
City of Grand Island



Tuesday, January 27, 2004

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:

Gary Greer

City Clerk:

RaNae Edwards

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

Call to Order

Pledge of Allegiance /Invocation - Reverend Richard Karohl, Faith United Methodist Church, 724 West 12th Street

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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

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, January 27, 2004

Council Session

Item C1

Proclamation Supporting Earned Income Tax Credit Program

Statistics from the Internal Revenue Service show that about 18% of eligible families in Grand Island/Hall County failed to claim Earned Income Tax Credit (EITC) amounting to \$1.5 million dollars in 2002. The Mayor and City Council would like to encourage all families who are eligible, to apply and take advantage of the Earned Income Tax Credit. See attached PROCLAMATION.

Staff Contact: Joni Kuzma

THE OFFICE OF THE MAYOR
City of Grand Island
State of Nebraska

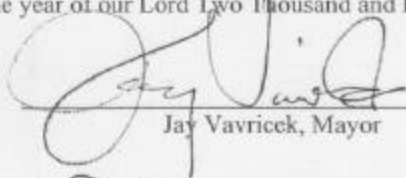
PROCLAMATION

- WHEREAS, Internal Revenue Service statistics indicate that about 18% of eligible Grand Island/Hall County families fail to claim the Earned Income Tax Credit (EITC); and
- WHEREAS, IRS statistics further show that eligible Grand Island/Hall County families failed to claim about \$1.5 million dollars in Earned Income Tax Credit (EITC) in 2002; and
- WHEREAS, Earned Income Tax Credit money is spent in the community and helps the community grow economically, thereby reducing the number of families who need government services and benefits.

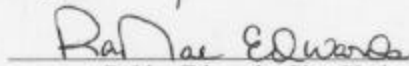
NOW, THEREFORE, BE IT RESOLVED THAT BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that:

The City of Grand Island supports the Earned Income Tax Credit program and encourages all families who are eligible to apply for the E.I.T.C.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Grand Island to be affixed this twenty-seventh day of January in the year of our Lord Two Thousand and Four.


Jay Vavricek, Mayor

Attest:


RaNae Edwards, City Clerk





City of Grand Island

Tuesday, January 27, 2004

Council Session

Item C2

Proclamation "Random Acts of Kindness Week" February 1-7, 2004

Random Acts of Kindness Program was created as a counterbalance to random acts of violence and has a goal of revising the tide of anger and violence in our society by increasing self esteem, and because the local efforts are known as the Acts of Kindness Ladies with over 60 individuals currently active. The Mayor has proclaimed February 1-7, 2004 as "Random Acts of Kindness Week". See attached PROCLAMATION.

Staff Contact: RaNae Edwards

THE OFFICE OF THE MAYOR
City of Grand Island
State of Nebraska

PROCLAMATION

WHEREAS, the Random Acts of Kindness program was created as a counterbalance to random acts of violence; and

WHEREAS, Random Acts of Kindness are those considerate things that are done for no reason; and

WHEREAS, the goal is to reverse the tide of anger and violence in our society by increasing self-esteem and deepening our connection through the practice of simple, day-to-day kindness to our fellow humankind; and

WHEREAS, over 300 towns, 400 churches, 100 libraries, 100 national service organizations and 75 youth organizations have begun programs of Random Acts; and

WHEREAS, Random Acts of Kindness Week is celebrated by millions of people across the United States and in parts of Canada, Scotland, England, and Australia; and

WHEREAS, the Random Acts of Kindness program began in Grand Island in August 1997 with 60 individuals currently active; and

WHEREAS, the local efforts are known as the ACTS OF KINDNESS LADIES.

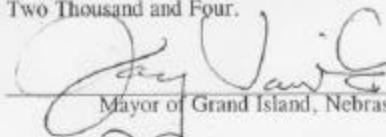
NOW, THEREFORE, I, Jay Vavricek, Mayor of Grand Island, Nebraska, do hereby proclaim the week of February 1 - 7, 2004 as

Random Acts of Kindness Week

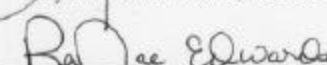
in the City of Grand Island and urge all citizens to take due note of the observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Grand Island to be affixed this twenty-seventh day of January in the year of our Lord Two Thousand and Four.





Mayor of Grand Island, Nebraska



RaNae Edwards, City Clerk



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item C3

Presentation by BKD, LLP Relative to Fiscal Year 2003 Electric and Water Audit Reports

Roger Watton, representing BKD, LLP, will present the Independent Auditors' Report of the Financial Statements relative to the City of Grand Island Electric Department and Water Department for the year ended September 30, 2003.

Staff Contact: David Springer



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item F1

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

This item relates to the actions taken at the December 23, 2003 and January 13, 2004 City Council meetings. Annexation of property located at 2860 East Bismark Road, 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. This is the final of three readings. 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.

WHEREAS, on December 23, 2003, Ordinance No. 8884 was approved by the City Council of the City of Grand Island on first reading.

WHEREAS, on January 13, 2004, Ordinance No. 8884 was approved by the City Council for the City of Grand Island on second reading.

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

SECTION 1. It is hereby found and determined that:

Approved as to Form	☐ _____
January 22, 2004	☐ City Attorney

ORDINANCE NO. 8884 (Cont.)

(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 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

ORDINANCE NO. 8884 (Cont.)

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

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.

ORDINANCE NO. 8884 (Cont.)

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

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: January 27, 2004.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item F2

#8886 - Ordinance on Vacation of Conservation Easement Along Webb Road Between NE Highway 2 and US Highway 281

This ordinance will vacate the Conservation Easements that were placed on lots 1-10 of Timberline Subdivision located west of Webb Road and North of Nebraska Highway 2. These easements will be replaced with Septic System Easements of a larger size in a different place on the lot. Moving the easements will make it possible to put a larger structure on the lot.

Staff Contact: Chad Nabity

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 8886

An ordinance to vacate existing easements located in a part of Lots One (1) through Ten (10), inclusive, Timberline 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.

WHEREAS, 45' x 85' conservation easements on Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), and Ten (10) were dedicated with the Subdivision Plat for Timberline Subdivision. Such plat was recorded with the Hall County Register of Deeds office on May 13, 2003 as Instrument No. 0200305983; and

WHEREAS, the owner of such subdivision has requested that such conservation easements be relocated on the property to better facilitate the development of such lots; and

WHEREAS, it is recommended that the existing conservation easements on such property be vacated.

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

Approved as to Form	☐ _____
January 22, 2004	☐ City Attorney

ORDINANCE NO. 8886 (Cont.)

SECTION 1. That the existing 45' x 85' conservation easements located in a part of Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), and Ten (10) of Timberline Subdivision in the city of Grand Island, Hall County, Nebraska, as shown on the plat dated December 16, 2003 and revised January 18, 2004 attached hereto and incorporated herein by reference, are hereby vacated.

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

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

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

Enacted: January 27, 2004.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item G1

Approving Minutes of January 13, 2004 City Council Regular Minutes

*The Minutes of January 13, 2004 City Council Regular Minutes are submitted for approval.
See attached MINUTES.*

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

January 13, 2004

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 January 13, 2004. Notice of the meeting was given in the Grand Island Independent on January 7, 2004.

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

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Youth Minister Brian Pielstick, Independent Bethel Baptist Church, 1223 East 6th Street.

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

MAYOR COMMUNICATION: Mayor Vavricek mentioned that the Quad City Mayor's Conference would be held on January 21, 2004 and the Council Retreat on February 21, 2004. Also mentioned were the following deadlines for filing for office: Incumbent deadline February 15, 2004 and Non-incumbent deadline March 1, 2004. It was noted that Councilmember Margaret Hornady had filed for re-election. Mayor stated that the council would meet on March 9, 2004 for a Study Session even though the Chamber of Commerce Annual Banquet was that same night.

PUBLIC HEARINGS:

Public Hearing on Request of Chicken Coop of Grand Island, Inc. dba Chicken Coop Sports Bar and Grill, 120 East 3rd Street, for Class "C" Liquor License. City Clerk RaNae Edwards reported that Chicken Coop of Grand Island, Inc. dba Chicken Coop Sports Bar and Grill, 120 East 3rd Street had submitted an application with the City Clerk's Office for a Class "C" Liquor License which allows for the sale of alcoholic beverages on and off sale within the corporate limits of the City of Grand Island. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on December 24, 2003; notice to applicant of date, time, and place of hearing mailed on December 24, 2003; notice to the general public of date, time, and place of hearing published on January 3, 2004; Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Request of Emil Schaaf on Behalf of Werner Construction for Conditional Use Permit Located at 5588 South Engleman Road for Gravel Dredging and Aggregate Stockpiling. Craig Lewis, Building Department Director reported that Emil Schaaf on behalf of Werner Construction, Hastings, Nebraska, had submitted an application with the City Clerk's Office for a Conditional Use Permit for gravel dredging and aggregate stockpiling located at 5588 South Engleman Road. The property was currently zoned AG-Agricultural Zone and as such, an operation of a sand and gravel pit and accessory uses were allowed only if approved by the City Council in the form of a conditional use permit. The existing operation had the approval of the Hall County Board in the form of a conditional use permit approved on July 11, 2000. Because part of the property was within the two mile zoning jurisdiction of the City of Grand Island and the applicants had requested modifications to the existing approval it was required that the City approve the modifications in a new permit. Richard Ray, Hastings, Nebraska representing Werner Construction spoke in support. Bill Carson, 5575 South Engleman Road spoke in opposition and submitted a petition with approximately 50 signatures from residents in the area. Alan Hult, 4262 West Wildwood Drive also spoke in opposition. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located on the East Side of North Road at Manchester Road. (Johnson and Johnson, Inc.) Gary Mader, Utilities Director, reported that acquisition of a utility easement located on the east side of North Road at Manchester Road, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used for an anchor and down guy to hold the overhead line going west from this location. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located on the East Side of North Road at Manchester Road. (Good Hitters, Inc.) Gary Mader, Utilities Director, reported that acquisition of a utility easement located on the east side of North Road at Manchester Road, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to construct an overhead three-phase line to serve the property. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 527 North Diers Avenue. (Encinger Properties II, L.L.C.) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 527 North Diers Avenue, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate a new pad-mounted transformer to serve a new building at this location. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at Midaro Drive and U.S. Highway 34. (Ryan and Lisa Crouch) Gary Mader, Utilities Director, reported that acquisition of a utility easement located on the east side of Midaro Drive and north of U.S. Highway 34, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to serve an upgraded overhead power line to serve a new home. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3356 North Gunbarrel Road. (Herman, Robin, and Janet Elstermeier) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 3356 North Gunbarrel Road, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used for a relocated overhead power line. No public testimony was heard.

ORDINANCES:

Motion by Pielstick, second by Hornady, to approve Ordinance #8884 on Second Reading.

#8884 – Consideration of Annexation of Property Located at 2860 East Bismark Road

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

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

#8885 – Consideration of Amendment to the Salary Ordinance Relative to City Administrator

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

Mayor: Is there any one in the audience interested in this Ordinance? No testimony was heard.

City Clerk: Ordinance #8885, on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #8885, on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinance #8885 is declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Items G-11 and G-24 were pulled from the Consent Agenda for further discussion. Item G-22 was pulled from the agenda at the request of the Finance Department. Motion by Cornelius, second by Pielstick, to approve the Consent Agenda excluding items G-11, G-24, and G-22. Upon roll call vote, all voted aye. Motion adopted.

Receipt of Official Document – Tort Claim filed by Luis Gutierrez

Approving Minutes of December 23, 2003 City Council Regular Meeting.

Approving Minutes of January 6, 2004 City Council Study Session. Councilmember Whitesides abstained.

Approving Appointment of Doug Jensen to the Animal Advisory Board.

Approving Appointment of Dehn Renter to the Economic Development Program Citizens' Review Committee.

Approving Appointments of Shawn Messersmith, Chad Johnson, Pat Bittner, and Bruce Kleint to the Electrical Board and Dean Mathis and Craig Lewis as Ex-Officio Members.

Approving Appointments of Norm Nietfeldt, Mike McElroy, and Loren Peterson to the Gas Fitters and Appliance Installers Board and David Scoggins and Craig Lewis as Ex-Officio Members.

Approving Appointments of Larry Callahan, Robert Luther, Eric Rose, and Jennifer Herman to the Plumbers Examining Board and David Scoggins as Ex-Officio Member.

Approving Request of Chicken Coop of Grand Island, Inc. dba Chicken Coop Sports Bar and Grill, 120 East 3rd Street, for a Class "C" Liquor License.

Approving Request of Dean Pegg, #28 Redwood Drive, Kearney, Nebraska, for Liquor Manager Designation for Chicken Coop Sports Bar and Grill, 120 East 3rd Street.

#2004-1 – Approving Acquisition of Utility Easement Located on the East Side of North Road at Manchester Road. (Johnson and Johnson, Inc.)

#2004-2 – Approving Acquisition of Utility Easement Located on the East Side of North Road at Manchester Road. (Good Hitters, Inc.)

#2004-3 – Approving Acquisition of Utility Easement Located at 527 North Diers Avenue. (Encinger Properties II, L.L.C.)

#2004-4 – Approving Acquisition of Utility Easement Located East of Midaro Drive and North of U.S. Highway 34. (Ryan and Lisa Crouch)

#2004-5 – Approving Acquisition of Utility Easement Located at 3356 North Gunbarrel Road. (Herman, Robin, and Janet Elstermeier)

#2004-6 – Approving Bid Award for Coal Handling and Machine Room Roof Replacement with Weathercraft Company of Grand Island, Nebraska in an Amount of \$69,447.00.

#2004-7 – Approving Change Order #1 for Platte River Pumping Station No. 3 Replacement with Kayton Electric of Grand Island, Nebraska for an Increase of \$9,184.89 and a Revised Contract Amount of \$136,684.89.

#2004-8 – Approving Bid Award for Street Improvement District No, 1245, James Road with the Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$99,481.35.

#2004-9 – Approving Interlocal Cooperative Agreement for Victim Witness Services with Hall County.

#2004-10 – Approving Bid Award for Underground Electrical Lines at the Former Cornhusker Army Ammunition Plant with Southern Public Power District in the Amount of \$23,014.00.

#2004-12 – Approving Intent to Annex, Adoption of Annexation Plan, and Schedule Public Hearing for Property Located on the Southeast Corner of the Intersection of Highway 34 and South Locust Street.

Approving Request of Emil Schaaf on Behalf of Werner Construction for Conditional Use Permit Located at 5588 South Engleman Road. Motion was made by Hornady, second by Walker to approve the request for Conditional Use Permit. Discussion was held with regards to trucks traveling north past the Cedar Hollow School and safety issues, the storing of asphalt millings, noise, hours of operation, and the 300' setback recommended by the Building Department. Craig Lewis, Building Department Director explained the permit issued by Hall County and the fact that this operation would continue even if the City denied this request.

Richard Ray, Hastings, Nebraska representing Werner Construction spoke with regards to some trucks traveling north past the school, but stated most traveled south. Bill Carson, 5575 South Engleman Road commented on safety issues and wear to the road. Enforcement issues were discussed briefly.

Motion was made by Nickerson to amend the original motion to include the following recommendations from the Building Department:

1. The applicant apply for and receive a Flood Plain Development Permit from the Building and Regional Planning Departments.
2. No storage of material or any change in the existing grade elevations shall occur in the designated Floodway Boundary Area as identified on the Floodway Boundary and Floodway Map for Hall County, issued by the Federal Emergency Management Agency dated September 29, 1986.
3. A minimum setback of 300 feet shall be provided adjacent to the public street right of ways along Guenther and Engleman roads to provide for vehicular safety and future development. Existing areas already pumped shall be filled in to accommodate this setback at the completion of the dredging operation, no new pumping shall occur within the 300 foot setback.

Motion died due to lack of a second.

Motion was made by Hornady, second by Gilbert to refer this issue to a Study Session. Upon roll call vote, Councilmembers Meyer, Pielstick, Gilbert, Cornelius, Pauly, Hornady, and Haase voted aye. Councilmembers Whitesides, Nickerson, and Walker voted no. Motion adopted.

#2004-13 – Approving Dedicated Parking Stalls in the Public Parking Lot at South Front and Walnut Streets and at the Chamber Lot. City Attorney Doug Walker reported that ProCon Development and Jim Beltzer, President of the Old Sears Development Inc. were in the process of submitting a response to a request for proposals from the Nebraska Department of Health and Human Services for office space. Part of the response to this request was providing the Department with assurance that there would be adequate parking.

The Downtown Improvement board for BID #5 had reviewed the requests of each developer and was recommending that the City Council pass a resolution that would assure that adequate dedicated parking would be available if either developer submitted the successful proposal. Wells Fargo Bank currently had dedicated spaces for which they paid a monthly rental so there was precedent for dedicated parking in the downtown area. If either developer was successful in obtaining the NHHS lease a fee would be charged for the dedicated parking as set forth in the resolution.

Cindy Johnson, President of the Chamber of Commerce spoke with regards to the downtown assessments, parking lots, parking needs, and current use of the parking lots. Bruce Schreiner representing Procon regarding NHHS requirements. Tom O'Neill, 804 Stolley Park Road spoke in support but mentioned concerns about prices being consistent with the parking ramp and other designated parking areas.

Motion by Pielstick, second by Walker to approve Resolution #2004-13. Upon roll call vote, Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Nickerson, Cornelius, Pauly, Hornady, and Haase voted aye. Councilmember Walker voted no. Motion adopted.

#2004-11 – Approving Bid Award for Copiers/Printers/Scanners for City Hall. This item was removed from the Agenda at the request of the Finance Department.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase, carried unanimously to approve the Claims for the period of December 24, 2003 through January 13, 2004, for a total amount of \$2,895,536.11. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item G2

Approving Minutes of January 20, 2004 City Council Study Session

The Minutes of January 20, 2004 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

January 20, 2004

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 January 20, 2004. Notice of the meeting was given in the Grand Island Independent on January 14, 2004.

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

MAYOR COMMUNICATION: Mayor Vavricek mentioned the Heartland Events Center campaign. Presented were two promotions for the Heartland Events Center that would be aired on TV.

Discussion Concerning Use of ½ Cent Sales Tax for Fire Station #1 and Training Center. Fire Chief Jim Rowell introduced Fire Operations Division Chief Curt Rohling who reported that the replacement of the fire station at Koenig Street and Pine Street had been a proposed project for several years. This station known as fire station one was built in 1936 and had served the community for sixty five years. The design and location of the station were both appropriate for their time. Continued growth of the city and changes in the equipment and services along with deterioration of the building over time had brought this need to the forefront. It was the hope of the Fire Department to develop a plan for this replacement facility that would ensure that the new station would equal or exceed the value of the service the present building had given to the community.

A PowerPoint presentation showed the condition of Fire Station #1, street access problems, a brief overview of the Grand Island Fire Department, and pictures of fire stations from other states.

Discussed were the problems of exhaust fumes within the station, ADA accessibility, and location for a new station. City Administrator Gary Greer commented on the process of replacing this station. Councilmember Walker commented that whether or not the ½ cent sales tax passed, Council needed to look at replacing this structure for the safety of the firefighters.

Fire Training Division Chief Troy Hughes mentioned a Training Center for the fire department was an on going need. Training and education were of greater importance in the modern fire service than ever before. Mr. Hughes stated the Grand Island Fire Department along with every other fire department in the country was faced with ever increasing demand for service in a greater variety of situations. The use of chemicals and transportation of those chemicals in a variety of methods had prompted the development of Hazardous Materials Response teams. The need for specialized rescue teams for trench, confined space, vehicle extrication and others required more training and a need for space and facilities in which to learn, train, and practice those needed skills. The basic skills for fighting fires and emergency medical service were best learned and maintained in this type of a facility.

Mr. Hughes stated the vision was for a multi-use training facility to be used by many different agencies. The following were proposed to be included in this facility: classrooms/meeting rooms, offices, multi-story training tower, burn building, driving course, and access to lake and rail line. Mention was that this could be built in stages with the possibility of using grant funds. Location was discussed with regards to land availability and response times.

Discussion Concerning Use of ½ Cent Sales Tax for Train Noise Reduction. Public Works Director Steve Riehle reported that the community had discussed noise from train engine horns for a number of years. Kearney had closed crossings, built over and underpasses, and installed wayside horns on the Central Avenue crossing with the Union Pacific Railroad mainline tracks. Grand Island had not proceeded with the wayside horns because the railroads electronic circuitry needed up-grading, a cost the railroad expected the city to bear. A new rule change was recently approved by the Federal Railroad Administration that formalized the requirements regarding railroad crossings. They allowed the use of wayside horns and also “Quiet Zones”.

Mr. Riehle updated the council with a series of PowerPoint slides regarding the number of railroad crossings, railroad engine horns, timeline for horn rule change, wayside horns, and “Quiet Zones”. A “Quiet Zone” was where horns were prohibited (whistle ban) or horns would sound if a vehicle was in the crossing or a pedestrian was on the tracks. Discussion was had concerning a railroad corridor study which would outline a formal plan to reduce train noise and cost approximately \$125,000.

Presentation by the Humane Society Regarding Wildlife Damage Control. City Attorney Doug Walker reported that the Humane Society was interested in providing animal control services for wildlife such as trapping skunks and other animal species that may be a problem with the current rabies outbreak in the City and the surrounding areas. The Humane Society would provide this service through the end of the year. Mr. Walker stated this matter was being brought up for consideration at this time because the Humane Society would need to order additional traps to provide these services this spring when the skunk and rabies problem started to occur. The Animal Advisory Board had requested that the Humane Society make a proposal for performing these services because the Board felt that they would provide this service in an effective and humane manner.

Cindy Bishop representing the Central Nebraska Humane Society presented to council a PowerPoint presentation regarding skunk and rabies problems. Discussed were type of traps,

forms of euthanizing these animals, and a cost of \$2,500.00 for the cost of 15 additional traps and services. It was the consensus of the Council to move ahead with this issue.

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

Respectfully submitted,

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item G3

Approving Request of Michael Van Horn, 268 South Kimball Street, Apt. 1 for Liquor Manager Designation for Red Lobster, 3430 West 13th Street

Michael Van Horn, 268 South Kimball Street, Apt. 1 has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "I-32486" Liquor License for Red Lobster, 3430 West 13th Street. This application has been reviewed by the Police Department and City Clerk's Office. Approval is recommended.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item G4

Approving Referral of One & Six Year Street Improvement Program to Regional Planning Commission

Summary:

Attached is staff's recommended One and Six Year Street Improvement Program. Adoption of a One and Six Year Street Improvement Program is required by State law as part of the requirements to receive approximately three million dollars of state gas tax funds each year.

Review Schedule:

Our recommendation for the review of the proposed plan is as follows:

- *Tuesday, January 27, 2004 - City Council refers Plan to Regional Planning Commission.*
- *Wednesday, February 4, 2004 - Regional Planning Commission conducts Public Hearing and forwards recommendation to City Council.*
- *Tuesday, February 10, 2004 - City Council hears presentation from staff, conducts Public Hearing and passes Resolution adopting the Plan.*

2004 Construction Season:

One of the major projects for the year 2004 construction season again relates to the improvements on South Locust Street. The improvements from U.S. Highway 34 to Stolley Park Road have been completed and we now have a contract for improvements between Stolley Park Road and Fonner Park Road. This project includes a new concrete roadway, 5' wide concrete sidewalks, concrete driveways, storm drainage, roadway lighting, ornamental pedestrian lighting and landscaping. A contract will be let for the construction of two bridges over the Platte River for the northbound lanes of S. Locust between I-80 and the south City Limits. The Nebraska Department of Roads has two major projects scheduled for, or underway in 2004. These are the on going construction of the Locust Street I-80 interchange, with completion scheduled in late summer of 2004, and commencement of the roadway construction for the widening of East Highway 30 from just east of Stuhr Road to east of the Merrick County line. Other projects planned for 2004 include the paving of the Shanna Street and Lariat Lane connections and Independence Avenue from 13th Street to Shanna Street, and the widening of Stolley Park Road west of U.S. Highway 281 by Case New Holland (CNH). Also planned is the continuation of the Hiker/Biker trail from Central Community College to Hall County Park.

2005 – 2009 Construction Seasons:

Some significant projects beyond the 2004 construction season include the widening of Stolley Park Road from Locust Street to the southern Fonner Park Heartland Events Center

entrance, grade separation construction at the UPRR on Broadwell Street and at an east bypass location on either Stuhr Road or Shady Bend Road. Also planned during this period is completion of the construction of two northbound bridges on Locust Street over the Platte River channels, and the commencement of roadway construction for the northbound lanes of Locust Street between the I-80 interchange and the south city limits as well as the continuation of various segments of the Hiker/Biker trail construction. Completion of the four-lane roadway construction on East US Highway 30 from Stuhr Road to just east of the Merrick County line is scheduled for 2005.

Recommendation:

Refer the One and Six Year Street Improvement Program to the Regional Planning Commission for their review.

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



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item G5

#2004-14 - Approving Agreement for Restricted Yard Space Located on Lots 1 - 10 in Timberline Subdivision

This Resolution will reserve yard space for on site wastewater treatment systems (septic systems) on lots 1-10 of Timberline Subdivision located West of Webb Road and North of Nebraska Highway 2. This space is larger and in different place on the lot than conservation easements that were previously dedicated for this purpose. Moving the easements will make it possible to put a larger structure on the lot.

Staff Contact: Chad Nabity

AGREEMENT FOR RESTRICTED YARD SPACE

Agreement entered into by and between Hehnson, LLC, a Nebraska limited liability company (herein referred to as "Hehnson") and the City of Grand Island, a municipal corporation of the State of Nebraska (herein referred to as "City").

WHEREAS, 45' x 85' conservation easements on Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), and Ten (10) were dedicated with the Subdivision Plat for Timberline Subdivision located in the City of Grand Island, Hall County, Nebraska, for the sole purpose of reserving such easements for a septic field and reserve septic field. Such plat was recorded with the Hall County Register of Deeds office on May 13, 2003 as Instrument No. 0200305983; and

WHEREAS, the owner of such subdivision has requested that such conservation easements be relocated on the property to better facilitate the development of such lots; and

WHEREAS, on January 27, 2004, by Ordinance No. 8886, the existing conservation easements were vacated; and

WHEREAS, it has been determined that an agreement restricting the use of a portion of such property for a septic system (onsite wastewater treatment system) is appropriate.

NOW, THEREFORE, for valuable consideration to Hehnson, receipt whereof is hereby acknowledged, Hehnson does hereby grant and convey to the City, a restriction upon the use, occupancy and maintenance of the following described premises:

A 55' x 85' tract of land located on the west property line of Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), and Ten (10), Timberline Subdivision, as shown on the attached drawing dated December 16, 2003 and amended January 18, 2004.

Hehnson shall, at its sole expense, keep and maintain said premises clear of all structures, paving, fences, trees, and other restrictions or impediments for the use of said premises for an onsite wastewater treatment system (septic field).

This restriction on the use of yard space shall be binding upon the parties hereto, their grantees, heirs, successors and assigns in perpetuity, and shall remain in force and effect until such property is served by a municipal sewer system.

DATED: January _____, 2004.

HEHNSON, LLC.,
A Nebraska limited liability company,

Rick S. Johnson

K.C. Hehnke

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

On this _____ day of January, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Rick S. Johnson, a Member of Hehnson, LLC., a Nebraska limited liability company, to me known to be the identical person who signed the foregoing Agreement for Restricted Yard Space and acknowledges the execution thereof to be his voluntary act and deed for the purpose therein expressed.

WITNESS my hand and Notarial Seal the date above written.

Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

On this _____ day of January, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared K.C. Hehnke, a Member of Hehnson, LLC., a Nebraska limited liability company, to me known to be the identical person who signed the foregoing Agreement for Restricted Yard Space and acknowledges the execution thereof to be his voluntary act and deed for the purpose therein expressed.

WITNESS my hand and Notarial Seal the date above written.

Notary Public

CITY OF GRAND ISLAND, NEBRASKA
A Municipal Corporation

By: _____
Jay Vavricek, Mayor

Attest: _____
RaNae Edwards, City Clerk

Approved by Resolution 2004-14
Approved as to form _____

R E S O L U T I O N 2004-14

WHEREAS, in accordance with state regulations, a portion of Lots One (1) through Ten (10), Timberline Subdivision shall be reserved for the installation of a septic field and reserve septic field (onsite wastewater treatment system) to serve the property; and

WHEREAS, it is necessary to place restrictions on a portion of such property requiring current and future property owners to adhere to such regulations; and

WHEREAS, an Agreement for Restricted Yard Space has been prepared by the City Attorney's office which will establish a set area to be used for a septic field and reserve septic field (an onsite wastewater treatment system).

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Agreement for Restricted Yard Space by and between the City and Hehnson, LLC 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, January 27, 2004.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item G6

#2004-15 - Approving Amendment to Timberline Subdivision Agreement

The owners of lots 1-10 of Timberline Subdivision located West of Webb Road and North of Nebraska Highway 2 would like to dedicate Septic System Easements to replace the conservation easements that were dedicated with the Subdivision. These easements are larger and in a different place on the lot than conservation easements that were previously dedicated for this purpose. Moving the easements will make it possible to put larger structures on the lots and will not impact the effectiveness of the septic systems. The subdivision agreement needs to be amended to reference septic system easements rather than conservation easements.

Staff Contact: Chad Nabity

AMENDMENT TO SUBDIVISION AGREEMENT

TIMBERLINE SUBDIVISION

This Amendment to the Timberline Subdivision is between HEHNSON, LLC, a Nebraska Limited Liability Company, owner of Lots One (1) through Ten (10) inclusive, Timberline Subdivision, and the CITY OF GRAND ISLAND, NEBRASKA, a municipal corporation.

1. Timberline Subdivision Agreement was entered into on May 2, 2003, and recorded with the Hall County Register of Deeds on May 15, 2003, at Document No. 0200306088.

2. This amendment shall pertain to Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), and Ten (10), Timberline Subdivision.

3. Paragraph No. 4 on Page 4 of the Timberline Subdivision Agreement shall be amended to read as follows:

Restricted Use of Property. The use of a portion of Lots One (1) through Ten (10) as shown on the plat dated December 16, 2003 and revised January 18, 2004, attached hereto as Exhibit "A" and incorporated herein shall be restricted for the purpose of providing space for a septic field and a reserve septic field (onsite wastewater treatment system). No structures, paving, fences, or trees are allowed in the restricted area on these lots. The Subdivider must include language in any deed conveying Lots One (1)

4. All remaining terms and conditions of the Timberline Subdivision Agreement shall remain in full force and effect.

HEHNSON, LLC.,
A Nebraska Limited Liability Company,

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

WITNESS my hand and notarial seal the date above written.

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

WITNESS my hand and notarial seal the date above written.

Notary Public

CITY OF GRAND ISLAND, NEBRASKA
A Municipal Corporation

By: _____
Jay Vavricek, Mayor

Attest: _____
RaNae Edwards, City Clerk

Approved by Resolution 2004-15
Approved as to form _____

RESOLUTION 2004-15

WHEREAS, on April 8, 2003, by Resolution 2003-72, the City of Grand Island City Council approved the final plat and Subdivision Agreement for Timberline Subdivision; and

WHEREAS, the owner of such subdivision has requested that the existing conservation easements located on Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), and Ten (10) of such subdivision be relocated to allow more space for the construction of a structure on the property; and

WHEREAS, the Subdivision Agreement sets out restrictions on the use of such property, which now needs to be clarified; and

WHEREAS, the City Attorney's office has prepared an Amendment to the Timberline Subdivision Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Amendment to the Timberline Subdivision Agreement is hereby approved which clarifies the restrictions for the use of a portion of Lots One (1) through Ten (10) of such subdivision.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 27, 2004.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item G7

#2004-16 - Approving Short Term Financing

Because of short term fluctuations in the City's cash receipts, our working capital balance at our lead bank may from time to time, fall very low or go negative. Normally, this is taken care of by cashing in one of our certificates of deposit which are usually invested for one year terms. Even though these long-term funds have staggered monthly maturities, there may be a few days to a few weeks when cash is needed, and significant penalties would be incurred on an early redemption of a long-term investment. We would propose bridging these brief periods with a short-term lending agreement with our lead bank Wells Fargo. Approval is recommended.

Staff Contact: David Springer

RESOLUTION 2004-16

WHEREAS, the City of Grand Island presently has Certificates of Deposit which will mature in the near future; and

WHEREAS, cashing in such Certificates of Deposit prior to their maturity date will subject the City to penalties; and

WHEREAS, the City is in need of financing for operating expenses prior to the maturity date of such Certificates of Deposit; and

WHEREAS, due to the financing terms available at the present time, it would be advantageous for the City to obtain short term financing for such operating expenses instead of cashing in Certificates of Deposit which would result in penalties and a lesser net return on the money; and

WHEREAS, it is recommended that the City obtain short term financing in the amount of \$5,000,000 from Wells Fargo Bank, NA to pay for operating expenses, with a maturity date on such loan of February 1, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that short term financing with Wells Fargo Bank, NA for operating expenses in the amount of \$5,000,000 is hereby approved in accordance with the terms of the Promissory Note and related documents.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute such promissory note and related documentation on behalf of the City of Grand Island to complete such financial arrangements.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 27, 2004.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 22, 2004	☐ City Attorney



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item G8

#2004-17 - Approving Lease Agreement for Copiers/Printers/Scanners for City Hall

The Information Technology Division, has submitted a request to enter into a (36) month lease agreement for (3) Copier/Printer/Scanners. Four quotes were received with monthly payments ranging from \$1,145.10 to \$1,338.50. The low quote was submitted by Imagistics International, Inc. of Grand Island, Nebraska in the monthly amount of \$1,145.10 (\$1.00 buyout). There are sufficient funds for this contract in account number 10011401-85620 (Finance), 10022001-85620 (Building). Appropriation of \$3100 will be moved from 10011401-85620 (Finance) to 100550001-85620 (Non-Departmental). The budgeted estimate for purchasing the equipment was \$16,000. An additional \$15,000 was budgeted to rent the current machine which is being replaced. The two rental units that are being replaced in the mailroom cost \$1250 per month. The proposed equipment will provide 3 copiers/network printers with scanners and the option to Fax for \$1145.10 per month for 36 months with a \$1 buyout at the end of the term. It is recommended that the contract be awarded to Imagistics International, Inc. of Grand Island, Nebraska with monthly payments of \$1,145.10 (\$1.00 buyout). Approval is recommended.

Staff Contact: David Springer

RESOLUTION 2004-17

WHEREAS, the City of Grand Island invited sealed bids for Copier/Printer/Scanner for the mail room, the Finance/Human Resources suite, and the Building/Fire/Planning suite in City Hall, according to plans and specifications on file with the Information Technology Division; and

WHEREAS, in evaluating such bids, alternatives were suggested by the bidders with respect to leasing rather than purchasing the equipment; and

WHEREAS, as a result, the City requested quotations from each of the bidders as to leasing arrangements for the same equipment; and

WHEREAS, quotations were received from all the original bidders; and

WHEREAS, after a thorough evaluation of purchasing options versus leasing options, maintenance costs, etc. a recommendation has been made to enter into a 36-month lease arrangement with Imagistics International, Inc. of Grand Island, Nebraska at cost of \$1,145.10 per month; and

WHEREAS, such lease arrangement contains a provision to allow the City to purchase the equipment at the end of the lease period for \$1.00 per machine.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that a 36-month lease arrangement with Imagistics International, Inc. of Grand Island, Nebraska, in the amount of \$1,145.10 per month is hereby approved for three copier/printer/scanners for the mail room, the Finance/Human Resources suite, and the Building/Fire/Planning suite in City Hall.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the contract for such lease arrangement on behalf of the City of Grand Island

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 27, 2004.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 22, 2004	☐ City Attorney



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item G9

#2004-18 - Approving Bid Award for Transmission Line Work - Utilities Department

Background:

Grand Island's generation and regional grid interconnections are located in the southern portion of the City. Those connections are made at the 115 kV level. A 115 kV transmission loop distributes power to substations on the perimeter of the City, furnishing power to the entire Service Area. As City electrical demand continues to grow, electric current flow on portions of the 115 kV loop can approach the capability of the original conductors, which were installed in the 1970's. To serve the increased load, the conductor is replaced, as necessary, with larger conductor.

This process was initiated in 1992 when the line section between PGS (Sub D) and Burdick Station (Sub H) was upgraded. A system map is attached for reference. Partial line sections were also upgraded in 2000, with the installation of two new substations and another interconnection to NPPD.

Specifications were prepared and bids received for continuing the conductor upgrade process. In 2004 conductor between Sub H and just south of Swift will be replaced; this will join larger conductor from Sub E, located north of Swift. The conductor from Sub D to the intersection of Blaine Street & Schimmer Drive will also be replaced. Now that the Wood River Diversion crossing Blaine Street is complete, a pole will be placed mid-span, to raise the power lines next to the bridge.

Discussion:

In May 2003, Advantage Engineering was hired to design the transmission line modifications and prepare Specifications. The Engineer's Estimate for the project is \$800,000. Bids for Transmission Line Work, Contract 04-PCC-01, were opened on December 22, 2003. The Bids are as follows:

1) Bidder: Schmader Electric Construction Co. of Westpoint, NE \$431,945.52, 2) Dominion Construction Co. of Scottsbluff, NE \$458,446.48, 3) Brink Electric Construction of Rapid City, SD \$501,864.85 and 4) Hutton Contracting Co. of Strasburg, CO \$660,312.00

No significant exceptions were taken by any of the bidders.

Dominion Construction Company has performed the major transmission line construction for Grand Island beginning with the 1992 construction. There were no problems working with Dominion and the quality of construction was entirely acceptable.

Schmader Electric has been hired twice by Grand Island for small projects involving transmission line pole replacement and relocation. Although the results were satisfactory, construction times were extended, because of undersized equipment. Checks with references furnished by Schmader showed satisfaction with the work but a preference for smaller jobs with non-critical time restrictions. Schmader Electric was contacted to ensure they understood Grand Island's requirements and would be capable of timely completion.

Recommendation:

Schmader Electric Construction has satisfactorily addressed the concerns of the Electric Department Staff and Advantage Engineering. The \$431,945.52 bid of Schmader Electric is the lowest of the bids and well within the Engineer's Estimate. The Electric Department and Advantage Engineering recommend that Contract 04-PCC-01 for Transmission Line Work be awarded to Schmader Electric Construction Company in the amount of \$431,945.52.

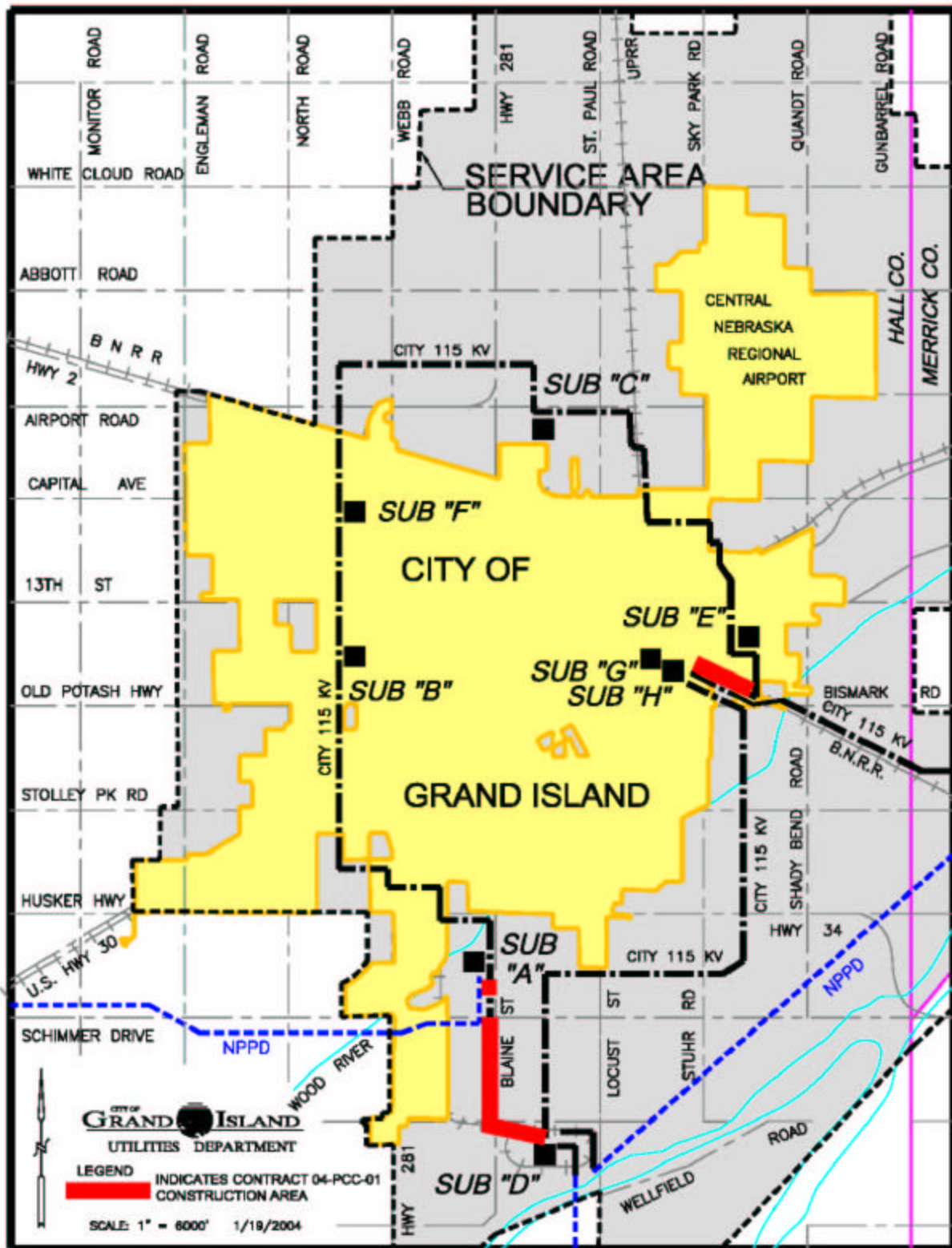
Fiscal Effects:

The Electric Department's Capital Improvement Budget for F.Y. 2003-04 allocates the funds for this project. Funds are available in the Electric Department Enterprise Fund 520.

Alternatives:

Award Transmission Line Work contract to another bidder.

Staff Contact: Gary R. Mader; Dale Shotkoski



Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: December 22, 2003 at 11:00 a.m.

FOR: Transmission Line Work, Contract 04-PPC-01

DEPARTMENT: Utilities

ENGINEER'S ESTIMATE: \$800,000.00

FUND/ACCOUNT: E520

PUBLICATION DATE: November 15, 2003

NO. POTENTIAL BIDDERS: 8

SUMMARY

Bidder:	<u>Schmader Electric Const. Co.</u> West Point, NE	<u>Hutton Contracting Co., Inc.</u> Straburg, CO
Bid Security:	United Fire & Casualty Company	American Institute of Architects
Exceptions:	Noted	Noted
Bid Price:	\$431,945.52	\$660,312.00

Bidder:	<u>Dominion Construction Co.</u> Scottsbluff, NE	<u>Brink Electric Construction Co.</u> Rapid City, SD
Bid Security:	Travelers Casualty & Surety Co.	Federal Insurance Co.
Exceptions:	None	None
Bid Price:	\$458,446.48	\$501,864.85

cc: Gary Mader, Utilities Director
Burhl Gilpin, Assistant Utility Director
City Administrator
Dale Shotkoski, Purchasing Agent
Laura Berthelsen, Legal Assistant

RESOLUTION 2004-18

WHEREAS, the City of Grand Island invited sealed bids for Contract No. 04-PCC-01, Transmission Line Work, according to plans and specifications on file at with the Utilities Department; and

WHEREAS, on December 22, 2003, bids were received, opened and reviewed; and

WHEREAS, Schmader Electric Construction Co. of West Point, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$431,945.52; and

WHEREAS, Schmader Electric Construction Co.'s bid is less than the engineer's estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Schmader Electric Construction Co. of West Point, Nebraska, in the amount of \$431,945.52 for Contract No. 04-PCC-01, Transmission Line Work is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 27, 2004.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item G10

#2004-19 - Approving Funding to Central Nebraska Humane Society for Animal Damage Control

The Humane Society is proposing to provide trapping services for skunks, feral cats and other wild animals that have the potential to carry rabies. The cost of the proposed contract would be \$2,500 and the Humane Society would provide the service for a one year period. Part of the purchase price will be used to purchase 15 traps to enable the society to provide the service this year. It is anticipated that rabies will continue to be a problem this year and that trapping services will be necessary to protect public safety. Funds are available in Account #10022301-85213.

Staff Contact: Doug Walker

RESOLUTION 2004-19

WHEREAS, the Humane Society is interested in providing animal control services for skunks and other animal species in the City of Grand Island to prevent a rabies outbreak; and

WHEREAS, in order to effectively provide this service, the Humane Society will need to purchase additional traps which will allow them to place traps at various locations within the city; and

WHEREAS, the Humane Society is requesting \$2,500 from the City of Grand Island to provide this service through the 2004 calendar year.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Humane Society shall be given \$2,500 to set and maintain traps at various locations within the City of Grand Island during the 2004 calendar year to trap skunks and other animal species which may pose a risk for a rabies outbreak.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 27, 2004.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item G11

#2004-20 - Approving Two Handicapped-Accessible Parking Spaces in Front of Old City Hall

Background:

Council action is required for designating handicapped parking stalls when the stalls are located on public Right of Way or on the street.

Discussion:

On December 26, 2003 Bruce Schreiner with the Procon Development Company, LLC submitted a letter to the City of Grand Island requesting two (2) handicapped-accessible parking spaces to be permanently designated in front of the Old City Hall. At a meeting held on January 13, 2004 the two (2) specific stalls were defined. The first request is located on the north side of 2nd street just west of the intersection and the second location is on the west side of Pine Street, the first spot north of 2nd Street. The Downtown Improvement Board supports this designation.

Recommendation:

Approve the designation of the handicap stalls in front of the Old City Hall building at 208 North Pine Street.

Financial Implications:

Minimal for signs and paint.

Alternatives:

Deny the request.

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

R E S O L U T I O N 2004-20

WHEREAS, the City Council by authority of Section 22-129 of the Grand Island City Code may designate parking stalls or spaces for the exclusive use of vehicles for handicapped or disabled persons; and

WHEREAS, a request has been made to establish two parking stalls for handicapped or disabled persons in front of the former City Hall building at 2nd and Pine Streets; and

WHEREAS, it is recommended that the first parking stall on the north side of Second Street, immediately west of Pine Street, and the first parking stall on the west side of Pine Street, immediately north of Second Street be designated for handicapped parking.

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

1. That a parking area be established for handicapped or disabled persons on the north side of Second Street, immediately west of Pine Street.
2. That a parking area be established for handicapped or disabled persons on the west side of Pine Street, immediately north of Second Street.
3. The Street Division of the Public Works Department shall post signs and paint curbs to designate such areas for handicapped parking only.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 27, 2004.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item G12

#2004-21 - Approving Handicapped-Accessible Parking Space at 522 West 1st Street

Background:

Council action is required for designating handicapped parking stalls when the stalls are located on public Right of Way or on the street.

Discussion:

Mary Fugate submitted a request to the City of Grand Island for an handicapped-accessible parking space to be permanently designated in front of 522 West 1st Street. The landlord has been contacted and has no objections to this request.

Recommendation:

Approve the designation of the handicap stall in front 522 West 1st Street.

Financial Implications:

Minimal for signs and paint.

Alternatives:

Deny the request.

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

RESOLUTION 2004-21

WHEREAS, the City Council by authority of Section 22-129 of the Grand Island City Code may designate parking stalls or spaces for the exclusive use of vehicles for handicapped or disabled persons; and

WHEREAS, a request has been made to establish a handicapped parking space on First Street in front of the residence at 522 West First Street; and

WHEREAS, it is recommended that such handicapped parking stall be established at this location.

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

1. That a parking area be established for handicapped or disabled persons in front of the residence at 522 West First Street.
2. The Street Division of the Public Works Department shall post a sign and paint the curb to designate such area for handicapped parking only.

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Adopted by the City Council of the City of Grand Island, Nebraska, January 24, 2004.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item I1

#2004-22 - Approving Memorandum of Understanding Regarding Moores Creek Drainway Property, Wal-Mart Site South of State Street

Walmart is interested in locating a Walmart Supercenter on property south of State Street and west of the Comfort Inn on the west side of Highway 281. Walmart is requesting an MOU from the City to ascertain whether the City is willing to enter into a license agreement that would permit Walmart to develop City Easements and right of way next to their property. The development of the City property would be necessary for adequate parking and access to the new Supercenter building.

City staff is concerned about this location and Walmart's request to use City easements and right of way for the following reasons:

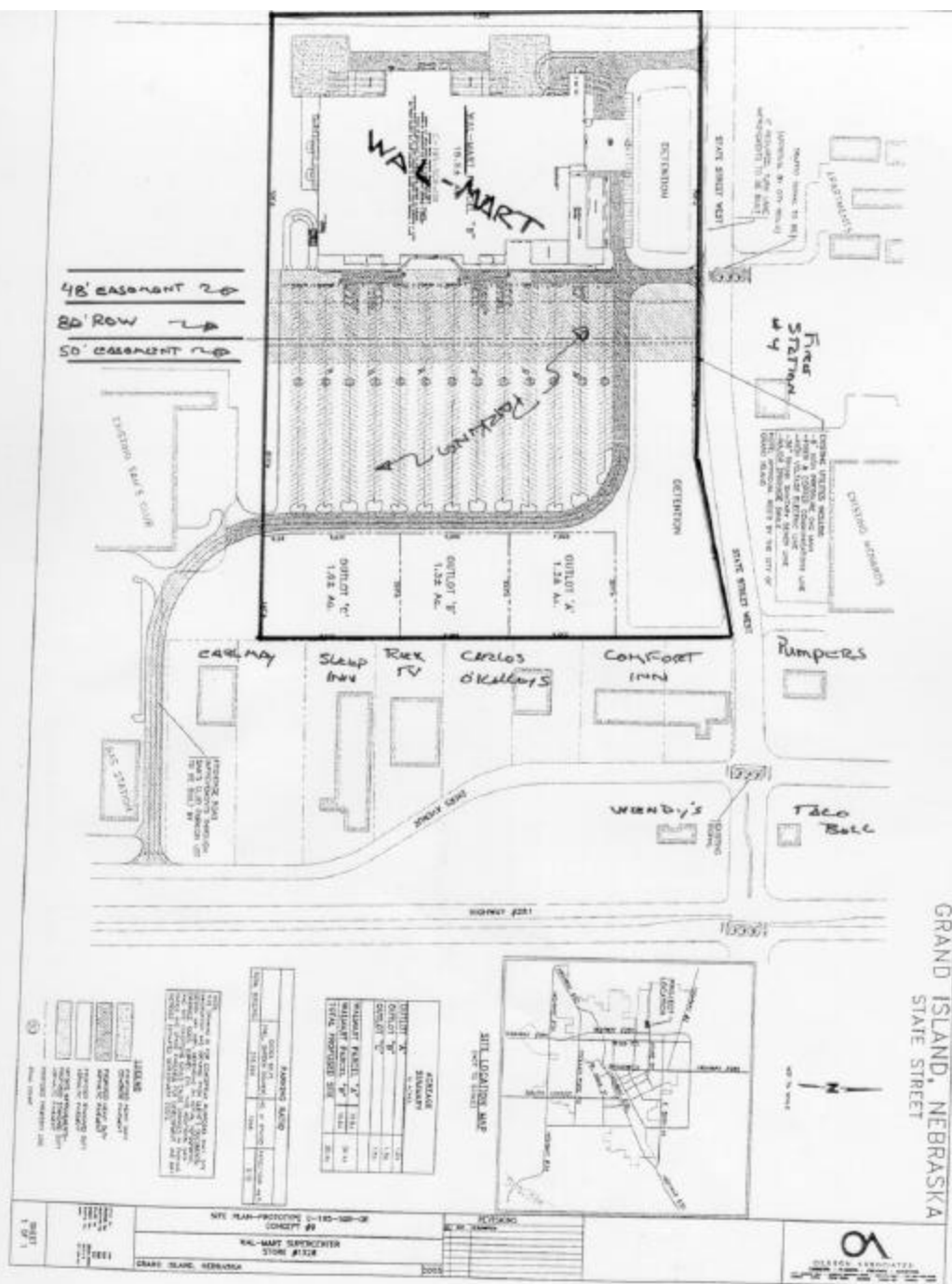
- 1)The Walmart development plan would require enclosing the Moores Creek Drainway in a box
culvert approximately 850 feet in length. The culvert would be covered by the parking lot and driveway and would be difficult to access for maintenance;*
- 2)Access to the Supercenter building would be under a power line which is in front of the proposed store creating some possible public safety and maintenance concerns;*
- 3)Current plans include a hike/bike trail through the area proposed for development. The hike/bike trail would; therefore, have to be relocated;*
- 4)The Supercenter would be across the street from fire station #4 which creates potential traffic problems that may delay response to fires and accidents from this fire station;*
- 5)State street would need to be widened to accommodate the additional traffic to the new store;*
- 6)The proposed Supercenter would be located west of the Moores Creek Drainway in an area that was intended for residential development;*
- 7)A sanitary Sewer main would be covered by the parking lot creating potential concerns about maintenance.*

If the City Council decides to approve the MOU this will indicate the City's willingness to permit planning and development of this site to continue. If the Council decides to reject the proposed MOU then Walmart will not be able to develop this store site as currently proposed.

Staff Contact: Doug Walker



SITE LOCATION MAP
(NOT TO SCALE)



RESOLUTION 2004-22

WHEREAS, Wal-Mart, Inc. (hereinafter "Walmart") has announced plans to construct a Walmart SuperCenter retail store to be located south of State Street and west of U.S. Highway 281; and

WHEREAS, the City owns a 100-foot wide drainage ditch adjacent to such land being considered for the construction of such store; and

WHEREAS, Walmart has requested a perpetual, exclusive license for unencumbered use of the City's land for Walmart's benefits, and the benefits of its successors and assigns; and

WHEREAS, a Memorandum of Understanding has been reviewed and approved by the City Attorney setting out the intentions of both parties to negotiate in good faith for a License Agreement to allow Walmart private use of the City's land.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Memorandum of Understanding between the City of Grand Island, Wal-Mart Real Estate Business Trust, a Delaware statutory trust, and Wal-Mart Stores, Inc., a Delaware corporation, is hereby approved in accordance with the issues set out above.

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

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Adopted by the City Council of the City of Grand Island, Nebraska, January 27, 2004.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, January 27, 2004

Council Session

Item J1

Payment of Claims for the Period of January 14, 2004 through January 27, 2004

The Claims for the period of January 14, 2004 through January 27, 2004 for a total of \$2,597,953.38. A MOTION is in order.

Staff Contact: RaNae Edwards