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# City of Grand Island



**Tuesday, November 23, 2004**

## **Council Session Packet**

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### **City Council:**

**Carole Cornelius**

**Peg Gilbert**

**Joyce Haase**

**Margaret Hornady**

**Robert Meyer**

**Mitchell Nickerson**

**Don Pauly**

**Jackie Pielstick**

**Scott Walker**

**Fred Whitesides**

### **Mayor:**

**Jay Vavricek**

### **City Administrator:**

**Gary Greer**

### **City Clerk:**

**RaNae Edwards**

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**7:00:00 PM**

**Council Chambers - City Hall**

**100 East First Street**

**Call to Order**

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

**Roll Call**

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

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

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

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

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## **MAYOR COMMUNICATION**

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



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item E1

**Public Hearing on Changes to the Grand Island Zoning Map for Lots 1 & 2, Block 1, Academy Heights Subdivision Located South of Capital Avenue and West of Hancock Avenue from R2 Low Density Residential to RD Residential Development**

Staff Contact: Chad Nabity

# Council Agenda Memo

**From:** Regional Planning Commission  
**Meeting:** November 23, 2004  
**Subject:** Via Milano Development - Rezoning, Preliminary & Final Plat  
**Item #'s:** E-1, F-2, G-3 & G-4  
**Presenter(s):** Chad Nabity AICP, Regional Planning Director

## Background

This development proposes to change the zoning from R2 Low Density Residential to RD Residential Development, and proposes to create 10 lots on a parcel of land comprising of lots 1 & 2, Block 1 Academy Heights Subdivision, located South of Capital Avenue, and West of Hancock Avenue. This subdivision consists of 2.082 acres more or less.

## Discussion

The Planning Director's full report on this development with the pro's and con's of the development as well as statements on conformance with the comprehensive plan for Grand Island are included as an attachment.

### **At the Public Hearing held by the Regional Planning Commission:**

Todd Enck spoke and gave the members some background of the development, and what his plans are for this land. Todd built some houses several years ago along Via Como and wants to develop this property in a manner that is similar to the existing development along Via Trivoli. He said that he intends to convert the church into a single family dwelling.

Horace Jensen, Dick Crabtree spoke about parking on Hancock Street. This is especially bad on Sunday's during church services but the people living on the east side of Hancock Avenue often park on both sides of the street. Mr. Jensen listed several concerns besides the parking including concerns with access to Capital Avenue, and construction techniques that will minimize the formation of voids during the backfill process. He also wanted assurances that all of the properties would be subject to property taxes.

Becky Bass, who lives along St. James Place(an existing 20' street, to the south and east), expressed concern with congestion when moving/delivery trucks park along the streets.

Ms. Bass also commented that she thought this development would fit into the neighborhood and that she likes her neighborhood.

### **Alternatives**

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

1. Move to approve the development as presented.
2. Refer the issue back to the Planning Commission
3. Postpone the issue to future date
4. Take no action on the issue

This application to rezone the property is a package development. The developer has presented a package outlining the scope and type of development to be permitted at this site. The application to rezone should not be approved by council if they wish to make changes to the development without including those changes in the motion to approve the zoning change.

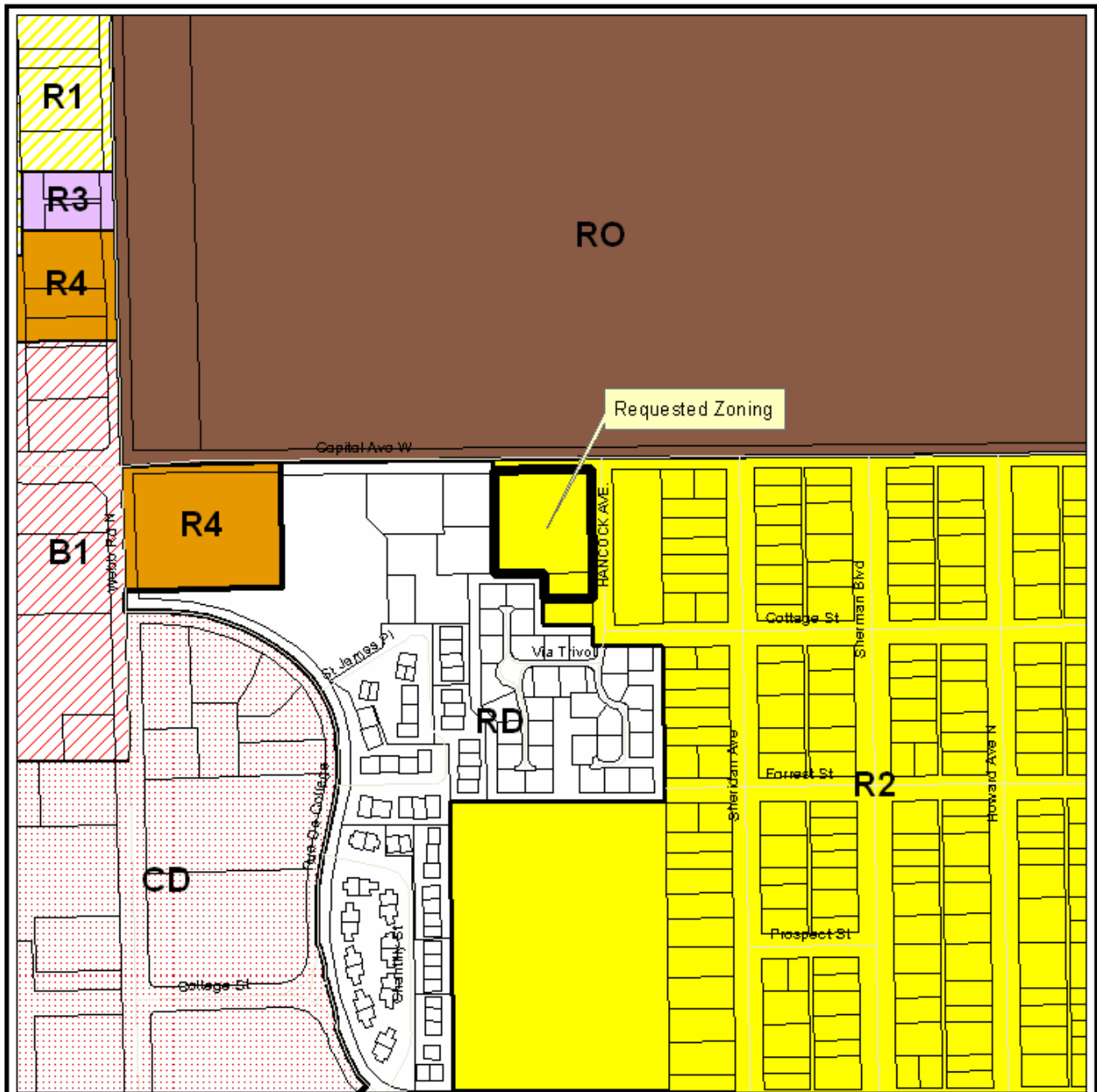
### **Recommendation**

A motion was made by Ruge and seconded by Hayes to **approve** and recommend that the Grand Island City Council **approve** the rezoning, preliminary & final plat of Via Milano Development. Prior to making the motion to recommend approval of the Via Milano Rezoning and Development Commissioner Ruge commented that this development as proposed appears to meet the concerns expressed by the neighbors especially regarding limiting access onto Capital Avenue and limiting the construction to single family dwellings. He stated that he thought this was a good match for the neighborhood and a good way to complete the development of this part of Grand Island.

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 Rezoning, Preliminary & Final Plat for Via Milano as presented.





# Requested Zoning

Scale: 1" = 400'

C-2-2005GI



 From R2: Low Density Residential Zone

 To RD: Residential Development Zone



PLANNING DEPARTMENT  
1000 W. 10TH AVENUE, SUITE 100  
DENVER, CO 80202

## Agenda Item # 4

### PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

October 27, 2004

**SUBJECT:** *Zoning Change Residential Development Zone(C-2-2004GI)*

**PROPOSAL:** To rezone Lots 1 and 2 of Academy Heights Subdivision approximately 2.082 acres of land south of Capital Avenue and west of Hancock Avenue from R2-Low Density Residential to RD- Residential Development Zone, in the City of Grand Island.

#### **OVERVIEW:**

##### **Site Analysis**

*Current zoning designation:*

**R2**-Low Density Residential,

*Permitted and conditional uses:*

**R2**- Residential uses with up to 7 units per acre

*Comprehensive Plan Designation:*

Medium Density Residential to Office

*Existing land uses.*

Vacated Church and vacant land

##### **Adjacent Properties Analysis**

*Current zoning designations:*

**North: RO**-Residential Office

**East: R2**-Low Density Residential

**South and West: RD** Residential Development Zone

**West: -TA**-Transitional Agriculture

*Permitted and conditional uses:*

**RO**- High density residential uses (no maximum density) and commercial office uses that are not

primarily retail in nature, medical offices and facilities. **R2**-Duplexes and single family homes

**RD**-Residential Development Zone approved for single family units on a private street to the South.

Residential Development Zone approved for

multifamily condominium units to the west. (These are accessed by a drive/private street from Capital Avenue.)

*Comprehensive Plan Designation:*

**North,West, East, South:** Medium Density Residential to Office Uses

*Existing land uses:*

**North:** Farm Ground owned by the State of Nebraska with the Veterans Home

**East:** Duplexes,

**West:** Multifamily Residential

**South:** Single family Residential

## **EVALUATION:**

### **Positive Implications:**

- *In general conformance with the City's Comprehensive Land Use Plan:* This type of development is typical in this area of the community. The comprehensive plan calls for medium density residential to office uses along the north and south sides of Capital Avenue between Webb Road and Hancock Avenue.
- *The proposed street and lot layout does not open onto Capital Avenue:* This proposed layout minimizes direct access to Capital Avenue. Other possibilities for development of this property would likely involve driveways onto Capital Avenue.
- *Finishes the development of this area of town.* This is true infill development. It will finish the development of this area of town in a manner that is consistent with the existing development.
- *Monetary Benefit to Applicant.* As always this change has the potential to benefit the applicant monetarily.

### **Negative Implications:**

- *Narrow Streets:* In order to develop this property in a manner consistent with the existing development the proposed street width does not meet the standard for public streets. These will be private streets maintained by an association similar to the streets and driveways west and south of this site.

### **Other**

The developer is proposing to build 9 single-family dwellings and convert the existing church back into a single-family home. At the proposed density, this development would be about 5 units per acre or 1 unit for every 9069 square feet. This is less development than could be allowed in the existing R2 district. This development provides for public utilities within the development.

This property could potentially be developed for single-family homes without a narrow street. This could involve placing 4 or 5 driveways onto Capital Avenue. I believe that it is better to discourage the driveways onto Capital and allow the private streets than to force a development pattern cause more conflicts on Capital.

Similar developments in the area provide for some guest parking within the subdivision. This subdivision has frontage along Hancock Avenue and some parking will be available along that street. The plans for the houses incorporate at least 2 car garages and 2 stalls between the garage and the street. This does provide 4 offstreet parking stalls for each structure. We only require 2 parking stalls per dwelling unit in our code.

A fire hydrant will be required just west of the curve of Via Milano Street to provide fire protection within the subdivision. Sewer, water and electrical services are available and can be extended throughout the site. All utilities will be public utilities.

Landscaping will be required in the 30' landscape buffer around the site. This can be narrowed to 10 feet in some areas such as along the southeast side near Hancock and anywhere that patios extend into the buffer with the addition of fencing and landscaping



to screen those areas. Landscaping in the buffer area needs to be placed immediately following the development of the street. Internal landscaping as shown on the development plan shall not be required until the lots are built upon

Enclosed with this recommendation is a development agreement for this property. The development agreement will serve as the development plan for this property.

**RECOMMENDATION:**

That the Regional Planning Commission recommend that the Grand Island City Council change the zoning on this site from R2- Low Density Residential to RD- Residential Development Zone and approve the development agreement and plat as presented.

\_\_\_\_\_ Chad Naby AICP, Planning Director



Proposed  
Via Milano Sub.

Capital Ave W



Gottage St

St. James Pl

Via Trivoli

Hancock Ave

Sherman Ave

Sherman Blvd

Forrest St

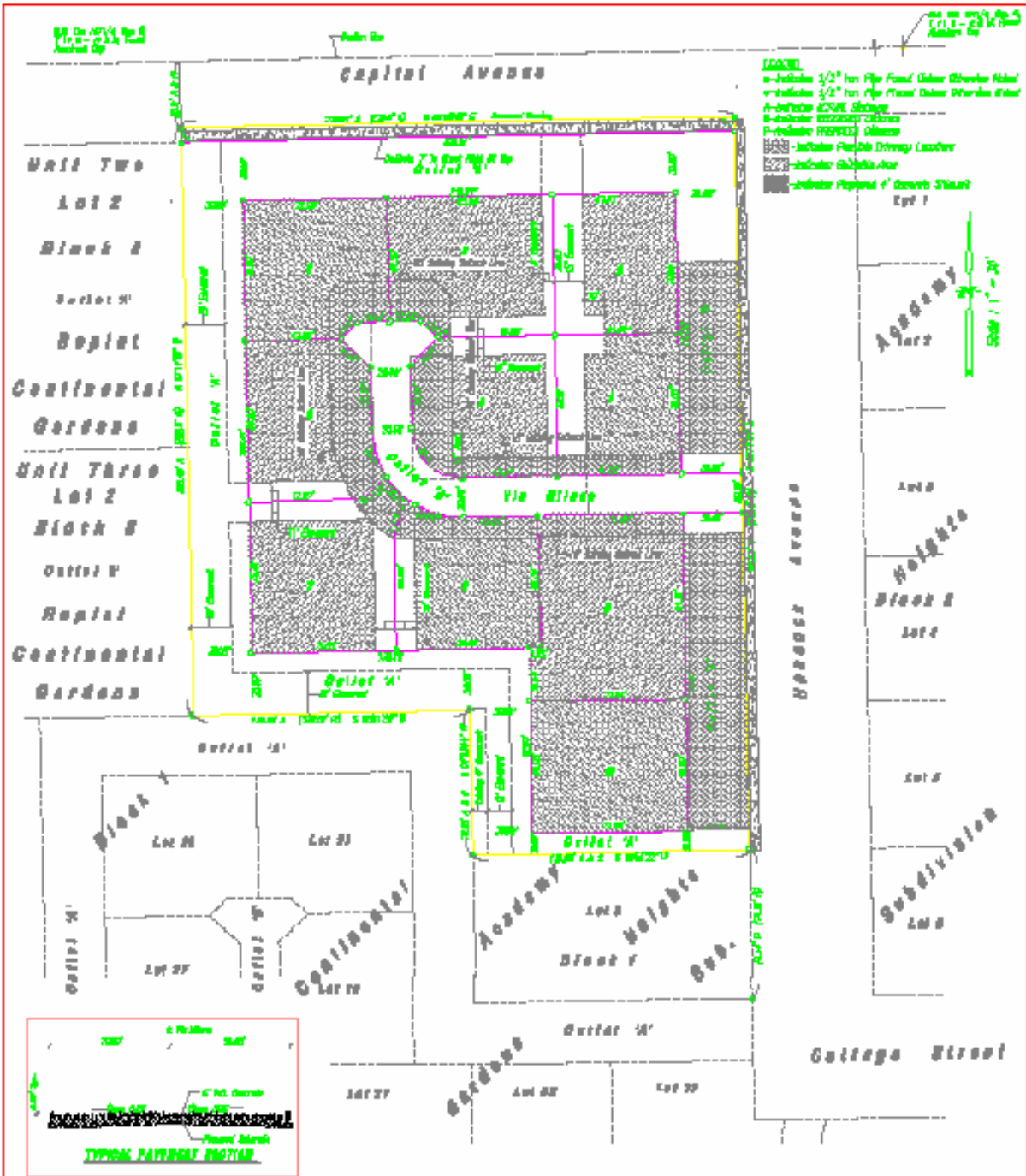
Rue De College

# LOCATION MAP

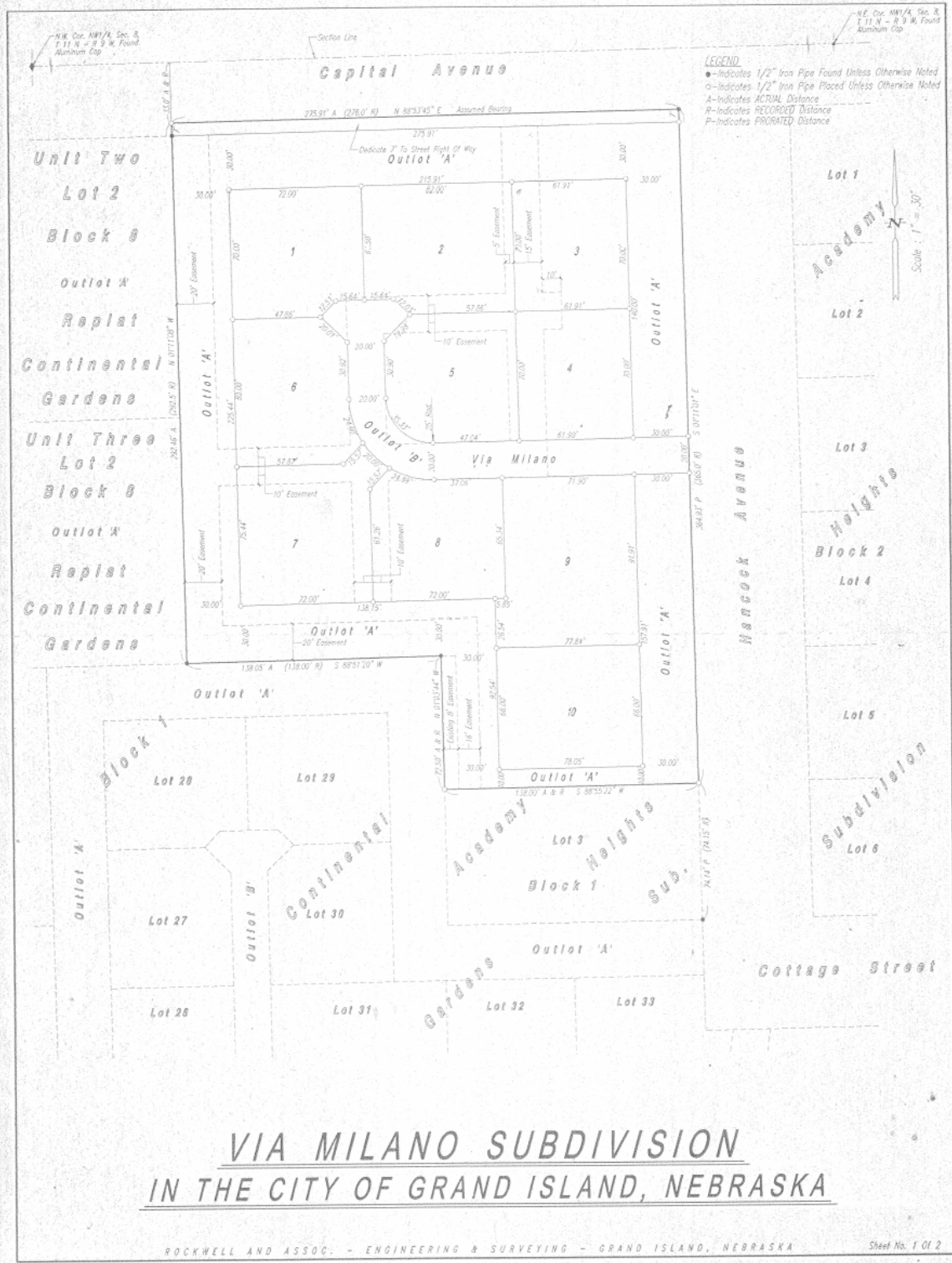
College St

Prospect St

Chantilly St



**DEVELOPMENT PLAN**  
**VIA MILANO SUBDIVISION**  
**IN THE CITY OF GRAND ISLAND, NEBRASKA**





# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item E2

**Public Hearing on Acquisition of Utility Easement - Hall County  
Livestock Improvement Association (Fonner Park)**

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 23, 2004

**Subject:** Public Hearing and Approving Acquisition of a Public Sanitary Sewer Easement east of the Fonner Park / Heartland Events Center Facility (Hall County Livestock Association)

**Item #'s:** E-2 & G-11

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

## **Background**

Nebraska State Law requires that a public hearing be conducted with acquisition of property approved by the City Council.

## **Discussion**

The Public Works Department needs to acquire a Public Sanitary Sewer Easement east of the Fonner Park/Heartland Events Center Facility for construction of public sanitary sewer to serve the Heartland Events Center.

## **Alternatives**

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

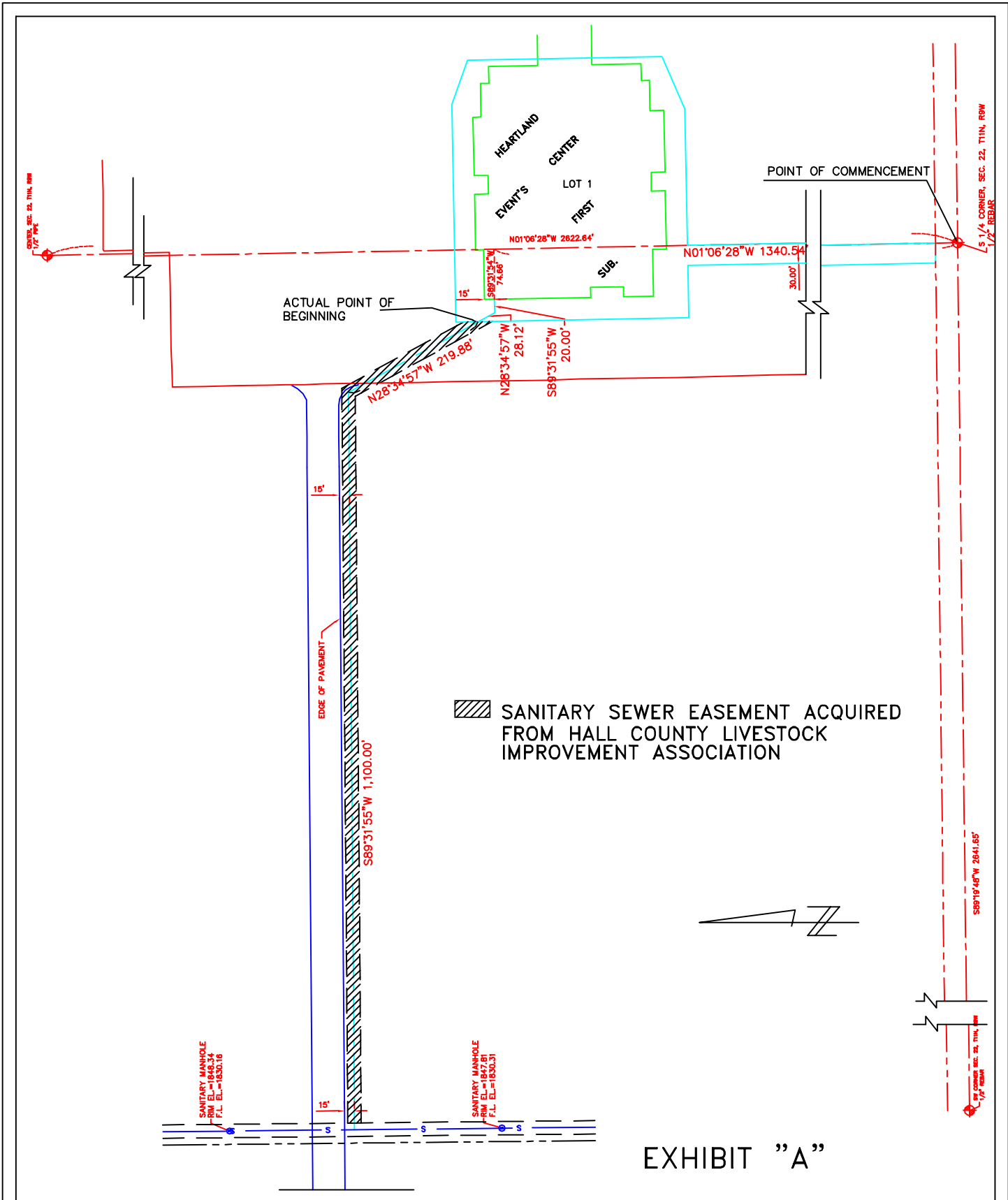
1. Make a motion to approve the acquisition of the property.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

## **Recommendation**

City Administration recommends that the Council approve the resolution for the acquisition of the easement.

## **Sample Motion**

Approve the acquisition of the easement.



CITY OF  
**GRAND ISLAND**  
 PUBLIC WORKS DEPARTMENT

DATE: 11/4/04  
 DRN BY: L.D.C.  
 SCALE: 1"=200'

PLAT TO ACCOMPANY  
 SANITARY SEWER  
 EASEMENT





# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item E3

**Public Hearing on Acquisition of Hike/Bike Path Easement  
Located Along the East Side of U.S. Highway 281 and South Side  
of U.S. Highway 34 (The Museum Board of Hall County Nebraska)**

Staff Contact: Steve Paustian

# **Council Agenda Memo**

**From:** Steve Paustian, Parks and Recreation Director  
**Meeting:** November 23, 2004  
**Subject:** Stuhr Hike/Bike Trail Easement  
**Item #'s:** E-3 & G-16  
**Presenter(s):** Steve Paustian, Parks and Recreation Director

## **Background**

Over the last few months the City has been negotiating with Stuhr Museum representatives for an easement to extend the Hike/Bike Trail across museum property.

## **Discussion**

An easement has been granted by the Stuhr Museum Board of Directors to allow for the construction of the trail on their property. Attached is Resolution #2004-305 for Council approval to establish the proper easements.

## **Alternatives**

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

1. Move to accept the easement
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 accept the easement offered by the Stuhr Museum Board of Directors.

## **Sample Motion**

Motion to accept easement from the Stuhr Museum Board of Directors.



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item F1

**#8942 - Consideration of Vacation of Utility Easement Located on Lot 1, Heartland Event Center First Subdivision - Heartland Events Center**

Staff Contact: Gary R. Mader

# **Council Agenda Memo**

**From:** Robert H. Smith, Asst. Utilities Director  
**Meeting:** November 23, 2004  
**Subject:** Vacation of Utility Easement – Heartland Events Center  
**Item #'s:** F-1  
**Presenter(s):** Gary R. Mader, Utilities Director

## **Background**

The Utilities Department needs to vacate an easement relative to the property of Lot 1, Heartland Events Center First Subdivision in the City Of Grand Island, Hall County, in order to allow for construction of the new Events Center.

## **Discussion**

Electric and water lines currently occupy the easement in this area. Replacement easements were granted and approved by Council November 9, 2004. Relocation of the utility lines is in process; therefore, it is appropriate to vacate the easement across this lot.

## **Alternatives**

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

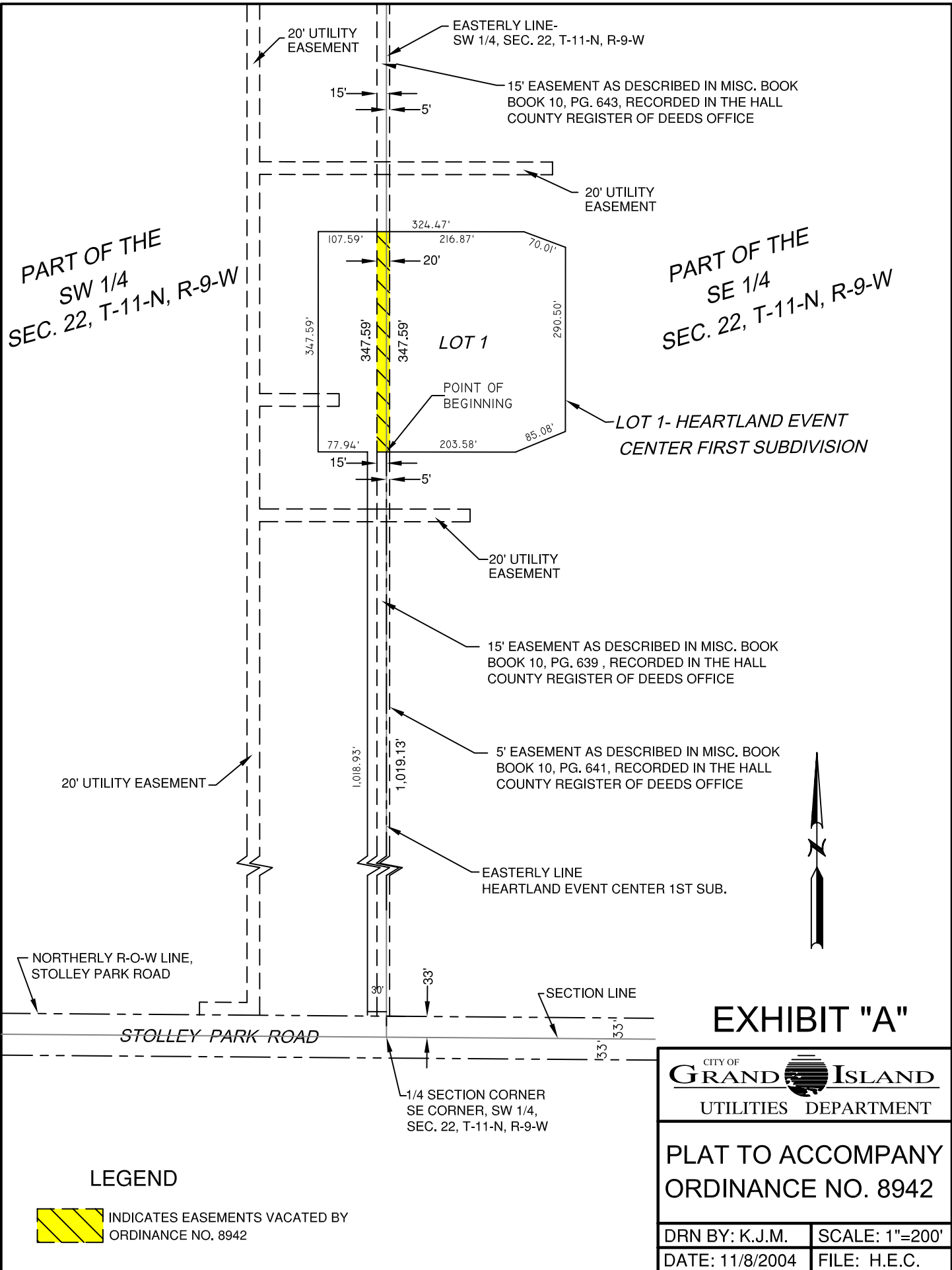
1. Approve the vacation of the utility easement
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council approve the resolution for the vacation of the easement.

## **Sample Motion**

Approve the vacation of the Utility Easement across Lot 1.



20' UTILITY EASEMENT

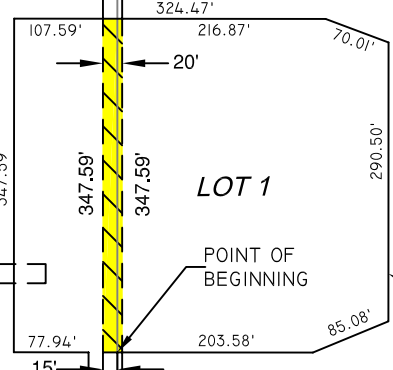
EASTERLY LINE- SW 1/4, SEC. 22, T-11-N, R-9-W

15' EASEMENT AS DESCRIBED IN MISC. BOOK BOOK 10, PG. 643, RECORDED IN THE HALL COUNTY REGISTER OF DEEDS OFFICE

20' UTILITY EASEMENT

PART OF THE SW 1/4 SEC. 22, T-11-N, R-9-W

PART OF THE SE 1/4 SEC. 22, T-11-N, R-9-W



LOT 1- HEARTLAND EVENT CENTER FIRST SUBDIVISION

20' UTILITY EASEMENT

15' EASEMENT AS DESCRIBED IN MISC. BOOK BOOK 10, PG. 639, RECORDED IN THE HALL COUNTY REGISTER OF DEEDS OFFICE

5' EASEMENT AS DESCRIBED IN MISC. BOOK BOOK 10, PG. 641, RECORDED IN THE HALL COUNTY REGISTER OF DEEDS OFFICE

20' UTILITY EASEMENT

EASTERLY LINE HEARTLAND EVENT CENTER 1ST SUB.



NORTHERLY R-O-W LINE, STOLLEY PARK ROAD

STOLLEY PARK ROAD

SECTION LINE

1/4 SECTION CORNER SE CORNER, SW 1/4, SEC. 22, T-11-N, R-9-W

**EXHIBIT "A"**

CITY OF GRAND ISLAND UTILITIES DEPARTMENT

**PLAT TO ACCOMPANY ORDINANCE NO. 8942**

DRN BY: K.J.M. | SCALE: 1"=200'

DATE: 11/8/2004 | FILE: H.E.C.

\* This Space Reserved for Register of Deeds \*

ORDINANCE NO. 8942

An ordinance to vacate existing easements and rights-of-way located in 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 6<sup>th</sup> P.M. and in part of Heartland Event Center First Subdivision in the City of Grand Island, Hall County, Nebraska; to provide for filing this ordinance in the office of the Register of Deeds of Hall County; 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. That a part of the existing fifteen (15.0) foot wide easement and part of an adjacent five (5.0) foot wide easement located in part of Lot One (1) Heartland Event Center First Subdivision, being located in 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 6<sup>th</sup> P.M., in the City of Grand Island, Hall County, Nebraska; said easements being described in Miscellaneous Book 10, Page 639; Miscellaneous Book 10, Page

Approved as to Form    ☐ \_\_\_\_\_  
November 18, 2004    ☐ City Attorney

ORDINANCE NO. 8942 (Cont.)

641; and Miscellaneous Book 10, Page 643 as recorded in the Hall County Register of Deeds office. The boundaries of the easements and rights-of-way to be vacated being more particularly described as follows:

Referring to the Southeast corner of the Southwest Quarter (SW 1/4), Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West; thence northerly along the easterly line of said Southwest Quarter (SW 1/4), a distance of thirty three (33.0) feet to a point on the northerly right-of-way line of Stolley Park Road, said point also being a southwesterly corner of Heartland Event Center First Subdivision; thence continuing northerly along the easterly line of said Southwest Quarter (SW 1/4) and being an easterly line of said Heartland Event Center First Subdivision, a distance one thousand nineteen and thirteen hundredths (1,019.13) feet to the ACTUAL Point of Beginning; thence easterly along a southerly line of said Heartland Event Center First Subdivision, a distance of five (5.0) feet; thence northerly and parallel with the easterly line of said Southwest Quarter (SW 1/4), a distance of three hundred forty seven and fifty nine hundredths (347.59) feet to a point on the northerly line of said Heartland Event Center First Subdivision; thence westerly along the northerly line of said Heartland Event Center First Subdivision, a distance of twenty (20.0) feet; thence southerly and parallel with the easterly line of said Southwest Quarter (SW 1/4), a distance of three hundred forty seven and fifty nine hundredths (347.59) feet; thence easterly a distance of fifteen (15.0) feet to the said Point of Beginning; as shown on the plat dated November 8, 2004, attached hereto and incorporated herein by reference.

SECTION 2. The title to the property vacated by Section 1 of this ordinance shall revert to the owner or owners of the real estate abutting the same in proportion to the respective ownership of such real estate.

SECTION 3. This ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen days in one issue of the Grand Island Independent as provided by law.

ORDINANCE NO. 8942 (Cont.)

Enacted: November 23, 2004.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item F2

**#8943 - Consideration of Changes to the Grand Island Zoning Map for Lots 1 & 2, Block 1, Academy Heights Subdivision Located South of Capital Avenue and West of Hancock Avenue from R2 Low Density Residential to RD Residential Development**

*This item relates to the aforementioned Public Hearing Item E-1, Consent Items G-3 and G-4.*

Staff Contact: Chad Nabity

ORDINANCE NO. 8943

An ordinance rezoning certain tracts of land within the zoning jurisdiction of the City of Grand Island; changing the land use classification of a tract of land comprising of Lots One (1) and Two (2), Block One (1), Academy Heights Subdivision in the city of Grand Island, Hall County, Nebraska, from R2-Low Density Residential Zone to RD-Residential Development Zone; directing the such zoning change and classification be shown on the Official Zoning Map of the City of Grand Island; amending the provisions of Section 36-7; and providing for publication and an effective date of this ordinance.

WHEREAS, the Regional Planning Commission on November 3, 2004, held a public hearing and made a recommendation on the proposed zoning of such area; and

WHEREAS, notice as required by Section 19-923, R.R.S. 1943, has been given to the Boards of Education of the school districts in Hall County, Nebraska; and

WHEREAS, after public hearing on November 23, 2004, the City Council found and determined the change in zoning be approved and made.

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

SECTION 1. The following tract of land is hereby rezoned and reclassified and changed from R2-Low Density Residential Zone to RD-Residential Development Zone:

All of Lots One (1) and Two (2), Block One (1), Academy Heights Subdivision in the city of Grand Island, Hall County, Nebraska. Said tract contains 2.082 acres, more or less.

SECTION 2. That the Official Zoning Map of the City of Grand Island, Nebraska, as established by Section 36-51 of the Grand Island City Code be, and the same is, hereby ordered to be changed, amended, and completed in accordance with this ordinance.

ORDINANCE NO. 8943 (Cont.)

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

Enacted: November 23, 2004.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item F3

**#8944 - Consideration of Issuing Building Bonds for Heartland Events Center, Second Addendum to the Lease Purchase Agreement, Management Agreement and Parking Rights and Access Agreement**

Staff Contact: David Springer

# **Council Agenda Memo**

**From:** Douglas R. Walker, City Attorney

**Meeting:** November 23, 2004

**Subject:** Ordinance Approving the Second Addendum to the Lease Purchase Agreement on the Trust Indenture and Security Agreement, Management Contract Parking Rights Agreement, Bond Purchase Agreement, Appraisal, Accepting Title and Making Determinations with Respect to Municipal Bonds to be Issued

**Item #'s:** F-3

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

## **Background**

On October 9, 2001, the City entered into a Lease Purchase Agreement with the Fonner Park Exposition and Events Center, also known as Heartland. This Lease Purchase Agreement was subsequently amended by an Addendum dated August 26, 2003. Fonner Park has now raised the funds and has obtained a letter of credit assuring that funding will be available for construction of the Events Center when these funds are added to the City's commitment of \$7,500,000 to the project. To proceed with the Heartland Events Center project several agreements need to be approved by the City Council, which is the subject of this ordinance.

## **Discussion**

An amendment to the original Lease Purchase Agreement is necessary to make provisions related to the financing and insuring of the bonded indebtedness to be issued by the City. In addition to the Second Addendum to the Lease Purchase Agreement, the Council also needs to accept the real estate title from Fonner Park for the land on which the Events Center will be constructed. In addition the Council needs to approve the appraisal that was recently done by Bill Fischer for the land as well as for the building when it is constructed. In addition to these actions, the ordinance will also include language in which the Council will approve the Trust Indenture and Security Agreement for the bonded indebtedness, approve a Management Contract between the City and Heartland, approve a Parking Rights Agreement between the City and Fonner Park,

approve the terms of a Bond Purchase Agreement between the City and Ameritas and make certain determinations with respect to the bonds to be issued under the Indenture Agreement.

City staff has been involved in negotiating these various agreements and taking steps to assure that the transfer of title to the real estate is handled properly. With the completion of these documents and with Council approval for the City to enter into these documents and to issue the bonds for funding the Heartland project, the Events Center will be able to proceed.

### **Alternatives**

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

1. Move to approve the ordinance to permit the Heartland Events Center project to proceed.
2. Do not approve the ordinance which would not permit the Heartland Events Center project to proceed.
3. Postpone taking action on the issue which would stop the project until further action was taken to approve the agreements authorized by the ordinance.
4. Take no action on the issue

### **Recommendation**

City Administration recommends that the Council approve the ordinance which would enable the City to enter into the necessary agreements and authorize the issuance of bonds so that the Heartland Events Center project can proceed.

### **Sample Motion**

Motion to approve the ordinance as drafted.

## **Ordinance No. 8944**

AN ORDINANCE PROVIDING FOR THE PURCHASE AND LEASING OF AN AGRICULTURAL EXPOSITION AND EVENTS CENTER FOR THE CITY OF GRAND ISLAND; AUTHORIZING EXECUTION AND DELIVERY OF A SECOND ADDENDUM TO LEASE PURCHASE AGREEMENT WITH FONNER PARK EXPOSITION AND EVENTS CENTER, INC., AMENDING AND CONFIRMING THE TERMS OF A LEASE PURCHASE AGREEMENT PREVIOUSLY ENTERED INTO, RELATING TO THE CONSTRUCTION AND ACQUISITION OF SAID EVENTS CENTER FOR USE BY THE CITY OF GRAND ISLAND, NEBRASKA; APPROVING THE EXECUTION OF DOCUMENTS WITH RESPECT TO SAID SECOND ADDENDUM; PROVIDING FOR THE ACCEPTANCE OF TITLE; APPROVING AN APPRAISAL; APPROVING THE TERMS OF A TRUST INDENTURE AND SECURITY AGREEMENT; APPROVING A MANAGEMENT CONTRACT AND PARKING RIGHTS AND ACCESS AGREEMENT; MAKING CERTAIN DETERMINATIONS WITH RESPECT TO BONDS TO BE ISSUED UNDER SUCH INDENTURE; APPROVING THE TERMS OF A BOND PURCHASE AGREEMENT; AND PROVIDING FOR THE PUBLISHING OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA (the "City") as follows:

Section 1. The Mayor and Council hereby find and determine: that the City has previously approved the execution and delivery of that Lease Purchase Agreement dated as of October 9, 2001 (the "Original Lease Purchase Agreement") by and between the City and Fonner Park Exposition and Events Center, Inc., ("Heartland"), a Nebraska nonprofit corporation, which agreement has been supplemented and amended by that Addendum to Lease Purchase Agreement dated August 26, 2003 (the "First Addendum" and together with the Original Lease Purchase Agreement, the "Existing Agreement"); that it is advisable and necessary to further supplement and amend the terms of the Existing Agreement in order to provide for the final agreed upon terms relating to the acquisition of a new agricultural exposition and events center to serve the City and its inhabitants (the "Project"); that Heartland has been formed under the Nebraska nonprofit corporation laws exclusively for purposes permitted by Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"); that the Existing Agreement provides for the construction and acquisition of the Project pursuant to the provisions of Section 19-2421, R.R.S. Neb. 1997; that it is necessary and advisable for the terms of the Existing Agreement be modified to set forth the payments required to be made by the City for the purchase of the Project and relating to the financing to be obtained for the Project by Heartland on behalf of the City; that the documents necessary for such purposes have been prepared and said documents should be approved and their execution authorized.

Section 2. The City of Grand Island shall enter into the Second Addendum to Lease Purchase Agreement to be dated as of December 1, 2004, with Heartland, modifying the terms of the Existing Agreement (the "Second Addendum" and together with the Existing Agreement, the "Agreement") and whereby Heartland will construct and acquire the Project in accordance with specifications approved by the City and with a set schedule of payments relating to the acquisition

of the Project and that the Second Addendum in the form presented at this meeting is hereby approved.

Section 3. The Mayor and City Clerk of the City be and they are hereby authorized and directed to execute and deliver on behalf of the City the Second Addendum, including any necessary counterparts, in substantially the form and content as presented to this meeting, but with such changes or modifications therein as to them seem necessary, desirable or appropriate on behalf of the City; and said Mayor and City Clerk are further authorized and directed to execute and deliver any other documents or certificates and to do all other things necessary or appropriate in connection with the Agreement.

Section 4. The Mayor and Council hereby approve the formation of Heartland, including the Articles of Incorporation and Bylaws thereof and the five directors thereof; and further approve the Trust Indenture and Security Agreement, dated as of December 1, 2004, (the "Indenture") from Heartland in favor of Wells Fargo Bank, National Association, under which Building Bonds (Heartland Events Center Project), Series 2004, in the aggregate principal amount of \$7,720,000 (the "Building Bonds") are to be issued, and the City hereby approves the issuance of the Building Bonds, in such principal amount and bearing interest as set forth in the Indenture and the sale of said bonds to Ameritas Investment Corp. (the "Underwriter") in accordance with the terms of a Bond Purchase Agreement dated November 23, 2004 (the "Bond Purchase Agreement"), at the price of \_\_\_\_\_% of the principal amount thereof plus accrued interest to the date of purchase and with an additional deduction for the payment by the Underwriter of bond insurance premium, is hereby approved. The Mayor is hereby further authorized to sign the approval form on the Bond Purchase Agreement on behalf of the City and to approve at the time of closing of the purchase of the Building Bonds the final form of the Indenture.

Section 5. In connection with the execution and delivery of the Second Addendum and the issuance by Heartland of the Building Bonds, the following determinations and approvals are hereby made by the Mayor and Council:

(a) The Complete Narrative Appraisal Report of Heartland Events Center dated November 8, 2004 made by William C. Fischer, MAI #4722 is hereby approved in accordance with Section 13-403, R.R.S. Neb. 1997.

(b) The City hereby declares, as provided in the Agreement, that it will take title to the Project (including additions) when the Building Bonds are discharged.

(c) The terms of the Second Addendum approving the Construction Contract (as defined in the Second Addendum) and the payment and performance bonds provided thereunder are hereby approved and authorized.

(d) The designation in the Indenture of Hugh Miner to act as Project Manager (as defined in the Indenture) is hereby approved.



Section 6. The Mayor and Council hereby state that it is the intention of the City that interest on the Building Bonds issued by Heartland shall be excludable from gross income under the federal income tax by virtue of Section 103 of the Code and Revenue Ruling 63-20 and Revenue Procedure 82-26 of the Internal Revenue Service and the Mayor and Council hereby authorize the Mayor, the City Clerk and the City Treasurer (Finance Director) (or any one of more of them) to take all actions necessary or appropriate to carry out said intention and for obtaining such interest exclusion. The City hereby covenants with Heartland for the benefit of the purchasers and holders of the Building Bonds that it will make no use of the proceeds of said issue, including monies held in any sinking fund for the payments set forth in the Second Addendum or principal and interest on the Building Bonds, which would cause the Building Bonds to be arbitrage bonds within the meaning of Section 103 and 148 and other related sections of the Code and further covenants to comply with said Sections 103 and 148 and related sections and all applicable regulations thereunder throughout the term of said issue, including all requirements with respect to reporting and payment of rebates, if applicable. The Building Bonds, as issued on behalf of the City are hereby designated by the City as “qualified tax-exempt obligations” under Section 265(b)(3)(B)(i)(III) of the Code and the City in connection with entering into the Agreement hereby covenants and warrants that it does not anticipate issuance directly by it or on its behalf of tax-exempt bonds or other tax-exempt interest bearing obligations in an amount exceeding \$10,000,000 in calendar 2004 (taking into consideration the exception for current refunding issues).

Section 7. The Mayor and Council hereby approve the Preliminary Official Statement dated November 12, 2004 with respect to the Building Bonds and hereby authorize the Mayor to approve the final Official Statement for the Building Bonds with appropriate changes to reflect the final terms for the Building Bonds as sold pursuant to the Bond Purchase Agreement.

Section 8. In connection with the City’s rights relating to the Project as provided for in the Agreement, the execution and delivery on behalf of the City are hereby authorized with respect to the following agreements:

(a) Management Contract between the City and Heartland providing for Heartland to manage the Project for the City (the “Management Contract”) and

(b) Parking Rights and Access Agreement among Hall County Livestock Improvement Association, Heartland and the City (the “Parking Rights and Access Agreement”).

The Mayor and City Clerk of the City be and they are hereby authorized and directed to execute and deliver the Management Contract and the Parking Rights and Access Agreement, including any necessary counterparts, each in substantially the form and content as presented to this meeting, but with such changes or modifications therein as to them seem necessary, desirable or appropriate on behalf of the City.

Section 9. This Ordinance shall be in force and take effect from and after its publication as provided by law.

Passed and approved this 23rd day of November, 2004.

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Mayor

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City Clerk

DOCS/640473.2



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G1

### **Approving Minutes of November 9, 2004 City Council Regular Meeting**

*The Minutes of November 9, 2004 City Council Regular Meeting are submitted for approval.  
See attached MINUTES.*

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

November 9, 2004

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on November 9, 2004. Notice of the meeting was given in the *Grand Island Independent* on November 3, 2004.

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

INVOCATION was given by Pastor Todd Bowen, Grace Covenant Church, 418 West 12<sup>th</sup> Street followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "American Education Week" November 15-19, 2004. Linda Reilly from Dodge Elementary School was present.

Proclamation "Veterans Appreciation Week" November 8-14, 2004. Richard Simpson, Chairman of the United Veteran's Club and several Veteran's in the audience were recognized.

PUBLIC HEARINGS:

Public Hearing on Request of Rona Kucera dba Flight Deck, 3773 Skypark Road, Suite 5 for Class "I" Liquor License. City Clerk RaNae Edwards reported that Rona Kucera dba Flight Deck, 3773 Skypark Road, Suite 5 had submitted an application with the City' Clerk's Office for a Class 'I' Liquor License which allows for the sale of alcoholic beverages on sale only 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 20, 2004; notice to the applicant of date, time, and place of hearing mailed on October 20, 2004; notice to the general public of date, time, and place of hearing published on October 30, 2004; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Request of Harold and Lois Hudiburgh dba Island Liquor, 222 West Stolley Park Road for Class "D" Liquor License. City Clerk RaNae Edwards reported that Harold and Lois Hudiburgh dba Island Liquor, 222 West Stolley Park Road had submitted an application with the City' Clerk's Office for a Class 'D' Liquor License which allows for the sale of alcoholic beverages off sale only 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 21, 2004; notice to the applicant of date, time, and place of hearing mailed on October 21, 2004; notice to the general public of date, time, and place of hearing published on October 30, 2004; and Chapter 4 of the City Code. Ms. Edwards recommended approval contingent upon final inspections. Tom Wagoner, Attorney for the Hudiburgh's spoke in support and was present to answer questions. No further public testimony was heard.

Public Hearing on Request of Hi Brand G.I. dba Old Chicago, 3404 West 13<sup>th</sup> Street for Class 'I' Liquor License. City Clerk RaNae Edwards reported that Hi Brand G.I. dba Old Chicago, 3404 West 13<sup>th</sup> Street had submitted an application with the City' Clerk's Office for a Class 'I' Liquor License which allows for the sale of alcoholic beverages on sale only 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 22, 2004; notice to the applicant of date, time, and place of hearing mailed on October 25, 2004; notice to the general public of date, time, and place of hearing published on October 30, 2004; and Chapter 4 of the City Code. Ms. Edwards recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 850 Allen Drive. (Platte Valley State Bank) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 850 Allen Drive 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 place high voltage underground cables and a pad-mounted transformer to serve the new bank. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at the West Edge of Fonner Park Parking Lot from Fonner Park Road to Stolley Park Road. (Hall County Livestock Improvement Association) Gary Mader, Utilities Director reported that acquisition of a utility easement located at the west edge of Fonner Park Parking Lot was required in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The addition of the new Heartland Events Center building would require the relocation of electric and water lines. No public testimony was heard.

Public Hearing on Acquisition of Real Estate Located at 1216 West 2<sup>nd</sup> Street. (Grand Island Public Library Foundation, Inc.) Doug Walker, City Attorney reported that the Grand Island Library Foundation had begun acquiring property in the block west of the city library for use in expanding the library facility. The Library Foundation was donating the property located at 1216 West 2<sup>nd</sup> Street to the City of Grand Island. No public testimony was heard.

Public Hearing on Acquisition of Real Estates Located as Lot 1, Heartland Event Center First Subdivision. (Fonner Park Exposition and Events Center, Inc.) Doug Walker, City Attorney reported that as part of the Lease Purchase Agreement between the City of Grand Island and Fonner Park Exposition and Event Center, Inc., the city was to receive the tract of real estate west of the Fonner Park grandstand on which the Heartland Event Center would be constructed.

Once all payments had been made the city would receive full legal title. 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:

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

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

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 Cornelius seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Motion was made by Pielstick, second by Cornelius to approve Ordinances #8940 and #8941.

City Clerk: Ordinances #8940 and #8941 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 #8940 and #8941 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 #8940 and #8941 are declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of October 26, 2004 City Council Regular Meeting.

Approving Minutes of November 2, 2004 City Council Study Session.

Approving the Reappointment of Nadine Matthews to the Animal Advisory Board.

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

Approving Request of Harold and Lois Hudiburgh dba Island Liquor, 222 West Stolley Park Road for a Class “D” Liquor License.

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

Approving Request of Michelle Vanluchene, 1308 Birch Street, Aurora, Nebraska for Liquor Manager Designation for Old Chicago, 3404 West 13<sup>th</sup> Street.

#2004-278 - Approving Contract for Vending Machine Services at City Hall with VVS, Inc. of Cozad, Nebraska.

#2004-279 - Approving Acquisition of Utility Easement Located at 850 Allen Drive. (Platte Valley State Bank)

#2004-280 - Approving Acquisition of Utility Easement Located Along the West Edge of Fonner Park Parking Lot from Fonner Park Road to Stolley Park Road. (Hall County Livestock Improvement Association)

#2004-281 - Approving Award of RFP for Emergency Response Agreement with Haz-Mat Response, Inc. of Olathe, Kansas.

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

#2004-283 – Approving Acquisition of Real Estate Located at 1216 West 2<sup>nd</sup> Street. (Grand Island Public Library Foundation, Inc.)

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

#2004-285 – Approving Agreement with Olsson Associates for Engineering Consulting Services for Widening of Capital Avenue West of US Highway 281 in an Amount not to exceed \$139,210.00.

#2004-286 – Approving Time Extension of November 5, 2004 to the Contract with The Diamond Engineering Company for Construction of Street Improvement District 1253, Island Circle, West of Webb Road, in Lacy Subdivision.

#2004-287 – Approving State Bid for Tractor Loader Backhoe for the Street & Transportation Division with Logan Contractors Supply, Inc. of Omaha, Nebraska in an Amount of \$56,205.74.

#2004-288 – Approving Bid Award for Stuhr Hike/Bike Trail Construction with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$137,463.25.

#2004-289 – Approving Contract for Site & Needs Study for the Fire Department with RDG Schutte Wilscam Dirge, Inc. of Omaha, Nebraska in an Amount not to exceed \$21,000.00.

#2004-290 – Approving Purchase of a Mail Machine and Inserter and Postage Machine from State Bid, and Maintenance Contract with Pitney Bowes, Inc. of Omaha, Nebraska in an Amount of \$42,256 for Purchase of Mail Machine and Inserter ; \$1,008.00 Annual Rental for Postage Meter; and \$4,376.00 Annual Rate for Maintenance Contract.

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

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

#2004-225 – Approving Bid Award for Well Field Wells #2, 3, 10 an 11 Enclosures at Platte River Well Field with Steel Crafters, Inc. of Grand Island, Nebraska in an Amount not to exceed \$67,309.00.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase to approve the Claims for the period of October 27, 2004 through November 9, 2004, for a total amount of \$2,403,517.60. Motion adopted. Councilmember Pielstick abstained from Claim #83977 and Councilmember Hornady abstained from Claims #83728 and #83729.

ADJOURNMENT: The meeting was adjourned at 7:25 p.m.

RaNae Edwards  
City Clerk





# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G2

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

*The Minutes of November 16, 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 16, 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 16, 2004. Notice of the meeting was given in the Grand Island Independent on November 10, 2004.

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

Mayor Communication: Mayor Vavricek commented on the following:

- Police Officer Steve Rathman's convalescence at St. Francis and the Coin Drive on his behalf from a hit and run motor vehicle accident.
- Homecoming for LCpl Marcus Martinez on Friday, November 19, 2004 at Central Plains Chapter of the Red Cross.
- Saturday, November 20, 2004 Fine Arts Performance at College Park.
- Recognized Councilmember Bob Meyer, Fred Whitesides, and Don Pauly who served in the Armed Forces.

Presentation of Aquatic Study: Steve Paustian, Parks and Recreation Director reported that in June, 2004 the City Council entered into an agreement with The C.T. Brannon Corporation of Tyler, Texas to prepare a study of aquatic facilities in Grand Island. Mr. Paustian introduced Calvin "Terry" Brannon, Aquatic Consultant with The C.T. Brannon Corporation.

Mr. Brannon complemented the City on the water park and that the City was on the leading edge of these types of facilities. Presented were the findings of the study. The study was broken down into the following phases:

- Facility Inventory
- Public Participation
- Needs Assessment
- Construction Methods
- None Construction Methods

The following specific needs were presented and discussed:

Lincoln Pool – pool is obsolete in its design and poorly attended, but has broad community support in the Lincoln Park neighborhood. Recommended keeping open thru 2005, replace with

modern pool, add the following features: shade, play features, children's play, zero entry, new bath house.

Island Oasis – recommended an ambitious ten year plan with new features, remove outdated features, and expand. Expansion ideas included addition of a children's water park with children's themes, a thrill ride called a Master Blaster, a roller coaster tube slide, additional restroom facilities, addition of a large group pavilion, multi-level play area, add bowl slide, and a lagoon pool suitable for median to older adults.

Capital Heights – recommended immediate creation of a joint facilities committee to advance the idea of a common facility for housing recreation needs in addition to therapeutic, leisure, and competition aquatics. Recommended the facility be furnished with two or more indoor pools and an outdoor leisure pool.

L.E. Ray Lake – recommended swimming be suspended and the facility be developed as a recreational area with RV camping, pad camping, picnicking, walking trails, and fishing and boating. Recommended construction of an improved boat ramp and parking area for vehicles with boat trailers.

Pier Park, Grace Abbott Park, Stolley Park and Lincoln Park – recommended gradually converting the shallow, splash-wading pools to non-ponded splash play-grounds with appropriate interactive fountains and play platforms over the next 10 to 12 years.

Non-Structural Issues – recommendations to the staff on day-to-day management of the pools, especially with regard to marketing.

Discussed was the top priority of C.T. Brannon to fix Lincoln Pool with regards to the cloudy water caused by the filtration system. Neighborhood pools were discussed. Typically pools do not make money, but are a benefit to the citizens of the City.

Mr. Paustian commented that this issue would be brought back to Council for a decision of whether or not to follow this study and continue with a program for improving the aquatic facilities within the City.

Presentation of One and Five Year Plan for Sidewalk Installation: Steve Riehle, Public Works Director reported that City staff reviewed maps using the Geographic Information System that showed areas having sidewalks and areas lacking sidewalks. The review concentrated on pedestrian traffic generators, in fill gaps, and walks along busy streets.

Mr. Riehle stated staff could administer approximately 25,000 feet of sidewalk each year or approximately 150 properties. With 619,041 feet of sidewalk remaining, it would take 20 to 25 additional years to complete.

Reviewed were the major areas for sidewalk in the One and Five Year Plan. Mr. Riehle stated the intent was to bring this issue to a future council meeting for the approval of the proposed 2005 and 2006 Sidewalk Plan. It was the consensus of Council to bring back the 2005 and 2006

Sidewalk Plan for Council approval at the November 23, 2004 City Council Regular meeting. Discussion was held concerning water and sewer services and widening Capital Avenue and the installation of sidewalks. It was recommended that a sidewalk on one side of the street in all areas of Grand Island be encouraged.

City Administrator Gary Greer recommended giving residents six months instead of one year to put in their sidewalks. Several Councilmembers commented against shortening the time frame. Also discussed was the cost of sidewalks which was between \$8.00 - \$10.00 per running foot if installed by a contractor and half that cost if the homeowner did the work themselves. Chad Naby, Regional Planning Director commented on the size of lots. It was suggested that Public Works send letters to those homeowners a year or two in advance to let them know when sidewalks would be required. Craig Lewis, Building Department Director commented that regulations required new construction to put in sidewalks.

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

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G3

### Approving Preliminary Plat for Via Milano Subdivision

*This item relates to the aforementioned Public Hearing Item E-1, Ordinance Item F-2 and Consent Agenda Item G-4.*

Staff Contact: Chad Nabity



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G4

### **#2004-293 - Approving Final Plat and Development Agreement for Via Milano Subdivision**

*This item relates to the aforementioned Public Hearing Item E-1, Ordinance Item F-2, and Consent Agenda Item G-3.*

Staff Contact: Chad Nabity

R E S O L U T I O N 2004-293

WHEREAS, T.C. Enck Builders, Inc., a Nebraska corporation, as owner, has caused to be laid out into lots, a tract of land comprising all of Lots One (1) and Two (2), Block One (1), Academy Heights Subdivision, in the City of Grand Island, Hall County, Nebraska, under the name of VIA MILANO 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 VIA MILANO 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.

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Adopted by the City Council of the City of Grand Island, Nebraska, November 23, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 18, 2004	☐ City Attorney



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G5

**#2004-294 - Approving Creation of a Public Building Commission**

Staff Contact: Doug Walker



# Council Agenda Memo

**From:** Douglas R. Walker, City Attorney  
**Meeting:** November 23, 2004  
**Subject:** Grand Island Facilities Corporation  
**Item #'s:** G-5  
**Presenter(s):** Douglas R. Walker, City Attorney

## Background

At the election on May 11, 2004, the voters approved an additional one-half cent sales tax for the City of Grand Island. The measure mentioned several projects for which the additional sales tax revenue would be used, including an addition to the City Library, Fire Station #1, and a Law Enforcement Facility. To facilitate the construction of these facilities the City is proposing that a non-profit corporation be established.

## Discussion

Administration is recommending that the City establish the Grand Island Facilities Corporation. This corporation would be authorized to issue tax exempt bonds to construct facilities and would be authorized to do lease purchase arrangements with the City of Grand Island. The City would lease the facilities from the non-profit corporation and the lease payments would coincide with the payment of the bonded indebtedness. Once all of the bond payments were completed by the non-profit corporation, the City would then own the facility.

Establishing the non-profit corporation would create several advantages for the City. One advantage would be that a subsequent vote of the people would not be required for the non-profit corporation to issue tax exempt bonds. The ballot language that was approved in May specifically mentioned that the Library, Fire Station #1, and Law Enforcement Center were projects for which the half cent sales tax revenues would be committed. Having further elections would create unnecessary delays and additional expenses.

Another advantage that the non-profit corporation may have is that it would have greater flexibility in contractual arrangements with contractors and other professionals in the building industry when making arrangements for the construction of the facilities. This should enhance the City's ability to contain costs on the facilities that would be built

using the additional sales tax monies by looking at other alternatives to the traditional design/bid/build process which could result in substantial savings when constructing public facilities.

### **Alternatives**

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

1. Approve the resolution creating the Grand Island Facilities Corporation.
2. Do not approve the resolution.
3. Do not take any action on the resolution.

### **Recommendation**

City Administration recommends approving the resolution establishing the Grand Island Facilities Corporation.

### **Motion**

Move to approve the resolution establishing the Grand Island Facilities Corporation.

R E S O L U T I O N 2004-294

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

1. The Mayor and Council hereby approve the formation of a not for profit corporation under the laws of the State of Nebraska with such corporation to be organized for the purpose of assisting and promoting in the development of public facilities to be used by the City of Grand Island, Nebraska, in the furtherance of its governmental functions.
2. The proposed form of Articles of Incorporation and Bylaws for said corporation as presented to this meeting are hereby approved. The following persons who are to serve as initial directors are hereby approved:

<u>Name</u>	<u>Address</u>	<u>Initial Term</u>
Kirk Ramsey	813 E. Sunset, Grand Island	3 years
Terry Loschen	2101 Stagecoach Road, Grand Island	3 years
Tom Graves	1915 W. Anna, Grand Island	2 years
Dee Price	172 Ponderosa, Grand Island	2 years
Roger Bullington	1809 S. Harrison, Grand Island	1 year

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Adopted by the City Council of the City of Grand Island, Nebraska, November 23, 2004.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G6

**#2004-295 - Approving Bid Award - Tree Trimming Contract 2005-  
TT-1**

Staff Contact: Gary R. Mader;Dale Shotkoski

# Council Agenda Memo

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

**Meeting:** November 23, 2004

**Subject:** Bid Award – Tree Trimming Contract 2005-TT-1

**Item #'s:** G-6

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

## Background

Proper clearance between trees and power lines is very important to the safe operation and maintenance of the City's electric system. The Utilities Department has one crew dedicated to Right-of-Way maintenance and also uses the services of contractors when necessary to maintain line clearance over the nearly 500 miles of distribution and transmission lines. Specifications for Contract 2005-TT-1, have been prepared for private contractors to provide tree trimming services for the clearances needed for reliable electrical service.

## Discussion

The specifications provide for the City to select any or all sections to be awarded in this contract, and to award to a single Contractor for all sections, or award to multiple Contractors by individual section, whichever provides the best overall contact price.

The project was publicly advertised and specifications were sent to seven (7) potential bidders. The bids were publicly opened at 11:00 am on November 10, 2004 in accordance with City Procurement Codes. Three (3) bids were received and have been checked and evaluated. A tabulation of the bids received is listed below:

<u>Section Number</u>	<u>Tom's Tree Service Grand Island, NE</u>	<u>Sheffield Tree Service Grand Island, NE</u>	<u>Wright's Tree Service, Inc Des Moines, IA</u>
1	No Bid	No Bid	\$18,432.00
2	\$3,500.00	\$6,950.00	\$ 7,760.00
3	\$6,500.00	No Bid	\$15,440.00
4	\$3,600.00	\$6,500.00	\$ 5,200.00
5	No Bid	\$7,200.00	\$10,880.00

<u>Section Number</u>	<u>Tom's Tree Service Grand Island, NE</u>	<u>Sheffield Tree Service Grand Island, NE</u>	<u>Wright's Tree Service, Inc Des Moines, IA</u>
6	No Bid	\$8,500.00	\$16,250.00
7	\$2,400.00	No Bid	\$ 2,613.00
8	No Bid	No Bid	\$10,100.00
9	No Bid	No Bid	\$10,171.75
10	\$4,400.00	\$16,500.00	\$ 5,822.50
11	No Bid	No bid	\$13,200.00
12	No Bid	No Bid	\$20,800.00
13	\$2,300.00	\$3,500.00	\$ 8,910.00
14	No Bid	No Bid	\$ 8,375.00
15	\$7,000.00	No Bid	\$ 6,750.00
16	\$3,000.00	No Bid	\$ 5,100.00
17	\$4,200.00	No Bid	\$ 5,150.00

The combination of the lowest recommended bids is \$133,428.75, and is below the Engineer's estimate of \$150,000.00. All bids are without exceptions and meet City Contract requirements. Funds were budgeted for FY 2004-2005 for this contract work.

### **Alternatives**

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

1. Move to approve Tree Trimming Contract 2005-TT-1 per section to the individual low bidders for each section
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 Council award Sections: 2, 3, 4, 7, 10, 13, 16, and 17 to Tom's Tree Service in the amount of \$29,900.00; award Sections 5 and 6 to Sheffield Tree Service in the amount of \$15,700.00; and award Sections 1, 8, 9, 11, 12, 14, and 15 to Wright Tree Service, Inc. in the amount of \$87,828.75.

### **Sample Motion**

Move to approve award of Tree Trimming Contract 2005-TT-1, per section, to the individual low bidder for each section.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** November 10, 2004 at 11:00 a.m.  
**FOR:** Tree Trimming Contract 2005-TT-1  
**DEPARTMENT:** Utilities  
**ESTIMATE:** \$150,000.00  
**FUND/ACCOUNT:** E520  
**PUBLICATION DATE:** October 21, 2004  
**NO. POTENTIAL BIDDERS:** 7

**SUMMARY**

<b>Bidder:</b>	<b><u>Tom's Tree Service</u></b>	<b><u>Sheffield Tree Service</u></b>	<b><u>Wright Tree Service, Inc.</u></b>
	Grand Island, NE	Grand Island, NE	Grand Island, NE
<b>Bid Security:</b>	Cashier's Check	Western Surety Co.	Merchants Bonding Co.
<b>Exceptions:</b>	None	None	None
<b>Bid Price:</b>			
Section 1	No Bid	No Bid	\$18,432.00
Section 2	\$3,500.00	\$6,950.00	\$ 7,760.00
Section 3	\$6,500.00	No Bid	\$15,440.00
Section 4	\$3,600.00	\$6,500.00	\$ 5,200.00
Section 5	No Bid	\$7,200.00	\$10,880.00
Section 6	No Bid	\$8,500.00	\$16,250.00
Section 7	\$2,400.00	No Bid	\$ 2,613.00
Section 8	No Bid	No Bid	\$10,100.00
Section 9	No Bid	No Bid	\$10,171.75
Section 10	\$4,400.00	\$16,500.00	\$ 5,822.50
Section 11	No Bid	No Bid	\$20,800.00
Section 13	\$2,300.00	\$3,500.00	\$ 8,910.00
Section 14	No Bid	No Bid	\$ 8,375.00
Section 15	\$7,000.00	No Bid	\$ 6,750.00
Section 16	\$3,000.00	No Bid	\$ 5,100.00
Section 17	\$4,200.00	No Bid	\$ 5,150.00

R E S O L U T I O N    2004-295

WHEREAS, the City of Grand Island invited bids for Tree Trimming Project 2005-TT-1 for the Utilities Department, according to the plans and specifications on file with the Utility Engineering Office; and

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

WHEREAS, the requested work has been divided into 17 sections in order to achieve the best and lowest cost, and to expedite the completion of the work; and

WHEREAS, Tom's Tree Service of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$29,900 for Sections 2, 3, 4, 7, 10, 13, 16, and 17 of the contract; and

WHEREAS, Sheffield Tree Service of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$15,700 for Sections 5 and 6 of the contract; and

WHEREAS, Wright Tree Service, Inc. of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$87,828.75 for Sections 1, 8, 9, 11, 12, 14, and 15 of the contract; and

WHEREAS, the combined total of the lowest bids for the above-listed seventeen sections is less than the engineer's estimate for said project.

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

1.       The bid of Tom's Tree Service of Grand Island, Nebraska, in the amount of \$29,900 for Sections 2, 3, 4, 7, 10, 13, 16 and 17 of Tree Trimming Project 2005-TT-1 is hereby approved as the lowest responsive bid submitted for those sections.

2.       The bid of Sheffield Tree Service of Grand Island, Nebraska, in the amount of \$15,700 for Sections 5 and 6 of Tree Trimming Project 2005-TT-1 is hereby approved as the lowest responsive bid submitted for those sections.

3.       The bid of Wright Tree Service, Inc. of Grand Island, Nebraska, in the amount of \$87,828.75 for Sections 1, 8, 9, 11, 12, 14, and 15 of Tree Trimming Project 2005-TT-1 is hereby approved as the lowest responsive bid submitted for those sections.

Approved as to Form    ✕ _____ November 18, 2004      ✕ City Attorney
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4. A contract for such project be entered into between the City and such contractors; and that the Mayor is hereby authorized and directed to execute such contract on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 23, 2004.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G7

**#2004-296 - Approving Bid Award for Water Main Project 2005-W-1 and Sanitary Sewer Project 2004-S-12**

Staff Contact: Gary R. Mader; Steve Riehle; Dale Shotkoski

# Council Agenda Memo

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

**Meeting:** November 23, 2004

**Subject:** Bid Award – Water Main Project 2005-W-1 and Sanitary Sewer Project 2004-S-12 for the Heartland Events Center / Fonner Park

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

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

## Background

In association with the construction of the Heartland Event Center, the existing 12” water main in the area must be relocated. The proposed building’s construction would otherwise be over the top of the existing main. The relocation will also provide service to the new facility and provide increased fire protection to the Fonner Park grandstand area. Additionally, a sanitary sewer line needs to be extended to serve the Events Center.

In order to facilitate timely relocation of the water main, and extension of the sanitary sewer line to the area, a combined contract between the Utilities Department and the Public Works Department, was prepared and bids solicited.

Attached for reference, is a drawing showing the project area.

## Discussion

The combined water main / sanitary sewer contract specified it be awarded to a single bidder for both infrastructure extensions.

The bid package was advertised in accordance with the City Procurement Code and was submitted to five potential contractors, to suppliers, and to plan service agencies. The bids were publicly opened at 11:00 am. on November 16, 2004. Three bids were received and have been checked and evaluated. A tabulation of the bids is listed below:

BIDDER:	Diamond Engineering Co. Grand Island, NE	Starostka Group Unlimited, Inc. Grand Island, NE	General Excavating Lincoln, NE
EXCEPTIONS:	None	Yes Conc. vs asph. surfacing	None
WATER BID:	\$124,734.66	\$131,644.45	\$210,800.00
SEWER BID:	<u>\$ 64,950.10</u>	<u>\$ 60,249.27</u>	<u>\$154,827.40</u>
TOTAL BID:	\$189,684.76	\$191,893.72	\$365,627.40

All three bids received have been reviewed and evaluated. The low bid from Diamond Engineering, in the amount of \$189,684.76, is complete and without exceptions. Their bid is below the engineer's estimate of \$236,003.00 and meets all City contract requirements. This is to be a City owned facility. Construction funds are available in the Capital Projects Fund; Construction Line 40015025.90005.

### **Alternatives**

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

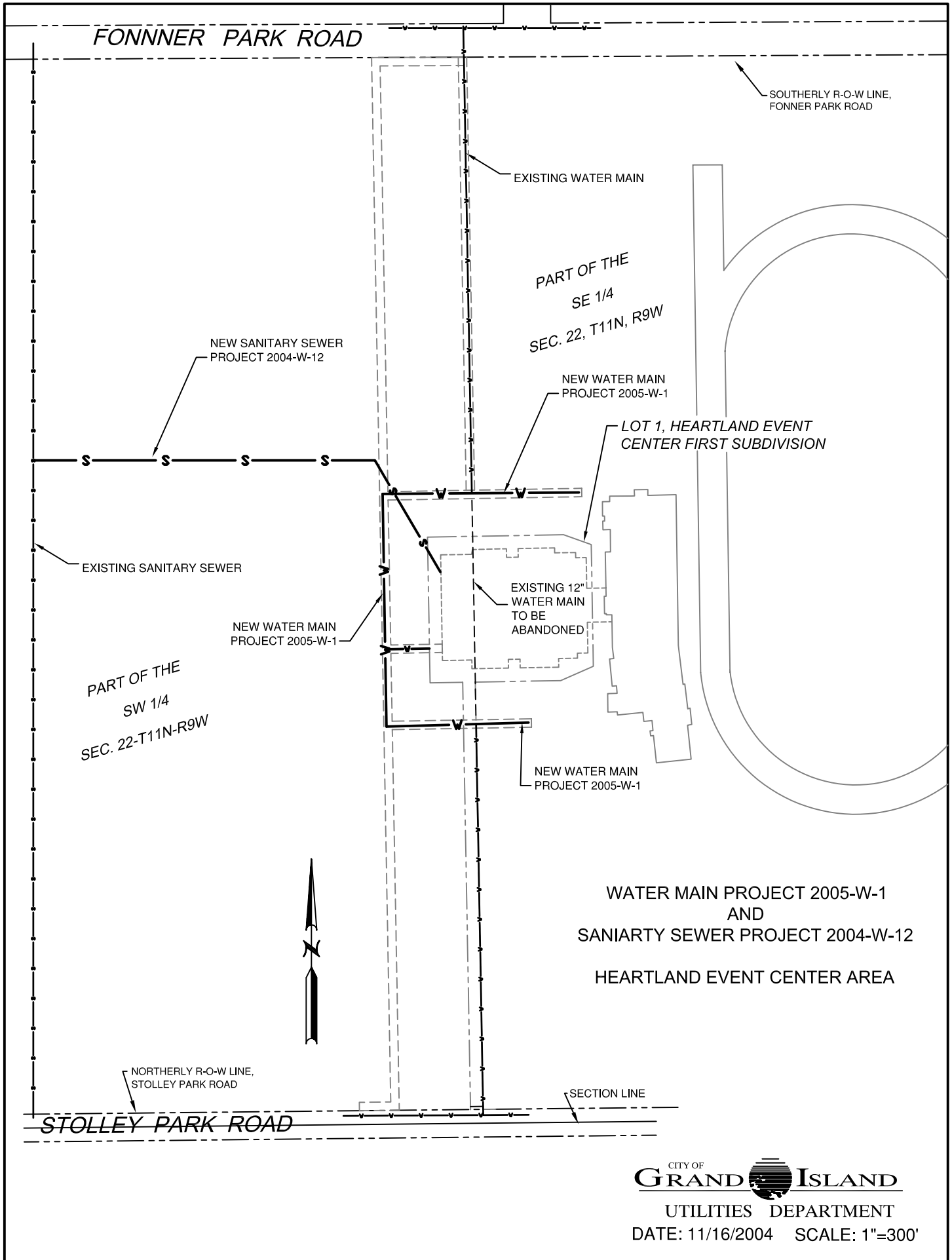
1. Move to approve the joint water – sewer contract for Water Main Project 2005-W-1 and Sanitary Sewer Project 2004-S-12, to the low bidder
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **Recommendation**

City Administration recommends that the Council approve the award of Water Main Project 2005-W-1 and Sanitary Sewer Project 2004-S-12 to the Diamond Engineering Company.

### **Sample Motion**

I move to award the contract for Water Main Project 2005-W-1 and Sanitary Sewer Project 2004-S-12 to the Diamond Engineering Company of Grand Island, NE.





Dale M. Shotkoski, Assistant City Attorney

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Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** November 16, 2004 at 11:00 a.m.

**FOR:** Water Main Project 2005-W-1 and Sanitary Sewer Project 2004-S-12

**DEPARTMENT:** Utilities & Public Works

**ESTIMATE:**

Water	\$150,000.00
Sewer	<u>\$ 86,003.00</u>
Total	\$236,003.00

**FUND/ACCOUNT:** E525 and 530.00.53092.5213

**PUBLICATION DATE:** November 4, 2004

**NO. POTENTIAL BIDDERS:** 5

**SUMMARY**

<b>Bidder:</b>	<u>The Diamond Engineering Co.</u> Grand Island, NE	<u>Starostka Group</u> Grand Island, NE
<b>Bid Security:</b>	Travelers Casualty & Surety Co.	Merchants Bonding Co.
<b>Exceptions:</b>	None	Noted
<b>Bid Price:</b>	\$189,684.76	\$191,893.72

<b>Bidder:</b>	<u>General Excavating</u> Lincoln, NE
<b>Bid Security:</b>	Universal Surety Co.
<b>Exceptions:</b>	None
<b>Bid Price:</b>	\$365,627.40

cc: Gary Mader, Utilities Director  
Pat Gericke, Utilities Admin. Sec.  
Steve Riehle, Public Works Director  
Gary Greer, City Administrator

Bob Smith, Assistant Utilities Director  
Tom Barnes, Eng. Manager  
Ben Thayer, WWTP Superintendent  
Danelle Collins, PW Admin. Sec.

Dale Shotkoski, Purchasing Agent

Laura Berthelsen, Legal Assistant

RESOLUTION 2004-296

WHEREAS, the City of Grand Island invited sealed bids for Water Main Project 2005-W-1 and Sanitary Sewer Project 2004-S-12, according to plans and specifications on file at the Utility Engineering Office at Phelps Control Center; and

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

WHEREAS, the Diamond Engineering Company of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$189,684.76; 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 \$189,684.76 for Water Main Project 2005-W-1 and Sanitary Sewer Project 2004-S-12 is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 23, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 18, 2004	☐ City Attorney





# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G8

**#2004-297 - Approving Wireline Crossing Agreement with UP  
Railroad - Utilities Department**

Staff Contact: Gary R. Mader

# Council Agenda Memo

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

**Meeting:** November 23, 2004

**Subject:** Wireline Crossing Agreement between the Union Pacific Railroad and the City Of Grand Island, Utilities Dept.

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

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

## Background

Portions of the underground electric system in the Meadowlark Estates Subdivision are over thirty years old and the power cables are nearing the end of their normal life. Transformers and power cables are regularly checked for proper operation and condition when electric crews are in the field, and some of the power cables in this subdivision are now showing signs of tracking, which is an indicator of potential failure.

## Discussion

The area is currently fed by a single line from Blaine Street on the east edge of the subdivision. To replace a section of cable takes anywhere from four to forty-eight hours depending upon how well the project to remove and replace the old cable goes. With a single feed into the area all customers beyond the section of cable being replaced would be without power during that period of time, and there are numerous cables within the subdivision. To prevent frequent and possibly long outages in the subdivision, utility staff is proposing to build a second feed into the area; from the west side of the subdivision. The west side feed requires crossing the St. Joe branch of the Union Pacific.

Utility Department staff has met with the railroad to obtain an agreement to install the electric cable through the railroad property. UP proposes the use of their standard Wireline Crossing Agreement. The cost to the Department for railroad authorization to cross is \$1,500.00. The proposed agreement has been reviewed by the Legal Department.

## **Alternatives**

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

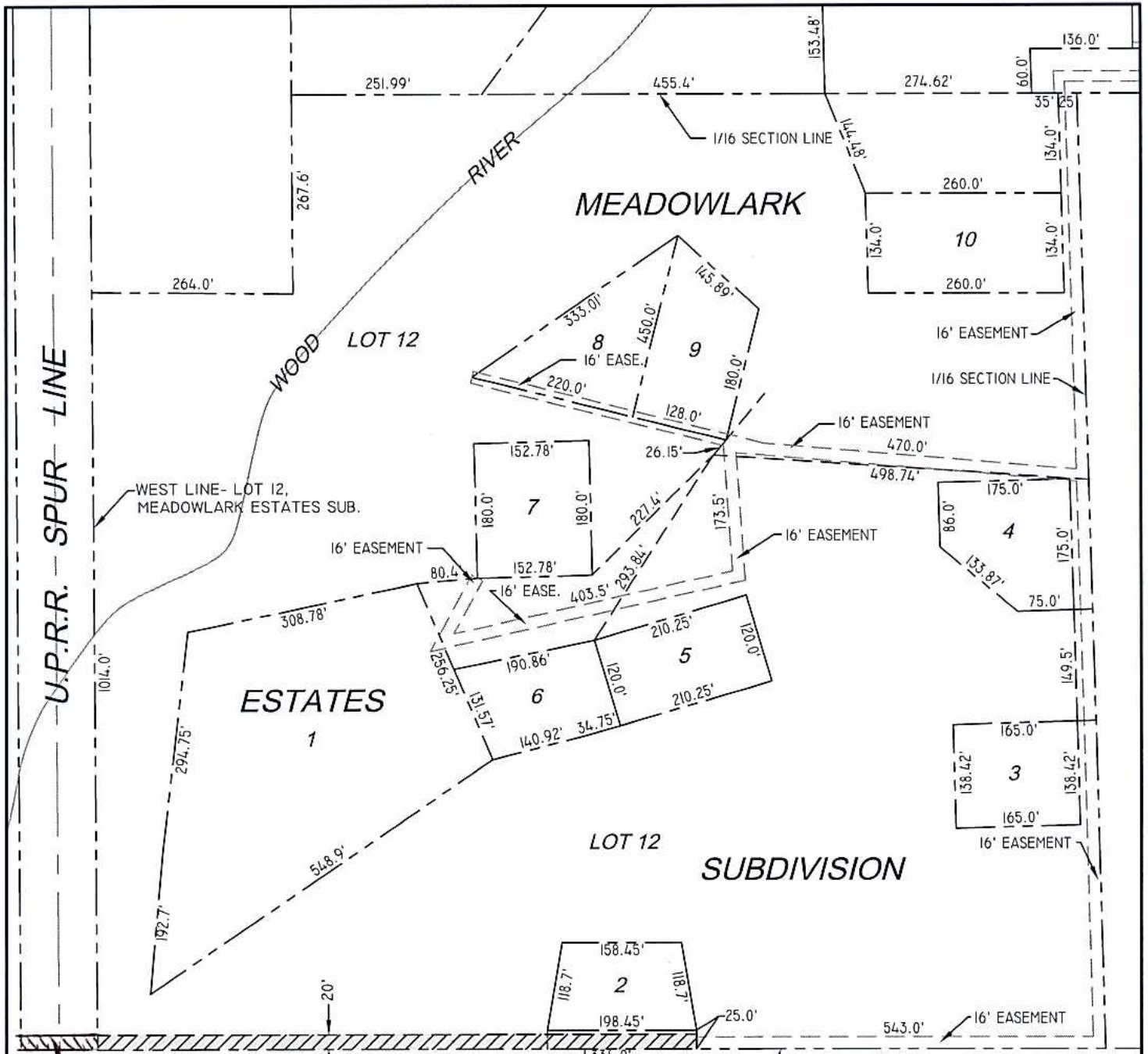
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council approve the resolution authorizing the Mayor to sign the contract with Union Pacific Railroad and authorize payment of \$1,500.00 for the right to cross under the tracks.

## **Sample Motion**


Motion to pass the resolution as presented approving the Wireline Crossing Agreement.



*Railroad R-o-W Crossing*

PT OF SE 1/4  
SEC. 32, T-11-N, R-9-W

**LEGEND**

 INDICATES 20' WIDE UTILITY EASEMENT



CITY OF  
**GRAND ISLAND**  
UTILITIES DEPARTMENT

**EXHIBIT "A"**

DRN BY: K.J.M.	SCALE: 1"= 200'
DATE: 9/9/2004	MEADOWLARK

RESOLUTION 2004-297

WHEREAS, portions of the underground electric system in Meadowlark Estates Subdivision are over thirty years old and the power cables are nearing the end of their normal life; and

WHEREAS, it is recommended that a second feed into the area be made to prevent frequent and possibly long outages in the subdivision; and

WHEREAS, the second feed would be made from the west side of the subdivision, and would require crossing the St. Joe branch of the Union Pacific railroad; and

WHEREAS, Union Pacific Railroad Company requires the use of their standard Wireline Crossing Agreement for such situations, and an authorization fee of \$1,500; and

WHEREAS, the City Attorney has reviewed the proposed agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that a Wireline Crossing Agreement is hereby approved at a cost of \$1,500 to allow a second feed for underground electric utilities to cross the St. Joe branch of the Union Pacific railroad to provide power to Meadowlark Estates Subdivision.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 23, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 18, 2004	☐ City Attorney



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G9

**#2004-298 - Approving Circular with Union Pacific Railroad for Continued Coal Transportation to Platte Generating Station**

Staff Contact: Gary R. Mader

# Council Agenda Memo

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

**Meeting:** November 23, 2004

**Subject:** Approving Coal Transportation Circular with Union Pacific Railroad – Utilities Department

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

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

## Background

Grand Island currently has a contract with the Union Pacific Railroad for movement of coal fuel from the coal fields of Wyoming to the City's Platte Generating Station. The current contract expires December 31, 2004. Union Pacific has firmly stated that the current contract will not be renewed. In lieu of a standard contract form, UP is requiring a new administrative form referred to as a "Circular". The dictated Circular form relieves the railroad of obligation to serve beyond the "...use of reasonable efforts to transport coal...", while retaining the customers obligations for minimum volume commitment and penalties for over/under loaded railcars, delays in loading or unloading, hold charges, etc. The Circular also includes provisions to raise freight costs for diesel fuel price increases. The circular proposed for the City's movement is UP Circular 111. A copy of the summary portion of the Circular is attached.

City Utilities and Legal staff, along with our consultants, Slover and Loftus, met with Union Pacific representatives in late October to thoroughly review the new processes and terms governing the coal freight movement. Some adjustments in delivery terms to PGS were made but, overall, the new operational and administrative processes remain unchanged from the original railroad submittal.

The Circular provides two term length options, one year and three year. The one year option is priced at \$9.62 per ton shipped. The three year option is priced at \$8.66, \$8.92 and \$9.19 per ton respectively for calendar years 2005, 2006, and 2007. The one year option is priced substantially above the highest of the three year prices.

## **Discussion**

Acceptance of the one year option would add approximately \$548,000 plus the diesel fuel cost adder to coal transportation costs for calendar year 2005. Acceptance of the three year option would add approximately \$140,000, \$250,000, and \$365,500 for years 2005, 2006, and 2007 respectively, plus the diesel fuel cost adder. At its current level, the diesel fuel cost adder would be approximately \$300,000 per year for the Grand Island traffic.

## **Alternatives**

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

1. Move to approve acceptance of UP Circular and freight rates for a one year or three year term
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 UP Circular 111, Option 2 to provide continued freight service for coal to Platte Generating Station.

## **Sample Motion**

Move to approve UP Circular 111, Option 2.





UP 111

Item: 4710-B  
 Itm Desc: NE, Grand Island, Platte Generating Station

Unit Coal Trains from SPRB to Platte Generating Station,  
 Grand Island, NE

For billing purposes use the following rate authority: UP 111-4710-B

STCC/GROUP	STCC	DESCRIPTION
------------	------	-------------

11		Coal
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Prices are subject to Fuel surcharges.

**GENERAL RULE ITEM 4710 ( Revision: B )**

Minimum Volume Requirement for Option 2 rates is 95 percent of Net Tons received at Platte Generating Station, Grand Island, NE from Campbell and Converse Counties in Wyoming via all modes of transportation.

Train shall be delivered to the plant in two sections. Free time to unload 110 railcars will be 72 hours, exclusive of the time it takes for Railroad to place the second section for unloading after Shipper releases the first section.

**GENERAL RATE APPLICATION RULES FOR ITEM 4710-B**

- Price applies in railroad owned or leased equipment.
- Price applies if minimum tender per shipment is 10,500 Net Ton(s). Price applies if minimum tender per shipment is 1 Train.

**APPLICATION AND RATES**

COLUMN	RATE APPLICATION RULES
1.	Rates are in U.S. dollars Per Net Ton. Subject to a minimum lading weight of 100 tons per car.
2.	Rates are in U.S. dollars Per Net Ton. Subject to a minimum lading weight of 100 tons per car.
3.	Rates are in U.S. dollars Per Net Ton. Subject to a minimum lading weight of 100 tons per car.

	Col. 1 Option 2	Col. 2 Option 2	Col. 3 Option 2	Route Code/Group
STCC: 11 Coal From: ENERGY SPRB MINES To: NE, GRAND ISLAND	Exp. 12/31/2005 8.66	Eff. 01/01/2006 Exp. 12/31/2006 8.92	Eff. 01/01/2007 9.19	UP

RESOLUTION 2004-298

WHEREAS, the City's current coal transportation contract with the Union Pacific Railroad Company expires on December 31, 2004; and

WHEREAS, in lieu of renewing such contract, Union Pacific Railroad Company is requiring the use of UP Circular 111; and

WHEREAS, according to the terms of UP Circular 111, the cost for coal transportation for a one-year period is \$9.62 per ton plus the diesel fuel cost adder; and

WHEREAS, the three year term for coal transportation are \$8.66, \$8.92, and \$9.19 per ton for years 2005, 2006 and 2007 respectively, plus the diesel fuel cost adder; and

WHEREAS, it is recommended that the City approve UP Circular 111, for a three-year term to provide continued freight service of coal to the Platte Generating Station; and

WHEREAS, the City Attorney has reviewed and approved UP Circular 111.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that UP Circular 111 is hereby approved for the transportation of coal to the Platte Generating Station for the years 2005, 2006 and 2007.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute UP Circular 111 on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 23, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 18, 2004	☐ City Attorney



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G10

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

Staff Contact: Gary R. Mader

# Council Agenda Memo

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

**Meeting:** November 23, 2004

**Subject:** Participation in NPPD's Ainsworth Wind Energy Facility

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

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

## Background

The developed world places heavy reliance on fossil fuels. This reliance extends to the nation's electric utilities, where low cost coal is used for base generation, supplemented by natural gas fired peaking units. This combination results in a proven, reliable, and economical electric supply, capable of responding to the constantly varying demand for electricity.

For several decades, atmospheric emissions produced by fossil fuels have come under increasing criticism, scrutiny, and regulation. Emission removal devices such as electrostatic precipitators and exhaust gas filters are used to reduce particulate emissions from coal fired equipment. Acidic combustion gasses are reduced with low sulfur coal, scrubbers, and burner controls. Since best available technology is required, each plant addition results in a cleaner use of fossil fuels.

In the long run, stricter emission control improves the environment, but each restriction increases the cost passed to the consumer. The government, industry, and the Electric Department are searching for alternatives to excessive reliance on fossil fueled electrical generation. Wind energy is the most promising and proven of the renewable options.

In 1997 the City Council authorized a 1.95% participation in the Nebraska Distributed Wind Generation Project, also known as Department of Energy/Electric Power Research Institute (DOE/EPRI) Wind Turbine Verification Program. This project was subsidized with DOE/EPRI providing 50% of the funding for installation of two wind turbines with a combined rating of 1.5 MW. This investment furnishes Grand Island with approximately 90 MWh per year. The resulting bus bar cost at the Springview site, is about \$20/MWh. Unsubsidized, the bus bar cost would be over \$40/MWh.

With the success of the Nebraska Distributed Wind Generation Project, NPPD is constructing a 59.4 MW Wind Energy Facility near Ainsworth. The Grand Island Utilities Department has participated in the preliminary development of this project at a 1 MW level, which equates to

1.68% participation. NPPD's estimate of total project cost is \$81.3 million. NPPD would issue bonds and charge Grand Island annually for Grand Island's share of the project and Grand Island would receive wind produced electric energy at its proportioned share. The first full year of operation is scheduled for 2006. Grand Island's share of debt and operating cost for 2006 is projected to be \$126,000; resulting in a bus bar cost of about \$36/MWh. NPPD estimates the unsubsidized 2009 bus bar cost at \$40.44/MWh.

## **Discussion**

Capital cost of the Ainsworth Wind Energy Facility is estimated at \$1,369/kW. The construction contract has been awarded. There should be only minor excursions from the estimated project cost. Energy production is entirely dependent upon wind conditions; the anticipated capacity factor is 40%.

Grand Island is participating at the 5% level in Omaha Public Power District (OPPD) Nebraska City #2 Plant; a 30 MW allotment. Anticipated capital costs for Nebraska City #2 are \$1,414/kW. Being coal fired, Nebraska City #2 will operate at an 85% capacity factor, taking maximum advantage of the capital investment. After adding fuel costs and O & M costs, the resulting 2009 bus bar cost is projected to be \$29.50/MWh.

The unsubsidized cost of wind energy still exceeds the cost of coal fired generation, but the Federal Government provides financial incentives for the development of renewable resources. With Renewable Energy Production Incentives and Renewable Energy Certificates, NPPD estimates the Ainsworth bus bar cost for 2006 would be \$21.12/MWh and \$26.67 in 2009.

By using wind energy to displace fossil fired generation, atmospheric emissions are reduced. With subsidies, the cost of wind energy is comparable to the cost of coal generation.

With wind turbines presenting a cost effective means to displace emissions from fossil fired generation, a number of utilities are participating in NPPD's Ainsworth Wind Energy Facility. Participants include NPPD, OPPD, and the Municipal Energy Agency of Nebraska. Total annual all-in participation costs, with O & M costs, capital costs, and transmission service to Grand Island, are projected at approximately \$150,000 per year. With approval of the City Council, Grand Island would continue project participation for the life of the project.

## **Alternatives**

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

1. Approve the Agreement for participation in the Ainsworth Wind Energy Facility
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 1 MW level of participation in NPPD's Wind Energy Facility.

## **Sample Motion**

Move to approve participation in the NPPD Wind Power Project at Ainsworth.

R E S O L U T I O N 2004-299

WHEREAS, on March 24, 1997, by Resolution 97-80, the City of Grand Island authorized the City's participation in the Nebraska Wind Turbine Demonstration project also known as the Department of Energy/Electric Power Research Institute (DOE/EPRI) Wind Turbine Verification Program; and

WHEREAS, with the success of this project, NPPD is constructing a 59.4 MW Wind Energy Facility near Ainsworth; and

WHEREAS, the City's Utilities Department has participated in the preliminary development of this project at a 1 MW level; and

WHEREAS, it is anticipated that NPPD will issue bonds and charge the City annually for its share of the project, and the City would receive wind produced electric energy at its proportioned share; and

WHEREAS, the first full year of operation is scheduled for 2006, with the City's share of debt and operating cost for 2006 expected to be \$126,000; and

WHEREAS, by using wind energy to displace fossil fired generation, atmospheric emissions are reduced, and with subsidies, the cost of wind energy is comparable to the cost of coal generation; and

WHEREAS, total annual all-in participation costs, with O & M costs, capital costs, and transmission service to Grand Island, are projected at approximately \$150,000 per year; and

WHEREAS, it is recommended that the City be authorized to continue participation for the life of this project; and

WHEREAS, the City Attorney has reviewed and approved the proposed agreement for such project.

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 participate in NPPD's Wind Power Project in Ainsworth at a level of 1MW.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 23, 2004.

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

Approved as to Form	☐ _____
November 18, 2004	☐ City Attorney



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G11

**#2004-300 - Approving Acquisition of Utility Easement - Hall  
County Livestock Improvement Association (Fonner Park)**

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

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



RESOLUTION 2004-300

WHEREAS, a sanitary sewer 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 23, 2004, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Section Twenty Two (22), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> 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:

Being a twenty (20) foot wide easement lying ten (10) feet either side of a line. First to secure the point of beginning starting at the South Quarter (S1/4) corner of Section 22- 11- 9; thence north on a line with a bearing of N01°06'28"W for a distance of One Thousand Three Hundred Forty and Fifty Four Hundredths (1,340.54) feet more or less; thence west on a line with a bearing of S89°31'54"W for a distance of Seventy Four and Sixty Six Hundredths (74.55) feet; thence continuing west on a line with a bearing of S89°31'55"W for a distance of Twenty (20) feet; thence northwesterly on a line with a bearing of N28°34'57"W for a distance of Twenty Eight and Twelve Hundredths (28.12) feet to the westerly most line of Lot 1, Heartland Events Center First Subdivision, said point being the Actual Point of Beginning; thence northwesterly on a line with a bearing of N28°34'57"W for a distance of Two Hundred Nineteen and Eighty Three Hundredths (219.83) feet; thence west on a line with a bearing of S89°31'55"W for a distance of One Thousand One Hundred (1,100) feet.

The above-described easement and right-of-way containing 1.76 acres, more or less, as shown on the plat dated November 4, 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 sanitary sewer 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 23, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 18, 2004	☐ City Attorney



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G12

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

Staff Contact: RaNae Edwards

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** November 23, 2004

**Subject:** Approving Keno Satellite Location and Agreement for the Chicken Coop of Grand Island, Inc. 120 East Third Street

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

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

## **Background**

An Interlocal Agreement governing County/City keno operations provides that the City shall have the duty to review and approve satellite operations within the City. Fonner Keno, Inc. has previously been licensed to operate keno at Fonner Park as well as other facilities in the City that have been designated as satellite locations for the operation of keno.

## **Discussion**

The Chicken Coop of Grand Island, Inc. dba The Chicken Coop of Grand Island, 120 East Third Street, has submitted a request for approval of a satellite location at the premises of The Chicken Coop of Grand Island, 120 East Third Street. This request was approved by Hall County at their November 2, 2004 meeting. Approval of the Satellite Agreement between The Chicken Coop of Grand Island, Inc. and Fonner Keno, Inc. is required along with approval for the satellite location. The Agreement has been reviewed by the Legal and Building Departments.

## **Alternatives**

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

1. Move to approve the request of The Chicken Coop of Grand Island, Inc.
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 request for a Keno Satellite Location and Agreement for The Chicken Coop of Grand Island, Inc. 120 East Third Street.

### **Sample Motion**

Motion to approve the request for a Keno Satellite Location and Agreement for The Chicken Coop of Grand Island, Inc. 120 East Third Street.

R E S O L U T I O N 2004-301

WHEREAS, the County of Hall and the City of Grand Island entered into an Inter-Local Cooperation Agreement to permit the operation of keno within Hall County; and

WHEREAS, Fonner Keno, Inc. has previously been licensed to operate keno and certain locations have been designated as satellite locations for the operation of keno; and

WHEREAS, the County of Hall has selected an additional satellite location for approval for the operation of keno, such location being the premises at 120 East Third Street in Grand Island, Nebraska, owned by The Chicken Coop of Grand Island, Inc., a Nebraska corporation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that The Chicken Coop of Grand Island, Inc., a Nebraska corporation, located at 120 East Third Street, Grand Island, Nebraska, is hereby approved as an additional satellite location for the operation of keno, subject to entering into the proper agreement.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 23, 2004.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G13

**#2004-302 - Approving Agreement with Roco Rescue Training Programs for Rescue Training Grant**

Staff Contact: Jim Rowell

# Council Agenda Memo

**From:** Jim Rowell, Fire Chief  
**Meeting:** November 23, 2004  
**Subject:** Specialized Rescue Training Grant  
**Item #'s:** G-13  
**Presenter(s):** Fire Chief Jim Rowell

## Background

The Grand Island Fire Department pursued and was awarded a federal grant to receive training in specialized rescue from the ROCO Company. The Grant also provided for the purchase of additional rescue equipment for training. The training and equipment costs are \$126,874.00. The city portion of the funding is 10% or \$12,687.40. This funding was anticipated and is provided for in the current budget. The ROCO training portion of the grant is \$84,825.00 and is what is covered by the agreement offered for council consideration.

## Discussion

Grand Island entered into an agreement through a Memorandum of Understanding with the State of Nebraska to respond to hazmat emergencies anywhere in Nebraska. Eight other cities have also entered into similar agreements. In exchange for that commitment to respond, the state provides federal funding for equipment. Some of the equipment is useful in other calls including rescues. The money for this grant is separate from the hazmat funding and much of it may be useful in either situation. The equipment is designated for training and the training will be provided to 21 students including 8 full time State Fire Marshal Training Division Instructors.

The success of this grant application is due in large part to the extension of the benefit of the training to multiple agencies and the partnership with the State of Nebraska Fire Marshal's Training Division. Certified instructors will receive this training and through them it will be given to Nebraska fire and rescue departments throughout the state. The equipment provided through this grant is designated for training in the central region of Nebraska so that existing state training equipment will continue to be used in the eastern and western training regions of Nebraska.

## **Alternatives**

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

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

## **Recommendation**

City Administration recommends that the Council approve this resolution.

## **Sample Motion**

Motion to approve the resolution authorizing the agreement with ROCO Rescue.



R E S O L U T I O N 2004-302

WHEREAS, on June 11, 2002, by Resolution 2002-158, the City of Grand Island entered into a Memorandum of Understanding with the Nebraska Emergency Management Agency to transfer ownership of equipment necessary for handling hazardous materials; and

WHEREAS, in conjunction with the City's agreement to respond to hazardous material emergencies throughout the state, federal funding is available to receive training in specialized rescues and for additional rescue equipment; and

WHEREAS, the Grand Island Fire Department has received notification that they have been awarded federal grant funds; and

WHEREAS, specialized rescue training by the ROCO Company has been authorized in the amount of \$84,825, and additional rescue equipment in the amount of \$42,049 will be purchased; and

WHEREAS, the City's is responsible for 10% or approximately \$12,687.40 for such training and equipment; and

WHEREAS, a proposed agreement with ROCO Company for the specialized rescue training 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 receipt of federal grant funds for specialized rescue training by ROCO Company in the amount of \$84,825 and for the purchase of additional rescue equipment in the amount of \$42,049 is hereby approved; and the Mayor is hereby authorized and directed to execute an agreement with ROCO Company on behalf of the City of Grand Island for such training.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 18, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 18, 2004	☐ City Attorney



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G14

**#2004-303 - Approving Funding for Relocation of Utilities at the Heartland Events Center**

Staff Contact: David Springer

# **Council Agenda Memo**

**From:** Dave Springer, Finance Director

**Meeting:** November 23, 2004

**Subject:** Approving funding for Relocation of Utilities at Heartland Events Center

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

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

## **Background**

Pursuant to the Lease Purchase Agreement with the Fonner Park Exposition and Events Center, the City will become the owner of the facility and will have title to the property upon fulfillment of its bond obligations. Existing electric, water, and sewer utilities need to be relocated and brought up to the requirements needed to serve the facility. The City has estimated these costs to total approximately \$440,000.

## **Discussion**

All the City's utilities operations are Enterprise Funds and need to be reimbursed for their project costs. As the Events Center will become an asset of the City, it is reasonable that the costs for utilities infrastructure be capitalized as part of the facility. No line item was specifically budgeted for this work, but \$3.8 million was budgeted in the Capital Improvement Fund, Account No. 40015025, to be used as the progress of various projects dictated.

## **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 funding of utilities relocation and service needs for the Events Center from the Capital Projects Fund.

## **Sample Motion**

Motion to approve the funding of utilities relocation and service for the Heartland Events Center from the Capital Projects Fund.

R E S O L U T I O N 2004-303

WHEREAS, existing electric, water, and sewer utilities currently serving Fonner Park must be relocated in preparation for the construction of the Heartland Events Center; and

WHEREAS, the cost of such utility relocations is estimated at \$440,000; and

WHEREAS, as the City will become the owner of the Heartland Events Center upon the fulfillment of the bond obligations, this cost will be paid by the City; and

WHEREAS, since the facility will become an asset of the City, it is reasonable that the costs for utilities infrastructure be capitalized as part of the facility.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the costs of \$440,000 for the relocation of utilities infrastructure at the Heartland Events Center facility be authorized through the Capital Projects fund of the current budget.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 23, 2004.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G15

**#2004-304 - Approving Contract with the Central Nebraska Ethnic Festival**

Staff Contact: Paul Bresino

# **Council Agenda Memo**

**From:** Paul M. Briseno, Assistant to the City Administrator

**Meeting:** November 9, 2004

**Subject:** Approving Contract with the Central Nebraska Ethnic Festival

**Item #'s:** G-15

**Presenter(s):** Paul M. Briseno, Assistant to the City Administrator

## **Background**

The Central Nebraska Ethnic Festival has used office space in the spring and summer as needed in City Hall for at least the past ten (10) years. In addition, Festival organizers meet monthly at City Hall to plan the event. Under this arrangement, the City has provided limited (and often shared) office space, phone, computer, printer, paper and postage at no cost to the Festival. There has been an on-going verbal agreement between the Ethnic Festival and the City for this arrangement. This year long verbal agreement was from October 1, 2003 to September 30, 2004.

## **Discussion**

The City of Grand Island is an ever growing ethnic community. To show the City's proud support and participation in the different ethnic cultures throughout our community, the City of Grand Island would like to continue the current verbal arrangement with the Central Nebraska Ethnic Festival for the following period: October 1, 2004 to September 30, 2005, with the intent that the Central Nebraska Ethnic Festival would apply for funding from the City of Grand Island as an outside agency for the 2005 fiscal year. Funding for the Festival last year amounted to approximately \$900. The City plays an important role in the success of the Ethnic Festival through involvement of the following departments: Police, Street, and Utility (electrical and water), Fire, Police, Administration, Health and Parks and Recreation. Providing work space and organizational support is consistent with city-wide involvement in the Festival.

## **Alternatives**

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

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

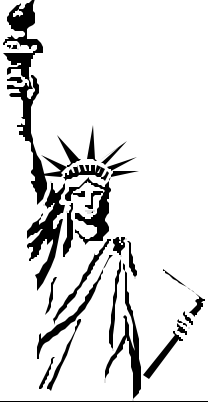
## **Recommendation**

City Administration recommends that the Council approve the agreement for work space and supplies with the Central Nebraska Ethnic Festival.

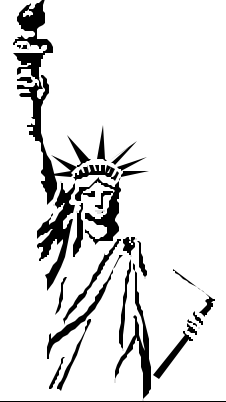
## **Sample Motion**

Motion to approve the agreement with the Central Nebraska Ethnic Festival.





**Central NE Ethnic Festival**  
Box 1306  
Grand Island, Nebraska 68802  
Telephone – (308)385-5444 ext 233  
e-mail – [ethnicfestival@grand-island.com](mailto:ethnicfestival@grand-island.com)  
Lynnette Marshall – Festival Manager



July 23, 24, and 25, 2004

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September 8, 2003

Mayor Jay Vavricek  
City of Grand Island  
P.O. Box 1968  
Grand Island, NE 68802-1968

Dear Mayor Vavricek,

The 13<sup>th</sup> annual 2003 Central Nebraska Ethnic Festival has come and gone already! We appreciate your participation in the opening ceremony and as an emcee for our Saturday morning entertainment. Your support of this annual Grand Island event is invaluable.

As the Ethnic Festival board evaluates this year's festival and looks toward 2004, some of the decisions that the Festival board needs to make relevant to the 2004 festival are dependent on pending changes within the structure of the City.

As you may know, the Downtown Development Department has been an important partner in the Central Nebraska Ethnic Festival (CNEF) since its inception. The Festival was originated by the Downtown and incorporated as the CNEF in 1995. The Incorporation allowed the Festival to expand into a community event to celebrate all ethnic cultures of the area.

The Ethnic Festival has maintained strong ties to the Downtown because of the wonderful "flavor" the area lends to the event. In addition, Downtown Development has accommodated the Festival by providing office space and other miscellaneous in-kind services. Although we do not have an actual dollar value attached to the savings and convenience currently provided by Downtown Development, some examples of those in-kind donations include office space, computer use, and telephone.

As a non-profit organization, the Central Nebraska Ethnic Festival values the partnership that has been built with the City of Grand Island. This partnership is not dependent on tax dollars, so does not burden current City financial obligations or impact uncertain revenue levels in future years. The Festival board plans to hold the Festival in the

Downtown area again next year and would like to request an opportunity to discuss the continued involvement of the City in support of the Festival.

As Manager of the Festival, I would like the opportunity to talk with you about the City's continued support of this important Central Nebraska event. The success of the Ethnic Festival can be attributed to the volunteers and involvement from the City and community. I will look forward to talking with you in the near future and will contact your office to schedule a time that is convenient for your schedule.

Thank you in advance for your time, commitment and support.

With warm regards,

Lynnette Marshall  
Central Nebraska Ethnic Festival Manager

**AGREEMENT FOR OFFICE SPACE AND EQUIPMENT  
BETWEEN THE CITY OF GRAND ISLAND  
AND  
THE CENTRAL NEBRASKA ETHNIC FESTIVAL**

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of November 2004, by and between the CITY OF GRAND ISLAND, NEBRASKA, A Municipal Corporation and THE CENTRAL NEBRASKA ETHNIC FESTIVAL, hereinafter referred to collectively as "The Parties" and individually as a "Party".

WITNESSESTH:

WHEREAS, the Central Nebraska Ethnic Festival provides cultural opportunities for people in the Grand Island community of various ethnic backgrounds; and,

WHEREAS, it is in the best interests of the City of Grand Island to promote ethnic cultural events; and,

WHEREAS, the Central Nebraska Ethnic Festival has organized and operated the Central Nebraska Ethnic Festival; and,

WHEREAS, to organize, promote and operate the festival, it is necessary to provide Central Nebraska Ethnic Festival personnel with access to office space, office equipment and postal services which are available at City Hall.

NOW, THEREFORE, the Parties mutually agree as follows:

1. **Office Space.** The City of Grand Island agrees to provide space in City Hall for the use of the Central Nebraska Ethnic Festival personnel to do work in organizing and promoting the festival. Said space may include the non-exclusive use of a cubicle or an office for the purposes of the festival.

2. **Office Equipment.** The City of Grand Island agrees to make office equipment available for the use of the Central Nebraska Ethnic Festival personnel, including access to a photocopier, computer, facsimile and telephone equipment. These items of equipment will be made available on a non-exclusive basis for the use of Festival workers.

3. **Postal Services.** The City of Grand Island will provide the Central Nebraska Ethnic Festival access to the city's postal services available at City Hall and will not require compensation from the Ethnic Festival for postage expense in conducting the business of organizing, promoting and operating the Central Nebraska Ethnic Festival.

4. **Ethnic Festival.** The Central Nebraska Ethnic Festival agrees to organize, promote and operate an Ethnic Festival during the year 2005 to promote diverse ethnic cultures in the Grand Island community that is similar to the 2004 Ethnic Festival.

5. **Term.** The term of this agreement shall be for the period from October 1, 2004, through September 30, 2005, and either party may terminate this agreement upon thirty (30) days notice to the other party.

**CITY OF GRAND ISLAND, NEBRASKA,  
A Municipal Corporation,**

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Jay Vavricek, Mayor

Attest: \_\_\_\_\_

RaNae Edwards, City Clerk

Approved as to Form: \_\_\_\_\_

Douglas R. Walker, City Attorney

**CENTRAL NEBRASKA ETHNIC FESTIVAL,**

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Lynette Marshall, Manager  
Central Nebraska Ethnic Festival

RESOLUTION 2004-304

WHEREAS, the Central Nebraska Ethnic Festival has planned, coordinated, and conducted an ethnic festival each year for the past ten years to celebrate and support the various ethnic cultures throughout the community; and

WHEREAS, the City of Grand Island has provided office space, supplies, and the use of office equipment to the Central Nebraska Ethnic Festival in support of this annual event; and

WHEREAS, last year, the value of providing such office space, supplies and equipment was approximately \$900; and

WHEREAS, it has been recommended that a contract between the Central Nebraska Ethnic Festival and the City of Grand Island be entered into which outlines the obligations of each party.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that a contract be entered into between the City and the Central Nebraska Ethnic Festival to provide office space and supplies, and the use of office equipment to the Central Nebraska Ethnic Festival through September 30, 2005 to plan, coordinate, and conduct the annual Central Nebraska Ethnic Festival.

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

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Adopted by the City Council of the City of Grand Island, Nebraska, November 23, 2004.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G16

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

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

Staff Contact: Steve Paustian

RESOLUTION 2004-305

WHEREAS, a hike/bike path easement is required by the City of Grand Island, from The Museum Board of Hall County Nebraska, a Nebraska political subdivision, to install, upgrade, maintain, and repair a hike/bike path along the west and north side of the Stuhr Museum property at U.S. Highway 281 and U.S. Highway 34; and

WHEREAS, a public hearing was held on November 23, 2004, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot One (1) of Stuhr Museum Subdivision located in the Northwest Quarter (NW1/4) and the Southwest Quarter (SW1/4) of Section 32, Township 11 North, Range 9 West of the 6<sup>th</sup> P.M., city of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Commencing at the Northwest Quarter of said Section 32; thence on an assumed bearing of N89°57'39"E along the north line of said Section 32 a distance of 808.12 feet; thence departing said north line S00°02'21"E a distance of 82.97 feet to a point on the north right-of-way (R.O.W.) line of Highway 34, said point also being the Point of Beginning; thence S01°23'10"E a distance of 20.00 feet; thence S88°36'50"W a distance of 85.92 feet; thence S87°28'37"W a distance of 559.23 feet; thence S65°50'51"W a distance of 68.66 feet; thence S17°55'32"W a distance of 67.95 feet; thence S02°11'04"E a distance of 1504.85 feet; thence S16°03'19"W a distance of 83.52 feet; thence S01°29'10"E a distance of 832.54 feet; thence S01°28'58"E a distance of 495.66 feet; thence S22°24'14"E a distance of 110.33 feet; thence S09°39'23"W a distance of 74.52 feet; thence S01°28'58"E a distance of 1172.97 feet; thence S31°48'18"E a distance of 74.47 feet to a point on the south line of Lot 1 of said Stuhr Museum Subdivision; thence N89°59'34"W along said south line a distance of 82.62 feet to a point on the east R.O.W. line of Highway 281, said point also being the southwest corner of said Lot 1; thence N01°28'58"W along and upon said east R.O.W. line a distance of 1906.92 feet; thence N01°29'10"W a distance of 926.20 feet; thence N88°30'50"E a distance of 25.00 feet; thence N02°11'04"W a distance of 1599.44 feet to the point of intersection of said east Highway 281 R.O.W. line and the south R.O.W. line of Highway 34; thence N87°28'37"E along and upon the south R.O.W. line a distance of 666.35 feet; thence N88°36'50"E a distance of 86.11 feet to the point of beginning. Said permanent trail easement contains 137,721 square feet or 3.17 acres more or less, as shown on the plat attached hereto as Exhibit A-1 and A-2, and incorporated herein by this reference.

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

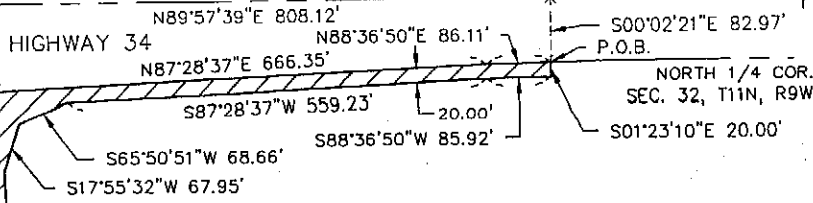
- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 23, 2004.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 18, 2004	☐ City Attorney

NORTHWEST COR.  
SEC. 32, T11N, R9W



## EASEMENT DESCRIPTION

A PERMANENT TRAIL EASEMENT CONSISTING OF PART OF LOT 1 OF STUHR MUSEUM SUBDIVISION LOCATED IN THE NORTHWEST QUARTER (NW1/4) AND THE SOUTHWEST QUARTER (SW1/4) OF SECTION 32, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST QUARTER OF SAID SECTION 32; THENCE ON A ASSUMED BEARING OF N89°57'39"E ALONG THE NORTH LINE OF SAID SECTION 32 A DISTANCE OF 808.12 FEET; THENCE DEPARTING SAID NORTH LINE S00°02'21"E A DISTANCE OF 82.97 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF HIGHWAY 34, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S01°23'10"E A DISTANCE OF 20.00 FEET; THENCE S88°36'50"W A DISTANCE OF 85.92 FEET; THENCE S87°28'37"W A DISTANCE OF 559.23 FEET; THENCE S65°50'51"W A DISTANCE OF 68.66 FEET; THENCE S17°55'32"W A DISTANCE OF 67.95 FEET; THENCE S02°11'04"E A DISTANCE OF 1504.85 FEET; THENCE S16°03'19"W A DISTANCE OF 83.52 FEET; THENCE S01°29'10"E A DISTANCE OF 832.54 FEET; THENCE S01°28'58"E A DISTANCE OF 495.66 FEET; THENCE S22°24'14"E A DISTANCE OF 110.33 FEET; THENCE S09°39'23"W A DISTANCE OF 74.52 FEET; THENCE S01°28'58"E A DISTANCE OF 1172.97 FEET; THENCE S31°48'18"E A DISTANCE OF 74.47 FEET TO A POINT ON THE SOUTH LINE OF LOT 1 OF SAID STUHR MUSEUM SUBDIVISION; THENCE N89°59'34"W ALONG SAID SOUTH LINE A DISTANCE OF 82.62 TO A POINT ON THE EAST R.O.W. LINE OF HIGHWAY 281, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N01°28'58"W ALONG AND UPON SAID EAST R.O.W. LINE A DISTANCE OF 1906.92 FEET; THENCE N01°29'10"W A DISTANCE OF 926.20 FEET; THENCE N88°30'50"E A DISTANCE OF 25.00 FEET; THENCE N02°11'04"W A DISTANCE OF 1599.44 FEET TO THE POINT OF INTERSECTION OF SAID EAST HIGHWAY 281 R.O.W. LINE AND THE SOUTH R.O.W. LINE OF HIGHWAY 34; THENCE N87°28'37"E ALONG AND UPON SAID SOUTH R.O.W. LINE A DISTANCE OF 666.35 FEET; THENCE N88°36'50"E A DISTANCE OF 86.11 FEET TO THE POINT OF BEGINNING. SAID PERMANENT TRAIL EASEMENT CONTAINS 137,721 SQUARE FEET OR 3.17 ACRES MORE OR LESS.

HIGHWAY 281

LOT 1  
STUHR MUSEUM SUBD.

N88°30'50"E  
25.00'

S16°03'19"W 83.52'

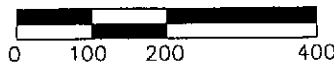
20.00'

N01°29'10"W 926.20'

S01°29'10"E 832.54'



SCALE: 1"=200'



SCALE IN FEET

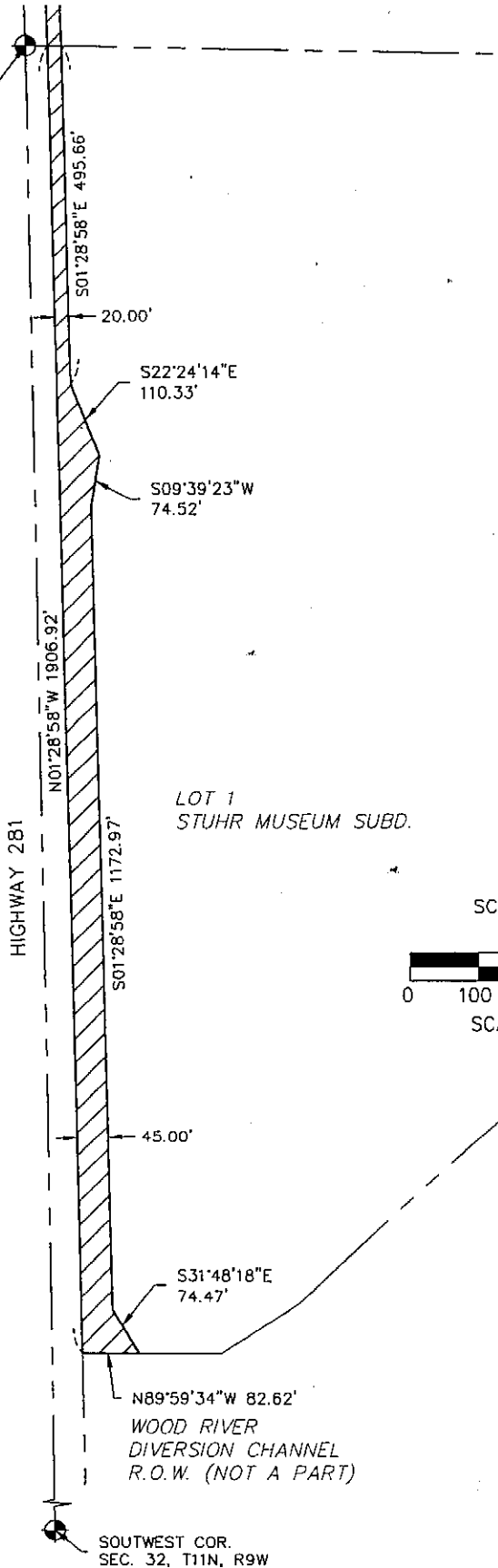
WEST 1/4 COR.  
SEC. 32, T11N, R9W

EXHIBIT A-1

 <b>OLSSON ASSOCIATES</b> ENGINEERS - PLANNERS - SCIENTISTS - SURVEYORS <small>301 EAST 2ND STREET - GRAND ISLAND, NEBRASKA 68801 - 308-384-8750 - FAX 308-354-8752          OMAHA DENVER LINCOLN PHOENIX HOLOMERE KANSAS CITY GRAND ISLAND SOUTH BOLT CITY</small>	PROJECT NO.	SHEET NO.
	04/2004-0863	1 OF 2
STUHR HIKE & BIKE TRAIL		



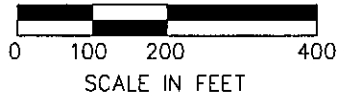
WEST 1/4 COR.  
SEC. 32, T11N, R9W



LOT 1  
STUHR MUSEUM SUBD.



SCALE: 1"=200'



N89°59'34"W 82.62'  
WOOD RIVER  
DIVERSION CHANNEL  
R.O.W. (NOT A PART)

SOUTHWEST COR.  
SEC. 32, T11N, R9W

EXHIBIT A-2

 <b>OLSSON ASSOCIATES</b> ENGINEERS - PLANNERS - SCIENTISTS - SURVEYORS <small>351 EAST 2ND STREET - GRAND ISLAND, NEBRASKA 68801 - 308-384-8750 - FAX 308-384-8752          OMAHA DENVER LINCOLN PHOENIX HOLDSRIDGE KANSAS CITY GRAND ISLAND SOUTH SIOUX CITY</small>	PROJECT NO.	SHEET NO.
	04/ 2004-0863	2 OF 2
STUHR HIKE & BIKE TRAIL		



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G17

**#2004-306 - Approving Bid Award - Coal Supplier for 2005 -  
2006 - Platte Generating Station, Utilities Department**

Staff Contact: Gary R. Mader; Doug Walker

# Council Agenda Memo

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

**Meeting:** November 23, 2004

**Subject:** Bid Award – 2005 – 2006 Coal Supply, Platte Generating Station – Utilities Department

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

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

## Background

The contract for coal supply to PGS expires December 31, 2004. Therefore, bids were solicited for continued supply.

## Discussion

The contract for coal supply for calendar years 2005 and 2006 was advertised and published in accordance with the City Procurement Code. Bid documents were sent to five prospective bidders. Four bids were received: Kennecott Energy provided bids for coal from its Cordero Rojo and Jacobs Ranch Mine, Peabody Coal Sales from the Caballo Mine, Foundation Energy from the Belle Ayre Mine, and Arch Coal from the Thunder Basin Mine. All bids were evaluated for contract compliance and total delivered cost F.O.B. at PGS. The best bid was received from Kennecott Energy of Gillette, Wyoming.

## 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 award the Coal Supply Contract for 2005 and 2006 to Kennecott Energy.

## **Sample Motion**

I make a motion to award the 2005 – 2006 Coal Supply Contract to Kennecott Energy Company of Gillette, Wyoming.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** November 17, 2004 at 11:00 a.m.  
**FOR:** Coal Supply Agreement 2005-2006  
**DEPARTMENT:** Utilities  
**ESTIMATE:**  
**FUND/ACCOUNT:** E520  
**PUBLICATION DATE:** November 2, 2004  
**NO. POTENTIAL BIDDERS:** 6

**SUMMARY**

<b>Bidder:</b>	<b><u>Peabody COALSALES Company</u></b> St. Louis, MO	<b><u>Kennecott Energy Company</u></b> Gillette, WY
	<b><u>Arch Coal Sales</u></b> St. Louis, MO	<b><u>Foundation Energy Sales, Inc.</u></b> Englewood, CO

cc: Gary Mader, Utilities Director  
Pat Gericke, Utilities Admin. Sec.  
Dale Shotkoski, Purchasing Agent

Bob Smith, Assistant Utilities Director  
Gary Greer, City Administrator  
Laura Berthelsen, Legal Assistant

**P957**

R E S O L U T I O N 2004-306

WHEREAS, the City of Grand Island invited bids for 2005-2006 Coal Supply Agreement for the Utilities Department, according to the plans and specifications on file at the Platte Generating Station; and

WHEREAS, in accordance with the City Council Study Session of October 5, 1998, it was stipulated that bid prices and/or final award prices would not be publicly disclosed; and

WHEREAS, on November 17, 2003, bids were received, opened and reviewed; and

WHEREAS, Kennecott Energy Company of Gillette, Wyoming, submitted a bid in accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Kennecott Energy Company of Gillette, Wyoming, for the 2005-2006 Coal Supply Agreement is approved as the lowest responsive bid submitted.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 23, 2004.

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item G18

**#2004-307 - Approving Pedestrian Crossing Agreement with Union Pacific Railroad Company**

Staff Contact: Steve Paustian

# **Council Agenda Memo**

**From:** Steve Paustian, Parks and Recreation Director  
**Meeting:** November 23, 2004  
**Subject:** Crossing Agreement with Union Pacific Railroad  
**Item #'s:** G-18  
**Presenter(s):** Steve Paustian, Parks and Recreation Director

## **Background**

The Park and Recreation Department is continuing with trail development per the Park and Recreation Comprehensive Plan.

## **Discussion**

In order to continue trail development along the Wood River Flood Control Levy it is necessary to cross the Union Pacific tracks near Hall County Park. The agreement before you allows for this crossing. The U.P. will build the crossing over its rails and ties. The City will then make the connection to the trail segments and continue east. A grant has been applied for to pay 80% of the estimated \$20,000.00 this crossing will cost.

## **Alternatives**

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

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

## **Recommendation**

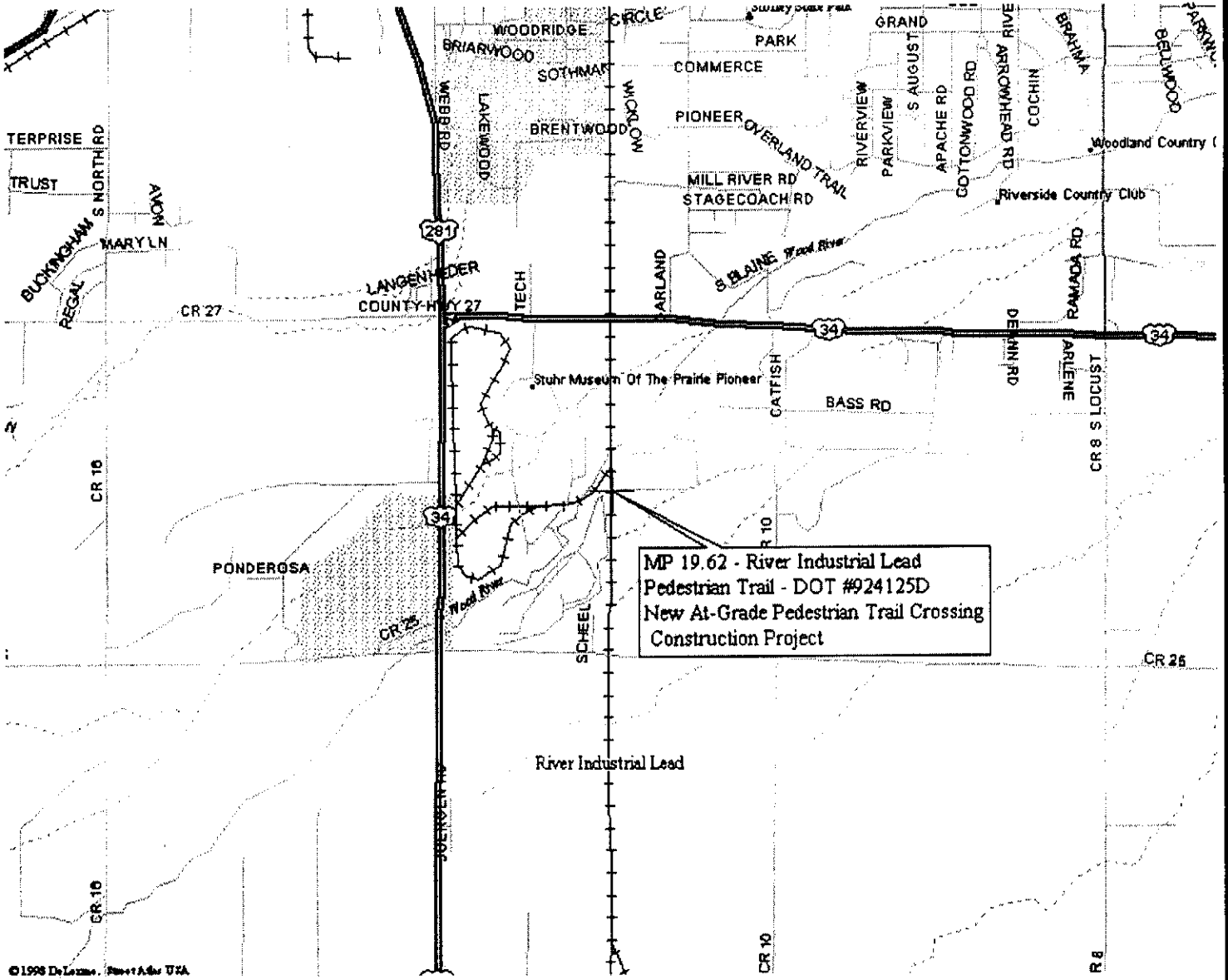
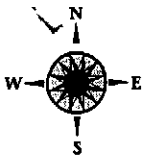
City Administration recommends that the Council approve the contract agreement with the U.P. Railroad.

## **Sample Motion**

Motion to approve agreement with Union Pacific Railroad.



# LOCATION PRINT ACCOMPANYING A CONTRACTOR'S RIGHT OF ENTRY AGREEMENT



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**RAILROAD WORK TO BE PERFORMED:**

1. Flagging.
2. Install 8-feet of concrete crossing surface; 1 car load of ballast; 15 cross ties; and other track materials.

**EXHIBIT "A"**

**UNION PACIFIC RAILROAD COMPANY**

RIVER INDUSTRIAL LEAD  
MILE POST 19.62

GPS: N 40°, 52.830'; W 98°, 22.109'  
GRAND ISLAND, HALL CO., NE.

To accompany Contractor's Right of Entry Agreement with  
**CITY OF GRAND ISLAND**  
for the construction of a new at-grade pedestrian trail crossing.

Folder No. 2278-69                      Date: October 20, 2004

**WARNING**

IN ALL OCCASIONS, U.P. COMMUNICATIONS DEPARTMENT MUST BE CONTACTED IN ADVANCE OF ANY WORK TO DETERMINE EXISTENCE AND LOCATION OF FIBER OPTIC CABLE. PHONE: 1-(800) 336-9193

RESOLUTION 2004-307

WHEREAS, the Parks and Recreation Department continues to expand its trail development in accordance with the Park and Recreation Comprehensive Plan; and

WHEREAS, trail development along the Wood River Flood Control Levy will require approval from the Union Pacific Railroad Company to construct an at-grade pedestrian trail across the railroad right-of-way; and

WHEREAS, the Union Pacific Railroad Company requires a \$2,500 license fee to allow such at-grade pedestrian crossing; and

WHEREAS, the Union Pacific Railroad Company will build the crossing over its rails and ties, and the City will make the connection to the trail segments and continue east; and

WHEREAS, it is anticipated that grant funding will be available to pay 80% of the estimated \$20,000 in construction costs for this crossing; and

WHEREAS, the City Attorney has reviewed and approved the proposed agreement setting out the terms and conditions for such pedestrian crossing.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the New Pedestrian Crossing Agreement with the Union Pacific Railroad Company is hereby approved to allow at-grade pedestrian trail crossing near Hall County Park; and the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 23, 2004.

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 18, 2004	☐ City Attorney



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item J1

### **Payment of Claims for the Period of November 10, 2004 through November 23, 2004**

*The Claims for the period of November 10, 2004 through November 23, 2004 for a total amount of \$2,419,957.99. A MOTION is in order.*

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, November 23, 2004

Council Session

## Item X1

### Discussion Concerning Property Negotiations

*ADJOURN TO EXECUTIVE SESSION:*

*Discussion Concerning Property Negotiations.*

*RETURN TO REGULAR SESSION:*

Staff Contact: Doug Walker