
City of Grand Island



Tuesday, May 20, 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 /Reverend Daniel Bremer, Grace Lutheran Church, 545 East
Memorial Drive**

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item E1

Public Hearing Relative to Establishment of Business Improvement District #5, Downtown

The Business Improvement District for the downtown (BID #2) is in its last year of a five year life. BID #2 expires on September 30, 2003. Annual assessments are paid by property owners in the district and area based on valuation (a % of total valuation of all property in the district). Efforts have begun to create/form a new BID for the downtown. BID #5 would be effective October 1, 2003 and would have a life of five-years. State statutes allow for the creation of business improvement districts and the expenditure of funds for improvement of public places or facilities within the district, including the acquisition, construction, maintenance, and operation of such improvements, creation and implementation of a plan for improving the general architectural design of public areas within the district, the development of any public activities and promotion of public events, including the management and promotion and advocacy of retail trade activities or other promotional activities, and employing or contracting for personnel for any improvement program under the act. The first step in the creation process for the new downtown BID was to establish the boundaries for the district and designate a board to develop the goals, objectives and budget for the new district. The City Council has approved the boundaries for the district and the Regional Planning Commission has approved the creation of the district. The BID Board has completed the goals, objectives and budget for the five year district. The Board has developed a total, five-year budget of \$401,066. This equates to a 0% increase from the existing budget of \$80,213/year. The proposed activities and budget allocations were approved by the City Council at the meeting of April 22, 2003. It is appropriate at this time to solicit public comment. The action item is contained under the "Ordinances".

Staff Contact: Cindy Johnson



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item E2

Public Hearing on Acquisition of Utility Easement Located at 3134 West Highway 34 (Central Community College)

Acquisition of a utility easement located at 3134 West Highway 34, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to locate underground primary cable and a pad-mounted transformer to feed a new addition to the College. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.

Staff Contact: Gary R. Mader



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item F1

#8811 - Consideration of Issuing Revenue Bonds for City's Sanitary Sewer System

On April 1, 1994, \$16,250,000 in revenue bonds were issued to finance the construction of additions and improvements to the City's sewer system. There presently is \$12,140,000 of principal outstanding of this issue with an average interest rate of 5.94%. We are at a point where these bonds may be refunded and new bonds issued at a rate around 3.41%. Estimated debt service savings would be between \$800,000 and \$900,000. With the planned revisions to the Wastewater Treatment Plant, closure of lagoons, and other operating improvements in the \$6 to \$8 million range, we believe it an opportune time to finance a portion of this work through new bonding of about \$3.5 million, for a total reissue of \$16,250,000. The savings on the refunding would essentially pay for the financing of the new monies. We would plan to retire this issue in 2014, the same date that the original bonds were to be paid off. See attached letter from Bruce Lefler, Ameritas Investment Corp. Bill Beavers, of Ameritas, will be at the council meeting to answer any questions. Staff strongly recommends this refunding and additional bond issuance.

Staff Contact: David Springer

City of Grand Island, Nebraska **Sewer System Revenue Bonds** **Projected Debt Service for Refunding and New Money**

Existing Debt Service**Series 1994 Bonds**

Par Outstanding	12,140,000
Maturity	April 1, 2004 - 2014
Average Interest Rate	5.94%
(1) Average Annual Net Debt Service	1,473,852
Total Net Debt Service	14,546,564
Optional Redemption	October 1, 2004 @ 101%

Scenario 1 Same Maturity**Series 2003
Refunding Bonds****Series 2003
New Money****Series 2003
Combined**

Par Amount	12,620,000	3,350,000	15,970,000
Maturity	April 1, 2004 - 2014	April 1, 2004 - 2014	
Average Interest Rate	3.23%	3.23%	
Average Annual Net Debt Service	1,372,406	355,000	1,727,406
Total Net Debt Service	13,373,913	3,559,477	16,933,390
Debt Service Savings (1)	est. \$900,000 +		
Avg. Annual Debt Service Savings	\$95,000		

(1) Final details of issue will be shown to Council at May 20 meeting.

(1) Net Debt Service factors the Debt Service Reserve amount along with projected interest income.

(2) This scenario has bonds for the \$3,000,000 of new money maturing after the Series 2003 Refunding Bonds mature.



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item F2

#8812 - Consideration of Establishment of Business Improvement District #5, Downtown

This item relates to the aforementioned Public Hearing. The Business Improvement District for the downtown (BID #2) is in its last year of a five year life. BID #2 expires on September 30, 2003. Annual assessments are paid by property owners in the district and area based on valuation (a % of total valuation of all property in the district). Efforts have begun to create/form a new BID for the downtown. BID #5 would be effective October 1, 2003 and would have a life of five-years. State statutes allow for the creation of business improvement districts and the expenditure of funds for improvement of public places or facilities within the district, including the acquisition, construction, maintenance, and operation of such improvements, creation and implementation of a plan for improving the general architectural design of public areas within the district, the development of any public activities and promotion of public events, including the management and promotion and advocacy of retail trade activities or other promotional activities, and employing or contracting for personnel for any improvement program under the act. The first step in the creation process for the new downtown BID was to establish the boundaries for the district and designate a board to develop the goals, objectives and budget for the new district. The City Council has approved the boundaries for the district and the Regional Planning Commission has approved the creation of the district. The BID Board has completed the goals, objectives and budget for the five year district. The Board has developed a total, five-year budget of \$401,066. This equates to a 0% increase from the existing budget of \$80,213/year. The proposed activities and budget allocations were approved by the City Council at the meeting of April 22, 2003. Approval is recommended.

Staff Contact: Cindy Johnson

ORDINANCE NO. 8812

An ordinance establishing a business improvement district; establishing the purpose of such district; describing the boundaries of such district; establishing that real property in the area will be subject to a special assessment; establishing a method of assessment; providing for a penalty for failure to pay the special assessment; repealing ordinances in conflict herewith; providing for severability; and providing for publication and the effective date of this ordinance.

WHEREAS, the City Council adopted Resolution 2003-113 on April 22, 2003, which was published on May 5, 2003 in the *Grand Island Independent* establishing the intention to create a business improvement district; and

WHEREAS, pursuant to said resolution, a notice of hearing was published and mailed as required by law, and public hearing duly held at 7:00 p.m. on May 20, 2003, in the Council Chambers at City Hall, 100 East First Street, Grand Island, Nebraska, concerning the formation of such district; and

WHEREAS, the proposed business improvement district is located within the boundaries of an established area of the City zoned for business, public, or commercial purposes; and

WHEREAS, the City Council now finds and determines that a business improvement district should be created in accordance with the proposal contained in said resolution of April 22, 2003.

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

ORDINANCE NO. 8812 (Cont.)

SECTION 1. There is hereby created and established a business improvement district pursuant to Chapter 19, Article 40, Revised Statutes of Nebraska, 1943, as amended, to be known as Business Improvement District No. 5 of the City of Grand Island, Nebraska.

SECTION 2. The purpose, public improvements and facilities to be included in said district shall be:

- (A)
 - (i) Improvement of any public place or facility in the district area, including landscaping, physical improvements for decoration or security purposes, and plantings, including but not limited to, plans, creation, development, equipment, supplies, materials, services, management, staff, maintenance, improvement and associated activities of streetscape and alleyway improvement
 - (ii) Construction or installation of sidewalks, parks, meeting and display facilities, lighting, benches or other seating furniture, sculptures, trash receptacles, shelters, fountains, and any useful or necessary public improvements, including, but not limited to plans, creation, development, equipment, supplies, materials, services, management, staff, maintenance, improvement, and associated activities of streetside and other public area projects;
 - (iii) Maintenance, repair, and reconstruction of any improvement's or facilities authorized by the Business Improvement District Act
- (B)
 - (i) Creation and implementation of a plan for improving the general architectural design of public areas in the district;
 - (ii) 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, in the district area, including, but not limited to, plans, creation, development, equipment, supplies, materials, services, management, staff, maintenance and improvement of communication and image building events and activities, such as holiday events, community events, media activities, newsletters, seasonal and special events and parades and other activities for the benefit of the district
- (C)
 - (i) Employing or contracting for personnel for any improvement program under the act, and providing for any service as may be necessary or proper to carry out the purposes of the act, including, but not limited to, activities, projects, staff, consulting services, materials, equipment, supplies, and services necessary or convenient for the management of the affairs of the business improvement district, to include budget development and supervision, representation of the interests of the district to public and private entities, research, development,

ORDINANCE NO. 8812 (Cont.)

travel, training, development and implementation of business and residential recruitment and retention projects, projects and activities which contribute to regaining, sustaining or improving the economic health and viability of the district and the implementation of the goals and objectives of the Business Improvement Board.

(ii) Any other project or undertaking for the betterment of the public facilities in the district area, whether the project be capital or noncapital in nature.

SECTION 3. The outer boundaries of Business Improvement District No. 5 are described as follows:

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

ORDINANCE NO. 8812 (Cont.)

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

ORDINANCE NO. 8812 (Cont.)

Railroad Addition, located a distance of 37 feet westerly of the Southeast corner of said Lot 3, Block 108; thence westerly to the Southwest corner of Lot 4, Block 108, Railroad Addition; thence southerly to the Northwest corner of Lot 5, Block 108, Railroad Addition; thence westerly to the Northeast corner of Lot 8, Block 114, Railroad Addition; thence southerly to the Southeast corner of said Lot 8, Block 114; thence westerly to the Southwest corner of Lot 7, Block 114, Railroad Addition; thence northerly to a point on the West line of said Lot 7, Block 114, located 88 feet northerly from the Southwest corner of said Lot 7, Block 114; thence easterly on a line parallel with the South line of said Lot 7, Block 114, a distance of 66 feet to a point on the East line of said Lot 7, Block 114; thence northerly to the Southwest corner of Lot 1, Block 114, Railroad Addition; thence easterly to the Southeast corner of said Lot 1, Block 114; thence northerly to the Southeast corner of Lot 8, Block 113, Railroad Addition; thence westerly to the Southwest corner of Lot 5, Block 113, Railroad Addition; thence northerly to the Northwest corner of Lot 4, Block 113, Railroad Addition; thence easterly to the Northeast corner of Lot 1, Block 109, Railroad Addition; thence southerly to the Southeast corner of Lot 8, Block 109, Railroad Addition; thence easterly to the Southwest corner of Lot 6, Block 60, Original Town of Grand Island; thence northerly to the Southeast corner of Lot 4, Block 60, Original Town; thence westerly to the Southwest corner of said Lot 4, Block 60; thence northerly to the Northwest corner of said Lot 4, Block 60; thence easterly to the Northeast corner of Lot 1, Block 54, Original Town, being the point of beginning.

SECTION 4. The real property located within the boundaries of Business Improvement District No. 5 shall be subject to special assessment as authorized by Chapter 19, Article 40, Sections 19-4015 through 19-4038, Revised Statutes of Nebraska, 1943, as amended, also known as the Business Improvement District Act.

SECTION 5. The method of assessment to be imposed within said district shall be as follows:

(A) On or before the first day of July in each year, except the initial creating year, a proposed budget shall be prepared for Business Improvement District No. 5 for the ensuing fiscal year to commence on the first day of October and end on the following last day of September.

(B) Said proposed budget shall be considered by the city council during open session at the second regularly scheduled city council meeting in July. Following such consideration, a proposed assessment schedule shall be prepared.

ORDINANCE NO. 8812 (Cont.)

(C) The amount of the special assessment for each property shall be calculated in accordance with the following formula:

Assessed value of individual property divided by total assessed value of all taxable property in the district times total special assessment equals individual special assessment.

The assessed values to be used in the above formula shall be the values, as shown in the office of the Hall County Assessor, in effect on the first day of January of the current year.

(D) Notice of the proposed assessment shall be published as required by NE. Rev. Statutes Section 19-4030, as amended.

(E) The city council, sitting as a Board of Equalization, shall levy the special assessments on all properties at one time, in accordance with the method of assessment provided above. If the city council finds that the proposed method of assessment does not provide a fair and equitable method of apportioning costs, then it may assess the costs under such method as the city council finds to be fair and equitable.

(F) Said assessments shall be payable in one installment to be come delinquent fifty (50) days after the date of such levy. Delinquent payments shall draw interest at the rate specified in NE. Rev. Statutes Section 45-104.01, as amended. All special assessments shall be liens upon the property assessed.

SECTION 6. In the event requests to disestablish this business improvement district are made and filed with the city clerk within any (30) day period by owners of real property representing fifty percent (50%) or more of the total value of the real property within the district as shown in the office of the Hall County Assessor on the first day of January of the current year, the city council may disestablish the district by ordinance after a hearing before the city council. The city council shall adopt a resolution of intention to disestablish the area at least fifteen days prior to the hearing. The resolution shall give the time and place of the hearing. After hearing, the city council may disestablish the district as provided in the Business Improvement District Act.

SECTION 7. Any ordinance or ordinances in conflict herewith, be and hereby are, repealed.

ORDINANCE NO. 8812 (Cont.)

SECTION 8. If any section, subsection, sentence, phrase, or clause, of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION. 9. This ordinance shall be in force and take effect from and after its passage, approval and publication, in pamphlet form, within fifteen days in one issue of the *Grand Island Independent* as provided by law.

Enacted: May 20, 2003.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G1

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

Receipt of Official Document - Civil Service Minutes of April 11, 2003. See attached MINUTES.

Staff Contact: Brenda Sutherland



*Working Together for a
Better Tomorrow. Today.*

MINUTES
CIVIL SERVICE COMMISSION
April 11, 2003

Roll Call: **Members Present:** Burns, Hilligas, Leeper
 Members Absent: None
 Also Present: Kerry Mehlin, Police Sergeant

Leeper called the meeting to order at 8:30 a.m.

Notice of the meeting was published in the April 8, 2003, edition of the Grand Island Independent.

Hilligas moved to approve the minutes of the March 6, 2003, meeting. Burns seconded the motion, which carried unanimously upon roll call vote.

The Commission reviewed the listing of applicants for Police testing. Burns moved to certify as eligible for testing 44 applicants who met application standards, and not to certify three applicants, namely, Layher for conviction of a felony (Sec. A, 3, c), and Oswald for "any good and sufficient reason which makes the applicant undesirable as a public employee" (Sec. A, 3, g) and Taplin for not meeting minimum job qualifications (Sec. A, 3, a). Hilligas seconded the motion, which passed unanimously upon roll call vote.

There being no further business, Leeper moved to adjourn the meeting at 8:40 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:
Copies of approved Minutes to: City Clerk



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G2

Approving Minutes of May 6, 2003 City Council Regular Meeting

The Minutes of May 6, 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

May 6, 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 May 6, 2003. Notice of the meeting was given in the Grand Island Independent on April 30, 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.

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Pastor Scott Jones, Third City Christian Church, 4100 West 13th Street.

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

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Tourism Week" May 4-10, 2003. Mayor Vavrick proclaimed the week of May 4-10, 2003 as "Tourism Week". Renee Seifert and Tricia Beam representing the Convention Visitors Bureau was present to receive the proclamation.

Proclamation "Salvation Army Week" May 11-17, 2003. Mayor Vavrick proclaimed the week of May 11-17, 2003 as "Salvation Army Week". Captain Al Simmert and Gaylord Apfel representing the Salvation Army was present to receive the proclamation.

Proclamation "Electrical Safety Month" May 2003. Mayor Vavrick proclaimed the month of May 2003 as "Electrical Safety Month". Gary Mader, Utilities Director was present to receive the proclamation.

Presentation of the Electric Safety Program by Line Crew Chief Brian Fiala. Brian Fiala presented a life-like model graphically demonstrating the do's and don'ts of practicing electrical safety.

PUBLIC HEARINGS:

Public Hearing on Request of Chan Bandasack dba Vientiane Oriental Market, 221 West 4th Street for Change of Location to Class "B-50572" Liquor License to 217 West 4th Street. City Clerk, RaNae Edwards reported that Chan Bandasack dba Vientiane Oriental Market, 221 West 4th Street had submitted an application with the City Clerk's Office for a change in location for their Class "B-50572" Liquor License to 217 West 4th Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 24, 2003; notice to applicant of date, time and place of hearing mailed on April 24, 2003; notice to

the general public of date, time and place of hearing published on April 26, 2003; and departmental reports as required by City Code. No public testimony was heard.

ORDINANCES:

#8799 – Consideration of Annexation of Property Being Platted as Timberline Subdivision, Located North of Highway 2 and West of Webb Road (Final Reading). Chad Nabity, Regional Planning Director, reported that annexation of property being platted as Timberline Subdivision an addition to the City of Grand Island, which property was located North of Highway 11 and West of Webb Road, in the SE1/4NE1/4 Section 1, Township 11, Range 10. It was noted that this issue had been discussed by the City Council at the March 25, 2003 City Council Study Session. First reading was approved at the April 8, 2003 City Council meeting and second reading was approved at the April 22, 2003 City Council meeting.

Lewis Kent, 624 East Meves Avenue spoke in opposition to septic sewers.

Motion was made by Seifert, second by Walker, to approve Ordinance #8799 on final reading. Upon roll call vote, Councilmembers Larson, Nickerson, Seifert, Pauly, Hornady, Walker and Haase voted yes. Councilmembers Meyer, Whitesides and Pielstick voted no. Motion adopted.

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

#8809 – Consideration of Creating Street Improvement District #1247, Cannon Road from North Road to Mansfield Road

#8810 – Consideration of Salary Ordinance Pertaining to Administration Secretary

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of these ordinances on their first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage. Councilmember Seifert seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Mayor: Is there any one in the audience interested in these ordinances? John Luna, 712 East 8th Street spoke with regards to the Police Officers salaries. No further public testimony was heard.

City Clerk: Ordinances #8809 and #8810 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Councilmember Pielstick voted no on Ordinance #8810. Motion adopted.

City Clerk: Ordinances #8809 and #8810 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, all voted aye. Councilmember Pielstick voted no on Ordinance #8810. Motion adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinances #8809 and #8810 are declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Motion by Seifert, second by Larson, carried unanimously to approve the Consent Agenda.

Approving Minutes of April 22, 2003 City Council Regular Meeting.

Approving Request of Chan Bandasack dba Vientiane Oriental Market, 221 West 4th Street for Change of Location to Class "B-50572" Liquor License to 217 West 4th Street.

#2003-126 – Approving Bid Award for Contract for Transmission Line Engineering Services with Advantage Engineering, Inc. of Chesterfield, Missouri in an Amount of \$150,100.00.

#2003-127 – Approving Bid Award for Water Main Project 2003-W-2 with Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$96,734.03.

#2003-128 – Approving Annual Renewal of Farm Leases. It was noted that the Utilities, Public Works and Parks and Recreation Departments lease lands owned at the Platte Valley Industrial Park, Burdick Station, the Well Field, land north of the Wastewater Treatment wite, the City Landfill and CHAAP for the following tenants: Larry Knuth, Kenneth Clausen, Jack Webb, Mike Peters, Gerald Bremer, Robert Nunnenkamp, Matt Turek and Bill Cure.

#2003-129 – Approving Bid Award for Sanitary Sewer District #505, Livengood Subdivision with the Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$71,678.15.

#2003-130 – Approving Certificate of Final Completion for Base Housing Removal at Former CAAP Site with Third Party Environmental, Inc., of Grand Island, Nebraska.

#2003-131 – Approving Business Associate Contract with St. Francis Medical Center Relative to Ambulance Billing.

PAYMENT OF CLAIMS:

Motion by Seifert, second by Pauly, carried unanimously to approve the Claims for the period of April 23, 2003 through May 6, 2003, for a total amount of \$1,905,558.62.

ADJOURNMENT: The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G3

Approving Minutes of May 13, 2003 City Council Study Session

The Minutes of May 13, 2003 City Council Study Session are submitted for approval. See attached MINUTES.

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

May 13, 2003

Pursuant to due call and notice thereof, a Study Session of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on May 13, 2003. Notice of the meeting was given in the Grand Island Independent on May 7, 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.

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

Greenspace and Parks Requirement Options for Grand Island: A Case Study. Chad Nabity, Regional Planning Director, presented a power point case study of potential development in Northwest Grand Island and park needs generated by that development. Greenspace requirements and projected park needs were discussed. Projected residential development of 1,274 acres was discussed with a total population of 14,843 people, along with level of service from the 1994 Parks Plan.

The following types of parks were discussed and examples given:

Mini Parks – Schuff, Broadwell and detention cells – Cost excluding land \$60,000

Neighborhood Parks – Grace Abbott, Lincoln, Cedar Hills – Cost excluding land \$150,000

Community Parks - Ryder, Ashely – Cost excluding land \$700,000

District/Regional Parks – L.E. Ray – Cost excluding land \$2,000,000

Projected needs based on the 1994 level of service and projected population were: 10 Mini Parks, 3 Neighborhood Parks, 2 Community Parks, 1 District Park, 6.4 Tennis Courts, and .7 Swimming Pools for a total projected cost of parks and facilities estimated at \$5,041,452. Cost per person was estimated at \$340.

Several options were presented with regards to who pays to build new parks. Presented were the following options:

- Citizens of Grand Island through general fund taxes
- Developers through fees on new lots
- Property owners through an assessment on the property
- Builders with building permits
- Property owners before an occupancy permit is granted

Other considerations were considered as follows:

- Traditionally parks had been provided by the general fund
- We generally develop around 200 lots per year in Grand Island
- Some areas of town that are largely developed need parks
- Funds collected from new development need to be used to pay for parks to serve those developments
- Private developer built and homeowner association maintained parks could be required
- Multi-family units may need to be handled differently than single family units
- Should this apply to residential lots only or should commercial and industrial lots be included?
- How will fees, or requirements for private parks, affect affordability?
- What other types of fees might the city consider in the future? (to pay for expanded sewer, water, fire protection, arterial streets, etc...)

Councilmember Haase questioned how this would work with the schools and if anything had been done to encourage the schools help. Mr. Nabity stated that this had been done. Specifically co-locating with the schools and land acquisition had and would continue to be looked at. Councilmember Meyer questioned the time frame of building parks when a property owner paid their park fees. Mr. Nabity stated this would have to be decided by staff and council, with policies developed for this purpose. Money paid for parks in an area should stay in that area.

Councilmember Walker asked how a park would affect the property value of a home. Mr. Nabity stated it depended on the type of park. Having parks right across the street might be a negative impact due to lots of traffic, but over all it should have a positive affect on the property value.

Comments were made concerning detention cells. Councilmember Haase stated it would be nice if developers would put in mini parks at apartment complexes. Mr. Nabity stated some developers are doing that now. Councilmember Walker questioned if we had a plan in place for detention cells for future development in the northwest part of town. Public Works Director, Steve Riehle, stated that there is a plan in place.

Questions presented were who pays to build new parks?

- General Fund
- Developers
- Homeowners/Apt. Developers
- Other

How should payment be made?

- Taxes
- Cash Payment
- Assessment

How much should the charges be?

- \$170,000 per year (taxes)
- \$866 per dwelling unit (fees)
- Some other amount
- Dedication of land in lieu of fees

When should the money be collected?

- At the time the parks department is buying/building the park
- At the time of development
- At the time a building permit is applied for
- At the time an occupancy certificate is requested
- At the time a lot is sold
- Other?

Councilmember Haase asked if paying a park fee would be a hardship on the developers. Greg Baxter, 1723 Bridle Lane stated this would be a hardship for the developer. Discussed was the potential of assessing the new industrial and commercial businesses coming to town, which would not be a good idea. Mr. Baxter stated a 10 year assessment at the time the property owner paid their taxes would be another option.

Councilmember Meyer questioned dedicating land for a park. Mr. Baxter stated a substantial amount of money would be required by the developer if this were implemented.

Rudy Plate, 2209 East Stolley Park Road, stated sales tax should be used to build parks. Everyone uses the parks and this burden should not fall on the developers or homeowners. Sales tax would be a fairer way of paying for these parks.

Jim Reed, 2511 Lakewood Drive, stated a single-family development would occur at an average density of 2.5 units per acre. Greg Baxter talked about street width and the limited number of lots because of 37' streets.

John Luna, 712 East 8th Street, spoke about using the figures from the 1994 Parks Plan. Mr. Nabity stated these were used because they were available and were valid. Mr. Luna stated he disagreed with using sales tax to build parks and felt we should be using more up to date figures.

Councilmember Nickerson thanked Mr. Nabity for his presentation and the importance of parks and greenspace. Mr. Nickerson suggested that homeowners share part of the cost. Councilmember Larson stated most citizens want parks and greenspace and we should not wait for a development to being before we build parks.

Councilmember Pielstick requested that the Mayor form a committee of staff and developers to study this issue and bring it back to Council at a study session.

ADJOURNMENT: The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G4

#2003-132 - Approving Acquisition of Utility Easement - 3134 West Highway 34 (Central Community College)

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 Central Community College located behind the main Central Community College Building, located at 3134 West Highway 34, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Central Community College is adding to its existing building requiring both a new transformer and loop feed to increase reliability. This easement will be used to locate underground primary cable and a pad-mounted transformer to feed the new addition.

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 Mader

RESOLUTION 2003-132

WHEREAS, a public utility easement is required by the City of Grand Island, from Central Community College Area, in the State of Nebraska, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on May 20, 2003, for the purpose of discussing the proposed acquisition of easements and rights-of-way through a part of the Southeast Quarter of the Southwest Quarter (SE1/4, SW1/4) of Section Twenty Nine (29), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in the city of Grand Island, Hall County, Nebraska, the centerline of the twenty (20.0) foot wide utility easement and right-of-way tracts being more particularly described as follows:

Tract No. 1:

Commencing at the intersection of the easterly right-of-way line of Tech Drive and the northerly right-of-way line of U.S. Highway 34; thence northerly along the easterly right-of-way line of said Tech Drive, a distance of Six Hundred Twenty Five and Ninety Three Hundredths (625.93) feet to the Actual Point of Beginning of Tract No. 1; thence deflecting right 89°36'14" and running easterly, a distance of Nine Hundred Seventy Eight and Six Hundredths (978.06) feet to a point on the westerly right-of-way line of Wortman Drive.

Tract No. 2:

Commencing at the intersection of the easterly right-of-way line of Tech Drive and the northerly right-of-way line of U.S. Highway 34; thence northerly along the easterly right-of-way line of said Tech Drive, a distance of Six Hundred Twenty Five and Ninety Three Hundredths (625.93) feet; thence deflecting right 89°36'14" and running easterly, a distance of Two Hundred Eight and Seventy Three Hundredths (208.73) feet to the Actual Point of Beginning of Tract No. 2; thence deflecting right 90°59'49" and running southerly, a distance of Seventy Five (75.0) feet.

Tract No. 3:

Commencing at the intersection of the easterly right-of-way line of Tech Drive and the northerly right-of-way line of U.S. Highway 34; thence northerly along the easterly right-of-way line of said Tech Drive, a distance of Six Hundred Twenty Five and Ninety Three Hundredths (625.93) feet; thence deflecting right 89°36'14" and running easterly, a distance of Four Hundred Twenty Five and Thirty Two Hundredths (425.32) feet to the Actual Point of Beginning of Tract No. 3; thence deflecting right 96°04'21" and running southerly, a distance of Ninety Five (95.0) feet.

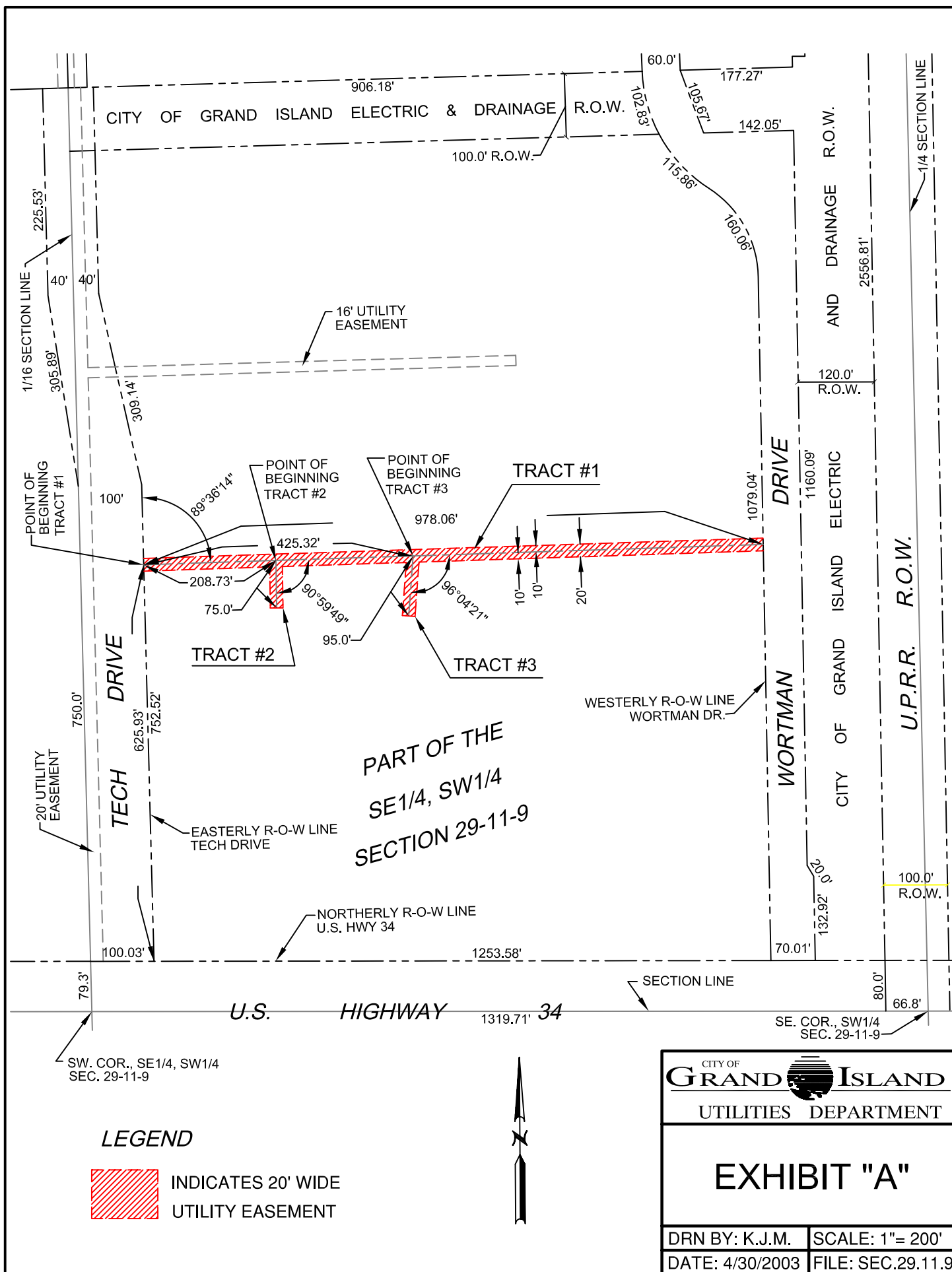
The above-described easement and right-of-way tracts containing a combined total of 0.51 acres, more or less, are shown on the plat dated April 30, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

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 Central Community College Area, in the State of Nebraska, on the above-described tracts of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, May 20, 2003.

RaNae Edwards, City Clerk





City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G5

#2003-133 - Approving Final Plat and Subdivision Agreement for Grand Island Farmstead Project 4th Subdivision

Richard & Helen Strehle, owners, have submitted the final plat for Grand Island Farmstead Project 4th Subdivision, located west of Stuhr Road and south of Highway 34, Hall County within the Grand Island 2 mile jurisdiction. This plat proposes to create 2 lots on a parcel of land containing part of Lot 2, Grand Island Farmstead Project 2nd Subdivision, and part of the E1/2NE1/4 Section 34-11-9. These lots will be served by individual wells and on-site waste water treatment systems as city services are not available. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of May 7, 2003, unanimously voted to recommend approval. See attached RESOLUTION.

Staff Contact: Chad Nabity

May 8, 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 – Grand Island Farmstead Project Fourth Subdivision, located West of Stuhr Road, and South of Hwy 34, Hall County, Nebraska, within Grand Island 2 mile jurisdiction.

At the regular meeting of the Regional Planning Commission, held May 7, 2003 the above item was considered. This final plat proposes to create 2 lots on a parcel of land containing part of lot 2 Grand Island Farmstead Project Second Subdivision, and part of the E ½ NE ¼ Section 34, Township 11, Range 9. This property consists of 4.57 acres and is zone TA Transitional Agriculture. The minimum lot size in the TA zone is 20,000 sq. ft. Nabity said they would be required to meet DEQ regulations for septic systems on both the lots.

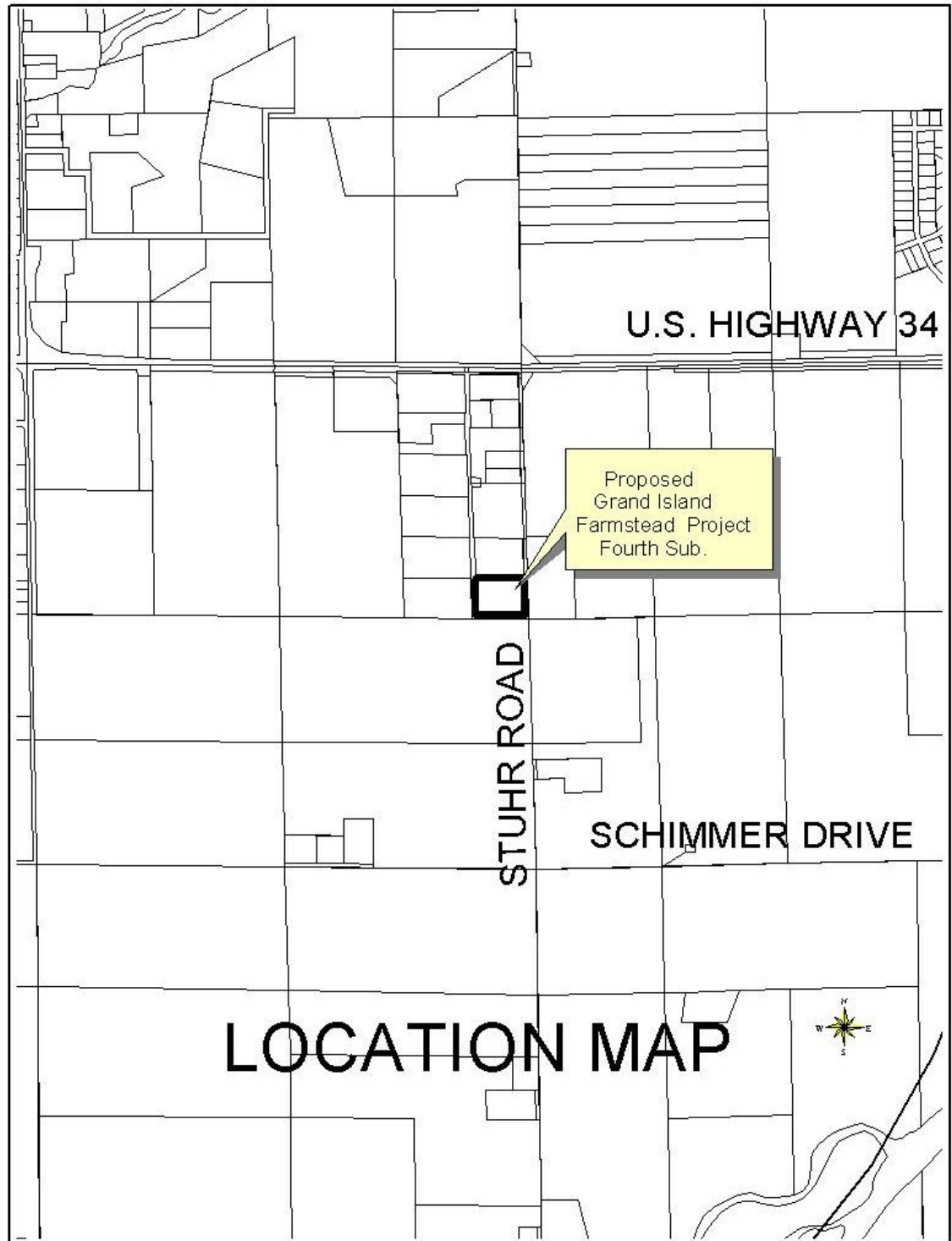
A motion was made by Eriksen and seconded by Hayes to **approve** and recommend that the City Council **approve** the final plat and subdivision agreements of Grand Island Farmstead Project Fourth Subdivision.

The Planning Commission passed this motion with 12 members present voting in favor (Amick, Haskins, Lechner, 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



RESOLUTION 2003-133

WHEREAS, Richard J. Strehle and Helen K. Strehle, husband and wife, as owners, have caused to be laid out into lots, a tract of land comprising a part of Lot 2, Grand Island Farmstead Project Second Subdivision, located in the East Half of the Northeast Quarter (E1/2, NE1/4) of Section Thirty Four (34), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, under the name of GRAND ISLAND FARMSTEAD PROJECT FOURTH SUBDIVISION, and have caused a plat thereof to be acknowledged by them; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Boards of Education of the various school districts 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 GRAND ISLAND FARMSTEAD PROJECT FOURTH SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

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Adopted by the City Council of the City of Grand Island, Nebraska, May 20, 2003.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 15, 2003	☐ City Attorney



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G6

#2003-134 - Approving Final Plat and Subdivision Agreement for North Fork West Subdivision

Mettenbrink Farms Inc., owners, have submitted the final plat for North Fork West Subdivision, located east of Monitor Road and north of Capital Avenue. This plat proposes to develop 1 lot on a currently unplatted parcel of land in the NW1/4SW1/4 Section 3-11-10. This lot will be served by an individual well and on site waste water treatment system as city services are not available. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of May 7, 2003, unanimously voted to recommend approval. See attached RESOLUTION.

Staff Contact: Chad Nabity

May 8, 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 – North Fork West Subdivision, located East of Monitor Road, and North of Capital Ave, Hall County, Nebraska, within Grand Island 2 mile jurisdiction.

At the regular meeting of the Regional Planning Commission, held May 7, 2003 the above item was considered. This final plat proposes to create 1 lot on a currently unplatted parcel of land in the NW ¼ SW ¼ of Section 3, Township 11, Range 10. This property consists of 4.729 acres. This is a one-time split from an 80 acre tract.

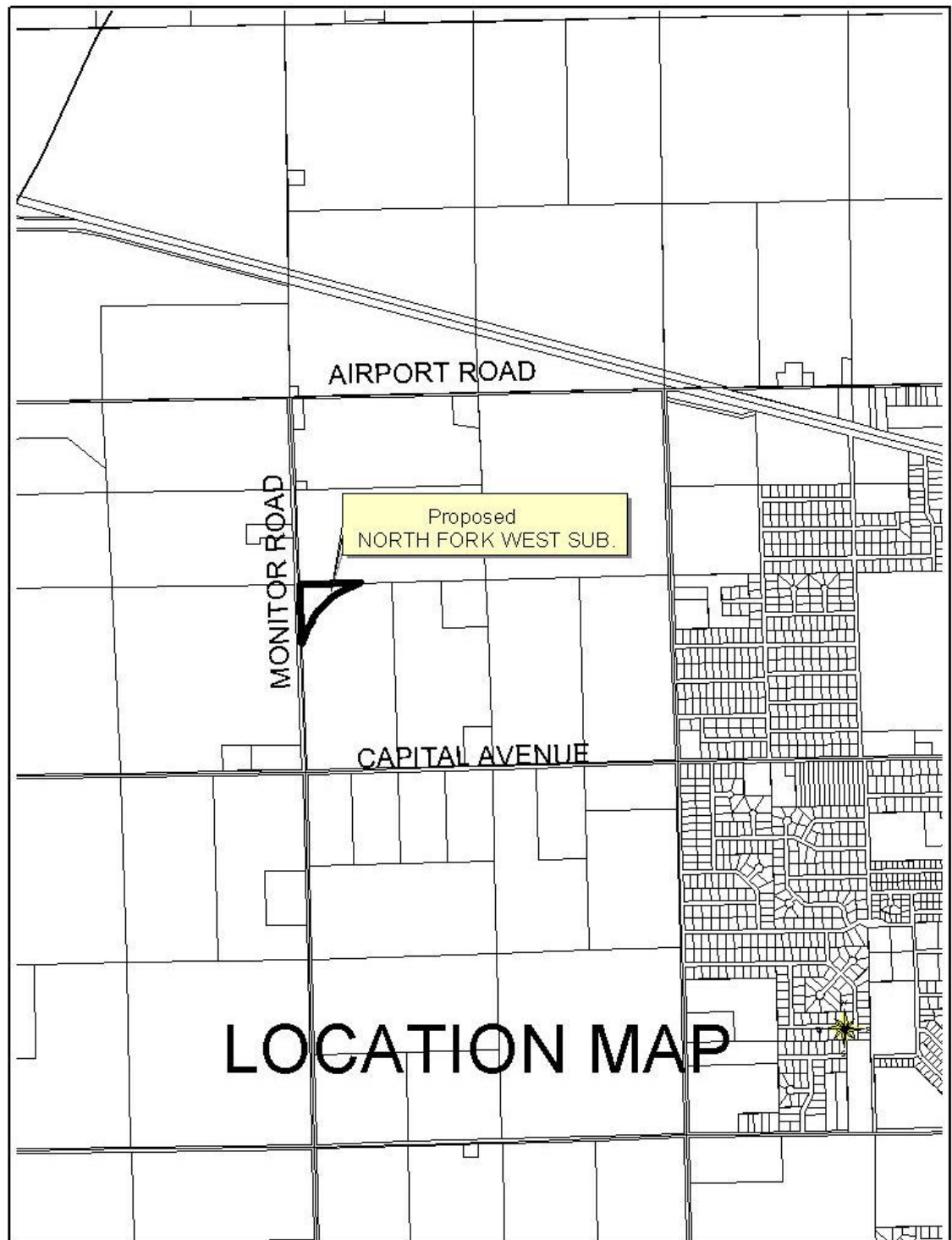
A motion was made by Obermeier and seconded by Lechner to **approve** and recommend that the City Council **approve** the final plat and subdivision agreements of North Fork West Subdivision.

The Planning Commission passed this motion with 12 members present voting in favor (Amick, Haskins, Lechner, 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
Rockwell & Associates



RESOLUTION 2003-134

WHEREAS, Mettenbrink Farms, Inc., a Nebraska corporation, as owner, has caused to be laid out into a lot, a tract of land comprising a part of the Northwest Quarter of the Southwest Quarter (NW1/4, SW1/4) of Section Three (3), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska, under the name of NORTH FORK WEST SUBDIVISION, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Boards of Education of the various school districts 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 NORTH FORK WEST 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, May 20, 2003.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 15, 2003	☐ City Attorney



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G7

#2003-135 - Approving Final Plat and Subdivision Agreement for Webb Road Second Subdivision

Dugan Funeral Services, Inc., owners, have submitted the final plat for Webb Road Second Subdivision, located east of Webb Road and south of Faidley Avenue, Grand Island, Nebraska. This plat proposes to resubdivide Lot 4, Webb Road Subdivision into 2 lots. The subdivision agreement for this shall specify that access to Lot 2 shall be from Webb Road across Lot 5 of Webb Road Subdivision as agreed upon by Grand Island Utilities and the owners of Lot 4 of Webb Road Subdivision. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of May 7, 2003, unanimously voted to recommend approval. See attached RESOLUTION.

Staff Contact: Chad Nabity

May 8, 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 – Webb Road Second Subdivision, located East of Webb Road, and South of Faidley Avenue, Grand Island, Nebraska.

At the regular meeting of the Regional Planning Commission, held May 7, 2003 the above item was considered. This final plat proposes to resubdivide part of lot 4 Webb Road Subdivision into 2 lots. This property consists of 2.354 acres. This property is zoned RO Residential Office. Access to lot 2 would be across property owned by The Grand Island Utilities Department fronting onto Webb Road. An easement for sewer needs to be included across lot 1 from Faidley Avenue to allow sewer service to lot 2. Drainage from lot 2 needs to be direct toward Webb Road upon development of this lot.

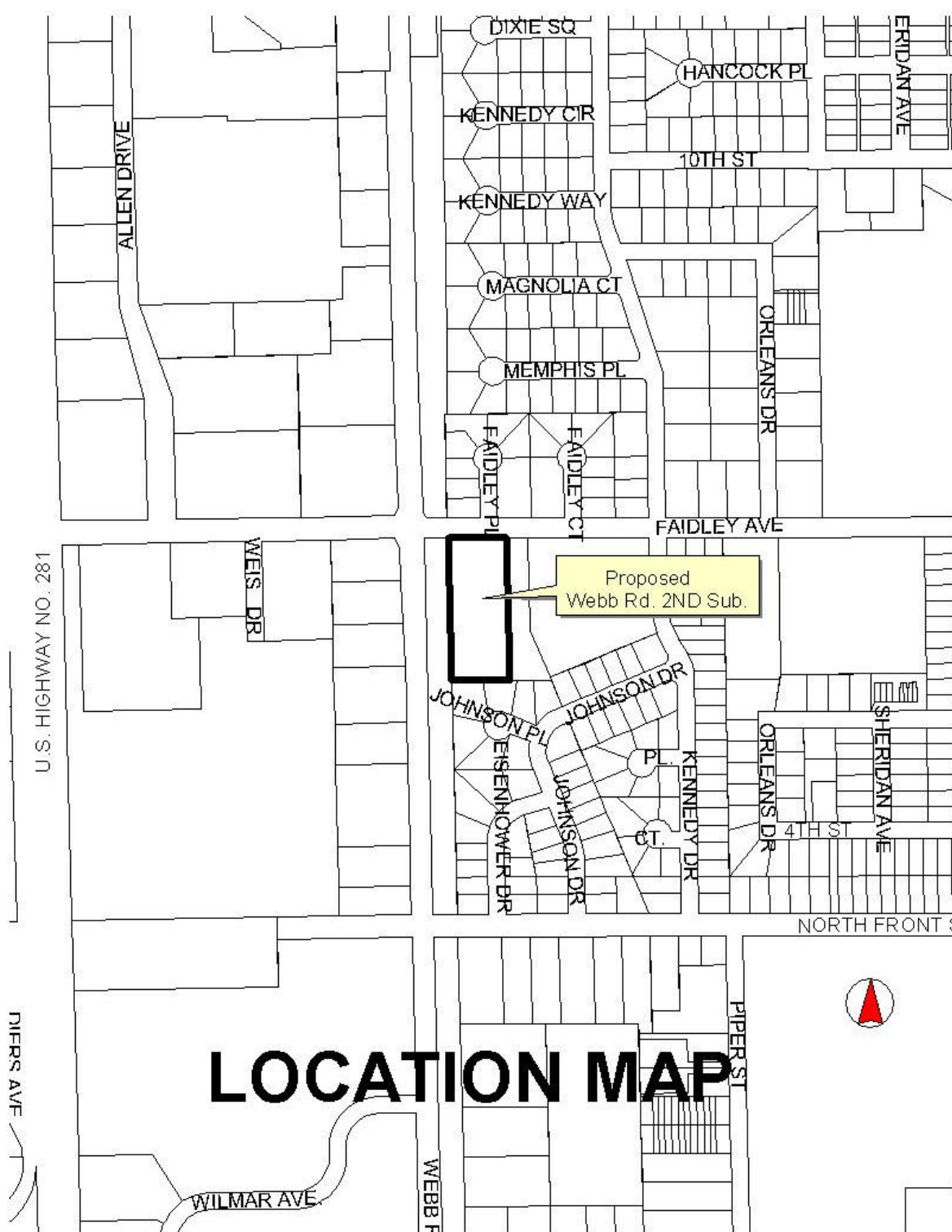
A motion was made by Hayes and seconded by Obermeier to **approve** and recommend that the City Council **approve** the final plat and subdivision agreements of Webb Road Second Subdivision.

The Planning Commission passed this motion with 12 members present voting in favor (Amick, Haskins, Lechner, 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
Benjamin & Associates



RESOLUTION 2003-135

WHEREAS, Dugan Funeral Services, Inc., a Nebraska corporation, as owner, has caused to be laid out into lots, a tract of land comprising the west Two Hundred Five (205.0) feet of Lot Four (4), Webb Road Subdivision in the City of Grand Island, Hall County, Nebraska, under the name of WEBB ROAD SECOND SUBDIVISION, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Boards of Education of the various school districts 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 WEBB ROAD SECOND 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, May 20, 2003.

RaNae Edwards, City Clerk

Approved as to Form	<input type="checkbox"/>	_____
May 15, 2003	<input type="checkbox"/>	City Attorney



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G8

#2003-136 - Approving Interlocal Agreement with Grand Island School District Relative to Joint Utility Purchasing

The Grand Island School District has requested that the City enter into an interlocal agreement to assist the school district with the acquisition of utility service. An interlocal agreement will enable the school administration to plan their budget more effectively and better utilize the resources of GIPS during this period of fiscal restraint. This agreement has been drafted to address the concerns of the public schools and is similar to interlocal agreements used by other cities. Approval is recommended.

Staff Contact: Doug Walker

R E S O L U T I O N 2003-136

WHEREAS, budget constraints have forced the Grand Island Public School System into reduce spending and consider more cost effective measures to provide necessary services; and

WHEREAS, the Grand Island Public School System has approached the City of Grand Island to determine if they are utilizing the most reliable, cost effective utility service and energy-related services and equipment for the Grand Island Public School facilities; and

WHEREAS, it has been suggested that an Interlocal Agreement be entered into would allow the City and the Grand Island Public School System to cooperatively work together in reaching this goal; and

WHEREAS, an Interlocal Agreement outlining the responsibilities of each party has been prepared by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Interlocal Agreement by and between the City of Grand Island and the Grand Island Public School System to collectively support the Parties' joint objectives to provide reliable, cost effective utility service and energy related services and equipment for the Grand Island Public School System is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such Interlocal 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, May 20, 2003.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 15, 2003	☐ City Attorney



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G9

#2003-137 - Approving Memorandum of Understanding Relative to Old Stolley House

The Grand Island City Council previously authorized the expenditure of funds for the restoration of the Stolley House. This memorandum sets forth the agreement that has been reached between the City of Grand Island and the Hall County Historical Society for the renovation, repair and maintenance of the Stolley House. The MOU discusses the details of the City's financial contribution to this project as well as the financial commitment from the descendants of the Stolley Family toward the renovation and maintenance of this historic site. The MOU also provides for the rental of the premises by the Hall County Historic Society. Approval is recommended.

Staff Contact: Doug Walker

RESOLUTION 2003-137

WHEREAS, for the past couple of years, the City of Grand Island has been working with the Hall County Historical Society and the William Stolley family to discuss the possible renovation, repair and occupancy of the historic Stolley House located in Stolley Park; and

WHEREAS, it is recommended that the terms, conditions, and responsibilities of each party be set out in a Memorandum of Understanding in order to proceed with the renovation, repair and occupancy of such building; and

WHEREAS, a proposed Memorandum of Understanding has been prepared by the City Attorney; and

WHEREAS, it is recommended that such Memorandum of Understanding be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Memorandum of Understanding by and between the City and the Hall County Historical Society for the renovation, repair and occupancy of the historic Stolley House, including the interior and exterior renovation and maintenance of the building and grounds 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.

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Adopted by the City Council of the City of Grand Island, Nebraska, May 20, 2003.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G10

#2003-138 - Approving Continuation of Street Improvement District 1245, James Road in Pedcor Subdivision

Street Improvement District 1245 was created by the City Council on April 8, 2003. Legal notice of creation of the District was published in the Grand Island Daily Independent on April 15, 2003. Notification was also mailed to the property owner on that date, stating that the construction would take place unless more than 50% of the abutting landowners submitted written protests during the protest period. This district completed the 20-day protest period at 5:00 p.m. Monday, May 5, 2003. No protests were filed against this district. Accordingly, the District may be continued and constructed. It is recommended that Council approve a Resolution continuing the District. Costs will be assessed to the benefiting properties.

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

R E S O L U T I O N 2003-138

WHEREAS, Street Improvement District No. 1245 was created by Ordinance No. 8802 on April 8, 2003; and

WHEREAS, notice of the creation of such street improvement district was published in the Grand Island Independent on April 15, April 22, and April 29, 2003, in accordance with the provisions of Section 16-619, R.R.S. 1943; and

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

WHEREAS, the protest period ended on May 5, 2003, and no protests were filed with the City Clerk against the creation of Street Improvement District 1245 by abutting property owners.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that insufficient protests having been filed with the City Clerk against the creation of Street Improvement District No. 1245, such district shall be continued and constructed according to law.

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Adopted by the City Council of the City of Grand Island, Nebraska, May 20, 2003.

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ May 15, 2003 <input type="checkbox"/> City Attorney



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G11

#2003-139 - Approving Change Order #1 for Installation of Irrigation System on the South Side of the Grand Island Cemetery

The Park and Recreation Department has developed Change Order #1 to the contract for Cemetery Irrigation Installation. The contract was awarded to Tilly Sprinkler Systems of Grand Island, during the fall of 2002 in the amount of \$125,410.00. The net increase of Change Order #1 is \$2,453.12, which allows for total coverage of all acres involved in the project. The Cemetery Plat map used for the original bid specifications was some twenty feet short of actual on site measurements. The revised contract amount will be \$127,863.12 and allows for the additional pipe, fittings and heads necessary to complete the project. Approval is recommended. See attached RESOLUTION.

Staff Contact: Steve Paustian

RESOLUTION 2003-139

WHEREAS, on October 8, 2002, by Resolution 2002-314, the City Council for the City of Grand Island awarded the bid for installation of irrigation system for the south side of the Grand Island Cemetery to Tilley Sprinkler Systems, Inc. of Grand Island, Nebraska; and

WHEREAS, it has been determined that modifications to the work to be performed by Tilley Sprinkler Systems, Inc. are necessary; and

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

WHEREAS, the result of such modifications will increase the contract amount by \$2,453.12 for a revised contract price of \$127,863.12.

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

	<u>Amount</u>
Extra valve fittings, pipe and heads to set valves back from intersections	\$ 2,453.12

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Adopted by the City Council of the City of Grand Island, Nebraska, May 20, 2003.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G12

#2003-140 - Approving Certificate of Final Completion for Installation of Irrigation System on the South Side of the Grand Island Cemetery

The Park and Recreation Department has recommended that the Certificate of Final Completion be issued for Installation of Irrigation-South Side Grand Island Cemetery. The contract was awarded to Tilley Sprinkler Systems of Grand Island in the fall of 2002. The work commenced in late October, 2002 and was completed in May, 2003. The performance of the contract was supervised by the Cemetery Superintendent and a Certificate of Final Completion has been issued by the Park and Recreation Director, subject to City Council approval. Approval is recommended. See attached RESOLUTION.

Staff Contact: Steve Paustian

CERTIFICATE OF FINAL COMPLETION AND ACCEPTANCE

**INSTALLATION OF IRRIGATION
SYSTEM AT GRAND ISLAND CEMETERY**

**CITY OF GRAND ISLAND, NEBRASKA
MAY 20, 2003**

**TO THE MEMBERS OF THE COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA**

This is to certify that the Installation of Irrigation System at the Grand Island Cemetery has been fully completed by **Tilley Sprinkler Systems from Grand Island, Nebraska** under contract dated **October 21, 2002**. The scope of the project was increased by \$2,453.12 as per change order. All other work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans, and the specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by the Parks and Recreation Director in accordance with the provisions of the terms of the above said contract.

Respectfully submitted,

Steve Paustain
Parks and Recreation Director

**TO THE MEMBERS OF THE COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA**

I hereby recommend that the Certificate of Final Completion and Acceptance be approved and warrants issued from Account No. 40044450-90033 to **Tilley Sprinkler Systems** in the final payment amount of **\$127,863.12**.

Respectfully submitted,

Mayor Jay Vavricek

RESOLUTION 2003-140

WHEREAS, the Parks and Recreation Director of the City of Grand Island has issued his Certificate of Final Completion for Installation of Irrigation System for the South Side of the Grand Island Cemetery, certifying that Tilley Sprinkler Systems, Inc. of Grand Island, Nebraska, under contract approved October 8, 2002, has completed such project according to the terms, conditions, and stipulations for such improvements; and

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

WHEREAS, the Mayor concurs with the Parks and Recreation Director's recommendations.

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

1. The Parks and Recreation Director's Certificate of Final Completion for Installation of Irrigation System at the Grand Island Cemetery is hereby confirmed.
2. A warrant be issued from Account No. 40044450-90033 in the amount of \$127,863.12 payable to Tilley Sprinkler Systems, Inc. for the final amount due the contractor.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 20, 2003.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G13

#2003-141 - Approving Certificate of Final Completion, Request Date for Board of Equalization Hearing - Water Main District 434T

This memo is to certify that Water Main District 434T, located in Schimmer Drive from Scheel Road to Blaine Street, has been fully completed. All work was done in accordance with the terms and conditions of the contract, and complies with the plans and specifications. The water main district has been placed in service.

It is recommended that a Board of Equalization be set for June 24, 2003 to determine the benefits and connection fees for the properties within the boundaries of Water Main District 434T. See attached RESOLUTION.

Staff Contact: Gary R. Mader

**WATER MAIN DISTRICT 434T - PARCEL DESCRIPTIONS AND
CONNECTION FEES.**

Note: Connection fees are based on an equivalent cost for an 8" diameter water main at the rate of \$19.827694 per linear foot.

Owner: Richard L. And Patricia A. Hartman, Husband & Wife
5075 S Locust Street
Grand Island, NE 68803

The southerly 150.0 feet of the SW ¼, SE ¼, Section 32, T-11-N, R-9-W; except that portion occupied by the Union Pacific Rail Road right-of-way.

Frontage = 1,299.3 lf

Connection Fee = \$25,762.12

And

The southerly 150.0 feet of the westerly 274.9 feet of the easterly 424.9 feet of the SE1/4, SE ¼, Section 32, T-11-N, R-9-W.

Frontage = 274.9 lf

Connection Fee = \$5,450.63

And

The northerly 150.0 feet of the NW1/4, NE1/4, Section 5, T-10-N, R-9-W; except that portion occupied by the Union Pacific Rail Road right-of-way.

Frontage = 1,299.3 lf

Connection Fee = \$25,762.12

And

The northerly 150.0 feet of the westerly 391.9 feet of the easterly 424.9 feet of the NE1/4, NE1/4, Section 5, T-10-N, R-9-W.

Frontage = 391.9 lf

Connection Fee = \$7,770.47

Owner:

HAROLD L. HANSSEN and BONNIE L. HANSSEN, husband and wife;
WILLIS J. HANSSEN and SHARON M. HANSSEN, husband and wife; NORMAN
W. HANSSEN and THELMA L. HANSSEN, husband and wife; WILLIS J.
HANSSEN, Trustee of the Hanssen Family Revocable Living Trust
created by the Revocable Living Trust Agreement dated March 6,
1991; NORMAN W. HANSSEN, as Trustee of the Norman W. Hanssen
Revocable Trust, or any duly qualified successor Trustee thereof,
pursuant to a written Trust Agreement dated November 5, 1999;

Mail To: Norman W. And Thelma L. Hanssen, Husband & Wife

2548 W Schlimmer Drive

Grand Island, NE 68803

The southerly 150.0 feet of the easterly 860.0 feet of the westerly 880.0 feet of the SE1/4, SE1/4, Section 32, T-11-N, R-9-W

Frontage = 860.0 lf

Connection Fee = \$17,051.82

And

The northerly 150.0 feet of the westerly 880.0 feet of the NE1/4, NE1/4, Section 5, T-11-N, R-9-W

Frontage = 880.0 lf

Connection Fee = \$17,448.37



ENGINEER'S CERTIFICATE OF FINAL COMPLETION

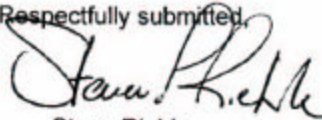
WATER MAIN DISTRICT NO. 434T

May 12, 2003

Water Main District No. 434T is located in Schimmer Drive, from Scheel Road to Blaine Street. The work on this main, as certified to be fully completed by Gary R. Mader, Utilities Director, is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provision on Section 16-650, R.R.S., 1943.

It is recommended that the City Council sit as Board of Equalization on June 24, 2003, to determine benefits and levy special assessments.

Respectfully submitted,



Steve Riehle,
Public Works Director

WATER MAIN DISTRICT NO. 434T

May 12, 2003

TO THE MEMBERS OF COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA

I hereby recommend that the Engineer's Certificate of Final Completion for Water Main District 434T be approved.

I further recommend that the City Council sit as Board of Equalization on June 24, 2003 to determine benefits and levy special assessments.

Respectfully submitted,

Jay Vavricek
Mayor

RESOLUTION 2003-141

WHEREAS, the Utilities Director of the City of Grand Island has issued his Certificate of Final Completion for Water Main District 434T in the Platte Valley Industrial Park, certifying that Starostka Group Company of Grand Island, Nebraska, under contract dated March 7, 2002, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Utilities Director recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs with the Utilities Director's recommendations.

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

1. The Utilities Director's Certificate of Final Completion for Water Main District 434T is hereby confirmed.
2. The City Council will sit as a Board of Equalization on June 24, 2003 to determine benefits and set connection fees for Water Main District 434T.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 20, 2003.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G14

#2003-142 - Approving Certificate of Final Completion, Request Date for Board of Equalization Hearing - Water Main District 437

This memo is to certify that Water Main District 437, located in Gold Core Drive from Schimmer to Wildwood Drive (including parts of Schimmer Drive and Wildwood Drive) has been fully completed. All work was done in accordance with the terms and conditions of the contract, and complies with the plans and specifications. The water main district has been placed in service.

It is recommended that a Board of Equalization be set for June 24, 2003 to determine the benefits and assessments for the properties within the boundaries of Water Main District 437. See attached RESOLUTION.

Staff Contact: Gary R. Mader

**WATER MAIN DISTRICT 437 - PARCEL DESCRIPTIONS
AND ASSESSMENTS.**

Notes: Assessments are based on \$0.068052 per square foot for subdivided properties and un-subdivided tracts are based on an equivalent cost for an 8" diameter water main at the rate of \$19.827694 per front foot.

- 1) This tract of land qualifies for an agricultural deferment.
- 2) This tract of land qualifies for EDA grant.
- 3) This tract of land does not qualify for EDA grant.

Owner: Robert K. & Judith K Poland, Husband & Wife
PO Box 694

Grand Island, NE 68802

Lot 1, Platte Valley Industrial Park Third Subdivision ^{1,3}

Square footage: 416,438.3

Assessment: \$28,339.35

Owner: Grand Island Area Economic Development Corporation
Po Box 1151

Grand Island, NE 68802

Lot 2, Platte Valley Industrial Park Third Subdivision ²

Square footage: 234,257.7

Assessment: \$15,941.64

And

Lot 3, Platte Valley Industrial Park Third Subdivision ²

Square footage: 220,242.9

Assessment: \$14,987.91

And

Lot 4, Platte Valley Industrial Park Third Subdivision ²

Square footage: 298,684.4

Assessment: \$20,325.99

And

Lot 5, Platte Valley Industrial Park Third Subdivision ²

Square footage: 302,269.2

Assessment: \$20,569.94

And

Lot 6, Platte Valley Industrial Park Third Subdivision ²

Square footage: 303,759.4

Assessment: \$20,671.36

And

Lot 7, Platte Valley Industrial Park Third Subdivision ²

Square footage: 299,826.1

Assessment: \$20,403.69

**WATER MAIN DISTRICT 437 - PARCEL DESCRIPTIONS
AND ASSESSMENTS.**

Owner: Grand Island Area Economic Development Corporation

Lot 14, Platte Valley Industrial Park Third Subdivision ²

Square footage: 321,345.5

Assessment: \$21,868.12

Lot 15, Platte Valley Industrial Park Third Subdivision ²

Square footage: 324,341.8

Assessment: \$22,072.02

And

Lot 16, Platte Valley Industrial Park Third Subdivision ²

Square footage: 350,719.1

Assessment: \$23,867.04

And

Lot 17, Platte Valley Industrial Park Third Subdivision ²

Square footage: 215,535.2

Assessment: \$ 14,667.55

And

Lot 18, Platte Valley Industrial Park Third Subdivision ²

Square footage: 227,032.2

Assessment: \$15,449.94

And

Lot 19, Platte Valley Industrial Park Third Subdivision ²

Square footage: 871,073.8

Assessment: \$59,278.09

And

Lot 20, Platte Valley Industrial Park Third Subdivision ²

Square footage: 218,928.99

Assessment: \$14,898.50

Owner: City of Grand Island - Utilities Department

Lot 8, Platte Valley Industrial Park Third Subdivision ³

Square footage: 203,107.1

Assessment: \$13,821.79

And

Lot 11, Platte Valley Industrial Park Third Subdivision ³

Square footage: 299,644.98

Assessment: \$20,391.36

And

Lot 13, Platte Valley Industrial Park Third Subdivision ³

Square footage: 388,014.1

Assessment: \$26,405.03

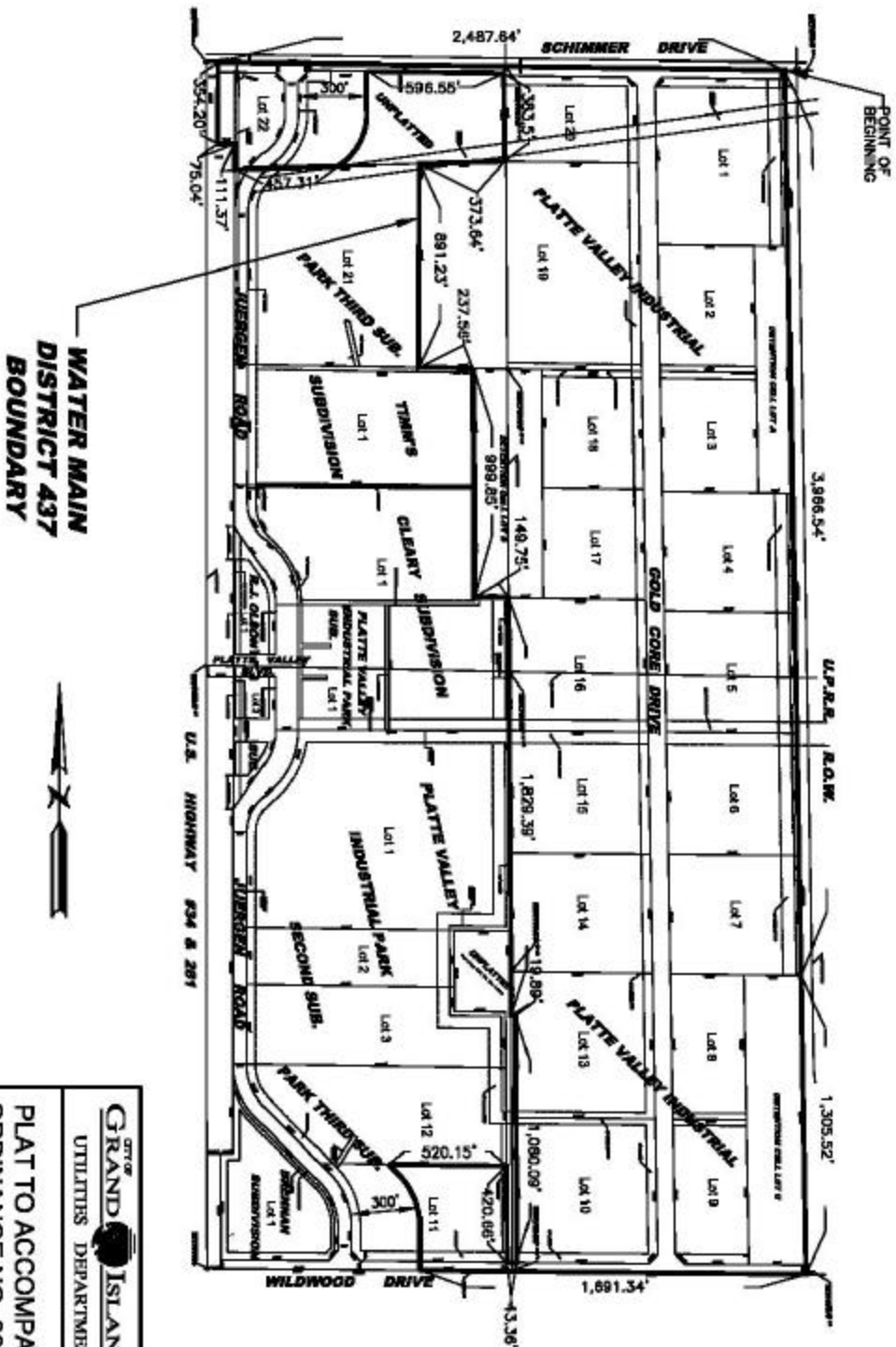
**WATER MAIN DISTRICT 437 - PARCEL DESCRIPTIONS
AND ASSESSMENTS.**

Owner: Randall J. & Jean M. Kathman, Husband & Wife
405 N 4th Street
Doniphan, NE 68832
Lot 9, Platte Valley Industrial Park Third Subdivision ³
Square footage: 201,802.8
Assessment: \$12,733.03

Owner: Nebraska Colorado Cellular, Inc
Att: Larry Aisenbrey
1224 Platte Ave
Fort Morgan, CO 80701
Lot 10, Platte Valley Industrial Park Third Subdivision ³
Square footage: 386,175.5
Assessment: \$26,279.91

Owner: City of Grand Island – Public Works Department
Lot 22, Platte Valley Industrial Park Third Subdivision ³
Square footage: 101,653.1
Assessment: \$6,917.68

Owner: Louis E. & Virginia B. Graham, Husband and Wife
3135 W Schimmer Dr.
Grand Island, NE 68801
Part of the NW1/4, NW1/4, Section 5, T-10-N, R-9-W ^{1,3}
Being more particularly described as follows: Beginning at a point on the southerly right-of-way line of Schimmer Drive, said point being 596.55 feet west of the northeast corner of Lot 20, Platte Valley Industrial Park Third Subdivision; thence deflecting left 90° and running southerly, a distance of 157.0 feet; thence southwesterly along the arc of a curve, being 300.0 feet distant and parallel with the easterly right-of-way line of Juergen Road, a chord distance of 280.11 feet; thence continuing southwesterly, a distance of 11.62 feet to a point on the northerly line of Lot 21, said Platte Valley Industrial Park Third Subdivision; thence westerly along the northerly line of Lot 21, said Platte Valley Industrial Park Third Subdivision to the easterly right-of-way line of Juergen Road; thence northerly along the easterly right-of-way line of said Juergen Road to a point of deflection; thence northeasterly along the right-of-way line of said Juergen Road, a distance of 56.57 feet; thence northerly along the right-of-way line of said Juergen Road, a distance of 7.0 feet; thence easterly along the southerly right-of-way line of Schimmer Drive, to the point of beginning.
Linear footage: 337.11
Assessment: \$13,700.16



CITY OF GRAND ISLAND
 UTILITIES DEPARTMENT
 PLAT TO ACCOMPANY
 ORDINANCE NO. 8663
 DRAWN BY: K.J.M. SCALE: 1"=600'
 DATE: 3/16/2001 FILE: WMD 437

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

WATER MAIN DISTRICT NO. 437

May 12, 2003

Water Main District No. 437 is located in Gold Core Drive, from Schimmer to Wildwood Drive, including parts of Schimmer and Wildwood Drives. The work on this main, as certified to be fully completed by Gary R. Mader, Utilities Director, is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provision on Section 16-650, R.R.S., 1943.

It is recommended that the City Council sit as Board of Equalization on June 24, 2003, to determine benefits and levy special assessments.

Respectfully submitted,


Steve Riehle,
Public Works Director

WATER MAIN DISTRICT NO. 437

May 12, 2003

TO THE MEMBERS OF COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA

I hereby recommend that the Engineer's Certificate of Final Completion for Water Main District 437 be approved.

I further recommend that the City Council sit as Board of Equalization on June 24, 2003 to determine benefits and levy special assessments.

Respectfully submitted,

Jay Vavricek
Mayor

RESOLUTION 2003-142

WHEREAS, the Utilities Director of the City of Grand Island has issued his Certificate of Final Completion for Water Main Districts 437 in the Platte Valley Industrial Park, certifying that Starostka Group Company of Grand Island, Nebraska, under contract dated March 7, 2002, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Utilities Director recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs with the Utilities Director's recommendations.

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

1. The Utilities Director's Certificate of Final Completion for Water Main District 437 is hereby confirmed.
2. The City Council will sit as a Board of Equalization on June 24, 2003 to determine benefits and set assessments for Water Main District 437.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 20, 2003.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G15

#2003-143 - Approving Certificate of Final Completion, Request Date for Board of Equalization Hearing - Water Main District 438T

This memo is to certify that Water Main District 438T, located north of Schimmer Drive, contiguous to the north side of Platte Valley Industrial Park 3rd Subdivision, has been fully completed. All work was done in accordance with the terms and conditions of the contract, and complies with the plans and specifications. The water main district has been placed in service.

It is recommended that a Board of Equalization be set for June 24, 2003 to determine the benefits and connection fees for the properties within the boundaries of Water Main District 438T. See attached RESOLUTION.

Staff Contact: Gary R. Mader

**WATER MAIN DISTRICT 438T - PARCEL DESCRIPTIONS AND
CONNECTION FEES.**

Note: Connection fees are based on an equivalent cost for an 8" diameter water main at the rate of \$19.827694 per linear foot.

Owner: Henry and Diana Rivas, Husband & Wife
3112 W Schimmer Dr.
Grand Island, NE 68801
Lot 1, Scheel's Subdivision
Footage: 100.0 feet
Connection Fee: \$1,982.77

Owner: Larry & Margaret L. Sorgenfrei, Husband & Wife
3106 W Schimmer Dr.
Grand Island, NE 68801
Lot 2, Scheel's Subdivision
Footage: 100.0 feet
Connection Fee: \$1,982.77

Owner: Nancy Fairbanks
3034 W Schimmer Dr.
Grand Island, NE 68801
Easterly 165' of Lot 3, Scheel's Subdivision
Footage: 165.0 feet
Connection Fee: \$3,271.57

Owner: Michael S. & Janel M. Tagart, Husband & Wife
3045 W Schimmer Dr.
Grand Island, NE 68801
Lot 3, Scheel's Subdivision, except the easterly 165'
Footage: 237.31 feet
Connection Fee: \$5,419.11

Owner: E. Marsden & Jaculyn J. Garey, Husband & Wife
1610 Parkview Dr.
Grand Island, NE 68801
Part of the S 1/2, SW 1/4, Sec 32, T-11-N, R-9-W
Beginning at the southwest corner of Scheel's Subdivision; thence northerly, along the westerly line of said Scheel's Subdivision, a distance of 333.0 feet; thence southwesterly a distance of 92.79 feet to a point; thence continuing southwesterly a distance of 76.0 feet; thence southerly a distance of 271.4 feet; thence easterly a distance of 196.7 feet to the point of beginning.
Footage: 196.7 feet
Connection Fee: \$3,900.11

**WATER MAIN DISTRICT 438T - PARCEL DESCRIPTIONS AND
CONNECTION FEES.**

Owner: Louis E. & Virginia B. Graham, Husband & Wife

3135 W Schimmer Dr., Grand Island, NE 68801

Part of the NW 1/4, NW 1/4, Sec. 5, T-11-N, R-9-W

Beginning at the northwest corner of Lot 20, Platte Valley Industrial Park Third Subdivision; thence northerly a distance of 7.0 feet; thence westerly along the southerly right-of-way line of Schimmer Drive; a distance of 596.55 feet; thence deflecting left 90° and running southerly, a distance of 157.0 feet; thence southwesterly along a curve, being 300.0 feet; distant and parallel with the easterly right-of-way line of Juergen Road, a cord distance of 280.11 feet; thence continuing southwesterly, a distance of 11.62 feet to a point on the northerly line of Lot 21, said Platte Valley Industrial Park Third Subdivision; thence easterly to the southeasterly corner of said Lot 20, Platte Valley Industrial Park Third Subdivision; thence northerly to the said northwest corner of Lot 20, Platte Valley Industrial Park Third Subdivision, the said point of beginning.

Footage: 596.55 feet

Connection Fee: \$18,844.27

Owner: Hall County, NE

Part of the SW 1/4, Sec. 32, T-11-N, R-9-W

Beginning at a point on the south line of the SW1/4 of Section 32-11-9, said point being 570.0 feet east of the southwest corner of the SW1/4 of said Section 32-11-9; thence easterly along the south line of the SW1/4 of said Section 32-11-9, a distance of 670.0 feet; thence northerly a distance of 271.4 feet; thence northeasterly a distance of 76.0 feet; thence southwesterly a distance of 197.21 feet; thence northwesterly a distance of 290.0 feet; thence westerly a distance of 320.60 feet; thence southerly a distance of 342.8 feet to the point of beginning.

Footage: 670.0 feet

Connection Fee: \$13,284.55

Owner: Orald Donald Harney and Mary Jane Harney, Husband & Wife

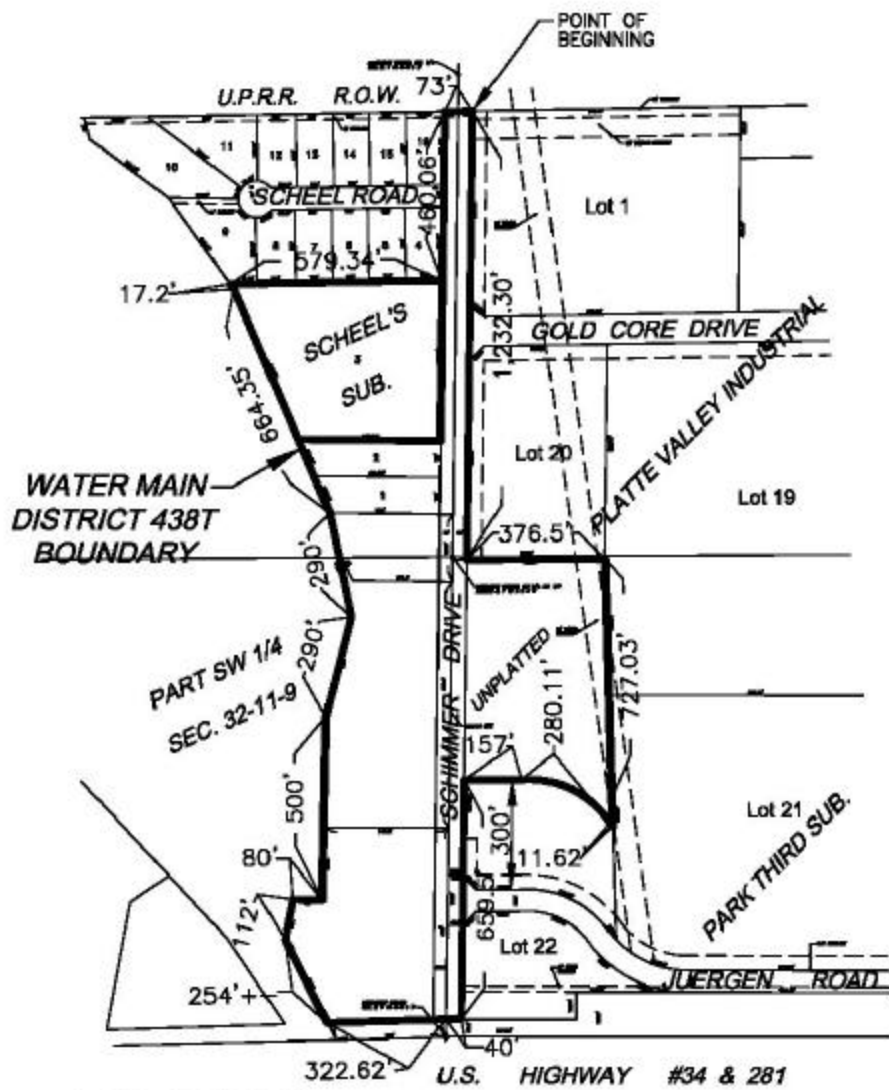
and Daryl V. Harney, a single person; 1906 N North Road, Marquette, NE 68854

Part of the SW 1/4, Sec. 32, T-11-N, R-9-W

Beginning at a point on the south line of the SW1/4 of Section 32-11-9, said point being 48.0 feet east of the southwest corner of the SW1/4 of said Section 32-11-9; thence easterly along the south line of the SW1/4 of said Section 32-11-9, a distance of 522.0 feet; thence northerly a distance of 342.8 feet; thence westerly a distance of 197.2 feet; thence northerly a distance of 80.0 feet; thence northwesterly a distance of 112.0 feet; thence southwesterly, a distance of 254.0 feet to a point on the easterly right-of-way line of U.S. Highway 281 & 34; thence southerly along the easterly right-of-way line of said U.S. Highway 281 & 34, a distance of 322.0 feet to the point of beginning.

Footage: 522.0 feet

Connection Fee: \$10,350.06



CITY OF
GRAND ISLAND
UTILITIES DEPARTMENT

**PLAT TO ACCOMPANY
ORDINANCE NO. 8664**

DRAWN BY: K.J.M. SCALE: 1"=400'
DATE: 3/19/01 FILE: WMD 438T

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

WATER MAIN DISTRICT NO. 438T

May 12, 2003

Water Main District No. 438T is located north of Schimmer Drive along the north side of Platte Valley Industrial Park 3rd Subdivision. The work on this main, as certified to be fully completed by Gary R. Mader, Utilities Director, is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provision on Section 16-650, R.R.S., 1943.

It is recommended that the City Council sit as Board of Equalization on June 24, 2003, to determine benefits and levy special assessments.

Respectfully submitted,



Steve Riehle,
Public Works Director

WATER MAIN DISTRICT NO. 438T

May 12, 2003

TO THE MEMBERS OF COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA

I hereby recommend that the Engineer's Certificate of Final Completion for Water Main District 438T be approved.

I further recommend that the City Council sit as Board of Equalization on June 24, 2003 to determine benefits and levy special assessments.

Respectfully submitted,

Jay Vavricek
Mayor

RESOLUTION 2003-143

WHEREAS, the Utilities Director of the City of Grand Island has issued his Certificate of Final Completion for Water Main District 438T in the Platte Valley Industrial Park, certifying that Starostka Group Company of Grand Island, Nebraska, under contract dated March 7, 2002, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Utilities Director recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs with the Utilities Director's recommendations.

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

1. The Utilities Director's Certificate of Final Completion for Water Main District 438T is hereby confirmed.
2. The City Council will sit as a Board of Equalization on June 24, 2003 to determine benefits and set connection fees for Water Main District 438T.

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Adopted by the City Council of the City of Grand Island, Nebraska, May 20, 2003.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G16

#2003-144 - Approving Certificate of Final Completion, Request Date for Board of Equalization Hearing - Water Main District 439T

This memo is to certify that Water Main District 439T, located south of Wildwood Drive adjacent to the south side of Platte Valley Industrial Park 3rd Subdivision, has been fully completed. All work was done in accordance with the terms and conditions of the contract, and complies with the plans and specifications. The water main district has been placed in service.

It is recommended that a Board of Equalization be set for June 24, 2003 to determine the benefits and connection fees for the properties within the boundaries of Water Main District 439T. See attached RESOLUTION.

Staff Contact: Gary R. Mader

**WATER MAIN DISTRICT 439T - PARCEL DESCRIPTIONS AND
CONNECTION FEES.**

Note: Connection fees are based on an equivalent cost for an 8" diameter water main at the rate of \$19.827694 per linear foot.

Owner: Charles Stelk

2659 W Wildwood Dr.

Grand Island, NE 68801

The northerly 300.0 feet of the NE1/4, NW1/4, Section 8, T-10-N, R-9-W.

Footage: 1,281.28 feet

Connection Fee: \$25,487.71

Owner: Charles D. Bosselman

2605 Apache Road

Grand Island, NE 68801

The northerly 539.0 feet of the easterly 327.0 feet of the NW1/4, NW1/4, Sec 8, T-10-N, R-9-W.

Footage: 327.0 feet

Connection Fee: \$6,483.66

Owner: Lewis Greenscape, Inc., a Nebraska corp.

3225 Wildwood Dr.

Grand Island, NE 68803

Lot 1, Greenscape Inc. Subdivision

Footage: 365.1' feet

Connection Fee: \$7,239.09

Owner: Dwaine R. and Evelyn I. Lewis Husband & Wife

40461 Calle Medusa

Temecula, CA 92591

The northerly 374.0 feet of the westerly 412.0 feet of the easterly 739.0 feet of the NW1/4, NW1/4, Section 8, T-10-N, R-9-W.

Footage: 412.0 feet

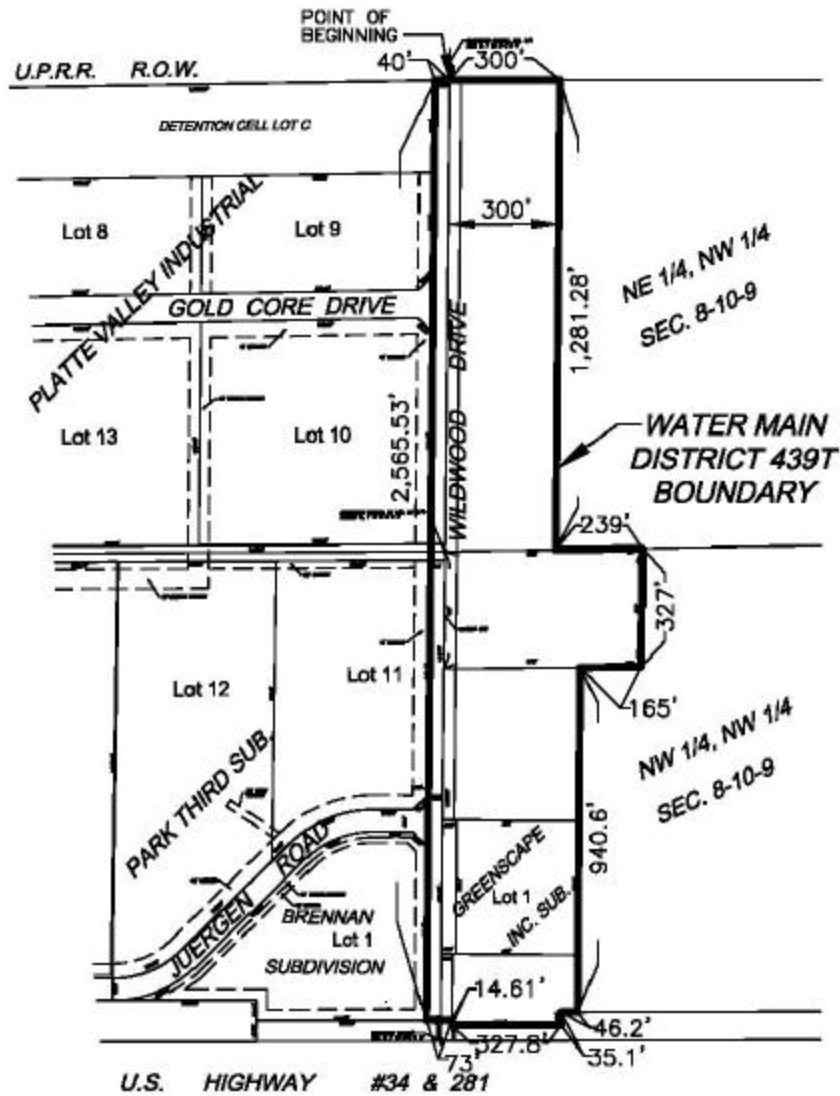
Connection Fee: \$8,169.01

And

The northerly 374.0 feet of the westerly 238.31 feet of the NW1/4, NW1/4, Section 8, T-10-N, R-9-W, except that portion occupied by U.S. Highway 281 & 34 right-of way.

Footage: 181.0 feet

Connection Fee: \$3,588.81



CITY OF
GRAND ISLAND
UTILITIES DEPARTMENT

**PLAT TO ACCOMPANY
ORDINANCE NO. 8665**

DRAWN BY: K.J.M. SCALE: 1"=400'
DATE: 3/19/01 FILE: WMD 439T

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

WATER MAIN DISTRICT NO. 439T

May 12, 2003

Water Main District No. 439T is located south of Wildwood Drive adjacent to the south side of Platte Valley Industrial Park 3rd Subdivision, including parts of Schimmer and Wildwood Drives. The work on this main, as certified to be fully completed by Gary R. Mader, Utilities Director, is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provision on Section 16-650, R.R.S., 1943.

It is recommended that the City Council sit as Board of Equalization on June 24, 2003, to determine benefits and levy special assessments.

Respectfully submitted,



Steve Riehle,
Public Works Director

WATER MAIN DISTRICT NO. 439T

May 12, 2003

TO THE MEMBERS OF COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA

I hereby recommend that the Engineer's Certificate of Final Completion for Water Main District 439T be approved.

I further recommend that the City Council sit as Board of Equalization on June 24, 2003 to determine benefits and levy special assessments.

Respectfully submitted,

Jay Vavricek
Mayor

RESOLUTION 2003-144

WHEREAS, the Utilities Director of the City of Grand Island has issued his Certificate of Final Completion for Water Main District 439T in the Platte Valley Industrial Park, certifying that Starostka Group Company of Grand Island, Nebraska, under contract dated March 7, 2002, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Utilities Director recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs with the Utilities Director's recommendations.

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

1. The Utilities Director's Certificate of Final Completion for Water Main District 439T is hereby confirmed.
2. The City Council will sit as a Board of Equalization on June 24, 2003 to determine benefits and set connection fees for Water Main District 439T.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 20, 2003.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item G17

#2003-145 - Approving Interlocal Agreement - Cooperative Agreement (CA) for Economic Analysis

Background:

The Platte River Cooperative Agreement (CA) is an agreement among the states of Colorado, Wyoming, Nebraska and the U.S. Department of Interior to develop an overall Platte River Basin plan for the protection of endangered species using the central Platte reach and thereby meet the Endangered Species Act Section 7 consultation requirements for all new development in the project area. The CA was formally accepted by the states and DOI in 1997. Since that time, negotiations on the comprehensive plan have been underway with the development of processes, regulations, hydrologic models, species needs determinations, and other issues which have the potential to substantially change water use practices and future development in the Platte Valley. The economic impacts of water use changes resulting from implementation of the Cooperative Agreement have the potential to substantially impact the region.

For evaluation of those economic impacts, a number of agencies are proposing an Interlocal Cooperative Agreement to provide direction and funding for an economic impact analysis.

Parties to this effort to date include:

*Central Platte Natural Resources District,
Upper Big Blue Natural Resources District,
Nebraska Public Power District,
The Central Nebraska Public Power and Irrigation District,
Twin Platte Natural Resources District,
Tri-Basin Natural Resources District,
North Platte Natural Resources District,
South Platte Natural Resources District,
Little Blue Natural Resources District,
Game and Parks Commission,
City of Lexington,
Southern Public Power District,
Dawson Public Power District.*

A copy of the Draft Interlocal Cooperation Agreement is attached.

Discussion:

Grand Island, with its wellfield on a river island, will be affected by any water use regulations or processes that may result from the CA; and water availability is critical to support the present and future economic vitality of the City. The economic evaluation of such a wide-

ranging program as the CA is a large undertaking. The cooperation of a large number of potentially affected entities is a sound approach to provide the resources necessary to successfully complete an economic impact analysis.

Recommendation:

It is the recommendation of the Utilities Department that Grand Island participate in the Interlocal Agreement.

Fiscal Effects:

Expenditure of \$5,000 from Water Enterprise Fund 525. There are sufficient funds available.

Alternatives:

Do not participate. Fund an independent study. See attached RESOLUTION.

Staff Contact: Gary R. Mader

INTERLOCAL COOPERATION ACT AGREEMENT Platte River Coalition for Program Evaluations

This Agreement is entered into by and between

Central Platte Natural Resources District
Upper Big Blue Natural Resources District
Nebraska Public Power District
The Central Nebraska Public Power and Irrigation District
Twin Platte Natural Resources District
North Platte Natural Resources District
Tri-Basin Natural Resources District
South Platte Natural Resources District
Little Blue Natural Resources District
Nebraska Department of Natural Resources
Nebraska Game and Parks Commission
City of Grand Island
City of Lexington

all of which are political subdivisions or state agencies of and are situated in the State of Nebraska.

IT IS AGREED BY AND BETWEEN THE PARTIES HERETO, EACH ACKNOWLEDGING THE RECEIPT OF GOOD, ADEQUATE, AND VALUABLE CONSIDERATION, AS FOLLOWS:

1. AUTHORITY: This Agreement is made and entered into by the parties pursuant to the authority conferred upon each under the Interlocal Cooperation Act, Neb. Rev. Stat. §13-801 through §13-827.

2. COALITION: The parties herewith and hereby create the Platte River Coalition for Program Evaluations (hereinafter referred to as "ECONOMIC COALITION"). The ECONOMIC COALITION shall be governed by the terms hereof and shall be the instrument through which and by which the parties to this Agreement pursue the purposes described in this Agreement. The ECONOMIC COALITION shall be an entity separate and distinct from the respective parties hereto, and no party hereto is the agent, employee or representative of the ECONOMIC COALITION or any other party. The parties hereto agree that contracts entered into, obligations undertaken, and liabilities incurred by the ECONOMIC COALITION shall be the separate contracts, obligations and liabilities of the ECONOMIC COALITION, and not the contracts, obligations or liabilities of the respective parties hereto.

3. PURPOSE: The ECONOMIC COALITION established hereby shall provide the authority, resources, services, studies, and facilities needed for the evaluation of the economic effects and impacts on the people and resources of the State of Nebraska of implementing and of not implementing the proposed Platte River Recovery Implementation Program and to perform and pursue such other activities concerning such other matters related to evaluating the with and without proposed Program scenarios as the ECONOMIC COALITION may determine necessary and beneficial. This Agreement shall provide the organizational and administrative structure and enumeration of the powers, privileges and authority of the financial cooperative effort and the ECONOMIC COALITION. The purpose of the ECONOMIC COALITION shall be limited to conducting the study and evaluation described above and shall exist for no other purpose. The powers, privileges and authorities of the ECONOMIC COALITION shall not exceed those powers, privileges or authorities exercised or capable of being exercised by each of the parties to this Agreement, nor shall they be used in a manner that is in violation of any of the parties' public purposes.

4. BOARD OF DIRECTORS: The affairs, actions and conduct of the business of the ECONOMIC COALITION shall be by a Board of Directors. Each member of the Board of Directors shall be entitled to one vote and the majority of the votes cast on any issue shall determine the issue, except where a higher percentage shall be specifically required by this Agreement or by-laws adopted by the Board. The Board of Directors shall be composed of thirteen members, one each representing each of the parties to this Agreement. Each director and any designated alternate shall be duly and properly appointed by the respective governing body or other administrative head of each of the separate and individual parties to this Agreement, but it shall not be required that any director of the ECONOMIC COALITION so appointed be a publicly elected member of the governing body of any party to this Agreement. Each Board member shall serve at the pleasure of his or her respective organization. Any vacancy, which occurs in the Board, shall be filled within 60 days through the appointment of a replacement by the represented party. Members of the Board of Directors shall select from their membership a Chairman, Vice Chairman, and Secretary/Treasurer. The Board of Directors shall exercise authority over the ECONOMIC COALITION in accordance with applicable laws, shall set the ECONOMIC COALITION'S policies, and shall delegate executive, supervisory and organizational authority to its officers and committees. Meetings of the Board of Directors shall be conducted at least annually and at such other times as may be required by the business of the ECONOMIC COALITION. A majority, i.e. seven of the members of the Board of Directors shall constitute a quorum for the transaction of business. A lesser number in attendance at any meeting shall have power to adjourn.

5. CHAIR, VICE CHAIR, AND SECRETARY/TREASURER: The Chair shall: preside at all the meetings of the Board of Directors; decide all questions of order; with advice of the Board appoint the members to all committees except the executive committee; be an ex-officio member of all committees; and have such general powers and duties of supervision and management as shall be necessary and germane or required for the execution and prosecution of the affairs of the ECONOMIC COALITION. The Vice Chair shall serve in the absence of the Chair and in the Chair's absence shall have all of the powers and duties of the Chair and shall have such other powers and duties as the Chair or Board of Directors shall from time to time delegate to the Vice Chair. The Secretary/Treasurer to the Board shall keep minutes of all meetings conducted by the ECONOMIC COALITION and shall be the keeper of the records of the ECONOMIC COALITION. The Secretary/Treasurer shall prepare and submit to the Coalition members in writing a monthly report of the state of the finances of the ECONOMIC COALITION and pay ECONOMIC COALITION money only upon authorization signed by the Chair of the Board or in the absence of the Chair by the Vice Chair. Payment of all accounts after authorization shall be made by check signed by the Secretary/Treasurer. The Secretary/Treasurer shall serve without bond. In addition to the foregoing, the officers shall have such other and additional duties, powers, privileges and authority as the Board of Directors may, in by-laws or otherwise, determine appropriate or necessary and by Board action delegate or direct.

6. COMMITTEES: The Board of Directors or the Chair shall have the power to establish such committees as may be necessary, appropriate or beneficial to the conduct of the affairs of the ECONOMIC COALITION. Each such committee shall have such powers, duties and authorities as shall be delegated to it by the Board of Directors, which powers, duties, and authorities shall not be inconsistent with or exceed those powers and duties granted to the ECONOMIC COALITION under this Agreement. The Board of Directors is authorized to designate from its members an executive committee which shall consist of the ECONOMIC COALITION'S Chair, Vice Chair, Secretary/Treasurer and the Chairs of the various committees established by the Board, which executive committee shall have and may exercise only such powers and authorities as are delegated to it by the Board of Directors. The designation of any committees and the delegation thereto of authority shall not operate to relieve the Board of Directors or any member thereof of any responsibility imposed by this Agreement nor shall the Board of Directors delegate to any committee the authority to set policy or to make expenditures

on behalf of the ECONOMIC COALITION. Any committee established by the Chair shall be approved by the Board at its next meeting.

7. POWERS: The ECONOMIC COALITION shall have all the additional powers, privileges and authority exercised or capable of being exercised by each of the individual and separate parties to this Agreement to achieve the purposes of the ECONOMIC COALITION as set forth in this Agreement. Such additional powers, privileges and authority shall include but not be limited to, the power, privilege and authority to:

(a) Solicit, receive and accept donations, gifts, grants, bequests, appropriations or other contributions or assistance in monies, services, materials or otherwise from the United States or any of its agencies, from the state or any of its agencies or political subdivisions, or from any persons, and to use or expend all such contributions in carrying on its operations.

(b) Establish advisory groups by appointing individuals from among the parties to this Agreement and from non-governmental entities who contribute to the costs of conducting the economic evaluation for which this agreement is executed and pay necessary and proper expenses of such groups as the Board shall determine, and dissolve such groups.

(c) Employ such persons as are necessary to carry out the purposes of the ECONOMIC COALITION and this Agreement and to pay the necessary and proper expenses of said persons.

(d) Make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

(e) From time to time to make, amend and repeal by-laws, rules and regulations to carry out and effectuate its powers and purposes, which by-laws, rules and regulations shall not be inconsistent with the Interlocal Cooperation Act or this Agreement.

The foregoing clauses shall be construed both as objects and powers but no recitation, expression or declaration as to such specific powers herein enumerated shall be deemed to be exclusive and it is hereby expressly declared that all other lawful power conferred upon each of the individual and separate parties to this Agreement not inconsistent with the authorization given under the Interlocal Cooperation Act, Neb. Rev. Stat. §13-801 through §13-827 are hereby included. As used in this Agreement the term "persons" shall have the same meaning as used in Neb. Rev. Stat. §49-801(16). Provided further nothing in this Agreement shall operate to relieve any party hereto of any obligation or responsibility imposed upon it by law nor shall this Agreement or its operation preclude any party hereto from conducting or pursuing independent action in regard to each party's separate and independent obligations or responsibilities.

8. DURATION: The ECONOMIC COALITION shall commence business from and after the date on which the parties to this Agreement have executed this Agreement and the ECONOMIC COALITION and this Agreement shall continue in existence until terminated in accordance with Article 11 of this agreement.

9. FINANCES AND BUDGET: Annually or at such other frequent intervals as the Board of Directors of the ECONOMIC COALITION may determine, each of the parties hereto shall contribute such funds as are necessary to conduct the operations and to pursue the purposes of the ECONOMIC COALITION and the purposes and objects of this Agreement as provided hereinafter in this Section 9. Each of the entities hereto irrevocably commit up to the following amount of funds to accomplish the purposes of the ECONOMIC COALITION:

<u>Party</u>	<u>Contribution</u>
Central Platte Natural Resources District	\$25,000
Upper Big Blue Natural Resources District	\$5,000
Nebraska Public Power District	\$10,000 ?
The Central Nebraska Public Power and Irrigation District	\$7,500
Twin Platte Natural Resources District	\$10,000
North Platte Natural Resources District	\$10,000
Tri-Basin Natural Resources District	\$5,000
South Platte Natural Resources District	\$4,000
Little Blue Natural Resources District	\$2,500
Nebraska Department of Natural Resources	\$25,000
Game and Parks Commission	\$50,000
City of Grand Island	\$5,000
City of Lexington	\$5,000

The following initial contributions are also anticipated from the following non-governmental entities that shall, if such contribution is made, become non-voting ex-officio members of the ECONOMIC COALITION as provided in Article 14 of this agreement:

Nebraska Farm Bureau	\$15,000
Total:	\$179,000

The exact time when contributions are to be made is to be determined by the ECONOMIC COALITION as annual budgets are prepared in the manner described below, but it is anticipated that such contributions will need to be made in part in calendar year 2003 and in part in calendar year 2004. For those entities that have fiscal years starting July 1, it is anticipated that the contributions will need to be made in part in FY 03-04 and in part in FY 04-05.

Annually, beginning no more than 30 days after the formation of the ECONOMIC COALITION and commencement of business, and continuing each year thereafter during the existence of this ECONOMIC COALITION, the Board of Directors shall establish and adopt a budget for the prosecution and completion of the work undertaken by the ECONOMIC COALITION.

Concurrent with the establishment of the budget each year, the Board of Directors of the ECONOMIC COALITION shall consult with each remaining party to this Agreement and each non-voting ex officio member regarding their ability to contribute toward such funds as are necessary to conduct the operations and to pursue the purposes of the ECONOMIC COALITION. Upon completion of the budget, if it is determined that funds in addition to those committed above are needed for the ECONOMIC COALITION to pursue and complete its purposes, the Board of Directors of the ECONOMIC COALITION, after determining, as authorized by Article 7(a), whether any additional funds will be contributed by the non-voting ex officio members or other persons, shall determine the amount of any additional assessment to be submitted to each remaining party to this Agreement and shall thereafter assess each of such parties for said amount, with the funding proportion of each party no greater than the funding proportion provided herein unless otherwise agreed to by the party paying proportionately more. Upon receipt of the assessment, each remaining party shall have 60 days to pay the assessment or submit a written notice of withdrawal. In the event of such withdrawal the withdrawing party shall not be liable for the assessment imposed during the sixty days preceding the withdrawal. If withdrawal by one or more parties causes a shortage of funds that would prevent the ECONOMIC COALITION from completing its purposes in a satisfactory manner, the Board of Directors may make an additional assessment to all remaining parties. Any such additional assessments shall be in proportion to those provided herein for such remaining parties.

10. WITHDRAWAL: Any party to this Agreement may withdraw from this Agreement and from representation on the ECONOMIC COALITION upon written notification to the Chairman of the ECONOMIC COALITION. Such withdrawal shall be effective upon receipt of the written notification. Following withdrawal the withdrawn member shall no longer be a party to this Agreement, and the withdrawn member shall not be bound by this Agreement, except that (a) the withdrawn member shall not be entitled to any refund of any contribution or assessment previously paid to the efforts of the ECONOMIC COALITION, and (b) the withdrawn member shall remain liable for its share of any costs properly approved and incurred (costs for labor and services are not considered incurred until the work has been performed for the ECONOMIC COALITION) by the ECONOMIC COALITION through the effective date and time of withdrawal to the extent such costs exceed all sums available to the ECONOMIC COALITION through the date of withdrawal. Such share shall be determined in accordance with the allocation for the assessment of parties outlined in 9 above as of the date of the withdrawal notice. The parties agree that a withdrawn party shall not be liable or responsible for any costs, obligations or liabilities incurred by the ECONOMIC COALITION after such party's withdrawal. In the event of such withdrawal, the ECONOMIC COALITION shall make such adjustments as are necessary to the composition of its Board of Directors, and its future budgets and finances as are necessary to accommodate and continue the operation of the ECONOMIC COALITION in the absence of such withdrawing member.

11. PARTIAL AND COMPLETE TERMINATION: This Agreement and the ECONOMIC COALITION created hereby shall be terminated upon the earlier of the completion of its purposes and objects described herein or upon the vote of two-thirds of the then constituted Board of Directors for the complete or partial termination of the ECONOMIC COALITION and this Agreement. At such time as two-thirds of the Board of Directors shall vote to terminate the ECONOMIC COALITION and the Agreement, all outstanding debts and obligations of the ECONOMIC COALITION shall be paid, all property acquired by the ECONOMIC COALITION shall be disposed of by distribution of the same to the remaining members as represented by the Board of Directors and all unused funds and appropriations shall be returned to the then-remaining members as represented by the Board of Directors in such proportion as represented by the pro rata share paid by each member based upon the last contributions made by remaining members during the last assessment period preceding the date of termination.

12. AMENDMENT AND MODIFICATION: For all matters other than membership, this Agreement may be amended or modified upon the approval of written modifications by all then remaining parties hereto in a writing signed by and duly adopted and approved by the governing bodies of each of the remaining parties hereto.

13. CHANGE IN MEMBERSHIP: This Agreement may be amended or modified to increase or decrease its membership upon approval by 2/3rds vote of the members of the Board of Directors of the ECONOMIC COALITION. Any additional new member shall be required to have the written approval of its governing body or other administrative head and shall have admission to membership in the ECONOMIC COALITION and as a party hereto approved by a duly adopted resolution of its governing body or by such other form of approval as is appropriate for that party.

14. ADDITIONAL AND FURTHER CONTRACTS FOR SUPPORT AND MUTUAL ASSISTANCE: The ECONOMIC COALITION is authorized and empowered to seek and obtain contracts, Agreements and other arrangements whereby the ECONOMIC COALITION shall receive support and assistance for the purpose of pursuing its objects and purposes from such other entities as ECONOMIC COALITION from time to time shall determine necessary or appropriate including, but not limited to, municipalities, for-profit and non-profit organizations, and all other persons as defined by Neb. Rev. Stat. §49-801(16). Provided, however, such contract shall not exceed any authority or powers delegated to the ECONOMIC COALITION by the parties

to this Agreement and such contract shall not give rise to nor create any ability of any such third parties to participate in the management or operation of the ECONOMIC COALITION. Provided further, that upon a majority vote of the then existing members of the Board of Directors of the ECONOMIC COALITION, any person or entity providing support and mutual assistance may be allowed to appoint, for such period of time as the Board shall determine, a representative to the Board of Directors, which representative shall be a non-voting ex-officio member of the Board of Directors, but which representative shall be entitled to attend all meetings of the Board of Directors and to be appointed to such committees and attend such committee meetings as the Board of Directors shall determine.

15. INTEGRATION: This Agreement contains the entire agreement of the parties. No representations were made or relied upon by any party other than those expressly set forth herein. All prior and contemporaneous negotiations, discussions, memos and other writing are merged and incorporated herein, it being the intention of the parties that this be a final and full expression of their agreement. No agent, employee or other representative of any party hereto is empowered to alter any of the terms herein unless such alteration is done in writing and signed by all parties hereto.

16. ASSIGNMENT: No party hereto may assign its rights under this Agreement without the express written consent of all other parties as represented by the remaining Board of Directors at the time of the request for approval of the assignment.

IN WITNESS WHEREOF, the parties have signed and executed this agreement on the dates shown next to their respective signatures as follows.

CENTRAL PLATTE NATURAL RESOURCES DISTRICT

By _____ Date _____

UPPER BIG BLUE NATURAL RESOURCES DISTRICT

By _____ Date _____

NEBRASKA PUBLIC POWER DISTRICT

By _____ Date _____

THE CENTRAL NEBRASKA PUBLIC POWER & IRRIGATION DISTRICT

By _____ Date _____

TRI-BASIN NATURAL RESOURCES DISTRICT

By _____ Date _____

SOUTH PLATTE NATURAL RESOURCES DISTRICT

By _____ Date _____

LITTLE BLUE NATURAL RESOURCES DISTRICT

By _____ Date _____

NEBRASKA DEPARTMENT OF NATURAL RESOURCES

By _____ Date _____

NEBRASKA GAME AND PARKS COMMISSION

By _____ Date _____

THE CITY OF GRAND ISLAND

By _____ Date _____

THE CITY OF LEXINGTON

By _____ Date _____

RESOLUTION 2003-145

WHEREAS, in June, 1994, Governor Ben Nelson, the Governors of Colorado and Wyoming, and Secretary of Interior Bruce Babbitt signed a Memorandum of Agreement (MOA) to commit the Department of Interior and the states of Nebraska, Colorado and Wyoming to attempt to develop a Basinwide Recovery Program for endangered species in the Central Platte area of Nebraska; and

WHEREAS, the overall objective of the Basinwide Recovery Program is for the three states and the federal government to work together to make both water and land available for endangered species in the Central Platte area; and

WHEREAS, on November 24, 1997, by Resolution 97-329, the City of Grand Island was approved to participate in the Platte River Cooperative Agreement to develop accurate hydrology data for the Platte River Basin in Nebraska; and

WHEREAS, since 1997, negotiations on the comprehensive plan have been underway with the development of processes, regulations, hydrologic models, species needs determinations, and other issues which have the potential to substantially change water use practices and future development in the Platte Valley area; and

WHEREAS, with the City's wellfield located on a river island, it will be affected by any water use regulations or processes that may result from the Cooperative Agreement; and

WHEREAS, availability of water is critical to support the present and future economic vitality of the City of Grand Island; and

WHEREAS, it has been proposed that a number of Nebraska agencies enter into an Interlocal Cooperative Agreement to provide direction and funding for an economic impact analysis in connection with the proposed Platte River Recovery Implementation Program; and

WHEREAS, the proposed Interlocal Cooperation Act Agreement; Platte River Coalition for Program Evaluations has been reviewed and approved by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Interlocal Cooperation Agreement for Platte River Coalition for Program Evaluations is hereby approved, and the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

BE IT FURTHER RESOLVED, that funds in the amount of \$5,000 shall be authorized for the City's participation in such study.

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Adopted by the City Council of the City of Grand Island, Nebraska, May 20, 2003.

Approved as to Form	<input type="checkbox"/>	_____
May 15, 2003	<input type="checkbox"/>	City Attorney

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item H1

Request for Vacation of Platted Right of Way for Coventry Lane East of Newcastle Road

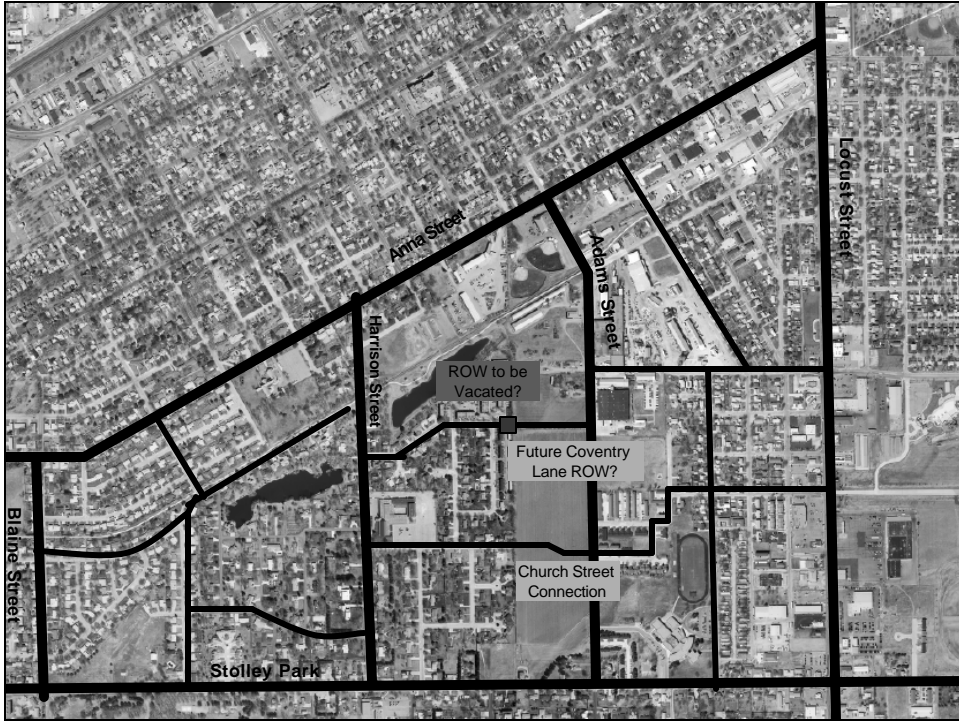
The Right of Way for Coventry Lane east of Newcastle Road has been platted but has never been constructed. The street is not currently needed, but may be needed in the future depending on the development of property to the east. The adjacent property owner, Toni Meyer, has requested the vacation of the Right of Way. The owner owns property on both sides of the Right of Way, maintains the area and has planted trees and other improvements. She would like to install a sprinkler system and benches to further improve the area. In the event the Right of Way is vacated, the owner is willing to grant an easement for utility use.

The Building, Planning and Public Works Departments have reviewed the request and do not recommend the vacation of Right of Way at this time. The Right of Way may need to be utilized in the future as a connection between Harrison and Adams Streets. If the Right of Way is vacated, it may have to be purchased in the future. An aerial photo is attached that highlights: area residential streets that help provide connectivity, collector streets, arterial streets, a future connection of Church Street, and how this piece of Coventry Lane may be used for street connectivity.

Staff would recommend the granting of a License Agreement, which would allow the adjacent property owner to put in the sprinkler system and park benches and still protect the City's interests in the event the street is extended.

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







City of Grand Island

Tuesday, May 20, 2003

Council Session

Item I1

#2003-146 - Approving Agreement Between the City of Grand Island, Utilities Department and General Electric Power Systems

Background:

The Combustion Turbine construction project at the Burdick Station is completed. The new generators were accepted by the Utilities Department for commercial operation on March 27, 2003. As can be the situation on a project of this cost and complexity, there are disputes between the Utilities Department and the major equipment supplier, General Electric Power Systems.

Discussion:

After several months of discussions between the parties a possible settlement has been negotiated. Due to the potential for litigation on this dispute, it is recommended that the City Council adjourn to executive session to consider this issue.

Staff Contact: Gary R. Mader; Doug Walker

RESOLUTION 2003-146

WHEREAS, on May 22, 2001, by Resolution 2001-135, the City of Grand Island approved the bid of General Electric Company of Schenectady, New York for two combustion turbine generators; and

WHEREAS, the combustion turbine project at the Burdick Station is now complete, and has been accepted by the Utilities Department for commercial operation as of March 27, 2003; and

WHEREAS, due to the complex nature of the project, a number of disputes have arisen between the City and the major equipment supplier for the project, General Electric Power Systems; and

WHEREAS, in an effort to resolve such disputes without proceeding through the court system, a potential settlement agreement has been negotiated between the parties; and

WHEREAS, it is recommended that the City approve the terms to such negotiated settlement; and

WHEREAS, the proposed Settlement Agreement has been reviewed and approved by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the General Electric Combustion Turbine Contract Settlement by and between the City of Grand Island and General Electric Power Systems is hereby approved for the settlement of all issues pertaining to the combustion turbine generator project at Burdick Station as set out in such agreement.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such settlement 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, May 20, 2003.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 15, 2003	☐ City Attorney



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item J1

Payment of Claims for the Period of May 7, 2003 through May 20, 2003

The Claims for the period of May 7, 2003 through May 20, 2003 for a total amount of \$2,642,913.18. A MOTION is in order.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item X1

Discussion Concerning Litigation Issues

ADJOURN TO EXECUTIVE SESSION:

Discussion Concerning Litigation Issues

Staff Contact: Marlan Ferguson



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item X2

Discussion Concerning Personnel Issues

Staff Contact: Marlan Ferguson



City of Grand Island

Tuesday, May 20, 2003

Council Session

Item X3

Discussion Concerning Real Estate Purchase

RETURN TO REGULAR SESSION:

Staff Contact: Marlan Ferguson