
City of Grand Island



Tuesday, February 10, 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 Erin Curtis, First Christian Church, 2400
West 14th 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, February 10, 2004

Council Session

Item E1

**Public Hearing Concerning Annexation of Property South of U.S.
Highway 34 and East of South Locust Street**

Staff Contact: Chad Nabity AICP, Regional Planning Director

Council Agenda Memo

From: Chad Nabity, AICP Regional Planning Director

Meeting: February 10, 2004

Subject: Annexation of Property South of U.S. Highway 34 and East of South Locust Street

Item #'s: E-1, F-2

Presenter(s): Chad Nabity, AICP Regional Planning Director

Background

At the December 23, 2003 meeting of the City Council approval was given by the council for referring the annexation of the property located on the Southeast Corner of the Intersection of Highway 34 and South Locust Street (38.38 acres in the W 1/2 of the NW 1/4 of Section 34, Township 11 North, Range 9 West of the 6th P.M. in Hall County Nebraska) to the Planning Commission for their recommendation. The Planning Commission approved the annexation at its meeting on January 7, 2004. The resolution for consideration is to schedule this matter for a public hearing on the annexation at the January 27, 2004 meeting of the City Council. This annexation was requested by the Wells Fargo as Trustee for the Irene V. Christensen Easton Revocable Trust. It is also bordered on the north and west by the Grand Island City Limits, Sewer and Water are available to this property and is a logical extension of the City Limits.

Discussion

This public hearing and reading/approval of the ordinance to annex on three separate occasions are necessary elements for a City of the First Class to annex adjacent properties into the municipal limits. This annexation has been requested by the owner of the property in anticipation of development in the near future.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

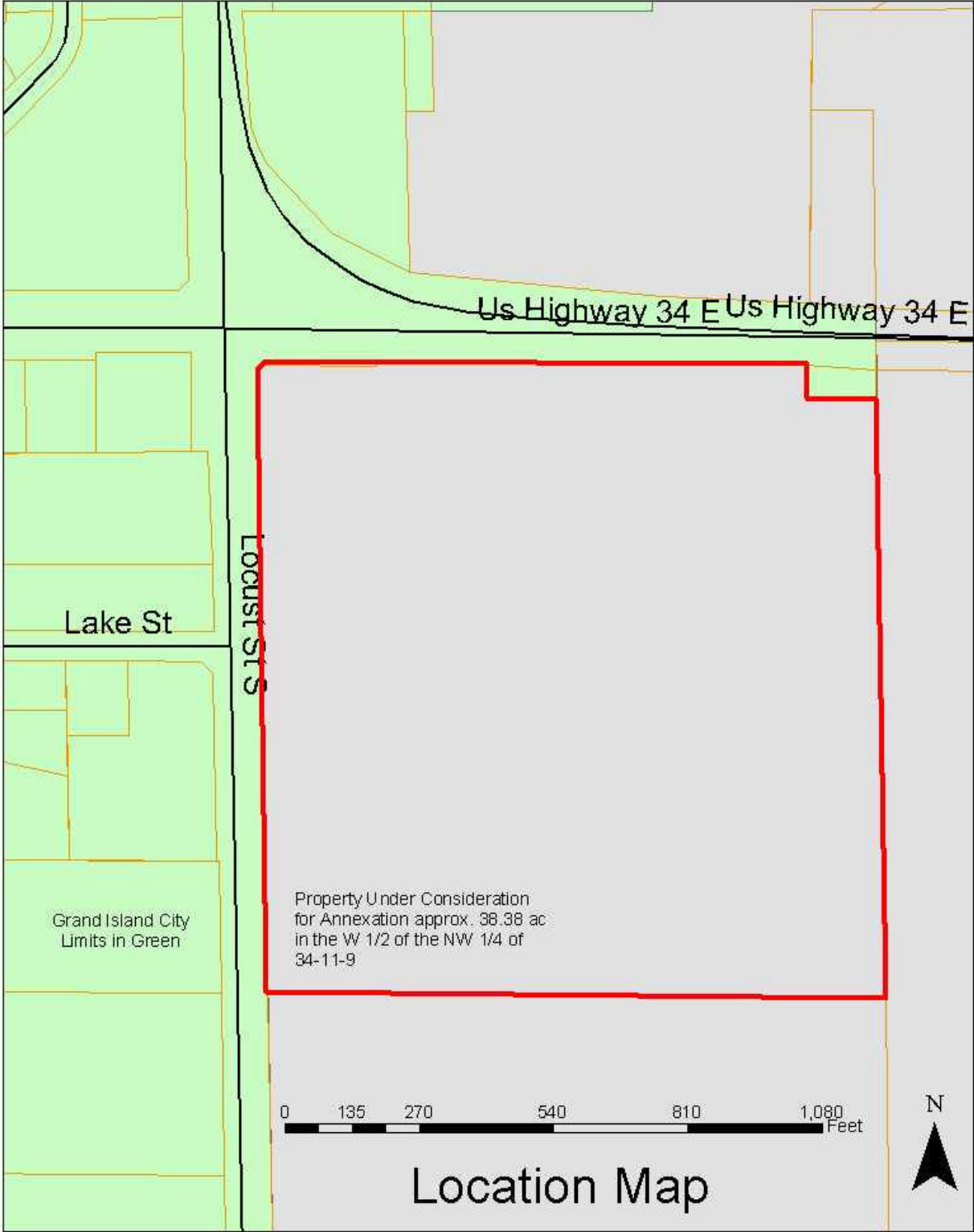
1. Approve the Ordinance on First Reading.
2. Disapprove or /Deny the Ordinance on First Reading
3. Modify the Ordinance to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council Approve this Ordinance for Annexation on its first reading.

Sample Motion

Approve Ordinance #8888 on first reading.





City of Grand Island

Tuesday, February 10, 2004

Council Session

Item E2

**Public Hearing on Request of Marjorie A. Roberts for a
Conditional Use Permit for Sand and Gravel Operation Located at
3300 West Schimmer Drive**

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig Lewis, Building Department Director

Meeting: February 10, 2004

Subject: Approving Request of Marjorie A. Roberts for a Conditional Use Permit for Sand and Gravel Operation at 3301 Schimmer Drive

Item #'s: E-2, G-4

Presenter(s): Craig Lewis, Building Department Director

Background

The property is currently zoned AG, Agricultural and as such sand and gravel operations are only allowed if approved by the City Council in the form of a conditional use permit. A permit was granted by the City Council on February 8, 1999 for a five year period and expires on February 8, 2004. This request is to renew the original permit for an additional 10 years.

Discussion

The original permit required development in conformance with a development plan as presented by Olsson and Associates in a letter dated February 2, 1999. This plan was required as the property was in the designated flood plain and flood way areas. The facility has been in operation since 1999 and does not appear to have created any negative impact on the surrounding areas.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the Conditional Use Permit as previously approved.
2. Disapprove or /Deny the Renewal of the Conditional Use Permit.
3. Modify the Conditional Use Permit to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council approve the renewal of the Conditional Use Permit with the following stipulation; 1.) The operation continues to follow the development plan provided by Olsson Associates and 2.) A 300 foot land buffer be maintained adjacent to U.S. Highway 281 and Schimmer Drive, to facilitate future development.

Sample Motion

Approve the request for a Conditional Use Permit for a ten year period with the stipulations as recommended by City Administration.



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item E3

**Public Hearing on Request of Union Pacific Railroad for a
Conditional Use Permit for an Air Sparging System and SVE
System Modification Located at 1219 1/2 North Front Street**

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig Lewis, Building Department Director

Meeting: February 10, 2004

Subject: Approving Request of Union Pacific Railroad for a Conditional Use Permit for Temporary Building at 1219½ West North Front Street

Item #'s: E-3, G-5

Presenter(s): Craig Lewis, Building Department Director

Background

This property has been the site of an EPA mandated remediation process since 1999 and has received approval from the City Council for a temporary building to facilitate the remediation since that time. This request is for an additional 12'x12' building that will be used to house equipment for the continued remediation process. A two year period is requested.

Discussion

The requested Conditional use permit to allow for a temporary building does not appear to have any significant impact on this property nor surrounding properties.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the Conditional Use Permit.
2. Disapprove or /Deny the Conditional Use Permit.
3. Modify the Conditional Use Permit to meet the wishes of the Council.
4. Table the issue.

Recommendation

City Administration recommends that the Council approve the requested Conditional Use Permit.

Sample Motion

Approve the Conditional Use Permit to allow for the placement of a 12'x12' building for a two year period.



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item F1

**#8887 - Consideration of Creation of Water Main District 447T -
Shanna Street Between Independence Avenue and Mansfield Street**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Gary R. Mader, Utilities Director

Meeting: February 10, 2004

Subject: Consideration of Creation of Water Main District 447T – Grand West Subdivision

Item #'s: F-1

Presenter(s): Gary R. Mader, Utilities Director

Background

The Utilities Department is preparing specifications and drawings for the installation of water main in the American Independence Subdivision. That water main will be located in Independence Avenue between 13th Street and Shanna Street; and in Shanna between Lariat Lane and Independence Avenue. The work will be done as Water Main District 443, which was created by Council on September 23, 2003. Construction is scheduled for this year.

Discussion

The water main construction on Independence would allow for an additional water main loop in the area. In order to complete the looping interconnection, an additional district is proposed for the installation of a 6" main in Shanna Street, between Independence Avenue and Mansfield Road. Attached for reference are a map of the water mains in the area and plat of the proposed District 447T boundary. The proposed additional interconnection would provide additional reliability and supply capacity to the area neighborhoods. The tie would also make City water service available to the properties on Shanna Street when that area is developed.

By combining this short project with the proposed Independence Avenue Project (Water Main District 443), there should be a cost savings from the economy of scale for the joint contract. Also, this section of Shanna Street is scheduled to be paved later this year. Constructing the water main now would be less disruptive to traffic, and reduce cost and time delays of construction in a more developed area.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

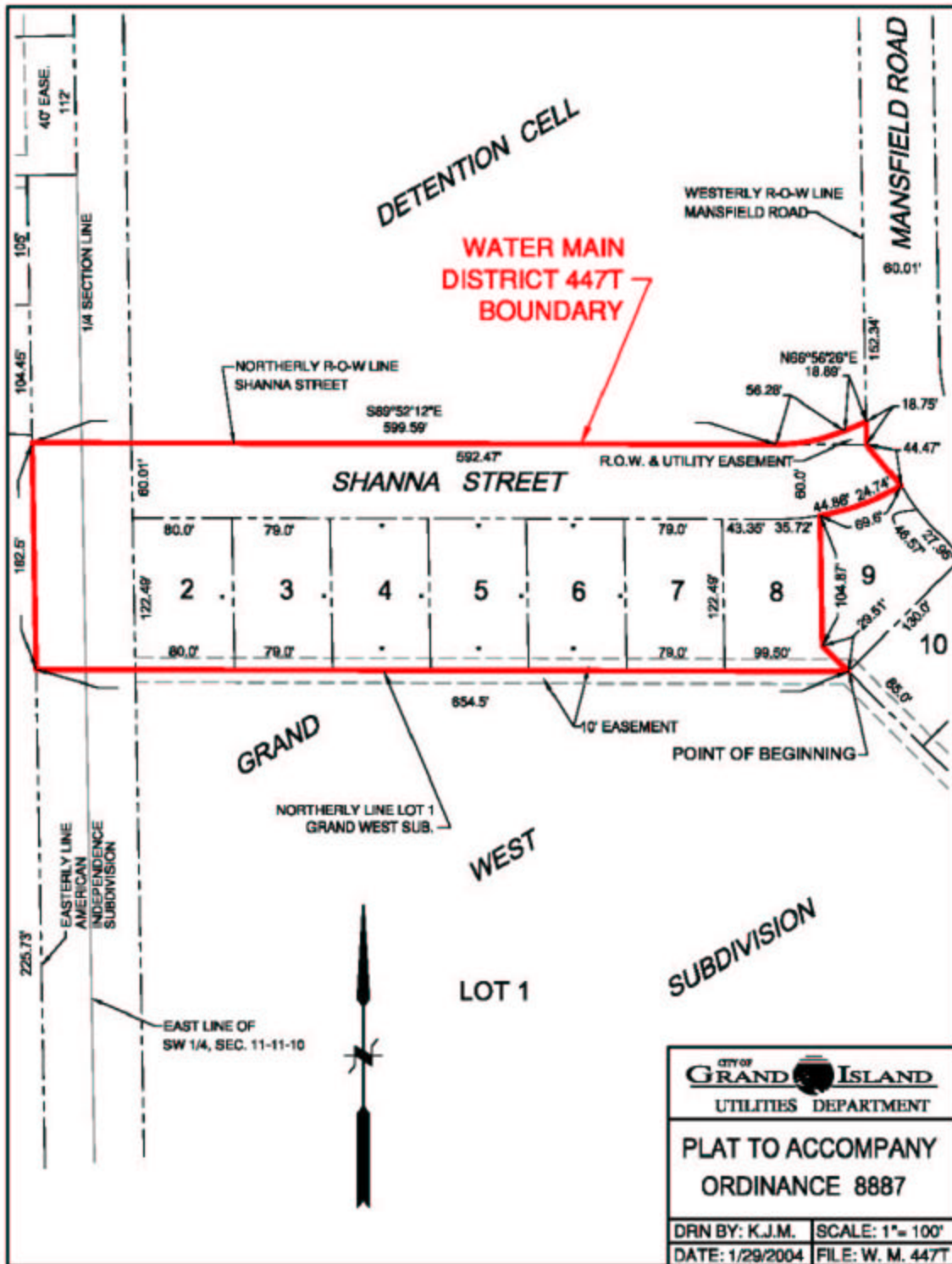
1. Approve the Ordinance to Create the Water Main District
2. Disapprove or /Deny the Ordinance to Create Water Main District 447T
3. Modify the Ordinance to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council Create Water Main District 447T.

Sample Motion

Approve the Creation of Water Main District 447T.



? This Space Reserved for Register of Deeds ?

ORDINANCE NO. 8887

An ordinance creating Water Main District No. 447T in the City of Grand Island, Hall County, Nebraska; defining the boundaries of the district; providing for the laying of water mains in said district; approving plans and specifications and securing bids; providing for the connection fee for connecting to such water main; providing for certification to the Register of Deeds; and providing the effective date hereof.

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

SECTION 1. Water Main District No. 447T in the City of Grand Island, Nebraska, is hereby created for the laying of six (6.0) inch diameter water mains with its appurtenances in Shanna Street between Independence Avenue and Mansfield Road in the City of Grand Island, Hall County, Nebraska.

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

Beginning at the northeast corner of Lot One (1) Grand West Subdivision, also being a common lot corner between Lots Eight (8), Nine (9), and Ten (10) said

Approved as to Form ☐ _____
February 5, 2004 ☐ City Attorney

ORDINANCE NO. 8887 (Cont.)

Grand West Subdivision; thence westerly along the northerly line of said Lot One (1), and its extension, a distance of six hundred fifty-four and five tenths (654.5) feet to a point on the easterly line of American Independence Subdivision; thence northerly along the easterly line of said American Independence Subdivision, a distance of one hundred eighty-two and five tenths (182.5) feet; thence easterly along the northerly right-of-way line of Shanna Street, and its extension, on an assumed bearing of S89°52'12"E, a distance of five hundred ninety-nine and fifty-nine hundredths (599.59) feet to a point of curvature; thence running northeasterly along the arc of a curve to the left whose radius is one hundred forty (140.0) feet, the long chord of which bears N78°32'06"E, a long chord distance of fifty-six and twenty-eight hundredths (56.28) feet to a point of tangency; thence N66°56'26"E, a distance of eighteen and eighty-nine hundredths (18.89) feet to a point on the westerly right-of-way line of Mansfield Road; thence southerly along the westerly right-of-way line of said Mansfield Road, a distance of eighteen and seventy-five hundredths (18.75) feet to a point of deflection; thence southeasterly a distance of forty-four and forty-seven hundredths (44.47) feet to the northeast corner of said Lot Nine (9) Grand West Subdivision; thence southwesterly along the northerly line of said Lot Nine (9), a distance of sixty-nine and six tenths (69.6) feet to the northeast corner of said Lot Eight (8) Grand West Subdivision; thence southerly along the easterly line of said Lot Eight (8), a distance of one hundred four and eighty-seven hundredths (104.87) feet; thence southeasterly along an easterly line of said Lot Eight (8), a distance of twenty-nine and fifty-one hundredths (29.51) feet to the northeast corner of said Lot One (1) Grand West Subdivision, being the said Point Of Beginning, as shown on the plat dated January 29, 2004, attached hereto and incorporated herein by this reference.

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

SECTION 4. The cost of construction of such water main connection district shall be reported to the City Council, and the Council, sitting as a Board of Equalization, shall determine benefits to abutting property by reason of such improvement pursuant to Section 16-6,103, R.R.S. 1943. The special benefits shall not be levied as special assessments but shall be certified by resolution of the City Council to the Hall County Register of Deeds. A connection

ORDINANCE NO. 8887 (Cont.)

fee in the amount of the special benefit accruing to each property in the district shall be paid to the City of Grand Island at such time as such property becomes connected to the water main in such district. No property thus benefited by water main improvements shall be connected to the water main until the connection fee is paid.

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

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

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

Enacted February 10, 2004.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item F2

**#8888 - Concerning Annexation of Property South of US Highway
34 and East of South Locust Street**

This item relates to the aforementioned Public Hearing Item E-1.

Staff Contact: Chad Nabity

* This Space Reserved For Register of Deeds *

ORDINANCE NO. 8888

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 located in the West Half of the Northwest Quarter (W1/2, NW1/4) of Section 34, Township 11 North, Range 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 located in the West Half of the Northwest Quarter (W1/2, NW1/4) of Section 34, Township 11 North, Range 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.

Approved as to Form	☐ _____
February 5, 2004	☐ City Attorney

ORDINANCE NO. 8888 (Cont.)

(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. 2004-12, 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:

Starting at a point 60 feet south and 60 feet east of the northwest corner of said Section 34; thence from the point of beginning east a distance of 233.4 feet; thence north 90° left a distance of 27 feet; thence east 90° right a distance of 1026.6 feet to a point on the east boundary line of the W1/2, NW1/4 of said Section 34; thence south along the east boundary line of the W1/2, NW1/4 of said Section 34 a distance of 1,307.82 feet; thence west 90° right a distance of 1287 feet; thence north 90° a distance of 1,120.82 feet; thence east 90° right a distance of 27 feet; thence north 90° left a distance of 160 feet to the point of beginning.

Except a tract of land located in the NW1/4 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 NW1/4 of said Section 34; thence easterly along the north line of said NW1/4 a distance of 129.56 feet to a point; thence southerly deflecting 90°00'00" left a distance of 60.00 feet to a point on the south right-of-way line of Highway 34, said point also being the true point of beginning;

ORDINANCE NO. 8888 (Cont.)

thence southwesterly deflecting 44°06'24" right a distance of 82.24 feet to a point; thence southerly deflecting 46°17'16" left a distance of 326.58 feet to a point; thence southerly deflecting 0°44'36" left a distance of 371.01 feet to a point; thence southwesterly deflecting 9°32'13" right a distance of 83.17 feet to a point; thence southerly deflecting 9°32'12" left a distance of 449.13 feet to a point; thence westerly deflecting 92°55'41" right a distance of 41.98 feet 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 feet 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 feet 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 feet to a point on the south right-of-way line of Highway 34; thence easterly deflecting 63°48'42" right, a distance of 56.16 feet to the point of beginning, containing 38.38 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

ORDINANCE NO. 8888 (Cont.)

tract of land and as provided by law, in accordance with the plan for extension of city services adopted by Resolution 2004-12.

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: February 10, 2004.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item G1

Approving Minutes of January 27, 2004 City Council Regular Meeting

*The Minutes of January 27, 2004 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

January 27, 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 27, 2004. Notice of the meeting was given in the Grand Island Independent on January 21, 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, Public Works Director Steve Riehle, and City Attorney Doug Walker.

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Reverend Richard Karohl, Faith United Methodist Church, 724 West 12th Street.

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

MAYOR COMMUNICATION: Mayor Vavricek commented on the changes to the Administration Department with LeAnne Doose, Public Information Officer and Jean Goss, Executive Assistant leaving and the potential hiring for these two positions. Mentioned were the Ribbon Cutting ceremony for the Central District Health Department on Saturday, January 24, 2004 and a snow removal update.

Due to the number of birds near Principal Financial and Continental Gardens, the Mayor asked Ryan King with the Central District Health Department to give an update to council. Mr. King gave a PowerPoint presentation concerning the problem of approximately 50,000 European starlings within the city and the problems they were causing. The USDA had been called in to help with the problem. Health issues, property damage, and relocation issues were discussed. Denzel Rasmussen representing the Human Resource Department from Principal Financial spoke regarding the damage to vegetation, working with the USDA, and the possibility of removing pine trees so the birds wouldn't roost on their property.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation Supporting Earned Income Tax Credit Program. The Mayor mentioned that Statistics from the Internal Revenue Service showed 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 encouraged all families who are eligible, to apply and take advantage

of the Earned Income Tax Credit. Joni Kuzma representing the Community Development Department was present to receive the proclamation.

Proclamation "Random Acts of Kindness Week" February 1-7, 2004. The Mayor proclaimed February 1-7, 2004 as "Random Acts of Kindness Week". Gloria Wolbach representing the AOK Ladies was present to receive the proclamation.

Presentation by BKD, LLP Relative to Fiscal Year 2003 Electric and Water Audit Reports. Finance Director David Springer introduced Roger Watton from BKD to give the audit reports. Mr. Watton stated that this was an unqualified opinion and there were no weaknesses with the internal control. Comments were made with regards to operational efficiencies and an Audit Committee was recommended.

ORDINANCES:

Motion by Pielstick, second by Hornady, to approve Ordinance #8884 on Final 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:

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

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 except Meyer who voted no. Motion adopted.

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

City Clerk: Ordinance #8886, 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 except Meyer who voted no. Motion adopted.

City Clerk: Ordinance #8886, 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 except Meyer who voted no. Motion adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinance #8886 is declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Motion by Hornady, second by Cornelius, to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of January 13, 2004 City Council Regular Meeting.

Approving Minutes of January 20, 2004 City Council Study Session.

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

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

#2004-14 – Approving Agreement for Restricted Yard Space Located at Lots 1-10 in Timberline Subdivision. Councilmember Meyer voted no.

#2004-15 – Approving Amendment to Timberline Subdivision Agreement. Councilmember Meyer voted no.

#2004-16 – Approving Short Term Financing.

#2004-17 – Approving Lease Agreement for Copiers/Printers/Scanners for City Hall with Imagistics International, Inc. of Grand Island, Nebraska in an Amount of \$1,145.10 per month.

#2004-18 – Approving Bid Award for Transmission Line Work – Contract No. 04-PCC-01 with Schmader Electric Construction Co. of West Point, Nebraska in an Amount of \$431,945.52.

#2004-19 – Approving Funding to Central Nebraska Humane Society for Animal Damage Control in an Amount of \$2,500.00. Councilmember Pielstick voted no.

#2004-20 – Approving Two Handicapped-Accessible Parking Spaces in front of Old City Hall.

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

RESOLUTIONS:

#2004-22 – Approving Memorandum of Understanding Regarding Moores Creek Drainway Property, Wal-Mart Site South of State Street. City Attorney Doug Walker reported that Walmart was 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 was requesting an MOU from the City to ascertain whether the City was 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 was 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 was in front of the proposed store creating some possible public safety and maintenance concerns.
- 3) Current plans included 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 created 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.

Mr. Walker stated that if the City Council decided to approve the MOU this would indicate the City's willingness to permit planning and development of this site to continue. If the Council decided to reject the proposed MOU then Walmart would not be able to develop this store site as currently proposed.

Motion was made by Walker, second by Pielstick to deny Resolution #2004-22 until city staff could properly inform Council on this issue.

Discussion was had concerning the merits of the MOU in that it was not a binding document, but gave the indication that Council was willing to look at this site and possible solutions to the above stated problems. Mentioned were engineering and planning issues and the need for policy direction at this particular site. Councilmember Pielstick questioned if Wal-Mart had contacted the Natural Resource District. Darrick Rademacher representing Olsson Associates stated they have visited with Milt Moraveck.

Councilmember Meyer stated he was excited to see two Wal-Mart's come to Grand Island and would like to see city staff work with Wal-Mart to find solutions to these problems. Questioned was the South Locust site if the State Street site did not work out. Ken Bunger, Attorney with Kutak Rock LLP representing Wal-Mart stated that they really wanted to go forward with the two stores at the same time. Their plan was not to pull the South Locust Street site but may delay the construction.

Discussion was had concerning the Comprehensive Plan and the rezoning requirements at the State Street location if Wal-Mart were to locate there. Also discussed was Fire Station #4 and traffic congestion at this location.

Harold Rosenkotter, 3115 Goldenrod Drive and Dr. Dave Jaycox, Omaha, Nebraska representing Mosaic Properties who own the property at the State Street location, spoke in support. Gene Dominick, 221 East 1st Street commented on building infrastructure before businesses come to Grand Island. Mr. Dominick opposed changing the Master Plan for one store.

Upon roll call vote to deny Resolution #2004-22, all voted nay. Motion denied.

Motion was made by Whitesides, second by Cornelius that city staff be directed to move forward with Wal-Mart at the State Street location. Upon roll call vote, Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Councilmember Nickerson voted nay. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase, carried unanimously to approve the Claims for the period of January 14, 2004 through January 27, 2004, for a total amount of \$2,597,953.38. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item G2

Approving Minutes of February 3, 2004 City Council Study Session

The Minutes of February 3, 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

February 3, 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 February 3, 2004. Notice of the meeting was given in the Grand Island Independent on January 28, 2004.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Meyer, Pielstick, Gilbert, Nickerson, Pauly, Hornady, Walker, and Haase. Councilmembers Whitesides and Cornelius were absent. 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: No individuals reserved time to speak on agenda items.

MAYOR COMMUNICATION: Mayor Vavricek mentioned that water service lines may freeze due to the cold weather. City Administrator Gary Greer stated that due to the pending weather conditions forecast for tomorrow, the City will be in a snow emergency alert. Mayor Vavricek mentioned that \$50,000 was awarded today to the Habitat for Humanities. A reminder was mentioned of the election process and the primary scheduled for May 11, 2004 and that Councilmember Pielstick filed for re-election today.

Discussion Concerning Use of ½ Cent Sales Tax for Overpass/Underpass on Broadwell Avenue at the Union Pacific Railroad Tracks. Public Works Director Steve Riehle reported that the sales tax survey results showed significant support for the construction of an underpass/overpass on Broadwell Avenue at the Union Pacific Railroad tracks. Without a new funding source for an underpass/overpass such as sales tax, the Broadwell Avenue Underpass/Overpass may never be built.

Mr. Rihle stated the Broadwell Avenue crossing just north of 3rd Street was the heaviest used crossing in the city. The Nebraska Department of Roads used a calculated exposure factor by multiplying the number of vehicles per day times the number of trains per day. If the number was over 500,000, it qualified for a grade separation (over or underpass). The NDOR had railroad grade separation projects already on their list that would take over 50 years to complete at existing funding levels. A comprehensive railroad corridor study should be conducted before the plan for how the community addressed issues such as this Broadwell Grade Separation could be finalized. The study should look at grade separations, crossing closures, directional horns, quiet zones, an east by-pass, replacement of the Sycamore and Eddy Underpasses, etc.

Staff was working on an RFP where they would ask for proposals from consulting engineering firms to prepare a Railroad Corridor Plan for all railroads in and around Grand Island. Olsson Associates was studying the proposal to construct a grade separation on Broadwell Avenue at the Union Pacific Railroad tracks.

Tom Leikam representing Olsson Associates presented a PowerPoint presentation for the study of the Broadwell Avenue Grade Separation Across the Union Pacific Railroad Tracks. The following parameters and assumptions were presented: traffic volume on Broadwell was over 12,000 vehicles per day; minimum design speed for Broadwell should not be lower than 35 mph; sidewalk facilities would be provided along both sides of the structure; minimum vertical clearance should be 14'6"; design should provide clearances to allow for a future third mainline track; and a shoo-fly would need to be constructed at the existing tracks to maintain train traffic for construction of an underpass structure.

Preliminary Alternatives were listed as follows:

- 4-Lane Overpass on Broadwell Avenue
- 4-Lane Underpass on Broadwell Avenue with 3rd Street Open at Broadwell
- 4-Lane Underpass on Broadwell Avenue with 3rd Street Closed at Broadwell
- 4-Lane Overpass on Madison Avenue
- 4-Lane Overpass, Madison to Broadwell Avenue

Aerial maps were presented showing the different options available. Discussed was the elevation of Third Street and drainage problems in that area. Mr. Leikam suggested the next step being a preliminary design with public input.

The following were the preliminary opinion of probable costs:

4-Lane Overpass at Broadwell Avenue	\$10,700,000
4-Lane Underpass at Broadwell Avenue	\$12,600,000
4-Lane Overpass, Madison to Broadwell	\$11,200,000

Councilmember Nickerson questioned the possibility of by-passing the trains around the city. Public Works Director Steve Riehle stated that they would have to talk with the Union Pacific Railroad. Mr. Leikam mentioned Hastings had by-passed the trains around the city at a cost of \$40,000,000 to the City of Hastings. The railroad benefited from that situation where it may not here in Grand Island. A comprehensive railroad corridor study was discussed.

Discussion Concerning Use of ½ Cent Sales Tax for Aquatics. Parks & Recreation Director Steve Paustian reported that for many years the City of Grand Island had discussed the need for additional and/or updated aquatic facilities. Many enhancements had been accomplished to various aquatic facilities including Island Oasis and wading pools located in Pier, Lincoln and Grace Abbot Parks. Additionally, a great deal of discussion had occurred among various organizations including the School District, YMCA and Hospital concerning enhancing the aquatic system in Grand Island.

Mr. Paustian stated that current expansions to Island Oasis and an up-grade or replacement of Lincoln Pool had been included in the ½ cent sales tax discussion. It appeared that with many

citizens and organizations having great interest in this subject it may be time to conduct a comprehensive look at the aquatic system in Grand Island. Other communities had engaged in an aquatics study aimed at surveying all facilities, evaluating each facility, measuring need, and developing a plan which provided an implementation scenario for the future. Such a study could eliminate duplication, streamline tax investment and bring about collaboration among interested parties.

Mr. Paustian stated Hastings, Nebraska was in the process of building a water park which may have an impact on Island Oasis. A study of the market would help to understand the dynamics of the area and help react to changes. After a study was completed, projects could be earmarked for funding using the ½ cent sales tax. It was recommended that the City Council consider moving forward with a study to help determine aquatic projects to be developed with the ½ cent sales tax or other revenue sources if sales tax funding was not available. The cost of the study was estimated to be between \$20,000 - \$40,000. Discussion was had concerning working with other organizations on this project.

Discussion Concerning Use of ½ Cent Sales Tax for CAAP. Parks & Recreation Director Steve Paustian reported that in 2000 the City finalized the purchase of 420 acres of land for a shooting facility to be located on the former Cornhusker Army Ammunition Plant (CAAP) site. Originally the purchase was necessitated with the development of the new South Locust Interstate Exit and the need to relocate the skeet and sporting clays range from the City Well Field.

Over the past several years, strides had been made in that development effort. To date, six skeet ranges and four trap ranges were nearing completion, a sporting Clays range had been roughed in and buildings from the former range site had been relocated to the CAAP site. A new clubhouse was also under construction and was nearly 75% complete.

Plans called for the additional construction of a rifle/pistol range that would accommodate most calibers of rifle and pistols. Activities to be hosted on the site would include long range rifle shooting, cowboy action shooting, a 22 cal. plinking range and many other shooting activities. Plans also called for the development of a lake for fishing and to host retriever training and trials. Construction of a modern campground that could accommodate up to sixty camping pads were also in the overall development plan.

Mr. Paustian stated that while these additional improvements would cost over one million dollars, it was anticipated that patron fees and ancillary uses would help offset some of the operational costs. It was also anticipated that the facility would bring many visitors to the Grand Island area that would spend money on motels, gas, food and shopping.

Sales tax proceeds would play an important part in the development of these additional facilities and the speed at which they could be developed. Alternatives presented were: 1) Develop the facility without additional sales tax dollars, and/or 2) Discuss the project and it's inclusion in the 1/2 cent sales tax proposal. Staff recommended the continued development of the facility using Sales Tax dollars along with some of the proceeds from the additional ½ cent sales tax when available.

ADJOURNMENT: The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item G3

Approving Appointments of Lisa Crumrine and Todd Speece to the Community Development Advisory Committee

Lisa Crumrine and Todd Speece have expressed interest in serving on the Community Development Advisory Committee. They would be replacing the expired terms of Dave Soto and Ben Murphy. The 3-year terms for Lisa Crumrine and Todd Speece would become effective immediately and expire on June 30, 2005. With Council approval, the Mayor will appoint Lisa Crumrine and Todd Speece to serve on this Board. Approval is recommended.

Staff Contact: Mayor Vavricek



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item G4

Approving Request of Marjorie A. Roberts for a Conditional Use Permit for Sand and Gravel Operation Located at 3300 West Schimmer Drive

This item relates to the aforementioned Public Hearing Item E-2..

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item G5

Approving Request of Union Pacific Railroad for a Conditional Use Permit for an Air Sparging System and SVE System Modification Located at 1219 1/2 North Front Street

This item relates to the aforementioned Public Hearing Item E-3.

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item G6

#2004-23 - Approving Stop Signs on Kaufman Avenue, Richmond Circle, and Arlington Avenue at Diers Avenue

Staff Contact: Steven P. Riehle, P.E., Director of Public Works

Council Agenda Memo

From: Steven P. Riehle, P.E., Director of Public Works
Dale Shotkoski, Assistant City Attorney

Meeting: February 10, 2004

Subject: Approval of Stop Signs on Kaufman Avenue, Arlington Avenue, and Richmond Circle at Diers Avenue

Item #'s: G-6

Presenter(s): Steven P. Riehle, Director of Public Works

Background

Council action is required for the installation of Stop signs.

Discussion

The section of Diers Avenue between Faidley Avenue and Kaufman Avenue has been completely opened for traffic. Diers Avenue is considered a through street therefore needing to be protected from the feeding streets by Stop signs. The Eastbound traffic on Kaufman Avenue, Arlington Avenue, and Richmond Circle should be required to stop before entering this intersection in order to make it safe for motorists.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the installation of a Stop signs on Kaufman Avenue, Arlington Avenue, and Richmond Circle at Diers Avenue.
2. Disapprove or /Deny the installation of a Stop signs on Kaufman Avenue, Arlington Avenue, and Richmond Circle at Diers Avenue.
3. Modify the Stop sign locations to meet the wishes of the Council.
4. Table the issue.

Recommendation

City Administration recommends that the Council pass a resolution to install Stop signs on Kaufman Avenue, Arlington Avenue, and Richmond Circle at Diers Avenue.

Sample Motion

Move to approve the installation of the Stop signs.

RESOLUTION 2004-23

WHEREAS, the City Council, by authority of Section 22-27 of the Grand Island City Code, may by resolution regulate motor vehicle traffic upon the streets of the City of Grand Island; and

WHEREAS, the section of Diers Avenue from Faidley Avenue to Kaufman Avenue is now open for vehicle traffic;

WHEREAS, this section of Diers Avenue is considered a through street with protected intersections allowing a efficient flow of traffic; and

WHEREAS, in order to maintain Diers Avenue as a protected street, it is necessary to install stop signs at Diers Avenue, requiring the eastbound traffic on Kaufman Avenue, Richmond Circle and Arlington Circle to stop before entering such intersections; and

WHEREAS, it is in the city's best interests to effectuate such changes.

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

1. A stop sign be installed on Kaufman Avenue, Richmond Circle, and Arlington Circle where they intersect with Diers Avenue, requiring eastbound traffic on Kaufman Avenue, Richmond Circle and Arlington Circle to stop prior to entering such intersections.
2. The Street Department is hereby directed to install such signs to regulate traffic as outlined above.

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Adopted by the City Council of the City of Grand Island, Nebraska, February 10, 2004.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item G7

#2004-24 - Approving Board of Equalization Date to Reallocate Benefits and Set Assessments for Sanitary Sewer District No. 490 and Water Main District No. 432

Staff Contact: Doug Walker

Council Agenda Memo

From: Doug Walker, City Attorney
Meeting: February 10, 2004
Subject: Board of Equalization, Sewer District 490 and Water Main District 432
Item #'s: G-7
Presenter(s): Doug Walker, City Attorney

Background

Water Main District #432 and Sanitary Sewer District #490 currently include one large lot in the Village Second/Third Subdivision. The owners of the property are interested in subdividing this lot into 26 smaller lots for sale to the public. They have requested that the special assessments for sewer and water be divided among the 26 lots to facilitate their sale.

Discussion

Staff has met with representatives of the property owners and it is feasible to divide the special assessments for sewer and water among the number of lots being proposed by the owner. If we are to divide the assessments among the new lots, the Council will need to meet as a Board of Equalization.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the new equalization of assessments to facilitate sale of the new lots.
2. Disapprove or /Deny the re-equalization of the water and sewer assessments which would require the property owner to pay them in full before selling any of the new lots to avoid having a lien for these assessments.
3. Table the issue

Recommendation

City Administration recommends that the Council approve the re-assessment of the remaining amounts due on the water and sewer main improvement districts.

Sample Motion

Approve the attached resolution for the Council to meet as the Board of Equalization.

RESOLUTION 2004-24

WHEREAS, on July 11, 2000, by Ordinance No. 8602, the City Council of the City of Grand Island approved assessments on Sanitary Sewer District No. 490; and

WHEREAS, on October 10, 2000 by Ordinance No. 8626, the City Council of the City of Grand Island approved assessments on Water Main District No. 432; and

WHEREAS, such property being assessed consisted of one lot in Village Second Subdivision; and

WHEREAS, the owner of Lot One (1), Village Second Subdivision has replatted such subdivision into the Village Third Subdivision, consisting of 29 lots and Outlots A, B and C; and

WHEREAS, a request has been made to reallocate the balance remaining on the assessment for Village Second Subdivision to reflect the replatting of the lots into Village Third Subdivision; and

WHEREAS, it is appropriate for the City Council to sit as a Board of Equalization to reallocate such assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City Council will sit as a Board of Equalization on March 9, 2004 to reallocate remaining balance of the benefits and set assessments for Sanitary Sewer District No. 490 and Water Main District No. 432 as previously applied to Lot One (1), Village Second Subdivision.

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Adopted by the City Council of the City of Grand Island, Nebraska, February 10, 2004.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 5, 2004	☐ City Attorney



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item G8

**#2004-25 - Approving Renewal of Contract with Fonner Park
Relative to Stand-By Ambulance**

Staff Contact: Jim Rowell

Council Agenda Memo

From: Jim Rowell, Fire Chief
Meeting: February 10, 2004
Subject: Ambulance Service Contract for Fonner Park
Item #'s: G-8
Presenter(s): Jim Rowell, Fire Chief

Background

The state constitution and underlying law prohibits using public property for private uses without compensation. Accordingly, in order for the City of Grand Island to provide a standby ambulance for Fonner Park, a contract setting forth the terms and conditions under which the vehicle is supplied and providing for compensation is appropriate.

The agreement is the same as in prior years' agreement.

Discussion

Fonner Park has given the City of Grand Island a number of ambulances and emergency units over the years. In consideration of this, the agreement for the City to provide a standby ambulance provides for a nominal rental for the use of the vehicle and its supplies. The suggested rental is \$1.00 per day. The agreement is to run for the current training and racing season. The personnel staffing the ambulance are to be provided by Fonner Park. In the event a patient is transported, the charges will be based on the current fee schedule. The transport will be by Fire Department ambulance allowing the standby ambulance to remain at Fonner Park and the races to continue.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the Ambulance Service Contract for Fonner Park.
2. Disapprove or /Deny the Ambulance Service Contract for Fonner Park.

3. Modify the Ambulance Service Contract for Fonner Park to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council approve the Ambulance Service Contract for Fonner Park.

Sample Motion

Approve renewing the ambulance service contract for 2004 racing season at Fonner Park.

RESOLUTION 2004-25

WHEREAS, during the Fonner Park racing season, it is beneficial to have a stand-by ambulance available for emergency purposes; and

WHEREAS, it is the desire of the Hall County Livestock Improvement Association, Inc. (Fonner Park) and the City of Grand Island to provide such stand-by ambulance service during the 2004 training and horse racing season; and

WHEREAS, an agreement has been reviewed and approved by the City Attorney's office for the provision of such stand-by ambulance service at the Fonner Park Race Track for the 2004 training and horse racing season.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Agreement by and between the City of Grand Island and Hall County Livestock Improvement Association, Inc. (Fonner Park) for the provision of stand-by ambulance service during the 2004 training and horse racing season is hereby approved; and the Mayor is hereby directed and authorized to execute such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 10, 2004.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 5, 2004	☐ City Attorney



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item G9

**#2004-26 - Approving Request from Grand Generation Center for
Funding of Sprinkler System**

Staff Contact: Gary Greer

Council Agenda Memo

From: Gary D. Greer, City Administrator

Meeting: February 10, 2004

Subject: Request of Grand Generation Center for Sprinkler System

Item #'s: G-9

Presenter(s): Gary D. Greer, City Administrator
David Springer, Finance Director

Background

For the last few months the Board of the Grand Generation Center has been preparing and raising money to renovate their facility to enhance their programs and support of senior citizens. The facility is owned by the City of Grand Island and leased to the group for their use. In the course of their plans, it was determined by their architect that a sprinkler system would be needed to assure fire safety for the activities that will take place. Attached is a price for the installation of the sprinkler system which was provided by Nebraska Fire Sprinkler in the amount of \$49, 825. This appears to be a very good bid as the initial estimate was for \$100,000. The addition of the sprinkler system will bring the facility up to compliance with the fire codes.

Discussion

A request was made by the Board of Directors for the City to pay for the sprinkler system, being it was a City building. When the request was made city Administration asked if it would be appropriate for the costs to be paid by sales tax in the event the measure was passed in May. Attached is a letter from the Board of the Grand Generation Center indicating they would be accepting of the notion of sales tax paying for the costs to install a sprinkler system.

The improvements may have to begin prior to sales tax being approved and collected. Therefore, the Board is asking that the City find a way to pay for the important project regardless of the sales tax passing. If the up coming sales tax election is successful, the city can reimburse the paying account form the new receipts. Therefore, the question at hand is to approve the project and pay for it regardless of the outcome of a sales tax election. David Springer, Finance Director has indicated that up to \$60,000 can be used

from Account 40015025-90002 as it will be available due to sales tax collections being far above budget for this fiscal year.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the request
2. Disapprove or /Deny the request
3. Modify the request to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council approve the request of the Grand Generation Center to pay for the installation of a sprinkler system to facilitate the upgrade of their city owned facility.

Sample Motion

Approve the request of the Grand Generation Center to pay for the installation of a sprinkler system to facilitate the upgrade of their City owned facility and approve Resolution #2004-26.

**SENIOR CITIZENS INDUSTRIES, INC.
GRAND GENERATION CENTER
304 E. 3RD. STREET
GRAND ISLAND, NE. 68801
(308) 385-5308**

January 21, 2004

Gary Greer
City Administrator
100 E. 1st St.
Grand Island, NE 68801

Dear Mr. Greer;

The Senior Citizens Board of Directors called an emergency meeting at 10:00am.
January 19, 2004.

Those present were, Paul Schleiger, Bob Sorenson, Bob Loewenstein, Jeri Garroutte,
Pam Lancaster, Joann Kisner, Jackie Pielstick and Karl Hughes.

The motion was made by Jackie Pielstick, second by Bob Loewenstein that the
Governing Board would accept the notion that the City of Grand Island would provide
funds to install a sprinkler system at the Grand Generation Center. The City will provide
\$100,000.00 for installation of sprinkler system, with the upcoming 1/2 cent sales tax
issue if approved. If the sales tax is not approved by the voters of Grand Island, the
City will provide the necessary funds to complete the sprinkler system, motion carried.

The motion made by Karl Hughes and Joann Kisner to adjourn the meeting, motion
carried.



Bob Sorenson
President of the Board

Nebraska Fire Sprinkler

NEBRASKA FIRE SPRINKLER CORPORATION

P.O. Box 186 • Alda, NE 68810 • (308) 381-2033 • Fax (308) 381-2605

PROPOSAL

January 30, 2004

Mr. Roger Christensen
Richard E. Willis & Associates
P.O. Box 1705
Grand Island, NE 68801

RE: Grand Generation Center
Addition and Alterations

Date of Plans: Preliminary 1-15-2004

We propose to furnish and install a complete wet pipe fire sprinkler system in the entire building noted above, per the plans, and the following notes for the budget sum of \$49,825.00.
Breakdown as follows.

Fire sprinkler system:	\$39,000.00
F.P. water service:	\$10,825.00
Total	\$49,825.00

- 1) Fire sprinkler system layout and installation shall be subject to approval and inspection by the Nebraska State Fire Marshal.
- 2) The fire protection water service up to and including a 6" standard flange inside the building, will be furnished and installed, blocked, flushed and tested. A post indicator valve with a tamper switch will be required, and will be furnished and installed. Documentation of conformance with NFPA standards of installation and testing of the water service will be provided.
- 3) Layout shall be per NFPA 13, for Light Hazard, and shall be based on a design density of 0.10 GPM per SQ FT over the most remote 1500 SQ FT.
- 4) No painting of the sprinkler piping is included. Piping will be run concealed in all areas having accessible ceiling spaces. In areas which have no accessible ceiling spaces, we will install the piping exposed.

DESIGN • FABRICATION • INSTALLATION • INSPECTION • REPAIR

January 30, 2004
Grand Generation Center
Addition and Alterations
Page 2

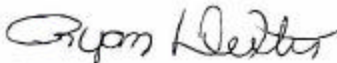
- 5) Nebraska Fire Sprinkler Corporation will supply a flow switch, tamper switches and electric alarm bell. A remote alarm signaling system may be required, however, any alarm system and electrical wiring shall be by others.
- 6) Others will insure or guarantee the complete absence of combustible material in all blind spaces.
- 7) It shall be the responsibility of others to insure that all areas of the building (including the ceiling spaces) will be heated as required to prevent freezing of the sprinkler piping.
- 8) A double check backflow preventer is included as required by the authority having jurisdiction on this project.
- 9) Sales tax is not included in this proposal.

PER THE ATTACHED "PROPOSAL TERMS AND CONDITIONS".

NOTE: PLEASE ALLOW 12 WEEKS FOR DELIVERY AFTER ACCEPTANCE

Respectfully Submitted,

Nebraska Fire Sprinkler Corporation



Ryan Dexter
General Manager

RD/WC_{01/01/04}

ACCEPTED BY

_____ DATE _____
(Purchaser)

RESOLUTION 2004-26

WHEREAS, the Board of Directors of the Senior Citizens Industries, Inc. has requested financial assistance from the City of Grand Island for the costs associated with the installation of a fire sprinkler system at the Grand Generation Center; and

WHEREAS, preliminary estimates for such fire sprinkler system are \$49,825; and

WHEREAS, Neb. Rev. Stat. §16-255 states that the City may plan, initiate, operate, maintain, administer funding for, and evaluate facilities, programs, and services designed to meet the needs of elderly persons; and

WHEREAS, it is recommended the City provide financial assistance for the installation of a fire sprinkler system at Grand Generation System at a cost not to exceed \$60,000.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that approval is hereby granted to provide financial assistance in an amount not to exceed \$60,000 to have a fire sprinkler system installed at the Grand Generation Center.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 10, 2004.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 5, 2004	☐ City Attorney



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item G10

**#2004-27 - Approving Subordination Agreement for House
Purchased Under CDBG Down Payment Assistance Program**

Staff Contact: Joni Kuzma

Council Agenda Memo

From: Joni Kuzma, Development Specialist

Meeting: February 10, 2004

Subject: Subordination Agreement for House Purchased under CDBG Down Payment Assistance Program

Item #: G-10

Presenter: Joni Kuzma, Development Specialist

Background

The City of Grand Island has a real estate lien on property owned by Matthew and Kamra Treffer, 1221 Warren Lane, which has a remaining balance of \$11,682.00. This lien is a result of City Down Payment Assistance funds loaned to the homeowner to purchase a home in the Community Development Block Grant Project Area on March 18, 2002. The legal description for the property is: Lot Four (4), Houghkirk Subdivision to the City of Grand Island, NE, Hall County, a/k/a/ 1221 Warren Lane. The owners are requesting permission to refinance their first mortgage at a lower interest rate.

Discussion

The City's current real estate lien is junior in priority to a Deed of Trust from the owner to their finance company (Washington Mutual). By law, the new Deed of Trust would be junior in priority to the City's lien; however, the lenders from the new lending institution (Full Spectrum Lending) have asked the City to subordinate its real estate lien to the new Deed of Trust.

The current lien with Washington Mutual is \$59,720.37. The appraised valuation of the property is \$83,000 and is sufficient to secure the refinanced loan and the City's loan. Approval of the proposed Subordination Agreement, placing the City in the junior position to the new Deed of Trust, is recommended.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the Subordination Agreement
2. Disapprove or /Deny the Subordination Agreement
3. Modify the Subordination Agreement to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council approve the proposed Subordination Agreement, placing the City's lien in the junior position to the new Deed of Trust.

Sample Motion

Approve the Subordination Agreement between the City of Grand Island and Matthew K. and Kamra K. Treffer for property located at 1221 Warren Lane.

RESOLUTION 2004-27

WHEREAS, the City of Grand Island, is the lender and secured party of a Real Estate Lien dated March 18, 2002 and recorded on March 18, 2002 as Instrument No. 200203049 secured by property located at 1221 Warren Lane and owned by Matthew A. Treffer and Kamra K. Treffer, husband and wife, said property being described as follows:

Lot Four (4), Houghkirk Subdivision in the City of Grand Island, Hall County, Nebraska.

WHEREAS, Matthew A. Treffer and Kamra K. Treffer, husband and wife, wish to execute a Deed of Trust and Note in the amount of \$63,000 with Full Spectrum Lending to be secured by the above-described real estate; and

WHEREAS, the new lender, Full Spectrum Lending, Beneficiary, wishes to extend the new loan secured by a Deed of Trust conditioned upon the City subordinating its Real Estate Liens to their lien priority; and

WHEREAS, the value of the above-described real estate is sufficient to adequately secure both loans.

WHEREAS, the requested subordination of the City's lien priority is in the best interests of all parties.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to execute an agreement subordinating the lien priority of the above described Real Estate Liens from Matthew K. Treffer and Kamra K. Treffer, husband and wife, to the City of Grand Island, as beneficiary to that of the new loan and Deed of Trust of Full Spectrum Lending, Beneficiary, as more particularly set out in the subordination agreement.

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Adopted by the City Council of the City of Grand Island, Nebraska, February 10, 2004.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 5, 2004	☐ City Attorney



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item G11

#2004-28 - Approving Bid Award for Street Improvement District No. 1248, Faidley Avenue Located West of Diers Avenue to the Moores Creek Ditch

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

Council Agenda Memo

From: Steven P. Riehle, P.E., Director of Public Works
Dale Shotkoski, Assistant City Attorney

Meeting: February 10, 2004

Subject: Faidley Avenue Paving, Street Improvement District 1248

Item #'s: G-11

Presenter(s): Steven P. Riehle, Director of Public Works

Background

On January 19, 2004 the Engineering Division of the Public Works Department advertised for bids for Street Improvement District No. 1248, for Faidley Avenue from just west of Diers Avenue to the Moores Creek Drainway.

Discussion

One bid was received and opened on February 4, 2004. This bid, in the amount of \$91,047.03 was received from The Diamond Engineering Company of Grand Island, NE. The bid was reviewed by the Public Works Department, Engineering Division and the Purchasing Division of the City Attorney's Office. This bid met specifications and is less than the engineer's estimate of \$116,447.65.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the bid.
2. Disapprove or/Deny the bid.
3. Modify the bid, although options are limited due to State Statutes.
4. Table the issue, however, the contractor may withdraw their bid if it is not awarded within 45 days of bid opening.

Recommendation

City Administration recommends that the Council approve award of the contract to The Diamond Engineering Company of Grand Island, Nebraska.

Sample Motion

Move to approve the award of the construction contract to The Diamond Engineering Company of Grand Island, Nebraska.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: February 4, 2004 at 11:00 a.m.
FOR: Street Improvement District No. 1248
DEPARTMENT: Public Works
ENGINEER'S ESTIMATE: \$116,447.65
FUND/ACCOUNT: 40033525-90049
PUBLICATION DATE: January 19, 2004
NO. POTENTIAL BIDDERS: 15

SUMMARY

Bidder: The Diamond Engineering Co.
Grand Island, NE
Bid Security: Travelers Casualty & Surety Co.
Exceptions: None
Bid Price: \$91,047.03

cc: Steve Riehle, Public Works Director
Ron Underwood, Senior Civil Engineer
Gary Greer, City Administrator
Dale Shotkoski, Purchasing Agent
Laura Berthelsen, Legal Assistant

RESOLUTION 2004-28

WHEREAS, the City of Grand Island invited sealed bids for Street Improvement District No. 1248, according to plans and specifications on file at with the City Engineer; and

WHEREAS, on February 4, 2004, bids were received, opened and reviewed; and

WHEREAS, The Diamond Engineering Company of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$91,047.03; and

WHEREAS, The Diamond Engineering Company'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 The Diamond Engineering Company of Grand Island, Nebraska, in the amount of \$91,047.03 for Street Improvement District No. 1248 is hereby approved as the lowest responsible bid.

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Adopted by the City Council of the City of Grand Island, Nebraska, February 10, 2004.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 5, 2004	☐ City Attorney



City of Grand Island

Tuesday, February 10, 2004

Council Session

Item J1

Payment of Claims for the Period of January 28, 2004 through February 10, 2004

The Claims for the period of January 28, 2004 through February 10, 2004 for a total of \$2,008,607.93. A MOTION is in order.

Staff Contact: RaNae Edwards