

---

# City of Grand Island



**Tuesday, August 24, 2004**

## **Council Session Packet**

---

### **City Council:**

**Carole Cornelius**

**Peg Gilbert**

**Joyce Haase**

**Margaret Hornady**

**Robert Meyer**

**Mitchell Nickerson**

**Don Pauly**

**Jackie Pielstick**

**Scott Walker**

**Fred Whitesides**

### **Mayor:**

**Jay Vavricek**

### **City Administrator:**

**Gary Greer**

### **City Clerk:**

**RaNae Edwards**

---

**7:00:00 PM**

**Council Chambers - City Hall**

**100 East First Street**

**Call to Order**

**Pledge of Allegiance /Invocation - Pastor Sheri Lodel, Calvary Lutheran Church, 1304  
North Custer Avenue**

**Roll Call**

---

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

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

---

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

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

---

## **MAYOR COMMUNICATION**

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



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item D1

**#2004-BE-12 - Consideration of Determining Benefits for Street Improvement District 1251, Grand West Fourth Subdivision; Craig Drive, Morrison Drive, & Carol Street**

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

# Council Agenda Memo

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

**Meeting:** August 24, 2004

**Subject:** Board of Equalization Hearing to Determine Benefits and Consideration of an Ordinance Levying Assessments for Street Improvement District 1251, Grand West Fourth Subdivision; Craig Drive, Morrison Drive, & Carol Street

**Item #'s:** D-1 & F-3

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

## Background

The Certificate of Final Completion for Street Improvement District No. 1251, was approved on July 27, 2004 with August 24, 2004 set as the date for Council to sit as the Board of Equalization. All work has been completed and special assessments have been calculated for the District.

## Discussion

The contract for Street Improvement District No. 1251 was awarded to The Diamond Engineering Company of Grand Island, Nebraska on April 13, 2004. Work on the project was completed on schedule at a construction price of \$158,929.40. Total cost of the project, including engineering, is \$168,465.16. All of the costs for the district will be assessed to the developer of Grand West Fourth Subdivision. The estimated cost of the District at the time of creation was \$195,848.05. Costs for the project break down as follows:

Original Bid	\$ 158,823.95
Underruns	\$ (740.55)
Change Order No. 1	\$ 846.00
<b>Sub Total (Construction Price)</b>	<b>\$ 158,929.40</b>
Additional Costs	
<u>Engineering and Publication</u>	<u>\$ 9,535.76</u>
<b>Total Cost</b>	<b>\$ 168,465.16</b>

## **Alternatives**

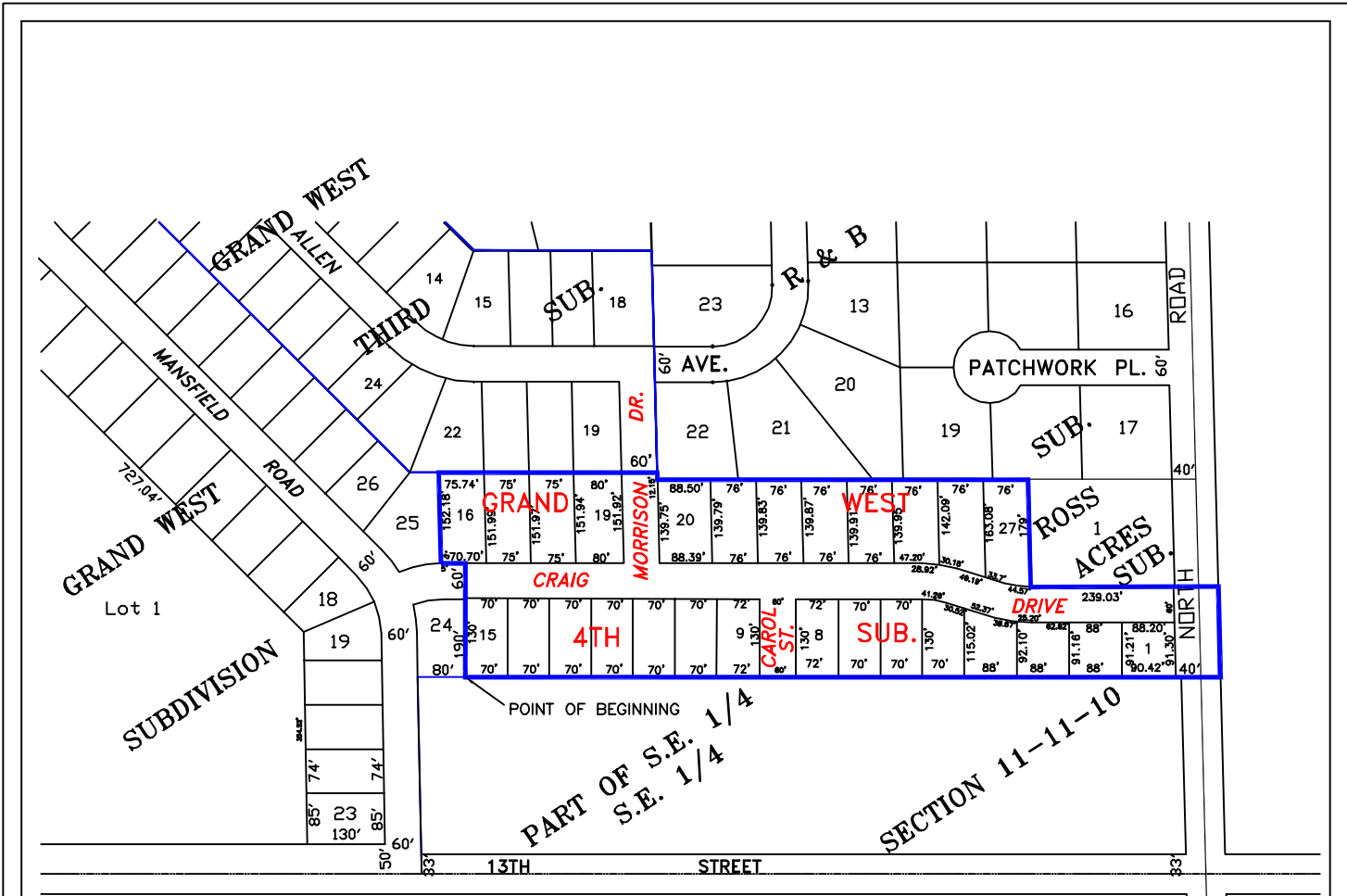
1. Approve the recommendation to allow the Board of Equalization to determine benefits for Street Improvement District No. 1251 and pass an ordinance allowing the City to recover the majority of the District costs and assess the benefiting owners.
2. Disapprove or /Deny the recommendation to allow the Board of Equalization to determine benefits for Street Improvement District No. 1251.
3. Modify the recommendation to meet the wishes of the Council.
4. Table the issue.

## **Recommendation**

City Administration recommends that the Council, sitting as a Board of Equalization, determine the benefits and pass an ordinance to levy Special Assessments to individual properties.


## **Sample Motion**

Move to approve the recommendation, allowing the Board of Equalization to determine benefits for Street Improvement District No. 1251, and pass an ordinance to levy assessments.



STREET IMPROVEMENT DISTRICT 1251

EXHIBIT "A"


  
**CITY OF GRAND ISLAND**
  
 PUBLIC WORKS DEPARTMENT

DATE: 10/21/03  
 DRN BY: L.D.C.  
 SCALE: 1"=300'

PLAT TO ACCOMPANY  
 ORDINANCE NO. 8861

R E S O L U T I O N 2004-BE-12

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Street Improvement District No. 1251 located in Grand West Fourth Subdivision, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$168,465.16; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Street Improvement District No. 1251, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Grand West L.L.C.	Lot 1, Grand West 4 <sup>th</sup> Subdivision	4,570.30
Grand West L.L.C.	Lot 2, Grand West 4 <sup>th</sup> Subdivision	4,557.90
Grand West L.L.C.	Lot 3, Grand West 4 <sup>th</sup> Subdivision	4,571.14
Grand West L.L.C.	Lot 4, Grand West 4 <sup>th</sup> Subdivision	5,106.18
Grand West L.L.C.	Lot 5, Grand West 4 <sup>th</sup> Subdivision	4,800.35
Grand West L.L.C.	Lot 6, Grand West 4 <sup>th</sup> Subdivision	5,433.52
Grand West L.L.C.	Lot 7, Grand West 4 <sup>th</sup> Subdivision	6,814.80
Grand West L.L.C.	Lot 8, Grand West 4 <sup>th</sup> Subdivision	10,281.42
Grand West L.L.C.	Lot 9, Grand West 4 <sup>th</sup> Subdivision	10,281.42
Grand West L.L.C.	Lot 10, Grand West 4 <sup>th</sup> Subdivision	6,814.80
Grand West L.L.C.	Lot 11, Grand West 4 <sup>th</sup> Subdivision	5,433.52
Grand West L.L.C.	Lot 12, Grand West 4 <sup>th</sup> Subdivision	4,822.95
Grand West L.L.C.	Lot 13, Grand West 4 <sup>th</sup> Subdivision	4,332.49
Grand West L.L.C.	Lot 14, Grand West 4 <sup>th</sup> Subdivision	4,322.48
Grand West L.L.C.	Lot 15, Grand West 4 <sup>th</sup> Subdivision	4,322.48
Grand West L.L.C.	Lot 16, Grand West 4 <sup>th</sup> Subdivision	4,978.70
Grand West L.L.C.	Lot 17, Grand West 4 <sup>th</sup> Subdivision	5,580.91
Grand West L.L.C.	Lot 18, Grand West 4 <sup>th</sup> Subdivision	7,715.20
Grand West L.L.C.	Lot 19, Grand West 4 <sup>th</sup> Subdivision	12,534.61
Grand West L.L.C.	Lot 20, Grand West 4 <sup>th</sup> Subdivision	12,735.02
Grand West L.L.C.	Lot 21, Grand West 4 <sup>th</sup> Subdivision	7,168.22

RESOLUTION 2004-BE-12

Grand West L.L.C.	Lot 22, Grand West 4 <sup>th</sup> Subdivision	5,812.93
Grand West L.L.C.	Lot 23, Grand West 4 <sup>th</sup> Subdivision	5,182.72
Grand West L.L.C.	Lot 24, Grand West 4 <sup>th</sup> Subdivision	4,838.69
Grand West L.L.C.	Lot 25, Grand West 4 <sup>th</sup> Subdivision	4,864.50
Grand West L.L.C.	Lot 26, Grand West 4 <sup>th</sup> Subdivision	5,229.85
Grand West L.L.C.	Lot 27, Grand West 4 <sup>th</sup> Subdivision	5,358.06
<b>TOTAL</b>		<b>\$168,465.16</b>

---

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

---

RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item D2

**#2004-BE-13 - Consideration of Determining Benefits for Water  
Extension District 445 - Blair & Kentish Hills Subdivisions**

Staff Contact: Gary R. Mader

# **Council Agenda Memo**

**From:** Gary R. Mader, Utilities Director

**Meeting:** August 24, 2004

**Subject:** Water Extension District 445  
Kentish Hills & Blair Subdivision Areas  
Final Billing, Assessments, and Connection Fees

**Item #'s:** D-2 & F-3

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

## **Background**

A petition was received from the property owners within Kentish Hills Subdivision requesting City water be extended into their area, due to the discovery of contaminants in their private wells. To address this request, Water Extension District 445 was authorized for the construction of water lines and service connections to the properties along Hampton Road, Chelsea Place, Dover Court, Avon Avenue, Rochdale Circle, and Gladstone Circle.

At the same time, Water Main District 446T was created for installation of a 6" main to loop the Kentish Hills Subdivision and the previously constructed Marylane Subdivision water systems. The interconnection provides increased reliability and backup capacity for the homes in the two adjoining neighborhoods. The tie also provides City service to an addition residence outside the two Subdivisions.

A single contract was let for construction of the two Districts; 445 and 446T. A drawing showing district boundary limits, is attached for reference. Also attached are copies of the ownership records and calculations.

## **Discussion**

CNH entered into an agreement with the City to pay the district costs associated with the residential water mains and service lines for this area. The total cost of construction for the two Districts, was \$177,849.15. Of the total amount, CNH's share is \$153,844.13 (WED 445 = \$132,232.02 and WMD 446T = \$21,612.11). They have paid the amount in full. The remaining project amount of \$24,005.02 is the City's cost. City cost results from the need to oversize a section of piping to meet future

system expansion in this area of the City, and due to routing through an area previously served with City water.

In a routine assessment district, the costs to serve the properties within the District's boundary would be paid by the individual property owners. In this case though, the assessments have been paid by CNH. In order to complete the statutory requirements of the assessment process, the amounts need to be set. When the assessments are set, each will be shown as paid in the Utilities' records. The assessment amounts have been computed for the properties within the district as shown in the attached tabulation.

### **Alternatives**

It appears the Council has the following options concerning the issue at hand;

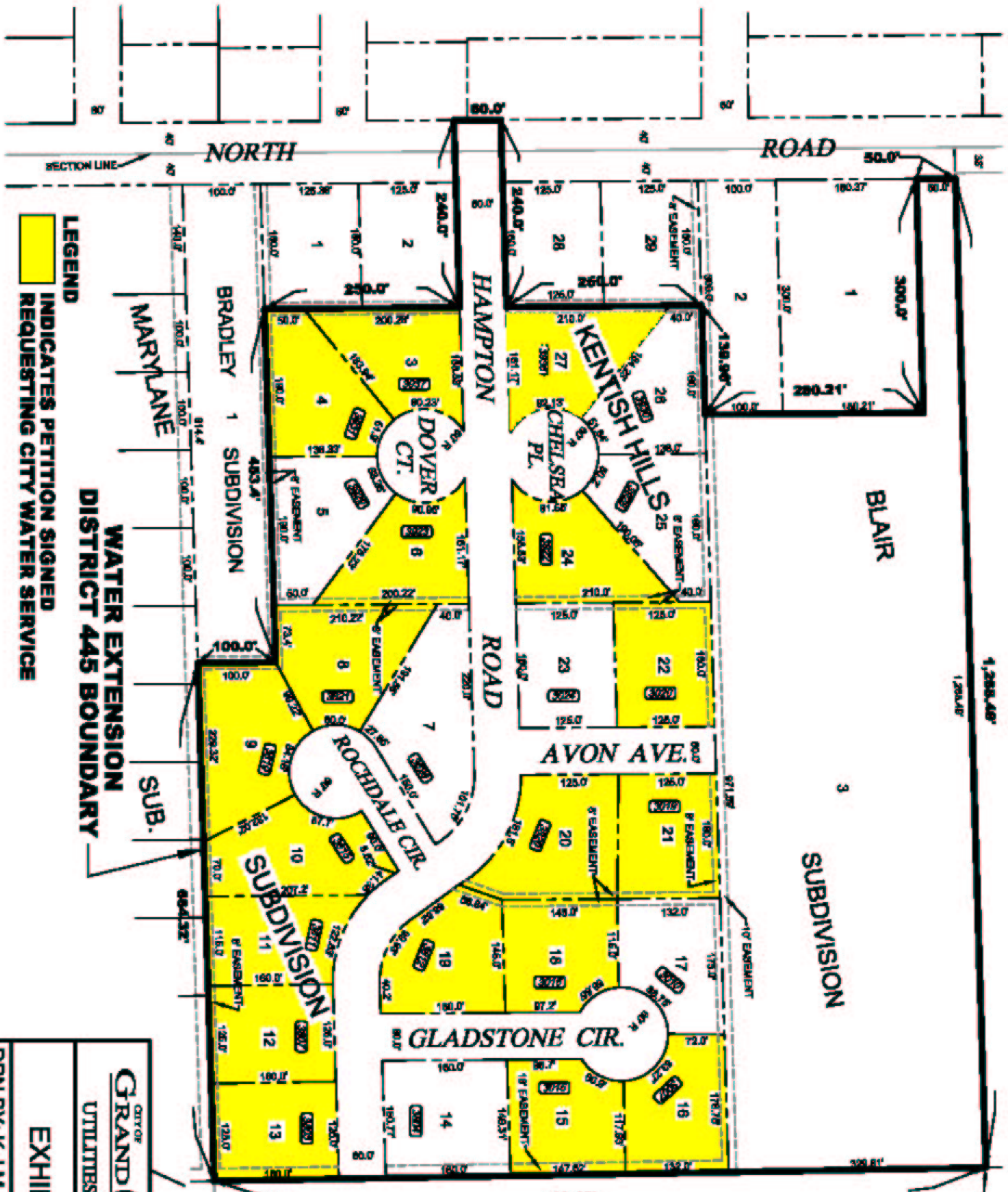
1. Approve the assessments for the properties within the boundaries of the district.
2. Deny the assessments.
3. Modify the assessments due from the properties within the boundary of the district.
4. Table the issue.

### **Recommendation**

City Administration recommends that Council approve assessments for the properties within the boundary of Water Extension District 445, located in the Kentish Hills Subdivision.

### **Sample Motion**

I move to approve the assessments for Water Extension District 445 as calculated.



**LEGEND**  
 INDICATES PETITION SIGNED  
 REQUESTING CITY WATER SERVICE

**WATER EXTENSION  
 DISTRICT 445 BOUNDARY**

 <b>CITY OF GRAND ISLAND</b> UTILITIES DEPARTMENT	
<b>EXHIBIT "A"</b>	
DRN BY: K.J.M. DATE: 10/14/03	SCALE: 1" = 170' FILE: W.E.D. 445

**WATER EXTENSION DISTRICT 445- ASSESSMENTS**

Kentish Hill Subdivision Area

Contractor: starostka Group Co. - Grand Island, NE

Item	Description	Bid Unit \$	Total Quantities	Final \$	District 445	
					Quantities	Final \$
C. 1.01	16" D.I. Pipe (M.J.)	52.08	150.0 LF	7,812.00	0.0 LF	0.00
C. 1.01a	16" FKM Gaskets (mj)	118.35	12.0 EA	1,420.20	0.0 EA	0.00
C. 1.02	16" x16"x 6" Tee (mj)	538.00	1.0 EA	538.00	0.0 EA	0.00
C. 1.03	16" x90 Ell (mj)	469.00	1.0 EA	469.00	0.0 EA	0.00
C. 1.04	16" Butterfly Valve	1,877.00	1.0 EA	1,877.00	0.0 EA	0.00
C. 1.05	16" Sleeve Coupling	399.00	2.0 EA	798.00	0.0 EA	0.00
C. 1.06	16" Cap ( w/ 2" tap)	224.00	1.0 EA	224.00	0.0 EA	0.00
C. 1.07	16" Set Screw Ring	99.00	1.0 EA	99.00	0.0 EA	0.00
C. 1.08	6" D.I. PIPE, (S.J.)	16.77	2,838.0 LF	47,593.26	2,144.0 LF	35,954.88
C. 1.08a	6" FKM Gaskets (sj)	82.85	180.0 EA	14,913.00	145.0 EA	12,013.25
C. 1.08b	6" FKM Gaskets (mj)	51.00	88.0 EA	4,488.00	83.0 EA	4,233.00
C. 1.09	6"X 6"X 6" TEE (M.J.)	127.00	6.0 EA	762.00	6.0 EA	762.00
C. 1.10	6"X 90 ELL (M.J.)	89.00	3.0 EA	267.00	1.0 EA	89.00
C. 1.11	6"X 45 ELL (M.J.)	84.00	2.0 EA	168.00	2.0 EA	168.00
C. 1.12	6"X 22 1/2 ELL (M.J.)	84.00	4.0 EA	336.00	4.0 EA	336.00
C. 1.13	6"X 11 1/4 ELL (M.J.)	84.00	0.0 EA	0.00	0.0 EA	0.00
C. 1.14	6" RS GATE VALVE	398.00	9.0 EA	3,582.00	9.0 EA	3,582.00
C. 1.15	6" Sleeve Coupling	121.00	1.0 EA	121.00	0.0 EA	0.00
C. 1.16	VALVE BOX	122.00	10.0 EA	1,220.00	10.0 EA	1,220.00
C. 1.17	FIRE HYDRANT ASSEMBLY COMPLETE	918.00	3.0 EA	2,754.00	3.0 EA	2,754.00
C. 1.18	FIRE HYDRANT ONLY	221.00	3.0 EA	663.00	3.0 EA	663.00
C. 1.19	Saw-Cut	1.68	1,446.0 LF	2,429.28	1,319.9 LF	2,217.38
C. 1.20	REMOVE CONC. SIDEWALK	2.44	9.5 SY	23.18	0.0 SY	0.00
C. 1.21	REPLACE CONC. SIDEWALK	32.60	9.5 SY	309.70	0.0 SY	0.00
C. 1.22	REMOVE ASPH. / CONC. DRIVEWAY	3.90	228.9 SY	892.71	228.9 SY	892.71
C. 1.23	REPLACE ASPH. / CONC. DRIVEWAY	24.70	228.9 SY	5,653.83	228.9 SY	5,653.83
C. 1.24	REMOVE ASPH. / CONC. ROADWAY	5.07	507.9 SY	2,575.05	438.1 SY	2,220.96
C. 1.25	REPLACE ASPH. / CONC. ROADWAY	27.27	507.9 SY	13,850.43	438.1 SY	11,945.89
C. 1.26	THRUST BLOCK	53.00	21.0 EA	1,113.00	16.0 EA	848.00
C. 1.27	BELL JOINT BLOCK	446.00	1.0 EA	446.00	0.0 EA	0.00
C. 1.28	1" WATER SERVICE, COMPLETE	513.00	23.0 EA	11,799.00	23.0 EA	11,799.00
C. 1.29	1-1/2" WATER SERVICE COMPLETE	1,696.00	4.0 EA	6,784.00	4.0 EA	6,784.00
C. 1.30	2" Water Service Complete	116.00	2.0 EA	232.00	0.0 EA	0.00
C. 1.31	REMOVE & SALVAGE 6" CAP	13.60	1.0 EA	13.60	0.0 EA	0.00
C. 1.32	REMOVE & SALVAGE 16" PLUG	29.75	1.0 EA	29.75	0.0 EA	0.00
C. 1.33	8 MIL POLYWRAP	0.57	2,873.0 LF	1,637.61	2,029.0 LF	1,156.53
C. 1.34	Clearing & Grubbing	6,100.00	1.0 LS	6,100.00	0.0 LS	0.00
C. 1.35	Large Tree Removal	35.00	15.0 EA	525.00	6.0 EA	210.00
<b>Contract Total</b>				<b>\$144,518.60</b>	<b>\$105,503.43</b>	
	PO 303315 High/Early Strength Conc.	20.00	151.75 CY	3,035.00	151.75 CY	3,035.00
	PO 303315 Culvert Extensions	30.00	10.00 LF	300.00	10.00 LF	300.00
	PO 303315 Conc Headwalls	175.00	2.00 EA	350.00	0.00 EA	0.00
	PO 303315 Remove Unsuitable Backfill	50.00	2.00 EA	100.00	2.00 EA	100.00
	Purchase Order Total			\$3,785.00		\$3,435.00
	Fire Hyd's Furnished by City			\$5,170.82		\$5,170.82
	Engineering/Overhead/Administration/Publication			\$24,374.73		\$18,122.77
<b>TOTAL CONSTRUCTION AMOUNT</b>				<b>\$177,849.15</b>	<b>\$132,232.02</b>	

Water Extension District 445 - Ownerships and Assessments

Blk	Lot	Subdivision	Front Ft.	Sq Ft	Owner	Assessment \$
3		Blair Subdivision	60.00	335,015.16	City of Grand Island Parks Dept (Cedar Hills Park) Grand Island, NE 68802	\$5,086.02
3		Kentish Hills Subdivision	90.23	20,094.32	Ryan G & Whitney C Witt, H/W 3937 Dover Ct Grand Island, NE 68803	\$5,085.84
4		Kentish Hills Subdivision	51.90	21,968.86	Dale G & Joan J Clark, H/W 3931 Dover Ct Grand Island, NE 68803	\$5,085.84
5		Kentish Hills Subdivision	53.28	21,891.11	Steven D & Theresa M Stirn, H/W 3929 Dover Ct Grand Island, NE 68803	\$5,085.84
6		Kentish Hills Subdivision	90.95	20,104.06	Thomas P & Ronda K Kruger, H/W 3923 Dover Ct Grand Island, NE 68803	\$5,085.84
7		Kentish Hills Subdivision	177.85	27,537.75	Dennis W & Keanna D Leonard, H/W 3828 Rochdale Cir Grand Island, NE 68803	\$5,085.84
8		Kentish Hills Subdivision	60.00	23,211.50	Duane A & Dee A Johnson, H/W 3821 Rochdale Cir Grand Island, NE 68803	\$5,085.84
9		Kentish Hills Subdivision	84.16	24,113.72	Thomas A Olsen & Lise M Brown Olsen 3819 Rochdale Cir Grand Island, NE 68803	\$5,085.84
10		Kentish Hills Subdivision	50.00	23,254.36	Elmer E & Kathleen F Feldotto, H/W 3815 Rochdale Cir Grand Island, NE 68803	\$5,085.84
11		Kentish Hills Subdivision	122.63	20,052.86	Randy L & Laurie R Peterson, H/W 3811 Hampton Rd Grand Island, NE 68803	\$5,085.84
12		Kentish Hills Subdivision	125.00	20,000.00	Danny L & Lareen M Halverson, H/W 3807 Hampton Rd Grand Island, NE 68803	\$5,085.84
13		Kentish Hills Subdivision	125.00	20,000.00	Monte L & Michelle G Shultz, H/W 3803 Hampton Rd Grand Island, NE 68803	\$5,085.84
14		Kentish Hills Subdivision	150.77	24,006.40	ABC Engineered Trusses, Inc Rt 3 Box 50A Grand Island, NE 68801	\$5,085.84
15		Kentish Hills Subdivision	156.60	20,930.76	Thomas M & Jessica M Whelan, H/W 3015 Gladstone Cir Grand Island, NE 68803	\$5,085.84
16		Kentish Hills Subdivision	83.27	20,690.21	Ryan T & Rebecca S Waind, H/W 3007 Gladstone Cir Grand Island, NE 68803	\$5,085.84
17		Kentish Hills Subdivision	88.75	20,142.79	Jeffrey A & Jamie A Vinson, H/W 3010 Glandstone Cir Grand Island, NE 68803	\$5,085.84
18		Kentish Hills Subdivision	156.05	20,176.06	Gregg & Shirley A Schultz, H/W 3016 Gladstone Cir Grand Island, NE 68803	\$5,085.84
19		Kentish Hills Subdivision	160.00	21,480.14	John M & Dianne McMahon, H/W 3812 Hampton Rd Grand Island, NE 68803	\$5,085.84
20		Kentish Hills Subdivision	125.00	24,083.19	Kevin J Sandra K Smoyer, H/W 3820 Avon Ave Grand Island, NE 68803	\$5,085.84

21	Kentish Hills Subdivision	125.00	20,563.99	Stephen C & Teresa A Skibinski, H/W 3019 Avon Ave Grand Island, NE 68803	\$5,085.84
22	Kentish Hills Subdivision	125.00	20,000.00	John J & Debra J Lantz, H/W 3020 Avon Ave Grand Island, NE 68803	\$5,085.84
23	Kentish Hills Subdivision	125.00	20,000.00	Guy L Leverington & Patricia J Beiber 3024 Avon Ave Grand Island, NE 68803	\$5,085.84
24	Kentish Hills Subdivision	91.55	20,951.67	William F & Connie J Partne, H/W 3922 Hampton Rd Grand Island, NE 68803	\$5,085.84
25	Kentish Hills Subdivision	50.20	21,068.18	Jerry L & Roxanne Hoffer, H/W 3928 Chelsea Pl Grand Island, NE 68803	\$5,085.84
26	Kentish Hills Subdivision	51.64	21,011.39	Charles T & Debra L Costelle, H/W 3930 Chelsea Pl Grand Island, NE 68803	\$5,085.84
27	Kentish Hills Subdivision	92.13	20,986.52	Dale E & Peggy A Gilbert, H/W 3121 Brentwood Dr Grand Island, NE 68801	\$5,085.84
	TOTALS	2,671.96	873,335.00		\$132,232.02

R E S O L U T I O N 2004-BE-13

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 445, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$132,232.02; and

According to the front foot and cost of installation to provide service to each of the respective lots, tracts, and real estate within such Water Main District No. 445, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
City of Grand Island (Cedar Hills Park)	Lot 3, Blair Subdivision	5,086.02
Ryan & Whitney Witt	Lot 3, Kentish Hills Subdivision	5,085.84
Dale & Joan Clark	Lot 4, Kentish Hills Subdivision	5,085.84
Steven & Theresa Stirn	Lot 5, Kentish Hills Subdivision	5,085.84
Thomas & Ronda Kruger	Lot 6, Kentish Hills Subdivision	5,085.84
Dennis & Keanna Leonard	Lot 7, Kentish Hills Subdivision	5,085.84
Duane & Dee Johnson	Lot 8, Kentish Hills Subdivision	5,085.84
Thomas & Lise Brown Olsen	Lot 9, Kentish Hills Subdivision	5,085.84
Elmer & Kathleen Feldotto	Lot 10, Kentish Hills Subdivision	5,085.84
Randy & Laurie Peterson	Lot 11, Kentish Hills Subdivision	5,085.84
Danny & Lareen Halverson	Lot 12, Kentish Hills Subdivision	5,085.84
Monte & Michelle Shultz	Lot 13, Kentish Hills Subdivision	5,085.84
ABC Engineered Trusses, Inc.	Lot 14, Kentish Hills Subdivision	5,085.84
Thomas & Jessica Whelan	Lot 15, Kentish Hills Subdivision	5,085.84
Ryan & Rebecca Waind	Lot 16, Kentish Hills Subdivision	5,085.84
Jeffrey & Jamie Vinson	Lot 17, Kentish Hills Subdivision	5,085.84
Gregg & Shirley Schultz	Lot 18, Kentish Hills Subdivision	5,085.84
John & Dianne McMahon	Lot 19, Kentish Hills Subdivision	5,085.84
Kevin & Sandra Smoyer	Lot 20, Kentish Hills Subdivision	5,085.84
Stephen & Teresa Skibinski	Lot 21, Kentish Hills Subdivision	5,085.84
John & Debra Lantz	Lot 22, Kentish Hills Subdivision	5,085.84
Guy Leverington & Patricia Beiber	Lot 23, Kentish Hills Subdivision	5,085.84

Approved as to Form <input type="checkbox"/> _____ August 16, 2004 <input type="checkbox"/> City Attorney
--



RESOLUTION 2004-BE-13

William & Connie Partne	Lot 24, Kentish Hills Subdivision	5,085.84
Jerry & Roxanne Hoffer	Lot 25, Kentish Hills Subdivision	5,085.84
Charles & Debra Costelle	Lot 26, Kentish Hills Subdivision	5,085.84
Dale & Peggy Gilbert	Lot 27, Kentish Hills Subdivision	5,085.84
<b>TOTAL</b>		<b>\$ 132,232.02</b>

- - -

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

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item D3

**#2004-BE-14 - Consideration of Determining Benefits for Water  
Main District 446T - Part of Section 25-11-10**

Staff Contact: Gary R. Mader

# Council Agenda Memo

**From:** Gary R. Mader, Utilities Director

**Meeting:** August 24, 2004

**Subject:** Water Main District 446T  
Kentish Hills Subdivision Area  
Final Billing and Connection Fee

**Item #'s:** D-3 & G-7

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

## Background

A petition was received from the property owners within Kentish Hills Subdivision requesting City water be extended into their area, due to the discovery of contaminants in their private wells. To address this request, Water Extension District 445 was authorized for the construction of water lines and service connections to the properties along Hampton Road, Chelsea Place, Dover Court, Avon Avenue, Rochdale Circle, and Gladstone Circle.

At the same time, Water Main District 446T was created for installation of a 6" main to loop the Kentish Hills Subdivision and the previously constructed Marylane Subdivision water systems. The interconnection provides increased reliability and backup capacity for the homes in the two adjoining neighborhoods. The tie also provides City service to an addition residence outside the two Subdivisions.

A single contract was let for construction of the two districts; 445 and 446T. A drawing showing district boundary limits, is attached for reference. Also attached are copies of the ownership records and calculations.

## Discussion

CNH entered into an agreement with the City to pay the district costs associated with the residential water mains and service lines for this area. The total cost of construction for the two districts, was \$177,849.15. Of the total amount, CNH's share is \$153,844.13 (WED 445 = \$132,232.02 and WMD 446T = \$21,612.11). The remaining project amount of \$24,005.02 is the City's cost. City cost results from the need to oversize a section of piping to meet future system expansion in this area of the City, and due to routing through an area previously served with City water.

In a routine connection district, the costs to serve the properties within the District's boundary would be paid by the individual property owner. In this case though, the fee has been paid by CNH. In order to complete the statutory requirements of the connection process, the amount needs to be set. When the fee is set, it will be shown as paid in the Utilities' records. The connection amount has been computed for the property within the district as shown in the attached tabulation.

### **Alternatives**

It appears the Council has the following options concerning the issue at hand;

1. Approve the connection fee for Water Main District 446T.
2. Deny the connection fee for Water Main District 446T.
3. Modify the connection fee due from the property within the boundary of Water Main District 446T.
4. Table the issue.

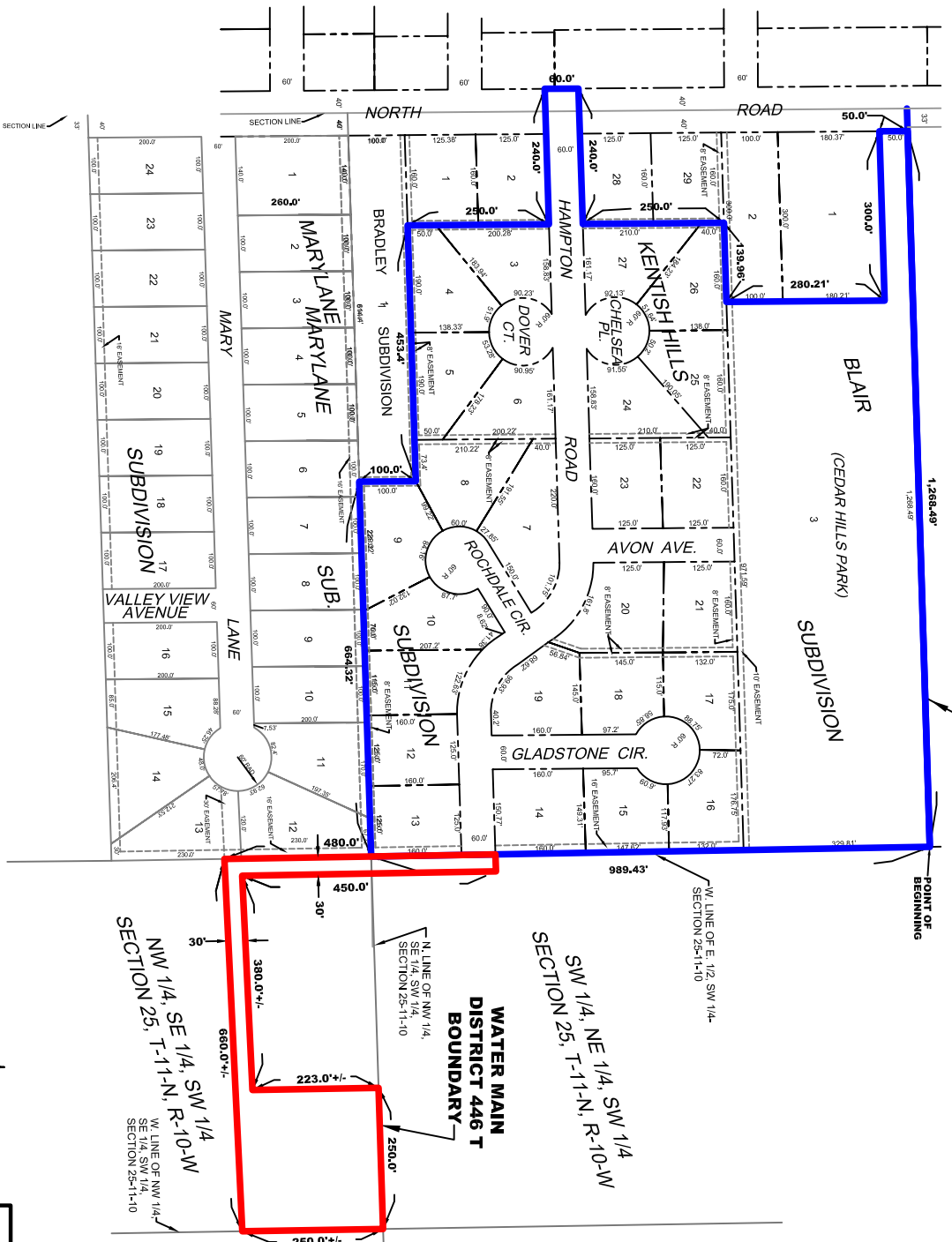
### **Recommendation**

City Administration recommends that the Council approve the connection fee for the property located in Water Main District 446T.

### **Sample Motion**

I move to approve the connection fee for Water Main District 446T.

**WATER EXTENSION  
DISTRICT 445 BOUNDARY**



POINT OF BEGINNING

1,268.49'

1,289.49'

BLAIR  
(CEDAR HILLS PARK)  
SUBDIVISION 3

3000.0'

280.21'

W. LINE OF E. 1/2 SW 1/4 SECTION 25-11-10

989.43'

**WATER MAIN  
DISTRICT 446 T  
BOUNDARY**

N. LINE OF NW 1/4, SE 1/4, SW 1/4 SECTION 25-11-10

450.0'

NW 1/4, SE 1/4, SW 1/4, R-10-W SECTION 25, T-11-N, R-10-W  
W. LINE OF NW 1/4, SE 1/4, SW 1/4 SECTION 25-11-10

380.0'+/-

250.0'

250.0'+/-

223.0'+/-

660.0'+/-



CITY OF  
**GRAND ISLAND**  
UTILITIES DEPARTMENT

WATER EXTENSION DIST. 445  
AND  
WATER MAIN DIST. 446T

DRN BY: K.J.M. SCALE: 1"=300'  
DATE: 11/14/2003 FILE: 445 / 446T

**WATER MAIN DISTRICT 446T- CONNECTION FEES**

Kentish Hill Subdivision Area

Contractor: starostka Group Co. - Grand Island, NE

Item	Description	Bid Unit \$	Total Quantities	Final \$	District 446T	
					Quantities	Final \$
C. 1.01	16" D.I. Pipe (M.J.)	52.08	150.0 LF	7,812.00	0.0 LF	0.00
C. 1.01a	16" FKM Gaskets (mj)	118.35	12.0 EA	1,420.20	0.0 EA	0.00
C. 1.02	16" x16"x 6" Tee (mj)	538.00	1.0 EA	538.00	0.0 EA	0.00
C. 1.03	16" x90 Ell (mj)	469.00	1.0 EA	469.00	0.0 EA	0.00
C. 1.04	16" Butterfly Valve	1,877.00	1.0 EA	1,877.00	0.0 EA	0.00
C. 1.05	16" Sleeve Coupling	399.00	2.0 EA	798.00	0.0 EA	0.00
C. 1.06	16" Cap ( w/ 2" tap)	224.00	1.0 EA	224.00	0.0 EA	0.00
C. 1.07	16" Set Screw Ring	99.00	1.0 EA	99.00	0.0 EA	0.00
C. 1.08	6" D.I. PIPE, (S.J.)	16.77	2,838.0 LF	47,593.26	534.0 LF	8,955.18
C. 1.08a	6" FKM Gaskets (sj)	82.85	180.0 EA	14,913.00	27.0 EA	2,236.95
C. 1.08b	6" FKM Gaskets (mj)	51.00	88.0 EA	4,488.00	4.0 EA	204.00
C. 1.09	6"X 6"X 6" TEE (M.J.)	127.00	6.0 EA	762.00	0.0 EA	0.00
C. 1.10	6"X 90 ELL (M.J.)	89.00	3.0 EA	267.00	2.0 EA	178.00
C. 1.11	6"X 45 ELL (M.J.)	84.00	2.0 EA	168.00	0.0 EA	0.00
C. 1.12	6"X 22 1/2 ELL (M.J.)	84.00	4.0 EA	336.00	0.0 EA	0.00
C. 1.13	6"X 11 1/4 ELL (M.J.)	84.00	0.0 EA	0.00	0.0 EA	0.00
C. 1.14	6" RS GATE VALVE	398.00	9.0 EA	3,582.00	0.0 EA	0.00
C. 1.15	6" Sleeve Coupling	121.00	1.0 EA	121.00	1.0 EA	121.00
C. 1.16	VALVE BOX	122.00	10.0 EA	1,220.00	0.0 EA	0.00
C. 1.17	FIRE HYDRANT ASSEMBLY COMPLETE	918.00	3.0 EA	2,754.00	0.0 EA	0.00
C. 1.18	FIRE HYDRANT ONLY	221.00	3.0 EA	663.00	0.0 EA	0.00
C. 1.19	Saw-Cut	1.68	1,446.0 LF	2,429.28	0.0 LF	0.00
C. 1.20	REMOVE CONC. SIDEWALK	2.44	9.5 SY	23.18	0.0 SY	0.00
C. 1.21	REPLACE CONC. SIDEWALK	32.60	9.5 SY	309.70	0.0 SY	0.00
C. 1.22	REMOVE ASPH. / CONC. DRIVEWAY	3.90	228.9 SY	892.71	0.0 SY	0.00
C. 1.23	REPLACE ASPH. / CONC. DRIVEWAY	24.70	228.9 SY	5,653.83	0.0 SY	0.00
C. 1.24	REMOVE ASPH. / CONC. ROADWAY	5.07	507.9 SY	2,575.05	0.0 SY	0.00
C. 1.25	REPLACE ASPH. / CONC. ROADWAY	27.27	507.9 SY	13,850.43	0.0 SY	0.00
C. 1.26	THRUST BLOCK	53.00	21.0 EA	1,113.00	2.0 EA	106.00
C. 1.27	BELL JOINT BLOCK	446.00	1.0 EA	446.00	0.0 EA	0.00
C. 1.28	1" WATER SERVICE, COMPLETE	513.00	23.0 EA	11,799.00	0.0 EA	0.00
C. 1.29	1-1/2" WATER SERVICE COMPLETE	1,696.00	4.0 EA	6,784.00	0.0 EA	0.00
C. 1.30	2" Water Service Complete	116.00	2.0 EA	232.00	1.0 EA	116.00
C. 1.31	REMOVE & SALVAGE 6" CAP	13.60	1.0 EA	13.60	1.0 EA	13.60
C. 1.32	REMOVE & SALVAGE 16" PLUG	29.75	1.0 EA	29.75	0.0 EA	0.00
C. 1.33	8 MIL POLYWRAP	0.57	2,873.0 LF	1,637.61	534.0 LF	304.38
C. 1.34	Clearing & Grubbing	6,100.00	1.0 LS	6,100.00	1.0 LS	6,100.00
C. 1.35	Large Tree Removal	35.00	15.0 EA	525.00	9.0 EA	315.00
<b>Contract Total</b>				<b>\$144,518.60</b>		<b>\$18,650.11</b>
	PO 303315 High/Early Strength Conc.	20.00	151.75 CY	3,035.00	0.00 CY	0.00
	PO 303315 Culvert Extensions	30.00	10.00 LF	300.00	0.00 LF	0.00
	PO 303315 Conc Headwalls	175.00	2.00 EA	350.00	0.00 EA	0.00
	PO 303315 Remove Unsuitable Backfill	50.00	2.00 EA	100.00	0.00 EA	0.00
	Purchase Order Total			<b>\$3,785.00</b>		<b>\$0.00</b>
	Fire Hyd's Furnished by City			<b>\$5,170.82</b>		<b>\$0.00</b>
	Engineering/Overhead/Administration/Publication			<b>\$24,374.73</b>		<b>\$2,962.00</b>
<b>TOTAL CONSTRUCTION AMOUNT</b>				<b>\$177,849.15</b>		<b>\$21,612.11</b>

## WATER MAIN DISTRICT 446T – Ownership and Connection Fee

Blk	Lot	Subdivision	Front Ft	Sq Ft	Owner	Assessment \$
		Pt E1/2, SW1/4 Sec 25-11-10	450.0	88,300.0	Gladys V Schoel 3732 Husker Hwy Grand Island, NE 68803	\$21,612.11

Beginning at the southeast corner of Lot Fourteen (14) Kentish Hills Subdivision in the City of Grand Island, Hall County, Nebraska; thence southerly along the easterly line of said Kentish Hills Subdivision, and the easterly line of Marylane Subdivision, a distance of four hundred eighty (480.0) feet; thence easterly and parallel with the northerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW ¼, SE ¼, SW ¼) of Section Twenty-five (25), Township Eleven (11) North, Range Ten (10) West of the 6th PM, a distance of six hundred sixty (660.0+/-) feet more or less, to a point on the westerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW ¼, SE ¼, SW ¼) of said Section Twenty-five (25); thence northerly along the westerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW ¼, SE ¼, SW ¼) of said Section Twenty-five (25), to a point on the northerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW ¼, SE ¼, SW ¼) of said Section Twenty-five (25); thence westerly along the northerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW ¼, SE ¼, SW ¼) of said Section Twenty-five (25), a distance of two hundred fifty (250.0) feet; thence southerly and parallel with the easterly line of said Marylane Subdivision, a distance of two hundred twenty (220.0+/-) feet more or less, to a point on the easterly extension of the southerly line of Lot Twelve (12) said Marylane Subdivision; thence westerly along the easterly extension of the southerly line of Lot Twelve (12) said Marylane Subdivision, to a point thirty (30.0) feet easterly of the southeast corner thereof; thence northerly and parallel with the easterly line of said Kentish Hills Subdivision, and the easterly line of said Marylane Subdivision, a distance of four hundred fifty (450.0) feet, to a point on the easterly extension of the southerly line of Lot Fourteen (14) said Kentish Hills Subdivision; thence westerly along the easterly extension of the southerly line of Lot Fourteen (14) said Kentish Hills Subdivision, a distance of thirty (30.0) feet to the said point of beginning.

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

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 446T, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$21,612.11; and

Such benefits are equal and uniform; and

According to the area of the respective lots, tracts, and real estate within such Water Main District No. 446T, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Connection Fee</u>
Gladys V. Schoel	<p>Part of the E1/2, SW1/4 of Section 25-11-10, more particularly described as follows:</p> <p>Beginning at the southeast corner of Lot Fourteen (14), Kentish Hills Subdivision in the City of Grand Island, Hall County, Nebraska; thence southerly along the easterly line of said Kentish Hills Subdivision, and the easterly line of Marylane Subdivision, a distance of four hundred eighty (480.0) feet; thence easterly and parallel with the northerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW1/4, SE1/4, SW1/4) of Section Twenty Five (25), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> PM, a distance of six hundred sixty (660.0+/-) feet more or less, to a point on the westerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW1/4, SE1/4, SW1/4) of said Section Twenty Five (25); thence northerly along the westerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW1/4, SE1/4, SW1/4) of said Section Twenty Five (25), to a point on the northerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW1/4, SE1/4, SW1/4) of said Section Twenty Five (25); thence westerly along the northerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW1/4, SE1/4, SW1/4) of said Section Twenty Five (25), a distance of two hundred fifty (250.0) feet; thence southerly and parallel with the easterly line of said Marylane Subdivision, a distance of two hundred twenty (220.0+/-) feet more or less, to a point on the easterly extension of the southerly line of Lot Twelve (12) said Marylane Subdivision; thence westerly along the easterly extension of the southerly line of Lot Twelve (12) said Marylane Subdivision, to a point thirty (30.0) feet easterly of the</p>	21,612.11

Approved as to Form  \_\_\_\_\_  
 August 16, 2004  City Attorney



	southeast corner thereof; thence northerly and parallel with the easterly line of said Kentish Hills Subdivision, and the easterly line of said Marylane Subdivision, a distance of four hundred fifty (450.0) feet, to a point on the easterly extension of the southerly line of Lot Fourteen (14) said Kentish Hills Subdivision; thence westerly along the easterly extension of the southerly line of Lot Fourteen (14) said Kentish Hills Subdivision, a distance of thirty (30.0) feet to the said point of beginning.	
<b>TOTAL</b>		<b>\$ 21,612.11</b>

BE IT FURTHER RESOLVED that the special benefits as determined by this resolution shall not be levied as special assessments but shall be certified by this resolution to the Register of Deeds, Hall County, Nebraska, pursuant to Section 16-6,103, R.R.S. 1943. A connection fee in the amount of the above benefit accruing to each property in the district shall be paid to the City of Grand Island at the time such property becomes connected to the water main. No property benefited as determined by this resolution shall be connected to the water main until the connection fee is paid. The connection fees collected shall be paid into the fund from which construction costs were made to replenish such fund for the construction costs.

- - -

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

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item E1

**Public Hearing on Proposed Amendments to FY 2003-2004 Annual Budget**

Staff Contact: David Springer

# Council Agenda Memo

**From:** David Springer, Finance Director

**Meeting:** August 24, 2004

**Subject:** Consideration of Amendment to FY2003-2004 Annual Budget

**Item #'s:** E-1 & F-1

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

## Background

The City Council approved the FY2004 Annual Budget with Addendum #1 by Ordinance #8835 on August 26, 2003. Amendment #1 was approved by Ordinance #8889 on March 23, 2004. Amendment #2 is submitted for Council approval.

## Discussion

On July 23, 2004, by Ordinance #8923, the City Council approved the retirement of Series 1999 Various Purpose Bonds and the issuance of Series 2004 Refunding Bonds. Likewise, on July 27, 2004, by Solid Waste Agency Resolutions #2 and #3 and City Ordinance #8925, the City Council approved the retirement of Series 1998 Solid Waste Revenue Bonds and the issuance of Series 2004 Revenue Refunding Bonds. These were both done to take advantage of reduced interest rates available and effect a combined savings over their terms of approximately \$326,163. It is necessary to increase the current year's budgeted revenues and budgeted appropriations each by a total of \$5,010,000 to consummate the refinancing transactions.

## Alternatives

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

1. Approve the budget amendment.
2. Disapprove or deny the amendment.

## **Recommendation**

City Administration recommends that the Council approve the amendment to the 2003-2004 Fiscal Budget to allow for the refinancing of these two bond issues.

## **Sample Motion**

Approve the ordinance providing for Amendment #2 to the 2003-2004 Adopted Budget as recommended, giving budget authority to refinance bonds.



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item E2

**Public Hearing on Request of Crown Asphalt Products Company  
for Conditional Use Permit for Temporary Office Trailer Located  
at 1820 Fairchild Lane**

Staff Contact: Craig Lewis

# **Council Agenda Memo**

**From:** Craig Lewis, Building Department Director

**Meeting:** August 24, 2004

**Subject:** Conditional Use Permit for Temporary Building at 1820 Fairchild Lane

**Item #'s:** E-2,G-6

**Presenter(s):** Craig Lewis,

## **Background**

This request is for approval to utilize a temporary trailer as an office and testing lab to facilitate the operation of an asphalt emulsification plant. The property is currently zoned M-2 (Heavy Manufacturing) with an A (Airport) overlay zone. That zoning classification would allow as a permitted principal use the asphalt facility, but a temporary building needs Council approval in the form of a conditional use permit.

There are two existing tank farms on adjacent properties that were approved and allowed when the properties were in the County jurisdiction, with recent annexation the properties are now within the cities zoning jurisdiction requiring the City Council approval.

## **Discussion**

The requested Conditional use permit to allow for a temporary building as a lab and office does not appear to have any significant impact on this property nor surrounding properties. There are concerns about the continued use of the trailer past the two year conditional use permit, sanitation facilities for the employees at the site, and allegations of temporary trailers being used for dwelling purposes for employees.

## **Alternatives**

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

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

## **Recommendation**

City Administration recommends that the Council approve the requested Conditional Use Permit with the following conditions, 1). The permit is for a two year period only any additional space needs shall be in a permanent facility. 2). Sanitation facilities for employees shall be provided to an approved system. 3). No sleeping or dwelling accommodations shall be provided or allowed on site.

## **Sample Motion**

Approve the Conditional Use Permit to allow for the placement of a temporary lab and office building for a two year period with the recommended conditions.



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item F1

**#8927 - Consideration of Amendments to FY 2003-2004 Annual Budget**

Staff Contact: David Springer



# **Council Agenda Memo**

**From:** David Springer, Finance Director

**Meeting:** August 24, 2004

**Subject:** Consideration of Amendment to FY2003-2004 Annual Budget

**Item #'s:** F-1

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

## **Background**

The City Council approved the FY2004 Annual Budget with Addendum #1 by Ordinance #8835 on August 26, 2003. Amendment #1 was approved by Ordinance #8889 on March 23, 2004. Amendment #2 is submitted for Council approval.

## **Discussion**

On July 23, 2004, by Ordinance #8923, the City Council approved the retirement of Series 1999 Various Purpose Bonds and the issuance of Series 2004 Refunding Bonds. Likewise, on July 27, 2004, by Solid Waste Agency Resolutions #2 and #3 and City Ordinance #8925, the City Council approved the retirement of Series 1998 Solid Waste Revenue Bonds and the issuance of Series 2004 Revenue Refunding Bonds. These were both done to take advantage of reduced interest rates available and effect a combined savings over their terms of approximately \$326,163. It is necessary to increase the current year's budgeted revenues and budgeted appropriations each by a total of \$5,010,000 to consummate the refinancing transactions.

## **Alternatives**

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

1. Approve the budget amendment.
2. Disapprove or deny the amendment.

## **Recommendation**

City Administration recommends that the Council approve the amendment to the 2003-2004 Fiscal Budget to allow for the refinancing of these two bond issues.

## **Sample Motion**

Approve the ordinance providing for Amendment #2 to the 2003-2004 Adopted Budget as recommended, giving budget authority to refinance bonds.

ORDINANCE NO. 8927

An ordinance to amend "The Annual Appropriation Bill" of the City of Grand Island, Nebraska, to revise the budget statement pursuant to the Nebraska Budget Act for the fiscal year commencing October 1, 2003 and ending September 30, 2004; to provide for severability; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. An amended appropriation is hereby made for the ensuing fiscal year to defray all necessary expenses and liabilities of City departments, funds, and operations. The object and purpose of the appropriation shall be to pay for any and all necessary expenses and liabilities for the following departments, funds, and operations.

<u>Funds</u>	<u>Total Appropriation</u>	<u>Amendment</u>	<u>Revised Appropriation</u>
General	31,889,014	0	31,889,014
Permanent Funds	21,000	0	21,000
Special Revenue	6,738,595	0	6,738,595
Debt Service	5,890,593	2,160,000	8,050,593
Capital Projects	7,992,000	0	7,992,000
Enterprise	80,664,325	2,850,000	83,514,325
Internal Service	9,445,548	0	9,445,548
Agency	2,712,682	0	2,712,682
Trust	2,333,990	0	2,333,990
Total Appropriation			
All Funds	<u>147,687,747</u>	<u>5,010,000</u>	<u>152,697,747</u>

SECTION 2. The foregoing amendment is necessary and prudent to address circumstances which could not have been reasonably anticipated at the time of the enactment of The Annual Appropriation Bill, Ordinance No. 8835, or the amendment thereto, Ordinance No. 8894. Fund transfers as provided above shall increase the appropriation for the Debt Service

Approved as to Form	☐ _____
August 17, 2004	☐ City Attorney

ORDINANCE NO. 8927 (Cont.)

Fund by \$2,160,000 for the retirement of Series 1999 Various Purpose Bonds and related expenses. The revision will also increase budgeted appropriation for the Solid Waste Enterprise Fund by \$2,850,000 for the retirement of Series 1998 Solid Waste Agency Revenue Bonds and related expenses. Budgeted revenues for the Debt Service Fund and Solid Waste Enterprise Fund will increase by \$2,160,000 and \$2,850,000 respectively.

SECTION 3. The foregoing appropriate amendments and expenditures will increase the previously adopted total budgeted expenditures beyond that initially adopted and amended in the amount of \$5,010,000.

SECTION 4. If any section, subsection, or any other portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. 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: August 24, 2004.

---

Jay Vavricek, Mayor

Attest:

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item F2

**#8928 - Consideration of Approving FY 2004-2005 Annual Single City Budget, The Annual Appropriations Bill Including Addendum #1**

Staff Contact: David Springer

# **Council Agenda Memo**

**From:** David Springer, Finance Director

**Meeting:** August 24, 2004

**Subject:** Consideration of Approving FY 2004-2005 Annual Single City Budget, The Annual Appropriations Bill Including Addendum #1

**Item #'s:** F-2

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

## **Background**

On August 10, 2004, the City Council held a Public Hearing to receive public input relative to the proposed FY2004-2005 Annual Single City Budget. Following the Public Hearing, the City Administrator and Finance Director presented the budget and conducted a work session on August 11, 2004.

## **Discussion**

The following action relative to the budget is included on the agenda: Consideration of the FY2004-2005 Annual Single City Budget, The Annual appropriations Bill, including Addendum #1 (Changes made during the budget work sessions). Related items to be considered by the City Council at the September 14<sup>th</sup> meeting include the holding of a public hearing to address the change in property tax asking, and setting the FY2004-2005 General All Purpose Property Tax, CRA, and Parking District #2 (Ramp) levies. The budget must be submitted to the state by September 20, 2004.

## **Alternatives**

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

1. Approve the City Budget and Addendum.
2. Modify the Budget to meet the wishes of the Council

## **Recommendation**

City Administration recommends that the Council approve the budget and addendum as presented.

## **Sample Motion**

Approve the FY2004-2005 Annual Single City Budget, The Annual Appropriations Bill, Including Addendum #1.

2004 - 2005 ADDENDUM TO PROPOSED BUDGET

<u>FUND</u>	<u>DEPARTMENT</u>	<u>CHANGE</u>	<u>ACCT #</u>	<u>INCREASE (DECREASE) FUND APPROPRIATION</u>
General	Finance	Increase Travel and Training	10011401-85428	3,000
General	Finance	Decrease Auditing and Accounting Fees	10011401-85201	(3,000)
General	Police	Decrease VOCA Expenditures	10022301-85291	(45,468)
General	Library	Increase Misc Oper Equipment	10044301-85540	3,000
General	Library	Decrease Capital for Copy Machine	10044301-85620	(3,000)
General	Non-Departmental	Increase Contribution to Heartland Events C	10055001-85468	150,000
General	Non-Departmental	Increase Transfer to Capital Projects	10055001-85805	808,000
CHANGE IN APPROPRIATION				912,532
PROPOSED APPROPRIATION				33,590,842
AMENDED APPROPRIATION				<u>34,503,374</u>
<hr/>				
Community Projects	Community Development	Decrease Salaries/Allocate to Grants	25010001-85105	(16,944)
	Community Development	Increase Contract Services/Use NIFA Funds	25010001-85213	53,718
CHANGE IN APPROPRIATION				36,774
PROPOSED APPROPRIATION				193,667
AMENDED APPROPRIATION				<u>230,441</u>
<hr/>				
Community Projects	Housing Rehabilitation	Increase Contract Services/Grant Expected	25111612-85213	797,146
	Housing Rehabilitation	Increase Salaries/Allocate to Grants	25111612-85105	16,944
	Safe Haven Grant	Increase Contract Services/Grant Expected	25111614-85213	100,000
CHANGE IN APPROPRIATION				914,090
PROPOSED APPROPRIATION				648,206
AMENDED APPROPRIATION				<u>1,562,296</u>
<hr/>				
Capital Projects	Bonded Projects	Northwest Transportation Project-Carryover	40033530-90061	740,000
CHANGE IN APPROPRIATION				740,000
PROPOSED APPROPRIATION				9,532,000
AMENDED APPROPRIATION				<u>10,272,000</u>
<hr/>				
GENERAL				912,532
SPECIAL REVENUE				950,864
CAPITAL PROJECTS				740,000
				<u>2,603,396</u>



ORDINANCE NO. 8928

An ordinance known as "The Annual Appropriation Bill" of the City of Grand Island, Nebraska, to adopt the proposed budget statement pursuant to the Nebraska Budget Act, as amended by Addendum #1, for the fiscal year commencing October 1, 2004 and ending September 30, 2005; to provide for severability; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. An appropriation is hereby made for the ensuing fiscal year to defray all necessary expenses and liabilities of City departments, funds, and operations. The object and purpose of the appropriation shall be to pay for any and all necessary expenses and liabilities for the following departments, funds, and operations.

<u>Funds</u>	<u>Expenditures</u>	<u>Transfers</u>	<u>Total Appropriation</u>
General	29,976,107	4,527,267	34,503,374
Permanent Funds	0	10,500	10,500
Special Revenue	3,250,522	3,600,000	6,850,522
Debt Service	944,388	4,000,000	4,944,388
Capital Projects	10,272,000	0	10,272,000
Special Assessments	0	400,000	400,000
Enterprise	60,619,799	645,000	61,264,799
Internal Service	10,112,982	0	10,112,982
Agency	903,797	0	903,797
Trust	2,181,879	0	2,181,879
Total Appropriation			
All Funds	<u>118,261,474</u>	<u>13,182,767</u>	<u>131,444,241</u>

ORDINANCE NO. 8928 (Cont.)

SECTION 2. The proposed budget statement pursuant to the Nebraska Budget Act, is hereby amended by Addendum #1 attached hereto and approved and adopted for the fiscal year beginning October 1, 2004 and ending September 30, 2005.

SECTION 3. If any section, subsection, or any other portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent, and such holding shall not affect the validity of the remaining portions thereof.

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

Enacted: August 24, 2004.

---

Jay Vavricek, Mayor

Attest:

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item F3

**#8929 - Consideration of Assessments for Street Improvement  
District 1251, Grand West Fourth Subdivision; Craig Drive,  
Morrison Drive, & Carol Street**

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

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

\* This Space Reserved for Register of Deeds \*

ORDINANCE NO. 8929

An ordinance to assess and levy a special tax to pay the cost of construction of Street Improvement District No. 1251 of the City of Grand Island, Nebraska; to provide for the collection of such special tax; to repeal any provision 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.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of construction of said Street Improvement District No. 1251 located in Grand West Fourth Subdivision, as adjudged by the Council of said City, sitting as a Board of Equalization, to the extent of benefits accruing thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and land as follows:

Approved as to Form    ☐ \_\_\_\_\_  
August 17, 2004        ☐ City Attorney

ORDINANCE NO. 8929 (Cont.)

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Grand West L.L.C.	Lot 1, Grand West 4 <sup>th</sup> Subdivision	4,570.30
Grand West L.L.C.	Lot 2, Grand West 4 <sup>th</sup> Subdivision	4,557.90
Grand West L.L.C.	Lot 3, Grand West 4 <sup>th</sup> Subdivision	4,571.14
Grand West L.L.C.	Lot 4, Grand West 4 <sup>th</sup> Subdivision	5,106.18
Grand West L.L.C.	Lot 5, Grand West 4 <sup>th</sup> Subdivision	4,800.35
Grand West L.L.C.	Lot 6, Grand West 4 <sup>th</sup> Subdivision	5,433.52
Grand West L.L.C.	Lot 7, Grand West 4 <sup>th</sup> Subdivision	6,814.80
Grand West L.L.C.	Lot 8, Grand West 4 <sup>th</sup> Subdivision	10,281.42
Grand West L.L.C.	Lot 9, Grand West 4 <sup>th</sup> Subdivision	10,281.42
Grand West L.L.C.	Lot 10, Grand West 4 <sup>th</sup> Subdivision	6,814.80
Grand West L.L.C.	Lot 11, Grand West 4 <sup>th</sup> Subdivision	5,433.52
Grand West L.L.C.	Lot 12, Grand West 4 <sup>th</sup> Subdivision	4,822.95
Grand West L.L.C.	Lot 13, Grand West 4 <sup>th</sup> Subdivision	4,332.49
Grand West L.L.C.	Lot 14, Grand West 4 <sup>th</sup> Subdivision	4,322.48
Grand West L.L.C.	Lot 15, Grand West 4 <sup>th</sup> Subdivision	4,322.48
Grand West L.L.C.	Lot 16, Grand West 4 <sup>th</sup> Subdivision	4,978.70
Grand West L.L.C.	Lot 17, Grand West 4 <sup>th</sup> Subdivision	5,580.91
Grand West L.L.C.	Lot 18, Grand West 4 <sup>th</sup> Subdivision	7,715.20
Grand West L.L.C.	Lot 19, Grand West 4 <sup>th</sup> Subdivision	12,534.61
Grand West L.L.C.	Lot 20, Grand West 4 <sup>th</sup> Subdivision	12,735.02
Grand West L.L.C.	Lot 21, Grand West 4 <sup>th</sup> Subdivision	7,168.22
Grand West L.L.C.	Lot 22, Grand West 4 <sup>th</sup> Subdivision	5,812.93
Grand West L.L.C.	Lot 23, Grand West 4 <sup>th</sup> Subdivision	5,182.72
Grand West L.L.C.	Lot 24, Grand West 4 <sup>th</sup> Subdivision	4,838.69
Grand West L.L.C.	Lot 25, Grand West 4 <sup>th</sup> Subdivision	4,864.50
Grand West L.L.C.	Lot 26, Grand West 4 <sup>th</sup> Subdivision	5,229.85
Grand West L.L.C.	Lot 27, Grand West 4 <sup>th</sup> Subdivision	5,358.06
<b>TOTAL</b>		<b>\$168,465.16</b>

SECTION 2. The special tax shall become delinquent as follows: One-tenth of the total amount shall become delinquent in fifty days; one-tenth in one year; one-tenth in two years; one-tenth in three years; one-tenth in four years, one-tenth in five years; one-tenth in six

ORDINANCE NO. 8929 (Cont.)

years; one-tenth in seven years; one-tenth in eight years; and one-tenth in nine years respectively, after the date of such levy; provided, however, the entire amount so assessed and levied against any lot, tract or parcel of land may be paid within fifty days from the date of this levy without interest, and the lien of special tax thereby satisfied and released. Each of said installments, except the first, shall draw interest at the rate of seven percent (7.0%) per annum from the time of such levy until they shall become delinquent. After the same become delinquent, interest at the rate of fourteen percent (14.0%) per annum shall be paid thereon, until the same is collected and paid.

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 "Paving District Assessment Fund" for Street Improvement District No. 1251.

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: August 24, 2004.

---

Jay Vavricek, Mayor

Attest:

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item F4

**#8930 - Consideration of Assessments for Water Extension District  
445 - Blair & Kentish Hills Subdivisions**

*This item refers to the aforementioned Board of Equalization Item # D-2.*

Staff Contact: Gary R. Mader

\* This Space Reserved for Register of Deeds \*

ORDINANCE NO. 8930

An ordinance to assess and levy a special tax to pay the cost of construction of Water Main District No. 445 of the City of Grand Island, Nebraska; to provide for the collection of such special tax; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts, and parcels of land specifically benefited, for the purpose of paying the cost of construction of said water main in said Water Main District 445, as adjudged by the Mayor and Council of said City, to the extent of benefits thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and lands as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
City of Grand Island (Cedar Hills Park)	Lot 3, Blair Subdivision	5,086.02
Ryan & Whitney Witt	Lot 3, Kentish Hills Subdivision	5,085.84

Approved as to Form    ☒ \_\_\_\_\_  
August 17, 2004        ☒ City Attorney



ORDINANCE NO. 8930 (Cont.)

Dale & Joan Clark	Lot 4, Kentish Hills Subdivision	5,085.84
Steven & Theresa Stirn	Lot 5, Kentish Hills Subdivision	5,085.84
Thomas & Ronda Kruger	Lot 6, Kentish Hills Subdivision	5,085.84
Dennis & Keanna Leonard	Lot 7, Kentish Hills Subdivision	5,085.84
Duane & Dee Johnson	Lot 8, Kentish Hills Subdivision	5,085.84
Thomas & Lise Brown Olsen	Lot 9, Kentish Hills Subdivision	5,085.84
Elmer & Kathleen Feldotto	Lot 10, Kentish Hills Subdivision	5,085.84
Randy & Laurie Peterson	Lot 11, Kentish Hills Subdivision	5,085.84
Danny & Lareen Halverson	Lot 12, Kentish Hills Subdivision	5,085.84
Monte & Michelle Shultz	Lot 13, Kentish Hills Subdivision	5,085.84
ABC Engineered Trusses, Inc.	Lot 14, Kentish Hills Subdivision	5,085.84
Thomas & Jessica Whelan	Lot 15, Kentish Hills Subdivision	5,085.84
Ryan & Rebecca Waind	Lot 16, Kentish Hills Subdivision	5,085.84
Jeffrey & Jamie Vinson	Lot 17, Kentish Hills Subdivision	5,085.84
Gregg & Shirley Schultz	Lot 18, Kentish Hills Subdivision	5,085.84
John & Dianne McMahon	Lot 19, Kentish Hills Subdivision	5,085.84
Kevin & Sandra Smoyer	Lot 20, Kentish Hills Subdivision	5,085.84
Stephen & Teresa Skibinski	Lot 21, Kentish Hills Subdivision	5,085.84
John & Debra Lantz	Lot 22, Kentish Hills Subdivision	5,085.84
Guy Leverington & Patricia Beiber	Lot 23, Kentish Hills Subdivision	5,085.84
William & Connie Partne	Lot 24, Kentish Hills Subdivision	5,085.84
Jerry & Roxanne Hoffer	Lot 25, Kentish Hills Subdivision	5,085.84
Charles & Debra Costelle	Lot 26, Kentish Hills Subdivision	5,085.84
Dale & Peggy Gilbert	Lot 27, Kentish Hills Subdivision	5,085.84
<b>TOTAL</b>		<b>\$ 132,232.02</b>

SECTION 2. The above-identified assessments have been paid in full by New Holland of North America, Inc. pursuant to an agreement dated October 21, 2003. No further amounts are due and owing by the property owners identified above with respect to Water Main District No. 445.

ORDINANCE NO. 8930 (Cont.)

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

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

Enacted: August 24, 2004.

---

Jay Vavricek, Mayor

Attest:

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G1

### **Receipt of Official Document - Tort Claim Filed by Anthony and Carly Huffman**

*The City of Grand Island has received a Tort Claim from Anthony and Carly Huffman alleging certain claims in connection with an incident with the Police Department that took place in August 2003. A copy of this claim is attached to comply with the Nebraska Political Subdivision Tort Claims Act. This is not an item for council action other than to simply acknowledge that the claim has been received. It is recommended that Council take no action other than acknowledging receipt of the claim.*

**Staff Contact: RaNae Edwards**

# **Council Agenda Memo**

**From:** Douglas R. Walker, City Attorney  
**Meeting:** August 24, 2004  
**Subject:** Tort Claim of Anthony and Carly Huffman  
**Item #'s:** G-1  
**Presenter(s):** Douglas R. Walker, City Attorney

## **Background**

The City of Grand Island has received a Notice of Tort Claim on behalf of Anthony and Carly Huffman alleging certain claims against a police officer of the Grand Island Police Department in August of 2003.

## **Discussion**

Without getting into issues concerning the city's and other parties' liability, and whether the claim of Anthony and Carly Huffman is fair and reasonable, we are simply providing a copy of this claim to you in compliance with the Nebraska Political Subdivision Tort Claims Act. This is not an item for council action other than to simply acknowledge that the claim has been received. The claim has been referred to the city's insurer for review.

## **Alternatives**

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

1. Acknowledge receipt of the claim as required by state law and take no further action.
2. Deny the claim.
3. Approve the claim.

## **Recommendation**

City Administration recommends acknowledging the receipt of the claim as required by state law.

To: Grand Island City Clerk  
Grand Island City Council

Date: August 1, 2004

Subj: Tort Claim

Ref: Sgt. Dale Hilderbrand  
City of Grand Island  
Grand Island Police Department



As required by Nebraska State Statute and outlined in the Political Subdivisions Tort Claims Act, I am filing this claim against the above listed agencies, departments, and individuals.

I will outline the basis of our complaint and the damage that has been caused by Sgt. Dale Hilderbrand. Sgt. Hilderbrand has violated State Law, Constitutional Law, Department Policy, and engaged in slander.

Our foster son filed a report with Sgt. Hilderbrand in August of 2003. Our son alleged I threatened him, and was not providing him with food, shelter, or water.

In his report, Sgt. Hilderbrand stated he referred the report to the Nebraska State Patrol to avoid any conflict due to my previous employment with the Grand Island Police Department.

However, Dale Hilderbrand decided to contact the State Patrol after he interviewed our son and obtained a written statement. If Dale Hilderbrand was truly trying to avoid a conflict, after our sons first comment (he advised Sgt. Hilderbrand that he lived with us) Sgt. Hilderbrand should of stopped any further questioning or interviewing.

Sgt. Hilderbrand took it upon himself to obtain the information he felt necessary to authorize him to remove our son from our home. Sgt. Hilderbrand however failed to obtain any evidence to support the removal of our son.

In the report, Sgt. Hilderbrand wrote he was requested to place a 48-hour hold on our son by a Nebraska State Patrol Investigator. Sgt. Hilderbrand filled out the required paperwork for the County Attorney to justify a 48-hour hold.

By Nebraska state statute, a child can only be removed if he/she is 1) a runaway 2) Committed a felony 3) Committed a misdemeanor in the officers presence 4) is seriously endangered in his/her current environment and immediate removal is necessary for the protection of the child or 5) juvenile is mentally ill.

Sgt. Hilderbrand based his decision on the idea our son was endangered in his current environment. This was also conveyed to the State Patrol Investigator.

My question is how did Sgt. Hilderbrand reach this conclusion with nothing other than the statement from the supposed victim. Also in Nebraska State Statute, law enforcement is required to investigate allegations of child abuse, and then take steps to protect the child (if necessary) and thirdly initiate legal proceedings if appropriate.

Sgt. Hilderbrand grossly failed to competently and professionally perform his duties. His story of a conflict is an excuse for not doing his job, as I have not worked for the Grand Island Police Department since November of 2000. And again if there was such a conflict why did Sgt. Hilderbrand carry the case as far as he did, complete the required paperwork, and make arrangements with HHS for the placement of our son.

Sgt. Hilderbrand is also required by law to contact the parent, guardian, or custodian and inform them he has removed a child. Sgt. Hilderbrand tries to pawn this responsibility onto Officer Jim Olson. The responsibility rests with Sgt. Hilderbrand and no one else.

Officer Olson provided me with useless information and I requested he have the night shift supervisors contact me. Officer Olson said he was not going to get involved and he would not give his supervisors the message. I asked Officer Olson if the supervisors were in the office and if I could call them. Officer Olson told me if I called the supervisors it would cost us our friendship.

What evidence did Sgt. Hilderbrand have to file a report and charge me with 3<sup>rd</sup> Degree Felony Child Abuse and Menacing Threats? All of the actions taken by Sgt. Hilderbrand do not appear to be that of someone trying to avoid a conflict.

After all he took the report, contacted other agencies for assistance, charged me, and sent the report over to the County Attorney.

The charges were dropped in November of 2003 due to no evidence. In addition, I was never contacted by the police department reference the charges. The Nebraska State Patrol had no idea why they were contacted about the case and advised they found nothing criminal in Sgt. Hilderbrand's report.

In addition to violating our constitutional rights, Sgt. Dale Hilderbrand took it upon himself to contact my perspective employer (Hastings Police Department), and informed them I had been charged with 3<sup>rd</sup> Degree Felony Child Abuse and Menacing Threats.

This illegal, unprofessional, and slanderous action almost cost me my job, contributed to the loss of my job, and ruined my reputation with the Hastings Police Department prior to being hired.

I was put through extensive questioning and continuous scrutiny, because Sgt. Hilderbrand made a phone call and reported information that was unfounded, false, and

arrogant. Since when did the Grand Island Police Department start calling prospective employers and advise them of their actions.

I find it very disturbing that Sgt. Hilderbrand cannot find the time to talk to my wife and I about the allegations, or call us to inform us what he did with our son, but has plenty of time to spread lies and engage in slander from Grand Island to Hastings.

This does not sound like someone trying to avoid conflict. There is nothing that says police officers cannot investigate allegations against another officer. When the investigation determines a crime or violation might have occurred, that is the time to refer the case.

We do not refer the case solely on allegations. Why couldn't of Sgt. Hilderbrand contacted the Sheriff's Office or assigned another officer on his shift to investigate. There are plenty of officers on that department I have never worked with.

Sgt. Hilderbrand cannot conduct himself in the manner he did and then pawn it off onto another agency due to a conflict. Sgt. Hilderbrand's actions appear that he was more worried about lashing out, or harming me than he was about a conflict.

What officer with any common sense would take the actions he did based solely on allegations and then tells people he charged me with Child Abuse. I cannot get a speeding ticket without evidence. I cannot be arrested just because John Doe walks into the police department and tells Hilderbrand I assaulted him. An arrest might come or charges filed after an investigation is conducted, then and only then.

In 2002, a citizen made a report to the police department alleging I assaulted him and impersonated a police officer. This report was filed with the Grand Island Police Department, and they were the ones that investigated it. How can they investigate me then, but now (2 years later) it is a conflict of interest.

Since August of 2003, Sgt. Hilderbrand's actions have destroyed our family, cost my wife to lose her job, contributed to a hostile work environment, ruined my reputation, and caused us to endure great hardships. (Emotionally, physically, mentally, and financially) Sgt. D has destroyed our life forever. Nothing can replace what we have lost.

My law enforcement career has been jeopardized due to the slanderous comments made by Sgt. Hilderbrand. Sgt. Hilderbrand's motive was to hurt me, cost me my job, and ruin my life. I feel as if he was out on a personal vendetta and I feel his actions prove exactly that.

I trust the City of Grand Island will settle this claim promptly, responsibly, and justly. It is not fair that our life has been turned upside down by the irresponsible, illegal, and ruthless acts of a Grand Island Police Officer. Do not allow this man to violate another citizen's rights.

If you need any further information to help reach a decision please contact me at any of the below listed locations.

Sincerely,

  
Anthony and Carly Huffman

**Mail:**

PO Box 652  
Grand Island, NE 68802

**Phone:**

308-381-7856

**E-Mail:**

[Love2cop@yahoo.com](mailto:Love2cop@yahoo.com)





# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G2

### Approving Minutes of August 10, 2004 City Council Regular Meeting

*The Minutes of August 10, 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

August 10, 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 August 10, 2004. Notice of the meeting was given in the Grand Island Independent on August 4, 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 Associate Pastor Allan Davis, Independent Bethel Baptist Church, 1223 East 6<sup>th</sup> Street.

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

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Gary Mader for 30 Years of Service with the City. The Mayor and City Council recognized Utilities Director Gary Mader for 30 years of service with the City. Human Resources Director Brenda Sutherland commented on Mr. Mader's service. Mr. Mader was present to receive the recognition certificate.

PUBLIC HEARINGS:

Public Hearing on Proposed FY 2004-2005 City Single Budget. City Administrator Gary Greer gave an overview of the 2004-2005 Budget. Mentioned was that Grand Island was a vibrant, dynamic community that was experiencing growth in several areas, the May 11, 2004 Election increasing the sales tax by 1/2%, and organizational changes in the administrative area eliminating the Community Projects Department and creating a Public Information Department. Mr. Greer stated that overall it appeared that the financial health of Grand Island would continue to be strong for the next year.

Fiscal Summary:

Mr. Greer stated the total 2004-05 budget was project to be \$116,466,078. This was \$15,685,911 or 11.9% less than what was proposed in the 2003-04 budget.

Property Taxes:

The proposed property tax requirement for the 2004-05 budget year was \$4,573,903 or 30.69% less than the 2004-04 requirement of \$6,599,570. The City of Grand Island certified valuation for 2004 was estimated at \$1,829,562,627, which would propose a property tax levy for the 2004-05 budget year at \$.25 per \$100 of valuation, approximately \$.12154 less than the 2003-04 levy.

User Fees:

Mentioned was the User Fee schedule that was approved at the July 27, 2004 City Council meeting which would assure property revenue for the departments for their services. Jackrabbit Run Golf Course fees had been increased slightly. The comprehensive study of rates for the Electric Department was mentioned as the costs had risen significantly due to the cost of raw materials and federal regulation.

Compensation:

The following salary adjustments were included in the 2004-05 budget:

Non Union Employees	3%
IBEW	2.5%
FOP	3.5%
AFSCME	2.5%
IAFF	1.35% (average)

Benefits:

Two notable changes in benefits for the City employees were presented:

- Increase employee and employer health insurance premiums 10% - employees would experience increased out of pocket costs to further contain cost
- Proposed increase for life insurance coverage from \$30,000 to \$50,000 per employee – cost would be approximately \$14,000

Staffing:

Mr. Greer stated that there would be a .55 decrease in FTE's for the 2004-05 budget year.

Cash Balance:

Mr. Greer stated that it was extremely important to maintain cash balances in the City budget to assure cash flow strength, promote prudent spending and to have adequate reserves in case of an emergency. The 2005-05 budget included \$32,346,567 in cash balance in all funds and \$5,909,327 in the general fund.

Notable Projects/Expenditures:

The following list of notable projects and expenditures were presented:

- \$750,000 for economic development activities as determined by the Cities LB 840 plan
- Bond payments for the Heartland Events Center
- 2 unmarked (\$38,000), 6 marked (\$156,000) Police vehicles along with 2 motorcycles to replace law enforcement units
- \$244,051 in the Police Department budget to continue to contract with the County for use of the computerized law enforcement management system
- A replacement vehicle for the Engineering Department in the amount of \$20,000

- The Street Department construction of a salt storage facility for \$110,000, the replacement of a snow blower \$46,000, and backhoe \$85,000
- Library will continue the automation system enhancement program for \$35,000
- Parks Department planned to purchase a replacement mower for \$17,500 and a Utility Truck for \$15,500
- Cemetery would replace a 3/4 ton Pickup for \$28,000
- Public Information equipment upgrade for GITV \$20,000 and City's website for \$65,000
- A 3 year program to update the City's information network for \$30,000
- Street Department planning to pave Claude Road for \$210,000 and engineering costs for replacing the Wood River Bridge at Blaine Street for \$45,000
- \$100,000 for the replacement of carpet at City Hall and \$210,000 for upgrade of the Grand Generation Center
- Street related bonded projects: South Locust bridges 4125R, \$1,095,000; 412OR, \$1,060,000; and annual paving projects, \$400,000. 75% of this cost will be reimbursed by the State of Nebraska
- \$50,000 for annual sidewalk projects
- Continued funding of the CAAP land development project for \$500,000; \$625,000 for various Hike/Bike trails, and \$100,000 for the Stolley Park Arboretum
- Fire Station #1, Fire Training Facility, Law Enforcement Center, and Library projects initial stages of site acquisition & clearing \$1,900,000; planning & design \$399,000, and construction \$1,500,000 (1/2% sales tax capital projects)
- Solid Waste Transfer Station to add a truck storage bay for \$90,000 and improve the main building for \$20,000
- \$450,000 to replace compactor at the Landfill
- Electric Department upgrade of electrical system by investing \$100,000 to increase capacity of two sections of the 115kV transmission line to meet load growth and engage in substation modifications for a total of \$300,000
- Building improvements at the newly acquired Thompson building for \$200,000 and coal handling improvements to enhance operations, improve fire protection, and assure compliance with applicable laws for \$400,000
- Two replacement pick-ups for \$25,000 and \$35,000 for electrical operations and dispatch center
- Integrated Resources Planning and Rate Study to determine possible electrical rate changes for \$30,000
- Expansion of electrical distribution substations E (north of the Swift facility) and F (north of Menard's) for \$200,000
- Water Department - \$30,000 for a used dump truck and new electrical switchgear at the well field pumping station for \$100,000
- \$620,000 for trunk line expansion for the Water Department and \$250,000 for the Rogers pumping station expansion
- Sewer Department - \$30,000 compost spreader, \$65,000 two replacement loaders, \$70,000 compost spreader truck, and \$30,000 replace pick-up

Mr. Greer thanked the Department Directors and staff for the hard work in construction of the 2004-05 Budget.

Pat Bell, Executive Director for the Central Nebraska Humane Society requested that the Council reconsider the original request of \$165,000 instead of the proposed \$150,000. No further public comment was received.

ORDINANCES:

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

#8926 – Consideration of Approving Salary Ordinance

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

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

City Clerk: Ordinance #8926 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #8926 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinance #8926 is declared to be lawfully passed and adopted upon publication as required by law.

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

Approving Minutes of July 27, 2004 City Council Regular Meeting. Councilmember Pauly abstained.

Approving Re-appointments of Cindy Bennett and Bob Lowenstein to the Community Development Advisory Board.

Approving Re-appointment of Jack Rasmussen to Business Improvement District #3 and re-appointments of Bryon Wheeler, Hugh Miner, and Roy Neneman to Business Improvement District #4.

Approving Re-appointments of John O'Meara, Donald Skeen, and Steve Grubbs to the Building Code Advisory Board.

Approving Re-appointments of Dr. Michael J. Horn, Lori Hock, and Joseph W. Cook to the Library Board.

#2004-188 – Approving Designation of Two Express Parking Zone Parking Spaces on the East Side of the Downtown Center, 308 North Locust Street.

#2004-189 – Approving Continuation of Street Improvement District No. 1253; Island Circle, West of Webb Road, in Lacy Subdivision.

#2004-190 – Approving Donation of the Street Department's Old V-Plow to Hall County.

#2004-191 – Approving Agreement with the Nebraska Department of Roads for Improvements to the Intersection of U.S. Highway 30 and Engleman Road in an Amount to the City of approximately \$53,654.60.

#2004-192 – Approving Agreement for Engineering Consulting Services for Widening Stolley Park Road, West of U.S. Highway 281 with Olsson Associates in an Amount not to exceed \$71,156.00.

#2004-193 – Approving Bid Award for Street Improvement District 1250; Edna Drive from North Road West to Mabel Drive with J.I.L. Asphalt Paving Company of Grand Island, Nebraska in an Amount of \$27,165.11.

#2004-194 – Approving to Rescind Resolution #2003-272 with Regards to the Final Clarifier Mechanisms for the Waste Water Treatment Plant, to a Correction Resolution. Public Works Director Steve Riehle explained that there was an error on Resolution #2004-272 and Resolution #2004-194 corrected that error.

#2004-195 – Approving Bid Award for Purchase of Liquid Ortho-Polyphosphate for Corrosion Control – Water Department with CalciQuest, Inc. of Belmont, North Carolina in an Amount not to exceed \$80,820.00.

#2004-196 – Approving Bid Award for 28 Feeder Protection Relays with Wesco Distribution, Inc. of Grand Island, Nebraska in an Amount of \$81,706.80.

#2004-197 – Approving Phase II – Rogers Pumping Improvement Project with CH2M Hill of Englewood, Colorado in an Amount not to exceed \$138,418.40.

#2004-198 – Approving Annual Agreement with Munis, Inc. for Operating System & Database Administration Support in an Amount of \$16,725.83 and Annual Support Agreement and License Agreement in an Amount of \$61,739.28.

#2004-199 – Approving Contract for Employee Life Insurance Plan with Aetna Life Insurance Company of Hartford, Connecticut.

#2004-200 – Approving Contract for Police and Fire Pension Administration Consultant with C. William Joe of Omaha, Nebraska in an Amount not to exceed \$12,500.00.

Councilmember Pielstick extended an invitation to everyone for the Grand Generation Center ground breaking ceremony taking place on Saturday, August 14, 2004 at the Grand Generation Center.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Hornady, carried unanimously to approve the Claims for the period of July 28, 2004 through August 10, 2004, for a total amount of \$2,679,878.62. Motion adopted.

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

Respectfully submitted,

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G3

### **Approving Minutes of August 11, 2004 City Council Special Budget Meeting**

*The Minutes of August 11, 2004 City Council Budget Meeting are submitted for approval.  
See attached MINUTES.*

Staff Contact: RaNae Edwards



OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL SPECIAL BUDGET MEETING

August 11, 2004

Pursuant to due call and notice thereof, a Special Budget Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City, 100 East First Street, on August 11, 2004. Notice of the meeting was given in the Grand Island Independent on August 5, 2004.

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

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Council Member Jackie Pielstick.

OPENING REMARKS:

Mayor Vavricek commented that the Department Managers were present to answer questions of the Council regarding the FY 2004 – FY 2005 BUDGET.

ADJUSTMENTS TO FY 2003-2004 and FY 2004-2005 BUDGET:

Finance Director David Springer reported on changes to the proposed Annual Budget for the Fiscal Year 2004 – 2005 as well as reviewing the General Fund. See attachments A and B.

QUESTIONS FROM CITY COUNCIL CONCERNING FY 2004-2005 BUDGET:

Mayor: Are there any questions or concerns regarding the FY 2004 – 2005 BUDGET?

A motion was made by Councilmember Myer, and seconded by Councilmember Hornady to accept adjustments to the Annual Budget for the Fiscal Year 2004 – 2005 and revisions to the General Fund.

Discussion concerning \$750,000 for road work on Independence Avenue was brought up by Councilmember Myer and answered by Public Works Department Director Steve Riehle.

Council Member Haase expressed concern on Capital Improvement transferring of \$2 million noted on page 259 of the Annual Budget Fiscal Year 2004 – 2005. Finance Department Director Dave Springer discussed concerns and answered question on figures by noting that the City is bonding up front and pointing out projects noted on page 264 of the Annual Budget Fiscal Year 2004 – 2005

Mayor: At this time I would ask for Approval for Adjustment.

Deputy City Clerk Paul Briseno asked for a show of Councilmember's right hand for approval.

A unanimous vote of all Councilmembers present approved the Adjustments of the Annual Budget for Fiscal Year 2004 -2005 was noted.

AMENDMENTS TO PROPOSED FY 2004-2005 BUDGET:

Mayor: At this time I would ask for any remarks from the Council concerning the Annual Budget.

Councilmember Meyer requested two Appeals concerning Outside Agencies.

The 1<sup>st</sup> Appeal was regarding the Humane Society and their request for an additional \$15,000.

The 2<sup>nd</sup> Appeal was regarding the Dive and Rescue Team. Councilmember Myer suggested that the Council fund this Outside Agency.

City Administrator Gary Greer Stated that Keno Funds were approved for \$2,700, which was the full amount requested by the Dive and Rescue Team.

Discussion concerning the Humane Society were commented by Councilmember's Pielstick, Whitesides, Nickerson, Gilbert, and Haase to fund the requested Outside Agency with a new amount of \$157,000.

Mayor: I would at this time request an approval for an amendment to the Outside Agency request of the Humane Society for A new amount of \$157,000.

Deputy City Clerk Paul Briseno asked for a show of Councilmember's right hand for approval of an amendment to fund the Humane Society with a new amount of \$157,000

A unanimous vote of Councilmember's present approved the amendment to the Budget regarding the Humane Society with the new amount of \$157,000.

Concilmember Myer made the 1<sup>st</sup> motion to fund the Dive and Rescue Team and wanted to see if any other Councilmembers would like to fund this Outside Agency with the amount of \$2500.

Councilmember Gilbert seconded the motion for discussion.

Discussions and Concerns were expressed by Councilmembers Nickerson, Hornady, Walker, Whitesides, Haase, Pielstick and City Administrator Gary Greer on the above mentioned topic concerning the Dive and Rescue Team funding amount.

Mayor: At this time I would ask for a vote on possible amendment adjustment of \$2,500 for funding the Dive and Rescue Team.

Deputy City Clerk Paul Briseno asked for a show of Councilmember's right hand for approval of amending the funding for the Dive and Rescue Team with \$2,500.

Councilmember Meyer voted Yes on the amendment and the rest of the Council voted No.

FINAL APPROVAL OF FY 2004-2005 BUDGET SET FOR AUGUST 24, 2004 COUNCIL MEETING:

Mayor: At this time I would aske for final Approval of the Annual Budget for Fiscal Year 2004 – 2005.

Councilmember's Pauly, Nickerson, and Pielstick requested information concerning the Spillman System, Police Department Director Kyle Hetrick answered questions and concerns of the system.

Motion by Pielstick, second by Nickerson, that the FY 2004-2005 Budget be brought back to Council for approval at the August 24, 2004 City Council meeting. Upon roll call vote, all voted aye. Motion adopted.

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

Respectfully submitted,

Paul Briseno  
Deputy City Clerk

## Attachment A

## City of Grand Island

## Changes to proposed Annual Budget

Fiscal Year 2004-2005

	<u>2004 Projection</u>		<u>Reason</u>
250 Fund	(7,500.00)	Decrease Contract Services	Correct Projections
251 Fund	28,000.00	Increase Federal Grant Revenue-Safe Haven	Correct Projections
	(5,000.00)	Decrease Contract Services-Safe Haven	Correct Projections
	6.00	Increase Salaries/FICA/Pension	Correct Projections
310 Fund	2,160,000.00	Payoff Series 1999 Bonds	Bond Refinancing
	(2,160,000.00)		
400 Fund	(740,000.00)	Decrease Northwest Transportation project	Postponed until FY 2005
505 Fund	2,850,000.00	Payoff Series 1998 Bonds	Bond Refinancing
	(2,850,000.00)		

	<u>FY 2005</u>		<u>Reason</u>
Finance	3,000.00	Increase Travel & Training	Needed increase in Travel/Training
	(3,000.00)	Decrease Audit & Accting Fees	
Police	(45,468.00)	Decrease Voca Expenditures	Victim Assistance expense duplicated
Library	3,000.00	Increase Misc Operating Equip	Copy Machine under \$10,000
	(3,000.00)	Decrease Capital for Copy Machine	
Nondept	150,000.00	Increase Other Revenues	2005 County Contribution to Heartland
	150,000.00	Increase Contribution to Heartland Events Center	
251 Fund	800,000.00	Increase Federal Grant Revenue	Expected Federal Grants for FY 2005
	800,000.00	Increase Contract Services	
250 Fund	(16,944.00)	Decrease Salaries/FICA/Pension	Allocate Salaries to Grants
251 Fund	16,944.00	Increase Salaries/FICA/Pension	
250 Fund	53,718.00	Increase Contract Services	Budget all of NIFA \$\$
251 Fund	100,000.00	Increase Federal Grant Revenue-Safe Haven	Expected Federal Grants for FY 2005
	100,000.00	Increase Contract Services	
251 Fund	(2,854.00)	Decrease Contract Services-Housing Rehab	Balance to budgeted revenues
400 Fund	740,000.00	Increase Northwest Transportation Project	Postponed from FY 2004
	(68,000.00)	Decrease Other Intergovernmental Revenue	NRD Grant decrease

## Attachment B

**GENERAL FUND**

	<u>2002 ACTUAL</u>	<u>2003 ACTUAL</u>	<u>2004 REVISED</u>	<u>2004 PROJECTED</u>	<u>2005 BUDGET</u>
Beginning Cash Balance	13,033,612	13,086,181	14,747,027	14,747,027	10,590,246
<b><u>Revenues</u></b>					
General Government	1,225,023	1,615,745	1,365,983	1,315,660	1,334,396
Public Safety	3,450,591	3,370,383	2,775,324	3,032,812	3,076,883
Public Works	304,447	307,192	191,526	145,756	195,431
Community Environment	1,082,236	1,105,450	925,067	981,110	1,002,757
Other	17,975,353	18,728,149	17,662,766	18,977,750	20,476,956
Total Revenue	24,037,650	25,126,918	22,920,666	24,453,088	26,086,423
Transfers In	4,115,459	2,924,695	3,677,184	5,076,184	3,645,500
Total Resources Available	41,186,722	41,137,794	41,344,877	44,276,299	40,322,169
<b><u>Disbursements</u></b>					
General Government	4,270,270	3,930,815	4,502,955	3,811,325	4,276,689
Public Safety	11,399,630	12,150,663	13,262,533	13,370,221	13,918,056
Public Works	3,359,334	4,655,105	5,523,686	5,347,232	5,307,725
Environment & Leisure	3,796,728	4,036,150	4,564,928	4,532,275	4,694,079
Other	668,875	806,922	849,123	476,642	1,779,558
Total Disbursements	23,494,837	25,579,656	28,703,225	27,537,695	29,976,107
Transfers Out	4,605,703	811,111	9,139,569	6,148,358	4,459,267
Total Requirements	28,100,540	26,390,768	37,842,794	33,686,053	34,435,374
Ending Cash Balance	13,086,181	14,747,027	3,502,083	10,590,246	5,886,795



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G4

### Approving Minutes of August 17, 2004 City Council Study Session

*The Minutes of August 17, 2004 City Council Study Session are submitted for approval. See attached MINUTES.*

Staff Contact: Paul Bresino

## OFFICIAL PROCEEDINGS

### CITY OF GRAND ISLAND, NEBRASKA

#### MINUTES OF CITY COUNCIL STUDY SESSION

August 17, 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 August 17, 2004. Notice of the meeting was given in the Grand Island Independent on August 11, 2004.

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

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

MAYOR COMMUNICATION: Mayor Vavricek commented that the Study Sessions information presented tonight will be an overview of the process of the Aquatic, and not the findings of the study.

PRESENTATION AND PUBLIC INPUT CONCERNING THE AQUATIC STUDY: Steve Paustian, Parks and Recreation Director reported that C.T. Brannon Corporation would be giving an overview of the study and what took place to acquire the information needed for the study. Steve also mentioned that citizens could help out by filling out a questionnaire located at City Hall or at Grand-Island.com. Steve introduced Bryan Ziegler and Terry Brannon of C.T. Brannon Corporation who gave the presentation on information acquired in the month of July for the Aquatic Study.

#### Elements of the Study

Terry Brannon stated that there were different elements pertaining to the study.

- Inventory existence of current aquatic facilities
- Management
- Input from staff, public, and community
- Analyze market force and competition
- Analyze strengths
- Prepare an action plan

#### Management Practices

Mr. Brannon stated that there were many fields that would be looked at for Management Practices:

- Staffing

- Concessions
- Policy
- Safety

#### Market and Competition

The following items were presented concerning marketing and competition.

- Analyze the market area share
- Marketing effects

#### Methods and Costs

Mr. Brannon stated the following concerning methods and costs for aquatics in Grand Island:

- Look for methods to fix current problems
- Analysis of cost/benefit analysis
- Look at various kinds of cost
- Cost recovery, that is revenue
- Look at cost of doing nothing

#### Prepare an Action Plan

The following are items that the C.T. Brannon Corporation will submit:

- Present a time table
- Cost revenue projection
- Separate projects to immediate, long-term and optional

Mayor: After reviewing the presentation are there any questions from the Council Members or the audience concerning the aquatic study?

Council Member Cornelius asked if the Capital Heights pool is included in the scope of the study.

Mr. Brannon stated that yes the Capital Heights pool will be included in the study as well as all the other pools and parks in Grand Island.

There was discussion with Council Members Pielstick, Haase and C.T. Brannon Corporation in sharing their thoughts regarding L. E. Ray Lake as an aquatic facility and possible RV park.

There was further discussion from Council Member Nickerson, Mayor Vavricek and Mr. Brannon concerning different partnerships, the Event Center, and impacts with other entities.

ADJOURNMENT: The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Deputy Clerk  
Paul Bresino



Deputy City Clerk



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G5

### **Approving Request of Fonner Park Exposition and Events Center, Inc. for Ratification of Election of Board of Directors**

*At the December 21, 1998 City Council Meeting, Resolution #98-332 was adopted supporting the application of Fonner Park to the Internal Revenue Service for a 501(c)(3) exemption for construction and operation of an Exposition and Events Center. This approval created the formation of the Fonner Park Exposition and Events Center, Inc. The Internal Revenue Service requires the election of the members of the Board of Directors of Fonner Park Exposition and Events Center, Inc. be ratified by the Grand Island City Council. The appointments of Brian Hamilton, George Wanitschke, Vince Dowding, Jim Cannon, and John R. Brownell to the Board of Directors for the Fonner Park Exposition and Events Center, Inc. are recommended.*

**Staff Contact: RaNae Edwards**

**LEININGER, SMITH, JOHNSON,  
BAACK, PLACZEK, STEELE & ALLEN**

ATTORNEYS AT LAW

ESTABLISHED IN 1929

104 N. WHEELER STREET  
P.O. BOX 790  
GRAND ISLAND, NE 68802  
(308) 382-1930

FAX # (308) 382-5521  
www.gilawfirm.com

OFFICE AT SUPERIOR:

145 EAST 4TH STREET  
P.O. BOX 186  
SUPERIOR, NE 68978  
(402) 879-3251

A.J. LUEBS (1903-1996)

D. STEVEN LEININGER  
BRUCE I. SMITH  
MICHAEL L. JOHNSON  
AREND R. BAACK  
DANIEL M. PLACZEK  
ROGER G. STEELE  
CATHLEEN H. ALLEN  
BRANDON S. CONNICK  
SONYA K. KOPERSKI

August 11, 2004



COPY

~~Mayor Jay Vavricek  
City Hall Building  
100 E. First Street  
P.O. Box 1968  
Grand Island, NE 68802~~

Re: Fonner Park Exposition and Events Center, Inc.

Dear Mayor Vavricek:

Please have the City Clerk of the City of Grand Island, Nebraska place the following matter on the agenda of the meeting of the City Council of the City of Grand Island, Nebraska scheduled for August 24, 2004:

"Fonner Park Exposition and Events Center, Inc./ Ratification of Election of Board of Directors"

On July 28, 2004 the following persons were elected as directors of the Fonner Park Exposition and Events Center, Inc.:

Brian Hamilton  
George Wanitschke  
Vince Dowding  
Jim Cannon  
John R. Brownell

The Fonner Park Exposition and Events Center, Inc. is a nonprofit corporation formed under Section 501(c)(3) of the Internal Revenue Code for the purposes of lessening the burdens of government. Specifically, the Fonner Park Exposition and Events Center, Inc. was formed to lessen the burdens of the City of Grand Island, Nebraska in planning, constructing and operating an agricultural exposition and events center in the City of Grand Island, Nebraska.

Mayor Jay Vavricek  
August 11, 2004  
Page 2

As a condition to obtaining exemption under Section 501(c)(3) of the Internal Revenue Code, the Internal Revenue Service required that the following provisions be included in the Bylaws of Fonner Park Exposition and Events Center, Inc.:

- (1) The Mayor of the City of Grand Island, Nebraska nominates one (1) member of the Board of Directors of Fonner Park Exposition and Events Center, Inc.; and
- (2) The election of the members of the Board of Directors of Fonner Park Exposition and Events Center, Inc. is submitted to the City Council of the City of Grand Island, Nebraska for ratification.

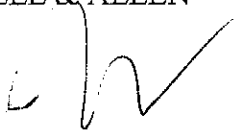
Because Fonner Park Exposition and Events Center, Inc. was formed for the purpose of lessening the burdens of government, the Internal Revenue Service imposed the foregoing requirements on Fonner Park Exposition and Events Center, Inc. so that there would be an opportunity for oversight by the City of Grand Island, Nebraska in regard to the election of directors of Fonner Park Exposition and Events Center, Inc.

As you know, you nominated John R. Brownell as a member of the Board of Directors of Fonner Park Exposition and Events Center, Inc. in compliance with the requirements of (1) above. The election of the members of the Board of Directors of Fonner Park Exposition and Events Center, Inc. should now be submitted to the City Council of the City of Grand Island, Nebraska for ratification in compliance with the requirements of (2) above.

Thank you for your time and consideration.

Sincerely,

LEININGER, SMITH,  
JOHNSON, BAACK, PLACZEK,  
STEELE & ALLEN



MICHAEL L. JOHNSON  
MLJ/las

cc: Mr. Gary Greer, City Administrator  
✓ Ms. RaNae Edwards, City Clerk  
Mr. Hugh Miner, Jr.



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G6

**Approving Request of Crown Asphalt Products Company for  
Conditional Use Permit for Temporary Office Trailer Located at  
1820 Fairchild Lane**

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

Staff Contact: Craig Lewis



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G7

**#2004-201- Approving Connection Fees for Water Main District  
446T - Part of Section 25-11-10**

*This item relates to the aforementioned Board of Equalization Item # D-3.*

Staff Contact: Gary R. Mader

\* This Space Reserved for Register of Deeds \*

RESOLUTION 2004-201

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the special benefits as determined by Resolution 2004-BE-14 shall not be levied as special assessments but shall be certified by this resolution to the Register of Deeds, Hall County, Nebraska, pursuant to Section 16-6,103, R.R.S. 1943. A connection fee in the amount of the benefit identified below accruing to each property in the district shall be paid to the City of Grand Island at the time such property becomes connected to the water main. No property benefited as determined by this resolution shall be connected to the water main until the connection fee is paid. The connection fees collected shall be paid into the fund from which construction costs were made to replenish such fund for the construction costs.

According to the front foot and area of the respective lots, tracts, and real estate within such Water Main District 446T, such benefits are the sums set opposite the descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Connection Fee</u>
Gladys V. Schoel	Part of the E1/2, SW1/4 of Section 25-11-10, more particularly described as follows:  Beginning at the southeast corner of Lot Fourteen (14), Kentish Hills Subdivision in the City of Grand Island, Hall County, Nebraska; thence southerly along the easterly line of said Kentish Hills Subdivision, and the easterly line of Marylane Subdivision, a distance of four hundred eighty (480.0) feet; thence easterly and parallel with the northerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW1/4, SE1/4, SW1/4) of Section Twenty Five (25), Township Eleven (11) North, Range Ten (10) West of the 6 <sup>th</sup> PM, a distance of six hundred sixty (660.0+/-) feet more or less,	21,612.11

Approved as to Form  \_\_\_\_\_  
August 17, 2004  City Attorney

	<p>to a point on the westerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW1/4, SE1/4, SW1/4) of said Section Twenty Five (25); thence northerly along the westerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW1/4, SE1/4, SW1/4) of said Section Twenty Five (25), to a point on the northerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW1/4, SE1/4, SW1/4) of said Section Twenty Five (25); thence westerly along the northerly line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW1/4, SE1/4, SW1/4) of said Section Twenty Five (25), a distance of two hundred fifty (250.0) feet; thence southerly and parallel with the easterly line of said Marylane Subdivision, a distance of two hundred twenty (220.0+/-) feet more or less, to a point on the easterly extension of the southerly line of Lot Twelve (12) said Marylane Subdivision; thence westerly along the easterly extension of the southerly line of Lot Twelve (12) said Marylane Subdivision, to a point thirty (30.0) feet easterly of the southeast corner thereof; thence northerly and parallel with the easterly line of said Kentish Hills Subdivision, and the easterly line of said Marylane Subdivision, a distance of four hundred fifty (450.0) feet, to a point on the easterly extension of the southerly line of Lot Fourteen (14) said Kentish Hills Subdivision; thence westerly along the easterly extension of the southerly line of Lot Fourteen (14) said Kentish Hills Subdivision, a distance of thirty (30.0) feet to the said point of beginning.</p>	
<b>TOTAL</b>		<b>\$ 21,612.11</b>

BE IT FURTHER RESOLVED, that the above-identified connection fee has been paid in full by New Holland of North America, Inc. pursuant to an agreement dated October 21, 2003. No further amounts are due and owing by the property owners identified above with respect to Water Main District No. 446T.

- - -

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

---

RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G8

**#2004-202- Approving Bid Award for Transmission Poles,  
Steel/Wood Equivalent**

Staff Contact: Gary R. Mader

# **Council Agenda Memo**

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

**Meeting:** August 24, 2004

**Subject:** Bid Award  
Steel–Wood Equivalent Transmission Poles

**Item #'s:** G-8

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

## **Background**

The City's electrical load is such that it can not be served from a centrally located generating plant. Generating plants and distribution substations are located near the perimeter of the City, and they are connected by a 115,000 volt transmission loop. Construction of the 115,000 volt transmission loop began in 1970 and was completed ten years later.

The wood poles, used in the original construction, are inspected periodically and replaced as necessary. The supply of spare poles is nearing depletion. It is necessary to purchase spare poles, both for routine maintenance and to repair storm damage.

## **Discussion**

Steel poles have a longer expected life than do wood poles. This is particularly true in storage. Horizontally stored wood poles, unable to readily shed moisture, are more susceptible to decay than are vertically installed wood poles. Unlike wood poles, steel poles are environmentally benign. As regulations tighten, this characteristic will increase in importance.

Steel poles with the mechanically equivalent strength of wood poles are now on the market. The steel poles are designed to meet the same strength requirements as wooden poles of the same size, and are referred to as steel-wood. Specifications for 32 Steel – Wood Equivalent Transmission Poles were prepared. The advertisement appeared in the Grand Island Independent on July 15, 2004. The Engineers Estimate is \$175,000.

Three vendors responded with bids:

<b>Bidder</b>	<b>Manufacturer</b>	<b>Bid Price including 7% tax</b>
Dutton-Lainson Co	Valmont	\$135,057.54
Kriz-Davis Co.	Valmont	\$135,753.85
WESCO Distribution Co.	Penn Summit Tubular	\$121,736.04

All bidders imposed their standard commercial terms and conditions. Those of the lower bidder, WESCO, were not overly onerous. The Valmont offerings were subject to escalation if not accepted within one week. There were no exceptions by any of the three bidders to the technical requirements.

The Steel – Wood Equivalent Transmission Poles bid by WESCO, of Grand Island, is the lowest bid meeting the specifications.

### **Alternatives**

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

1. Approve the award of the purchase of Steel – Wood Equivalent Transmission Poles to WESCO Distribution Inc.
2. Approve the award of the purchase of Steel – Wood Equivalent Transmission Poles to another bidder.
3. Deny award of the purchase of the Steel – Wood Equivalent Transmission Poles.
4. Table the issue.

### **Recommendation**

City administration recommends that the purchase of Steel – Wood Equivalent Transmission Poles be awarded to WESCO Distribution Inc., of Grand Island, in the amount of \$121,736.04.

### **Sample Motion**

I move that the purchase of the Steel – Wood Equivalent Transmission Poles be awarded to WESCO Distribution Inc., in the amount of \$121,736.04.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** August 5, 2004 at 11:00 a.m.  
**FOR:** Transmission Poles – Steel – Wood Equivalent  
**DEPARTMENT:** Utilities  
**ESTIMATE:** \$175,000.00  
**FUND/ACCOUNT:** E520  
**PUBLICATION DATE:** July 15, 2004  
**NO. POTENTIAL BIDDERS:** 6

**SUMMARY**

<b>Bidder:</b>	<b><u>WESCO</u></b> Grand Island, NE	<b><u>Dutton-Lainson Company</u></b> Hastings, NE
<b>Bid Security:</b>	The Continental Insurance Co.	Universal Surety Company
<b>Exceptions:</b>	Noted	Noted
<b>Bid Price:</b>	\$121,736.04 (Sales Tax Included)	\$135,057.54 (Sales Tax Included)

<b>Bidder:</b>	<b><u>Kriz-David Company</u></b> Grand Island, NE
<b>Bid Security:</b>	St. Paul Guardian Insurance Co.
<b>Exceptions:</b>	Noted
<b>Bid Price:</b>	\$135,753.85 (Sales Tax Included)

cc: Gary Mader, Utilities Director  
Burhl Gilpin, Utilities Department  
Gary Greer, City Administrator  
Laura Berthelsen, Legal Assistant

Bob Smith, Assistant Utilities Director  
Pat Gerieke, Utilities Admin. Secretary  
Dale Shotkoski, Purchasing Agent



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G9

**#2004-203- Approving Bid Award for Turbine Packing  
Replacement Valve Overhaul - Platte Generating Station**

Staff Contact: Gary R. Mader

# Council Agenda Memo

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

**Meeting:** August 24, 2004

**Subject:** Bid Award for Turbine Packing Replacement and Valve Overhaul - Platte Generating Station

**Item #'s:** G-9

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

## Background

Plant staff has observed significant changes in the operating characteristics of the Platte Generating Station over the last few months, and has determined that the change is caused by excessive steam leakage between the high pressure and intermediate pressure sections of the steam turbine. This leakage causes reduced boiler reheat steam flows, which affects boiler operation, as the boiler is calibrated to maintain reheat steam temperature. Steam leakage between turbine sections is controlled by labyrinth toothed shaft seals, commonly referred to as steam seal packing. The steam seal packing prevents steam leakage between the stationary turbine casings and the rotating shaft, and between turbine sections, in a severe working environment. Turbine steam inlet conditions are 1800psi at 1000<sup>0</sup> F. The turbine at Platte has been in service since 1982 and the packing has never been replaced. Replacement seals have been purchased. Installation is planned during a fall maintenance outage.

## Discussion

In order to keep the time of the outage to a minimum, the Utilities Department plans to use the services of an outside contractor along with plant staff to accomplish the repair. Also, periodic inspection of the turbine main steam valves is required by insurance carriers. Since an extended outage is required for the seals repair, the valve work is also planned for this fall. To that end, specifications were prepared and advertised for the turbine work. Five bids were received as tabulated below.

<u>Bidder</u>	<u>Bid price</u>
GE International, Inc., Omaha, NE	\$ 363,975.00 (taxes included)
TurboCare, Houston, TX	\$ 313,874.00 (taxes <b>not</b> included)
Elliott Company, Jacksonville, FL	\$ 299,341.00 (taxes included)
ReGENco, LLC, West Allis, WI	\$ 297,186.00 (taxes <b>not</b> included)
Power Generation Services, Inc., Anoka, MN	\$ 189,763.00 (taxes <b>not</b> included)

The base bid requires the work to be done in 18 days.

In addition to the base bids, bidders were asked to provide prices for performing the outage in the shortest time to minimize the amount of power to be supplied by either gas-fired generation at Burdick Station or from purchases from other sources. Power Generation Services quoted an extra cost of \$37,100 to reduce the outage time by two days.

The dispatch center estimates that the extra cost for replacement power during the Platte outage will be approximately \$35,000 per day, or a cost of \$70,000 for the two days that could be saved by shortening the outage. The plant staff recommends that the shortest time option be accepted, for a total contract price of \$226,863.

### **Alternatives**

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

1. Approve the award of the contract for Turbine Packing Replacement and Valve Overhaul.
2. Deny the award of the contract for the Turbine Packing Replacement and Valve Overhaul.
3. Table the issue.

### **Recommendation**

Utility Department Engineering staff has reviewed the bids for compliance with the specifications. The lowest bid, from Power Generation Services, is evaluated as compliant. The Department has used that contractor in the past with satisfactory results.

City Administration recommends that the contract for Turbine Packing Replacement and Valve Overhaul be awarded to Power Generation Services, of Anoka, MN, and acceptance of the short time cost addition, for a total contract price of \$226,863.00, tax not included.

### **Sample Motion**

I move that the contract for the Turbine Packing Replacement and Valve Overhaul be awarded to Power Generation Services, Inc.

Purchasing Division of Legal Department  
**INTEROFFICE MEMORANDUM**



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** August 11, 2004 at 11:00 a.m.  
**FOR:** Turbine Packing Replacement and Valve Overhaul  
**DEPARTMENT:** Utilities  
**ESTIMATE:** \$325,000.00  
**FUND/ACCOUNT:** E520  
**PUBLICATION DATE:** July 22, 2004  
**NO. POTENTIAL BIDDERS:** 8

**SUMMARY**

<b>Bidder:</b>	<b><u>TurboCare</u></b> Houston, TX	<b><u>Power Generation Service, Inc.</u></b> Anoka, MN
<b>Bid Security:</b>	Federal Insurance Co.	United States Fidelity & Guaranty Co.
<b>Exceptions:</b>	Noted	Noted
<b>Bid Price:</b>	\$313,874.00 (Sales Tax not included)	\$189,763.00 (Sales Tax not included)
<b>Bidder:</b>	<b><u>GE International, Inc.</u></b> Omaha, NE	<b><u>ReGENco LLC</u></b> West Allis, WI
<b>Bid Security:</b>	Federal Insurance Co.	Old Republic Surety Company
<b>Exceptions:</b>	None	None
<b>Bid Price:</b>	\$363,975.00 (Sales Tax Included)	\$297,186.00 (Sales Tax not included)
<b>Bidder:</b>	<b><u>Elliott Company</u></b> Jacksonville, FL	
<b>Bid Security:</b>	Vigilant Insurance Co.	
<b>Exceptions:</b>	None	
<b>Bid Price:</b>	\$299,341.00 (Sales Tax Included)	

cc: Gary Mader, Utilities Director  
Dave Kuhlman, Utilities Dept.  
Gary Greer, City Administrator

Bob Smith, Assistant Utilities Director  
Shelly Schnakenberg, Senior Utilities Sec.  
Dale Shotkoski, Purchasing Agent







# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G10

**#2004-204- Approving Addendum to Sales Agreement for 1209 -  
1219 W. North Front Street (Thompson Bldg). - Utilities  
Department**

Staff Contact: Gary R. Mader

# **Council Agenda Memo**

**From:** Gary R. Mader, Utilities Director  
Doug Walker, City Attorney

**Meeting:** August 24, 2004

**Subject:** Property Acquisition: 1209 – 1219 W. North Front Street

**Item #'s:** G-10

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

## **Background**

The Electric Department, Line Division and Underground offices, shops and storage facilities are located in the 1100 block of West North Front Street. The current buildings were first built over 35 years ago. As the City has grown, so have the Utility's electric distribution divisions. Rather than abandon the current site and build new to meet this growth, the Utilities Department has acquired suitable adjacent properties as they have become available and integrated those facilities into the previously constructed facilities. The old YMCA property, which was located on the same block, was acquired in the 70's. A private residence in that same block was acquired in the 80's, and a commercial business in the block just east was acquired in the 90's. These acquisitions have been fully integrated into the Line Division's operations, and have provided well for the needed growth.

The property located at 1209 – 1219 West North Front, generally referred to as the Thompson Building, was approved for purchase to continue the expansion of the Line Division facilities in the area at the Council meeting of March 23, 2004.

## **Discussion**

The Purchase Agreement approved in March contained several contingencies required by the City to protect its interests in the proposed purchase. Subsequent investigation revealed that there were some problems to be addressed by the seller; concerning the legal description and the presence of asbestos containing materials. The proposed addendum to the Purchase Agreement addresses those problems and provides a firm date for the building tenant to vacate the property. A copy of the proposed addendum is attached.

## **Alternatives**

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

1. Approve the addendum to the Purchase Agreement.
2. Deny the addendum.
3. Modify the addendum to meet the wishes of the Council.
4. Table the issue.

## **Recommendation**

City Administration recommends that the Council approve the addendum to the Purchase Agreement for the property at 1209 – 1219 West North Front Street and that the Mayor be authorized to execute the Purchase Agreement addendum.

## **Sample Motion**

I move to approve the addendum to the Purchase Agreement for property at 1209 – 1219 West North Front Street and authorize the Mayor to execute the addendum.



### Addendum to Purchase Agreement

The Seller and Buyer named in the Purchase Agreement dated March 16, 2004,  
for the sale of 1219 W. North Front Street, Grand Island, NE 68801  
agree to the following terms in addition to or as modifications of those stated in the Agreement:

1. buyer understands that all rent monies from the current tenant (Infast) will be payable to Tony Wald (TOBA, Inc.) Current tenant will vacate the building on August 9, 2004.
2. seller will provide to buyer and Grand Island Abstract, prior to closing, an affidavit of marketable title or possession that includes a small triangular shaped parcel not previously included in prior legal descriptions.
3. seller will be responsible for asbestos cleanup on the subject property as described in the MILCO Environmental Services report (attached).
4. All other terms of the contract remain the same.

Dated 8/9/2004

Dated \_\_\_\_\_

Anthony J. Wald  
Seller -- Anthony Wald

Buyer \_\_\_\_\_

Gene Reab  
Seller -- Gene Reab

Ellenor Reab  
Seller -- Ellenor Reab



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G11

**#2004-205- Approving Bid Award for (2) Playground Structures**

Staff Contact: Steve Paustian

# **Council Agenda Memo**

**From:** Steve Paustian, Park and Recreation Director  
**Meeting:** City Council, August 24, 2004  
**Subject:** Contract Award-(2) Playground Structures  
**Item #'s:** G-11  
**Presenter(s):** Steve Paustian

## **Background**

The City is Planning to install playground equipment at Ryder and Chevron Parks. In order to purchase this equipment a request for proposal was developed and sent out to various interested playground equipment suppliers.

## **Discussion**

Proposals were received from six different firms (see summary sheet). Two firms provided designs that best fit the requirements of the proposal. One was provided by Churchich Recreational Design and the other was provided by ABCreative. The review team looked at several different criteria to make this recommendation. Judging criteria included, play value, equipment versatility, component make-up ,experience with similar projects, time line and cost.

## **Alternatives**

1. Award the contracts as recommended.
2. Award contracts to another firm.
3. Not award contracts.
4. Other, as provided by Council.

## **Recommendation**

It is the recommendation of staff to award a contract in an amount of \$20,000.00 to Churchich Recreation Design and a contract to ABCreative in an amount of \$27,010.00.

## **Sample Motion**

Motion to award Playground Equipment contracts to Churchich Recreational Design in the amount of \$20,000.000 and to ABCreative in the amount of \$27,010.00.



Purchasing Division of Legal Department  
**INTEROFFICE MEMORANDUM**



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** July 27, 2004 at 11:00 a.m.

**FOR:** (2) Playground Structures & (1) Tire Swing

**DEPARTMENT:** Parks & Recreation

**ESTIMATE:** \$55,000.00

**FUND/ACCOUNT:** 10044403-85615 (\$25,000.00)  
40044450-90125 (\$30,000.00)

**PUBLICATION DATE:** July 10, 2004

**NO. POTENTIAL BIDDERS:** 7

**SUMMARY**

<b>Bidder:</b>	<b><u>Outdoor Recreation Products</u></b> Elkhorn, NE	<b><u>Churchich Recreational Design, Inc.</u></b> Omaha, NE
<b>Bid Price:</b>	\$51,295.00	\$51,300.00
<b>Bidder:</b>	<b><u>GameTime</u></b> Fremont, NE	<b><u>Fry &amp; Associates, Inc.</u></b> North Kansas City, MO
<b>Bid Price:</b>	\$38,390.29	\$49,035.00
<b>Alternate</b>	\$37,068.51	
<b>Bidder:</b>	<b><u>Backyard Adventures</u></b> Omaha, NE	<b><u>ABCreative, Inc.</u></b> Omaha, NE
<b>Bid Price:</b>	\$53,340.00	\$47,059.00

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



R E S O L U T I O N 2004-205

WHEREAS, the City of Grand Island invited proposals for Two (2) Playground Equipment Play Structures and One (1) Tire Swing in accordance with a Request for Proposal on file with Park Maintenance Supervisor; and

WHEREAS, on July 27, 2004, proposals were received, reviewed and evaluated in accordance with established criteria; and

WHEREAS, Churchich Recreation Design, Inc. of Omaha, Nebraska, submitted a proposal in accordance with the terms of the request for proposals and all statutory requirements contained therein and the City Procurement Code, such proposal being in the amount of \$20,000 for one playground equipment play structure at Ryder Park; and

WHEREAS, ABCreative, Inc. of Omaha, Nebraska, submitted a proposal in accordance with the terms of the request for proposals and all statutory requirements contained therein and the City Procurement Code, such proposal being in the amount of \$27,010.00 for one playground equipment play structure at Chevron Park.

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

1. The proposal of Churchich Recreation Design, Inc. of Omaha, Nebraska, for one (1) playground equipment play structure at Ryder Park in the amount of \$20,000 is hereby approved.
2. The proposal of ABCreative, Inc. of Omaha, Nebraska, for one (1) playground equipment play structure at Chevron Park in the amount of \$27,010 is hereby approved.

- - -

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

---

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 17, 2004	☐ City Attorney



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G12

**#2004-206- Approving Outside Funding for Hope Harbor f/k/a  
Community Humanitarian Resource Center**

Staff Contact: David Springer

# **Council Agenda Memo**

**From:** David Springer, Finance Director  
**Meeting:** August 24, 2004  
**Subject:** Approving Funding Contracts for Outside Agencies  
**Item #'s:** G-12 through G-18  
**Presenter(s):** David Springer, Finance Director

## **Background**

As part of the City's budget process, Outside Agencies were asked to and submitted their budget requests. These were detailed in the City Administrator's Budget Transmittal Letter and reviewed with Council at the July 20, 2004 Study Session. At the August 11, 2004 Budget Work Session, Council again reviewed requests from these agencies and approved funding.

## **Discussion**

Resolutions G-12 through G-18 are contracts with these agencies to provide their services. The only change to funding as presented by Administration was to increase the Humane Society amount to \$157,500. No contracts are needed with the Humane Society or Health Department, as there are current inter-local agreements in place with them which details their services.

## **Alternatives**

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

1. Approve the contracts with Outside Agencies.
2. Disapprove or deny the contracts.
3. Modify the Resolution to meet the wishes of the Council

## **Recommendation**

City Administration recommends that the Council approve the Outside Agency contracts.

## **Sample Motion**

Approve the Funding Contracts for Outside Agencies.

R E S O L U T I O N 2004-206

WHEREAS, the City is authorized by state law to contract with Hope Harbor, formerly known as Community Humanitarian Resource Center, a non-profit agency, to assist in the operation of a transitional homeless shelter, emergency services and referrals to the needy and other service providers in the Grand Island area; and

WHEREAS, the City desires to enter into a contract with Hope Harbor to provide such services; and

WHEREAS, the City shall provide funding to Hope Harbor in the amount of \$4,500 during fiscal year 2004-2005 for performing agreed upon services as outlined in the agreement; and

WHEREAS, such funding was approved by the Mayor and City Council pursuant to adopted budget statements and annual appropriation ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to sign on behalf of the City of Grand Island, an agreement by and between the City and Hope Harbor to assist in the operation of the transitional homeless shelter in Grand Island, and to offer emergency services and referrals to the needy and other service providers in the Grand Island area.

- - -

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

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G13

**#2004-207- Approving Outside Funding for The Crisis Center, Inc.**

Staff Contact: David Springer



R E S O L U T I O N 2004-207

WHEREAS, the City is authorized by state law to contract with The Crisis Center, Inc., a non-profit agency, to provide services to victims of family violence and sexual assault; and

WHEREAS, the City desires to enter into a contract with the Crisis Center to provide such services to victims of family violence and sexual assault; and

WHEREAS, the City shall provide funding to the Crisis Center in the amount of \$12,000 during fiscal year 2004-2005 for performing agreed upon services as outlined in the agreement; and

WHEREAS, such funding was approved by the Mayor and City Council pursuant to adopted budget statements and annual appropriation ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to sign on behalf of the City of Grand Island, an agreement by and between the City and The Crisis Center, Inc. to provide services to victims of family violence and sexual assault.

- - -

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

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G14

**#2004-208- Approving Outside Funding for the Grand Island Area  
Council for International Visitors**

Staff Contact: David Springer

RESOLUTION 2004-208

WHEREAS, the City is authorized by state law to contract with the Grand Island Area Council For International Visitors, a non-profit agency, to provide cultural activities and home hospitality opportunities for foreign leaders, specialists and international scholars in promoting the various aspects of the Grand Island community; and

WHEREAS, the City desires to enter into a contract with the Grand Island Area Council for International Visitors to provide such services; and

WHEREAS, it is recommended that the City provide funding to the Grand Island Area Council for International Visitors in the amount of \$1,000 during fiscal year 2004-2005 for performing agreed upon services as outlined in the agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to sign on behalf of the City of Grand Island, an agreement by and between the City and the Grand Island Area Council for International Visitors to provide funding in the amount of \$1,000 in support of cultural activities and home hospitality opportunities for foreign leaders, specialists and international scholars in promoting the various aspects of the Grand Island community.

- - -

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

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G15

**#2004-209- Approving Outside Funding for the Grand Island/Hall  
County Convention & Visitors Bureau**

Staff Contact: David Springer

RESOLUTION 2004-209

WHEREAS, the City is authorized by state law to contract with the Grand Island Hall County Convention and Visitors Bureau, a non-profit agency, to market and promote tourism and convention activities in the area; and

WHEREAS, the City desires to enter into a contract with the Grand Island Hall County Convention and Visitors Bureau to provide such services; and

WHEREAS, it is recommended that the City provide funding to the Grand Island Hall County Convention and Visitors Bureau in the amount of \$10,000 during fiscal year 2004-2005 for performing agreed upon services as outlined in the agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to sign on behalf of the City of Grand Island, an agreement by and between the City and the Grand Island Hall County Convention and Visitors Bureau to provide funding in the amount of \$10,000 in support of tourism and convention activities in the Grand Island area.

- - -

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

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G16

**#2004-210- Approving Outside Funding for the Retired Senior Volunteer Program**

Staff Contact: David Springer

RESOLUTION 2004-210

WHEREAS, the City is authorized by state law to contract with Retired Senior Volunteer Program, a non-profit agency, to provide volunteer services of persons 55 years of age and older to various non-profit agencies and groups that provide needed services to our community; and

WHEREAS, the City desires to enter into a contract with Retired Senior Volunteer Program to provide such services; and

WHEREAS, the City shall provide funding to Retired Senior Volunteer Program in the amount of \$10,000 during fiscal year 2004-2005 for performing agreed upon services as outlined in the agreement; and

WHEREAS, such funding was approved by the Mayor and City Council pursuant to adopted budget statements and annual appropriation ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to sign on behalf of the City of Grand Island, an agreement by and between the City and Retired Senior Volunteer Program to provide volunteer services of persons 55 years of age and older to various non-profit agencies and groups in response to community needs.

- - -

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

---

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 17, 2004	☐ City Attorney



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G17

**#2004-211- Approving Outside Funding for the Senior Citizens Industries, Inc.**

Staff Contact: David Springer



R E S O L U T I O N 2004-211

WHEREAS, the City is authorized by state law to contract with Senior Citizens Industries, Inc., a Nebraska non-profit corporation, to provide the equipment, buildings, utilities and goods including food to provide services to elderly and handicapped individuals; and

WHEREAS, the City desires to enter into a contract with Senior Citizens Industries, Inc. to provide such services; and

WHEREAS, the City shall provide funding to Senior Citizens Industries in the amount of \$15,000 during fiscal year 2004-2005 for performing agreed upon services as outlined in the agreement; and

WHEREAS, such funding was approved by the Mayor and City Council pursuant to adopted budget statements and annual appropriation ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to sign on behalf of the City of Grand Island, an agreement by and between the City and Senior Citizen Industries, Inc. to provide the equipment, buildings, utilities and goods including food to provide services to elderly and handicapped individuals.

- - -

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

---

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 17, 2004	☐ City Attorney



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G18

**#2004-212- Approving Outside Funding for Clean Community System**

Staff Contact: David Springer

R E S O L U T I O N 2004-212

WHEREAS, the City is authorized to establish and provide for the support of any service, facility, or system required by the Integrated Solid Waste Management Act; and

WHEREAS, the City desires to contract with Grand Island Area - Clean Community System to perform certain services associated with environmental education which are required by the Integrated Solid Waste Management Act; and

WHEREAS, the City agrees to pay Grand Island Area - Clean Community System \$20,000 for performing agreed upon services during the 2004-2005 fiscal year as outlined in the agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to sign on behalf of the City of Grand Island, the agreement by and between the City and Grand Island Area - Clean Community System to perform services associated with environmental education.

- - -

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

---

RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G19

**#2004-213- Approving Certificate of Final Completion for Asphalt Maintenance Project 2004-AC-1; Located in Various Locations in Grand Island**

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

# **Council Agenda Memo**

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

**Meeting:** August 24, 2004

**Subject:** Certificate of Final Completion for Asphalt Maintenance Project 2004-AC-1; Located in Various Locations Throughout Grand Island

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

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

## **Background**

The contract for the Asphalt Maintenance Project 2004-AC-1 was awarded to Gary Smith Construction Company Inc., of Grand Island, Nebraska on April 13, 2004. Work commenced immediately and was completed in July 2004.

## **Discussion**

The work for the Asphalt Maintenance Project 2004-AC-1 has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans, and the specifications. The project was completed on schedule at a construction price of \$502,241.24.

## **Alternatives**

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

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

## **Recommendation**

City Administration recommends that the Council approve the Certificate of Final Completion for the Asphalt Maintenance Project 2004-AC-1.

## **Sample Motion**

Move to approve the Certificate of Final Completion.

RESOLUTION 2004-213

WHEREAS, the Public Works Director of the City of Grand Island has issued a Certificate of Final Completion for Asphalt Maintenance Project 2004- AC- 1, certifying that Gary Smith Construction Co., Inc. of Grand Island, Nebraska, under contract dated April 13, 2004, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Public Works Director recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs with the Public Works Director's recommendations.

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

1. The Public Works Director's Certificate of Final Completion for Asphalt Maintenance Project 2004-AC-1, is hereby confirmed.
2. A warrant be issued from the following accounts: Account No. 10033506-85354 in the amount of \$400,315.61; Account No. 40044450-90125 in the amount of \$4,391.71; Account No. 40044450-90023 in the amount of \$23,959.10; Account No. 40044450-90035 in the amount of \$32,981.21; Account No. 40044450-90027 in the amount of \$15,930.87; Account No. 40044450-90028 in the amount of \$16,333.79; Account No. 40044450-90033 in the amount of \$1,261.01; and, Account No. 40044450-90121 in the amount of \$7,067.94, payable to Gary Smith Construction Co., Inc. for the total amount due the contractor.

- - -

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

---

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 19, 2004	☐ City Attorney



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G20

**#2004-214- Approving Bid Award for Street Improvement District  
1253, Island Circle, West of Webb Road in Lacy Subdivision**

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



# Council Agenda Memo

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

**Meeting:** August 24, 2004

**Subject:** Approving Bid Award for Street Improvement  
District 1253; Island Circle, West of Webb  
Road, in Lacy Subdivision

**Item #'s:** G-20

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

## Background

On August 2, 2004 the Engineering Division of the Public Works Department advertised for bids for Street Improvement District 1253.

## Discussion

One bid was received and opened on August 16, 2004. The Engineering Division of the Public Works Department and the Purchasing Division of the City Attorney's Office reviewed the bid that was received. The bid was submitted in compliance with the contract, plans, and specifications with no exceptions. A summary of the bid is shown below.

<i>Bidder</i>	<i>Exceptions</i>	<i>Bid Security</i>	<i>Total Bid</i>
The Diamond Engineering Co.	None	Travelers Casualty & Surety Co. of America	\$99,265.26

The engineer's opinion of cost for this project is \$112,004.31. There are sufficient funds available in the Public Works account No. 40033530-90060.

## **Alternatives**

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

1. Approve awarding the contract for Street Improvement District 1253.
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 Street Improvement District 1253 to The Diamond Engineering Co., of Grand Island, Nebraska, for the amount of \$99,265.26.

## **Sample Motion**

Move to approve the award of the contract to The Diamond Engineering Co., of Grand Island, Nebraska for Street Improvement District 1253.

POINT OF BEGINNING

STALKER

PLAZA  
SUB.

PART OF N.E.1/4,  
N.E.1/4, SEC. 24-11-10

SPELTS-SCHULTZ

LOT 2

ISLAND CIRCLE

PART OF S.E.1/4,  
N.E.1/4,  
SEC. 24-11-10

LACY

1

INDUSTRIAL  
SUB.

LOT 1

2  
SUB.

WEBB RD.

PART OF S.E.1/4,  
N.E.1/4,  
SEC. 24-11-10

3



STREET IMPROVEMENT DISTRICT 1253

EXHIBIT "A"

CITY OF  
**GRAND ISLAND**  
PUBLIC WORKS DEPARTMENT

DATE: 6/14/04  
DRN BY: L.D.C.  
SCALE: 1"=200'

PLAT TO ACCOMPANY  
ORDINANCE NO. 8914

RESOLUTION 2004-214

WHEREAS, the City of Grand Island invited sealed bids for Street Improvement District No. 1253 [Island Circle, west of Webb Road], according to plans and specifications on file with the City Engineer; and

WHEREAS, on August 16, 2004, bids were received, opened and reviewed; and

WHEREAS, the Diamond Engineering Company of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$99,265.26; and

WHEREAS, the Diamond Engineering Company's bid is less than the estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of the Diamond Engineering Company of Grand Island, Nebraska, in the amount of \$99,265.26 for Street Improvement District No. 1253 is hereby approved as the lowest responsible bid.

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

- - -

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

---

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 19, 2004	☐ City Attorney



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item G21

**#2004-215- Approving Bid Award for Vehicle Exhaust Removal Systems**

Staff Contact: Jim Rowell

# **Council Agenda Memo**

**From:** Curt Rohling, Operations Division Chief  
Dale Shotkoski, Assistant City Attorney

**Meeting:** August 24, 2004

**Subject:** Approving Bid Award for Vehicle Exhaust Removal System

**Item #'s:** G-21

**Presenter(s):** Jim Rowell, Fire Chief

## **Background**

On July 25, 2004 the Fire Department advertised for bids for vehicle exhaust removal systems for three stations.

## **Discussion**

There were four potential bidders for this project. A total of three bids were received and opened on August 10, 2004. One bidder submitted two bids which were over the estimated cost of \$60,000. The remaining bid from Air Cleaning Technologies, Inc of Bonner Springs, KS is in compliance with the specifications and no exceptions. There are sufficient funds available in account number 10022101-85612.

## **Alternatives**

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

1. Approve awarding the purchase to Air Cleaning Technologies, Inc.
2. Disapprove or /Deny the purchase.
3. Modify the purchase to meet the wishes of the Council
4. Table the issue.

## **Recommendation**

City Administration recommends that the Council approve awarding the bid to Air Cleaning Technologies, Inc of Bonner Springs, KS for the amount of \$53,550.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** August 10, 2004 at 11:00 a.m.  
**FOR:** Vehicle Exhaust Removal Systems  
**DEPARTMENT:** Fire  
**ESTIMATE:** \$60,000.00  
**FUND/ACCOUNT:** 10022101-85612  
**PUBLICATION DATE:** July 25, 2004  
**NO. POTENTIAL BIDDERS:** 4

**SUMMARY**

<b>Bidder:</b>	<u>Air Cleaning Technologies, Inc.</u> Bonner Springs, KS	<u>Superior Systems</u> Idaho Falls, ID	<u>Superior Systems</u> Idaho Falls, ID
<b>Exceptions:</b>	None	Noted	Noted
<b>Bid Price:</b>			
Station 2	\$21,850.00	\$31,421.00	\$42,484.00
Station 3	\$15,900.00	\$21,046.00	\$28,504.00
Station 4	\$15,800.00	\$25,717.00	\$36,274.00

cc: Jim Rowell, Fire Chief  
Curt Rohling, Operations Division Chief  
Chris Hoffman, Fire Dept. Secretary  
Gary Greer, City Administrator  
Dale Shotkoski, Purchasing Agent  
Laura Berthelsen, Legal Assistant

RESOLUTION 2004-215

WHEREAS, the City of Grand Island invited sealed bids for Vehicle Exhaust Removal Systems, according to plans and specifications on file with the City Clerk; and

WHEREAS, on August 10, 2004, bids were received, opened and reviewed; and

WHEREAS, Air Clean Technologies, Inc. of Bonner Springs, Kansas, 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 \$53,550; and

WHEREAS, Air Clean Technologies, Inc.'s bid is less than the estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Air Clean Technologies, Inc. of Bonner Springs, Kansas, in the amount of \$53,550 for vehicle exhaust removal systems is hereby approved as the lowest responsible bid.

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

- - -

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

---

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 24, 2004	☐ City Attorney





# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item I1

**#2004-218- Consideration of Approving 1% Increase to the Lid  
Limit**

Staff Contact: David Springer

# Council Agenda Memo

**From:** David Springer, Finance Director

**Meeting:** August 24, 2004

**Subject:** Consideration of Approving 1% Increase to the Lid Limit.

**Item #'s:** I-1

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

## Background

In 1998, the Nebraska State Legislature passed LB989, which put a cap on the amount of restricted revenues a political subdivision can budget. The restricted revenues that the City of Grand Island includes in the budget are Property Taxes, Local Option Sales Tax, Motor Vehicle Tax and State Aid. Of these restricted revenues, property tax is the only revenue which the City can control.

## Discussion

Each year political subdivisions are allowed by State Statute to raise the restricted revenue base from the prior year by 2.5%. The base may also be increased if the growth in taxable valuation is higher than the allowed 2.5%. A third way to increase the base is to have the Political Subdivision governing board (City Council) vote to increase the base by an additional 1%. The base amount is then the maximum amount of restricted revenues the City can receive. If the City is not at the base amount, the remaining amount is carried forward as unused authority. The increase in restricted funds authority using the 1% additional amount and the population growth factor is **not** an increase in budgeted revenues. It only provides the ability to increase restricted revenues, particularly property tax, in a future year as necessary, if council so decides. Approval of the 1% increase does not increase authorized expenditures and is prudent fiscal management.

## Alternatives

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

1. Approve the 1% increase to the Lid Limit.
2. Disapprove or deny the 1% increase.

### **Recommendation**

City Administration recommends that the Council approve the increase to the Lid Limit.

### **Sample Motion**

Approve the 1% increase to the Lid Limit.

## LID COMPUTATION FY2004-2005

Total 2003-04 Restricted Funds	14,134,974
PLUS:	
Restricted Funds for 5 yr Property	
Lease-Purchase Contracts	10,310
Unused 2003-2004 restricted Funds	4,714,476
SUBTOTAL	<u>18,859,760</u>
Total 2004-2005 Restricted Revenues (Agrees to schedule A)	20,965,524
LESS Restricted Funds Budgeted For:	
Capital Improvements	(1,705,000)
Bonded Indebtedness	(753,383)
Interlocal Agreements	(372,897)
Repairs Due to Natural Disaster	
Judgements	
Refunds of Property Taxes	
TOTAL 2004-2005 RESTRICTED FUNDS	<u>18,134,244</u>
Base Limitation	2.50%
Allowable Growth	
Additional 1%	1.00%
Total Allowable % Increase	<u>3.50%</u>
Initial Restricted Funds Limit	18,859,760
Allowable Dollar Amount Increase to Restricted Funds	660,092
<b>Total Restricted Funds Authority</b>	<u><b>19,519,852</b></u>
<b>FY04-05 Restricted Funds</b>	<b>18,134,244</b>
<b>Unused Restricted Funds Authority</b>	<u><b>1,385,608</b></u>

On Tuesday evening, the City Council will be voting on whether or not to approve the 1% lid increase. We did a survey to determine what some of the other Nebraska cities were doing. As you can see by the results below, virtually every city we surveyed has approved the measure, with the exception of Waverly, which has an extremely high growth rate:

Alliance	Approved 1% increase in budget authority for the past two years.
Alma	Approves this every year.
Blair	Has used this in the past. Did not propose it this year, as they are carrying an unused authority equal to about 75% of actual taxes levied. They also traditionally have 4-10% new valuation annually.
Columbus	Has always passed the lid but doesn't use it.
David City	Have approved it for three years, and will likely to it again this year.
Gering	Has approved the 1% increase since the lid law was enacted.
Gothenburg	Approve this every year.
Kearney	Approves the 1% increase every year.
Laurel	Approved.
La Vista	Has approved the increase each year, even though they are not using their full authority.
Minden	Has approved the increase every year.
Ogallala	Has approved the increase every year.
Papillion	Approved.
Ralston	Approved.
Seward	Has approved the increase every year, but has never used it.
Sidney	Has approved this the past three years.
South Sioux City	Has approved the increase every year, but has never used it.
Springfield	Has approved the increase every year, but has never used it.
Sutton	Has approved this every year, and will likely do so again this year.
Waverly	Their growth rate has been so rapid, they have never needed it, however, if growth were to slow down, they would consider it.
Wayne	This issue is also on their agenda – they will likely approve it.

RESOLUTION 2004-216

WHEREAS, pursuant to Neb. Rev. Stat. §13-519, the City of Grand Island is limited to increasing its total of budgeted restricted funds to no more than the last prior year's total of budgeted restricted funds plus population growth plus two and one-half percent (2 1/2%) expressed in dollars; and

WHEREAS, §13-519 authorizes the City of Grand Island to exceed the foregoing budget limit for a fiscal year by up to an additional one percent (1%) increase in budgeted restricted funds upon the affirmative vote of at least 75% of the governing body; and

WHEREAS, the Annual Budget for Fiscal Year 2004-2005 and Program for Municipal Services in the Lid Computation FY 2004-2005 supported by the detail relating to restricted revenue accounts, proposes an additional increase in budgeted restricted funds of one percent (1%) as provided by the statute; and

WHEREAS, approval of the additional one percent (1%) increase in budgeted restricted funds is prudent fiscal management, does not increase authorized expenditures and is in the best interests of the City of Grand Island and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that upon affirmative vote by more than 75% of the City Council, of budgeted restricted funds for Fiscal Year 2004-2005 shall be increased by an additional one percent (1%) as provided by Neb. Rev. Stat. §13-519.

- - -

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

---

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 19, 2004	☐ City Attorney



# City of Grand Island

Tuesday, August 24, 2004

Council Session

## Item J1

### Payment of Claims for the Period of August 11, 2004 through August 24, 2004

*The Claims for the period of August 11, 2004 through August 24, 2004 for a total of \$2,416.990.93*

*. A MOTION is in order.*

Staff Contact: RaNae Edwards