap materials are stored in receptacles or taken to a recycling facility.

Once a car body is removed from its chassis the parts are placed in fenced in yards. All of our yards have a fence that is a minimum or six feet in height. A car body removed from its chassis is usually three and one-half feet to four and one-half feet high when placed on the ground.

and one-half feet high when placed on the ground.

It would be our proposal to use our current chain link fence and provide sight screening with either interwoven fence bars or roll out screen guard. This should provide adequate sight blockage from anyone walking or driving by our yards.

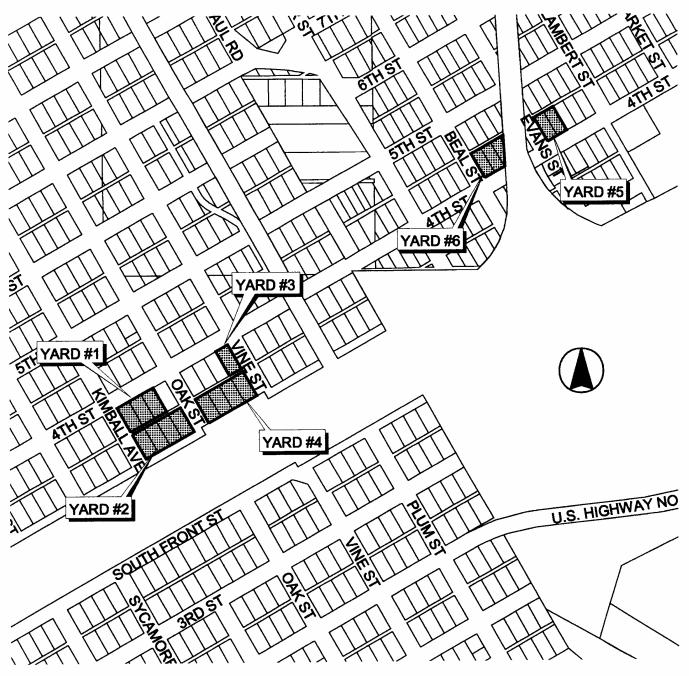
We would also request an extension of time for compliance with ordinance no. 8767. The April 1, 2003 date has not given us enough time to even get bids for our yards or have time to install sight blocking material in the Winter months. September 10, 2002 was the date that this ordinance was adopted, so we would respectfully request September 10. 2003 as a completion date.

Sincerely yours,

Thomas G. Graves

President, Owl Auto Parts

om Draves



Owl Auto Parts

Yard #1 - Lots 2,3,4, Blk. 45, Origional Town

Yard #2 - Lots 5,6,7,8,Blk. 45, Origional Town

Yard #3 - Lot 1 Blk. 46, Origional Town

Yard #4 - Lots 5,6,7,8, Blk. 46, Origional Town

Yard #5 - Lots 6 & 7, Blk. 13, Evans Addition

Yard #6 - Lots 6,7,8, Blk. 14, Evans Addition

MARCH 12, 2003

BEN LOBO 410 N. 26TH ST LINCOLN, NE 68503



TO CITY CLERK OF GRAND ISLAND:

I, BEN LOBO, OWNER OF PROPERTY, 224 E. 4TH ST., GRAND ISLAND, NE, THANK YOU FOR LETTING, ME KNOW OF THE APPLICATION THAT WAS REQUESTED BY THOMAS GRAVES TO ADD A SALVAGE YARD AT 403 EAST 4TH ST., BUT I HAVE A CONCERN OF HIM ADDING THIS SALVAGE YARD IN THIS AREA, IT IS TOO CLOSE TO THE COMMUNITY AND I DO NOT AGREE ON THIS REQUEST, IT SHOULD BE LOCATED OUTSIDE OF THE CITY NOT INSIDE. I REQUEST THAT THE CITY COUNCIL NOT ALLOW THIS TO BE ACCEPTED IN THIS COMMUNITY.

SINCERELY

BEN LOBO



Tuesday, March 18, 2003 Council Session

Item E7

Public Hearing on Acquisition of Utility Easement Located at the East Frontage of Gold Core Drive - GI Area Economic Development

Acquisition of utility easement located at the east frontage of Gold Core Drive, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to eliminate the possibility of electric lines in a drainage area. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: Gary R. Mader



Tuesday, March 18, 2003 Council Session

Item E8

Public Hearing on Acquisition of Utility Easement Located at the Frontage of 4079 Gold Core Drive - Robert and Judith Poland

Acquisition of utility easement located at the frontage of 4079 Gold Core Drive, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to keep electric lines out of a drainage area. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: Gary R. Mader



Tuesday, March 18, 2003 Council Session

Item E9

Public Hearing on Acquisition of Utility Easement Located at Hwy. 281 and Wildwood Drive - Dwaine and Evelyn Lewis

Acquisition of utility easement located at Hwy. 281 and Wildwood Drive, is required in order to have access to install, upgrade, and maintain water lines. This easement will be used to locate a new water main and give the contractor area to place equipment to bore underground across Hwy. 281. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: Robert H. Smith



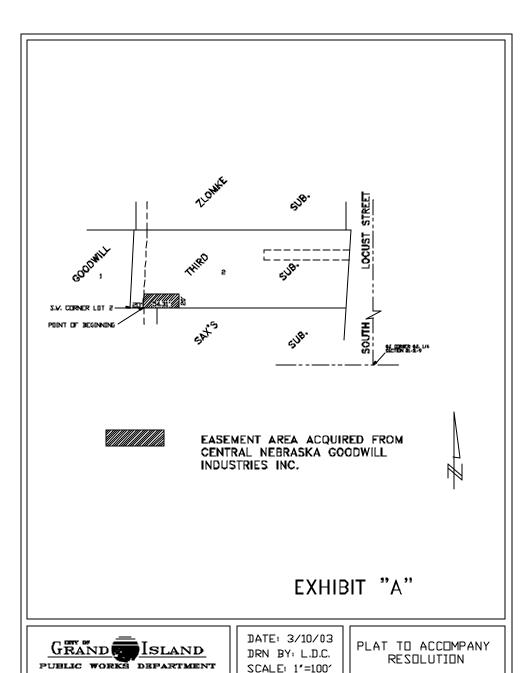
Tuesday, March 18, 2003 Council Session

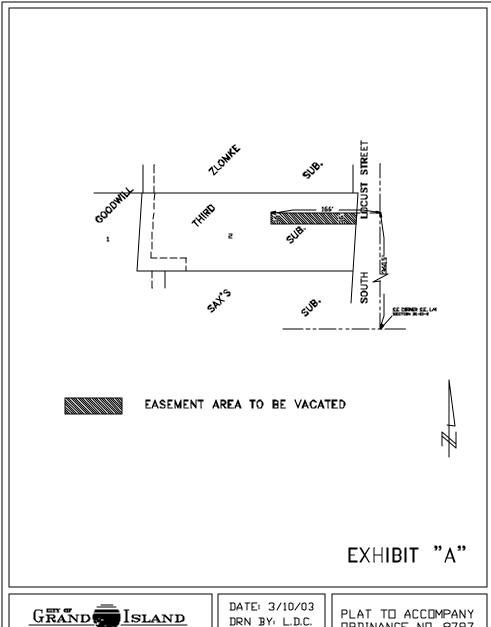
Item E10

Public Hearing on Acquisition of Utility Easement Located at 1810 South Locust Street - Goodwill Industries of Greater Nebraska

Council action is required to hold a Public Hearing for acquisition of Public Utility Easements. The current Public Utility Easement will be vacated at this meeting. The new easement will be used for sanitary sewer main to serve the property. The Public Works, Utilities and Building Departments have reviewed and approved the request. Costs for the easement will be minimal. It is appropriate at this time to solicit public comment. The action item is contained under the Consent Agenda.

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





SCALE: 1"=100'

PUBLIC WORKS DEPARTMENT

DRDINANCE NO. 8797



Tuesday, March 18, 2003 Council Session

Item E11

Public Hearing on Grant Application to Nebraska Department of Economic Development for Owner Occupied Rehabilitation Funds

The Nebraska Department of Economic Development accepts applications through the Community Development Block Grant program for grant funding for acquisition, rehabilitation, construction and production of affordable housing to increase the supply of decent, safe and sanitary housing for low-to-moderate income Nebraskans and to promote and advance the goals of the 2000-2005 Nebraska Consolidated Plan for Housing and Community Development. The results of the recently completed housing study indicate a significant need for rehabilitation of existing housing in the Community Development Project Area, generally described as northeast Grand Island. The Community Projects Department has prepared an application for submittal to the Nebraska Department of Economic Development, seeking \$270,600 in grant funding to assist with the renovation of 10-12 homes. The community match will be met by interest buy down and owner equity. It is appropriate at this time to solicit public comment regarding the proposed application. The action item is contained in the Consent Agenda.

Staff Contact: Cindy Johnson



Tuesday, March 18, 2003 Council Session

Item F1

#8796 - Consideration of Conveyance of Easement to the Hall County Airport Authority

In June 1970 the City of Grand Island conveyed the real estate on which the municipal airport was located to Hall County. It was the intention of the City at that time to convey all of the property at the airport to Hall County. It has recently been discovered that the City had an easement for a strip of real estate on which a railroad spur is located that was not transferred to Hall County. The Hall County Airport Authority now has full and exclusive jurisdiction and control over the airport property.

To complete the transfer of all of the City's interest in the real property at the former Municipal Airport and to avoid the expense of maintaining the railroad right-of-way, Council authorization is being sought for a transfer of this railroad right-of-way to the Hall County Airport Authority by assigning all of the City's interest in these premises.

Staff Contact: Doug Walker

ORDINANCE NO. 8796

An ordinance directing and authorizing the conveyance and assignment of an easement to the Hall County Airport Authority; providing for the giving of notice of such conveyance and assignment and the terms thereof; providing for the right to file a remonstrance against such conveyance; providing for publication and the effective date of this ordinance.

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

SECTION 1. The conveyance and assignment to THE HALL COUNTY AIRPORT AUTHORITY, a body corporate and politic, constituting a public corporation and an agency of Hall County, Nebraska, of all of the interest of the City of Grand Island in and to a perpetual easement for the purpose of constructing, operating, maintaining, repairing, patrolling and removing a railroad line, in, over and across a tract of land lying in the Southeast Quarter of the Southwest Quarter (SE1/4, SW1/4) of Section Twenty Seven (27), Township Twelve (12) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, more particularly described as follows:

Beginning at a point on the east line of said SE1/4 SW1/4, said point being One Hundred Fifty-One (151.0) feet South of the Northeast corner of said SE1/4 SW1/4; thence continuing Southerly along said East line of the SE1/4 SW1/4, a distance of One Hundred (100.0) feet; thence Westerly perpendicular to said East line of the SE1/4 SW1/4, a distance of Five Hundred Ninety-One and Seventy-Two Hundredths (591.72) feet, to a point of curvature; thence Southwesterly along the arc of a curve whose radius is 714.49 feet (initial tangent of which coincides with the last described course), an arc distance of One Thousand One Hundred Fifty-Seven and Eighty-Three Hundredths (1,157.83) feet, to the intersection with the Easterly right-of-way line of the Union Pacific Railroad; thence Northerly along said Easterly railroad right-of-way line, to the intersection with a line One Hundred (100.00) feet Northwesterly from and parallel to the afore-described curve; thence Northeasterly along the arc of a curve whose radius is Eight Hundred Fourteen and Forty-Nine Hundredths (814.49) feet, (also being on a line One Hundred (100.00) feet Northwesterly from and parallel to the afore-

ORDINANCE NO. 8796 (Cont.)

described curve), to a point which is One Hundred Fifty-One (151.0) feet south of the Northeast corner of said SE1/4 SW1/4 and Five Hundred Ninety-One and Seventy-Two Hundredths (591.72) feet west at right angles to the East line of said SE1/4 SW1/4; thence Easterly perpendicular to said East line of the SE1/4 SW1/4, a distance of Five Hundred Ninety-One and Seventy-Two Hundredths (591.72) feet to the place of beginning, containing 3.64 acres more or less,

Being part of the same property described in the Deed of Easement dated December 13, 1943 from William Buckow to the United Stated of America and recorded in the Register of Deeds office, Hall County, Nebraska, in Book 86 of Deeds at Page 363 and part of the same property as described in the Quitclaim Deed dated October 13, 1948 from the United States of America to the City of Grand Island and recorded in the Register of Deeds office, Hall County, Nebraska in Book 96 of Deeds at Page 197.

SECTION 2. Conveyance of the easement above described shall be by Assignment of Easement.

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

SECTION 6. Authority is hereby granted to the electors of the City of Grand Island to file a remonstrance against the conveyance and assignment of such within described easement; and if a remonstrance against such conveyance signed by registered voters of the City of Grand Island equal in number to thirty percent of the registered voters of the City of Grand Island voting at the last regular municipal election held in such City be filed with the City Council within thirty days of passage and publication of such ordinance, said easement shall not then, nor within one year thereafter, be conveyed.

ORDINANCE NO. 8796 (Cont.)

SECTION 7. The conveyance and assignment of said easement is hereby

authorized, directed and confirmed; and if no remonstrance be filed against such conveyance, the

Mayor shall make, execute and deliver to The Hall County Airport Authority, a body corporate

and politic, constituting a public corporation and an agency of Hall County, Nebraska, an

Assignment of Easement for said property, and the execution of such Assignment of Easement is

hereby authorized without further action on behalf of the City Council.

SECTION 8. 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.

RaNae Edwards, City Clerk

	Enacted: March 18, 2003.		
		Jay Vavricek, Mayor	
Attest:			

- 3 -



Tuesday, March 18, 2003 Council Session

Item F2

#8797 - Consideration of Vacation of Easement at 1810 South Locust Street - Goodwill Industries of Greater Nebraska

Council action is required for vacation of all Public Utility Easements through passing of an Ordinance. The Public Utility Easement was used to provide natural gas and electrical service to the property. The gas main and electrical service have been relocated and there are no other utilities in the easement. The current owner of the property, Goodwill Industries of Greater Nebraska, Inc., is in negotiations with a neighboring property to sell Lot 2. Vacating the easement will help move the sale forward. A new easement, located in the southwest corner of Lot 2, is scheduled for a Public Hearing and acquisition at this meeting. The new easement will be used for sanitary sewer main to serve the property. It is recommended that Council approve Vacation of the Easement. The Public Works, Utilities and Building Departments have reviewed and approved the request. Filing and staff costs should be less than the \$75.00 application fee charged for Vacation of an Easement.

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

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 8797

An ordinance to vacate an existing easement and right-of-way located in a part of Lot Two (2), Goodwill Third Subdivision in the City of Grand Island, Hall County, Nebraska; to provide for filing this ordinance in the office of the Register of Deeds of Hall County; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. That the existing Sixteen (16.0) foot wide easement and right-of-way located in a part of Lot Two (2), Goodwill Third Subdivision in the city of Grand Island, Hall County, Nebraska, more particularly described as follows, is hereby vacated:

Beginning at the southeast corner of Section 21-11-9; the nce north on the east line of Section 21-11-9 for a distance of Three Hundred Sixty and Five Tenths (360.5) feet to a point; thence west on a line perpendicular to the east line of said Section 21-11-9 for a distance of One Hundred Sixty Six (166.0) feet; thence south on a line for a distance of Sixteen (16.0) feet; thence east on a line to the east line of Lot Two (2) Goodwill Third Subdivision; as shown on the plat dated March 10, 2003, attached hereto and incorporated herein by reference.

ORDINANCE NO. 8797 (Cont.)

SECTION 2. The title to the property vacated by Section 1 of this ordinance shall

revert to the owner or owners of the real estate abutting the same in proportion to the respective

ownership of such real estate.

SECTION 3. This ordinance is directed to be filed in the office of the Register of

Deeds of Hall County, Nebraska.

SECTION 4. This ordinance shall be in force and take effect from and after its

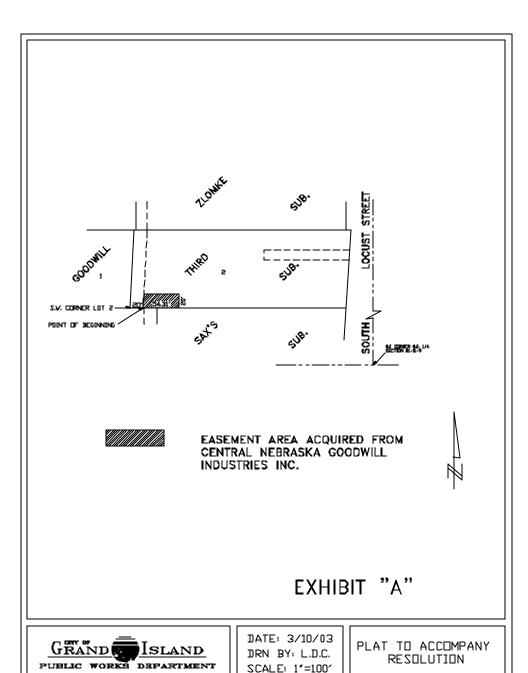
passage and publication, without the plat, within fifteen days in one issue of the Grand Island

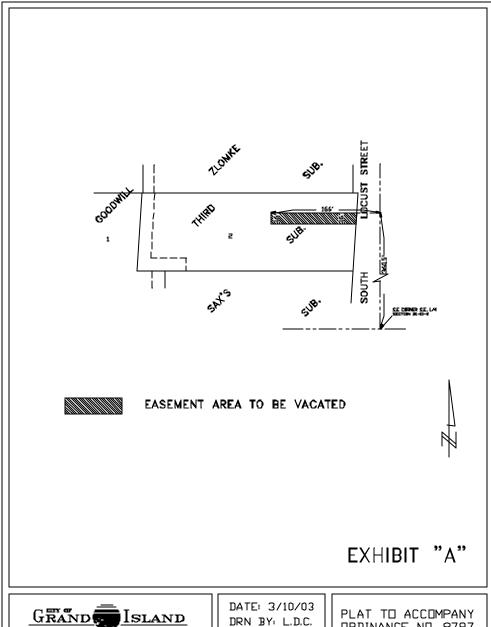
Independent as provided by law.

Enacted: March 18, 2003.

	Jay Vavricek, Mayor	
Attest:		
RaNae Edwards, City Clerk		

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SCALE: 1"=100'

PUBLIC WORKS DEPARTMENT

DRDINANCE NO. 8797



Tuesday, March 18, 2003 Council Session

Item F3

#8798 - Consideration of Annexation of Property Being Platted at Neumann Subdivision

This item relates to the aforementioned Public Hearing. Annexation of property being platted as Neumann Subdivision an addition to the City of Grand Island. The property is located South of 13th Street, and West of North Road, in the N 1/2 NE 1/4 Section 14, Township 11, Range 10. The Regional Planning Commission at their meeting of March 5, 2003, voted to approve and recommend the city council approve this annexation. Approval is recommended. Staff Contact: Chad Nabity

ORDINANCE NO. 8798

An ordinance to annex Neumann Subdivision into the City of Grand Island; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

WHEREAS, Jacqueline E. Hanover, a widow, and Teddy Lechner and Imogene Lechner, husband and wife, as owners, have caused to be laid out into a lot, a tract of land comprising a part of the North Half of the Northeast Quarter (N1/2, NE1/4) of Section Fourteen (14), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska, under the name of NEUMANN SUBDIVISION, which is proposed to be an addition to the City of Grand Island; and

WHEREAS, after public hearing on March 5, 2003, the Regional Planning Commission recommended the approval of annexing such addition into the City of Grand Island; and

WHEREAS, after public hearing on March 18, 2003, the City Council found and determined that such annexation be approved.

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

SECTION 1. That Neumann Subdivision is hereby annexed into the City of Grand Island, and shall be entitled to all the rights and privileges, and shall be subject to all the laws, ordinances, rules, and regulations of the City of Grand Island

SECTION 2. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

Approved as to Form

March 13, 2003

City Attorney

ORDINANCE NO. 8798 (Cont.)

SECTION 3. 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.

provided by law.		
Enacted: March 18, 2003	3.	
	Jay Vavricek, Mayor	
Attest:		
RaNae Edwards City Clerk		



Tuesday, March 18, 2003 Council Session

Item F4

#8799- Consideration of Annexation of Property Being Platted as Timberline Subdivision

This item relates to the aforementioned Public Hearing. Annexation of property being platted as Timberline Subdivision an addition to the City of Grand Island. The property is located North of Hwy 11, and West of Webb Road, in the Se 1/4 NE 1/4 Section 1, Township 11, Range 10. The Regional Planning Commission at their meeting of March 5, 2003, unanimously voted to approve and recommend the city council approve this annexation. Approval is recommended.

Staff Contact: Chad Nabity

ORDINANCE NO. 8799

An ordinance to annex Timberline Subdivision into the City of Grand Island; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

WHEREAS, Hehnson, LLC, a Nebraska limited liability company, as owner, has caused to be laid out into lots, a tract of land comprising a part of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section One (1), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., AND a tract of land located in the Northeast Quarter (NE1/4) of Section One (1), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., both located in Hall County, Nebraska, under the name of TIMBERLINE SUBDIVISION, which is proposed to be an addition to the City of Grand Island; and

WHEREAS, after public hearing on March 5, 2003, the Regional Planning Commission recommended the approval of annexing such addition into the City of Grand Island; and

WHEREAS, after public hearing on March 18, 2003, the City Council found and determined that such annexation be approved.

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

SECTION 1. That Timberline Subdivision is hereby annexed into the City of Grand Island, and shall be entitled to all the rights and privileges, and shall be subject to all the laws, ordinances, rules, and regulations of the City of Grand Island

SECTION 2. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

Approved as to Form

March 13, 2003

City Attorney

ORDINANCE NO. 8799 (Cont.)

SECTION 3. 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.

provided by law.		
Enacted: March 18, 2003.		
	Jay Vavricek, Mayor	
Attest:		
RaNae Edwards, City Clerk		



Tuesday, March 18, 2003 Council Session

Item F5

#8800 - Consideration of Change of Land Use Designation for Property Located West of Diers Avenue and North of Faidley Avenue from B2 General Business to RD Residential Development

This item relates to the aforementioned Public Hearing. Concord Development L.L.C., has submitted a request to rezone approximately 7.25 acres of land located West of Diers Avenue and North of Faidley Avenue from B2 General Business to RD Residential Development. The purpose of the request is to rezone the property to allow apartment buildings to be built on this property. The Regional Planning Commission, at their meeting of March 5, 2003, voted unanimously to approve the request. Approval is recommended. See attached ORDINANCE.

Staff Contact: Chad Nabity

ORDINANCE NO. 8800

An ordinance rezoning certain tracts of land within the zoning jurisdiction of the City of Grand Island; changing the land use classification of a tract of land comprising all of Lot Three (3), Crane Valley 6th Subdivision in the city of Grand Island, Hall County, Nebraska, from B2-General Business Zone to RD-Residential Development Zone; directing the such zoning change and classification be shown on the Official Zoning Map of the City of Grand Island; amending the provisions of Section 36-7; and providing for publication and an effective date of this ordinance.

WHEREAS, the Regional Planning Commission on March 5, 2003, held a public hearing and made a recommendation on the proposed zoning of such area; and

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

WHEREAS, after public hearing on March 18, 2003, the City Council found and determined the change in zoning be approved and made.

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

SECTION 1. The following tract of land is hereby rezoned and reclassified and changed from B2-General Business Zone to RD-Residential Development Zone:

All of Lot Three (3), Crane Valley 6th Subdivision in the city of Grand Island, Hall County, Nebraska.

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

Approved as to Form

March 13, 2003

City Attorney

ORDINANCE NO. 8800 (Cont.)

SECTION 3. That this ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: March 18, 2003

provided by law	•		
F	Enacted: March 18, 2003.		
		Jay Vavricek, Mayor	
Attest:			
RaNae Edwards	, City Clerk		



Tuesday, March 18, 2003 Council Session

Item G1

Receipt of Official Document - Civil Service Minutes of February 21, 2003

Receipt of Official Documents - Civil Service Minutes of February 21, 2003. See attached MINUTES

Staff Contact: Brenda Sutherland

City Of Human Resources



Working Together for a Better Tomorrow. Today.

MINUTES CIVIL SERVICE COMMISSION February 21, 2003

Roll Call: Members Present:

Members Absent:

Leeper, Burns, Hilligas

Also Present:

Curt Rohling, Fire Operations Chief

Leeper called the meeting to order at 8:30 a.m. Notice of the meeting was published in the February 19, 2002, edition of the Grand Island Independent.

Burns moved to approve the minutes of the February 11, 2003, meeting. Hilligas seconded the motion which carried unanimously upon roll call vote.

The Commission received a request from the Fire Department to certify names from the eligibility list to fill one Firefighter/EMT position. Burns moved to certify the top three candidates, namely, Beckstead, Miller and Urkoski. Hilligas seconded the motion, which passed unanimously upon roll call vote.

There being no further business, Leeper 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: 3/6/03 Copies of approved Minutes to: City Clerk



Tuesday, March 18, 2003 Council Session

Item G2

Approving Minutes of March 4, 2003 City Council Regular Meeting

The Minutes of March 4, 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 March 4, 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 March 4, 2003. Notice of the meeting was given in the Grand Island Independent on February 26, 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 Administrator Marlan Ferguson, City Clerk RaNae Edwards, Public Works Director Steve Riehle, City Attorney Doug Walker and Finance Director David Springer.

<u>PLEDGE OF ALLEGIANCE</u> was said followed by the <u>INVOCATION</u> given by Pastor Bob Stretch, Berean Bible Church, 4116 West Capital Avenue.

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

PRESENTATIONS AND PROCLAMATIONS:

<u>"It's About Kids!" Presentation.</u> Jennifer Worthington, Executive Director for Youth Leadership Tomorrow, "It's About Kids!" mentioned that due to the weather, Wil Hotz was not able to make it to the meeting. Ms. Worthington spoke about this week's asset.

<u>Presentation Police Chief Kyle Hetrick by Sergeant Steve Rathman for Patriotism Award from the Department of Defense.</u> Sergeant Steve Rathman from the Police Department presented Police Chief Kyle Hetrick with the Patriotism Award from the Department of Defense 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.

<u>Presentation by Sonja Simpson, Central District Health Department Director, Regarding Updates to the Health Department.</u> Central District Health Department Director Sonja Simpson updated the Mayor and Council regarding issues at the Health Department. Presented were small pox vaccinations, new health department building, and various events the Health Department had been involved with.

<u>ADJOURN TO BOARD OF EQUALIZATION:</u> Motion by Whitesides, second by Pielstick, carried unanimously to adjourn to the Board of Equalization.

#2003-BE-3 – Determining Benefits for Sanitary Sewer District #499, Platte Valley Industrial Park. Steve Riehle, Public Works Director, reported that the contract for Sanitary Sewer District 499 was awarded to Starostka Group Company of Grand Island, Nebraska on February 26, 2002 and was substantially complete by November 8, 2002. The project was completed at a construction price of \$565,978.12. Total assessed cost of the project was \$636,747.71. It was recommended that Council establish the assessments for this district. Most of the cost would be assessed against the properties that benefit from the project. Motion was made by Pielstick, second by Hornady, to approve Resolution #2003-BE-3, carried unanimously.

<u>RETURN TO REGULAR SESSION:</u> Motion by Pielstick, second by Hornady, carried unanimously to return to Regular Session.

PUBLIC HEARINGS:

<u>Public Hearing on Acquisition of Utility Easement Located at 410 Claude Road. (Pitcher & Pitcher Properties)</u> Gary Mader, Utilities Department Director reported that acquisition of a utility easement located at the northwest corner of 410 Claude Road, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate primary underground cable and a pad mounted transformer. No public testimony was heard.

<u>Public Hearing on Acquisition of Utility Easement Located at 3242 West 2nd Street.(Healthcare Support Service, LLC)</u> Gary Mader, Utilities Department Director reported that acquisition of a utility easement located at 3242 West 2nd Street was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate underground cable and a pad mounted transformer. No public testimony was heard.

Public Hearing on Request of Hooker Brothers Sand & Gravel/Werner Construction, Inc. for an Amendment to the Time Frame of their Conditional Use Permit Located at 3860 South Locust Street. Craig Lewis, Building Department Director reported that Richard Ray of Werner construction had 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 had 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.

Ignacio Contreras, 3892 South Locust Street spoke in opposition. Richard Ray representing Werner Construction spoke in support. An e-mail was read from Ace and Robin Buettenback, 3742 South Locust Street thanking the council for the compromise being made and had no objections to the amendment. No further 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

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

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 #8795 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 #8795 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 cal votes on first reading and then upon final passage, Ordinance #8795 is declared to be lawfully passed and adopted upon publication as required by law.

<u>CONSENT AGENDA</u>: Councilmember Walker requested items G-7 and G-10 be removed from the Consent Agenda. Motion by Seifert, second by Larson, carried unanimously to approve the Consent Agenda excluding items G-7 and G-10.

Receipt of Official Document – Civil Service Minutes of February 11, 2003.

Receipt of Official Document – Tort Claim Submitted by Rhonda Hawthrone.

Approving Minutes of February 18, 2003 City Council Regular Meeting.

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

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

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

#2003-59 - Approving Acquisition of Utility Easement at 410 Clause Road. (Pitcher & Pitcher Properties)

#2003-60 – Approving Acquisition of Utility Easement at 3242 West 2^{nd} Street. (Healthcare Support Service, LLC)

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

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

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. Discussion was held by Council concerning location of the plant, application time frame, and start date of operation of the plant. Motion was made by Seifert, second by Hornady, unanimously approved Hooker Brothers request. Motion adopted.

#2003-61 — Approving Terrorist Insurance for Utilities Operations with Factory Mutual Insurance Company in an Amount of \$15,835.00 per Year. Motion was made by Whitesides, second by Walker to deny Resolution #2003-61. A lengthy discussion was had by Council regarding what constituted a terrorist act, cost of the power plant, and the use of this money for other projects. Councilmember Seifert offered a friendly amendment to have staff work with the League of Nebraska Municipalities and the National League of Cities to work on legislation, whereby the Federal Government would cover the cost of such acts and not involve the insurance companies.

Upon roll call vote, all voted aye. Motion to deny Resolution #2003-61 adopted.

RESOLUTIONS:

#2003-57 – Approving Agreement for Grant Funding for Exercise Equipment – Fire Department. Fire Chief Jim Rowell reported that the United States Congress established what was 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 could apply for grant funding in any category but only one category in any year. In the first year the Fire Department applied for funds for physical fitness but were not successful. In the second year the Fire Department learned from their first effort and submitted an improved grant application. They were successful and council approved the acceptance of the grant in January 2003. They then began the process of requesting bids on the equipment specified in the application. The equipment was heavy-duty commercial grade equipment that had the durability to withstand the daily use by several members of the department. The heavy-duty construction and 6-horse power motor would hold up well. They did however include an extended warranty adding a year to the manufactures year warranty. The recommended low bid for the treadmill was a local business and service and maintenance would be readily available.

Troy Hughes, Fire Training Officer and John Wayne representing Wayne Cyclery answered questions concerning the equipment and fitness program used by the Fire Department. Councilmember Meyer, a former Firefighter, spoke in support of purchasing the equipment. Councilmember Seifert stated "you can put a price on equipment, but not on health".

Motion by Walker, second by Seifert, carried unanimously to approve Resolution #2003-57. Motion adopted.

#2003-64 – Approving General Work Change Order #4 – Final – Burdick Station GT-2 and GT-3 – Combustion Turbine Project – Utilities Department. Gary Mader, Utilities Director reported that 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. Since construction began there had been numerous additions and changes as the system and subsystem specific information had become available and engineering design finalized. The Utilities Department recommended authorizing 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 resulted in a final contract price of \$13,962,822.42.

Councilmember Larson questioned the status of liquidated damages and the status of the units. Mr. Mader stated a hearing was scheduled to be held this month on the liquidated damages and the units were close to being on line.

Motion by Sefiert, second by Larson, carried unanimously to approve Resolution #2003-64. Motion adopted.

#2003-65 – Approving Boundaries for Creation of Business Improvement District #5 and Establishing Initial Appointments to Board. Cindy Johnson, Community Project Director reported that the Business Improvement District for the downtown (BID #2) was in its last year of a five-year life. BID #2 would expire on September 30, 2003. Efforts had 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 was to establish the boundaries for the district and designate a board to develop the goals, objectives and budget for the new district.

Individuals who were willing to serve in this capacity were: 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 would return to the City Council with a recommendation relative to funding for the activities to be undertaken by the district.

Motion was made by Pielstick, second by Whitesides, carried unanimously to approve Resolution #2003-65. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Seifert, second by Pauly, carried unanimously to approve the Claims for the period of February 19, 2003 through March 4, 2003, for a total amount of \$3,717,413.59.

ADJOURNMENT: The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

RaNae Edwards City Clerk



Tuesday, March 18, 2003 Council Session

Item G3

Approving Request of Byco, Inc. dba Byco, 1309 Diers Avenue, for Class "D" Liquor License

This item relates to the aforementioned Public Hearing. Byco, Inc. dba Byco, 1309 Diers Avenue, has submitted an application for a Class "D" Liquor License. A Class "D" Liquor License allows for the sale of alcoholic beverages off sale only within the corporate limits of the City. This application has been reviewed by the Building, Fire, Health, and Police Departments. Approval is recommended.

Staff Contact: RaNae Edwards



Tuesday, March 18, 2003 Council Session

Item G4

Approving Request of Byco, Inc. dba Byco, 1222 South Locust Street, for Class "D" Liquor License

This item relates to the aforementioned Public Hearing. Byco, Inc. dba Byco, 1222 South Locust Street, has submitted an application for a Class "D" Liquor License. A Class "D" Liquor License allows for the sale of alcoholic beverages off sale only within the corporate limits of the City. This application has been reviewed by the Building, Fire, Health, and Police Departments. Approval is recommended.

Staff Contact: RaNae Edwards



Tuesday, March 18, 2003 Council Session

Item G5

Approving Request of Byron Wheeler, 2606 Apache, for Liquor Manager Designation for Byco, 1309 Diers Avenue and 1222 South Locust Street

Byron Wheeler, 2606 Apache has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "D" Liquor Licenses of Byco at 1309 Diers Avenue and 1222 South Locust Street. This application has been reviewed by the Police Department and City Clerk's Office. Approval is recommended.

Staff Contact: RaNae Edwards



Tuesday, March 18, 2003 Council Session

Item G6

Approving Request of Thomas Graves for a Conditional Use Permit for Automotive Salvage Yard Located at 403 East 4th Street

This item relates to the aforementioned Public Hearing. Thomas G. Graves, President of Owl Auto Parts, 403 East 4th Street, has submitted a request with the City Clerk's Office for a Conditional Use Permit to allow for the operation of six automotive salvage yards located along and adjacent to East 4th Street. Two exceptions have been requested by the applicant,1) the height of the required fencing be six feet rather than eight feet, and 2) a time frame of until September 10, 2003 be allowed for the completion of the required screen fencing. These two exceptions appear reasonable as historically, Owl Auto Parts has not stored parts at a height higher than there existing fence and this restriction would limit any future storage to the height of the fence. The time frame for the completion of the screen fencing would allow for summer construction to complete the fencing. This request has been reviewed by the Building, Legal, Utilities, Regional Planning, and Public Works Departments. Approval is recommended.

Staff Contact: Craig Lewis



Tuesday, March 18, 2003 Council Session

Item G7

#2003-66 - Approving Acquisition of Utility Easement - East Frontage of Gold Core Drive - GI Area Economic Development

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 Grand Island Area Economic Development, located through a part of Lot Two (2), Lot Three (3), Lot Four (4), Lot Five (5), Lot Six (6), and Lot Seven (7), Platte Valley Industrial Park Third Subdivision (East Frontage of Gold Core Drive), in the City of Grand Island, Hall County, Nebraska in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Gold Core Road will have a rural profile, which means there will be drainage areas off the street. Normal underground electrical construction has high voltage terminals that are located so the bushings are above any possible high water area. Those boxes may block any drainage along Gold Core Road if they are placed in public right-of-way. By obtaining an easement along these lots, the electric lines will not be in a drainage area.

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

WHEREAS, a public utility easement is required by the City of Grand Island, from the Grand Island Area Economic Development Corporation, a Nebraska corporation, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on March 18, 2003, for the purpose of discussing the proposed acquisition of easements and rights-of-way through a part of Lots Two (2), Three (3), Four (4), Five (5), Six (6), and Seven (7), Platte Valley Industrial Park Third Subdivision in the City of Grand Island, Hall County, Nebraska, the utility easement and right-of-way being more particularly described as follows:

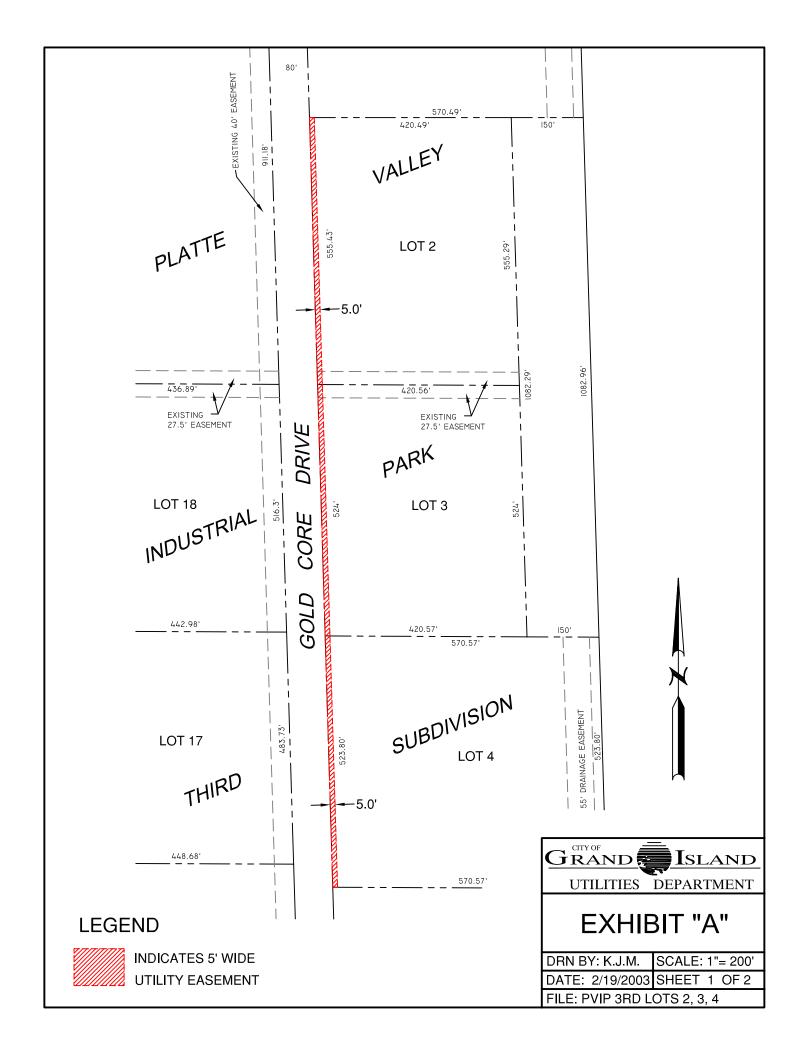
The westerly Five (5.0) feet of Lots Two (2), Three (3), Four (4), Five (5), Six (6), and Seven (7), Platte Valley Industrial Park Third Subdivision in the City of Grand Island, Hall County, Nebraska.

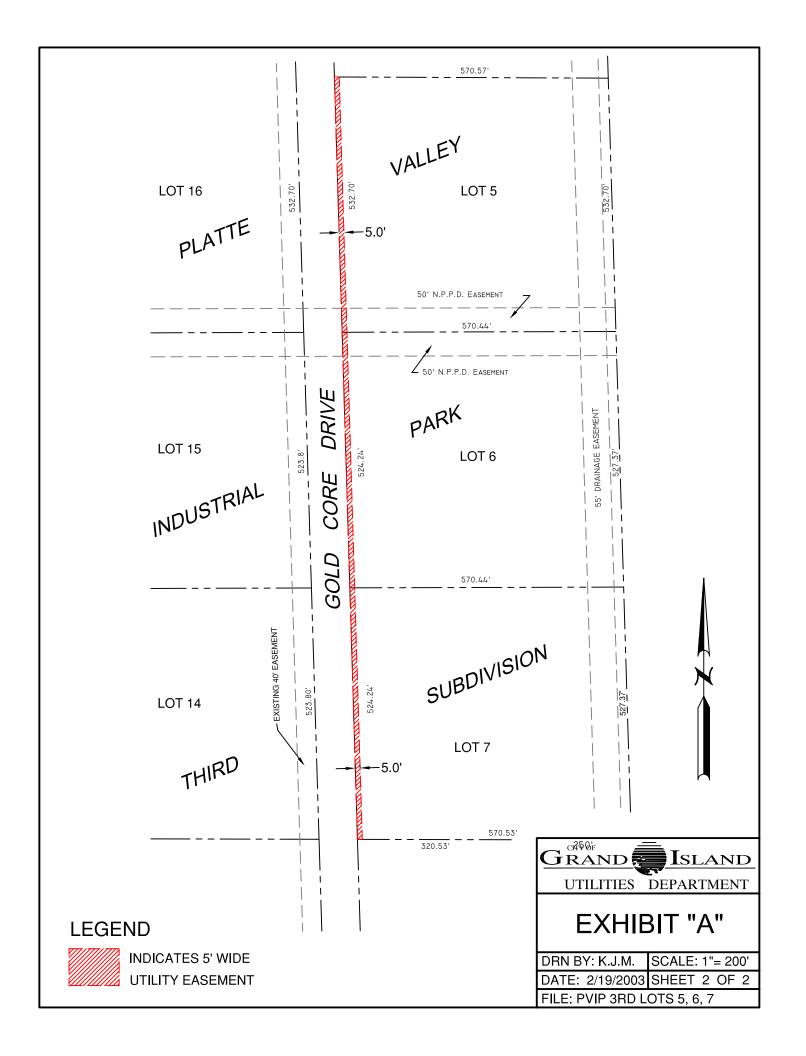
The above-described easement and right-of-way containing 0.372 acres, more or less, are shown on the plat dated February 19, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

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 the Grand Island Area Economic Development Corporation, a Nebraska corporation, on the above-described tract of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.







Tuesday, March 18, 2003 Council Session

Item G8

#2003-67 - Approving Acquisition of Utility Easement - Frontage of 4079 Gold Core Drive - Robert and Judith Poland

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 Judith K. and Robert K. Poland, located through a part of Lot One (1) Platte Valley Industrial Park Third Subdivision (Frontage of 4079 Gold Core Drive) in the City of Grand Island, Hall County, Nebraska, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Gold Core Road will have a rural profile, which means there will be drainage areas off the street. Normal underground electrical construction has high voltage terminals that are located so the bushings are above any possible high water area. Those boxes may block any drainage along Gold Core Road if they are placed in public right-of-way. By obtaining an easement along this lot, the electric lines will not be in a drainage area.

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

WHEREAS, a public utility easement is required by the City of Grand Island, from Judith K. Poland and Robert K. Poland, wife and husband, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on March 18, 2003, for the purpose of discussing the proposed acquisition of easements and rights-of-way through a part of Lot One (1), Platte Valley Industrial Park Third Subdivision in the City of Grand Island, Hall County, Nebraska, the utility easement and right-of-way being more particularly described as follows:

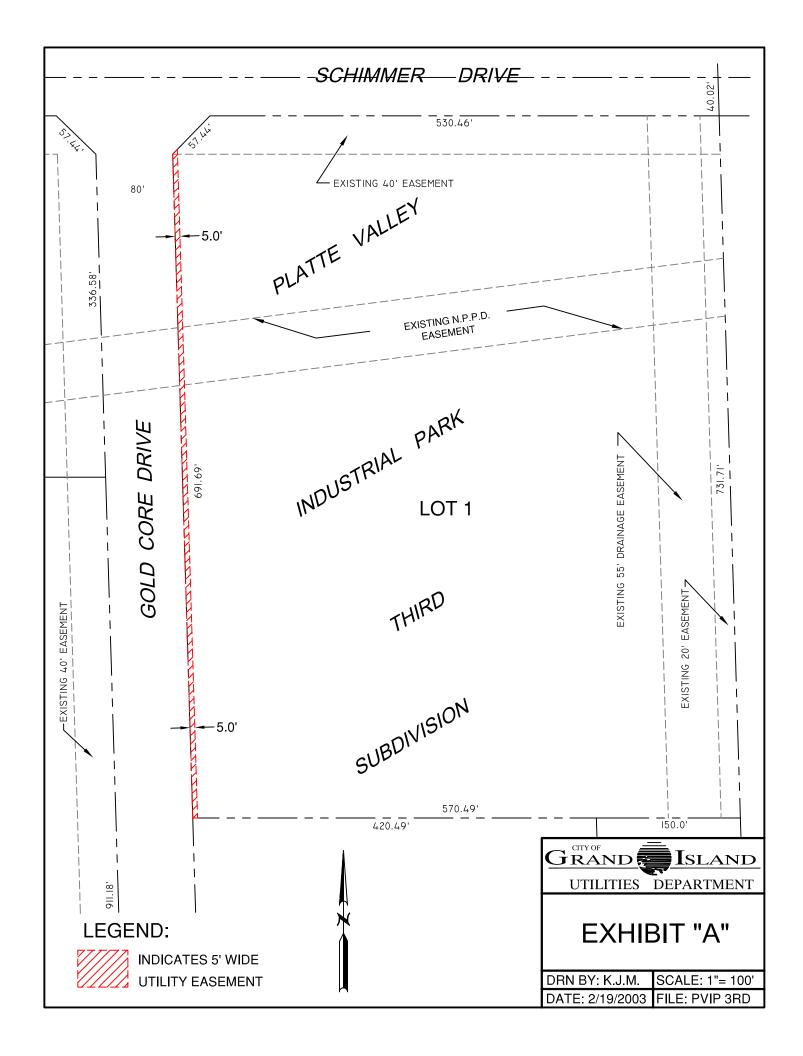
The westerly Five (5.0) feet of Lot One (1), Platte Valley Industrial Park Third Subdivision in the City of Grand Island, Hall County, Nebraska.

The above-described easement and right-of-way containing 0.079 acres, more or less, are shown on the plat dated February 19, 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 Judith K. Poland and Robert K. Poland, wife and husband, on the above-described tract of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.





Tuesday, March 18, 2003 Council Session

Item G9

#2003-68 - Approving Acquisition of Utility Easement - Hwy 281 and Wildwood - Dwaine R. and Evelyn I. Lewis

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 Dwaine R. and Evelyn I. Lewis, located at Hwy. 281 and Wildwood Drive, in order to have access to install, upgrade and maintain water lines.

A new water main will be constructed on the south side of Wildwood from Juergen Road, across Hwy. 281 and to Wildwood Subdivision west of Hwy. 281. This easement will be used to locate the new line and give the contractor area to place the equipment to bore underground across Hwy. 281.

Recommendation:

Approve the request to obtain the needed easement.

Fiscal Effects:

Five hundred dollars (\$500.00) for the easement will be paid to the grantor.

Alternatives:

As suggested by City Council. See attached RESOLUTION.

Staff Contact: Robert H. Smith

WHEREAS, public utility easements are required by the City of Grand Island, from Dwaine R. Lewis and Evelyn I. Lewis, husband and wife, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on March 18, 2003, for the purpose of discussing the proposed acquisition of easements and rights-of-way through a part of a tract located in part of the Northwest Quarter (NW1/4, NW1/4) of Section Eight (8), Township Ten (10) North, Range Nine (9) West of the 6th P.M. in the City of Grand Island, Hall County, Nebraska, the utility easements and rights-of-way being more particularly described as follows:

Tract No. 1:

Commencing at the northwest corner of the Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4) of Section Eight (8), Township Ten (10) North, Range Nine (9) West of the 6th P.M., Grand Island, Hall County, Nebraska; thence easterly along the northerly line of said Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4), a distance of Fifty Seven and Thirty One Hundredths (57.31) feet; thence deflecting right 84°59'00" and running southerly, a distance of Thirty Three and Thirteen Hundredths (33.13) feet to the Actual Point of Beginning being a point on the Easterly right of way line of U.S. Highway 281/34; thence continuing southerly along said right-of-way line, a distance of Two Hundred Ninety Five and Two Hundredths (295.02) feet; thence northerly perpendicular to the northerly line of said Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4), a distance of Two Hundred Seventy Three and Eighty Nine Hundredths (273.89) feet; thence easterly, parallel with the northerly line of said Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4), a distance of One Hundred Forty Five and Forty Nine Hundredths (145.94) feet to the westerly line of Greenscape Inc. Subdivision; thence northerly along the westerly line of said Greenscape Inc. Subdivision, a distance of Twenty (20.0) feet; thence westerly along the southerly right-of-way line of Wildwood Drive, a distance of One Hundred Seventy and Eighty Five Hundredths (170.85) feet to the said Point of Beginning.

Tract No. 2:

Commencing at the northwest corner of the Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4) of Section Eight (8), Township Ten (10) North, Range Nine (9) West of the 6th P.M., Grand Island, Hall County, Nebraska; thence easterly along the northerly line of said Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4), a distance of Five Hundred Ninety Five and Forty Five Hundredths (595.45) feet to the easterly line of Greenscape Inc. Subdivision; thence southerly along the easterly line of Greenscape Inc. Subdivision, a distance of Thirty Three (33.0) feet to the Actual Point of Beginning being a point on the southerly right-of-way line of Wildwood Drive; thence continuing southerly on the easterly line of said Greenscape Inc. Subdivision, a distance of Twenty (20.0) feet; thence easterly parallel with the northerly line of said Northwest Quarter of the Northwest

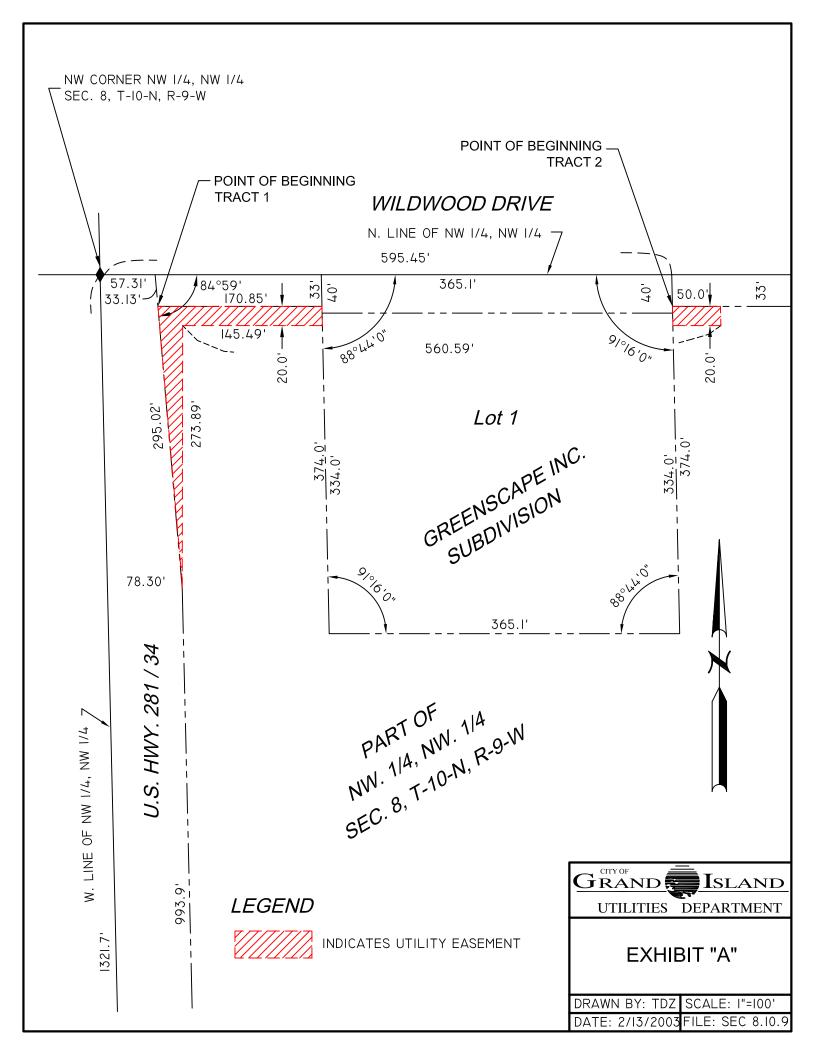
Quarter (NW1/4, NW1/4), a distance of Fifty (50.0) feet; thence northerly parallel with the easterly line of said Greenscape Inc. Subdivision, a distance of Twenty (20.0) feet to the southerly right-of-way line of said Wildwood Drive; thence westerly along the southerly right-of-way line of said Wildwood Drive, a distance of Fifty (50.0) feet to the said Point of Beginning.

The above-described easements and rights-of-way containing a total of 0.175 acres, more or less, as shown on the plat dated February 13, 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 public utility easements from Dwaine R. Lewis and Evelyn I. Lewis, husband and wife, on the above-described tracts of land.

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Add	opted b	y the	City	Council	of the	City of	Grand	Island,	Nebraska,	March	18,	2003.
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Tuesday, March 18, 2003 Council Session

Item G10

#2003-69 - Approving Acquisition of Utility Easement Located at 1810 South Locust Street - Goodwill Industries of Greater Nebraska

This item relates to the aforementioned Public Hearing. Acquisition of a Public Utility Easement along the southwest side of Lot 2 is required in order to allow sanitary sewer service to the property. See attached RESOLUTION.

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

WHEREAS, a public utility easement is required by the City of Grand Island, from Goodwill Industries of Greater Nebraska, Inc., to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on March 18, 2003, for the purpose of discussing the proposed acquisition of easement and right-of-way through a part of Lot Two (2), Goodwill Third Subdivision in the City of Grand Island, Hall County, Nebraska, the utility easement and right-of-way being more particularly described as follows:

Beginning at a point on the south line of Lot Two (2) Goodwill Third Subdivision, said point being Twenty (20.0) feet east of the southwest corner of Lot Two (2) Goodwill Third Subdivision; thence continuing east on said south line for a distance of Fifty-Four and Thirty-One Hundredths (54.31) feet; thence north on a line perpendicular to the south line of Lot Two (2) Goodwill Third Subdivision for a distance of Twenty (20.0) feet; thence west on a line Twenty (20.0) feet north of and parallel to the south line of Lot Two (2) Goodwill Third Subdivision to a point Twenty (20.0) feet east of the west line of Lot Two (2) Goodwill Third Subdivision; thence southwesterly on a line Twenty (20.0) feet east of and parallel to the west line of Lot Two (2) Goodwill Third Subdivision to the point of beginning.

The above-described easement and right-of-way are shown on the plat dated March 10, 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 Goodwill Industries of Greater Nebraska, Inc., on the above-described tract of land.

Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.

RaNae Edwards, City Clerk



Tuesday, March 18, 2003 Council Session

Item G11

#2003-70 - Approving Final Plat and Subdivision Agreement for Neuamnn Subdivision

Jacqueline Hanover, and Imogene Lechner, owners, have submitted the final plat for Neumann Subdivision, located South of 13th Street, and West of North Road. This plat proposes to develop 1 lot on a currently unplatted parcel of land in the N 1/2 NE 1/4 of Section 14, Township 11, Range 10. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of March 5, 2003, voted to recommend approval. See attached RESOLUTION.

Staff Contact: Chad Nabity

WHEREAS, Jacqueline E. Hanover, a widow, and Teddy Lechner and Imogene L. Lechner, husband and wife, as owners, have caused to be laid out into a lot, a tract of land comprising a part of the North Half of the Northeast Quarter (N1/2, NE1/4) of Section Fourteen (14), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska, under the name of NEUMANN SUBDIVISION, and have caused a plat thereof to be acknowledged by them; and

WHEREAS, such subdivision was approved by the Regional Planning Commission on February 5, 2003; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Board of Education of School District No. 2, School District No. 82 and School District No. 3 in Grand Island, Hall County, Nebraska, as required by Section 19-923, R.R.S. 1943; and

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

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

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

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Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item G12

#2003-71 - Approving Final Plat and Subdivision Agreement for Miki Subdivision

Timothy O'Neill, owner, has submitted the final plat for Miki Subdivision, located East of Hope Street, and North of Hedde Street. This plat proposes to resubdivide part of Block 12 Pleasant Home Subdivision, and part of vacated Windolph Avenue into 2 lots. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of March 5, 2003, unanimously voted to recommend approval. See attached RESOLUTION.

Staff Contact: Chad Nabity

March 6, 2003

Honorable Jay Vavricek, Mayor and Members of the Council City Hall Grand Island NE 68801

Dear Mayor and Members of the Council:

RE: FINAL PLAT – Miki Subdivision located East of Hope Street, and North of Hedde Street, Grand Island, NE.

At the regular meeting of the Regional Planning Commission, held March 5, 2003 the above item was considered. This final plat proposes to resubdivide part of Block 12 Pleasant Home Subdivision, and part of vacated Windolph Avenue into 2 lots. This property consists of .629 acres.

A motion was made by Obermeier and seconded by Ruge to **approve** and recommend that the City Council **approve** the final plat and subdivision agreements of Miki Subdivision.

The Planning Commission passed this motion with 10 members present voting in favor (Amick, Haskins, Hooker, Eriksen, Miller, Obst, Ruge, Obermeier, Hayes, Wagoner) and one member abstaining (O'Neill).

Yours truly,

Chad Nabity AICP Planning Director

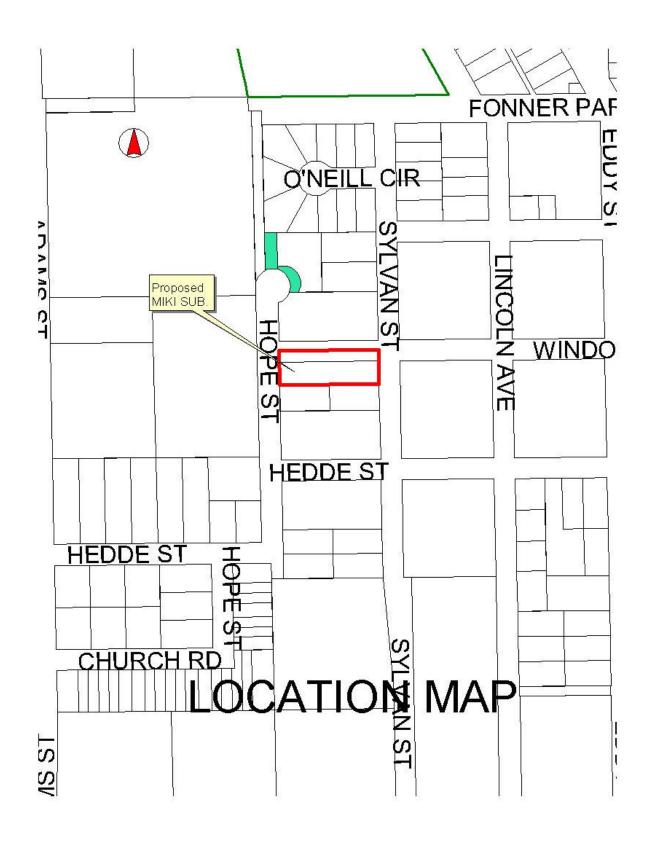
cc: City Attorney

Director of Utilities

Director of Public Works

Director of Building Inspections Manager of Postal Operations

Rockwell & Associates



WHEREAS, Timothy R. O'Neill and Miki S. O'Neill, husband and wife, as owners, have caused to be laid out into lots, a tract of land comprising all of the northerly Sixty-Six (66.0) feet of Block Twelve (12), Pleasant Home Subdivision and the southerly Thirty (30.0) feet of Vacated Windolph Avenue as shown in Ordinance No. 4883 and recorded in the Register of Deeds office at Book 21, Page 15, in the City of Grand Island, Hall County, Nebraska, under the name of MIKI SUBDIVISION, and have caused a plat thereof to be acknowledged by them; and

WHEREAS, such subdivision was approved by the Regional Planning Commission on March 5, 2003; and

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

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

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

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

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Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item G13

#2003-72 - Approving Final Plat and Subdivision Agreement for Timberline Subdivision

Rick Johnson & K.C. Hehnke, owners, have submitted the final plat for Timberline Subdivision, located North of Hwy 11, and West of Webb Road. This plat proposes to develop 11 lots on a currently unplatted parcel of land in the SE 1/4 NE 1/4 of Section 1, Township 11, Range 10. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, will consider this item at their March 17, 2003 meeting. See attached RESOLUTION.

Staff Contact: Chad Nabity

WHEREAS, Hehnson, LLC, a Nebraska limited liability company, as owner, has caused to be laid out into lots, a tract of land comprising a part of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section One (1), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., AND a tract of land located in the Northeast Quarter (NE1/4) of Section One (1), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., all in Hall County, Nebraska, under the name of TIMBERLINE SUBDIVISION, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, the Regional Planning Commission made a recommendation with respect to Timberline Subdivision at its March 17, 2003 meeting; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Board of Education of School District No. 2, School District No. 1R, and School District No. 82 in Grand Island, Hall County, Nebraska, as required by Section 19-923, R.R.S. 1943; and

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

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

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

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Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item G14

#2003-73 - Approving Final Plat and Subdivision Agreement for Crane Valley 6th Subdivision

Concord Development, L.L.C., owners, have submitted the final plat for Crane Valley 6th Subdivision, located North of Diers Avenue and East of Concord Avenue. This plat proposes to resubdivide part of Block A Crane Valley 3rd Subdivision into 3 lots. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of March 5, 2003, unanimously voted to recommend approval. See attached RESOLUTION.

Staff Contact: Chad Nabity

March 6, 2003

Honorable Jay Vavricek, Mayor and Members of the Council City Hall Grand Island NE 68801

Dear Mayor and Members of the Council:

RE: FINAL PLAT – Crane Valley 6th Subdivision located North of Diers Avenue, and East of Concord Avenue, Grand Island, NE.

At the regular meeting of the Regional Planning Commission, held March 5, 2003 the above item was considered. This final plat proposes to resubdivide part of Block A Crane Valley 3rd Subdivision into 3 lots. This property is currently zoned B2 General Business Zone and consists of 10.23 acres.

A motion was made by Obermeier and seconded by Hooker to **approve** and recommend that the City Council **approve** the final plat and subdivision agreements of Crane Valley 6th Subdivision.

The Planning Commission passed this motion with a unanimous vote of the 11 members present (Amick, Haskins, O'Neill, Hooker, Eriksen, Miller, Obst, Ruge, Obermeier, Hayes, Wagoner)

Yours truly,

Chad Nabity AICP Planning Director

cc: City Attorney

Director of Utilities

Director of Public Works

Director of Building Inspections Manager of Postal Operations

Olsson Associates



WHEREAS, Concord Development, L.L.C., a limited liability company, as owner, has caused to be laid out into lots, a tract of land comprising of part of Block "A" Crane Valley Subdivision in the City of Grand Island, Hall County, Nebraska, under the name of CRANE VALLEY 6th SUBDIVISION, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, such subdivision was approved by the Regional Planning Commission on March 5, 2003; and

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

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

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

BE IT FURTHER RESOLVED that the final plat of CRANE VALLEY $6^{\rm th}$ SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item G15

#2003-74 - Approving Final Plat and Subdivision Agreement for Crane Valley 7th Subdivision

Concord Development, L.L.C., owners, have submitted the final plat for Crane Valley 7th Subdivision, located North of Diers Avenue and East of Concord Avenue. This plat proposes to create a final plat of lot 3 Crane Valley 6th Subdivision as part of the Residential Development. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of March 5, 2003, unanimously voted to recommend approval. See attached RESOLUTION.

Staff Contact: Chad Nabity

March 6, 2003

Honorable Jay Vavricek, Mayor and Members of the Council 100 E. 1st Street Grand Island NE 68801

Dear Mayor and Members of the Council:

RE: An amendment to the Zoning Map for properties located west of Diers Avenue north of Faidley Avenue, from B2 General Business to RD Residential Development, and Final plat of Crane Valley 7th Subdivision.

At the regular meeting of the Regional Planning Commission, held March 5, 2003 the above item was considered following a public hearing. This application proposes to rezone property located north of Faidley Avenue, and west of Diers Avenue (Lot 3 Crane Valley 6th Subdivision) from B2 General Business to RD Residential Development, and create the final plat of Crane Valley 7th Subdivision.

Nobody from the public spoke for or against this item.

Following further discussion a motion was made by Haskins 2nd by Hooker to approve and recommend that the City of Grand Island approve this amendment to the Grand Island Zoning Map, and the final plat and subdivision agreements of Crane Valley 7th Subdivision.

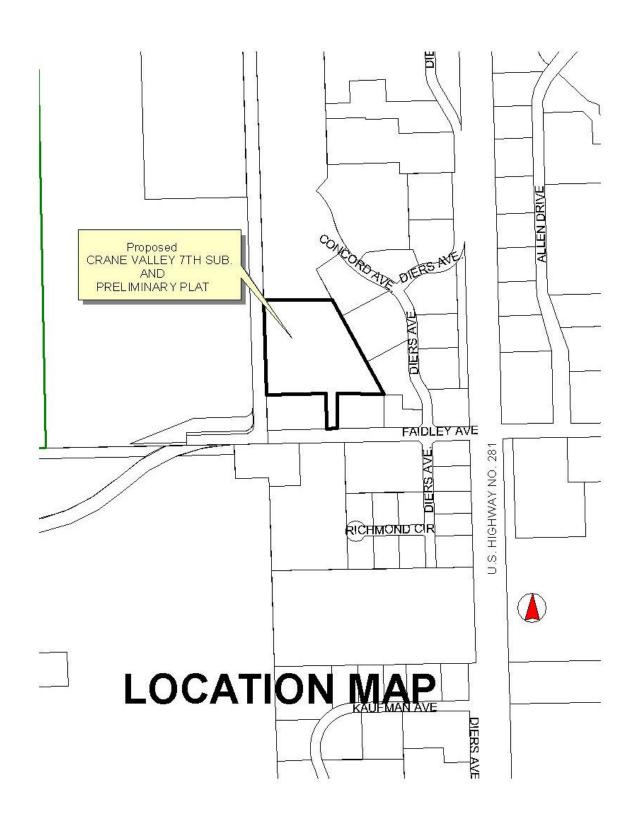
The Planning Commission passed this motion with 11 members voting in favor (Amick, Haskins, O'Neill, Hooker, Eriksen, Miller, Obst, Ruge, Obermeier, Hayes, Wagoner).

Yours truly,

Chad Nabity AICP Planning Director

cc: City Attorney

Director of Public Works
Director of Utilities
Director of Building Inspections
Manager of Postal Operations
Olsson Associates



WHEREAS, Concord Development, L.L.C., a limited liability company, as owner, has caused to be laid out into a lot, a tract of land comprising all of Lot 3 Crane Valley 6th Subdivision in the City of Grand Island, Hall County, Nebraska, under the name of CRANE VALLEY 7th SUBDIVISION, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, such subdivision was approved by the Regional Planning Commission on March 5, 2003; and

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

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

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

BE IT FURTHER RESOLVED that the final plat of CRANE VALLEY 7th SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item G16

#2003-75 - Approving Agreement with Cottonwood Lake Association for Matching Grant Funds Under CYC Program

With the adoption of the 2002-2003 Annual Budget, funding for the Community Connections Neighborhood Association Program was included in the Family Preservation and Support Grant budget. The funding provides matching grants to support neighborhood programs. In January, the Community Youth Council received, and approved, an application from the Cottonwood Lake Association for matching grant monies.

This association is requesting \$1,000 to assist with the dredging of the lake in order to improve the quality of the water that drains into Suck's Lake, improve the drainage of storm sewers into Cottonwood Lake and contribute to the Chevron Park development. The overall improvement project is a joint effort of the Cottonwood Lake Association and the City of Grand Island. The CYC grant funding would be used as part of the required \$50,000 match of the Association. The grant application was approved with the stipulation that the funding improve properties that are available to the general public and not those restricted in usage to property owners.

Council approval of the request for matching grant funds for the Cottonwood Lake Association in the amount if \$1,000 is recommended. The 2002-2003 Annual Budget contains funding for this program in the 22910001.85213 account.

Staff Contact: Cindy Johnson

WHEREAS, on October 12, 1998, by Resolution 98-258, the City of Grand Island adopted the Community Connections Neighborhood Association Program; and

WHEREAS, funds are available through the Family Preservation and Support Grant to provide 50/50 basis assistance for neighborhood improvement projects; and

WHEREAS, the Cottonwood Lake Association submitted an application for funding to assist with the dredging of the lake in order to improve the quality of water that drains into Suck's Lake, improve the drainage of storm sewers into Cottonwood Lake and contribute to the Chevron Park development; and

WHEREAS, it is recommended that \$1,000 be provided to the Cottonwood Lake Association to assist in the funding of such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Cottonwood Lake Association be provided \$1,000 in funding from the Family Preservation and Support Grant budget to assist with the dredging of Cottonwood Lake in order to improve the quality of water that drains into Suck's Lake, improve the drainage of storm sewers into Cottonwood Lake and contribute to the Chevron Park development.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item G17

#2003-76 - Approving Grant Application to Nebraska Department of Economic Development for Owner Occupied Rehabilitation Funds

This item relates to the aforementioned Public Hearing. The Nebraska Department of Economic Development accepts applications through the Community Development Block Grant program for grant funding for acquisition, rehabilitation, construction and production of affordable housing to increase the supply of decent, safe and sanitary housing for low-to-moderate income Nebraskans and to promote and advance the goals of the 2000-2005 Nebraska Consolidated Plan for Housing and Community Development. The results of the recently completed housing study indicate a significant need for rehabilitation of existing housing in the Community Development Project Area, generally described as northeast Grand Island. The Community Projects Department has prepared an application for submittal to the Nebraska Department of Economic Development, seeking \$270,600 in grant funding to assist with the renovation of 10-12 homes. The community match will be met by interest buy down and owner equity.

Staff Contact: Cindy Johnson

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

WHEREAS, the City of Grand Island, Nebraska, has obtained its citizens' comments on community development housing needs; and has conducted public hearings upon the proposed application and received favorable public comment respecting the application which is for an amount of \$270,600 for the renovation of 10-12 homes; and

WHEREAS, the local match for the project will be met by interest buy down and owner equity.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item G18

#2003-77 - Approving Guidelines Relative to Owner Occupied Rehabilitation Program

The Community Projects Department is applying for an Owner-occupied Rehabilitation grant from the Nebraska Department of Economic Development. These funds will be used to rehabilitate 10-12 houses in the Community Development Block Grant area in northeast Grand Island. A maximum rehab amount of \$25,000 per house will be available through the grant.

For the 2003 grant application cycle, the Nebraska Department of Economic Development mandated guideline changes for Owner-occupied Rehabilitation Programs. The City Of Grand Island Rehabilitation guidelines have been expanded to include additions required by the Department of Economic Development.

Guideline additions include:

- A tiered payback program (combination grant/loan funding) (page 1, Guidelines)
- Specific payback guidelines for the Very Low Income (50-80% of median income) and Low-to-Moderate Income (80% of median income) (pages 1-2, Guidelines)
- Enhanced lead-based paint inspection requirements, including contracting requirements for hiring a certified lead-based paint inspector and assessor (pages 14-16, Guidelines)
- Provisions for a required 10% match from the homeowner on the amount they receive for Rehabilitation (pages 1-2, 13-14, Guidelines)
- Expanded applicant criteria for rating rehab needs and for program approval (pages 6-9, Guidelines)

The revised City Of Grand Island Rehabilitation guidelines also meet grant thresholds required by the Department of Economic Development in the application. The required thresholds reflect Department of Housing and Urban Development (HUD) guidelines for DED in the disbursement of federal funding. Guidelines are available in the office of the Community Projects Director.

Staff Contact: Cindy Johnson

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

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

WHEREAS, for the 2003 grant application cycle, the Nebraska Department of Economic Development mandated guideline changes for owner-occupied rehabilitation programs; and

WHEREAS, it is recommended that the City of Grand Island rehabilitation guidelines be expanded in conjunction with those mandated by the Nebraska Department of Economic Development to include a tiered payback program, specific payback guidelines for very low income and low-to-moderate income, enhanced lead-based pain inspection requirements, provisions for a required 10% match from the homeowner on the amount they receive for rehabilitation, expanded applicant criteria for rating rehab needs and for program approval, and other issues of a housekeeping, editorial nature.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the guidelines for the Rehabilitation Deferred Loan Program be amended to as stated above.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item G19

#2003-78 - Approving Contract for Electric Safety Program - Culver Company

Background:

The Electric Department offers a number of electric safety information products including brochures, posters at schools and an electric safety demonstration presented at schools by Department staff. A copy of the promotional letter for the school program is attached. In 2002, 20 presentations were made to over 600 students ranging in age from kindergarten to eighth grade. The Department continues to look for additional ways to reach our customers on the importance of electrical safety.

Discussion:

The Department has reviewed a number of interactive safety computer programs for school aged children that can be accessed through the City of Grand Island web site. An electrical safety icon is displayed on the home page which provides access to an interactive safety program. The cost of a two-year lease of the programming is \$5,500. A copy of the proposed agreement is attached.

Recommendation:

It is the recommendation of the Utilities Department that the contract for the electrical safety program with the Culver Company be accepted.

Fiscal Effects:

Expenditure of \$5,500 from Electric Fund 520. There are sufficient funds available.

Alternatives:

Do not accept the contract.

Staff Contact: Gary R. Mader



February 2003

«Title» «FirstName» «LastName»

«JobTitle»

«Company»

«Address1»

«City», «State» «PostalCode»

Dear «Title» «LastName»:

The City of Grand Island is pleased to offer the availability of an Electrical Safety Program. City staff will come to the school and present the Program to the students.

The Electrical Safety Program is developed for all ages. The Kindergarten through Second Grade presentation consists of reading a story about electrical safety with activity pages and age appropriate discussion. The Third Grade through Fifth Grade utilize the attached outline, consisting of a hands on demonstration of electrical safety gear, a human contact simulation explaining the makeup of the human body as it relates to electrical contact, and the use of an electrical safety display model. Handouts are provided to all participants.

The electrical safety display is a life-like model that graphically demonstrates the do's and don'ts of practicing electrical safety. The display features miniature power poles with lines that carry electricity under the supervision of certified staff. Figurines, cars, construction equipment, and a home, along with the use of kites, trees and ladders, are used within a residential setting to show what could happen when a person or vehicle comes in contact with a high voltage power line; and more importantly how to handle the situation and in many cases, how to avoid such situation.

The presentation is an effective tool in educating the students on the importance of practicing electrical safety. A certified line worker will present the information to fit the individual needs of the teacher.

The City looks forward to hearing from you or a designated official for any questions you may have or to set up an appointment for the presentation. The following contact names are provided for your convenience: Bryan Fiala, Electrical Distribution Crew Chief, bfiala@grand-island.com, 385-5472; or Emily Herman, Utility Secretary, eherman@grand-island.com, 385-5444, Ext. 281.

Sincerely,

Robert H. Smith Assistant Utility Director



Electrical Safety World Contract for City of Grand Island

This contract serves as a limited license for the use of the Electrical Safety World (ESW) website for children. In exchange for payment by City of Grand Island (Licensee) to Culverco, LLC of \$5,500.00 (the "license fee"), Culverco, LLC (Licensor) grants City of Grand Island, without representations or warranties of any kind, a non-exclusive and non-transferable license to use ESW for a period of two years. License shall commence upon delivery of ESW to Licensee.

The payment schedule is as follows:

At signing of this agreement: (includes logo placement, Preparation and Delivery)

\$5,500.00

Licensee acknowledges that Licensor is the owner and copyright holder of Electrical Safety World (ESW) and agrees to use it only for the purposes and in the manner specified herein. Licensee agrees to use ESW only to promote electrical safety within its service area. Licensee agrees to use only versions of ESW branded with Licensee's identity and to make ESW available only on Licensee's web site. Reselling, re-licensing, or allowing any other entity to use ESW is specifically prohibited. Licensee agrees that all payments required under this agreement are due and payable as scheduled, regardless of how or whether Licensee chooses to use ESW.

Licensee agrees to make no changes to ESW other than those consistent with the agreed upon use and agrees to make no changes to it without the prior written approval of Licensor. Licensor agrees that such approval shall not be unreasonably withheld or delayed.

Licensee shall indemnify Licensor, and its parent and affiliated entities, and all officers, directors, shareholders, agents, employees, representatives and associates thereof, and defend, save and hold each and all of them harmless of and from any and all loss, cost, damage, liability and expense, including attorney's fees, with respect to any claim whatsoever arising from Licensee's use of the ESW site.

Licensee agrees that the breach by Licensee of any of its representations, warranties, agreements or undertakings hereunder is cause for immediate termination of any and all rights granted under this agreement.

Near the end of the license period, Licensor will send a renewal notice which Licensee may sign and return to extend the license period or decline and return with the CD. Licensee agrees that Licensee's failure to return the CD within 60 days of the expiration of the license period constitutes a renewal of the license for a period equal to the original license period and agrees to pay the license fee when billed.

If the foregoing terms are acceptable, please date and sign this letter in duplicate in the space provided below and return both copies to us with the License Fee. We will then sign the acknowledgement of receipt of the License Fee below and return an original counterpart of this letter to you.

Culverco, LLC (Licensor):	
Ву:	_
Its:	_
City of Grand Island (Licensee):	
Ву:	_
Its:	
Date:	
Acknowledgement of receipt of license f	·ee:
Culverco, LLC hereby acknowledges rec \$5,500.00.	ceipt of the Payment of the license fee in the amount of
Culverco, LLC	
By:	<u> </u>
Date:	

WHEREAS, the electric department offers a number of electric safety information products for educational purposes for children from kindergarten to eighth grade; and

WHEREAS, the Culver Company has agreed to lease an interactive electrical safety computer program for use on the City's website; and

WHEREAS, such program can be leased to the City for a 2-year period at a cost of \$5,500; and

WHEREAS, a proposed contract for such service has been reviewed and approved by the City Attorney's office.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the two-year lease agreement with the Culver Company is hereby approved in the amount of \$5,500 to provide an interactive electrical safety computer program on the City's website; and the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item G20

#2003-79 - Approving Bid Award for Radios - Fire Department

The Fire Department, has submitted a request for awarding a bid for miscellaneous radio equipment. Five bids were received for (5) HT1250 radios with batteries and chargers ranging from \$601.00 to \$948.43; for (15) HT1250 radios with batteries ranging from \$581.00 to \$928.43; for (36) HT750 radios with batteries ranging from \$521.00 to \$811.58; for (8) ear comport with body push ranging from \$425.75 to \$550.63; for (8) noise canceling speaker mics ranging from \$46.25 to \$66.00; for (5) six bank rapid rate intellicharger ranging from \$342.00 to \$425.00 and for (26) spare batteries ranging from \$78.00 to \$98.00. The low bid was submitted by D & D Communications, Lincoln, NE for all items requested in the amount of \$37,990.00.

The radio equipment listed below is being purchased through a Department of Justice, Nebraska Emergency Management Agency grant and sufficient funds for this purchase are available in account number 10022101-85540. The estimate was \$38,000.00. It is recommended that the bid be awarded to D & D Communications, Lincoln, NE in the amount of \$37,990.00. See attached RESOLUTION.

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 26, 2003

FOR: Radios

DEPARTMENT: Fire Department

ENGINEER'S ESTIMATE: \$38,000.00

FUND/ACCOUNT: 10022101-85540

PUBLICATION DATE: February 16, 2003

NO. POTENTIAL BIDDERS:

SUMMARY

Item Description	CommSource, Inc. Gering, NE	D&D Comm. Omaha, NE	Mobile Comm. Omaha, NE	Platte Valley Comm. Grand Island, NE	Telebeep, Inc. Norfolk, NE
5 HT1250 radios including batteries with 5 single unit chargers.	948.43/4,742.15	601/3,005	762.75/ 3,813.75	732/3,660	635/3,175
6 HT1250 radios including batteries without charger.	928.43/5,570.58	581/3,486	747.75/ 4,486.50	712/4,272	615/3,690
36 HT750 radios including batteries without charger	811.58/29,216.88	521/ 18,756	669.00/ 24,084.00	652/23,472	555/19,980
4 ear comport with body push to talk and all accessories maintenance kit, ear straps, and adhesive pads	550.63/2,202.52	425.75/ 1,703.00	485.56/ 1,942.24	536.25/2,145.00	465/1,860
6 noise canceling speaker mics	66.00/396.00	46.25/ 277.50	61.62/369.72	66.25/397.50	60/360
4 - six bank rapid rate intellicharger	396.72/1,586.88	342/1,368	414.80/ 1,659.20	425/1,700	395/1,580
20 spare intrinsically safe batteries	78.00/1,560.00	78/1,560	97.75/1,955	98/1,960	95/1,900

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

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

WHEREAS, on February 26, 2003, bids were received, opened and reviewed; and

WHEREAS, D&D Communications 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 \$37,990; and

WHEREAS, D&D Communications' bid is less than the engineer's estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of D&D Communications of Omaha, Nebraska, in the amount of \$37,990 for the following radios for the Fire Department is hereby approved as the lowest responsible bid:

5	HT1250 radios w/ batteries and chargers	\$ 3,005.00
15	HT1250 radios w/ batteries (no chargers)	8,715.00
36	HT750 radios w/ batteries (no chargers)	18,756.00
8	Ear comport w/ body push	3,406.00
8	Noise canceling speaker mics	370.00
5	6 bank rapid rate intellicharger	1,710.00
26	Spare batteries	2,028.00
	TOTAL	\$37,990.00

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.

RaNae Edwards, City Clerk	

Approved as to Form

March 13, 2003

City Attorney



Tuesday, March 18, 2003 Council Session

Item G21

#2003-80 - Approving Bid Award for Storm Drainage Project 2002-D-2 Along North Road Between Old Potash Highway and Faidley Avenue

The Engineering Division of the Public Works Department advertised for bids for Storm Drainage Project 2002-D-2, along North Road between Old Potash Highway and Faidley Avenue on February 20, 2003. The Public Works Department, Engineering Division and the Purchasing Division of the City Attorney's Office reviewed all bids received on March 10, 2003. All bids received met specifications. Four bids were received and all were less than the engineer's estimate of \$138,891.00. A summary of the bids received is attached. It is recommended that Council award the bid to Platte Valley Construction Company of Grand Island, Nebraska in the amount of \$69,580.80. There are sufficient funds in Account No. 40033520-90013 for this project.

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

Purchasing Division of Legal Department INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

Working Together for a Better Tomorrow, Today

BID OPENING

BID OPENING DATE: March 10, 2003

FOR: Storm Drainage Project No. 2002-D-2

DEPARTMENT: Public Works

ENGINEER'S ESTIMATE: \$138,891.00

FUND/ACCOUNT: 40033520-90013

PUBLICATION DATE: February 20, 2003

NO. POTENTIAL BIDDERS:

SUMMARY

Bidder: Island Landhandlers, Inc. Hooker Brothers Construction

Grand Island, NE Grand Island, NE

Bid Security: Union Insurance Co. Continental Casualty

Exceptions: None None

Bid Price: \$78,306.61 \$81,437.48

Bidder: Starostka Group Unlimited, Inc. Platte Valley Construction Co.

Grand Island, NE Grand Island, NE

Bid Security: Merchants Bonding Company Certified Check (5%)

Exceptions: None None

Bid Price: \$119,954.98 \$69,580.80

cc: Steve Riehle, Public Works Director

RaNae Edwards, City Clerk Dale Shotkoski, Purchasing Agent Laura Berthelsen, Legal Assistant

WHEREAS, the City of Grand Island invited sealed bids for Storm Drainage Project No. 2002-D-2, according to plans and specifications on file with the City Engineer; and

WHEREAS, on March 10, 2003, bids were received, opened and reviewed; and

WHEREAS, Platte Valley Construction Company of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$69,580.80; and

WHEREAS, Platte Valley Construction Company's bid is less than the engineer's estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Platte Valley Construction Company of Grand Island, Nebraska, in the amount of \$69,580.80 for Storm Drainage Project No. 2002-D-2 is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item G22

#2003-81 - Approving Bid Award for Street Improvement District 1239, Gold Core Drive in the Platte Valley Industrial Park

The Engineering Division of the Public Works Department advertised for bids for Street Improvement District No. 1239, Gold Core Drive on February 20, 2003. The Public Works Department, Engineering Division and the Purchasing Division of the City Attorney's Office reviewed all bids received on March 10, 2003. All bids received met specifications. Four bids were received and all were less than the engineer's estimate of \$1,054,515.80. A summary of the bids received is attached. It is recommended that Council award the bid to Gehring Construction and Ready-Mix Company, Inc. of Columbus, Nebraska in the amount of \$627,741.88. There are sufficient funds in Account No. 40033530-90054 for this project. Funds from a \$400,000 Economic Development Administration grant will reduce the cost for paving, sanitary sewer and water mains in the Platte Valley Industrial Park.

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

Purchasing Division of Legal Department INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

Working Together for a Better Tomorrow, Today

BID OPENING

BID OPENING DATE: March 10, 2003

FOR: Street Improvement District No. 1239

DEPARTMENT: Public Works

ENGINEER'S ESTIMATE: \$1,054,515.80

FUND/ACCOUNT: 40033530-90054

PUBLICATION DATE: February 20, 2003

NO. POTENTIAL BIDDERS:

SUMMARY

Bidder: Blessing, L.L.C. Diamond Engineering Company

Kearney, NE Grand Island, NE

Bid Security: Inland Insurance Co. Travelers Casualty

Exceptions: None None

Bid Price: \$707,763.68 \$707,974.16

Bidder: Gehring Construction Castle Construction, Inc.

Columbus, NE Columbus NE

Bid Security: Inland Insurance Co. North American Specialty Ins. Co.

Exceptions: None None

Bid Price: \$627,741.88 \$708,893.47

cc: Steve Riehle, Public Works Director

RaNae Edwards, City Clerk Dale Shotkoski, Purchasing Agent Laura Berthelsen, Legal Assistant

WHEREAS, the City of Grand Island invited sealed bids for Street Improvement District No. 1239, according to plans and specifications on file with the City Engineer; and

WHEREAS, on March 10, 2003, bids were received, opened and reviewed; and

WHEREAS, Gehring Construction and Ready-Mix Company, Inc. of Columbus, 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 \$627,741.88; and

WHEREAS, Gehring Construction and Ready-Mix Company, Inc.'s bid is less than the engineer's estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Gehring Construction and Ready-Mix Company, Inc. of Columbus, Nebraska, in the amount of \$627,741.88 for Street Improvement District No. 1239 is hereby approved as the lowest responsible bid. Funds from a\$400,000 Economic Development Administration grant will reduce the cost for paving, sanitary sewer and water mains in the Platte Valley Industrial Park.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item G23

#2003-82 - Approving Agreement with the TranSystems Corporation, Omaha, Nebraska for Design Services on South Locust Street Bridges.

The Agreement for South Locust Street between Highway 34 and I-80 was approved April 6, 1992 between the State of Nebraska, Hall County and the City of Grand Island. At the September 10, 2002 meeting, Council approved an agreement with the Nebraska Department of Roads to use federal funds for the preliminary engineering costs for two South Locust bridges. Federal funds will pay approximately 80%, and the City will pay the balance.

The Public Works Department advertised for proposals for Professional Engineering Design of the bridges on October 4, 2002. Proposals were received from seven engineering firms on November 1, 2002. TranSystems Corporation of Omaha, Nebraska was selected and an agreement negotiated to perform the work for a not to exceed fee of \$156,888.44. It is recommended that Council approve the resolution authorizing the Mayor to sign the Agreement. The estimated cost to the City is approximately 20% of the total. Funds were allocated for this project in the Fiscal Year 2003 Budget. The Nebraska Department of Roads has approved the selection and is willing to proceed.

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

Purchasing Division of Legal Department INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

Working Together for a Better Tomorrow, Today

REQUEST FOR PROPOSAL FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR TWO (2) BRIDGES OVER THE PLATTE RIVER ON SOUTH LOCUST STREET

RFP DUE DATE: November 1, 2002

DEPARTMENT: Public Works

PUBLICATION DATE: October 4, 2002

NO. POTENTIAL BIDDERS:

SUMMARY OF PROPOSALS RECEIVED

TranSystems Corporation

Omaha, NE

The Schemmer Associates

Omaha, NE

JEO Consulting Group

Wahoo, NE

Mainelli Wagner & Associates

Lincoln, NE

KM Kirkham Michael Consulting Engineers

Omaha, NE

Olsson Associates

Grand Island, NE

Speece-Lewis Consulting Engineers

Lincoln, NE

cc: Steve Riehle, Public Works Director RaNae Edwards, City Clerk

David Springer, Finance Director

WHEREAS, the City of Grand Island invited proposals for Professional Engineering Design Services for Two (2) Bridges over the Platte River on South Locust Street, according to plans and the Request for Proposals on file with the Public Works Department; and

WHEREAS, proposals were due on November 1, 2002; and

WHEREAS, TranSystems Corporation of Omaha, Nebraska, submitted a proposal in accordance with the terms of the Request for Proposals and all other statutory requirements contained therein; such proposal being for actual costs incurred up to a maximum amount of \$156,888.44; and

WHEREAS, federal funds will pay approximately 80% of the engineering services, with the City responsible for the remaining amount.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of TranSystems Corporation of Omaha, Nebraska for professional engineering design services for two (2) bridges over the Platte River on South Locust Street for actual costs incurred up to a maximum amount of \$156,888.44 is hereby approved as the best evaluated proposal received.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item G24

#2003-83 - Approving Agreement with State Dept. of Roads for Utility Rehabilitation - Hwy 30 East (Merrick County West)

Background:

The State of Nebraska, Department of Roads has planned to five-lane a section of U.S. Hwy. 30 from the Seedling Mile cutoff Road to the Merrick County line. This includes reconstruction of the intersections at Shady Bend Road, Capital Avenue and Gunbarrel Road.

Discussion:

To accomplish the construction, right-of-ways must be widened and existing electric and water utilities moved from the construction area.

The Department of Roads will pay for 80% of the costs that do not improve the system when utilities are moved. To obtain payment for part of these costs, an agreement must be entered into with the State of Nebraska, Department of Roads.

Recommendation:

The Utilities Department, Legal Department, and Finance Department have reviewed the proposed agreement and recommend approval by City Council.

Fiscal Effects:

Total Project Cost \$212,450.00 Non-reimbursable Cost (\$29,250.00) - City Cost Reimbursable Cost \$183,200.00 - Both 80% State \$146,560.00 20% City \$36,640.00 Total Cost to NDPR \$146,560.00 Total Cost to City \$65,890.00

Alternatives:

Do not accept the contract. See attached RESOLUTION.

Staff Contact: Robert H. Smith

AGREEMENT

PROJECT NO. S-30-4(1027), STATE CONTROL NO. 40058B CITY OF GRAND ISLAND STATE OF NEBRASKA, DEPARTMENT OF ROADS IMPROVE HIGHWAY US-30

THIS AGREEMENT, entered into between the City of Grand Island, Nebraska, hereinafter referred to as the "City," and the State of Nebraska, Department of Roads, hereinafter referred to as the "State,"

WITNESSETH:

WHEREAS, the State has plans for the improvement of Highway US-30 from the Merrick County line west, under Project No. S-30-4(1027), and

WHEREAS, it is necessary, as a part of the above said project, to relocate the City owned and operated water and electrical systems as required by this project.

NOW THEREFORE, in consideration of these facts, the parties hereto agree as follows: <u>SECTION 1</u>. The City agrees to relocate the City owned and operated water system and electrical system as shown on Exhibit "A", attached hereto and hereby made a part of this agreement, with City forces.

<u>SECTION 2</u>. The City's plans for the water system and electrical system rehabilitation are, by this reference, included as a part of this agreement.

SECTION 3. The State agrees to reimburse the City for 80 percent of the actual cost of the required nonbetterment rehabilitation of the City owned and operated water system and electrical system as made necessary by this project. Based upon the nonbetterment utility estimate attached hereto, identified as Exhibit "A" and hereby made a part of this agreement, the cost of the nonbetterment rehabilitation of the City's water system and electrical system is currently estimated to be \$183,200.00. Upon the satisfactory completion of the nonbetterment utility work, the City shall bill the State for the actual cost of the nonbetterment utility work and the State will make payment to the City for 95 percent of the State's share up to a maximum of 95 percent of the State's share of the attached estimate, within thirty (30) days after receipt of said billing. Should the City desire monthly progress payments on the nonbetterment utility work, the City shall submit a detailed billing of work completed to the State and the State will make payment to the City for 95 percent of the State's share, up to a maximum of 95 percent of the State's share of the attached estimate, within thirty (30) days after receipt of said billing. The final payment of the State's share will be made after the State's cost audit of City records have been made to verify actual costs.

SECTION 4. The City shall maintain all books, documents, papers, accounting records and other evidence pertaining to costs incurred and shall make such material available at its office at all reasonable times during the contract period and for three (3) years from the date of final payment under this agreement; such records to be available for inspection by the State or any authorized representative of the State and copies thereof shall be furnished by the City, if requested.

IN WITNESS WHEREOF, the State and City have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the City this _____ day of ______, 20___.

WITNESS: CITY OF GRAND ISLAND

Clerk _____ Mayor

EXECUTED by the State this _____ day of ______, 20___.

STATE OF NEBRASKA DEPARTMENT OF ROADS

Planning & Project Development Engineer

RECOMMENDED:

Utilities Engineer

AGR7-GU

February 5, 2003

Ms. Sandy Wojtasek Utilities Coordinator Project Development Division State of Nebraska, Dept. of Roads P.O. Box 94759 Lincoln NE 68509-4567

RE: Project No. S-30-4 (1027)

Control No. 40058 - Merrick County Line - West

Dear Ms. Wojtasek:

The right-or-way plans for the proposed project have been reviewed to determine any conflicts with water or electrical utilities. I have reviewed all the potential conflicts and have listed the proposed new locations. It should be noted in some cases an entirely new line has to be constructed to get a couple of poles out of the limits of construction and still maintain service to our customers. All areas west of Shady Bend Road are in the City limits and all areas east are outside city limits.

I am proposing the following estimates to relocate power poles, change water valve elevations, change fire hydrant locations, and change fire hydrant elevations.

Electrical

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Right-of-Way Sheet 3
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66+40 57' LT - no work

62+29 31' RT - already moved - no conflict

66+03 32' RT - already moved - no conflict

67+50 58' LT - no work

69+66 58' LT - no work

68+25 45' RT - move to 68+45 65' RT

Right-of-Way Sheet 4

70+98 57' LT - do not move

72+09 48' RT - move to 72+09 80' RT

72+48 57' LT - no work

75+35 65' RT - add pole and overhead primary from 75+49 56' LT

76+54 32' RT - move pole

76+95 56' LT - no work

77+52 56' LT - do not move

These poles will stay in place as they are. Scott Griepenstroh will field-design an area inlet to replace the culvert.

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Ms. Sandy Wojtasek
February 5, 2003
Page 2 of 6
77+62 56' LT - add down guy and anchor east 28', add overhead guy south to new pole and
               down guy at 77+62 75' RT
78+55 56' LT - move to 78+70 85' LT - add anchor west 28', add anchor east northeast 28'
80+06 56' LT - move to 80+15 85' LT
80+09 42' RT - move
81+40 57' LT - move to 81+70 85' LT add anchor 15' south, add overhead single phase line
               to south at new pole 82+10 75' RT with 10' down guy east
83+02 58' LT - relocate to 83+10 85' LT
84+40 58' LT - relocate to 84+80 85' LT
Right-of-Way Sheet 5
86+34 58' LT - relocate to 86+30 85' LT
88+00 58' LT - relocate to 87+70 85' LT - add down guy 30' east, add down guy 15' north
87+64 32' RT - relocate to 88+30 65' RT - add down guy south
88+90 58' LT - add pole and down guy 28' west
91+54 59' LT - add 28' down guy east
91+30 85' RT - add pole and 28' down guy west - add 28' down guy south
92+70 83' RT - add pole
94+10 81' RT - add pole
95+30 75' RT - add pole and 28' down guy northwest, add 28' down guy east
92+26 31' RT - move pole
94+49 30' RT - move pole
91+65 165' LT - add pole
91+75 260' LT - add pole, add 28' anchor north, add 28' anchor west
92+40 295' LT - add pole, add 25' anchor south
93+35 330' LT - add pole
94+30 365' LT - add pole, add 28' anchor southwest - add 28' anchor east
92+65 220' LT - move pole
93+29 59' LT - move pole
94+80 59' LT - move pole
95+60 250' LT - move pole
96+44 53' LT - move pole
97+74 44' LT - move pole
96+98 38' RT - move pole
99+21 39' LT - move pole
100+60 28' LT - move pole
Right-of-Way Sheet 6
101+84 19' LT - move pole - NOTE: this pole currently provides power for street lights and
                traffic signals
103+40 10' LT - move pole
104+94 15' LT - move pole
105+28 84'
            RT - move pole
106+78 65' RT - move pole
106+82 65' RT - move pole
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103+40 140' RT - add pole

105+50 155' RT - add pole

103+90 130' RT - add pole - add 28' anchor west

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Ms. Sandy Wojtasek
February 5, 2003
Page 3 of 6
106+90 100' RT - add pole
108+40 90' RT - add pole
109+90 85'
            RT - add pole
111+40 85' RT - add pole
112+90 90' RT - add pole
114+40 90' RT - add pole
Right-of-Way Sheet 7
115+80 95' RT - add pole
117+30 95'
            RT - add pole
118+80 95' RT - add pole
120+30 95' RT - add pole Install at 120+10 95' RT. Field adjust
                         adjacent poles as necessary.
121+80 95'
            RT - add pole
123+66 68' LT - move pole to 123+70 100' LT
124+70 67' LT - move pole to 124+30 100' LT
125+47 66' LT - move pole to 124+90 100' LT
130+16 92' LT - move to 129+90 130' LT
Right-of-Way - Sheet 8
131+40 105' LT - add pole
131+99 75' LT - move pole
132+85 105' LT - add pole
133+87 65' LT - move pole
134+30 95' LT-add pole} Install at 134+40 95' LT. Field adjust
                         adjacent poles as necessary.
135+85 61' LT - move pole
135+80 95' LT - add pole
137+25 90' LT - add pole
137+67 63' LT - move pole
138+59 66' LT - move pole
138+75 95' LT - add pole, add 28' down guy northeast - add 28' down guy north
137+50 80' RT - move pole add 28' down guy west
139+00 85'
            RT - add pole
140+50 85'
            RT - add pole, and 28' down guy west - add 28' down guy east
139+48 72' LT - move pole
140+91 100' RT - move pole
140+93 27' RT - move pole
141+70 165' RT - add pole
142+25 110' RT - move pole
142+75 230' RT - add pole
143+30 175' RT - move pole
143+80 290' RT - add pole
144+40 240' RT - move pole
145+00 350' RT - add pole - add 28' down guy east - add 20' down guy south
145+70 300' RT - add pole - add 20' down guy north - add 28' down guy west
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Right-of-Way Sheet 9

No changes

Ms. Sandy Wojtasek February 5, 2003 Page 4 of 6

Right-of-Way Sheet 10 RT-add pole} Aquire easement and install 60.5' RT 161+25 50' 161+58 31' RT - move pole RT-add pole} Aquire easement and install 60.5' RT 162+25 50' 162+97 32' RT - move pole 163+10 90' RT - add pole 28' - add down guy west 164+59 32' RT - move pole 164+60 90' RT - add pole 165+85 31' RT - move pole 166+10 90' RT - add pole - add 28' down guy west 166+71 70' RT - move pole 167+20 195' RT - add pole 167+60 112' RT - move pole 168+15 95' RT - add pole 168+26 57' RT - move pole 168+60 109' LT - no changes to pole 169+20 95' RT - add pole 169+31 45' RT - move pole 172+01 43' RT - move pole 171+70 85' RT - add pole 173+40 42' RT-move pole} Existing pole not shown on prelim

Right-of-Way Sheet 11

175+50 40' RT-move pole} Existing pole not shown on prelim
175+47 43' RT-move pole} Existing pole not shown on prelim
176+20 80' RT-add pole
177+04 41' RT-move pole} Existing pole not shown on prelim
177+40 75' RT-add pole
178+90 75' RT-add pole - add 28' down guy east

Water

ROW		Fire Hydrant	<u>s</u>
3	1711 FH	64+10 55'	LT - raise to final grade
4	1712 FH	70+47 58'	LT - raise to final grade
4	1713 FH	77+50 58'	LT - raise to grade
4	1714 FH	83+80 45'	LT - relocate to 83+80 80' LT
5	1715 FH	89+50 55'	LT - ok
5	1716 FH	95+50 60'	LT - relocate to 95+50 90' LT
6	1717 FH	101+70 25'	LT - relocate to 101+70 110' LT
6	1720 FH	101+50 90'	RT - ok

Valves, 18 total, adjust to grade

Ms. Sandy Wojtasek February 5, 2003 Page 5 of 6

Estimated Costs:

The estimated cost of the project to relocate poles by Grand Island Utilities Department to be reimbursed by Nebraska Department of Roads is as follows:

Electric

Right-of-Way Sheet 3

No Cost

Right-of-Way Sheet 4

72+09 48' RT \$10,000 - Cost to State

(3 phase UG takeoff to Pad trans)

75+35 65' RT \$ 3,000 - Cost to State 77+62 56' LT \$ 4,000 - Cost to State

Two poles at 77+52 56' LT and 77+62 56' LT are not part of the plan to relocate. If it is determined that they will need to be relocated, the cost applied to State will be an additional \$20,000.

Pole line north side 77+62 56' LT east to 85 00 \$20,000 - Cost to State

Pole line north side 88+00 to 90+00 \$10,000 - Cost to State

Right-of-Way Sheet 5

Pole lines 91+00 to 100+00 \$ 20,000 - Cost to State Pole 96+98 38' RT \$ 500 - Cost to State

Right-of-Way Sheet 6

Relocate poles to transformer to serve Shady Bend bar and poles to serve well at

106+82 65' RT \$ 20,000

104+00 to 122+00 \$ 20,000 - Cost to State

Remove poles north side existing Hwy. 30

100+00 to 105+00 \$2,000 \$ 1,000 - Cost to State

Right-of-Way Sheet 7

Three poles north side 123+00 to 126+00 \$1,500 - No Cost to State

Right-of-Way Sheet 8

Pole line north side 130+00 to 140+00 - including crossing to pole 137+50 80' RT \$25,000

6 pay poles 2 non-pay poles \$18,750 - 75% paid by State

Pole line south side 137+00 to 145+00 \$15,000 - No Cost to State

Right-of-Way Sheet 9

No Cost

Right-of-Way Sheet 10 & 11

Relocate poles south side 160+00 to 179+00 \$ 19,000

10 pay poles 4 non-pay poles \$ 13,500 - 71% Cost to State

Total Electric Cost to relocate poles \$150,000

Total Electric Cost applied to State \$120,750

Ms. Sandy Wojtasek February 5, 2003 Page 6 of 6

Water

<u>ltem</u>	Quantity	<u>Unit Price</u>	<u>Subtotal</u>		
Move Hydrant	3	\$7,500.00	\$22,500.00		
Adjust Hydrant to Grade	3	\$ 750.00	\$ 2,250.00		
Adjust Valve Box to Grade	18	\$ 150.00	\$ 2,700.00		
Dewatering	3	\$5,000.00	\$15,000.00		
Lower water line north on Shady Bend to allow for new drainage ditch					
	1	\$12,000.00	\$12,000.00		
Dewater Shady Bend	1	\$ 8,000.00	\$ 8,000.00		
Total Water			\$62,450.00	-	
Total Electric and Water applied to NDOR			\$183,200.00		
80% Reimbursement			\$146,560.00		

Sincerely,

Robert H. Smith Assistant Utilities Director

RHS/pag

Gary R. Mader, Utilities Director Tom Barnes, Sr. Civil Engineer pc:

WHEREAS, the Nebraska Department of Roads intends to expand to five-lanes, a section of U.S. Highway 30 from the Seedling Mile cutoff Road to the Merrick County line; and

WHEREAS, in order to complete this project, right-of-ways must be widened and existing utilities must be moved from the construction area; and

WHEREAS, the Nebraska Department of Roads will pay 80% of the project costs that do not improve the system when utilities are moved; and

WHEREAS, the total project costs are anticipated to be \$212,450, with the City's share to be approximately \$65,890; and

WHEREAS, an agreement with the Nebraska Department of Roads is required to proceed with this project, known as Project No. S-30-4(1027).

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the agreement with the Nebraska Department of Roads for water and power facilities rehabilitation pertaining to the widening of U.S. Highway 30 from the Seedling Mile cutoff Road to the Merrick County line is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item G25

#2003-84 - Approving Certificate of Final Completion for Sanitary Sewer District 506, Lillie Drive in Gosda Subdivision

The contract for Sanitary Sewer District 506 was awarded to The Diamond Engineering Company of Grand Island, Nebraska on November 12, 2002. Work commenced on December 2, 2002 and was completed on February 21, 2003. The project was completed at a construction price of \$19,427.15. Total cost of the project, including contract administration, is \$21,683.35. It is recommended that Council accept the Certificate of Final Completion and set the Board of Equalization date of April 22, 2003. The costs of this project will be assessed to benefiting properties.

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

WHEREAS, the Public Works Director of the City of Grand Island has issued his Certificate of Final Completion for Sanitary Sewer District 506, certifying that the Diamond Engineering Company of Grand Island, Nebraska, under contract dated November 26, 2002, has completed such project according to the terms, conditions, and stipulations for such improvements; and

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

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

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

- 1. The Public Works Director's Certificate of Final Completion for Sanitary Sewer District 506 is hereby confirmed.
- 2. The City Council will sit as a Board of Equalization on April 22, 2003 to determine benefits and set assessments for Sanitary Sewer District 506.
- 3. The costs of contract administration be credited to Account No. 100.130.04516 from Account No. 53030050-85213 in the amount of \$1,967.77.
- 4. A warrant be issued from Account No. 53030050-85213 in the amount of \$971.36 payable to The Diamond Engineering Company for the final amount due the contractor.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item G26

#2003-85 - Approving Community Development Guidelines Relative to Lead Based Paint Remediation and Reduction

Many houses and apartments built before 1978 have paint that contains lead. Lead from paint, paint or wood chips and dust can pose serious health hazards if not properly addressed. The Department of Housing and Urban Development (HUD) implemented guidelines for the reduction, remediation and removal of lead-based paint.

In 1992, HUD redefined Lead-based Paint guidelines for homes built prior to 1978. Regulation Title 24 CFR Part 35 established procedures for evaluating whether a hazard may be present in federally owned residential property and housing receiving federal assistance, remediating or reducing the hazard, and notifying occupants of findings and action taken to comply with the regulations. Federal law requires that individuals must be provided certain lead hazard information before renting, buying or renovating pre-1978 housing.

In accordance with this regulation, the City Of Grand Island is required to implement Lead-based Paint guidelines in conjunction with any housing program which utilizes federal dollars. The original guidelines were approved by Council on March 12, 2002 and identified housing to which Lead-based Paint guidelines apply and which housing is exempt from the guidelines.

However, based on input from Nebraska Department of Economic Development staff, the City of Grand Island guidelines have been strengthened to include contractor requirements, State standards, worker protection standards, property inspection and risk assessment guidelines, control methods, client notification processes, control maintenance and reporting requirements.

Staff Contact: Cindy Johnson

WHEREAS, the Department of Housing and Urban Development (HUD) implemented guidelines for the reduction, remediation and removal of lead-based paint, which is present in many homes and apartments built before 1978; and

WHEREAS, federal law requires that individuals must be provided certain lead hazard information before renting, buying or renovating pre-1978 housing; and

WHEREAS, due to the federal funding received by the City for its housing program, lead-based paint information must be incorporated into the guidelines established by the City's Community Development Division; and

WHEREAS, based on input from the Nebraska Department of Economic Development staff, the City of Grand Island guidelines have been strengthened to include contractor requirements, State standards, worker protection standards, property inspection and risk assessment guidelines, control methods, client notification processes, control maintenance, and reporting requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the guidelines established by the City's Community Development Division under the housing program is hereby amended to add information outlined above pertaining to lead-based paint.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item I1

#2003-49 - Approving Acquisition of Public Utility Easement in Lots 1 and 2, Lassonde Subdivision Located at 1027 Capital Avenue

Council action is necessary for the City of Grand Island to acquire public easements. Fred Hoppe will be developing the property directly south of the Lassonde Subdivision. The Public Utility Easement will provide access for the installation and maintenance of the sewer mains to serve this area.

A Public Hearing was held at the February 18, 2003 Council meeting. The property owner was not interested in granting the easements at that time without further discussion and there was concern that the location of the easement may need to be changed. The property owner and Hoppe are still discussing terms of the agreement. Council approval is needed in case the two parties reach an agreement. It is recommended that Council approve acquisition of the easements. The cost of the easements is a minimal fee.

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

WHEREAS, public utility easements are required by the City of Grand Island, from R&M Lassonde Family Trust, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on February 18, 2003, for the purpose of discussing the proposed acquisition of easements and rights-of-way through a part of Lots One (1) and Two (2), Lassonde Subdivision in the City of Grand Island, Hall County, Nebraska, the utility easements and rights-of-way being more particularly described as follows:

<u>Tract No. 1:</u> The West Ten (10.0) feet of Lot One (1), Lassonde Subdivision in the City of Grand Island, Hall County, Nebraska.

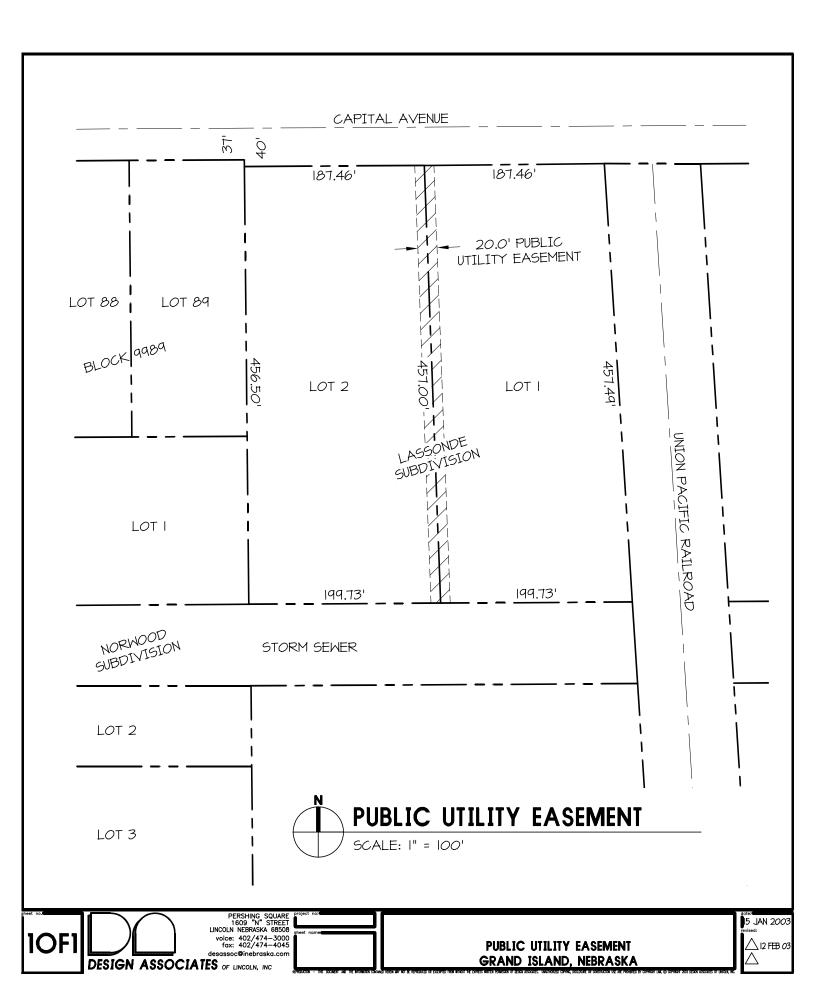
<u>Tract No. 2:</u> The East Ten (10.0) feet of Lot Two (2), Lassonde Subdivision in the City of Grand Island, Hall County, Nebraska.

The above-described easements and rights-of-way are shown on the plat dated January 15, 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 public utility easements from R&M Lassonde Family Trust, on the above-described tracts of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.





Tuesday, March 18, 2003 Council Session

Item I2

#2003-86 - Approving Bid Award for Liquid Ortho-Polyphosphate for Corrosion Control - Utilities Department

Background:

The City was issued an Administrative Order by Nebraska Health and Human Services (NHHS) on March 24, 1998, requiring compliance with the Lead and Copper Rule (LCR), including the preparation of an Optimum Corrosion Control Study (OCCT). The following implementation schedule has been imposed by NHHS for LCR compliance:

- 1) Submit recommended Optimum Corrosion Control Treatment (OCCT) to the Nebraska Health and Human Services (NHHS) by January 1, 2002 Completed
- 2) NHHS will designate the OCCT by June 2002 Completed
- 3) Equipment installation for the OCCT by April 2003.

The recommended OCCT was submitted to NHHS in December 2001 in a report prepared by our consultant for the project, CH2MHill. The recommended OCCT is to inject a liquid ortho-polyphosphate solution into the water distribution system. This solution is designed to sequester manganese and to minimize pipeline corrosion, thereby reducing concentrations of lead and copper in the drinking water. NHHS concurred with the recommended OCCT. After the OCCT system is placed in service, additional water sampling is required to test that concentrations of lead and copper in the drinking water are below regulatory action levels. The action level for copper is 1.3 mg/l and the action level for lead is 0.015 mg/l.

Discussion:

Specifications for the purchase of Liquid Ortho-Polyphosphate for Corrosion Control were prepared by our Consultants, CH2M Hill, and advertised and issued for bid in accordance with the City Purchasing Code. The specification requested firm unit pricing based on treating a one year City pumping amount. The response received from the following bidder is an estimate for the annual chemical cost. It is based on \$8.08 per gallon for the solution, with a recommended injection rate of 3.85 gallons of solution/million gallons of raw water, with a contract unit cost of treatment of \$31.10 per million gallons of raw water. The engineer's estimate for this project was \$175,000. The contract is for supplying the solution at the bid unit price for one year.

Bidder: Aqua Smart, Inc. from Atlanta, Georgia. Bid Price: \$139,950.00

Recommendation:

Department engineering staff reviewed the bid for compliance with the Cityi/s detailed specifications and found the bid compliant. It is the recommendation of the Utilities

Department that Aqua Smart, Inc. from Atlanta, Georgia, be awarded the contract for this material in an amount estimated at \$139,950.00, depending on actual City water usage.

Fiscal Effects:

Expenditure of \$139,950.00 of Enterprise Fund 525.

Alternatives: None recommended. See attached RESOLUTION.

Staff Contact: Gary R. Mader

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: March 6, 2003

FOR: Purchase of Liquid Ortho-Polyphosphate for Corrosion Control

DEPARTMENT: Utilities/PGS

ENGINEER'S ESTIMATE: \$175,000.00

FUND/ACCOUNT: E525

PUBLICATION DATE:

NO. POTENTIAL BIDDERS:

SUMMARY

Bidder: Aqua Smart, Inc.

4445 Commerce Drive, SW. Suite A-4

Atlanta, GA 30336-1962

Bid Security: \$6,997.50

Exceptions: None

Bid Price: \$139,950.00

cc: Gary Mader, Utilities Director

RaNae Edwards, City Clerk Dale Shotkoski, Purchasing Agent Laura Berthelsen, Legal Assistant

P804

WHEREAS, on March 24, 1998, an Administrative Order was issued by the Nebraska Health and Human Services (NHHS) requiring compliance with the Lead and Copper Rule, including the preparation of an Optimum Corrosion Control Treatment Study; and

WHEREAS, the Order requires the installation of Optimum Corrosion Control Treatment by April 2003; and

WHEREAS, NHHS concurred with the recommended treatment to inject a liquid orthopolyphosphate solution into the water distribution system to reduce corrosion; and

WHEREAS, the City of Grand Island invited sealed bids for the Purchase of Liquid Ortho-Polyphosphate for Corrosion Control, according to plans and specifications on file at the Platte Generating Station; and

WHEREAS, on March 6, 2003, one bid was received, opened and reviewed; and

WHEREAS, Aqua Smart, Inc. of Atlanta, Georgia, 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 \$139,950.00; and

WHEREAS, Agua Smart, Inc.'s bid is less than the engineer's estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Aqua Smart, Inc. of Atlanta, Georgia, in the amount of \$139,950.00 for the purchase of liquid ortho-polyphosphate for corrosion control is hereby approved as the lowest responsible bid.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.



Tuesday, March 18, 2003 Council Session

Item J1

Payment of Claims for the Period of March 5, 2003 through March 18, 2003

The Claims for the period of March 5, 2003 through March 18, 2003 for a total amount of \$2,910,131.88. A MOTION is in order.

Staff Contact: RaNae Edwards