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# City of Grand Island



**Tuesday, September 23, 2003**

## **Council Session Packet**

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### **City Council:**

**Carole Cornelius**  
**Peg Gilbert**  
**Joyce Haase**  
**Margaret Hornady**  
**Robert Meyer**  
**Mitchell Nickerson**  
**Don Pauly**  
**Jackie Pielstick**  
**Scott Walker**  
**Fred Whitesides**

### **Mayor:**

**Jay Vavricek**

### **City Administrator:**

**David Springer (Interim)**

### **City Clerk:**

**RaNae Edwards**

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

**Call to Order**

**Pledge of Allegiance /Invocation - Pastor Steve Warriner, Abundant Life Christian Center, 3409 West Faidley Avenue**

**Roll Call**

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

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

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

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



# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item C1

### **Recognition of Larry Christensen, Utility Line Department for 30 Years of Service with the City**

*Mayor Vavricek and the City Council will recognize Larry Christensen, Utilities Line Department employee for 30 years of service with the city. Mr. Christensen was hired on October 1, 1973. His current title is Electric Distribution Supervisor for the Line Department. We congratulate Mr. Christensen for his dedication and service to the City of Grand Island.*

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, September 23, 2003

## Council Session

### Item D1

#### **#2003-BE-18 - Determining Benefits for Sanitary Sewer District No. 500, South of Seedling Mile Road**

##### *Background*

*The Certificate of Final Completion for Sanitary Sewer District No. 500 was approved on August 26, 2003 with September 23, 2003 set as the date for Council to sit as the Board of Equalization.*

##### *Discussion*

*The contract for Sanitary Sewer District 500 was awarded to The Starostka Group Company of Grand Island, Nebraska on June 11, 2002; work commenced on August 5, 2002 and was completed on November 25, 2002. This project was completed on schedule and at a construction price of \$151,201.34. Total cost of the project, including contract administration is \$195,379.27. Costs for the project break down as follows:*

*Original Bid \$ 150,861.31*

*Underruns (\$ 1,891.97)*

*Change Order No 1 \$ 2,232.00*

*Engineering \$ 15,120.13*

*Easements \$ 23,658.91*

*Publication, T.V. Inspection, etc. \$ 5,398.89*

*Total Cost \$ 195,379.27*

*Original Estimate at time of District Creation was \$366,609.14.*

##### *Recommendation*

*Assess the properties adjacent to the project.*

##### *Financial Implications*

*Cost shall be assessed against the properties adjacent to the project.*

##### *Alternatives*

*None. Levying Assessments will allow the City to recover the majority of District costs.*

**Staff Contact: Steven P. Riehle, Public Works Director/City Eng**

## RESOLUTION 2003-BE-18

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Sanitary Sewer District 500, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$193,534.57; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 500, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
George & Connie Solt	North 1/4 of Lot 1, Sass Subdivision	953.42
George & Connie Solt	North 1/4 of Lot 2, Sass Subdivision	1,185.65
Heather J. O'Hara	North 1/4 of Lot 3, Sass Subdivision	1,528.85
Heather J. O'Hara	North 1/4 of Lot 4, Sass Subdivision	1,528.85
Curtis & Pamela Hirschhorn	North 1/4 of Lot 5, Sass Subdivision	1,528.85
Curtis & Pamela Hirschhorn	North 1/4 of Lot 6, Sass Subdivision	1,528.85
Timothy Walt Lemons	North 1/4 of Lot 13, Sass Subdivision	1,528.85
Timothy Walt Lemons	North 1/4 of Lot 14, Sass Subdivision	1,528.85
Lenora M. Roebuck	North 1/4 of Lot 15, Sass Subdivision	1,528.85
Lenora M. Roebuck	North 1/4 of Lot 16, Sass Subdivision	1,528.85
Dale & Leota Davis	Lot 1, Sass Second Subdivision	2,371.31
Alma M. Goins	Lot 2, Sass Second Subdivision	2,371.31
Monte & Sheryl Perkins	Lot 3, Sass Second Subdivision	3,057.71
William & Tina Paulsen	Lot 4, Sass Second Subdivision	3,057.71
Timothy & Vicki Bartels	Lot 5, Sass Second Subdivision	3,057.71
Monte & Sheryl Perkins	Lot 6, Sass Second Subdivision	3,057.71
Herbert & Lora Heusel	Lot 7, Sass Second Subdivision	3,057.71
Herbert & Lora Heusel	Lot 8, Sass Second Subdivision	3,057.71
Vay & Monte Moser	Lot 9, Sass Second Subdivision	3,057.71
Walter & Evelyn Meinecke	Lot 10, Sass Second Subdivision	4,040.52
Walter & Evelyn Meinecke	Lot 11, Sass Second Subdivision	2,821.88
Walter & Evelyn Meinecke	Lot 12, Sass Second Subdivision	3,024.13
James H. Webb	Lot 13, Sass Second Subdivision	3,057.71

## RESOLUTION 2003-BE-18

Jerry & Linell Schultz	Lot 14, Sass Second Subdivision	3,057.71
Steven & Sheryl Shelton	Lot 15, Sass Second Subdivision	3,057.71
William & Cheryl Carstens	Lot 16, Sass Second Subdivision	3,057.71
Charles & Hazel Struble	Lot 17, Sass Second Subdivision	3,057.71
Charles & Hazel Struble	Lot 18, Sass Second Subdivision	3,057.71
Kevin & Kimberly Knight	Lot 19, Sass Second Subdivision	3,057.71
Bradley & Teresa Fish	Lot 20, Sass Second Subdivision	3,057.71
Dean & Kay Schuchman	Lot 21, Sass Second Subdivision	3,057.71
Brian & Heather Fox	Lot 22, Sass Second Subdivision	3,057.71
Brian & Sara Jelinek	Lot 23, Sass Second Subdivision	3,057.71
Bonnie G. Springsguth	West 100 feet of Lot 24, Sass Second Subdivision	2,981.90
Abigail Martin	East 5.6 feet of Lot 24, Sass Second Subdivision	75.81
Abigail Martin	South 1/4 of Lot 1, Sass Subdivision	675.08
Abigail Martin	South 1/4 of Lot 2, Sass Subdivision	1,121.81
Abigail Martin	South 1/4 of Lot 3, Sass Subdivision	1,121.81
Abigail Martin	South 1/4 of Lot 4, Sass Subdivision	1,121.81
Thomas & Margo Galles	Lot 25, Sass Second Subdivision	1,796.89
Thomas & Margo Galles	Lot 26, Sass Second Subdivision	2,243.63
Lawrence & Sondra Fry	Lot 27, Sass Second Subdivision	3,057.71
Hall County Housing Authority	Lot 28, Sass Second Subdivision	3,057.71
Donald & Sharon Tracy	Lot 29, Sass Second Subdivision	3,057.71
Kenneth & Barbara Spiehs	Lot 30, Sass Second Subdivision	3,057.71
Ricky & Mary Jayne Schroeder	Lot 31, Sass Second Subdivision	3,057.71
Patrick & Rana Nolan	Lot 32, Sass Second Subdivision	3,057.71
Harold & Maxine Skarka, Trustees	Lot 33, Sass Second Subdivision	3,057.71
Jeffrey & Brenda Thompson	Lot 34, Sass Second Subdivision	3,057.71
Larry & Lynnette Chitty	Lot 35, Sass Second Subdivision	3,057.71
Alice M. Gulzow	Lot 36, Sass Second Subdivision	3,057.71
Todd & Deborah Kober	Lot 1, Dahlke Subdivision	3,103.73
Gordon & Mildred Dahlke	Lot 2, Dahlke Subdivision	3,320.33
Lloyd & Alice Gloyne	Lot 3, Dahlke Subdivision	4,044.58
Secretary of Housing & Urban Development	South 277 feet of North 310 feet of Lot 18, Sass Subdivision	1,528.85
Secretary of Housing & Urban Development	South 277 feet of North 310 feet of Lot 19, Sass Subdivision	1,528.85

## RESOLUTION 2003-BE-18

Gary & Susan Huffer	South 277 feet of North 310 feet of Lot 20, Sass Subdivision	1,528.85
Gary & Susan Huffer	South 277 feet of North 310 feet of E1/2 of Lot 21, Sass Subdivision	1,171.47
James F.A. Colgan	South 102.5 feet of North 412.5 feet of Lot 18, Sass Subdivision	1,794.62
James F.A. Colgan	South 102.5 feet of North 412.5 feet of Lot 19, Sass Subdivision	407.04
James F.A. Colgan	South 102.5 feet of North 412.5 feet of Lot 20, Sass Subdivision	407.04
James F.A. Colgan	South 102.5 feet of North 412.5 feet of E1/2 of Lot 21, Sass Subdivision	407.04
Jacob & Patricia Bauer	Lots 9 and 11, Windolphs Subdivision	2,657.00
City of Grand Island	Lot 1, Industrial Addition	6,095.49
City of Grand Island	Lot 2, Industrial Addition	6,095.49
Midland Ag Service Inc.	Part of NE1/4 of NE1/4 of Section 14-11-9, 316.8 feet by 295.17 feet	9,173.12
Melva Rae Briseno	Part of NE1/4 of NE1/4 of Section 14-11-9, 295.17 feet by 295.17 feet	5,623.98
Midland Ag Service Inc.	Part of NE1/4 of NE1/4 of Section 14-11-9, 674.03 feet by 295.17 feet	18,893.45
<b>TOTAL</b>		<b>\$193,534.57</b>

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Adopted by the City Council of the City of Grand Island, Nebraska, on September 23, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 23, 2003

## Council Session

### Item D2

#### **#2003-BE-19 - Determining Benefits for Sanitary Sewer District No. 501, Stolley Park Road West of North Road, Freedom Drive & Liberty Lane**

##### *Background*

*The Certificate of Final Completion for Sanitary Sewer District No. 501 was approved on August 26, 2003 with September 23, 2003 set as the date for Council to sit as the Board of Equalization.*

##### *Discussion*

*The contract for Sanitary Sewer District 501 was awarded to The Diamond Engineering Company of Grand Island, Nebraska on July 9, 2002; work commenced on September 17, 2002 and was completed on May 12, 2003. This project was completed on schedule and at a construction price of \$339,666.71. Total cost of the project, including contract administration is \$387,477.17. Costs for the project break down as follows:*

*Original Bid \$322,423.16*

*Overruns \$ 14,054.30*

*Change Order \$ 3,189.25*

*Engineering \$ 33,966.67*

*Easements \$ 11,147.00*

*Publication, T.V. Inspection, etc. \$ 2,696.79*

*Total Cost \$387,477.17*

*Original Estimate at time of District Creation was \$508,400.00.*

##### *Recommendation*

*Assess the properties adjacent to the project.*

##### *Financial Implications*

*Cost shall be assessed against the properties adjacent to the project.*

##### *Alternatives*

*None. Levying Assessments will allow the City to recover the majority of District costs.*

*Staff Contact: Steven P. Riehle, Public Works Director/City Eng*



## RESOLUTION 2003-BE-19

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Sanitary Sewer District 501, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$319,703.15; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 501, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Murray Dean & Ann Marie Wells	Lot 1, Freedom Acres Subdivision	6,447.72
Lyn & Jacqueline Hetrick	Lot 2, Freedom Acres Subdivision	6,447.72
Judy J. Sheeks	Lot 3, Freedom Acres Subdivision	6,175.28
Danney Conley & Mary A. Smith	Lot 4, Freedom Acres Subdivision	6,175.28
Richard & Barbara Corwin	Lot 5, Freedom Acres Subdivision	6,175.28
Rodney & Sheryl Hitcher	Lot 6, Freedom Acres Subdivision	6,175.28
Jeffrey & Anita Powers	Lot 7, Freedom Acres Subdivision	6,175.28
Lewis H. Kroeger	Lot 8, Freedom Acres Subdivision	6,175.28
Lloyd & Jacqueline Tucker	Lot 9, Freedom Acres Subdivision	6,175.28
Myron & Virginia Perrel	Lot 10, Freedom Acres Subdivision	6,175.28
William & Gloria Schlacter	Lot 11, Freedom Acres Subdivision	6,175.28
Fred & Norma Lee Gardner	Lot 12, Freedom Acres Subdivision	6,175.28
Dean & Lucille Rhoads	Lot 13, Freedom Acres Subdivision	6,175.28
Dean & Patricia Bierhaus	Lot 14, Freedom Acres Subdivision	6,175.28
Maximo & Maria Elena Ortiz	Lot 15, Freedom Acres Subdivision	6,175.28
Thomas & Sharon Fulton	Lot 16, Freedom Acres Subdivision	6,175.28
Dale H. Wiegert	Lot 17, Freedom Acres Subdivision	6,175.28
Karen A. Giger	Lot 18, Freedom Acres Subdivision	6,175.28
Dennis & Bonita Kennedy	Lot 19, Freedom Acres Subdivision	6,343.37
Jason & Krista Clark	Lot 20, Freedom Acres Subdivision	6,361.63
Ronald & Eleanor Lilenthal	Lot 21, Freedom Acres Subdivision	6,148.03
Ronald & Eleanor Lilenthal	Lot 22, Freedom Acres Subdivision	6,148.03
Raymond & Linda Keezer	Lot 23, Freedom Acres Subdivision	6,148.03

## RESOLUTION 2003-BE-19

John & Janice Greene	Lot 24, Freedom Acres Subdivision	6,148.03
Dean & Beth Clemens	Lot 25, Freedom Acres Subdivision	6,148.03
Chief Industries Inc.	Part of E1/2, SW1/4, SE1/4 of Section 23-11-10; more particularly described as: Beginning at the SE corner of Freedom Acres; thence N 233'; thence E165'; thence S 233'; thence W 165' to the point of beginning.	7,946.16
Chief Industries Inc.	Part of SE1/4 of Section 23-11-10, more particularly described as: Beginning at a point 174.2' west of NW corner of Schuele Subdivision; thence north 233'; thence east to the west line of New U.S. Highway 30; thence SW approximately 65'; thence SW 52.9'; thence SW 104.7'; thence SW81.1'; thence S 33' to the south line of Section 23; thence west to the point of beginning	50,951.72
Ronald & Judy Foelgner	Part of SE1/4, SE1/4 of Section 23-11-10, more particularly described as: Beginning at a point 33' north of and 33' west of SW corner of said Section 23; thence west to the east line of New U.S. Highway 30; thence northeasterly to a point 233' north of south line of said Section 23; thence east to the west line of North Road; thence south to the point of beginning.	20,161.37
Robert & Judith Poland	Lot 1, Stearns Subdivision	6,168.53
Kenneth & Joyce Hoffman	Lot 2, Stearns Subdivision	11,256.25
Bosselman Oil Inc.	Lot 3, Stearns Subdivision	12,694.16
Husker Construction & Distributing	Lot 1, Schuele Subdivision	15,673.70
Glenn H. Schwarz	Part of NE1/4 of Section 26-11-10, more particularly described as follows: Beginning at the NW corner of Schuele Subdivision; thence SW to a point 233' south of the north line of Section 26; thence west to a point 273' south of SE corner of Lot 1 Freedom Acres Subdivision; thence north 233' to the north line of Section 26; thence east to the point of beginning.	39,706.19
<b>TOTAL</b>		<b>\$319,703.15</b>

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Adopted by the City Council of the City of Grand Island, Nebraska, on September 23, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item E1

### **Public Hearing to Amend the Future Land Use Map for the City of Grand Island for Property Located North of Capital Avenue and East of North Road in the SW 1/4 SW 1/4 of Section 1-11-10**

*Chad Nabity, Regional Planning Director, is requesting approval of the adoption of amending the Land Use Map for the City of Grand Island for property located north of Capital Avenue and east of North Road from Low to Medium Density Residential to Medium Density Residential/Office. The Regional Planning Commission approved this request unanimously at their September 3, 2003 meeting. It is appropriate at this time to solicit public comment. The action item is contained under the Consent Agenda.*

Staff Contact: Chad Nabity

September 4, 2003

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

Dear Mayor and Members of the Council:

**RE: An amendment to the Future Land Use Map for properties located North of Capital Ave, and East of North Rd, Grand Island, Nebraska.**

At the regular meeting of the Regional Planning Commission, held September 3, 2003 the above item was considered following a public hearing. This application proposes to change the Future Land Use Map from Agricultural to Residential Office for property located in the SW ¼ SW ¼ 1-11-10.

Nobody from the public spoke against this item.

Jim Thares from Primrose was present to answer questions from the Planning Commission.

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

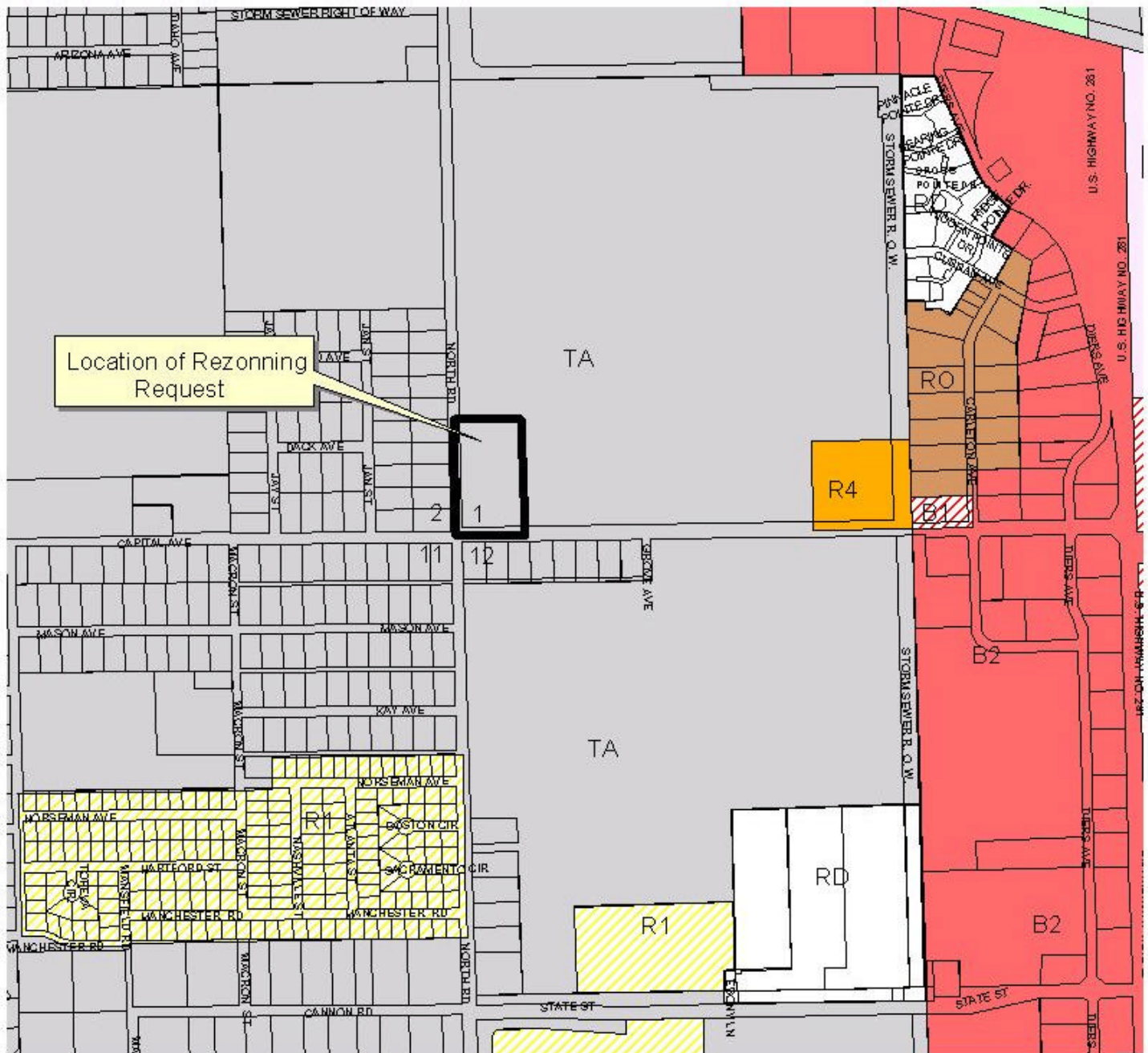
A roll call vote was taken and the motion passed with 10 members present voting in favor (Amick, Lechner, O'Neill, Eriksen, Miller, Obst, Ruge, Obermeier, Hayes, Wagoner).

Yours truly,

Chad Nabity AICP  
Planning Director

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





# Requested Zoning



From TA : Transitional Agricultural Zone



To RO : Residential Office Zone

C-16-2003GI



Scale None

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

## Agenda Item #5 & #6

### PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

August 18, 2003

**SUBJECT:** *Future Land Use Map and Zoning Change (C-16-2003GI)*

**PROPOSAL:** To rezone approximately 5 acres of land east of North Road and north of Capital Avenue, from TA-Transitional Agriculture to RO Residential Office, in the City of Grand Island. The stated purpose of this rezoning is to allow the construction of an elderly assisted living facility on the northeast corner of North Road and Capital Avenue.

#### OVERVIEW:

##### Site Analysis

*Current zoning designation:*

TA-Transitional Agriculture.

*Permitted and conditional uses:*

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

*Comprehensive Plan Designation:*

Designated for future low to medium residential development.

*Existing land uses.*

Agricultural crops. Pivot Corner

##### Adjacent Properties Analysis

*Current zoning designations:*

**North:** TA-Transitional Agriculture,

**South, East and West:** TA-Transitional Agriculture.

*Permitted and conditional uses:*

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

*Comprehensive Plan Designation:*

**North, South, East and West:** Designated for future low to medium density residential development.

*Existing land uses:*

**North, and East:** Agricultural land. Commercial  $\frac{3}{4}$  mile to the east

**South and West:** Residential subdivision (1/2 acre lots) and development west of North Road and south of Capital Avenue. One row of houses fronting onto Capital Avenue with agricultural uses south of the houses.

## EVALUATION:

### Positive Implications:

- *Consistent with the City's Comprehensive Land Use Plan:* The subject property is designated for long term low to medium density residential redevelopment. Although the intersection of North Road and Capital Avenue has not been designated in the Comprehensive Plan for commercial use; this request is consistent with comprehensive Land Use/Planning goal to "***Revise the Land Use Plan , where appropriate, to accommodate commercial uses at selected locations along major arterials.***" This use while not commercial would be a more intense use than single family residential, though quite likely the use would not be as intense a medium density general occupancy apartments.
- *Accessible to Existing Municipal Infrastructure:* City water and sewer services are available to service the rezoning area.
- *Monetary Benefit to Applicant:* Would allow the applicant to develop and sell this pivot corner.

### Negative Implications:

- *Intersection will become a destination:* The development of additional residential uses at this location will cause the intersection to become a destination possibly increasing traffic congestion at this intersection.
- *Uses other than assisted living facilities are allowed in the RO zoning district:* Potential uses for the site would include a office or high density residential uses. A copy of the uses allowed in the RO Zoning District is attached.

## RECOMMENDATION:

That the Regional Planning Commission recommend that the Grand Island City Council change the Future Land Use Component of the Grand Island Comprehensive Plan to show medium density residential to office use development at this site instead of low to medium density residential based upon the intent within the plan to examine intersections of arterial streets for more intense development.

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

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Chad Nabity AICP, Planning Director



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

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

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

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

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

- (1) Customary home occupations

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

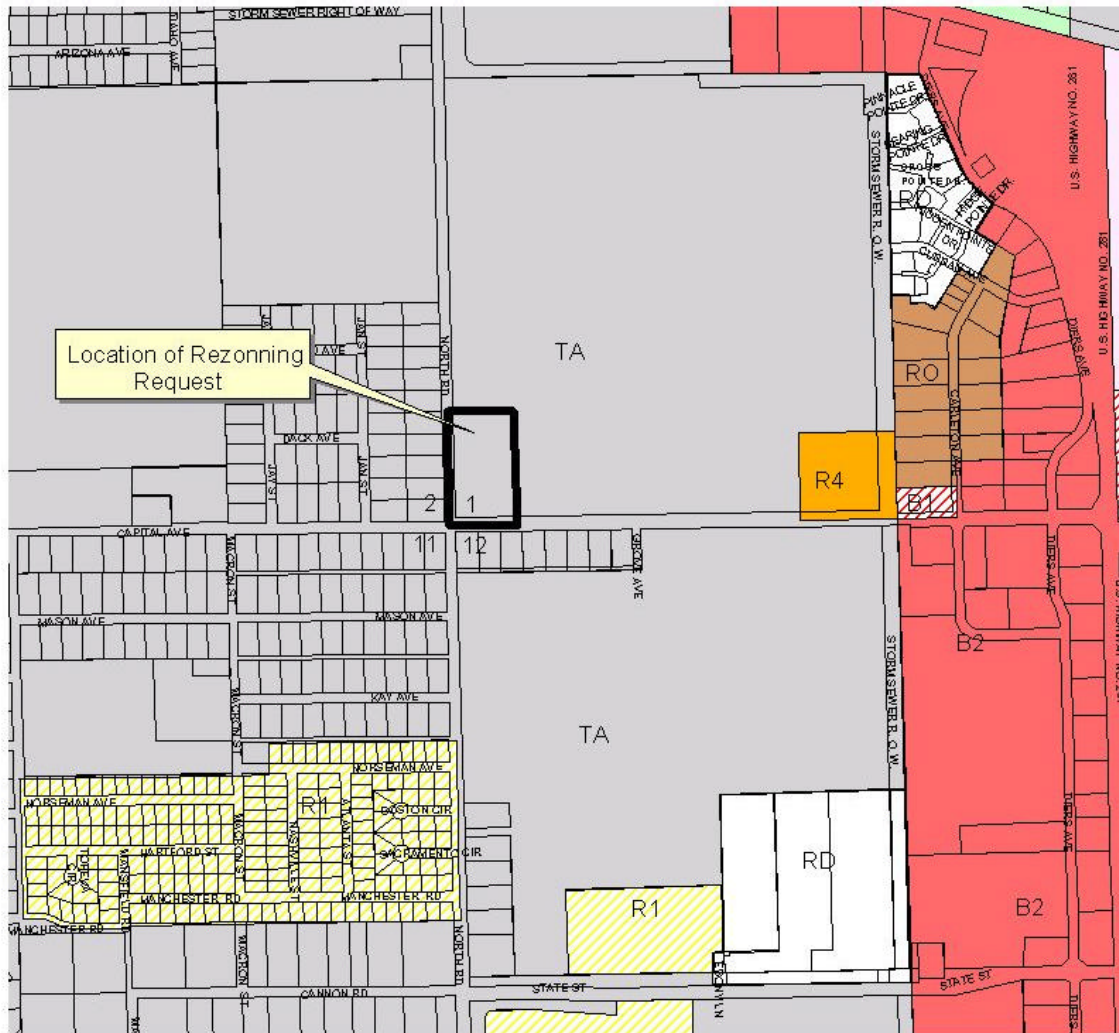
- (1) Driveways, parking lots or buildings when directly associated with or accessory to a permitted principal use in an adjacent zone.
- (2) Towers
- (3) Off-street parking areas for schools and places of worship/instruction on lands adjacent to and within three hundred (300.0) feet of the principal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

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



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

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

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



## Requested Zoning

-  From TA : Transitional Agricultural Zone
-  To RO : Residential Office Zone

C-16-2003GI



Scale None

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





# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item E2

### **Public Hearing on Changes to the Grand Island Zoning Map for Property Located North of Capital Avenue and East of North Road in the SW 1/4 SW 1/4 of Section 1-11-10 from Transitional Agriculture (TA) to Residential Office (RO)**

*Primrose Inc, as applicant and an interested party is requesting a change of zoning for property located North of Capital Avenue, and East of North Road. This application proposes to change the zoning from TA Transitional Agricultural to RO Residential Office. The Regional Planning Commission at their regular meeting held September 3, 2003 unanimously voted to approve and recommend the Grand Island City Council approve this amendment to the Grand Island Zoning Map.*

Staff Contact: Chad Nabity

September 4, 2003

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

Dear Mayor and Members of the Council:

**RE: An amendment to the Zoning Map for properties located North of Capital Avenue, and East of North Road, Grand Island, Nebraska.**

At the regular meeting of the Regional Planning Commission, held September 3, 2003 the above item was considered following a public hearing. This application proposes to rezone property located in the SW ¼ SW ¼ 1-11-10 from Agricultural to Residential Office.

Nobody from the public spoke against this item.

Jim Thares from Primrose was present to answer any questions from the Planning Commission.

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

A roll call vote was taken and the motion passed with 10 members present voting in favor (Amick, Lechner, O'Neill, Eriksen, Miller, Obst, Ruge, Obermeier, Hayes, Wagoner).

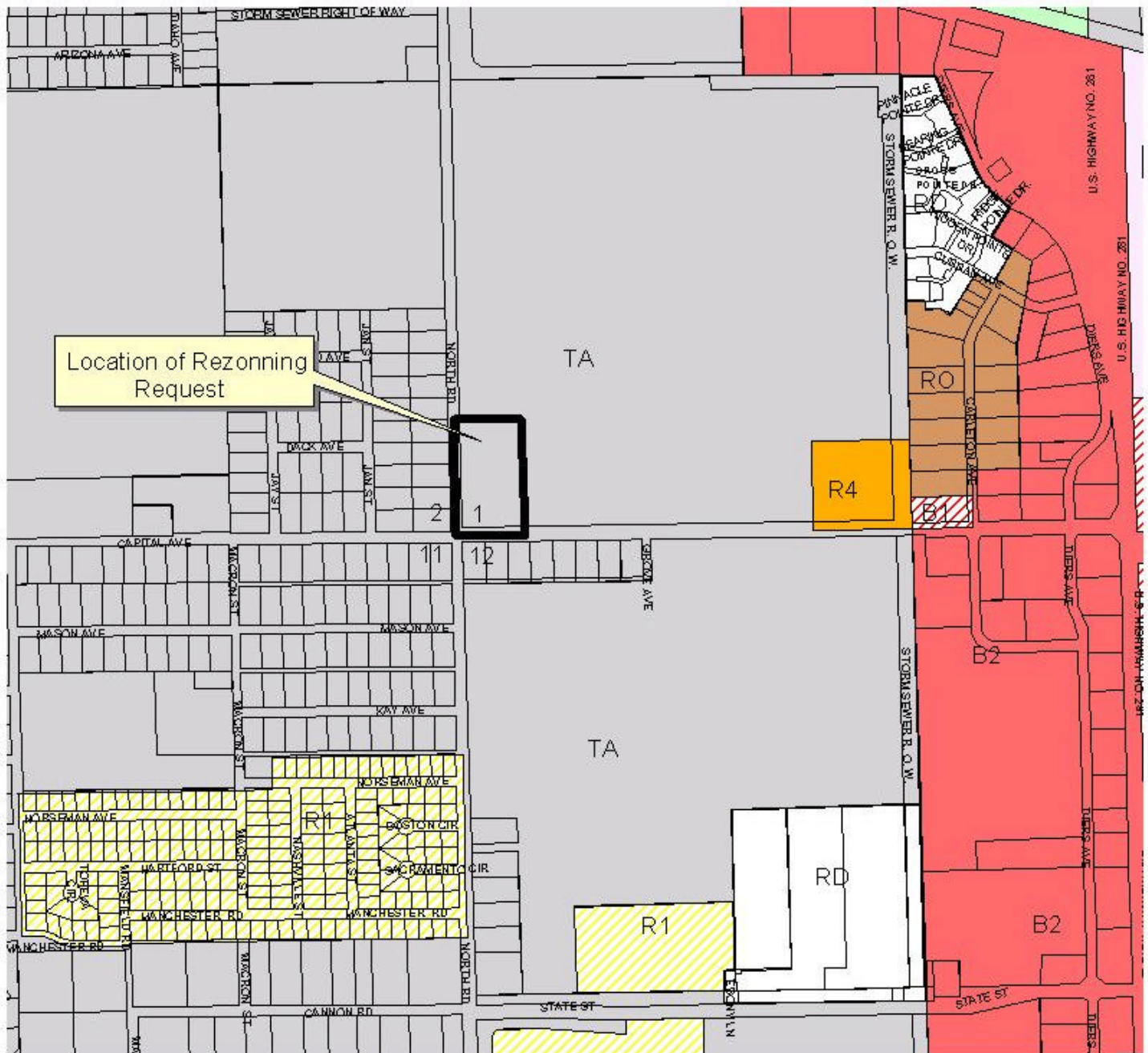
Yours truly,

Chad Nabity AICP  
Planning Director

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







# Requested Zoning



From TA : Transitional Agricultural Zone



To RO : Residential Office Zone

C-16-2003GI



Scale None

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



# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item E3

### **Public Hearing on Vacation of Utility Easement Located in the Parking Lot East of Whiskey Creek Steakhouse on Lot Two Park Island Square 6th Subdivision**

*Vacation of utility easement located in part of Lot Two (2) Park Island Square 6th Subdivision (formerly Lot One (1), Park Island Square 5th Subdivision), is requested because the property has been re-subdivided since the original easement was acquired in January, 2002. A new building is scheduled to be constructed that would encroach into the easement. A new easement was included with the new subdivision plat which was approved by Council. 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, September 23, 2003

Council Session

## Item F1

### **#8850 - Consideration of Vacation of Utility Easement in the Parking Lot East of Whiskey Creek Steakhouse on Lot Two, Park Island Square 6th Subdivision**

***Background:***

*An easement was acquired from Mid-Country Trading LLC for the installation of electrical conduit and wire in January, 2002, across a part of Lot One (1) Park Island Square 5th Subdivision. The conduit was installed but the high voltage cable was not.*

***Discussion:***

*The property has subsequently been re-subdivided (currently part of Lot Two(2), Park Island Square 6th Subdivision), with a new building scheduled to be constructed that would encroach into the easement.*

*The property owner included a new easement with the new subdivision plat which was approved by City Council. The owner will also pay to relocate the electrical conduit into the new easement.*

***Recommendation:***

*The Utilities Department staff would recommend that Council approve the request to vacate the easement as shown on the attached plat.*

***Fiscal Effects:***

*None.*

***Alternatives:***

*Do not approve request. See attached RESOLUTION.*

**Staff Contact: Gary R. Mader**

## VACATION OF UTILITY EASEMENT

### ORDINANCE #8850

.... this ordinance is to vacate an acquired Utility Easement as recorded in document 200200883 in the Register of Deeds Office, Hall County, Nebraska. Said easement located in part of Lot Two (2) Park Island Square Sixth Subdivision, in the City of Grand Island, Hall County, Nebraska, and being more particularly described as follows:

Beginning at the Northwest corner of Lot Four (4) Crane Valley Fourth Subdivision; thence westerly along the southerly line of Lot Two (2) Park Island Square Sixth Subdivision, a distance of twelve and nineteen hundredths (12.19) feet; thence northwesterly, a distance of fifty-seven and sixty-eight hundredths (57.68) feet to a point on the westerly line of Lot Two (2) said Park Island Square Sixth Subdivision; thence northerly along the westerly line of Lot Two (2) said Park Island Square Sixth Subdivision, a distance of seventeen and forty-five (17.45) feet to a property corner of Lot One (1) said Park Island Square Sixth Subdivision; thence easterly parallel with the southerly line of Lot Two (2) said Park Island Square Sixth Subdivision, a distance of eleven and ninety-five hundredths (11.95) feet; thence southeasterly, a distance of seventy-eight and ninety-five hundredths (78.95) feet to a point on the southerly line of Lot Two (2) said Park Island Square Sixth Subdivision; thence westerly along the southerly line of Lot Two (2) said Park Island Square Sixth Subdivision, a distance of twelve and nineteen hundredths (12.19) feet to the said point of beginning.

\* This Space Reserved for Register of Deeds \*

ORDINANCE NO. 8850

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

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

SECTION 1. That the existing easement and right-of-way recorded as Document No. 200200883 in the Hall County Register of Deeds office, Hall County, Nebraska, and located in a part of Lot Two (2), Park Island Square Sixth Subdivision in the city of Grand Island, Hall County, Nebraska, more particularly described as follows, is hereby vacated:

Beginning at the Northwest corner of Lot Four (4) Crane Valley Fourth Subdivision; thence westerly along the southerly line of Lot Two (2) Park Island Square Sixth Subdivision, a distance of twelve and nineteen hundredths (12.19) feet; thence northwesterly, a distance of fifty-seven and sixty-eight hundredths (57.68) feet to a point on the westerly line of Lot Two (2) said Park Island Square Sixth Subdivision; thence northerly along the westerly line of Lot Two (2) said Park Island Square Sixth Subdivision, a distance of seventeen and forty-five

ORDINANCE NO. 8850 (Cont.)

(17.45) feet to a property corner of Lot One (1) said Park Island Square Sixth Subdivision; thence easterly parallel with the southerly line of Lot Two (2) said Park Island Square Sixth Subdivision, a distance of eleven and ninety-five hundredths (11.95) feet; thence southeasterly, a distance of seventy-eight and ninety-five hundredths (78.95) feet to a point on the southerly line of Lot Two (2) said Park Island Square Sixth Subdivision; thence westerly along the southerly line of Lot Two (2) said Park Island Square Sixth Subdivision, a distance of twelve and nineteen hundredths (12.19) feet to the said point of beginning; as shown on the plat dated September 9, 2003, attached hereto and incorporated herein by reference.

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

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

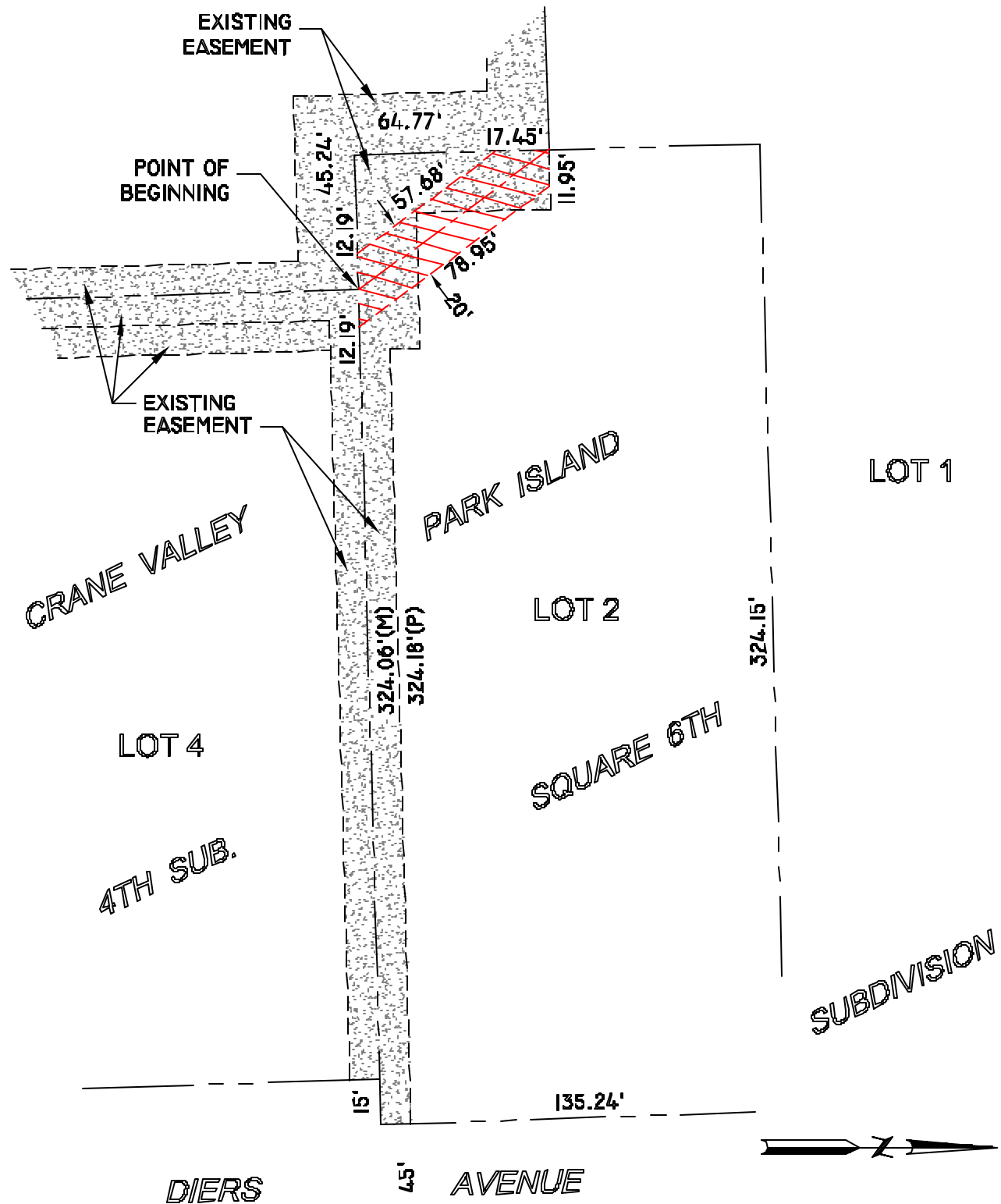
SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: September 23, 2003.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

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



# LEGEND



INDICATES 20' WIDE UTILITY EASEMENT - RECORDED IN DOCUMENT 200200883, REGISTER OF DEEDS OFFICE, HALL COUNTY, NEBRASKA - TO BE VACATED.



INDICATES EXISTING EASEMENTS TO REMAIN.

CITY OF <b>GRAND ISLAND</b>	
UTILITIES DEPARTMENT	
PLAT TO ACCOMPANY ORDINANCE # 8850	
SHEET: 1 OF 1	SCALE: 1"=50'
DATE: 9/09/2003	FILE: PARK ISLE



# City of Grand Island

Tuesday, September 23, 2003

## Council Session

### Item F2

#### **#8852 - Consideration of Creation of Water Main District 443 - Independence Avenue, Shanna Street and Lariat Lane**

***Background:***

*The City has received a request for City water service from Gary Valasek, owner of all property in the proposed district. The proposal is to construct six (6) inch water mains and appurtenances thereto in the proposed American Independence Subdivision. The area included in the Water Main District is legally described in the Ordinance and shown on the attached plat labeled "Exhibit A."*

***Discussion:***

*It is planned that an assessment district be created to serve the above described property. This is the Department's standard method for installing water mains to developed areas requesting City service. The eligible cost of construction will be charged to the property owners within the district. The assessments are collected over a five year period, at 7% simple interest on the un-paid balance.*

***Recommendation:***

*The appropriate information has been submitted to the Legal Department for preparation of Ordinance 8852 for Water Main District 443, necessary for defining and creating the district. It is recommended the ordinance be submitted to the City Council.*

***Fiscal Effects:***

*Sufficient funds are available in the FY 03-04 budget.*

***Alternatives:***

*Do not extend City water service to the area; require the developer to do the installation; utilize a connection district format. See attached ORDINANCE.*

**Staff Contact: Gary R. Mader**

? This Space Reserved for Register of Deeds ?

ORDINANCE NO. 8852

An ordinance creating Water Main District No. 443 in the City of Grand Island, Hall County, Nebraska; defining the boundaries of the district; providing for the laying of water mains in said district; approving plans and specifications and securing bids; assessing the cost of such improvements; providing for certification to the Register of Deeds; and providing the effective date hereof.

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

SECTION 1. Water Main District No. 443 in the City of Grand Island, Nebraska, is hereby created for the laying of six (6.0) inch diameter water mains with its appurtenances in the proposed American Independence Subdivision, being part of Section Eleven (11), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M., in the City of Grand Island, Hall County, Nebraska.

SECTION 2. The boundaries of such water main district shall be more particularly described as follows:

Approved as to Form	☐ _____
September 18, 2003	☐ City Attorney

ORDINANCE NO. 8852 (Cont.)

Beginning at the southeast corner of Lot Nine (9) Double D Subdivision, said point being on the northerly right-of-way line of Shanna Street; thence northerly along the easterly line of said Lot Nine (9), a distance of one hundred ninety-three (193.0) feet to the northeast corner of said Lot Nine (9); thence easterly along the southerly line of Western Heights Third Subdivision to a point Forty (40.0) feet west of the easterly line of the Southwest Quarter (SW 1/4) of Section Eleven (11), Township Eleven (11) North, Range Ten (10) West of the 6th PM; thence southerly, parallel to the easterly line of the Southwest Quarter (SW 1/4) of said Section Eleven (11), to the southerly line of said Section Eleven (11); thence westerly along the southerly line of said Section Eleven (11) to the southeast corner of Western Heights Fifth Subdivision; thence northerly along the easterly line of said Western Heights Fifth Subdivision and its extension, to the said point of beginning, as shown on the plat dated September 12, 2003, attached hereto and incorporated herein by this reference.

SECTION 3. Said improvement shall be made in accordance with plans and specifications approved by the Engineer for the City, who shall estimate the cost thereof. Bids for the construction of said water main shall be taken and contracts entered into in the manner provided by law.

SECTION 4. All improvements shall be made at public cost, but the cost thereof shall be assessed upon the lots and lands in the district specially benefited thereby as provided by law.

SECTION 5. This ordinance shall be in force and take effect from and after its passage, approval, and publication, without the plat, within fifteen days in one issue of the Grand Island Independent.

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

SECTION 7. After passage, approval and publication of this ordinance, notice of the creation of said district shall be published in the Grand Island Independent, without the plat, as provided by law.



ORDINANCE NO. 8852 (Cont.)

Enacted September 23, 2003.

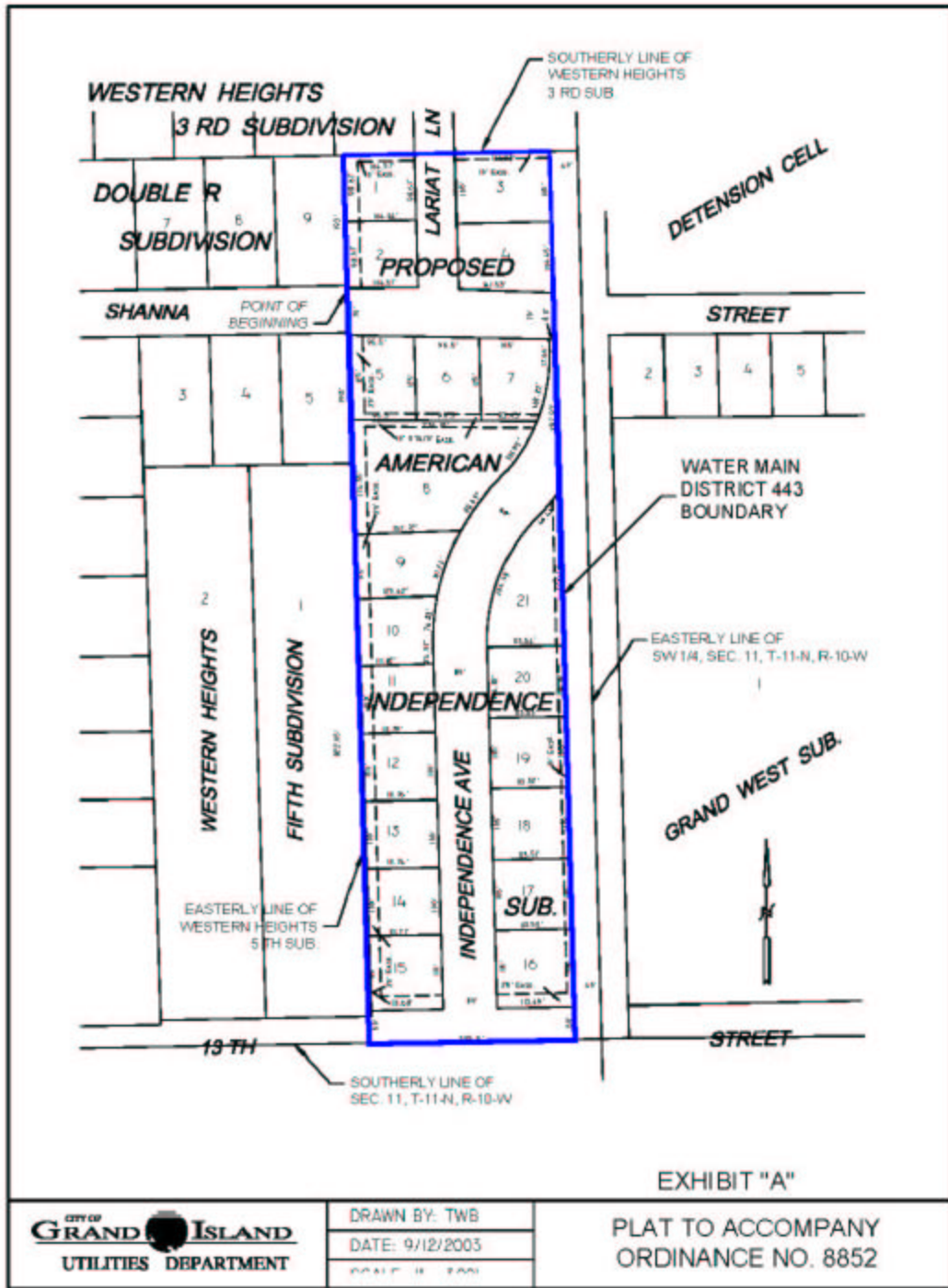
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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, September 23, 2003

## Council Session

### Item F3

#### **#8853 - Consideration of Assessments for Sanitary Sewer District No. 500, South of Seedling Mile Road**

##### *Background*

*The Certificate of Final Completion for Sanitary Sewer District No. 500 was approved on August 26, 2003 with September 23, 2003 set as the date for Council to sit as the Board of Equalization.*

##### *Discussion*

*The contract for Sanitary Sewer District 500 was awarded to The Starostka Group Company of Grand Island, Nebraska on June 11, 2002; work commenced on August 5, 2002 and was completed on November 25, 2002. This project was completed on schedule and at a construction price of \$151,201.34. Total cost of the project, including contract administration is \$195,379.27. Costs for the project break down as follows:*

*Original Bid \$ 150,861.31*

*Underruns (\$ 1,891.97)*

*Change Order No 1 \$ 2,232.00*

*Engineering \$ 15,120.13*

*Easements \$ 23,658.91*

*Publication, T.V. Inspection, etc. \$ 5,398.89*

*Total Cost \$ 195,379.27*

*Original Estimate at time of District Creation was \$366,609.14.*

##### *Recommendation*

*Assess the properties adjacent to the project.*

##### *Financial Implications*

*Cost shall be assessed against the properties adjacent to the project.*

##### *Alternatives*

*None. Levying Assessments will allow the City to recover the majority of District costs.*

**Staff Contact: Steven P. Riehle, Public Works Director/City Eng**

\* This Space Reserved for Register of Deeds \*

### ORDINANCE NO. 8853

An ordinance assessing and levying a special tax to pay the cost of construction of Sanitary Sewer District No. 500 of the City of Grand Island, Nebraska; providing for the collection of such special tax; repealing any provisions of the Grand Island City Code, ordinances, and parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of construction of said sanitary sewer main in said Sanitary Sewer District No. 500, as adjudged by the Mayor and Council of the City, to the extent of benefits thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and land as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
George & Connie Solt	North 1/4 of Lot 1, Sass Subdivision	953.42
George & Connie Solt	North 1/4 of Lot 2, Sass Subdivision	1,185.65

Approved as to Form    ☐ \_\_\_\_\_  
September 18, 2003    ☐ City Attorney

# ORDINANCE NO. 8853 (Cont.)

Heather J. O'Hara	North 1/4 of Lot 3, Sass Subdivision	1,528.85
Heather J. O'Hara	North 1/4 of Lot 4, Sass Subdivision	1,528.85
Curtis & Pamela Hirschhorn	North 1/4 of Lot 5, Sass Subdivision	1,528.85
Curtis & Pamela Hirschhorn	North 1/4 of Lot 6, Sass Subdivision	1,528.85
Timothy Walt Lemons	North 1/4 of Lot 13, Sass Subdivision	1,528.85
Timothy Walt Lemons	North 1/4 of Lot 14, Sass Subdivision	1,528.85
Lenora M. Roebuck	North 1/4 of Lot 15, Sass Subdivision	1,528.85
Lenora M. Roebuck	North 1/4 of Lot 16, Sass Subdivision	1,528.85
Dale & Leota Davis	Lot 1, Sass Second Subdivision	2,371.31
Alma M. Goins	Lot 2, Sass Second Subdivision	2,371.31
Monte & Sheryl Perkins	Lot 3, Sass Second Subdivision	3,057.71
William & Tina Paulsen	Lot 4, Sass Second Subdivision	3,057.71
Timothy & Vicki Bartels	Lot 5, Sass Second Subdivision	3,057.71
Monte & Sheryl Perkins	Lot 6, Sass Second Subdivision	3,057.71
Herbert & Lora Heusel	Lot 7, Sass Second Subdivision	3,057.71
Herbert & Lora Heusel	Lot 8, Sass Second Subdivision	3,057.71
Vay & Monte Moser	Lot 9, Sass Second Subdivision	3,057.71
Walter & Evelyn Meinecke	Lot 10, Sass Second Subdivision	4,040.52
Walter & Evelyn Meinecke	Lot 11, Sass Second Subdivision	2,821.88
Walter & Evelyn Meinecke	Lot 12, Sass Second Subdivision	3,024.13
James H. Webb	Lot 13, Sass Second Subdivision	3,057.71
Jerry & Linell Schultz	Lot 14, Sass Second Subdivision	3,057.71
Steven & Sheryl Shelton	Lot 15, Sass Second Subdivision	3,057.71
William & Cheryl Carstens	Lot 16, Sass Second Subdivision	3,057.71
Charles & Hazel Struble	Lot 17, Sass Second Subdivision	3,057.71
Charles & Hazel Struble	Lot 18, Sass Second Subdivision	3,057.71
Kevin & Kimberly Knight	Lot 19, Sass Second Subdivision	3,057.71
Bradley & Teresa Fish	Lot 20, Sass Second Subdivision	3,057.71
Dean & Kay Schuchman	Lot 21, Sass Second Subdivision	3,057.71
Brian & Heather Fox	Lot 22, Sass Second Subdivision	3,057.71
Brian & Sara Jelinek	Lot 23, Sass Second Subdivision	3,057.71
Bonnie G. Springsguth	West 100 feet of Lot 24, Sass Second Subdivision	2,981.90
Abigail Martin	East 5.6 feet of Lot 24, Sass Second Subdivision	75.81
Abigail Martin	South 1/4 of Lot 1, Sass Subdivision	675.08
Abigail Martin	South 1/4 of Lot 2, Sass Subdivision	1,121.81

# ORDINANCE NO. 8853 (Cont.)

Abigail Martin	South 1/4 of Lot 3, Sass Subdivision	1,121.81
Abigail Martin	South 1/4 of Lot 4, Sass Subdivision	1,121.81
Thomas & Margo Galles	Lot 25, Sass Second Subdivision	1,796.89
Thomas & Margo Galles	Lot 26, Sass Second Subdivision	2,243.63
Lawrence & Sondra Fry	Lot 27, Sass Second Subdivision	3,057.71
Hall County Housing Authority	Lot 28, Sass Second Subdivision	3,057.71
Donald & Sharon Tracy	Lot 29, Sass Second Subdivision	3,057.71
Kenneth & Barbara Spiehs	Lot 30, Sass Second Subdivision	3,057.71
Ricky & Mary Jayne Schroeder	Lot 31, Sass Second Subdivision	3,057.71
Patrick & Rana Nolan	Lot 32, Sass Second Subdivision	3,057.71
Harold & Maxine Skarka, Trustees	Lot 33, Sass Second Subdivision	3,057.71
Jeffrey & Brenda Thompson	Lot 34, Sass Second Subdivision	3,057.71
Larry & Lynnette Chitty	Lot 35, Sass Second Subdivision	3,057.71
Alice M. Gulzow	Lot 36, Sass Second Subdivision	3,057.71
Todd & Deborah Kober	Lot 1, Dahlke Subdivision	3,103.73
Gordon & Mildred Dahlke	Lot 2, Dahlke Subdivision	3,320.33
Lloyd & Alice Gloyne	Lot 3, Dahlke Subdivision	4,044.58
Secretary of Housing & Urban Development	South 277 feet of North 310 feet of Lot 18, Sass Subdivision	1,528.85
Secretary of Housing & Urban Development	South 277 feet of North 310 feet of Lot 19, Sass Subdivision	1,528.85
Gary & Susan Huffer	South 277 feet of North 310 feet of Lot 20, Sass Subdivision	1,528.85
Gary & Susan Huffer	South 277 feet of North 310 feet of E1/2 of Lot 21, Sass Subdivision	1,171.47
James F.A. Colgan	South 102.5 feet of North 412.5 feet of Lot 18, Sass Subdivision	1,794.62
James F.A. Colgan	South 102.5 feet of North 412.5 feet of Lot 19, Sass Subdivision	407.04
James F.A. Colgan	South 102.5 feet of North 412.5 feet of Lot 20, Sass Subdivision	407.04
James F.A. Colgan	South 102.5 feet of North 412.5 feet of E1/2 of Lot 21, Sass Subdivision	407.04
Jacob & Patricia Bauer	Lots 9 and 11, Windolphs Subdivision	2,657.00
City of Grand Island	Lot 1, Industrial Addition	6,095.49
City of Grand Island	Lot 2, Industrial Addition	6,095.49
Midland Ag Service Inc.	Part of NE1/4 of NE1/4 of Section 14-11-9, 316.8 feet by 295.17 feet	9,173.12
Melva Rae Briseno	Part of NE1/4 of NE1/4 of Section 14-11-9, 295.17 feet	5,623.98

ORDINANCE NO. 8853 (Cont.)

	by 295.17 feet	
Midland Ag Service Inc.	Part of NE1/4 of NE1/4 of Section 14-11-9, 674.03 feet by 295.17 feet	18,893.45
<b>TOTAL</b>		<b>\$193,534.57</b>

SECTION 2. The special tax shall become delinquent as follows: One-tenth of the total amount shall become delinquent in fifty days; one-tenth in one year; one-tenth in two years; one-tenth in three years; one-tenth in four years; one-tenth in five years; one-tenth in six years; one-tenth in seven years; one-tenth in eight years; and one-tenth in nine years respectively, after the date of such levy; provided, however, the entire amount so assessed and levied against any lot, tract or parcel of land may be paid within fifty days from the date of this levy without interest, and the lien of special tax thereby satisfied and released. Each of said installments, except the first, shall draw interest at the rate of seven percent (7.0%) per annum from the time of such levy until they shall become delinquent. After the same become delinquent, interest at the rate of fourteen percent (14.0%) per annum shall be paid thereof, until the same is collected and paid.

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

SECTION 4. Such special assessments shall be paid into a fund to be designated as the "Sewer Extension Fund" for Sanitary Sewer District No. 500.

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

ORDINANCE NO. 8853 (Cont.)

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

Enacted: September 23, 2003.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, September 23, 2003

## Council Session

### Item F4

#### **#8854 - Consideration of Assessments for Sanitary Sewer District No. 501, Stolley Park Road West of North Road, Freedom Drive & Liberty Lane**

##### *Background*

*The Certificate of Final Completion for Sanitary Sewer District No. 501 was approved on August 26, 2003 with September 23, 2003 set as the date for Council to sit as the Board of Equalization.*

##### *Discussion*

*The contract for Sanitary Sewer District 501 was awarded to The Diamond Engineering Company of Grand Island, Nebraska on July 9, 2002; work commenced on September 17, 2002 and was completed on May 12, 2003. This project was completed on schedule and at a construction price of \$339,666.71. Total cost of the project, including contract administration is \$387,477.17. Costs for the project break down as follows:*

*Original Bid \$322,423.16*

*Overruns \$ 14,054.30*

*Change Order \$ 3,189.25*

*Engineering \$ 33,966.67*

*Easements \$ 11,147.00*

*Publication, T.V. Inspection, etc. \$ 2,696.79*

*Total Cost \$387,477.17*

*Original Estimate at time of District Creation was \$508,400.00.*

##### *Recommendation*

*Assess the properties adjacent to the project.*

##### *Financial Implications*

*Cost shall be assessed against the properties adjacent to the project.*

##### *Alternatives*

*None. Levying Assessments will allow the City to recover the majority of District costs.*

*Staff Contact: Steven P. Riehle, Public Works Director/City Eng*

\* This Space Reserved for Register of Deeds \*

### ORDINANCE NO. 8854

An ordinance assessing and levying a special tax to pay the cost of construction of Sanitary Sewer District No. 501 of the City of Grand Island, Nebraska; providing for the collection of such special tax; repealing any provisions of the Grand Island City Code, ordinances, and parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of construction of said sanitary sewer main in said Sanitary Sewer District No. 501, as adjudged by the Mayor and Council of the City, to the extent of benefits thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and land as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Murray Dean & Ann Marie Wells	Lot 1, Freedom Acres Subdivision	6,447.72
Lyn & Jacqueline Hetrick	Lot 2, Freedom Acres Subdivision	6,447.72

Approved as to Form    ☐ \_\_\_\_\_  
September 18, 2003    ☐ City Attorney

# ORDINANCE NO. 8854 (Cont.)

Judy J. Sheeks	Lot 3, Freedom Acres Subdivision	6,175.28
Danney Conley & Mary A. Smith	Lot 4, Freedom Acres Subdivision	6,175.28
Richard & Barbara Corwin	Lot 5, Freedom Acres Subdivision	6,175.28
Rodney & Sheryl Hitcher	Lot 6, Freedom Acres Subdivision	6,175.28
Jeffrey & Anita Powers	Lot 7, Freedom Acres Subdivision	6,175.28
Lewis H. Kroeger	Lot 8, Freedom Acres Subdivision	6,175.28
Lloyd & Jacqueline Tucker	Lot 9, Freedom Acres Subdivision	6,175.28
Myron & Virginia Perrel	Lot 10, Freedom Acres Subdivision	6,175.28
William & Gloria Schlacter	Lot 11, Freedom Acres Subdivision	6,175.28
Fred & Norma Lee Gardner	Lot 12, Freedom Acres Subdivision	6,175.28
Dean & Lucille Rhoads	Lot 13, Freedom Acres Subdivision	6,175.28
Dean & Patricia Bierhaus	Lot 14, Freedom Acres Subdivision	6,175.28
Maximo & Maria Elena Ortiz	Lot 15, Freedom Acres Subdivision	6,175.28
Thomas & Sharon Fulton	Lot 16, Freedom Acres Subdivision	6,175.28
Dale H. Wiegert	Lot 17, Freedom Acres Subdivision	6,175.28
Karen A. Giger	Lot 18, Freedom Acres Subdivision	6,175.28
Dennis & Bonita Kennedy	Lot 19, Freedom Acres Subdivision	6,343.37
Jason & Krista Clark	Lot 20, Freedom Acres Subdivision	6,361.63
Ronald & Eleanor Lilenthal	Lot 21, Freedom Acres Subdivision	6,148.03
Ronald & Eleanor Lilenthal	Lot 22, Freedom Acres Subdivision	6,148.03
Raymond & Linda Keezer	Lot 23, Freedom Acres Subdivision	6,148.03
John & Janice Greene	Lot 24, Freedom Acres Subdivision	6,148.03
Dean & Beth Clemens	Lot 25, Freedom Acres Subdivision	6,148.03
Chief Industries Inc.	Part of E1/2, SW1/4, SE1/4 of Section 23-11-10; more particularly described as: Beginning at the SE corner of Freedom Acres; thence N 233'; thence E165'; thence S 233'; thence W 165' to the point of beginning.	7,946.16
Chief Industries Inc.	Part of SE1/4 of Section 23-11-10, more particularly described as: Beginning at a point 174.2' west of NW corner of Schuele Subdivision; thence north 233'; thence east to the west line of New U.S. Highway 30; thence SW approximately 65'; thence SW 52.9'; thence SW 104.7'; thence SW81.1'; thence S 33' to the south line of Section 23; thence west to the point of beginning	50,951.72
Ronald & Judy Foelgner	Part of SE1/4, SE1/4 of Section 23-11-10, more particularly described as: Beginning at a point 33' north of and 33' west of SW corner of said Section 23; thence west to the east line of New U.S. Highway 30; thence northeasterly to a point 233' north of south line of said Section 23; thence east to the west line of North Road; thence south to the point of beginning.	20,161.37

## ORDINANCE NO. 8854 (Cont.)

Robert & Judith Poland	Lot 1, Stearns Subdivision	6,168.53
Kenneth & Joyce Hoffman	Lot 2, Stearns Subdivision	11,256.25
Bosselman Oil Inc.	Lot 3, Stearns Subdivision	12,694.16
Husker Construction & Distributing	Lot 1, Schuele Subdivision	15,673.70
Glenn H. Schwarz	Part of NE1/4 of Section 26-11-10, more particularly described as follows: Beginning at the NW corner of Schuele Subdivision; thence SW to a point 233' south of the north line of Section 26; thence west to a point 273' south of SE corner of Lot 1 Freedom Acres Subdivision; thence north 233' to the north line of Section 26; thence east to the point of beginning.	39,706.19
<b>TOTAL</b>		<b>\$319,703.15</b>

SECTION 2. The special tax shall become delinquent as follows: One-tenth of the total amount shall become delinquent in fifty days; one-tenth in one year; one-tenth in two years; one-tenth in three years; one-tenth in four years; one-tenth in five years; one-tenth in six years; one-tenth in seven years; one-tenth in eight years; and one-tenth in nine years respectively, after the date of such levy; provided, however, the entire amount so assessed and levied against any lot, tract or parcel of land may be paid within fifty days from the date of this levy without interest, and the lien of special tax thereby satisfied and released. Each of said installments, except the first, shall draw interest at the rate of seven percent (7.0%) per annum from the time of such levy until they shall become delinquent. After the same become delinquent, interest at the rate of fourteen percent (14.0%) per annum shall be paid thereof, until the same is collected and paid.

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

SECTION 4. Such special assessments shall be paid into a fund to be designated as the "Sewer Extension Fund" for Sanitary Sewer District No. 501.

ORDINANCE NO. 8854 (Cont.)

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

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

Enacted: September 23, 2003.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item F5

**#8855 - Consideration of Change of Land Use Designation for Property Located North of Capital Avenue and East of North Road in the SW 1/4 SW 1/4 of Section 1-11-10 from Transitional Agriculture (TA) to Residential Office (RO)**

*This item relates to the aforementioned Public Hearing. Primrose Inc, has submitted a request to rezone approximately 5 acres of land located North of Capital Avenue, and East of North Road from TA Transitional Agricultural to RO Residential Office. The purpose of the request is to rezone the property to allow construction of an elderly assisted living facility on the northeast corner of North Road and Capital Ave. The Regional Planning Commission, at their meeting of September 3, 2003, voted unanimously to approve the request. Approval is recommended. See attached ORDINANCE.*

Staff Contact: Chad Nabity

ORDINANCE NO. 8855

An ordinance rezoning certain tracts of land within the zoning jurisdiction of the City of Grand Island; changing the land use classification of a tract of land comprising a portion of the Southwest Quarter (SW1/4) of Section One (1), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M. in the City of Grand Island, Hall County, Nebraska, located north of Capital Avenue and east of North Road, from TA-Transitional Agricultural Zone to RO-Residential Office Zone; directing the such zoning change and classification be shown on the Official Zoning Map of the City of Grand Island; amending the provisions of Section 36-7; and providing for publication and an effective date of this ordinance.

WHEREAS, the Regional Planning Commission on September 3, 2003, held a public hearing and made a recommendation on the proposed zoning of such area; and

WHEREAS, notice as required by Section 19-923, R.R.S. 1943, has been given to the Boards of Education of School Districts in Hall County, Nebraska; and

WHEREAS, after public hearing on September 23, 2003, the City Council found and determined the change in zoning be approved and made.

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

SECTION 1. The following tract of land is hereby rezoned and reclassified and changed from TA-Transitional Agricultural Zone to RO-Residential Office Zone:

Beginning at the southwest corner of said Southwest Quarter (SW1/4); thence running northerly along the west line of said Southwest Quarter (SW1/4), on an Assumed Bearing of N00°00'00"E, a distance of Six Hundred Seventy Five (675.0) feet; thence running S89°23'20"E, a distance of Four Hundred (400.0) feet; thence running S00°00'00"W, a distance of Six Hundred Seventy Five (675.0) feet, to a point on the south line of said Southwest Quarter (SW1/4); thence running N89°23'20"W, a distance of Four Hundred (400.0) feet, to the point of beginning,

ORDINANCE NO. 8855 (Cont.)

EXCEPTING THEREFROM the northerly Twenty Five (25.0) feet of the southerly Fifty Eight (58.0) feet of the easterly Three Hundred Sixty Seven (367.0) feet of the above described tract of land, leaving a net acreage of 5.987 acres more or less.

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

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

Enacted: September 23, 2003.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item F6

### **#8856 - Consideration of Amending Chapter 17 of the Grand Island City Code Relative to Nuisance Garbage**

*A solid waste committee was formed earlier this year to address the problems that the city was experiencing with litter and garbage around the community. As part of the discussion about what could be done to make the litter and nuisance garbage laws more enforceable we reviewed what other communities have done in this area. Other communities such as Lincoln have code provisions which speed up the process for dealing with properties that have accumulations of litter and similar types of garbage. The changes that are being recommended will enable us to go in and clean up a property that is in violation within a week if the owner or occupant does not comply with a health department request to do so. The code is also being amended to add a definition for junk. The current Grand Island code provisions would require approximately two to three weeks before clean up could be done on properties of non complying owners. Approval is recommended.*

Staff Contact: Doug Walker

## ORDINANCE NO. 8856

An ordinance to amend Chapter 17 of the Grand Island City Code; to amend Section 17-1 to add a definition for junk; to amend Section 17-4 pertaining to litter and offensive substances; to amend Section 17-4.2 pertaining to noncompliance; to add Section 17-4.3 outlining the procedure for the removal of a nuisance; to repeal Section 17-1, 17-4, and 17-4.2 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 17-1 of the Grand Island City Code is hereby amended to read as follows:

### **§17-1. Definitions**

For the purposes of this chapter, the following words and phrases shall have the following meanings:

City Solid Waste Disposal System. The City solid waste disposal system shall mean and include the City-operated sanitary landfill, the City-operated transfer station, and the City-operated compost site.

Compost. Compost shall mean the end product of an aerobic degradation process of yard and garden waste. Approved backyard composting site shall mean one which uses only composting materials as defined herein.

Construction and demolition waste. This shall mean waste which results from land clearing, the demolition of buildings, roads or other structures, including but not limited to, beneficial fill materials, wood (including painted and treated wood), land clearing debris other than yard waste, wall coverings (including wall paper, paneling and tile), drywall, plaster, non-asbestos insulation, roofing shingles and other roof coverings, plumbing fixtures, glass, plastic, carpeting, electrical wiring, pipe and metals. Such waste shall also include the above listed types of waste that result from construction projects. Construction and demolition waste shall not include friable asbestos waste, special waste, liquid waste, hazardous waste and waste that contains polychlorinated biphenyl (PCB), putrescible waste, household waste, industrial solid waste, corrugated cardboard, appliances, tires, drums and fuel tanks.

Dead Animals. These words shall mean all small animals such as cats, dogs, and rabbits, which die from any cause. They shall in no way mean large animals such as goats, horses, mules and cows which shall die from any cause.

Detachable container. A detachable container is a container of the size approved by the Department of Health that can be lifted and dumped by a collection truck mechanism.

Garbage. This word shall be held to include every accumulation of animal, fruit or vegetable food waste generated by or resulting from the decay, deterioration, storage, preparation or handling of any animal and vegetable matter in any place or at any point where food is prepared for human consumption, including all kitchen and dining room refuse produced by households, hotels, restaurants, lunch rooms, clubs, hospitals, schools, stores, warehouses, cold storage plants, creameries, bakeries, or any other source whatsoever existing in the City.

Junk. Junk shall mean old or scrap copper, brass, rope, batteries, rubber, dismantled or wrecked automobiles, trucks, tractors, and farm machinery or parts thereof, iron, steel, and other old or scrap ferrous or non-ferrous material, which are not held for remelting purposes by an establishment having facilities for remelting material.

## ORDINANCE NO. 8856 (Cont.)

**Litter.** Litter shall include, but not be limited to: (i) Trash, rubbish, refuse, garbage, paper, rags, and ashes; (ii) wood, plaster, cement, brick, or stone building rubble; (iii) grass, leaves, and worthless vegetation; (iv) offal and dead animals; and (v) any machine or machines, vehicle or vehicles, or parts of a machine or vehicle which have lost their identity, character, utility, or serviceability as such through deterioration, dismantling, or the ravages of time, are inoperative or unable to perform their intended functions, or are cast off, discarded, or thrown away or left as waste, wreckage, or junk.

**Minimum Service Collection.** A minimum service collection in a residential district shall mean not more than one full 32 gallon garbage can or any number of full baskets, boxes, sacks, or bundles equal in volume to but not exceeding one 32-gallon garbage can. The weight of such collection shall not exceed 50 pounds. Such minimum service collection shall be on a once-a-week basis.

**Refuse.** This word shall be held to include the waste material from normal households or living conditions and business operations other than garbage, but the term shall not include waste materials from building construction or repair, factory wastes, or refuse from industrial plants of any character. In general, the kinds of materials classified as refuse are paper, rags, bottles, tin cans, bottle caps, cardboard, wornout clothing or furniture, household appliances, excelsior, garden or tree trimmings, and similar materials.

**Regular Collection.** A collection in a residential district shall mean not more than three full thirty-two gallon garbage cans, or two full thirty-two gallon cans and any number of full baskets, boxes, sacks, or bundles equal in volume to not exceeding one thirty-two gallon garbage can. A regular collection shall be on a twice-a-week basis.

**Salvage Yard.** Any building, lot, yard or premise used for the collection, processing, salvage, storage, bailing, or shipping of junked vehicles, vehicle parts, paper, cardboard, glass, plastic, metals, rags, scrap materials, junk, or any material similar to those listed herein.

**Special Waste.** A solid waste, except waste which is regulated as a hazardous waste, which possesses physical, chemical, or biological characteristics that make it different from general household, or construction and demolition waste, and which requires special handling, treatment, or disposal methodologies in order to protect public health, safety, and the environment.

**Waste material.** This word shall be held to include all items, objects, or material not included within the definition of garbage, litter, dead animals, yard waste, or refuse as well as petroleum oils, greases, solvents, and fuels, insecticides, herbicides, chemical waste, hazardous materials, or any materials similar to those listed herein.

**Yard Waste.** Yard waste shall mean grass and leaves and shall not include other yard debris such as tree limbs and brush.

SECTION 1. Section 17-4 of the Grand Island City Code is hereby amended to read as follows:

### **§17-4. Litter and Offensive Substances Prohibited; Removal Public Nuisance**

It shall be the duty of every owner, lessee, tenant, or occupant of any lot or parcel of ground within the city or within two (2) miles of the corporate limits thereof to keep said premises owned, leased, or occupied by such person free from garbage, litter, refuse, rubbish, brush, trash, junk, old building material, offal, manure, and any other offensive or unwholesome matter, and it shall be unlawful for such owner, lessee, tenant, or occupant of such lot or parcel of ground to permit, keep, or maintain thereon any such condition liable to become putrid or injurious to the public health, or any such condition liable to produce disease, or which is conducive to the breeding and existence of rats, mice, flies, mosquitoes, bacteria, or any other rodent or insects. The maintenance or permitting of any of the foregoing conditions on any such lot or parcel of ground is hereby declared to be a public nuisance and shall constitute a misdemeanor punishable as hereinafter provided in this code.

It shall be unlawful and hereby declared a public nuisance to litter or cause litter to be deposited or remain on any lot or piece of ground within the city or within two miles of the corporate limits of the city except in proper receptacles.

ORDINANCE NO. 8856 (Cont.)

SECTION 1. Section 17-4.2 of the Grand Island City Code is hereby amended to read as follows:

**§17-4.2. Notice to Remove; Noncompliance with Notice; Procedure**

Whenever it shall come to the knowledge of the Health Director or his/her designee, that there exists upon such lot or parcel of ground such nuisance, the Health Director or his/her designee shall cause a notice to abate and remove said nuisance within five (5) days to be served upon the owner or the owner's authorized agent, and upon the tenant or occupant of said premises. Said notice shall be served either in person or by mailing such notice by certified or registered mail. If such owner, lessee, tenant, or occupant shall have failed or refused to abate and remove such nuisance at the expiration of the date fixed in such notice, the Director of Health or his/her designee may cause such nuisance to be removed from such parcel or lot, and from any roads, streets, or alleys abutting thereon as set forth in Section 17-4.3 of this Chapter.

~~It shall be the duty of the Department of Health or the Code Compliance Officer in any case where garbage, litter, refuse, or waste material has been permitted to accumulate at a premise, to deliver or send a notice to abate and remove such nuisance to the owner or owner's duly authorized agent, or person in possession, charge or control, and to the occupant, if any, by personal service or ordinary first class mail. Within five days after delivery or mailing of such notice, if the owner, agent, or occupant of the lot or piece of ground fails to comply with the order to abate and remove the nuisance, or if such owner, agent or occupant cannot be notified by personal service or mail upon written request from the Director of the Department of Health or the Code Compliance Officer to the City Attorney, the City of Grand Island may proceed to abate said public nuisance pursuant to §20-15 of the Grand Island City Code.~~

SECTION 1. Section 17-4.3 of the Grand Island City Code is hereby added to read as follows:

**§17-4.3. Procedure for Removal for Noncompliance**

If the Health Director determines that there exists upon any lot or parcel of ground the conditions described above in such a manner as to constitute an immediate nuisance and hazard to the public health and safety, the director shall request the Mayor to declare that such an immediate public nuisance exists, and after any such declaration, the Health Director shall cause to be issued a written notice to abate and remove such public nuisance from such lot or parcel of land within twenty-four (24) hours. Said notice shall be served by personal service upon the owner or the owner's authorized agent, and to any tenant, lessee, or occupant of the premises. If such owner, tenant, lessee, or occupant shall have failed or refused to abate and remove such nuisance at the expiration of twenty-four (24) hours from deliver of the notice, the Health Director shall cause such nuisance to be removed from such parcel or lot and from any roads, streets, or alleys abutting thereon.

SECTION 2. Section 17-1, 17-4, and 17-4.2 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

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

ORDINANCE NO. 8856 (Cont.)

Enacted: September 23, 2003.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item G1

### **Approving Minutes of September 9, 2003 City Council Regular Meeting**

*The Minutes of September 9, 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

September 9, 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 September 9, 2003. Notice of the meeting was given in the Grand Island Independent on September 3, 2003.

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

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Pastor Terry Brown, Calvary Assembly of God, 1424 North Eddy Street.

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

#### PRESENTATIONS AND PROCLAMATIONS:

Recognition of Jerry Shalberg, Utilities Line Department for 35 Years of Service with the City. Mayor Jay Vavricek and the City Council recognized Jerry Shalberg for his 35 years of service with the City as an Electric Distribution Crew Chief with the Utilities Line Department. Utilities Director Gary Mader commented on his service.

BOARD OF EQUALIZATION: Motion by Pielstick, second by Whitesides, carried unanimously to adjourn to the Board of Equalization.

Motion by Pielstick, second by Hornady, carried unanimously to approve the following Resolutions:

#2003-BE-9 – Determining Benefits for Street Improvement District No. 1226.

#2003-BE-10 – Determining Benefits for Street Improvement District No. 1227.

#2003-BE-11 – Determining Benefits for Street Improvement District No. 1228.

#2003-BE-12 – Determining Benefits for Street Improvement District No. 1229.

#2003-BE-13 – Determining Benefits for Street Improvement District No. 1235.

#2003-BE-14 – Determining Benefits for Street Improvement District No. 1236.

#2003-BE-15 – Determining Benefits for Business Improvement District No. 3.

#2003-BE-16 – Determining Benefits for Business Improvement District No. 4.

#2003-BE-17 – Determining Benefits for Business Improvement District No. 5. Bill Francis representing Cedar Street properties and Richard and Arlene Baasch spoke in objection. Mr. Francis stated he felt the district was not created legally and that there was no benefit to the property owners.

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

PUBLIC HEARINGS:

Public Hearing on Request of Mert Nietfeld, 4934 Fort Kearney Road for a Conditional Use Permit for an Auto Sales Lot Located at 322 West 5<sup>th</sup> Street. Craig Lewis, Building Department Director reported that Mert Nietfeld, 4934 Fort Kearney Road had submitted a request for a conditional use permit to allow for the continued operation of a used car establishment at 322 West 5th Street. The City Council earlier this year amended the City Code to require that existing vehicle sales establishments without improved hard surfaced lots receive approval in the form of a conditional use permit from the City Council. Section 36-49(A) allows for a waiver approved by the City Council for businesses that were operating at the same location prior to March 9, 1999. This request appeared to be in compliance with the established City Code and approval was recommended. No public testimony was heard.

Public Hearing on Request of Alltel Communications for a Conditional Use Permit for a Telecommunications Tower Located at 2818 South Locust Street. Craig Lewis, Building Department Director reported that Alltel Communications and the Alpha Corporation had submitted an application with the City Clerk's Office for a Conditional Use Permit to allow for the placement of a telecommunications tower located at 2818 South Locust Street. The Grand Island Zoning Code Article X required that all towers be approved by the City Council in the form of a conditional use permit. This request had been reviewed by the Building, Legal, Utilities, Planning, and Public Works Departments.

Ron Depue and Kevin Lockhorn representing Alltel, spoke in support. Dan Naranjo, 424 East Dodge Street and Jack (Bud) Rasmussen, 557 Stagecoach Road spoke in opposition on behalf of Business Improvement District #3. No further public testimony was heard.

Public Hearing on Request of Rafael Orozco dba Rafa's Tacos, 811 West 2<sup>nd</sup> Street for a Class "T" Liquor License. City Clerk RaNae Edwards reported that Rafael Orozco dba Rafa's Tacos, 811 West 2<sup>nd</sup> Street had submitted an application with the City Clerk's Office for a Class "T" Liquor License. A Class "T" Liquor License allows for the sale of alcoholic beverages on sale only within the corporate limits of the City. Ms. Edwards presented the following exhibits for the



record: application submitted to the Liquor Control Commission and received by the City on August 26, 2003; notice to applicant of date, time, and place of hearing mailed on August 27, 2003; notice to the general public of date, time, and place of hearing published on August 30, 2003; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on General Property, Parking District #2 (Ramp), and Community Redevelopment Authority Tax Request. David Springer, Finance Director reported that Nebraska State 77-1601-02 required that the City of Grand Island conduct a public hearing if the property tax request changed from one year to the next. The general property tax request increased from \$6,480,000 in FY2002-2003 to \$6,599,570 for FY2003-2004, or an increase of \$119,570. This represented a 1.8% increase in property tax dollars and no increase in the city of Grand Island's levy.

The property tax request for Parking District #2, also known as the Parking Ramp (Fund 271), decreased from \$30,018 in FY2002-2003 to \$28,000 for FY2003-2004, or a decrease of \$2,018. Parking District #2's levy decreased by 3.7%. The property tax request for the Community Redevelopment Authority increased from \$431,150 in FY2002-2003 to \$449,847 for FY2003-2004, an increase of \$18,696. This represented a 4.3% increase in property tax dollars and a 1.1% increase in the CRA's levy. Mr. Springer stated the City Council needed to pass a resolution by majority vote setting the property tax request for the general property tax at \$6,599,570, the Parking District #2 property tax at \$28,000, and the Community Redevelopment Authority property tax at \$449,847. This represented the final action to be taken on the FY2003-2004 Budget. No public testimony was heard.

#### ORDINANCES:

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

- #8838 – Consideration of Creating Sanitary Sewer District No. 511, Dale Roush 1<sup>st</sup> & 2<sup>nd</sup> Subdivisions (Indian Acres)
- #8839 – Consideration of Amending City Code Chapter 13-3 Relative to Tax Rate for Downtown Improvement and Parking District No. 1
- #8840 - Consideration of Creating Sidewalk District No. 1, 2003
- #8841 – Consideration of Assessments for Street Improvement District No. 1226
- #8842 – Consideration of Assessments for Street Improvement District No. 1227
- #8843 – Consideration of Assessments for Street Improvement District No. 1228
- #8844 – Consideration of Assessments for Street Improvement District No. 1229
- #8845 – Consideration of Assessments for Street Improvement District No. 1235
- #8846 – Consideration of Assessments for Street Improvement District No. 1236
- #8847 – Consideration of Assessments for Business Improvement District No. 3
- #8848 – Consideration of Assessments for Business Improvement District No. 4
- #8849 – Consideration of Assessments for Business Improvement District No. 5
- #8851 – Consideration of Amendment to Salary Ordinance Relative to Computer/GIS Technician

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

Mayor: Is there any one in the audience interested in these Ordinances? Earl Hubbard, 07 Navajo Drive and Gerald and Berdena Leitschuck, 418 Arapahe Avenue spoke in opposition to Ordinance #8838. No further public comment was heard.

City Clerk: Ordinances #8838, #8839, #8840, #8841, #8842, #8843, #8844, #8845, #8846, #8847, #8848, #8849 and #8851 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #8838, #8839, #8840, #8841, #8842, #8843, #8844, #8845, #8846, #8847, #8848, #8849 and #8851 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinances #8838, #8839, #8840, #8841, #8842, #8843, #8844, #8845, #8846, #8847, #8848, #8849 and #8851 are declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Items G-3, G-4, G-15, and G-18 were removed from the Consent Agenda. Motion by Pielstick, second by Walker, carried unanimously to approve the Consent Agenda, with the exceptions of G-3, G-4, G-15, and G-18. Upon roll call vote, all voted aye. Motion adopted.

Receipt of Official Document – Civil Service Minutes of August 12, 2003.

Approving Minutes of August 26, 2003 City Council Regular Meeting. Councilmember Cornelius abstained.

Approving Request of Rafael Orozco dba Rafa's Tacos, 811 West 2<sup>nd</sup> Street for a Class "I" Liquor License.

#2003-253 – Approving Final Plat and Subdivision Agreement for Park Island Square Sixth Subdivision. It was noted that Ray O'Connor, owner, had submitted the final plat for Park Island Square Sixth Subdivision, located along Diers Avenue and south of 13th Street for the purpose to resubdivide lot 1 Park Island Square Sixth Subdivision into 2 lots.

#2003-254 – Approving Final Plat and Subdivision Agreement for Firethorne Estates Second Subdivision. It was noted that Marlene Roush, owner, had submitted the final plat for Firethorne Estates Second Subdivision, located north of Midaro Drive and east of South Locust Street for the proposed development of 2 lots on a currently unplatted parcel of land in the SW 1/4 of Section 27- 11- 9. This plat would approve one 19+ acre lot and one 10+ acre lot. These lots

would be served by individual well and septic systems as public sewer and water were not available.

#2003-255 – Approving Bid Award for Construction of Water Main District #441 and #442T with Starostka Group Co. of Grand Island, Nebraska in an Amount of \$29,688.00.

#2003-256 – Approving Bid Award for Motor Control Equipment Installation for Platte Generating Station with Capital Electric of Kansas City, Missouri in an Amount of \$71,310.91.

#2003-257 – Approving Medical Director Contract with Saint Elizabeth Physician Network of Lincoln, Nebraska for the Period of October 1, 2003 through September 30, 2008 for an Amount of \$11,593.00 for the First Year and a 3% Increase Allowed for each Subsequent Year of the Contract.

#2003-258 – Approving Change Order #1 to the Contract for Sanitary Sewer District #505, Livengood Subdivision and Along Willow Street with The Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$13,315.71 and a Revised Contract Amount of \$84,993.86.

#2003-259 – Approving Contract for HRA Benefit's 501 (c)(9) Veba Trust to Non-Union Employees with Security Benefit Group of Companies of Topeka, Kansas.

#2003-260 – Approving Contract for Employee Assistance Program (EAP) with Family Resources of Grand Island of Grand Island, Nebraska in an Amount of \$15,487.00 for the First Year and \$16,895.00 Annual Cost for the Following Two Years. Councilmember Walker abstained.

#2003-261 – Approving Wildlife Control Contract with the U.S. Department of Agriculture Wildlife Services for a Three Year Period in an Amount of \$2,632.00 per year.

#2003-263 – Approving Bid Award for Traffic Signals at the Intersection of 13<sup>th</sup> Street and Allen Drive with Kayton Electric, Inc. of Grand Island, Nebraska in an Amount of \$65,525.80.

#2003-264 – Approving Bid Award for Project 2003-P-1, Paving of 1/2 Block of Macron Street North of Norseman Avenue with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$31,104.99.

#2003-266 – Approving Authorization to Rescind Resolution #2003-252 and Intent to Award Bid for Project 2003-WWTP-1 on October 14, 2003.

#2003-265 – Approving Modification to Humane Society Holiday Light Agreement at Stolley Park. Motion by Nickerson, second by Walker to approve Resolution #2003-265. Steve Paustian, Parks and Recreation Director reported that this modification would allow the City to provide up front payment for the electrical modifications at Stolley Park necessary to facilitate the lighting display. The Humane Society would then reimburse the City for the costs of the electrical installation at a rate of 15% of the net proceeds of the event until all monies were reimbursed. It

was anticipated the original cost of installation would be less than \$40,000.00. The Humane Society was also soliciting funds to help defray the cost of the electrical installation and so monies needed from the City may be substantially less than the \$40,000.00 estimate.

Questions were raised concerning stipulations of the pay back and controls for the outlets. Mr. Paustian stated there was no time limit for the pay back and the outlets would be locked. Upon roll call vote, all voted aye. Motion adopted.

Approving Request of Mert Nietfeld, 4934 Fort Kearney Road for a Conditional Use Permit for an Auto Sales Lot Located at 322 West 5<sup>th</sup> Street. Motion by Nickerson, second by Pauly to approve the request of Mert Nietfeld for a Conditional Use Permit at 322 West 5<sup>th</sup> Street. Councilmember Pielstick questioned why the car lot had been vacant until just recently. Mr. Nietfeld stated that some vehicles may have been in the building and others had been moved around.

Upon roll call vote, Councilmembers Whitesides, Gilbert, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Councilmember Pielstick voted no. Motion adopted.

Approving Request of Alltel Communications for a Conditional Use Permit for a Telecommunications Tower Located at 2818 South Locust Street. Motion by Pielstick, second by Gilbert to deny the request of Alltel Communications for a Conditional Use Permit.

Discussion was had concerning an alternate location, co-locating on other towers, and detracting from the beautification of South Locust. Craig Lewis, Building Department Director commented on City Code regulations and zoning requirements. Mr. Lockhorn representing Alltel submitted a picture of what the tower would look like at this location and commented on the importance of this location to supply quality service.

Upon roll call vote to deny the request, Councilmembers Pielstick, Pauly, and Hornady voted aye. Councilmembers Whitesides, Gilbert, Nickerson, Cornelius, Walker, and Haase voted no. Motion failed.

Motion by Whitesides, second by Nickerson to approve the request of Alltel Communications for a Conditional Use Permit at 2818 South Locust Street. Upon roll call vote Councilmembers Whitesides, Gilbert, Nickerson, Cornelius, Hornady, Walker, and Haase voted yes. Councilmembers Pielstick and Pauly voted no. Motion adopted.

#2003-262 – Approving Continuation of Sanitary Sewer District No. 510, American Independence and Western Heights 4<sup>th</sup> & 5<sup>th</sup> Subdivisions. Motion by Nickerson, second by Hornady to approve Resolution #2003-262. Steve Riehle, Public Works Director reported that Council created the district at the July 22, 2003 council meeting. Gary Valasek, owner of American Independence Subdivision requested the creation of this District. Public Works staff established a boundary for the District that made sense for the area. Properties in Western Heights 4th and 5th Subdivisions and part of Section 11-11-10 were included to make the proposed District larger. Property owners in Western Heights Subdivisions had expressed

concerns that their inclusion with the properties in American Independence Subdivision had unfairly stacked the deck against them.

Mr. Reihle stated many districts had been created and were unsuccessful in the Western Heights area. Some individuals were against the districts because they may have relatively new septic systems. They were not interested in city sanitary sewer till they get more useful life out of their investment. Some of those properties now supported a district because they may be having problems with their septic systems. Others had replaced their systems and now are against a district. The district completed the protest period at 5:00 PM on Thursday, August 28, 2003. Protests were filed by 16 property owners representing 2,189.08 front feet, or 38.96% of the total district frontage of 5,619.10 feet.

Lyle Nelson, 1316 Branding Iron Lane and Harold Carmichael, 4246 Brand Iron Lane spoke in opposition. John Hiser, 1304 Branding Iron Lane and Darren Shenk, 1409 Branding Iron Lane spoke in support. Discussion was had concerning the cost of the district.

Upon roll call vote, all voted aye. Motion adopted.

#### REQUESTS AND REFERRALS:

Request for Approval to Construct a Single Family Dwelling on the South 20,500 Square Feet of Lot 50, Kuesters Lake. Motion was made by Nickerson, second by Pielstick, to deny the request of Dr. & Mrs. Van Wie. Craig Lewis, Building Department Director reported that Vince Dowding representing Dr. & Mrs. VanWie had submitted a request to construct a single family dwelling on the south 20,500 square feet of lot 50 at Kuesters Lake. The Grand Island City Code required council approval of this request as the property was a legal nonconforming use as several dwellings were located on one property.

Section 36-86 of the City code states any extensions or expansions of a nonconforming use must receive Council approval. Additionally City Code Section 8-22 provided that no permit should be issued until authorized by resolution of the City Council where the real property described in the application did not front upon a dedicated street or public road.

The basic request was to allow for an additional dwelling to be constructed on the Kuesters Lake property, the property was one tract with several dwellings and a social club built several years ago which did not comply with zoning restrictions imposed today. It would appear prudent to require the property to either comply with existing zoning restrictions or rezone the entire tract to a Residential Development zone which would allowed a more flexible regulation of land use. The approval of an onsite wastewater treatment system for this proposed location had been received from the State of Nebraska, Department of Environmental Quality. In reviewing that approval it did not appear that all the neighboring sites had been considered nor had their field and reserve spaces been identified. With the concerns and difficulties staff has had in the past locating building additions, wells, and replacement septic systems, it doesn't appear prudent to allow for additional dwellings to be constructed unless and until the entire site has been evaluated with respect to future needs.

Bruce Schreiner, 3535 Grassridge Drive representing the Van Wie's spoke in support. Bob Kutz, #20 Kuester Lake and President of the Kuester Lake Association spoke in support. Tim Plate, #33 Kuester Lake spoke in opposition stating the lots needed to be platted and was concerned about the well locations from the leech fields. Ron Rockwell, 1439 Howard Place was present to answer questions with regards to the NDEQ results.

Upon roll call voted, Councilmembers Whitesides, Pielstick, Gilbert, Nickerson, Cornelius, Pauly, Hornady, and Haase voted aye. Councilmember Walker voted no. Motion adopted.

Request from Goodwill Industries to Serve Alcohol at the Skeet Range. City Clerk RaNae Edwards reported that the City Clerk's Office had received a letter from Goodwill Industries to hold its Platte River Charity Shoot at the Grand Island Skeet Club on September 27, 2003 and were requesting to serve alcoholic beverages. As this was City owned property, it had been the policy of the City to have Council approval. If approval was given they would be required to obtain a Special Designated Liquor License. Ken Fegter, 431 East Dodge Street spoke in opposition.

Motion was made by Whitesides, second by Pauly, to approve the request from Goodwill Industries. Upon roll call vote, Councilmembers Whitesides, Gilbert, Nickerson, Cornelius, Pauly, Walker, and Haase voted aye. Councilmember Pielstick voted no. Councilmember Hornady abstained. Motion adopted.

#### RESOLUTIONS:

#2003-267 – Approving General Property, Parking District #2 (Ramp), and Community Redevelopment Authority Tax Request. David Springer, Finance Director reported that this item related to the aforementioned Public Hearing.

Motion was made by Whitesides, second by Hornady, to approve Resolution #2003-267. Upon roll call voted, all voted aye. Motion adopted.

#### PAYMENT OF CLAIMS:

Motion by Whitesides, second by Cornelius, carried unanimously to approve the Claims for the period of August 27, 2003 through September 9, 2003, for a total amount of \$2,800,804.01. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item G2

### Approving Garbage and Refuse Haulers Permits

*Grand Island City Code Section 17-15 allows for the Collection, Transportation, and Disposal of Garbage and/or Refuse. These permits are effective October 1 through September 30 of each calendar year. The following businesses have submitted applications for renewal for 2003/2004: 1) Central Waste Disposal, 147 East Roberts 2) Scott's Hauling, 3230 Westside Street 3) Mid-Nebraska Disposal, Inc., 3080 West 2nd Street 4) Clark Brothers Sanitation, 3080 West 2nd Street and 5) Full Circle, Inc., 3719 Westgate Road.*

*All City Code requirements have been met by these businesses. Approval is recommended.*

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item G3

### **Approving Appointment of Carole Cornelius to the City-County Communications/Civil Defense Committee**

*With Council approval, the Mayor would recommend appointing Carole Cornelius to the City-County Communications/Civil Defense Committee, to finish out the term of Larry Seifert who resigned on August 26, 2003. The term would be effective immediately and end on December 9, 2003. Approval is recommended.*

Staff Contact: Mayor Vavricek





# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item G4

### **Approving Appointment of Roy Neneman to the Business Improvement District #4 Board**

*The Mayor has submitted the appointment of Roy Neneman to Business Improvement District #4 Board to complete the term of Kris Nolan-Brown. The appointment would become effective immediately, upon approval by council, and would expire May 31, 2004. Approval is recommended.*

Staff Contact: Mayor Vavricek



# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item G5

### **#2003-268 - Approving Amendment to the Future Land Use Map for the City of Grand Island for Property Located North of Capital Avenue and East of North Road in the SW 1/4 SW 1/4 of Section 1-11-10**

*This item relates to the aforementioned Public Hearing. Chad Nabity, Regional Planning Director, is requesting approval of the adoption of amending the Land Use Map for the City of Grand Island for property located north of Capital Avenue and east of North Road from Low to Medium Density Residential to Medium Density Residential/Office. The Regional Planning Commission approved this request unanimously at their September 3, 2003 meeting. Approval is recommended.*

Staff Contact: Chad Nabity

R E S O L U T I O N    2003-268

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

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

WHEREAS, an amendment to such plan is requested to change the future land use designation for property in the Southwest Quarter (SW1/4) of Section One (1), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M., located east of North Road and north of Capital Avenue in the city of Grand Island, Hall County, Nebraska, from "Low to Medium Density Residential" to "Medium Density Residential to Office"; and

WHEREAS, such amendment was reviewed by the Regional Planning Commission on September 3, 2003, and a recommendation was forwarded to the City of Grand Island; and

WHEREAS, a public hearing was held on September 23, 2003 for the purpose of discussing such amendment to the Comprehensive Land Use and Transportation Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island hereby approves and adopts an amendment to the Comprehensive Land Use and Transportation Plan to change the intended future use of the above described property from "Low to Medium Density Residential" to "Medium Density Residential to Office".

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2003.

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RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ September 18, 2003 <input type="checkbox"/> City Attorney
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# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item G6

### **#2003-269 - Approving Final Plat and Subdivision Agreement for Primrose Subdivision**

*Robert and Bonnie Irvine, owners, have submitted the final plat for Primrose Subdivision, located North of Capital Avenue, and East of North Road. This plat proposes to develop 1 lot on a currently unplatted parcel of land in the SW 1/4 1-11-10. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of September 3, 2003, unanimously voted to recommend approval. See attached RESOLUTION.*

Staff Contact: Chad Nabity

September 4, 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 – Primrose Subdivision located North of Capital Avenue, and East of North Road, Grand Island, Nebraska.**

At the regular meeting of the Regional Planning Commission, held September 3, 2003 the above item was considered. This final plat proposes to create 1 lot on a currently unplatted parcel of land in the SW ¼ Section 1, Township 11, Range 10.

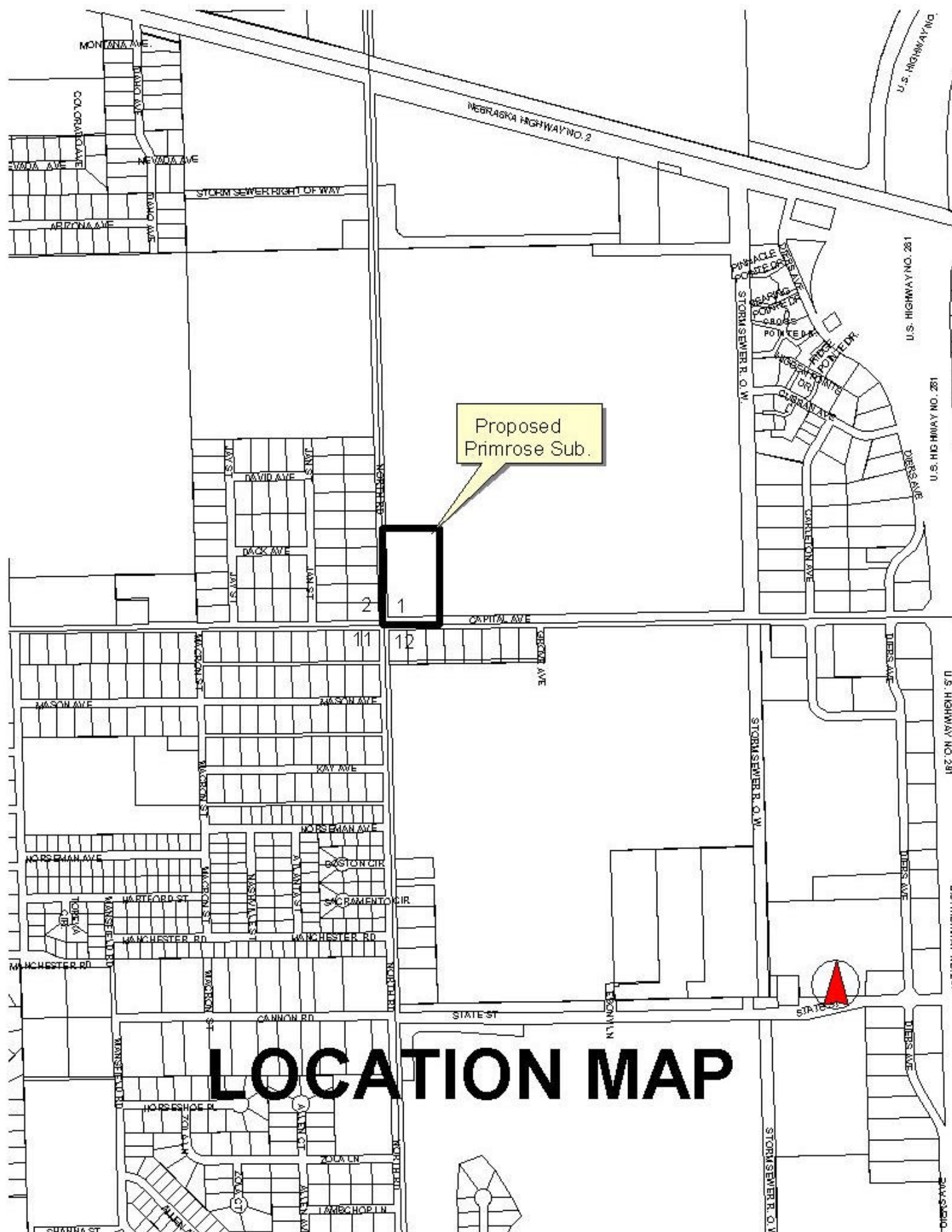
A motion was made by Eriksen and seconded by Wagoner to **approve** and recommend that the City Council **approve** the final plat of Primrose Subdivision.

A roll call vote was taken and the motion passed by a unanimous vote of the 10 members present (Amick, Lechner, O'Neill, 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 2003-269

WHEREAS, Robert E. Irvine and Bonnie B. Irvine, husband and wife, as owners, have caused to be laid out into a lot, a tract of land comprising a part of the Southwest Quarter (SW1/4) of Section One (1), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M. in the city of Grand Island, Hall County, Nebraska, under the name of PRIMROSE 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 PRIMROSE SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2003.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 18, 2003	☐ City Attorney



# City of Grand Island

Tuesday, September 23, 2003

## Council Session

### Item G7

#### **#2003-270 - Approving Sale of Electric Distribution to Nebraska Veterans Home**

***Background:***

*Grand Island Utilities serves electricity to the Nebraska Veterans Home on Capital Avenue. The service includes both overhead and underground lines that are located on the west and north side of the campus, including north across Highway 2 to the old farm buildings. The service is primarily metered along Capital Avenue.*

***Discussion:***

*Nebraska Veterans Home is in the process of adding an emergency standby generator that will have the capability to handle the entire electrical load of the campus. As part of the emergency system, they will place all primary and secondary lines on the campus underground at their expense. By owning their internal distribution system, they qualify for a 5% reduction in the demand portion of their utility bill.*

*To keep the outages caused by the change to a minimum, they wish to purchase the underground cable and transformers now provided and owned by Grand Island Utilities.*

*Staff has researched and discussed the cost of installation of existing underground and the removal of overhead lines with Nebraska Veterans Home. The value arrived at is \$62,000.*

***Recommendation:***

*Staff recommendation is to have City Council authorize the sale of the existing underground conduit, cable, cabinets, and transformers to the Nebraska Veterans Home and the removal of the overhead system, all for \$62,000. The Utilities Department will work with the contractor to minimize outages to the Nebraska Veterans Home.*

***Fiscal Effects:***

*Grand Island Utilities will receive \$62,000.*

***Alternatives:***

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

**Staff Contact: Gary R. Mader**



RESOLUTION 2003-270

WHEREAS, the Utility Department serves electricity to the Nebraska Veterans Home on Capital Avenue; and

WHEREAS, the electrical service includes both overhead and underground lines that are located on the west and north side of the campus, with the service primarily metered along Capital Avenue; and

WHEREAS, the Nebraska Veterans Home is in the process of adding an emergency standby generator which will have the capability to handle the entire electrical load of the campus; and

WHEREAS, in conjunction with the emergency system, all primary and secondary lines on the campus will be placed underground at their expense; and

WHEREAS, in order to keep outages to a minimum during the transition, they wish to purchase the underground cable and transformers now owned and provided by the Grand Island Utilities; and

WHEREAS, the value of such equipment is \$62,000.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the existing underground conduit, cable, cabinets, and transformers providing electrical service to the Nebraska Veterans Home is hereby approved for sale in the amount of \$62,000; and the removal of the overhead system providing service to the Nebraska Veterans Home is hereby authorized.

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Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item G8

### **#2003-271 - Approving Adoption of Modified Method for Depreciation of Infrastructure**

***Background:***

*The City of Grand Island is required to implement Government Accounting Standards Board (GASB) Statement number 34 for the fiscal year ending September 30, 2003. One requirement of GASB 34 is to recognize infrastructure assets and depreciate infrastructure assets. GASB 34 allows an alternate method for depreciating infrastructure assets if enabling legislation is passed by the governing body. There are requirements under GASB 34 as outlined in the attached resolution if the modified method is used.*

***Recommendation:***

*The modified method appears to be a more cost efficient method for recording and depreciating infrastructure assets. The recommendation is to use the modified method as outlined in the resolution.*

***Fiscal Implications:***

*The City is required to maintain infrastructure assets at a set level per resolution through repairs and maintenance. The City already annually budgets appropriation to maintain infrastructure.*

**Staff Contact: David Springer**

## RESOLUTION 2003-271

WHEREAS, the City of Grand Island follows government accounting standards for identifying and calculating valuations on city assets; and

WHEREAS, Government Accounting Standards Board (GASB) No. 34 as amended outlines how infrastructure assets are to be reported in financial statements and depreciated; and

WHEREAS, the City has the option to use a modified method to depreciate the infrastructure to provide a more simplistic approach for accounting for infrastructure; and

WHEREAS, in order to facilitate the transition to a modified method to depreciate infrastructure, the following will need to be performed:

1. An up-to-date inventory of eligible infrastructure assets has been compiled.
2. Condition assessments will need to be performed every three years on the eligible infrastructure assets, with the results summarized using a measurement scale.
3. An annual amount will be estimated and budgeted each year to maintain and preserve the eligible infrastructure assets at a 75% condition level as established and disclosed by the government.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the modified method for depreciation of city infrastructure is hereby adopted effective with the fiscal year beginning October 1, 2003.

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Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 23, 2003

## Council Session

### Item G9

#### **#2003-272 - Approving Bid Award for Final Clarifier Mechanisms**

##### *Background*

*The wastewater Division of the Public Works Department advertised for bids for three (3) Final Clarifier Mechanisms for use in Division operations on August 18, 2003.*

##### *Discussion*

*The Public Works Department, Wastewater Division, and the Purchasing Division of the City Attorney's Office reviewed the bids that were received on September 4, 2003 for the Final Clarifier Mechanisms. Three (3) bids were received. The low bid in the amount of \$603,535.00 was received from Dorr-Oliver Eimco Inc. of Camp Hill, PA. The base bid of \$603,535.00 included Additive Alternative No.1 in the amount of \$ 202,850.00. Alternative Number 1 was for stainless steel and is deemed too costly. The Wastewater Division recommends against Additive Alternative No. 1. This reduces the bid to \$400,685.00, which is less than the Engineer's opinion of costs of \$597,583.00.*

##### *Recommendation*

*It is recommended that the bid be awarded to Dorr-Oliver Eimco Inc. in the amount of \$400,685.00 for Final Clarifier Mechanisms as the lowest responsible bid.*

##### *Financial Implications*

*There are sufficient funds for this purchase in Account No. 53030054-85213.*

##### *Alternatives*

*None. The Final Clarifier Mechanisms are a planned plant improvements project that has to be done to keep up with increasing plant loadings.*

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

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



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** September 4, 2003 at 10:00 a.m.  
**FOR:** Final Clarifier Mechanisms  
**DEPARTMENT:** WWTP - Public Works  
**ENGINEER'S ESTIMATE:** \$597,583.00  
**FUND/ACCOUNT:** 53030054-85213  
**PUBLICATION DATE:** August 18, 2003  
**NO. POTENTIAL BIDDERS:** 6

**SUMMARY**

<b>Bidder:</b>	<b><u>WesTech Engineering, Inc.</u></b> Salt Lake City, UT	<b><u>Envirodyne Systems, Inc.</u></b> Camp Hill, PA
<b>Bid Security:</b>	<b>Fidelity &amp; Deposit Co.</b>	<b>Liberty Mutual Insurance Co.</b>
<b>Lump Sum</b>	<b>\$413,108.00</b>	<b>\$398,685.00</b>
<b>Alternates:</b>	<b>\$203,637.00</b>	<b>\$202,850.00</b>
<b>Bid Price:</b>	<b>\$619,245.00</b>	<b>\$603,535.00</b>
<b>Bidder:</b>	<b><u>Dorr-Oliver EIMCO</u></b> Salt Lake City, UT	<b><u>Walker Process Equipment</u></b> Aurora, IL
<b>Bid Security:</b>	<b>St. Paul Mercury Ins. Co.</b>	<b>Fidelity &amp; Deposit Co.</b>
<b>Lump Sum:</b>	<b>\$348,000.00</b>	<b>\$471,000.00</b>
<b>Alternates:</b>	<b>\$224,000.00</b>	<b>\$293,500.00</b>
<b>Bid Price:</b>	<b>\$575,000.00</b>	<b>\$770,500.00</b>

cc: Steve Riehle, Public Works Director  
Ben Thayer, WWTP  
Roger Scott, WWTP  
Marlan Ferguson, City Administrator  
Dale Shotkoski, Purchasing Agent  
Laura Berthelsen, Legal Assistant

RESOLUTION 2003-272

WHEREAS, the City of Grand Island invited sealed bids for Final Clarifier Mechanisms, Project 2003-WWTP-2, according to plans and specifications on file with the Public Works Department; and

WHEREAS, on September 4, 2003, bids were received, opened and reviewed; and

WHEREAS, Dorr-Oliver EIMCO of Salt Lake City, Utah, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$603,535.00 which includes Additive Alternative No. 1; and

WHEREAS, the Wastewater Division elects not to accept Additive Alternative No. 1, reducing such bid to \$400,658.00; and

WHEREAS, Dorr-Oliver EIMCO's bid is less than the engineer's opinion of costs for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Dorr-Oliver EIMCO of Salt Lake City, Utah, in the adjusted amount of \$400,685.00 for final clarifier mechanisms, Project 2003-WWTP-2 is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2003.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 19, 2003	☐ City Attorney



# City of Grand Island

Tuesday, September 23, 2003

## Council Session

### Item G10

#### **#2003-273 - Approving Establishment of Speed Limit for Gold Core Road**

##### *Background*

*The City Council may, by resolution, establish speed limits at a rate of speed greater or less than twenty-five (25) miles per hour for any street or portion of a street within the City.*

##### *Discussion*

*Gold Core Road is new to the street system and no speed limit has been established by Resolution. The Public Works Department recommends, in accordance with established traffic engineering practice, a speed limit of 40 miles per hour.*

##### *Recommendation*

*Adopt the Resolution to set the speed limit on Gold Core Road, between Schimmer Drive and Wildwood Drive at 40 miles per hour.*

##### *Financial Implications*

*Cost of signing.*

##### *Alternatives*

*Staff recommends against posting the speed limit at 25 miles per hour as specified for City streets in Section 22-51 of the City Code, because that is too slow for a road of this character.*

Staff Contact: Steven P. Riehle, Public Works Director/City Eng

## RESOLUTION 2003-273

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

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

Street	From	To	Limit
Adams Street	Stolley Park Road	County Industrial Area	30
Airport Road	Shady Bend Road east approximately 1/2 mile	East city limits	50
Anna Street	Blaine Street	Locust Street	30
Blaine Street	U.S. Highway 34	Stolley Park Road	35
Broadwell Avenue	Anna Street	Prospect Avenue	30
Broadwell Avenue	Prospect Street	BNRR	35
Broadwell Avenue	BNRR	North City Limits	45
Capital Avenue	Engleman Road	North Road	35
Capital Avenue	North Road	U.S. Highway 281	45
Capital Avenue	U.S. Highway 281	St. Paul Road	35
Capital Avenue	St. Paul Road	1/2 mile east of Sky Park Road	45
Cherry Street	Bismark Road	Sutherland Street	35
Concord Street	Diers Avenue	North of Diers Avenue for 370 feet to the dead end	30
Custer Avenue	Old Lincoln Highway/ Old Potash Highway	Capital Avenue	30
Diers Avenue	The dead end south of Faidley	Capital Avenue	30



<b>Street</b>	<b>From</b>	<b>To</b>	<b>Limit</b>
	Avenue		
Eddy Street	Fourth Street	State Street	30
Eleventh Street	Custer Street	Ruby Street	20
Engleman Road	Husker Highway	350 feet north of Stolley Park Road	45
Engleman Road	400 feet south of Lariat Lane	Capital Avenue	45
Engleman Road	Capital Avenue	400 feet north of Michigan Avenue	40
Faidley Avenue	U.S. Highway 281	Webb Road	35
Faidley Avenue	Webb Road	Custer Avenue	30
Fonner Road	South Locust Street	Stuhr Road	35
Fourth Street	Sycamore Street	BNRR	25
Fourth Street	BNRR	UPRR	30
Fourth Street	UPRR	Taft Street	35
Fourth Street	Taft Street	Seventh Street	45
<u>Gold Core Road</u>	<u>Schimmer Drive</u>	<u>Wildwood Drive</u>	<u>40</u>
Husker Highway	West city limits	Schroeder Avenue	50
Husker Highway	Schroeder Avenue	North Road	40
Husker Highway	North Road	U.S. Highway 281	50
Independence Avenue	Capital Avenue	Nebraska Highway 2	40
Juergen Road	Wildwood Drive	Schimmer Drive	30
Locust Street	South City Limits	U.S. Highway 34	50
Locust Street	U.S. Highway 34	Stagecoach Road	40

<b>Street</b>	<b>From</b>	<b>To</b>	<b>Limit</b>
Locust Street	Stagecoach Road	Stolley Park Road	35
Locust Street	Stolley Park Road	Charles Street	30
Locust Street	Charles Street	First Street	25
Nebraska Highway 2	Northwest Avenue extended (west city limits)	1200' west of Diers Avenue	55
Nebraska Highway 2	1200' west of Diers Avenue	100' west of O'Flannagan's Street	50
Nebraska Highway 2 – City Route	100' west of O'Flannagan's Street	Broadwell Avenue	50
North Road	Husker Highway	U.S. Highway 30	35
North Road	U.S. Highway 30	Old Potash Highway	50
North Road	Old Potash Highway	Nebraska Highway 2	40
Old Lincoln Highway	Garfield Street	Broadwell Avenue	30
Old Highway 30	West intersection with U.S. Highway 30	Webb Road	45
Old Highway 30	Webb Road	East intersection with U.S. Highway 30	35
Old Potash Highway	West City Limits	U.S. Highway 281	45
Old Potash Highway	U.S. Highway 281	Custer Avenue	35
Schimmer Drive	West city limits	Ponderosa Drive	40
Schimmer Drive	U.S. Highway 281	East city limits	40
Second Street	Webb Road	St. Joseph RR	35
Seedling Mile Road	U.S. Highway 30	Shady Bend Road	35
Seedling Mile Road	Shady Bend Road	East City Limits	45

<b>Street</b>	<b>From</b>	<b>To</b>	<b>Limit</b>
Shady Bend Road	231' south of Gregory Avenue	300' north of Shady Bend Way	35
Shady Bend Road	U.S. Highway 30 (north)	Union Pacific Railroad Right-of-Way	35
Shady Bend Road	1/4 mile north of Capital Avenue	Airport Road	55
Sky Park Road	Seventh Street	Capital Avenue	45
Sky Park Road	Capital Avenue	Twin Star Lane	55
Sky Park Road	Twin Star Lane	Gulf Stream Drive	45
Sky Park Road	Gulf Stream Drive	White Cloud Road	55
State Street	North Road	Moore's Creek Floodway	45
State Street	Moore's Creek Floodway	U.S. Highway 281	35
Stolley Park Road	West City Limits	U.S. Highway 30	50
Stolley Park Road	U.S. Highway 30 / North Road	U.S. Highway 281	45
Stolley Park Road	U.S. Highway 281	South Locust Street	35
Stolley Park Road	South Locust Street	East City Limits	45
Stuhr Road	South City Limits	U.S. Highway 30	35
Sycamore Street	Fourth Street	Capital Avenue	30
Thirteenth Street	West City Limits	¼ mile West of U.S. Highway 281	50
Thirteenth Street	¼ mile West of U.S. Highway 281	U.S. Highway 281	35
U.S. Highway 30	West City Limits	Johnstown Road	55
U.S. Highway 30	Johnstown Road	East Intersection with Old Highway 30	45

<b>Street</b>	<b>From</b>	<b>To</b>	<b>Limit</b>
U.S. Highway 30	East Intersection with Old Highway 30	Grant Street	35
U.S. Highway 30 (2 <sup>nd</sup> Street)	Grant Street	Broadwell Avenue	35
U.S. Highway 30 (2 <sup>nd</sup> Street)	Broadwell Avenue	Greenwich Street	30
U.S. Highway 30 (eastbound) / Greenwich Street	First Street	Second Street	30
U.S. Highway 30 (1 <sup>st</sup> Street and 2 <sup>nd</sup> Street)	Greenwich Street	Eddy Street	30
U.S. Highway 30 (1 <sup>st</sup> Street and 2 <sup>nd</sup> Street)	Eddy Street	Sycamore Street	25
U.S. Highway 30 (1 <sup>st</sup> Street and 2 <sup>nd</sup> Street)	Sycamore Street	300 feet East of the BNRR	35
U.S. Highway 30	300 feet East of the BNRR	1300 feet East of Stuhr Road	40
U.S. Highway 30	1300 feet East of Stuhr Road	Shady Bend Road	45
U.S. Highway 34	U.S. Highway 281	Blaine Street	50
U.S. Highway 34	Blaine Street	¼ mile West of Locust Street	55
U.S. Highway 34	¼ mile West of Locust Street	¼ mile East of Locust Street (east city limits)	45
U.S. Highway 34/281	Milepost No. 229.16 (Wildwood Drive)	Milepost No. 231.16 (Husker Highway)	55
U.S. Highway 281	Milepost No. 67.6 (Husker Highway)	Milepost No. 68.1 (south intersection with Webb Road)	55
U.S. Highway 281	Milepost No. 68.1 (south intersection with Webb Road)	Milepost No. 72 (NE Highway 2)	50

<b>Street</b>	<b>From</b>	<b>To</b>	<b>Limit</b>
Walnut Street	Charles Street	First Street	30
Webb Road	South Intersection with U.S. Highway 281	Nebraska Highway 2 (city route)	35
Wildwood Drive	West city limits	U.S. Highway 281	45
Wildwood Drive	U.S. Highway 281	East city limits	45

**OTHER SPEED ZONES:**

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

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Adopted by the City Council of the City of Grand Island, Nebraska on September 23, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item G11

### **#2003-274 - Approving Grant Application from the Transportation Enhancement Program for Construction of the Riverway Hike/Bike Trail**

*The City of Grand Island proposes to apply for assistance from the Intermodal Surface Transportation Enhancement Program for the purpose of constructing the Riverway Hike/Bike Trail from Central Community College past Hall County Park onto the Wood River diversion canal to the intersection with Blaine Street. The Intermodal Surface Transportation Enhancement funds are directed by the Nebraska Department of Roads. The Parks and Recreation Department's 2003-2004 budget provides \$500,000.00 for construction of the trail with \$500,000.00 of these funds to be provided by the grant. Approval is recommended.*

Staff Contact: Steve Paustian

R E S O L U T I O N    2003-274

WHEREAS, the City of Grand Island proposes to apply for financial assistance from the Intermodal Surface Transportation Enhancement Program for the purpose of constructing the Riverway Hike/Bike Trail; and

WHEREAS, it is envisioned that such trail will start at Central Community College, pass through Stuhr Museum and run adjacent to Hall County Park onto the Wood River diversion canal and end at the intersection with Blaine Street; and

WHEREAS, the grant funds would provide 80% of the project costs; and

WHEREAS, the City of Grand Island, Nebraska, has available a minimum of 20% of the project cost and has the financial ability to operate and maintain the completed project in a safe and attractive manner for public use.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island, Nebraska is authorized to apply for financial assistance from the Intermodal Surface Transportation Enhancement Program for the purpose of constructing the Riverway Hike/Bike Trail; and the Mayor is hereby authorized and directed to execute such application and other documentation on behalf of the City of Grand Island for such grant process.

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Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item G12

### **#2003-275 - Approving Agreement for Warranty Deed Between the City of Grand Island and Menard, Inc.**

*The City of Grand Island has been contacted by Menard Inc. about buying a strip of land from the City that is adjacent to the south side of Menard's property. This site consists of approximately 12,124 square feet which is north of the current sidewalk along the north side of State Street. An appraisal has been done that indicates that this property is valued at approximately \$2.00 per square foot. Menards has agreed to pay this amount along with the cost of the appraisal for \$500.00, a distractive fee of 10% and the closing costs. This sale has been reviewed and approved by the Utilities Department, the Public Works Department and the Fire Department which has a fire station that is adjacent to the tract of land being sold. This resolution will authorize the Mayor to sign the agreement for warranty deed which will begin the sale process. A survey of the property will need to be done which will be at Menard's expense and the property will also need to be subdivided prior to completing the sale which will need to be done by ordinance at a subsequent City Council meeting. Approval is recommended.*

Staff Contact: Doug Walker



RESOLUTION 2003-275

WHEREAS, Menard, Inc., a Wisconsin corporation, has expressed an interest in purchasing a tract of land adjacent to the south side of the property currently owned by Menard, Inc. near Diers Avenue and State Street, consisting of approximately 12,124 square feet; and

WHEREAS, the purchase price of the property shall be \$27,225.00; and

WHEREAS, an Agreement for Warranty Deed has been prepared setting out the terms and conditions of such property purchase; and

WHEREAS, the City Attorney's office has reviewed and approved the Agreement for Warranty Deed.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Agreement for Warranty Deed by and between the City and Menard, Inc., a Wisconsin corporation, for the conveyance of 12,145 square feet near Diers Avenue and State Street is hereby approved; and the Mayor is hereby authorized and directed to execute such Agreement for Warranty Deed on behalf of the City of Grand Island.

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Adopted by the City Council of the City of Grand Island, Nebraska on September 23, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item G13

### **#2003-276 - Approving Interlocal Agreements for Riverway Hike/Bike Trail**

*The Parks and Recreation Department is in the process of seeking grant funds for the construction of a hike/bike trail that will extend from the end of the St. Joe Line Trail that currently terminates on Central Community College (CCC) property to the Wood River diversion Canal and eventually east along the canal to the Platte River southeast of Grand Island. The trail will cross a portion of CCC property and Stuhr Museum (Museum Board of Hall County, MBHC) property and will then run along the Central Platte Natural Resources District property (CPNRD) until it reaches the Platte River. It is anticipated that a link will be made from the trail to Hall County Park as part of this project; however, the current plans do not anticipate any of the trail to be located on Hall County property. The proposed resolution will authorize the Mayor to sign the interlocal agreements with CCC, MBHC and CPNRD so that this information can be provided as part of the grant application process. If funding is obtained for the trail, a survey will be done and easements will be obtained from each of the three entities prior to construction of the trail. The grant application is due prior to October 1, 2003; therefore, Council approval is being sought so that the application for these grant funds can proceed. Approval is recommended.*

Staff Contact: Doug Walker and Steve Paustian

R E S O L U T I O N    2003-276

WHEREAS, the City of Grand Island provides and develops parks and recreation areas including hike/bike trails for public use; and

WHEREAS, the City of Grand Island is proposing the development of Riverway Hike/Bike Trail which will connect the trail currently at Central Community College property to pass through Stuhr Museum property and onto the Wood River diversion canal and continue along the canal until it eventually reaches the Platte River; and

WHEREAS, such hike/bike trail will encroach on property owned by Central Community College, Central Platte Natural Resources District, and Stuhr Museum; and

WHEREAS, it is recommended that Interlocal Agreements be entered into with each of these property owners to facilitate the development of such hike/bike trails; and

WHEREAS, the City Attorney's office has prepared Interlocal Agreements with each entity for the development of hike/bike trails across their respective properties.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Interlocal Agreements by and between the City and the Central Platte Natural Resource District, a Nebraska political subdivision; the Museum Board of the Hall County Nebraska Museum, a Nebraska political subdivision; and Central Community College, a Nebraska political subdivision, for the development of a hike/bike trail across their properties are hereby approved.

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

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Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2003.

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RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ September 18, 2003 <input type="checkbox"/> City Attorney
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# City of Grand Island

Tuesday, September 23, 2003

Council Session

## Item J1

### **Payment of Claims for the Period of September 10, 2003 through September 23, 2003**

*The Claims for the period of September 10, 2003 through September 23, 2003 for a total of \$4,153,137.29. A MOTION is in order.*

Staff Contact: RaNae Edwards