
City of Grand Island



Tuesday, November 09, 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 Frank Schneider, Immanuel Baptist Church,
1816 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, November 09, 2004

Council Session

Item C1

Proclamation "American Education Week" November 15-19, 2004

Public Schools are the backbone of our democracy, equipping young Americans with both practical skills and broader intellectual abilities for hope of a productive future. Education employees work tirelessly to serve our children and communities with care and professionalism. The Mayor has proclaimed November 15-19, 2004 as "American Education Week" and encourages citizens to observe this week by supporting our public schools, its young people, and education employees. See attached PROCLAMATION.

Staff Contact: Mayor Vavricek

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

PROCLAMATION

- WHEREAS, public schools are the backbone of our democracy, providing young people with the tools they need to maintain our nation's precious values of freedom, civility and equality; and
- WHEREAS, by equipping young Americans with both practical skills and broader intellectual abilities, schools give them hope for, and access to a productive future; and
- WHEREAS, education employees – be they custodians or teachers, bus drivers or librarians – work tirelessly to serve our children and communities with care and professionalism; and
- WHEREAS, schools are community linchpins, bringing together adults and children, educators and volunteers, business leaders and elected officials in a common enterprise.

NOW, THEREFORE, I, Jay Vavricek, Mayor of the City of Grand Island, Nebraska, do hereby proclaim November 15-19, 2004 as

“AMERICAN EDUCATION WEEK”

in the City of Grand Island, and urge all citizens to observe this week by supporting our public schools, its young people and education employees.

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

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item C2

Proclamation "Veterans Appreciation Week" November 8-14, 2004

We want to recognize those Veterans who have served or are serving our country not only on November 11, 2004 Veterans Day, but throughout the year. It is important to honor those Veterans for their patriotism, love of country, and willingness to serve and sacrifice for the common good. The Mayor has proclaimed the week of November 8-14, 2004 as "Veterans Appreciation Week" and encourages all citizens to recognize the importance of our Veterans. See attached PROCLAMATION.

Staff Contact: Mayor Vavricek

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

PROCLAMATION

- WHEREAS, “Veterans Day” honors men and women who have served in the United States armed services; and
- WHEREAS, November 11, 1918, marked the cessation of World War I and in 1919, President Woodrow Wilson proclaimed November 11 as Armistice Day to remind Americans of the tragedies of war; and
- WHEREAS, on June 1, 1954, Congress changed the holiday’s name to “Veterans Day” to honor all United States veterans; and
- WHEREAS, Veterans have served our country with distinction, fought valiantly to promote peace, put their civilian lives on hold to defend our democratic principles, and have served in ways we cannot begin to understand; and
- WHEREAS, it is important to honor those Veterans for their patriotism, love of country, and willingness to serve and sacrifice for the common good.

NOW, THEREFORE, I, Jay Vavricek, Mayor of the City of Grand Island, Nebraska, do hereby proclaim the week of November 8-14, 2004 as

“VETERANS APPRECIATION WEEK”

in the City of Grand Island, and encourage all citizens to recognize the importance of our Veterans during the week of November 8-14 and by observing Veterans Day on November 11, 2004.

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

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item E1

**Public Hearing on Request of Rona Kucera dba Flight Deck, 3773
Skypark Road, Suite 5 for a Class "I" Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: November 9, 2004

Subject: Public Hearing on Request of Rona Kucera dba Flight Deck, 3773 Skypark Road, Suite 5 for a Class “T” Liquor License

Item #'s: E-1 & G-4

Presenter(s): RaNae Edwards, City Clerk

Background

Rona Kucera dba Flight Deck, 3773 Skypark Road, Suite 5 has submitted an application for a Class “T” Liquor License. A Class “T” Liquor License allows for the sale of alcoholic beverages on sale only within the corporate limits of the City of Grand Island.

Discussion

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

Alternatives

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

1. Approve the request for Rona Kucera dba Flight Deck, 3773 Skypark Road, Suite 5 for a Class “T” Liquor License.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve this request.

Sample Motion

Approve the request of Rona Kucera dba Flight Deck, 3773 Skypark Road, Suite 5 for a Class 'T' Liquor License.



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item E2

**Public Hearing on Request of Harold and Lois Hudiburg dba
Island Liquor, 222 West Stolley Park Road for a Class "D" Liquor
License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: November 9, 2004

Subject: Public Hearing on Request of Harold and Lois Hudiburg dba Island Liquor, 222 West Stolley Park Road for a Class “D” Liquor License

Item #'s: E-2 & G-5

Presenter(s): RaNae Edwards, City Clerk

Background

Harold and Lois Hudiburg dba Island Liquor, 222 West Stolley Park Road have submitted an application for a Class “D” Liquor License. A Class “D” Liquor License allows for the sale of alcoholic beverages off sale only within the corporate limits of the City of Grand Island.

Discussion

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Building, Fire, Health, and Police Departments. The building is currently under construction, so approval is recommended contingent upon final inspections.

Alternatives

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

1. Approve the request for Harold and Lois Hudiburg dba Island Liquor, 222 West Stolley Park Road for a Class “D” Liquor License contingent upon final inspections.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve this request.

Sample Motion

Approve the request of Harold and Lois Hudiburg dba Island Liquor, 222 West Stolley Park Road for a Class “D” Liquor License contingent upon final inspections.



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item E3

**Public Hearing on Request of Hi Brand G.I. dba Old Chicago,
3404 West 13th Street for a Class "I" Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: November 9, 2004

Subject: Public Hearing on Request of Hi Brand G.I., Inc. dba Old Chicago, 3404 West 13th Street for a Class “T” Liquor License

Item #'s: E-3 & G-6

Presenter(s): RaNae Edwards, City Clerk

Background

Hi Brand G.I., Inc. dba Old Chicago, 3404 West 13th Street has submitted an application for a Class “T” Liquor License. A Class “T” Liquor License allows for the sale of alcoholic beverages on sale only within the corporate limits of the City of Grand Island.

Discussion

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Building, Fire, Health, and Police Departments. The building is currently under construction so approval is recommended contingent upon final inspections.

Alternatives

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

1. Approve the request for Hi Brand G.I., Inc. dba Old Chicago, 3404 West 13th Street for a Class “T” Liquor License.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve this request.

Sample Motion

Approve the request of Hi Brand G.I., Inc. dba Old Chicago, 3404 West 13th Street for a Class 'I' Liquor License contingent upon final inspections.



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item E4

**Public Hearing on Acquisition of Utility Easement - 850 Allen
Drive - Platte Valley State Bank**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: November 9, 2004

Subject: Acquisition of Utility Easement – 850 Allen Drive –
Platte Valley State Bank & Trust Company

Item #'s: E-4 & G-9

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

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Platte Valley State Bank and Trust Company, located at 850 Allen Drive, in the City Of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

This easement will be used to place high voltage underground cables and a pad-mounted transformer to serve the new bank.

Alternatives

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

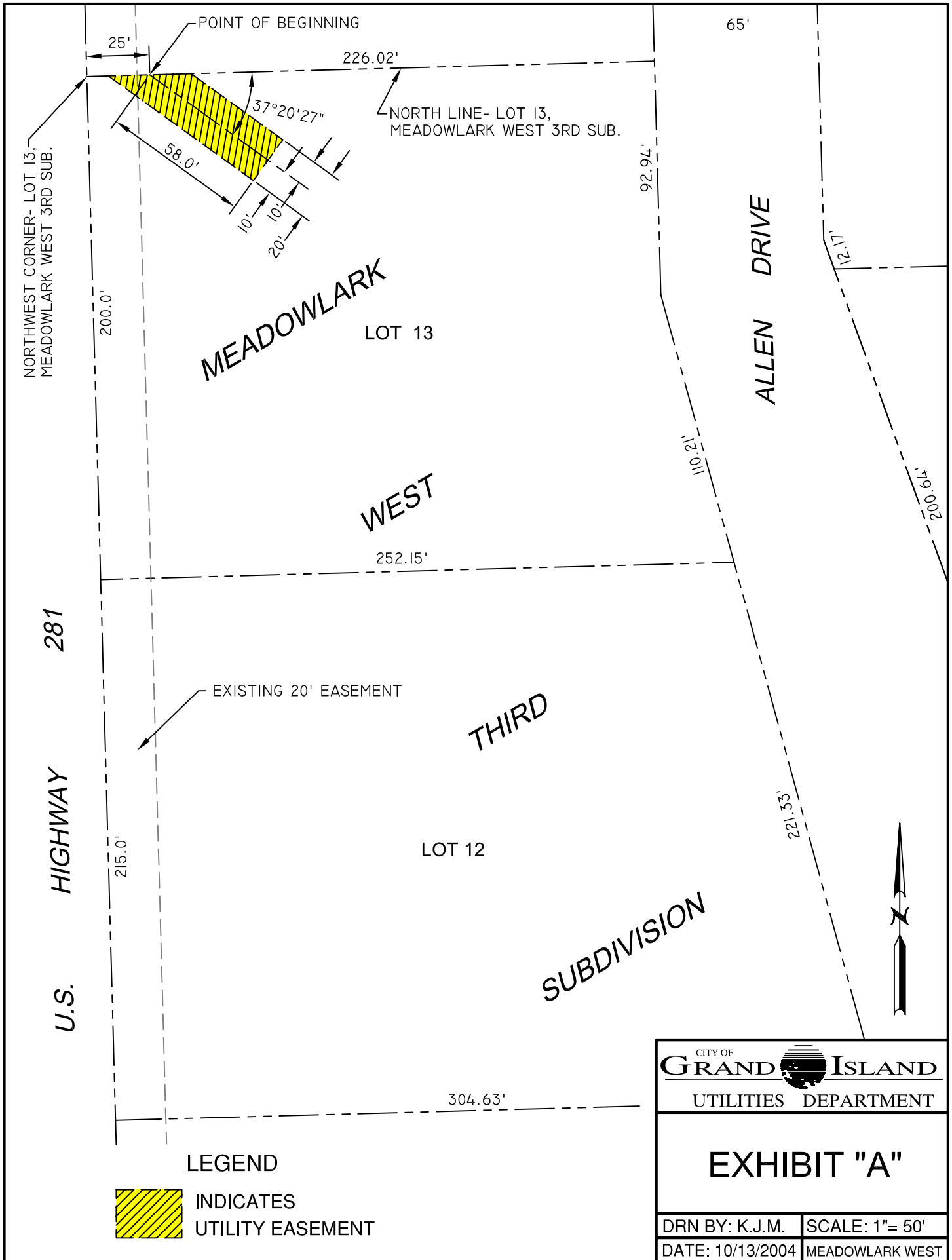
1. Make a motion to approve.
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

I make a motion to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, November 09, 2004

Council Session

Item E5

**Public Hearing on Acquisition of Utility Easement - Hall County
Livestock Improvement Association**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: November 9, 2004

Subject: Acquisition of Utility Easement – Hall County Livestock Improvement Association – West Edge of Fonner Park Parking Lot from Fonner Park Road to Stolley Park Road

Item #'s: E-5 & G-10

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

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of the Hall County Livestock Improvement Association, located along the west edge of Fonner Park parking lot from Fonner park Road to Stolley Park Road, in the City Of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

The addition of the new Heartland Events Center building will require the relocation of electric and water lines. This easement will be used to locate those new lines away from the construction area.

Alternatives

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

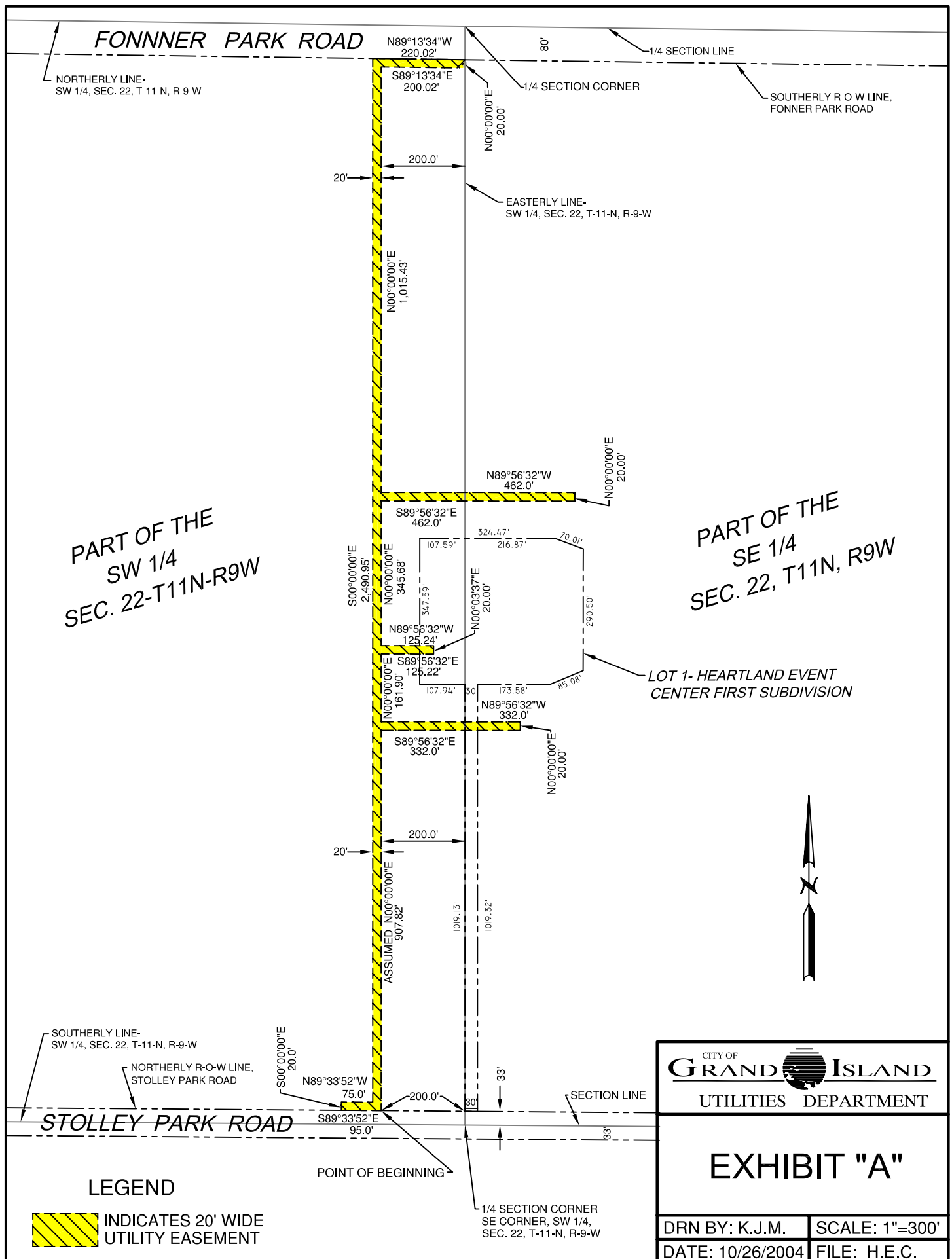
1. Make a motion to approve.
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, November 09, 2004

Council Session

Item E6

**Public Hearing on Acquisition of Real Estate - 1216 West 2nd
Street - Grand Island Public Library Foundation, Inc.**

Staff Contact: Doug Walker

Council Agenda Memo

From: Douglas R. Walker, City Attorney

Meeting: November 9, 2004

Subject: Public Hearing on Acquisition of Real Estate Located at
1216 West Second Street, Grand Island, Nebraska
and
Approving Acquisition of Real Estate Located at 1216
West Second Street, Grand Island, Nebraska

Item #'s: E-6 & G-13

Presenter(s): Douglas R. Walker, City Attorney

Background

Nebraska State Statutes require that the acquisition of property must be approved by the City Council. The public hearing for the acquisition of this property is being done to meet the requirements of Neb. Rev. Stat., §18-1755 and Neb. Rev. Stat., §25-2505. Subsequent to the public hearing, Item G-12 will be for approval for acquisition of this property.

Discussion

The Grand Island Library Foundation has begun acquiring property in the block west of the city library for use in expanding the library facility. At several prior meetings of the City Council, including the meeting on October 19, 2004, presentations were made by the Library Board regarding plans for expanding the city library to the west of the current facility. This expansion will necessitate the acquisition of property in the block west of the current library building to accommodate the expansion and to provide parking for the enlarged facility. The Foundation has committed to purchase some of the property in the block west of the library to help facilitate the expansion. The property which is the subject of this public hearing is in the southwest corner of that block. The Library Foundation has acquired this property and is donating it to the City of Grand Island.

Alternatives

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

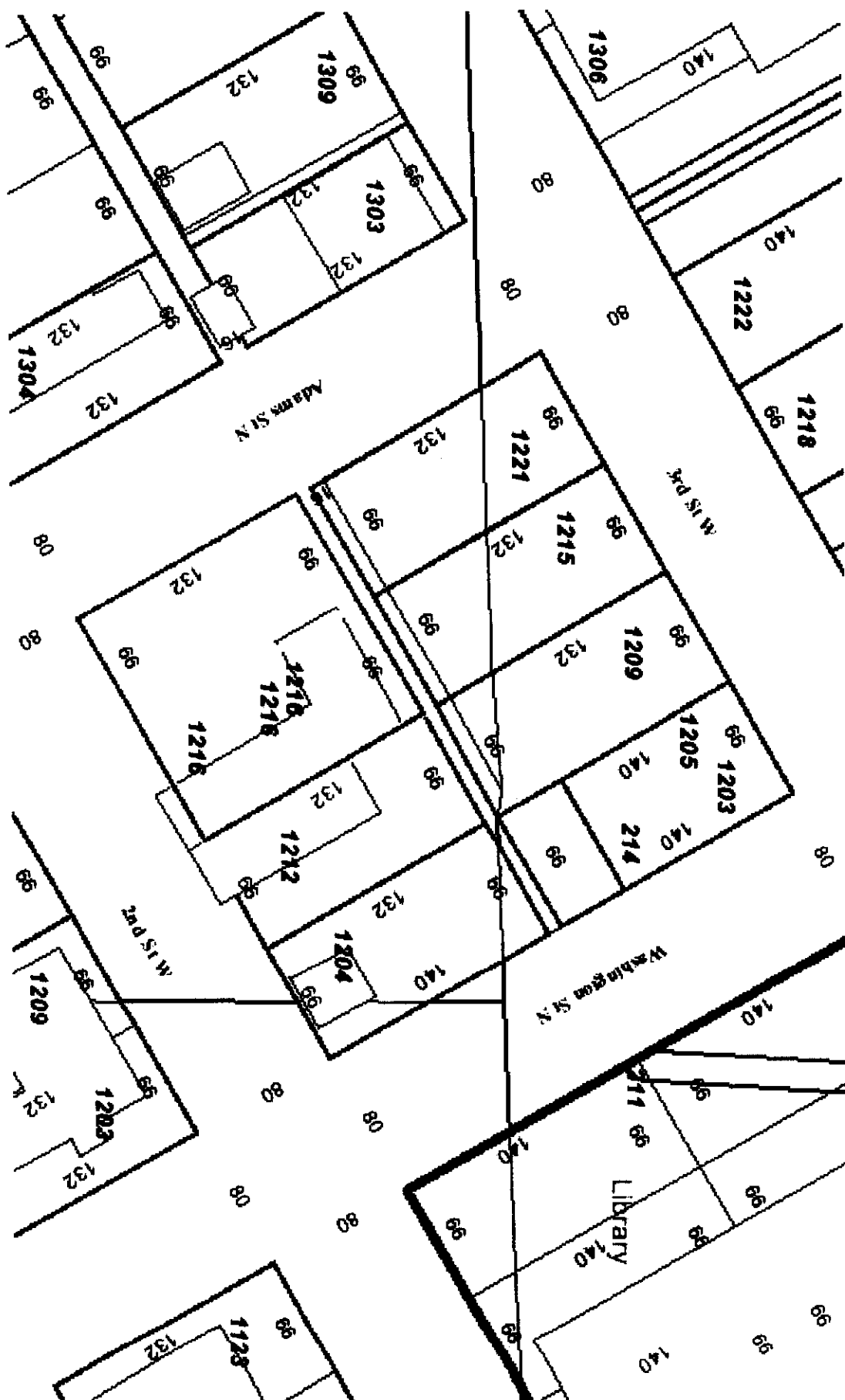
1. Pass a resolution approving the acquisition of this real estate.
2. Do not pass a resolution approving the acquisition of the real estate.
3. Postpone the issue to future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the resolution for the acquisition of the real estate as set forth above.

Sample Motion

Motion to approve the acquisition of the real estate located at 1216 West Second Street and described as Lots 5 and 6, Block 2, Spaulding and Gregg's Addition to the City of Grand Island, Nebraska.





City of Grand Island

Tuesday, November 09, 2004

Council Session

Item E7

**Public Hearing on Acquisition of Real Estate - Lot 1, Heartland
Event Center First Subdivision - Fonner Park Exposition and
Events Center, Inc.**

Staff Contact: Doug Walker

Council Agenda Memo

From: Douglas R. Walker, City Attorney

Meeting: November 9, 2004

Subject: Public Hearing on Acquisition of Real Estate Described
as Lot 1, Heartland Event Center First Subdivision
and
Approving Acquisition of Real Estate Described as Lot 1,
Heartland Event Center, First Subdivision

Item #'s: E-7 & G-14

Presenter(s): Douglas R. Walker, City Attorney

Background

Nebraska State Statutes require that the acquisition of property must be approved by the City Council. The public hearing for the acquisition of this property is being done to meet the requirements of Neb. Rev. Stat., §18-1755 and Neb. Rev. Stat., §25-2505 (to the extent applicable). Subsequent to the public hearing, Item G-14 will be for approval for acquisition of this property.

Discussion

As part of the Lease Purchase Agreement between the City of Grand Island and Fonner Park Exposition and Event Center, Inc., the city is to receive the tract of real estate west of the Fonner Park grandstand on which the Heartland Event Center will be constructed. The city will be receiving equitable title to this real estate during the period in which the lease/purchase payments are made. Once all of these payments have been made the city will receive full legal title. A public hearing is required when a municipality acquires real estate; therefore, this matter was scheduled for a public hearing and for a resolution approving the acquisition of this real estate.

Alternatives

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

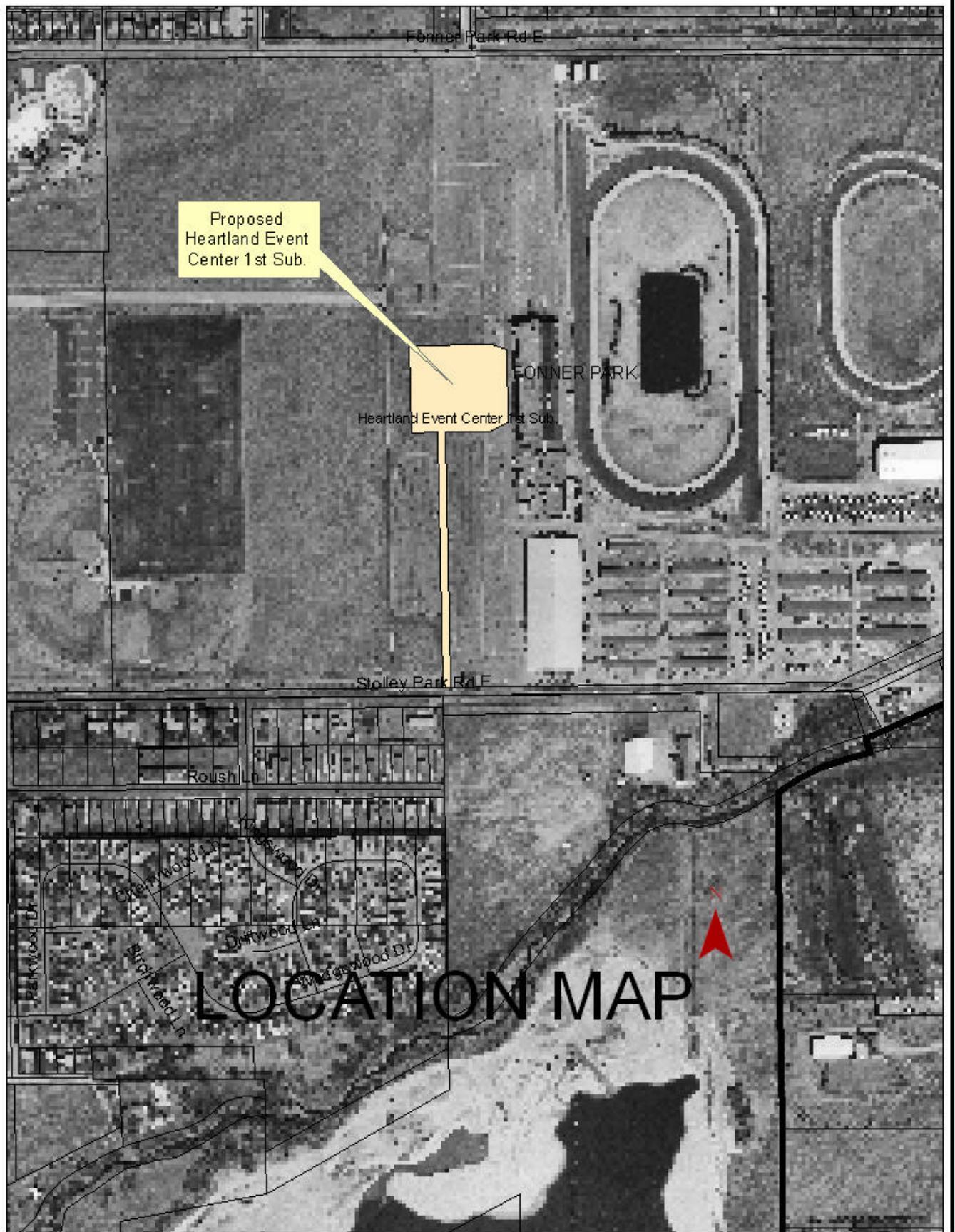
1. Pass a resolution approving the acquisition of this real estate.
2. Do not pass a resolution approving the acquisition of the real estate.
3. Postpone the issue to future date.
4. Take no action on the issue.

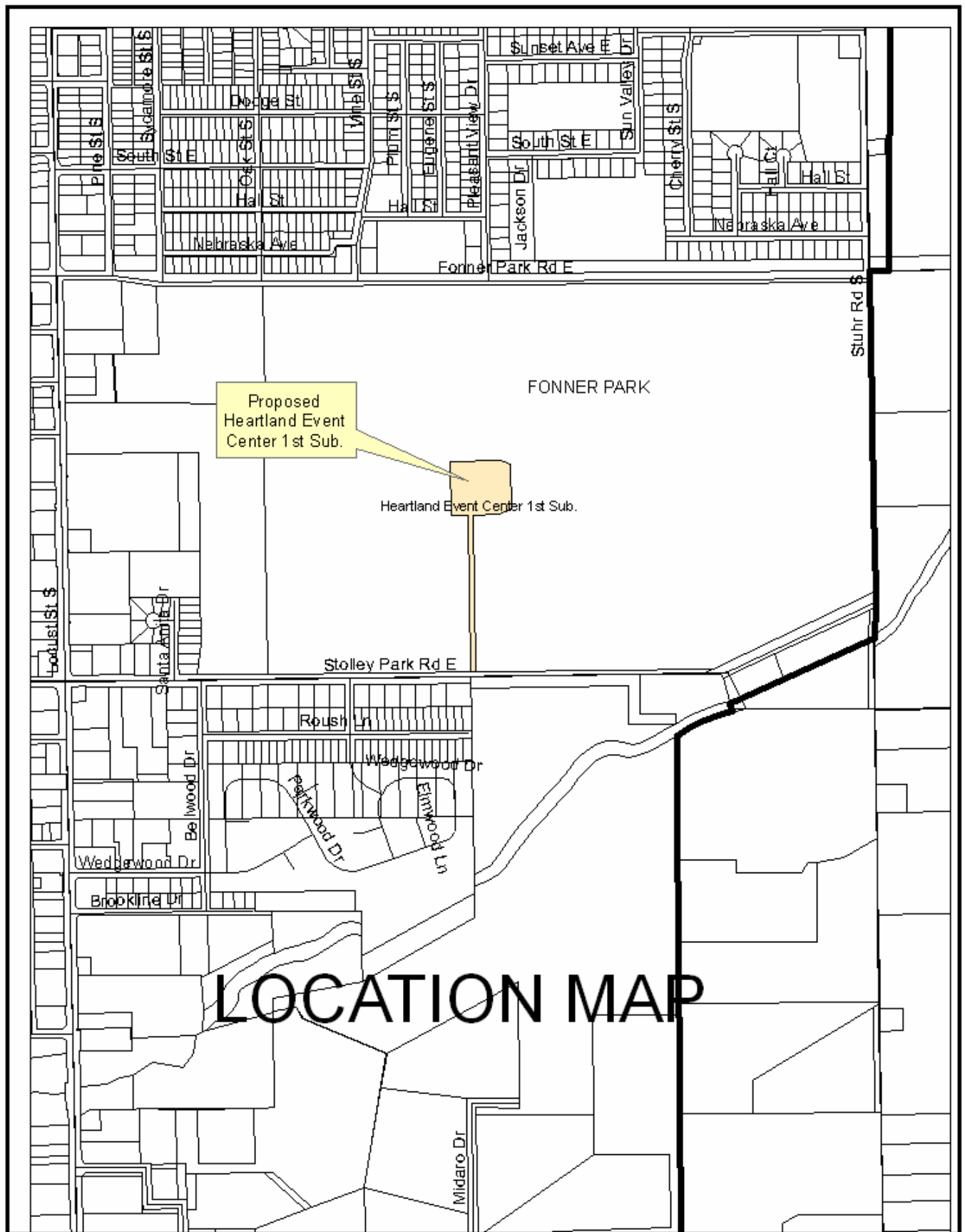
Recommendation

City Administration recommends that the Council approve the resolution for the acquisition of the real estate as set forth above.

Sample Motion

Motion to approve the acquisition of the real estate described as Lot 1, Heartland Event Center, First Subdivision, Grand Island, Hall County, Nebraska.





HEARTLAND EVENT CENTER FIRST SUBDIVISION

TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

LEGAL DESCRIPTION

A TRACT OF LAND CONSISTING OF A PART OF THE SOUTH HALF (S1/2) OF SECTION 22, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER (S1/4) OF SAID SECTION 22; THENCE ON AN ASSUMED BEARING OF N01°06'28"W ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 22 A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF STOLLEY PARK ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S89°19'48"W ALONG SAID NORTH R.O.W. LINE OF STOLLEY PARK ROAD A DISTANCE OF 30.00 FEET; THENCE N01°06'28"W ALONG A LINE 30.00 FEET WEST OF AND PARALLEL TO SAID EAST LINE A DISTANCE OF 7.00 FEET; THENCE CONTINUING N01°06'28"W ALONG A LINE 30.00 FEET WEST OF AND PARALLEL TO SAID EAST LINE A DISTANCE OF 1,011.93 FEET; THENCE S88°57'00"W A DISTANCE OF 77.94' FEET; THENCE N01°03'00"W A DISTANCE OF 347.59 FEET; THENCE N88°57'00"E A DISTANCE OF 107.59 FEET TO A POINT ON THE EAST LINE OF SAID SW1/4; THENCE CONTINUING N88°57'00"E A DISTANCE OF 216.87 FEET; THENCE S70°38'21"E A DISTANCE OF 70.01 FEET; THENCE S01°03'00"E A DISTANCE OF 290.50 FEET; THENCE S66°22'20"W A DISTANCE OF 85.08 FEET; THENCE S88°57'00"W A DISTANCE OF 203.58 FEET TO A POINT ON SAID EAST LINE OF THE SW1/4; THENCE S01°06'28"E ALONG SAID EAST LINE A DISTANCE OF 1,012.13 FEET; THENCE CONTINUING S01°06'28"E A DISTANCE OF 7.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 164,074.21 SQUARE FEET OR 3.767 ACRES MORE OR LESS OF WHICH 210.01 SQUARE FEET OR 0.005 ACRES IS PUBLIC ROAD RIGHT-OF-WAY DEDICATED WITH THIS PLAT.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON SEPTEMBER 28, 2004, UNDER MY PERSONAL SUPERVISION, I COMPLETED AN ACCURATE SURVEY OF HEARTLAND EVENT CENTER FIRST SUBDIVISION. AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT THE LOT CONTAINED IN SAID ADDITION IS SHOWN ON THE ACCOMPANYING PLAT THEREOF IS WELL AND ACCURATELY STAKED AND MARKED; THAT IRON PIPE MARKERS, EXCEPT WHERE INDICATED WERE FOUND OR PLACED AT ALL LOT CORNERS; THAT THE DIMENSIONS OF THE LOT ARE SHOWN ON THE PLAT; THAT THE LOT BEARS ITS OWN NUMBER; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

TIMOTHY J. AITKEN, REGISTERED LAND SURVEYOR NUMBER, LS-458

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT GARY ROSACKER, PRESIDENT OF HALL COUNTY LIVESTOCK IMPROVEMENT ASSOCIATION, A NONPROFIT CORPORATION, BEING THE OWNER OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "HEARTLAND EVENT CENTER FIRST SUBDIVISION", AS SHOWN ON THE ACCOMPANYING PLAT THEREOF AND DO HEREBY FREELY AND VOLUNTARILY DEDICATE THE EASEMENTS, AS SHOWN HEREON TO THE PUBLIC FOR THEIR USE FOREVER FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE FOR PUBLIC SERVICE UTILITIES, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS THERETO, AND HEREBY PROHIBITING THE PLANTING OF TREES, BUSHES AND OTHER SHRUBS, OR PLACING OTHER OBSTRUCTIONS UPON, OVER, ALONG OR UNDERNEATH THE SURFACE OF SUCH EASEMENTS; AND THAT THE FOREGOING ADDITION AS MORE PARTICULARLY DESCRIBED IN THE DESCRIPTION HEREON AS APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND PROPRIETOR.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT

_____, THIS ____ DAY OF _____, 2004

GARY ROSACKER, PRESIDENT
HALL COUNTY LIVESTOCK IMPROVEMENT ASSOCIATION, A NONPROFIT CORPORATION

ACKNOWLEDGMENT ^{SS}

STATE OF NEBRASKA
COUNTY OF HALL

ON THE ____ DAY OF _____, 2004, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED _____ TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT _____, NEBRASKA ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

APPROVALS

SUBMITTED TO AND APPROVED BY THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, CITIES OF GRAND ISLAND, WOOD RIVER, AND THE VILLAGES OF ALDA, CAIRO, AND DONIPHAN, NEBRASKA.

CHAIRMAN _____ DATE _____

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA

THIS ____ DAY OF _____, 2004

MAYOR _____ CITY CLERK _____

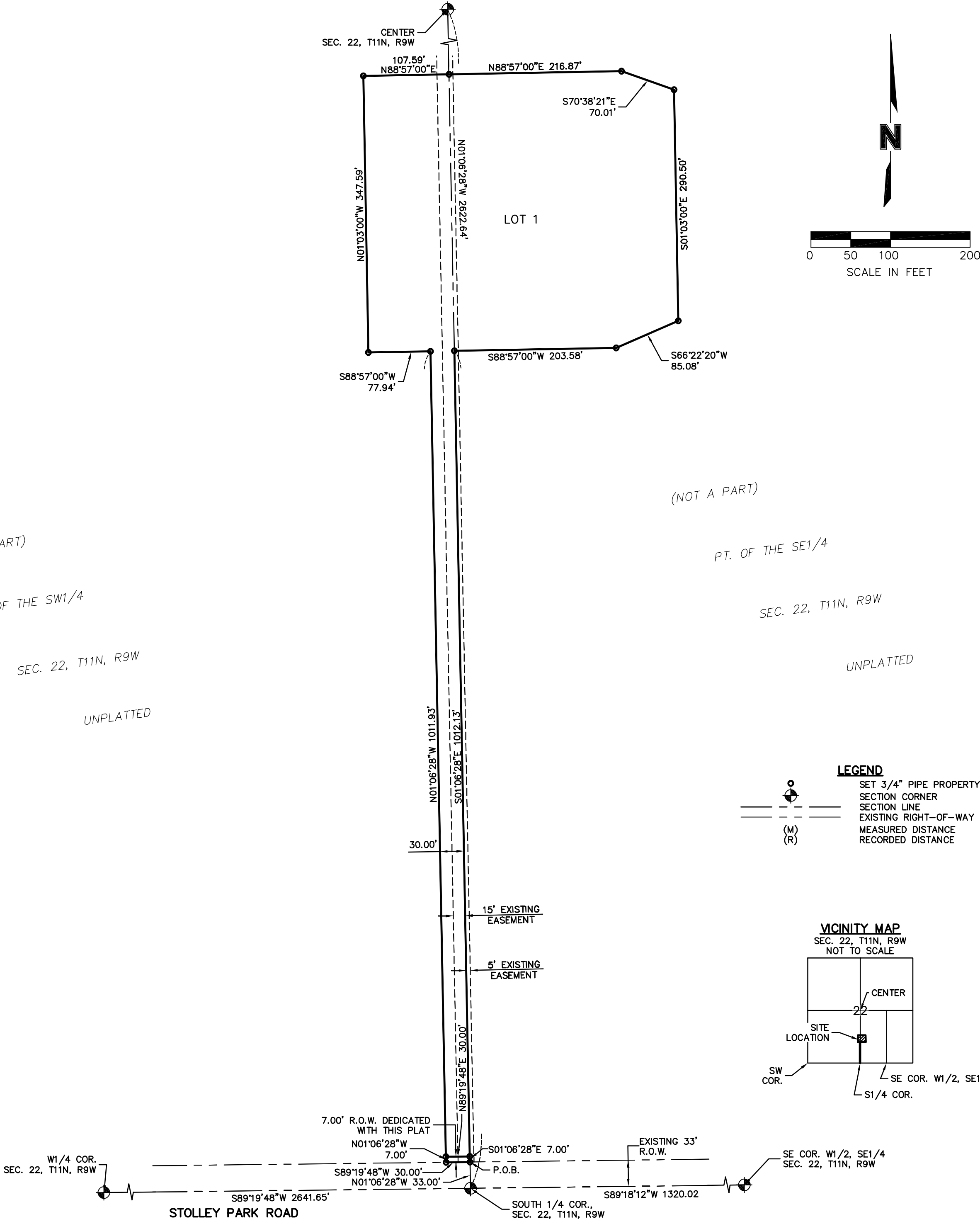
SECTION CORNER TIES

CENTER OF SECTION
SEC. 22, T11N, R9W
FOUND 1/2" PIPE

SOUTH 1/4 CORNER
SEC. 22, T11N, R9W
FOUND 1/2" REBAR

SOUTHWEST CORNER
SEC. 22, T11N, R9W
FOUND 1/2" REBAR

SOUTHEAST CORNER OF THE W1/2, SE1/4
SEC. 22, T11N, R9W
FOUND 1/2" REBAR





City of Grand Island

Tuesday, November 09, 2004

Council Session

Item F1

#8940 - Consideration of Amending Chapter 15 of the Grand Island City Code Relative to Electric Utility Rates

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Gary R. Mader, Utilities Director

Meeting: November 9, 2004

Subject: Electric Utility Rate Revisions

Item #'s: F-1

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

Background

The last rate increase in the Electric Department was in 1980. In that intervening period the City has enjoyed an unusually stable period of electric costs due to a number of factors including steady city load growth, low inflation rates, and stable fuel prices nationally, particularly coal and natural gas. But over the last few years, that stable environment has changed.

As was discussed at last year's Electric Budget hearings and more recently by the Utility Auditors, the Electric Utility financial reports have shown a general down trend in the financial position of that utility for over a year. From December '02 to December '03, the department's reserves have been reduced by 26%.

The reduction occurred during a period of relatively normal operations and capital improvements. Department staff began analyzing the source of the decline and now believes that it is directly attributable to increased energy costs for production; fuel costs and purchase power costs. The following indicate the state of these factors;

- Delivered coal costs have increased 14% since December '02 and are expected to firm up at that or a higher level.
- Natural gas prices are extremely volatile but on average, have approximately tripled in the last two years.
- Oil prices have increased sharply and OPEC continues production limits.

Electric energy markets have reflected the aforementioned source fuel price increases. The attached graphs illustrate the history of the department's energy costs. For most of the last 15 years (Graph #1), production costs, while very variable on a month to month basis, did, on average, remain fairly steady through 1999 (Graph #2). The historical high peaks are periods when PGS has been down for maintenance and the old gas fired steam

units and power purchases were used to meet City electric demand. But in 2000, the volatility of pricing increased and there began a general uptrend in the average costs (Graph #3), with average production costs ramping up approximately 40% from 2000 to 2003. Department staff believes that this is a trend in the industry rather than a “blip” on the radar. This view is shared by other of the state’s electric utilities who have had rate increases in the last two years; including OPPD, NPPD, Lincoln, Hastings and others.

As a result of the declining financial condition of the Electric Utility, an economic evaluation was begun in May, 2004. The firm of Stanley Consultants was commissioned to conduct the study working closely with Electric Department Staff. The Study concludes that it is necessary to increase Electric Department revenue to maintain that Department.

The results of that analysis were presented at the City Council Study Session of October 5, 2004.

Discussion

In accordance with the Economic Evaluation and Rate Revision Report of October 5, 2004, an ordinance has been prepared to implement the electric rate changes needed to maintain the financial position of the Electric Department. The Ordinance makes the necessary changes to Chapter 15, Electricity, to implement the proposed rate change in two increments with each providing for revenue increases of approximately 5% in calendar years 2005 and 2006. The rate changes would become effective on January 1st of each year.

The Rate Revision Report also called for a 3% revenue increase in the 2008 time frame. Since that projected need is several years future, it is not included in the proposed ordinance as economic conditions can change over that time frame.

Alternatives

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

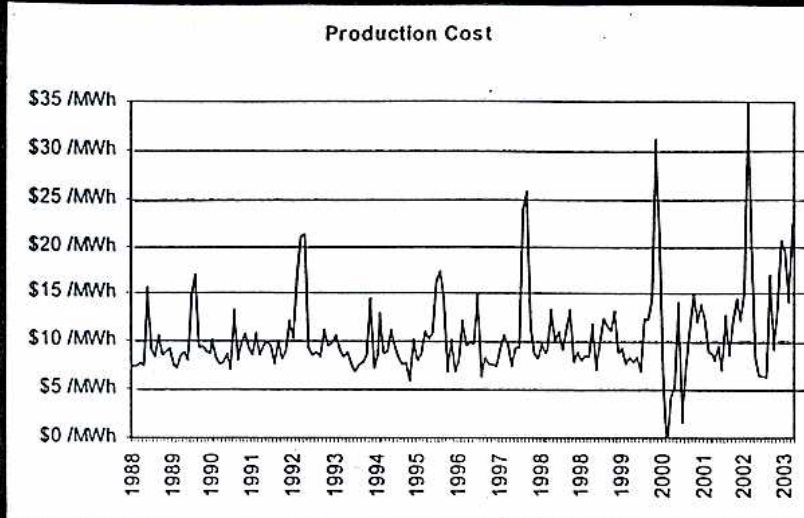
1. Approve the recommended electric rate changes for 2005 and 2006
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

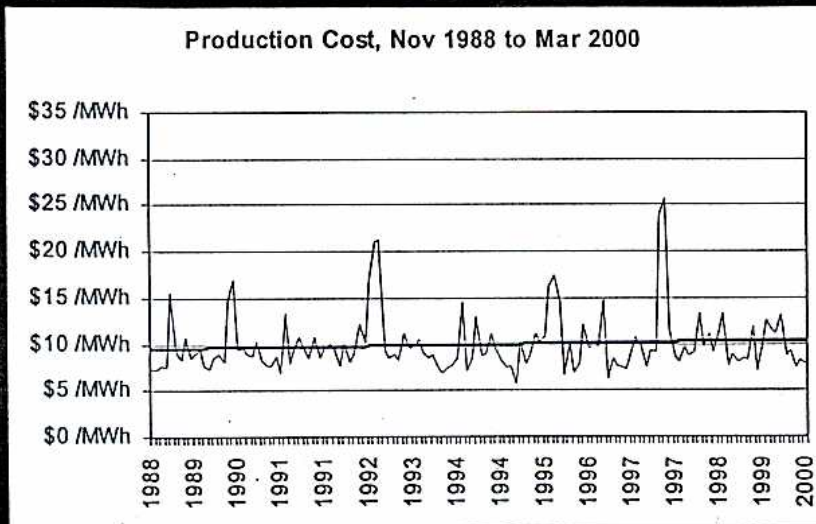
City Administration recommends that the Council approve the implementation of the electric rate changes in 2005 and 2006 as included in Ordinance #8940.

Sample Motion

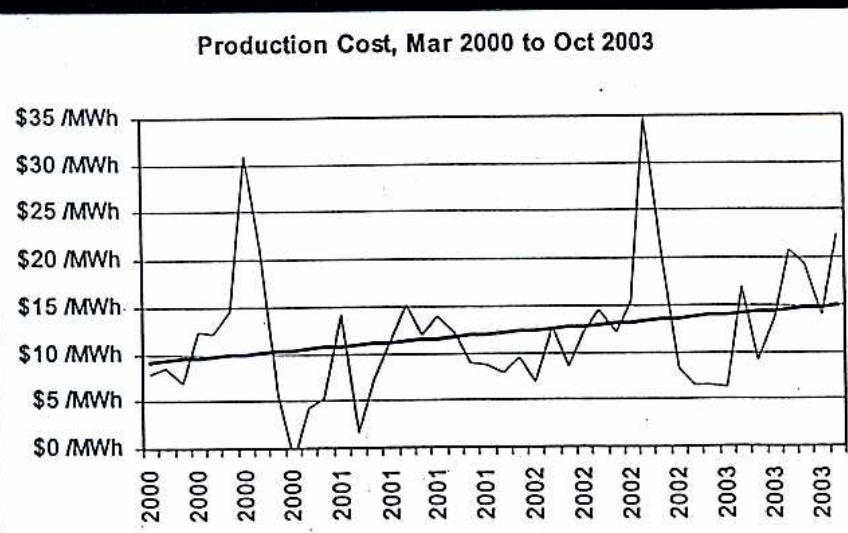
Move to approve Ordinance #8940 to implement electric rate changes in 2005 and 2006.



Graph #1



Graph #2



Graph #3

ORDINANCE NO. 8940

An ordinance to amend Chapter 15 of the Grand Island City Code to apply new utility rates for calendar year 2005 and further updated utility rates beginning calendar year 2006; to amend Section 15-55 pertaining to utility rates for 010 Residential Service; to amend Section 15-57 pertaining to utility rates for 030 Single-Phase Commercial Service; to amend Section 15-60 pertaining to utility rates for 050 Three-Phase Commercial Service; to amend Section 15-63 pertaining to utility rates for 100 Three-Phase Power Service; to amend Section 15-68 pertaining to utility rates for 114 Area Floodlighting; to amend Section 15-69 pertaining to contract period and conditions for non-standard installation; to amend Section 15-70 pertaining to power fuel cost adjustments; to amend Section 15-71 pertaining to Interdepartmental Rates; to delete Section 15-72 pertaining to Interdepartmental Rate 110; to delete Section 15-73 pertaining to Interdepartmental Utility Accounts; to amend Section 15-74 pertaining to interdepartmental streetlight Rate 116; to delete Section 15-75 pertaining to Burdick Station Rate; to change all references of Fuel Adjustment to Power Adjustment; to repeal Sections 15-55, 15-57, 15-60, 15-63, 15-68, 15-69, 15-70, 15-71, 15-72, 15-73, 15-74 and 15-75 as now existing, and 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. Section 15-55 of the Grand Island City Code is hereby amended to read as follows:

§15-55. 010 Residential Service

Applicable in urban and rural distribution areas. Available at single phase, through a single meter, to residential consumers for domestic use in a single dwelling unit; but is not available for commercial or non-domestic use.

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

ORDINANCE NO. 8940 (Cont.)

Individual single-phase motors, not to exceed 10 HP each, may be connected; however, the City Utilities Department must be notified in writing, if a motor over 5 HP is installed.

This schedule has two sets of rates: one for the summer period of five months, beginning with the June billing; and the second for the winter season of seven months, beginning with the November billing.

Summer Rate for Calendar Year 2005

<u>Kilowatt-Hours Used Per Month</u>	<u>(June - October)</u>
First 300 KWH.....	<u>\$0.074 per KWH</u> <u>\$0.071 per KWH</u>
Next 700 KWH.....	<u>\$0.049 per KWH</u> <u>\$0.046 per KWH</u>
All additional KWH.....	<u>\$0.055 per KWH</u> <u>\$0.053 per KWH</u>

Plus a customer charge of \$5.00 ~~\$1.00~~ per month, in addition to that charged for the electrical energy used, plus the applicable Power Fuel Adjustment charge. The minimum monthly bill shall be \$5.00 ~~\$4.00~~ prior to the Power Fuel Adjustment.

Summer Rate Beginning Calendar Year 2006

<u>Kilowatt-Hours Used Per Month</u>	<u>(June - October)</u>
<u>First 300 KWH.....</u>	<u>\$0.077 per KWH</u>
<u>Next 700 KWH.....</u>	<u>\$0.052 per KWH</u>
<u>All additional KWH.....</u>	<u>\$0.059 per KWH</u>

Plus a customer charge of \$5.00 ~~\$1.00~~ per month, in addition to that charged for the electrical energy used, plus the applicable Power Fuel Adjustment charge. The minimum monthly bill shall be \$5.00 ~~\$4.00~~ prior to the Power Fuel Adjustment.

Winter Rate for Calendar Year 2005

<u>Kilowatt-Hours Used Per Month</u>	<u>(November - May)</u>
First 300 KWH.....	<u>\$0.074 per KWH</u> <u>\$0.071 per KWH</u>
Next 700 KWH.....	<u>\$0.049 per KWH</u> <u>\$0.046 per KWH</u>
Additional KWH.....	<u>\$0.029 per KWH</u> <u>\$0.027 per KWH</u>

Plus a customer charge of \$5.00 ~~\$1.00~~ per month, in addition to that charged for the electrical energy used, plus the applicable Power Fuel Adjustment charge. The minimum monthly bill shall be \$5.00 ~~\$4.00~~ prior to the Power Fuel Adjustment.

Winter Rate Beginning Calendar Year 2006

<u>Kilowatt-Hours Used Per Month</u>	<u>(November - May)</u>
<u>First 300 KWH.....</u>	<u>\$0.077 per KWH</u>
<u>Next 700 KWH.....</u>	<u>\$0.052 per KWH</u>
<u>Additional KWH.....</u>	<u>\$0.031 per KWH</u>

Plus a customer charge of \$5.00 ~~\$1.00~~ per month, in addition to that charged for the electrical energy used, plus the applicable Power Fuel Adjustment charge. The minimum monthly bill shall be \$5.00 ~~\$4.00~~ prior to the Power Fuel Adjustment.

ORDINANCE NO. 8940 (Cont.)

SECTION 2. Section 15-57 of the Grand Island City Code is hereby amended to read as follows:

§15-57. 030 Single-Phase Commercial Service

Applicable in urban and rural distribution areas. Available for commercial customers, for lighting and small appliances. Available for single meter apartment units, and combined residential-commercial use, where the Residential Rate is not applicable. Service shall be through a single meter.

Individual single-phase motors, not to exceed 10 HP each, may be connected; however, the City Utilities Department must be notified in writing, if a motor over 5 HP is installed.

Kilowatt-Hours Used Per Month	<u>Rates - 2005 Calendar Year</u>	<u>Rates Beginning 2006 Calendar Year</u>
First 350 KWH.....	<u>\$0.080 per KWH</u> <u>\$0.074 per KWH</u>	<u>\$0.082 per KWH</u>
Next 650 KWH.....	<u>\$0.070 per KWH</u> <u>\$0.063 per KWH</u>	<u>\$0.072 per KWH</u>
Next 1,500 KWH.....	<u>\$0.064 per KWH</u> <u>\$0.057 per KWH</u>	<u>\$0.066 per KWH</u>
Next 2,500 KWH.....	<u>\$0.060 per KWH</u> <u>\$0.053 per KWH</u>	<u>\$0.062 per KWH</u>
Next 5,000 KWH.....	<u>\$0.053 per KWH</u> <u>\$0.047 per KWH</u>	<u>\$0.056 per KWH</u>
Over 10,000 KWH.....	<u>\$0.050 per KWH</u> <u>\$0.045 per KWH</u>	<u>\$0.053 per KWH</u>

Plus a customer charge of \$7.00 per month, in addition to that charged for the electrical energy used, plus the applicable ~~Power~~ ~~Fuel~~-Adjustment charge. The minimum monthly bill shall be \$7.00 prior to the ~~Power~~ ~~Fuel~~ Adjustment.

SECTION 3. Section 15-60 of the Grand Island City Code is hereby amended to read as follows:

§15-60. 050 Three-Phase Commercial Service

Applicable in the territory served by the City of Grand Island; and is available through a single meter at three phase, for any electric service uses where three-phase service is available.

This schedule has two sets of rates: one for the summer period of five months, beginning with the June billing; and the second for the winter season of seven months, beginning with the November billing.

Kilowatt-Hours Used Per Month	<u>Summer Rate for Calendar Year 2005 (June - October)</u>
First 1,000 KWH.....	<u>\$0.075 per KWH</u> <u>\$0.067 per KWH</u>
Next 1,500 KWH.....	<u>\$0.068 per KWH</u> <u>\$0.060 per KWH</u>
Next 2,500 KWH.....	<u>\$0.064 per KWH</u> <u>\$0.056 per KWH</u>
Next 15,000 KWH.....	<u>\$0.058 per KWH</u> <u>\$0.051 per KWH</u>
Over 20,000 KWH.....	<u>\$0.055 per KWH</u>

ORDINANCE NO. 8940 (Cont.)

~~\$0.048 per KWH~~

Plus a customer charge of ~~\$10.00~~ ~~\$7.00~~ per month, in addition to that charged for the electrical energy used, plus the applicable ~~Power Fuel~~ Adjustment charge.

Summer Rate Beginning 2006 Calendar Year

<u>Kilowatt-Hours Used Per Month</u>	<u>(June - October)</u>
<u>First 1,000 KWH.....</u>	<u>\$0.079 per KWH</u>
<u>Next 1,500 KWH.....</u>	<u>\$0.071 per KWH</u>
<u>Next 2,500 KWH.....</u>	<u>\$0.067 per KWH</u>
<u>Next 15,000 KWH.....</u>	<u>\$0.061 per KWH</u>
<u>Over 20,000 KWH.....</u>	<u>\$0.058 per KWH</u>

Plus a customer charge of ~~\$10.00~~ ~~\$7.00~~ per month, in addition to that charged for the electrical energy used, plus the applicable ~~Power Fuel~~ Adjustment charge.

Winter Rate for Calendar Year 2005

<u>Kilowatt-Hours Used Per Month</u>	<u>(November - May)</u>
<u>First 500 KWH.....</u>	<u>\$0.075 per KWH</u>
	<u>\$0.067 per KWH</u>
<u>Next 1,000 KWH.....</u>	<u>\$0.068 per KWH</u>
	<u>\$0.060 per KWH</u>
<u>Next 2,500 KWH.....</u>	<u>\$0.055 per KWH</u>
	<u>\$0.048 per KWH</u>
<u>Over 4,000 KWH.....</u>	<u>\$0.052 per KWH</u>
	<u>\$0.045 per KWH</u>

Plus a customer charge of ~~\$10.00~~ ~~\$7.00~~ per month, in addition to that charged for the electrical energy used, plus the applicable ~~Power Fuel~~ Adjustment charge.

Winter Rate Beginning 2006 Calendar Year

<u>Kilowatt-Hours Used Per Month</u>	<u>(November - May)</u>
<u>First 500 KWH.....</u>	<u>\$0.079 per KWH</u>
<u>Next 1,000 KWH.....</u>	<u>\$0.071 per KWH</u>
<u>Next 2,500 KWH.....</u>	<u>\$0.058 per KWH</u>
<u>Over 4,000 KWH.....</u>	<u>\$0.055 per KWH</u>

Plus a customer charge of ~~\$10.00~~ ~~\$7.00~~ per month, in addition to that charged for the electrical energy used, plus the applicable ~~Power Fuel~~ Adjustment charge.

Minimum

The minimum monthly charge shall be no less than ~~\$10.00~~ ~~\$7.00~~. The minimum shall in no event be less than \$0.70 per month per connected horsepower.

The billing horsepower shall be determined as follows:

1. Total connected horsepower, if total connected horsepower is less than 20 HP.
2. If total connected horsepower exceeds 20 HP, then the billing horsepower shall be the larger of 20 HP, or the largest single connected motor.
3. If questions arise as to the actual billing horsepower, the City Utilities Department may, at its option, install demand meters. The Kilowatt reading shall determine the billing horsepower on the basis of 0.75 Kilowatt = 1.0 HP.

It is the responsibility of the customer, to inform the City Utilities Department of changes that may effect minimum billings.

ORDINANCE NO. 8940 (Cont.)

SECTION 4. Section 15-63 of the Grand Island City Code is hereby amended to read as follows:

§15-63. 100 Three-Phase Power Service

Applicable in the territory served by the City of Grand Island, available through a single meter at three phase. Available for any commercial or industrial use of energy.

<u>Calendar</u> <u>Year 2005</u>	<u>Beginning 2006</u> <u>Calendar Year</u>	
\$8.00 \$7.00	\$8.50	Demand Charge per KW of billing demand
\$0.0265 \$0.022	\$0.0275	Energy Charge per KWH for the first 450 hours of monthly demand
\$0.0200 \$0.017	\$0.0210	per KWH for all additional usage; plus applicable <u>Power Fuel</u> Adjustment charge.
\$300.00	\$300.00	Customer Charge per month.

The minimum monthly bill shall be no less than ~~\$700.~~ \$650.00. The Power Fuel Adjustment charge is applied to energy consumption only and does not reduce the minimum billing.

SECTION 5. Section 15-68 of the Grand Island City Code is hereby amended to read as follows:

§15-68. 114 Area Floodlighting

Applicable in the territory served by the City of Grand Island; and is available for any outdoor area floodlighting of consumer's property from dusk to dawn, where such service can be rendered directly from existing secondary distribution lines of the City.

Luminare will be selected by Electric Department and provided from Electric Department stock. For installation on an existing wood pole, and connected to existing overhead secondary conductors on such pole, the monthly rate is \$0.070 per watt per year, billed on a monthly basis for calendar year 2005; and \$0.72 per watt per year billed on a monthly basis beginning calendar year 2006. as follows.

175 watt, 7,000 lumen, mercury vapor luminaire.....	\$6.25 per unit
400 watt, 20,000 lumen, mercury vapor luminaire.....	\$11.30 per unit
1,000 watt, 63,000 lumen, mercury vapor luminaire.....	\$28.30 per unit
100 watt, 9,500 lumen, high pressure sodium vapor luminaire.....	\$5.95 per unit
200 watt, 22,000 lumen, high pressure sodium vapor luminaire.....	\$11.90 per unit
400 watt, 50,000 lumen, high pressure sodium vapor luminaire.....	\$17.65 per unit

Plus the applicable Fuel Adjustment charge on all luminaries.

Where an extension of overhead secondary facilities is required, and where such extension is approved by the City Utilities Department, the net monthly rate shall be increased for each additional pole installed, by \$1.20; and for each additional span of secondary conductors installed, by \$0.90.

SECTION 6. Section 15-69 of the Grand Island City Code is hereby amended to read as follows:

ORDINANCE NO. 8940 (Cont.)

§15-69. Contract Period and Conditions

Service under Rate 114 is available for a minimum period of 24 months and thereafter until terminated by thirty (30) days notice in writing.

The City of Grand Island will install, own, and operate and maintain all area lighting equipment under this schedule. If underground service is desired, approval of the City must be obtained and the additional cost therefor shall be paid in advance to the City by the consumer on a nonrefundable basis.

The burning of the lamps shall be controlled by automatic control equipment installed by the City and burning time shall be approximately thirty minutes after sunset to approximately thirty minutes before sunrise.

The City shall be notified by the consumer of any operational failure of lamps. Lamp replacement or repairs will be performed only during regular working hours.

Non-Standard Installations: If underground service is desired or extension of overhead secondary facilities is required or special materials are requested, approval of the City must be obtained. All additional cost for materials and labor shall be paid in advance to the City, by the consumer, on a nonrefundable basis.

SECTION 7. Section 15-70 of the Grand Island City Code is hereby amended to read as follows:

Division 6. Power ~~Fuel~~-Cost Adjustment

§15-70. Power ~~Fuel~~-Cost Adjustment

The rates set out in this chapter are predicated upon a base power ~~fuel~~-cost of 15.00 ~~12.00~~-mills per kilowatt-hour. When the City's cost of energy per kilowatt-hour shall temporarily be greater than 15.00 ~~12.00~~-mills per kilowatt-hour, there shall be added to the consumer's monthly charge for electricity used; an amount equal to the number of kilowatt-hours used during the month to which the consumer's charge applies, multiplied by the amount by which the cost of energy for kilowatt-hour shall be greater than 15.00 ~~12.00~~-mills per kilowatt-hour.

Cost of energy per kilowatt-hour as determined for any month shall be applicable to all charges rendered to consumers after the last day of the following month, without any City Council action.

The cost of energy per kilowatt-hour applied to the consumer's monthly charge shall be an average of the previous six-months cost of energy per kilowatt-hour.

If a permanent increase in the contract cost of energy to the City occurs, beginning with the month that the cost increase becomes effective, the six-month average of the cost of energy per kilowatt-hour may be recalculated; using the new increased cost of energy, to compute the affected components of the cost of energy for the previous six months. This revised six-month average of the cost of energy per kilowatt hour shall then be applied to the consumer's monthly charge for electricity used without any City Council action.

For purposes of this section, the following words shall have the following meanings:

Cost of Energy shall mean the power ~~fuel~~-cost for the generating plants owned by the City, consisting of the monthly natural gas cost and the cost of any fuel oil consumed; the cost of coal consumed, including freight and handling charges; plus costs of payments by the City for power and energy purchased from other power suppliers, less power ~~fuel~~-costs charged for energy sold to other electric utilities.

Cost of Energy per Kilowatt-Hour shall mean "Cost of Energy" as above defined, divided by 95 percent of the total kilowatt hours; consisting of the kilowatt hour output of the City's electric generating plants, plus the kilowatt hours purchased from other power suppliers, less the kilowatt hours of energy sold to other electric utilities.

SECTION 8. Section 15-71 of the Grand Island City Code is hereby amended to read as follows:

ORDINANCE NO. 8940 (Cont.)

§15-71. Interdepartmental Rates

~~The Interdepartmental Energy rates shall be applicable to departments or other subdivisions of the City for electric power according to the respective uses of energy.~~

~~Municipal, non-enterprise accounts shall be assigned to standard retail Rate 30 or Rate 50 as appropriate. An Interdepartmental discount shall be assigned to those accounts. The discount for calendar year 2005 is \$0.01 per kWh for Rate 50 Interdepartmental accounts and \$0.03 per kWh for Rate 30 Interdepartmental accounts. The discount for the calendar year beginning 2006 is \$0.003 per kWh for both Rate 50 and Rate 30 Interdepartmental accounts.~~

SECTION 9. Section 15-72 of the Grand Island City Code is hereby deleted:

§15-72. Rate 110; Interdepartmental Rate

~~The demand charge for service under Rate 110 shall be at \$3.50 per month per KW of the maximum thirty (30) minute demand.~~

~~The energy charge for all energy supplied under this rate shall be \$0.034 per KWH; plus the applicable Fuel Adjustment charge.~~

SECTION 10. Section 15-73 of the Grand Island City Code is hereby deleted:

§15-73. Interdepartmental Rate; Utility Accounts

~~The Interdepartmental Utility Accounts are assigned to Rate 050.~~

SECTION 11. Section 15-74 of the Grand Island City Code is hereby amended to read as follows:

§15-74. Rate 116; Interdepartmental; Streetlights

~~The demand charge for the monthly charge for various size lights used for public street lighting, whether City or privately-owned, shall be \$0.35 per watt per year billed on a monthly basis for calendar year 2005, and shall be \$0.36 per watt per year billed on a monthly basis beginning calendar year 2006. :~~

Wattage	Demand Charge
175 Watt light.....	\$1.55
400 Watt light.....	\$3.15
1,000 Watt light.....	\$7.80

~~The energy charge shall be \$0.02 per KWH; plus the applicable Fuel Adjustment charge.~~

SECTION 12. Section 15-75 of the Grand Island City Code is hereby deleted:

§15-75. Burdick Station Rate, Power for Pumping

~~The Burdick Station Pumping Facility is assigned Rate 100, with a predefined 750 KW demand.~~

ORDINANCE NO. 8940 (Cont.)

SECTION 13. Sections 15-55, 15-57, 15-60, 15-63, 15-68, 15-69, 15-70, 15-71, 15-72, 15-73, 15-74 and 15-75 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 14. That this ordinance shall be in force and take effect from and after its passage and publication, in pamphlet form, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: November 9, 2004.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item F2

#8941 - Consideration of Amending Chapter 17 of the Grand Island City Code Relative to Code Compliance

Staff Contact: Doug Walker

Council Agenda Memo

From: Douglas R. Walker, City Attorney

Meeting: November 9, 2004

Subject: Amending Chapter 17 of the Grand Island City Code
Relative to Code Compliance

Item #'s: F-2

Presenter(s): Douglas R. Walker, City Attorney

Background

At the November 2, 2004, study session a proposal was presented by the Grand Island Police Department to handle code compliance duties. To enable the Grand Island Police Department to enforce the City Code, changes will need to be made to several sections of the City Code which specifically reference the code compliance officer.

Discussion

The proposed ordinance will amend Section 17-2 to authorize the Grand Island Police Department to enforce violations of the City Code relating to garbage, litter, refuse, waste and waste material violations within the city. Sections 17-4.2 and 17-4.3 are being amended to allow the designee of the Health Director or city personnel to enforce the City Code. Section 17-40 is being revised to delete the reference to the code compliance officer. With these changes the City Code should then authorize the community service officers of the Grand Island Police Department to enforce the City Code.

Alternatives

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

1. Move to approve the ordinance amending the City Code to permit community service officers to enforce the City Code.
2. Not approve the ordinance revising the City Code.
3. Modify the proposed ordinance.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the proposed ordinance which would amend the City Code to permit the community service officers to enforce the code.

Sample Motion

Motion to approve the ordinance amending the City Code to permit the community service officers to enforce the City Code.

ORDINANCE NO. 8941

An ordinance to amend Chapter 17 of the Grand Island City Code; to amend Sections 17-2, 17-4.2, 17-4.3, and 17-40 pertaining to enforcement of nuisances by employees of the City of Grand Island; to repeal Sections 17-2, 17-4.2, 17-4.3, and 17-40 as now existing, and 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. Section 17-2 of the Grand Island City Code is hereby amended to read as follows:

§17-2. Duty of Department of Health

The Grand Island-Hall County Department of Health or employees of the City of Grand Island are is hereby charged with the duty of enforcing the provisions of this chapter pertaining to the collecting, transporting, and disposing, by approved methods, of all garbage, litter, refuse, yard waste, and waste materials within the City. Approved methods of disposal for garbage, litter, refuse and waste materials are as follows:

- (A) By delivery to a licensed garbage or refuse collector;
- (B) By hauling to the City-operated sanitary or landfill transfer station and dispensing there as directed by the person in charge; provided, that the transportation conforms to the requirements of §17-26;
- (C) By disposal of garbage in a home garbage disposal unit.

Approved methods of disposal for yard waste are as follows:

- (A) By utilizing such yard waste in an approved backyard composting site;
- (B) By delivery to a licensed garbage collector in a separate yard waste collection service;
- (C) By hauling to the City-operated composting site, which is adjacent to the City's transfer station, and dispensing there as directed by the person in charge.

SECTION 2. Section 17-4.2 of the Grand Island City Code is hereby amended to read as follows:

§17-4.2. Notice to Remove; Noncompliance with Notice

Whenever it shall come to the knowledge of the Health Director, his or her designee or employees of the City of Grand Island or Code Compliance Officer or his/her designee, that there exists upon such lot or parcel of ground such nuisance, the Health Director, his or her designee or employees of the City of Grand Island or Code Compliance Officer or his/her designee shall cause a notice to abate and remove said nuisance within five (5) days to be served upon the owner or the owner's authorized agent, and upon the tenant or occupant of said premises. Said notice shall be served either in person or by mailing such notice by first-class mail, postage prepaid and by certified or registered mail. If such owner, lessee, tenant, or occupant shall have failed or refused to abate and remove such nuisance at the expiration of the date fixed upon such notice, the Director of Health, his or her designee or employees of the City of Grand Island or Code Compliance Officer or his/her designee may cause such nuisance to

ORDINANCE NO. 8941 (Cont.)

be removed from such parcel or lot, and from any roads, streets, or alleys abutting thereon as set forth in Section 17-4.3 of this Chapter.

SECTION 3. Section 17-4.3 of the Grand Island City Code is hereby amended to read as follows:

§17-4.3. Procedure for Removal for Noncompliance

If the Health Director, his or her designee or employees of the City of Grand Island ~~or Code Compliance Officer~~ determines that there exists upon any lot or parcel of ground the conditions described above in such a manner as to constitute an immediate nuisance and hazard to the public health and safety, the director, his or her designee or employees of the City of Grand Island ~~or Code Compliance Officer~~ shall request the Mayor to declare that such an immediate public nuisance exists, and after any such declaration, the Health Director, his or her designee or employees of the City of Grand Island ~~or Code Compliance Officer~~ shall cause to be issued a written notice to abate and remove such public nuisance from such lot or parcel of land within twenty-four (24) hours. Said notice shall be served by personal service upon the owner or the owner's authorized agent, and to any tenant, lessee, or occupant of the premises. If such owner, tenant, lessee, or occupant shall have failed or refused to abate and remove such nuisance at the expiration of the twenty-four (24) hours from delivery of the notice, the Health Director, his or her designee or employees of the City of Grand Island ~~or Code Compliance Officer~~ shall cause such nuisance to be removed from such parcel or lot and from any roads, streets, or alleys abutting thereon.

SECTION 4. Section 17-40 of the Grand Island City Code is hereby amended to read as follows:

§17-40. Unlicensed or Inoperable Vehicles; Public Nuisances

The placement of any unlicensed or inoperable vehicle or any vehicle parts on any tract of land within the City of Grand Island shall be deemed a public nuisance and may be abated pursuant to §20-15 of the Grand Island City Code upon written request by the Grand Island Police Department ~~or the Code Compliance Officer to the City Attorney~~ pursuant to §20-15 of the Grand Island City Code. It shall be unlawful for any owner, owner's duly authorized agent or person in possession, charge or control, or the occupant of such a tract to cause, maintain, or permit such public nuisance to exist on said property, except in a manner as set forth below.

SECTION 5. Sections 17-2, 17-4.2, 17-4.3, and 17-40 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

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

ORDINANCE NO. 8941 (Cont.)

Enacted: November 9, 2004.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G1

Approving Minutes of October 26, 2004 City Council Regular Meeting

The Minutes for the October 26, 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

October 26, 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 October 26, 2004. Notice of the meeting was given in the *Grand Island Independent* on October 20, 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, Walker, and Haase. Councilmember Hornady was absent. 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 George Oxford, First Church of the Nazarene, 1022 West 6th Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek commented on the upcoming Election November 2, 2004 and encouraged everyone to exercise their right to vote.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of the Grand Island Senior High Girls Golf Team for State Championship. Coach Kevin Bartlett and the Grand Island Senior High Girls Golf Team were present.

Recognition of Grand Island Central Catholic Boy's Tennis #2 Double's State Championship. Assistant Coach Fred Northup and Grand Island Central Catholic Boy's Tennis #2 Double's Kenny Howard and Chris Northup were present.

ADJOURN TO BOARD OF EQUALIZATION: Motion by Whitesides, second by Cornelius, carried unanimously to adjourn to Board of Equalization.

#2004-BE-18 – Consideration of Determining Benefits for Sanitary Sewer District No. 513, Gosda Subdivision along Lillie Drive West of North Road. Public Works Director Steve Riehle reported that that work had been completed on Sanitary Sewer District No. 513 and the City Council in its capacity as the Board of Equalization was required to determine the benefits.

Motion by Pielstick, second by Cornelius to approve Resolution #2004-BE-18, carried unanimously.

RETURN TO REGULAR SESSION: Motion by Whitesides, second by Cornelius, carried unanimously to return to Regular Session.

PUBLIC HEARINGS:

Public Hearing on Request of Scott and Carla Dominick dba Crooner's, 418 West 4th Street for Class "C" Liquor License. City Clerk RaNae Edwards reported that Scott and Carla Dominick dba Crooner's, 418 West 4th Street had submitted an application with the City' Clerk's Office for a Class "C" Liquor License which allows for the sale of alcoholic beverages on and off sale within the corporate limits of the city. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City of October 1, 2004; notice to the applicant of date, time, and place of hearing mailed on October 1, 2004; notice to the general public of date, time, and place of hearing published on October 16, 2004; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Request of Stratford Plaza, LLC dba Howard Johnson Riverside Inn, 3333 Ramada Road for Class "C" Liquor License. City Clerk RaNae Edwards reported that Stratford Plaza, LLC dba Howard Johnson Riverside Inn, 3333 Ramada Road had submitted an application with the City' Clerk's Office for a Class "C" Liquor License which allows for the sale of alcoholic beverages on and off sale within the corporate limits of the city. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City of October 12, 2004; notice to the applicant of date, time, and place of hearing mailed on October 12, 2004; notice to the general public of date, time, and place of hearing published on October 16, 2004; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Request of A. Meier, Inc. dba El Copa Cabana, 2808 Old Fair Road, Suite B for Class "C" Liquor License. City Clerk RaNae Edwards reported that A. Meier, Inc. dba El Copa Cabana, 3808 Old Fair Road, Suite B had submitted an application with the City' Clerk's Office for a Class "C" Liquor License which allows for the sale of alcoholic beverages on and off sale within the corporate limits of the city. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City of October 13, 2004; notice to the applicant of date, time, and place of hearing mailed on October 13, 2004; notice to the general public of date, time, and place of hearing published on October 16, 2004; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Request of Perez, Inc. dba Tucanaso, 410 East 4th Street for Class "C" Liquor License. City Clerk RaNae Edwards reported that Perez, Inc. dba Tucanaso, 410 East 4th Street had submitted an application with the City' Clerk's Office for a Class "C" Liquor License which allows for the sale of alcoholic beverages on and off sale within the corporate limits of the city. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City of October 14, 2004; notice to the applicant of date, time, and place of hearing mailed on October 14, 2004; notice to the general public of date, time, and place of hearing published on October 16, 2004; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 2537 Diers Avenue. (Bosselman, Inc.) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 2537 Diers Avenue was required in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used to serve electricity to the new business on Lot 1, Bosselman Subdivision from an existing transformer. 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:

#8938 - Consideration of Creation of Street Improvement District No. 1255; American Independence Subdivision for Independence Avenue, Lariat Lane, and Shanna Street
#8939 – Consideration of Assessments for Sanitary Sewer District No. 513, Gosda Subdivision along Lillie Drive West of North Road

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.

Steve Riehle, Public Works Director commented on Ordinance #8938 the creation of Street Improvement District No. 1255 and Ordinance #8939 assessments for Sanitary Sewer District No. 513.

Motion was made by Gilbert, second by Walker to approve Ordinances #8938 and #8939.

City Clerk: Ordinances #8938 and #8939 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 #8938 and #8939 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 #8938 and #8939 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Council requested items G-4, G-7, G-9, G-10, and G-14 be pulled from the Consent Agenda for separate action. Motion by Gilbert, second by Cornelis to approve the Consent Agenda excluding items G-4, G-7, G-9, G-10, and G-14. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of October 12, 2004 City Council Regular Meeting.

Approving Minutes of October 19, 2004 City Council Study Session.

Approving the Appointment of Scott Erickson to the Regional Planning Commission.

Approving Request of Stratford Plaza, LLC dba Howard Johnson Riverside Inn, 3333 Ramada Road for a Class "C" Liquor License contingent upon final inspections.

Approving Request of Nancy Smith, 1614 West 7th Street, Hastings, Nebraska for Liquor Manager Designation for Howard Johnson Riverside Inn, 3333 Ramada Road.

Approving Request of Andrew Meier, 123 Meadowlark Circle, Doniphan, Nebraska for Liquor Manager Designation for El Copa Cabana, 2808 Old Fair Road, Suite B.

#2004-268 – Approving Acquisition of Utility Easement Located at 2537 Diers Avenue. (Bosselman, Inc.)

#2004-269 – Approving Bid Award for Uniform Rental for Utilities and Public Works Department with Paramount Linen and Uniform Rental of Kearney, Nebraska.

#2004-270 – Approving Interlocal Agreement with College Park of Grand Island, Nebraska for Development of the Riverway Hike/Bike Trail.

#2004-272 – Approving Certificate of Final Completion for Professional Services Agreement for Development of the Rifle and Pistol Ranges with C. Vargas and Associates of Jacksonville, Florida.

#2004-273 – Approving Authorization to Use Emergency Procurement Procedures to Make Repairs to a Blower at the Waste Water Treatment Plant with Northwest Electric Shop of Lincoln, Nebraska in an Amount of \$26,284.22.

#2004-274 – Approving Change Order #1 to the Contract for the Grand Generation Addition and Renovation with Starostka Group of Grand Island, Nebraska for an increase of \$17,524.25, which will be paid entirely by the Senior Citizens Industries, Inc.

#2004-275 – Approving Subordination Agreements with Eleanor F. Bennett for Property Located at 1122 East 9th Street and Purchased Under CDBG Down Payment Assistance Program and Affordable Housing Trust Fund.

#2004-276 – Approving Subordination Agreement with David and Michelle Grinnell for Property Located at 1208 Warren Lane and Purchased Under CDBG Down Payment Assistance Program.

#2004-277 – Approving Renewal of Upgrade and Compliance of Microsoft Licensing with the Microsoft Select Agreement in an Amount of \$86,619.42 to be paid in three annual installments.

Approving Request of Scott & Carla Dominick dba Crooner's, 418 West 4th Street for a Class "C" Liquor License contingent upon final inspections. Motion by Whitesides, second by Gilbert to approve contingent upon final inspections. Unanimously approved.

Approving Request of A. Meier, Inc. dba El Copa Cabana, 2808 Old Fair Road, Suite B for a Class "C" Liquor License contingent upon final inspections. Motion by Cornelius, second by Haase to approve contingent upon final inspections. Unanimously approved.

Approving Request of Perez, Inc. dba Tucanaso, 410 East 4th Street for a Class "C" Liquor License. Motion by Pielstick, second by Whitesides to deny the request of Perez, Inc. dba Tucanaso, 410 East 4th Street for a Class "C" Liquor License for the reason that the applicant failed to contact City Department's as required by City Code to complete inspections and previous violations. Upon roll call vote all votes aye. Motion adopted.

Approving Request of Anastacio Jacobo, 411 East 4th Street, Apt. 1 for Liquor Manager Designation for Tucanaso, 410 East 4th Street. Motion by Pielstick, second by Whitesides to deny the request of Anastacio Jacobo, 411 East 4th Street, Apt. 1 for Liquor Manager designation for Tucanaso, 410 East 4th Street. Upon roll call vote, all voted aye. Motion adopted.

#2004-271 – Approving Bid Award for Site Preparation and Lake Excavation at CAAP with Hooker Brothers Construction Company of Grand Island, Nebraska in an Amount of \$684,150.00. Steve Paustian, Parks and Recreation Director reported that the engineer's estimate for this project was \$2,441,970.10 and that the two bids received were below that amount. Total budget available for this work was \$500,000.00. Mr. Paustian stated several items of the proposed work could be modified to save substantial dollars. Additional funds were available in the 400 fund as well a possible assistance from private sources and foundations.

Motion by Gilbert, second by Whitesides to approve Resolution #2004-271.

Discussion was held concerning the costs of this project. Mr. Paustian explained the lake excavation and the bidding process.

Motion was made by Whitesides to refer this matter to the first Council Meeting in December 2004. Motion died due to lack of a second.

Upon roll call vote to approve, Councilmembers Whitesides, Pielstick, Gilbert, Nickerson, Cornelius, Pauly, Walker, and Haase voted aye. Councilmember Meyer voted no. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase to approve the Claims for the period of October 13, 2004 through October 26, 2004, for a total amount of \$3,661,026.41. Motion adopted. Councilmember Pielstick abstained from Invoice #82946.

ADJOURNMENT: The meeting was adjourned at 7:55 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G2

Approving Minutes of November 2, 2004 City Council Study Session

The Minutes for the November 2, 2004 City Council Study Session are submitted for approval. See attached MINUTES.

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

November 2, 2004

Pursuant to due call and notice thereof, a Study Session of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on November 2, 2004. Notice of the meeting was given in the *Grand Island Independent* on October 27, 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, Hornady, Walker, and Haase. Councilmember Pauly was absent. The following City Officials were present: City Administrator Gary Greer, City Clerk RaNae Edwards, Public Works Director Steve Riehle, Finance Director David Springer, and City Attorney Doug Walker

Mayor Communication: Mayor Vavricek commented on the following:

1. Acknowledged Gary Greer for his work on the Wood River Diversion flood plain maps
2. Acknowledged Police Department for 100% employee donation to the United Way
3. Grand Island Fire Prevention Week
4. Acknowledged Case New Holland improvements
5. International Visitors
6. Press release regarding Public Facilities Corporation

Discussion Concerning Code Compliance Proposal: Police Chief Kyle Hetrick reported that at the request of City Administration, the Police Department had submitted a proposal concerning increasing the efficiency and effectiveness of code enforcement for the City of Grand Island. Introduced were Captain Robert Falldorf and Sergeant Dennis Osterman.

Proposed was transferring the code compliance duties to the Grand Island Police Department and incorporating those duties within the present job description of the GIPD Community Service Officer (CSO). Chief Hetrick explained the duties of the CSO's. After studying the costs and methodology of the existing code compliance apparatus, the study showed that the Police Department could hire 3 to 4 part-time CSO's, double the hours of enforcement to include scheduling their hours during evenings and weekends, for less money than was presently being paid.

Presented was an analysis of cost comparisons and savings with regards to the number of CSO's hired. Training and recruitment was discussed. Chief Hetrick stated with Council approval, two months would be sufficient time to transfer the code compliance duties to the Police Department. Chief Hetrick recommended hiring 3 addition CSO's and buying two additional vehicles if Code Compliance was moved to the Police Department.

Council discussion was held with regards to contacting violators in person, having more than one person working code compliance, an educational approach, communication, efficiency, and cost effectiveness. Council requested this item be brought back to a regular council meeting for approval.

Gene Dominick, 221 East First Street spoke in support.

ADJOURNMENT: The meeting was adjourned at 7:32 p.m.

City Clerk
RaNae Edwards



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G3

Approving Appointment to the Animal Advisory Board

The Mayor has submitted the reappointment of Nadine Matthews to the Animal Advisory Board. The appointment would become effective immediately, upon approval by Council, and would expire August 31, 2007. Approval is recommended.

Staff Contact: Mayor Vavricek



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G4

**Approving Request of Rona Kucera dba Flight Deck, 3773
Skypark Road, Suite 5 for a Class "I" Liquor License**

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

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G5

**Approving Request of Harold and Lois Hudiburg dba Island
Liquor, 222 West Stolley Park Road for a Class "D" Liquor
License**

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

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G6

**Approving Request of Hi Brand G.I. dba Old Chicago, 3404 West
13th Street for a Class "I" Liquor License**

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

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G7

**Approving Request of Michelle Vanluchene, 1308 Birch Street,
Aurora, Nebraska for Liquor Manager Designation for Old
Chicago, 3404 West 13th Street**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: November 9, 2004

Subject: Request of Michelle Vanluchene, 1308 Birch Street, Aurora, Nebraska for Liquor Manager Designation for Old Chicago, 3404 West 13th Street

Item #'s: G-7

Presenter(s): RaNae Edwards, City Clerk

Background

Michelle Vanluchene, 1308 Birch Street, Aurora, Nebraska has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "I-66082" Liquor Licenses for Old Chicago, 3404 West 13th Street. This application has been reviewed by the Police Department and City Clerk's Office.

Discussion

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

Alternatives

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

1. Approve the request of Michelle Vanluchene, 1308 Birch Street, Aurora, Nebraska for Liquor Manager Designation in conjunction with the Class "I-66082" Liquor License for Old Chicago, 3404 West 13th Street.
2. Forward the request with no recommendation.
3. Take no action on the request.

Recommendation

City Administration recommends that the Council approve this request.

Sample Motion

Approve the request of Michelle Vanluchene, 1308 Birch Street, Aurora, Nebraska for Liquor Manager Designation for Old Chicago, 3404 West 13th Street.



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G8

**#2004-278 - Approving Contract for Vending Machine Services at
City Hall**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: November 9, 2004

Subject: Approving Contract for Vending Machine Services at City Hall

Item #'s: G-8

Presenter(s): RaNae Edwards, City Clerk

Background

City Hall has contracted with VVS, Inc./Coca-Cola Bottling Company for their vending service needs in City Hall for several years. Request for Proposals were sought on October 15, 2004. Five companies submitted proposals.

Discussion

The proposals submitted for the vending machine services for City Hall have been reviewed by Dale Shotkoski, Assistant City Attorney/Purchasing Agent and RaNae Edwards, City Clerk. The term of the contract will be for five (5) years beginning January 1, 2005 and will expire on December 31, 2009.

Alternatives

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

1. Move to approve the Contract with VVS, Inc., Cozad, Nebraska for vending machine services at City Hall.
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 contract with VVS, Inc. of Cozad, Nebraska for the vending machine services at City Hall for five (5) years.

Sample Motion

Motion to approve the contract with VVS, Inc. of Cozad, Nebraska for vending machine services at City Hall for five (5) years.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL
FOR
VENDING MACHINE SERVICES
AT CITY HALL**

RFP DUE DATE: October 15, 2004 at 5:00 p.m.

DEPARTMENT: City Clerk

PUBLICATION DATE: September 24, 2004

NO. POTENTIAL BIDDERS: 6

SUMMARY OF PROPOSALS RECEIVED

VVS, Inc. Cozad, NE

Coca-Cola Bottling Co., Grand Island, NE

Pepsi Bottling Group, Grand Island, NE

Boyd's Full Service Vending, Hastings, NE

Nebraska Commission for the Blind & Visually Impaired, Grand Island, NE

cc: RaNae Edwards, City Clerk
David Springer, Finance Director
Laura Berthelsen, Legal Assistant

Gary Greer, City Administrator
Dale Shotkoski, Purchasing Agent

P949

RESOLUTION 2004-278

WHEREAS, the City of Grand Island invited proposals for Vending Machine Services at City Hall, according to the City's Request for Proposals on file with the City Clerk; and

WHEREAS, proposals were due on October 15, 2004; and

WHEREAS, VVS, Inc. of Cozad, Nebraska, submitted a proposal in accordance with the terms of the request for proposals; and

WHEREAS, the compensation derived by VVS, Inc. would be only that generated from individual purchases of vending machine products; and

WHEREAS, no compensation will be provided to VVS, Inc. by the City, and the City will have no responsibility for the operations of the vending machines; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of VVS, Inc. of Cozad, Nebraska, is hereby accepted and approved as the best proposal submitted for such vending services; and that the contract by and between the City and such vendor is hereby approved, and the Mayor is hereby authorized and directed to sign such contract on behalf of the City of Grand Island.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G9

#2004-279 - Approving Acquisition of Utility Easement - 850 Allen Drive - Platte Valley State Bank

This item relates to the aforementioned Public Hearing Item E-4.

Staff Contact: Gary R. Mader

R E S O L U T I O N 2004-279

WHEREAS, a public utility easement is required by the City of Grand Island, from Platte Valley State Bank and Trust Company, a Nebraska State Bank, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on November 9, 2004, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Thirteen (13), Meadowlark West Third Subdivision located in the city of Grand Island, Hall County, Nebraska, the centerline of the twenty (20.0) foot wide easement and right-of-way being more particularly described as follows:

Referring to the northwest corner of Lot Thirteen (13) Meadowlark West Third Subdivision; thence easterly along the northerly line of said Lot Thirteen (13), a distance of twenty-five (25.0) feet to the ACTUAL point of beginning; thence deflecting right 37°20'27" and running southeasterly, a distance of fifty-eight (58.0) feet. The side lines of the above-described tract shall be prolonged or shortened as required to terminate on the northerly boundary of Grantor's property.

The above-described easement and right-of-way containing 0.027 acres, more or less, as shown on the plat dated October 13, 2004, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Platte Valley State Bank and Trust Company, a Nebraska State Bank, on the above-described tract of land.

- - -

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

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ November 4, 2004 <input type="checkbox"/> City Attorney



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G10

**#2004-280 - Approving Acquisition of Utility Easement - Hall
County Livestock Improvement Association**

This item relates to the aforementioned Public Hearing Item E-5.

Staff Contact: Gary R. Mader

RESOLUTION 2004-280

WHEREAS, a public utility easement is required by the City of Grand Island, from the Hall County Livestock Improvement Association, a Nebraska non-profit corporation, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on November 9, 2004, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of the Southwest Quarter (SW1/4) and the Southeast Quarter (SE1/4) of Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., located in the city of Grand Island, Hall County, Nebraska; the boundaries of the twenty (20.0) foot wide easement and right-of-way being more particularly described as follows:

Referring to the southeast corner of the Southwest Quarter (SW1/4) of Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West; thence northerly along the easterly line of the Southwest Quarter (SW1/4) said Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West, a distance of thirty three (33.0) feet to a point on the northerly right-of-way line of Stolley Park Road; thence westerly along the northerly right-of-way line of said Stolley Park Road, a distance of two hundred (200.0) feet to the ACTUAL Point of Beginning; thence northerly and parallel with the easterly line of the Southwest Quarter (SW1/4) of said Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West on an assumed bearing of N00°00'00"E, a distance of nine hundred seven and eighty two hundredths (907.82) feet; thence S89°56'32"E, a distance of three hundred thirty two (332.0) feet; thence N00°00'00"E, a distance of twenty (20.0) feet; thence N86°56'32"W, a distance of three hundred thirty two (332.0) feet; thence N00°00'00"E, a distance of one hundred sixty one and ninety hundredths (161.90) feet; thence S89°56'32"E, a distance of one hundred twenty five and twenty two hundredths (125.22) feet; thence N00°03'37"E, a distance of twenty (20.0) feet; thence N89°56'32"W, a distance of one hundred twenty five and twenty four hundredths (125.24) feet; thence N00°00'00"E, a distance of three hundred forty five and sixty eight hundredths (345.68) feet; thence S89°56'32"E, a distance of four hundred sixty two (462.0) feet; thence N00°00'00"E, a distance of twenty (20.0) feet; thence N86°56'32"W, a distance of four hundred sixty two (462.0) feet; thence N00°00'00"E, a distance of one thousand fifteen and forty three hundredths (1,015.43) feet; thence S89°13'34"E and parallel with the southerly right-of-way line of Fonner Park Road, a distance of two hundred and two hundredths (200.02) feet to a point on the easterly line of the Southwest Quarter (SW1/4) of said Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West; thence N00°00'00"E along the easterly line of the Southwest Quarter (SW1/4) of said Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West, a distance of twenty (20.0) feet to a point on the southerly right-of-way line of said Fonner Park Road; thence N89°13'34"W along the southerly right-of-way line of said Fonner Park Road, a distance of two hundred twenty and two hundredths (220.02) feet; thence S00°00'00"E and parallel with the easterly line of the Southwest Quarter (SW1/4) of said

Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West, a distance of two thousand four hundred ninety and ninety five hundredths (2,490.95) feet; thence N89°33'52"W and parallel with the northerly right-of-way line of said Stolley Park Road, a distance of seventy five (75.0) feet; thence S00°00'00"E, a distance of twenty (20.0) feet to a point on the northerly right-of-way line of said Stolley Park Road; thence S89°33'52"E along the northerly right-of-way line of said Stolley Park Road, a distance of ninety five (95.0) feet to the said Point of Beginning.

The above-described easement and right-of-way containing 1.76 acres, more or less, as shown on the plat dated October 26, 2004, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Hall County Livestock Improvement Association, a Nebraska non-profit corporation, on the above-described tract of land.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G11

#2004-281 - Approving Award of RFP - Emergency Response Agreement - Utilities Department - Power Plant

Staff Contact: Gary R. Mader; Dale Shotkoski

Council Agenda Memo

From: Gary R. Mader, Utilities Director

Meeting: November 9, 2004

Subject: Award of Request for Proposal - Emergency Response
Contractor – Burdick and Platte Generating Stations

Item #'s: G-11

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

Background

The Utilities Department stores large quantities of #2 diesel fuel as alternate fuel for the Combustion Turbines and the start-up fuel for Platte Generating Station. The Department also stores #6 residual fuel oil as alternate fuel supply for the older steam generators at Burdick Station. Operation of these fuel oil storage facilities places the Department under extensive federal regulation governing the design, operation and spill prevention for the oil storage and piping systems. In regulation changes over the last few years, it is now required that operators of large oil storage facilities retain the services of a contractor to provide emergency response, clean-up and/or remediation for situations where the City does not have the capability to adequately respond. Under the required agreement, the contractor would immediately respond with trained personnel and appropriate equipment, upon the City's request, to recover, remove, dispose or contain a release of fuel.

Discussion

Plant staff solicited proposals from contractors specializing in this type of environmental work. The proposed agreement is structured such that there is no charge by the contractor unless the contractor is called to respond to an emergency. If called, the contractor bills for services in accordance with the rates included in the agreement. Solicitations were conducted in accordance with the City Procurement Code. Proposals were received from three contractors:

Environmental Solutions, Omaha
Industrial Services, Lincoln
Haz-Mat Response, Olathe, KS

Utility environmental compliance staff reviewed each of the proposals based on a review of overall company experience, personnel expertise, equipment availability, and standard fees. The proposal from Haz-Mat Response was evaluated to be most responsive to the City's request. The Legal Department has reviewed the proposed Contract.

Haz-Mat Response is a regional company having facilities and offices in North Platte and Lincoln in Nebraska. Grand Island's primary contact point would be North Platte. There are no administrative or management fees for maintaining this agreement and this agreement does not preclude the City from using other emergency response Contractors as needed.

Alternatives

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

1. Approve the proposed Agreement for Emergency Response
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

The Utilities Department recommends that the Council approve the agreement with Haz-Mat Response to provide Emergency Response Services for the Electric Department Power Plants.

Sample Motion

Move to approve award of the Emergency Response Services Agreement to Haz-Mat Response of Olathe, KS.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL
FOR
EMERGENCY RESPONSE AGREEMENT**

RFP DUE DATE: October 21, 2004 at 4:00 p.m.

DEPARTMENT: Utilities

PUBLICATION DATE: September 27, 2004

NO. POTENTIAL BIDDERS: 4

SUMMARY OF PROPOSALS RECEIVED

Environmental Solutions, Inc.
Omaha, NE

Industrial Services, Inc.
Lincoln, NE

Haz-Mat Response, Inc.
Olathe, KS

cc: Gary Mader, Utilities Director
Gary Greer, City Administrator
Dale Shotkoski, Purchasing Agent

Bob Smith, Assistant Utilities Director
David Springer, Finance Director
Laura Berthelsen, Legal Assistant

P950

RESOLUTION 2004-281

WHEREAS, the City of Grand Island invited proposals for Emergency Response Agreement, in accordance with a Request for Proposal on file at the Platte Generating Station; and

WHEREAS, on October 21, 2004, three proposals were received, reviewed and evaluated in accordance with established criteria; and

WHEREAS, Haz-Mat Response, Inc. of Olathe, Kansas, submitted a proposal to provide emergency response services for the Electric Department power plants, such services would be billed in accordance with a proposed Agreement for Emergency Response, and would be billed only if the service is needed; and

WHEREAS, Haz-Mat Response, Inc. is a regional company having facilities and offices in North Platte and Lincoln, Nebraska; and

WHEREAS, the City Attorney reviewed and approved the proposed Agreement for Emergency Response.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal submitted by Haz-Mat Response, Inc. of Olathe, Kansas, is hereby approved to provide emergency response services to the City's Electric Department power plants in accordance with the Agreement for Emergency Response.

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

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G12

**#2004-282 - Approving Final Plat and Subdivision Agreement for
Heartland Events Center First Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: November 9, 2004

Subject: Heartland Events Center First Subdivision - Final Plat

Item #'s: G-12

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

Background

This subdivision proposes to create 1 lot on a parcel of land in the S ½ of Section 22, Township 11, Range 9. This subdivision consists of 3.767 acres more or less.

Discussion

This subdivision is necessary for the Hall County Livestock Improvement Association (Fonner Park) to transfer title on the property on which the Heartland Events Center will be built to the City.

This property is zoned B2 General Business. The lot meets all of the requirements for a legal subdivision in the City of Grand Island. This lot has water available and sewer will be extended from the west to serve the lot and facility.

Alternatives

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

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

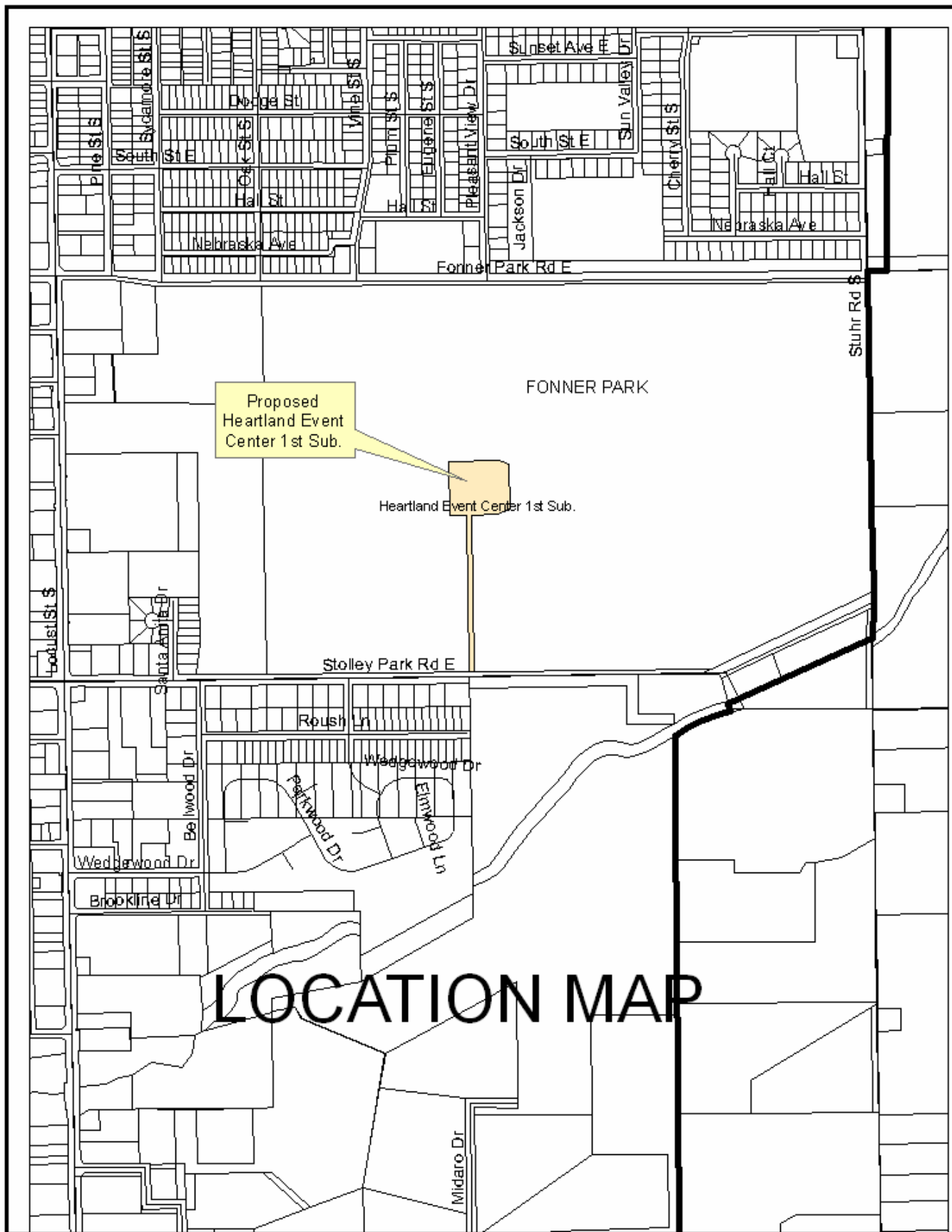
Recommendation

A motion was made by Eriksen and seconded by Miller to **approve** and recommend that the Grand Island City Council **approve** the final plat of Heartland Events Center First Subdivision.

A roll call vote was taken and the motion passed with 12 members present (Amick, Haskins, Lechner, O'Neill, Brown, Niemann, Miller, Eriksen, Ruge, Monter, Hayes, Wagoner) voting in favor.

Sample Motion

Approve the Final Plat for Heartland Events Center First Subdivision as presented.



RESOLUTION 2004-282

WHEREAS, Hall County Livestock Improvement Association, a non-profit corporation, as owner, has caused to be laid out into a lot, a tract of land comprising of a part of the South Half (S1/2) of Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, under the name of HEARTLAND EVENT CENTER FIRST SUBDIVISION, and has caused a plat thereof to be acknowledged by it; and

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

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

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

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

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G13

#2004-283 - Approving Acquisition of Real Estate - 1216 West 2nd Street - Grand Island Public Library Foundation, Inc.

This item relates to the aforementioned Public Hearing Item E-6.

Staff Contact: Doug Walker

R E S O L U T I O N 2004-283

WHEREAS, the Grand Island Public Library Foundation, Inc., a Nebraska non-profit corporation, has acquired real property west of the existing Edith Abbott Memorial Library at 211 N. Washington Street, for the purpose of expanding and renovating such facility; and

WHEREAS, the Grand Island Public Library Foundation, Inc. has expressed an interest in donating such real property to the City of Grand Island; and

WHEREAS, a public hearing was held on November 9, 2004, for the purpose of discussing the proposed acquisition of property described as Lots Five (5) and Six (6), Block Two (2), Spaulding and Gregg's Addition to the City of Grand Island, Hall County, Nebraska; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island is hereby authorized to acquire by donation from the Grand Island Public Library Foundation, Inc., a Nebraska non-profit corporation, the property described as Lots Five (5) and Six (6), Block Two (2), Spaulding and Gregg's Addition to the City of Grand Island, Hall County, Nebraska, for the purpose of expanding and renovating the Edith Abbott Memorial Library at 211 N. Washington Street.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G14

**#2004-284 - Approving Acquisition of Real Estate - Lot 1,
Heartland Event Center First Subdivision - Fonner Park
Exposition and Events Center, Inc.**

This item relates to the aforementioned Public Hearing Item E-7.

Staff Contact: Doug Walker

RESOLUTION 2004-284

WHEREAS, on October 9, 2001, by Resolution 2001-288, the City of Grand Island authorized and approved a Lease Purchase Agreement with Fonner Park Exposition and Events Center, Inc. ("Heartland"), under which Heartland will plan, design, construct, and finance an agricultural exposition and events center which will be leased to and purchased by the City; and

WHEREAS, the City is interested in acquiring the real property from Fonner Park Exposition and Events Center, Inc., a Nebraska nonprofit corporation, which is associated with this project; and

WHEREAS, a public hearing was held on November 9, 2004, for the purpose of discussing the proposed acquisition of real estate comprising all of Lot One (1), Heartland Event Center First Subdivision located in the City of Grand Island, Hall County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire the above-described tract of land from Fonner Park Exposition and Events Center, Inc., a Nebraska nonprofit corporation for the construction of an agricultural exposition and events center.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G15

**#2004-285 - Approving Agreement with Olsson Associates for
Engineering Consulting Services for Widening of Capital Avenue
West of US Highway 281**

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

Council Agenda Memo

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

Meeting: November 9, 2004

Subject: Approving Agreement with Olsson Associates for Engineering Consulting Services to Widen Capital Avenue West of U.S. HWY 281

Item #'s: G-15

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

Background

Capital Avenue west of US Highway 281 needs widened to accommodate existing traffic volumes and future traffic volumes, especially in light of the new Super Wal Mart that will be built on Diers Avenue south of Capital Avenue. Public Works, Engineering Staff do not have the resources to design a project of this nature. Proposals were solicited from Consulting Engineering Companies in October 2004.

Discussion

A single proposal was received from Olsson Associates on October 26, 2004. An agreement has been negotiated with the work being performed on an actual cost basis with a maximum dollar amount of \$139,210. There are sufficient funds in account 10033506-85213 to fund these services.

Alternatives

1. Make a motion to approve a resolution authorizing the mayor to execute the agreement.
2. Refer the issue to a committee.
3. Postpone the issue to a further date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve a resolution authorizing the Mayor to sign an agreement with Olsson Associates to perform engineering consulting services for the widening of Capital Avenue west of US Highway 281.

Sample Motion

Move to approve entering into an agreement with Olsson Associates.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL
FOR
ENGINEERING CONSULTING SERVICES FOR
WIDENING CAPITAL AVENUE**

RFP DUE DATE: October 26, 2004 at 5:00 p.m.

DEPARTMENT: Public Works

PUBLICATION DATE: October 11, 2004

NO. POTENTIAL BIDDERS:

SUMMARY OF PROPOSALS RECEIVED

Olsson Associates
Grand Island, NE

cc: Steve Riehle, Public Works Director
Gary Greer, City Administrator
Dale Shotkoski, Purchasing Agent

Bud Buettner, Assistant Public Works Dir.
David Springer, Finance Director
Laura Berthelsen, Legal Assistant

P955

R E S O L U T I O N 2004-285

WHEREAS, the City of Grand Island invited proposals for Engineering Consulting Services for the project to widen Capital Avenue, west of U.S. Highway 281, in accordance with a Request for Proposal on file with the Public Works Department; and

WHEREAS, on October 26, 2004, one proposal was received, reviewed and evaluated in accordance with established criteria; and

WHEREAS, Olsson Associates of Grand Island, 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; and

WHEREAS, after negotiations with Olsson Associates, it was determined that the project could be completed at actual costs with a not to exceed amount of \$139,210.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the negotiated proposal of Olsson Associates of Grand Island, Nebraska, for Engineering Consulting Services for the project to widen Capital Avenue, west of U.S. Highway 281, at actual costs with a not to exceed amount of \$139,210 is hereby approved.

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

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G16

#2004-286 - Approving Time Extension to Contract with The Diamond Engineering Company for Construction of 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

Meeting: November 9, 2004

Subject: Approving Time Extension to Contract with The Diamond Engineering Company for Construction of Street Improvement District 1253, Island Circle, West of Webb Road, in Lacy Subdivision

Item #'s: G-16

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

Background

The City Council awarded the bid for construction of Street Improvement District 1253 to The Diamond Engineering Company on August 24, 2004. A contract was entered into on September 7, 2004 and a notice to proceed was issued on September 8, 2004. Work started on September 13, 2004 and was completed on November 4, 2004. Any modifications to the contract in the form of a time extension must be approved by council.

Discussion

Diamond Engineering is requesting a time extension from the original contract completion date of October 15, 2004 to a revised date of November 5, 2004. Work on the project was delayed by utility conflicts and because the city directed Diamond to concentrate their efforts on the project to widen Stolley Park Road west of US HWY 281.

Alternatives

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

1. Make a motion to approve the time extension.
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 approve the request for the time extension for Street Improvement District 1253.

Sample Motion

Move to approve the time extension.

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

3

2
SUB.

WEBB RD.

INDUSTRIAL
SUB.

LOT 1

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

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

R E S O L U T I O N 2004-286

WHEREAS, on August 24, 2004, by Resolution 2004-214, the City Council of the City of Grand Island approved the bid of The Diamond Engineering Company of Grand Island, Nebraska for Street Improvement District No. 1253; and

WHEREAS, work on the project was delayed due to utility conflicts and because the City directed the contractor to concentrate their efforts on a different city construction project; and

WHEREAS, it is requested that an extension of time be granted to The Diamond Engineering Company to complete the work for Street Improvement District No. 1253; and

WHEREAS, the construction of Street Improvement District No. 1253 is expected to be complete on November 5, 2004.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the completion date for Street Improvement District No. 1253 is hereby extended to November 5, 2004.

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

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G17

**#2004-287 - Approving use of State Bid for a Tractor Loader
Backhoe for the Street & Transportation Division of the Public
Works Department**

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: November 9, 2004

Subject: Approving Bid Award for Tractor Loader Backhoe

Item #'s: G-17

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

Background

The Street & Transportation Division of the Public Works Department budgeted to replace their current 1975 tractor loader backhoe.

Discussion

The tractor loader backhoe awarded under State of Nebraska contract #CA-6156 meets all of the requirements for the Street & Transportation Division. Logan Contractors Supply, Inc. of Omaha, Nebraska submitted a bid with no exceptions in the amount of \$56,205.74. There are sufficient funds for this purchase in Account No. 10033501-85615.

Alternatives

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

1. Make a motion to approve the purchase of the tractor loader backhoe.
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 approve the purchase of the tractor loader backhoe in the amount of \$56,205.74 from Logan Contractors Supply, Inc. of Omaha, Nebraska.

Sample Motion

Approve the purchase of the tractor loader backhoe from Logan Contractors Supply, Inc. of Omaha, Nebraska in the amount of \$56,205.74.

R E S O L U T I O N 2004-287

WHEREAS, the Street and Transportation Division of the Public Works Department is budgeted to replace their current 1975 tractor loader backhoe 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 a tractor loader backhoe from the State contract holder, Logan Contractors Supply, Inc. of Omaha, Nebraska, for the amount of \$56,205.74 is hereby accepted and approved.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G18

**#2004-288 - Approving Bid Award for Stuhr Hike/Bike Trail
Construction**

Staff Contact: Steve Paustian

Council Agenda Memo

From: Steve Paustian, Parks and Recreation Director

Meeting: November 2, 2004

Subject: Bid Award for Stuhr Hike/Bike Trail Construction

Item #'s: G-18

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

Background

The City of Grand Island has been in the process of developing a trails network throughout Grand Island and the surrounding area for over ten years. The further expansion of the trail in the southern part of Grand Island is proposed for construction at this time.

Discussion

A project to extend the existing trail from its terminus at Central Community College to Hall County Park has been designed and bid. Two bids were received, with the low bid being provided by Diamond Engineering. The bid provided by Diamond Engineering was in the amount of \$137,463.25. This bid was lower than the bid provided by Galvan Construction in the amount of \$177,604.60.

Alternatives

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

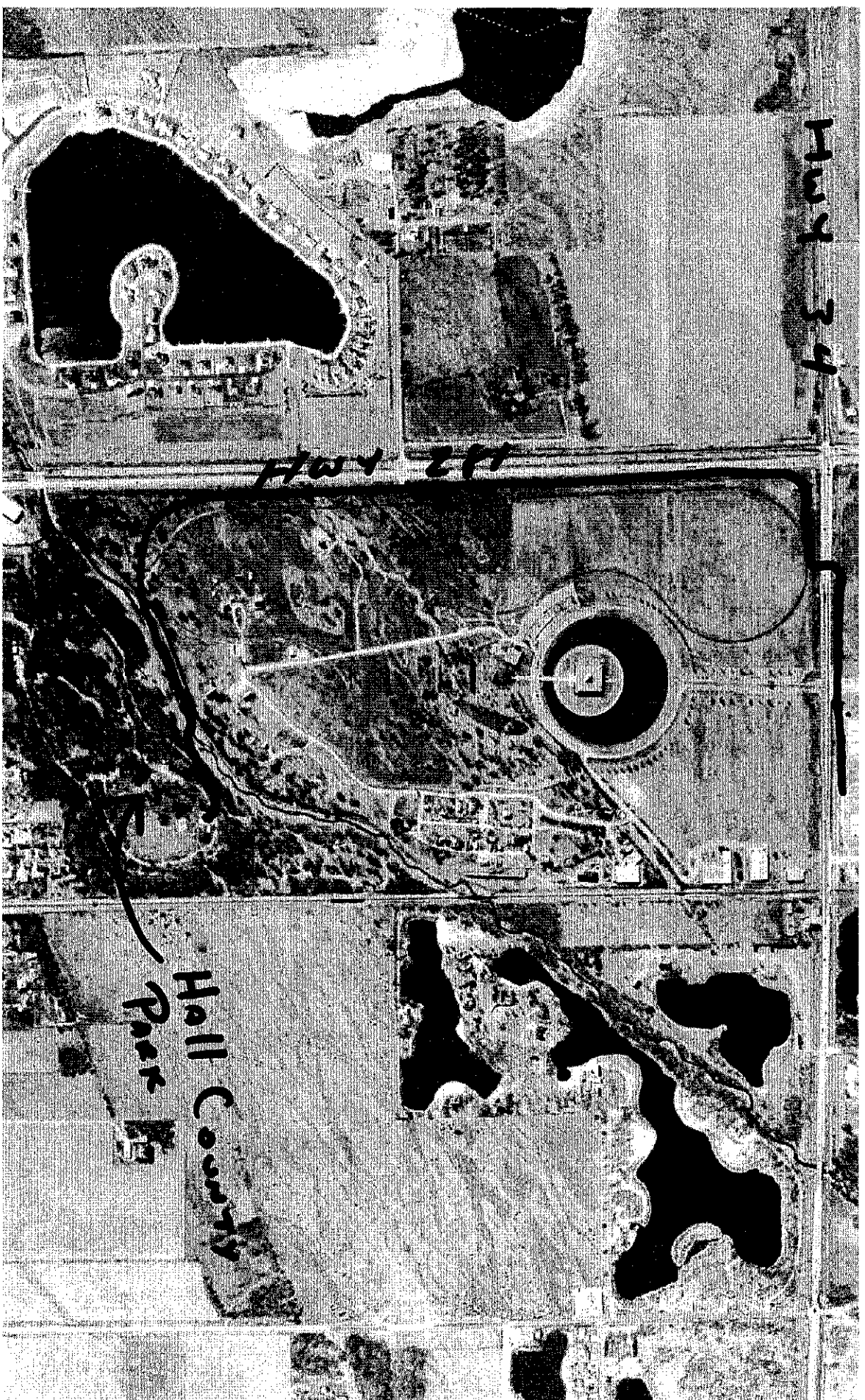
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the bid award to Diamond Engineering in the amount of \$137,463.25.

Sample Motion

Motion to approve the bid award to Diamond Engineering in the amount of \$137,463.25.



RESOLUTION 2004-288

WHEREAS, the City of Grand Island invited sealed bids for Stuhr Hike and Bike Trail Construction, according to plans and specifications on file with the Parks and Recreation Department; and

WHEREAS, on October 28, 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 \$137,463.25; 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 \$137,463.25 for the Stuhr Hike and Bike Trail construction 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 contract for such project on behalf of the City of Grand Island.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G19

**#2004-289 - Approving Contract for Site & Needs Study for the
Fire Department**

Staff Contact: Jim Rowell

Council Agenda Memo

From: Jim Rowell, Fire Chief
Meeting: November 9, 2004
Subject: Fire Station and Training Center Site and Needs Study
Item #'s: G-19
Presenter(s): Chief Rowell

Background

A request for proposals to provide a Fire Station and Training Center Site and Needs Study was advertised and the responding firms' proposals were evaluated by the Site and Needs committee.

The committee selected three proposals for further evaluation and the firms were invited to interview and provide a presentation on their qualifications and the proposed process. Two firms chose to continue and one opted not to participate.

After the presentations of the two firms, the committee selected the firm RDG to offer the opportunity to conduct the study. In the discussions following the selection we have developed the terms of the agreement and reduced the original cost without reducing the scope or value of the services to be provided.

Discussion

The process has identified what the committee believes to be the best qualified team to provide the services requested. RDG has put together a group that has the expertise necessary to accomplish the study in a timely and professional manner for a cost of \$21,000.00.

Alternatives

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

1. Move to approve an agreement with RDG to complete a site & needs study.
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 agreement.

Sample Motion

Motion to approve the agreement with RDG Planning & Design of Omaha, Nebraska for Site and Needs Study for the Fire Department in an amount of \$21,000.00.

November 4, 2004

Chief Jim Rowell
Grand Island Fire Department
100 East First Street
Grand Island, NE 68802-1968

RE: City of Grand Island
Headquarters Station and Fire Training Center Site and Needs Study
RDG No. 24103.00, File No. 01.4A

Dear Chief Rowell:

RDG Planning & Design is pleased to provide the following proposal for the above-referenced project. If you find the following scope of services, fee structure, and terms and conditions acceptable, we ask that you sign one copy of this document and return it to us; it will then serve as both our agreement and notice to proceed.

We look forward to working with the City of Grand Island again, and to participating in what we view as an important and exciting project for the city.

Very truly yours,

RDG PLANNING & DESIGN



David Streebin, AIA
Partner

DAS/jm

Enclosure



site and needs study

	City of Grand Island	
Project Name:	Fire Station and Fire Training Center	
Project No.:	24103.00	File No.(s): 01.4A
Date:	November 4, 2004	
From:	David A. Streebin, AIA	

SCOPE OF SERVICES

The City of Grand Island (hereinafter referred to as OWNER) has requested assistance in reviewing the locations for both the new Headquarters Fire Station and the new Fire Training Center, with areas to be reviewed as noted for each:

FIRE SERVICES: Fire station location analysis to include, but not limited to:

- Consideration of response time.
- Apparatus.
- Essential response force.
- Include an executive summary and mapping.
- ISO consideration.
- NFPA 1710, 2 in 2 out response.
- Compare current to proposed locations.
- Project timeline.
- Deployment of resources.
- Coverage in depth.
- Future growth and development.
- Other facilities.

FIRE TRAINING CENTER: Fire Training Center location analysis to include, but not limited to:

- Appropriate area for present and future needs.
- Lake for ice and water rescue training, and drafting.
- Railroad tracks and tractor trailer for Haz Mat training.
- Offices, classrooms, and bays for apparatus.
- Burn building.
- Parking.
- Drill tower.
- Driving course.
- Other facilities.

To that end, RDG Planning & Design (hereinafter RDG) proposes the following:

- Facilities needs analysis/program development for both the Headquarters Fire Station and Training Center.
- Site location analysis and standards of cover analysis.

I. **Preliminary Space Needs Assessment/Programming:** RDG will conduct preliminary space needs assessments to define Headquarters Fire Station and Training Center space needs; including a review of current departmental operations, facility locations and equipment, service/training philosophy, and current facility specialization with departmental leadership and will incorporate information gained through the following:

- A. Leadership and staff questionnaires.
- B. Department leadership and staff interviews.
- C. Space standards.
- D. Benchmarking.
- E. Preliminary program documentation.



- II. **Preliminary Block Plan Concept:** A preliminary blocking plan will be generated to test the space needs and to define site area requirements. The plan serves as a graphic representation of the needs identified, testing the space program, verifying the project scope, establishing space adjacency requirements, and aiding in establishing site criteria.
- III. **Location Criteria:** Following the development of the preliminary block plan concept, RDG will lead an effort to establish criteria which can be used in the selection of sites to be evaluated.
- A. In evaluating potential options for locations of new fire stations a number of important factors must be considered, including area to be protected, accessibility to arterial streets, accessibility to potential fire fighters, future growth projections and regions, natural and artificial barriers, availability/acquisition of sufficient land, loss potential, target hazard locations, fire incident rates, and existing fire station coverage.
- B. The following criteria will be used in evaluating for the training center: Adjacent land use, current and future, adjacency to housing, soils conditions and bearing capacities, prevailing winds, utility access, grading and drainage fill required, wetlands, off site utilities, vehicular and apparatus access, environmental issues, and zoning.
- IV. **Site Identification/Mapping:** RDG will develop a series of facility criteria maps based on the site location criteria identified to establish tools to effectively evaluate each potential site with respect to each of these considerations. RDG will evaluate each of the City of Grand Island's current proposed sites and will assist the City in identifying up to three additional proposed sites for each facility. Each of these sites will be mapped and evaluated on the site location criteria maps and a summary site location assessment will identify the top three sites for detailed site assessment.
- V. **Site Assessment:** Based on the site location criteria, mapping and assessment, RDG will assess the top three potential sites for the fire station and training center. Issues such as site area, site configuration, anticipated soil conditions, utility requirements, accessibility, adjacent uses/compatibility, environmental considerations, topographic considerations, site ownership, and anticipated site acquisition costs will be assessed, prioritized, and rated to assist in understanding the appropriateness of each of the sites identified.
- VI. **Meetings and Reports:** Throughout this process, RDG will lead review meetings with the Grand Island Leadership and Fire Department leadership and staff. The findings of this preliminary programming, site location, and site assessment effort shall be summarized in a final Site Location and Assessment report for both the Fire Station and Training Center, reviewed with the City leadership, and revised as appropriate.

CONSULTANTS

RDG will retain the following consultants:

BKV Group of Minneapolis, Minnesota Fire Station Programming Specialists
ESCI of Wilsonville, Oregon Fire and EMS facility Location and Deployment Studies

COMPENSATION

For Basic Services as outlined above, fees are determined on the basis of a stipulated sum, as follows:

Headquarters Fire Station Needs Analysis and Space Program	\$ 5,500.00
Training Center Needs Analysis and Space Program	\$ 5,500.00
Site Location Analysis and Standards of Cover Analysis	\$10,000.00
Total Lump Sum Fee including Reimbursable Expenses	\$21,000.00



Includes all project related travel and sustenance, reproduction of up to ten copies of any report (additional copies may be prepared as an additional expense, or may be outsourced by the Owner to others), communications, postage, and handling.

If requested by OWNER, ARCHITECT can provide additional services to be compensated for in manner mutually agreeable to both parties.

TERMS

Additional terms and conditions are included on the following three pages.

This agreement entered into as of the day and year written above.

City of Grand Island

RDG Schutte Wilsam Birge, Inc.

Signature

Signature

Mayor -
Printed Name and Title

Printed Name and Title

Attest: _____
City Clerk

Approved as to form: _____
City Attorney



terms and conditions

	City of Grand Island	
Project Name:	Fire Station and Fire Training Center	
Project No.:	24103.00	File No.(s): 01.4A
Date:	November 4, 2004	
From:	David A. Streebin, AIA	

GENERAL: The Terms and Conditions set forth herein and in the attached cover letter constitute an offer by RDG Schutte Wilscam Birge, Inc. ("RDG") to perform for the Company to whom this cover letter is addressed ("Client"), all of the professional design services described in said cover letter as Scope of Services ("Services") for Client's project as defined therein ("Project"). RDG's offer becomes a contract on these same terms and conditions when accepted or acknowledged by Client or by RDG's commencing performance of the Services. This contract supersedes all previous understandings, if any, and constitutes the entire agreement between RDG and client relating to the Services. Pre-printed terms and conditions on Client purchase orders are not accepted regardless of when issued. RDG shall have the right, as its sole option, to rescind its offer if the Services have not commenced within ninety (90) days of the date of RDG's offer.

RDG'S OBLIGATIONS: RDG will endeavor to perform its Services using that degree of care and skill ordinarily exercised by reputable members of its profession under similar circumstances. No other warranty express or implied is made or intended.

CLIENT'S OBLIGATIONS: Client shall, at his expense, provide full, complete and correct information, including but not by way of limitation: a program of objectives, constraints, criteria, and budget. RDG shall be entitled to rely upon the accuracy of such Client-furnished information.

OPINIONS OF PROBABLE COST: RDG's opinions of probable construction cost represent its best judgment as a design professional familiar with the construction industry and are not guarantees by RDG of actual construction cost. RDG has no control over material cost, labor, methods of construction, or bid procedures. Accordingly, RDG does not warrant or represent that Contractor bids will not vary from the Project budget or RDG's opinion of probable construction cost. If Client desires greater assurance of cost, Client shall engage the services of an independent construction cost estimator.

ADDITIONAL SERVICES: Changes in scope or extent of Services may be made from time to time by mutual written agreement. Any Additional Services required because of such changes will be charged at RDG's customary rates in effect at that time. Unless otherwise agreed in writing, all Terms and Conditions of this contract shall apply. Changes in these Terms and Conditions can only be made by written consent of RDG. Services not completed before the completion date stated in the cover letter, through no fault of RDG, shall be considered Additional Services. Projects suspended for more than thirty (30) days through no fault of RDG shall be subject to a re-mobilization fee compensated as Additional Services.

COMPENSATION AND PAYMENT: Client shall compensate RDG the amounts stipulated in the cover letter, however, such amounts shall be subject to adjustment for escalation if, through no fault of RDG, the Services are not completed within the time stipulated in the cover letter

RDG shall be entitled to payment for Services rendered on the basis of RDG's invoices submitted monthly. Invoices shall be due and payable within 30 days after receipt. Past due invoices shall accrue interest at the rate of one and one-half percent per month. No retention shall be withheld. All accounts receivable must be current before RDG shall seal drawings, issue drawings to Contractors for bidding, or issue drawings for permit application. RDG reserves the right to stop Services and/or withhold document for reasons of non-payment and RDG shall not be liable for delays which may result from such stoppage.

Invoices shall reflect the percentage of work completed as estimated by RDG to the date indicated on the invoice.



OWNERSHIP OF DOCUMENTS: Any and all documents and plans in whatever form, including electronic media (disks, tapes, telecommunication, etc.) prepared pursuant to or otherwise resulting from this contract are instruments of professional service and shall be and at all times remain the sole property of RDG. Client shall be entitled to retain hard copy of such documents and plans for informational use and reference in connection with Client's use and occupancy of this specific property only. Computer diskettes of project documents will not be released by RDG without agreement in writing stipulating the terms and restriction of usage. RDG will not be responsible for any consequence of re-use, other use, or adaptation of such documents without RDG's express written approval.

INSURANCE: RDG is protected by Professional Liability Insurance, Worker's Compensation Insurance, and Comprehensive General Liability Insurance and will furnish certificates upon request

ASBESTOS/HAZARDOUS MATERIALS DISCLAIMER: Client is hereby notified that asbestos is prevalent in buildings constructed prior to 1978. Client acknowledges that RDG has no expertise in detecting the presence of or specifying removal, disposal, or containment of asbestos or hazardous materials at the Project site. Client shall solely have the responsibility to determine the presence of, and specify the removal, disposal, or containment of asbestos or other hazardous materials at the Project site. Client agrees to employ an industrial hygienist or other qualified specialist for such purpose, and acknowledges that RDG has not been contracted to provide such services. Client agrees to defend, indemnify, and hold harmless RDG from any and all asbestos, pollution, and/or hazardous waste-related claims arising against RDG relative to presence, detection, removal, or disposal of asbestos and/or other hazardous wastes at the Project site.

"ADA" COMPLIANCE: For Projects of new construction, RDG shall endeavor to design the Project in conformity with the Americans with Disabilities Act ("ADA") Accessibility Guidelines, 28 CFR Part 36 (July 26, 1991) hereinafter the "Act" and advise Client if any accommodation is structurally impractical. For modifications to an existing facility of any type, RDG shall endeavor to identify existing barriers and needed accommodations as those terms are used in the Act, and inform Client of the existence of these barriers and needed accommodations. It is Clients' sole responsibility to determine whether to exclude a specific accommodation because the accommodation is not readily achievable or unduly burdensome. RDG shall not be responsible to determine whether it is necessary to remove all barriers identified in order to comply with the Act. Such determination shall be made by Client. If Client requests RDG to prepare alternate design documents or specifications with the intent of ascertaining or demonstrating that certain aspects of the Project are unduly burdensome or not readily available, such services shall be Additional Services.

COMPLIANCE WITH CODES: RDG's design shall conform to local applicable codes in effect, and as interpreted by building officials, at the time the design is prepared; however, RDG shall not be responsible for changes to the Project resulting from changes in local or applicable codes or changes in interpretation thereof by authorities having jurisdiction. Mechanical engineering design for environmental conditioning shall be designed in accordance with ASHRAE and local applicable standards subject to the conditions above; however, RDG shall not be responsible to perform tests of existing systems, outdoor/indoor air quality, building material performance (existing or new), or other similar environmental conditions having an effect on air quality.

LIMITATION OF LIABILITY: Client recognizes the inherent risks, rewards, and benefits of the Project. Accordingly, Client agrees that, to the fullest extent permitted by law, Client shall defend, indemnify, and hold harmless RDG from and against any claims, damages, losses, costs, injuries, and expenses, including attorney's fees (hereinafter "Claims"), arising out of the Project hereunder excepting from the indemnity and hold harmless obligation only those claims or portions thereof which are determined by a court to arise from the negligence of RDG. In no event shall Client be entitled to obtain from RDG, its agents, representatives, officers, employees, or independent contractors, "damages" arising from RDG's breach of this agreement, or for its failure to perform its services in accordance with the standard of care provided for herein, in excess of fifty thousand dollars or the total fee amount paid by client, whichever is less. "Damages" as used herein, shall include tort damages, contract damages, strict liability damages, liquidated damages, economic losses, penalties, fines, and attorney's fees. No Claims shall be made more than two years after substantial completion of the Project.



APPLICABLE LAW: The rights and obligations of the parties under this contract shall be interpreted in accordance with and governed in all respects by the State of Nebraska.

TERMINATION OR CANCELLATION: This contract may be terminated by either party upon seven days' prior written notice. In the event of termination, RDG shall be compensated by Client for all services performed up to and including the termination date, including reimbursable expenses, and/or the completion of such Services and records as are necessary to place RDG's files in order and/or protect its professional reputation. In the event of bankruptcy or insolvency of Client, or if the financial condition of Client at any time does not, in the judgment of RDG, justify continuance of the work, RDG shall be entitled to cancel this contract and receive reimbursement for its reasonable and proper cancellation charges.

END OF DOCUMENT



RESOLUTION 2004-289

WHEREAS, the City of Grand Island invited proposals for Site and Needs Study for the Fire Department, in accordance with a Request for Proposal on file with the Fire Department; and

WHEREAS, on September 15, 2004, proposals were received, reviewed and evaluated in accordance with established criteria; and

WHEREAS, RDG Schutte Wilscam Birge 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 an amount not to exceed \$21,000.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of RDG Schutte Wilscam Birge Inc. of Omaha, Nebraska, for a Site and Needs Study for the Fire Department for a new Headquarters Fire Station and a new Fire Training Center in an amount not to exceed \$21,000 is hereby approved.

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

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G20

**#2004-290 - Approving Purchase of a Mail Machine and Insertter,
Maintenance Contract, and Postage Machine**

Staff Contact: David Springer

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: November 9, 2004

Subject: Purchase of New Mail Machine, Inserter, and Rental of Postage Meter

Item #'s: G-20

Presenter(s): Dave Springer, Finance Director

Background

The current Mail Inserter was a reconditioned unit purchased from Pitney-Bowes in 1998. They no longer support this equipment with a maintenance contract, so repairs are billed at time, material, and travel rates which are running over a thousand dollars a call. The equipment is presently in need of repair. Also, within the next year and a half, the US Postal Service is requiring that postage be sprayed on, rather than imprinted, which will necessitate a new postage meter and replacement of our other mail machine. Approximately 35,000 to 40,000 pieces of mail are processed monthly.

Discussion

We have anticipated replacing this equipment for over a year and have been reviewing our options. It would seem prudent to upgrade the equipment at this time, rather than incur another maintenance charge. There are only a few vendors of mailing and inserting machines and postage meters. Pitney-Bowes is the recognized leader in quality and performance. A leasing option would be for a minimum of 4.5 years and is costly, requiring \$20,000 more than a purchase over that time. A new Pitney-Bowes mail machine and inserter are available on GSA Contract No.GS-25F-0010M for \$42,256. Postage meters are not sold, but would rent for \$1,008 annually. This would give a new, totally compatible system. We would have three months warranty, and then an annual maintenance contract for all three pieces of equipment would be \$4,376. Funds are budgeted for in accounts 520-39100 and 525-32900.

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 purchase Pitney-Bowes mailing and inserter equipment through GSA contract for \$42,256 and approve the rental of a postage meter and a maintenance contract for these three machines for \$1,008 and \$4,376 per year respectively.

Sample Motion

Motion to approve the purchase from Pitney-Bowes of a mailing machine and inserter for \$42,256, annual rental of a postage meter for \$1,008 and an annual maintenance contract for all three of \$4,376.

R E S O L U T I O N 2004-290

WHEREAS, the Finance Department processes approximately 35,000 pieces of mail each month; and

WHEREAS, the equipment currently used to process the mail is in need of repair and, due to the age of the equipment, the repairs will only be a temporary solution; and

WHEREAS, in addition, new U.S. Postal Service requirements will soon compel the City to obtain a new postage meter in order to stay in compliance with the postal system; and

WHEREAS, it would be beneficial to obtain new equipment and a new postage meter now to avoid expensive repair costs; and

WHEREAS, purchasing the equipment from the GSA contract holder meets all statutory bidding requirements; and

WHEREAS, the funding for such equipment 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:

1. The purchase of mailing and inserter equipment through GSA Contract GS-25F-0010M from the State contract holder, Pitney Bowes Inc. of Omaha, Nebraska, in the amount of \$42,256 is hereby approved.
2. The rental of a postage meter from Pitney Bowes Inc. of Omaha, Nebraska is hereby authorized at an annual rate of \$1,008.
3. An annual maintenance contract be approved for the mailing and inserter equipment and the postage meter at an annual rate of \$4,376.
4. The Mayor is hereby authorized and directed to execute such documentation on behalf of the City of Grand Island to complete the transactions identified herein.

- - -

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

fc

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ November 4, 2004 <input type="checkbox"/> City Attorney



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G21

**#2004-291 - Approving Authorization to Transfer Code
Compliance Duties to the Police Department**

Staff Contact: Doug Walker

Council Agenda Memo

From: Douglas R. Walker, City Attorney

Meeting: November 9, 2004

Subject: Shifting Code Compliance to Grand Island
Police Department

Item #'s: G-21

Presenter(s): Douglas R. Walker, City Attorney
Chief Kyle Hetrick, Grand Island Police Department

Background

At the November 2, 2004, study session, a proposal was presented by the Grand Island Police Department to handle the code compliance duties with three community service officers. It is anticipated that each of these community service officers would be part-time employees that would work approximately 25 hours per week for a total of 75 hours per week. This would result in a full-time equivalency of 1.9375 employees. The budget as currently adopted by the city authorizes one full-time equivalent for code compliance in the Legal Department.

Discussion

To amend the previously adopted budget and to establish the full-time equivalency for the three community service officers who will be working part-time for approximately 25 hours each, it is necessary for the Council to adopt a resolution authorizing the 1.9375 FTE's for the community service officers and to transfer the code compliance duties from the Legal Department to the Police Department.

Alternatives

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

1. Approve the resolution authorizing 1.975 FTE's for three part-time community service officers.

2. Not adopt the resolution authorizing the creation of the additional FTE's in the Grand Island Police Department.
3. Postpone the issue to future date
4. Modify the Police Department proposal.

Recommendation

City Administration recommends that the Council approve the resolution authorizing the creation of 1.9375 FTE's for three part-time community service officers in the Grand Island Police Department to handle code compliance duties.

Sample Motion

Motion to approve the resolution.

R E S O L U T I O N 2004-291

WHEREAS, the Code Compliance Officer with the Legal Department is responsible for identifying and investigating complaints pertaining to property maintenance, junk vehicles, nuisances and accumulation of garbage; and

WHEREAS, at its study session on November 2, 2004, the City Council discussed a proposal to transfer such code compliance duties to the Police Department; and

WHEREAS, it is anticipated that the Police Department will hire three part-time community service officers who will each work 25 hours per week to handle the duties formerly conducted by the Code Compliance Officer; and

WHEREAS, this will result in a full-time equivalency of 1.9375 employees; and

WHEREAS, the 2004/2005 budget currently authorizes one full-time employee to perform code compliance duties; and

WHEREAS, it is necessary to amend the adopted 2004/2005 budget to allow the 1.9375 full-time equivalents for the community service officers at the Police Department to begin such code compliance duties.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that effective immediately, the code compliance duties shall be transferred from the Legal Department to the Police Department, with such duties being completed by three part-time community service officers each working 25 hours per week.

BE IT FURTHER RESOLVED, that the 2004/2005 adopted budget be amended to permit 1.9375 full-time equivalent employees to perform code compliance duties.

- - -

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

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
November 4, 2004	▣ City Attorney



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G22

**#2004-292 - Approving Amendment to Personnel FTE Budget for
Grand Island Public Library**

Staff Contact: Steve Fosselman

Council Agenda Memo

From: Steve Fosselman, Director, Grand Island Public Library

Meeting: November 9, 2004

Subject: Amendment to Personnel FTE Budget for Grand Island Public Library

Item #'s: G-22

Presenter(s): Steve Fosselman

Background

The Grand Island Public Library is budgeted for 26.048 FTE, including the Library Secretary classification budget of .625 FTE (25 hours per week). This position at one time was full time, but was reduced to reflect data entry work that could be accomplished by employees in the Library Assistant classification, which was increased accordingly and currently has a budget of 9.828 FTE.

Discussion

Both positions require a variety of data entry duties, and after analyzing those duties it appears best for the operations of the Library that the Secretary's FTE allocation be increased to .700 FTE (28 hours per week), an increase of .075 FTE. To maintain the Library's total allocation of 26.048 FTE, the Library Assistant allocation needs to be reduced to 9.753 FTE, a decrease of .075 FTE. This can be accomplished within the Library's total Salaries budget.

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 move to approve.

Sample Motion

Motion to approve resolution amending personnel FTE budget for Grand Island Public Library.

RESOLUTION 2004-292

WHEREAS, the 2004/2005 adopted budget for the Grand Island Public Library allows a total of 26.048 full-time equivalent positions; and

WHEREAS, after evaluating the duties and responsibilities of the Library Assistant and the Library Secretary, it was determined that changes were necessary to both positions; and

WHEREAS, it is recommended that the 2004/2005 adopted budget be amended to increase the Library Secretary full-time equivalent allocation from .625 to .0700, and to decrease the Library Assistant full-time equivalent allocation from 9.828 to 9.753; and

WHEREAS, this can be accomplished without a budget increase in library personnel costs.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the 2004/2005 adopted budget be amended to increase full-time equivalent allocation for the Library Secretary to .700 full-time equivalent and to decrease the full-time equivalent allocation for the Library Assistant classification to 9.753.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item G23

**#2004-225 - Approving Bid Award - Well Field Wells #2, 3, 10 and
11 Enclosures - Platte River Well Field**

Staff Contact: Gary R. Mader;Dale Shotkoski

Council Agenda Memo

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

Meeting: November 9, 2004

Subject: Bid Award - Well Field Wells # 2, 3, 10, 11 Enclosures -
Platte River Well Field

Item #'s: G-23

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

Background

The City's Platte River Well Field currently includes 21 wells. In order to accommodate a program upgrading the well controls, provide additional weather and rodent protection and to add security, the wells are being enclosed. Nine wells have been provided with enclosures to date. Specifications were drafted by staff to detail and construct steel buildings to enclose another four of the wells. The Request for Bids was advertised and promulgated in accordance with City purchasing procedures and publicly opened.

Discussion

The specifications for the pump enclosures were issued for bid and responses were received from the below listed bidders. Steel Crafters, Inc. did not include sales tax on their bid, and a 5.5% tax amount was added to the bid price for evaluation purposes. The City will only pay actual sales tax due. The engineer's estimate for this project was \$75,000.00.

<u>Bidder</u>	<u>Bid price</u>	<u>Taxes</u>	<u>Total Bid</u>
Steel Crafters, Inc.,	\$ 63,800.00	\$ 3,590.00	\$ 67,309.00
Lacy Construction Co.,	\$ 72,520.00	\$ 1,980.00	\$ 74,500.00
BD Construction Co.,	\$ 75,900.00	\$ 2,160.00	\$ 78,060.00

Alternatives

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

1. Move to approve the contract for enclosures for wells #2, 3, 10, and 11
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City staff reviewed the bids for compliance with the City's detailed specifications. Steel Crafters, Inc. did not include sales tax on their bid, the tax at a 5.5% rate was added for evaluation purposes only. The City will only pay actual sales tax due. City Administration recommends that the Council award the contract for this work to the lowest responsive bidder, Steel Crafters Inc., of Grand Island, in an amount not to exceed \$67,309.00. The final tax payment will require consultation with the Nebraska Department of Revenue and the contractor.

Sample Motion

Move the award of the contract for Well Field Wells # 2, 3, 10, 11 Enclosures be made to Steel Crafters from Grand Island, NE.

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: September 2, 2004 at 11:15 a.m.

FOR: Well Field Wells #2, 3, 10, 11 Enclosures

DEPARTMENT: Utilities

ESTIMATE: \$75,000.00

FUND/ACCOUNT: E525

PUBLICATION DATE: August 20, 2004

NO. POTENTIAL BIDDERS: 11

SUMMARY

Bidder:	<u>Lacy Construction Company</u> Grand Island, NE	<u>BD Construction, Inc.</u> Kearney, NE
Bid Security:	Universal Surety Company	Universal Surety Company
Exceptions:	None	None
Bid Price:	\$74,500.00 (Tax Included)	\$78,060.00 (Tax Included)

Bidder:	<u>Steel Crafter's, Inc.</u> Grand Island, NE
Bid Security:	\$3,190.00
Exceptions:	None
Bid Price:	\$63,800.00 (Tax Not Included)

cc: Gary Mader, Utilities Director
Shelly Schnakenberg, Senior Utilities Secretary
Larry Keown, Utilities Dept.
Dale Shotkoski, Purchasing Agent

Bob Smith, Assistant Utilities Director
Pat Gericke, Admin. Utilities Secretary
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

R E S O L U T I O N 2004-225

WHEREAS, the City of Grand Island invited sealed bids for Well Field Wells #2, 3, 10, 11 Enclosures, according to plans and specifications on file at the Platte Generating Station; and

WHEREAS, on September 2, 2004, bids were received, opened and reviewed; and

WHEREAS, Steel Crafters, Inc. of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$63,800.00; and

WHEREAS, Steel Crafters, Inc. did not include sales tax in the amount of their bid, however City staff, while evaluating the bids, added 5.5% for sales tax to such bid; and

WHEREAS, Steel Crafters, Inc.'s adjusted 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 adjusted bid of Steel Crafters, Inc. of Grand Island, Nebraska, for an amount not to exceed \$67,309.00 for Well Field Wells #2, 3, 10, 11 Enclosures 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 contract for such project on behalf of the City of Grand Island.

- - -

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

RaNae Edwards, City Clerk

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



City of Grand Island

Tuesday, November 09, 2004

Council Session

Item J1

Payment of Claims for the Period of October 27, 2004 through November 9, 2004

The Claims for the period of October 27, 2004 through November 9, 2004 for a total of \$2,403,542.60. A MOTION is in order.

Staff Contact: RaNae Edwards