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# City of Grand Island



**Tuesday, December 09, 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 Mike Benischek, First United Methodist Church, 4190 West Capital 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.

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## **MAYOR COMMUNICATION**

This is an opportunity for the Mayor to comment on current events, activities, and issues of interest to the community.



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item -1

### Election of City Council President

*The City Council is required to elect one Councilmember to the office of Council President. The term is for a one-year period. The Council President automatically assumes the duties of the Mayor in the event that the Mayor is absent or otherwise unable to fulfill his duties. Nebraska law allows the election of the Council President to be by secret ballot. The total number of votes for each candidate; however, must be stated and recorded in the Minutes. Past practice has included a run-off election between the top two nominees, if necessary. The City Clerk will prepare, distribute, and count ballots. Nominations to fill the vacancy are in order. A second to the motion is not required on nominations.*

Staff Contact: Mayor Vavricek



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item C1

### **Recognition of Public Library for Nebraska Center for the Book Jane Geske Award**

*The 2003 Jane Geske Award was recently presented to the Grand Island Public Library and the Grand Island Public Library Foundation, Inc. at the annual meeting of the Nebraska Center for the Book. The library and foundation were honored for their rich tradition of service (120 years in 2004), their outreach throughout Hall County, and the variety of reading and literacy services provided. The award, established by the Nebraska Center for the Book, is presented annually to an organization, business, library, school, association, or other group that has made an exceptional contribution to literacy, books, reading, libraries, or Nebraska literature. The Jane Geske Award commemorates Geske's passion for books, and was established in recognition of her contributions to the well-being of the libraries of Nebraska. Jane Geske was a founding member of the Nebraska Center for the Book and a long-time leader in many Nebraska library and literary activities.*

Staff Contact: Steve Fosselman



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item E1

### **Public Hearing on Request of Copas de Oro, Inc. dba Copas de Oro, 413 West 4th Street for a Class "C" Liquor License**

*Christian Solorio Perez on behalf of Copas de Oro, Inc. dba Copas de Oro, 413 West 4th Street, has submitted an application for a Class "C" Liquor License. A Class "C" Liquor License allows for the sale of alcoholic beverages on and off sale within the corporate limits of the City. This application has been reviewed by the Building, Fire, Health, and Police Departments. It is appropriate at this time to solicit public comment. The action item is contained under the Consent Agenda.*

**Staff Contact: RaNae Edwards**



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item E2

### **Public Hearing on Request of Perez, Inc. dba El Rodeo, 106 East 3rd Street for a Class "C" Liquor License**

*Silvia Perez and Anastacio Jacobo representing Perez, Inc. dba El Rodeo, 106 East 3rd Street, have submitted an application for a Class "C" Liquor License. A Class "C" Liquor License allows for the sale of alcoholic beverages on and off sale within the corporate limits of the City. This application has been reviewed by the Building, Fire, Health, and Police Departments. It is appropriate at this time to solicit public comment. The action item is contained under the Consent Agenda.*

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item E3

### **Public Hearing on Request of Roger Roscoe for a Conditional Use Permit for a Used Car Lot Located at 1021 East 4th Street**

*Roger Roscoe, 1021 East 4th Street has submitted a request for a Conditional Use Permit to allow for the continued operation of a used car establishment at 1021 East 4th Street. The City Council last 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 appears to be in compliance with the established City Code. The application has been reviewed by the Building, Legal, Utilities, Regional Planning, and Public Works Departments. Approval is recommended. It is appropriate at this time to solicit public comment. The action item is contained under the Consent Agenda.*

Staff Contact: Craig Lewis



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item E4

### **Public Hearing on Acquisition of Utility Easement Located at 1304 West 2nd Street - James A. Martinez**

*Acquisition of utility easement located at 1304 West 2nd Street, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used for a pad-mount transformer and underground cable. 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, December 09, 2003

Council Session

## Item E5

### **Public Hearing on Acquisition of Utility Easement Located Along the South Side of Capital Avenue, East of Highway 30 - Michael Baxter**

*Acquisition of utility easement located along the South side of Capital Avenue, East of U.S. Highway 30, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to relocate the overhead power lines due to the expansion of East Highway 30. 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, December 09, 2003

Council Session

## Item E6

### **Public Hearing on Acquisition of Utility Easement Located at Gunbarrel and East Highway 30 - Eloy Uribe and Oralía Erives**

*Acquisition of utility easement located in the northeast corner of the trailer park located at Gunbarrel and East Highway 30, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to locate a single phase pad-mounted transformer to serve the trailers not relocated due to the Highway 30 expansion. 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, December 09, 2003

Council Session

## Item E7

### **Public Hearing on Acquisition of Utility Easement Located at 4305 East Highway 30 - Mettenbrink Electric Corp.**

*Acquisition of utility easement located at 4305 East U.S. Highway 30, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to relocate an overhead power line due to the Highway 30 expansion. 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, December 09, 2003

Council Session

## Item E8

### **Public Hearing on Acquisition of Utility Easement Located at 4703 East U.S. Highway 30 - Wilbur Donald & Velma Hillman**

*Acquisition of utility easement located at 4703 East U.S. Highway 30, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to relocate an overhead power line required by the Highway 30 expansion. 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, December 09, 2003

Council Session

## Item E9

### **Public Hearing on Acquisition of Utility Easement Located at 5th & Cleburn - Walnut Housing, LTD**

*Acquisition of utility easement located at 5th and Cleburn Streets, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to locate new cable on a pad-mounted transformer to serve the remodeled complex. 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, December 09, 2003

Council Session

## Item E10

### **Public Hearing on Acquisition of Utility Easement Located at 3311 W. Stolley Park Road - Home Federal Savings and Loan**

*Acquisition of utility easement located at 3311 West Stolley Park Road, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to locate underground conduit, cable, enclosures and a pad-mounted transformer to serve the new bank building. 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, December 09, 2003

Council Session

## Item F1

### **#8875 - Consideration of Amendment to Chapter 2-61 of the Grand Island City Code Relative to Residency Requirements for the Community Development Advisory Committee**

*At a recent study session the issue about whether to restrict membership to the Community Development Advisory Committee to residents of the City of Grand Island was discussed. The proposed ordinance would restrict eligibility for this Committee to residents of the City of Grand Island. This issue is being submitted for consideration at this time because one member of this board currently resides outside of the City of Grand Island.*

Staff Contact: Doug Walker

ORDINANCE NO. 8875

An ordinance to amend Chapter 2-61 of the Grand Island City Code; to amend Section 2-61 pertaining to the Community Development Advisory Committee; to repeal Section 2-61 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 2-61 of the Grand Island City Code is hereby amended to read as follows:

**§2-61. Advisory Committee**

There is hereby created a Community Development Advisory Committee consisting of seven members. Six of the members shall be residents of the city ~~representatives of the citizens~~ of Grand Island, ~~and~~ ~~the~~ seventh member shall be a member of the Grand Island City Council. All members shall serve without compensation. The initially appointed ~~citizen~~ representatives shall consist of two appointed for a three-year term, two appointed for a two-year term, and two appointed for a one-year term. Thereafter, all appointments, other than vacancies, shall be for terms of three years. Appointments to fill vacancies shall be for the remainder of the term of the vacated position.

All members shall be appointed by the mayor and confirmed by the city council. Members may be removed without cause by the mayor with the consent of the city council. The advisory committee shall establish such rules and procedures as are necessary to carry out its duties. The Community Development Advisory Committee shall have the following duties:

- (1) Monitor and investigate all existing and potential Community Development programs and projects.
- (2) Make recommendations on all existing and potential Community Development programs and projects, procedures, and all other aspects of the City's community development program.

SECTION 2. Section 2-61 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. 8875 (Cont.)

Enacted: December 9, 2003.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item F2

### **#8876 - Consideration of Amendment to Chapter 19-3 of the Grand Island City Code Relative to Residency Requirements for the Library Board**

*At a recent study session the issue of whether to restrict membership of the Library Board to residents of the City of Grand Island was recently discussed. The proposed ordinance would restrict membership of the Library Board to residents of the City of Grand Island. This issue is being submitted for consideration at this time because one member of this board is currently living outside of the City of Grand Island.*

Staff Contact: Doug Walker

ORDINANCE NO. 8876

An ordinance to amend Chapter 19 of the Grand Island City Code; to amend Section 19-3 pertaining to the Library Board; to repeal Section 19-3 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 19-3 of the Grand Island City Code is hereby amended to read as follows:

**§19-3. Library Board; Compensation; Term**

The library board shall consist of seven members, to be appointed by the mayor and confirmed by the city council, ~~and to be chosen from the citizens at large, of which board n~~ The members shall be residents of the city of Grand Island. Neither the mayor nor any member of the city council shall be a member ~~of the Library Board~~. Terms of office shall be a four (4) year period, with board positions terminating on June 30 of the year their respective term expires.

In case of vacancies by resignation, removal, or otherwise, the mayor and city council shall make appointments to fill such vacancies for the unexpired term.

No director shall receive any pay or compensation for any services rendered as a member of the board. No director shall be elected for more than two successive terms.

SECTION 2. Section 19-3 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.

Enacted: December 9, 2003.

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

Attest:

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

Approved as to Form	<input checked="" type="checkbox"/> _____
December 4, 2003	<input checked="" type="checkbox"/> City Attorney



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item F3

### **#8877 - Consideration of Approving Power Participation Agreement with Omaha Public Power District**

*At the October 14, 2003 meeting of the City Council, Resolution #2003-279 was approved authorizing the City to enter into a Power Participation Agreement with OPPD for the purchase of 30 megawatts of power from OPPD's Nebraska City Unit #2. Nebraska Revised Statute Section 18-412.06 also requires that an agreement for the procurement of power should be authorized by ordinance. This ordinance is being presented so that the City Council will give its formal approval to the Power Participation Agreement and to authorize and ratify the mayor's signature on this agreement and such ancillary agreements as may be necessary to effectuate the purposes of the Power Participation Agreement. Approval is recommended.*

Staff Contact: Doug Walker

ORDINANCE NO. 8877

An ordinance to approve and ratify the execution of a Power Participation Agreement by and between the City of Grand Island and Omaha Public Power District to obtain 30MW (initial participation amount) of energy from OPPD; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

WHEREAS, on October 14, 2003, by Resolution 2003-279, the City of Grand Island City Council approved a Power Participation Agreement with Omaha Public Power District (OPPD) to obtain 30 MW (initial participation amount) of energy from OPPD after its Nebraska City Unit #2 plant is constructed and operational; and

WHEREAS, Neb. Rev. Stat. §18-412.06 requires that such agreement be authorized by ordinance.

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

SECTION 1. The Power Participation Agreement by and between the City of Grand Island and Omaha Public Power District authorizing the City to obtain 30MW (initial participation amount) of energy from OPPD after its Nebraska City Unit #2 plant is constructed and operational, which was authorized by Resolution 2003-279 on October 14, 2003, is hereby approved as to the terms, conditions and periods set forth therein and its execution and delivery by the City is hereby ratified and confirmed.

SECTION 2. The Mayor of the City of Grand Island is hereby authorized to enter into this Power Participation Agreement and such other agreements, instruments and certificates as are necessary to effectuate the purpose of said agreement for obtaining 30 MW (initial

ORDINANCE NO. 8877 (Cont.)

subscription amount) of power from OPPD's Nebraska City Unit #2 and the Mayor's signature on any such documents is hereby approved and ratified.

SECTION 3. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 4. 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: December 9, 2003.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item F4

### **#8878 - Consideration of Amendment to Chapter 19-4 of the Grand Island City Code Relative to a Library Board Quorum**

*City staff recently noticed that Section 19-4 of the City code specifies that three members of the City Library Board would be a quorum. This ordinance was apparently written when the Library Board had five members and was not changed when the number of members was increased to seven. This ordinance has been drafted to set the quorum at a majority of the members of the Library Board which would be four. Approval is recommended.*

Staff Contact: Doug Walker

ORDINANCE NO. 8878

An ordinance to amend Chapter 19 of the Grand Island City Code; to amend Section 19-4 pertaining to a quorum for library board meetings; to repeal Section 19-4 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 19-4 of the Grand Island City Code is hereby amended to read as follows:

**§19-4. Library Board; Organization; Rules**

The library board directors shall, immediately after their appointment, meet and organize by electing one of the members president, and one secretary, and such other officers as they shall deem advisable. Four members ~~Three~~ of such board shall be a quorum to transact business, and such board shall have power to make and adopt such bylaws, rules, and regulations for its guidance and for the government of the library and reading room that they may deem expedient, subject to the supervision and control of the city council. Such board shall have exclusive control of the expenditures of all money collected or donated to the credit of the library fund and of the renting or construction of any library building, the supervision, care, and custody of the grounds, rooms or buildings, constructed, based, or set apart for that purpose.

SECTION 2. Section 19-4 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. 8878 (Cont.)

Enacted: December 9, 2003.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G1

### **Receipt of Official Documents - Civil Service Minutes of November 5, 2003 and November 25, 2003**

*Receipt of Official Documents - Civil Service Minutes of November 5, 2003 and November 25, 2003. See attached MINUTES.*

Staff Contact: Brenda Sutherland

**GRAND**



**ISLAND**

*Working Together for a  
Better Tomorrow. Today.*

**MINUTES**  
**CIVIL SERVICE COMMISSION**  
**November 5, 2003**

<b>Roll Call:</b>	<b>Members Present:</b>	<b>Burns, Leeper, Hilligas</b>
	<b>Members Absent:</b>	<b>None</b>
	<b>Also Present:</b>	<b>Curt Rohling, Fire Operations Chief; Kerry Mehlin, Police Sergeant</b>

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

Notice of the meeting was published in the October 31, 2003, edition of the Grand Island Independent.

Burns moved to approve the minutes of the October 14, 2003, meeting. Hilligas seconded the motion, which carried unanimously upon roll call vote.

The Commission reviewed the results of the Paramedic exam administered October 28, 2003. Burns moved that candidates scoring 70% or higher, namely, Craig and Kieckhafer be placed on the Fire Department Paramedic Eligibility List. Hilligas seconded the motion, which carried unanimously upon roll call vote.

The Commission reviewed the results of the Police Officer exam administered October 22, 2003. Burns moved that candidates scoring 70%, namely, Behring, Olbricht, Carpenter, Berlie, Hughes, Wood, Ounsombath, Manivong and Grubbs, be placed on the Police Department eligibility List. Hilligas seconded the motion, which carried unanimously upon roll call vote.

The Commission reviewed the list of applicants for the Police Sergeant promotional exam. Hilligas moved to certify as eligible for testing 23 applicants, all of whom met application standards and are currently members of the Grand Island Police Department. Burns seconded the motion, which passed unanimously upon roll call vote.

The Commission reviewed the list of applicants for the Police Captain promotional exam. Hilligas moved to certify as eligible for testing 11 applicants, all of whom met application standards and are currently members of the Grand Island Police department. Burns seconded the motion, which passed unanimously upon roll call vote.

There being no further business, Burns moved to adjourn the meeting at 8:45 a.m. Hilligas seconded the motion, which carried unanimously upon roll call vote.

Respectfully submitted,

Al Satterly, Secretary Designee  
Civil Service Commission

Approved by Civil Service Commission: 11/25/03  
Copies of approved Minutes to: City Clerk



# ISLAND

*Working Together for a  
Better Tomorrow. Today.*

## MINUTES CIVIL SERVICE COMMISSION November 25, 2003

Roll Call:           Members Present:       Leeper, Burns  
                  Members Absent:     Hilligas  
                  Also Present:       Curt Rohling, Fire Division Chief; Kerry Mehlin, Police Sergeant

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

Notice of the meeting was published in the November 21, 2003 edition of the Grand Island Independent.

Burns moved to approve the minutes of the November 5, 2003 meeting. Leeper seconded the motion, which carried unanimously upon roll call vote.

The Commission reviewed the results of the Firefighter/EMT exam administered October 28, 2003. Burns moved that candidates scoring 70% or higher, namely, Bricknell, Dunn, Shullaw, Long, Tennant, Whalen, Morrison, George, Brown, Seggerman, Rood, Wagner, Crocker, Pavel, Shrunk, Hughes, and Ebeling be placed on the Certified Eligibility List. Leeper seconded the motion, which carried unanimously upon roll call vote.

The Commission received a request from the Police Department to certify names from the Certified Eligibility List to fill three Police Officer positions (Holloway and Piel as a result of internal promotions and Gericke). By review of Article III, Section A, (3) (g), Burns moved to remove candidates Behring, Olbricht and Grubbs. Leeper seconded the motion, which passed unanimously upon roll call vote. Burns moved to remove certified candidate Wood, as he was hired from the previous eligibility list. Leeper seconded the motion, which passed unanimously upon roll call vote. Burns then moved to certify the top five names, namely, Carpenter, Berlie, Hughes, Manivong and Ounsombath. Leeper seconded the motion, which passed unanimously upon roll call vote.

There being no further business, Burns moved to adjourn the meeting at 9:00 a.m. Leeper seconded the motion, which carried unanimously upon roll call vote.

Respectfully submitted,

Al Satterly, Secretary Designee  
Civil Service Commission

Approved by Civil Service Commission: 12/4/03

Copies of approved Minutes to: City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G2

### **Approving Minutes of November 18, 2003 City Council Special Meeting**

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

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL SPECIAL MEETING

November 18, 2003

Pursuant to due call and notice thereof, a Special 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 November 18, 2003. Notice of the meeting was given in the Grand Island Independent on November 12, 2003.

Mayor Jay Vavricek called the meeting to order at 6:00 p.m. The following members were present: Councilmembers Meyer, Pielstick, Gilbert, Nickerson, Cornelius, Pauly, Hornady, Walker and Haase. Councilmember Whitesides was absent. The following City Officials were present: Interim City Administrator David Springer, and City Clerk RaNae Edwards.

EXECUTIVE SESSION: Motion was made by Pielstick, second by Hornady, to adjourn to Executive Session at 6:00 p.m. for the purpose of discussing personnel issues.

RETURN TO REGULAR SESSION: Motion was made by Pielstick, second by Hornady, to return to Regular Session at 7:00 p.m.

ADJOURNMENT: The meeting was adjourned at 7:00 p.m.

Respectfully submitted,

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G3

### **Approving Minutes of November 18, 2003 City Council Regular Meeting**

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

Staff Contact: RaNae Edwards

## OFFICIAL PROCEEDINGS

### CITY OF GRAND ISLAND, NEBRASKA

#### MINUTES OF CITY COUNCIL REGULAR MEETING

November 18, 2003

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

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Nickerson, Cornelius, Pauly, Hornady, Walker and Haase. 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 Nancy Lambert, Trinity United Methodist Church, 511 North Elm Street.

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

MAYOR COMMUNICATION: Mayor Vavricek commented on the recruiting process for the City Administrator's position. Interviews were scheduled for Saturday, November 22, 2003 for two of the candidates. Also mentioned was the newspaper article concerning the Lincoln Pool. Mayor Vavricek stated that this was just one of many projects to be looked at and it was not the intent of the City to close it.

#### PRESENTATIONS AND PROCLAMATIONS:

Proclamation "American Education Week" November 16-22, 2003. Mayor Vavricek proclaimed the week of November 16-22, 2003 as "American Education Week". Loretta Green and several students from Gates Elementary School were present to receive the proclamation.

Proclamation "Child Abuse Prevention and Awareness Day" Everyday of the Year. Mayor Vavricek proclaimed everyday as "Child Abuse Prevention and Awareness Day". William Weese representing the Amvets Post 15 and Wendell McMurrain representing the United Veteran's Against Child abuse were present to receive the proclamation.

Proclamation "Adoption Awareness Month" November, 2003. Mayor Vavricek proclaimed the month of November 2003 as "Adoption Awareness Month".



Proclamation “National Children’s Book Week” November 17-23, 2003. Mayor Vavricek proclaimed the week of November 17-23, 2003 as “National Children’s Book Week”. Mary VonSeggren from the library was present to receive the proclamation.

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

#2003-BE-21 – Determining Assessments for Sanitary Sewer District No. 505. Steve Riehle, Public Works Director reported that the Certificate of Final Completion for Sanitary Sewer District No. 505 was approved by Council on October 28, 2003. The contract for Sanitary Sewer District 505 was awarded to The Diamond Engineering Company of Grand Island, Nebraska on April 17, 2003. Work commenced on June 6, 2003 and was completed on August 18, 2003. This project was completed on schedule and at a construction cost of \$ 84,231.27. The total cost of the project, including contract administration was \$ 93,603.33. All costs for this District would be assessed to the benefiting properties.

Motion by Pielstick, second by Cornelius, carried unanimously to approve Resolution #2003-BE-21. Motion adopted.

#2003-BE-22 – Determining Benefits for Sanitary Sewer District No. 508. Steve Riehle, Public Works Director reported that the Certificate of Final Completion for Sanitary Sewer District No. 508 was approved by Council on October 28, 2003. The contract for Sanitary Sewer District 508 was awarded to The Diamond Engineering Company of Grand Island, Nebraska on April 17, 2003. Work commenced on May 23, 2003 and was completed on June 24, 2003. This project was completed on schedule and at a construction cost of \$ 23,739.39. The total cost of the project, including contract administration is \$ 30,295.07. All costs for this District would be assessed to the benefiting properties.

Motion by Pielstick, second by Cornelius, carried unanimously to approve Resolution #2003-BE-22. Motion adopted.

#2003-BE-23 – Determining Benefits for Street Improvement District No. 1239. Steve Riehle, Public Works Director reported that the Certificate of Final Completion was approved by Council on October 28, 2003. The contract for Street Improvement District No. 1239 was awarded to Gehring Construction and Ready Mix Company, Inc. of Columbus, Nebraska on March 18, 2003. Work commenced on June 17, 2003 and was completed on September 30, 2003. This project was completed on schedule and at a construction cost of \$ 632,267.25. The total cost of the project, including Engineering and contract administration is \$ 695,493.98. All costs for this District would be assessed to the benefiting properties.

Motion by Pielstick, second by Cornelius, carried unanimously to approve Resolution #2003-BE-23. Motion adopted.

#2003-BE-24 – Determining Correction of Benefits for Business Improvement District No. 5. Jean Goss, Executive Assistant reported that in October, invoices were mailed to Downtown property owners in Business Improvement District #5 detailing the assessments for 2003-2004. During conversations with property owners, it was discovered that four invoices were based on

incorrect valuation figures. It was appropriate that the property owners for these four properties be assessed the correct amount, based on corrected valuation figures.

Motion by Cornelius, second by Hornady, carried unanimously to approve Resolution #2003-BE-24. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing on Request of Union Pacific Railroad for a Conditional Use Permit for a Skid-Mounted Shed Located at 1219½ North Front Street Craig Lewis, Building Department Director reported that Brian Symons representing The Forrester Group on behalf of the Union Pacific Railroad, Kansas City, Missouri, had submitted an application with the City Clerk's Office to extend their Conditional Use Permit for an additional two years to allow use of a 10' x 12' skid-mounted shed with electrical service located at 1219 1/2 North Front Street. This request was for use during a US EPA-mandated remediation project. The system was currently not operating, but start-up would begin in May 2004 with operation planned for one year. The equipment would be removed following the one year operation and shut down verification. No public testimony was heard.

Public Hearing on Request of Randy & Marianne Rapien for a Conditional use Permit for a Dealer Used Car Lot Located at 215 Willow Street Craig Lewis, Building Department Director reported that Randy and Marianne Rapien, 215 Willow Street had submitted a request for a Conditional Use Permit to allow for the continued operation of a used car establishment at 215 Willow 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, with the exception of landscaping as required by the Subdivision agreements. Landscaping was to be installed adjacent to Highway #30 and was complete except for some additional plantings scheduled to be installed by May 1st, 2004. The application included both lots 1 and 2 of Rapien's subdivision, but only lot 1 should be considered in this request as lot 2 had not been improved or utilized as a used car lot. Approval of lot 1 with the condition that the landscaping be completed by May 1 2004 was recommended. Randy Rapien, 215 Willow Street spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 524 South Webb Road. (B.E. and Bev J. Burhoop) Gary Mader, Utilities Department Director reported that acquisition of a utility easement located at 524 South Webb Road, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate a new transformer. No public testimony was heard.

Public Hearing on Changes to the Grand Island Zoning Map for Property Proposed for Platting as El Huerto Subdivision Located South of Capital Avenue and East of St. Paul Road from TA Transitional Agricultural to RD Residential Development. Chad Nabity, Regional Planning Director reported that Ward F. Hoppe, as the owner was requesting a change of zoning for property located south of Capital Avenue and east of Saint Paul Road. This application proposed to change the zoning from TA Transitional Agricultural to RD Residential Development. This change was in conformance with the Grand Island Comprehensive Plan. The applicant for the RD zone was required to submit both the preliminary and final plat to the Planning Commission and City Council for approval with the application to rezone the property. Approval to rezone the property was predicated upon approval of the development concept displayed on the preliminary and final plats. The Regional Planning Commission at their regular meeting held October 1, 2003 voted to approve and recommend the Grand Island City Council approve this amendment to the Grand Island Zoning Map with 8 members voting in favor and 2 members voting against. The Regional Planning Commission split a vote on approval of the preliminary and final plats with a 5 members voting in favor of approval and 5 members voting against approval. Fred Hoppe developer of this property from Lincoln, Nebraska spoke in support commenting on the width of the streets. Bill Weese, 917 East 13<sup>th</sup> Street spoke in opposition with concerns of access on narrow streets for public safety. No further public testimony was heard.

Public Hearing on Purchase of Yeager Property Located at 30000 East Bismark Road Adjoining to the South Side of the Wastewater Treatment Plant. (Carole Yeager) Steve Riehle, Public Works Department Director reported that Carole Yeager owned the property south of the Grand Island Wastewater Treatment Plant and had offered to sell this property to the City for the assessed value. The City's consultant for the wastewater treatment plant had recommended that the city purchase properties that adjoin the wastewater treatment plant as they become available to help create a buffer zone around the facility. The proposed property included a gravel pit and a dwelling house. The property was also adjacent to the east side of the Kennel Club property. The Kennel Club Property was referred to the planning commission at the last City Council meeting for a recommendation on annexation. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 2903 East Highway 30. (James & Donna Allen) Gary Mader, Utilities Department Director reported that acquisition of a utility easement located at 2903 East Highway 30, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to relocate an overhead primary line to feed lots five and six. No public testimony was heard.

#### ORDINANCES:

Motion was made by Pielstick, second by Walker, to approve Ordinance #8863 on Final Reading.

#8863 – Consideration of Annexation of Property Being Platted as Smith Acres Subdivision, Located North of Capital Avenue and West of Saint Paul Road

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

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:

- #8867 – Consideration of Creation of Water Main District No. 446T, Kentish Hills Subdivision
- #8868 – Consideration of Assessments for Sanitary Sewer District No. 505, North of Highway 30 and West of Stuhr Road
- #8869 – Consideration of Assessments for Sanitary Sewer District No. 508, West of Highway 281 and North of Husker Highway
- #8870 - Consideration of Assessments for Street Improvement District No. 1239, Gold Core Drive in Platte Valley Industrial Park
- #8871 - Consideration of Change of Land Use Designation for Property Proposed for Platting as El Huerto Subdivision Located South of Capital Avenue and East of St. Paul Road from TA Transitional Agricultural to RD Residential Development
- #8872 - Consideration of Correction of Assessments for Business Improvement District No. 5
- #8873 - Consideration of Amendment to Salary Ordinance Relative to Victim Assistance Unit Coordinator
- #8874 - Consideration of Amending Chapter 2 of the Grand Island City Code Relative to Community Redevelopment Authority
- #8875 – Consideration of Amending Chapter 2-61 of the Grand Island City Code Relative to the Community Development Advisory Board
- #8876 – Consideration of Amending Chapter 19-3 of the Grand Island City Code Relative to the Library Board

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 first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage. Councilmember Hornady seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

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

Motion was made by Hornady, second by Walker to approve Ordinances #8867, #8868, #8869, #8870, #8872 and #8873.

City Clerk: Ordinances #8867, #8868, #8869, #8870, #8872 and #8873 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 #8867, #8868, #8869, #8870, #8872 and #8873 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 #8867, #8868, #8869, #8870, #8872 and #8873 are declared to be lawfully passed and adopted upon publication as required by law.

Motion was made by Nickerson to approve Ordinance #8871 for a change of zone, the preliminary and final plats contingent on the developer resubmitting the plans with the streets dedicated to the public and built to the minimum (37 foot) Grand Island standard for residential public street. Second by Pielstick.

#8871 - Consideration of Change of Land Use Designation for Property Proposed for Platting as El Huerto Subdivision Located South of Capital Avenue and East of St. Paul Road from TA Transitional Agricultural to RD Residential Development

Approving Preliminary Plat for El Huerto Subdivision. It was noted that Ward F Hoppe, owner, had submitted the preliminary plat for El Huerto, located south of Capital Avenue and east of Saint Paul Road for the proposed development of 115 lots.

#2003-337 - Approving Final Plat and Subdivision Agreement for El Huerto Subdivision. It was noted that Ward F Hoppe, owner, had submitted the final plat for El Huerto Subdivision, located south of Capital Avenue and east of Saint Paul Road for the proposed development of 46 lots.

Discussion was held with regards to the width of streets, difficulty and inconvenience of narrow streets for emergency vehicles, costs of homes in this area, city standards for subdivisions and backyard buffer zones. Developer Fred Hoppe commented on this being an ideal location because of the schools, water and sewer access.

City Clerk: Ordinance #8871 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Meyer, Whitesides, Pielstick, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Councilmember Gilbert voted no. Motion adopted.

City Clerk: Ordinance #8871 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, Councilmembers Meyer, Whitesides, Pielstick, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Councilmember Gilbert voted no. Motion adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinance #8871 is declared to be lawfully passed and adopted upon publication as required by law.

Motion was made by Hornady, second by Cornelius to approve Ordinance #8874.

#8874 - Consideration of Amending Chapter 2 of the Grand Island City Code Relative to Community Redevelopment Authority

A lengthy discussion was held concerning the residency requirements, 2 mile jurisdiction, role of the City as it related to the CRA, state statutes, and other boards with similar requirements. Also

discussed were changes to the reference of the Community Projects Department which was to be deleted and the addition of a City Council liaison.

Tom O'Neill, 802 West Stolley Park Road commented on the discussion by council and supported the council taking more time to review this issue. John Luna, 712 East 8<sup>th</sup> Street supported the residency requirement.

Motion was made by Pielstick, second by Walker to amend the motion to delete the wording in the ordinance that read "or reside within two (2) miles of the corporate boundaries of the City of Grand Island". Upon roll call vote, Councilmembers Meyer, Whitesides, Pielstick, Pauly, Walker, and Haase voted aye. Councilmembers Gilbert, Nickerson, Cornelius, and Hornady voted no. Motion adopted.

City Clerk: Ordinance #8874 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Meyer, Whitesides, Pielstick, Pauly, Walker, and Haase voted aye. Councilmembers Gilbert, Nickerson, Cornelius, and Hornady voted no. Motion adopted.

City Clerk: Ordinance #8874 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, Councilmembers Meyer, Whitesides, Pielstick, Pauly, Walker, and Haase voted aye. Councilmembers Gilbert, Nickerson, Cornelius, and Hornady voted no. Motion adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinance #8874 is declared to be lawfully passed and adopted upon publication as required by law.

Motion was made by Hornady, second by Pielstick to deny Ordinance #8875.

#8875 – Consideration of Amending Chapter 2-61 of the Grand Island City Code Relative to the Community Development Advisory Board

Discussion was held with regards to studying this Ordinance and Ordinance #8876 at a study session.

#8876 – Consideration of Amending Chapter 19-3 of the Grand Island City Code Relative to the Library Board

Motion was made by Hornady, second by Pauly to refer Ordinances #8875 and #8876 to a Study Session. Upon roll call vote, all voted aye. Motion adopted.

#### CONSENT AGENDA:

Motion by Nickerson, second by Cornelius to approve the Request of Randy and Marianne Rapien for a Conditional Use Permit with the condition that landscaping would be completed by May 6, 2004. Upon roll call voted, all voted aye. Motion adopted.

Approving Request of Randy and Marianne Rapien for a Conditional Use Permit for a Dealer Used Car Lot Located at 215 Willow Street.

Motion by Hornady, second by Haase, carried unanimously to approve the Consent Agenda, excluding items G-6, G-9, and G-10 which had been voted upon earlier. Upon roll call vote, all voted aye. Motion adopted.

Receipt of Official Document – Civil Service Minutes of October 14, 2003.

Receipt of Official Document – Tort Claim Filed by Jerry and Pamela Miller.

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

Approving Request of Terry Carlson, 647 Swan Lane, for Liquor Manager Designation for Skagway Discount Department Stores, 1607 South Locust Street.

Approving Request of Union Pacific Railroad for a Conditional Use Permit for a Skid-Mounted Shed Located at 1219½ North Front Street.

#2003-335 - Approving Acquisition of Utility Easement Located at 524 South Webb Road. (B.E. and Bev J. Burhoop)

#2003-336 - Approving Acquisition of Utility Easement Located at 2903 East Highway 30. (James and Donna Allen)

#2003-338 - Approving Final Plat and Subdivision Agreement for Smith Acres Subdivision. It was noted that Helen Smith, owner, had submitted the final plat for Smith Acres, located north of Capital Avenue and west of Saint Paul Road for the proposed development of 1 lot.

#2003-339 - Approving Final Plat and Subdivision Agreement for Equestrian Meadows Subdivision. It was noted that Equestrian Meadows LLC, owners, had submitted the final plat for Equestrian Meadows Subdivision, located south of Stolley Park Road and east of South Locust Street for the proposed development of 6 lots.

#2003-340 - Approving Final Plat and Subdivision Agreement for Pomona Farms Subdivision. It was noted that Ann Martin and Douglas Axford, owners, had submitted the final plat for Pomona Farms Subdivision, located north of Quail Lane and west of Pheasant Drive for the proposed development of 1 lot.

#2003-341 - Approving Final Plat and Subdivision Agreement for Stoltenberg Acres Subdivision. It was noted that Wayne Stoltenberg, owner, had submitted the final plat for Stoltenberg Acres Subdivision, located north of Airport Road and west of North Road for the proposed development of 2 lots.

#2003-342 - Approving Final Plat and Subdivision Agreement for Westroads Estates Fifth Subdivision. It was noted that Diane Quandt, Laura & William Boersen, owners, had submitted

the final plat for Westroads Estates Fifth Subdivision, located south of Husker Highway and west of Summer Drive for the proposed development of 1 lot.

#2003-343 - Approving Correction of Assessments and Budget Adjustment for Business Improvement District No. 5.

#2003-344 - Approving Request to Move Forward with Implementation of Canine Unit.

#2003-345 - Approving Acquisition of Property Located at 3000 East Bismark Road Adjoining the South Side of the Waste Water Treatment Plant from Carole Yeager.

#2003-346 - Approving Purchase of (3) ½ Ton Trucks for Engineering, Underground and Storeroom Divisions of the Utilities Department through State Contract with Anderson Ford of Lincoln, Nebraska in an Amount of \$60,570.00.

#2003-347 - Approving Bid Award for Water Extension District 445 and Water Main District 446T with Starostka Group of Grand Island, Nebraska in an Amount of \$142,814.51.

#2003-348 - Approving Contract with Green Leaf Lawn Service of Grand Island, Nebraska for Parking Ramp in an Amount of \$360 per month for the months of April through October, and \$50 per month for the months of November through March, plus the sum of \$85 per hour for snow removal and \$15 per hour for additional special maintenance and Downtown Parking District No. 1 in an Amount of \$954 per month for the months of April through October, and \$132.50 per month for the months of November through March, plus the sum of \$85 per hour for snow removal and \$15 per hour for additional special maintenance.

#2003-349 - Approving Agreement with Kirkham Michael & Associates, Inc. of Omaha, Nebraska in an Amount not to Exceed \$16,600.00.

#2003-350 – Approving Authorization of Business Improvement Board to Administer Funds Collected for BID #3.

#2003-351 – Approving Authorization of Business Improvement Board to Administer Funds Collected for BID #4.

#### PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase, carried unanimously to approve the Claims for the period of November 5, 2003 through November 18, 2003, for a total amount of \$2,244,849.42. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:10 p.m.

Respectfully submitted,



RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G4

### **Approving Minutes of November 22, 2003 City Council Special Meeting**

*The Minutes of November 22, 2003 City Council Special Meeting are submitted for approval.  
See attached MINUTES.*

Staff Contact: RaNae Edwards

## OFFICIAL PROCEEDINGS

### CITY OF GRAND ISLAND, NEBRASKA

#### MINUTES OF CITY COUNCIL SPECIAL MEETING

November 22, 2003

Pursuant to due call and notice thereof, a Special Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Community Meeting Room of City Hall, 100 East First Street, on November 22, 2003. Notice of the meeting was given in the Grand Island Independent on November 17, 2003.

Mayor Jay Vavricek called the meeting to order at 10:00 a.m. The following members were present: Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Nickerson, Cornelius, Pauly, Hornady, Walker and Haase. The following City Officials were present: Interim City Administrator David Springer, City Clerk RaNae Edwards, and Human Resources Director Brenda Sutherland. Also present was Dr. Bill Giddings, Dee Price, Bob Sorensen, Robert Briseno, and Gale Larson of the Mayor's Citizens Committee.

PLEDGE OF ALLEGIANCE was said.

MAYOR COMMUNICATION: Mayor Jay Vavricek mentioned that the City flags would be flown at half staff on Monday, November 24, 2003 in remembrance of Howard Petersen, former Mayor and State Senator.

PUBLIC INTERVIEW WITH GARY GREER: Human Resources Director Brenda Sutherland, Councilmembers, and the Citizens Committee asked questions to better understand the candidate for the position of City Administrator. Mr. Greer answered questions concerning his desire to come to Grand Island, his experience in City Government and wanting to get back in to a City Administrator's position. He stated he was a person to get things done with integrity, sincerity, and a good work ethic.

Mr. Greer stated a City Administrator was a person who could facilitate consensus, needed to shoulder blame to take it away from the elected officials and be a leader. He also stated diversity were issues he had dealt with in both Manhattan, Kansas and Kearney, Nebraska when he worked there. Respect of diverse people was important, meeting them on their terms, the possibility of having city information written in Spanish and having employees who could speak Spanish would be helpful.

Mr. Greer commented on management styles. Openness, service to the citizens, mentoring staff, and work ethic of doing what needed to be done in a timely manner. Personnel issues were discussed when it came to terminating employees. Mr. Greer stated he tries to be a coach, have dignity in the process, and a professional duty to do what was right.

In his opinion, a balanced budget would be one where all expenses would be met with 15% in reserves. He believed highly in reserves. Management and leadership styles were brought out,

with Mr. Greer stating he had a family leadership style, was very motivated, very competitive but was working on patience. He felt he tried to understand both sides of an issue when working with council and mayor, and would do what the council and mayor wanted even if he felt differently. Meeting as many people as possible would be the first process in building credibility and confidence. Mr. Greer stated Economic Development was very important to any city. He also stated things do not get done unless you have communication. A City Administrator needed to look every day at what needed to be done and then make it happen.

RECESS: Council recessed from 11:45 a.m. to 12:30 p.m. for lunch.

PUBLIC INTERVIEW WITH ERIC SWANSON: Human Resources Director Brenda Sutherland, Councilmembers, and the Citizens Committee asked questions to better understand the candidate for the position of City Administrator. Mr. Swanson stated he would like to move to Grand Island because it would be a step up for his career and was excited about the city and what it had to offer. Explained was his 18 years of experience in government, enjoyment of working for and with people, and wanting to continue to work in the area of city government. Mr. Greer stated he is a good listener, has an open-door policy, is not afraid to make decisions or learn from mistakes made, is caring, optimistic, positive, and goal oriented

Mr. Greer stated that the three most crucial “people skills” a manager could possess were accessibility, listening, and an open-door policy. He spoke about recognition of employees being important along with pay. Communication, trust, timeliness, and day-to-day operations were mentioned as the responsibility of the City Administrator to the City Council.

Building trust to break down barriers was mentioned in addressing cultural diversity. Mr. Greer stated leadership was a process where you focus on what it takes to execute the plan to accomplish your goals. A good leader was someone who was a good follower. He stated it was important to make work fun and a family atmosphere and that you show you care about the employees.

Mr. Greer stated his strongest abilities as an administrator were visionary and day-to-day operations working with others. If hired for this position he would like to “hit the ground running” by meeting as many people as possible.

He mentioned that Economic Development was very important and that the City needed to be ready to have the site ready to go before the businesses came to this area. The City needed to be the key player. He also stated it was important to help existing businesses expand.

Mr. Greer stated communication was a process and he had brought innovation to that process, through phone calls, personal contacts, and whatever it took.

EXECUTIVE SESSION: Motion was made by Pielstick, second by Cornelius, to adjourn to Executive Session at 1:40 p.m. for the purpose of discussing the City Administrator candidates. Motion carried unanimously.

RETURN TO REGULAR SESSION: Motion was made by Pielstick, second by Hornady, to return to Regular Session at 3:15 p.m. Motion carried unanimously.

ADJOURNMENT: The meeting was adjourned at 3:15 p.m.

Respectfully submitted,

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G5

### **Approving Minutes of November 25, 2003 City Council Study Session**

*The Minutes of November 25, 2003 City Council Study Session are submitted for approval.  
See attached MINUTES.*

Staff Contact: RaNae Edwards

## OFFICIAL PROCEEDINGS

### CITY OF GRAND ISLAND, NEBRASKA

#### MINUTES OF CITY COUNCIL STUDY SESSION

November 25, 2003

Pursuant to due call and notice thereof, a Study Session of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on November 25, 2003. Notice of the meeting was given in the Grand Island Independent on November 19, 2003.

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

Mayor Communication: Mayor Vavricek commented on the death of Howard Peterson, former Grand Island Mayor and State Senator and the fact that the city observed this by flying the city flags at half staff and a moment of silence yesterday. Also mentioned was the search of the City Administrator position with an offer being made to one of the candidates in hopes of receiving an answer by tomorrow.

Recognition of Grand Island Northwest Volleyball Team for Class B State Championship. The Mayor and City Council recognized the Grand Island Northwest Girls Volleyball Team for their State Championship in Class B Volleyball. Coach Diane Rouzee, Assistant Coach Ms. Purdee and the Grand Island Northwest Girls Volleyball Team were present to receive the recognition certificate.

Update on the Heartland Events Center Campaign. Philip Geissal, Resident Director of Fund Raising for the Heartland Events Center Campaign gave the Mayor and Council an update on the Heartland Events Center campaign. Mr. Geissal stated they were moving towards their final goal of \$35 million. Currently 55 volunteers were working with current and previous contributors to encourage further contributions towards this campaign. Forty-five foundations had been contacted and ads were being published. The community portion of the campaign would begin in mid-December. Currently there was \$30.5 million collected for the events center.

Discussed were the problems of the arena in Kearney. Mr. Geissal stated this events center would be opened with no debt service. Mayor Vavricek commented on this being the largest fund raising campaign ever undertaken in the City of Grand Island.

Discussion Concerning Residency Requirements for Members of Municipal Boards. Doug Walker, City Attorney reported that it had recently come to the attention of City Officials that there was a member of the Library Board and a member of the Community Development Advisory Board that lived outside of the city limits.

The membership requirements for these two boards were being brought up for discussion in conjunction with the CRA Board membership that was recently addressed by the City Council at its November 18th meeting. Grand Island City Code Section 19-3 required that the Mayor appoint a seven member Library Board. The members were to be chosen from "the Citizens at large". Mr. Walker believed that this ordinance implied that membership was restricted to residents of the City; however this language was somewhat ambiguous. Grand Island City code section 2-61 required the appointment of a Community Development Advisory Committee. Six of the members were to be "representatives of the citizens of Grand Island" and a seventh member was to be a member of the City Council. The wording on this ordinance implied that its members were to be residents of the City; however, there was also ambiguity with the way this ordinance was worded as well.

Mr. Walker stated the language in these ordinances was being brought up for discussion at this time to determine if the Council was interested in making revisions to each ordinance that would clarify whether membership on these municipal boards was to be restricted to residents of the City of Grand Island

Councilmember Pielstick asked how much the county supported the Library, of which Library Director Steve Fosselman stated around \$70,000. She stated she did not have a problem with having the language of the Library board to include the 2 mile jurisdiction, but with the Community Development Advisory Committee she felt it should be residents of Grand Island. Councilmember Whitesides supported making all boards consistent and the board members be required to be residents of Grand Island with those people serving on those boards that were not residents being able to finish out their term.

City Attorney Doug Walker stated that if this change was to be made it would require that those persons not within the city limits would have to be replaced as was done with the CRA board last week. Reviewed were those boards that had residency requirements.

Joe Cook, 403 Ponderosa Drive, President of the Library Board explained the seven member board and what they do. Discussion was held with regards to representatives from Hall County.

Jeri Garrouette, Community Development Director explained the Community Development Advisory Boards responsibility and that they do administer grants funds for Hall County.

Councilmember Cornelius suggested that this issue be further studied and be brought back to council. Councilmember Pielstick asked that the Mayor require staff to make the changes to City Code for these two boards that would require residents of Grand Island be appointed to these boards and be brought back to council at the next regular meeting.

After further discussion and no consensus from the Council, Mayor Vavricek stated these ordinances would be brought back to the December 9, 2003 City Council meeting with the wording requiring residency for these boards. Council could then either approve or deny the ordinances at that time.



Discussion Regarding Traffic Safety on Second Street from Grant Street to Greenwich Avenue. Steve Riehle, Public Works Director reported that the Nebraska Department of Roads (NDOR) had a widening project on the board for this section of Second Street (US Highway 30) since the 1970's. The project was currently scheduled for construction in 2007. The Transportation and Safety Sub-Committees of the Comprehensive Plan Update Committee both listed traffic safety on Second Street as one of their concerns. Presented were details regarding accident history on this segment of roadway, measures that had been used to improve safety, suggestions to improve safety for the next few years till the roadway was re-built, and safety features that would be included in the NDOR's project.

The following problems were listed on Second Street:

- Accident counts were high
- Drive up window traffic backs up onto highway plugging outside lanes
- Left turning vehicles plug inside lanes
- Too many entrance and exit points off highway
- Pedestrians find it difficult to cross
- Traffic waiting for trains backs up to 2<sup>nd</sup> Street
- 2<sup>nd</sup> & Broadwell intersection is very busy

The following next steps were suggested:

- Work with businesses
  - Educate customers
  - Study driveway locations
- Signal Warrants
  - Not close at 2<sup>nd</sup> & Lincoln
  - Driveway changes at 2<sup>nd</sup> & Jefferson could raise warrants
- Continue to monitor and patrol

Discussion was held with regards to looking at traffic on Stolley Park Road that would affect 2<sup>nd</sup> Street and making no left hand turns on 2<sup>nd</sup> Street in certain areas.

Discussion Concerning the Library Expansion. Library Board President Joe Cook and Library Director Steve Fosselman presented an annual Future Community Library Requirements update. The report covered past planning and community studies for an expanded facility in effect since 1997; descriptions of past and present uses of the current facility as well as future needs that could be addressed through a planned expansion; and broad planning considerations necessary at this time to move this project ahead.

A power point presentation was presented to the Mayor and City Council to show the changes that had taken place at the library due to growth in the usage of the library. Mr. Cook stated that a one time expansion of 50,000 square feet was being recommended. Also presented was extra parking, 2<sup>nd</sup> Street turning lane, branch libraries, cost projections in the amount of \$7.3 million, and funding considerations.

Jerry Bryant, Library Board member discussed the impossibility of building a second story and that the location of the current library was central to the city and a perfect location. Discussed

was a branch library in the northwest part of Grand Island associated with the schools which would be looked into in the future.

Interim City Administrator David Springer stated this project was targeted for the Fiscal Year 2006-2007. Also mentioned was the Public Works Department project on 2<sup>nd</sup> Street which was also scheduled for 2006-2007, of which a half cent sales tax could be used.

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

Respectfully submitted,

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G6

### **Approving Minutes of December 2, 2003 City Council Study Session**

*The Minutes of December 2, 2003 City Council Study Session are submitted for approval. See attached MINUTES.*

Staff Contact: RaNae Edwards

## OFFICIAL PROCEEDINGS

### CITY OF GRAND ISLAND, NEBRASKA

#### MINUTES OF CITY COUNCIL STUDY SESSION

December 2, 2003

Pursuant to due call and notice thereof, a Study Session of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on December 2, 2003. Notice of the meeting was given in the Grand Island Independent on November 26, 2003.

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

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

Recognition of Gdowski's and Ramsey's for the Nebraska Community Improvement Award for Kid's Kingdom. The Mayor and City Council recognized Tom and Becky Gdowski and Kirk and Katie Ramsey, Co-Chairpersons for the Kid's Kingdom playground project at Stolley Park. The City of Grand Island was honored an award from the Nebraska Community Improvement Program for the outstanding efforts of the entire community in achieving a themed playground covering 28,000 square feet. An estimated 27,000 hours of volunteer effort involving about 2,400 people were invested in the construction of the playground over six days. Tom and Becky Gdowski, Herb Worthington, and former Mayor Ken Gnadt were present for this recognition.

Review of the Planning Commission and the Grand Island Comprehensive Plan Update. Chad Nabity, Regional Planning Director explained the Hall County Regional Planning Commission was created through an Interlocal Agreement between Grand Island, Hall County, Wood River, Alda, Cairo, Doniphan, and Parkview in 1967 and was readopted in 1974. There were twelve members on the Planning Commission.

Mr. Nabity stated that a comprehensive plan was a plan for future growth and development based on hopes, dreams, visions, and goals of the community. Also it was a legal prerequisite if a community wanted zoning. Zoning and Subdivision regulations provided tools which effect the overall development of the plan.

Mr. Nabity stated JEO Consulting, Inc. of Wahoo, Nebraska had been hired to update the comprehensive plan. Total cost was \$218,065 of which \$70,679 was Grand Island's share. A review of the timeline was presented from 2001 through 2004. It was projected that in February or March this plan would come before Council for adoption. It was mentioned that this was a 20 year plan, but would probably be updated in 10 years due to changes in the community.

Presentation Concerning the Use of Plastic Pipe. Gary Mader, Utilities Director reported that with the discovery of Volatile Organic Compound (VOC) contamination in private domestic wells in the Mary Lane and Kentish Hills Subdivision in Grand Island, the Utilities Department immediately began design of City Water Main extensions into those areas to provide a safe drinking water supply. During the course of this water main work, Diamond Plastics offered to provide PVC water main pipe, at no cost, for the water main extensions. Because of concerns with the permeation of PVC pipe by the known organic compound contamination, the offer to provide free pipe was not accepted.

Nebraska Health and Human Services (NHHS) regulations, Distribution Systems, Section 8.0, Materials, state “where distribution systems are installed in areas of ground water contaminated by organic compounds... non-permeable materials shall be used for all portions of the system...” PVC and other plastic materials can be susceptible to permeation by VOC compounds. Iron materials are not permeable to organic compounds. Therefore, the water main extensions were designed of ductile iron pipe with joint gaskets specified that are of a material designed to resist VOC permeation. Per NHHS direction, the design of the water main extensions were submitted to NHHS for that Department’s review. It was the recommendation of the Utilities Department that the water main design with ductile iron pipe be maintained of which CNH had agreed to pay for those water main extensions.

Dennis Bauer, 2416 Arrowhead Road, Shah Rahman, Regional Engineer of Uni-Bell and Robert Walker Executive Director of Uni-Bell, Dallas, Texas, Elroy Smith, 411 Johnson Drive, Jerry Parkinson, Hastings, Nebraska, and Ron Bishop, Vice-President of Diamond Plastic spoke in support of PVC pipe and explained why the city should use PVC pipe and that it was safe. Discussion was held with regards to gaskets and permeation.

Lock Box Presentation, Fire Department Request. Fire Chief Jim Rowell introduced Fred Hotz, representing the Fire Prevention Division of the Fire Department presented an overview of the Lock Box program and the benefit it provided to the community, individual business owners, fire department operations as well as safety benefits to fire personnel. The Lock Box program were boxes that would be attached to structures that would be used to gain access. The Fire Department would have one key on the fire trucks to gain access to these lock boxes which would have the key to the structure/business allowing the Fire Department access. It was mentioned that an ordinance allowing participation in the program would be presented to Council in the future.

Life Cycle Cost Comparison of Asphalt Versus Concrete on South Locust Street Between Stolley Park Road and Fonner Park Road. Steve Riehle, Public Works Director reported that the original concept for improving South Locust Street between Stolley Park Road and Fonner Park Road provided for moving the sidewalks back away from the curbs, installing pedestrian lighting, upgrading the roadway lighting, and adding landscaping elements. Since a number of the driveways were going to be shifted, moved, combined or eliminated, staff felt it was a good time to overlay the road with asphalt. The curb needed to be replaced to provide for drainage and to increase the life of an asphalt overlay.

Discussions with the engineers and contractors resulted in a decision to replace the out side lanes of the roadway, build an integral curb and gutter section, and overlay all 5 lanes with asphalt. Staff had never felt that the asphalt overlay was the best long-term solution. Both the contractor and the Business Improvement District had indicated that they believed the cities long-term investment would be best served by using concrete.

The switch from asphalt to concrete would cost almost \$250,000. Concrete was less expensive then asphalt over the life of the pavement, but had a higher up front cost. In addition, the annual maintenance costs for concrete were less than they were for asphalt. Asphalt would need to be replaced every 8 years at a cost of \$80,000 (using today's dollars). The life cycle cost for concrete would be less then asphalt as long as the concrete lasted longer then 24 years. Concrete had an expected life of 25 to 40 plus years. The city would incur up front costs of almost \$250,000 to reduce future costs.

Mr. Riehle stated that if council supported the change, city staff would review the 400 Capital Improvements Budget to see if there was money from other projects that could be used to change the project from an asphalt overlay to full depth concrete and come back for council approval at the December 9, 2003 Regular City Council Meeting.

Discussion was held with regards to delays, access to businesses on South Locust, and money in the budget, if the city went with concrete instead of asphalt. It was the consensus of the Council to go with concrete and bring it back on December 9, 2003 Regular City Council Meeting.

ADJOURNMENT: The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G7

### **Approving Minutes of December 2, 2003 City Council Special Meeting**

*The Minutes of December 2, 2003 City Council Special Meeting are submitted for approval.  
See attached MINUTES.*

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL SPECIAL MEETING

December 2, 2003

Pursuant to due call and notice thereof, a Special Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Community Meeting Room of City Hall, 100 East First Street, on December 2, 2003. Notice of the meeting was given in the Grand Island Independent on November 26, 2003.

Mayor Jay Vavricek called the meeting to order at 9:25 p.m. The following members were present: Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Nickerson, Cornelius, Pauly, Hornady, Walker and Haase. The following City Officials were present: Interim City Administrator David Springer, City Clerk RaNae Edwards, City Attorney Doug Walker and Human Resources Director Brenda Sutherland.

EXECUTIVE SESSION: Motion was made by Pielstick, second by Hornady, to adjourn to Executive Session at 9:25 p.m. for the purpose of discussing Personnel Issues, Possible Land Acquisition and Litigation. Motion carried unanimously.

RETURN TO REGULAR SESSION: Motion was made by Pielstick, second by Hornady, to return to Regular Session at 10:35 p.m. Motion carried unanimously.

ADJOURNMENT: The meeting was adjourned at 10:35 p.m.

Respectfully submitted,

RaNae Edwards  
City Clerk





# City of Grand Island

Tuesday, December 09, 2003

## Council Session

### Item G8

#### **Approving Councilmember Appointments to Boards and Commissions**

*The following appointments are submitted for approval: Building Code Advisory Board - Bob Meyer; BID #3 - Carole Cornelius; BID #4 - Bob Meyer; BID #5 - Jackie Pielstick and Peg Gilbert; City County Communications/Civil Defense Committee - Peg Gilbert, Scott Walker, and Fred Whitesides; Community Development Advisory Board - Jackie Pielstick; Community Redevelopment Authority - Margaret Hornady; Grand Island Area Economic Development Corporation - Carole Cornelius; Health Board - Mitch Nickerson; Nebraska League of Municipalities - Scott Walker; Library Board - Margaret Hornady; Local Government Facility Planning - Scott Walker and Fred Whitesides; Natural Gas Rate Area Representative - Margaret Hornady; Problem Resolution Team - Bob Meyer and Jackie Pielstick; Regional Planning Commission - Joyce Haase and Mitch Nickerson; Systems Information Advisory Committee (City/County) - Margaret Hornady; Transportation Committee - Don Pauly and Peg Gilbert. The appointments shall become effective on January 1, 2004 and will expire on December 31, 2004. Approval is recommended.*

Staff Contact: Mayor Vavricek



# City of Grand Island

Tuesday, December 09, 2003

## Council Session

### Item G9

#### **Approving Appointments to the Community Redevelopment Authority Board**

*There are currently two openings on the Community Redevelopment Authority Board due to the resignation of John Brownell and Scott Zana. The purpose of the Community Redevelopment Authority is to be a useful tool in economic development and to enable a wide variety of improvements within their blighted and substandard project area. Included in the abilities of the Authority are employing tax increment financing, expending funds to acquire substandard or blighted areas including land, buildings and improvements, demolition or removal of buildings and funding infrastructure improvements. Members of the Authority are appointed by the Mayor, with Council approval, for a term of 5 years. Members are not limited to one term. Mayor Vavricek has received letters of interest from 11 community volunteers, and is requesting Council approval of Glen Murray to fill the unexpired term of John Brownell, and Tom Gdowski to fill the unexpired term of Scott Zana. Approval is recommended.*

Staff Contact: Mayor Vavricek



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G10

**Approving Request of Copas de Oro, Inc. dba Copas de Oro, 413  
West 4th Street for a Class "C" Liquor License**

*This item refers to the aforementioned Public Hearing. Council can approve, deny, or make no recommendation to the Nebraska Liquor Control Commission. Approval is recommended contingent upon final inspections.*

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G11

### **Approving Request of Christian Solorio Perez, 516 North Sycamore Street, Apt. 2 for Liquor Manager Designation for Copas de Oro, 413 West 4th Street**

*Christian Solorio Perez, 516 North Sycamore Street, Apt. 2 has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "C" Liquor License for Copas de Oro, 413 West 4th Street discussed earlier. This application has been reviewed by the Police Department and City Clerk's Office. Approval is recommended.*

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G12

### **Approving Request of Perez, Inc. dba El Rodeo, 106 East 3rd Street for a Class "C" Liquor License**

*This item refers to the aforementioned Public Hearing. Council can approve, deny, or make no recommendation to the Nebraska Liquor Control Commission. Approval is recommended contingent upon final inspections.*

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G13

**Approving Request of Silvia Perez Cervantez, 411 East 4th Street, Apt. 1 for Liquor Manager Designation for El Rodeo, 106 East 3rd Street**

*Silvia Perez Cervantez, 411 East 4th Street, Apt. 1 has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "C" Liquor License for El Rodeo, 106 East 3rd Street discussed earlier. This application has been reviewed by the Police Department and City Clerk's Office. Approval is recommended.*

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G14

**Approving Request of Estela Ayala, 3720 West State Street, Apt. D12 for Liquor Manager Designation for El Toro Mexican Restaurant, 3425 West State Street**

*Estela Ayala, 3720 West State Street, Apt. D12 has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "I-61118" Liquor License for El Toro Mexican Restaurant, 3425 West State Street. This application has been reviewed by the Police Department and City Clerk's Office. Approval is recommended.*

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G15

**Approving Request of Roger Roscoe for a Conditional Use Permit  
for a Used Car Lot Located at 1021 East 4th Street**

*This item relates to the aforementioned Public Hearing. Council may approve, deny, or place  
conditions upon any approval.*

Staff Contact: Craig Lewis





# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G16

### **#2003-352 - Approving Correction to Terms of Office for Members of the Community Redevelopment Authority (CRA) Board**

*During recent discussions of CRA membership, it was recognized that CRA Board member terms should be redefined to insure understanding of when each term should expire. With the appointment of two new Board members, it is appropriate to review the five year terms for accuracy. Following the appointments to be made by Council on December 9, 2003, it is recommended that Council pass a Resolution approving the following Board terms, which would be set to expire on September 30th of each year, in order to comply with the end of the fiscal year. The recommended terms would end as follows:*

*Glen Murray            September 30, 2004*

*Lee Elliott            September 30, 2005*

*Tom Gdowski            September 30, 2006*

*Barry Sandstrom            September 30, 2007*

*Sue Pirnie            September 30, 2008*

*Members would then be eligible for additional five year terms as recommended by the Mayor and approved by Council.*

Staff Contact: David Springer

RESOLUTION 2003-352

WHEREAS, state law allows the creation of a community redevelopment authority, the appointment of five members to such authority, and the terms of office of such members; and

WHEREAS, after reviewing the list of officers of the Community Redevelopment Authority of the City of Grand Island, Nebraska, and their respective terms of office, it is necessary to clarify the current members of the authority as well as the expiration of their term of office.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the current members of the Community Redevelopment Authority of Grand Island, Nebraska, and the expiration date of their appointment as authority members are set out as follows:

<u>Authority Member</u>	<u>Expiration of Term</u>
Lee Elliott	September 30, 2005
Barry Sandstrom	September 30, 2007
Sue Pirnie	September 30, 2008

BE IT FURTHER RESOLVED, that the Community Redevelopment Authority presently has two vacancies; the appointment of such members will be to fill the unexpired terms of office of such former members, one of which will expire in 2004, the other in 2006.

BE IT FURTHER RESOLVED, that Glen A. Murray is hereby appointed to serve the remaining term of office for the vacancy which will expire on September 30, 2004, and Tom Gdowski is hereby appointed to serve the remaining term of office for the vacancy which will expire on September 30, 2006.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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

Approved as to Form	☐ _____
December 4, 2003	☐ City Attorney



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G17

### **#2003-353 - Approving Acquisition of Utility Easement - 1304 W. 2nd Street - James A. Martinez**

*This item relates to the aforementioned Public Hearing.*

***Background:***

*Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of James A. Martinez (Russ' Car Wash), located in the rear of property located at 1304 West 2nd Street, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.*

*The business is upgrading the machinery thus needing increased electrical capacity. A pad mounted transformer and underground cable will be located in the new easement.*

***Recommendation:***

*Approve the request to obtain the needed easement.*

***Fiscal Effects:***

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

***Alternatives:***

*As suggested by City Council.*

**Staff Contact: Gary R. Mader**

RESOLUTION 2003-353

WHEREAS, a public utility easement is required by the City of Grand Island, from James A. Martinez, a single person, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on December 9, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Eight (8), Block Three (3), Spaulding & Gregg's Addition to the city of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

The northerly fifteen (15.0) feet of the westerly fifteen (15.0) feet of the easterly thirty (30.0) feet of Lot Eight (8), Block Three (3), Spaulding & Gregg's Addition.

The above-described easement and right-of-way containing 225 square feet, more or less, as shown on the plat dated November 3, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

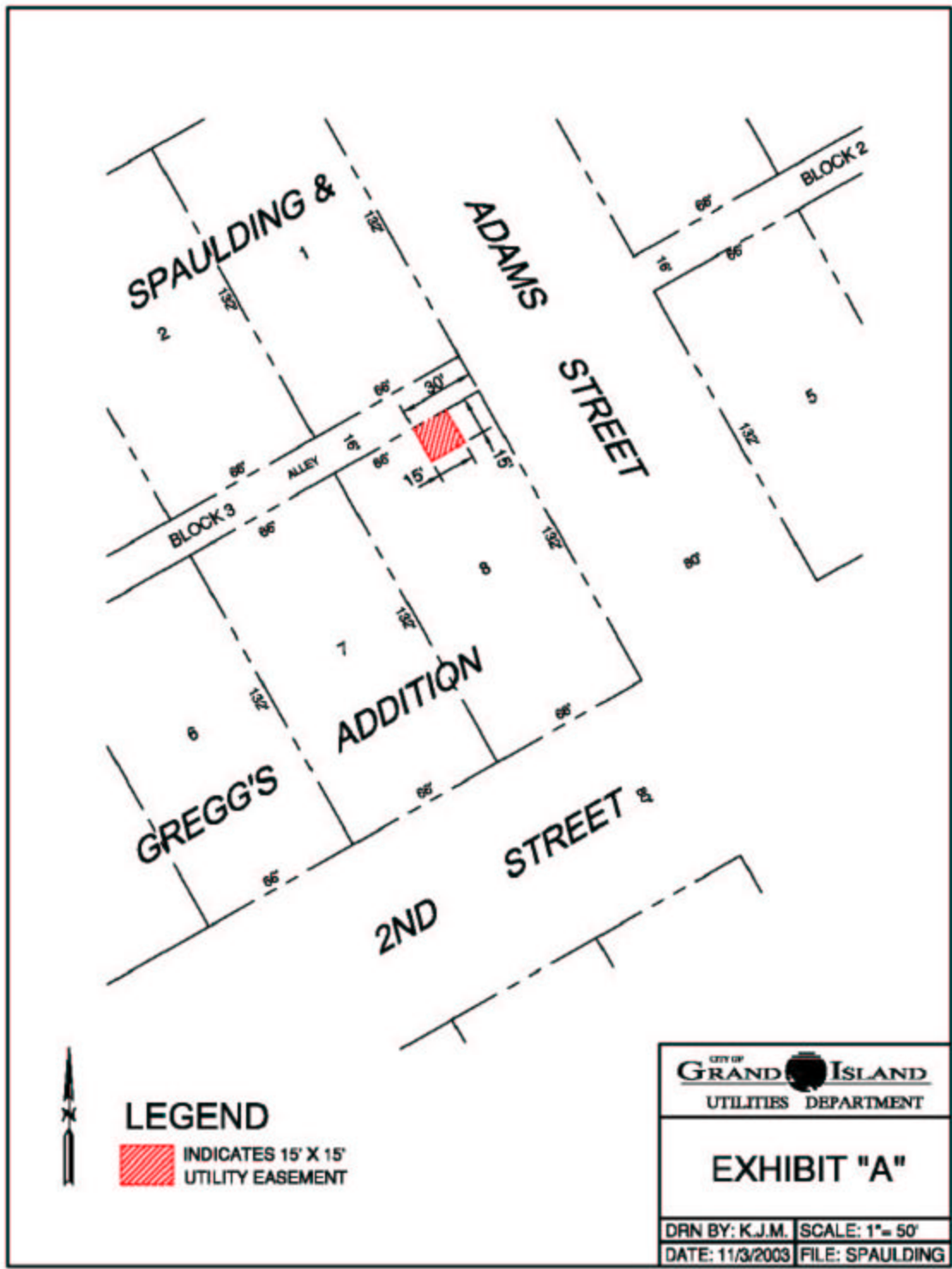
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from James A. Martinez, a single person, on the above-described tract of land.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G18

### **#2003-354 - Approving Acquisition of Utility Easement - Along the South Side of Capital Avenue, East of U.S. Highway 30 - Michael Baxter**

*This item relates to the aforementioned Public Hearing.*

***Background:***

*Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of Michael F. Baxter, located along the south side of Capital Avenue, east of U.S. Highway 30, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.*

*This easement will be used to relocate the overhead power lines due to the expansion of East Highway 30.*

***Recommendation:***

*Approve the request to obtain the needed easement.*

***Fiscal Effects:***

*Five hundred ten dollars (\$510.00) for the easement will be paid to the grantor.*

***Alternatives:***

*As suggested by City Council.*

**Staff Contact: Gary R. Mader**

RESOLUTION 2003-354

WHEREAS, a public utility easement is required by the City of Grand Island, from Michael F. Baxter, a single person, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on December 9, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of the Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) of Section Twelve (12), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Beginning at the intersection of the southerly right-of-way line of Capital Avenue and the platted easterly line of Mettenbrink Subdivision; thence easterly along the southerly right-of-way line of said Capital Avenue, a distance of four hundred seventy two and eighty two hundredths (472.82) feet; thence deflecting right 90°02'47" and running southerly, a distance of fifteen and eleven hundredths (15.11) feet; thence deflecting right 88°55'55" and running westerly, a distance of four hundred seventy two and forty eight hundredths (472.48) feet to a point on the platted easterly line of said Mettenbrink Subdivision; thence northerly along the platted easterly line of said Mettenbrink Subdivision, a distance of twenty three and fifty three hundredths (23.53) feet to the said point of beginning.

The above-described easement and right-of-way containing 0.203 acres, more or less, as shown on the plat dated October 13, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Michael F. Baxter, a single person, on the above-described tract of land.

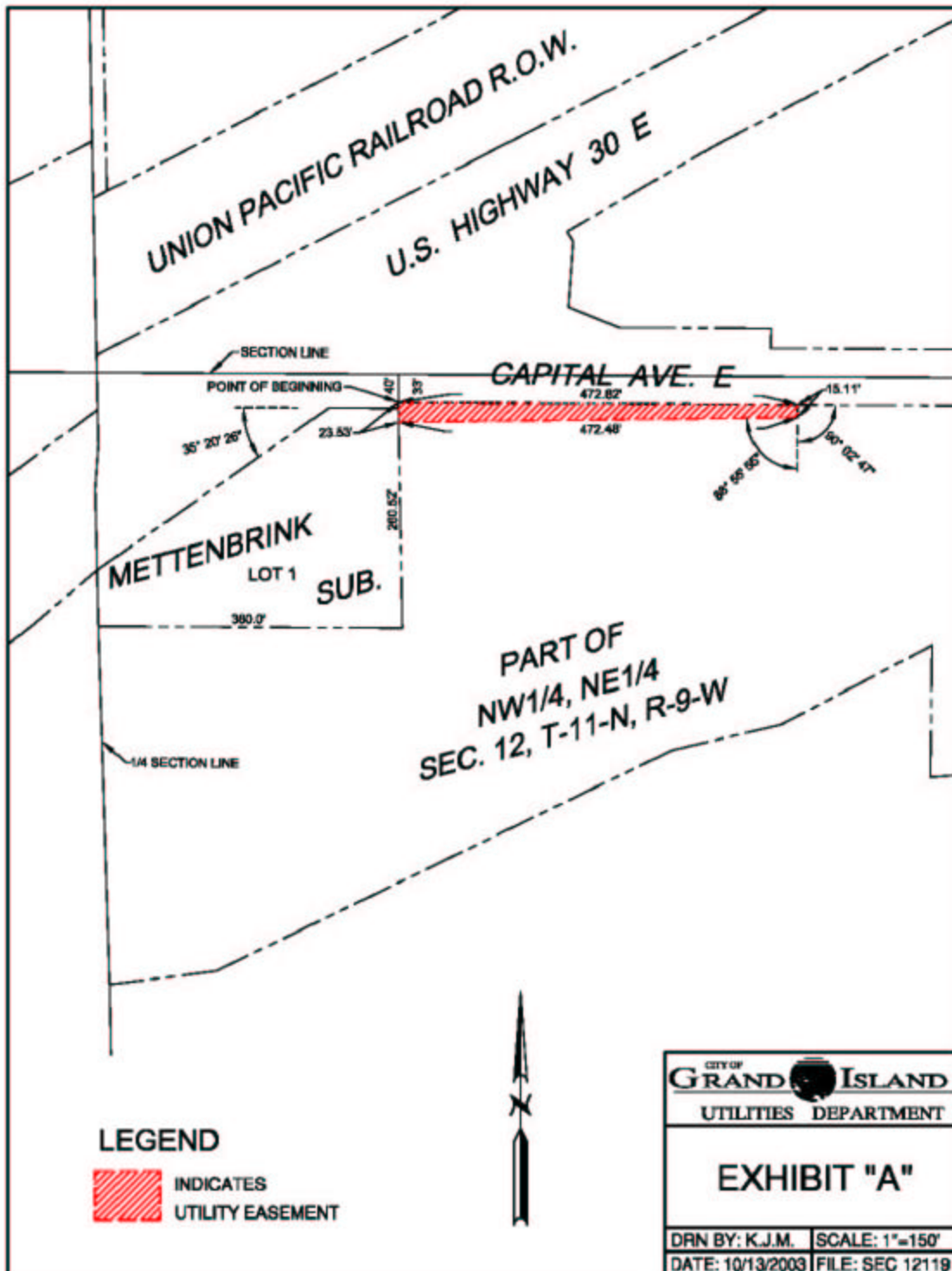
- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 4, 2003	☐ City Attorney







# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G19

### **#2003-355 - Approving Acquisition of Utility Easement - Gunbarrel & East Highway 30 - Eloy R. Uribe and Oralia Erives**

*This item relates to the aforementioned Public Hearing.*

**Background:**

*Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of Eloy R. Uribe and Oralia Erives located in the northeast corner of the trailer park located at Gunbarrel and East Highway 30, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.*

*This easement will be used to locate a single phase pad-mount transformer to serve the trailers not relocated due to the Highway 30 expansion.*

**Recommendation:**

*Approve the request to obtain the needed easement.*

**Fiscal Effects:**

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

**Alternatives:**

*As suggested by City Council.*

**Staff Contact: Gary R. Mader**

RESOLUTION 2003-355

WHEREAS, a public utility easement is required by the City of Grand Island, from Eloy R. Uribe and Oralia Erives, husband and wife, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on December 9, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of the Northwest Quarter of the Southwest Quarter (NW1/4, SW1/4) of Section Six (6), Township Eleven (11) North, Range Eight (8) West of the 6<sup>th</sup> P.M. in Merrick County, Nebraska, the centerline of the 20 foot wide easement and right-of-way being more particularly described as follows:

Referring to the southwest corner of the Southwest Quarter of Section Six (6), Township Eleven (11) North, Range Eight (8) West; thence northerly along the westerly line of said Southwest Quarter, a distance of one thousand two hundred fifty two and thirty three hundredths (1,252.33) feet; thence deflecting right 64°09'01" and running northeasterly, a distance of nine hundred one and three tenths (901.3) feet; thence deflecting right 117°37'58" and running southerly, a distance of forty five and thirty eight hundredths (45.38) feet to a point on the southerly right-of-way line of U.S. Highway 30, being the point of beginning; thence continuing southerly on the last described bearing, a distance of one hundred thirty two (132.0) feet.

The above-described easement and right-of-way containing 0.06 acres, more or less, as shown on the plat dated October 31, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

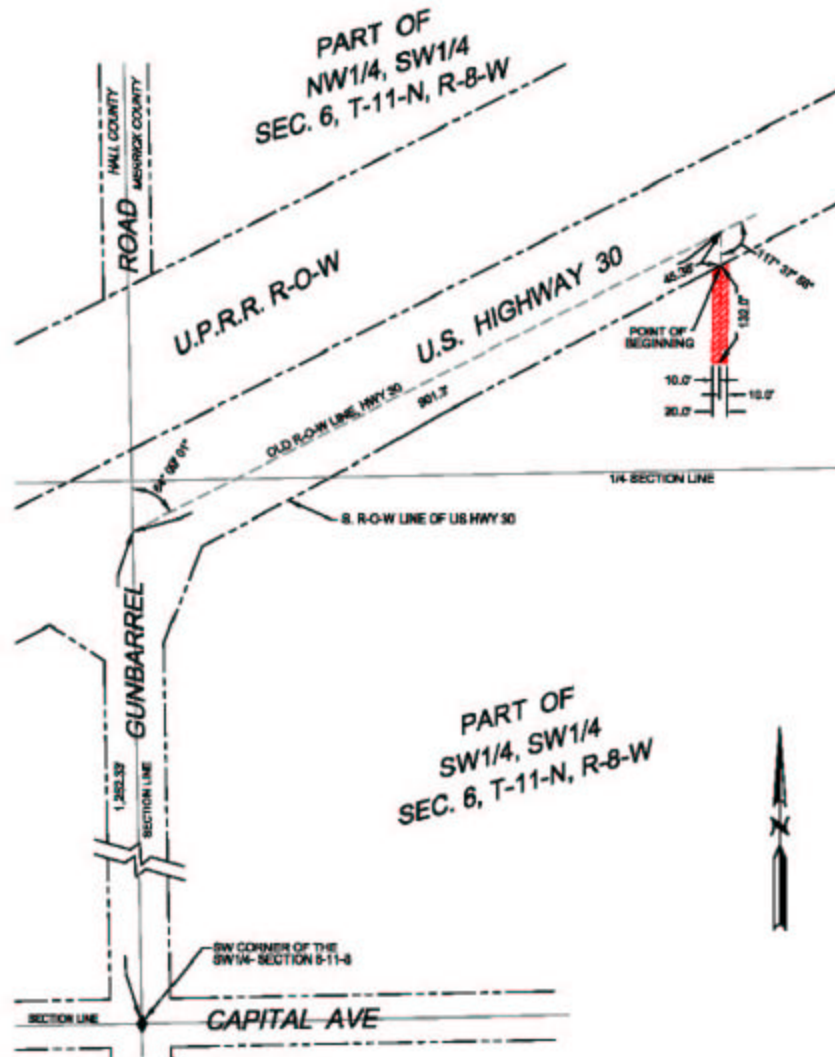
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Eloy R. Uribe and Oralia Erives, husband and wife, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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

Approved as to Form	☐ _____
December 4, 2003	☐ City Attorney



**LEGEND**

 INDICATES 20' WIDE  
UTILITY EASEMENT

CITY OF  
**GRAND ISLAND**  
UTILITIES DEPARTMENT

**EXHIBIT "A"**

DRN BY: K.J.M.	SCALE: 1"= 200'
DATE: 10/31/2003	FILE: SEC. 6.11.8



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G20

### **#2003-356 - Approving Acquisition of Utility Easement - 4305 East Highway 30 - Mettenbrink Electric Corp.**

*This item relates to the aforementioned Public Hearing.*

***Background:***

*Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of Mettenbrink Electric Corp. located in front of Mettenbrink Electric property located at 4305 East U.S. Highway 30, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.*

*This easement will be used to relocate an overhead power line due to the Highway 30 expansion.*

***Recommendation:***

*Approve the request to obtain the needed easement.*

***Fiscal Effects:***

*Three hundred thirty dollars (\$330.00) for the easement will be paid to the grantor.*

***Alternatives:***

*As suggested by City Council.*

**Staff Contact: Gary R. Mader**

RESOLUTION 2003-356

WHEREAS, a public utility easement is required by the City of Grand Island, from Mettenbrink Electric Corp., a Nebraska corporation, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on December 9, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot One (1) Mettenbrink Subdivision, located in Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Beginning at the northeast corner of Lot One (1) Mettenbrink Subdivision; thence westerly along the northerly line of Lot One (1) said Mettenbrink Subdivision, a distance of eighty two and thirty three hundredths (82.33) feet; thence deflecting left 35°20'26" and running southwesterly, a distance of thirty one and ninety four hundredths (31.94) feet; thence deflecting left 145°40'52" and running easterly, a distance of one hundred eight and eighty three hundredths (108.83) feet to a point on the easterly line of Lot One (1) said Mettenbrink Subdivision; thence northerly along the easterly line of Lot One (1) said Mettenbrink Subdivision, a distance of sixteen and fifty three hundredths (16.53) feet to the said point of beginning.

The above-described easement and right-of-way containing 0.038 acres, more or less, as shown on the plat dated October 13, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Mettenbrink Electric Corp., a Nebraska corporation, on the above-described tract of land.

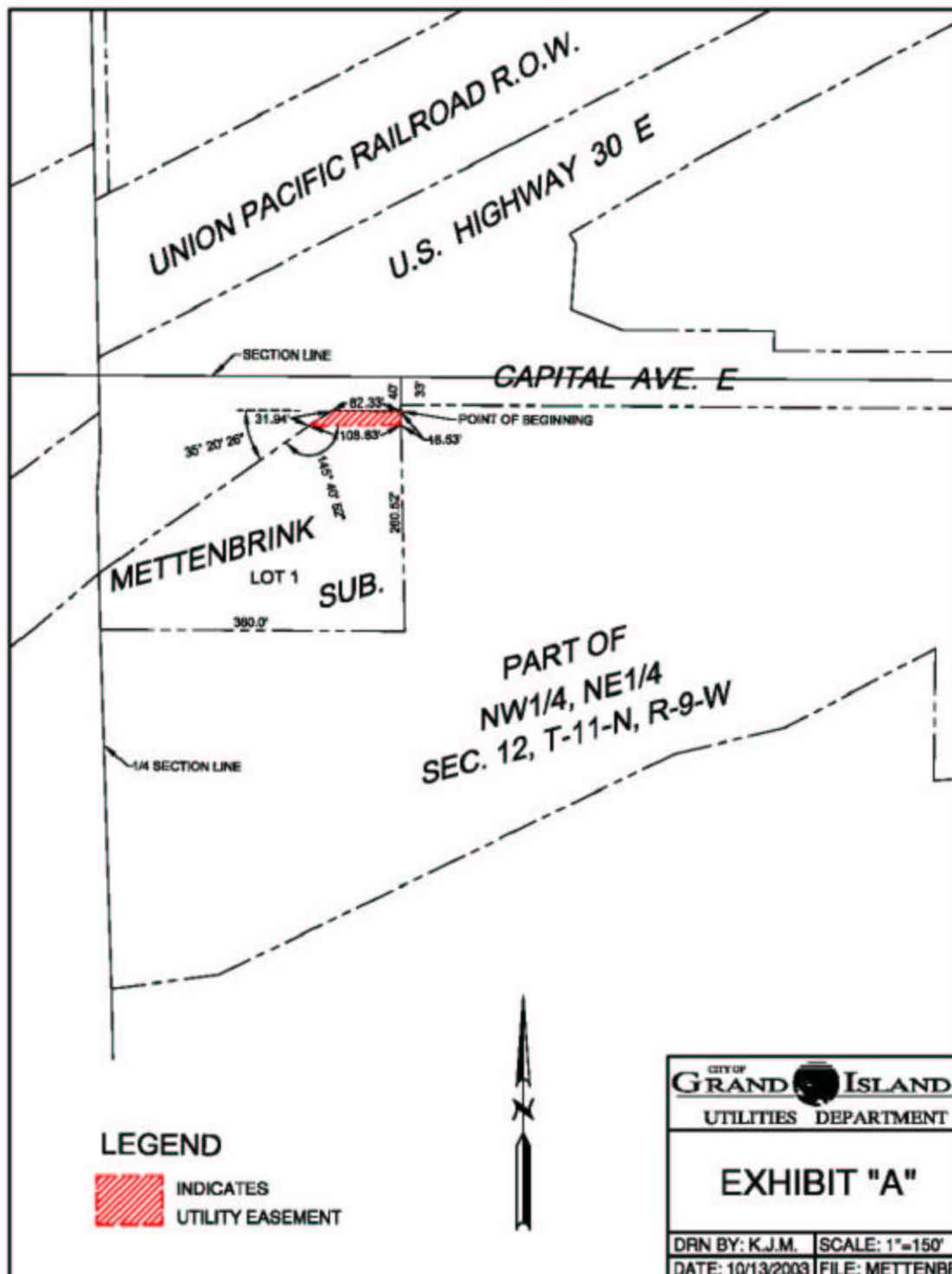
- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 4, 2003	☐ City Attorney





# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G21

### **#2003-357 - Approving Acquisition of Utility Easement - 4703 East U.S. Highway 30 - Wilbur Donald & Velma Hillman**

*This item relates to the aforementioned Public Hearing.*

***Background:***

*Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of Wilbur Donald and Velma L. Hillman located in front of property located at 4703 East U.S. Highway 30, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.*

*This easement will be used to relocate an overhead power line required by the Highway 30 expansion.*

***Recommendation:***

*Approve the request to obtain the needed easement.*

***Fiscal Effects:***

*Three hundred sixty dollars (\$360.00) for the easement will be paid to the grantor.*

***Alternatives:***

*As suggested by City Council.*

**Staff Contact: Gary R. Mader**

RESOLUTION 2003-357

WHEREAS, a public utility easement is required by the City of Grand Island, from Wilbur Donald Hillman and Velma L. Hillman, husband and wife, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on December 9, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lots One (1) and Two (2) Hillman Subdivision, located in Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Commencing at the northeast corner of the platted Lot Two (2) Hillman Subdivision; thence southerly along the platted easterly line of Lot Two (2) said Hillman Subdivision, a distance of twenty nine and fifty nine hundredths (29.59) feet to the point of beginning; thence continuing southerly along the easterly line of Lot Two (2) said Hillman Subdivision, a distance of thirteen and thirty five hundredths (13.35) feet; thence deflecting right 63°59'03" and running southwesterly, a distance of one hundred ninety six and forty one hundredths (196.41) feet to a point on a westerly line of Lot One (1) said Hillman Subdivision; thence northeasterly along a westerly line of Lot One (1) said Hillman Subdivision, a distance of sixteen and eighty nine hundredths (16.89) feet; thence deflecting right 45°17'04" and running northeasterly, a distance of one hundred ninety and thirty nine hundredths (190.39) feet to the said point of beginning.

The above-described easement and right-of-way containing 0.053 acres, more or less, as shown on the plat dated October 13, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Wilbur Donald Hillman and Velma L. Hillman, husband and wife, on the above-described tract of land.

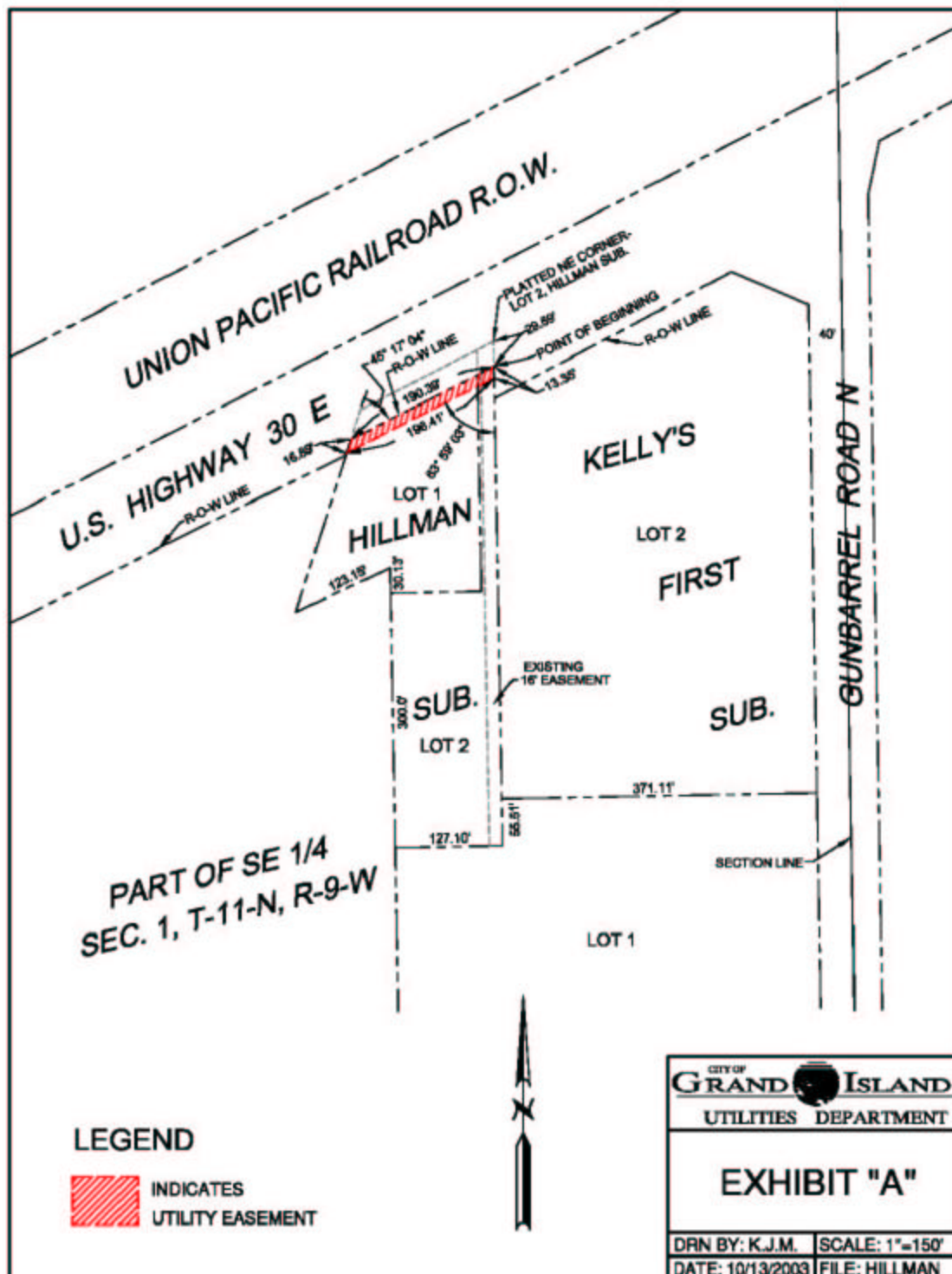
- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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

Approved as to Form	☐ _____
December 4, 2003	☐ City Attorney







# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G22

### **#2003-358 - Approving Acquisition of Utility Easement - 5th & Cleburn - Walnut Housing, LTD**

*This item relates to the aforementioned Public Hearing.*

***Background:***

*Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of Walnut Housing, LTD, located at 5th and Cleburn, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.*

*The easement will be used to locate new cable on a pad-mounted transformer to serve the remodeled complex.*

***Recommendation:***

*Approve the request to obtain the needed easement.*

***Fiscal Effects:***

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

***Alternatives:***

*As suggested by City Council.*

**Staff Contact: Gary R. Mader**

RESOLUTION 2003-358

WHEREAS, a public utility easement is required by the City of Grand Island, from Walnut Housing, Ltd., a Nebraska limited partnership, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on December 9, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Cleburn Street between Fifth Street and Sixth Street, vacated as per City of Grand Island Ordinance No. 3100; and part of Lot Five (5), Lot Six (6) and Lot Seven (7), Block Thirteen (13), Original Town, now city of Grand Island, Hall County, Nebraska, the centerline of the twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows:

Commencing at the southwest corner of Lot Five (5), Block Thirteen (13), Original Town; thence southwesterly along the northerly right-of-way line of Fifth Street, a distance of seven and seventy eight hundredths (7.78) feet to the Actual point of beginning; thence deflecting right 93°01'02" and running northwesterly, a distance of eighty nine and thirty four hundredths (89.34) feet; thence deflecting right 78°41'40" and running northeasterly, a distance of one hundred sixty (160.0) feet.

The above-described easement and right-of-way containing 0.116 acres, more or less, as shown on the plat dated November 20, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

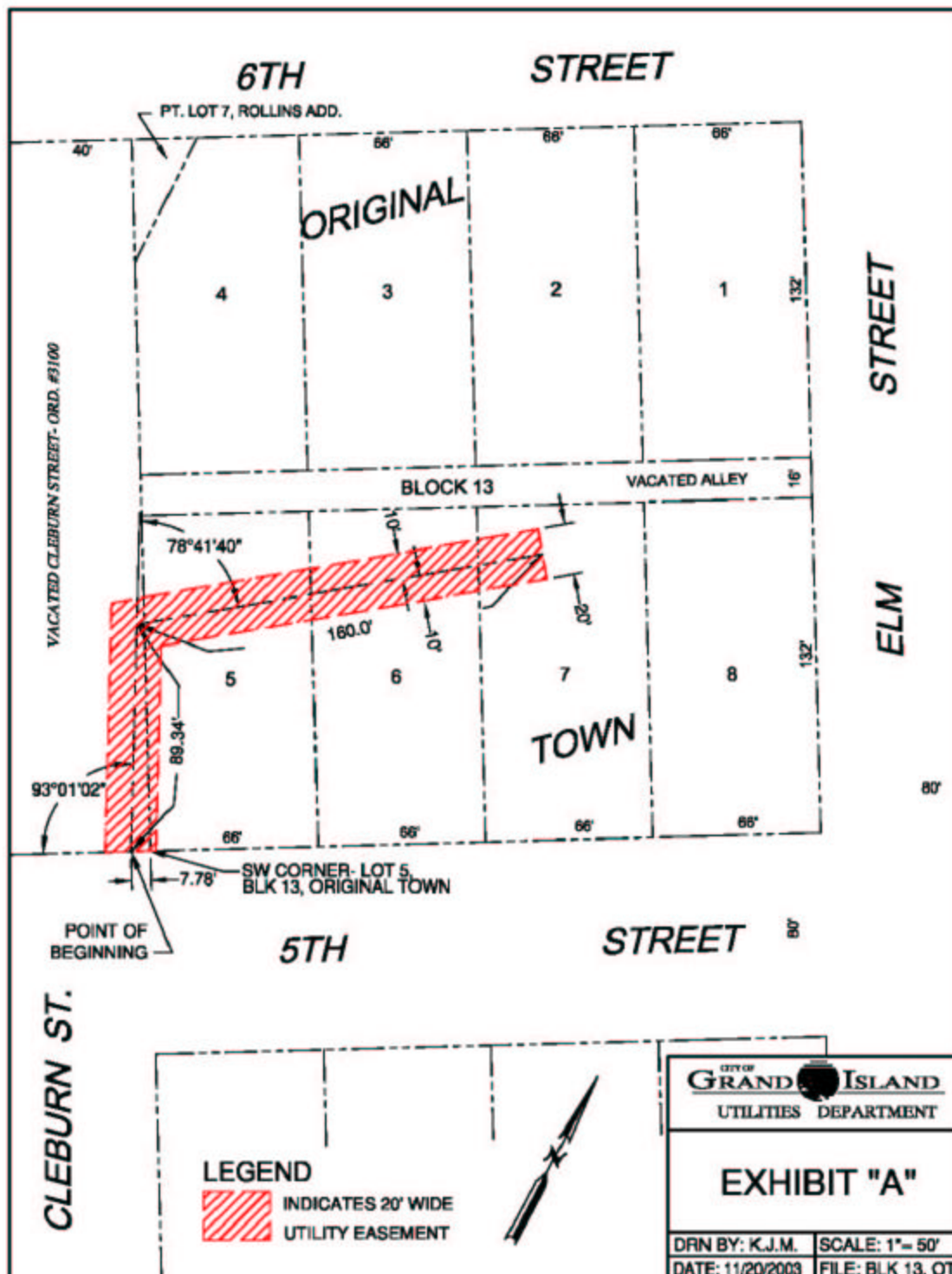
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Walnut Housing, Ltd., a Nebraska limited partnership, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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

Approved as to Form	☐ _____
December 4, 2003	☐ City Attorney





# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G23

### **#2003-359 - Approving Acquisition of Utility Easement - 3311 West Stolley Park Road - Home Federal Savings and Loan**

*This item relates to the aforementioned Public Hearing.*

***Background:***

*Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of Home Federal Savings and Loan Association of Grand Island located along the north, south and east side of the new Home Federal Bank property located at 3311 West Stolley Park Road, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.*

*The easement will be used to locate underground conduit, cable, enclosures and a pad-mounted transformer to serve the new bank building. In addition, it will provide a location to move existing over head lines to underground.*

***Recommendation:***

*Approve the request to obtain the needed easement.*

***Fiscal Effects:***

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

***Alternatives:***

*As suggested by City Council.*

**Staff Contact: Gary R. Mader**

RESOLUTION 2003-359

WHEREAS, a public utility easement is required by the City of Grand Island, from Home Federal Savings and Loan Association of Grand Island, Nebraska, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on December 9, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot One (1) Home Federal Subdivision in the city of Grand Island, Hall County, Nebraska, the utility easement and right-of-way being more particularly described as follows:

The northerly ten (10.0) feet of Lot One (1) Home Federal Subdivision; and the easterly ten (10.0) feet of Lot One (1) Home Federal Subdivision; and the southerly twenty (20.0) feet of Lot One (1) Home Federal Subdivision.

The above-described easement and right-of-way containing 0.25 acres, more or less, as shown on the plat dated November 21, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

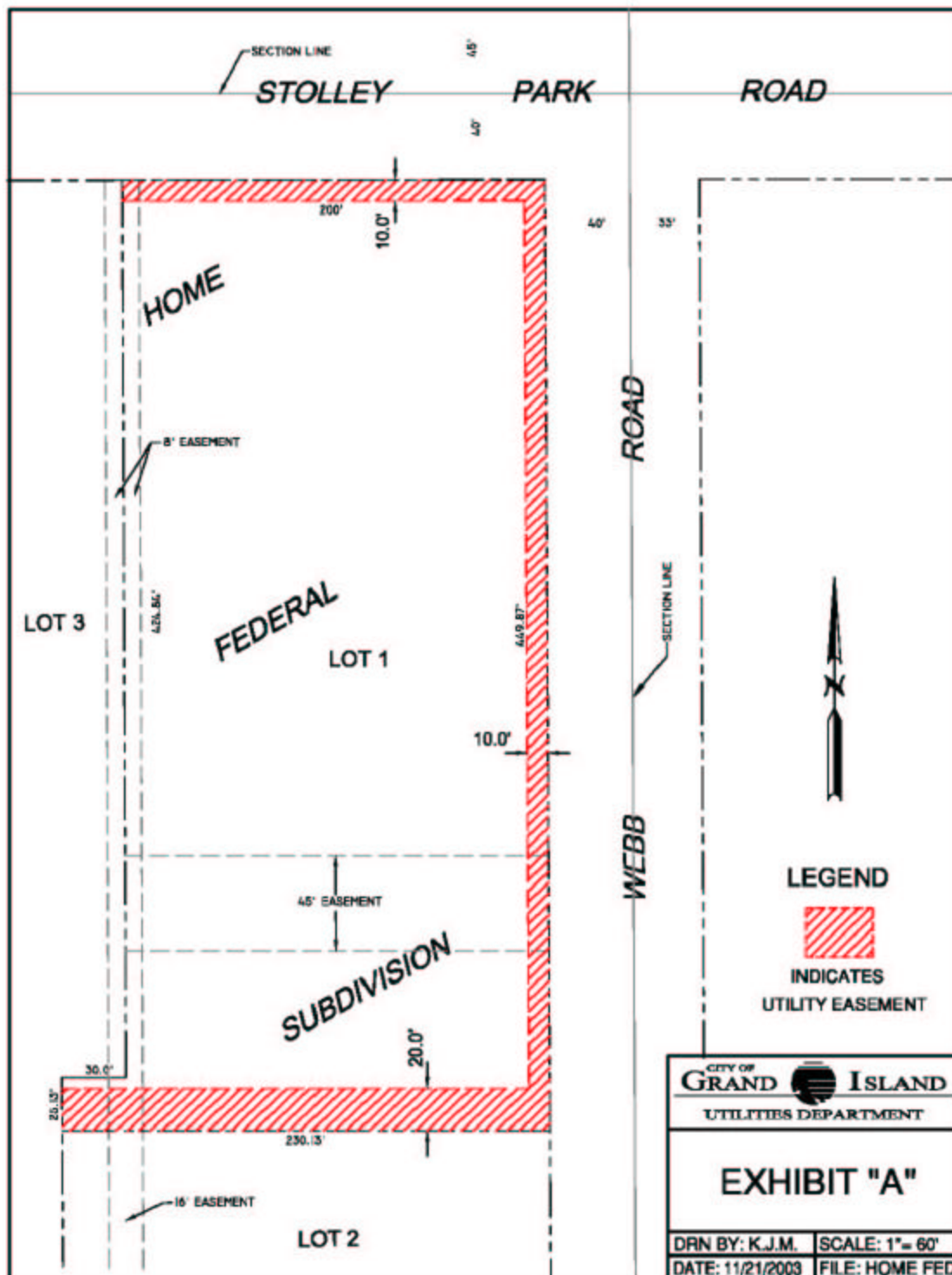
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Home Federal Savings and Loan Association of Grand Island, Nebraska, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, December 09, 2003

## Council Session

### Item G24

#### **#2003-360 - Approving Integrated Resources Plan, 2003 - Utilities Department**

***Background:***

*The Utilities Department receives a portion of its power supply from the hydro projects on the Missouri River. The operation and administration of the hydro power is done by an agency of the Federal Government, the Western Area Power Administration (WAPA). In order to maintain this power contract with a federal agency, the Department is required to comply with applicable federal regulation. Part of that regulation requires the periodic submittal of an "Integrated Resources Plan" (IRP). The regulation includes specific formatting and topics.*

***Discussion:***

*The "Integrated Resource Plan" is, in essence, what is normally referred to as a future power supply by utilities. The Plan is currently due. It contains an analysis of the City's current load growth, option evaluations, and planned future actions to meet continued growth and optimize generation mix for the most economical power supply. The IRP provides the same information that was recently presented to Council concerning future power supply needs, including the participation in OPPD Nebraska City Unit #2 and continued pursuit of shares in the Hastings and NPPD projects.*

***Recommendation:***

*It is the recommendation of the Utilities Department that Integrated Resources Plan, 2003 be approved for submittal to the Western Area Power Administration.*

***Fiscal Effects:***

*Continued receipt of low cost hydro power from WAPA.*

***Alternatives:***

*None to meet the federal requirements.*

**Staff Contact: Gary R. Mader**



RESOLUTION 2003-360

WHEREAS, by implementation of the Federal Energy Policy Act of 1992, the federal government prescribed methods and procedures which utilities must use for future power supply analyses; and

WHEREAS, such process is termed the "Integrated Resource Planning" process; and

WHEREAS, as the City of Grand Island increases in population, the demand for electricity also increases; and

WHEREAS, the 2003 Integrated Resource Plan presents the City's future power supply analyses leading to the current plan to acquire electric base load capacity by participation in Nebraska coal fired power plants.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Integrated Resource Plan is accepted and approved; and the Utilities Department is authorized to submit such plan to the Western Area Power Administration (WAPA) in accordance with federal requirements.

BE IT FURTHER RESOLVED, that the Utilities Department is hereby authorized to proceed with the implementation of the Integrated Resource Plan.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, December 09, 2003

## Council Session

### Item G25

#### **#2003-361 - Approving Change Order #1 - Capital Electric for Cooling Tower Variable Frequency Drives - Platte Generating Station**

***Background:***

*To increase reliability and operating efficiency, the Utilities Department installed new motor control centers equipped with Variable Frequency Drives (VFD) for the cooling tower fans at Platte Generating Station. Capital Electric of Kansas City, MO was awarded the installation contract for this project on October 7, 2003 in the amount of \$71,310.91. The next lowest bid amount was \$153,400.00.*

***Discussion:***

*Additional wiring and cable tray were necessary to complete the project and resulted in an addition to the original bid in the amount of \$9,910.71. Where applicable, these additional costs were based on unit option pricing set forth in the contract.*

*Installation of additional instrumentation cable: \$2,742.20 - Installation of MCC heater circuits: \$1,158.46 -*

*Addition / modification to VFD cabinets for vibration switches: \$1,915.41 - Installation of 36" cable tray for VFD cable ductbank: \$4,094.64.*

*The attached Change Order #1 authorizes this addition to the original contract for a final contract price of \$88,221.62.*

***Recommendation:***

*The Utilities Department recommends authorizing these change orders to the Cooling Tower VFD Installation Contract - Platte Generating Station by a net addition of \$9,910.71.*

***Fiscal Effects:***

*An addition of \$9,910.71 to this project. The cost remains under the project estimate. Sufficient funds are available in Electric Enterprise Fund 520.*

***Alternatives::***

*None recommended.*

**Staff Contact: Gary R. Mader; Dale Shotkoski**

# CHANGE ORDER NO. 1

---

TO: Capital Electric Construction Company Inc.  
1428 W. 9<sup>th</sup> St.  
Kansas City, MO 64101

PROJECT: Platte Generating Station Cooling Tower VFD Installation – Contract Change

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

Capital CO #1	Installation of additional instrumentation cable	\$2742.20
Capital CO #2	Installation of MCC heater circuits	\$1158.46
Capital CO #3	Addition / modification to VFD cabinets for vibration switches	\$1915.41
Capital CO #5	Installation of 36" cable tray for VFD cable ductbank	<u>\$4094.64</u>
		\$9910.71

ADD: \$ 9,910.71                      and/or                      DELETE:       \$ 0.00

The original Contract Sum	\$	71,310.91
Previous Change Order Amounts:	\$	0.00
The Contract Sum is increased by the Change Order # 1	\$	9,910.71
The Contract Sum is decreased by the Change Order # 1	\$	<u>0.00</u>
The total modified Contract sum to date	\$	81,221.62

Approval and acceptance of this Change Order acknowledges understanding and agreement that the cost and time adjustments included represent the complete values arising out of and/or incidental to the work described herein. Additional claims will not be considered.

APPROVED: CITY OF GRAND ISLAND

By: \_\_\_\_\_  
Mayor

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

\_\_\_\_\_  
Approved as to Form, City Attorney

ACCEPTED: Capital Electric Construction Company Inc.

By: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

RESOLUTION 2003-361

WHEREAS, on September 9, 2003, by Resolution 2003-256, the City of Grand Island awarded the bid for Motor Control Equipment Installation to Capital Electric of Kansas City, Missouri; and

WHEREAS, it has been determined that modifications to the work to be performed by Capital Electric are necessary; and

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

WHEREAS, the result of such modifications will increase the contract amount by \$9,910.71 for a revised contract price of \$88,221.62.

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

	<u>Amount</u>
Installation of additional instrumentation cable .....	2,742.20
Installation of MCC heater circuits.....	1,158.46
Addition/modification of VFD cabinets for vibration switches .....	1,915.41
Installation of 36" cable tray for VFD cable ductbank .....	4,094.64

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 4, 2003	☐ City Attorney



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G26

### **#2003-362 - Approving Final Plat and Subdivision Agreement for Westwood Park Eighth Subdivision**

*Rudy Plate, owner, has submitted the final plat for Westwood Park Eighth Subdivision, located South of Faidley Avenue, and West of North Road. This plat proposes to develop 20 lots on a parcel of land in the N 1/2 SE 1/4 Section 14-11-10. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of December 3, 2003, unanimously voted to recommend approval.*

Staff Contact: Chad Nabity

November 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 - Westwood Park Eighth Subdivision, located South of Faidley Avenue, and West of North Road, Grand Island, Nebraska.**

At the regular meeting of the Regional Planning Commission, held December 3, 2003 the above item was considered. This final plat proposes to create 20 lots on a parcel of land in the N ½ of the SE ¼ of Section 14-11-10.

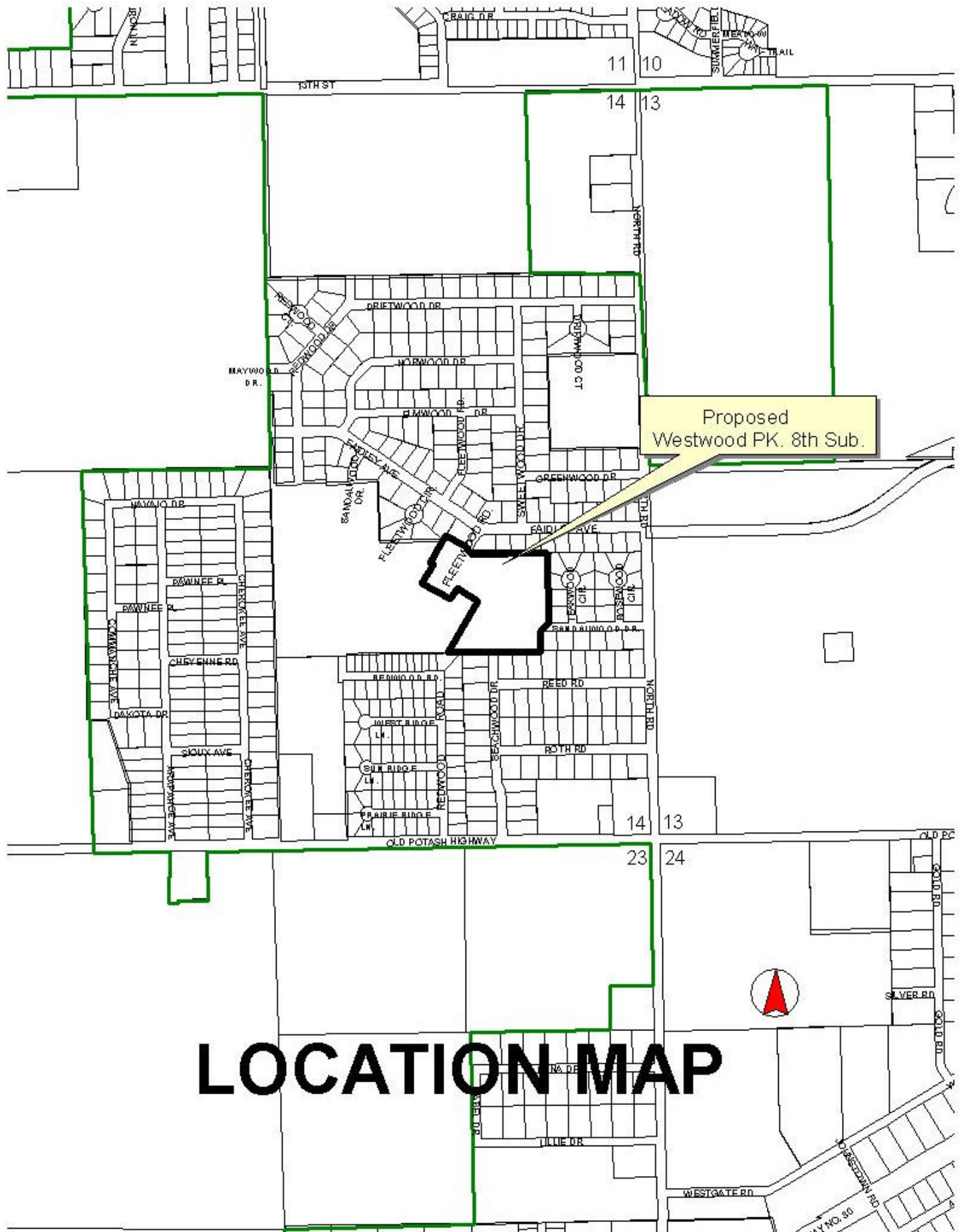
A motion was made by Ruge and seconded by Miller to **approve** and recommend that the City Council **approve** the final plat of Westwood Park Eighth Subdivision.

A roll call vote was taken and the motion passed by a unanimous vote of the 9 members present (Amick, Haskins, Lechner, O'Neill, Brown, Niemann, Miller, Obst, Ruge).

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 2003-362

WHEREAS, Rudolf F. Plate and Jeannice R. Plate, husband and wife, and Tim C. Plate, a single person, as owners, have caused to be laid out into lots, a tract of land comprising a part of the North Half of the Southeast Quarter (N1/2, SE1/4) of Section Fourteen (14), 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 WESTWOOD PARK EIGHTH 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 WESTWOOD PARK EIGHTH 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, December 9, 2003.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 4, 2003	☐ City Attorney





# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G27

### **#2003-363 - Approving Final Plat and Subdivision Agreement for Otto-Peters Subdivision**

*Marlene Peters and Marilyn Otto, owners, have submitted the final plat for Otto-Peters Subdivision, located South of One-R-Road, and West of Gunbarrel Road. This plat proposes to develop 1 lot on a parcel of land in the S 1/2 NE 1/4 Section 24-12-9. This plat has been reviewed by the Planning, Public Works and Utilities Departments. The Regional Planning Commission, at their meeting of December 3, 2003, unanimously voted to recommend approval.*

Staff Contact: Chad Nabity

December 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 – Otto-Peters Subdivision, located South of One-R-Road Road,  
and West of Gunbarrel Road, Hall County, within Grand Island 2 Mile jurisdiction.**

At the regular meeting of the Regional Planning Commission, held December 3, 2003 the above item was considered. This final plat proposes to create 1 lot on a parcel of land in the S ½ of the NE ¼ of Section 12-12-9. This is an existing Farmstead Split.

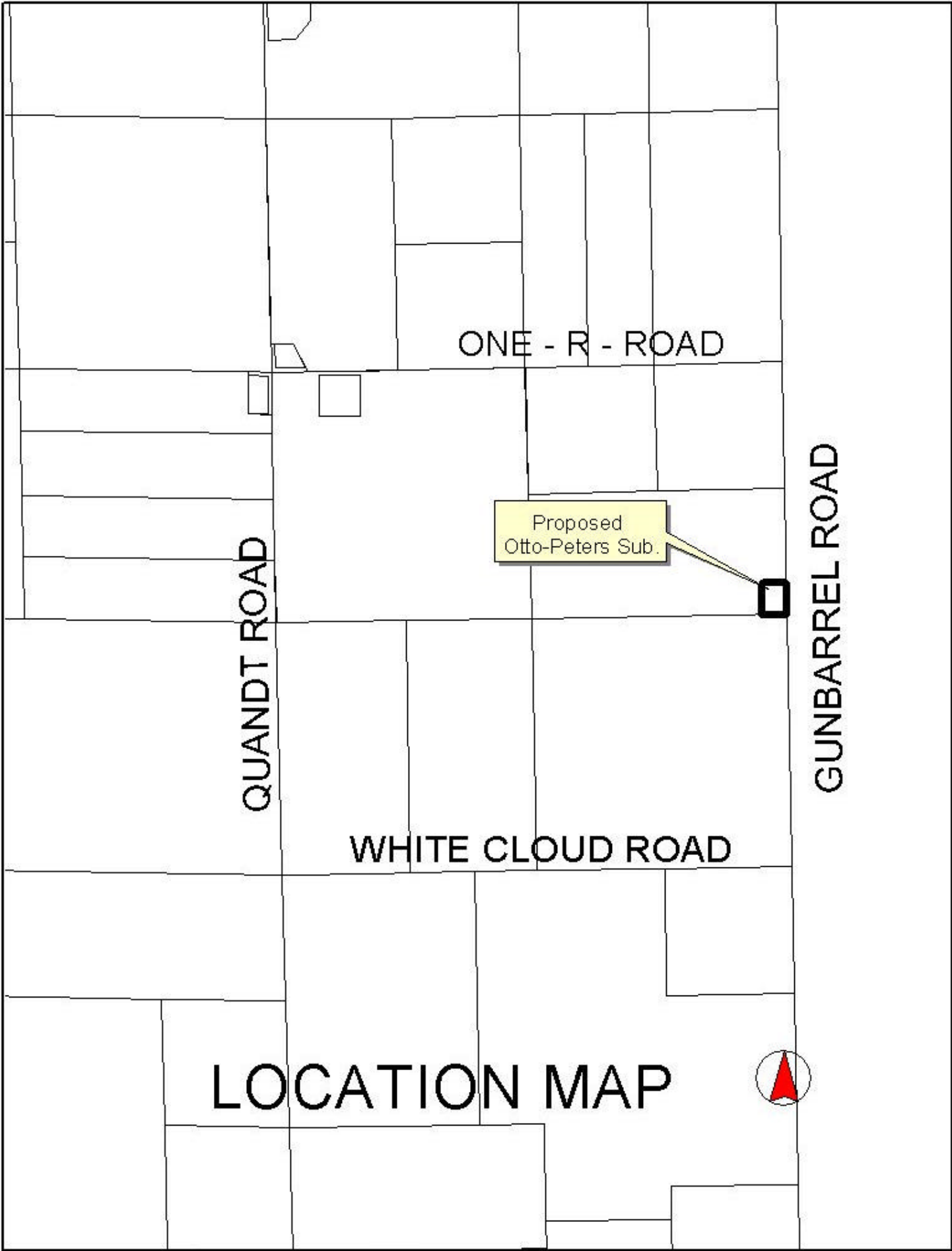
A motion was made by Ruge and seconded by Miller to **approve** and recommend that the City Council **approve** the final plat of Otto-Peters Subdivision.

A roll call vote was taken and the motion passed by a unanimous vote of the 9 members present (Amick, Haskins, Lechner, O'Neill, Brown, Niemann, Miller, Obst, Ruge).

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  
Davis Surveying



RESOLUTION 2003-363

WHEREAS, Marilyn A. Otto and Laurence D. Otto, wife and husband, and Marlene M. Peters and Marvin V. Peters, wife and husband, as owners, have caused to be laid out into a lot, a tract of land comprising a part of the South Half of the Northeast Quarter (S1/2, NE1/4) of Section Twenty Four (24), Township Twelve (12) North, Range Nine (9) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, under the name of OTTO-PETERS 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 OTTO-PETERS 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, December 9, 2003.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 4, 2003	☐ City Attorney



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G28

### **#2003-364 - Approving Long Term Lease Agreement with Union Pacific Railroad for Property at Street & Transportation and Fleet Services Facilities**

***Background:***

*A portion of the property where our Street and Transportation and Fleet Services (Shop) Facilities are located, are on property owned by the Union Pacific Railroad. This includes most of the main facility area located at 1111 W. North Front Street, which is west of Lincoln Avenue, and also for our facilities east of Lincoln Avenue.*

***Discussion:***

*The City of Grand Island has leased this property from the Union Pacific Railroad for many years. The payments on this lease have always been due on an annual basis. The current lease has an escalator clause wherein the lease amount increases approximately 3% annually. During the most recent year the lease amount was \$7,582.23. The railroad has proposed a 20 year lease with an up front cost of \$75,822.00. We do plan to use these facilities for at least the next 20 years.*

***Recommendation:***

*In view of the current annual lease amount, along with the 3% annual escalator, this 20 year proposal is considered desirable, and it is recommended that Council approve this 20 year lease.*

***Financial Implications:***

*We have budgeted adequate funds for this in the Street and Transportation Division 2003/2004 budget.*

***Alternatives:***

*Not approve the 20 year lease agreement and continue with the annual lease payments as we currently do.*

**Staff Contact: Steve Riehle, Public Works Director**

RESOLUTION 2003-364

WHEREAS, the City of Grand Island leases property at and near 1111 West North Front Street from Union Pacific Railroad Company in which the Street and Transportation and Fleet Services facilities are located; and

WHEREAS, the payments on the lease have been made on an annual basis and include an escalator clause; and

WHEREAS, Union Pacific Railroad Company has proposed a 20-year lease for the same property for a one-time cost of \$75,822.00; and

WHEREAS, the City would realize a substantial cost savings with the 20-year lease agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Lease of Property by and between the City of Grand Island, Nebraska and the Union Pacific Railroad Company, a corporation, for use of railroad property at and near 1111 West North Front Street for Street and Transportation and Fleet Services (Shop) facilities is hereby approved; and the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, December 09, 2003

## Council Session

### Item G29

#### **#2003-365 - Approving Ag Deferral for Sanitary Sewer District 512 (Gladys Schoel)**

***Background:***

*City Council action is required to approve deferral of special assessments. The City Council created Sanitary Sewer District 512 on October 28, 2003. Gladys Schoel is the owner of agricultural land within the District.*

***Discussion:***

*The owner has requested that an agricultural use deferral be granted for assessments from Sanitary Sewer District 512. The real estate is located within an agricultural use zone and is used exclusively for agricultural purposes. The owner is not protesting the district provided the agricultural deferment is granted.*

***Recommendation:***

*Approve the request for deferral of special assessments.*

***Financial Implications:***

*During the time of the deferral, no principal payments would come due, and no interest would accrue on the assessment. Assessment payments would begin when the property is developed or no longer eligible for an agricultural use deferral.*

***Alternatives:***

*Deny the request and require assessments be paid according to the standard schedule.*

**Staff Contact: Steven Riehle**

RESOLUTION 2003-365

WHEREAS, on October 28, 2003, by Ordinance No. 8862, the City of Grand Island created Sanitary Sewer District No. 512; and

WHEREAS, such district includes land adjacent to the City, some of which is and continues to be, within an agricultural use zone and is used exclusively for agricultural use; and

WHEREAS, Gladys V. Schoel owns property in such district; and

WHEREAS, Mrs. Schoel has requested an agricultural deferment on the assessment for Sanitary Sewer District No. 512 due to the land being used exclusively for agricultural purposes; and

WHEREAS, a Notice of Filing Application for Deferral from Special Assessments was filed with the Hall County Register of Deeds on November 5, 2003 as Instrument No. 0200314643 pertaining to property owned by Mrs. Schoel which is located within Sanitary Sewer District No. 512.

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

1. The special assessments to be levied against Gladys V. Schoel under Sanitary Sewer District No. 512 shall be deferred until terminated in accordance with Neb. Rev. Stat. §19-2430.
2. That during said deferral, no principal payments shall become due and no interest shall accrue upon the assessment.
3. That the special assessment shall be divisible upon a pro rata basis of the original assessment in the event a portion of the land shall no longer be eligible for deferral.
4. That upon termination of deferral, the principal amount of the special assessment shall be amortized over a term of ten years from that date. The first such installment shall become delinquent in fifty days after termination of deferral. Each installment except the first shall draw interest at seven percent (7%) per annum from and after the date of termination of deferral until the same shall become delinquent. Delinquent installments shall draw interest at fourteen percent (14%) per annum.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

Approved as to Form	☐ _____
December 4, 2003	☐ City Attorney



RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, December 09, 2003

## Council Session

### Item G30

#### **#2003-366 - Approving Bid Award for a Transfer Trailer for Solid Waste Division**

***Background:***

*The Solid Waste Division of the Public Works Department Advertised for bids for a 2004 Model 128 Cubic Yard Solid Waste Transfer Trailer to replace the old East Aluminum Solid Waste Transfer Trailer. The bids were opened on November 20, 2003 at 11:00 am.*

***Discussion:***

*Two vendors provided bids for the 128 Cubic Yard Solid Waste Transfer Trailer. Spector Manufacturing of Saint Clair, PA had the highest bid, with 3 exceptions that included not providing an extended warranty. Wilkens Manufacturing of Morris, MN had the lowest bid, with 2 minor exceptions, and provided an extended warranty. There are no dealers for solid waste transfer trailers in the Grand Island area.*

***Recommendation:***

*Staff recommends that council pass a resolution awarding the bid to Wilkens Industries Inc, Morris, MN for one (1) 2004 Model Wilkens SCGO SERIES Solid Waste Transfer Trailer.*

***Financial Implications:***

*There are sufficient funds in account # 50530040-85625, Solid Waste Division Capital Expenditures- Vehicles to purchase this equipment.*

***Alternatives:***

*Award the bid to a different vendor or reject.*

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

<i>Vender</i>	<i>Exceptions</i>	<i>Bid Security</i>	<i>Net Bid Price</i>
Spector Manufacturing Inc. Saint Clair, PA 17970	3	N/A	\$36,882.00
Wilkins Industries Inc. Morris, MN 56267	2	N/A	\$23,000.00

### **Price Break Down**

<b>Vender</b>	<b>Spector Manufacturing Inc.</b>	<b>Wilkins Industries Inc.</b>
Gross	\$46,882.00	\$47,000.00
Extended Warranty	0.00	+ \$2,000.00
Trade in	<u>-\$10,000.00</u>	<u>-\$26,000.00</u>
<b>Net Price</b>	<b>\$36,882.00</b>	<b>\$23,000.00</b>

### **Exceptions to Specifications**

Spector Manufacturing Inc. of Saint Clair PA had three exceptions.

- 1). No 4" taper, the tapering of the walls of the trailer helps with unloading of trailer.
- 2).The interior height was short by 4" thus reducing the carrying capacity.
- 3).The specs called for a one-year factory warranty and a one-year extended warranty for a total of two years. The manufacturer only provided a one-year warranty with no extended warranty.

Wilkins Industries, of Morris, MN had two minor exceptions.

- 1).The cross sills were welded to the bottom rail instead of being bolted.
- 2).The sub frame is welded not huck bolted.

*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:** November 20, 2003 at 11:00 a.m.

**FOR:** Solid Waste Transfer Trailer

**DEPARTMENT:** Public Works – Solid Waste Division

**ENGINEER'S ESTIMATE:** \$70,000.00

**FUND/ACCOUNT:** 50530040-85625

**PUBLICATION DATE:** November 7, 2003

**NO. POTENTIAL BIDDERS:** 11

**SUMMARY**

<b>Bidder:</b>	<b><u>Spector Manufacturing, Inc.</u></b> St. Clair, PA	<b><u>Wilkins Industries, Inc.</u></b> Morris, MN
<b>Exceptions:</b>	Noted	Noted
<b>Bid Price:</b>	\$36,882.00	\$23,000.00

cc: Steve Riehle, Public Works Director  
Kevin McKennon, Solid Waste Superintendent  
City Administrator  
Dale Shotkoski, Purchasing Agent  
Laura Berthelsen, Legal Assistant

RESOLUTION 2003-366

WHEREAS, the City of Grand Island invited sealed bids for one (1) Solid Waste Transfer Trailer, according to plans and specifications on file with the City Engineer; and

WHEREAS, on November 20, 2003, bids were received, opened and reviewed; and

WHEREAS, Wilkins Industries, Inc. of Morris, Minnesota, 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 \$23,000; and

WHEREAS, Wilkins Industries, Inc.'s bid is less than the estimate for such trailer.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Wilkins Industries, Inc. of Morris, Minnesota, in the amount of \$23,000 for one solid waste transfer trailer is hereby approved as the lowest responsive bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, December 09, 2003

## Council Session

### Item G31

#### **#2003-367 - Approving Continuation of Street Improvement District No 1250 - Edna Drive from North Road to Mabel Drive (Asphalt Paving)**

***Background:***

*Street Improvement District 1250, Edna Drive from North Road to Mabel Drive, for asphalt paving, was created by the City Council on October 28, 2003. Notification was also mailed to the property owners on that date, stating that the construction would take place unless more than 50% of the abutting landowners submitted written protests during the protest period.*

***Discussion:***

*The District completed the 20-day protest period at 5:00 p.m., November 24, 2003. There were protests filed against this district by seven property owners. These owners represented 1,130.8 feet, or 45.1% of the total district frontage of 2,507.8 feet.*

***Recommendation:***

*Pass resolution for continuation of the district.*

***Financial Implications:***

*Minimal, as the majority of the costs will be assessed to the benefiting properties.*

***Alternatives:***

*Deny continuation of the district.*

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

R E S O L U T I O N    2003-367

WHEREAS, Street Improvement District No. 1250 was created by Ordinance No. 8860 on October 28, 2003; and

WHEREAS, notice of the creation of such street improvement district was published in the Grand Island Independent on November 4, November 11, and November 18, 2003, in accordance with the provisions of Section 16-619, R.R.S. 1943; and

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

WHEREAS, the protest period ended on November 24, 2003, and protests were filed with the City Clerk against the creation of Street Improvement District 1250 by abutting property owners representing 45.1% of the total district frontage.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that insufficient protests having been filed with the City Clerk against the creation of Street Improvement District No. 1250, such district shall be continued and constructed according to law.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ December 4, 2003 <input type="checkbox"/> City Attorney
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# City of Grand Island

Tuesday, December 09, 2003

## Council Session

### Item G32

#### **#2003-368 - Approving Continuation of Street Improvement District No. 1251 - Grand West Fourth Subdivision**

***Background:***

*Steve Craig petitioned the City Council to create a Street Improvement District for the paving of Craig Drive, Morrison Drive and Carol Street, all in the Grand West Fourth Subdivision. This district was created by council on October 28, 2003.*

***Discussion:***

*Street Improvement District No. 1251, Craig Drive, Morrison Drive and Carol Street, completed the 20 day protest period at 5:00 p.m. on November 24, 2003. No protests were filed against this district. Accordingly, this district may be continued and constructed after the subdivider installs water and sewer lines as required by Article 33-20 of the City Code.*

***Recommendation:***

*Pass Resolution for continuation of the district.*

***Fiscal Effects:***

*All the costs in the district will be assessed.*

***Alternatives:***

*Deny continuation of the district.*

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



R E S O L U T I O N    2003-368

WHEREAS, Street Improvement District No. 1251 was created by Ordinance No. 8861 on October 28, 2003; and

WHEREAS, notice of the creation of such street improvement district was published in the Grand Island Independent on November 4, November 11, and November 18, 2003, in accordance with the provisions of Section 16-619, R.R.S. 1943; and

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

WHEREAS, the protest period ended on November 24, 2003, and no protests were filed with the City Clerk against the creation of Street Improvement District 1251 by abutting property owners.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that insufficient protests having been filed with the City Clerk against the creation of Street Improvement District No. 1251, such district shall be continued and constructed according to law.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ December 4, 2003 <input type="checkbox"/> City Attorney
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# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G33

### **#2003-369 - Approving Change to the Fee Schedule Relative to Parking Ramp Rental**

*The Downtown Business Improvement District Board has been discussing the fee structure for the Parking Ramp due to the low level of use for the middle and upper levels of the ramp. Few fees are being collected in this area, where parking stalls currently may be rented for \$20 per vehicle per month. At the November 18, 2003 Downtown Improvement Board meeting, the Board voted to request that the City lower the monthly rental fee for parking in the middle and upper level of the Parking Ramp to \$15 per vehicle per month in an attempt to attract new customers. A change to the City Fee Schedule would be required to approve this request. Council approval is recommended.*

Staff Contact: David Springer

RESOLUTION 2003-369

WHEREAS, on June 24, 2003, by Resolution 2003-188, the City of Grand Island approved and adopted fees for items and services to be provided during the 2003-2004 fiscal year; and

WHEREAS, it is necessary to amend such fee schedule to decrease the monthly rental fee for the second and third levels of the parking ramp from \$20 to \$15; and

WHEREAS, it is recommended that such amendment be approved and adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Fee Schedule is hereby amended to decrease the monthly rental fee for the second and third levels of the parking ramp from \$20 to \$15 effective immediately.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G34

### **#2003-370 - Approving Bid Award for (7) 2004 - 4-Door Police Vehicles**

*The Police Department has submitted a request for awarding a bid for Seven (7) 2004 police vehicles. There was one bid received. The bid was for \$23,779.00 each, extended cost \$166,453.00, less trade-in allowance. The number of trade in vehicles to be determined at the point of sale. Anderson Ford, Grand Island, submitted the lone bid.*

*There are sufficient funds for this purchase in account number 10022301 85625. The engineer's estimate was \$26,000.00 per car for a total of \$182,000.00. It is recommended that the bid be awarded to Anderson Ford, Grand Island, in the amount of \$166,453.00.*

Staff Contact: Kyle Hetrick

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



Dale M. Shotkoski, Assistant City Attorney

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Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** November 25, 2003 at 11:00 a.m.  
**FOR:** (7) 2004 - 4-Door Police Vehicles  
**DEPARTMENT:** Police  
**ENGINEER'S ESTIMATE:** \$26,000.00  
**FUND/ACCOUNT:** 10022301-85625  
**PUBLICATION DATE:** November 13, 2003  
**NO. POTENTIAL BIDDERS:** 2

**SUMMARY**

**Bidder:** Anderson Ford L-M  
Grand Island, NE  
**Bid Security:** Union Insurance Company  
**Exceptions:** None  
**Bid Price:** \$23,779.00 per unit  
**Trade-In:** \$4,000.00 each unit \$24,000.00 Total  
**Total for 7 Units:** \$166,453.00

cc: Police Chief Hetrick  
City Administrator  
Dale Shotkoski, Purchasing Agent  
Laura Berthelsen, Legal Assistant

RESOLUTION 2003-370

WHEREAS, the City of Grand Island invited sealed bids for Seven (7) Police Interceptor Vehicles, according to plans and specifications on file with the Purchasing Division of the Legal Department; and

WHEREAS, on November 25, 2003, one bid was received, opened and reviewed; and

WHEREAS, Anderson Ford Lincoln Mercury, Inc. of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$23,779.00 per unit or a total of \$166,453, less a trade-in value of \$24,000 for a net total of \$142,453; and

WHEREAS, Anderson Ford's bid is less than the estimate for such vehicles.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Anderson Ford Lincoln Mercury, Inc. of Grand Island, Nebraska, in the amount of \$23,779.00 per unit or a total of \$166,453, less a trade-in value of \$24,000 for a net total of \$142,453 is hereby approved as the lowest responsive bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G35

### **#2003-371 - Approving Bid award for 2003 Ford E-450 Type III, Class 1 Ambulance**

*The Grand Island Fire Department, Ambulance Division, has submitted a request for awarding a bid for one (1) 2003 Ford E450, Type III, Class 1 Ambulance. There were six potential bidders but only one bid was received for \$118,667.00 for the vehicle and \$8,359.50 for additional equipment. The bid was submitted by Midwest Vehicle Professionals, Inc of York, Nebraska for a total amount of \$127,026.50. There are sufficient funds for this purchase in account number 10022102-85625. The budgeted estimate was \$135,000.00. It is recommended that the bid be awarded to MVP of York, Nebraska in the amount of \$127,026.50.*

Staff Contact: Jim Rowell

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



Dale M. Shotkoski, Assistant City Attorney

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Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** November 25, 2003 at 11:15 a.m.

**FOR:** Ambulance, 2003 or 2004 Ford E-450 Type III, Class 1

**DEPARTMENT:** Fire

**ENGINEER'S ESTIMATE:** \$135,000.00

**FUND/ACCOUNT:** 10022102-85625

**PUBLICATION DATE:** November 18, 2003

**NO. POTENTIAL BIDDERS:** 6

**SUMMARY**

**Bidder:** MVP  
York, NE

**Bid Security:** Travelers Casualty

**Exceptions:** Noted

**Bid Price:** \$118,667.00

cc: Jim Rowell, Fire Chief  
Chris Hoffman, Fire Department  
City Administrator  
Dale Shotkoski, Purchasing Agent  
Laura Berthelsen, Legal Assistant

**P872**



RESOLUTION 2003-371

WHEREAS, the City of Grand Island invited sealed bids for one (1) 2003 or 2004 Ford E-450 Type III, Class 1 Ambulance, according to plans and specifications on file with the Purchasing Division of the Legal Department; and

WHEREAS, on November 25, 2003, one bid was received, opened and reviewed; and

WHEREAS, MVP of York, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$118,667 with additional optional equipment for \$8,359.50 for a total bid of \$127,026.50; and

WHEREAS, MVP's bid is less than the estimate for such vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of MVP of York, Nebraska, in the total amount of \$127,026.50 for one Ford E-450 Type III, Class 1 ambulance with optional equipment is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G36

### **#2003-372 - Approving Change Order #1 for Remediation of Lead-Impacted Soil at CHAAP Pistol Range**

*The Park and Recreation Department has developed Change Order #1 to the contract for Remediation of Lead-Impacted Soil at CHAAP Pistol Range. The contract was awarded to TCW Construction of Lincoln, Nebraska on June 24, 2003 in the amount of \$146,051.16. The net increase of Change Order #1 is \$5,072.28, which allows for the removal and disposal of lead contaminated railroad ties that were discovered during the excavation process. The revised contract amount is to be \$151,123.43. Approval is recommended.*

Staff Contact: Steve Paustian

RESOLUTION 2003-372

WHEREAS, on June 10, 2003, by Resolution 2003-165, the City of Grand Island awarded the bid for remediation of lead-impacted soil at CHAAP pistol range to TCW Construction of Lincoln, Nebraska; and

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

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

WHEREAS, the result of such modifications will increase the contract amount by \$5,072.28 for a revised contract price of \$151,123.43.

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

	<u>Amount</u>
Remove and dispose of railroad ties containing bullets.....	5,072.28

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

---

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 4, 2003	☐ City Attorney



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G37

### **#2003-373 - Approving Certificate of Final Completion for Remediation of Lead-Impacted Soil at CHAAP Pistol Range**

*The Park and Recreation Department has recommended that the Certificate of Final Completion be issued for (the Remediation of Lead-Impacted Soil at CHAAP Pistol Range). The contract was awarded to TCW Construction of Lincoln, Nebraska on June 24, 2003. The work commenced in July and was completed in November. The performance of the contract was supervised by the Park and Recreation Department and a Certificate of Final Completion has been issued by the Park and Recreation Department, subject to City Council approval. Approval is recommended.*

Staff Contact: Steve Paustian

R E S O L U T I O N   2003-373

WHEREAS, the Parks and Recreation Director of the City of Grand Island has issued his Certificate of Final Completion for Remediation of Lead-Impacted Soil at CHAAP Pistol Range, certifying that TCW Construction of Lincoln, Nebraska, under contract dated June 24, 2003, has completed such project according to the terms, conditions, and stipulations for such improvements; and

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

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

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

1.     The Parks and Recreation Director's Certificate of Final Completion for Remediation of Lead-Impacted Soil at CHAAP Pistol Range is hereby confirmed.
2.     A warrant be issued from Account No. 61550020-85465 in the amount of \$12,374.49 payable to TCW Construction for the final amount due the contractor.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G38

### **#2003-374 - Approving Bid Award for Athletic Field Grading Project-Cottage Street Athletic Fields**

*The Park and Recreation Department, has submitted a request for awarding a bid for Athletic Field Grading. Two bids were received ranging from \$28,662.00 to \$41,050.00. The low bid was submitted by Hooker Brothers Construction of Grand Island in the amount of \$28,662.00. There are sufficient funds for this contract in account number 40044450-90039, Softball. The budgeted estimate was \$60,000.00. It is recommended that the bid be awarded to Hooker Brothers Construction in the amount of \$28,662.00.*

Staff Contact: Steve Paustian

*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:** December 2, 2003 at 11:00 a.m.

**FOR:** Athletic Field Grading Project - Cottage Street Athletic Field

**DEPARTMENT:** Parks and Recreation

**ENGINEER'S ESTIMATE:** \$60,000.00

**FUND/ACCOUNT:** 40044450-90039

**PUBLICATION DATE:** November 18, 2003

**NO. POTENTIAL BIDDERS:** 4

**SUMMARY**

<b>Bidder:</b>	<b><u>Dobesh Land Leveling</u></b> Grand Island, NE	<b><u>Hooker Brothers Construction</u></b> Grand Island, NE
<b>Exceptions:</b>	None	None
<b>Bid Price:</b>	<b>\$41,050.00</b>	<b>\$28,662.00</b>

cc: Steve Paustian, Parks & Recreation Director  
Patti Buettner, Parks & Recreation Secretary  
City Administrator  
Dale Shotkoski, Purchasing Agent  
Laura Berthelsen, Legal Assistant

RESOLUTION 2003-374

WHEREAS, the City of Grand Island invited sealed bids for Athletic Field Grading Project – Cottage Street Athletic Field, according to plans and specifications on file with the Purchasing Division of the Legal Department; and

WHEREAS, on December 2, 2003, bids were received, opened and reviewed; and

WHEREAS, Hooker Brothers Construction of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$28,662.00; and

WHEREAS, Hooker Brothers Construction's bid is less than the estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Hooker Brothers Construction of Grand Island, Nebraska, in the amount of \$28,662.00 for athletic field grading project – Cottage Street Athletic Field is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G39

### **#2003-375 - Approving License Agreement with CNH Relative to Access to Public Right of Way**

*Testing of the ground water in south central Grand Island is being done by CNH to determine the origin and extent of contamination in that area of the City which is near several municipal water wells. An agreement has been prepared which would authorize CNH to drill test wells for monitoring ground water quality along the City hike/bike trail and along the City's Blaine street right-of-way between Stolley Park Road and Highway #34.*

*Permitting CNH to monitor the ground water quality in this area is essential for dealing with the ground water contamination problems in this area of the City. Approval is recommended.*

Staff Contact: Doug Walker

\* This Space Reserved for Register of Deeds \*

## **LICENSE AGREEMENT**

This License Agreement is made by and between the CITY OF GRAND ISLAND, NEBRASKA, a Municipal Corporation, herein referred to as the "City" and NEW HOLLAND NORTH AMERICA, INC., a corporation, its successors and assigns, hereinafter referred to as "CNH."

1. **STATEMENT OF PURPOSE.** The purpose of this License Agreement is to set forth the terms and conditions under which CNH may construct, maintain, repair, and utilize the following described improvement which will infringe upon the public right-of-way:

Installation of permanent ground level mount and temporary monitoring wells to be placed in the city right-of-way along Blaine Street and along the hike/bike trail between Stolley Park Road and U.S. Highway 34 in Grand Island, Nebraska.

CNH is also authorized and allowed to use the public right-of-way along Blaine Street and along the hike/bike trail between Stolley Park Road and U.S. Highway 34 in Grand Island, Nebraska, for the collection of subsurface soil and water samples to determine the presence of contaminants.

2. **CNH'S DUTIES AND RISKS.** It is understood and agreed that CNH may construct, maintain, repair and utilize the above described improvement at the CNH's sole risk provided, however, that the City will provide all available information, through Diggers Hotline or otherwise, regarding subsurface utilities, including, but not limited to sewers, electrical, gas and water. CNH hereby waives any claim for damages against the City, its officers, employees, agents and independent contractors for any damage or injury that may result to said improvement. If the City, in its sole discretion, determines that any part or all of the improvement must be removed or is damaged by the City, its employees, agents or independent contractors working for the City during the course of their employment or duties with the City, CNH agrees to assume and pay all costs relating to the replacement or repair of the improvement.

3. RESTORATION OF PROPERTY. If the construction or maintenance of the improvement identified in Paragraph 1 above requires the excavation of earth, removal of hard surfacing, grass, vegetation, landscaping, or any other disruption of the surface of the public right-of-way or neighboring property, CNH shall restore the surface of the area to the same condition as it existed immediately prior to CNH's work in the area.

4. EFFECTIVE DATE. This License Agreement shall take effect on the date it is executed by the Mayor of the City of Grand Island as dated below. It shall continue until December 31, 2004 or until such time as it is terminated as provided hereafter.

5. TERMINATION. This License Agreement shall terminate upon one or more of the following occurrences:

- (a) The service of sixty (60) days written notice of intention to terminate by any party upon the other party.
- (b) CNH's application for a permit to alter said improvement or any part thereof, unless said permit is for work due to an occurrence as described in Paragraph 3 above and said work has the prior written approval of the City.
- (c) CNH's construction or installation of any structure or improvement of any nature upon the public right-of-way except that described in Paragraph 1 above.

Upon the termination of this License Agreement, CNH shall be required, and hereby agrees, to remove said improvement from the public right-of-way at its own expense and without cost to the City. Said removal to occur no later than sixty (60) days after receipt of the notice of intention to terminate or any of the occurrences set forth in Paragraph 6 above. Should CNH fail to do so, the City may remove or cause the removal of said improvement from the public right-of-way and CNH agrees to reimburse the City for all its costs.

6. SUCCESSORS AND ASSIGNS. This agreement shall be binding upon the parties hereto, their successors and assigns.

7. ENTIRE AGREEMENT. This License Agreement constitutes the entire agreement between the parties notwithstanding any other oral or written agreements to the contrary. This License Agreement shall be amended only in writing executed by all parties hereto.

8. CHOICE OF LAWS. This License Agreement shall be construed in accordance with the laws of the State of Nebraska and the City of Grand Island, Nebraska.

9. CONTENT OF LANGUAGE. Wherever the context of the language in this License Agreement is appropriate, the singular shall apply to the plural and the plural shall apply to the singular.

DATED: \_\_\_\_\_.

LICENSOR:

CITY OF GRAND ISLAND, NEBRASKA,  
A Municipal Corporation,

By: \_\_\_\_\_  
Jay Vavricek, Mayor

Attest: \_\_\_\_\_  
RaNae Edwards, City Clerk

LICENSEE:

NEW HOLLAND NORTH AMERICA,  
INC., a corporation,

By: \_\_\_\_\_  
Vice President

STATE OF \_\_\_\_\_ )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

The foregoing document was executed before me on \_\_\_\_\_, 2003, by \_\_\_\_\_, Vice President of New Holland North America, Inc., a corporation.

Notary Public

RESOLUTION 2003-375

WHEREAS, property owners in the Marylane Subdivision and Kentish Hills Subdivision areas have recently become aware of contaminated private wells on their property; and

WHEREAS, New Holland North America, Inc. (CNH) has been working with the Nebraska Department of Environmental Quality to determine the source of such contamination and the downstream effects of the groundwater; and

WHEREAS, CNH has requested authorization to collect subsurface soil and water samples and authorization to install permanent ground level mount monitoring wells in the city right-of-way along Blaine Street and along the hike/bike trail between Stolley Park Road and U.S. Highway 34; and

WHEREAS, a proposed License Agreement between the City of Grand Island and New Holland North America, Inc. authorizing the use of the city right-of-way for such purposes has been prepared by the City Attorney's office.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the License Agreement by and between the City and New Holland North America, Inc. authorizing the use of the city right-of-way along Blaine Street and along the hike/bike trail between Stolley Park Road and U.S. Highway 34 to collect subsurface soil and water samples and the installation of permanent ground level mount monitoring wells is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

---

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 4, 2003	☐ City Attorney



# City of Grand Island

Tuesday, December 09, 2003

## Council Session

### Item G40

#### **#2003-376 - Approving Change Order Number 1 to the Contract for Street Improvement District Number 1246, South Locust from Stolley Park to Fonner Park Road**

##### *Background*

*The construction contract with The Diamond Engineering Company for \$1,820,276.72 was approved by the city council on July 22, 2003. Any changes to the contract must be approved by the city council.*

##### *Discussion*

*The city council reviewed the life cycle cost comparison of replacing the outside lanes with concrete and an asphalt overlay versus the costs of replacing the whole road with concrete. Staff was asked to find sufficient budget authority from existing projects so the change could be made with no monetary impact on the budget.*

##### *Recommendation*

*Staff recommends that the council approve a resolution authorizing the mayor to sign a change order to the contract for \$235,376.50. The total cost of the change, including engineering is estimated at \$249,499.09.*

##### *Financial Implications*

*The following projects in the city budget will be used to fund this work:*

*1. Street & Transportation Division Purchase Order Number 3433 was issued to the Diamond Engineering Company for Concrete Patching on city streets through calendar year 2003. With the end of the year quickly approaching, we will be unable to complete the purchase order leaving \$110,000 available.*

*2. The approved 2004 budget shows \$127,000 for a drainage project from the detention cells constructed as part of the Gold Core Drive improvements at the Platte Valley Industrial Park. The right-of-way discussions on the project have delayed the project making \$112,000 available.*

*3. The approved 2004 budget shows \$80,000 for replacing the Wood River Bridges on Blaine Street near LE Ray park. The project also involves flattening the two curves on Blaine Street north of the bridges. The project is federally funded and has been delayed making \$60,000 available.*

*The total funds available for this change would be \$282,000.*

##### *Alternatives*

*Deny approval of the change order and proceed with the project as an asphalt overlay.*

---

**Staff Contact: Steven P Riehle**

RESOLUTION 2003-376

WHEREAS, on July 22, 2003, by Resolution 2003-211, the City of Grand Island awarded the bid for Street Improvement District No. 1246 to the Diamond Engineering Company of Grand Island, Nebraska; and

WHEREAS, the specifications for Street Improvement District No. 1246 requested an asphalt overlay on South Locust Street from Stolley Park Road to Fonner Park Road; and

WHEREAS, the City Council subsequently requested that a concrete surface be used instead of an asphalt overlay on said project; and

WHEREAS, the result of such modification will increase the contract amount by \$235,376.50; and

WHEREAS, such modification has been incorporated into Change Order No. 1.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Change Order No. 1 between the City of Grand Island and the Diamond Engineering Company of Grand Island, Nebraska to change the construction of Street Improvement District No. 1246 from an asphalt overlay to concrete surface is hereby approved; and the Mayor is hereby authorized and directed to execute such change order on behalf of the City of Grand Island.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 4, 2003	☐ City Attorney





# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item G41

### **#2003-377 - Approving Intent to Annex, Adoption of Annexation Plan, and Schedule Public Hearing for Kennel Club Property**

*At the November 4, 2003 meeting of the City Council approval was given by the council for referring the annexation of the Grand Island Kennel Club property to the Planning Commission for their recommendation. The Planning Commission approved the annexation at its meeting on December 3, 2003. The resolution for consideration is to schedule this matter for a public hearing on the annexation at the December 23, 2003 meeting of the City Council. This annexation was requested by the Grand Island Kennel Club and the club has also requested that City sewer service be extended to this property. This property adjoins the west side of the Carole Yeager property that the City is purchasing south of the waste water treatment plant. It is also bordered on the north by City property; therefore, it will fit into the eastern part of the city and be a logical extension of the City Limits.*

Staff Contact: Doug Walker

## RESOLUTION 2003-377

WHEREAS, the City of Grand Island, in accordance with Section 16-117, R.R.S., is considering the annexation of the land and a plan for extending city services to the following described adjacent and contiguous land:

A tract of land comprising a part of Lot One (1) on the main land of the Southwest Quarter of the Southeast Quarter (SW1/4, SE1/4) of Section Fourteen (14), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, more particularly described as follows:

Beginning at the northwest corner of said Lot One (1) on the main land of the Southwest Quarter of the Southeast Quarter (SW1/4, SE1/4); thence running southerly along and upon the west line of said Southwest Quarter of the Southeast Quarter (SW1/4, SE1/4), a distance of Seven Hundred Twenty-Seven and Four Hundredths (727.04) feet to a point on the northeasterly right-of-way line of the Burlington Northern/Sante Fe Railroad (formerly C.B.&Q. Railroad); thence deflecting left 62°12' and running southeasterly along and upon said NE railroad right-of-way, a distance of Two Hundred and Two (202.0) feet; thence deflecting left 35°07' and running northeasterly a distance of Two Hundred Seventy Nine and Twenty Two Hundredths (279.22) feet; thence deflecting left 23°23' and running northeasterly a distance of Three Hundred Twelve and Forty Five Hundredths (312.45) feet; thence deflecting left 19°00' and running northeasterly a distance of Two Hundred Forty Nine and Twenty Five Hundredths (249.25) feet; thence deflecting left 13°21' and running northeasterly a distance of One Hundred Eighteen and Forty Five Hundredths (118.45) feet; thence deflecting left 12°55' and running northeasterly a distance of Three Hundred Twenty Eight and Seven Hundredths (328.07) feet; to a point on the north line of said SW1/4, SE1/4; thence running westerly along and upon said north line of the SW1/4, SE1/4, a distance of One Thousand Eighteen and Eighty Two Hundredths (1,018.82) feet to the place of beginning and containing 15.22 acres, more or less.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that a plan outlining the city services available to the above-described land and showing or including: (a) the cost impact of providing the services to such land, (b) the method by which the city is financing the extension of services to the land and how such services will be maintained, (c) a map drawn to scale clearly delineating the land proposed for annexation, the current boundaries of the city, the proposed boundaries of the City after the annexation, and the general land-use pattern in the land proposed for annexation is hereby adopted and approved and shall be available for inspection during regular business hours in the office of the City Clerk.

BE IT FURTHER RESOLVED, that a public hearing on the proposed annexation shall be held at 7:00 p.m. on December 23, 2003, or as soon thereafter as the matter may be heard, in the Council Chambers at City Hall, 100 East First Street, Grand Island, Nebraska, to receive testimony from interested persons.

Approved as to Form	by _____
December 4, 2003	City Attorney

BE IT FURTHER RESOLVED, that the City Clerk be, and hereby is, authorized and directed to publish in the *Grand Island Independent* at least once, not less than ten days preceding the date of the public hearing, a copy of this Resolution and a map drawn to scale delineating the land proposed for annexation.

BE IT FURTHER RESOLVED, that the City Clerk be, and hereby is, authorized and directed to send by first-class mail, a copy of the resolution providing for the public hearing to the school board of the school district in the land proposed for annexation.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, December 09, 2003

## Council Session

### Item G42

#### #2003-378 - Approving Credit for Sanitary Sewer Assessment

**Background:**

*The home at 3423 East Seedling Mile Road was connected to the sanitary sewer main in the Seedling Mile Road Right-of-Way in 1983. A connection fee was calculated based on the cost to build the main and the property owner paid \$686.40 to the city. The property has changed hands twice since the connection was made. Mrs. Dale Davis is the current owner of the property. When Sanitary Sewer District 501 was created, Mrs. Davis called Council Member Jackie Pielstick. Mrs. Davis asked why her property would be assessed for the sanitary sewer when her house was already connected to city sanitary sewer. City staff advised Council Member Pielstick that if Mrs. Davis had already paid, she would not be assessed for any additional costs. The Davis property was assessed \$2,371.31 for Sanitary Sewer District 501.*

**Discussion:**

*The current policy calls for a Sewer Connection Permit to be filed at the Hall County Register of Deeds. The public record of the agreement will ensure that any potential buyer of the property is aware of the agreement. There is no signed agreement on file at the Register of Deeds for the Davis property. Two other properties also made connections to the sanitary sewer main along Seedling Mile Road, but both of those properties have signed agreements on file and ownership of the properties has not changed.*

**Recommendation:**

*Staff recommends that the council approve the \$686.40 paid in 1983 as full payment for sanitary sewer fees assessed to the property in 2003 under Sanitary Sewer District 501.*

**Financial Implications:**

*The Wastewater Division of the Public Works Department has sufficient funds to cover the \$2,371.31 in their budget.*

**Alternatives:**

*Deny the request and require that Mrs. Davis pay the \$2,371.31 sanitary sewer assessment.*

Staff Contact: Steve Riehle, Public Works Director

RESOLUTION 2003-378

WHEREAS, on August 28, 2001, by Ordinance No. 8688, the City Council for the City of Grand Island approved the creation of Sanitary Sewer District No. 501; and

WHEREAS, property at 3423 East Seedling Mile Road was included in the sewer district, however the property was hooked up to the sanitary sewer main in the Seedling Mile Road right-of-way in 1983 after payment of a connection fee of \$686.40; and

WHEREAS, after the creation of Sanitary Sewer District No. 501, such property owner was informed that no further sanitary sewer fee would be assessed against the property based on the payment made in 1983.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the payment made in 1983 in the amount of \$686.40 by the property owner at 3423 East Seedling Mile Road is considered full payment for sewer fees assessed in connection with Sanitary Sewer District No. 501.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item I1

### **#2003-379 - Approving City Administrator's Appointment and Employment Contract**

*Mayor Vavricek has recommended the appointment of Gary Greer from Manhattan, Kansas to the position of Grand Island City Administrator. Since he will work under contract, the agenda item includes the appointment as well as approval of the contract. The contract will coincide with the Mayor's term of office. A copy of the contract is on file in the Human Resources Department.*

Staff Contact: Brenda Sutherland

R E S O L U T I O N   2003-379

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized to sign the Employment Agreement by and between the City of Grand Island and Gary Greer for the position of City Administrator.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 9, 2003.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, December 09, 2003

Council Session

## Item J1

### **Payment of Claims for the Period of November 19, 2003 through December 9, 2003**

*The Claims for the period of November 19, 2003 through December 9, 2003 for a total of \$4,508,338.79. A MOTION is in order.*

Staff Contact: RaNae Edwards