
City of Grand Island



Tuesday, December 07, 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 - Father Frank Curran, Blessed Sacrament Catholic Church, 518 West State Street

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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

MAYOR COMMUNICATION

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



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item -1

Approving Minutes of November 23, 2004 City Council Regular Meeting

The Minutes of November 23, 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

November 23, 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 November 23, 2004. Notice of the meeting was given in the *Grand Island Independent* on November 17, 2004.

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

INVOCATION was given by Pastor Curtis Holzworth, Evangelical Free Church, 2609 South Blaine Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek commented on the property tax impact of Grand Island with a negative 3.1% compared to other communities in the state.

PUBLIC HEARINGS:

Public Hearing on Changes to the Grand Island Zoning Map for Lots 1 & 2, Block 1, Academy Heights Subdivision Located South of Capital Avenue and West of Hancock Avenue from R2 Low Density Residential to RD Residential Development. Regional Planning Director Chad Nabity reported that Todd Enck, developer had submitted a proposal to change the zoning for Lots 1 & 2, Block 1, Academy Heights Subdivision from R2 Low Density Residential to RD Residential Development. Mr. Nabity commented that this item related to the Preliminary and Final Plat for Via Milano Subdivision before Council at this meeting. Steve Johnson, 3535 Blaine Street, David Vaughn, 301 West 2nd Street, and Todd Enck, 511 Fleetwood Circle spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Sanitary Sewer Easement Located West of Fonner Park Main Building East of South Locust Street. (Hall County Livestock Improvement Association) Steve Riehle, Public Works Director reported that acquisition of a sanitary sewer easement located west of Fonner Park Main Building, east of South Locust Street was required in order to have access to install, upgrade, maintain, and repair public utilities and appurtenances. The easement would be used for construction of public sanitary sewer to serve the Heartland Events Center. No public testimony was heard.

Public Hearing on Acquisition of Hike/Bike Path Easement Located Along the East Side of U.S. Highway 281 and South Side of U.S. Highway 34. (The Museum Board of Hall County Nebraska) Steve Paustian, Parks & Recreation Director reported that over the last few months the City had been negotiating with Stuhr Museum representatives for an easement located along the east side of U.S. Highway 281 and the south side of U.S. Highway 34 to extend the Hike/Bike Trail across museum property. The easement would be used to install, upgrade, maintain, and repair a hike/bike path along the west and north side of the Stuhr Museum property at U.S. Highway 281 and U.S. Highway 34. No public testimony was heard.

ORDINANCES:

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

- #8942 - Consideration of Vacating Easement and Right of Way Located on Lot 1, Heartland Event Center First Subdivision
- #8943 – Consideration of Zoning Change to the Grand Island Zoning Map for Lots 1 & 2, Block 1, Academy Heights Subdivision Located South of Capital Avenue and West of Hancock Avenue from R2 Low Density Residential to RD Residential Development
- #8944 – Consideration of Issuing Building Bonds for Heartland Events Center, Second Addendum to the Lease Purchase Agreement, Management Agreement and Parking Rights and Access Agreement

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

Utilities Director Gary Mader reported that Ordinance #8942 vacated an easement to allow for construction of the new Heartland Events Center.

Regional Planning Director Chad Nabity reported that Ordinance #8943 was for the zoning change with regards to the Via Milano Subdivision. Discussion was held with regards to concern of the 20’ private street, maintenance of the street, and sidewalks.

City Attorney Doug Walker reported that Ordinance #8944 was for bonding the construction of the Heartland Events Center. Included was an Addendum to the Lease Purchase Agreement, Management Agreement and Parking Rights and Access Agreement. Mr. Walker introduced Bill Beavers and Bruce Lefler representing Ameritas Investment Corporation. They reported the successful sale of the bonds at an interest rate of 4.12%.

Motion was made by Cornelius, second by Hornady to approve Ordinances #8942 and #8944.

City Clerk: Ordinances #8942 and #8944 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #8942 and #8944 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinances #8942 and #8944 are declared to be lawfully adopted upon publication as required by law.

Motion was made by Pielstick, second by Hornady to approve Ordinance #8943.

City Clerk: Ordinance #8943 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Whitesides, Pielstick, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Councilmembers Meyer and Gilbert voted no. Motion adopted.

City Clerk: Ordinance #8943 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, Councilmembers Whitesides, Pielstick, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Councilmembers Meyer and Gilbert voted no. Motion adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinance #8943 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Item G-5 was removed from the Consent Agenda. Motion by Hornady, second by Gilbert to approve the Consent Agenda excluding item G5. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of November 9, 2004 City Council Regular Meeting.

Approving Minutes of November 16, 2004 City Council Study Session.

Approving Preliminary Plat for Via Milano Subdivision. Councilmember Meyer voted no.

#2004-293 – Approving Final Plat and Development Agreement for Via Milano Subdivision. Councilmember Meyer voted no.

#2004-295 – Approving Bid Award for Tree Trimming Contract 2005-TT-1 with Tom's Tree Service of Grand Island, Nebraska in an Amount of \$29,900.00; Sheffield Tree Service of Grand Island, Nebraska in an Amount of \$15,700.00; and Wright Tree Service, Inc. of Grand Island, Nebraska in an Amount of \$87,828.75.

#2004-296 – Approving Bid Award for Water Main Project 2005-W-1 and Sanitary Sewer Project 2004-S-12 with Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$189,684.76.

#2004-297 – Approving Wireline Crossing Agreement with Union Pacific Railroad in an Amount of \$1,500.00.

#2004-298 – Approving UP Circular 111 with Union Pacific Railroad for Continued Coal Transportation to the Platte Generating Station for the years 2005, 2006 and 2007.

#2004-299 – Approving Participation in NPPD's Ainsworth Wind Energy Facility.

#2004-300 – Approving Acquisition of Utility Easement Located West of Fonner Park Main Building and East of South Locust Street. (Hall County Livestock Improvement Association)

#2004-301 – Approving Keno Satellite Location and Agreement for The Chicken Coop of Grand Island, Inc., 120 East Third Street.

#2004-302 – Approving Agreement with ROCO Rescue Training Programs of Baton Rouge, Louisiana for Rescue Training Grant in an Amount of \$12,687.40.

#2004-303 – Approving Funding for Relocation of Utilities at the Heartland Events Center in an Amount of \$440,000.00.

#2004-304 – Approving Contract with the Central Nebraska Ethnic Festival for Office Space and Supplies, and use of Office Equipment.

#2004-305 – Approving Acquisition of Hike/Bike Path Easement Located Along the East Side of U.S. Highway 281 and South Side of U.S. Highway 34. (The Museum Board of Hall County Nebraska.)

#2004-306 – Approving 2005-2006 Coal Supply Agreement with Kennecott Energy Company of Gillette, Wyoming.

#2004-307 – Approving New Pedestrian Crossing Agreement with Union Pacific Railroad Company.

#2004-294 – Approving Creation of a Public Building Commission and Appointing Kirk Ramsey, Terry Loschen, Tom Graves, Dee Price, and Roger Bullington to the Board. City Attorney Doug Walker reported that the Public Building Commission was a non-profit corporation created to assist and promote the development of public facilities to be used by the City of Grand Island. City Administrator Gary Greer explained the purpose of the corporation which was to issue tax exempt bonds and enter into lease purchase agreements with the City. Discussion was held with regards to open meetings, council input, and types of projects that would be eligible.

Motion was made by Pielstick, second by Hornady to approve Resolution #2004-294. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Hornady to approve the Claims for the period of November 10, 2004 through November 23, 2004, for a total amount of \$2,420,340.16. Motion adopted unanimously.

EXECUTIVE SESSION: Motion by Hornady, second by Cornelius to adjourn to Executive Session at 8:05 p.m. for the purpose of discussing property negotiations. Motion adopted unanimously.

RETURN TO REGULAR SESSION: Motion by Cornelius, second by Haase to return to Regular Session at 8:55 p.m. Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 8:55 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item -2

Acceptance of Election Certificate for the November 2, 2004 General Election

State law requires the governing body to formally accept the Certificate of Election issued by the Hall County Election Commissioner for the November 2, 2004 City Council General Election. The Certificate of Election containing the vote totals and results is attached. A MOTION to accept the election certificate is in order.

Staff Contact: RaNae Edwards



Hall County Election Commissioner
Dale M. Baker



November 5, 2004

I, the undersigned being the Election Commissioner of Hall County Nebraska, do here by certify the following is a true and complete extract of the abstract of the votes cast at the election held November 2, 2004, in this County, as canvassed by the canvassing board of this County, with respect to the candidates, measures, propositions, and issues therein listed; and do further certify that to the best of my knowledge such ballots, including absentee, have been voted, counted and canvassed in the manor provided by law.




Dale M. Baker

Grand Island City Council
Vote for one

Votes Cast

Ward 1

Scott Walker

1,813

Jose Zapata

1,624

Ward 2

Margaret Hornady

3,087

Ward 3

Fred Whitesides

1,209

Ward 4

Jackie Pielstick

1,362

Ward Five

Joyce L. Haase

2,718



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item -3

Administration of Oath to Newly Elected Councilmembers

City Clerk RaNae Edwards will administer the Oath of Office to the following Councilmembers who were re-elected:

Scott Walker - Ward 1; Margaret Hornady - Ward 2; Fred Whitesides - Ward 3; Jackie Pielstick - Ward 4; and Joyce Haase - Ward 5.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item -4

Election of City Council President

The City Council is required to elect one Councilmember to the office of Council President. The term is for a one-year period. The Council President automatically assumes the duties of the Mayor in the event that the Mayor is absent or otherwise unable to fulfill his duties. Nebraska law allows the election of the Council President to be by secret ballot. The total number of votes for each candidate; however, must be stated and recorded in the Minutes. Past practice has included a run-off election between the top two nominees, if necessary. The City Clerk will prepare, distribute, and count ballots. Nominations to fill the vacancy are in order. A second is not required on nominations.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item G1

**Approving Pawnbroker's Application and Official Bond for
Stewart's Loan and Pawnshop, 803 West 4th Street**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: December 7, 2004

Subject: Approving Pawnbroker's Application and Official Bond for Stewart's Loan and Pawnshop, 803 West 4th Street

Item #'s: G-1

Presenter(s): RaNae Edwards, City Clerk

Background

Chapter 25 of the Grand Island City Code requires that all persons who shall engage in the business of pawnbroker are required to make application to the Mayor and City Council. Along with the application and fee, a bond is required which is to be approved by the Mayor and City Council.

Discussion

Linda J. Atkins and Herman T. Meyer, new owners of Stewart's Loan and Pawn, 803 West 4th Street have submitted an application, fee, and bond for a pawnbroker's license. If approved this license would replace the license of Lyle L. and Donna L. Stewart dba Stewart's Loan and Pawnshop located at 506 West 3^d Street. The new license would become effective immediately and expire on April 30, 2005.

Alternatives

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

1. Move to approve the application and bond for Stewart's Loan and Pawnshop, 803 West 4th Street
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the application and bond for Stewart's Loan and Pawn.

Sample Motion

Move to approve the application and bond for Stewart's Loan and Pawn, 803 West 4th Street.



Pawnbroker's License Application

Business Owner Name: LINDA J. ATKINS AND HERMAN T. MEYER

Business Owner Address: 4323 SO. NORTH RD 415 LOWRY RD.
GRAND ISLAND, NE 68803 DONIPHAN, NE 68832

Business Manager Name: KEITH STEWART

Business Manager Address: 2905 HANCOCK PL. GRAND ISLAND, NE 69803

Business Street Address: 803 W. 4TH ST. GRAND ISLAND, NE 68801

Location of storage of goods if kept at location other than business location:

N/A

List all criminal convictions (except minor traffic infractions) of owner, manager, or all officers and shareholders (if applicant is a corporation):

Offense	Location of Court	Conviction Date

If additional space is required, continue on back of the application.

Additional Documents Required:

1. All applicants must include bond to the City of Grand Island in the sum of \$5,000 with the application.
2. All corporate applicants must attach a copy of Articles of Incorporation and list of officers/shareholders.

All licenses expire on April 30th of each year. The City of Grand Island requires payment of an occupation tax in the amount of **\$65.00** when the license is issued **as well as** a license fee in the amount of **\$65.00**.

All licenses are subject to approval and issuance by the City Council. Be sure you are familiar with the City Code and State Statutes pertaining to pawnbrokers.

MUNICIPAL LICENSE BOND

Bond No. 69818760

KNOW ALL MEN BY THESE PRESENTS: That Linda J. Atkins and Herman T. Meyer dba Stewarts Loan & Pawn of Grand Island State of Nebraska as Principal, and the Western Surety Company of South Dakota as Surety, are held and firmly bound under the City of Grand Island, a municipal corporation of the State of Nebraska, in the sum of Five Thousand and no/100 dollars (\$ 5,000.00); lawful money of the United States for the payment of which, will and truly to be made, we find ourselves, our heirs, executors, and administrators, successors and assigns, jointly and severally, and firmly by these presents.

The condition of the above obligation is such that;

WHEREAS, the above named Principal has applied for license (permit) as Pawn Shop within the City of Grand Island for the period commencing November 29, 2004, and terminating on November 29, 2005, and this bond is to cover the term of such license (permit).

NOW, THEREFORE, AND CONDITION of this obligation is such that if a license is granted to the said Principal and if such Principal shall within such City during the term of such license faithfully observe all the ordinance of the City and faithfully perform the duties of the ordinances, rules, or regulations, and shall indemnify and save harmless the City of Grand Island from any and all loss or damage; cost, expense, or liability of any kind whatsoever which it, the City, may suffer or to put to, or which may be recovered from it, from or by reason of the issuance of such permit or by reason of any act or thing done under or by virtue of the authority given in such permit resulting from the operations described in Sections 8-24 to 8-32 of the Grand Island City Code, then this obligation shall be null and void, otherwise to be and remain in full force and effect.

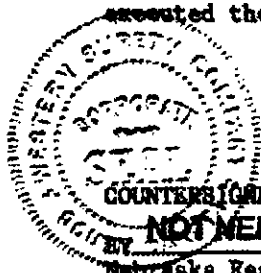
In witness whereof, the above name Principal and Surety have executed these presents this 30th day of November, 2004

Stewarts Loan & Pawn

BY Herman T. Meyer
Principal

WESTERN SURETY COMPANY

BY M. Bent M. Bent, Asst. Sec.
Surety



Nebraska Resident Agent

Mueller Insurance Agency, Inc.

Roger D. Mueller P.O. Box #1484 Grand Island, Ne 68802-1484

Ph 308-384-1724 Cell 308-380-7486 Fax 308-382-1787

MUELLER INSURANCE AGENCY INC

Roger D & Carol J Mueller
PO Box 1484 Ph 308-384-1724
Grand Island, NE 68802-1484



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item G2

Approving Appointments to the Electrical Board

The following individuals have expressed their willingness to serve on the City of Grand Island Electrical Board for the year 2005. Shawn Messersmith, Master Electrician, Chad Johnson, Journeymen Electrician, Pat Bittner, Utility Department Representative, Bruce Kleint, General Public Representative, and Dean Mathis and Craig Lewis as Ex-Officio members. The above recommendations are made in compliance with the Grand Island City Code and approval is requested.

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item G3

Approving Appointments to the Plumbers Examining Board

The following individuals have express their willingness to serve on the City of Grand Island Plumbing Board for a two year term 2004/2005. Doug Hough and Eric Rose as Master Plumbers, Ryan King representative from the Health Department, and David Scoggins as Ex-Officio member. The above recommendations are made in compliance with the Grand Island City code and approval is requested.

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item G4

Approving Appointments to the Gas Fitters & Appliance Board

The following individuals have expressed their willingness to serve on the City of Grand Island Gas Fitters & Appliance Installers Board for the year 2005. Norm Nietfeldt, Master Plumber, Mike McElroy, Master Gas Fitter, Loren Peterson, Gas Company Representative, and David Scoggins and Craig Lewis as Ex-Officio members. The above recommendation is made in compliance with the Grand Island City Code and approval is requested.

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item G5

#2004-308 - Approving Change Order #1 to the Contract for Street Improvement District No. 1252

Staff Contact: Steve Riehle

Council Agenda Memo

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

Meeting: December 7, 2004

Subject: Approving Change Order No. 1 to the Contract with J.I.L. Asphalt Paving Company for Street Improvement District 1252, Lillie Drive from North Road to Mabel Drive and Mabel Drive from Lillie Drive to Edna Drive

Item #'s: G-5

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

Background

The construction contract was awarded to J.I.L. Asphalt Paving Company, Grand Island, Nebraska, on September 14, 2004.

Discussion

Any change orders to the contract must be approved by City Council. The Public Works Department prepared Change Order No. 1 with the following changes:

Original Contract	\$ 34,217.25
Millings	\$ 195.09
Remove & Replace/Backhoe	\$ 400.00
Revised Contract	\$ 34,812.34

The items of work were needed to correct soft sub-grade. Sufficient funds are available in account 10033506-85354. The additional \$595.09 dollars needed will be assessed as part of the Street Improvement District.

Alternatives

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

1. Approve Change Order No.1 so as the contract amount for Street Improvement District No. 1252 would be \$34,812.34.
2. Refer the issue to a Committee
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council pass a resolution authorizing the Mayor to execute the Change Order.

Sample Motion

Approve Change Order No. 1 to the contract with J.I.L. Asphalt Paving Company for Street Improvement District No. 1252.

[illegible]

EXHIBIT "A"

RESOLUTION 2004-308

WHEREAS, on August 24, 2004, by Resolution 2004-229, the City of Grand Island awarded the bid for Street Improvement District No. 1252 (Lillie Drive from North Road to Mabel Drive, and Mabel Drive from Lillie Drive to Edna Drive) to the J.I.L. Asphalt Paving Company of Grand Island, Nebraska; and

WHEREAS, it has been determined that modifications to the work to be performed by the J.I.L. Asphalt Paving Company are necessary; and

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

WHEREAS, the result of such modification will increase the contract amount by \$595.09 for a revised contract price of \$34,812.34.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 1 between the City of Grand Island and J.I.L. Asphalt Paving Company of Grand Island, Nebraska to provide the modifications set out as follows:

Millings.....	195.09
Remove and replace/backhoe	400.00

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 7, 2004.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 2, 2004	☐ City Attorney



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item G6

#2004-309 - Approving Certificate of Final Completion for Street Improvement District No. 1250

Staff Contact: Steve Riehle

Council Agenda Memo

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

Meeting: December 7, 2004

Subject: Certificate of Final Completion for Street Improvement District 1250, Edna Drive; North Road to Mabel Drive

Item #'s: G-6

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

Background

The contract for Street Improvement District 1250 was awarded to J.I.L. Asphalt Paving Company of Grand Island, NE on August 10, 2004. Work commenced October 11, 2004 and has been completed.

Discussion

The work for Street Improvement District 1250 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 \$26,966.75. Total cost of the project, including contract administration, is \$29,663.43. All of the costs for this project will be assessed to the adjacent properties. Costs for the project break down as follows:

Original Bid	\$ 27,165.15
Under runs	\$ (198.40)
Sub Total (Construction Price)	\$ 26,966.75
Additional Costs:	0.00
<u>Engineering and Publication Costs</u>	<u>\$ 2,696.68</u>
Total Cost	\$ 29,663.43

Alternatives

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

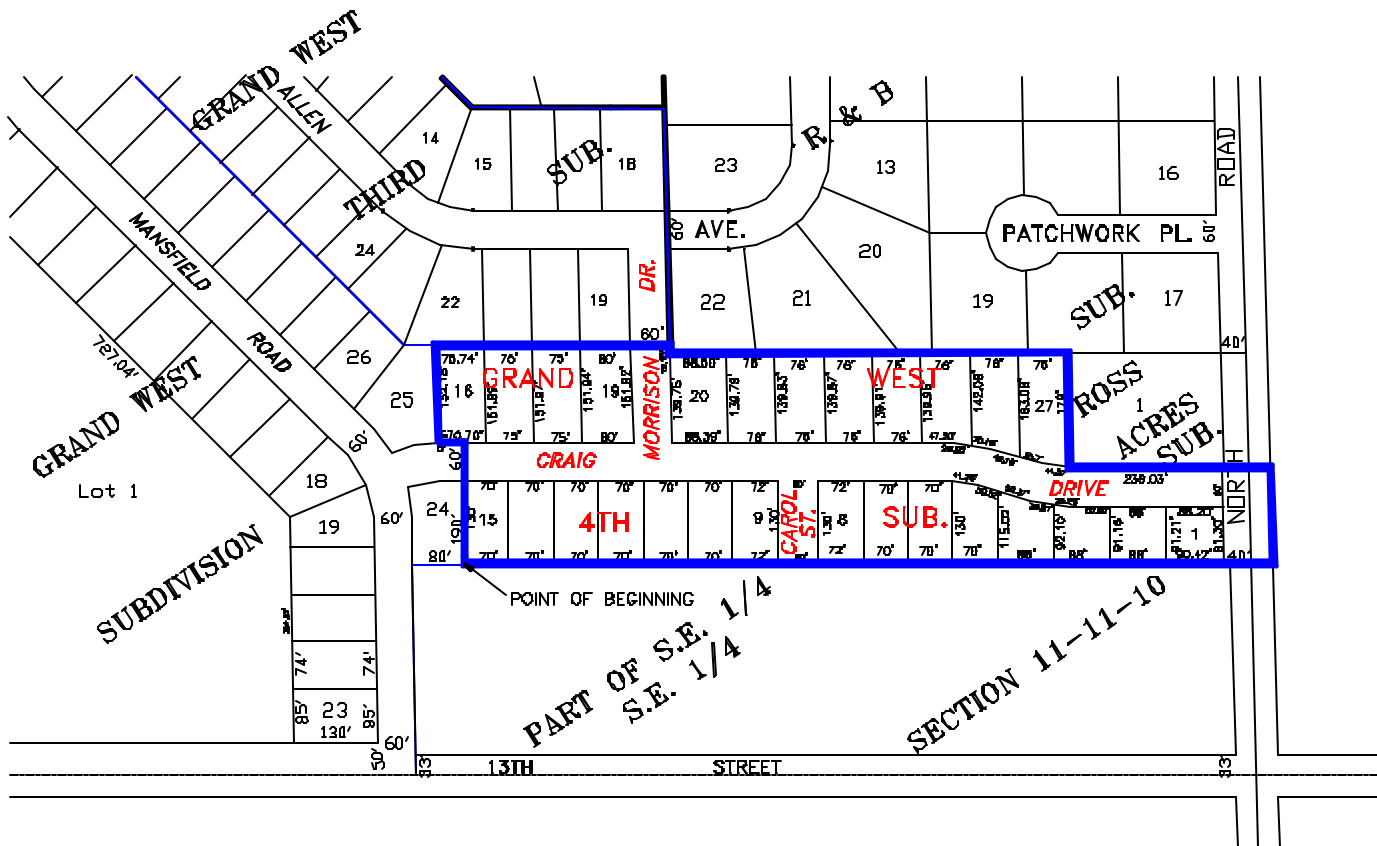
1. Move to approve the final completion and schedule the board of equalization.
2. Refer the issue to a Committee.
3. Postpone the issue to future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the Certificate of Final Completion for Street Improvement District 1250 and set the Board of Equalization date of January 11, 2005.

Sample Motion

Move to approve the Certificate of Final Completion and set the Board of Equalization hearing for Street Improvement District 1250.



STREET IMPROVEMENT DISTRICT 1251

EXHIBIT "A"

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

STREET IMPROVEMENT DISTRICT 1250

CITY OF GRAND ISLAND, NEBRASKA

December 1, 2004

TO THE MEMBERS OF THE COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA

This is to certify that construction of STREET IMPROVEMENT DISTRICT NO. 1250, has been fully completed by J.I.L. Asphalt Paving Company of Grand Island, NE under the contract dated August 18, 2004. The construction of this street improvement district 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 work regarding this Street Improvement project is hereby accepted for the City of Grand Island, Nebraska, by me as Director of Public Works in accordance with the provisions of Section 16-650 R.R.S., 1943.

It is further certified that the improvements as constructed include the following items and costs and that this certificate shall constitute the Final Payment for this work.

District No. 1250, Edna Drive from North Road to Mabel Drive.

Item No.	Description	Total Quantity	Unit Price	Total Cost
	Asphaltic Conc. Pavement			
1.	Type "BC"	1153.8	12.50	14,422.50
2.	Remove Pavement	0	1.10	0.00
3.	Pavement Sawcut	0	4.00	0.00
4.	Sub-Grade Prep	13.0	95.90	1,250.06
5.	Asphaltic Cement	13979.2	0.76	10,624.19
6.	Shouldering Backfill	13.0	40.00	520.00
7.	Tack Coat	300	0.50	150.00

TOTAL CONSTRUCTION COST \$ 26,966.75

LESS AMOUNT PREVIOUSLY PAID TO CONTRACTOR (\$ 25,618.42)

BALANCE DUE TO CONTRACTOR THIS FINAL PAYMENT \$ 1,348.33

Engineering and Publication Costs - City \$ 2,696.68

TOTAL COST OF STREET IMPROVEMENT DISTRICT 1250 \$ 29,663.43

Average front foot cost based on Front Foot Method	\$	11.83
Amount Assessable to Property Owners	\$	29,663.43
City Cost	\$	0.00

Respectfully submitted,

Steven P. Riehle, P.E.
Director of Public Works

December 7, 2004

TO THE MEMBERS OF THE COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA

I hereby recommend that the Engineer's Certificate of Final Completion for the Street Improvement District No. 1250, be approved and a warrant be issued from Account No. 40033525-90145 in the amount of \$1,348.33 payable to J.I.L. Asphalt Paving Company for the amount due to the contractor.

I further recommend that the Costs of Engineering be credited to Account No. 100.130.04516 from Account No. 40033525-90145 in the amount of \$2,696.68.

I further recommend that the City Council sit as the Board of Equalization on January 11, 2005 to determine benefits and levy special assessments.

Respectfully submitted,

Jay Vavricek Mayor

RESOLUTION 2004-309

WHEREAS, the Public Works Director of the City of Grand Island has issued a Certificate of Final Completion for Street Improvement District No. 1250, certifying that the J.I.L. Asphalt Paving Company of Grand Island, Nebraska, under contract dated August 18, 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 Street Improvement District No. 1250, is hereby confirmed.
2. A warrant be issued from Account No. 40033525-90145 in the amount of \$1,348.33 payable to the J.I.L. Asphalt Paving Company for the amount due the contractor.
3. The costs of engineering in the amount of \$2,696.68 be credited to Account No. 100.130.04516 from Account No. 40033525-90145.
4. The City Council will sit as a Board of Equalization on January 11, 2005 to determine benefits and set assessments for Street Improvement District No. 1250.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 7, 2004.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item G7

#2004-310 - Approving Certificate of Final Completion for Street Improvement District No. 1252

Staff Contact: Steve Riehle

Council Agenda Memo

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

Meeting: December 7, 2004

Subject: Certificate of Final Completion for Street Improvement District 1252, Lillie Drive from North Road to Mabel Drive, and Mabel Drive from Lillie Drive to Edna Drive

Item #'s: G-7

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

Background

The contract for Street Improvement District 1252 was awarded to J.I.L. Asphalt Paving Company of Grand Island, NE on September 14, 2004. Work commenced October 11, 2004 and has been completed.

Discussion

The work for Street Improvement District 1252 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 \$30,876.52. Total cost of the project, including contract administration, is \$33,964.17. All of the costs for this project will be assessed to the adjacent properties. Costs for the project break down as follows:

Original Bid	\$ 34,217.25
Underruns	\$ (3,906.07)
Change Order #1	\$ 565.34
Sub Total (Construction Price)	\$ 30,876.52
Additional Costs:	
Engineering and Publication Costs	\$ 3,087.65
Total Cost	\$ 33,964.17

Alternatives

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

1. Move to approve final completion and schedule the board of equalization.
2. Refer the issue to a Committee.
3. Postpone the issue to future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the Certificate of Final Completion for Street Improvement District 1252 and set the Board of Equalization date of January 11, 2005.

Sample Motion

Move to approve the Certificate of Final Completion and set the Board of Equalization hearing for Street Improvement District 1252.

[illegible]

EXHIBIT "A"

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

STREET IMPROVEMENT DISTRICT 1252

CITY OF GRAND ISLAND, NEBRASKA

December 1, 2004

TO THE MEMBERS OF THE COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA

This is to certify that construction of STREET IMPROVEMENT DISTRICT NO. 1252 has been fully completed by J.I.L. Asphalt Paving Company of Grand Island, NE under the contract dated September 22, 2004. The construction of this street improvement district 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 work regarding this Street Improvement project is hereby accepted for the City of Grand Island, Nebraska, by me as Director of Public Works in accordance with the provisions of Section 16-650 R.R.S., 1943.

It is further certified that the improvements as constructed include the following items and costs and that this certificate shall constitute the Final Payment for this work.

District No. 1252, Lillie Drive from North Road to Mabel Drive and Mabel Drive from Lillie Drive to Edna Drive.

Item No.	Description	Total Quantity	Unit Price	Total Cost
	Asphaltic Conc. Pavement			
1.	Type "BC"	1516.7	11.50	17,441.59
2.	Remove Pavement	0	1.10	0.00
3.	Pavement Sawcut	0	4.00	0.00
4.	Sub-Grade Prep	17.2	95.90	1,646.60
5.	Asphaltic Cement	13376.9	0.76	10,166.44
6.	Shouldering Backfill	17.17	40.00	686.80
7.	Tack Coat	400	0.85	340.00
	CHANGE ORDER NO. 1			\$ 595.09
	TOTAL CONSTRUCTION COST			\$ 30,876.52
	LESS AMOUNT PREVIOUSLY PAID TO CONTRACTOR			(\$ 29,332.70)
	BALANCE DUE TO CONTRACTOR THIS FINAL PAYMENT			\$ 1,543.82

Engineering and Publication Costs - City	\$ 3,087.65
 TOTAL COST OF STREET IMPROVEMENT DISTRICT 1252	 \$ 33,964.17
 Average front foot cost based on Front Foot Method	 \$ 9.61
Amount Assessable to Property Owners	\$ 33,964.17
City Cost	\$ 0.00

Respectfully submitted,

Steven P. Riehle, P.E.
Director of Public Works

December 7, 2004

TO THE MEMBERS OF THE COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA

I hereby recommend that the Engineer's Certificate of Final Completion for the Street Improvement District No. 1252, be approved and a warrant be issued from Account No. 10033506-85354 in the amount of \$1,543.82 payable to J.I.L. Asphalt Paving Company for the amount due to the contractor.

I further recommend that the Costs of Engineering be credited to Account No. 100.130.04516 from Account No. 10033506-85354 in the amount of \$3,087.65.

I further recommend that the City Council sit as the Board of Equalization on January 11, 2005 to determine benefits and levy special assessments.

Respectfully submitted,

Jay Vavricek
Mayor

RESOLUTION 2004-310

WHEREAS, the Public Works Director of the City of Grand Island has issued a Certificate of Final Completion for Street Improvement District No. 1252, certifying that the J.I.L. Asphalt Paving Company of Grand Island, Nebraska , under contract dated September 22, 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 Street Improvement District No. 1252, is hereby confirmed.
2. A warrant be issued from Account No. 10033506-85354 in the amount of \$1,543.82 payable to the J.I.L. Asphalt Paving Company for the amount due the contractor.
3. The costs of engineering in the amount of \$3,087.65 be credited to Account No. 100.130.04516 from Account No. 10033506-85354.
4. The City Council will sit as a Board of Equalization on January 11, 2005 to determine benefits and set assessments for Street Improvement District No. 1252.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 7, 2004.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 2, 2004	☐ City Attorney



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item G8

**#2004-311 - Approving Continuation of Street Improvement
District 1255; Independence Ave, Shanna St. & Lariat Lane**

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

Council Agenda Memo

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

Meeting: December 7, 2004

Subject: Approving Continuation of Street Improvement District 1255, Independence Avenue, Shanna Street & Lariat Lane

Item #'s: G-8

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

Background

Street Improvement District 1255 was created by the City Council on October 26, 2004. Legal notice of creation of the District was published in the Grand Island Daily Independent on November 2, 2004. Notification was also mailed to the property owners on that date, stating that the construction would take place unless more than 50% of the abutting landowners submitted written protests during the protest period.

Discussion

This district completed the 20-day protest period at 5:00 p.m., Monday, November 22, 2004. No valid protests were filed against this district. One owner, Third City Christian Church, filed a protest due to the fact that their property along Shanna Street would be subject to an assessment for the paving of Independence Avenue. The church represents 12.02% of the total district frontage, however, they had waived the right of protest during the subdivision process. Accordingly, the District may be continued and constructed.

Alternatives

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

1. Move to approve the continuation and construction of District 1255
2. Refer the issue to committee.
3. Postpone the issue.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the continuation and construction of District 1255.

Sample Motion

Move to approve and continuation and construction of Street Improvement District 1255.

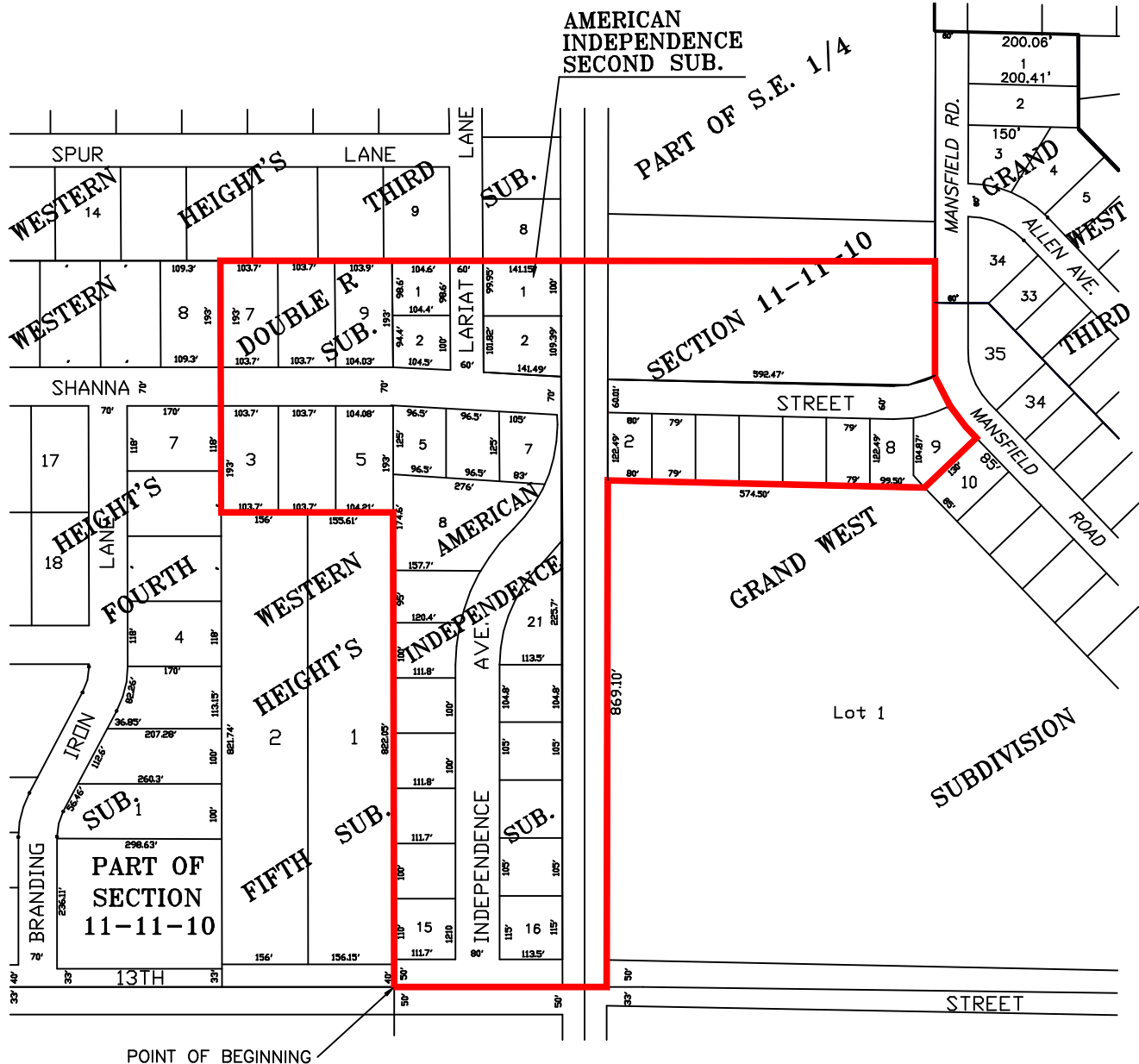


EXHIBIT "A"

STREET IMPROVEMENT DISTRICT NO. 1255

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 10/12/04
DRN BY: L.D.C.
SCALE: 1"=300'

PLAT ACCOMPANY ORDINANCE
NO. 8938

R E S O L U T I O N 2004-311

WHEREAS, Street Improvement District No. 1255 comprising a part of Independence Avenue, Lariat Lane and Shanna Street was created by Ordinance No. 8938 on October 26, 2004; and

WHEREAS, notice of the creation of such street improvement district was published in the Grand Island Independent in accordance with the provisions of Section 16-619, R.R.S. 1943; and

WHEREAS, Section 16-620, R.R.S. 1943, provides that if the owners of record title representing more than 50% of the front footage of the property abutting upon the streets, avenues, or alleys, or parts thereof which are within such proposed district shall file with the City Clerk within twenty days from the first publication of said notice written objections to such street improvement district, said work shall not be done and the ordinance shall be repealed; and

WHEREAS, the protest period ended on November 22, 2004, and no valid protests were filed with the City Clerk against the creation of Street Improvement District 1255.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that insufficient protests having been filed with the City Clerk against the creation of Street Improvement District No. 1255, such district shall be continued and constructed according to law.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 7, 2004.

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____	
December 2, 2004 <input type="checkbox"/> City Attorney	



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item G9

#2004-312 - Approving State Bid Award for Six (6) Police Vehicles

Staff Contact: Kyle Hetrick

Council Agenda Memo

From: Captain Robert Falldorf, Police Department

Meeting: December 7, 2004

Subject: Approving State Bid Award for Six (6) 2005 Police Vehicles

Item #'s: G-9

Presenter(s): Kyle Hetrick, Chief of Police

Background

The 2004/2005 Police Budget includes the annual replacement/rotation of marked police vehicles in the amount of \$156,000.00. The budgeted estimate per vehicle is \$26,000.00. These funds are available in Fund/Account No. 10022301.85625.

Discussion

Anderson Ford of Lincoln, Nebraska holds State Contract No. NIS-11110 OC. Purchasing the vehicles from the State contract holder meets all statutory bidding requirements. The Police Department is requesting to purchase one (1) 2005 Ford Crown Victoria police vehicle (with wiring package) in the amount of \$23,560 and five (5) 2005 Ford Crown Victoria police vehicles (without wiring packages) in the amount of \$21,760.00 each. Six (6) used Ford Crown Victoria Police vehicles will be traded in for an amount of \$4,000.00 each.

Alternatives

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

1. Move to approve the purchase of six (6) 2005 Ford Crown Victoria Police vehicles
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the purchase of six (6) 2005 Ford Crown Victoria Police vehicles from Anderson Ford of Lincoln, Nebraska.

Sample Motion

Move to approve the purchase of six (6) 2005 Ford Crown Victoria Police vehicles under state contract from Anderson Ford of Lincoln, Nebraska for a total amount of \$132,360.00.

TRADE IN'S FOR 2005 PATROL VEHICLES

<u>UNIT #</u>	<u>YEAR</u>	<u>MAKE</u>	<u>VIN</u>	<u>MILEAGE 11-2004</u>
811	2002	FORD CV	2FAFP71W12X134771	61,725
813	2002	FORD CV	2FAFP71W12X134768	62,047
814	2002	FORD CV	2FAFP71W32X134769	60,852
816	1999	FORD CV	2FAFP71W6XX164484	60,360
818	2001	FORD CV	2FAFP71W71X177638	72,831
822	2002	FORD CV	2FAFP71WX2X134767	64,557



Join the Winning Team!

120 Diers Ave. • Grand Island, NE 68803
(308) 384-1700 • Fax (308) 384-6547
www.andersonautogroup.com

To: City of Grand Island
Police Dept.
Grand Island
Nebraska 68801

Date: 11-24-04

Attention: Sgt Osterman Re: Police Cars

We are pleased to offer the following:

5ea - 2005 Ford Crown Victoria P.I. \$21,760⁰⁰ ea
(includes 65A option)

1ea - 2005 Ford Crown Victoria P.I. \$23,560⁰⁰ ea
(includes 65W option)

Base state bid price = \$20,390⁰⁰

power adj. pedals = \$150⁰⁰

silicone hose/aircraft clamps = \$350⁰⁰

special lock system = \$60⁰⁰

small hub caps = (\$15⁰⁰ deduction)

65A package = \$795⁰⁰

65W package = \$2595⁰⁰

Trade allowances - unit #'s 811, 813, 814, 822 = \$4,000⁰⁰ ea

unit #818 = \$2,800⁰⁰, #816 = \$1,650⁰⁰, #825 = \$600⁰⁰

total purchases = \$132,360⁰⁰ total trades = \$21,050

net difference = \$111,310⁰⁰

Thank you for this opportunity:

By: Steve Turgenev
Fleet Manager

STATE OF NEBRASKA CONTRACT AWARD

State Purchasing Bureau
301 Centennial Mall South, 1st Floor
Lincoln, Nebraska 68508

OR

P.O. Box 94847
Lincoln, Nebraska 68609-4847
Telephone: (402) 471-2401
Fax: (402) 471-2089

CONTRACT NUMBER
NIS-11110 OC

PAGE 1 OF 7	ORDER DATE 10/12/04
BUSINESS UNIT 9000	BUYER CONNIE HEINRICHS

VENDOR ADDRESS:

ANDERSON FORD
2500 WILDCAT DRIVE
LINCOLN NE 68521-5807

AN AWARD HAS BEEN MADE TO THE VENDOR NAMED ABOVE FOR THE FURNISHING OF EQUIPMENT, MATERIAL, OR SUPPLIES AS LISTED BELOW FOR THE PERIOD:

2005 PRODUCTION YEAR

NO ACTION ON THE PART OF THE VENDOR NEEDS TO BE TAKEN AT THIS TIME. ORDERS FOR THE EQUIPMENT OR SUPPLIES WILL BE MADE AS NEEDED BY THE VARIOUS AGENCIES OF THE STATE.

THIS CONTRACT IS NOT AN EXCLUSIVE CONTRACT TO FURNISH THE EQUIPMENT OR SUPPLIES SHOWN BELOW, AND DOES NOT PRECLUDE THE PURCHASE OF SIMILAR ITEMS FROM OTHER SOURCES.

THE STATE RESERVES THE RIGHT TO EXTEND THE PERIOD OF THIS CONTRACT BEYOND THE TERMINATION DATE WHEN MUTUALLY AGREEABLE TO THE VENDOR AND THE STATE OF NEBRASKA.

2005 FULL SIZE FOUR-DOOR RWD SEDAN POLICE PACKAGE PURSUIT VEHICLE as per the attached specifications for the 2005 production year.

See attached Terms and Conditions page for approximate units to be purchased.

The Unit Price is equal to the Base Price for items before the Option Bid List.

Make/Model: Ford Crown Victoria

Delivery: 90-120 Days ARO

Contact: Don Doser

Phone: 402-610-1447

Fax: 402-458-9834 or 402-438-3558

Line	Description	Est. Qty	UM	Unit Price
1	police sedan four door rwd	20	EA	20,390.0000

Original/Bid Document 359 OL, Original Line # 1

2005 FULL SIZE FOUR -DOOR RWD SEDAN POLICE PACKAGE PURSUIT VEHICLE

Minimum Wheel Base: 114.0"


BUYER

MATERIEL ADMINISTRATOR

R E S O L U T I O N 2004-312

WHEREAS, the Police Department has budgeted to replace six police vehicles during the 2004/2005 fiscal year; and

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

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

WHEREAS, the funding for such vehicles is provided in the 2004/2005 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of one 2005 Ford Crown Victoria police vehicle for the amount of \$23,560; and five 2005 Ford Crown Victoria police vehicles in the amount of \$21,760 each from the State contract holder, Anderson Ford of Lincoln, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 7, 2004.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item G10

**#2004-313 - Approving Interlocal Agreement for Library Services
with Hall County**

Staff Contact: Steve Fosselman

Council Agenda Memo

From: Steve Fosselman, Library Director

Meeting: December 7, 2004

Subject: Approving Interlocal Agreement with Hall County
Relative to Bookmobile

Item #'s: G-10

Presenter(s): Steve Fosselman

Background

Hall County has a 40+ year history of contracting with the Grand Island Public Library and City of Grand Island for county residents' use of the library facilities including the Hall County Bookmobile. A library board committee usually meets with a county board committee to negotiate a new agreement, which in some instances has been multi-year but in this instance is a single-year agreement.

Discussion

The agreement as negotiated and approved by the Hall County Board of Supervisors on November 16, 2004 provides for a \$77,500 payment by the county to the library for these services, retroactive to July 1, 2004 and effective through June 30, 2005. Last year's agreement provided for a payment of \$70,466. Also included in the agreement is the county's provision/maintenance of mobile data connection equipment and service to facilitate the bookmobile's online computer functions.

Alternatives

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

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve this interlocal agreement.

Sample Motion

Motion to approve Interlocal Agreement with Hall County Relative to Bookmobile.

INTERLOCAL COOPERATION AGREEMENT
BETWEEN THE GRAND ISLAND LIBRARY BOARD
AND
THE COUNTY OF HALL, NEBRASKA

THIS AGREEMENT, made and entered into by and between the GRAND ISLAND LIBRARY BOARD, being duly qualified and acting by appointment of the Mayor and City Council and contracting for itself and on behalf of the City of Grand Island, Nebraska, hereinafter referred to as the "Library," and the COUNTY OF HALL, NEBRASKA, a body corporate and politic, hereinafter referred to as "County."

WITNESSETH:

WHEREAS, County desires to have comprehensive library service provided for the citizens and schools of Hall County by the Library; and

WHEREAS, under provisions contained in Sections 51-201 through 220, Revised Statutes of Nebraska, as amended, the County Board of Supervisors may contract library services pursuant to the Interlocal Cooperation Agreement Act; and

WHEREAS, it is the intent and understanding of the parties that library services shall be provided through the facilities of the Library with the cooperation of County;

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES HERETO THAT:

Section 1. Purpose and Scope of Services. Library shall provide library services to the inhabitants of Hall County residing outside the corporate limits of the City of Grand Island by permitting such persons the privilege to use Library's services and facilities on the same basis as that accorded by Library to the inhabitants of the City of Grand Island. Library shall further furnish bookmobile services throughout Hall County as more specifically set forth herein.

Section 2. Duration. The term of this agreement shall be for a period of one year commencing on the 1st day of July, 2004.

Section 3. Administration. The Library will be administered in the manner contemplated by the provisions of Article 2, Chapter 51, Revised Statutes of Nebraska, as amended.

Section 4. Bookmobile Services. Library shall provide bookmobile library services to such schools, adult care facilities, and other sites throughout the County as are currently being served by the Hall County Bookmobile, or as agreed to by the parties herein, on a three - week schedule.

Section 5. Administration of Funds and Maintenance of Records. Library shall administer its funds and keep its records as required by law.

Section 6. Charges, Fees, Fines, and Assessments. Library shall provide its services and facilities free of charge to all inhabitants of Hall County within the provisions and intent of this agreement, except that all patrons shall be subject to the rules of the Library as they relate to fines and assessments for overdue books, destruction or loss of books, and other Library regulations.

Section 7. Use of Bookmobile. In the provision of bookmobile programs and services pursuant to this agreement, Library may utilize and operate County's bookmobile. Library shall exercise due care and diligence in the selection, training, and supervision of drivers operating said bookmobile. Title to the bookmobile shall remain in the County.

7.1 Insurance. At all times during the term of this agreement and any subsequent term, County shall maintain liability insurance coverage to insure and indemnify County and Library to the extent permitted under County's automobile liability policy from loss and claims arising out of the operation of County's bookmobile. At all times during the term of this agreement and any subsequent term, County shall maintain a policy or policies of collision and comprehensive insurance coverage insuring and indemnifying County from loss of or damage to said bookmobile.

7.2 Maintenance, Repair, and Expenses of Operation. Library shall exercise due care and diligence in inspecting and maintaining said bookmobile in proper and safe working order and shall operate, maintain, and repair the same at Library's expense

7.3 Return Upon Termination. Upon termination of this agreement, Library shall return the bookmobile to the County.

Section 8. Personnel and Staff. Library shall provide, at Library's expense, such necessary library staff personnel, including properly selected and trained drivers, for the provision of the services herein provided. At all times during the term of this agreement and any subsequent terms thereof, Library shall maintain Workers' Compensation coverage for its employees in such amounts and under such terms as is required by the laws of the State of Nebraska.

Section 9. Indemnification. Library agrees that it will indemnify and hold County and County's officers, employees, and agents harmless from any claims, suits, or damages resulting from or caused by any act of neglect, intentional tort, or omission of Library, its officers, employees, agents, or volunteers in the performance of activities provided for by this agreement.

Section 10. Notice of Claims. Within 10 working days after receipt by library of a summons in any action or any notice of claim arising out of the use or operation of the bookmobile, Library shall notify County of such commencement of action or notice of claim.

Section 11. Library Not an Employee of County. It is agreed by the parties that at all times and for all purposes hereunder, Library and its officers, employees, volunteers, and agents are independent contractors and not employees of County. No statement in this agreement shall be construed so as to find Library and its officers, employees, volunteers, and agents to be employees of County, and they shall not be entitled to any of the rights, privileges, or benefits of County employees.

Section 12. Non-Discrimination. In the performance of activities pursuant to this agreement, Library agrees to comply fully with Title VII of the Civil Rights Act of 1964, as amended, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act of 1991. Library shall not unlawfully discriminate against any employee who is employed in the performance of this agreement, nor against any applicant for such employment, because of age, color, national origin, race, religion, creed, disability, or sex. This provision shall include, but not be limited to, employment, promotion, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training.

Section 13. Consideration. In consideration for the services to be provided by Library, County shall pay to Library the sum of Seventy-Seven Thousand Five Hundred Dollars (\$77,500.00) payable in twelve equal payments the first due the last day of each month commencing July 31, 2004.

Section 14. Modification. Amendments to this agreement shall not be binding upon the parties unless reduced to writing and properly approved and executed by and on behalf of the parties hereto.

Section 15. Administration. One advisory Library Board member and one alternate member shall be appointed by the County Board of Supervisors to meet with the Library Board at all regular and special meetings of the Library Board during the term of this Agreement and extensions thereof. Such advisory board member or alternate member shall have the right to be heard on matters of policy and rules and regulations affecting the library services contemplated by this Agreement. The Library Board as thus constituted shall administer this undertaking in cooperation with the Hall County Board of Supervisors.

Section 16. Form of Organization. There shall be no separate legal entity formed to conduct this cooperative undertaking.

Section 17. Acquisition and Disposition of Property. There shall be no jointly held property acquired through this undertaking. Any property used in this undertaking shall be held by the party acquiring the same and shall, upon termination of this agreement, be disposed of by said party.

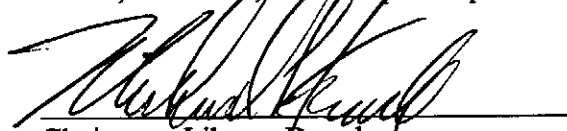
Section 18. Financing. Each party shall be separately responsible for financing its obligations herein.

Section 19. Mobile Data Connection. County shall provide mobile data connection equipment and service and maintain the same during the term of this agreement commencing upon such time as the necessary equipment can be acquired, installed and tested in the Bookmobile.

IN WITNESS WHEREOF, this Agreement is executed by the parties at Grand Island, Hall County, Nebraska, this 16 day of November, 2005.

GRAND ISLAND LIBRARY BOARD,
for itself and on behalf of the City of Grand
Island, Nebraska, a municipal corporation.

THE COUNTY OF HALL, NEBRASKA,
a body politic and corporate and a political
subdivision of the state of Nebraska.


Chairman, Library Board


Chairman, Hall County Board of
Supervisors

Approved:
City of Grand Island

Mayor

ATTEST:


County Clerk

ATTEST:

City Clerk

Prepared by:
Jerom E. Janulewicz
Hall County Attorney
P.O. Box 367
Grand Island, NE 68802
(308) 385-5150

RESOLUTION 2004-313

WHEREAS, Hall County desires to have comprehensive library services provided for the citizens and schools of Hall County; and

WHEREAS, Nebraska statutes provide that the County Board of Supervisors may contract for the services of a public library already established and may levy a tax for such library service in accordance with said statutes; and

WHEREAS, the Grand Island Library Board and the County of Hall intend to provide library service through the facilities of the library with the cooperation of the County of Hall; and

WHEREAS, a form of Agreement has been agreed to between the Grand Island Library Board and the County of Hall.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Interlocal Cooperation Agreement by and between the Grand Island Library Board and the County of Hall, Nebraska, for library services to the residents of Hall County is hereby approved; and the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 7, 2004.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item G11

**#2004-314 - Approving State Bid Award for One (1) 2005 Chevy
Impala for the Public Works Department**

Staff Contact: Steve Riehle

Council Agenda Memo

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

Meeting: December 7, 2004

Subject: Purchase of 2005 Chevrolet 4-door Sedan (Impala) for the Engineering Division of the Public Works Department

Item #'s: G-11

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

Background

The Engineering Division of the Public Works Department budgeted to replace a 1995 Chevrolet Caprice (former police cruiser). The vehicle is only used in town because it is not considered reliable for highway travel.

Discussion

The vehicle specifications awarded under State of Nebraska contract #11120 OC meets all of the requirements for the Engineering Division vehicle. Husker Auto Group of Lincoln, NE submitted a bid with no exceptions in the amount of \$15,579.00. There are sufficient funds for this purchase in Account No. 10033001-85625.

Alternatives

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

1. Approve the purchase of the vehicle.
2. Disapprove the purchase of the vehicle.
3. Modify or postpone the purchase.
4. Take no action on the purchase.

Recommendation

City Administration recommends that the Council approve the purchase of the vehicle in the amount of \$15,579.00 from Husker Auto Group of Lincoln, NE.

Sample Motion

Move to approve the purchase of the Engineering Division vehicle from Husker Auto Group in the amount of \$15,579.00.

RESOLUTION 2004-314

WHEREAS, the Engineering Division of the Public Works Department has budgeted to replace a 1995 Chevrolet Caprice during the 2004/2005 fiscal year; and

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

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

WHEREAS, the funding for such vehicle is provided in the 2004/2005 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of one 2005 Chevrolet Impala for the amount of \$15,579.00 from the State contract holder, Husker Auto Group of Lincoln, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 7, 2004.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item J1

Payment of Claims for the Period of November 24, 2004 through December 7, 2004

The Claims for the period of November 24, 2004 through December 7, 2004 for a total amount of \$4,698,249.18. A MOTION is in order.

Staff Contact: RaNae Edwards