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# City of Grand Island



**Tuesday, March 09, 2004**

## **Council Session Packet**

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### **City Council:**

**Carole Cornelius**

**Peg Gilbert**

**Joyce Haase**

**Margaret Hornady**

**Robert Meyer**

**Mitchell Nickerson**

**Don Pauly**

**Jackie Pielstick**

**Scott Walker**

**Fred Whitesides**

### **Mayor:**

**Jay Vavricek**

### **City Administrator:**

**Gary Greer**

### **City Clerk:**

**RaNae Edwards**

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**7:00:00 PM**

**Council Chambers - City Hall**

**100 East First Street**

**Call to Order**

**Pledge of Allegiance /Invocation - Pastor Paul Hofrichter, Evangelical Free Church,  
2609 South Blaine Street**

**Roll Call**

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

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

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

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

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## **MAYOR COMMUNICATION**

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



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item C1

### **Proclamation "Abbott Sisters' Day 2004" March 20, 2004**

*March 20, 2004 is the third annual Abbott Sisters Day, and as was done last year, this event will be observed statewide as well as through this city's proclamation. The goal of Abbott Sisters Day is to raise public awareness of the lives and achievements of Edith and Grace Abbott, two Grand Island natives, so that these important women may continue to influence policy on children's and immigrants' issues and so that their story may serve as an inspiration for future generations. See attached PROCLAMATION.*

**Staff Contact: Steve Fosselman**

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

PROCLAMATION

- WHEREAS, Edith Abbott was the first female dean of a major American university graduate school, at the University of Chicago's School of Social Service Administration; and
- WHEREAS, Edith Abbott helped to establish the first graduate program of social work in a major university, and has been recognized as "the chief architect of America's social work educational system"; and
- WHEREAS, Grace Abbott was, as Chief of the United States Children's Bureau, the most powerful woman in the federal government at the time when the Great Depression hit, and her work provided the first major effort to combat the economic crisis; and
- WHEREAS, Grace Abbott is known as "the great American champion of children's rights" and is recognized as having led the early twentieth century fights to end child labor and to establish child health care; and
- WHEREAS, Grace and Edith Abbott were born and bred in the city of Grand Island in the state of Nebraska and were the children of O.A. Abbott, who was the state of Nebraska's first Lt. Governor, and of Elizabeth Abbott, who was a leader in the early days of the women's suffrage movement in Nebraska; and
- WHEREAS, Grace and Edith Abbott, to the ends of their lives, wished to be known as "the Abbott Sisters of Nebraska"; and
- WHEREAS, "The Abbott Sisters of Nebraska" are great American women who – despite their important achievements for the rights of children, immigrants, and women – remain virtually unknown to many Nebraskans; and
- WHEREAS, The year 2004 marks the 30<sup>th</sup> anniversary of the Edith Abbott Memorial Library in Grand Island, and is a year of celebration of the 125<sup>th</sup> birthday of Grace Abbott; and
- WHEREAS, The goal of the Abbott Sister Project is to raise public awareness of the lives and achievements of Edith and Grace Abbott, so that these important women may continue to influence policy on children's and immigrants' issues and so that their story may serve as an inspiration to future generations.

NOW, THEREFORE, I, Jay Vavricek, Mayor of Grand Island, Nebraska, do hereby  
proclaim the 20<sup>th</sup> day of March, 2004 as


***ABBOTT SISTERS' DAY***

in the City of Grand Island, and I do hereby urge all citizens to  
recognize the remarkable contributions and selfless dedication  
of Edith and Grace Abbott to the citizens of Nebraska and the  
nation.

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

  
\_\_\_\_\_  
Mayor of Grand Island, Nebraska

Attest:

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





# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item D1

**#2004-BE-1 - Determining Reallocation of Benefits for Sanitary  
Sewer District No. 490**

Staff Contact: Doug Walker

# **Council Agenda Memo**

**From:** Doug Walker, City Attorney

**Meeting:** March 9, 2004

**Subject:** Board of Equalization, Sewer District 490 and Water Main District 432

**Item #'s:** D-1, D-2, F-1, & F-2

**Presenter(s):** Doug Walker

## **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 Council setting as the Board of Equalization approve Resolutions #2004-BE-1 and #2004-BE-2 reassessments of the remaining amounts due on the water and sewer main improvement districts. City Administration also recommends that Council approve Ordinances #8890 and #8891 that relate to these items.

## **Sample Motion**

Approve Resolution #2004-BE-1 for Sanitary Sewer District No. 490 and Resolution #2004-BE-2 for Water Main District No. 432.



RESOLUTION 2004-BE-1

WHEREAS, on July 11, 2000, by Resolution 2000-BE-4, the City Council , sitting as a Board of Equalization for Sanitary Sewer District No. 490, set the benefits of Lot One (1), Village Second Subdivision; and

WHEREAS, the owner of Lot One (1), Village Second Subdivision has replatted such property into 25 lots and Outlot B of Village Third Subdivision; and

WHEREAS, the owner has requested that the remaining balance of such assessment for Sanitary Sewer District No. 490 against such lot be reallocated to reflect the replatting of such property.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Sanitary Sewer District 490, after due notice having been given thereof, that we find and adjudge:

That the remaining balance of benefits accruing to the real estate in such district to be the total sum of \$36,483.92; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 490 pursuant to the replat of Lot One (1), Village Second Subdivision, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Thayer Family, L.L.C.	Lot 1, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 2, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 3, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 4, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 5, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 6, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 7, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 8, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 9, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 10, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 11, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 12, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 13, Village Third Subdivision	1,403.23

Approved as to Form    ☐ \_\_\_\_\_  
March 4, 2004            ☐ City Attorney

RESOLUTION 2004-BE-1

Thayer Family, L.L.C.	Lot 14, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 15, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 16, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 17, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 18, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 19, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 20, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 21, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 22, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 23, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 24, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 25, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Outlot B, Village Third Subdivision	1,403.17
<b>TOTAL</b>		<b>\$36,483.92</b>

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Adopted by the City Council of the City of Grand Island, Nebraska, on March 9, 2004.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item D2

**#2004-BE-2 - Determining Reallocation of Benefits for Water Main  
District No. 432**

*This item relates to Board of Equalization Item D-1.*

Staff Contact: Doug Walker

R E S O L U T I O N 2004-BE-2

WHEREAS, on October 10, 2000, by Resolution 2000-BE-7, the City Council , sitting as a Board of Equalization for Water Main District No. 432, set the benefits of Lot One (1), Village Second Subdivision; and

WHEREAS, the owner of Lot One (1), Village Second Subdivision has replatted such property into 25 lots and Outlot B of Village Third Subdivision; and

WHEREAS, the owner has requested that the remaining balance of such assessment for Water Main District No. 432 against such lot be reallocated to reflect the replatting of such property.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Water Main District 432, after due notice having been given thereof, that we find and adjudge:

That the remaining balance of benefits accruing to the real estate in such district to be the total sum of \$27,465.89; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Water Main District No. 432 pursuant to the replat of Lot One (1), Village Second Subdivision, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Thayer Family, L.L.C.	Lot 1, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 2, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 3, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 4, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 5, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 6, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 7, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 8, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 9, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 10, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 11, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 12, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 13, Village Third Subdivision	1,056.38

Approved as to Form	☐ _____
March 4, 2004	☐ City Attorney

RESOLUTION 2004-BE-2

Thayer Family, L.L.C.	Lot 14, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 15, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 16, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 17, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 18, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 19, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 20, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 21, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 22, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 23, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 24, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 25, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Outlot B, Village Third Subdivision	1,056.39
<b>TOTAL</b>		<b>\$27,465.89</b>

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Adopted by the City Council of the City of Grand Island, Nebraska, on March 9, 2004.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item E1

**Public Hearing on Request of the City of Grand Island dba  
Jackrabbit Run Golf Course, 2800 North Shady Bend Road for a  
Class "A" Liquor License**

Staff Contact: RaNae Edwards

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** March 9, 2004

**Subject:** Public Hearing on Request of the City of Grand Island dba Jackrabbit Run Golf Course, 2800 North Shady Bend Road for a Class “A” Liquor License

**Item #'s:** E-1 & G-6

**Presenter(s):** RaNae Edwards, City Clerk

## **Background**

In 2002, the City of Grand Island annexed several properties into the City limits. Jackrabbit Run Golf Course, owned by the City of Grand Island located at 2800 North Shady Bend Road was one of those properties. They currently have a Class “F” Liquor License through Hall County which will expire on April 30, 2004. A new application for a Class “A” Liquor License has been filed with the Liquor Control Commission and received by the City on February 27, 2004. A Class “A” Liquor License allows for the sale of alcohol on sale only within the corporate limits of the City.

## **Discussion**

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Building, Fire, Health, and Police Departments.

## **Alternatives**

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

1. Approve the request of Jackrabbit Run Golf Course for a Class “A” Liquor License.
2. Disapprove or /Deny the request.

3. Forward to the Nebraska Liquor Control Commission with no recommendation.
4. Table the issue

### **Recommendation**

City Administration recommends that the Council approve this request contingent upon final inspections.

### **Sample Motion**

Approve the request of the City of Grand Island dba Jackrabbit Run Golf Course, 2800 North Shady Bend Road for a Class "A" Liquor License.





# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item E2

**Public Hearing on Acquisition of Utility Easement - 1/2 Mile East of 2nd Road, 1/2 Mile South of "F" Road, Located in Merrick County - Preisendorf**

Staff Contact: Gary R. Mader

# **Council Agenda Memo**

**From:** Robert H. Smith, Asst. Utilities Director

**Meeting:** March 9, 2004

**Subject:** Acquisition of Utility Easement – ½ Mile East of 2<sup>nd</sup> Road, ½ Mile South of “F” Road, Located in Merrick County - Preisendorf

**Item #'s:** E-2, & G-8

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

## **Background**

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Harry C. Preisendorf and JoAnn Wieland, located ½ mile east of 2<sup>nd</sup> Road, and ½ mile south of “F” Road, located in Merrick County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

## **Discussion**

This easement will be used to construct a new three phase overhead power line along the half section line. This line will serve five irrigation wells.

## **Alternatives**

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

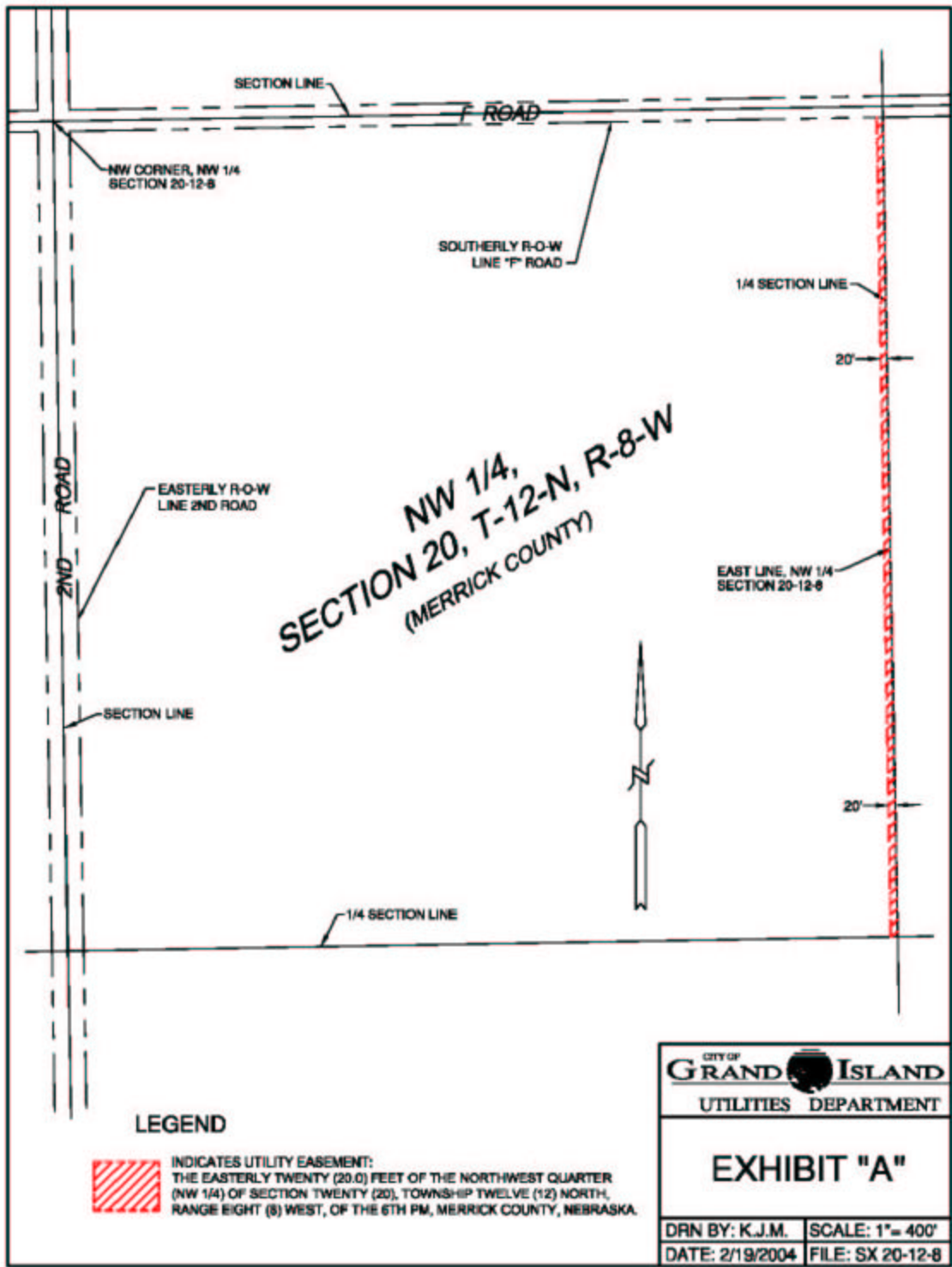
1. Approve the acquisition of the easement
2. Disapprove or /Deny the easement
3. Modify the request to meet the wishes of the Council
4. Table the issue

## **Recommendation**

City Administration recommends that the Council approve the resolution for the acquisition of the easement for one dollar (\$1.00).

## **Sample Motion**

Approve the acquisition of the Utility Easement ½ mile east of 2<sup>nd</sup> Road, ½ mile south of “F” Road, located in Merrick County (Preisendorf and Wieland).



**LEGEND**



INDICATES UTILITY EASEMENT:  
 THE EASTERLY TWENTY (20.0) FEET OF THE NORTHWEST QUARTER  
 (NW 1/4) OF SECTION TWENTY (20), TOWNSHIP TWELVE (12) NORTH,  
 RANGE EIGHT (8) WEST, OF THE 6TH PM, MERRICK COUNTY, NEBRASKA.

CITY OF  
**GRAND ISLAND**  
 UTILITIES DEPARTMENT

**EXHIBIT "A"**

DRN BY: K.J.M.	SCALE: 1" = 400'
DATE: 2/19/2004	FILE: SX 20-12-8



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item E3

**Public Hearing on Acquisition of Utility Easement - 1/2 Mile East  
of 2nd Road, 1/2 Mile North of E Road, Located in Merrick  
County - Matton**

Staff Contact: Gary R. Mader

# **Council Agenda Memo**

**From:** Robert H. Smith, Asst. Utilities Director

**Meeting:** March 9, 2004

**Subject:** Acquisition of Utility Easement – ½ Mile East of 2<sup>nd</sup> Road, ½ Mile North of “E” Road, Located in Merrick County - Mattoni

**Item #'s:** E-3, & G-9

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

## **Background**

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Nicholas and Adrian Mattoni, located ½ mile east of 2<sup>nd</sup> Road, and ½ mile north of “E” Road, in Merrick County, Nebraska, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

## **Discussion**

This easement will be used to construct a new three-phase overhead power line along the half section line. This line will serve five irrigation wells.

## **Alternatives**

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

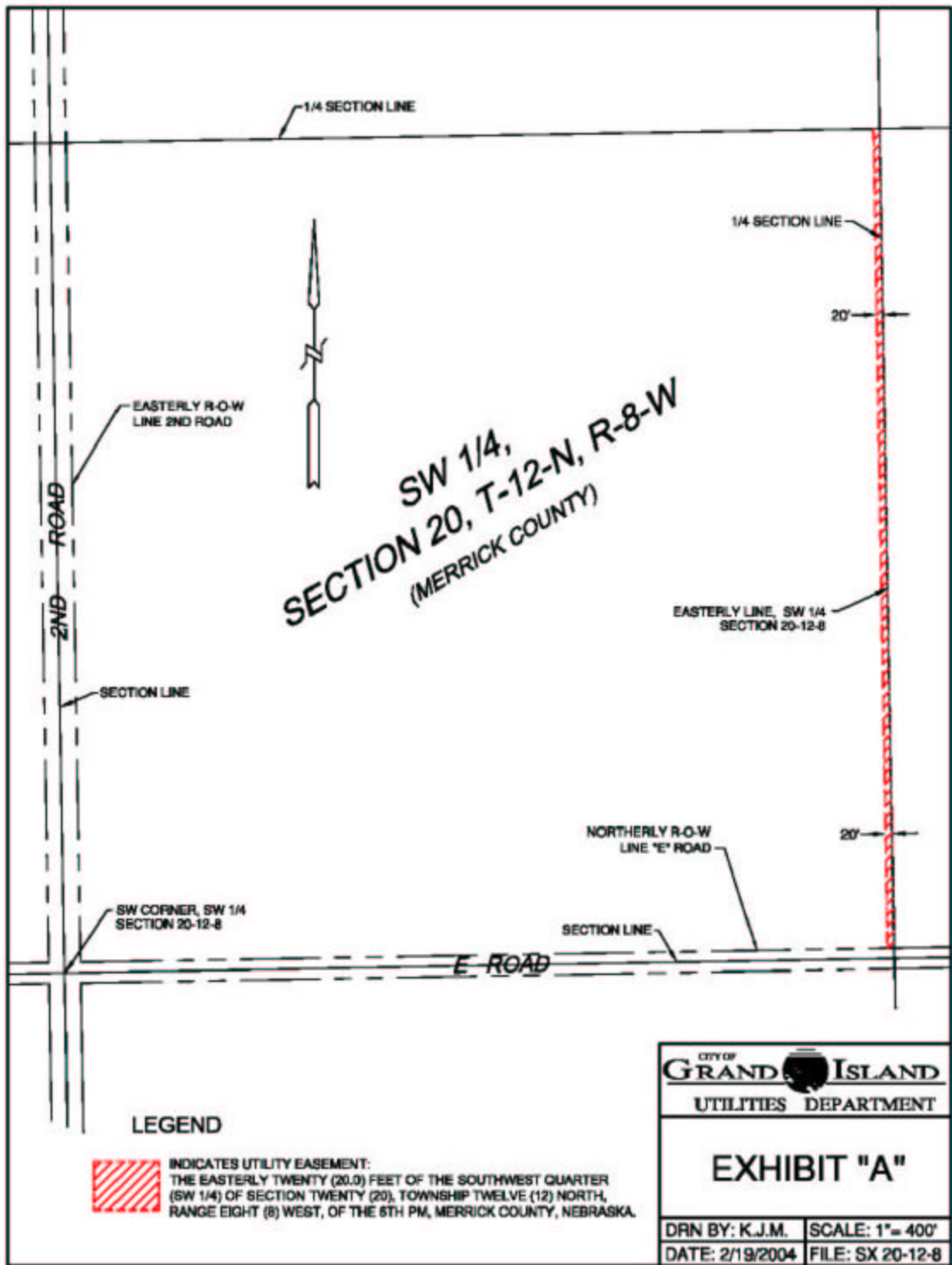
1. Approve the acquisition of the easement.
2. Disapprove or /Deny the easement.
3. Modify the request to meet the wishes of the Council
4. Table the issue

## **Recommendation**

City Administration recommends that the Council approve the resolution for the acquisition of the easement for one dollar (\$1.00).

## **Sample Motion**

Approve the acquisition of the Utility Easement ½ mile east of 2<sup>nd</sup> Road, and ½ mile north of “E” Road, located in Merrick County (Nicholas and Adrian Mattoni).



SW 1/4,  
SECTION 20, T-12-N, R-8-W  
(MERRICK COUNTY)

**LEGEND**



INDICATES UTILITY EASEMENT:  
THE EASTERLY TWENTY (20.0) FEET OF THE SOUTHWEST QUARTER  
(SW 1/4) OF SECTION TWENTY (20), TOWNSHIP TWELVE (12) NORTH,  
RANGE EIGHT (8) WEST, OF THE 6TH PM, MERRICK COUNTY, NEBRASKA.

CITY OF <b>GRAND ISLAND</b> UTILITIES DEPARTMENT	
<h2>EXHIBIT "A"</h2>	
DRN BY: K.J.M.	SCALE: 1" = 400'
DATE: 2/19/2004	FILE: SX 20-12-8





# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item E4

**Public Hearing on Acquisition of Property Along South Locust  
Street Between Stolley Park Road and Fonner Park Road**

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

# Council Agenda Memo

**From:** Steven P. Riehle, P.E., Director of Public Works

**Meeting:** March 9, 2003

**Subject:** Public Hearing to Acquire and Condemn Tracts of Land Along South Locust Street Between Stolley Park Road and Fonner Park Road for Right-of-Way Purposes

**Item #'s:** E-4 & G-15

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

## Background

Business Improvement District 4 was formed to make improvements along South Locust Street between Stolley Park Road and Fonner Park Road. Negotiations have been on going for tracts necessary to improve South Locust since April 2003.

Council action is necessary for the City of Grand Island to acquire public Right-of-Way, Landscape Easements, Utility Easements, and Ingress/Egress Easements. Temporary Construction Easements do not usually go to council for approval to acquire; however, Staff needs Council approval to acquire the Temporary Construction Easements on certain tracts because use of condemnation may be needed to continue with the project.

## Discussion

A Public Hearing should be conducted and council approval given to acquire the Temporary Construction Easements.

Some changes have been made to the design of the project on tracts 10, 19, and 22 as a result of discussion with property owners. A Public Hearing should also be conducted on the changed tracts for Right-of-Way, Landscape Easements, and Permanent Utility Easements with approval to acquire.

Many property owners have signed agreements for the betterment of South Locust Street; however, tracts 10, 11, 15, 19, 20, 21, and 22 have not signed. Condemnation will only be used on these tracts for Temporary Construction Easements, Ingress/Egress Easements, Right-of-Way, and Permanent Utility Easements. Staff is not proposing to condemn for

Landscape Easements. No landscaping will be installed in front of the properties that are condemned.

### **Alternatives**

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

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

### **Recommendation**

City Administration recommends that the Council conduct a Public Hearing and approve the acquisition of the tracts.

### **Sample Motion**

Move to approve the acquisition of the tracts.



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item E5

**Public Hearing on Acquisition of Right-of-Way Located at 610  
Midaro Drive (Garry & Jeanne Williams)**

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

# **Council Agenda Memo**

**From:** Steven P. Riehle, P.E., Director of Public Works

**Meeting:** March 9, 2004

**Subject:** Public Hearing on Acquisition of Right-of-Way Located at 610 Midaro Drive (Garry & Jeanne Williams)

**Item #'s:** E-5 & G-22

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

## **Background**

Council action is necessary for the City of Grand Island to acquire Right of Way. On May 9, 1996 a subdivision agreement was entered into for subdividing a piece of property that became known as Firethorn Estates Subdivision in the City of Grand Island. This subdivision was developed under a special arrangement between the developers and the city.

## **Discussion**

Paragraph number 1 of the subdivision agreement regarding the street improvements states that the developers agree to grade and gravel Midaro Drive in accordance with plans and specifications approved by the city's director of Public Works and subject to city inspection. The subdivision agreement further requires that the sub-dividers would maintain Midaro Drive to such specifications until such time that the right-of-way was paved to city standards. Olsson Associates of Grand Island have prepared plans for grading and graveling Midaro Drive. Staff is requesting the approval of the acquisition of right-of-way needed to grade Midaro Drive per the prepared plans. The adjacent property owners are considering an asphalt paving project upon completion of the grading and graveling.

## **Alternatives**

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

1. Approve the acquisition of right-of-way.
2. Disapprove or /Deny the acquisition of right-of-way.

3. Modify the request to meet the wishes of the Council.
4. Table the issue.

### **Recommendation**

City Administration recommends that the Council approve the acquisition of the Right-of-Way at 610 Midaro Drive.

### **Sample Motion**

Move to approve the acquisition of the Right-of-Way at 610 Midaro Drive.



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item E6

**Public Hearing on Acquisition of Right-of-Way and Permanent  
Drainage Easement Located at 550 Midaro Drive (Rick and  
Patricia Johnson)**

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

# **Council Agenda Memo**

**From:** Steven P. Riehle, P.E., Director of Public Works

**Meeting:** March 9, 2004

**Subject:** Public Hearing on Acquisition of Right-of-Way and Permanent Drainage Easement Located at 550 Midaro Drive (Rick and Patricia Johnson)

**Item #'s:** E-6 & G-23

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

## **Background**

Council action is necessary for the City of Grand Island to acquire public easements and right-of-way. On May 9, 1996 a subdivision agreement was entered into for subdividing a piece of property that became known as Firethorn Estates Subdivision in the City of Grand Island. This subdivision was developed under a special arrangement between the developers and the city.

## **Discussion**

Paragraph number 1 of the subdivision agreement regarding the street improvements states that the developers agree to grade and gravel Midaro Drive in accordance with plans and specifications approved by the city's director of Public Works and subject to city inspection. The subdivision agreement further requires that the sub-dividers would maintain Midaro Drive to such specifications until such time that the right-of-way was paved to city standards. Olsson Associates of Grand Island have prepared plans for grading and graveling Midaro Drive. Staff is requesting the approval of the acquisition of the right-of-way and the permanent drainage easement needed to grade Midaro Drive per the prepared plans. The adjacent property owners are considering an asphalt paving project upon completion of the grading and graveling.

## **Alternatives**

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



1. Approve the acquisition of the right-of-way and permanent drainage easement.
2. Disapprove or /Deny the acquisition of the right-of-way and of the permanent drainage easement.
3. Modify the request to meet the wishes of the Council.
4. Table the issue.

### **Recommendation**

City Administration recommends that the Council approve the acquisition of the right-of-way and of the permanent drainage easement located at 550 Midaro Drive.

### **Sample Motion**

Move to approve the acquisition of the permanent drainage easement and right-of-way located at 550 Midaro Drive.



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item E7

**Public Hearing on Acquisition of Permanent Drainage Easement  
Located at 520 Midaro Drive (Donald and Deborah Razey)**

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

# Council Agenda Memo

**From:** Steven P. Riehle, P.E., Director of Public Works

**Meeting:** March 9, 2004

**Subject:** Public Hearing on Acquisition of Permanent Drainage Easement Located at 520 Midaro Drive (Donald and Deborah Razey)

**Item #'s:** E-7 & G-24

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

## Background

Council action is necessary for the City of Grand Island to acquire public easements. On May 9, 1996 a subdivision agreement was entered into for subdividing a piece of property that became known as Firethorn Estates Subdivision in the City of Grand Island. This subdivision was developed under a special arrangement between the developers and the city.

## Discussion

Paragraph number 1 of the subdivision agreement regarding the street improvements states that the developers agree to grade and gravel Midaro Drive in accordance with plans and specifications approved by the city's director of Public Works and subject to city inspection. The subdivision agreement further requires that the sub-dividers would maintain Midaro Drive to such specifications until such time that the right-of-way was paved to city standards. Olsson Associates of Grand Island have prepared plans for grading and graveling Midaro Drive. Staff is requesting the approval of the acquisition of the permanent drainage easement needed to grade Midaro Drive per the prepared plans. The adjacent property owners are considering an asphalt paving project upon completion of the grading and graveling.

## Alternatives

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

1. Approve the acquisition of the easement.

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

### **Recommendation**

City Administration recommends that the Council approve the acquisition of the permanent drainage easement located at 520 Midaro Drive.

### **Sample Motion**

Move to approve the acquisition of the permanent drainage easement located at 520 Midaro Drive.



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item F1

**#8890 - Consideration of Reallocating Assessments for Sanitary Sewer District No. 490**

*This item relates to the Board of Equalization Item D-1 & D-2.*

Staff Contact: Doug Walker

\* This Space Reserved for Register of Deeds \*

ORDINANCE NO. 8890

An ordinance reallocating the assessment for Sanitary Sewer District No. 490 of the City of Grand Island, Nebraska; providing for the collection of such special tax; repealing any provisions of the Grand Island City Code, ordinances, and parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

WHEREAS, on July 11, 2000, by Resolution 2000-BE-4, the City Council , sitting as a Board of Equalization for Sanitary Sewer District No. 490, set the benefits of Lot One (1), Village Second Subdivision; and

WHEREAS, on July 11, 2000, by Ordinance No. 8602, the City Council of the City of Grand Island approved the assessments for Lot One (1), Village Second Subdivision; and

WHEREAS, the owner of Lot One (1), Village Second Subdivision has replatted such property into 25 lots and Outlot B of Village Third Subdivision; and

WHEREAS, the owner has requested that the remaining balance of such assessment for Sanitary Sewer District No. 490 against such lot be reallocated to reflect the replatting of such property.

Approved as to Form    ☐ \_\_\_\_\_  
March 4, 2004            ☐ City Attorney

ORDINANCE NO. 8890 (Cont.)

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

SECTION 1. The assessment approved for Lot One (1) Village Second Subdivision is hereby reallocated and reassessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of construction of said sanitary sewer main in said Sanitary Sewer District No. 490, as adjudged by the Mayor and Council of the City, to the extent of benefits thereto by reason of such improvement, after due notice having been given thereof as provided by law upon such lots, tracts and land as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Thayer Family, L.L.C.	Lot 1, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 2, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 3, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 4, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 5, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 6, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 7, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 8, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 9, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 10, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 11, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 12, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 13, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 14, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 15, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 16, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 17, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 18, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 19, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 20, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 21, Village Third Subdivision	1,403.23

ORDINANCE NO. 8890 (Cont.)

Thayer Family, L.L.C.	Lot 22, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 23, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 24, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 25, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Outlot B, Village Third Subdivision	1,403.17
<b>TOTAL</b>		<b>\$36,483.92</b>

SECTION 2. The payment of such special tax shall be due and payable as set out Section 2 of Ordinance No. 8602, approved by the Mayor and City Council on July 11, 2000.

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

SECTION 4. Such special assessments shall be paid into a fund to be designated as the "Sewer Extension Fund" for Sanitary Sewer District No. 490.

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

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

Enacted: March 9, 2004.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item F2

**#8891 - Consideration of Reallocating Assessments for Water Main  
District No. 432**

*This item relates to the Board of Equalization Item D-1 & D-2.*

Staff Contact: Doug Walker

\* This Space Reserved for Register of Deeds \*

ORDINANCE NO. 8891

An ordinance reallocating the assessment for Water Main District No. 432 of the City of Grand Island, Nebraska; providing for the collection of such special tax; repealing any provisions of the Grand Island City Code, ordinances, and parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

WHEREAS, on October 10, 2000, by Resolution 2000-BE-7, the City Council , sitting as a Board of Equalization for Water Main District No. 432, set the benefits of Lot One (1), Village Second Subdivision; and

WHEREAS, on October 10, 2000, by Ordinance No. 8626, the City Council of the City of Grand Island approved the assessments for Lot One (1), Village Second Subdivision; and

WHEREAS, the owner of Lot One (1), Village Second Subdivision has replatted such property into 25 lots and Outlot B of Village Third Subdivision; and

WHEREAS, the owner has requested that the remaining balance of such assessment for Water Main District No. 432 against such lot be reallocated to reflect the replatting of such property.

Approved as to Form    ☐ \_\_\_\_\_  
March 4, 2004            ☐ City Attorney

ORDINANCE NO. 8891 (Cont.)

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

SECTION 1. The assessment approved for Lot One (1) Village Second Subdivision is hereby reallocated and reassessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of construction of said sanitary sewer main in said Water Main District No. 432, as adjudged by the Mayor and Council of the City, to the extent of benefits thereto by reason of such improvement, after due notice having been given thereof as provided by law upon such lots, tracts and land as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Thayer Family, L.L.C.	Lot 1, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 2, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 3, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 4, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 5, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 6, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 7, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 8, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 9, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 10, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 11, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 12, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 13, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 14, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 15, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 16, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 17, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 18, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 19, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 20, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 21, Village Third Subdivision	1,056.38

ORDINANCE NO. 8891 (Cont.)

Thayer Family, L.L.C.	Lot 22, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 23, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 24, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Lot 25, Village Third Subdivision	1,056.38
Thayer Family, L.L.C.	Outlot B, Village Third Subdivision	1,056.39
<b>TOTAL</b>		<b>\$27,465.89</b>

SECTION 2. The payment of such special tax shall be due and payable as set out Section 2 of Ordinance No. 8626, approved by the Mayor and City Council on October 10, 2000.

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

SECTION 4. Such special assessments shall be paid into a fund to be designated as the "Water Extension Fund" for Water Main District No. 432.

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

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

Enacted: March 9, 2004.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G1

### **Approving Minutes of February 21, 2004 City Council Special Study Session (Council Retreat)**

*The Minutes of February 21, 2004 City Council Special Study Session (Council Retreat) are submitted for approval. See attached MINUTES.*

Staff Contact: RaNae Edwards

## OFFICIAL PROCEEDINGS

### CITY OF GRAND ISLAND, NEBRASKA

#### MINUTES OF CITY COUNCIL STUDY SESSION (RETREAT)

February 21, 2004

Pursuant to due call and notice thereof, a Study Session (Retreat) of the City Council of the City of Grand Island, Nebraska was conducted at Crane Meadows Nature Center, 9325 South Alda Road, on February 21, 2004. Notice of the meeting was given in the Grand Island Independent on February 14, 2004.

Mayor Jay Vavricek called the meeting to order at 8:00 a.m. The following members were present: Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase. The following City Officials were present: City Administrator Gary Greer, City Clerk RaNae Edwards, Public Works Director Steve Riehle, City Attorney Doug Walker, Finance Director David Springer, Police Chief Kyle Hetrick, Utilities Director Gary Mader, Human Resources Director Brenda Sutherland, Emergency Management Director Howard Maxon, Building Department Director Craig Lewis, Fire Chief Jim Rowell, Library Director Steve Fosselman, Parks & Recreation Director Steve Paustian, and Regional Planning Director Chad Nabity.

#### OVERVIEW OF RETREAT:

City Administrator Gary Greer commented on the definition of "Retreat" – a quiet place to contemplate. Mentioned were policies that were to be set by council and that it was the job of Department Director's and Administration to handle the administrative duties. Mr. Greer stated that we would not leave until we came up with goals and ½ cent ballot language.

#### VISION:

Mayor Vavricek commented that the challenge for a community was to continually to improve. Also mentioned were family values, strong devotion, and pride of our community. Comparisons were made from what was to what is. Key things to build on were Grand Island's geography, agricultural, abundance of water, transportation (railroads) and four major highways. The Mayor's vision was to seek continual community improvement for the best interest of everyone in our community.

City Administrator Gary Greer asked each councilmember to comment on why they ran for city council. Each councilmember gave a brief statement of why they ran for office.

INDIVIDUAL FUTURE GOALS FROM COUNCIL MEMBERS/MAYOR: Mr. Greer asked each councilmember what one goal they would like to achieve in their service to Grand Island. The following were their responses:

Councilmember Meyer – improve the values of City government

Councilmember Haase – completion of Heartland Events Center and National Guard Apache Helicopter Site

Councilmember Pielstick – help the people to trust City Officials and growth of the community

Councilmember Hornady – developing a spirit of community unity

Councilmember Whitesides – make sure people feel comfortable with him representing them, caring and helping the citizens in his district

Councilmember Cornelius – sense of unity and trust

Councilmember Gilbert – unity, trust, ownership of the community

Councilmember Walker – empower people to get involved in city business

Councilmember Pauly – public safety and train issues

Councilmember Nickerson – laying foundation for future planned growth in the City

Mayor Vavricek – looking back on his service and be proud of what has been accomplished, the process

Each councilmember was then asked what one thing they would like to avoid. The following were their responses:

Councilmember Whitesides – complacency

Councilmember Hornady – chaos

Councilmember Pielstick – apathy

Councilmember Haase – make sure City doesn't go broke

Councilmember Meyer – lose focus of why he is here, complacency

Councilmember Nickerson – regression into issues of no continuity

Councilmember Pauly – closed mind and becoming a rubber stamp

Councilmember Walker – un-respectfulness

Councilmember Gilbert – negativity and represent not just a small area

Councilmember Cornelius – relationship fall-outs with other entities and comments by constituents about not doing her job

Mayor Vavricek – lack of unity and respect

## GOALS:

City Administrator Gary Greer reviewed the 2003-2004 Council Goals:

### Quality of Life:

1. Solve Grand Island's Odor Issue (Completion in 2004)
2. Set Zoo Reuse Plan in Motion (Currently working on)
3. Develop New Softball Fields (Continue working on)
4. Develop a Recreational Vehicle Park (Continue when money is available)
5. Expand Hike & Bike Trails (Currently working on)
6. Implement Greenspace Regulations (Currently working on)

### Economic Development:

1. Continue to Support Fundraising for Heartland Events Center (Currently working on)
2. Establish Long-Term Plans for Community Infrastructure, Growth and Development (Currently working on)

Community Development:

1. Consider the Benefit of Expanded City Sales Tax Revenue (Currently working on)
2. Address Affordable Housing Issues (Currently working on – Grant writing)

Communication:

1. Enhance Communication Between City Government, Elected Officials and Public (Continuous)
2. Improve City Information Technology (Currently working on a plan)

Public Health and Safety:

1. Address Health Department's Building Needs (Completed in 2003)
2. Consider Community-Oriented Policing Strategy (Implemented in 2003 and working on new ideas)
3. Police Substation in Northwest Grand Island (Currently one at St. Francis Medical Center – presence of Police Officer's more important)

OTHER MAJOR ACCOMPLISHMENTS OF THE "PROUD LADY":

- Nebraska National Guard Apache Base site selection
- Approval of LB 840 – Economic Development Plan and the creation of a Citizen Advisory Committee
- Interstate 80 South Locust Street exit construction for completion in 2004
- Community Development Block Grant in the amount of \$350,000 awarded to the Grand Generation Center
- Water Contamination Assistance to aid affected homeowners
- Completion of the Wood River Diversion Project
- Improved dialogue for greater cooperation with the Hall County Board of Supervisors and attendance at the 2003 and 2004 City Council Retreats
- Increased Communication efforts with other state and federal officials

DEVELOPING CONSENSUS ON GOALS: Listed were the following goals of the City Council and Mayor:

- Jobs
- Public Safety
- Quality of Life – Library, Parks, Diversity of Community
- Communication
- Fire & Police Training Center (National)
- Greenspace
- Infrastructure – Water & Sewer in New Subdivisions, Utility Development
- Maintain Efficient Government - Prioritize Spending and Eliminate Duplication of Services
- Economic Development
- Shift Tax Burden
- Accessibility (Corridors)
- Fire Station
- Legislative Traffic Enforcement Issues



- Regional Hazardous Waste Site
- Youth Development
- Downtown Development
- Community Support for Nebraska National Guard Apache Helicopter Mission
- Initiate State-Wide Events
- Joint Meetings with other entities dealing with Economic Development

PRIORITIZING GOALS: The following goals were prioritized and will be brought back to council at a Study Session:

Public Safety

- “Training City” – Fire
- Fire Station
- Legislation
- Community Policing
- Domestic Violence/Abuse
- Drugs

Economic Development

- Jobs
- “Training Center”
- Downtown
- > 50,000 Population (Before April 2010)

Infrastructure

- Accessible
- Traffic
- Legislation
- Plan
- New Subdivisions

Government Efficiency

- Communication – GITV
- Duplication/Consolidate
- Cost
- Sales Tax – Shift Burden
- Information Technology

Quality of Life

- Library
- Ethnic Diversity
- Greenspace
- Softball Fields
- RV Park

- Trails
- Housing

#### Community

- Youth Development

#### Public Health

- Regional Hazardous Waste Site
- Housing
- Drugs
- Public Smoking

#### COMMUNICATION:

City Administrator Gary Greer commented briefly about the following issues:

- Open Meeting Laws in Nebraska – City Attorney Doug Walker briefly updated the Council concerning open meeting laws regarding e-mails
- Staff/Council Communications
- Future Communications

#### LUNCH WITH HALL COUNTY BOARD OF SUPERVISORS:

The following Hall County Board Supervisors were present for the Joint City/County Special Study Session: Jim Eriksen, Pamela Lancaster, Bud Jeffries, Bob Humiston, and Marla Connelly County Clerk. Hall County Supervisor Chairwoman Pam Lancaster updated the Council on the New Jail Planning & Design Final Report. Discussion was held concerning the proposed site and Federal Standards by which jails must be built.

#### SALES TAX DISCUSSION:

City Administrator Gary Greer presented a PowerPoint presentation concerning the sales tax issues. Recommended was to use \$2,000,000 of the \$4,000,000 estimated ½ cent sales tax funds for property tax relief, sales tax not to be used for operational or personnel expenditures, and funds be allowed for future projects and growth. Reviewed were current projects and estimated costs of each.

It was recommended to suspend the Broadwell and 3<sup>rd</sup> Street underpass project and railroad noise reduction project. Mr. Greer encouraged a Railroad Corridor Study to be broadened to include re-routing the rail lines around the city.

#### SALES TAX BALLOT:

City Administrator Gary Greer presented the elements of the ballot and recommended that council repeal Resolution #2002-270 dated August 27, 2002 and pass a new resolution that would be specific with the wording in the ballot language for May 11, 2004, Primary Election. Discussion was had concerning including property tax relief wording in the ballot language.

Proposed language was to include property tax relief, Fire Department facilities, Police Department facilities, Library facilities, Parks and Recreation facilities, Senior/Grand Generation facilities and infrastructure.

Councilmember Pielstick requested that this ballot language be brought forward to the Study Session on March 2, 2004 and change the meeting date of March 9, 2004 to March 8, 2004 so Council could attend the Annual Chamber Banquet. After a brief discussion it was the consensus of the Council to leave the meeting date of March 9, 2004 for final approval of the Sales Tax ballot resolution.

WRAP UP:

Mayor Vavricek and several Councilmembers complimented City Administrator Gary Greer and staff on a great retreat. Mayor closed with a poem about moving forward in our community.

ADJOURNMENT: The meeting was adjourned at 2:50 p.m.

Respectfully submitted,

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G2

### **Approving Minutes of February 24, 2004 City Council Regular Meeting**

*The Minutes of February 24, 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

February 24, 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 February 24, 2004. Notice of the meeting was given in the Grand Island Independent on February 18, 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 Pastor Vern Rice, Independent Bethel Baptist Church, 1223 East 6<sup>th</sup> Street.

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

MAYOR COMMUNICATION: Mayor Vavricek commented on the announcement made by the Army not to fund the Comanche Helicopter Project and that it should not affect the Apache Helicopter site here in Grand Island. He stated that several people had been in contact with Washington about this project. Also mentioned was the City Council Retreat held Saturday, February 21, 2004 at the Crane Meadows Nature Center. The Mayor stated it was an instrumental and outstanding day and that ballot language for the ½ Cent Sales Tax issue was discussed with the best interest of the community in mind. This would be brought back to Council at the March 2, 2004 Study Session.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Read Across America" March 2, 2004. Mayor Vavricek proclaimed March 2, 2004 as "Read Across America" in conjunction with Dr. Suess's birthday. Glenda Frazier and four students from Shoemaker and Gates Elementary School's were present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on One & Six Year Street Improvement Program. Steve Riehle, Public Works Director reported that adoption of a One and Six Year Street Improvement Program was required by State law as part of the requirements to receive approximately three million dollars of state gas tax funds each year. A review of the proposed plan was presented:

- Tuesday, January 27, 2004 - City Council refers Plan to Regional Planning Commission.
- Wednesday, February 18, 2004 - Regional Planning Commission conducts Public Hearing and forwards recommendation to City Council.
- Tuesday, February 24, 2004 - City Council hears presentation from staff, conducts Public Hearing and passes Resolution adopting the Plan.

The following update was given:

### **2004 Construction Season**

One of the major projects for the 2004 construction season related to the improvements on South Locust Street. The improvements from U.S. Highway 34 to Stolley Park Road had been completed and currently had a contract for improvements between Stolley Park Road and Fonner Park Road which included a new concrete roadway, 5' concrete sidewalks, concrete driveways, storm drainage, roadway lighting, ornamental pedestrian lighting and landscaping. A contract would be let for the construction of two bridges over the Platte River for the northbound lanes of South Locust Street between I-80 and the south City Limits. The Nebraska Department of Roads had two major projects scheduled for, or underway in 2004. These were the on going construction of the South 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 included the paving of the Shanna Street and Lariat Lane connections and Independence Avenue from 13<sup>th</sup> Street to Shanna Street, and the widening of Stolley Park Road west of U.S. Highway 281 by Case New Holland (CNH). Also planned was the continuation of the Hiker/Biker trail from Central Community College to Hall County Park.

### **2005 – 2009 Construction Seasons**

Significant projects beyond the 2004 construction season included the widening of Stolley Park Road from South Locust Street to the southern Fonner Park Events Center entrance, grade separation construction at the UPRR on Broadwell Street and an east by-pass location on either Stuhr Road or Shady Bend Road. Also planned during this period was completion of the construction of two northbound bridges on South Locust Street over the Platte River channels, and the commencement of roadway construction for the northbound lanes of South 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 Highway 30 from Stuhr Road to the Merrick County line was scheduled for 2005.

Bruce Swihart, 339 Ponderosa Drive and Mary Ellen Walter, 309 Ponderosa Drive requested that Schimmer Drive Paving scheduled for 2005 be moved up to 2004. No further public testimony was heard.

Public Hearing on Affordable Housing Trust Fund Grant from the Nebraska Department of Economic Development. Joni Kuzma, Community Development Specialist reported that The Nebraska Department of Economic Development allowed Homeownership Assistance, through

grants to municipal organizations and non-profit agencies, to facilitate and expand homeownership among persons of low-to-moderate income. The Nebraska Department of Economic Development would accept applications through the Affordable Housing Trust Fund program up to March 1, 2004 for grant funding. Lincoln, Nebraska Developer, Fred Hoppe, had prepared an application for submittal to the Nebraska Department of Economic Development through the City of Grand Island, as an eligible municipal corporation, for \$300,000 in grant funding for approximately 15 low to moderate income home buyers. The grant would provide direct home buyer assistance for first-time homeowners in El Huerto Subdivision, as proposed by Mr. Hoppe in the Community Development Block Grant project area, generally known as northeast Grand Island. No public testimony was heard.

CONSENT AGENDA: Items G-4 and G-12 were removed from the Consent Agenda. Motion by Nickerson, second by Cornelius, to approve the Consent Agenda excluding Items G-4 and G-12. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of February 10, 2004 City Council Regular Meeting. Councilmembers Hornady and Walker abstained.

Approving Minutes of February 17, 2004 City Council Study Session.

Approving Request of Whiskey Creek Steakhouse for Change of Location for Class "I-39333" Liquor License from 3537 West 13<sup>th</sup> Street to 1016 Diers Avenue.

#2004-30 – Approving Change Order 1 to the Contract with The Diamond Engineering Company, Grand Island, Nebraska for Sanitary Sewer District #507, Cannon Road & North Road for an Increase of \$2,040.00 and a Revised Contract Amount of \$123,429.95.

#2004-31 – Approving Certificate of Final Completion for Sanitary Sewer District #507 with The Diamond Engineering Company, Grand Island, Nebraska.

#2004-32 – Approving the Designation of Enviro-Group, Inc., of Green Wood, Indiana as the Sole Source Provider of Liquid Clay Alternative Daily Cover (ADC) Material at the Landfill.

#2004-33 – Approving Funding of Economic Development Request (NWPS Funds) in the Amount of \$23,310 to the Grand Island Area Economic Development Corporation.

#2004-34 – Approving Bid Award for Chimney Obstruction Lighting Replacement to Flash Technology of Franklin, Tennessee in the Amount of \$57,170.00.

#2004-35 – Approving Donation of \$500.00 to the Children's Groundwater Festival '04.

#2004-36 – Approving Contract Award for Engineering Services for Sport Shooting Facility at CAAP to Clark Vargas and Associates, Ltd. Consulting Engineers of Jacksonville, Florida in an Amount of \$136,370.00.

#2004-29 – Approving One & Six Year Street Improvement Program. Motion was made by Walker, second by Pielstick to approve Resolution #2004-29. A lengthy discussion was held with regards to Schimmer Drive concerning funding in the amount of \$175,000.00, crushed asphalt, dust and dust control, traffic, and other projects in the One & Six Year Street Improvement Program.

Upon roll call vote, all voted aye. Motion adopted. Councilmember Pielstick encouraged staff to look into dust control for Schimmer Drive.

#2004-37 – Approving Affordable Housing Trust Fund Grant from the Nebraska Department of Economic Development. Motion was made by Meyer, second by Whitesides to approve Resolution #2004-37. No discussion took place. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Walker, carried unanimously to approve the Claims for the period of February 11, 2004 through February 24, 2004, for a total amount of \$2,476,984.81. Motion adopted.

EXECUTIVE SESSION: Motion was made by Hornady, second by Pauly, to adjourn to Executive Session at 8:05 p.m. for the purpose of discussing personnel issues. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion was made by Pielstick, second by Meyer, to return to Regular Session at 8:25 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

RaNae Edwards  
City Clerk





# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G3

### Approving Minutes of March 2, 2004 City Council Study Session

*The Minutes of March 2, 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

March 2, 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 March 2, 2004. Notice of the meeting was given in the Grand Island Independent on February 25, 2004.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Meyer, Whitesides, Gilbert, Nickerson, Pauly, Hornady, Walker, and Haase. Councilmembers Cornelius and Pielstick 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 commented on a meeting with Dewy Heminger, father of Firefighter Bobby Heminger, thanking the City for all they had done after the tragedy in Wood River with the loss of two Firefighters. Also the Mayor commented on the central air service in our community. A meeting will be held on March 10, 2004 at 6:30 p.m. in the Community Meeting Room at City Hall regarding air service through the Central Nebraska Airport. Councilmember Gilbert commented on the water contamination in her area and stated the water main had been completed.

Discussion Concerning ½ Cent Sales Tax Ballot Language. City Administrator Gary Greer stated that on August 27, 2002 the City Council voted to put a measure on the 2004 ballot to consider a ½ Cent Sales Tax for the purpose of expanding parks and recreational opportunities, providing for infrastructure, and property tax relief. It was determined that many important capital projects could not be funded without additional revenue and that the voters should be given the chance to approve paying for projects such as a new fire station, library expansion, law enforcement facility with expanded sales tax. A great deal of discussion had taken place on the possible ballot measure.

In November of 2003, a survey was conducted to receive input from citizens concerning projects which had been suggested as needed capital projects. Six hundred and thirteen respondents prioritized projects in the following order:

1. Construction of 3<sup>rd</sup> and Broadwell Underpass
2. Replacement of Pine Street Fire Station
3. Police/Sheriff Public Safety Center Replacement
4. Expansion of the Edith Abbott Library

5. Fire Training Facility
6. Grand Generation Center Renovation
7. Expand Island Oasis/ Replace Lincoln Park Pool
8. Reduction of Train Noise
9. Hike/Bike Trail Expansion
10. Ammunition Plant Recreation Development
11. Northwest Park Pool

In order to continue the education process, study sessions were conducted to go more in depth with the projects. The following projects were studied:

1. January 20, 2004      Fire Station, Fire Training Facility, Train Noise
2. February 3, 2004    3<sup>rd</sup> & Broadwell Underpass, Aquatics, CAAP Development

Additionally, a fire Sprinkler system was approved for funding for the Grand Generation Center on February 10, 2004.

On February 17, 2004, the financial implications of the projects were explored and the idea of using some of the of possible sales tax proceeds for property tax relief was discussed.

During the annual retreat on February 21<sup>st</sup> the Council discussed the plan presented by City Administration and asked that the final ballot language be reviewed at the March 2, 2004 Study Session before it was placed on a Regular Council Meeting for approval.

On March 9, 2004, the final ballot language would be approved to be sent to the Election Commissioner.

Mr. Greer stated the process had been enlightening, educational and thought provoking concerning the ½ Cent Sales Tax ballot measure. The Council had listened to the public, closely reviewed alternatives and brought greater understanding to the issue at hand. The public had ample time and opportunity to review the proposed projects and to comment on their viability. It was prudent to move forward with the final stages of the process at this time.

In order to assist in the process, City Administration had developed a recommended project plan and ballot language. The proposed plan and ballot language was discussed and evaluated by the City Council during the Retreat on February 21, 2004. The draft plan that was presented during the Retreat had been changed due to new information obtained at the Retreat and an error that was brought to light concerning the amortization schedule.

The following was the proposed plan for the proceeds that was recommended by administration in the event the ½ Cent Sales Tax was passed May 11, 2004.

### **How should the money be invested?**

It appeared that Grand Island residents were very concerned about the expansion of the property tax levy. Therefore, property tax relief seemed to be a very wise investment of sales tax dollars.

Sales tax was derived from a wider group of taxpayers and had been used effectively to provide property tax relief in the past in Grand Island and other Nebraska Communities.

It was recommended that 1/2 of the proposed sales tax proceeds be used to provide property tax relief and reduce the City's tax rate. It was estimated that the 1/2 cent sales tax would generate approximately \$4,000,000, allowing for \$2,000,000 in property tax relief.

The remainder of the sales tax proceeds were recommended to go for capital improvement projects to allow for the City to continually improve its facilities.

The sales tax was recommended to not be used for operational or personnel expenditures. This would allow approximately \$2,000,000 to take care of the needs which had not been addressed and allow for future needs to be addressed in a timely manner.

**What projects should be accomplished and how were they to be financed?**

The projects on the board had been determined to cost approximately \$47 million to bring about. City Administration recommended the following projects be prioritized for the initial use of the approximate \$2,000,000 capital improvement proceeds:

**Financed projects:**

1)	Fire Station # 1 Replacement	\$3,000,000
2)	Fire Training Facility (Land, Building, Burn Building, Training Tower)	\$4,000,000
3)	Police/Sheriff Law Enforcement Center	\$3,000,000
4)	Library Expansion	\$7,000,000
5)	Aquatics Projects (according to Aquatics plan)	<u>\$3,000,000</u>
	<b>Total:</b>	<b>\$20,000,000</b>

The aforementioned if amortized for 20 years at 5 % would create approximate annual costs of:

**\$1,593,449.**

**Annual Cash Projects:**

1)	Grand Generation Center Capital Fund	\$100,000
2)	Cornhusker Army Ammunition Recreation Development	\$125,000
3)	Hike/Bike Trail development	\$125,000
4)	Infrastructure Emergency Funds	<u>\$ 56,551</u>
	<b>Total:</b>	<b>\$406,551</b>

**Annual Grand Total: \$2,000,000**

It was recommended at this time to suspend the Broadwell Avenue and 3<sup>rd</sup> Street underpass project (\$12,600,000) and the Railroad Noise Reduction project (\$2,000,000). It was further recommended that the upcoming Railroad Corridor Study be broadened to investigate long range alternatives up to and including re-routing the rail lines around the city. It was believed that a more comprehensive look at the Railroad issue may be in the best interest of Grand Island long term.

### **The Ballot Language**

The City Council was asked to review the proposed plan from City Administration and discuss its various elements. After discussion it was recommended to place a resolution with finalized ballot language on the agenda for the March 9, 2004 Council Meeting for approval.

City Attorney Doug Walker commented on a minor change to the Resolution that would come before Council on March 9, 2004. The words “capital improvements” were changed to “capital projects” as required by state statutes.

Councilmember Walker commented on what citizens might ask about the property tax rate and what would keep the City from increasing the tax later on. City Administrator Gary Greer stated that the City had a lid limit set by state statute that had to be followed. Also mentioned was that the City did not have control on other governmental spending or valuations. Councilmember Whitesides commented on the projects that needed to be done whether or not the sales tax issue passed. Councilmember Nickerson stated he was glad to see the addition of the senior/grand generation facilities included in the ballot language. He commented that this was an investment, better growth, better economic development, and future for our City.

Gene Dominic, 221 East First Street encouraged the Council to keep their courage. He also stated that we needed to be honest and open and to make sure that this was stated as property tax relief. Discussion was had concerning the property tax base compared to the sales tax base which was much larger.

Finalizing City Council 2004 Goals: City Administrator Gary Greer reported that during the February 21, 2004 City Council Retreat, there was great discussion about the future of Grand Island. As part of this discussion, the City Council began developing several goals for the next year. After developing preliminary goals, the Council asked that the priorities that rose to the top be discussed in a Study Session.

Following was the list that was established at the retreat for Council review:

#### Public Safety

- Develop a Fire Training Facility and work toward other projects that help establish Grand Island as a “Training City” (City of Training Excellence)
- Replace Fire Station # 1
- Work on legislation that would be beneficial to improve the efficiency and effectiveness of Law Enforcement
- Continue to develop and implement Community Policing programs

- Develop programs to address problems with Domestic Violence/Abuse
- Develop programs aimed at addressing issues with illegal Drugs

#### Economic Development

- Assist the Economic Development Corporation in creating and retaining quality jobs
- Establish opportunities for Grand Island to become “Training Center” for various groups
- Work with downtown to develop programs, policies that help the Downtown
- Develop a plan to transition Grand Island to 50,000+ population before April 2010

#### Infrastructure

- Create better, more accessible entryways to the City of Grand Island
- Develop a traffic plan that enhances traffic flow throughout the City
- Work towards legislation to bring more funding for the upgrade of Grand Island’s infrastructure
- Finalize the Comprehensive Plan and assure for the long term planning of the city
- Plan for the annexation and development of new subdivisions in an orderly way

#### Government Efficiency

- Enhance Communication to the public by reinventing GITV and the City webpage
- Cooperate with Hall County on a study to seek interlocal partnerships that eliminate duplication and promote efficiency
- Streamline City services in order to reduce costs
- Shift the tax burden from property tax
- Develop a Information Technology plan and implement a streamlined system

#### Quality of Life

- Expand the Library and its services
- Support ethnic diversity programs
- Develop a Green space policy
- Develop more recreational facilities in cooperation with community partners
- Develop a recreational vehicle park at the Cornhusker Army Ammunition Plant
- Funding for the continuation of the Hike/Bike Trails
- Seek grant funds and implement programs to improve housing in Grand Island
- Conduct an Aquatics Study

#### Community

- Support programs geared for Youth Development
- Support programs geared for Senior Citizens

#### Public Health

- Explore the possibility of the development of a Regional Hazardous Waste Site in Grand Island
- Evaluate programs that enhance the quality of Housing in Grand Island
- Evaluate programs that minimize the usage of illegal Drugs
- Investigate the issue of banning smoking in public places

Councilmember Gilbert commented on the number of goals and whether or not we should prioritize within the list. Mr. Greer stated these were all possible to accomplish, some would take more time than others.

ADJOURNMENT: The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G4

**Approving Request of Lois Stade, 4111 West Airport Road for  
Liquor Manager Designation for Garden Cafe/Tiffany's Lounge,  
3333 Ramada Road**

Staff Contact: RaNae Edwards



# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** March 9, 2004

**Subject:** Request of Lois Stade, 4111 West Airport Road for Liquor Manager Designation for Garden Café/Tiffany's Lounge, 3333 Ramada Road

**Item #'s:** G-4

**Presenter(s):** RaNae Edwards, City Clerk

## **Background**

Lois Stade, 4111 West Airport Road has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "C-56855" Liquor License for Garden Café/Tiffany's Lounge located at 3333 Ramada Road. This application has been reviewed by the Police Department and City Clerk's Office.

## **Discussion**

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. All departmental reports have been received.

## **Alternatives**

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

1. Approve the request of Lois Stade for Liquor Manager Designation in conjunction with the Class "C-56855" Liquor License.
2. Disapprove or /Deny the request.
3. Table the issue

## **Recommendation**

City Administration recommends that the Council approve this request.

## **Sample Motion**

Approve the request of Lois Stade, 4111 West Airport Road for Liquor Manager Designation for Garden Café/Tiffany's Lounge, 3333 Ramada Road.



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G5

**Approving Request of Carl Rezabek, 216 South Eddy Street for  
Liquor Manager Designation for Fraternal Order of Eagles #378,  
213 North Sycamore Street**

Staff Contact: RaNae Edwards

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** March 9, 2004

**Subject:** Request of Carl Rezabek, 216 South Eddy Street for Liquor Manager Designation for Fraternal Order of Eagles #378, 213 North Sycamore Street

**Item #'s:** G-5

**Presenter(s):** RaNae Edwards, City Clerk

## **Background**

Carl Rezabek, 216 South Eddy Street has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "C-01462" Liquor License for Fraternal Order of Eagles #378 located at 213 North Sycamore Street. This application has been reviewed by the Police Department and City Clerk's Office.

## **Discussion**

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. All departmental reports have been received.

## **Alternatives**

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

1. Approve the request of Carl Rezabek for Liquor Manager Designation in conjunction with the Class "C-01462" Liquor License.
2. Disapprove or /Deny the request.
3. Table the issue

## **Recommendation**

City Administration recommends that the Council approve this request.

## **Sample Motion**

Approve the request of Carl Rezabek, 216 South Eddy Street for Liquor Manager Designation for Fraternal Order of Eagles #378, 213 North Sycamore Street.



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G6

**Approving Request of the City of Grand Island dba Jackrabbit  
Run Golf Course, 2800 North Shady Bend Road for a Class "A"  
Liquor License**

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

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G7

**Approving Request of John C. Hadwick, 131 East Ashton Avenue  
for Liquor Manager Designation for Jackrabbit Run Golf Course,  
2800 North Shady Bend Road**

Staff Contact: RaNae Edwards

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** March 9, 2004

**Subject:** Request of John Hadwick, 131 East Ashton Avenue for Liquor Manager Designation for Jackrabbit Run Golf Course, 2800 North Shady Bend Road

**Item #'s:** G-7

**Presenter(s):** RaNae Edwards, City Clerk

## **Background**

John Hadwick, 131 East Ashton Road has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "A-62494" Liquor License discussed earlier for Jackrabbit Run Golf Course located at 2800 North Shady Bend Road. This application has been reviewed by the Police Department and City Clerk's Office.

## **Discussion**

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. All departmental reports have been received.

## **Alternatives**

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

1. Approve the request of John Hadwick for Liquor Manager Designation in conjunction with the Class "A-62494" Liquor License.
2. Disapprove or /Deny the request.
3. Table the issue



## **Recommendation**

City Administration recommends that the Council approve this request.

## **Sample Motion**

Approve the request of John Hadwick, 131 East Ashton Avenue for Liquor Manager Designation for Jackrabbit Run Golf Course, 2800 North Shady Bend Road.



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G8

**#2004-38 - Approving Acquisition of Utility Easement - 1/2 Mile East of 2nd Road, 1/2 Mile South of "F" Road, Located in Merrick County - Preisendorf**

*This item relates to the aforementioned Public Hearing. Acquisition of a utility easement located 1/2 mile east of 2nd Road, 1/2 mile south of "F" Road, located in Merrick County (Preisendorf & Wieland), is required in order to have access to construct a new three-phase overhead power line along the half section line. This line will serve five irrigation wells. Approval is recommended.*

Staff Contact: Gary R. Mader

RESOLUTION 2004-38

WHEREAS, a public utility easement is required by the City of Grand Island, from Harry C. Preisendorf, Trustee of the Harry Charles Preisendorf Trust and Joann Wieland, Trustee of the Joann Preisendorf Wieland Trust, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on March 9, 2004, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of the Northwest Quarter (NW1/4) of Section Twenty (20), Township Twelve (12) North, Range Eight (8) West of the 6<sup>th</sup> P.M. in Merrick County, Nebraska, the twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows:

The easterly twenty (20.0) feet of the Northwest Quarter (NW1/4) of Section Twenty (20), Township Twelve (12) North, Range Eight (8) West; except that part dedicated for road right-of-way.

The above-described easement and right-of-way containing 1.212 acres, more or less, as shown on the plat dated February 19, 2004, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Harry C. Preisendorf, Trustee of the Harry Charles Preisendorf Trust and Joann Wieland, Trustee of the Joann Preisendorf Wieland Trust, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

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

Approved as to Form    ☐ \_\_\_\_\_  
March 4, 2004            ☐ City Attorney



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G9

**#2004-39 - Approving Acquisition of Utility Easement - 1/2 Mile East of 2nd Road, 1/2 Mile North of "E" Road, Located in Merrick County - Matton**

*This item relates to the aforementioned Public Hearing. Acquisition of a utility easement located 1/2 mile east of 2nd Road, 1/2 mile north of "E" Road, in Merrick County, is required in order to have access to construct a new three-phase overhead power line along the half section line. This line will serve five irrigation wells. Approval is recommended.*

Staff Contact: Gary R. Mader

RESOLUTION 2004-39

WHEREAS, a public utility easement is required by the City of Grand Island, from Nicholas Mattoni and Adrian Mattoni, tenants in common, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on March 9, 2004, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of the Southwest Quarter (SW1/4) of Section Twenty (20), Township Twelve (12) North, Range Eight (8) West of the 6<sup>th</sup> P.M. in Merrick County, Nebraska, the twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows:

The easterly twenty (20.0) feet of the Southwest Quarter (SW1/4) of Section Twenty (20), Township Twelve (12) North, Range Eight (8) West; except that part dedicated for road right-of-way.

The above-described easement and right-of-way containing 1.212 acres, more or less, as shown on the plat dated February 19, 2004, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Nicholas Mattoni and Adrian Mattoni, tenants in common, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

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

Approved as to Form	☐ _____
March 4, 2004	☐ City Attorney



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G10

**#2004-40 - Approving Final Plat & Subdivision Agreement for  
Pleasant View 13th Subdivision**

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission  
**Meeting:** March 9, 2004  
**Subject:** Pleasant View 13<sup>th</sup> Subdivision - Final Plat  
**Item #'s:** G-10  
**Presenter(s):** Chad Nability

## **Background**

This final plat proposes to create 11 lots on a parcel of land in the W ½ NE ¼ Section 22, Township 11, Range 9. This plat conforms with the preliminary plat approved in 1977.

## **Discussion**

On March 3, 2004 at the regular meeting of the Regional Planning Commission a motion was made to approve and recommend the City Council approve the final plat of Pleasant View 13<sup>th</sup> Subdivision.

## **Alternatives**

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

1. Approve the final plat and Subdivision agreement as presented
2. Modify the final plat and subdivision agreement to meet the wishes of the Council
3. Table the issue

## **Recommendation**

Planning Commission recommends that the Council approve the final plat and subdivision agreement.

## **Sample Motion**

Approve the Pleasant View 13<sup>th</sup> Subdivision Plat and subdivision agreements.





RESOLUTION 2004-40

WHEREAS, GNR Development Corp. of Hastings, Nebraska, a Nebraska corporation, as owner, has caused to be laid out into lots, a tract of comprising a part of the West Half of the Northeast Quarter (W1/2, NE1/4) of Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, under the name of PLEASANT VIEW THIRTEENTH SUBDIVISION, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Boards of Education of the various school districts in Grand Island, Hall County, Nebraska, as required by Section 19-923, R.R.S. 1943; and

WHEREAS, a form of subdivision agreement has been agreed to between the owner and the City of Grand Island.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the form of subdivision agreement hereinbefore described is hereby approved, and the Mayor is hereby authorized to execute such agreement on behalf of the City of Grand Island.

BE IT FURTHER RESOLVED that the final plat of PLEASANT VIEW THIRTEENTH SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 4, 2004	☐ City Attorney



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G11

**#2004-41 - Approving Final Plat & Subdivision Agreement for  
Meadow Lane 6th Subdivision**

Staff Contact: Chad Nabity

# Council Agenda Memo

**From:** Regional Planning Commission  
**Meeting:** March 9, 2004  
**Subject:** Meadow Lane 6th Subdivision - Final Plat  
**Item #'s:** G-11  
**Presenter(s):** Chad Nabity

## Background

This final plat proposes to create 3 lots on a parcel of land in the E ½ SE ¼ Section 26, Township 11, Range 9. These lots front onto an existing public right-of-way.

## Discussion

This area was first developed with houses beginning in 1969. This development is consistent with the zoning map and comprehensive plan. This subdivision is proposing 3 lots with well and septic systems. Each of these lots is larger than three acres and as such they are not subject to review by the Nebraska Department of Environmental Quality (NDEQ). All septic systems installed on the lots will be subject to NDEQ regulations. City sewer and water are not available to this subdivision. These lots are proposed along existing county road right-of-way.

On March 3, 2004 at the regular meeting of the Regional Planning Commission a motion was made to approve and recommend the City Council approve the final plat of Meadow Lane 6<sup>th</sup> Subdivision.

## Alternatives

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

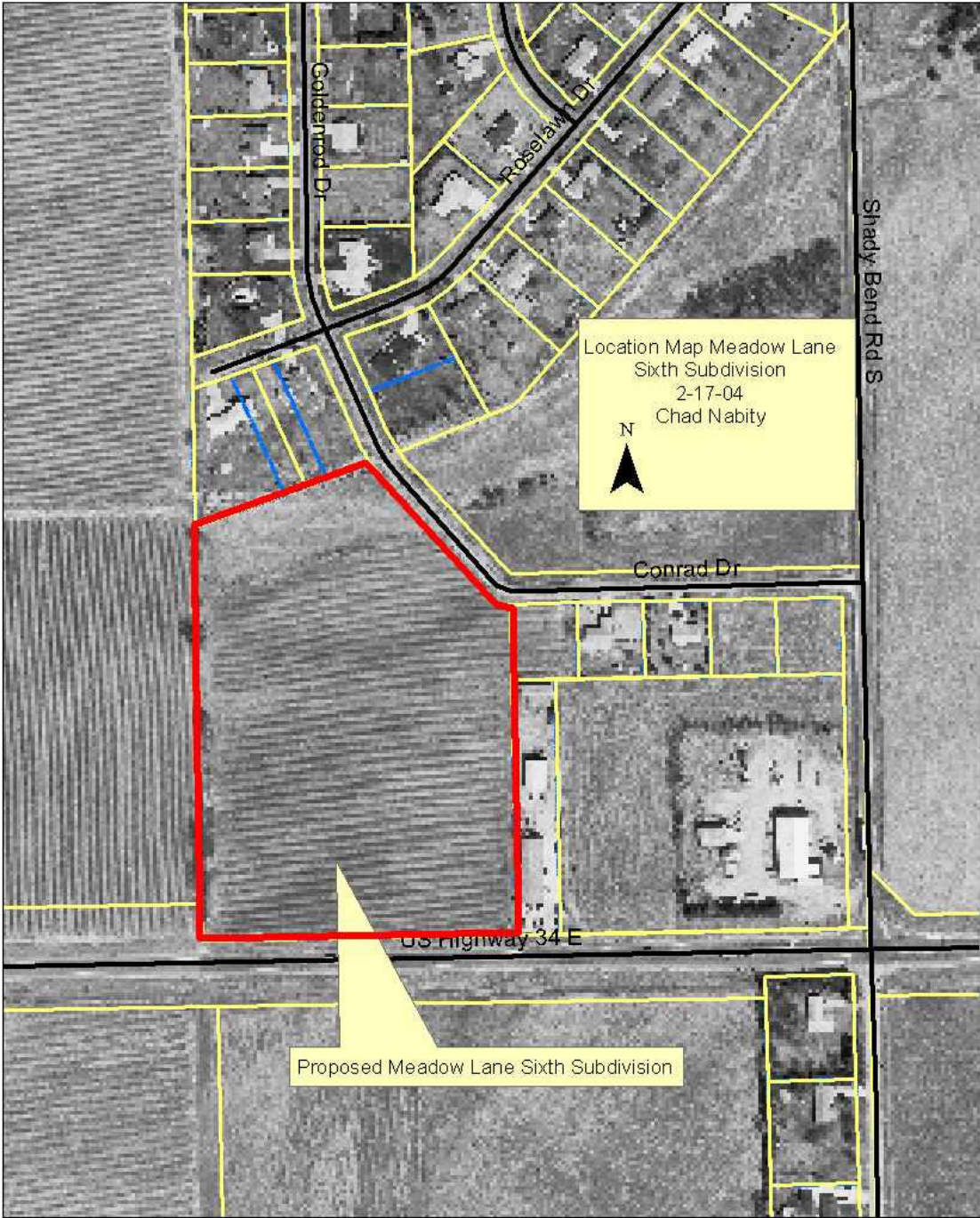
1. Approve the final plat and Subdivision agreement as presented
2. Modify the final plat and subdivision agreement to meet the wishes of the Council
3. Table the issue

## **Recommendation**

Planning Commission recommends that the Council approve the final plat and subdivision agreement.

## **Sample Motion**

Approve the Meadow Lane Sixth Subdivision Plat and subdivision agreement.



RESOLUTION 2004-41

WHEREAS, Harold F. Rosenkotter and Judith A. Rosenkotter, husband and wife, and Deborah A. Spaulding and Stephen Spaulding, wife and husband, as owners, have caused to be laid out into lots, a tract of comprising a part of the East Half of the Southeast Quarter (E1/2, SE1/4) of Section Twenty Six (26), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, under the name of MEADOW LANE SIXTH SUBDIVISION, and have caused a plat thereof to be acknowledged by them; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Boards of Education of the various school districts in Grand Island, Hall County, Nebraska, as required by Section 19-923, R.R.S. 1943; and

WHEREAS, a form of subdivision agreement has been agreed to between the owners and the City of Grand Island.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the form of subdivision agreement hereinbefore described is hereby approved, and the Mayor is hereby authorized to execute such agreement on behalf of the City of Grand Island.

BE IT FURTHER RESOLVED that the final plat of MEADOW LANE SIXTH SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 4, 2004	☐ City Attorney



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G12

**#2004-42 - Approving Bid Award for Concrete Ready-Mix for 2004**

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:** March 9, 2004

**Subject:** Approving Bid Award for Concrete Ready-Mix for 2004

**Item #'s:** G-12

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

## Background

On February 9, 2004 the Street & Transportation Division of the Public Works Department advertised for bids for the purchase of concrete ready-mix to be used in conjunction with in-house concrete repairs throughout the calendar year 2004.

## Discussion

Three bids were received and opened on February 18, 2004. The Street & Transportation Division of the Public Works Department and the Purchasing Division of the City Attorney's Office have reviewed the bids that were received. All three bids were submitted in compliance with the contract, plans, and specifications with no exceptions. A summary of the bids is shown below.

<i>Vendor</i>	<i>Exceptions</i>	<i>Unit Prices</i>	<i>Total Estimate for 2003 (1,600 cu. yd.)</i>
Brodsky's Ready-Mix Grand Island, NE	None	\$52.20 per cubic yard	<b>\$83,520.00</b>
Gerhold Concrete Company Grand Island, NE	None	\$52.25 per cubic yard	\$83,600.00
Great Lakes Ready-Mix Grand Island, NE	None	\$59.75 per cubic yard	\$95,600.00

There are sufficient funds in Account No. 10033503-85545 to purchase this material.



## **Alternatives**

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

1. Approve awarding the contract for the purchase of concrete ready-mix to the lowest bidder.
2. Disapprove or /Deny awarding the contract.
3. Modify the contract to meet the wishes of the Council.
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 awarding the contract for the purchase of the concrete ready-mix to Brodsky's Ready Mix of Grand Island, Nebraska, for the amount of \$83,520.00.

## **Sample Motion**

Move to approve the award of the contract to the lowest bidder, Brodsky's Ready Mix of Grand Island, Nebraska.



Dale M. Shotkoski, Assistant City Attorney

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Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** February 18, 2004 at 11:00  
**FOR:** Concrete Ready-Mix for 2004  
**DEPARTMENT:** Public Works  
**ENGINEER'S ESTIMATE:** \$62.00 per cubic yard  
**FUND/ACCOUNT:** 10033503-85545  
**PUBLICATION DATE:** February 9, 2004  
**NO. POTENTIAL BIDDERS:** 3

**SUMMARY**

<b>Bidder:</b>	<b><u>Consolidated Concrete</u> Grand Island, NE</b>	<b><u>Gerhold Concrete Co.</u> Grand Island, NE</b>	<b><u>Brodsky's Ready-Mix</u> Grand Island, NE</b>
<b>Bid Price:</b>	<b>\$59.75 per cubic yard</b>	<b>\$52.25 per cubic yard</b>	<b>\$52.20 per cubic yard</b>

cc: Steve Riehle, Public Works Director  
Scott Johnson, Street Superintendent  
Gary Greer, City Administrator  
Dale Shotkoski, Purchasing Agent  
Laura Berthelsen, Legal Assistant

RESOLUTION 2004-42

WHEREAS, the City of Grand Island invited sealed bids for Concrete Ready-Mix for 2004 for the Street & Transportation Division, according to plans and specifications on file with the Street Division of the Public Works Department; and

WHEREAS, on February 18, 2004, bids were received, opened and reviewed; and

WHEREAS, Brodsky's Ready-Mix 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 \$52.20 per cubic yard; and

WHEREAS, the total cost based on the estimated usage for the 2004 construction season at the above-identified price, will be approximately \$83,520.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Brodsky's Ready-Mix of Grand Island, Nebraska, in the amount of \$52.20 per cubic yard for concrete ready-mix is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 4, 2004	☐ City Attorney



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G13

**#2004-43 - Approving Bid Award for Concrete Pavement and Storm Sewer Repairs, 2004**

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:** March 9, 2004

**Subject:** Approving Bid Award for Concrete Pavement and Storm Sewer Repairs, 2004

**Item #'s:** G-13

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

## Background

On February 9, 2004 the Street & Transportation Division of the Public Works Department advertised for bids for concrete pavement and storm sewer repair for the calendar year 2004.

## Discussion

Four bids were received and opened on February 18, 2004. The Street & Transportation Division of the Public Works Department and the Purchasing Division of the City Attorney's Office have reviewed the bids that were received. All bids were submitted in compliance with the contract, plans, and specifications with no exceptions. A summary of the bids is shown below.

<i>Vendor</i>	<i>Exceptions</i>	<i>Bid Security</i>	<i>Total Bid</i>
O.K. Paving Grand Island, NE	None	\$18,425.13	<b>\$368,502.50</b>
Galvan Construction Grand Island, NE	None	American Institute of Architects	\$379,912.50
Starostka Group Grand Island, NE	None	American Institute of Architects	\$391,370.00
The Diamond Engineering Co. Grand Island, NE	None	Travelers Casualty & Surety Co.	\$394,738.00

There are sufficient funds in Account No. 10033506-85351 (Concrete Repair), 10033504-85318 (Storm Sewer Repair), 10033503-85318 (Curb & Gutter), and 10033503-85545 (Materials) to fund this contract. This is a calendar year contract that extends beyond the current fiscal year. In the event that funds become unavailable in the fiscal year 2004/2005, the scope of work for this contract will be scaled down accordingly.

### **Alternatives**

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

1. Approve awarding the contract for concrete pavement and storm sewer repair for the fiscal year 2004/2005 to the lowest bidder.
2. Disapprove or /Deny awarding the contract.
3. Modify the contract to meet the wishes of the Council.
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 awarding the contract to O.K. Paving of Grand Island, Nebraska, for the amount of \$368,502.50.

### **Sample Motion**

Move to approve the award of the contract to the lowest bidder, O.K. Paving of Grand Island, Nebraska, for concrete pavement and storm sewer repair for 2004.



Dale M. Shotkoski, Assistant City Attorney

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**BID OPENING**

**BID OPENING DATE:** February 18, 2004 at 11:30  
**FOR:** Concrete Pavement & Storm Sewer Repair 2004  
**DEPARTMENT:** Public Works  
**ENGINEER'S ESTIMATE:** \$437,000.00  
**FUND/ACCOUNT:** 10033506-85351  
10033504-85318  
10033503-85318  
10033503-85545  
**PUBLICATION DATE:** February 9, 2004  
**NO. POTENTIAL BIDDERS:** 4

**SUMMARY**

<b>Bidder:</b>	<b><u>OK Paving</u></b> Grand Island, NE	<b><u>Galvan Construction</u></b> Grand Island, NE
<b>Bid Security:</b>	\$18,425.13	American Institute of Architects
<b>Exceptions:</b>	None	None
<b>Bid Price:</b>	<b>\$368,502.50</b>	<b>\$379,912.50</b>
<b>Bidder:</b>	<b><u>Starostka Group</u></b> Grand Island, NE	<b><u>The Diamond Engineering Company</u></b> Grand Island, NE
<b>Bid Security:</b>	American Institute of Architects	Travelers Casualty & Surety Co.
<b>Exceptions:</b>	None	None
<b>Bid Price:</b>	<b>\$391,370.00</b>	<b>\$394,738.00</b>

cc: Steve Riehle, Public Works Director  
Scott Johnson, Street Superintendent  
Gary Greer, City Administrator  
Dale Shotkoski, Purchasing Agent  
Laura Berthelsen, Legal Assistant

RESOLUTION 2004-43

WHEREAS, the City of Grand Island invited sealed bids for Concrete Pavement and Storm Sewer Repair 2004, according to plans and specifications on file with the Street Division of the Public Works Department; and

WHEREAS, on February 18, 2004, bids were received, opened and reviewed; and

WHEREAS, OK Paving 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 \$368,502.50; and

WHEREAS, OK Paving'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 OK Paving of Grand Island, Nebraska, in the amount of \$368,502.50 for Concrete Pavement and Storm Sewer Repair 2004 is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 4, 2004	☐ City Attorney





# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G14

**#2004-44 - Approving Bid Award for Asphalt Hot-Mix for 2004**

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:** March 9, 2004

**Subject:** Approving Bid Award for Asphalt Hot-Mix for 2004

**Item #'s:** G-14

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

## Background

On February 9, 2004 the Street & Transportation Division of the Public Works Department advertised for bids for the purchase of asphalt hot-mix to be used in conjunction with in-house asphalt work throughout the calendar year 2004.

## Discussion

Two bids were received and opened on February 18, 2004. The Street & Transportation Division of the Public Works Department and the Purchasing Division of the City Attorney's Office have reviewed the bids that were received. Both bids were submitted in compliance with the contract, plans, and specifications with no exceptions. A summary of the bids is shown below.

<i>Vendor</i>	<i>Exceptions</i>	<i>Unit Prices</i>	<i>Total Estimate for 2004 (1000 ton "B" &amp; 1000 ton "C")</i>
Gary Smith Construction Grand Island, NE	None	Type "B" - \$16.85/ton Type "C" - \$20.00/ton	<b>\$36,850.00</b>
J.I.L. Asphalt Paving Grand Island, NE	None	Type "B" - \$17.50/ton Type "C" - \$20.50/ton	\$38,000.00

There are sufficient funds in Account No. 10033503-85545 to purchase this material.

## **Alternatives**

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

1. Approve awarding the contract for the purchase of the asphalt hot-mix to the lowest bidder.
2. Disapprove or /Deny awarding the contract.
3. Modify the contract to meet the wishes of the Council.
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 awarding the purchase of the asphalt hot-mix to Gary Smith Construction Co. of Grand Island, Nebraska, for the amount of \$36,580.00.

## **Sample Motion**

Move to approve the award of the contract to the lowest bidder, Gary Smith Construction Co. of Grand Island, Nebraska.



Dale M. Shotkoski, Assistant City Attorney

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**BID OPENING**

**BID OPENING DATE:** February 18, 2004 at 11:15  
**FOR:** Asphalt Hot-Mix for 2004  
**DEPARTMENT:** Public Works  
**ENGINEER'S ESTIMATE:** \$23.50 per ton  
**FUND/ACCOUNT:** 10033503-85545  
**PUBLICATION DATE:** February 9, 2004  
**NO. POTENTIAL BIDDERS:** 2

**SUMMARY**

<b>Bidder:</b>	<b><u>Gary Smith Construction Co.</u></b> Grand Island, NE	<b><u>J.I.L. Asphalt Paving</u></b> Grand Island, NE
<b>Bid Price:</b>	<b>Type B</b> <b>\$16.85</b>	<b>\$17.50</b>
	<b>Type C</b> <b>\$20.00</b>	<b>\$20.50</b>

cc: Steve Riehle, Public Works Director  
Scott Johnson, Street Superintendent  
Gary Greer, City Administrator  
Dale Shotkoski, Purchasing Agent  
Laura Berthelsen, Legal Assistant

RESOLUTION 2004-44

WHEREAS, the City of Grand Island invited sealed bids for Asphalt Hot-Mix for 2004, according to plans and specifications on file with the Street Division of the Public Works Department; and

WHEREAS, on February 18, 2004, bids were received, opened and reviewed; and

WHEREAS, Gary Smith Construction Co. 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 \$16.85 per ton for Type "B" and \$20.00 per ton for Type "C"; and

WHEREAS, the total cost based on the estimated usage for the 2004 construction season at the above-identified prices will be approximately \$36,850.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Gary Smith Construction Co. of Grand Island, Nebraska, in the amount of \$16.85 per ton for Type "B" asphalt hot-mix and \$20.00 per ton for Type "C" asphalt hot-mix is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 4, 2004	☐ City Attorney



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G15

**#2004-45 - Approving Acquisition & Condemnation of Property  
Along South Locust Street Between Stolley Park Road and Fonner  
Park Road**

*This item refers to the aforementioned Public Hearing, Item E-4.*

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

RESOLUTION 2004-45

WHEREAS, on April 8, 2003, by Resolution 2003-92, the City Council of the City of Grand Island approved the acquisition of property along South Locust Street between Stolley Park Road and Fonner Park Road for right-of-way purposes; and

WHEREAS, on April 8, 2003, by Resolution 2003-93, the City Council of the City of Grand Island approved the acquisition of property along South Locust Street between Stolley Park Road and Fonner Park Road for permanent utility easements; and

WHEREAS, on April 8, 2003, by Resolution 2003-94, the City Council of the City of Grand Island approved the acquisition of property along South Locust Street between Stolley Park Road and Fonner Park Road for landscaping easements; and

WHEREAS, on April 8, 2003, by Resolution 2003-95, the City Council of the City of Grand Island approved the acquisition of property along South Locust Street between Stolley Park Road and Fonner Park Road for ingress and egress purposes; and

WHEREAS, a public hearing was held on April 8, 2003 for the purpose of discussing the acquisition of property for the purposes set out above; and

WHEREAS, on April 8, 2003, the City Council authorized the City Attorney to commence condemnation proceedings on behalf of the City of Grand Island to acquire property for right-of-way and permanent utility easements if successful negotiations were not possible; and

WHEREAS, although city officials continue to negotiate with the affected property owners for the acquisition of such property for right-of-way and permanent utility easements, negotiations with some property owners have not been successful, necessitating the need to commence condemnation proceedings as authorized in Resolution 2003-92 and Resolution 2003-93; and

WHEREAS, it is recommended that the City Attorney also be authorized to commence condemnation proceedings on behalf of the City of Grand Island to acquire property previously identified in Resolution 2003-95 for acquisition for ingress/egress purposes for this project if such acquisition cannot be successfully negotiated; and

WHEREAS, it is recommended that additional property as described in Exhibit "A" attached hereto be acquired as landscaping easements, temporary construction easements, permanent utility easements, and right-of-way which will be consistent with property previously approved in Resolutions 2003-92, 2003-93, and 2003-94 for acquisition for this project; and

WHEREAS, a public hearing was held on March 9, 2004, for the purpose of discussing the acquisition of the remaining properties required for landscaping easements, temporary construction easements, permanent utility easements, and right-of-way as set out in Exhibit "A" attached hereto and

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March 5, 2004	☐ City Attorney

incorporated herein by reference.

WHEREAS, it is recommended that the City Attorney be authorized to commence condemnation proceedings on behalf of the City of Grand Island to acquire the property described in Exhibit "A" for purposes of right-of-way, temporary construction easements, and permanent utility easements for this project if such acquisition cannot be successfully negotiated.

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

1. The City of Grand Island is hereby authorized to acquire the tracts of land as described on Exhibit "A" attached hereto, located along South Locust Street between Stolley Park Road and Fonner Park Road for landscaping, right-of-way, temporary construction easements, and permanent utility purposes, as noted thereon.

2. If successful negotiations for the acquisition of property along South Locust Street between Stolley Park Road and Fonner Park Road as authorized in Resolution 2003-95 for ingress/egress purposes are not possible, the City Attorney is hereby authorized and directed to commence condemnation proceedings on behalf of the City of Grand Island to acquire such property for ingress/egress purposes.

3. If successful negotiations for the acquisition of property described in Exhibit "A" for temporary construction easements, permanent utility easement and right-of-way purposes cannot be accomplished, the City Attorney is hereby authorized and directed to commence condemnation proceedings on behalf of the City of Grand Island to acquire such property.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

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RaNae Edwards, City Clerk



## Exhibit "A"

### Acquisition of Property Along South Locust Street

<p>U-Haul Real Estate Co.</p> <p>Tract No. 10-A</p> <p>Landscaping Easement</p>	<p>A landscaping easement being part of the Southeast Quarter (SE1/4) of Section 21, Township 11 North, Range 9 West of the 6th P.M., City of Grand Island, Hall County, Nebraska and more particularly described as follows:</p> <p>Commencing at the southeast corner of a tract of land, recorded as Exhibit "A", Document Number 89-104826, filed September 11, 1989, Hall County Register of Deeds; thence on an assumed bearing of S89°32'35"W along the south line of said tract of land a distance of 6.65 feet to the Point of Beginning; thence continuing S89°32'35"W a distance of 23.15 feet; thence N00°45'22"W a distance of 66.08 feet; thence N89°07'57"E a distance of 9.91 feet; thence N01°08'45"W a distance of 24.64 feet to a point of curvature; thence around a curve in a clockwise direction having a delta angle of 105°32'54", a arc length of 9.21 feet, a radius of 5.00 feet and a chord bearing N51°37'42"E for a distance of 7.96 feet to a point of continued curvature; thence around a curve in a clockwise direction having a delta angle of 16°06'39", a arc length of 7.03 feet, a radius of 25.00 feet and a chord bearing S67°32'31"E for a distance of 7.01 feet; thence S01°09'33"E a distance of 92.95 feet to the point of beginning. Said landscaping easement contains 1880.09 square feet more or less.</p>
<p>U-Haul Real Estate Co.</p> <p>Tract No. 10-B</p> <p>Landscaping Easement</p>	<p>A landscaping easement being part of the Southeast Quarter (SE1/4) of Section 21, Township 11 North, Range 9 West of the 6th P.M., City of Grand Island, Hall County, Nebraska and more particularly described as follows:</p> <p>Commencing at the northeast corner of a tract of land, recorded as Exhibit "A", Document Number 89-104826, filed September 11, 1989, Hall County Register of Deeds; thence on a assumed bearing of S89°22'03"W along the north line of said tract a distance of 7.01 feet to the Point of Beginning; thence S01°09'33"E a distance of 74.18 feet to a point of curvature; thence around a curve in a clockwise direction having a delta angle of 00°55'13", a arc length of 0.40 feet, a radius of 25.00 feet and a chord bearing S58°40'21"W for a distance of 0.40 feet to a point of continued curvature; thence around a curve in a clockwise direction having a delta angle of 120°00'00", a arc length of 10.47 feet, a radius of 5.00 feet and a chord bearing of N60°52'03"W for a distance of 8.66 feet; thence N00°52'03"W a distance of 52.61 feet; thence S88°29'11"W a distance of 15.50 feet; thence N00°57'04"W a distance of 8.10 feet; thence S89°40'30"W a distance of 29.02 feet; thence N01°07'36"W a distance of 9.44 feet to a point on the north line of said tract; thence N89°22'03"E along said north line a distance of</p>

	52.04 feet to the point of beginning. Said landscaping easement contains 1118.06 square feet more or less.
Neils McDermott  Tract No. 22  Landscaping Easement	A landscaping easement being part of Lot 1, Brownell Subdivision, City of Grand Island, Hall County, Nebraska and more particularly described as follows:  Commencing at the northwest corner of said Lot 1, Brownell Subdivision, thence on an assumed bearing of N89°43'18"E along the north line of said Lot 1 a distance of 5.10 feet to the Point of Beginning; thence continuing N89°43'18"E along said north line a distance of 18.59 feet; thence S01°06'27"E a distance of 50.12 feet; thence S89°37'37"W a distance of 18.59 feet; thence N01°06'27"W a distance of 50.15 feet to the point of beginning. Said permanent easement contains 931.83 square feet more or less.
Fontenelle Oil Company  Tract No. 19  Utility Easement	A permanent public utility easement being part of the Southeast Quarter (SE1/4) of Block Nine (9), Pleasant Home Subdivision, City of Grand Island, located in the Southeast Quarter (SE1/4) of Section 21, Township 11 North, Range 9 West of the 6 <sup>th</sup> P.M., Hall County, Nebraska, and more particularly described as follows:  Commencing at the northeast corner of the SE1/4 of Block 9, Pleasant Home Subdivision; thence on an assumed bearing of S89°23'53"W along the north line of said SE1/4 of Block 9 a distance of 0.32 feet to the point of beginning; thence S01°08'45"E a distance of 131.76 feet; thence S16°35'51"W a distance of 8.53 feet to a point on the south line of said SE1/4 of Block 9; thence S89°17'15"W along said south line a distance of 2.55 feet; thence N20°06'25"E a distance of 8.70 feet; thence N01°08'45"W a distance of 131.78 feet to a point on the north line of said SE1/4 of Block 9; thence N89°23'53"E along said north line a distance of 2.00 feet to the point of beginning. Said tract contains a calculated area of 282.05 square feet or 0.0065 acres more or less.
Fontenelle Oil Company  Tract No. 19  Landscaping Easement	A landscaping easement being part of the Southeast Quarter (SE1/4) of Block 9, Pleasant Home Subdivision, City of Grand Island, Hall County, Nebraska, and more particularly described as follows:  Commencing at the northeast corner of said SE1/4, Block 9, Pleasant Home Subdivision; thence on an assumed bearing of S89°23'53"W along the north line of said SE1/4, Block 9 a distance of 0.32 feet to the point of beginning; thence S01°08'45"E a distance of 131.76 feet; thence S16°35'51"W 8.53 feet to a point on the south line of said SE1/4 of Block 9; thence S89°17'15"W along said south line a distance of 27.43 feet to a point of curvature; thence around a curve in a clockwise direction having a delta angle of 26°57'24", a arc length of 4.70 feet, a radius of 10.00 feet and a chord bearing N23°54'04"E for a distance of 4.66 feet; thence N37°22'46"E a distance of 41.83 feet; thence N01°08'45"W a distance of 102.76 feet to a point on the north line of said SE1/4 of Block 9; thence N89°23'53"E along said north line a

	distance of 2.00 feet to the point of beginning. Said landscaping easement contains 813.53 square feet more or less.
Fontenelle Oil Company  Tract No. 19  Right-of-Way	<p>A tract of land being part of the Southeast Quarter (SE1/4) of Block 9, Pleasant Home Subdivision, City of Grand Island, located in the Southeast Quarter (SE1/4) of Section 21, Township 11 North, Range 9 West of the 6<sup>th</sup> P.M., Hall County, Nebraska, and more particularly described as follows:</p> <p>Commencing at the northeast corner of the SE1/4 of said Section 21; thence on an assumed bearing of S01°06'27"E along the east line of said SE1/4 a distance of 859.76 feet; thence S88°53'33"W and perpendicular to said east line a distance of 33.00 feet to a point being the intersection of the northeast corner of the SE1/4 of Block 9, Pleasant Home Subdivision and the west right-of-way (R.O.W.) line of South Locust Street, said point also being the point of beginning; thence S01°06'27"E along the west R.O.W. line of South Locust a distance of 139.91 feet to the southeast corner of the SE1/4 of Block 9, of said Pleasant Home Subdivision, said point also being on the north R.O.W. line of Hedde Street; thence S89°17'15"W along said north R.O.W. a distance of 2.83 feet; thence N16°35'51"E a distance of 8.53 feet; thence N01°08'45"W a distance of 131.76 feet to a point on the north line of said SE1/4 of Block 9, said point also being on the westerly R.O.W. line of South Locust Street; thence N89°23'53"E along said westerly R.O.W. line a distance of 0.32 feet to the point of beginning. Said tract contains a calculated area of 48.91 square feet or 0.0011 acres more or less.</p>
Neils McDermott  Tract No. 22  Temporary Construction Easement	<p>A Temporary Construction Easement located in Lot 1 of Brownell Subdivision in the City of Grand Island, Hall County, Nebraska, and more particularly described as follows:</p> <p>Commencing at the northwest corner of said Lot 1; thence on an assumed bearing of N89°43'18"E along the north line of said Lot 1 a distance of 7.10 feet to the Point of Beginning; thence continuing N89°43'18"E along said north line a distance of 52.05 feet; thence S00°20'06"E a distance of 24.93 feet; thence S14°15'18"E a distance of 25.97 feet to a point on the south line of said Lot 1; thence S89°37'37"W along said south line a distance of 44.83 feet; thence N01°06'27"W a distance of 50.15 feet to the point of beginning. Said Temporary Construction Easement contains 2508.43 square feet or 0.0576 acres more or less.</p>

<p>U-Haul Real Estate Co.</p> <p>Tract No. 10</p> <p>Temporary Construction Easement</p>	<p>A Temporary Construction Easement located in the Southeast Quarter (SE1/4) of Section 21, Township 11 North, Range 9 West of the 6th P.M., Hall County, Nebraska, and more particularly described as follows:</p> <p>Commencing at the southeast corner of a tract of land recorded as Exhibit "A", Document Number 89-104826, filed September 11, 1989, Hall County Register of Deeds, thence on an assumed bearing of S89°32'35"W along the south line of said tract of land a distance of 7.65 feet to the Point of Beginning; thence continuing S89E32'35"W a distance of 28.30 feet; thence N00E52'03"E a distance of 5.43 feet; thence N89E07'57"E a distance of 25.80 feet; thence N00E52'03"W a distance of 55.60 feet; thence S89E07'57"W a distance of 19.43 feet; thence N01E06'27"W a distance of 5.03 feet; thence S88E53'33"W a distance of 6.05 feet; thence N00E52'03"W a distance of 134.77 feet to a point on the north line of said tract; thence N89E22'03"E along said north line a distance of 26.97 feet; thence S01E09'33"E a distance of 200.89 feet to the point of beginning. Said Temporary Construction Easement contains 4,072.27 square feet or 0.0935 acres more or less.</p>
<p>Preferred Enterprises</p> <p>Tract No. 11</p> <p>Temporary Construction Easement</p>	<p>A Temporary Construction Easement located in Lot 2 of Fonner Fourth Subdivision in the City of Grand Island, Hall County, Nebraska, and more particularly described as follows:</p> <p>Commencing at the southwest corner of said Lot 2; thence on an assumed bearing of N89°18'18"E along the south line of said Lot 2 a distance of 7.03 feet to the Point of Beginning; thence N00°54'59"W a distance of 150.03 feet to a point on the north line of said Lot 2; thence N89°18'18"E along said north line a distance of 23.57 feet; thence S01°03'03"E a distance of 34.41 feet; thence S89°05'01"W a distance of 11.22 feet; thence S01°04'41"E a distance of 83.56 feet; thence N88°58'36"E a distance of 28.79 feet; thence S00°41'42"E a distance of 32.18 feet to a point on the south line of said Lot 2; thence S89°18'18"W along said south line a distance of 41.33 feet to the point of beginning. Said Temporary Construction Easement contains 3,188.82 square feet or 0.0732 acres more or less.</p>
<p>KWM Co.</p> <p>Tract No. 15</p> <p>Temporary Construction Easement</p>	<p>A Temporary Construction Easement located in the Southeast Quarter of Section 21, Township 11 North, Range 9 West of the 6th P.M., City of Grand Island, Hall County, Nebraska, and more particularly described as follows:</p> <p>Commencing at the northeast corner of Lot 1 of JNW Subdivision in the City of Grand Island, Hall County, Nebraska; thence S89°21'24"W along the north line of said Lot 1 a distance of 2.50 feet to the Point of Beginning; thence continuing S89°21'24"E along said north line a distance of 83.49 feet; thence N01°07'21"W a distance of 24.70 feet; thence N88°52'39"E a distance of 32.69 feet; thence N01°07'21"W a</p>

	<p>distance of 23.28 feet; thence N89°03'55"E a distance of 39.95 feet; thence N01°08'45"W a distance of 51.80 feet; thence S88°50'46"W a distance of 15.48 feet; thence N01°08'45"W a distance of 34.93 feet to a point on the south line of a tract of land described in Warranty Deed recorded as Document Number 96-108797, filed November 6, 1996, Hall County Register of Deeds; thence N89°20'50"E along said south line a distance of 28.95 feet; thence S01°05'06"E a distance of 86.40 feet; thence S88°54'54"W a distance of 2.50 feet; thence S01°05'06"E a distance of 48.63 feet to the point of beginning. Said Temporary Construction Easement contains 4,971.47 square feet or 0.1141 acres more or less.</p>
<p>Fontenelle Oil Company</p> <p>Tract No. 19</p> <p>Temporary Construction Easement</p>	<p>A Temporary Construction Easement located in the Southeast Quarter (SE1/4) of Block 9 of Pleasant Home Subdivision in the City of Grand Island, Hall County, Nebraska, and more particularly described as follows:</p> <p>Commencing at the southwest corner of said SE1/4, Block 9; thence on an assumed bearing of N89°17'15"E along the south line of said SE1/4 a distance of 91.72 feet to the Point of Beginning; thence N37E22'46"E a distance of 42.23 feet; thence N01E08'45"W a distance of 87.26 feet; thence S88E51'15"W a distance of 14.00 feet; thence N01E07'02"W a distance of 19.58 feet to a point on the north line of said SE1/4 of Block 9; thence N89E23'53"E along said north line a distance of 25.99 feet; thence S01E08'45"E a distance of 131.78 feet; thence S20E06'25"W a distance of 8.70 feet to a point on the south line of said SE1/4 of Block 9; thence S89E17'15"W along said south line a distance of 35.15 feet to the point of beginning. Said Temporary Construction Easement contains 2,376.44 square feet or 0.05 acres more or less.</p>
<p>Wiltgen Corp. II</p> <p>Tract No. 20</p> <p>Temporary Construction Easement</p>	<p>A Temporary Construction Easement located in Lot 6 of Kirkpatrick Subdivision in the City of Grand Island, Hall County, Nebraska, and more particularly described as follows:</p> <p>Commencing at the southeast corner of said Lot 6, said point also being the Point of Beginning; thence on an assumed bearing of S89°23'53"W along the south line of said Lot 6 a distance of 21.04 feet; thence N01°06'27"W a distance of 15.04 feet; thence N88°42'41"E a distance of 5.53 feet; thence N01°06'27"W a distance of 24.79 feet; thence S88°53'33"W a distance of 5.57 feet; thence N01°08'45"W a distance of 29.98 feet to a point on the north line of said Lot 6; thence N89°28'54"E along said north line a distance of 21.24 feet to the northeast corner of said Lot 6; thence S00°58'59"E along the east line of said Lot 6 a distance of 69.79 feet to the point of beginning. Said Temporary Construction Easement Contains 1,337.93 square feet or 0.0307 acres more or less.</p>

<p>Wiltgren Corp. II</p> <p>Tract No. 22</p> <p>Temporary Construction Easement</p>	<p>A Temporary Construction Easement located in Lot 5 of Kirkpatrick Subdivision in the City of Grand Island, Hall County, Nebraska, and more particularly described as follows:</p> <p>Commencing at the southeast corner of said Lot 5, said point also being the Point of Beginning; thence on an assumed bearing of S89°28'54"W along the south line of said Lot 5 a distance of 32.25 feet; thence N01°08'45"W a distance of 58.70 feet; thence S89°18'37"W a distance of 83.66 feet; thence N00°41'23"W a distance of 11.53 feet to a point on the north line of said Lot 5; thence N89°27'11"E along said north line a distance of 10.68 feet; thence S00°32'49"E a distance of 0.50 feet; thence N89°18'37"E a distance of 93.00 feet; thence S70°01'27"E a distance of 9.18 feet to a point on the east line of said Lot 5; thence S23°05'48"E along said east line a distance of 10.01 feet; thence S00°58'59"E continuing along said east line a distance of 57.30 feet to the point of beginning. Said Temporary Construction Easement contains 3,137.53 square feet or 0.0720 acres more or less.</p>
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# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G16

**#2004-46 - Approving Agreement with Grand Island Skeet and Sporting Clays Club**

Staff Contact: Steve Paustian

# Council Agenda Memo

**From:** Steve Paustian, Park and Recreation Director

**Meeting:** City Council, February 18, 2004

**Subject:** Agreement for Loan to Grand Island Skeet and Sporting Clays Club

**Item #'s:** G-16

**Presenter(s):** Steve Paustian

## Background

For over twenty-five years the Grand Island Skeet and Sporting Clays Club (Skeet Club) has operated a City owned shooting facility. With the need to relocate the Skeet Club from the City well field it was determined that the Skeet Clubs new home would be on land the City purchased at the former CAAP site. Since October of last year this relocation has been taking place. To date, most of the relocation activities have been completed.

## Discussion

The Skeet Club has invested over \$100,000.00 of Skeet Club funds to assist in the cost of this relocation. The Skeet Club is committed to provide another \$100,000.00 of funding for the project as well. This additional funding will be provided primarily from funds received from several local trusts. Because the receipt of these funds will happen over several years, the Skeet Club has asked for a loan of \$100,000.00 from the City to complete their portion of the project. The loan will be paid back as grant funds are received. It is anticipated that all funds will be paid back within five years. All funds will be spent on construction items with all of the improvements being owned by the City of Grand Island.

## Alternatives

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

1. Approve the agreement
2. Disapprove or /Deny the agreement



3. Modify the agreement to meet the wishes of the Council
4. Table the issue

### **Recommendation**

City Administration recommends that the Council enter into an agreement with the Grand Island Skeet and Sporting Clays Club to provide for the loan.

### **Sample Motion**

Approve the agreement with the Grand Island Skeet and Sporting Clays Club.

RESOLUTION 2004-46

WHEREAS, the Grand Island Skeet and Sporting Clays Club (Skeet Club) has operated a city-owned shooting facility for over twenty five years; and

WHEREAS, due to the South Locust Street improvements, the Skeet Club has been relocated to an undeveloped tract of city-owned land at the former Cornhusker Army Ammunition Plant site; and

WHEREAS, although substantial improvements to the property have been made by the Skeet Club, another \$100,000 in improvements is anticipated; and

WHEREAS, in order to expedite the improvements to get the facility operational, the Skeet Club has requested a five-year loan in the amount of \$100,000 from the City of Grand Island which will be repaid upon the receipt of expected funding from local trusts and other sources; and

WHEREAS, the City will own all improvements made with the loaned funds; and

WHEREAS, an agreement to provide the Skeet Club with the \$100,000 loan funding has been reviewed and approved by the City Attorney's office.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island is hereby authorized to provide a loan for up to \$100,000 in funding to the Grand Island Skeet and Sporting Clays Club to make improvements to the city-owned shooting facility.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 4, 2004	☐ City Attorney



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G17

**#2004-47 - Approving Contract with James A. Culver for  
Operation of Train and Food Concessions at Stolley Park**

Staff Contact: Steve Paustian

# **Council Agenda Memo**

**From:** Steve Paustian, Park and Recreation Director

**Meeting:** City Council, February 18, 2004

**Subject:** Contract for Train and Food Concession Operations at Stolley Park

**Item #'s:** G-17

**Presenter(s):** Steve Paustian, Parks and Recreation Director

## **Background**

A contract was let in 2003 to Jim Culver doing business at the Chippewa Northwestern Railroad Company to rebuild the Stolley Park Railroad Track. After the completion of this contract Mr. Culver was then hired to operate the train and to start renovating and repairing the train and cars. That agreement expired in January of 2004.

## **Discussion**

It has been determined by staff that it is in the best interest of the City to continue with the outsourcing of the operation of the train and food concession at Stolley Park. Mr. Culver has a great amount of experience in the operation and maintenance of trains and offers the best opportunity to provide a safe and pleasant experience for anyone participating in the ride. The contract is for a five year term with various stipulations and measurements to insure a quality operation.

## **Alternatives**

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

## **Recommendation**

Administration recommends the City enter into a contract with James Culver d/b/a Chippewa Northwestern Railway Company.

## **Sample Motion**

Move to approve the Contract with the Chippewa Northwestern Railway Company.

RESOLUTION 2004-47

WHEREAS, on June 24, 2003, by Resolution 2003-191, the City Council of the City of Grand Island approved a contract with James A. Culver, doing business as The Chippewa Northwestern Railway Company to operate, repair and maintain the railroad and train in Stolley Park on a daily basis for the 2003 season; and

WHEREAS, the City of Grand Island invited proposals for Operation, Maintenance and Management Services and Food Concessions Service for Stolley Park Railroad, according to plans and Request for Proposals on file with the City Clerk's office; and

WHEREAS, proposals were due on December 31, 2003; and

WHEREAS, the only proposal received was from James A. Culver, doing business as The Chippewa Northwestern Railway Company; and

WHEREAS, it is recommended that the City pay to The Chippewa Northwestern Railway Company the amount of \$2,500 per month to operate the train and Sweet Tooth Shop, restore the train engine and train cars, and build a tunnel; and

WHEREAS, The Chippewa Northwestern Railway Company will retain all train receipt revenues and Sweet Tooth Shop revenues up to \$15,000 per year, with the gross proceeds over \$15,000 to be split equally among the parties to the contract; and

WHEREAS, a proposed contract has been reviewed and approved by the City Attorney's office.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the agreement between the City and James A. Culver, doing business as Chippewa Northwestern Railway Company, is hereby approved for the provision of trained staff to operate, repair and maintain the railroad train and Sweet Tooth Shop in Stolley Park.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

Approved as to Form     \_\_\_\_\_  
March 4, 2004             City Attorney

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G18

**#2004-48 - Approving Two-Year Contract with the Hall County  
Housing Authority for Police Services**

Staff Contact: Kyle Hetrick



# **Council Agenda Memo**

**From:** Captain Robert Falldorf, Police Dept.

**Meeting:** March 9, 2004

**Subject:** Approval of two-year contract between City of Grand Island and Hall County Housing authority, beginning December 12, 2003

**Item #'s:** G-18

**Presenter(s):** Kyle Hetrick, Chief of Police

## **Background**

This is a renewal contract between the City of Grand Island and Hall County Housing Authority. The City, by and through the police department, will continue to provide one (1) full time police officer to perform specialized patrols to enforce all state and local laws and the Hall County Housing Authority rules specified in the contract. The Hall County Housing Authority will reimburse the city for services specified in the contract in a total amount of \$43,000 for December 13, 2003 through December 12, 2004 and \$47,000 for December 13, 2004 through December 12, 2005.

## **Alternatives**

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

1. Approve the contract between the City of Grand Island and Hall County Housing Authority.
2. Disapprove or /Deny the contract between the City of Grand Island and Hall County Housing Authority.

## **Recommendation**

City Administration recommends that the Council approve the contract between the City of Grand Island and Hall County Housing Authority.

## **Sample Motion**

Move to approve the two-year contract between the City of Grand Island and Hall County Housing Authority.

RESOLUTION 2004-48

WHEREAS, on December 19, 2000, by Resolution 2000-397, the City of Grand Island approved a Police Services Contract between the City and the Hall County Housing Authority to provide specific police services associated with the Hall County Housing Authority's security programs; and

WHEREAS, such agreement was extended based on an Addendum to the contract approved on November 26, 2002 by Resolution 2002-365; and

WHEREAS, the City and the Hall County Housing Authority are interested in continuing the provision of such police services; and

WHEREAS, it is recommended that a new contract be entered into for such services to cover a two-year period which will end on December 12, 2005; and

WHEREAS, the amount to be paid by the Hall County Housing Authority to the City of Grand Island to provide such police service will be \$43,000 for the period 12/13/2003 through 12/12/2004, and \$47,000 for the period 12/13/2004 through 12/12/2005; and

WHEREAS, the proposed Police Service Contract has been reviewed and approved by the City Attorney's office.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Police Service Contract between the City and the Hall County Housing Authority to provide specific police services associated with the Hall County Housing Authority's security programs is hereby approved; and the Mayor is hereby authorized and directed to execute such contract on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on March 9, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 4, 2004	☐ City Attorney



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G19

**#2004-49 - Approving Authorization for City Treasurer to Sell  
Stocks and Securities**

Staff Contact: David Springer

# **Council Agenda Memo**

**From:** David Springer, Finance Director

**Meeting:** March 9, 2004

**Subject:** Approving Authorization for City Treasurer to Sell Stocks and Securities

**Item #'s:** G-19

**Presenter(s):** David Springer, Finance Director

## **Background**

From time to time, the City Of Grand Island acquires ownership of stocks, bonds, or other securities registered in the name of the City of Grand Island through purchases, gifts, assignments, mergers, exchanges, bankruptcy proceedings, and other similar transactions.

## **Discussion**

In connection with such transactions, the City has an ongoing need to efficiently and expeditiously endorse such securities for delivery and sale. It is in the best interests of the City to authorize David Springer, Finance Director/Treasurer, to sell, assign, and endorse for transfer and deliver, certificates representing stocks, bonds, or other securities registered in the name of the City of Grand Island.

## **Alternatives**

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

1. Approve the authorization to sell stocks and securities
2. Disapprove or /Deny the authorization to sell stocks and securities
3. Modify the Resolution to meet the wishes of the Council
4. Table the issue

## **Recommendation**

City Administration recommends that the Council approve the request that the City Finance Director/Treasurer be authorized to sell, assign and endorse for transfer, certificates representing stocks, bonds, or other securities now registered or hereafter registered in the name of the City of Grand Island.

## **Sample Motion**

Approve the request that the City Finance Director/Treasurer be authorized to sell, assign and endorse for transfer, certificates representing stocks, bonds, or other securities now registered or hereafter registered in the name of the City of Grand Island.

RESOLUTION 2004-49

WHEREAS, the City of Grand Island periodically acquires stocks, bonds, and other securities registered in the name of the City of Grand Island through purchases, gifts, assignments, mergers, exchanges, and other similar transactions; and

WHEREAS, in connection with such transactions, the City has an ongoing need to efficiently and expeditiously endorse such securities for delivery; and

WHEREAS, it is in the best interests of the City to authorize David Springer, Finance Director/Treasurer, to sell, assign, and endorse for transfer and delivery, certificates representing stocks, bonds, or other securities registered in the name of the City of Grand Island; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that David Springer, Finance Director/Treasurer, is hereby authorized to sell, assign and endorse for transfer, certificates representing stocks, bonds, or other securities now registered or hereafter registered in the name of the City of Grand Island, Nebraska, a municipal corporation.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 4, 2004	☐ City Attorney



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G20

**#2004-50 - Approving Bid Award for Low Service Pump #2  
Repair - Utilities Department**

Staff Contact: Gary R. Mader;Dale Shotkoski



# Council Agenda Memo

**From:** Gary R. Mader, Utilities Director  
Dale Shotkoski, Asst. City Attorney/Purchasing

**Meeting:** March 9, 2004

**Subject:** Award Memo for Low Service Pump 2 Repair - Platte River Pumping Station

**Item #'s:** G 20

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

## Background

The Platte River Pumping Station uses three high volume pumps to transfer water from the well field to in-town reservoirs. Pump # 2 was installed in 1964. As part of a preventive maintenance program, that pump was recently disassembled and inspected. The inspection indicated substantial cavitation and casing wash damage. This type of wear is normally incurred as the result of years of operation. To continue operation of the pump, plant staff developed specifications for the repair of the wear damage. In addition to the repairs, the Contractor is also to modify the pump to accept mechanical shaft seals in place of the obsolete packing rings used 40 years ago.

## Discussion

The specifications for repair of the Platte River Pumping Station Pump # 2 were advertised and issued for bid in accordance with the City Procurement Code. Responses were received from the following bidders. The engineer's estimate for this project was \$30,000.

<u>Bidder</u>	<u>Bid price w/o Tax</u>
<b>Rotating Equipment Repair, Inc., Sussex, WI</b>	<b>\$22,500.00</b>
<b>Engineered Pump Services Inc., Mukwonago, WI</b>	<b>\$23,900.00</b>

City staff reviewed the bids for compliance with the City's detailed specifications and both bids are compliant.

## **Alternatives**

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

1. Approve the award for the Platte River Pumping Station Pump # 2.
2. Disapprove or /Deny the award for the Platte River Pumping Station Pump # 2.
3. Modify the award for the Platte River Pumping Station Pump # 2 to meet the wishes of the Council.
4. Table the issue.

## **Recommendation**

City Administration recommends that the Council awarded the contract for this repair work in the amount of \$ 22,500 to Rotating Equipment Repair.

## **Sample Motion**

Approve the award of the contract for the repair of Low Service Pump # 2 to Rotating Equipment Repair.



Dale M. Shotkoski, Assistant City Attorney

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Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** February 27, 2004 at 11:00 a.m.  
**FOR:** Low Service Pump 2 Repair  
**DEPARTMENT:** Utilities - PGS  
**ENGINEER'S ESTIMATE:** \$30,000.00  
**FUND/ACCOUNT:** E525  
**PUBLICATION DATE:** February 15, 2004  
**NO. POTENTIAL BIDDERS:** 4

**SUMMARY**

<b>Bidder:</b>	<b><u>Engineered Pump Services Inc.</u></b> Mukwonago, WI	<b>Rotating Equipment Repair, Inc.</b> Sussex, WI
<b>Bid Security:</b>	Cashier's Check	Old Republic Surety Co.
<b>Exceptions:</b>	None	None
<b>Bid Price:</b>	<b>\$23,900.00</b>	<b>\$22,500.00</b>

cc: Gary Mader, Utilities Director  
Tim Luchsinger, Assistant Utilities Director  
Pat Gericke, Utilities Secretary  
Dale Shotkoski, Purchasing Agent

Bob Smith, Assistant Utilities Director  
Shelly Schnakenberg, Senior Utilities Secretary  
Gary Greer, City Administrator  
Laura Berthelsen, Legal Assistant

RESOLUTION 2004-50

WHEREAS, the City of Grand Island invited sealed bids for Low Service Pump 2 Repair, according to plans and specifications on file at with at the Platte Generating Station; and

WHEREAS, on February 27, 2004, bids were received, opened and reviewed; and

WHEREAS, Rotating Equipment Repair, Inc. of Sussex, Wisconsin, 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 \$22,500.00; and

WHEREAS, Rotating Equipment Repair, Inc.'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 Rotating Equipment Repair, Inc. of Sussex, Wisconsin, in the amount of \$22,500.00 for lower service pump 2 repair is hereby approved as the lowest responsible bid.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 4, 2004	☐ City Attorney



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G21

**#2004-51 - Approving Bid Award for Electrical Project 2001-UG-4 - Installation of Electrical Conduits - Platte Valley Industrial Park 3rd Subdivision**

Staff Contact: Gary R. Mader; Dale Shotkoski

# Council Agenda Memo

**From:** Gary R. Mader, Utilities Director  
Dale Shotkoski, Asst. City Attorney/Purchasing

**Meeting:** March 9, 2004

**Subject:** Approval of Bid Award for Electrical Project 2001-UG-4  
Installation of Electrical Conduits  
Platte Valley Industrial Park 3<sup>rd</sup> Subdivision

**Item #'s:** G 21

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

## Background

The contract consists of furnishing all labor, tools, and equipment to install the conduits for electrical lines within the Platte Valley Industrial Park 3rd Subdivision. The work will be adjacent to both sides of Gold Core Drive from Schimmer Drive to Wildwood Drive and will provide for power and street lighting for the entire site. A map showing the project areas is attached.

## Discussion

The project was publicly advertised and specifications were issued to seven (7) potential bidders. Four bids were publicly opened at 11:00 am on February 26. An additional potential bid was not considered. It was rejected, in accordance with City procurement codes, because it was received after the published bid opening time, and after the other bids had been read. The four (4) valid bids are listed below:

Bidder:	<u>K-D Cable, Inc.</u> Grand Island, NE	<u>Kayton Electric, Inc.</u> Grand Island, NE
Security:	Amco Insurance Co.	Federal Insurance Co.
Bid Price:	\$64,070.00	\$75,840.00
Exceptions:	None	None
Bidder:	<u>D&amp;A Trenching</u> Alda, NE	<u>Diamond Engineering Co.</u> Grand Island, NE
Security:	Cashier's Check	Travelers Casualty & Surety Co
Bid Price:	\$74,747.70	\$82,676.34
Exceptions:	None	None

The bids have been reviewed and are without exceptions and comply with contract documents. All are below the Engineer's estimate, for the project, of \$115,000.00.

## **Alternatives**

It appears the Council has the following alternatives concerning the issue at hand:

1. Approve the award of the contract for Electrical Project 2001-UG-4, Installation of Electrical Conduits to one of the bidders.
2. Deny award of the contract for Electrical Project 2001-UG-4.
3. Modify the award of the contract, for Electrical Project 2001-UG-4, to meet the wishes of the Council.
4. Table the issue.

## **Recommendation**

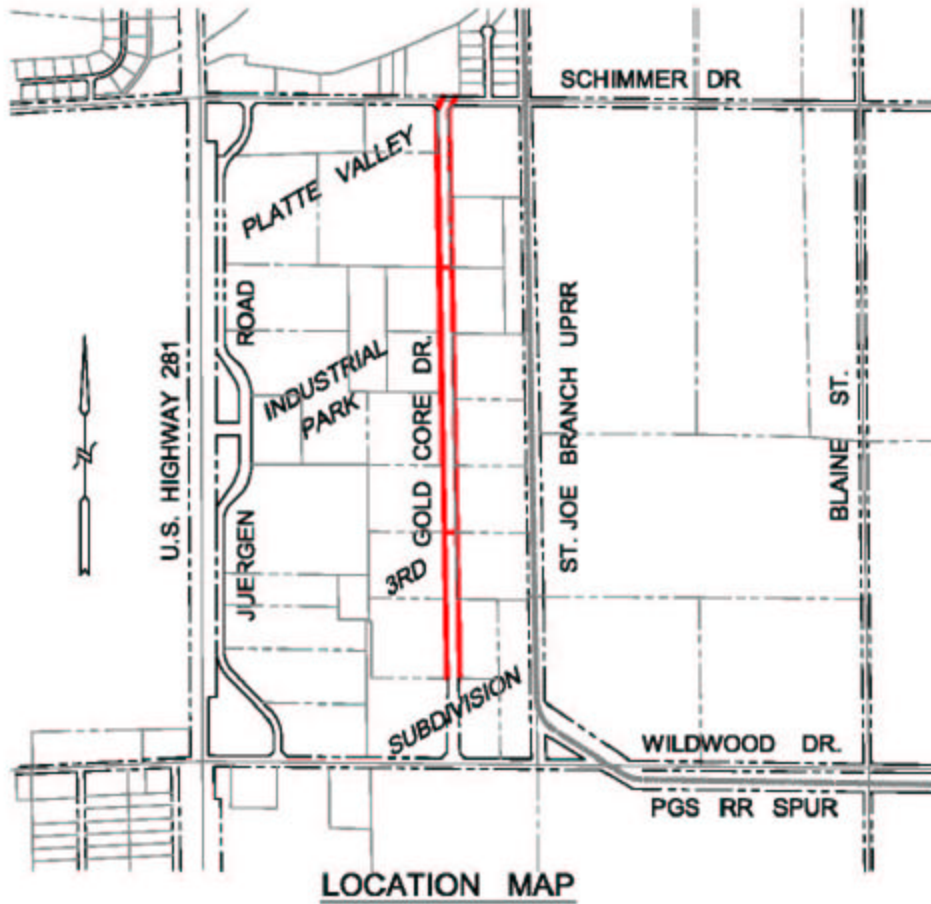
City Administration recommends that the Council award the contract for Electrical Project 2001-UG-4, Installation of Electrical Conduit to the low compliant bidder, K-D Cable, Inc. of Grand Island, NE in the amount of \$64,070.00. This is the low responsive bid and complies with the time-frame for completion of the work.

## **Sample Motion**

Approve award of the contract for Electrical Project 2001-UG-4, Installation of Electrical Conduits, to K-D Cable, Inc. of Grand Island, NE.

ELECTRICAL PROJECT 2001-UG-4

GOLD CORE DRIVE  
PLATTE VALLEY INDUSTRIAL PARK 3RD SUBDIVISION



CITY OF  
**GRAND ISLAND**  
UTILITIES DEPARTMENT

ISSUED FOR BIDS: 2/16/2004

DWG. NO. A-299





Dale M. Shotkoski, Assistant City Attorney

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Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** February 26, 2004  
**FOR:** Electrical Project 2001-UG-4  
**DEPARTMENT:** Utilities  
**ENGINEER'S ESTIMATE:** \$115,000.00  
**FUND/ACCOUNT:** Enterprise Fund 520  
**PUBLICATION DATE:** February 16, 2004  
**NO. POTENTIAL BIDDERS:** 12

**SUMMARY**

<b>Bidder:</b>	<b><u>K-D Cable, Inc.</u></b> Grand Island, NE	<b><u>Kayton Electric, Inc.</u></b> Grand Island, NE
<b>Security:</b>	Amco Insurance Co.	Federal Insurance Co.
<b>Bid Price:</b>	\$64,070.00	\$75,840.00
<b>Exceptions:</b>	None	None
<b>Bidder:</b>	<b><u>D&amp;A Trenching</u></b> Alda, NE	<b><u>Diamond Engineering Co.</u></b> Grand Island, NE
<b>Security:</b>	Cashier's Check	Travelers Casualty & Surety Company
<b>Bid Price:</b>	\$74,747.70	\$82,676.34
<b>Exceptions:</b>	None	None

cc: Bob Smith, Assistant Utilities Director  
Tom Barnes, Senior Utilities Engineer  
Randy Leiser, Underground Sub Station  
David Springer, Finance Director  
Dale Shotkoski, Assistant City Attorney  
RaNae Edwards, City Clerk  
Laura Berthelsen, Legal Assistant

RESOLUTION 2004-51

WHEREAS, the City of Grand Island invited sealed bids for Electrical Project 2001-UG-4, Installation of Electrical Conduit, according to plans and specifications on file at the Utility Engineering Office at Phelps Control Center; and

WHEREAS, on February 26, 2004, bids were received, opened and reviewed; and

WHEREAS, K-D Cable, Inc. of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$64,070.00.00; and

WHEREAS, K-D Cable, Inc.'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 K-D Cable, Inc. of Grand Island, Nebraska, in the amount of \$64,070.00 for Electrical Project 2001-UG-4, installation of electrical conduit is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 4, 2004	☐ City Attorney



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G22

**#2004-52 - Approving Acquisition of Right-of-Way Located at 610  
Midaro Drive (Garry and Jeanne Williams)**

*This item refers to the aforementioned Public Hearing, Item E-5.*

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

RESOLUTION 2004-52

WHEREAS, right-of-way is required by the City of Grand Island, from Garry L. Williams and Jeanne S. Williams, husband and wife, for road right-of-way along Midaro Drive; and

WHEREAS, a public hearing was held on March 9, 2004, for the purpose of discussing the proposed acquisition of right-of-way through a part of Lot Four (4), Firethorn Estates Subdivision in the City of Grand Island, located in the Northern Half (N1/2) of Section Twenty Seven (27), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, the right-of-way being more particularly described as follows:

Commencing at the southeast corner of Lot Four (4); thence on an assumed bearing of N89°36'24"W along the south line of said Lot Four (4), a distance of 261.52 feet to the point of beginning; thence continuing N89°36'24"W along said south line a distance of 78.57 feet; thence N82°36'33"W along said south line a distance of 14.77 feet to a point of curvature; thence around a curve in a clockwise direction having a delta angle of 83°31'32", an arc length of 102.05 feet, a radius of 70.00 feet, and a chord of S88°30'03"E a distance of 93.25 feet to the point of beginning.

The above-described right-of-way containing a calculated area of 1,207.91 square feet or 0.0277 acres, more or less, as shown on the drawing attached hereto and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire road right-of-way from Garry L. Williams and Jeanne S. Williams, husband and wife, on the above-described tract of land.

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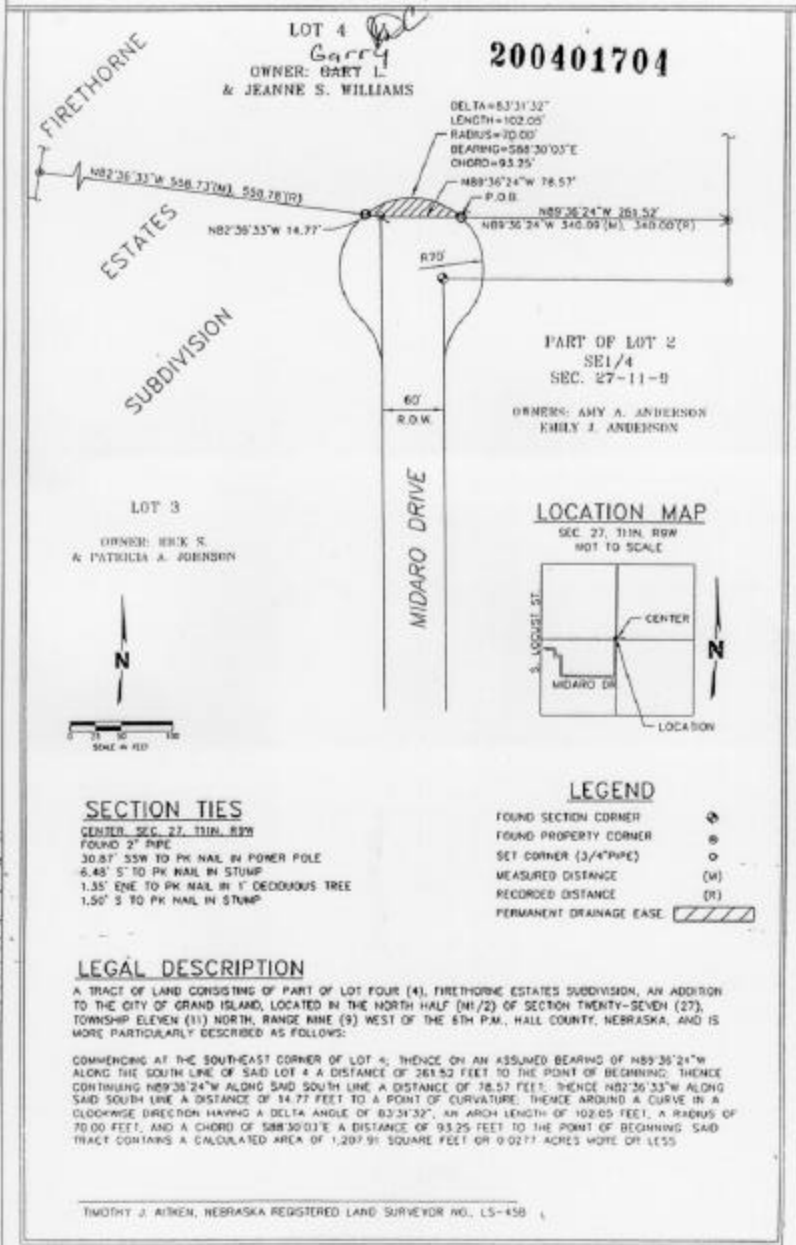
Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

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

Approved as to Form    ☐ \_\_\_\_\_  
March 4, 2004            ☐ City Attorney

# Survey Record

CITY OF GRAND ISLAND  
HALL COUNTY, NEBRASKA



TIMOTHY J. AITKEN, NEBRASKA REGISTERED LAND SURVEYOR NO. LS-458



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G23

**#2004-53 - Approving Acquisition of Right-of-Way and Permanent Drainage Easement Located at 550 Midaro Drive (Rick and Patricia Johnson)**

*This item refers to the aforementioned Public Hearing, Item E-6.*

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

RESOLUTION 2004-53

WHEREAS, right-of-way and a permanent drainage easement are required by the City of Grand Island, from Rick S. Johnson and Patricia A. Johnson, husband and wife, for road right-of-way and drainage purposes along Midaro Drive; and

WHEREAS, a public hearing was held on March 9, 2004, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Three (3), Firethorn Estates Subdivision in the City of Grand Island, located in the West Half (W1/2) of Section Twenty Seven (27), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, the right-of-way being more particularly described as follows:

Right-of-Way:

Commencing at the northeast corner of Lot 3; thence on an assumed bearing of S00°46'59"E along the east line of said Lot 3, a distance of 150.02 feet to a point of curvature; thence around a curve in a counter-clockwise direction having a delta angle of 44°28'53", an arc length of 54.34 feet, a radius of 70.00 feet, and a chord of N23°01'26"W a distance of 52.99 feet to a point of curvature; thence around a curve in a clockwise direction having a delta angle of 95°00'04", an arch length of 116.07 feet, a radius of 70.00 feet and a chord of N02°14'09"E a distance of 103.22 feet to the northerly line of said Lot 3; thence S82°36'33"E a distance of 14.77 feet to the point of beginning. Said tract contains a calculated area of 3,699.94 square feet or 0.0849 acres more or less.

Drainage Easement:

Commencing at the southeast corner of Lot 3, said point also being the point of beginning; thence on an assumed bearing of N76°01'10"W along the south line of said Lot 3 a distance of 15.51 feet; thence N00°46'59"W parallel to the east line of said Lot 3 a distance of 638.30 feet to a point on the southwest line of new street right-of-way; thence N89°13'01"E a distance of 15.00 feet to a point on the east line of said Lot 3; thence S00°46'59"E along said east line of Lot 3 a distance of 642.25 feet to the point of beginning. Said tract contains a calculated area of 9,604.17 square feet or 0.2205 acres more or less.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire road right-of-way and a permanent drainage easement from Rick S. Johnson and Patricia A. Johnson, husband and wife, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

Approved as to Form    ☐ \_\_\_\_\_  
March 4, 2004            ☐ City Attorney

RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G24

**#2004-54 - Approving Acquisition of Permanent Drainage Easement Located at 520 Midaro Drive (Donald and Deborah Razey)**

*This item refers to the aforementioned Public Hearing, Item E-7.*

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

RESOLUTION 2004-54

WHEREAS, a permanent drainage easement is required by the City of Grand Island, from Donald G. Razey and Deborah J. Razey, husband and wife, to install, upgrade, maintain, and repair drainage structures and appurtenances; and

WHEREAS, a public hearing was held on March 9, 2004, for the purpose of discussing the proposed acquisition of an easement through a part of Lot Two (2), Firethorn Estates Subdivision in the City of Grand Island, located in the Southwest Quarter (SW1/4) of Section Twenty Seven (27), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

The east ten (10.0) feet of said Lot Two (2); the above-described easement containing a calculated area of 5,712.10 square feet or 0.1311 acres, more or less.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a permanent drainage easement from Donald G. Razey and Deborah J. Razey, husband and wife, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 9, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 4, 2004	☐ City Attorney



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item G25

**#2004-55 - Approving Agreement with Nebraska Children and Families Foundation Relative to CYC Funding**

Staff Contact: Joni Kuzma

# Council Agenda Memo

**From:** Joni Kuzma

**Meeting:** March 9, 2004

**Subject:** Nebraska Children and Families Foundation agreement for 2004

**Item #'s:** G-25

**Presenter(s):** Joni Kuzma

## Background

The City of Grand Island has received a grant award from Nebraska Children and Families Foundation since 1997 to fund Family Preservation and Support grant (Community Youth Council) programs, which benefit children, youth and families. A 1995 needs assessment identified gaps in services to these populations and the Community Youth Council has received grant funding since 1997 to provide programs to meet the needs as identified. Community Youth Council program goals include reducing racism, strengthening families, reducing gang activities, and reducing drug and alcohol use.

In December, Community Development submitted a grant application and program plan for calendar year 2004. The grant request included continued funding for Youth Leadership Tomorrow, the Multicultural Coalition, Youth Concert, Asset Flyers, Professional Asset Development and Community Connections (Neighborhood Association) beautification efforts.

The City has received the agreement with the Nebraska Children and Families Foundation for continuation funding within the Family Preservation and Support Program (Community Youth Council). The agreement is for the time period between January 1, 2004 and December 31, 2004 in the amount of \$18,000 to fund efforts to support the Hall County Youth Leadership Tomorrow program and to financially support the efforts of the Multicultural Coalition and Center. The Community Development Division and Community Youth Council recommend entering into an agreement with Nebraska Children and Families Foundation for receipt of funding for the above mentioned programs.

## **Dscussion**

See above as needed.

## **Alternatives**

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

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

## **Recommendation**

City Administration recommends that the Council give approval to enter into an agreement with Nebraska Children and Families Foundation for an \$18,000 grant to fund programs for children, youth and families in Grand Island and Hall County.

## **Sample Motion**

Approve the agreement with Nebraska Children and Families Foundation for an \$18,000 grant to fund programs for children, youth and families in Grand Island and Hall County.

RESOLUTION 2004-55

WHEREAS, the Nebraska Children and Families Foundation has recommended that the City of Grand Island be provided federal funds awarded to the State of Nebraska Department of Health and Human Services for implementation of family preservation and support services; and

WHEREAS, a Letter of Agreement between the Nebraska Children and Families Foundation, the State of Nebraska Department of Health and Human Services, and the City of Grand Island is required to set out the responsibilities of each party with respect to the use of funding for the implementation of such program; and

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

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

1. The Letter of Agreement between the Nebraska Children and Families Foundation, the State of Nebraska Department of Health and Human Services, and the City of Grand Island for the use of grant funds in the amount of \$18,000 to finance programs of family preservation and support services as outlined in the agreement is hereby approved.
2. 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, March 9, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 4, 2004	☐ City Attorney



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item I1

**#2004-56 - Approving Ballot Language for 1/2 Cent Sales Tax Vote**

Staff Contact: Doug Walker

# Council Agenda Memo

**From:** Doug Walker, City Attorney  
**Meeting:** March 9, 2004  
**Subject:** Approving Ballot Language for ½ Cent Sales Tax Vote  
**Item #'s:** I-1  
**Presenter(s):** Doug Walker

## Background

The Mayor, City Council and Administration have been working for several months to ascertain the best way to meet the needs of the community for property tax relief and to obtain the necessary funding for several capital improvement projects. The City Council has asked for and obtained input from the public regarding which capital improvement projects should have priority if the sales tax is approved. City Administration has also determined the priority and affordability of various capital improvement projects, after the City's priority of property tax relief has been accomplished.

It is estimated that an additional ½ cent sales tax levy will result in approximately \$4,000,000 of additional revenue. An estimated \$2,000,000 would go to property tax relief which would result in a 30% reduction of the City's property tax levy and a 5% overall reduction in property taxes if the amount of property taxes levied by other taxing entities does not change and if assessed valuations do not increase. This ballot measure would reduce the City's dependence on property taxes and provide for necessary capital improvement projects. The City would also be able to take advantage of the steady growth in sales tax revenues which is expected to continue with the development of major new retail stores. Additional Sales Tax revenues would also diversify and expand the tax base since all residents of the community as well as individuals and businesses from the trade area outside of Grand Island will pay this additional tax, thus shifting the tax burden for supporting local government from property tax.

The annual proceeds from the additional sales tax that would be designated for capital improvement projects would be approximately \$2,000,000. Administration is recommending that the capital improvement projects that should have initial priority once additional sales tax revenues become available would be as follows:



### **Financed Projects**

1)	Fire Station #1 replacement	\$3,000,000
2)	Fire Training Facility	\$4,000,000
3)	Police/Sheriff Law Enforcement Training Center	\$3,000,000
4)	Library Expansion	\$7,000,000
5)	Aquatics Projects (according to Aquatics Plan)	\$3,000,000
	<b>Total</b>	<b><u>\$20,000,000</u></b>

**Estimated Annual Cost** for amortizing the above referenced projects      **\$1,593,449**

### **Annual Cash Projects**

1)	Grand Generation Center Capital Fund	\$100,000
2)	Cornhusker army ammunition Recreation Development	\$125,000
3)	Hike/Bike Trail development	\$125,000
4)	Infrastructure Emergency funds	\$ 56,551
	<b>Total</b>	<b><u>\$406,551</u></b>

**Annual Total for financed projects and annual cash projects**      **\$2,000,000**

## **Discussion**

Ballot language has been drafted as set forth in Resolution #2004-56 as shown in conjunction with item I-1 of the agenda. This ballot has been written to designate in advance how the proceeds of an additional ½ cent sales tax will be spent so that the public will have assurance that the proceeds will be used for property tax relief and capital improvements. The ballot language has been revised from earlier versions to accurately reflect current Nebraska Sales Tax Statutes and to reflect the priorities established by the City Council and Administration. If Resolution #2004-56 is approved, the ballot language will be certified on March 10<sup>th</sup> and delivered to the Hall County Election Commissioner so that it can be placed on the ballot in time for the Election Commissioner to have it certified by the Nebraska Secretary of State and be included on the May 11<sup>th</sup> Primary Election as well as the absentee ballots for that election.

## **Alternatives**

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

1. Approve Resolution #2004-56 which would place this sales tax measure on the ballot at the May 11<sup>th</sup> Primary Election.

2. Disapprove or /Deny the resolution which would result in the City not putting a sales tax measure before the voters at the May 11<sup>th</sup> Primary Election.
3. Modify the resolution to meet the needs of the City Council.
4. Table the issue which would prevent the sales tax measure from being timely certified to the Hall County Election Commissioner for the May 11<sup>th</sup> Primary Election.

### **Recommendation**

City Administration recommends that the Council approve Resolution #2004-56 authorizing a ½ cent sales tax measure to be placed on the May 11<sup>th</sup> Primary Election and the ballot language in the resolution designating how the proceeds of the sales tax would be expended.

### **Sample Motion**

Approve Resolution #2004-56 for placing the Sales Tax Measure on the May 11<sup>th</sup> Primary Ballot.

RESOLUTION 2004-56

WHEREAS, the City Council of the City of Grand Island have expressed their desire to provide property tax relief and to maintain and improve public safety within the community, expand parks and recreational opportunities; and

WHEREAS, an increase in the local option sales tax is the fairest and best means to fund the foregoing programs; and

WHEREAS, the Mayor and City Council wish to place this issue before the voters of the City of Grand Island for their decision at the statewide primary election of May 11, 2004.

WHEREAS, on August 27, 2002, by Resolution 2002-270, the City Council of the City of Grand Island approved official sample ballot language for use at the May 11, 2004 statewide primary election; and

WHEREAS, it is recommended that such resolution be rescinded and the ballot language set forth below be adopted for the sales tax measure to be submitted at the statewide primary election scheduled for May 11, 2004.

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

(1) Pursuant to Neb. Rev. Stat. §77-27,142.02, in lieu of a separate special election, the following ballot shall be submitted at the statewide primary election on May 11, 2004:

**(OFFICIAL SAMPLE BALLOT)**  
**OFFICIAL MUNICIPAL ELECTION BALLOT**  
**CITY OF GRAND ISLAND, NEBRASKA**

Tuesday, May 11, 2004

Sales and Use Tax Proposal:

Shall the Mayor and City Council of the City of Grand Island, Nebraska, impose a sales and use tax in the amount of one-half percent (1/2%) in addition to the one percent (1%) currently in effect, upon the same transactions within the City of Grand Island on which the State of Nebraska is authorized to impose a tax and shall the City of Grand Island increase its budgeted restricted funds for fiscal year 2004-2005 by \$4.5 million over the current year's restricted funds with one-half of the proceeds collected therefrom to be used for property tax relief and one-half of the proceeds used for capital improvements including, but not limited to, fire department facilities, police department facilities, library facilities, parks and recreation facilities, senior/grand generation facilities and infrastructure?

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March 5, 2004            ☐ City Attorney

Vote for or against the foregoing proposal.

- FOR the proposal
- AGAINST the proposal

(2) The City Clerk is directed to certify the above issue to the Election Commissioner by March 10, 2004 in the manner and form provided in Neb. Rev. Stat. §77-27,142.02.

(3) Resolution 2002-270 approved on August 27, 2002, is hereby rescinded.

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Adopted by the City Council of the City of Grand Island, Nebraska on March 9, 2004.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item J1

### **Payment of Claims for the Period of February 25, 2004 through March 9, 2004**

*The Claims for the period of February 25, 2004 through March 9, 2004 for a total of \$2,346,572.68. A MOTION is in order.*

Staff Contact: RaNae Edwards