
City of Grand Island



Tuesday, December 23, 2003

Council Session Packet

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

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

Call to Order

**Pledge of Allegiance /Invocation - Pastor William Voelker, Peace Lutheran Church,
4018 Zola Lane**

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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

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 23, 2003

Council Session

Item C1

**Presentation by Betty Curtis, Clean Community Systems
Regarding Household Hazardous Waste Collection Report**

Betty Curtis from Clean Community Systems will present to the Mayor and City Council a report on the Household Hazardous Waste Collections.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item E1

Public Hearing on Changes to the Grand Island Zoning Ordinance and Zoning Map to Add Gateway Protection Corridor Overlay District

Amendment to the Grand Island Zoning Ordinance and Official Zoning Map to add language for a Gateway protection Corridor Overlay District, and define this corridor on the Official Zoning Map. The Regional Planning Commission at their regular meeting of December 3, 2003 voted to approve the amendments to the Zoning Map and Zoning Ordinance. It is appropriate to solicit public comment. The action item is contained under Ordinances.

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: Changes to the Grand Island Zoning Ordinance and official Zoning Map to add language for a Gateway Protection Corridor Overlay District.

At the regular meeting of the Regional Planning Commission, held December 3, 2003, the above item was considered following a public hearing. The above item will make changes to the Grand Island Zoning Ordinance and official Zoning Map to add language for a Gateway Protection Corridor Overlay District for properties located generally ¼ mile east and west of U.S. Highway 281 south of Schimmer Drive and ¼ mile east and west of S. Locust Street south of U.S. Highway 34 and define this corridor on the Official Zoning Map.

Nabity said he would like to suggest making a couple of amendments to the Overlay District, the first would be to stop the overlay district along Hwy 281 at Wood River Road, and in section E 1 36-37 include the words all non-residential developments.

Fred Bosselman with Bosselman Tank and Trailer spoke and said he has some concerns with this Overlay District. He said they purchased land in the Industrial Park to build their business, and have recently purchased more land in the area for future expansion, without these regulations in place, and to put these regulations in place now would hinder what they have planed for the future use of the land they own.

Brandi Bosselman spoke and said she has concerns with these regulations and how it could effect future commercial development. She said that such things as signs, colors, are important for some businesses to attract people to them. She has concerns with not allowing pole signs so you can see where the business is. She also expressed concern with the uniformity of colors and allowing bright colors for accent use only, she feels this takes away from the identity of some businesses.

Larry Williams with Chief spoke and said he has concerns with the type of material that must be used for the buildings. He said they deal in pre-manufactured metal buildings, and what would happen to their customers if they chose to add on to their existing building. He feels that by requiring brick, stucco, etc... to be used we are driving up the cost to the developer, and we need to stay competitive to the surrounding cities.

June O'Neill spoke she feels once again billboards are being singled out as being bad. She said many businesses in this town have been helped by billboards, and they are the

most effective to bring traffic into the city if you are traveling down the road. She was told by BID 3 & 4 that they feel billboards are good and that they need them. She feels billboards are essential to direct the traffic off the Interstate and into Grand Island on the new South Locust Interchange.

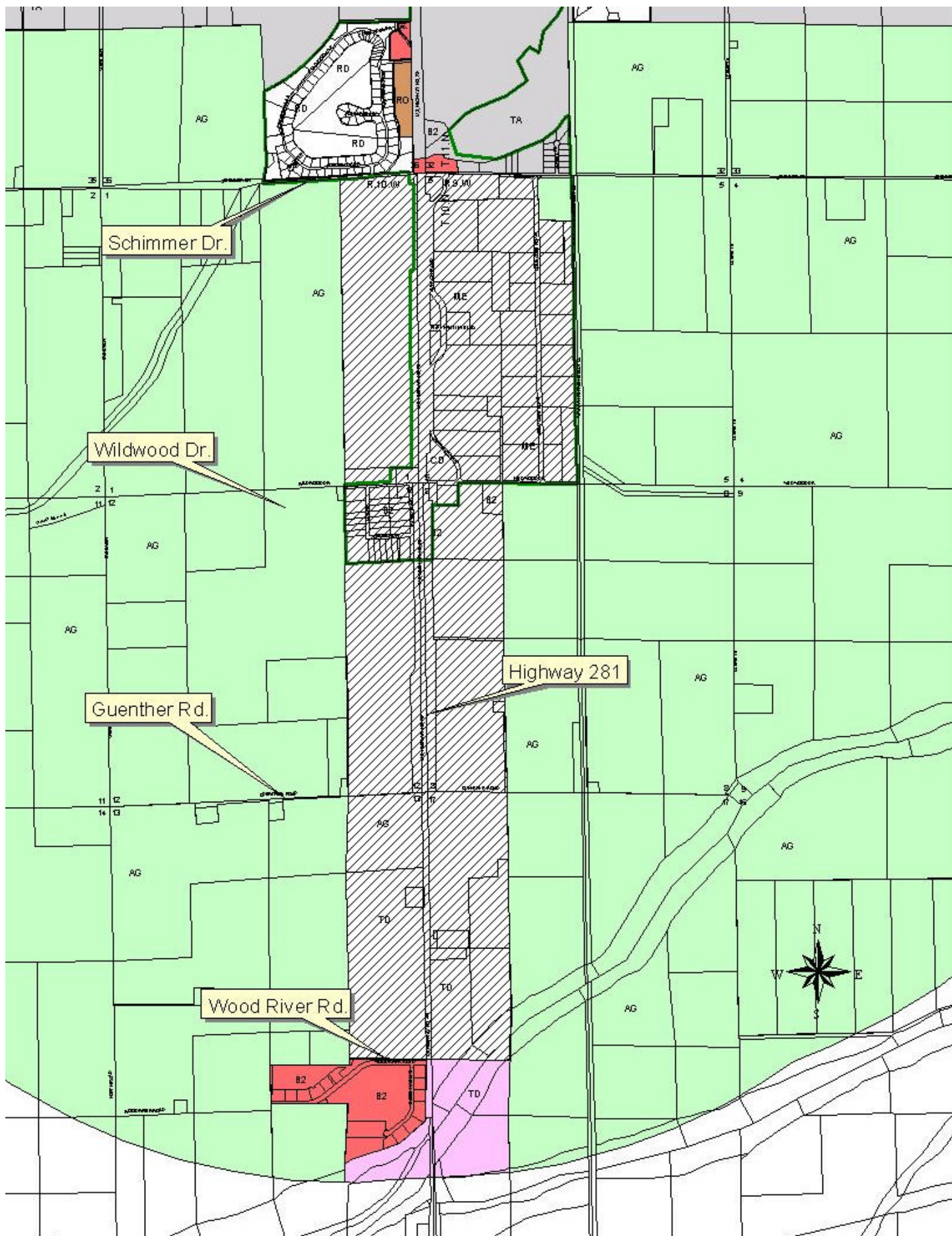
Following further discussion a motion was made by Amick and 2nd by Haskins to approve and recommend the City of Grand Island approve the Overlay District with the following changes **1)** Strike 3 L all together, **2)** Strike the first sentence on 4 M, **3)** add the words pre-engineered structures in the appropriate place in 4 C, **5)** to end the district along 281 at Wood River Road, and **6)** to add the words non-residential developments to E 1.

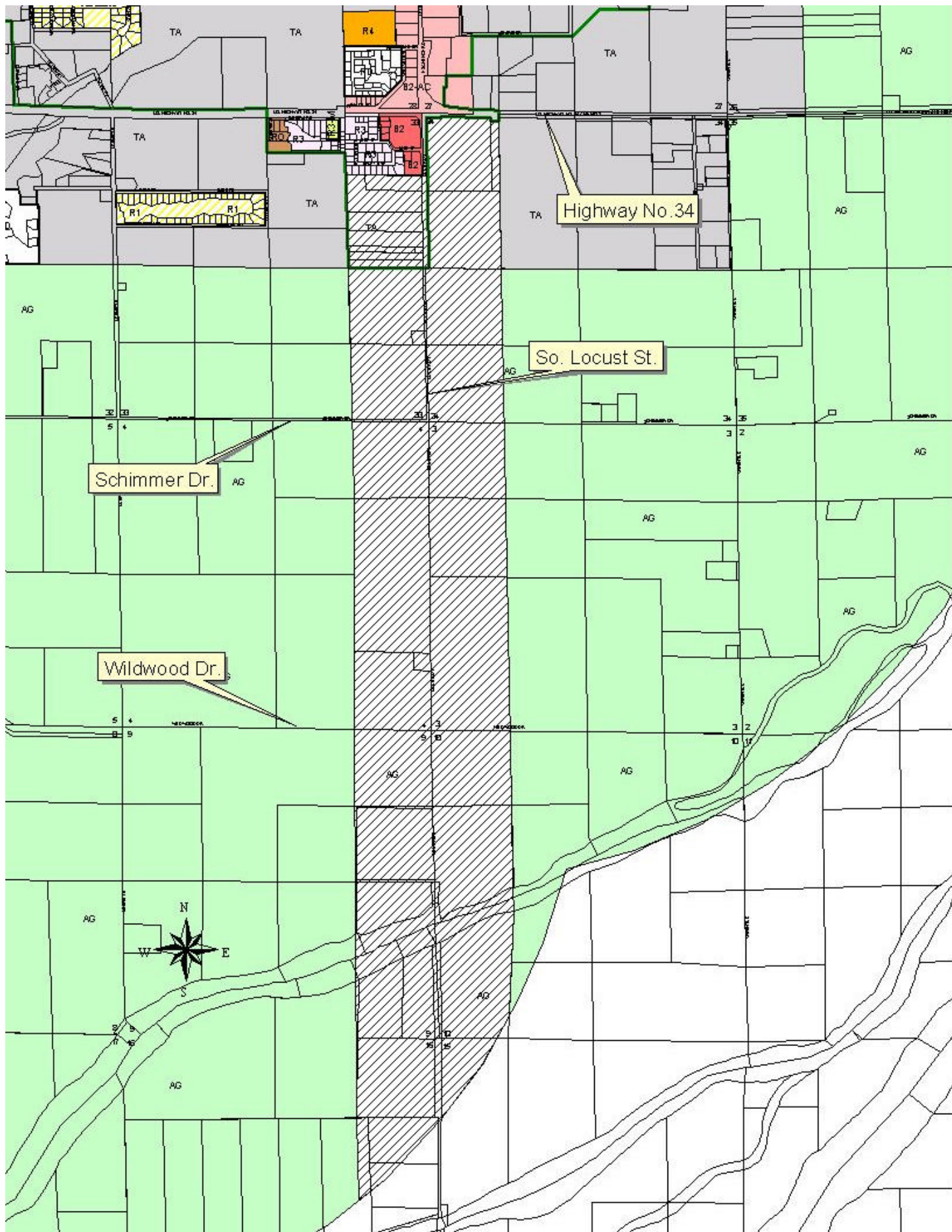
A roll call vote was taken and the motion passed with 7 members present voting in favor (Amick, Haskins, Lechner, Brown, Miller, Obst, Ruge, Wagoner) and 2 members voting against (Niemann, O'Neill).

Yours truly,

Chad Nabity AICP
Planning Director

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





PLANNING DIRECTOR RECOMMENDATION

December 17, 2003

SUBJECT: Concerning changes to the Grand Island Zoning Ordinance and official Zoning Map to add language for a Gateway Corridor Overlay District for properties located generally ¼ mile east and west of U.S. Highway 281 south of Schimmer Drive and ¼ mile east and west of S. Locust Street south of U.S. Highway 34 and define this corridor on the Official Zoning Map. (C-11-2004GI)

PROPOSAL:

Gateway Corridor Overlay District

This District is a product of the comprehensive plan update process. This zone is one that was proposed for adoption with the new comprehensive plan and zoning regulations. This zone is consistent with the goals and objectives of the Comprehensive Plan and the South Locust Sub-Committee that made recommendations to the comprehensive plan steering committee and City Council in December of 2002.

We expected to adopt these changes as part of the revised zoning regulations in February or March of 2004. Regional Planning staff made is recommending that the adoption of this overlay be expedited based on the announcement from Wal-Mart that they are considering a site along South Locust south of U.S. Highway 34. Overlay districts for these sections of South Locust and U.S. Highway 281 are proposed because they are major gateways into the community.

This type of corridor overlay district will give the City the ability to influence the type of development that occurs along these corridors. The proposed district will require that developers consider the relationship of the buildings to the site, building materials and design, landscaping and site treatments, signage and lighting design in their overall development. City staff, the Hall County Regional Planning Commission, neighboring property owners, interested citizens and ultimately the Grand Island City Council will be able to provide input on development within these corridors based upon these regulations.

Adoption of these regulations prior to any application (rezoning, subdivision or building permit) from Wal-Mart along South Locust will give the City the ability to negotiate for development that is consistent with the community vision for the South Locust corridor. The citizens of Grand Island have spent too much time and money on the improvements to South Locust to let mediocre development between U.S. Highway 34 and the Interstate detract from the improvements that have been made north of U.S. Highway 34.

RECOMMENDATION:

The Regional Planning Commission recommended that the Grand Island City Council adopt the regulations as proposed with changes either underlined for additions or identified by strikeouts if removed. Additional changes in italics are being suggested for adoption by council by the Planning Director based on comments from the public after the planning commission hearing.

This set of regulations will continue to evolve as new questions arise. Council needs to take action on these regulations in short order to protect these corridors. The regulations can be adopted either as recommended by the planning commission or with the additional changes as identified by the italic font.

_____ Chad Nabity AICP, Planning Director

§ 36-42 Gateway Corridor District (Overlay District)

Intent: The City of Grand Island has established basic site and building development criteria to be implemented within the boundaries of this overlay district. These criteria include, but are not limited to the following: landscaping, building material selection, lighting, and interior street development. The purpose for regulating these issues is to provide for a cohesive and properly developed entrance into the City of Grand Island from the Interstate corridor. Guiding development in this manner promotes the general health, safety and welfare of the residents within the zoning jurisdiction of the City, by providing quality design and construction that will also aid in the protection of past and future investment in the corridor.

Purpose: The purpose of these criteria is to establish a checklist of those items that affect the physical aspect of Grand Island's environment. Pertinent to appearance is the design of the site, building and structures, planting, signs, street hardware, and miscellaneous other objects that are observed by the public.

The criteria contained herein are not intended to restrict imagination, innovation or variety, but rather to assist in focusing on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the city, preserve taxable values, and promote the public health, safety and welfare.

(A) Geographic Area:

The Gateway Corridor Overlay District extends generally to ~~Interstate 80~~ Wood River Road or the southern portion of the Grand Island Extraterritorial Jurisdiction. The overlay districts generally are ½ mile wide and centered along U.S. Highway 281 south of Schimmer Drive and South Locust Street south of U.S. Highway 34.

If a site is partially covered by said overlay district, and then the entire portion of the site facing the Gateway Corridor is to be covered by these regulations. For a graphically defined area, see the Official Zoning Map.

(B) Criteria for Application:

- All commercial developments consisting of more than one principal building, mixed-uses, multiple-pad development and/or similar shall be required to meet the zoning requirements for a Commercial Development (CD) Zone *or the Travel Development (TD)*. The CD *or TD* process and rezoning shall be in conjunction with Preliminary and Final Plat review and approval. *The design criteria of this section shall be met as part of the subdivision approval.*
- *All industrial developments consisting of more than one principal building, mixed-uses, multiple-pad development and/or similar shall be required to meet the zoning requirements of the Manufacturing Estates (ME) Zone. The design criteria of this section shall be met as part of the subdivision approval.*
- All commercial *or industrial* developments consisting of one principal building with single or mixed uses in *an existing* zone shall comply

with the design criteria of this section. *This would include additions and exterior remodeling of existing structures.*

- All residential subdivisions shall be required to meet the landscape and site treatment criteria wherever the proposed development is adjacent to an Arterial or frontage road. The criteria shall be implemented for the entire frontage, including entrances into the development.
- Exception: Single-family dwelling units within this Overlay on property zoned for Agricultural or Transitional Agriculture shall be exempted from these criteria.

(C) Criteria for Appearance

(1.) Relationship of Buildings to Site

The site shall be planned to accomplish a desirable transition with the streetscape and to provide for adequate planting, safe pedestrian movement, and parking areas.

- a Site planning in which setbacks and yards are in excess of standard commercial zoning restrictions is encouraged to provide an interesting relationship between buildings.
- b Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms, or other innovative means so as to screen parking areas from view from public ways.
- c Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.
- d Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.

(2.) Relationship of Buildings and Site to Adjoining Area (Outside Of Subdivision)

- a Adjacent buildings of different architectural styles shall be made compatible by such means as screens, sight breaks, and materials.
- b Attractive landscape transitions shall be designed to be compatible to adjoining properties.
- c Harmony in texture, lines, and masses is required. Monotony shall be avoided

(3.) Landscape and Site Treatment

Landscape elements included in these criteria consist of all forms of planting and vegetation, ground forms, rock groupings, water patterns, and all visible construction except buildings and utilitarian structures.

- a Where natural or existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and developed. Modification to topography will be permitted where it contributes to good site design and development.
- b Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance for walking and, if seating is provided, for sitting.
- c Landscape treatments shall be provided to enhance architectural features, strengthen vistas and important axis, and provide shade. Spectacular effects shall be reserved for special locations only.
- d Unity of design shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments.

- e Plant material shall be selected for interest in its structure, texture, and color and for its ultimate growth. Plants that are indigenous to the area and others that will be hardy, harmonious to the design and of good appearance shall be used.
- f Site must be serviced by an underground or approved irrigation system and all plant material shall be kept in good health and maintained. If plant material dies, it shall be replaced.
- g Parking areas and traffic ways shall be enhanced with landscaped spaces containing trees or tree groupings.
- h Use of walls, fencing, planting, or combinations of those shall accomplish screening of service yards and other places that tend to be unsightly. Screening shall be equally effective in winter and summer.
- i Exterior lighting, when used, shall enhance the building design and the adjoining landscape. Building fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting shall be restrained in design and excessive brightness avoided. Lighting shall be designed to a standard that does not impact adjoining properties, especially residential areas.
- j All fencing within this Overlay shall be defined including height, type and materials within the development plan.
- k Fencing within the District and as part of an Industrial Development may be required to be a solid fence.
- ~~l All signage along the public way shall be ground monuments. Pole signs shall not be allowed within this overlay.~~
- m All signs shall meet the Sign Design Criteria within the City of Grand Island Sign Code.

(4.) Building Design

- a Architectural design and style are not restricted, however architectural style should be consistent throughout the subdivision. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.
- b Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.
- c The primary building material for all portions of the structures shall be negotiated with the City. However, sample materials shall include but not be limited to materials of high quality, such as brick (clay), stucco, wood, glass, split faced concrete masonry units (CMU) with integrated color pigmentation, pre-engineered structures provided the exterior skin meets the criteria for appearance for the area as defined in the subdivision agreement or approved by the site design and review committee and stone material native to Nebraska. The materials shall be similar and compatible throughout the entire development. The Grand Island staff and/or design review architect may allow other primary building designs (of good architectural character i.e. CMU, poured-in-place concrete) for portions of the building not visible from public areas. Other secondary building materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings.
- d Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways.
- e Materials shall be of durable quality.

- f In any design in which the structural frame is exposed to view, the structural materials shall be compatible within themselves and harmonious with their surroundings.
- g Building components, such as windows, doors, eaves and parapets, shall have good proportions and relationships to one another.
- h Colors shall be harmonious and shall use only compatible accents
- i Colors shall be of low reflectance and shall not be of high-intensity or metallic colors unless the colors are true to the materials beings used.
- j Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be so located as not to be visible from any public ways.
- k Exterior lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design.
- l Refuse and waste removal areas, service yards, storage yards, and exterior work areas shall be screened from view from public ways, using materials as stated in criteria for equipment screening.
- m ~~Freestanding signs shall be limited to monument type signs.~~ The style and material of the signs shall be included within the development plan.
- n Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting of individual buildings may be used to prevent a monotonous appearance.
- o Building orientation shall be toward an arterial street, unless it is demonstrated that this would not be feasible.

(D) Factors For Evaluation

The following factors and characteristics, which affect the appearance of a development, will govern the evaluation of a design submission:

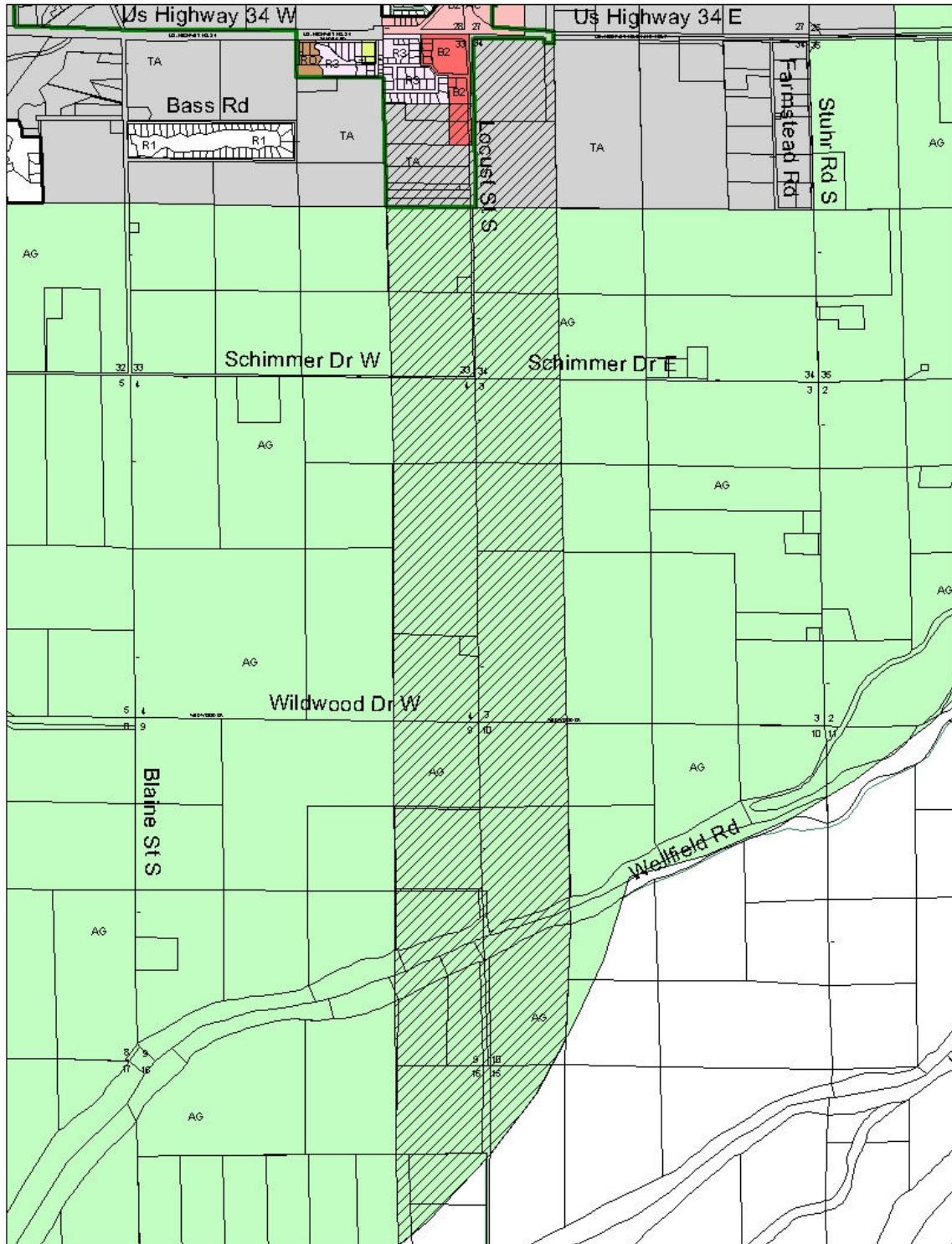
- (1.) Conformance with ordinances and the Building Design Criteria
- (2.) Logic of design.
- (3.) Exterior space utilization.
- (4.) Architectural character.
- (5.) Attractiveness of the Material selection.
- (6.) Harmony and compatibility.
- (7.) Circulation-vehicular and pedestrian.
- (8.) Maintenance aspects.

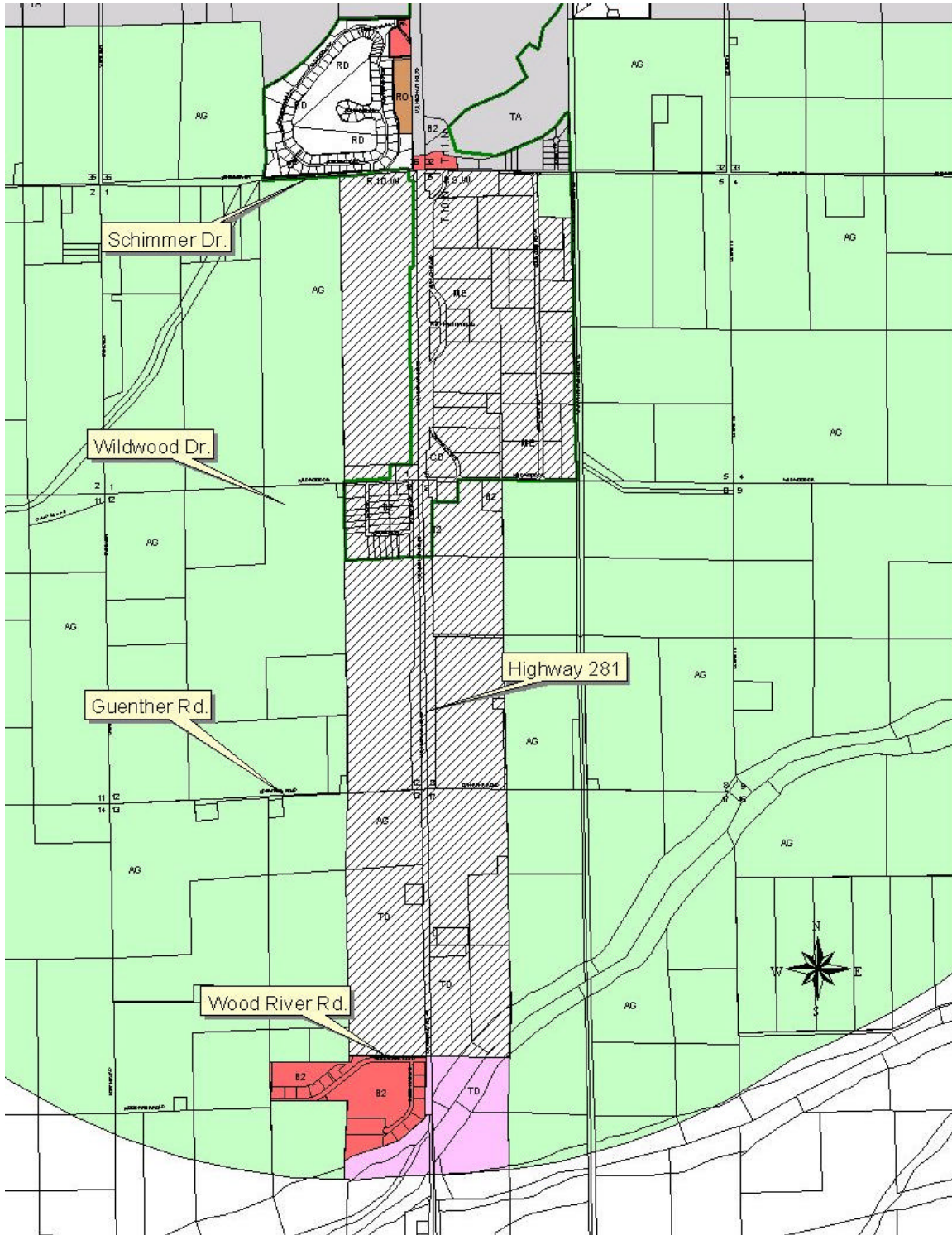
(E) Process

- (1.) Commercial Development Zone Application
All ~~non-residential developments~~ *(non-residential developments would be removed with additional language)* *General Commercial developments on property not already zoned for commercial uses* within the Gateway Corridor District shall be required to apply for rezoning under the criteria in §36-37 of this Ordinance.
- (2.) *Industrial Development Zone Application*
All Industrial Developments within the Gateway Corridor District Shall be required to apply of rezoning to ME Manufacturing Estates under the criteria in §36-33 of this ordinance.
- (3.) *Individual Commercial or Industrial Buildings and additions or exterior remodeling of existing buildings shall be subject to site plan and design review by a committee consisting of The Hall County Regional Planning Director, The Grand Island Building Department Director, one (1) Planning Commission Member representing the City of Grand Island and if appointed*

a design review architect representing the City of Grand Island. This committee can request additional input from surrounding property owners and near by business improvement districts as ex-officio members of the design review committee.

- (4.) Subdivision Approval
All new commercial buildings or developments within the Gateway Corridor Overlay shall be on properly subdivided lots. As a condition of subdivision approval, all said commercial *and or industrial* buildings or developments shall comply with the provisions of the Gateway Corridor Overlay District. The Developer shall place maintenance provisions required by this Section within all restrictive covenants
- (5.) Pre-application Conference:
A pre-application conference with city staff to give the applicant an opportunity to discuss plans before a great deal of time or money is expended.
- (6.) Application for Design Review:
The applicant needs to fill out the "Application for Certificate of Approval" and submit it along with the required submittals. See Administrative Forms for a listing of required submittals.
- (7.) Certificate of Approval:
Upon a successful review, the City of Grand Island will issue to the applicant a Certificate of Approval. A copy of this will need to be included with the Building Permit documents in order to receive a Building Permit.
- (8.) Appeals:
In the event, where the Applicant, City staff and/or a design review architect representing the City, *or the site plan and design review committee* cannot come to an agreement the applicant may appeal the decision by requesting an amendment to the Subdivision Agreement from the Grand Island City Council.
- (9.) Certificate of Occupancy Permit:
After the building permit is issued, all design requirements must be completed as approved in order for a Certificate of Occupancy to be issued.
- (10.) Maintenance of Design requirements:
The Applicant needs to maintain the Design Requirements for the life of the project. In the event that they fail to do, so the City may revoke the Occupancy Permit.
- (11.) Fees:
Fees may apply to each individual step as established by separate ordinance.







City of Grand Island

Tuesday, December 23, 2003

Council Session

Item E2

Public Hearing on Annexation of Property Located at 2860 East Bismark Road

Public Hearing concerning annexation of property located at 2860 East Bismark Road and the location of the Grand Island Kennel Club as requested by the property owners. The Regional Planning Commission at their meeting of December 3, 2003, unanimously voted to approve and recommend the city council approve this annexation. It is appropriate to solicit public comment. The action item is contained under Ordinances

Staff Contact: Chad Nabity

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: Annexation of Property located at 2860 E. Bismark Road, the location of the Grand Island Kennel Club.

At the regular meeting of the Regional Planning Commission, held December 3, 2003, the above item was considered following a public hearing. The above item is to Annex the located at 2860 E Bismark Road and the location of the Grand Island Kennel Club as requested by the property owners.

This annexation will have no effect on the 2 mile extraterritorial jurisdiction exercised by the City Of Grand Island.

Dean Graf spoke in favor of this item. He said he is with the Grand Island Kennel Club, and they would like to be annexed into the City Limits so they can hook into the city services. He said they have had problems with their septic system, and feel that having City sewer and water would be the best option for them.

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

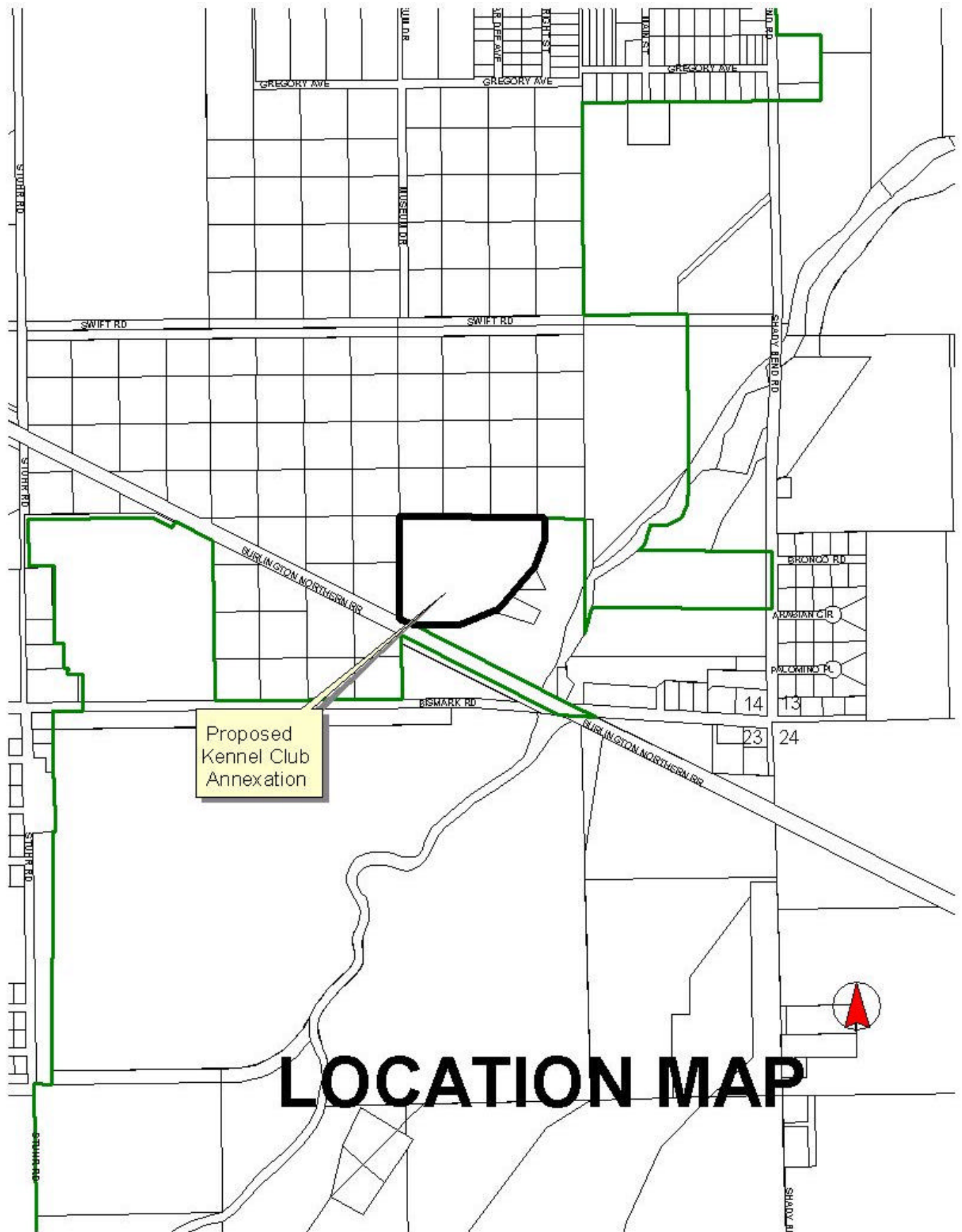
Following further discussion a motion was made by Haskins and 2nd by Brown to approve and recommend the City of Grand Island recommend this annexation.

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: Director of Building Inspections
City Attorney
Director of Utilities
Director of Public Works
Manager of Postal Operations
Applicant



Agenda Item #4

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

November 13, 2003

SUBJECT: *Kennel Club Property, Hearing for Annexation*

PROPOSAL: To annex approximately 15.22 acres of property north of Bismark Road and west of Shady Bend Road upon which is located the Grand Island Kennel Club. This annexation has been requested by the Grand Island Kennel Club.

OVERVIEW:

This parcel of ground is contiguous with the Grand Island City Limits along its northern and western boundaries. The owner has requested that this property be annexed so into the City of Grand Island so they can hook up to city sewer services.

Sewer is available to this property. Water would be provided to this property through a district process upon application for a district. This is within the Grand Island Utilities Electrical Service District. This property is within the Grand Island School District. This will not impact the two-mile extraterritorial jurisdiction of Grand Island.

RECOMMENDATION:

That the Regional Planning Commission recommend that the Grand Island City Council annex this property as requested by the owners.

_____ Chad Nabity AICP, Planning Director



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item E3

Public Hearing on Acquisition of Utility Easement Located at 3537 West 13th Street - Mid-Country Trading, L.L.C.

Acquisition of a utility easement located at 3537 West 13th Street, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to relocate the primary underground electric system. 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 23, 2003

Council Session

Item E4

Public Hearing on Acquisition of Utility Easement Located at 916 North Shady Bend Road - GIA

Acquisition of a utility easement located at 916 North Shady Bend Road, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used to construct a three-phase overhead line to complete a feeder loop interrupted by the widening of U.S. 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 23, 2003

Council Session

Item E5

Public Hearing on Acquisition of Utility Easement Located at 4413 East Highway 30 - Bamford

Acquisition of a utility easement located at 4413 East Highway 30, is required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement will be used for a downguy and anchor for the overhead power line crossing of Capital Avenue required by the widening 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 23, 2003

Council Session

Item E6

Public Hearing on Acquisition of Utility Easement Located at 3005 East U.S. Highway 30 - Llamas

Acquisition of a utility easement located at 3005 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 the overhead primary electric lines serving this property 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 23, 2003

Council Session

Item E7

Public Hearing on Acquisition of Sidewalk Easement Located at 3990 West Capital Avenue - G.I. Retirement L.L.C.

Background:

As properties develop they are required to install public sidewalks in the right-of-way along public streets. The council has waived this requirement in a few instances such as when drainage ditches make it difficult to install walks. It is much easier to install sidewalk when the property is being developed rather than to try and construct sidewalks a number of years later after initial construction is complete. City staff feels that the sidewalks should be installed now. The developer agreed to install the walks at this time; however, the only location that is conducive to the installation of the sidewalks is on private property. Therefore an easement is required.

Discussion:

The subdivision agreement along Capital Avenue on the Primrose Subdivision property requires installation of public sidewalks. The contours of the right-of-way adjacent to the property does not allow for installation of sidewalk without extensive modification to the existing drainage ditch along Capital Avenue.

Recommendation:

Staff recommends the Council conduct a Public Hearing. It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.

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



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item E8

Public Hearing on Application for Natural Resources Development Funds for Northwest Grand Island Flood Project

Background:

The Federal Emergency Management Agency (FEMA) has maps that show the 100 year flood plain as generally north of Capital Avenue and west of Webb Road with an additional area between US Highway 281 and Webb Road bounded by State Street on the south and Capital Avenue on the north. Properties within this flood plain area are required to pay for flood insurance unless they have the property surveyed and removed from the flood plain by a letter of map amendment. A number of properties have been surveyed and some remain within the 100 year flood plain while others have had the map amended and their property removed from the flood plain.

Discussion:

Please see the attached document.

Financial Implications:

The total project is estimated at \$15.5 million dollars. The city is working with the Central Platte Natural Resources District (CPNRD) to prepare an application for Natural Resources Development Funds for \$9.3 million dollars for the project. The City of Grand Island and the CPNRD would share in the remaining \$6.2 million. The project is being proposed as phased over 10 years to reduce the impact on the budget.

Recommendation:

Conduct a Public Hearing.

Alternatives:

It is appropriate to solicit public comment. The action item is contained under the Consent Agenda.

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

Discussion

The City of Grand Island is working with the Central Platte Natural Resources District (CPNRD) on a flood study of Northwest Grand Island. The study includes the Prairie and Silver Creeks and their impact when they overflow into Grand Island and flood the Moores Creek drain ways that have been constructed in western Grand Island.

The study shows that the extent of a 100 year flood will be much larger than the area covered by FEMA's maps. The study shows a significant portion of the city west of US Highway 281 from US Highway 30 to NE Highway 2 will be flooded in a 100 year flood.

Areas have been selected for constructing flood control measures that would virtually eliminate the 100 year flooding within the city limits and substantially reduce the 100 year flooding in the county along the Prairie and Silver Creeks upstream from Grand Island.

If constructed the project would prevent flooding damage to properties estimated to total millions of dollars in damage.

Agricultural Land Impact	\$ 2.77 Million
Rural Residential Impact	\$ 2.05 Million
Urban Residential Impact	\$30.12 Million
Business Impact	\$27.36 Million
Total Predicted Flood Damage	\$62.30 Million



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item F1

#8879 - Consideration of Vacation of Alley in the Stehr's Subdivision - East Seedling Mile Road

Background:

Herbert Lavinge the owner of Lot's 7 and 11 in Stehr's Subdivision located between U.S. Highway 30 and Seedling Mile Road has requested that the alley between Lot's 6, 7 and 11 be vacated. John and Cynthia Ogle the owners of Lot 6 have been notified and have not expressed any concerns. In conjunction with vacating the alley, the city will retain the same area as a public utilities easement. Council action is necessary for the City of Grand Island to vacate public right-of-way and public alleys.

Discussion:

This has been reviewed by City Staff and we have no objections to their request for vacating the alley as long as we retain the vacated area for public utilities. A portion of the alley westerly of the current area under consideration, has previously been vacated. Mr. Lavinge has been told that we want an administrative plat combining the portion of Lot 11 that he owns, with Lot 7, to avoid compounding the existing non-conforming situation.

Recommendation:

Approve the alley vacation.

Financial Implications:

None

Alternatives:

Deny this request. This would result in the area remaining as an alley.

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

* This space reserved for Register of Deeds *

ORDINANCE NO. 8879

An ordinance to vacate a portion of an alley in Stehr's Subdivision, conditioned upon the reservation of the vacated alley for a public utility easement; to provide for the filing of this ordinance in the office of the Register of Deeds of Hall County; to repeal 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. That a portion of the east/west alley located generally south of Lot Eleven (11) Stehr's Subdivision in the City of Grand Island, Nebraska, more particularly described as follows:

Beginning at the northwest corner of Lot Six (6), Stehr's Subdivision; thence north on a prolongation of the west line of Lot Six (6) Stehr's Subdivision to the south line of Lot Eleven (11) Stehr's Subdivision; thence east on the south line of Lot Eleven (11) Stehr's Subdivision to the southeast corner of said Lot Eleven (11); thence south on a line perpendicular to the north line of Lot Seven (7) Stehr's Subdivision to the north line of said Lot Seven (7); thence west on the north line of Lot Six (6) and Lot Seven (7) Stehr's Subdivision to the point of beginning;

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

ORDINANCE NO. 8879 (Cont.)

be, and hereby is, vacated, provided and conditioned, that the City of Grand Island hereby reserves for the public the entire vacated alley for a public utility easement for sewer, water, electric, storm drainage, gas, and other public utilities easements and all rights and appurtenances thereto. No trees, shrubbery, fences, improvements, structures, or buildings of any kind whatsoever shall be allowed in, upon, or over the utility easement herein retained. Said property is shown on the plat dated November 25, 2003, attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 2. Subject to the public utilities easement reserved, the title to the alley vacated by Section 1 of this ordinance shall revert to the owner or owners of the real estate abutting the same in proportion to the respective ownership of such real estate.

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

SECTION 4. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

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

Enacted: December 23, 2003.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item F2

#8880 - Consideration of Vacation of Utility Easement - Park Island Square 6th Subdivision

Background:

Two easements were acquired from Mid Country, L.L.C. for placement of primary electrical lines, in November, 1999, across part of Lot One (1), and part of Lot Two (2) Park Island Square 6th Subdivision.

Discussion:

Mid-Country LLC is expanding the Slumberland building across the easement shown on Exhibit A. They are giving an easement to replace this easement and will pay to relocate the underground electric primary system.

Recommendation:

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

Fiscal Effects:

None.

Alternatives:

Do not approve request.

Staff Contact: Gary R. Mader

VACATE EASEMENTS - ORDINANCE NO.8880

Requested by Mid-Country Trading LLC, by Ray O'Conner
to accommodated expansion of Slumberland Furniture Store

Tract No. 1:

... vacate part of an easement and right-of-way recorded in document 0099-111331 in the Register of Deeds Office, Hall County, Nebraska and as shown on the plat of Park Island Square Sixth Subdivision in the City of Grand Island, Hall County, Nebraska ...

... that part of the twenty (20.0) foot wide easement and right-of-way to be vacated being more particularly described as follows:

The easterly twenty (20.0) feet of the westerly one hundred sixteen (116.0) feet of the southerly one hundred ninety nine (199.0) feet of the northerly two hundred nine (209.0) feet of Lot One (1) Park Island Square Sixth Subdivision. The above described tract containing 0.09 acres more or less

and

Tract No. 2:

... vacate part of an easement and right-of-way recorded in document 0099-111332 in the Register of Deeds Office, Hall County, Nebraska and as shown on the plat of Park Island Square Fifth Subdivision and Park Island Square Sixth Subdivision, both in the City of Grand Island, Hall County, Nebraska ...

... the centerline of that part of the easement and right-of-way to be vacated being more particularly described as follows:

Referring to the northwest corner of Lot One (1) Park Island Square Sixth Subdivision; thence southerly along the westerly line of said Lot One (1) Park Island Square Sixth Subdivision, a distance of ten (10.0) feet to the original platted southwest corner of Lot Two (2) Park Island Square Fourth Subdivision; thence N 89° 27' 29" E along the southerly line of said original platted Lot Two (2), Park Island Square Fourth Subdivision, a distance of one hundred six (106.0) feet to the ACTUAL POINT OF BEGINNING; thence N 0° 32' 31" W, a distance of fifty one and forty nine hundredths (51.49) feet. The side lines of the above described tract shall be prolonged or shortened as required, to terminate on the boundary of a northeasterly easement and right-of-way bearing N 62°59'47"E. The above described tract containing 0.046 acres more or less ...

... all as shown on the plat 12/9/2003, marked Exhibit "A", attached hereto and incorporated herein by reference.

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 8880

An ordinance to vacate an existing easement and right-of-way recorded in Document No. 0099-111331 in the Register of Deeds Office, Hall County, Nebraska and as shown on the plat of Park Island Square Sixth Subdivision; to vacate an existing easement and right-of-way recorded in Document No. 0099-111332 in the Register of Deeds Office, Hall County, Nebraska and as shown on the plat of Park Island Square Fifth Subdivision and Park Island Sixth Subdivision in the City of Grand Island, Hall County, Nebraska; to provide for filing this ordinance in the office of the Register of Deeds of Hall County; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. That the portion of easement and right-of-way, more particularly described as follows, is hereby vacated:

Tract No. 1:

A part of an easement and right-of-way recorded in Document No. 0099-111331 in the Register of Deeds Office, Hall County, Nebraska and as shown on the plat

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

ORDINANCE NO. 8880 (Cont.)

of Park Island Square Sixth Subdivision in the City of Grand Island, Hall County, Nebraska; the twenty (20.0) foot wide easement and right-of-way being vacated being more particularly described as follows:

The easterly twenty (20.0) feet of the westerly one hundred sixteen (116.0) feet of the southerly one hundred ninety nine (199.0) feet of the northerly two hundred nine (209.0) feet of Lot One (1) Park Island Square Sixth Subdivision. The above described tract containing 0.09 acres, more or less as shown on the plat dated December 9, 2003, marked Exhibit "A", attached hereto and incorporated herein by reference.

Tract No. 2:

A part of an easement and right-of-way recorded in Document No. 0099-111332 in the Register of Deeds Office, Hall County, Nebraska and as shown on the plat of Park Island Square Fifth Subdivision and Park Island Square Sixth Subdivision, both in the City of Grand Island, Hall County, Nebraska; the centerline of that part of the easement and right-of-way to be vacated being more particularly described as follows:

Referring to the northwest corner of Lot One (1) Park Island Square Sixth Subdivision; thence southerly along the westerly line of said Lot One (1) Park Island Square Sixth Subdivision, a distance of ten (10.0) feet to the original platted southwest corner of Lot Two (2) Park Island Square Fourth Subdivision; thence N89°27'29"E along the southerly line of said original platted Lot Two (2), Park Island Square Fourth Subdivision, a distance of One Hundred Six (106.0) feet to the Actual Point of Beginning; thence N0°32'31"W, a distance of fifty one and forty nine hundredths (51.49) feet. The side lines of the above described tract shall be prolonged or shortened as required, to terminate on the boundary of a northeasterly easement and right-of-way bearing N62°59'47"E. The above described tract containing 0.046 acres, more or less as shown on the plat dated December 9, 2003, attached hereto and incorporated herein by reference.

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

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

ORDINANCE NO. 8880 (Cont.)

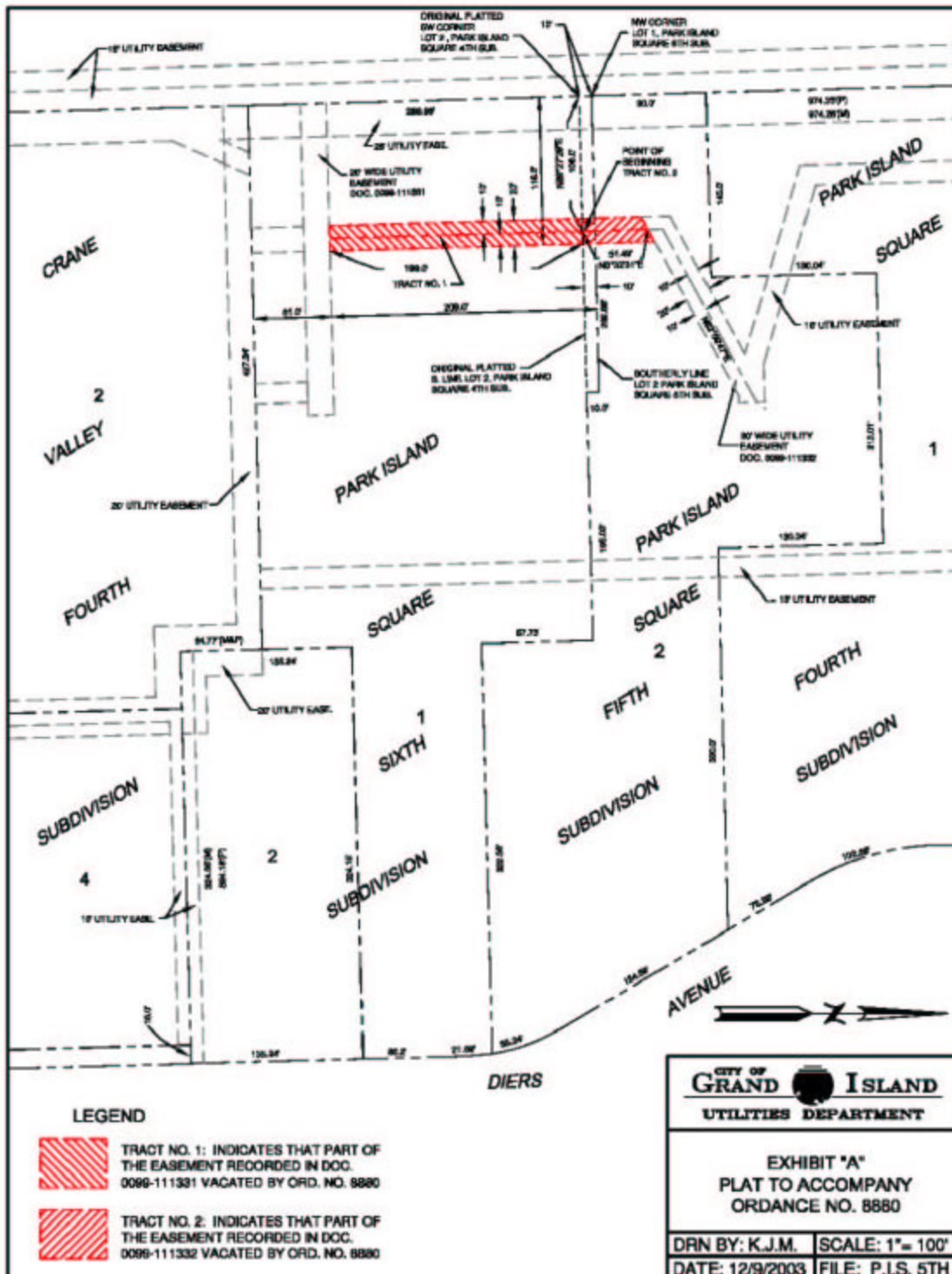
SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: December 23, 2003.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk





City of Grand Island

Tuesday, December 23, 2003

Council Session

Item F3

#8881 - Consideration of Amending Chapter 5 of the Grand Island City Code Relative to Animal Advisory Board and Animal Training

Three code sections are being proposed for passage by this ordinance. The first code section will revise the Animal Advisory Board's required meeting time from the first Tuesday of January and July to the first week of January and July. This will give the Board flexibility in establishing its meetings and be in compliance with the code if these dates fall on a holiday or if it is more convenient for the Board to meet on a different day of the week. The second code section will permit an exception to the leash law for animals that are being trained or are participating in a show. The third code section is to permit law enforcement agencies to be exempt from the leash law and the dangerous dog ordinance when training and using the dogs for law enforcement purposes.

Staff Contact: Doug Walker

ORDINANCE NO. 8881

An ordinance to amend Chapter 5 of the Grand Island City Code; to amend Section 5-2 pertaining to required dates for meetings of the Animal Advisory Board; to add Section 5-34.1 pertaining to animal training and shows; to add Section 5-34.2 pertaining to an exemption for animals used and trained for law enforcement purposes; to repeal Section 5-2 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 5-2 of the Grand Island City Code is hereby amended to read as follows:

§5-2. Animal Advisory Board; Establishment

There is hereby established the Animal Advisory Board of the City of Grand Island, whose duty it shall be to advise the mayor and city council on all matters relating to this chapter. The board shall be composed of seven members: four members appointed by the mayor subject to confirmation by the city council; and the chief of police or his/her designee, the director of the humane society or his/her designee, and the director of the department of health or his/her designee. Appointed members shall serve without compensation. The Animal Advisory Board shall meet ~~during on the first week of Tuesday falling after January 1 and the first week of July 1~~ of each year and/or such other occasions as may be established by said board. Attendance by any four or more members shall constitute a quorum.

SECTION 2. Section 5-34.1 is hereby added to the Grand Island City Code to read as follows:

§5-34.1. Animal Training and Shows

Animals may be off a leash when they are being trained for hunting or an animal show at a facility that is owned, leased or operated by a nationally recognized organization or a local affiliate sanctioned by such organization for the training, showing and betterment of animals such as the American Kennel Club or the United Kennel Club. Animals may be off of a leash at an animal show that is sanctioned by a nationally recognized animal organization if such show obtains a permit from the Grand Island Humane Society. The application for said permit shall set forth the date and place of the show or event, and list the types of activities that will be taking place at the event. If the activities at such animal show do not violate any of the provisions of the Grand Island City Code other than the running at large ordinance, or involve inhumane treatment of the animals at such event then a permit shall be issued by the Grand Island Humane Society and a copy of the permit shall be sent to the Grand Island City Clerk and to the Grand Island Police Department.

ORDINANCE NO. 8881 (Cont.)

SECTION 3. Section 5-34.2 is hereby added to the Grand Island City Code to read as follow:

§5-34.2 Animals Used and Trained for Law Enforcement; Exemption

Any animal used by law enforcement agencies including but not limited to the City of Grand Island Police Department, the Hall County Sheriff's Department or the Nebraska State Patrol shall be exempted from the provisions of the Grand Island City Ordinances including the Animal Running at Large and Dangerous Dogs Ordinances while such animal is being trained or used for law enforcement purposes.

SECTION 4. Section 5-2 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 5. 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 23, 2003.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item F4

#8882 - Consideration of Amending Chapter 26-5 of the Grand Island City Code Relative to Permits for the Installation of Private Sewage Disposal Systems

The proposed ordinance will amend City Code section 26-5 by deleting the requirement to obtain a permit from the City when repairing, replacing, or installing private on-site wastewater disposal systems. The State of Nebraska Department of Environmental Quality has implemented new State regulations which require individuals who construct, repair, alter, modify, or inspect on-site wastewater systems to be certified by the State. Additionally the regulations require that all systems repaired, modified, or constructed be registered with the NDEQ along with a \$50 fee.

The City has twice in the past attempted to enter into a memorandum of understanding with the State to allow the City to inspect and enforce regulations for on-site disposal systems, eliminating the need for State involvement on individual systems, both have been unsuccessful.

As the new State regulation come into effect it does not appear appropriate for the consumer or the installer to require both City and State involvement in the regulation of on-site wastewater treatment systems. We appear unable to influence State regulations which allows the City to intercede in the enforcement of regulations. Local knowledge and local control appears to be the most responsive but at this time unattainable.

For the reason stated above I would recommend that the City of Grand Island amend it's local Code to eliminate the requirement to obtain a local permit for the installation and inspection of an on-site wastewater treatment system.

Staff Contact: Craig Lewis

ORDINANCE NO. 8882

An ordinance to amend Chapter 26 of the Grand Island City Code; to amend Section 26-5 to no longer require a permit to repair, replace or install a private disposal system; to repeal Section 26-5 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 26-5 of the Grand Island City Code is hereby amended to read as follows:

§26-5. UPC - Amendment of Subsection 103.1.1

Subsection 103.1.1 of the Uniform Plumbing Code is hereby amended to read as follows:

103.1.1. Permits Required.

It shall be unlawful for any person, firm or corporation to make any installation, alteration or repair any plumbing system regulated by this Code except as permitted in Subsections 103.1.2 of this section, or cause the same to be done without first obtaining a permit to do such work from the Grand Island Building Department.

(A) A permit is required for the installation or replacement of all fuel burning and other water heaters, heating potable water, together with all chimneys, vents and their connectors.

(B) A permit is required for the installation, repair, or alteration of all fuel gas piping in or in connection with any building or structure or within the property lines of any premises, other than service pipe.

A permit is required for the installation or replacement of all warm-air furnaces and heating systems including all chimneys, vents, and their connectors.

(C) No device shall be installed for the prevention of backflow or back-siphonage, or be removed from use, or relocated, or other device substituted without a permit.

A permit is required for lawn irrigation systems.

(D) No water treating or conditioning equipment shall be installed without a permit.

(E) A permit and inspection are required when repairing, replacing, or installing a sewer lateral, sewer tap, or sewer cap within five (5) feet of the City main, and when repairing or replacing fifty (50) percent or more of the sewer lateral.

Any repair, replacement, or installation of a new sewer tap shall be done in compliance with the Grand Island City Code, Chapter 30, Articles IV and V.

~~A permit is required for the repair, replacement, or installation of a private disposal system.~~

(F) A permit is required for the repair, replacement, or installation of a water service. A Plumbing Inspection Fee will be assessed on all water meter installations and replacements.

(G) A separate permit shall be obtained for each building or structure.

No person shall allow any other person to do or cause to be done any work under a permit secured by a permittee except persons in his or her employ.

SECTION 2. Section 26-5 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

ORDINANCE NO. 8882 (Cont.)

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

Enacted: December 23, 2003.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item F5

#8883 - Changes to the Grand Island Zoning Ordinance and Zoning Map to Add Gateway Protection Corridor Overlay District

This item relates to the aforementioned Public Hearing. Amendments to the Grand Island Zoning Ordinance and official Zoning Map to add language for a Gateway Protection Corridor Overlay District. The Regional Planning Commission, at their meeting of December 3, 2003 voted to approve the amendments. Approval is recommended.

Staff Contact: Chad Nabity

ORDINANCE NO. 8883

An ordinance to amend Chapter 36 of the Grand Island City Code; to add Section 36-42 pertaining to Gateway Protection Corridor Overlay District; to amend the Official Zoning Map of the City of Grand Island; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 36-42 of the Grand Island City Code is hereby added to read as follows:

§36-42. Gateway Corridor District (Overlay District) - GCO

Intent: The City of Grand Island has established basic site and building development criteria to be implemented within the boundaries of this overlay district. These criteria include, but are not limited to the following: landscaping, building material selection, lighting, and interior street development. The purpose for regulating these issues is to provide for a cohesive and properly developed entrance into the City of Grand Island from the Interstate corridor. Guiding development in this manner promotes the general health, safety and welfare of the residents within the zoning jurisdiction of the City, by providing quality design and construction that will also aid in the protection of past and future investment in the corridor.

Purpose: The purpose of these criteria is to establish a checklist of those items that affect the physical aspect of Grand Island's environment. Pertinent to appearance is the design of the site, building and structures, planting, signs, street hardware, and miscellaneous other objects that are observed by the public.

The criteria contained herein are not intended to restrict imagination, innovation or variety, but rather to assist in focusing on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the city, preserve taxable values, and promote the public health, safety and welfare.

(A) Geographic Area:

The Gateway Corridor Overlay District extends generally to Wood River Road or the southern portion of the Grand Island Extraterritorial Jurisdiction. The overlay districts generally are one-half mile wide and centered along U.S. Highway 281 south of Schimmer Drive and South Locust Street south of U.S. Highway 34.

If a site is partially covered by said overlay district, and then the entire portion of the site facing the Gateway Corridor is to be covered by these regulations. For a graphically defined area, see the Official Zoning Map.

(B) Criteria For Application:

All commercial developments consisting of more than one principal building, mixed-uses, multiple-pad development and/or similar shall be required to meet the zoning requirements for a Commercial Development (CD) Zone or the Travel Development (TD) Zone. The CD or TD process and rezoning shall be in conjunction with Preliminary and Final Plat review and approval. The design criteria of this section shall be met as part of the subdivision approval.

All industrial developments consisting of more than one principal building, mixed-uses, multiple-pad development and/or similar shall be required to meet the zoning requirements of the Industrial Estates (ME) zone. The design criteria of this section shall be met as part of the subdivision approval.

ORDINANCE NO. 8883 (Cont.)

All commercial or industrial developments consisting of one principal building with single or mixed uses in an existing zone shall comply with the design criteria of this section. This would include additions and exterior remodeling of existing structures.

All residential subdivisions shall be required to meet the landscape and site treatment criteria wherever the proposed development is adjacent to an arterial or frontage road. The criteria shall be implemented for the entire frontage, including entrances into the development. Exception: Single-family dwelling units within this Overlay on property zoned for Agricultural or Transition Agriculture shall be exempted from these criteria.

(C) Criteria for Appearance.

(1) Relationship of Buildings to Site: The site shall be planned to accomplish a desirable transition with the streetscape and to provide for adequate planting, safe pedestrian movement, and parking areas.

(a) Site planning in which setbacks and yards are in excess of standard commercial zoning restrictions is encouraged to provide an interesting relationship between buildings.

(b) Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms, or other innovative means so as to screen parking areas from view from public ways.

(c) Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.

(d) Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.

(2) Relationship of Buildings and Site to Adjoining Area (Outside of Subdivision)

(a) Adjacent buildings of different architectural styles shall be made compatible by such means as screens, sight breaks, and materials.

(b) Attractive landscape transitions shall be designed to be compatible to adjoining properties.

(c) Harmony in texture, lines and masses is required. Monotony shall be avoided.

(3) Landscape and Site Treatment. Landscape elements included in these criteria consist of all forms of planting and vegetation, ground forms, rock groupings, water patterns, and all visible construction except building and utilitarian structures.

(a) Where natural or existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and developed. Modification to topography will be permitted where it contributes to good site design and development.

(b) Grades of walk, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance for walking and, if seating is provided, for sitting.

(c) Landscape treatments shall be provided to enhance architectural features, strengthen vistas and important axis, and provide shade. Spectacular effects shall be reserved for special locations only.

(d) Unity of design shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments.

(e) Plant material shall be selected for interest in its structure, texture, color, and for its ultimate growth. Plants that are indigenous to the area and others that will be hardy, harmonious to the design and of good appearance shall be used.

(f) Site must be serviced by an underground or approved irrigation system and all plant material shall be kept in good health and maintained. If plant material dies, it shall be replaced.

(g) Parking areas and traffic ways shall be enhanced with landscaped spaces containing trees or tree groupings.

(h) Use of walls, fencing, planting, or combinations of those shall accomplish screening of service yards and other places that tend to be unsightly. Screening shall be equally effective in winter and summer.

(i) Exterior lighting, when used, shall enhance the building design and the adjoining landscape. Building fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting shall be restrained in design and excessive brightness avoided. Lighting

ORDINANCE NO. 8883 (Cont.)

shall be designed to a standard that does not impact adjoining properties, especially residential areas.

(j) All fencing within this Overlay shall be defined including height, type and materials within the development plan.

(k) Fencing within the District and as part of an Industrial Development may be required to be a solid fence.

(l) All signs shall meet the Sign Design Criteria within the City of Grand Island Sign Code.

(4) Building Design

(a) Architectural design and style are not restricted, however architectural style should be consistent throughout the subdivision. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.

(b) Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.

(c) The primary building material for all portions of the structures shall be negotiated with the City. However, sample materials shall include but not be limited to materials of high quality, such as brick (clay), stucco, wood, glass, split faced concrete masonry units (CMU) with integrated color pigmentation, pre-engineered structures provided the exterior skin meets the criteria for appearance for the area as defined in the subdivision agreement or approved by the site design and review committee, and stone material native to Nebraska. The materials shall be similar and compatible throughout the entire development. The Grand Island staff and/or design review architect may allow other primary building designs (of good architectural character, i.e. CMU, poured-in-place concrete) for portions of the building not visible from public areas. Other secondary building materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings.

(d) Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways.

(e) Materials shall be of durable quality.

(f) In any design in which the structural frame is exposed to view, the structural materials shall be compatible within themselves and harmonious with their surroundings.

(g) Building components, such as windows, doors, eaves and parapets, shall have good proportions and relationships to one another.

(h) Colors shall be harmonious and shall use only compatible accents.

(i) Colors shall be of low reflectance and shall not be of high-intensity or metallic colors unless the colors are true to the materials being used.

(j) Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be so located as not to be visible from any public ways.

(k) Exterior lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design.

(l) Refuse and waste removal areas, service yards, storage yards, and exterior work areas shall be screened from view from public ways, using materials as stated in criteria for equipment screening.

(m) The style and material of the signs shall be included within the development plan.

(n) Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting of individual buildings may be used to prevent a monotonous appearance.

(o) Building orientation shall be toward an arterial street, unless it is demonstrated that this would not be feasible.

(D) Factors for Evaluation:

ORDINANCE NO. 8883 (Cont.)

The following factors and characteristics, which affect the appearance of a development, will govern the evaluation of a design submission:

- (1) Conformance with ordinances and the Building Design Criteria.
- (2) Logic of design.
- (3) Exterior space utilization.
- (4) Architectural character.
- (5) Attractiveness of the material selection.
- (6) Harmony and compatibility.
- (7) Circulation-vehicular and pedestrian.
- (8) Maintenance aspects.

(E) Process

(1) Commercial Development Zone application. All general commercial developments on property not already zoned for commercial uses within the Gateway Corridor District shall be required to apply for rezoning under the criteria in §36-37 of this chapter.

(2) Industrial Development Zone application. All industrial developments within the Gateway Corridor District shall be required to apply for rezoning to ME-Industrial Estates zone under the criteria in §36-33 of this chapter.

(3) Individual commercial or industrial buildings and additions or exterior remodeling of existing buildings shall be subject to site plan and design review by a committee consisting of the Hall County Regional Planning Director, the Grand Island Building Department Director, one (1) planning commission member representing the City of Grand Island, and if appointed, a design review architect representing the City of Grand Island. This committee can request additional input from surrounding property owners and near-by business improvement districts as ex-officio members of the design review committee.

(4) Subdivision approval. All new commercial buildings or developments within the Gateway Corridor Overlay shall be on properly subdivided lots. As a condition of subdivision approval, all said commercial and/or industrial buildings or developments shall comply with the provisions of the Gateway Corridor Overlay District. The developer shall place maintenance provisions required by this section within all restrictive covenants.

(5) Pre-application conference. A pre-application conference with city staff to give the applicant an opportunity to discuss plans before a great deal of time or money is expended.

(6) Application for design review. The applicant needs to fill out the "Application for Certificate Approval" and submit it along with the required submittals. See Administrative Forms for a listing of required submittals.

(7) Certificate of Approval. Upon a successful review, the City of Grand Island will issue to the applicant a Certificate of Approval. A copy of this will need to be included with the Building Permit documents in order to receive a Building Permit.

(8) Appeals. In the event, where the Applicant, City staff and/or a design review architect representing the City, or the site plan and design review committee cannot come to an agreement, the Applicant may appeal the decision by requesting an amendment to the subdivision agreement from the Grand Island City Council.

(9) Certificate of Occupancy Permit. After the building permit is issued, all design requirements must be completed as approved in order for a Certificate of Occupancy to be issued.

(10) Maintenance of Design Requirements. The applicant needs to maintain the design requirements for the life of the project. In the event that they fail to do so, the City may revoke the Occupancy Permit.

(11) Fees. Fees may apply to each individual step as established by separate ordinance.

ORDINANCE NO. 8883 (Cont.)

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

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

SECTION 4. That this ordinance shall be in force and take effect from and after its passage and publication in pamphlet form, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: December 23, 2003.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item F6

#8884 - Consideration of Annexation of Property Located at 2860 East Bismark Road (First Reading)

This item relates to the aforementioned Public Hearing. Annexation of property located at 2860 East Bismark Road, and the location of the Grand Island Kennel Club. This annexation has been requested by the Property Owners. The Regional Planning Commission at their meeting of December 3, 2003, unanimously voted to approve and recommend the city council approve this annexation. Approval is recommended.

Staff Contact: Chad Nabity

* This Space Reserved For Register of Deeds *

ORDINANCE NO. 8884

An ordinance to extend the boundaries and include within the corporate limits of, and to annex to the City of Grand Island, Nebraska, 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 6th P.M. in Hall County, Nebraska, more particularly described herein; to provide service benefits thereto; to confirm zoning classifications; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

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

SECTION 1. It is hereby found and determined that:

(A) 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 6th P.M. in Hall County, Nebraska, hereinafter

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

ORDINANCE NO. 8884 (Cont.)

more particularly described, is urban and suburban and not agricultural and rural in character, and that the subject property is contiguous and adjacent to the corporate limits of said City.

(B) That the subject real estate will receive material benefits and advantages including police, fire, emergency services, street maintenance, and snow removal benefits due to annexation to the City of Grand Island, Nebraska, and that City water and sanitary sewer service is available as provided by law.

(C) The various zoning classifications of the subject tract of land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed.

(D) There is unity of interest in the use of the said tract of land and streets with the use of lots and streets in the City, and the community convenience and welfare and in the interests of the said City will be enhanced through incorporating the subject tract of land and streets within the corporate limits of the City of Grand Island.

(E) The plan for extending City services, as adopted by the City Council by the passage and approval of Resolution No. 2003-377, be and is hereby approved and ratified.

SECTION 2. That the boundaries of the City of Grand Island, Nebraska, be and are hereby extended to include within the corporate limits of the said City the contiguous and adjacent tract of land 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

ORDINANCE NO. 8884 (Cont.)

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.

SECTION 3. That the aforesaid-described tract of land and streets are hereby annexed to the City of Grand Island, Hall County, Nebraska, and said lands and the businesses thereon shall thereafter be subject to all rules, regulations, ordinances, taxes and all other burdens and benefits of other persons and territory included within the City of Grand Island, Nebraska.

SECTION 4. That the owner of the land so brought within the corporate limits of the City of Grand Island, Nebraska, is hereby compelled to continue with the streets, ways and alleys that are presently platted and laid out in and through said real estate in conformity with and continuous with the streets, ways and alleys of such City.

SECTION 5. That a certified copy of this Ordinance be filed on record in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 6. Upon taking effect of this Ordinance, the police, fire, emergency services, street maintenance, and snow removal services of said City shall be furnished to the tract of land and as provided by law, in accordance with the plan for extension of city services adopted by Resolution 2003-377.

SECTION 7. That all ordinances and resolutions or parts thereof in conflict herewith are hereby repealed.

ORDINANCE NO. 8884 (Cont.)

SECTION 8. This ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet form, as provided by law.

Enacted: December 23, 2003.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G1

Receipt of Official Document - Civil Service Minutes of December 4, 2003

Receipt of Official Document - Civil Service Minutes of December 4, 2003. See attached MINUTES.

Staff Contact: Brenda Sutherland



ISLAND

*Working Together for a
Better Tomorrow. Today.*

MINUTES CIVIL SERVICE COMMISSION December 4, 2003

Roll Call: Members Present: Leeper, Burns
 Members Absent: Hilligas
 Also Present: Kyle Hetrick, Police Chief; Pete Kortum, Police Captain

Leeper called the meeting to order at 3:15 p.m.

Notice of the meeting was published in the December 3, 2003, edition of the Grand Island Independent.

Burns moved to approve the minutes of the November 25, 2003, meeting. Leeper seconded the motion, which carried unanimously upon roll call vote.

The Commission reviewed the results of the Police Department Captain promotional exams administered November 21 and 24, 2003. Burns moved that all candidates participating and completing the exams with a composite score, namely, Rathman, Mehlin, Elliott, Faldorf, Dubbs, Church, Hilderbrand, Cole, Rodriguez and Brush be placed on the Police Captain Eligibility List. Leeper seconded the motion, which passed unanimously upon roll call vote.

The Commission received a request from the Police Department to certify names from the Certified List to fill two Captain's positions (Holloway and Trosper). Burns moved to certify the top four names, namely, Rathman, Mehlin, Elliott and Faldorf. Leeper seconded the motion, which passed unanimously upon roll call vote.

The Commission reviewed the results of the Police Department Sergeant promotional exams administered November 17, 20 and 21, 2003. Burns moved that all candidates participating and completing the exams with a composite score, namely, Atwell, Meguire, Duering, Collins, Whiles, Daugherty, Ehlers, Kottwitz, Arnold, Sheeks, Arrants, Dvorak, Desel, Philbeck, Eigenberger, Steele, Urbanski, Bergstrom, Lubrano and Stegman be placed on the Police Sergeant Eligibility List. Leeper seconded the motion, which passed unanimously upon roll call vote.

The Commission received a request from the Police department to certify names from the Certified List to fill two Sergeant's position. Burns moved to certify the top five names (due to a tie for 4th and 5th), namely, Atwell, Meguire, Duering, Collins, and Whiles. Leeper seconded the motion, which passed unanimously upon roll call vote.

There being no further business, Burns moved to adjourn the meeting at 3.45 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: 12/10/03

Copies of approved Minutes to: City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G2

Approving Minutes of December 9, 2003 City Council Regular Meeting

*The Minutes of December 9, 2003 City Council Regular Meeting are submitted for approval.
See attached MINUTES.*

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

December 9, 2003

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on December 9, 2003. Notice of the meeting was given in the Grand Island Independent on December 3, 2003.

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

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Pastor Mike Benischek, First United Methodist Church, 4190 West Capital Avenue.

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

MAYOR COMMUNICATION: Mayor Vavricek commented that City Clerk RaNae Edwards was out of town due to an illness in the family and that the City's thoughts were with her at this time; and that Executive Assistant Jean Goss would be filling in for this meeting, and was also relocating out of the area in the near future. Mayor Vavricek also encouraged residents to enjoy the holiday lights in Stolley Park in support of the Humane Society. He also informed those watching on GITV that Channel 56 was back on the air and that microphones in Council Chambers were being tested during the meeting.

PRESENTATIONS AND PROCLAMATIONS:

PRESENTATION: Mayor Vavricek recognized Steve Fosselman and the Library Staff for receiving the Jane Geske Award.

ELECTION OF COUNCIL PRESIDENT: Councilmember Whitesides nominated Jackie Pielstick to continue as Council President. Councilmember Cornelius nominated Mitch Nickerson. Councilmember Whitesides made a motion, seconded by Councilmember Gilbert to close nominations. Motion was adopted unanimously. Upon tally of votes by Deputy City Clerk Jean Goss, it was reported that Pielstick had received 6 votes and Nickerson received 3 votes. Councilmember Pielstick remarked that she was honored to represent her colleagues and honored to serve in this way.

PUBLIC HEARINGS:

Public Hearing on Request of Copas de Oro, Inc. dba Copas de Oro, 413 West 4th Street for a Class "C" Liquor License: Deputy City Clerk Jean Goss reported that Copas de Oro, Inc. dba Copas de Oro, 413 W 4th Street had submitted an application with the City Clerk's Office 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. Ms. Goss presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on November 17, 2003; notice to applicant of date, time and place of hearing mailed on November 18, 2003; notice to the general public of date, time and place of hearing published on November 29, 2003; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Request of Perez, Inc. dba El Rodeo, 106 East 3rd Street for a Class "C" Liquor License: Deputy City Clerk Jean Goss reported that Perez, Inc. dba El Rodeo, 106 East 3rd Street had submitted an application with the City Clerk's Office 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. Ms. Goss presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on November 26, 2003; notice to applicant of date, time and place of hearing mailed on November 26, 2003; notice to the general public of date, time and place of hearing published on November 29, 2003; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Request of Roger Roscoe for a Conditional Use Permit for a Used Car Lot Located at 1021 East 4th Street: Craig Lewis, Building Department reported that Roger Roscoe, 1021 East 4th Street had submitted a request for a Conditional Use Permit to allow for the 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) allowed for a waiver approved by the City Council for businesses that were operating at the same location prior to March 9, 1999. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 1304 West 2nd Street. (James A. Martinez) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 1304 West 2nd Street was required in order to have access to install, upgrade, maintain and repair power appurtenances for a pad-mount transformer and underground cable. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located along the South Side of Capital Avenue, East of Highway 30. (Michael Baxter) Gary Mader, Utilities Director, reported that acquisition of a utility easement located along the south side of Capital Avenue, East of Highway 30 was required in order to have access to install, upgrade, maintain and repair power appurtenances. This easement would be used to relocate the overhead power lines due to the expansion of East Highway 30. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at Gunbarrel and East Highway 30. (Eloy Uribe and Oralia Erives) Gary Mader, Utilities Director, reported that acquisition of a

utility easement located in the northeast corner of the trailer park located at Gunbarrel and East Highway 30 was required in order to have access to install, upgrade, maintain and repair power appurtenances. This easement would be used to locate a single phase pad-mounted transformer to serve trailers due to the Highway 30 expansion. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 4305 East Highway 30. (Mettenbrink Electric Corp.) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 4305 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 power line required by the East Highway 30 expansion. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 4703 East U.S. Highway 30. (Wilbur Donald and Velman Hillman) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 4703 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 power line required by the East Highway 30 expansion. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 5th and Cleburn. (Walnut Housing, LTD) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 5th and Cleburn Streets was required in order to have access to install, upgrade, maintain and repair power appurtenances. This easement would be used to locate new cable on a pad-mounted transformer to serve the remodeled complex. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3311 West Stolley Park Road. (Home Federal Savings and Loan) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 3311 West Stolley Park Road was required in order to have access to install, upgrade, maintain and repair power appurtenances. This easement would be used to locate underground conduit, cable, enclosures and a pad-mounted transformer to serve the new bank building. No public testimony was heard.

ORDINANCES:

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

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

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

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

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

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.

Deputy City Clerk: Ordinances #8875, #8876, #8877, and #8878, 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 for Ordinances #8875, #8877 and #8878. Councilmember Walker and Cornelius voted nay for Ordinance #8876. Motion adopted.

Deputy City Clerk: Ordinances #8875, #8876, #8877 and #8878 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 for Ordinances #8875, #8877 and #8878. Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Hornady, Pauly and Haase voted aye for Ordinance #8876. Council members Walker and Cornelius voted nay for Ordinance #8876. Motion adopted.

CONSENT AGENDA:

It was noted that item G-28 Resolution #2003-364 – Approving Long Term Lease Agreement with Union Pacific Railroad for Property at Street & Transportation and Fleet Services Facilities had been removed from the agenda to the December 23, 2003 City Council meeting.

Motion was made by Councilmember Pielstick to revise the Minutes of the City Council Special Meeting of November 22, 2003 to reflect that the references on page 44 of the Council packet, paragraphs 1, 2, 3, 4, and 6 should be changed to reflect that the comments were made by Eric Swanson rather than Gary Greer as stated in the minutes. Motion was seconded by Hornady.

Motion was made by Councilmember Hornady, second by Cornelius to change Resolution 2003-361 to read “WHEREAS the result of such modifications will increase the contract amount by \$9,910.71 for a revised contract price of \$81,221.62” to correct a typographic error.

Motion by Hornady, second by Cornelius, to approve the Consent Agenda, excluding items G-10, G-12, G15, G-28, G34, G39, and G-40. Upon roll call vote, all voted aye. Motion adopted.

Receipt of Official Documents – Civil Service Minutes of November 5, 2003 and November 25, 2003.

Approving Minutes of November 18, 2003 City Council Special Meeting.

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

Approving Minutes of November 22, 2003 City Council Special Meeting. With corrections as noted above.

Approving Minutes of November 25, 2003 City Council Study Session.

Approving Minutes of December 2, 2003 City Council Study Session.

Approving Minutes of December 2, 2003 City Council Special Meeting.

Approving Councilmember Appointments to Boards and Commissions.

Approving Appointments to the Community Redevelopment Authority Board.

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

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

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

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

#2003-353 - Approving Acquisition of Utility Easement Located at 1304 West 2nd Street. (James A. Martinez)

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

#2003-355 - Approving Acquisition of Utility Easement Located at Gunbarrel and East of Highway 30. (Eloy Uribe & Oralia Erives)

#2003-356 - Approving Acquisition of Utility Easement Located at 4305 East Highway 30. (Mettenbrink Electric Corp.)

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

#2003-358 - Approving Acquisition of Utility Easement Located at 5th Street and Cleburn Street. (Walnut Housing, LTD)

#2003-359 - Approving Acquisition of Utility Easement Located at 3331 West Stolley Park Road. (Home Federal Savings and Loan) Councilmember Gilbert abstained.

#2003-360 - Approving Integrated Resources Plan, 2003.

#2003-361 - Approving Change Order #1 for Cooling Tower VFD with Capital Electric of Kansas City, Missouri for an Increase of \$9,910.71 for a Revised Contract Amount of \$81,221.62.

#2003-362 - Approving Final Plat and Subdivision Agreement for Westwood Park Eighth Subdivision. It was noted that Rudy Plate, owner, had submitted the final plat for Westwood Park Eighth Subdivision, located South of Faidley Avenue, and West of North Road for the propose of developing 20 lots on a parcel of land in the N 1/2 SE 1/4 Section 14-11-10.

#2003-363 - Approving Final Plat and Subdivision Agreement for Otto-Peters Subdivision. It was noted that Marlene Peters and Marilyn Otto, owners, had submitted the final plat for Otto-Peters Subdivision, located South of One-R-Road, and West of Gunbarrel Road for the propose of developing 1 lot on a parcel of land in the S 1/2 NE 1/4 Section 24-12-9.

#2003-365 - Approving Agricultural Deferral of Assessments for Sanitary Sewer District No. 512 for Gladys V. Schoel.

#2003-366 - Approving Bid Award for Solid Waste Transfer Trailer with Wilkins Industries, Inc. of Morris, Minnesota in an Amount of \$23,000.00.

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

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

#2003-369 - Approving Change to the Fee Schedule Relative to Parking Ramp Rental. It was noted that the monthly rental fee for the second and third levels of the parking ramp were amended from \$20.00 to \$15.00.

#2003-371 - Approving Bid Award for (1) 2003 Ford E-450 Type III, Class I Ambulance with MVP of York, Nebraska in an Amount of \$127,026.50.

#2003-372 - Approving Change Order #1 for Remediation of Lead-Impacted Soil at CHAAP Pistol Range with TCW Construction of Lincoln, Nebraska for an Increase of \$5,072.28 for a Revised Contract Amount of \$151,123.43.

#2003-373 - Approving Certificate of Final Completion for Remediation of Lead-Impacted Soil at CHAAP Pistol Range with TCW Construction of Lincoln, Nebraska.

#2003-374 - Approving Bid Award for Athletic Field Grading Project – Cottage Street Athletic Field with Hooker Brothers Construction of Grand Island, Nebraska in an Amount of \$28,662.00.

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

#2003-378 – Approving Transfer of \$686.40 to Pay for Sanitary Sewer Assessment for Property Located at 3423 East Seedling Mile Road.

Approving Request of Copas de Oro, Inc. dba Copas de Oro, 413 West 4th Street for a Class “C” Liquor License: Motion by Pielstick, second by Whitesides to send the application forward to the Nebraska Liquor Control Commission with no recommendation. Meyer asked if there were problems with the property. Craig Lewis, Building Department Director reported that no inspections had been completed at the property at this time. It was the owner’s responsibility to request inspections. Haase was concerned that communication with the property owner was not occurring. Lewis responded that the State Patrol was the regulating agency for these types of license. Gilbert questioned whether it was typical to send license applications forward with no recommendation. Lewis stated that it had been done before in other cases, or the license could be sent forward approved pending final inspections. Pielstick stated that this was the third license for the property in twelve months. Walker questioned if the Liquor Commission would still approve a license with a denial by Council. Lewis stated that Council’s decisions were not binding on the Commission. Upon Roll Call Vote, all voted aye.

Approving Request of Perez, Inc. dba El Rodeo, 106 East 3^d Street for a Class “C” Liquor License: Motion by Pielstick, second by Whitesides to send the application to the Nebraska Liquor Control Commission with no recommendation. Hornady questioned whether the same inspections were missing for this property. Craig Lewis, Building Department Director, reported that inspections had been completed for the property and there were no life safety issues, to his recollection. Ralph Bradley, 132 Ponderosa, spoke as counsel for the owners. Bradley reported all inspections had been completed in five days and there was a need for additional Exit lights. Mr. Kallos, the owner, had to take the business back, and was finishing the housekeeping tasks required to open. The business was in the downtown area and they would like to be there for some time to come. Upon Roll Call Vote: Meyer, Whitesides, Pielstick, Pauly voted aye. Gilbert, Cornelius, Hornady, Walker and Haase voted nay. Motion Failed.

Motion by Hornady, second by Walker to approve the application of Perez, Inc. dba El Rodeo for Class “C” Liquor License. Upon Roll Call Vote: Gilbert, Cornelius, Hornady, Walker and Haase voted aye. Meyer, Whitesides, Pielstick and Pauly voted nay. Motion adopted.

Approving Request of Roger Roscoe for a Conditional Use Permit for a Used Car Lot Located at 1021 East 4th Street: Motion was made by Pielstick, second by Walker to approve the request of Roger Roscoe for a Conditional Use Permit for a Used Car Lot Located at 1021 East 4th Street. Pielstick asked the owner to explain why cars lined the street near the property each evening. Roger Roscoe, 3114 W 15th Street explained that the cars were not part of his business and he was not aware who the owners of those vehicles might be. Pielstick commented that vehicles on the street in that area created a dangerous situation for children. Walker asked for a recommendation from the Building Department. Craig Lewis, Building Department Director stated that he had no recommendation, but Mr. Roscoe had fulfilled the code requirements for the property. Upon Roll Call Vote: all voted aye. Motion adopted.

#2003-370 – Approving Bid Award for (7) 2004 – 4-Door Police Vehicles: Motion by Walker, second by Whitesides to approve the bid award for (7) 2004 – 4-Door Police Vehicles with Anderson Ford Lincoln Mercury, Inc. of Grand Island, Nebraska in an Amount of \$142,453.00. Gilbert questioned that the Police Department was trading in 6 and acquiring 7 vehicles. Police Chief Hetrick reported that one vehicle had been wrecked and was unavailable to be traded in. Upon Roll Call Vote: Meyer, Whitesides, Gilbert, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Pielstick voted nay. Motion adopted.

#2003 -375 – Approving License Agreement with CNH Relative to Access to Public Right of Way: Motion by Walker, second by Whitesides to Approve License Agreement with CNH Relative to Access to Public Right of Way. City Attorney Doug Walker reported that test monitoring wells were being sought to track pollutants, monitoring which should help determine if water pollution had progressed to the east. Pauly questioned if drilling had previously occurred. Gary Mader, Utilities Department Director, stated that CNH had asked permission to begin the process. Department Directors had discussed the issue and informed CNH that they could begin work with no objections from staff, but CNH should be aware they were working at their own risk pending Council approval.

Dave Springer, Interim City Administrator reported that the issue had been discussed by staff and it was thought there was advantage to begin the process due to the presence of work crews to do the work and the weather. The License Agreement would give future control of the process. Gilbert questioned if the locations would be in front yards and whether the agreement gave specific locations for test wells. Mader reported that wells may need to be drilled in front yards in the future. Gilbert questioned the amount of communication that would occur with the property owners. Walker stated that it could be made clear to CNH that community relations required notification to property owners. Mader reported that additional water testing had shown some positive tests west of the Castle Estates area. Pielstick questioned if the agreement created a “blank check” for CNH to drill. Walker stated that the license agreement does not have advance notice written in, but could be written to reflect notice to city utilities. Springer suggested discussing notification at the weekly meeting of the parties and a reiteration of concerns at that time. CNH had been very accommodating so far in working with the public. Whitesides questioned how many homes were in the area. Walker estimated 30-40 at most. Whitesides suggested a letter to the homeowners warning that drilling was a possibility in order to take care of any responsibility by the city to notify owners. Walker suggested adding a sentence in paragraph 2 of the agreement that states CNH agreed to notify City 24 hours before work commences. Walker asked what the city policy was for city work in the right-of-way. Mader stated that it depended on the size and scope of the project.

Motion was made by Hornady, second by Gilbert to amend the agreement for CNH to give 48 hour notice prior to drilling. Whitesides reiterated the need for a letter from the city to all area homeowners. Upon Roll Call Vote: all voted aye. Motion adopted.

#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 with Diamond Engineering Company of Grand Island, Nebraska: Motion by Whitesides, second by Walker to Approve

Change Order Number 1 to the Contract for Street Improvement District Number 1246, South Locust from Stolley Park to Fonner Park Road. Steve Riehle, Public Works Department Director stated that the project would have a net increase of \$252,000 and the new concrete road would have a lifecycle of 30-40 years. Riehle indicated significant asphalt failures had occurred in the current roadway due to base failures and stripping. Riehle stated that the Public Works Department would like to try anti-stripping measures on lower volume streets before South Locust. Mayor Vavricek asked Riehle to comment on funding. Riehle stated that \$110,000 could come from a concrete repair account that would not be finished this year, a replacement bridge on Blaine Street would be pushed back to the following fiscal year, and a drainage project at the Platte Valley Industrial Park could be pushed back due to less development in the area that would make project more of a priority. Pauly asked if this was robbing one project to support another. Riehle stated that these funds would be unused this year and go to reserves if not used for this project. Vavricek asked if these projects would come up in the future. Dave Springer, Interim City Administrator stated that the \$110,000 for concrete repair was a true savings, while the other \$152,000 would be projects pushed forward, but that we typically under spend budgets for capital projects. Vavricek stated we would be prepaying a long term investment. Zachary Eaton, 1303 North Ruby, asked that the city consider polymer modified asphalts used by the Nebraska Department of Roads in the last few years. These new products worked well in high traffic areas. Eaton stated that he worked for a company that produces these materials so had an interest in seeing them in use in Grand Island. Riehle stated that the Department was aware of these products and would like to test them in other areas. Staff was aware that this project would push the limits for typical asphalt so asked in the specifications for Super Pave products. Walker stated that Council appreciated the information provided by Eaton, but believed South Locust Street should have continuity. Upon Roll Call Vote: all voted aye. Motion adopted.

RESOLUTION:

#2003-379 – Approving City Administrator’s Appointment and Employment Contract: Mayor Vavricek stated that this contract and offer were in the best interests of the community, which had benefited from the sound experience of a City Administrator in the last 4 years and which he hoped would continue. Brenda Sutherland, Human Resources Department Director reported on the process used to determine final candidates from the 286 persons involved in the process. Sutherland thanked the committee, made up of Council members and community representatives Bill Giddings, Gale Larson, Dee Price, Robert Briseno, and Bob Sorenson. Gary Greer, Incoming City Administrator remarked on the process and appreciated the assessment to make sure a correct fit was achieved. Greer thanked Sutherland for her efforts and Dustin Dodd from Kenexa for his hard work in the process. Greer stated that he had never felt so much support from a community and that he had received numerous calls from citizens welcoming him. Vavricek welcomed him home to Grand Island. Upon Roll Call Vote: all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase, carried unanimously to approve the Claims for the period of November 19, 2003 through December 9, 2003, for a total amount of \$4,508,338.79. Motion adopted.

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

Respectfully submitted,

Jean Goss
Deputy City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G3

Approving Minutes of December 16, 2003 City Council Study Session

*The Minutes of December 16, 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 16, 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 16, 2003. Notice of the meeting was given in the Grand Island Independent on December 10, 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, Hornady, Walker, and Haase. Councilmember Pauly was absent. 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: One individual reserved time to speak on agenda items.

Presentation of Central Nebraska Humane Society Hours. Pat Devine, Executive Director of the Central Nebraska Humane Society, 3554 West Stolley Park Road, presented the new hours of operation for the Central Nebraska Humane Society facility. Expanded hours will be Tuesday through Friday 10:00 a.m. to 6:00 p.m., Saturday and Sunday 11:00 a.m. to 5:00 p.m. and closed on Monday's.

Discussion of Dog Ordinances. City Attorney Doug Walker reported that an ordinance had been drafted addressing some concerns that had been raised recently about the City Dog and Animal Ordinance. One change requested would make the mandatory annual meeting times from the current meetings of the first Tuesday of January and the first Tuesday of July to the first week of January and the first week of July. This change was being proposed for two reasons which were that the first Tuesday of these months would on some years fall on a holiday and also because the Animal Advisory Board had changed its meeting days to Monday. The proposed change would give the Board enough additional flexibility in scheduling its meetings so that it would not be in conflict with the City Code.

The second change to the ordinance had been drafted to address the concerns of the Grand Island Kennel Club. The Kennel Club was being annexed into the City and this ordinance would establish a permitting procedure and an exemption to the animal running at large ordinance for training and showing dogs by a nationally recognized animal organization or a local affiliate.

The third change to the ordinance was being proposed to exempt police dogs from the animal running at large and the dangerous dog ordinance. Law enforcement had requested that a specific exemption be placed in the municipal code for the training and use of dogs for law enforcement purposes. The exemption would apply to dogs from all of the various law enforcement agencies.

Councilmember Walker questioned if a person was outside, does the dog need to be on a leash. City Attorney Doug Walker stated that they would be in violation of the law in this situation. Councilmember Walker stated that Council needed to look at this issue and felt it was appropriate for dogs not be on a leash, as long as someone was with the dog. Councilmember Hornady mentioned the Cornhusker Army Ammunition Plant and the training of dogs that would take place there in the future. Councilmember Haase stated that she felt the leash law was a tool for law enforcement. Councilmember Meyer questioned the leashing of dogs when they were not involved in training or enforcement with regards to the Kennel Club shows and law enforcement dogs. City Attorney Doug Walker stated that the intent of the law was to allow for those situations where “off-leash” events would have to be registered with the Central Nebraska Humane Society.

Dean Graf, 2404 North Locust representing the Grand Island Kennel Club spoke in support of this ordinance change.

Update on Northwest Grand Island Flood Study. Steve Riehle, Public Works Director reported that sections of Northwest Grand Island experienced significant flooding during the 1967 flood. Most of the area North of Capital Avenue and West of Broadwell Avenue were within the 100 year flood plain. The area between Webb Road and US Highway 281 bounded by Capital Avenue on the North and with State Street on the South were also within the 100 year flood plain. There had been flood control improvements built in the area in the past, but the Moores Creek Wetshed and Northern Grand Island could still suffer considerable flood damage due to spill over of flood waters from two other watersheds, namely Silver Creek and Prairie Creek.

The City of Grand Island had been working with the Central Platte Natural Resources District on a feasibility study and preliminary design of flood control measures for this area. Parson’s Engineering Science, Inc. of Denver Colorado was preparing a project grant application for Natural Resource Development Funds (NRDF).

Gary Lewis of Parson’s Engineering Science, Inc. from Denver Colorado presented details of the proposed project and grant application. Ron Bishop and Milt Moravek from the Central Platte NRD were also present. Reviewed were the 100-year flood plain and flood depths for Grand Island as they related to Prairie Creek, Dry Creek, Silver Creek, and Moores Creek. Impact on crop, residential, and commercial damages were reviewed. Project cost summary of \$15,250,000 was presented.

Discussion was held with regards to the cost of flood insurance to homeowners.

The following summary of benefits was presented:

- Reduction of 100-year damages from \$59M to \$1.3M
- Elimination of basin-to-basin overflows
- Elimination of commercial property damages
- Average annual flood control benefits of \$10.6M
- Potential removal of northern Grand Island from FEMA floodplain
- 400 acres of lowland surface area for potential wetlands

Unprecedented rate of return on investment

Milt Moravek representing the Central Platte NRD mentioned that an application would be filed with the Nebraska Natural Resources Department for cost-sharing of a nine-year, \$15.25 million construction project. The cost to the City and NRD would be \$3.1 million each over 10 years.

Councilmember Gilbert asked about the timeline for this project. Mr. Moravek stated they were just finishing the feasibility study. It would depend on the commission and would not foresee any construction before 2004, but money would need to be set aside for land acquisition, etc.

Mr. Moravek mentioned that the Wood River Flood Diversion Project had been completed and the project should be approved by the state in February 2004.

ADJOURNMENT: The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G4

#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 has 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. The item was pulled from the December 9, 2003 meeting to allow further discussion with the railroad.

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/City Engineer

R E S O L U T I O N 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 23, 2003.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G5

#2003-380 - Approving Terms of Office for Members of BID #5 Board

The initial Business Improvement District 5 Board members were established by Resolution #2003-65 in March of 2003. These terms are set to end at December 31, 2003. Upon completion of this term, Board members have requested being appointed to staggered terms ending in either two or three years. Individual Board members would become eligible for reappointment upon completion of either the two or three year term. Board members whose terms would run from 1-1-2004 through 12-31-2005 are as follows:

Victor Aufdemberge

George Bartenbach

Jim Berglund

Cindy Duff

Steve Poppe

Brent Linder

Board members whose terms would run from 1-1-2004 through 12-31-2006 are as follows:

KC Henke

Mark Stelk

Tom Emerton

Tom Ziller

Steve Rasmussen

Council approval is recommended. See attached RESOLUTION,

Staff Contact: Mayor Vavricek

RESOLUTION 2003-380

WHEREAS, on March 4, 2003, by Resolution 2003-65, the City Council of the City of Grand Island appointed individuals to serve on the board for Business Improvement District No. 5; and

WHEREAS, such appointed terms of office will expire on December 31, 2003; and

WHEREAS, it is recommended that the following individuals be appointed to serve on the board for Business Improvement District No. 5 for a 2-year term from January 1, 2004 through December 31, 2005:

Victor Aufdemberge
Jim Berglund
Steve Poppe

George Bartenbach
Cindy Duff
Brent Linder

WHEREAS, it is recommended that the following individuals be appointed to serve on the board for Business Improvement District No. 5 for a 3-year term from January 1, 2004 through December 31, 2006:

K.C. Henke
Tom Emerton
Steve Rasmussen

Mark Stelk
Tom Ziller

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the above-identified individuals are hereby appointed to serve on the board for Business Improvement District No. 5 for the terms identified above.

- - -

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

RaNae Edwards, City Clerk

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



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G6

#2003-381 - Approving Acquisition of Utility Easement - 3537 West 13th Street - Mid-Country Trading, L.L.C.

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 Mid-Country Trading, L.L.C. located behind Slumberland Furniture at 3537 West 13th Street, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Mid-Country Trading L.L.C. is in the process of expanding the Slumberland building to the west. This requires the relocation of the primary underground electric system into this 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 2003-381

WHEREAS, a public utility easement is required by the City of Grand Island, from Mid-Country Trading, L.L.C., a Nebraska limited liability company, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on December 23, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Two (2) Park Island Square Fifth Subdivision in the city of Grand Island, Hall County, Nebraska, the centerline of the easement and right-of-way being more particularly described as follows:

Referring to the southwest corner of Lot Two (2) Park Island Square Fifth Subdivision; thence N89°27'29"E along the southerly line of said Lot Two (2) Park Island Square Fifth Subdivision, a distance of ninety six (96.0) feet to a point on the westerly line of the easement described in Document 0099-111332 recorded in the Register of Deeds Office, Hall County, Nebraska; thence N0°32'31"W along the westerly line of the said easement described in Document No. 0099-111332, a distance of forty seven and fifty nine hundredths (47.59) feet to the actual point of beginning; thence S62°59'47"W, a distance of one hundred fifteen and fifty five hundredths (115.55) feet to a point on the southerly line of said Lot Two (2) Park Island Square Fifth Subdivision. The side lines of the above described easement and right of way being prolonged or shortened as required to terminate on the westerly boundary of said easement described in Document 0099-111332; and the southerly and westerly line of said Lot Two (2) Park Island Square Fifth Subdivision.

The above-described easement and right-of-way containing 0.046 acres, more or less, as shown on the plat dated December 9, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

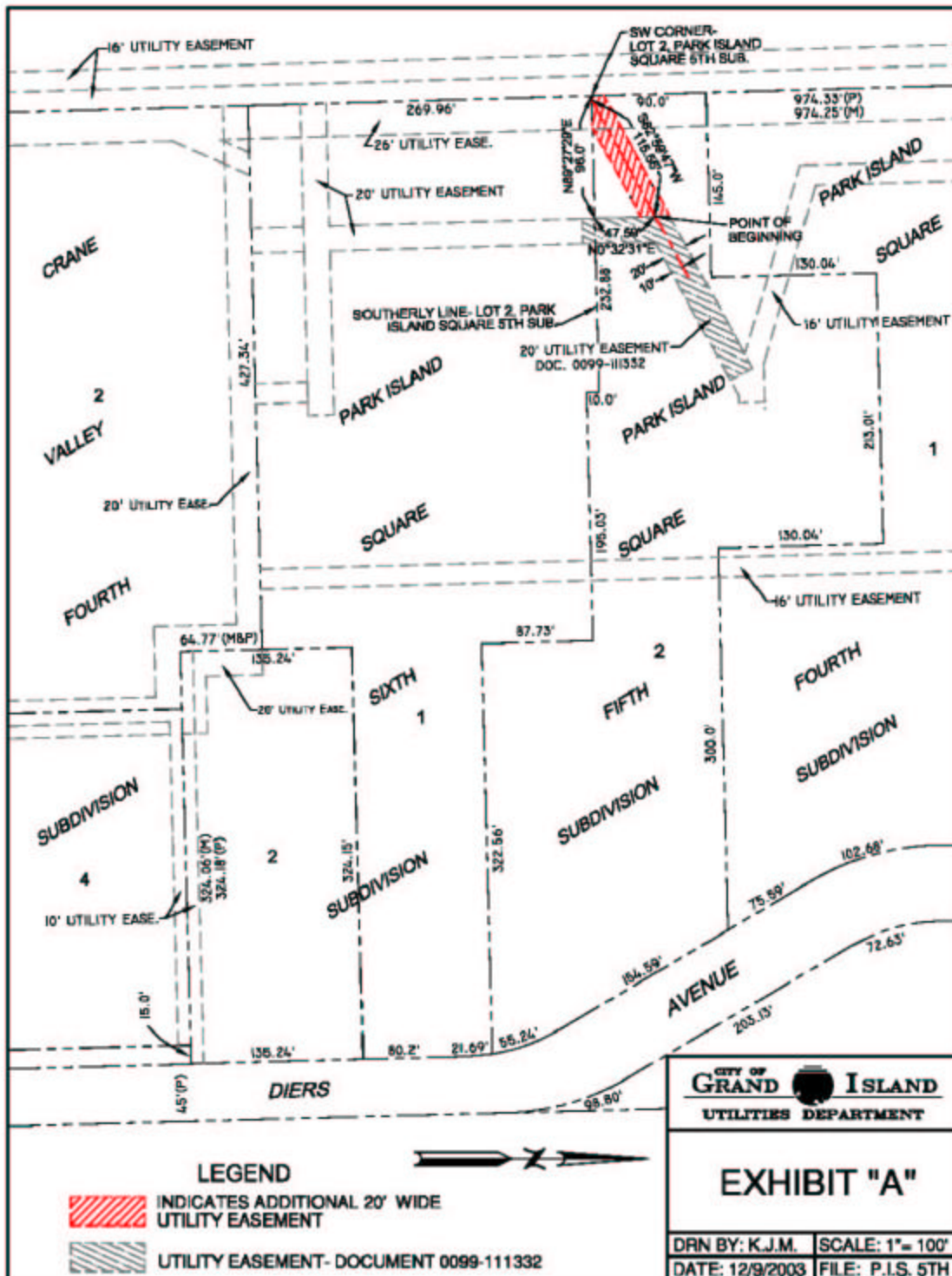
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Mid-Country Trading, L.L.C., a Nebraska limited liability company, on the above-described tract of land.

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

RaNae Edwards, City Clerk

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





City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G7

#2003-382 - Approving Acquisition of Utility Easement - 916 North Shady Bend Road - GIA

This item relates to the aforementioned Public Hearing.

Background:

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to property of Grand Island Accessories located along the south line of Grand Island Accessories (GIA) property located at 916 North Shady Bend Road, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

This easement will be used to construct a three-phase overhead line to complete a feeder loop interrupted by the widening of U.S. Highway 30.

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 2003-382

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

WHEREAS, a public hearing was held on December 23, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Eleven (11), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in the city of Grand Island, Hall County, Nebraska, the centerline of the twenty (20.0) foot wide easement and right-of-way being more particularly described as follows:

Referring to the southeast corner of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Eleven (11), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in the city of Grand Island, Hall County, Nebraska; thence westerly along the southerly line of said Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) a distance of seven hundred thirty eight and seventy eight hundredths (738.78) feet; thence deflecting right 84°51'00" and running northerly a distance of thirty and twelve hundredths (30.12) feet to a point thirty (30.0) feet north of the southerly line of said Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4); thence westerly and parallel with the southerly line of said Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4), a distance of one hundred fifty (150.0) feet to the actual point of beginning; thence continuing westerly and parallel with the southerly line of said Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4), a distance of four hundred twenty one and sixty two hundredths (421.62) feet to a point on the westerly line of said Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4).

The above-described easement and right-of-way containing 0.19 acres, more or less, as shown on the plat dated December 11, 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 GIA, Inc., a Nebraska corporation, on the above-described tract of land.

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

RaNae Edwards, City Clerk

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





City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G8

#2003-383 - Approving Acquisition of Utility Easement - 4413 East Highway 30 - Bamford

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 W. Bamford, located on the north 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 for a downguy and anchor for the overhead power line crossing of Capital Avenue required by the widening of East Highway 30.

Recommendation:

Approve the request to obtain the needed easement.

Fiscal Effects:

Twenty five dollars (\$25.00) for the easement will be paid to the grantor.

Alternatives:

As suggested by City Council.

Staff Contact: Gary R. Mader

RESOLUTION 2003-383

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

WHEREAS, a public hearing was held on December 23, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of the Southwest Quarter of the Southeast Quarter (SW1/4, SE1/4) of Section One (1), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, the centerline of the ten (10.0) foot wide easement and right-of-way being more particularly described as follows:

Referring to the southwest corner of the Southwest Quarter of the Southeast Quarter (SW1/4, SE1/4) of Section One (1), Township Eleven (11) North, Range Nine (9) West; thence easterly along the southerly line of said Quarter section, a distance of eight hundred thirty three and twenty one hundredths (833.21) feet; thence deflecting left 90°00'00" and running northerly, a distance of thirty three (33.0) feet to a point on the northerly right-of-way line of Capital Avenue, being the ACTUAL Point of Beginning; thence continuing northerly on the last described course, a distance of thirty (30.0) feet.

The above-described easement and right-of-way containing 300 square feet, more or less, as shown on the plat dated December 8, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

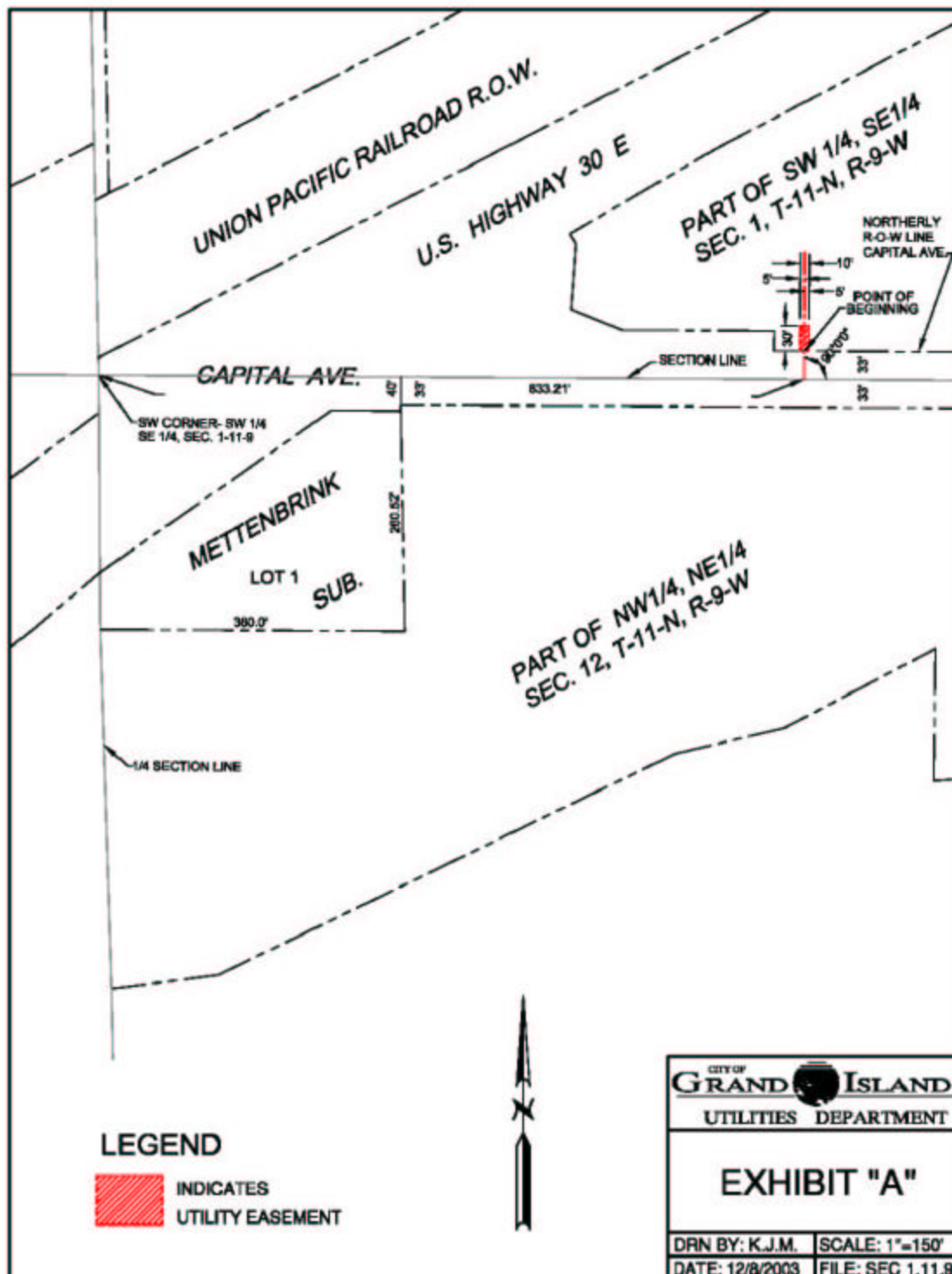
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from James W. Bamford, a single person, on the above-described tract of land.

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

RaNae Edwards, City Clerk

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





City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G9

#2003-384 - Approving Acquisition of Utility Easement - 3005 East U.S. Highway 30 - Llamas

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 Moises Llamas and Olivia Lopez Llamas, located in the northeast corner of property located at 3005 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 the overhead primary electric lines serving this property due to the expansion of East Highway 30.

Recommendation:

Approve the request to obtain the needed easement.

Fiscal Effects:

Three hundred twenty six dollars (\$326.00) for the easement will be paid to the grantor.

Alternatives:

As suggested by City Council.

Staff Contact: Gary R. Mader

R E S O L U T I O N 2003-384

WHEREAS, a public utility easement is required by the City of Grand Island, from Moises Llamas and Olivia Lopez Llamas, husband and wife, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on December 23, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Five (5), Voss Subdivision in the city of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Referring to the northeast corner of Lot Five (5) Voss Subdivision, as originally platted and recorded in the Register of Deed's office, Hall County, Nebraska; thence southerly along the easterly line of Lot Five (5) said Voss Subdivision, a distance of Forty One and Thirty Three Hundredths (41.33) feet to the point on the southerly right-of-way line of U.S. Highway 30, being the ACTUAL Point of Beginning; thence continuing southerly along the easterly line of Lot Five (5) said Voss Subdivision, a distance of Thirty One and Forty One Hundredths (31.41) feet; thence deflecting right 136°00'20" and running in a northwesterly direction, a distance of Twenty Nine and Eighty Eight Hundredths (29.88) feet to a point on the southerly right-of-way line of said U.S. Highway 30, a distance of Twenty Three (23.0) feet to the said point of beginning.

The above-described easement and right-of-way containing 326 square feet, more or less, as shown on the plat dated December 1, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

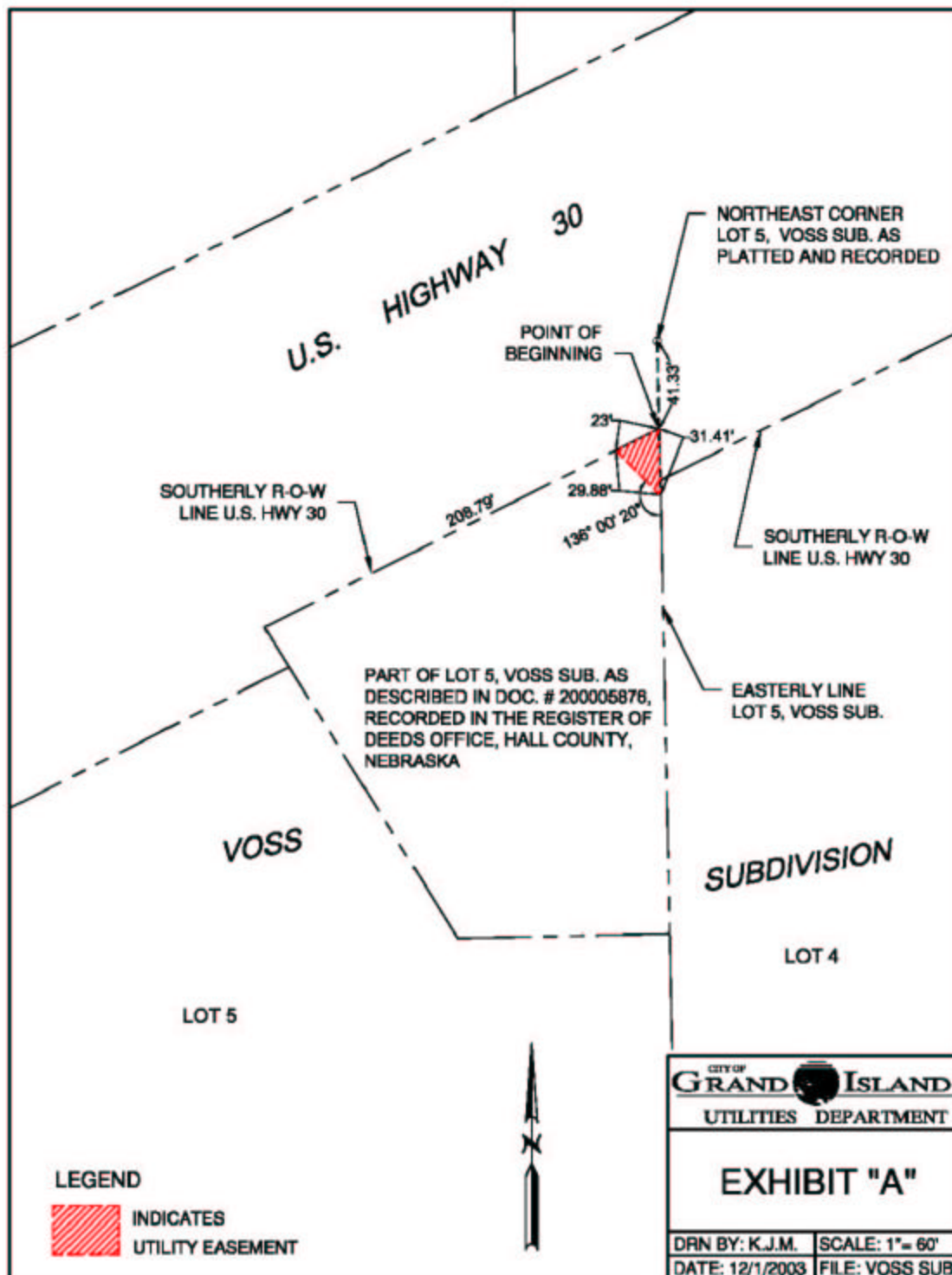
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Moises Llamas and Olivia Lopez Llamas, husband and wife, on the above-described tract of land.

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

RaNae Edwards, City Clerk

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





City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G10

#2003-385 - Approving Acquisition of Sidewalk Easement Located at 3990 West Capital Avenue - G.I. Retirement L.L.C.

Discussion:

This item relates to the aforementioned Public Hearing.

Recommendation:

Approve resolution authorizing acquisition of the property.

Financial Implications:

None.

Alternatives:

Deny the request for acquisition of the sidewalk easement and allow the development to proceed without the installation of sidewalks at this time.

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

RESOLUTION 2003-385

WHEREAS, a sidewalk easement is required by the City of Grand Island, from Grand Island Retirement L.L.C., a limited liability company, to install, upgrade, maintain, and repair sidewalks; and

WHEREAS, a public hearing was held on December 23, 2003, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot One (1) Primrose Subdivision in the city of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Beginning at the southwest corner of Lot One (1) Primrose Subdivision; thence north on the west line of Lot One (1) Primrose Subdivision for a distance of Thirty Five and Five Tenths (35.5) feet; thence southeasterly on a line to a point Ten (10.0) feet north of and Twenty Five (25.0) feet east of the southwest corner of Lot One (1) Primrose Subdivision; thence east on a line Ten (10.0) feet north of and parallel to the south line of said Lot One (1) Primrose Subdivision to the east line of said Lot One (1) Primrose Subdivision; thence south on the east line of Lot One (1) Primrose Subdivision to the southeast corner of Lot One (1) Primrose Subdivision; thence west on the south line of Lot One (1) Primrose Subdivision to the point of beginning, as shown on the plat dated December 15, 2003, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a sidewalk easement from Grand Island Retirement L.L.C., a limited liability company, on the above-described tract of land.

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G11

#2003-386 - Approving Purchase of 2004 Chevrolet Impala Four Door Sedan for Building Department

The Building Department has budgeted in this fiscal year the purchase of an inspection vehicle to facilitate on site inspections. This request is for the purchase of a 2004 Chevrolet Impala from the State of Nebraska bid number CA-6076 in the amount of \$15,997.00 from Husker Auto Group, Inc. of Lincoln, Nebraska. There are sufficient funds to cover this purchase as \$18,000 was the budgeted amount. Approval is requested.

Staff Contact: Craig Lewis

RESOLUTION 2003-386

WHEREAS, the Building Department is budgeted to purchase one vehicle to facilitate on-site inspections during the 2003/2004 fiscal year; and

WHEREAS, said vehicle can be obtained from the State contract holder; and

WHEREAS, purchasing the vehicle from the State contract holder meets all statutory bidding requirements; and

WHEREAS, the funding for such vehicle is provided in their 2003/2004 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of one 2004 Chevrolet Impala from the State contract holder, Husker Auto Group, Inc. of Lincoln, Nebraska, for the amount of \$15,997.00 is hereby accepted and approved.

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G12

#2003-387 - Approving Change Order #1 and #2 for Storage Building at Fire Station 3

The Fire Department has developed Change Order #1 and #2 to the contract for the Storage Building at Fire Station 3, 2310 South Webb Road. The contract was awarded to Roger Krzycki Construction of Grand Island, Nebraska, on August 26, 2003, in the amount of \$59,972.00. The net increase of Change Order #1 is \$668.00 which allows for spraying the ground for pest control prior to building; and Change Order #2 for \$1,800.00 which covered the cost of the transformer pad for 3-phase underground electrical service. (This pad was allowed under a separate purchase order #2934 to O'Neill Electric. This purchase order will be reduced by the same amount.) The revised contract amount is to be \$62,440.00. Approval is recommended.

Staff Contact: Curt Rohling

RESOLUTION 2003-387

WHEREAS, on August 26, 2003, by Resolution 2003-239, the City of Grand Island awarded the bid for Storage Building at Fire Station No. 3 to Roger Krzycki Construction of Grand Island, Nebraska; and

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

WHEREAS, such modifications have been incorporated into Change Order Nos. 1 and 2; and

WHEREAS, the result of such modifications will increase the contract amount by \$2,468.00 for a revised contract price of \$62,440.00.

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 Nos. 1 and 2, between the City of Grand Island and Roger Krzycki Construction of Grand Island, Nebraska to provide the modifications set out as follows:

Spray ground for pest control prior to addition of storage building	668.00
Transformer pad for 3-phase underground electrical service.....	1,800.00

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G13

#2003-388 - Approving Certificate of Final Completion for Storage Building at Fire Station 3

The Fire Department has recommended that the Certificate of Final Completion be issued for the Storage Building at Fire Station 3, 2310 South Webb Road. The contract was awarded to Roger Krzycki Construction of Grand Island, Nebraska, on August 26, 2003.

The work was completed in December 2003. The performance of the contract was supervised by the Fire Department and a Certificate of Final Completion has been issued by the Fire Department, subject to City Council approval. Approval is recommended.

Staff Contact: Curt Rohling

R E S O L U T I O N 2003-388

WHEREAS, the Fire Chief of the City of Grand Island has issued his Certificate of Final Completion for Storage Building at Fire Station No. 3, certifying that Roger Krzycki Construction of Grand Island, Nebraska, under contract dated August 26, 2003, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Fire Chief recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs with the Fire Chief's recommendations.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Fire Chief's Certificate of Final Completion for Storage Building at Fire Station No. 3 is hereby confirmed.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G14

#2003-389 - Approving Application for Natural Resources Development Funds for Northwest Grand Island Flood Project

Discussion

This item relates to the aforementioned Public Hearing.

Recommendation:

Approve a resolution supporting the application for NRDF Grant dollars for this project.

Alternatives:

As determined by the Council.

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

RESOLUTION 2003-389

WHEREAS, the City of Grand Island has been working with the Central Platte Natural Resources District on a feasibility study and preliminary design of flood control measures in the northwest area of Grand Island; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has 100-year flood maps that generally show the flood path north of Capital Avenue and west of Webb Road with an additional area between U.S. Highway 281 and Webb Road bounded by State Street on the south and Capital Avenue on the north; and

WHEREAS, the study has shown that the extent of a 100-year flood will be much larger than the area covered by the 100-year FEMA flood maps, it will cover a significant portion of the city that lies west of U.S. Highway 281 between U.S. Highway 30 and Nebraska Highway 2 as well as the flooding along Prairie Creek and Silver Creek extends upstream of the city in a westerly direction into Hall County; and

WHEREAS, project components have been identified for providing flood control for this area that will be beneficial to the City of Grand Island; and

WHEREAS, the recommended plan to accomplish the flood control is through the creation of upland and lowland flood control structures such as using roadways to act as dams, building berms to keep the creeks within their banks, and through the construction of water detention cells that would be built on 700 acres at the former Cornhusker Army Ammunition Plant; and

WHEREAS, funding is necessary to proceed with such flood control project; and

WHEREAS, it is anticipated that funding from the Natural Resource Development Fund administered by the Nebraska Department of Natural Resources may be used to finance a substantial portion of the construction costs; and

WHEREAS, a joint application by the City and the Central Platte Natural Resources District for funding from the Natural Resource Development Fund is suggested; and

WHEREAS, funding from the Natural Resource Development Fund is not provided until the time of construction, therefore the City would not be obligated to reimburse the Nebraska Department of Natural Resources for project expenditures if the project is not constructed.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island supports the proposed Prairie/Silver Creek/Moores Creek flood control project, and authorizes a grant application to be submitted to the Nebraska Department of Natural Resources for the amount of \$9.3 million to finance a portion of this project.

Approved as to Form	by _____
December 18, 2003	City Attorney

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such grant application and other documentation on behalf of the City of Grand Island to complete such grant funding phase of the project.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G15

#2003-390 - Approving Continuation of Sanitary Sewer District No. 512, Marylane, Kentish Hills & Bradley Subdivisions and a Portion of Un-subdivided Property East of the Subdivisions

Background:

Sanitary Sewer District 512 was created by the City Council on October 28, 2003. Legal Notice of the creation of the District was published in the Grand Island Independent on November 4, 2003. A letter with a copy of the Ordinance and Notice, along with a Frequently Asked Questions (FAQ) sheet was mailed to all property owners on November 4, 2003. An open house meeting was held at Heartland Lutheran School on November 18, 2003 to explain details of the Sanitary Sewer District.

Discussion:

Sanitary Sewer District 512 completed the 30-day protest period at 5:00 p.m. Thursday, December 4, 2003. There were protests filed against this District by twenty-one abutting property owners. These owners represented 2,140.89 front feet, or 25.67% of the total District frontage of 8,341.67 feet.

Accordingly, this district may be continued and constructed.

Recommendation:

It is recommended that Council continue the District.

Financial Implications:

The majority of the costs of this district will be assessed to the benefiting properties.

Alternatives:

Discontinue the District.

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

RESOLUTION 2003-390

WHEREAS, Sanitary Sewer District No. 512 was created by Ordinance No. 8862 on October 28, 2003; and

WHEREAS, notice of the creation of such sewer district was published in the Grand Island Independent in accordance with the provisions of Section 16-667.01, R.R.S. 1943; and

WHEREAS, a copy of the ordinance and notice, and a Frequently Asked Questions sheet was mailed to all property owners located in the district on November 4, 2003; and

WHEREAS, an open house meeting was held at Heartland Lutheran School on November 18, 2003 to further explain details pertaining to the sanitary sewer district; and

WHEREAS, Section 16-667.01, 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 thirty days from the first publication of said notice written objections to such district, said work shall not be done and the ordinance shall be repealed; and

WHEREAS, the protest period ended on December 4, 2003, and protests were filed with the City Clerk against the creation of Sanitary Sewer District No. 512 by abutting property owners representing 25.67% 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 have been filed with the City Clerk against the creation of Sanitary Sewer District No. 512, therefore such district shall be continued and constructed according to law.

- - -

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

RaNae Edwards, City Clerk

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



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G16

#2003-391 - Approving Change Order #1 for Suck's Lake Renovation

The Park and Recreation Department in conjunction with the Public Works Department has developed Change Order #1 to the contract for the Sucks Lake Restoration/Cottonwood Lake Dredging Project. The contract was awarded to General Excavating of Lincoln, Nebraska, on March 24, 2003 in the amount of \$414,080.87. The net decrease of Change Order #1 is \$24,360.12 which allows for a decrease in the amount of material dredged from the two lakes. The revised contract amount will be \$389,720.75. Approval is recommended.

Staff Contact: Steve Paustian & Steve Riehle

RESOLUTION 2003-391

WHEREAS, on February 18, 2003, by Resolution 2003-58, the City of Grand Island awarded the bid for Suck's Lake renovation to General Excavating of Lincoln, Nebraska; and

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

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

WHEREAS, the result of such modifications will decrease the contract amount by \$24,360.12 for a revised contract price of \$389,720.75.

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 General Excavating of Lincoln, Nebraska to provide the modifications specifically identified on the document marked Exhibit "A" attached hereto.

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

RaNae Edwards, City Clerk

EXHIBIT "A"

City of Grand Island
100 East 1st Street
Grand Island, Nebraska 68801

CHANGE ORDER NO. 1

Date of Issuance: October 31, 2003

Bid Item
No.

5	36" Reinforced Concrete Pipe. Pipe increased 5 lf to get proposed pipe around existing trees to be protected.	5 lf @ \$70.52	Add	\$352.60
6	24" Reinforced Concrete Pipe. Pipe increased 5 lf to support installation of Flared End Sections without placing a concrete collar.	5 lf @ \$41.18	Add	\$205.90
7	18" Reinforced Concrete Pipe. Pipe increased 33 lf to extend the existing Suck's Lake overflow through the detention cell dam.	33 lf @ \$29.80	Add	\$983.40
8	15" Reinforced Concrete Pipe. Pipe increased 1 lf to move proposed area inlet the maximum distance from the entrance road for proposed parking lot.	1 lf @ \$26.76	Add	\$26.76
16	Place 5" Concrete Apron. Concrete apron decreased 53 sf because of realignment of proposed apron centerline.	53 sf @ \$3.82	Deduct	\$202.46
21	Remove and Replace 6" P.C. Concrete Trail. Quantity increased 125 sf to keep removals at 10' joints in the existing trail.	125 @ \$4.00	Add	\$500.00
22	Remove and Replace 8" Asphalt Trail. Removal quantities increased due to the entrance and parking lot at the Parks Building being paved after the project was designed and bid.	178 sf @ \$4.00	Add	\$712.00
25	Vinyl Sheet Piling - 10' Long - Series 550 w/Wood Cap. Measured quantity was 288 lf.	12 lf @ \$142.03	Deduct	\$1704.36
27	Seeding and Mulch. Deduct .5 acres of seeding and mulch along the south bank of Suck's Lake. Replaced with sod, see new Bid Item #38.	.5 acre @ 1,265.00	Deduct	\$632.50
31	Dredge Suck's Lake. Change bid price from \$4.43 per CY to \$4.83 due to actual dredging quantity less than 80% of planned. Bid price reflects actual dredging quantities of 9,250 CY vs. 20,000 CY as planned.		Deduct	\$43,922.50
32	Dredge Cottonwood Lake. Change bid price from \$4.53 per CY to \$4.81 due to actual dredging quantity less than 80% of planned. Bid price change reflects actual dredging quantities of 14,111 CY vs. 20,000 CY as planned.		Deduct	\$22,726.09
New Bid Item No.				
33	Install galvanized deadman supports along the vinyl sheet piling on Suck's Lake.	\$5,423.20	Add	\$5,423.20
34	Remove 5 LF of 24" clay tile pipe and install 7.5 LF of 24" RCP, 1-24" FES and 1-24" concrete collar. The existing clay pipe ended under the trail and will be extended to the waters edge.	\$2,448.23	Add	\$2,448.23
35	Install 8 LF of 30" CMP with 30" coupling and FES. Extend existing 30" CMP in the new detention cell to match the location and slope of the detention cell wall.	\$1,830.00	Add	\$1,830.00

EXHIBIT "A"

36	Cut and remove 2 LF of 18" CMP. Install 10 LF of 18" CMP with 18" coupling and FES. Extend existing 18" CMP in the new detention cell to match the location and slope of the new detention cell.	\$1,999.50	Add	\$1,999.50
37	Remove and lower 500 LF of existing asphalt trail to support reshaping the south bank of Suck's Lake and to reduce erosion of the south bank.	\$20,519.45	Add	\$20,519.45
38	Place 27,600 sf of bluegrass sod on the south bank of suck's Lake to reduce bank erosion. Replaces .5 acres of seeding. Paid as Lump Sum.	\$7,728.00	Add	\$7,728.00
39	Place approximately 208 CY of concrete Rip-Rap along the south bank of Suck's Lake to stop wind erosion of the bank. Paid as Lump Sum.	\$2,098.75	Add	\$2,098.75



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G17

#2003-392 - Approving Certificate of Final Completion for Suck's Lake Restoration/Cottonwood Lake Dredging Project

The Park and Recreation Department in conjunction with the Public Works Department has recommended that the Certificate of Final Completion be issued for the Sucks Lake Restoration/Cottonwood Lake Dredging Project. The contract was awarded to General Excavating, of Lincoln Nebraska on March 24, 2003. The work commenced in April of 2003 and was completed in December, 2003. The performance of the contract was supervised by the Parks and Recreation and Public Works Departments and a Certificate of Final Completion has been issued by the Park and Recreation Director in conjunction with the Public Works Director, subject to City Council approval. Approval is recommended.

Staff Contact: Steve Paustian & Steve Riehle

RESOLUTION 2003-392

WHEREAS, the Parks and Recreation Director and the Public Works Director of the City of Grand Island have issued their Certificate of Final Completion for Sucks Lake Restoration / Cottonwood Lake Dredging Project, certifying that General Excavating of Lincoln, Nebraska, under contract dated March 24, 2003, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Parks and Recreation Director and Public Works Director recommend the acceptance of the final completion; and

WHEREAS, the Mayor concurs with such recommendations.

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

1. The Certificate of Final Completion for Sucks Lake Restoration / Cottonwood Lake Dredging Project is hereby confirmed.
2. Warrants be issued from Account No. 40044450-90021 in the amount of \$70,336.31 and from Account No. 40033520-90019 in the amount of \$3,564.29 for a total amount of \$73,900.60 for the final amount due the contractor.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G18

#2003-393 - Approving Memorandum of Understanding Between the Crisis Center and the City of Grand Island for U.S.

Department of Justice Safe Havens Grant Facilitation

The City of Grand Island served as the submitting entity on behalf of The Crisis Center for a U.S. Department of Justice grant for the development of a plan for implementation of a Safe Havens program. The grant funds were available to local governments that proposed to enter into a collaborative working relationship with state and local courts and a non-profit, non-governmental entity in the local community that provides local shelters and programs for domestic violence and sexual assault victims. The City has received the agreement with the Department of Justice for award of Safe Havens grant funds. The Memorandum of Understanding with the Crisis Center, to carry out the requirements as outlined in the grant, is for the time period of October 1, 2003 through September 30, 2005 and is in the amount of \$119,983. Approval is recommended.

Staff Contact: Dave Springer, Interim City Administrator

RESOLUTION 2003-393

WHEREAS, the United States Department of Justice has awarded a Safe Havens: Supervised Visitation and Safe Exchange Grant to the City of Grand Island to create a plan for development, implementation and funding of a safe place for visitation and safe exchange of children in cases of domestic violence, child abuse, sexual assault or stalking in the city of Grand Island, Hall County and surrounding communities; and

WHEREAS, the U.S. Department of Justice encourages all applicants for the Safe Havens grant to enter into a collaborative working relationship with state or local courts and a non-profit, non-governmental entity in the local community; and

WHEREAS, the Crisis Center, a non-profit, non-governmental entity that provides local shelters and programs for domestic violence and sexual assault victims, is expressly interested in facilitating the requirements of the Safe Havens grant; and

WHEREAS, a Memorandum of Understanding between the Crisis Center and the City of Grand Island is required to set out the responsibilities of each party with respect to use of the funding for implementation of grant goals and objectives; and

WHEREAS, the City Attorney's office has reviewed and approved such agreement.

NOW, THEREFORE BE IT RESOLVED THAT BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Memorandum of Understanding between The Crisis Center and the City of Grand Island for the use of Safe Havens grant funds in the amount of \$119,893.00, to develop a visitation and safe exchange center for victims of domestic violence and abuse as outlined in the document and in the grant award special conditions 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 23, 2003.

RaNae Edwards, City Clerk

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



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G19

#2003-394 - Approving Change Order #1 for Kimball Reservoir Rehabilitation and Pine Street Reservoir Demolition - Utilities Dept.

Background:

The City water system includes four storage reservoirs serving pumping stations for transmission and distribution. Two of these reservoirs are over 60 years old. The Pine Street Reservoir, built in the '20's, was abandoned several years ago due to structural failure. The much larger Kimball Reservoir, built in the '30's, remains in service but is in need of major repair. Inspections of this reservoir have indicated structural damage, to approximately one quarter of the roof area. Our consultant for this project, CH2MHill, performed the engineering analysis and developed contract specifications for repair. Improvements for personnel access and overflow control were also designed to bring Kimball Reservoir into compliance with current standards. The construction contract for improvements to, and rehabilitation of, the Kimball Street Reservoir; and demolition of the Pine Street Reservoir, was awarded to Diamond Engineering in the amount of \$712,930.00. That work was begun in early December, and needs to be completed during the low water demand winter season.

Discussion:

The Kimball roof is comprised of a concrete deck with insulation panels and a rubber membrane weather seal. The original contract specified that the roofing system be replaced only in the area of repair, about one fourth of the total roof area. Now that construction has been started, inspection of the rest of the roof indicates that all of the insulation panels are saturated with water and need to be replaced. Diamond Engineering has provided a proposal for a complete roof replacement for an additional \$53,125.00. Change Order # 1 provides for the addition of complete roof repair, for a final contract price of \$766,055.00.

Recommendation:

The proposed Change Order has been reviewed by Utility Staff and our engineering consultants, CH2MHill. The Utilities Department recommends authorizing Change Order # 1 to the Kimball Reservoir Rehabilitation and Pine Street Reservoir Demolition Contract.

Fiscal Effects:

An addition of \$ 53,125.00 to this project. There are sufficient funds available in Water Enterprise Fund 525.

Alternatives:

None recommended.

Staff Contact: Gary R. Mader; Dale Shotkoski

***Working Together for a
Better Tomorrow, Today.***

TO: The Diamond Engineering Co.
ATTN: Mr. Chris Mitchell
1521 Anna Street
P.O. Box 1327
Grand Island, NE 68802

CHANGE ORDER NO. 1

PROJECT: Kimball Reservoir Rehabilitation and Pine Street Reservoir Demolition – Utilities Dept. – Contract
Change Order

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

Additional compensation for complete roof replacement of \$53,125.00.

ADD: \$53,125.00

and DELETE: \$

The original Contract Sum	\$	712,930.00
Previous Change Order Amounts:	\$	0.00
The Contract Sum is increased by the Change Order # 1	\$	53,125.00
The Contract Sum is decreased by the Change Order # 1	\$	<u>0.00</u>
The total modified Contract sum to date	\$	766,055.00

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: The Diamond Engineering Company

By: _____

Date: _____

Title: _____

RESOLUTION 2003-394

WHEREAS, on August 26, 2003, by Resolution 2003-238, the City of Grand Island awarded the bid for Kimball Reservoir Rehabilitation and Pine Street Reservoir Demolition to the Diamond Engineering Company of Grand Island, Nebraska; and

WHEREAS, it has been determined that modifications to the work to be performed by Diamond Engineering Company 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 \$53,125.00 for a revised contract price of \$766,055.00.

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 the Diamond Engineering Company of Grand Island, Nebraska to provide the modifications set out as follows:

Complete roof replacement53,125.00

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G20

#2003-395 - Approving Phase I - Roger's Pumping Improvements Project - Water System Engineering Services - CH2MHill

Background:

The Utilities Department periodically retains the services of a consultant to do a detailed engineering analysis of the water system, to review the system for deficiencies and to assist in planning for future growth requirements. The water system must meet operational standards to be suitable both for human consumption and for fire protection. These operational standards include analyzing chemical and microbiological components of the water, and hydraulic testing of the system for flow and pressure characteristics. The consultant also projects future system demands and recommends improvements for pumping and distribution components of the system, as well as groundwater sources. The last study was conducted in 2001 by CH2MHill, which resulted in a Master Plan for the water system. Based on this Master Plan, future deficiency of pumping capacity, due to continued demand growth and loss of in-town wells, was noted, as well as a general timetable for completing corrective action. Adding major pumping and storage facilities will require additional engineering support. Detailed proposals for engineering services have been solicited from CH2MHill because of their prior familiarity with the project. Master Plan projects previously authorized for detailed engineering support have been the corrosion control system, modifications to the Platte River Pumping Station, and repairs to the Kimball Reservoir. These construction projects have gone well.

Discussion:

Because of increasing groundwater contamination and more stringent regulations, the Master Plan recommends planning for abandonment of the wells located in the City. In fact, two of the seven wells that were in operation at the time the Master Report was drafted have since been abandoned because of contamination. To replace the loss in pumping capacity, the Master Plan recommends increasing capacity and storage at the Roger's Pumping Station, located at Old Potash Highway and North Road. CH2MHill has provided a proposal for engineering services related to the preparation of contract documents for purchase of pumps and motors, referred to as Phase I – Roger's Pumping Improvements Project, for an amount not to exceed \$82,961. Subsequent phases are anticipated to include expansion of the pumping station, and the addition of another reservoir. Design work is scheduled to be started in early 2004 to support the installation of the additional pumps by the spring of 2005.

Recommendation:

The addition of pumping capacity at Roger's Pumping Station will require outside engineering support. Department engineering staff has reviewed the proposal from CH2MHill and it is the recommendation of the Utilities Department that the additional

amount of \$82,961.00 quoted by CH2MHill for this project be authorized under the terms of our engineering services agreement.

Fiscal Effects:

Expenditure of not more than \$82,961.00 from Enterprise Fund 525. This project is included in the '03-'04 budget. There are sufficient funds available.

Alternatives:

Revise project schedule and solicit proposals from other engineering firms.

Staff Contact: Gary R. Mader; Dale Shotkoski

Proposed Scope of Services and Fee Estimate for Adding Additional Pumping Capacity at the Roger's Reservoir Site.

TO: City of Grand Island

FROM: CH2M HILL

DATE:

Project Understanding

The City of Grand Island's *Water Distribution Master Plan Report* (CH2M HILL) includes a capital improvement plan (CIP) recommendation for additional pumping capacity at the Roger's Pump Station and Reservoir site. Additional pumping capacity may be added either through modifications to the existing pump station or through the design and construction of a new pumping station. The *Water Distribution Master Plan Report* suggests that an additional firm capacity of 7,000 gallons per minute is required to meet existing and future demands.

The project will be delivered in three phase with each phase building upon previous work. Phase 1 will focus on the preparation of pre-purchase specifications for the pumps and motors. Phase 2 will focus on site planning of the Roger's site and Phase 3 will include preparation of construction drawings and specifications as well as services during bidding and construction. The following outlines the proposed scope of services for Phase 1 of this project. At completion of each phase, a detailed scope of services for the subsequent phase will be prepared and provided to the City.

Proposed Scope of Services

CH2M HILL, Incorporated (CONSULTANT) shall provide design services related to the preparation of contract documents for equipment pre-purchase of pumps and motors, hereafter referred to as Phase 1 - Roger's Pumping Improvements Project. The following details the tasks the CONSULTANT will complete as part of Phase 1 of this project.

Task 1: Project Management

CONSULTANT shall participate in a Project Kick-Off Meeting with CITY staff. CONSULTANT attendees shall include the Project Manager, lead Mechanical Engineer, and lead Electrical Engineer. The meeting shall be concurrent with a site visit, and shall focus on reviewing the detailed project Scope of Services and project objectives.

CONSULTANT shall provide routine project management services including, but not limited to, project instructions, budget and schedule tracking, project team coordination, progress updates for the CITY, quality control reviews and preparation of invoices.

Task 2: Predesign Services

CONSULTANT shall provide the following Pre-design Services:

Utility Potholing

Description

This task involves locating existing utilities at the Roger's site. CONSULTANT will direct subconsultant to perform potholing activities to locate known utilities at the Roger's site to include surface location, depth to and size of utility, and materials of construction. CONSULTANT will direct subconsultant to survey horizontal vertical location of valve boxes, manhole covers, utility pothole surface locations and other miscellaneous surface features that are indicators for subsurface facilities.

Hydraulics Technical Memorandum

Description

This task involves the evaluation of distribution system hydraulics and transient (surge) pressures resulting from the pump station operation (starting, stopping and power failure). The evaluation results will document the anticipated range of pump station operating conditions and anticipated surge pressures, including recommendations for mitigation. CONSULTANT will provide recommendations for surge control to be included within the detailed design of pumping improvements at this site only. CONSULTANT will identify surge impacts outside of the pumping station site, but the design of mitigation measures within the distribution system is not included within this scope of services.

Deliverables

- Draft Technical Memorandum
- Final Technical Memorandum

Pumps and Mechanical Systems Technical Memorandum

Description

This task involves preparation of a technical memorandum that discusses issues related to pump requirements and pump station mechanical system concepts. The technical memorandum will address the following specific issues:

1. The pump station head requirements will be determined for the capacity range established in the hydraulic technical memorandum.
2. The following will be evaluated:
 - Type and number of pumps.
 - Approach to capacity control.
 - Constant speed vs. adjustable speed.
 - Pump and piping layout.

- Modifications to existing pump station –vs- new pump station.
- Provisions for access and maintenance.

3. Process mechanical design concepts, including:

- Piping materials.
- Manual valves.
- Air and vacuum valve type and location.
- Pump control valves.
- Corrosion protection.

Deliverables

- Draft technical memorandum.
- Final technical memorandum.

Chlorination Technical Memorandum

Description

This task involves examining historical data for chlorine dosage at the existing pumping facility and summarizing the findings in a TM. Chlorine feed rates and storage requirements will be calculated and presented in the TM based on the historical dosage data and expected flowrates. CONSULTANT will develop design criteria for the chlorine storage and feed system to meet the requirements of the expanded pumping capacity of the facility. The design criteria will assume continued use of 150-pound cylinders of chlorine gas. The TM will include a schematic of the proposed chlorine system and discussion of the expected operational approach (e.g., operating time between cylinder change-outs, and the number of cylinder change-outs required on a monthly basis under average and peak flow conditions)

Deliverables

- Draft technical memorandum.
- Final technical memorandum.

Electrical and Instrumentation and Controls Technical Memorandum

Description

This task involves defining the electrical and instrumentation and controls (I&C) needed for the project. Electrical predesign includes preliminary load calculations, service requirements, backup power requirements (if any), and overall electrical concepts and design criteria. I&C predesign includes overall control system philosophy and definition of desired data flow.

It is assumed that the City of Grand Island electric utility department will provide service to the pump station including any modifications, if required, to the primary electrical distribution system.

Deliverables

- Draft technical memorandum.

- Final technical memorandum.

Task 3: Equipment Procurement

This task involves the preparation of plans, specifications and cost estimates as follows:

Specifications will consist of Contract Documents and technical specifications. CONSULTANT will use CONSULTANT's master specifications as the basis for all specifications, including General Conditions, Supplemental Conditions, Division 1, and all applicable Division 2 through 16 technical sections. CONSULTANT will prepare contract documents, consisting of advertisement for bids, bid form, instructions to bidders, and standard special conditions using CITY standards.

CONSULTANT will prepare specifications and Contract Documents for CITY pre-purchase of major equipment (pumps and motors), including estimate of probable cost for the equipment pre-purchased.

CONSULTANT will submit to the CITY for review six (6) copies of preliminary equipment pre-purchase specifications and cost estimates. The CITY will have two (2) weeks from receipt of the preliminary specifications to provide comments. CONSULTANT will incorporate pertinent and relevant comments into succeeding submittal. CONSULTANT will provide twenty (20) copies of Bidding Documents to CITY for distribution to prospective bidders and suppliers.

CONSULTANT will submit pre-purchase specifications on the CITY's behalf to the Nebraska Health and Human Services (NHHS) for review, including payment of the review fee, which shall be a reimbursed by the CITY as a direct project cost.

Deliverables

- Preliminary equipment pre-purchase specifications (6 copies).
- Final Bidding Documents for equipment pre-purchase (20 copies).

Task 4: Services During Bidding and Equipment Fabrication

CONSULTANT will provide the following services during bidding for the pre-purchase of major equipment:

- Responding to bidders' /vendors' questions
- Preparing addenda as required
- Reviewing bids and preparing recommendation of award

It is assumed that the CITY will be responsible for all other bidding services, including advertising and distributing plans and addenda.

It is assumed that the successful vendor(s) of the pre-purchased equipment will contract directly with the CITY.

It is assumed that the CONSULTANT 's lead mechanical and lead electrical engineers will witness factory testing of the pumps, motors, and drives. A total of 4 man-days are assumed for factory witness testing.

Fee Estimate

Task Description		Principal Technologis	Sr. Project Manager Sr. Technologist Sr. Consultant	Project Manager Engineer Specialist	Project Engineer	Associate Engineer	Staff Engineer 2	Staff Engineer 1	Tech 5	Tech 4	Tech 3	Clerical/Accounting	Hours	Labor	Expenses	Total
Rate		\$190	\$166	\$149	\$115	\$94	\$81	\$74	\$98	\$92	\$82	\$61				
Per Diem Code		3	4	5	6	7	8	9	11	12	13	19				
Task 1 - Project Management		-	-	16	20	-	-	-	-	-	-	24	60	\$6,148	\$386	\$6,534
Task 1 - Subtotal		-	-	16	20	-	-	-	-	-	-	24	60	\$6,148	\$386	\$6,534
Task 2 - Pre-design Services																
	2.1 Utility Potholing	-	-	-	12	-	-	-	-	-	-	-	12	\$1,380	\$7,150	\$8,530
	2.2 Hydraulics Technical Memorandum	40	-	8	40	-	-	-	-	-	-	4	92	\$13,636	\$592	\$14,228
	2.3 Pumps and Mechanical Systems Technical Memorandum	-	-	40	-	-	-	-	-	12	-	6	58	\$7,430	\$373	\$7,803
	2.4 Chlorination Technical Memorandum	-	-	-	20	-	-	-	-	-	-	2	22	\$2,422	\$142	\$2,564
	2.5 Electrical and Instrumentation and Controls Technical Memorandum	12	-	-	-	-	32	-	-	-	-	4	48	\$5,116	\$309	\$5,425
Task 2 - Subtotal		52	-	48	72	-	32	-	-	12	-	16	232	\$29,984	\$8,566	\$38,550
Task 3 - Equipment Procurement																
	3.1 Data Review	8	-	8	8	-	-	-	-	-	-	-	24	\$3,632	\$704	\$4,336
	3.2 Equipment Pre-Purchase Specifications	12	-	32	12	-	-	-	-	-	-	20	76	\$9,648	\$1,039	\$10,687
	3.3 Cost Estimates	-	-	4	4	-	-	-	-	-	-	-	8	\$1,056	\$51	\$1,107
	3.4 QA/QC	12	-	-	4	-	-	-	-	-	-	-	16	\$2,740	\$103	\$2,843
	3.5 NHHS Review														\$5,610	\$5,610
Task 3 - Subtotal		32	-	44	28	-	-	-	-	-	-	20	124	\$17,076	\$7,508	\$24,584
Task 4 - Services During Bidding and Equipment Procurement																
	4.1 Responding to Bidders' Questions	2	-	12	-	8	-	-	-	-	-	2	24	\$3,042	\$154	\$3,196
	4.2 Preparing Addenda	2	-	4	2	4	-	-	-	-	-	2	14	\$1,704	\$90	\$1,794
	4.3 Reviewing Bid(s) and Preparing Recommendation of Award	-	-	2	2	-	-	-	-	-	-	2	6	\$650	\$39	\$689
	4.4 Submittal Review	-	-	12	-	-	12	-	-	-	-	4	28	\$3,004	\$180	\$3,184
	4.5 Factory Witness Testing	-	-	16	16	-	-	-	-	-	-	-	32	\$4,224	\$206	\$4,430
Task 4 - Subtotal		4	-	46	20	12	12	-	-	-	-	10	104	\$12,624	\$669	\$13,293
Total for Basic Services		\$88	\$0	\$154	\$140	\$12	\$44	\$0	\$0	\$12	\$0	\$70	\$520	\$65,832	\$17,129	\$82,961

RESOLUTION 2003-395

WHEREAS, on April 10, 2000, by Resolution 2000-110, the City of Grand Island authorized a contract with CH2M Hill of Englewood, Colorado for municipal water system engineering services for the Utilities Department; and

WHEREAS, such engineering services resulted in a Master Plan for the water system; and

WHEREAS, based on the Master Plan, future deficiency of pumping capacity due to continued demand growth and loss of in-town wells was noted, as well as a general timetable for completing corrective action; and

WHEREAS, due to the increasing groundwater contamination and more stringent regulations, the Master Plan recommends the planning for abandonment of the wells located in the City; and

WHEREAS, to replace the loss of pumping capacity, it is recommended that the capacity and storage at the Roger's Pumping Station located at Old Potash Highway and North Road be increased; and

WHEREAS, adding major pumping and storage facilities will require additional engineering support; and

WHEREAS, due to CH2M Hill's familiarity with the project, it is recommended that CH2M Hill continue providing engineering services for this project; and

WHEREAS, CH2M Hill has proposed to complete such engineering support necessary to add pumping capacity at Roger's Pumping Station for the amount of \$82,961 in accordance with the engineering services agreement; and

WHEREAS, it recommended that such proposal be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of CH2M Hill of Englewood, Colorado in the amount of \$82,961 for engineering support necessary to add pumping capacity at Roger's Pumping Station is hereby approved.

- - -

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

RaNae Edwards, City Clerk

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



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G21

#2003-396 - Approving Purchase of New Trucks for Underground and Water Divisions - Utilities Department

Background:

With the continually growing construction activity in Grand Island, the Utilities Department has had to expand its Water Department and Underground Electric Divisions over the past several years. Both of these divisions work over the entire 80 square mile service area of the Department. One additional construction vehicle and two replacement vehicles were budgeted in the '03-'04 fiscal year.

The Water Department maintains all existing and new water lines. The department will add one new truck and replace Unit 94, a 1994 pickup with 88,276 miles.

The Underground Department needs to replace Unit 79, a 1977 pickup with 47,321 miles. The old vehicles will be sold at auction.

Discussion:

The state contract provides very good pricing for public entity owned vehicles. All three vehicles will be ¾ ton, four-wheel drive pickups with utility bodies.

Summary:

Bid Date: State Bid

Publication Date: State Bid

Fund Number: 520 (Underground) and 525 (Water Shop)

Bidder: Anderson Ford, 2500 Wildcat Drive, Lincoln, NE 68508

State Bid Amount: \$33,145.00 – Each

State Contract Number: CA6090B

Recommendation:

It is recommended that Council approve the award to Anderson Ford in the amount of \$99,435.00 for three pick-ups pursuant to State Bid Contract Award #CA6090B. There are sufficient funds in the funds for this purpose.

Staff Contact: Gary R. Mader; Dale Shotkoski

RESOLUTION 2003-396

WHEREAS, the Water Division is budgeted to purchase one new vehicle during the 2003/2004 fiscal year; and

WHEREAS, the Underground Division is budgeted to purchase one new vehicle and one replacement vehicle during the 2003/2004 fiscal year; and

WHEREAS, said vehicles can be obtained from the State contract holder; and

WHEREAS, purchasing the vehicles from the State contract holder meets all statutory bidding requirements; and

WHEREAS, the funding for such vehicles is provided in their 2003/2004 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of three 3/4 ton, four-wheel drive pickups with utility bodies from the State contract holder, Anderson Ford of Lincoln, Nebraska, for the total amount of \$99,435.00 is hereby accepted and approved.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G22

#2003-397 - Approving Agreement with Nebraska Department of Roads for Improvements to U.S. Highway 30, East of Stuhr Road to Merrick County Line

Background:

In continuation of the extensive improvements being made to U.S. Highway 30 east of Grand Island, the Nebraska Department of Roads (NDOR) is now ready to make improvements to the next segment of the highway. NDOR has prepared an Agreement for the improvements on Highway 30 from east of Stuhr Road to the Merrick County line. This Agreement must be approved by City Council.

Discussion:

Work on this 2 ½ mile segment of US Highway 30 will widen the roadway to five lanes and make improvements to intersections, storm sewers, sidewalks, ditch improvements and roadway lighting. NDOR plans to let bids in January 2004. The total project construction costs including engineering and right-of-way, are estimated to be \$9,179,000. Since much of the project area is out of the city limits, city costs are estimated to be only \$750,000, or approximately 8% of total costs. The funding source for the city share will be from the city's Federal Surface Transportation Program (STP) allocation of funds which are maintained by the NDOR.

Recommendation:

Approve a Resolution authorizing the Mayor to sign the Agreement.

Financial Implications:

Costs are STP funds.

Alternatives:

None. This is a good use of our STP funds.

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

RESOLUTION 2003-397

WHEREAS, the Nebraska Department of Roads intends to expand to five-lanes, a section of U.S. Highway 30 from the Seedling Mile Access Road to east of the Merrick County line, and make improvements to the intersections, storm sewers, sidewalks, ditches and roadway lighting; and

WHEREAS, the Nebraska Department of Roads will pay 80% of the project costs; and

WHEREAS, utility relocation costs that are not considered betterment, are eligible for reimbursement as project costs under this agreement; and

WHEREAS, the total project costs are anticipated to be \$9,179,000, however since much of the project area is out of the city limits, the city costs are estimated to be \$750,000 or approximately 8% of total costs; and

WHEREAS, the funding source for the city's cost share will be from the city's Federal Surface Transportation Program (STP) allocation of funds which are maintained by the Nebraska Department of Roads; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the agreement with the Nebraska Department of Roads for widening of the roadway and improvements to the intersections, storm sewers, sidewalks, ditch and roadway lighting along U.S. Highway 30 from the Seedling Mile Access Road to east of the Merrick County line is hereby approved.

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

- - -

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

RaNae Edwards, City Clerk

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



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item G23

#2003-398 - Approving Certificate of Final Completion for Sucks Lake Restoration/Cottonwood Dredging Project Engineering Services

The Park and Recreation Department has recommended that the Certificate of Final Completion be issued for the Sucks Lake Restoration/Cottonwood Dredging Project. The contract was awarded to Olsson Associates of Grand Island on August 20, 2002. The work commenced in early September, 2002 and was completed in November, 2003. 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 Director, subject to City Council approval. Approval is recommended.

Staff Contact: Steve Paustian

RESOLUTION 2003-398

WHEREAS, the Parks and Recreation Director of the City of Grand Island has issued his Certificate of Final Completion for Engineering Services for the Sucks Lake Restoration / Cottonwood Lake Dredging Project, certifying that Olsson Associates of Grand Island, Nebraska, under contract dated August 20, 2002, has completed such project according to the terms, conditions, and stipulations for such improvements; and

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

WHEREAS, the Mayor concurs with such recommendation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Certificate of Final Completion for Engineering Services for the Sucks Lake Restoration/Cottonwood Lake Dredging Project is hereby confirmed.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item H1

Request of Wells Fargo Bank for Property Located in the W 1/2 NW 1/4 of Section 34-11-9 to be Annexed into the City of Grand Island

Wells Fargo bank is requesting that real estate that they administer in the West 1/2 of the northwest 1/4 of Section 34-11-9 be annexed into the City. This property is on the southeast corner of the intersection of Highway 34 and South Locust Street. If the Council approves this request for annexation it will be referred to the Planning Commission for approval before coming back to the City Council for formal annexation by ordinance.

Staff Contact: Doug Walker



Investment Management & Trust

Private Client Services
MAC N8032-042
1248 O Street 4th Floor
P O Box 82408
Lincoln, NE 68501-2408
402 434-4072
402 434-4612 Fax
800 729-5882 Toll Free

December 16, 2003

**VIA FACSIMILE (308) 385-5423
AND FIRST CLASS MAIL**

Mr. Chad Nabity
Planning Director
City Hall
100 E. 1st Street
PO Box 1968
Grand Island, Nebraska 68802-1968

Re: Request for Annexation

Dear Mr. Nabity:

I am writing this letter on behalf of Wells Fargo Bank, N.A., which is the Trustee of The Irene V. Christensen Easton Revocable Trust (the "Trust"). The Trust is the owner of an approximately 38.38-acre tract of land, which is located in Hall County, Nebraska and more particularly described on Exhibit "A" attached to this letter (the "Property"). The Property is currently located outside of the city limits of Grand Island, Nebraska.

Please accept this letter as the Trust's formal request to the City of Grand Island for the annexation of the Property. I would appreciate it if you could please include this matter on the agenda for the next City Council meeting. However, please note that we reserve the right to withdraw this request at any time prior to the actual annexation of the Property by the City of Grand Island.

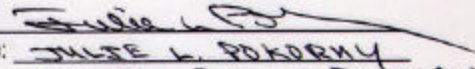
Please forward copies of any proposed Development Agreement, and any proposed Annexation Agreement, or Agreement regarding the change of zone for the Property, together with the Notice of the hearing on any resolution to annex the Property to me at Wells Fargo Bank, N.A., Attn: Julie Pokorny, Trust Department, P.O. Box 82408, Lincoln, NE 68501; and to our attorney, W. Michael Morrow, P.O. Box 83439, Lincoln, NE 68501-3439.

Page - 2

Thank you, in advance, for your assistance with this matter. If you have any questions regarding the matters set forth herein, please do not hesitate to contact me at your earliest convenience.

THE IRENE V. CHRISTENSEN EASTON
REVOCABLE TRUST

By Wells Fargo Bank, N.A., Trustee

By 
Name: JULIE L. POKORNY
Title: Vice President & Sr. Trust Admin.

cc: W. Michael Morrow, Esq.
Brian C. Eades, Esq.

EXHIBIT "A"

DESCRIPTION OF THE PROPERTY

A tract of land located in the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 34, Township 11 North, Range 9 West of the 6th P.M., Hall County, Nebraska, described as follows:

Starting at a point 60' south and 60' east of the northwest corner of said Section 34; thence from the point of beginning east a distance of 233.4', thence north 90° left a distance of 27', thence east 90° right a distance of 1026.6' to a point on the east boundary line of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 34 thence south along the east boundary line of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 34 a distance of 1,307.82', thence west 90° right a distance of 1287', thence north 90° a distance of 1,120.82', thence east 90° right a distance of 27' thence north 90° left a distance of 160' to the point of beginning.

Except a tract of land located in the NW $\frac{1}{4}$ of Section 34, Township 11 North, Range 9 West of the 6th P.M., Hall County, Nebraska, described as follows: referring to the northwest corner of the NW $\frac{1}{4}$ of said Section 34, thence easterly along the north line of said NW $\frac{1}{4}$ a distance of 129.56' to a point thence southerly deflecting 90°00'00" left a distance of 60.00' to a point on the south right-of-way line of Hwy 34, said point also being the true point of beginning, thence southwesterly deflecting 44°06'24" right a distance of 82.24' to a point, thence southerly deflecting 46°17'16" left a distance of 326.58' to a point, thence southerly deflecting 0°44'36" left a distance of 371.01' to a point, thence southwesterly deflecting 9°32'13" right a distance of 83.17' to a point, thence southerly deflecting 9°32'12" left a distance of 449.13' to a point, thence westerly deflecting 92°55'41" right a distance of 41.98' to a point on the east right-of-way line of Locust Street, thence northerly deflecting 88°12'36" right along the east right-of-way line of Locust Street a distance of 1001.77' to a point, thence northeasterly deflecting 10°16'12" right along the east right-of-way line of Locust Street a distance of 151.44' to a point, thence northerly deflecting 10°16'13" left along the east right-of-way line of Locust Street a distance of 34.774 meters to a point, thence northeasterly deflecting 27°58'30" right along the east right-of-way line of Locust Street a distance of 24.50' to a point on the south right-of-way line of Hwy 34, thence easterly deflecting 63°48'42" right, a distance of 56.16' to the point of beginning, containing 38.38 acres, more or less.



City of Grand Island

Tuesday, December 23, 2003

Council Session

Item J1

Payment of Claims for the Period of December 10, 2003 through December 23, 2003

The Claims for the period of December 10, 2003 through December 23, 2003 for a total of \$3,574,330.31. A MOTION is in order.

Staff Contact: RaNae Edwards