

# Tuesday, January 11, 2005 Council Session Packet

**City Council:** 

**Carole Cornelius** 

**Peg Gilbert** 

Joyce Haase

**Margaret Hornady** 

**Robert Meyer** 

**Mitchell Nickerson** 

**Don Pauly** 

**Jackie Pielstick** 

**Scott Walker** 

**Fred Whitesides** 

Mayor:

Jay Vavricek

**City Administrator:** 

**Gary Greer** 

**City Clerk:** 

RaNae Edwards

7:00:00 PM Council Chambers - City Hall 100 East First Street

#### Call to Order

Pledge of Allegiance /Invocation - Pastor Onamae Waddel, Trinity United Methodist Church, 511 North Elm Street

**Roll Call** 

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

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

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

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

#### MAYOR COMMUNICATION

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



# Tuesday, January 11, 2005 Council Session

# Item C1

# **Proclamation "National Mentoring Month" January 2005**

Children in our Nation today face difficult circumstances with the future of the City of Grand Island resting on the shoulders of our youth. Mentoring is a proven, effective strategy to combat these circumstances by matching a caring, responsible adult with a child to provide guidance, build confidence, stability, and direction. The Mayor has proclaimed the month of January 2005 as ''National Mentoring Month''. Nancy Jones - Team Mates Coordinator and Gary Gilbert - Director of Big Brothers Big Sisters will be present to receive this proclamation. See attached PROCLAMATION.

**Staff Contact: RaNae Edwards** 





#### THE OFFICE OF THE MAYOR

City of Grand Island State of Nebraska

# **PROCLAMATION**

WHEREAS, The future course of the City of Grand Island, State of Nebraska

and our Nation rests on the shoulders of our youth and educated. Confident and nurtured children will give rise to a stronger City,

State and Nation; and

WHEREAS, Children in our Nation today face difficult circumstances, with

one out of four with only one parent, one out of ten born to teen parents, one out of five living in poverty and one out of ten who

will not finish high school; and

WHEREAS, Mentoring is a proven, effective strategy to combat these

circumstances by matching a caring, responsible adult with a child to provide guidance and build confidence, stability and

direction for that child; and

WHEREAS, Research has shown that mentoring has a definitive impact on

young people by increasing attendance at school, improving rates of high school graduation and college attendance, and decreasing involvement with drugs, alcohol and violent

behaviors; and

WHEREAS, There are many children in this City and in this country who

need or want a mentor and thousands of children sit on waiting

lists for a mentor; and

WHEREAS, The establishment of National Mentoring Month will emphasize

the importance of mentoring and recognize with praise and gratitude the many citizens already involved in mentoring; and

gratitude the many citizens already involved in mentoring, and

In support of National Mentoring Month, the entire Nation will

celebrate mentoring with such activities as the unveiling of a new "Mentoring a Child" stamp by the U.S. Postal Service; and

WHEREAS, National Mentoring Month will above all encourage more people

to volunteer as mentors to the benefit of young children

nationwide.



WHEREAS.







NOW, THEREFORE, I, Jay Vavricek, Mayor of the City of Grand Island, Nebraska, do hereby proclaim the month of January, 2005 as

#### "NATIONAL MENTORING MONTH"

in the City of Grand Island, and encourage all citizens to observe the month with appropriate ceremonies and activities to promote awareness of and volunteer involvement in youth mentoring.

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

	Jay Vavricek, Mayor	
Attest:		
	RaNae Edwards, City Clerk	







# Tuesday, January 11, 2005 Council Session

# Item C2

# Recognition and Retirement of Jeri Garroutte for 30 Years of Service with the City of Grand Island

The Mayor and City Council will recognize Jeri Garroutte for 30 years of dedicated service with the City of Grand Island in the Community Development Department. Ms. Garroutte was hired on January 10, 1975 as a Bookkeeper for the Community Development Agency. She has served in the following positions since then: Clerk Typist II - 1/5/76; Clerk Steno. II - 1/3/77; Community Development Technician - 1/31/77; Community Development Coordinator - 6/3/79; Administrative Assistant - 2/3/86; and Community Development Director - 3/9/92 to the present. Ms. Garroutte has announced her retirement effective January 11, 2005. We want to thank her for her many years of service to the citizen's of Grand Island and congratulate her on her retirement.

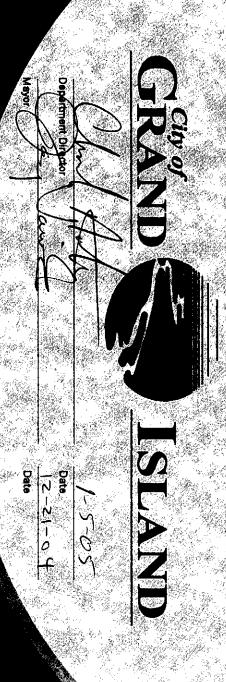
**Staff Contact: Chad Nabity** 

# 

WE HEREST EXPRESS OUR SINCERE APPRECIATION TO

# TERENINE GARROUTIVE

For your Loyalty, Diligence, and Outstanding Performance During Your Tenure With





Tuesday, January 11, 2005 Council Session

# Item D1

#2005-BE-1 - Consideration of Determining Benefits for Street Improvement District 1250, Edna Drive, North Road to Mabel Drive

Staff Contact: Steven P. Riehle, Public Works Director

# Council Agenda Memo

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

Meeting: January 11, 2005

**Subject:** Board of Equalization Hearing to Determine

Benefits and Consideration of an Ordinance Levying Assessments for Street Improvement District 1250, Edna Drive; North Road to

Mabel Drive

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

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

#### **Background**

The Certificate of Final Completion for Street Improvement District No. 1250 was approved on December 7, 2004 with January 11, 2005 set as the date for Council to sit as the Board of Equalization. All work has been completed and special assessments have been calculated for the District.

### **Discussion**

The contract for Street Improvement District No. 1250 was awarded to J.I.L. Asphalt Paving Company of Grand Island, Nebraska on August 10, 2004. The contract completion date was changed from September 1, 2004 to November 1, 2004 in order to coincide with the completion date for the adjacent project of paving Mabel Drive and Lillie Drive. Work on the project was completed at a construction price of \$26,966.75. Total cost of the project, including engineering, is \$29,663.43. The estimated cost of the District at the time of creation was \$32,729.03. Costs for the project break down as follows:

Original Bid	\$ 27,165.15
Underruns	\$ (198.40)
<b>Sub Total (Construction Price)</b>	\$ 26,966.75
Additional Costs	
Engineering, Publication, and TV Insp. Costs	\$ 2,696.68
Total Cost	\$ 29,663.43

#### **Alternatives**

- 1. Make a motion to approve the recommendation to allow the Board of Equalization to determine benefits for Street Improvement District No. 1250 and pass an ordinance allowing the City to recover the majority of the District costs and assess the benefiting owners.
- 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, sitting as a Board of Equalization, determine the benefits and pass an ordinance to levy Special Assessments to individual properties.

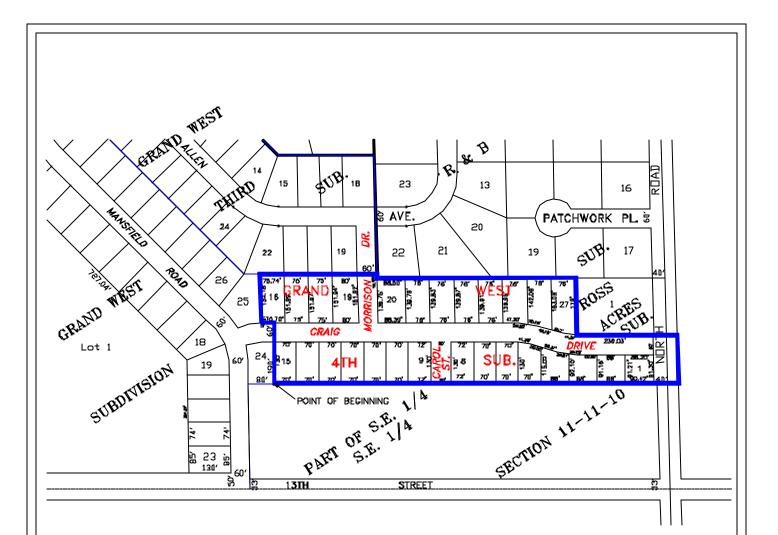
# **Sample Motion**

(Sample Motion for the Board of Equalization)

Move to approve the resolution establishing benefits for Street Improvement District No. 1250.

(Sample Motion for the Ordinance)

Move to approve the ordinance levying the assessments for Street Improvement District No. 1250.





STREET IMPROVEMENT DISTRICT 1251

EXHIBIT "A"



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

PLAT TO ACCOMPANY ORDINANCE NO. 8861

#### RESOLUTION 2005-BE-1

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Street Improvement District No. 1250 located in Edna Drive from Mabel Road to North Road in the city of Grand Island, Nebraska, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$29,663.43; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Street Improvement District No. 1250, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Sheryl & Bob Haase	Lot 1, Block 2, Gosda Subdivision	1,809.76
Randy & Mary Leiser	Lot 2, Block 2, Gosda Subdivision	1,809.76
Carrie Lee Monroy	Lot 3, Block 2, Gosda Subdivision	1,809.76
Roseann Anderson	Lot 4, Block 2, Gosda Subdivision	1,809.76
Robert & April Smith	Lot 5, Block 2, Gosda Subdivision	1,809.76
David & Maxine Vieth	Lot 6, Block 2, Gosda Subdivision	1,809.76
David & Suzanne Segger-Jensen	Lot 7, Block 2, Gosda Subdivision	1,809.76
Brandon & Stephanie Quick	Lot 8, Block 2, Gosda Subdivision	2,518.16
Wanda Grobe	Lot 1, Block 1, Gosda Subdivision	1,809.76
Federic & Heather Graves	Lot 2, Block 1, Gosda Subdivision	1,809.76
Lester & Betty Cornish	Lot 3, Block 1, Gosda Subdivision	1,809.76
Melvin & Beulah Miner	Lot 4, Block 1, Gosda Subdivision	1,809.76
Tracy Martin	Lot 5, Block 1, Gosda Subdivision	1,809.76
Nis N. Jr. & Sharon Bennetzen	Lot 6, Block 1, Gosda Subdivision	1,809.76
Brenda L. Creigh Revocable Trust	Lot 7, Block 1, Gosda Subdivision	1,809.76
Thimgan Family Trust	Lot 8, Block 1, Gosda Subdivision	1,808.63
TOTAL		\$29,663.43

Approved as to Form 

January 4, 2005 

City Attorney

#### RESOLUTION 2005-BE-1

Adopted by the City Council of the City of Grand Island, Nebraska, on January 11, 2005.
RaNae Edwards, City Clerk



Tuesday, January 11, 2005 Council Session

# Item D2

#2005-BE-2 - Consideration of Determining Benefits for Street Improvement District 1252, Lillie Drive from North Road to Mabel Drive, and Mabel Drive from Lillie Drive to Edna Drive

Staff Contact: Steven P. Riehle, Public Works Director

# **Council Agenda Memo**

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

Meeting: January 11, 2005

**Subject:** Board of Equalization Hearing to Determine

Benefits and Consideration of an Ordinance Levying Assessments for Street Improvement District 1252, Lillie Drive from North Road to Mabel Drive, and Mabel Drive from Lillie

Drive to Edna Drive

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

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

#### **Background**

The Certificate of Final Completion for Street Improvement District No. 1252 was approved on December 7, 2004 with January 11, 2005 set as the date for Council to sit as the Board of Equalization. All work has been completed and special assessments have been calculated for the District.

#### **Discussion**

The contract for Street Improvement District No. 1252 was awarded to J.I.L. Asphalt Paving Company of Grand Island, Nebraska on September 14, 2004. Work on the project was completed on schedule at a construction price of \$30,876.52. Total cost of the project, including engineering, is \$33,964.17. The estimated cost of the District at the time of creation was \$43,431.38. Costs for the project break down as follows:

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

# **Alternatives**

- 1. Make a motion to approve the recommendation to allow the Board of Equalization to determine benefits for Street Improvement District No. 1252 and pass an ordinance allowing the City to recover the majority of the District costs and assess the benefiting owners.
- 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, sitting as a Board of Equalization, determine the benefits and pass an ordinance to levy Special Assessments to individual properties.

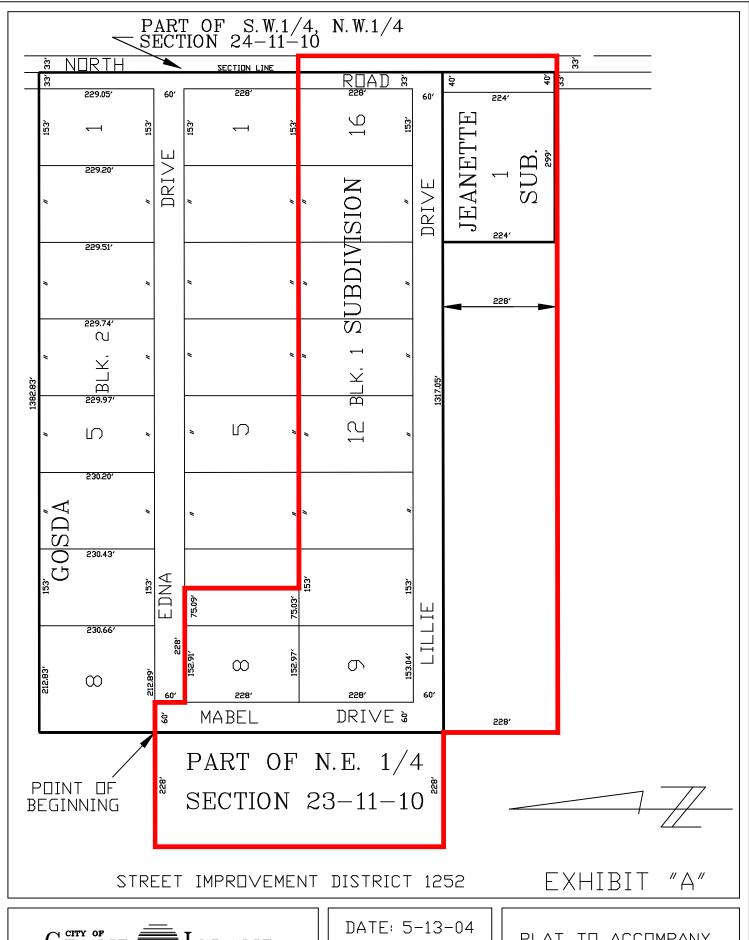
# **Sample Motion**

(Sample Motion for the Board of Equalization)

Move to approve the resolution establishing benefits for Street Improvement District No. 1252.

(Sample Motion for the Ordinance)

Move to approve the ordinance levying the assessments for Street Improvement District No. 1252.



GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 5-13-04 DRN BY: L.D.C. SCALE: 1"=200'

PLAT TO ACCOMPANY ORDINANCE NO. 8906

#### RESOLUTION 2005-BE-2

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Street Improvement District No. 1252 located along Lillie Drive from North Road to Mabel Drive, and along Mabel Drive north to Edna Drive in the city of Grand Island, Nebraska, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$33,964.17; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Street Improvement District No. 1252, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<b>Assessment</b>
Brenda L. Creigh Revocable Trust	West 75.09 feet of Lot 7, Block 1, Gosda Subdivision	230.98
Thimgan Family Trust	Lot 8, Block 1, Gosda Subdivision	1,936.29
Michael & Carol Robinson	Lot 9, Block 1, Gosda Subdivision	3,391.24
Jerry & Mary Jane Novakowski	Lot 10, Block 1, Gosda Subdivision	1,685.10
Brett & Lori Nellson	Lot 11, Block 1, Gosda Subdivision	1,454.35
Janice & Merle Simmons	Lot 12, Block 1, Gosda Subdivision	1,454.35
R. Rebecca Donovan	Lot 13, Block 1, Gosda Subdivision	1,454.35
Kenneth & Sandra Martin	Lot 14, Block 1, Gosda Subdivision	1,454.35
Daniel & Cynthia Linke	Lot 15, Block 1, Gosda Subdivision	1,454.35
Joseph Menke	Lot 16, Block 1, Gosda Subdivision	1,454.35
Stanley & Jeanette Peterson	North 174 feet of Lot 1, Jeanette Subdivision	2,652.29
Stanley & Jeanette Peterson	Part of the SE1/4, NE1/4 of Section 23-11-10, more particularly described as follows: Beginning at the NW corner of Jeanette Subdivision; thence south 174 feet; thence west 85 feet; thence north 174 feet; thence east 85 feet to the point of beginning.	753.99

#### RESOLUTION 2005-BE-2

Steven & Connie Asche	Part of the SE1/4, NE1/4 of Section 23-11-10, more particularly described as follows: Beginning at a point where the south line of Lillie Drive intersects the west line of Mabel Drive; thence east to a point 85 feet west of the NW corner of Jeanette Subdivision; thence south 174 feet; thence east 85 feet to the west line of Jeanette Subdivision; thence south to the SW corner of Jeanette Subdivision; thence east 299 feet; thence south 4 feet; thence west to the southerly prolongation of the west line of Mabel Drive; thence north 228 feet to the point of beginning.	8,934.99
Steven & Connie Asche	South 50 feet of Lot 1, Jeanette Subdivision	178.01
Barry Niedfelt	Part of the NE1/4 of Section 23-11-10, more particularly described as follows: Beginning at a point where the north line of Edna Drive intersects the west line of Mabel Drive; thence south to the south line of Lillie Drive; thence west 228 feet; thence north 576 feet; thence east 228 feet to the point of beginning.	5,475.18
TOTAL		\$33,964.17
Adopted by the City Council of the	e City of Grand Island, Nebraska, on January 11, 20	05.
	RaNae Edwards, City Clerk	



# Tuesday, January 11, 2005 Council Session

# Item E1

Public Hearing on Acquisition of Property Located at 1613 West Division Street (Old Wasmer School Property)

Staff Contact: Steven P. Riehle, Public Works Director

# Council Agenda Memo

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

Doug Walker, City Attorney

Meeting: January 11, 2005

**Subject:** Public Hearing on the Purchase of the Old Wasmer

School Property; Located at 1613 W Division Street

**Item #'s:** E-1 & G-7

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

# **Background**

A public hearing must be held and Council action must be taken by resolution for the City of Grand Island to acquire property. Grand Island Public Schools own the property at 1613 W Division Street and have agreed to sell this property.

#### **Discussion**

The city has been working with the Nebraska Department of Roads on a project to widen Second Street (US highway 30) between Grant Street and Greenwich Street. The area experiences significant ponding of storm water runoff. The City of Grand Island is interested in the old Wasmer Elementary School Site for use as a detention cell. The Grand Island Public Schools advertised for bids on November 12, 2004. The City of Grand Island submitted a bid for \$180,100.00 on December 1, 2004. At the December 9, 2004 school board meeting, the school board members voted to accept the City of Grand Island's bid to purchase the property. The bid must be approved by the Mayor and the City Council. There are sufficient funds in account 40015025-90005 to purchase the property.

#### **Alternatives**

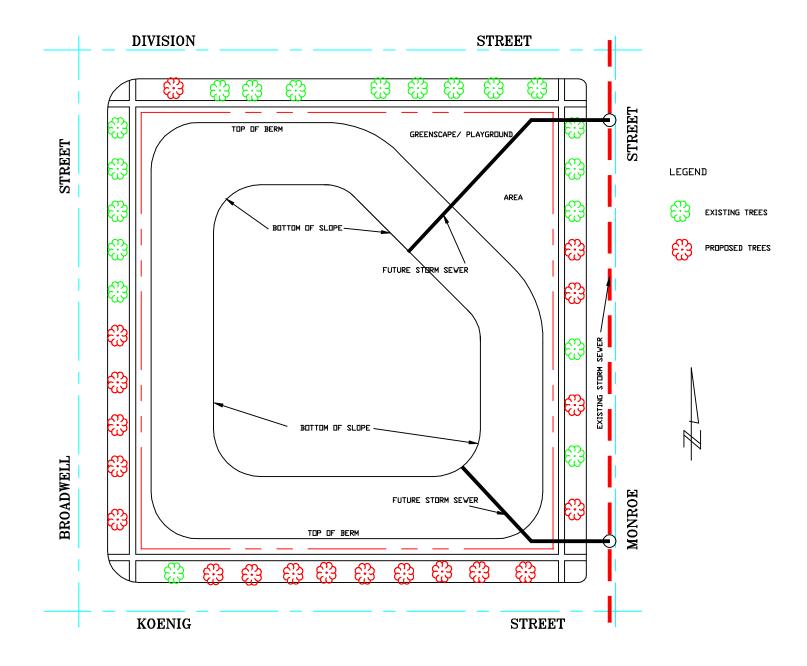
- 1. Move to approve the purchase of the property.
- 2. Refer the issue to a Committee.
- 3. Postpone the issue to future date.
- 4. Take no action on the issue.

# Recommendation

City Administration recommends that the Council approve the purchase of the Old Wasmer School Property for \$180,100.00 and pass a resolution authorizing the Mayor to sign an agreement with the Grand Island Public Schools for the purchase.

# **Sample Motion**

Move to approve the acquisition of the Old Wasmer School Property.





# Tuesday, January 11, 2005 Council Session

# Item E2

Public Hearing on Designation of Northeast Area as Blight & Substandard Area #5

**Staff Contact: Cindy Johnson** 

# Council Agenda Memo

From: Cindy K. Johnson, CRA Director

Meeting: January 11, 2005

Subject: Consideration of Declaration of Blight and Substandard

Area #5, Northeast Grand Island

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

Presenter(s): Cindy K. Johnson, CRA Director

# **Background**

At the regular meeting of the Community Redevelopment authority, held in July, the Authority requested that an area located in the northeast area of Grand Island be considered as blight and substandard. This request was made in response to interest on the part of local developers to develop a vacant parcel of property into special needs housing, including for low to moderate income housing. The area in question is generally described as:

An area in or adjacent the City of Grand Island, Hall County, Nebraska, beginning at the intersection of the north line of Capital Avenue and the east line of Sky Park Road, thence south along the said east line to its intersection with the north line of 7<sup>th</sup> Street East, thence east along said north line to its intersection with the extended line east line of Lot 1, of the Sanitarian Subdivision, thence south across 7<sup>th</sup> Street East Right-of-Way and continuing south along said east line of Lot 2, to its intersection with the north line of Lot 2 of the Schmader 2<sup>nd</sup> Subdivision, thence continuing south along an extended east line of Lot 2 of the Sanitarian Subdivision to its intersection with the south line of Lot 2 of the Schmader 2<sup>nd</sup> Subdivision (also the north line of the Union Pacific Railroad Right-of-Way), thence continuing southwesterly along said south line to its intersection with west line of Lot 2 of the Schmader 2<sup>nd</sup> Subdivision, thence northwesterly along said west line to its intersection with the north line of said Lot 2, thence continuing northwesterly along an extended line of the west line of Lot 2 of the Schmader 2<sup>nd</sup> Subdivision and continuing northwesterly across 4<sup>th</sup> Street East Right-ofWay to its intersection with the north line of 4<sup>th</sup> Street East, thence southwesterly along the north line of 4<sup>th</sup> Street East to its intersection with the east line of Willow Street Right-of-Way, thence north along said east line to its intersection with the south line of 7th Street East and continuing north across the 7<sup>th</sup> Street East Right-of-Way to its intersection with the north line of 7<sup>th</sup> Street East, thence west along said north line to its intersection with west line of a miscellaneous tract of land identified as 10-11-9 PT. E1/2 SW 1/4 NE 1/4 (containing 0.91 acres), thence north along said west line and continuing north along three additional miscellaneous tracts of land with identical west lines to their intersection with a south line

of a large miscellaneous tract of land (containing 3.48 acres) located at 10-11-9 PT. E1/2 SW 1/4 NE 1/4, thence west along said south line to its intersection with the west line of same said miscellaneous tract, thence north along said west line to its intersection with the north line of same said miscellaneous tract, thence east along said north line of said miscellaneous tract, to its intersection with the west line of a flag shaped miscellaneous tract located at 10-11-9 PT. E1/2 SW 1/4 NE 1/4 (containing 2.08 acres), thence north along said miscellaneous tract to its intersection with the north line of same said tract, thence east along said north line of same said miscellaneous tract and continuing north along the north line of an adjacent miscellaneous tract to its intersection with the west line of an miscellaneous tract of land whose east line fronts of Geddes Street, thence north along said west line and continuing north along the west line of several miscellaneous tracts of land to its eventual intersection with the north line of Capital Avenue, thence east along said north line of Capital Avenue to its intersection with the extended east line of Sky Park Road, also the eastern corporate limit line of the City of Grand Island, and the point of beginning, located in the City of Grand Island, Hall County, Nebraska.

Hanna:Keelan, P.C., a community planning company, was authorized to undertake the blight/substandard study and a conjunctive redevelopment plan. Upon completion of the blight/substandard evaluation, it was determined that there are substantial amounts of conditions that meet the statutorial criteria for blight and substandard designation within the area. Following approval by the CRA at the meeting of October 13, 2004, the blight/substandard designation study was forwarded to the Regional Planning Commission on December 2, 2004 and received their approval.

#### **Discussion**

According to the Study, this area (map attached) exhibited a strong presence of the following factors: 1) dilapidated/deterioration; 2) age or obsolescence; 3) inadequate provisions for ventilation, light, air, sanitation, or open spaces; and 4) existence of conditions which endanger life or property by fire and other causes. Of the existing 45 structures, 22% are substandard and 13% show major deterioration. 71% of the structures in the area are 40+ years of age or built prior to 1964. In addition, the majority of the area is served by private water wells for drinking water and is prone to groundwater contamination from vehicles salvage/junk yard and the presence of abandoned oil drums and several large fuel tanks. Sidewalks are nearly non-existent in the area and many properties (driveways and parking lots) have gravel surfaces.

The Redevelopment Plan outlines several opportunities to make "first steps in the public improvements" to this area and encourage private development at the same time. Public improvements identified include water mains, streets, storm water and sanitary sewer systems, more planned municipal parking areas, landscaped right-of-ways and open spaces.

At the Regional Planning Commission meeting, Planning Director Chad Nabity noted that the declaration was consistent with the Comprehensive Plan and appeared to meet

the qualifications as defined by the state for designation as blighted and substandard. The Planning Commission unanimously recommended approval.

The Authority requests that the City Council consider and approve Blight/Substandard Study #5, northeast Grand Island, allowing the Authority to move forward with the conjunctive Redevelopment Plan to assist in the revitalization and redevelopment of the South Locust Street area.

# **Alternatives**

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

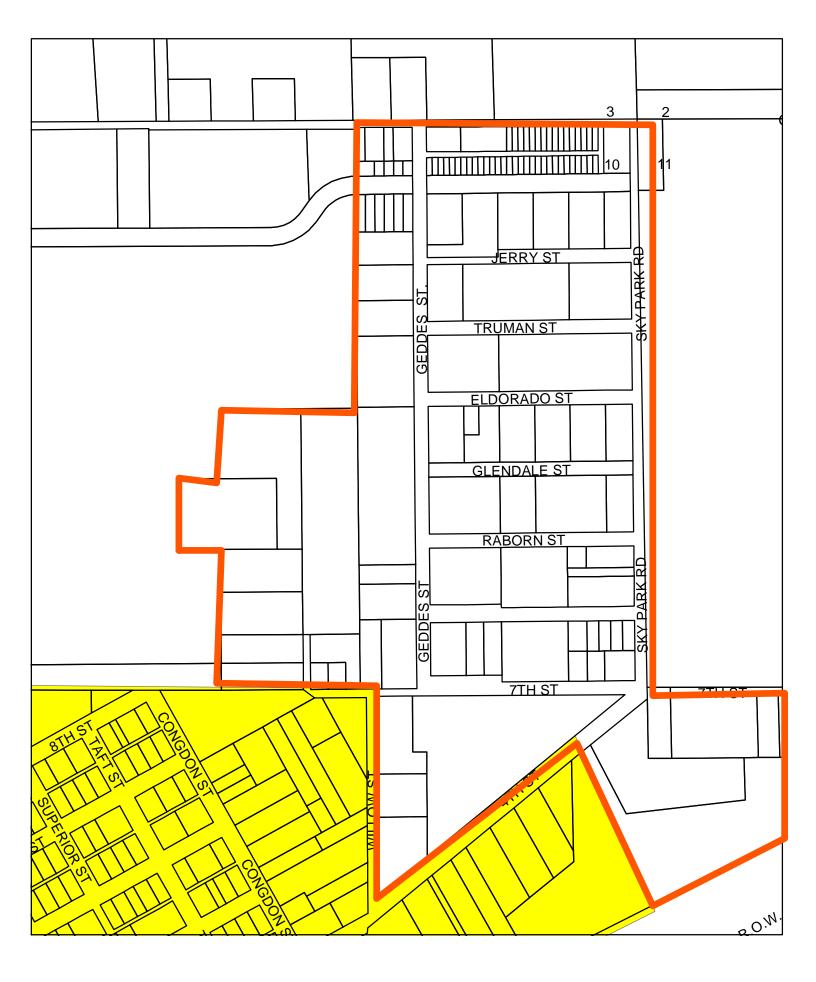
- 1. Move to approve
- 2. Refer the issue to a Committee
- 3. Postpone the issue to future date
- 4. Take no action on the issue

#### **Recommendation**

Approval is recommended.

#### **Sample Motion**

Motion to approve.



December 3, 2004

Honorable Jay Vavricek, Mayor And Members of the Council City Hall Grand Island, NE 68801

Dear Mayor and Members of the Council:

#### RE: Declaration of Blight & Substandard Area #5

At the regular meeting of the Regional Planning Commission, held December 2, 2004, the above item was considered following a public hearing. This application proposes to declare a site in northeast Grand Island as blighted and substandard.

Nabity said this is consistent with the Comprehensive Plan and appears to meet the qualifications as defined by the state for designation as blighted and substandard and recommended approval.

No members of the public were present to comment on the proposed blight and substandard area.

A motion was made by Ruge and seconded by Miller to **approve** and recommend that the Grand Island City Council **approve** 

A roll call vote was taken and the motion passed with 11 members present (Amick, Haskins, O'Neill, Brown, Niemann, Miller, Eriksen, Ruge, Monter, Hayes, Wagoner) voting in favor.

Yours truly,

Chad Nabity AICP Planning Director

cc: Community Redevelopment Authority

# REGIONAL PLANNING COMMISSION NOTICE OF PUBLIC HEARING(S)

Notice is hereby given that the Regional Planning Commission of Hall County, Grand Island, Wood River and the Villages of Alda, Cairo, Doniphan, Nebraska, will at its meeting beginning at 7:00 p.m. Wednesday, December 1, 2004 in the Council Chambers of Grand Island's City Hall located at 100 E. 1<sup>st</sup> Street, hold public hearings on the following:

- 1. Public Hearing Concerning a Blight & Substandard Area for an area in northeast Grand Island, Nebraska. This area is generally bounded by Capital Avenue and 7<sup>th</sup> Street on the north, Skypark road and a line along the east side of lot 1 of Sanitarian Subdivision from 7<sup>th</sup> Street to the Union Pacific Right-of-Way on the east, the Union Pacific Rail Road Tracks and Blight and Substandard Area 1 on the south, and properties west of Geddes Street between 7<sup>th</sup> Street and Capital Avenue. For a detailed map or legal description of the proposed blight and substandard area contact The Hall County Regional Planning Department at the Grand Island City Hall, P.O. Box 1968, Grand Island, Nebraska, (308) 385-5240. (C-3-2005GI)
- 2. Public Hearing- Concerning amendments to Chapter 36 of the Grand Island City Code pertaining to zoning within the City and its 2 mile extra-territorial jurisdiction. Amendments to be considered pertain to typographical errors and omissions from the Chapter as adopted by the City of Grand Island on July 13, 2004. For a complete list of the proposed amendments contact The Hall County Regional Planning Department at the Grand Island City Hall, P.O. Box 1968, Grand Island, Nebraska, (308) 385-5240. (C-4-2005GI)

The above item(s) may be reviewed during normal office hours at the Regional Planning Commission located in the second floor of Grand Island's City Hall.

Les Ruge, Secretary

Publish one (1) time

November 20, 2004 (Saturday)

Please send bill and proof of publication to:

Regional Planning Commission

PO Box 1968

Grand Island NE 68802-1968



# Tuesday, January 11, 2005 Council Session

# Item E3

Public Hearing on Acquisition of Utility Easement - 3510 S. Blaine - Michael Jakubowski

Staff Contact: Gary R. Mader

# **Council Agenda Memo**

From: Robert H. Smith, Asst. Utilities Director

Meeting: January 11, 2005

**Subject:** Acquisition of Utility Easement – 3510 S. Blaine Street -

Jakubowski

**Item #'s:** E-3 & G-12

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

# **Background**

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Michael T. Jakubowski, located at 3510 S. Blaine Street, south of U.S. Highway 34, located in Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

#### **Discussion**

This easement will be used to install primary cable and a single phase pad-mounted transformer to serve electricity to a new home on the property.

#### **Alternatives**

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

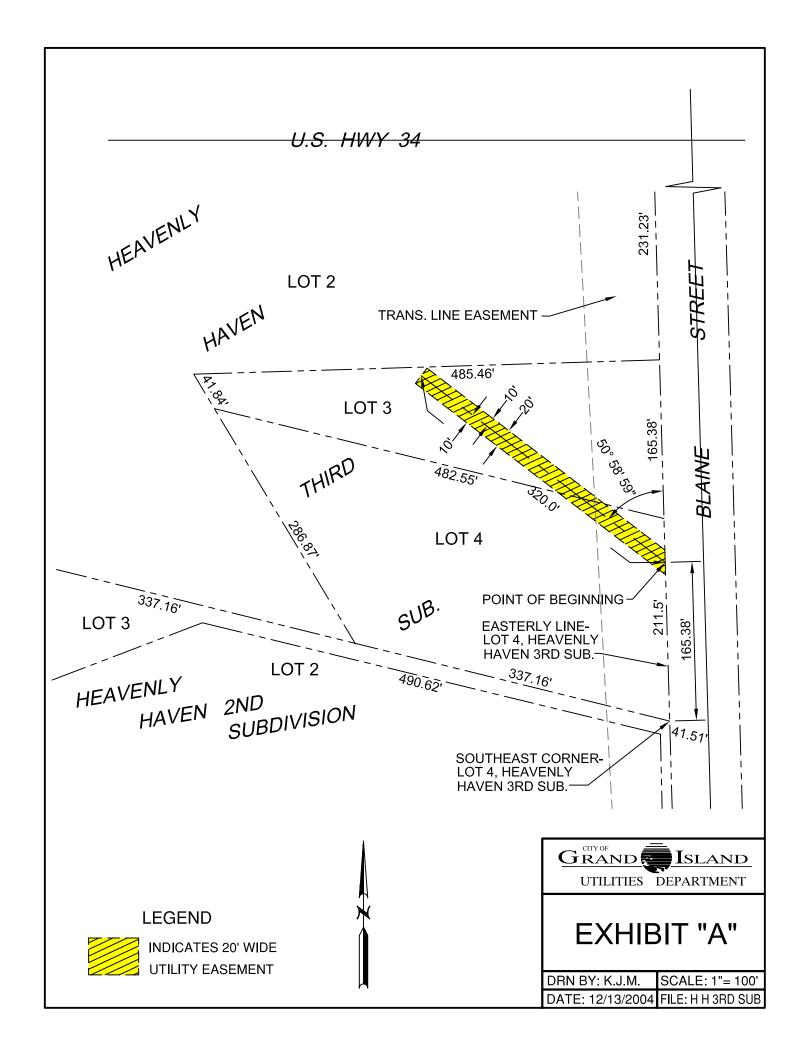
- 1. Make a motion to approve.
- 2. Refer the issue to a Committee
- 3. Postpone the issue to future date
- 4. Take no action on the issue

# **Recommendation**

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

#### **Sample Motion**

Move to approve acquisition of the Utility Easement.





# Tuesday, January 11, 2005 Council Session

# Item E4

**Public Hearing on Acquisition of Utility Easement - 1708 N. Diers Avenue - James Martinez** 

Staff Contact: Gary R. Mader

# **Council Agenda Memo**

From: Robert H. Smith, Asst. Utilities Director

Meeting: January 11, 2005

**Subject:** Acquisition of Utility Easement – 1708 N. Diers Avenue

James Martinez

**Item #'s:** E-4 & G-13

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

# **Background**

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of James A. Martinez, located at 1708 North Diers Avenue, in the City Of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

#### **Discussion**

This easement will be used to locate underground electrical cables and pad-mounted transformers to serve the new car wash at this location.

#### **Alternatives**

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

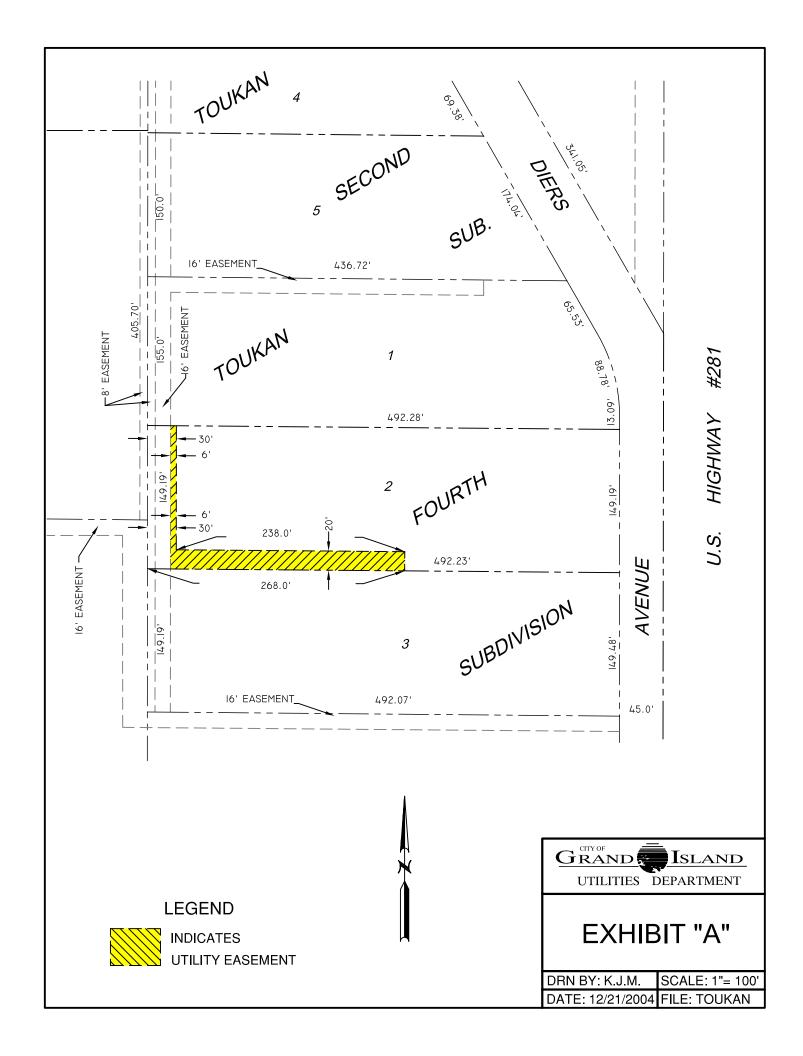
- 1. Make a motion to approve.
- 2. Refer the issue to a Committee
- 3. Postpone the issue to future date
- 4. Take no action on the issue

# **Recommendation**

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

# **Sample Motion**

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





## Tuesday, January 11, 2005 Council Session

### Item E5

Public Hearing on Acquisition of Utility Easement - 3030 Old Highway 30 - L & P Investments, L.L.C.

Staff Contact: Gary R. Mader

## **Council Agenda Memo**

From: Robert H. Smith, Asst. Utilities Director

Meeting: January 11, 2005

**Subject:** Acquisition of Utility Easement – 3030 Old Highway 30

L & P Investments LLC

**Item #'s:** E-5 & G-15

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

### **Background**

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of L & P Investments, LLC, located at 3030 Old Highway 30, in the City Of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

#### **Discussion**

This easement will be used to increase an existing utility easement to allow placement of high voltage cable and a new pad-mounted transformer to serve a new building.

### **Alternatives**

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

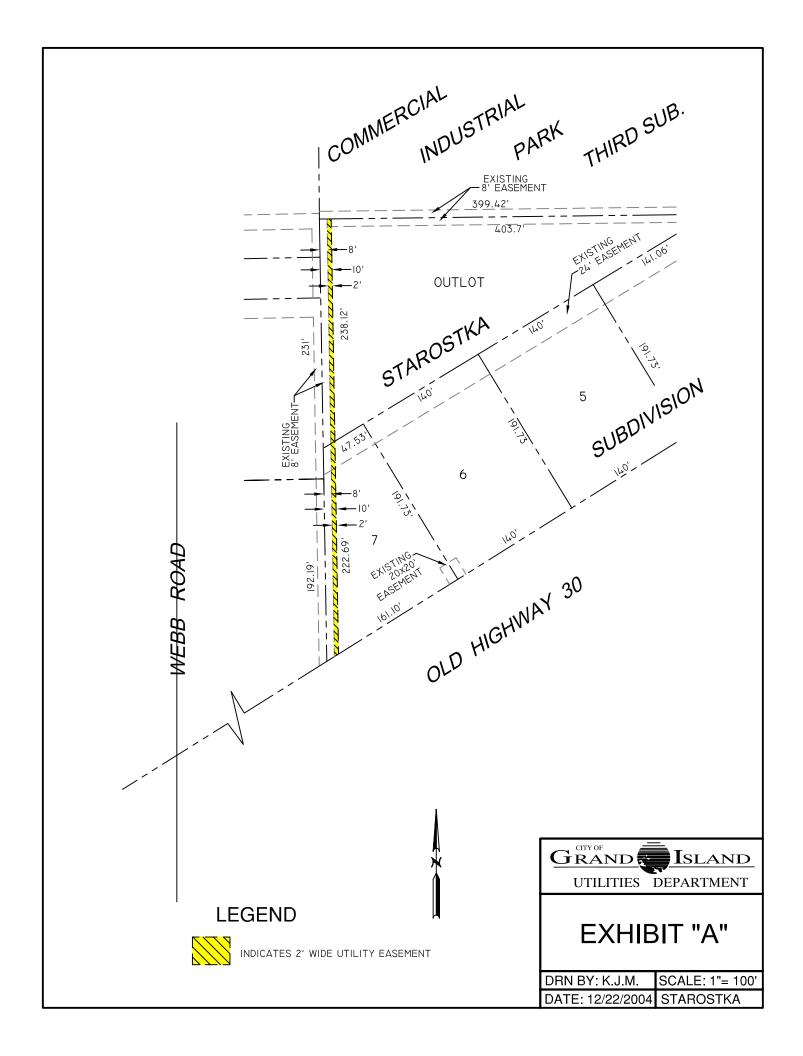
- 1. Make a motion to approve.
- 2. Refer the issue to a Committee
- 3. Postpone the issue to future date
- 4. Take no action on the issue

### **Recommendation**

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

### **Sample Motion**

Move to approve acquisition of the Utility Easement.





## Tuesday, January 11, 2005 Council Session

### Item E6

Public Hearing on Acquisition of Utility Easement - 4160 Gold Core Drive - SEC Accommodator XXIX, L.L.C.

Staff Contact: Gary R. Mader

# **Council Agenda Memo**

From: Robert H. Smith, Asst. Utilities Director

Meeting: January 11, 2005

**Subject:** Acquisition of Utility Easement – 4160 Gold Core Drive

SEC Accommodator XXIX, LLC

**Item #'s:** E-6 & G-16

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

### **Background**

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of SEC Accommodator XXIX, LLC, located at 4160 Gold Core Drive, in the City Of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

#### **Discussion**

This easement will be used to place high voltage cable and two pad-mounted transformers to serve the new Standard Iron building.

### **Alternatives**

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

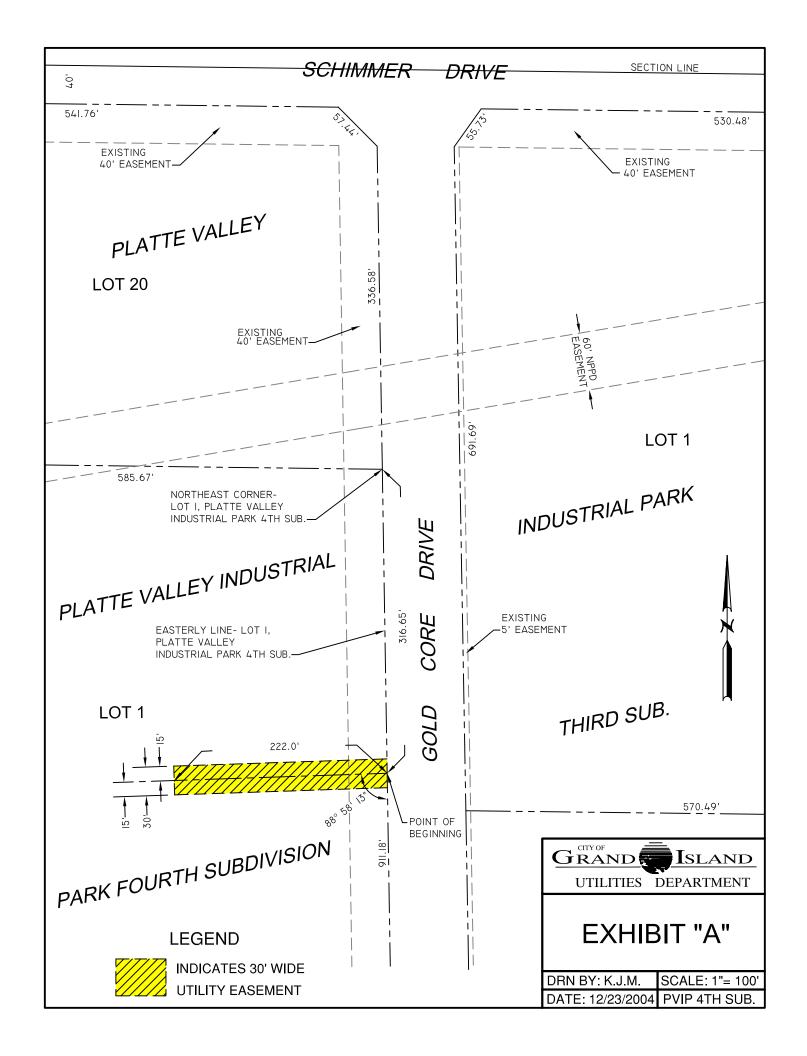
- 1. Make a motion to approve.
- 2. Refer the issue to a Committee
- 3. Postpone the issue to future date
- 4. Take no action on the issue

### Recommendation

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

### **Sample Motion**

Move to approve acquisition of the Utility Easement.





## Tuesday, January 11, 2005 Council Session

### Item E7

Public Hearing on Request of Yield LLC dba Upper Deck Sports Bar & Grill, 2110 West 2nd Street for a Class "C" Liquor License

**Staff Contact: RaNae Edwards** 

# Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: January 11, 2005

**Subject:** Public Hearing on Request of Yield LLC dba Upper

Deck Sports Bar & Grill, 2110 West 2nd Street for a

Class "C" Liquor License

**Item #'s:** E-7, G-4 & G-5

**Presente** r(s): RaNae Edwards, City Clerk

### **Background**

Yield LLC dba Upper Deck Sports Bar & Grill, 2110 West 2nd Street has submitted an application for a Class "C" Liquor License. A Class "C" Liquor License allows for the sale of alcoholic beverages on and off sale within the corporate limits of the City of Grand Island.

### **Discussion**

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has not been reviewed by the Building, Fire, and Health Departments because no inspections have been requested by the applicant. Approval is recommended contingent upon final inspections.

### <u>Alternatives</u>

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

- 1. Approve the request for Yield LLC dba Upper Deck Sports Bar & Grill, 2110 West 2nd Street for a Class 'C" Liquor License.
- 2. Forward to the Nebraska Liquor Control Commission with no recommendation.
- 3. Take no action on the issue.

### Recommendation

City Administration recommends that the Council approve this request.

### **Sample Motion**

Approve the request of Yield LLC dba Upper Deck Sports Bar & Gill, 2110 West 2nd Street for a Class 'C" Liquor License contingent upon final inspections.



## Tuesday, January 11, 2005 Council Session

## Item E8

Public Hearing on Acquisition of Property Located at 1212 West 2nd Street, 1209 West 3rd Street, and 1215 West 3rd Street

**Staff Contact: Doug Walker** 

## **Council Agenda Memo**

From: Douglas R. Walker, City Attorney

Meeting: January 11, 2005

**Subject:** Public Hearing on Acquisition of Real Estate Located at

1212 West Second Street, 1209 West Third Street and

1215 West Third Street, Grand Island, Nebraska,

and

Approving Acquisition of Real Estate Located at 1212 West Second Street, 1209 West Third Street and 1215

West Third Street, Grand Island, Nebraska

**Item #'s:** E-8 & G-23

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

### **Background**

Nebraska State Statutes require that the acquisition of property must be approved by the City Council. The public hearing for the acquisition of this property is being done to meet the requirements of Neb. Rev. Stat., §18-1755 and Neb. Rev. Stat., §25-2505. Subsequent to the public hearing, Item G-23 will be for approval for acquisition of this property.

### **Discussion**

The Grand Island Library Foundation has begun acquiring property in the block west of the city library for use in expanding the library facility. At several prior meetings of the City Council, including the meeting on October 19, 2004, presentations were made by the Library Board regarding plans for expanding the city library to the west of the current facility. This expansion will necessitate the acquisition of property in the block west of the current library building to accommodate the expansion and to provide parking for the enlarged facility. The Foundation has committed to purchase some of the property in the block west of the library to help facilitate the expansion. The property which is the subject of this public hearing is the property on which a commercial building is located in the middle of the south side of the block (currently being leased by Domino's Pizza). The other two properties are houses in the two middle lots on the north side of the block. These three properties, in addition to the property that was conveyed to the city after the November 9, 2004, public hearing constitute five of the eight lots on this block. The

Library Foundation has acquired this property and is donating it to the City of Grand Island.

### **Alternatives**

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

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

#### **Recommendation**

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

### **Sample Motion**

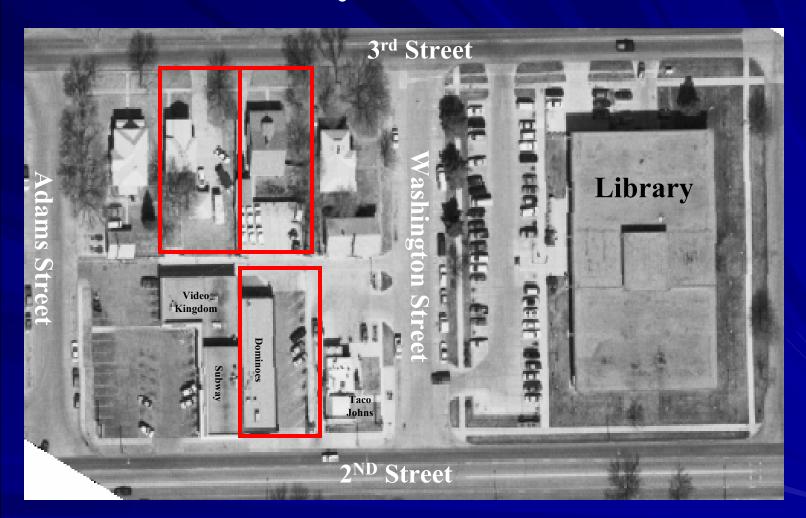
Motion to approve the acquisition of the following real estate:

1212 West 2<sup>nd</sup> Street, legally described as Lot Seven (7), Block Two (2), Spaulding and Gregg's Addition to the City of Grand Island, Hall County, Nebraska;

1209 West 3<sup>rd</sup> Street, legally described as Lot Two (2), Block Sixteen (16), Arnold and Abbott's Addition and its compliment, Lot Two (2), Block Two (2), Spaulding and Gregg's Addition, both being Addition's to the City of Grand Island, Nebraska; and,

1215 West 3<sup>rd</sup> Street, legally described as Lot Three (3), Block Sixteen (16), Arnold and Abbott's Addition and its compliment, Lot Three (3), Block Two (2), Spaulding and Gregg's Addition, both being additions to the City of Grand Island, Nebraska.

# **Library Foundation**





**Proposed Property** 



## Tuesday, January 11, 2005 Council Session

### Item F1

#8948 - Consideration of Assessments for Street Improvement District 1250, Edna Drive; North Road to Mabel Drive

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

Staff Contact: Steven P. Riehle, Public Works Director

\* This Space Reserved for Register of Deeds \*

#### ORDINANCE NO. 8948

An ordinance to assess and levy a special tax to pay the cost of construction of Street Improvement District No. 1250 of the City of Grand Island, Nebraska; to provide for the collection of such special tax; to repeal any provision of the Grand Island City Code, ordinances, and parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of construction of said Street Improvement District No. 1250 located along Edna Drive from Mabel Road to North Road in the city of Grand Island, Nebraska, as adjudged by the Council of said City, sitting as a Board of Equalization, to the extent of benefits accruing thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and land as follows:

Approved as to Form 

January 4, 2005 

City Attorney

#### ORDINANCE NO. 8948 (Cont.)

<u>Name</u>	<u>Description</u>	Assessment
Sheryl & Bob Haase	Lot 1, Block 2, Gosda Subdivision	1,809.76
Randy & Mary Leiser	Lot 2, Block 2, Gosda Subdivision	1,809.76
Carrie Lee Monroy	Lot 3, Block 2, Gosda Subdivision	1,809.76
Roseann Anderson	Lot 4, Block 2, Gosda Subdivision	1,809.76
Robert & April Smith	Lot 5, Block 2, Gosda Subdivision	1,809.76
David & Maxine Vieth	Lot 6, Block 2, Gosda Subdivision	1,809.76
David & Suzanne Segger-Jensen	Lot 7, Block 2, Gosda Subdivision	1,809.76
Brandon & Stephanie Quick	Lot 8, Block 2, Gosda Subdivision	2,518.16
Wanda Grobe	Lot 1, Block 1, Gosda Subdivision	1,809.76
Federic & Heather Graves	Lot 2, Block 1, Gosda Subdivision	1,809.76
Lester & Betty Cornish	Lot 3, Block 1, Gosda Subdivision	1,809.76
Melvin & Beulah Miner	Lot 4, Block 1, Gosda Subdivision	1,809.76
Tracy Martin	Lot 5, Block 1, Gosda Subdivision	1,809.76
Nis N. Jr. & Sharon Bennetzen	Lot 6, Block 1, Gosda Subdivision	1,809.76
Brenda L. Creigh Revocable Trust	Lot 7, Block 1, Gosda Subdivision	1,809.76
Thimgan Family Trust	Lot 8, Block 1, Gosda Subdivision	1,808.63
TOTAL		\$29,663.43

SECTION 2. The special tax shall become delinquent as follows: One-tenth of the total amount shall become delinquent in fifty days; one-tenth in one year; one-tenth in two years; one-tenth in three years; one-tenth in four years, one-tenth in five years; one-tenth in six years; one-tenth in seven years; one-tenth in eight years; and one-tenth in nine years respectively, after the date of such levy; provided, however, the entire amount so assessed and levied against any lot, tract or parcel of land may be paid within fifty days from the date of this levy without interest, and the lien of special tax thereby satisfied and released. Each of said installments, except the first, shall draw interest at the rate of seven percent (7.0%) per annum from the time of such levy until they shall become delinquent. After the same become delinquent, interest at

ORDINANCE NO. 8948 (Cont.)

the rate of fourteen percent (14.0%) per annum shall be paid thereon, until the same is collected

and paid.

SECTION 3. The treasurer of the City of Grand Island, Nebraska, is hereby

directed to collect the amount of said taxes herein set forth as provided by law.

SECTION 4. Such special assessments shall be paid into a fund to be designated

as the "Paving District Assessment Fund" for Street Improvement District No. 1250.

SECTION 5. Any provision of the Grand Island City Code, and any provision of

any ordinance, or part of ordinance, in conflict herewith is hereby repealed.

SECTION 6. This ordinance shall be in force and take effect from and after its

passage and publication, within fifteen days in one issue of the Grand Island Independent as

provided by law.

Enacted: January 11, 2005.

	Jay Vavricek, Mayor	
Attest:		
RaNae Edwards, City Clerk		



### Tuesday, January 11, 2005 Council Session

### Item F2

#8949 - Consideration of Assessments for Street Improvement District 1252, Lillie Drive from North Road to Mabel Drive, and Mabel Drive from Lillie Drive to Edna Drive

This item relates to the aforementioned Board of Equalization Item D-2.

Staff Contact: Steven P. Riehle, Public Works Director

\* This Space Reserved for Register of Deeds \*

#### ORDINANCE NO. 8949

An ordinance to assess and levy a special tax to pay the cost of construction of Street Improvement District No. 1252 of the City of Grand Island, Nebraska; to provide for the collection of such special tax; to repeal any provision of the Grand Island City Code, ordinances, and parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of construction of said Street Improvement District No. 1252 located along Lillie Drive from North Road to Mabel Drive, and along Mabel Drive north to Edna Drive in the city of Grand Island, Nebraska, as adjudged by the Council of said City, sitting as a Board of Equalization, to the extent of benefits accruing thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and land as follows:

Approved as to Form 

January 4, 2005 

City Attorney

#### ORDINANCE NO. 8949 (Cont.)

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Brenda L. Creigh Revocable Trust	West 75.09 feet of Lot 7, Block 1, Gosda Subdivision	230.98
Thimgan Family Trust	Lot 8, Block 1, Gosda Subdivision	1,936.29
Michael & Carol Robinson	Lot 9, Block 1, Gosda Subdivision	3,391.24
Jerry & Mary Jane Novakowski	Lot 10, Block 1, Gosda Subdivision	1,685.10
Brett & Lori Nellson	Lot 11, Block 1, Gosda Subdivision	1,454.35
Janice & Merle Simmons	Lot 12, Block 1, Gosda Subdivision	1,454.35
R. Rebecca Donovan	Lot 13, Block 1, Gosda Subdivision	1,454.35
Kenneth & Sandra Martin	Lot 14, Block 1, Gosda Subdivision	1,454.35
Daniel & Cynthia Linke	Lot 15, Block 1, Gosda Subdivision	1,454.35
Joseph Menke	Lot 16, Block 1, Gosda Subdivision	1,454.35
Stanley & Jeanette Peterson	North 174 feet of Lot 1, Jeanette Subdivision	2,652.29
Stanley & Jeanette Peterson	Part of the SE1/4, NE1/4 of Section 23-11-10, more particularly described as follows: Beginning at the NW corner of Jeanette Subdivision; thence south 174 feet; thence west 85 feet; thence north 174 feet; thence east 85 feet to the point of beginning.	753.99
Steven & Connie Asche	Part of the SE1/4, NE1/4 of Section 23-11-10, more particularly described as follows: Beginning at a point where the south line of Lillie Drive intersects the west line of Mabel Drive; thence east to a point 85 feet west of the NW corner of Jeanette Subdivision; thence south 174 feet; thence east 85 feet to the west line of Jeanette Subdivision; thence south to the SW corner of Jeanette Subdivision; thence east 299 feet; thence south 4 feet; thence west to the southerly prolongation of the west line of Mabel Drive; thence north 228 feet to the point of beginning.	8,934.99
Steven & Connie Asche	South 50 feet of Lot 1, Jeanette Subdivision	178.01
Barry Niedfelt	Part of the NE1/4 of Section 23-11-10, more particularly described as follows: Beginning at a point where the north line of Edna Drive intersects the west line of Mabel Drive; thence south to the south line of Lillie Drive; thence west 228 feet; thence north 576 feet; thence east 228 feet to the point of beginning.	5,475.18
TOTAL		\$33,964.17

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

#### ORDINANCE NO. 8949 (Cont.)

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

SECTION 3. The assessment for Steven and Connie Asche has been deferred in accordance with City of Grand Island Resolution 2004-160 approved on July 13, 2004, and shall not accrue interest until terminated in accordance with Neb. Rev. Stat. §19-2428 through 19-2431.

SECTION 4. The assessment for Barry W. Niedfelt has been deferred in accordance with City of Grand Island Resolution 2004-161 approved on July 13, 2004, and shall not accrue interest until terminated in accordance with Neb. Rev. Stat. §19-2428 through 19-2431.

SECTION 5. The treasurer of the City of Grand Island, Nebraska, is hereby directed to collect the amount of said taxes herein set forth as provided by law.

SECTION 6. Such special assessments shall be paid into a fund to be designated as the "Paving District Assessment Fund" for Street Improvement District No. 1252.

SECTION 7. Any provision of the Grand Island City Code, and any provision of any ordinance, or part of ordinance, in conflict herewith is hereby repealed.

#### ORDINANCE NO. 8949 (Cont.)

SECTION 8. 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.

provided by	iaw.		
	Enacted: January 11, 2005.		
		Jay Vavricek, Mayor	
Attest:			
RaNae Edwa	ards, City Clerk		



## Tuesday, January 11, 2005 Council Session

### Item G1

# **Approving Minutes of December 21, 2004 City Council Regular Meeting**

The Minutes of December 21, 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 December 21, 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 December 21, 2004. Notice of the meeting was given in the *Grand Island Independent* on December 15, 2004.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmember's Meyer, Whitesides, Pielstick, Gilbert, Nickerson, 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.

<u>INVOCATION</u> was given by Pastor Nancy Lambert, Trinity United Methodist Church, 511 North Elm Street followed by the <u>PLEDGE OF ALLEGIANCE</u>.

#### PRESENTATIONS AND PROCLAMATIONS:

<u>Musical Presentation by Interfaith Inspirations.</u> The musical group Interfaith Inspirations performed several Christmas selections for the enjoyment of those present and the viewing audience in light of the holiday season.

#### MAYOR COMMUNICATION - STATE OF THE CITY ADDRESS:

Mayor Vavricek commented that the efforts of the City of Grand Island were all about "people". Mentioned were the unprecedented growth and greater government efficiencies in 2004. Mayor Vavricek commented on the following activities that had taken place over the last year:

- Addition of Gary Greer as City Administrator
- Tax Payer Savings
- Successful Job Recruitment
- Expansion in Economic Development
- Record Year for New Construction
- Preparation of a New Public Safety Center, Fire Station Replacement, and Expansion of the City Library
- Improvements to the Grand Generation Center and Wastewater Treatment Plant
- Additional Hike/Bike Trails, Heartland Shooting Park, and the Heartland Events Center
- Discussions Concerning Homeland Security and Grand Island as a "Training City"
- Increased Public Safety

Mayor Vavricek thanked the citizens of Grand Island for the opportunity to serve them and the City Council for their leadership and devotion to the community.

#### **PUBLIC HEARINGS:**

<u>Public Hearing on Acquisition of Property Located at 1613 West Division Street. (Old Wasmer School Property)</u> This item was pulled from the Agenda until the January 11, 2005 City Council Regular Meeting.

<u>Public Hearing Concerning Changes to Chapter 36 of the Grand Island City Code.</u> Chad Nabity, Regional Planning Director reported that the proposed changes were intended to correct omissions and typographical errors in Chapter 36. No public testimony was heard.

Public Hearing on Request of Ruff's Bar, Inc. dba Ed & Nets, 311 North Walnut Street for a Class "C" Liquor License. City Clerk RaNae Edwards reported that Ruff's Bar, Inc. dba Ed & Nets, 311 North Walnut Street had submitted an application with the City' Clerk's Office for a Class "C" Liquor License which allows for the sale of alcoholic beverages on and off sale within the corporate limits of the city. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City of December 8, 2004; notice to the applicant of date, time, and place of hearing mailed on December 8, 2004; notice to the general public of date, time, and place of hearing published on December 11, 2004; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at the Northeast Corner of Gregory Avenue and Shady Bend Road. (Robert & Lynn Flint Widdifield) Gary Mader, Utilities Director reported that acquisition of a utility easement located at the northeast corner of Gregory Avenue and Shady Bend Road 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 locate a single phase pad-mounted transformer and primary cable to serve electricity to a new home. 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:

#8945 - Consideration of Conveyance of Portion of Vacated 16<sup>th</sup> Street

#8946 – Consideration of Corrections and Updates to City Code, Chapter 15, Electricity

#8947 – Consideration of Amendments to Chapter 36 of the Grand Island City Code

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

City Attorney Doug Walker reported that Ordinance #8945 was the conveyance of the vacated portion of 16<sup>th</sup> Street to GI Venture, L.P. which had been approved by Council on October 5,

1970 but had not been filed with the Register of Deeds Office. This Ordinance would clear the title. Utilities Director Gary Mader reported that Ordinance #8946 was to correct errors within Chapter 15 of the City Code relating to Electricity. Regional Planning Director Chad Nabity reported that Ordinance #8947 related to the aforementioned Public Hearing Item E-2.

Motion was made by Pielstick, second by Hornady to approve Ordinances #8945, #8946 and #8947.

City Clerk: Ordinances #8945, #8946 and #8947 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 #8945, #8946 and #8947 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 #8945, #8946 and #8947 are declared to be lawfully adopted upon publication as required by law.

<u>CONSENT AGENDA</u>: Item G-14 was pulled from the Consent Agenda to the January 11, 2005 Council Meeting. Item G-15 was pulled for further discussion. Motion by Hornady, second by Gilbert to approve the Consent Agenda excluding Items G-14 and G-15. Upon roll call vote, all voted aye. Motion adopted.

Receipt of Official Document – Tort Claim Filed by Todd and Jeannine Elsbernd

Approving Minutes of December 7, 2004 City Council Regular Meeting.

Approving Minutes of December 14, 2004 City Council Study Session.

Approving the Following Councilmember Appointments to Boards and Commissions: Building Code Advisory Board – Bob Meyer; Business Improvement District #3 – Fred Whitesides; Business Improvement District #4 – Bob Meyer; Business Improvement District #5 – Jackie Pielstick; City/County Communications/Civil Defense Committee – Fred Whitesides, Peg Gilbert, & Scott Walker; Community Development Advisory Board – Jackie Pielstick; Community Redevelopment Authority (CRA) – Margaret Hornady; Grand Island Area Economic Development Corporation – Peg Gilbert; Library Board – Margaret Hornady; Problem Resolution Team – Jackie Pielstick & Bob Meyer; Regional Planning Commission – Joyce Haase & Mitch Nickerson; Systems Information Advisory Committee (City/County) – Mitch Nickerson; Transportation Committee – Don Pauly & Peg Gilbert; and Multi-Cultural Coalition – Carole Cornelius.

Approving Appointments of Todd Morgan, Tom Cox, and Scott Kuehl to the Firefighters Pension Board.

- Approving Appointments of Sgt. Clyde church, Sgt. Kerry Cole, Officer Mark Dreher, and Officer Kelly Mossman to the Police Pension Board.
- Approving Request of Ruff's Bar, Inc. dba Ed & Nets, 311 North Walnut Street for a Class "C" Liquor License.
- Approving Request of Andrew Meier, 123 Meadowlark Circle, Doniphan, Nebraska for Liquor Manager Designation for Ed & Nets, 311 North Walnut Street.
- #2004-315 Approving Final Plat & Subdivision Agreement for Baxter First Subdivision. It was noted that Little B's Corporation, owner had submitted the final plat for Baxter First Subdivision, located on land comprising of the SW 1/4 NW 1/4 in Section 10-11-10 for the purpose of creating 1 lot.
- #2004-316 Approving Final Plat & Subdivision Agreement for Fairacres Dairy Eighth Subdivision. It was noted that Kenneth and Karen Lancaster, owners had submitted the final plat for Fairacres Dairy Eighth Subdivision, located east of Shady Bend Road and south of U.S. Highway 30 for the purpose of creating 2 lots on land comprising of Lot 1 Fairacres Dairy Fourth Subdivision.
- #2004-317 Approving Final Plat & Subdivision Agreement for Poland Subdivision. It was noted that Robert and Judith Poland, owners had submitted the final plat for Poland Subdivision, located on land comprising of part of Lots 3 & 4 Island & part of the W ½ SE ¼ SW 1/4 and part of the NW ¼ SE 1/4 of Section 23-11-09 for the purpose of creating 1 lot.
- #2004-318 Approving Bid Award for Plant Data Acquisition System for the Utilities Department with Rovisys of Aurora, Ohio in an Amount of \$49,809 plus tax.
- #2004-319 Approving Acquisition of Utility Easement Located in the Northeast Corner of Gregory Avenue and Shady Bend Road. (Roberty & Lynn Flint Widdifield)
- #2004-320 Approving Acquisition of Property Located at 1613 West Division Street. (Old Wasmer School Property) This item was removed from the Agenda to the January 11, 2005 Regular Council Meeting.
- #2004-322 Approving Change Order #2 for the Grand Generation Center Addition and Renovation with Starostka Group, Inc. of Grand Island, Nebraska for a Decrease in the Amount of \$29,992.00.
- #2004-323 Approving Contract for Design for Public Safety Facility with Wilson Estes Police Architects of Mission, Kansas in an Amount of \$490,000.00 plus Reimbursable Expenses. Councilmember Nickerson complimented Assistant City Attorney Dale Shotkoski and Captain Robert Falldorf for negotiating the price down to \$490,000 from \$580,000.
- #2004-324 Approving Certificate of Final Completion for Traffic Signal Project 2004-TS-1 (Flashing Yellow Warning Lights Along US Hwy 281) with Ensley Electric Services, Inc. of

<u>Grand Island, Nebraska.</u> Councilmember Walker thanked the Public Works Department on how nice the flashing lights were and the positive comments he had received.

#2004-325 – Approving State Bid Award for One (1) Case 621D Wheel Loader for the Wastewater Division of the Public Works Department with Midland Equipment of Lincoln, Nebraska in an Amount of \$93,496.00.

#2004-326 – Approving State Bid Award for One (1) F-350 Ford Pickup Truck for the Wastewater Division of the Public Works Department with Anderson Ford Lincoln Mercury of Grand Island, Nebraska in an Amount of \$30,790.00.

#2004-321 – Approving Revisions to the Employee Handbook. Brenda Sutherland, Human Resources Director explained each of the changes to the Employee Handbook. Discussion was held regarding short term disability, community leave bank, light duty policy, and the Emergency Management Center residency requirement. Councilmember's Haase and Pielstick voice concerns of the 25 mile residency requirement. Tuition reimbursement was discussed with regards to employees leaving after they had received their education. Councilmember Meyer spoke in support of the tuition reimbursement.

Motion by Nickerson, second by Gilbert to approve Resolution #2004-321. Upon roll call vote, all voted aye. Motion adopted.

#### PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase to approve the Claims for the period of December 8, 2004 through December 21, 2004, for a total amount of \$2,908,772.41. Motion adopted unanimously. Councilmember Haase abstained from Claim #87599.

ADJOURNMENT: The meeting was adjourned at 8:30 p.m.

RaNae Edwards City Clerk



## Tuesday, January 11, 2005 Council Session

### Item G2

### Approving Minutes of January 4, 2005 City Council Study Session

The Minutes of January 4, 2005 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 January 4, 2005

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 January 4, 2005. Notice of the meeting was given in the Grand Island Independent on December 29, 2004.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmember's Meyer, Whitesides, Pielstick, Gilbert, Nickerson, 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

<u>Mayor Communication:</u> Mayor Vavricek commented on the Council Retreat and mentioned scheduling problems. Discussed was a time that would work for all Councilmember's. It was the consensus of the Council to schedule the Retreat on a week-end even though there might be some absences.

<u>Presentation of Household Hazardous Waste Grant Funds:</u> Paul Briseno, Assistant to the City Administrator presented a PowerPoint concerning Household Hazardous Waste. Betty Curtis, Coordinator for the Grand Island Area Clean Community System, and Joni Kuzma, Development Specialist for the City of Grand Island were also present.

Explained was what household hazardous waste was, such as cleaners, paints, aerosols, corrosives, fuel, batteries, poison, chemicals, etc which are found in every household. The average U.S. household produces or generates more than 20 pounds of household hazardous waste per year. Reviewed were the collections over the past 6 years that had been collected by the Grand Island Area Clean Community System.

Discussed was a permanent, regional Household Hazardous Waste & Recycling facility. Currently one-day household hazardous waste collection events, coordinated by the Clean Community System had provided limited disposal. A permanent facility with set hours, clear guidelines and trained professionals would encourage long-term, sustained disposal efforts.

Reviewed was the proposed central household hazardous waste collection facility. The following items were mentioned:

- A central Nebraska household hazardous waste facility could potentially serve 350,000 residents in a 29 county area with 2 employees
- Would be part of a one stop center
- Collections would increase

- Facility needs to consist of at least 9,500 sq ft
- Could have satellite units located in strategically located communities to create a regional household hazardous waste area

Costs of this facility would be funded through a grant from the Department of Environmental Quality (DEQ) and matching funds from the City. Location was proposed to be by the landfill. Positive comments were made by the Council that this project was a long time in coming and supported moving forward with it.

Kris Nolan-Brown representing Goodwill Industries of Greater Nebraska commented on their efforts to recycle aluminum with H & H Distributing and stated this facility would be ideal for that purpose.

Councilmember Pielstick recommended that this item be brought to a City Council meeting for approval to move forward with the grant. Mr. Briseno stated this would be brought to the January 25, 2005 City Council meeting for approval.

ADJOURNMENT: The meeting was adjourned at 8:45 p.m.

RaNae Edwards City Clerk



### Tuesday, January 11, 2005 Council Session

### Item G3

### **Approving Appointment to the Firefighters Pension Committee**

The Mayor has submitted the appointment of John Mayer to the Firefighters Pension Committee. This committee member has been elected by his peers and require City Council approval. The appointment will become effective immediately upon council approval, and will expire January 1, 2009. Approval is recommended.

**Staff Contact: RaNae Edwards** 



## Tuesday, January 11, 2005 Council Session

### Item G4

Approving Request of Yield LLC dba Upper Deck Sports Bar & Grill, 2110 West 2nd Street for a Class "C" Liquor License

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

**Staff Contact: RaNae Edwards** 



## Tuesday, January 11, 2005 Council Session

### Item G5

Approving Request of Jason Schultz, 1524 Coventry #91 for Liquor Manager Designation for Upper Deck Sports Bar & Grill, 2110 West 2nd Street

**Staff Contact: RaNae Edwards** 

## **Council Agenda Memo**

From: RaNae Edwards, City Clerk

Meeting: January 11, 2005

**Subject:** Request of Jason Schultz, 1524 Coventry #91 for Liquor

Manager Designation for Upper Deck Sports Bar & Grill,

2110 West 2nd Street

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

**Presente** r(s): RaNae Edwards, City Clerk

### **Background**

Jason Schultz, 1524 Coventry #91 has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "C-66608" Liquor License for Upper Deck Sports Bar & Grill, 2110 West 2nd Street. This application has been reviewed by the Police Department and City Clerk's Office.

### **Discussion**

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

### **Alternatives**

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

- 1. Approve the request of Jason Schultz, 5124 Coventry #91 for Liquor Manager Designation in conjunction with the Class "C-66608" Liquor License for Upper Deck Sports Bar & Grill, 2110 West 2nd Street.
- 2. Forward the request with no recommendation.
- 3. Take no action on the request.

### Recommendation

City Administration recommends that the Council approve this request.

### **Sample Motion**

Approve the request of Jason Schultz, 1524 Coventry #91 for Liquor Manager Designation for Upper Deck Sports Bar & Grill, 2110 West 2nd Street.



Tuesday, January 11, 2005 Council Session

### Item G6

Approving Request of James Scott, 403 Roush Lane for Liquor Manager Designation for Pizza Hut, 1608 South Locust Street

**Staff Contact: RaNae Edwards** 

# **Council Agenda Memo**

From: RaNae Edwards, City Clerk

Meeting: January 11, 2005

**Subject:** Request of James Scott, 403 Roush Lane for Liquor

Manager Designation for Pizza Hut, 1608 South Locust

Street

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

**Presente** r(s): RaNae Edwards, City Clerk

#### **Background**

James Scott, 403 Roush Lane has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "A-31060" Liquor License for Pizza Hut, 1608 South Locust Street. This application has been reviewed by the Police Department and City Clerk's Office.

#### **Discussion**

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

#### **Alternatives**

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

- 1. Approve the request of James Scott, 403 Roush Lane for Liquor Manager Designation in conjunction with the Class "A-31060" Liquor License for Pizza Hut, 1608 South Locust Street.
- 2. Forward the request with no recommendation.
- 3. Take no action on the request.

### Recommendation

City Administration recommends that the Council approve this request.

### **Sample Motion**

Approve the request of James Scott, 403 Roush Lane for Liquor Manager Designation for Pizza Hut, 1608 South Locust Street.



# Tuesday, January 11, 2005 Council Session

### Item G7

#2004-320 - Approving Acquisition of Property Located at 1613 West Division Street (Old Wasmer School Property)

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

Staff Contact: Steven P. Riehle, Public Works Director

WHEREAS, the City of Grand Island's One and Six Year Street Improvement Plan includes the widening of  $2^{nd}$  Street, from Grant Street to Greenwich Street; and

WHEREAS, storm water drainage issues along  $2^{nd}$  Street require a detention cell or other means to accommodate storm water from  $2^{nd}$  Street; and

WHEREAS, a detention cell was determined to be the most cost effective method to resolve such storm water drainage issues; and

WHEREAS, the property at 1613 W. Division Street, the former Wasmer Elementary School property, has been determined to be an ideal site for a detention cell for such storm water drainage; and

WHEREAS, the City of Grand Island was the sole bidder for the former Wasmer Elementary School property, having submitted a bid for such property in the amount of \$180,100; and

WHEREAS, at its December 9, 2004 meeting, the Grand Island School Board voted to approve the conveyance of property to the City of Grand Island; and

WHEREAS, a public hearing was held on January 11, 2005, for the purpose of discussing the proposed acquisition of real estate comprising all of Block Twelve (12), Charles Wasmer's Addition to the city of Grand Island, Hall County, Nebraska; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island is hereby authorized to acquire all of Block Twelve (12), Charles Wasmer's Addition to the City of Grand Island, Hall County, Nebraska from the School District of Grand Island for the amount of \$180,100 to convert such property into a detention cell.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.

RaNae Edwards, City Clerk



## Tuesday, January 11, 2005 Council Session

# Item G8

#2005-1 - Approving Change Order No. 1 to the Contract for Street Improvement District 1253, Island Circle, West of Webb Road in Lacy Subdivision

Staff Contact: Steven P. Riehle, Public Works Director

# **Council Agenda Memo**

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

Meeting: January 11, 2005

**Subject:** Approving Change Order No. 1 to the Contract with

The Diamond Engineering Company for Street

Improvement District 1253; Island Circle, West of Webb

Road in Lacy Subdivision

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

**Presente** r(s): Steven P. Riehle, P.E., Public Works Director

### **Background**

The construction contract was awarded to The Diamond Engineering Company, Grand Island, Nebraska, on August 24, 2004.

#### **Discussion**

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

Original Contract	\$ 99,265.26
Drop Curb Inlet, Ring & Cover; Frame & Grate	\$ 2,775.00
Remove Asphalt	\$ 1,445.00
PC Concrete Driveway	\$ 2,183.68
<b>Revised Contract</b>	\$ 105,668.94

The items of work were needed to better match into a driveway and parking lot. Sufficient funds are available in account 40033530-90060. The additional \$6,403.68 dollars needed will be assessed as part of the Street Improvement District.

#### **Alternatives**

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

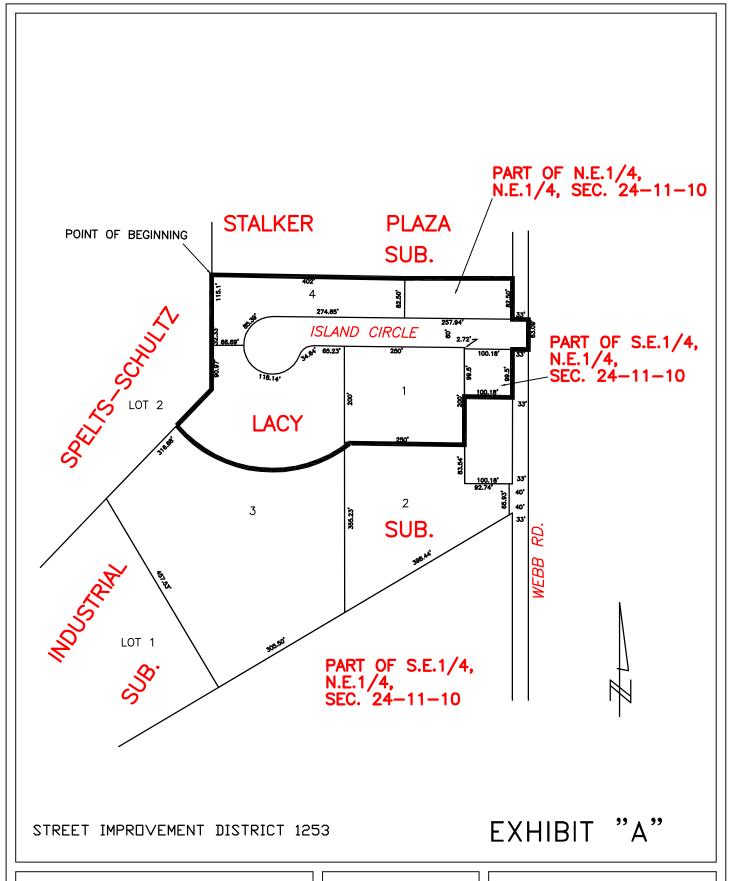
- 1. Approve Change Order No.1 so as the contract amount for Street Improvement District No. 1253 would be \$105,668.94.
- 2. Refer the issue to a Committee
- 3. Postpone the issue to a future date.
- 4. Take no action on the issue.

#### Recommendation

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

### **Sample Motion**

Approve Change Order No. 1 to the contract with The Diamond Engineering Company for Street Improvement District No. 1253.





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

PLAT TO ACCOMPANY ORDINANCE NO. 8914

WHEREAS, on August 24, 2004, by Resolution 2004-214, the City of Grand Island awarded the bid for Street Improvement District No. 1253 (Island Circle, west of Webb Road in Lacy Subdivision) to The Diamond Engineering Company of Grand Island, Nebraska; and

WHEREAS, it has been determined that modifications to the work to be performed by The Diamond Engineering Company are necessary; and

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

WHEREAS, the result of such modification will increase the contract amount by \$6,403.68 for a revised contract price of \$105,668.94.

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

Drop curb inlet, ring and cover; frame and grate	75.00
Remove asphalt	
PC concrete driveway	83.68

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.

RaNae Edwards, City Clerk



## Tuesday, January 11, 2005 Council Session

### Item G9

#2005-2 - Approving Certificate of Final Completion for Street Improvement District 1253; Island Circle, West of Webb Road, in Lacy Subdivision

Staff Contact: Steven P. Riehle, Public Works Director

# **Council Agenda Memo**

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

Meeting: January 11, 2005

**Subject:** Certificate of Final Completion

Street Improvement District 1253 Island Circle, West of Webb Road

Lacy Subdivision

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

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

#### **Background**

The contract for Street Improvement District 1253 was awarded to The Diamond Engineering Company of Grand Island, NE on August 24, 2004. Work commenced September 13, 2004 and has been completed.

#### **Discussion**

Street Improvement District 1253 was completed in accordance with the terms, conditions, and stipulations of the contract, the plans, and the specifications. The contract completion date was changed, with Council action, from October 15, 2004 to November 4, 2004 due to utility conflict delays and because the city directed Diamond Engineering to concentrate their efforts on the project to widen Stolley Park Road west of US HWY 281. Costs for the project break down as follows:

Original Bid	\$ 99,265.26
Overruns	\$ (3,198.88)
Change Order #1	\$ 6,403.68
<b>Sub Total</b> (Construction Price)	\$ 108,867.82

Additional Costs:

Contract Administration,

Total Cost	15,399.89
Engineering, and Publication Costs	\$ 6,532.07

#### **Alternatives**

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

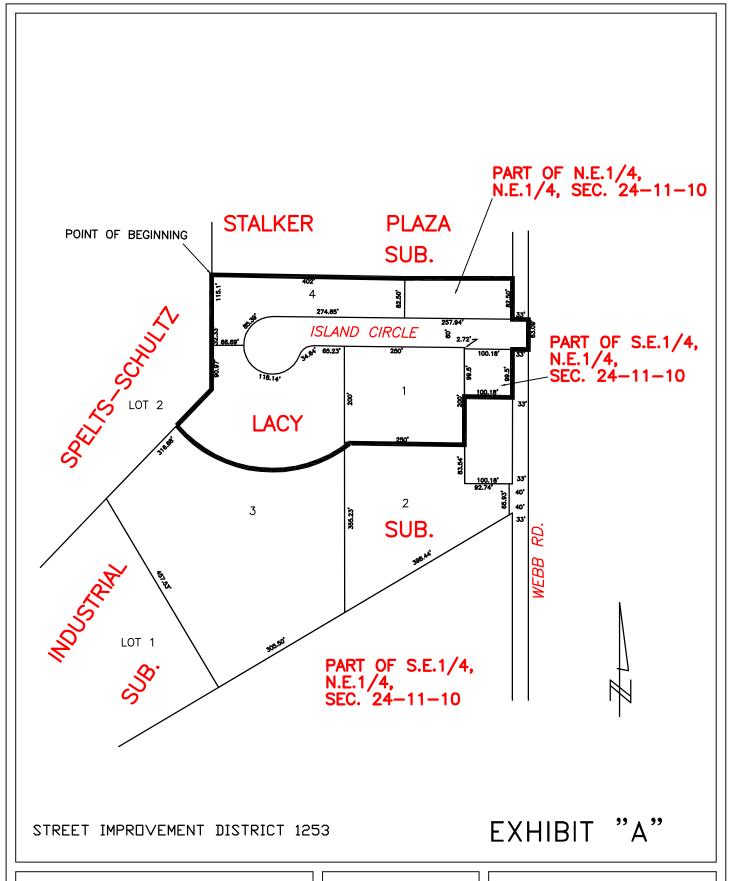
- 1. Move to approve final completion and schedule the board of equalization.
- 2. Refer the issue to a Committee.
- 3. Postpone the issue to future date.
- 4. Take no action on the issue.

#### **Recommendation**

City Administration recommends that the Council approve the Certificate of Final Completion for Street Improvement District 1253 and set the Board of Equalization date of February 8, 2005.

#### **Sample Motion**

Move to approve the Certificate of Final Completion and set the Board of Equalization hearing for Street Improvement District 1253.





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

PLAT TO ACCOMPANY ORDINANCE NO. 8914

#### ENGINEER'S CERTIFICATE OF FINAL COMPLETION

#### STREET IMPROVEMENT DISTRICT 1253

#### CITY OF GRAND ISLAND, NEBRASKA January 11, 2005

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

This is to certify that construction of STREET IMPROVEMENT DISTRICT NO. 1253 has been fully completed by The Diamond Engineering Company of Grand Island, NE under the contract dated September 7, 2004. The construction of this street improvement district has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans, and the specifications. The work regarding this Street Improvement project is hereby accepted for the City of Grand Island, Nebraska, by me as Director of Public Works in accordance with the provisions of Section 16-650 R.R.S., 1943.

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

#### District No. 1253, Island Circle, West of Webb Road, in Lacy Subdivision

Item		Total	Unit		Total
No.	Description	Quantity	Price		Cost
	<del>-</del>	-			
1.	PCC Pavement, 7"	3153.33	28.90	91	,131.24
2.	PCC Integral Curb	1248	1.75	2	2,184.00
3.	Standard Junction Box	1	2675.00	2	2,675.00
4.	Type "D" Modified Inlet	1	1520.00	1	,520.00
5.	12" RCP Cls. IV	39	30.10	1	,173.90
	CHANGE ORDER NO. 1			\$	6,403.68
	PURCHASE ORDER			\$	3,780.00
	TOTAL CONSTRUCTION COST LESS AMOUNT PREVIOUSLY PAIR	D TO CONTRACT	COR	\$ (\$	108,867.82 106,601.19)

BALANCE DUE TO CONTRACTOR THIS FINAL PAYMENT \$ 2,266.63

Engineering and Publication Costs - City	\$ 6,532.07	
TOTAL COST OF STREET IMPROVEMENT DISTRICT 1252	\$ 115,399	9.89
Average front foot cost based on Front Foot Method	\$ 90.71	
Amount Assessable to Property Owners	\$ 104,605.19	
City Cost	\$ 10,794.71	

Respectfully submitted,

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

January 11, 2005

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

I hereby recommend that the Engineer's Certificate of Final Completion for the Street Improvement District No. 1253, be approved and a warrant be issued from Account No. 40033530-90060 in the amount of \$2,266.63 payable to The Diamond Engineering Company for the amount due to the contractor.

I further recommend that the Costs of Engineering be credited to Account No. 10033001-74516 from Account No. 40033530-90060 in the amount of \$6,532.07.

I further recommend that the City Council sit as the Board of Equalization on February 8 2005 to determine benefits and levy special assessments.

Respectfully submitted,

Jay Vavricek Mayor

WHEREAS, the Public Works Director of the City of Grand Island has issued a Certificate of Final Completion for Street Improvement District No. 1253, certifying that The Diamond Engineering Company of Grand Island, Nebraska, under contract dated September 7, 2004, has completed such project according to the terms, conditions, and stipulations for such improvements; and

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

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

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

- 1. The Public Works Director's Certificate of Final Completion for Street Improvement District No. 1253, is hereby confirmed.
- 2. A warrant be issued from Account No. 4033530-90060 in the amount of \$2,266.63 payable to The Diamond Engineering Company for the amount due the contractor.
- 3. The costs of engineering in the amount of \$6,532.07 be credited to Account No. 10033001-74516 from Account No. 40033530-90060.
- 4. The City Council will sit as a Board of Equalization on February 8, 2005 to determine benefits and set assessments for Street Improvement District No. 1253.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.

RaNae Edwards, City Clerk



# Tuesday, January 11, 2005 Council Session

# Item G10

**#2005-3 - Approving Designation of a 20 Minute Express Parking Stall in Front of 414 W 3rd Street** 

Staff Contact: Steven P. Riehle, Public Works Director

# Council Agenda Memo

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

Meeting: January 11, 2005

**Subject:** Approving Designation of a 20 Minute Express Parking

Stall in Front of 414 W 3<sup>rd</sup> Street

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

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

#### **Background**

City Code Section 22-77 states that the city Council may, by Resolution, entirely prohibit, or fix a time limit for parking and stopping of vehicles in or on any public street, public property or portion thereof.

#### **Discussion**

A request was received to designate a 20 minute express parking stall in front of 414 W 3<sup>rd</sup> Street. The 20 minute express parking stall would accommodate the three to four businesses along that stretch. The Business Improvement District has no objections to the request.

#### **Alternatives**

- 1. Make a motion to approve of a 20 minute express parking stall.
- 2. Refer the issue to a Committee.
- 3. Postpone the issue to a future date.
- 4. Take no action on the issue.

#### Recommendation

City Administration recommends that the Council pass a resolution for the designation of a 20 minute express parking stall in front of 414 W 3<sup>rd</sup> Street.

# **Sample Motion**

Move to approve designation of a 20 minute express parking stall in front of 41	4 W	$13^{\rm rd}$
Street.		

WHEREAS, the City Council, by authority of Section 22-77 of the Grand Island City Code may, by resolution, entirely prohibit, or fix a time limit for the parking and stopping of vehicles in or on any public street, public property, or portion thereof; and

WHEREAS, businesses in the area of 414 W. 3<sup>rd</sup> Street have requested an Express Zone parking space in front of such business at 414 W. 3<sup>rd</sup> Street; and

WHEREAS, the proposed parking restriction will allow parking for no more than 20 minutes for express parking for customers that need to make a short visit to area businesses; and

WHEREAS, it is in the best interests of the City to effect such regulations.

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

- 1. An Express Zone parking space be designated on the north side of Third Street, in front of 414 W. 3<sup>rd</sup> Street.
- 2. The Street and Transportation Division is directed to erect and maintain the signs and street markings necessary to effect the above regulations.

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Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.

RaNae Edwards, City Clerk



# Tuesday, January 11, 2005 Council Session

# Item G11

**#2005-4 - Approving Designation of Northeast Area as Blight & Substandard Area #5** 

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

**Staff Contact: Cindy Johnson** 

WHEREAS, on June 27, 1994, the City of Grand Island enacted Ordinance No. 8021 creating the Community Redevelopment Authority of the City of Grand Island, Nebraska, to address the need for economic development opportunities through the vehicles provided in the Nebraska Community Development law at Neb. Rev. Stat. §18-2101, et seq., as amended; and

WHEREAS, the Community Redevelopment Authority authorized Hannah:Keelan of Lincoln, Nebraska to prepare a Blight/Substandard Study for Redevelopment Area #5 to determine whether it fulfills the blight/substandard criteria of the Nebraska Community Development law; such redevelopment area is bounded by Capital Avenue and 7<sup>th</sup> Street on the north, Skypark Road and a line along the east side of Lot 1 of Sanitarian Subdivision from 7<sup>th</sup> Street to the Union Pacific Right-of-Way on the east, the Union Pacific Railroad tracks and Blight and Substandard Area #1 on the south, and the properties west of Geddes Street between 7<sup>th</sup> Street and Capital Avenue; and

WHEREAS, Hanna: Keelan completed such Blight/Substandard Study and has determined that the area should be declared as substandard or blighted areas in need of redevelopment; and

WHEREAS, Hanna: Keelan presented such study to the Community Redevelopment Authority at its October 13, 2004 meeting;

WHEREAS, the Regional Planning Commission approved such study at its December 2, 2004 meeting; and

WHEREAS, the Community Redevelopment Authority recommends that the City Council approve said study.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Blight/Substandard Study for Redevelopment Area #5 as identified above is hereby approved, and those areas identified in said study are declared to be blighted and substandard and in need of redevelopment as contemplated in the Community Development law.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.

RaNae Edwards, City Clerk

Approved as to Form ¤ \_\_\_\_\_\_\_
January 4, 2005 ¤ City Attorney



# Tuesday, January 11, 2005 Council Session

# Item G12

#2005-5 - Approving Acquisition of Utility Easement - 3510 S. Blaine - Jakubowski

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

Staff Contact: Gary R. Mader

WHEREAS, a public utility easement is required by the City of Grand Island, from Michael T. Jakubowski, a single person, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on January 11, 2005, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Three (3) and Lot Four (4) Heavenly Haven Third Subdivision, in Hall County, Nebraska, the centerline of the twenty (20.0) foot wide easement and right-of-way being more particularly described as follows:

Referring to a southeast corner of Lot Four (4) Heavenly Haven Third Subdivision; thence northerly along the easterly line of said Lot Four (4), a distance of One Hundred Sixty Five and Thirty Eight Hundredths (165.38) feet to the ACTUAL point of beginning; thence deflecting northwesterly 50°58'59", a distance of Three Hundred Twenty (320.0) feet. The side lines of the above described tract shall be prolonged or shortened as required to terminate on the boundary of the Grantor's property.

The above-described easement and right-of-way containing 0.15 acres, more or less, as shown on the plat dated December 13, 2004, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Michael T. Jakubowski, a single person, on the abovedescribed tract of land.

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.

RaNae Edwards, City Clerk

January 4, 2005 ¤ City Attorney

Approved as to Form ¤



# Tuesday, January 11, 2005 Council Session

# Item G13

#2005-6 - Approving Acquisition of Utility Easement - 1708 N. Diers - James Martinez

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

Staff Contact: Gary R. Mader

WHEREAS, a public utility easement is required by the City of Grand Island, from James A. Martinez, a single person, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on January 11, 2005, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Two (2) Toukan Fourth Subdivision, in the City of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

The easterly six (6.0) feet of the westerly thirty (30.0) feet of Lot Two (2) Toukan Fourth Subdivision; and the southerly twenty (20.0) feet of the easterly two hundred thirty eight (238.0) feet of the westerly two hundred sixty eight (268.0) feet of Lot Two (2) Toukan Fourth Subdivision.

The above-described easement and right-of-way containing 0.13 acres, more or less, as shown on the plat dated December 21, 2004, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from James A. Martinez, a single person, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.

RaNae Edwards, City Clerk



Tuesday, January 11, 2005 Council Session

### Item G14

#2005-7 - Approving Drainage Agreement for High Voltage Junction Box - 1708 N. Diers Avenue - James Martinez

Staff Contact: Gary R. Mader

# **Council Agenda Memo**

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

Meeting: January 11, 2005

**Subject:** Drainage Agreement for High Voltage Junction Box –

1708 N. Diers Avenue

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

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

#### **Background**

The Electric Department infrastructure is normally one of the first permanent installations in new subdivisions. Developers and contractors need to have electric power available to support the construction of homes and commercial and industrial structures. In the case of underground electric service areas, the ground mounted transformers, cable pull stations, and switches are set based upon the elevation of platted streets or other references available at the time of installation. Subdivision agreements require development of drainage plans to protect adjacent properties and infrastructure as the platted lots are developed.

### **Discussion**

The commercial lot at 1708 N. Diers Avenue is the last lot to be developed in the Toukan Subdivision in that area (an aerial photo is attached). The owner of the property proposes to develop only the front (east) half of the lot, leaving the back (west) half undeveloped for the time being. Electrical equipment serving the area is located in an easement at the back of the lot (west end) and storm drainage near the electrical equipment is not adversely affected by development and land elevation changes on the east end. The owner wished to postpone the development of the whole lot drainage plan until the back half is developed. The Electric Department has no objection to this proposal. But because this is somewhat out of the ordinary, the Utilities Department recommends that an agreement be executed, stating the conditions of the partial development and resulting partial drainage plan as related to protection of the electric infrastructure device located on the west side of the lot. A copy of the proposed Drainage Agreement is attached. The agreement has been reviewed by the City Legal Department and executed by the owner.

#### **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 Agreement

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

### Recommendation

City staff recommends approval of the Drainage Agreement.

### **Sample Motion**

Move to approve the Drainage Agreement for High Voltage Junction Box at 1708 N. Diers Avenue.



# DRAINAGE AGREEMENT FOR HIGH VOLTAGE JUNCTION BOX

Lot 2, Toukan Fourth Subdivision

WHEREAS, the Grand Island Utilities Department owns and operates a primary and secondary electrical distribution system located in an easement on the west side of Lot Two (2) Toukan Fourth Subdivision, in the City of Grand Island, Hall County, Nebraska.

WHEREAS, the high voltage junction box was placed in the easement to ensure the base was six inches (6") above the top of the curb along Diers Avenue to provide drainage from the easement to the storm sewer in Diers Avenue right-of-way.

WHEREAS, James Martinez, a single person, is owner of the property at 1708 North Diers Avenue, also referred to as Lot Two (2), Toukan Fourth Subdivision (hereinafter Owner), and is interested in developing such property.

In consideration of the City's need to maintain a fully operational primary and secondary electrical distribution system presently located in the above-identified easement, Owner agrees to the following terms and conditions:

- Owner shall comply with all regulations with respect to the electrical supply.
- (2) In the event the west two hundred forty (240.0) feet of Lot Two (2) Toukan Fourth Subdivision is: (1) developed, (2) the existing grade is changed, (3) the drainage pattern is changed, (4) fill is added to increase the elevation or (5) the elevation is modified by the

installation of landscaping, parking or a building, the Owner shall provide drainage as approved by the City's Public Works Director from the high voltage junction box to the storm sewer line in Diers Avenue right-of-way or shall pay the total cost to the City of Grand Island Utilities Department to raise the high voltage junction box to an appropriate height to provide surface drainage to Diers Avenue right-of-way.

The owner hereby covenants that the above mentioned commitments herein stated shall run with the title of such tract of land and be binding to all successors and assigns.

Dated	James Martinez
STATE OF NEBRASKA ) ) ss	
COUNTY OF HALL )	
On this <u>27<sup>th</sup></u> day of <u>December</u> undersigned, a Notary Public in and fo appeared: James Martinez, a single persoidentical person who signed the foregoin thereof to be his voluntary act and deed for	on, to me known personally to be the ng, and acknowledged the execution
PATRICIA A GERICKE MY COMMISSION EXPIRES December 12, 2006	Satricia a. Sericke  Notary Public
The state of the s	CITY OF GRAND ISLAND, NEBRASKA A Municipal Corporation
Ву:	Jay Vavricek, Mayor
Attest:	

STATE OF NEBRASKA)
COUNTY OF HALL ) ss
Before me, a notary public, qualified in said County personally came Jay Vavricek, Mayor of the City of Grand Island, Nebraska, a municipal corporation, known to me to be such officer and the identical person who signed the foregoing Subdivision Agreement and acknowledged that the foregoing signature was his voluntary act and deed pursuant to Resolution 2005, and that the City's corporate seal was thereto affixed by proper authority.
WITNESS my hand and notarial seal on, 2005.
Notary Public

WHEREAS, the Grand Island Utilities Department owns and operates a primary and secondary electrical distribution system located in an easement on the west side of Lot Two (2) Toukan Fourth Subdivision; and

WHEREAS, the high voltage junction box was installed with the base six inches above the top of the curb along Diers Avenue to provide drainage from the easement to the storm sewer in the Diers Avenue right-of-way; and

WHEREAS, James Martinez, the owner of Lot Two (2) Toukan Fourth Subdivision, is interested in developing such property; and

WHEREAS, it is imperative that the city's electrical equipment on the property be protected during any development on the property; and

WHEREAS, it is recommended that a Drainage Agreement be entered into between the owner and the city to ensure that any future development of the property will not cause damage to the city's equipment based on drainage to the Diers Avenue right-of-way; and

WHEREAS, a Drainage Agreement has been reviewed and approved by the Legal Department.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Drainage Agreement by and between the city and James A. Martinez, a single person, is hereby approved to protect city electrical equipment located in an easement on the west side of Lot Two (2) Toukan Fourth Subdivision during the development of such property.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.

RaNae Edwards, City Clerk



# Tuesday, January 11, 2005 Council Session

# Item G15

#2005-8 - Approving Acquisition of Utility Easement - 3030 Old Highway 30 - L & P Investments, L.L.C.

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

Staff Contact: Gary R. Mader

WHEREAS, a public utility easement is required by the City of Grand Island, from L & P Investments, L.L.C., a limited liability company, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on January 11, 2005, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Seven (7) and the Outlot of Starostka Subdivision, in the city of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

The easterly two (2.0) feet of the westerly ten (10.0) feet of Lot Seven (7) Starostka Subdivision; and the easterly two (2.0) feet of the westerly ten (10.0) feet of the Outlot of Starostka Subdivision. The sidelines of the easement tract shall be prolonged or shortened as required to terminate on the boundary of the Grantor's property.

The above-described easement and right-of-way containing 0.021 acres, more or less, as shown on the plat dated December 22, 2004, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from L & P Investments, L.L.C., a limited liability company, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.

RaNae Edwards, City Clerk

Approved as to Form 

Zanuary 4, 2005 

Zity Attorney



## Tuesday, January 11, 2005 Council Session

## Item G16

#2005-9 - Approving Acquisition of Utility Easement - 4160 Gold Core Drive - SEC Accommodator XXIX, L.L.C.

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

Staff Contact: Gary R. Mader

WHEREAS, a public utility easement is required by the City of Grand Island, from SEC Accommodator XXIX, L.L.C., a Nebraska limited liability company, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on January 11, 2005, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot One (1) Platte Valley Industrial Park Fourth Subdivision, in the city of Grand Island, Hall County, Nebraska, the centerline of the thirty (30.0) foot wide easement and right-of-way being more particularly described as follows:

Commencing at the northeast corner of Lot One (1) Platte Valley Industrial Park Fourth Subdivision; thence southerly along the easterly line of said Lot One (1) Platte Valley Industrial Park Fourth Subdivision, a distance of three hundred sixteen and sixty five hundredths (316.65) feet to the Actual Point of Beginning; thence deflecting right 88°58'13" and running westerly, a distance of two hundred twenty two (222.0) feet. The side lines of the easement tract shall be prolonged or shortened as required to terminate on the boundary of Grantor's property.

The above-described easement and right-of-way containing 0.153 acres, more or less, as shown on the plat dated December 23, 2004, marked Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from SEC Accommodator XXIX, L.L.C., a Nebraska limited liability company, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.



## Tuesday, January 11, 2005 Council Session

## Item G17

**#2005-10 - Approving Proposal for Fountain Soft Drink Services for Grand Island Aquatic Facilities** 

**Staff Contact: Steve Paustian** 

# **Council Agenda Memo**

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

Meeting: January 11, 2005

**Subject:** Bid Award – Beverage Proposals for Island Oasis

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

**Presenter(s):** Steve Paustian

### **Background**

The City requested proposals for providing beverage service at Island Oasis. The proposals are for up to three years. The proposals offer cost of product along with marketing incentives that the Company is willing to provide Island Oasis.

## **Discussion**

Two bids were received one each from the Pepsi Bottling Group and Coca Cola Bottling Company of Mid America. It was determined that the Pepsi Bottling Group provided the overall best proposal to the City.

## **Alternatives**

- 1. Award the bid as recommended.
- 2. As directed by Council.
- 3. Not award a bid.

### **Recommendation**

It is the recommendation of staff to award the bid to the Pepsi Bottling Group of Grand Island Nebraska.

### **Sample Motion**

Motion to award the bid to Pepsi Bottling Group.

# Purchasing Division of Legal Department INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

Working Together for a Better Tomorrow, Today

### REQUEST FOR PROPOSAL FOR SOFT DRINK SERVICE FOR AQUATIC FACILITIES

RFP DUE DATE: December 16, 2004 at 4:00 p.m.

**DEPARTMENT:** Parks & Recreation

PUBLICATION DATE: November 3, 2004

NO. POTENTIAL BIDDERS: 2

SUMMARY OF PROPOSALS RECEIVED

The Coca-Cola Bottling Company

The Pepsi Bottling Group

Grand Island, NE Grand Island, NE

cc: Steve Paustian, Parks & Recreation Director

Gary Greer, City Administrator Dale Shotkoski, Purchasing Agent Todd McCoy, Recreation Supt. David Springer, Finance Director Laura Berthelsen, Legal Assistant

P959

WHEREAS, the City of Grand Island invited proposals for Soft Drink Service for Aquatic Facilities, according to the City's Request for Proposals on file in the Parks and Recreation Department; and

WHEREAS, proposals were due on December 16, 2004; and

WHEREAS, The Pepsi Bottling Group of Grand Island, Nebraska, submitted a proposal in accordance with the terms of the advertisement for proposals and the plans and specifications and all other statutory requirements contained therein.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of The Pepsi Bottling Group of Grand Island, Nebraska for soft drink services at aquatic facilities is hereby approved for a 3-year period in accordance with their proposal.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.



## Tuesday, January 11, 2005 Council Session

## Item G18

**#2004-11 - Approving Certificate of Final Completion for Aquatic Study with Brannon Associates** 

**Staff Contact: Steve Paustian** 

# Council Agenda Memo

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

Meeting: January 11, 2005

**Subject:** Certificate of Final Completion-Professional Services

Agreement with C. T. Brannon Corporation

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

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

## **Background**

A contract was entered into with C.T. Brannon on June 15, 2004 for consulting services for a Comprehensive Aquatic Study.

### **Discussion**

The design services have been completed as per the contract.

### **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 final acceptance for the work contracted.

## **Sample Motion**

Motion to approve certificate of final completion.

#### CERTIFICATE OF FINAL COMPLETION AND ACCEPTANCE

### CONSULTING SERVICES FOR COMPREHENSIVE AQUATIC STUDY

### CITY OF GRAND ISLAND, NEBRASKA JANUARY 11, 2005

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

This is to certify that the <u>Consulting Services for a Comprehensive Aquatic Study</u> has been fully completed by **The Brannon Corporation** under contract dated **June 15, 2004.** All other work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans, and the specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by the Parks and Recreation Director in accordance with the provisions of the terms of the above said contract.

Respectfully submitted,

Steve Paustian

Parks & Recreation Director

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

I hereby recommend that the Certificate of Final Completion and Acceptance be approved. Final payment was issued December 21, 2004.

Respectfully submitted,

Jay Vavricek Mayor

WHEREAS, the Parks and Recreation Director of the City of Grand Island has issued his Certificate of Final Completion for Professional Services Agreement for a Comprehensive Aquatic Study, certifying that C. T. Brannon Corporation of Tyler, Texas, under contract dated June 15, 2004, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Parks and Recreation Director recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs with the Parks and Recreation Director's recommendations.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Parks and Recreation Director's Certificate of Final Completion for Professional Services Agreement for a Comprehensive Aquatic Study is hereby confirmed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.



Tuesday, January 11, 2005 Council Session

## Item G19

#2005-12 - Approving Certificate of Final Completion for Engineering Design for Stolley Park Arboretum

**Staff Contact: Steve Paustian** 

# Council Agenda Memo

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

Meeting: January 11, 2005

**Subject:** Certificate of Final Completion-Professional Services

Agreement with Clark-Enersen Partners

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

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

## **Background**

A Purchase Order was issued to The Clark Enersen Partners for Design Services for the Stolley Park Arboretum.

## **Discussion**

The design services have been completed as per the purchase order.

### **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 final acceptance for the work contracted.

### **Sample Motion**

Motion to approve certificate of final completion.

### CERTIFICATE OF FINAL COMPLETION AND ACCEPTANCE

### DEVELOP CONSTRUCTION DRAWINGS AND SPECIFICATIONS FOR CONSTRUCTION OF ARBORETUM

### CITY OF GRAND ISLAND, NEBRASKA JANUARY 11, 2005

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

This is to certify that the <u>Develop Construction Drawings and Specifications for Construction of Arboretum</u> has been fully completed by **Clark-Enersen Partners** under purchase order dated **March 24, 2004.** All other work has been completed in accordance with the terms, conditions, and stipulations of said purchase order and complies with the purchase order, the plans, and the specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by the Parks and Recreation Director in accordance with the provisions of the terms of the above said purchase order.

Respectfully submitted,

Steve Paustian

Parks & Recreation Director

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

I hereby recommend that the Certificate of Final Completion and Acceptance be approved. Final payment was issued December 21, 2004.

Respectfully submitted,

Jay Vavricek Mayor

WHEREAS, the Parks and Recreation Director of the City of Grand Island has issued his Certificate of Final Completion for Professional Services Agreement for Design Services for the Stolley Park Arboretum, certifying that Clark-Enersen Partners of Lincoln, Nebraska, under contract dated March 24, 2004, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Parks and Recreation Director recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs with the Parks and Recreation Director's recommendations.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Parks and Recreation Director's Certificate of Final Completion for Professional Services Agreement for design services for the Stolley Park Arboretum is hereby confirmed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.



## Tuesday, January 11, 2005 Council Session

## Item G20

#2005-13 - Approving State Bid Award for 2005 Chevrolet 4 Wheel Drive Pickup for the Cemetery Division

**Staff Contact: Steve Paustian** 

# **Council Agenda Memo**

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

Meeting: January 11, 2005

**Subject:** Purchase of 2005 Chevrolet 4-Wheel Drive Pickup

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

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

### **Background**

The Park and Recreation Department, Cemetery Division budgeted to replace a 1997 4-Wheel Drive Pickup. The pickup will be used for general Cemetery operations including the plowing of snow off the Cemetery roads.

### **Discussion**

The vehicle specifications awarded under State of Nebraska contract #11132OC meets all of the requirements for the Cemetery Division vehicle. Husker Auto Group of Lincoln, NE submitted a bid with no exceptions in the amount of \$19,385.70. There are sufficient funds for this purchase in Account No. 10044405-85625

### **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 purchase of the vehicle in the mount of \$19,385.70 from Husker Auto Group of Lincoln, NE.

## **Sample Motion**

Motion to approve the purchase of the Cemetery Division vehicle from Husker Auto Group in the amount of \$19,385.70.

WHEREAS, the Cemetery Division of the Parks and Recreation Department budgeted in the 2004/2005 fiscal year to replace a 1997 4-wheel drive pickup; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of one 2005 Chevrolet 4-wheel drive pickup in the amount of \$19,385.70 from the State contract holder, Husker Auto Group of Lincoln, Nebraska, is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.



## Tuesday, January 11, 2005 Council Session

## Item G21

#2005-14 - Approving Bid Award for Concrete Ready Mix for the Riverway Hike/Bike Trail

**Staff Contact: Steve Paustian** 

## **Council Agenda Memo**

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

Meeting: January 11, 2005

**Subject:** Bid Award for Concrete for Stuhr Hike/Bike Trail

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

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

### **Background**

The City of Grand Island has been in the process of developing a trails network throughout Grand Island and the surrounding area for over ten years. The expansion of the system is before you tonight.

### **Discussion**

A project to extend the existing trail from its terminus at Central Community College to Hall County Park has been designed and bid. The concrete will be provided by the City through an earlier bid. That bid award, provided for Brodsky's Ready-Mix to provide concrete to the City for \$52.50 per Cubic Yard. Brodsky's cannot provide the volume of concrete necessary for slip-form paving. Because of this, the second low bid, provided by Gerhold Concrete, of Grand Island at \$52.55 is the next low bid that is able to provide the volume of concrete necessary to do the job..

### **Alternatives**

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

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

### Recommendation

City Administration recommends that the Council approve the bid award to Brodsky's Ready-Mix for concrete at a cubic yard price of \$52.55.

### **Sample Motion**

Motion to approve purchase of Concrete from Brodsky's Ready-Mix.

WHEREAS, on March 9, 2004, by Resolution 2004-42, the City Council of the City of Grand Island approved the bid of Brodsky's Ready-Mix of Grand Island, Nebraska, to provide concrete ready-mix for the 2004 construction season at a rate of \$52.20 per cubic yard; and

WHEREAS, Brodsky's Ready-Mix does not have the ability to provide concrete ready-mix to complete the Riverway Trail hike/bike trail project presently under construction; and

WHEREAS, the second place bidder for such project, Gerhold Concrete Company of Grand Island, Nebraska, is able to provide such concrete ready-mix, and agrees to supply such concrete ready-mix at their bid price of \$52.25 per cubic yard; and

WHEREAS, it is recommended that Gerhold Concrete Company be authorized to provide the concrete ready-mix for this project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Gerhold Concrete Company of Grand Island, Nebraska, is hereby authorized to provide concrete ready mix at a rate of \$52.25 per cubic yard to complete the Riverway Trail hike/bike trail project currently under construction.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.



## Tuesday, January 11, 2005 Council Session

## Item G22

#2005-15 - Approving the Northwest Grand Island Flood Project Inter-local Agreement

Staff Contact: Steven P. Riehle, Public Works Director

# Council Agenda Memo

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

Meeting: January 11, 2005

**Subject:** Approval of the Northwest Grand Island Flood

Project Inter-Local Agreement

**Item #'s:** G-22

**Presente** r(s): Steven P. Riehle, Public Works Director

## **Background**

All agreements must be approved by the City Council. The City of Grand Island has been working with the Central Platte Natural Resources District (CPNRD) for a few years on a flood control project for the Upper Prairie/Silver/Moores Creek. The project will protect a significant portion of Northwest Grand Island from flooding.

### **Discussion**

This is a 16.4 million dollar project with a ten year proposed construction schedule. The Nebraska Department of Natural Resources through the development fund has approved 52.5 (approximately 8.6 million dollars) percent cost-sharing funds for the project. Local co-sponsors will be responsible for the remaining 7.8 million dollars.

The proposed commitment from local co-sponsors is:

\*Hall County - \$39,000 per year for 10 years (total of \$390,000)

\*Merrick County - \$19,500 per year for 10 years (total of \$195,000)

\* CPNRD - \$360,750 per year for 10 years (total of \$3,607,500.00)

\*City of Grand Island - \$360,750 per year for 10 years (total of \$3,607,500.00)

Hall County approved the agreement on December 14, 2004 and Merrick County approved the agreement on December 28, 2004.

### **Alternatives**

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

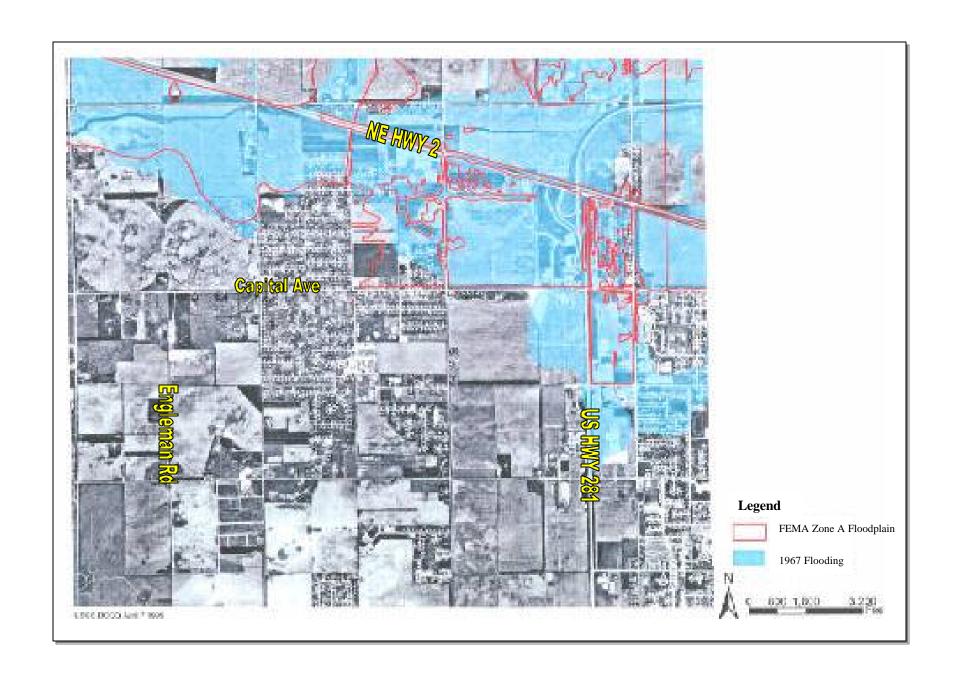
- 1. Make a motion to approve a resolution authorizing the Mayor to sign the agreement.
- 2. Refer the issue to a Committee.
- 3. Postpone the issue to a future date.
- 4. Take no action on the issue.

## Recommendation

City Administration recommends that the Council approve a resolution authorizing the Mayor to sign the agreement.

## **Sample Motion**

Move to approve a resolution authorizing the Mayor to sign the agreement.



# INTERLOCAL COOPERATIVE AGREEMENT FOR UPPER PRAIRIE/SILVER/MOORES FLOOD CONTROL PROJECT

THIS INTERLOCAL COOPERATIVE AGREEMENT (Agreement) is made on
2005, by and between the CENTRAL PLATTE NATURAL
RESOURCES DISTRICT, a Political Subdivision (CPNRD), the CITY OF GRAND
ISLAND, NEBRASKA, a Municipal Corporation (City), HALL COUNTY, NEBRASKA, a
Body Politic and Corporate (Hall County), and MERRICK COUNTY, NEBRASKA, a
Body Politic and Corporate (Merrick County), collectively referred to as "local sponsors".

- 1. DURATION: The term of this Agreement shall commence upon approval and execution by all parties and shall continue until 11:59 p.m. on December 31, 2055, or until termination as provided in paragraph 5 below. Unless earlier terminated, this Agreement shall automatically renew for an additional term of twenty-five (25) years, commencing at 12:00 a.m. on January 1, 2056.
- 2. AGREEMENT ADMINISTRATION: No new legal or administrative entity is created by this Agreement. This Agreement shall be administered by CPNRD with advice and recommendations from a joint board composed of one designated representative from each party. Each designated representative shall be that party's Public Works Director or equivalent or such other representative as is selected by the party and shall serve for the term specified by the designating party. Each party to this Agreement shall designate its representative to the joint board contemporaneously with approval and execution of this Agreement and shall have a duly authorized and appointed designated representative to the joint board at all times this Agreement shall remain in full force and effect. At its initial meeting, the joint board shall select a chairperson from its members, who shall serve for the period equivalent to the term

specified by his or her designating party or five years, whichever is less. Except as is otherwise herein provided, the authority of the joint board shall be limited to providing advice and making recommendations to CPNRD and other parties regarding the performance and requirements of this Agreement. There shall be no separate legal entity by this Agreement.

- 3. STATEMENT OF PURPOSE: The State of Nebraska acting through the Department of Natural Resources has approved funding for the UPPER PRAIRIE/SILVER/MOORES FLOOD CONTROL PROJECT and authorized appropriations to complete the planning, design, acquisition, and construction of the project. The purpose of this Agreement is to set forth the terms and conditions under which the parties will participate as the local sponsors in the planning, acquisition, construction, and later operation, maintenance, repair, and ownership of the Flood Control Project. Further, it is the purpose of this Agreement to define and allocate duties and responsibilities for the performance of this Agreement among the parties.
- 4. MANNER OF FINANCING AND MAINTAINING OF BUDGET: Each party shall adopt and maintain appropriations as required by law to fund its obligations under this Agreement. A separate budget shall not be required of any party by this Agreement.
- 5. TERMINATION: This Agreement shall terminate upon any of the following conditions:
  - a. Closure or abandonment of the Flood Control Project by written mutual acknowledgement of all parties having members on the joint board.
  - b. Unanimous consent and agreement of all parties having members on the joint board.

- c. Expiration of the initial term of this Agreement if one or more parties having members on the joint board shall give 180 days written notice of intent not to renew to the other parties or upon expiration of the additional term of this Agreement, unless the parties unanimously agree to extend the Agreement for a subsequent term to be negotiated and agreed upon.
- 6. PROJECT LANDS AND PROPERTY: CPNRD shall acquire and shall hold or own all personal and real property of any kind or nature utilized in connection with the Flood Control Project. CPNRD shall use its powers of eminent domain where prudent or necessary to acquire real property for the Flood Control Project.
- 7. COST SHARES-CONSTRUCTION PHASE: The local sponsors' cost for planning, acquisition, and construction of the Flood Control Project shall be borne by the respective parties to this Agreement in the following shares:

Name of Party	Share of Local Sponsor Cost
Central Platte Natural Resources Distric	t 46.25%
City of Grand Island, Nebraska	46.25%
Hall County, Nebraska	5.00%
Merrick County, Nebraska	2.50%

8. PLANNING AND CONSTRUCTION PHASE: CPNRD shall be the lead local sponsor during the planning, acquisition and construction phase of the Flood Control Project and shall review and execute all necessary documents and contracts with the Department of Natural Resources. The local sponsors shall bear the local costs of planning, acquisition and construction in accordance with the shares set out in paragraph 7 above. CPNRD shall submit invoices to and receive payments from the parties and disburse payments in connection with the planning, acquisition and construction. In the event CPNRD incurs interest charges or expenses as a result of

borrowing or advancing funds for the Floodway Control Project, the City, Hall County and Merrick County agree to reimburse CPNRD in accordance with the shares stated in paragraph 7 above.

- 9. MANAGEMENT OF OPERATIONS AND MAINTENANCE: Upon completion of the planning, acquisition and construction phase of the Flood Control Project, Merrick County shall be deemed to have completed all of its duties and responsibilities pursuant to this Agreement and upon payment of its share of the local sponsors' costs as provided in paragraph 7 above, shall be released and discharged as a local sponsor and the joint board shall thereafter be restructured and composed of one designated representative each from CPNRD, the City and Hall County. Upon completion of the project, CPNRD shall be responsible for preparation of budgets and the management of all operations, maintenance and repairs of the Flood Control Project and shall annually prepare and update plans for periodic maintenance and project improvements. CPNRD shall include with the plans estimates of cost for the periodic maintenance and project improvements. The maintenance and improvements made pursuant to the plans shall be funded by annual contributions of the parties as set forth with their cost shares stated in paragraph 10 below.
- 10. COST SHARES-POST CONSTRUCTION PHASE: The local sponsors' cost of the operation, maintenance, repair and ownership of the Flood Control Project shall be borne by the respective parties to this Agreement in the following shares:

Name of Party	Share of Local Sponsor Cost
Central Platte Natural Resources Distric	et 47.5%
City of Grand Island, Nebraska	47.5%
Hall County, Nebraska	5.0%

- 11. INSURANCE: CPNRD shall maintain the same insurance coverage on the Flood Control Project as on its other properties, and the parties to this Agreement shall reimburse CPNRD for the premium attributable to the project based on the shares listed above.
- 12. ANCILLARY USES OF REAL PROPERTY: In order to provide the greatest possible benefit to the public, the parties to this Agreement agree that the real property acquired and owned in connection with the Flood Control Project may be utilized by the respective parties hereto, subject to approval by CPNRD, for other public uses, including installation, maintenance and operation of utilities service, public works and infrastructure and recreational facilities; provided, such ancillary uses do not damage the Flood Control Project or impair its intended use.
- 13. COMMUNICATIONS: Routine communications between CPNRD and the parties to this Agreement concerning the Flood Control Project shall be made through each party's designated representative to the joint board. For purposes of this Agreement, the following are the telephone numbers and street and post office addresses of the respective parties:

	Street Address	Post Office Address	Telephone No.
	215 N. Kaufman Ave. Grand Island, NE 68803	215 N. Kaufman Ave. Grand Island, NE 68803	(308) 385-6282
City of Grand Island*	100 E. First Street Grand Island, NE 68801	P.O. Box 1968 Grand Island, NE 68802	(308) 385-5444
Hall County *	121 S. Pine Street Grand Island, NE 68801	121 S. Pine Street Grand Island, NE 68801	(308) 385-5093
Merrick County*	Courthouse Central City, NE 68826	Courthouse Central City, NE 68826	(308) 946-2881

<sup>\*</sup>Attn: Upper Prairie/Silver/Moores Representative

- 14. PROJECT PLANNING MEETINGS: During the planning, acquisition of property and construction of the Flood Control Project, the joint board shall hold periodic planning meetings to facilitate these phases of the project and to keep the local sponsors informed of project progress and developments. Attendance at planning meetings by the respective designated representatives shall be mandatory, and in the event a designated representative cannot attend on behalf of a party hereto, a duly authorized alternate shall act as a substitute.
- 15. PERIODIC MEETINGS: Following completion of the Flood Control Project the restructured joint board shall hold periodic meetings when necessary to comply with the duties and responsibilities set forth in this Agreement.
- 16. CHOICES OF LAWS: This Agreement shall be construed in accordance with the laws of the United States of American and the State of Nebraska.
- 17. AMENDMENTS: Amendments to this Agreement shall be made in writing, duly approved and executed by all parties hereto and made a part of this Agreement by reference.
- 18. ENTIRE AGREEMENT: This Agreement and its subsequent amendments shall constitute the entire agreement among the parties with respect to the Flood Control Project and supersedes or replaces all prior agreements, whether written or otherwise, of any kind or nature, between any two or more parties hereto with respect to the Flood Control Project.

Attest:	CENTRAL PLATTE NATURAL RESOURCES DISTRICT, a Political Subdivision
Secretary	a i dilibai dubaivision
Date:	By: Name, Chairperson
Attest:	CITY OF GRAND ISLAND, NEBRASKA a Municipal Corporation
Name, City Clerk	<del></del>
Date:	By: Name, Mayor
Attest:	HALL COUNTY, NEBRASKA a Body Politic and Corporate
Name, County Clerk	
Date:	By: Name, Chairperson
Attest:	MERRICK COUNTY, NEBRASKA a Body Politic and Corporation
Name, County Clerk	
Date:	 By: Name, Chairperson

WHEREAS, the City of Grand Island has been working with the Central Platte Natural Resources District for a number of years on a flood control project to protect a significant portion of northwest Grand Island from flooding; and

WHEREAS, funding has been authorized to allow the Nebraska Department of Natural Resources to contribute 52.5% of the total cost of such flood control project for the Upper Prairie/Silver/Moores Creeks, such amount is estimated to be \$8.6 million; and

WHEREAS, the remaining \$7.8 million in project costs will be funded by local sponsors consisting of the Central Platte Natural Resources District, the City of Grand Island, Hall County, and Merick County; and

WHEREAS, the City's financial commitment for the planning, design, acquisition, and construction of such project cost is 46.25% of the \$7.8 million or \$360,750 each year for ten years, for a total amount of \$3,607,500; and

WHEREAS, an Interlocal Cooperative Agreement for such project has been prepared to define and allocate duties and responsibilities for the performance of the agreement among the parties; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Interlocal Cooperative Agreement by and between the City and the Central Platte Natural Resources District, the County of Hall, and the County of Merrick for the Upper Prairie/Silver/Moores Creek Flood Control Project is hereby approved.

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, January 11, 2005.



## Tuesday, January 11, 2005 Council Session

## Item G23

#2005-16 - Approving Acquisition of Property Located at 1212 West 2nd Street, 1209 West 3rd Street, and 1215 West 3rd Street

This item relates to the aforementioned Public Hearing Item E-8.

**Staff Contact: Doug Walker** 

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

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

WHEREAS, a public hearing was held on January 11, 2005, for the purpose of discussing the proposed acquisition of property described as follows:

Lot Seven (7), Block Two (2), Spaulding and Gregg's Addition to the city of Grand Island, Hall County, Nebraska; commonly known as 1212 West 2<sup>nd</sup> Street

Lot Two (2), Block Sixteen (16), Arnold and Abbott's Addition and its compliment, Lot Two (2), Block Two (2), Spaulding and Gregg's Addition, both being additions to the city of Grand Island, Hall County, Nebraska; commonly known as 1209 West 3<sup>rd</sup> Street

Lot Three (3), Block Sixteen (16), Arnold and Abbott's Addition and its compliment, Lot Three (3), Block Two (2), Spaulding and Gregg's Addition, both being additions to the city of Grand Island, Hall County, Nebraska; commonly known as 1215 West 3<sup>rd</sup> Street

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island is hereby authorized to acquire by donation from the Grand Island Public Library Foundation, Inc., a Nebraska non-profit corporation, the property described above, for the purpose of expanding and renovating the Edith Abbott Memorial Library at 211 N. Washington Street.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.



## Tuesday, January 11, 2005 Council Session

## Item G24

#2005-17 - Approving Change Order No. 2 to the Contract with John T. Jones Construction for the 2003 Waste Water Treatment Plant-1, Solids Handling Improvements Project

Staff Contact: Steven P. Riehle, Public Works Director

# Council Agenda Memo

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

Meeting: January 11, 2005

**Subject:** Approving Change Order No. 2 to the Contract with John

T. Jones Construction for the 2003 Waste Water Treatment Plant-1, Solids Handling Improvements

Project

**Item #'s:** G-24

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

## **Background**

Any change orders to the contract must be approved by City Council. The construction contract was awarded to John T. Jones, Fargo, North Dakota, on October 14, 2003 in the amount of \$8,462,000.00. Change order No. 1 was approved on April 27, 2004 for \$78,629.00 for a new contract amount of \$8,540,629.00.

## **Discussion**

The Wastewater Division of the Public Works Department is submitting Change Order No. 2 in the amount of \$25,127.00 for a new contract price of \$8,565,756.00. The change order includes the following:

#### 1. Requests For Information (RFI)

RFI's are a contractor's formal request for information of the city or of our consultants, CH2M Hill. RFI's are generally a question regarding specifications or plan clarification, testing methods, materials, measurements, etc. CH2M Hill responds in writing to ensure proper documentation. Incorporating the RFI's into the change order finalizes the process.

#### 2. Requests For Quatation (RFQ)

RFQ's start as a request for quotes from CH2M Hill, the consultants, to John T. Jones, the contractor. The request may involve a reduction on an increase in the dollar amount to be paid to the contractor. Incorporating the RFQ's into a change order allows the city to take credit for reductions as well as pay the contractor for increases. The RFQ's being

proposed for incorporation into change order #2 had \$68,595.00 of reductions and \$93,722.00 for a net contract increase of \$25,127.00.

#### 3. Work Change Directive (WCD)

WCD's are used to direct the contractor to make changes to the work so the project can proceed. Incorporating the WCD's into the change order completes the documentation.

#### 4. Field Orders (FO)

FO's are used to make changes to the plans. Incorporating the FO's into the change order completes the documentation.

#### **Contract Time Extension**

The contractor has requested an extension of the completion date of 45 days. That would move the substantial completion date from December 31, 2004 to February 12, 2005 and the final completion date from February 1, 2005 to March 19, 2005. The additional 45 days are for work included under RFQ numbers 8, 15, and 29; it is also deemed acceptable by our engineer at CH2M Hill. Please see attached letter dated December 22, 2004.

Sufficient funds are available in account 53030054-85213 to fund the Change Order.

### **Alternatives**

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

- 1. Make a motion to approve Change Order No. 2 so as the revised contract amount for the Solids Handling Improvement Project would be \$8,565,756.00.
- 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 pass a resolution authorizing the Mayor to execute the Change Order.

### **Sample Motion**

Approve Change Order No. 2 to the contract with John T. Jones Construction Company for the 2003 Wastewater Treatment Plant – 1, Solids Handling Improvements Project.



December 22, 2004

175454.CS.CO

Ben Thayer City of Grand Island 100 East 1st Street P.O. Box 1968 Grand Island, NE 68802

Subject: Grand Island Solids Handling Improvements Project

**Contractor Time Extension** 

Dear Ben:

CH2M HILL has reviewed the requested time extensions from John T. Jones Construction. These extensions were for the following three requests for quotation:

CH2M HILL

P.O. Box 22508 Denver, CO 80222-0508

Tel 303.771.0900 Fax 720.286.9250

9191 South Jamaica Street Englewood, CO 80112-5946

- RFQ-8, Gravity Belt Thickener Feed Pumps. 15 days to be added to substantial completion and to final completion.
- 2. RFQ-15, Primary Sludge Holding Pump Station Piping. 15 days to be added to substantial completion and to final completion.
- 3. RFQ-29, Grit Building Electrical Changes. 15 days to be added to substantial completion and to final completion.

These changes meet the requirements of the General Conditions, Article 12 and we recommend they be approved and added to the Contract by change order. The total time addition to substantial completion is 45 days. The total time addition to final completion is 45 days.

If you have any questions or comments, please contact the undersigned at (915) 543-089 x11.

Sincerely,

**CH2M HILL** 

Scott P. Higbee, P.E.

Scott P. High

Assistant Project Manager

c: Roger Scott/Grand Island File

#### CHANGE ORDER

**ORDER NO. 2** 

NAME OF PROJECT: City of Grand Island Waste Water Treatment Plant

Sludge Handling Project – 2003

**CONTRACTOR:** 

J T Jones Construction

OWNER:

City of Grand Island

# THE FOLLOWING MODIFICATIONS TO THE CONTRACT ARE HEREBY ORDERED:

- See attached Request For Information summary report, Items RFI #25 through RFI #81
- 2. See attached Request For Quotation summary report, Items RFQ #8, 9, 10, 11, 14R, 17, 19, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 34, 37 and 38.
- 3. Work Change Directive document WCD #2.
- 4. Field Order documents FO #7, 8, 9, 10 11 and 12.

# THE FOLLOWING MODIFICATIONS TO THE CONTRACT TIMES HEREBY ORDERED:

1. There will be a modification to contract time of 45 calendar days.

#### **REASONS FOR MODIFICATIONS:**

1. Resolve administrative documents.

**ORIGINAL CONTRACT AMOUNT:** 

\$ 8,462,000.00

PREVIOUS CHANGE ORDER AMOUNT:

\$ 78,629.00

THIS CHANGE ORDER AMOUNT:

\$ 25,127.00

#### **SUMMARY TABLE**

1.	Request for quotation #8	(19,086.00)
2.	Request for quotation #9	25,923.00
3.	Request for quotation #10	4,025.00
4.	Request for quotation #11	4,069.00
5.	Request for quotation #14R	5,095.00
6.	Request for quotation #17	1,361.00
7.	Request for quotation #19	6,763.00
8.	Request for quotation #21	6,054.00
9.	Request for quotation #22	2,023.00
10.	Request for quotation #23	6,929.00
11.	Request for quotation #24	1,929.00
12.	Request for quotation #25	5,054.00
13.	Request for quotation #26	(1,009.00)
14.	Request for quotation #27	1,866.00
15.	Request for quotation #28	2,403.00
16.	Request for quotation #29	3,103.00
17.	Request for quotation #31	3,854.00
18.	Request for quotation #32	224.00
19.	Request for quotation #33	8,413.00
20.	Request for quotation #34	1,854.00
21.	Request for quotation #35	1,858.00
22.	Request for quotation #37	922.00
23.	Request for quotation #38	(48,500.00)

REVISED CONTRACT AMOUNT (including this Change Order) \$8,565,756.00

Contractor:	J. T. Jones Construction	Date:	12/22/04
Engineer:	CH2M HILLI	Date:	27. Du . 2004
Owner:	City of Grand Island	Date:	

#### RESOLUTION 2005-17

WHEREAS, on October 14, 2003, by Resolution 2003-296, the City of Grand Island awarded the bid for the construction of sludge handling improvements (Project 2003-WWTP-1) to John T. Jones Construction of Fargo, North Dakota; and

WHEREAS, on April 27, 2004, by Resolution 2004-97, the City of Grand Island approved Change Order #1 for such project; and

WHEREAS, it has been determined that additional modifications to the work to be performed by John T. Jones Construction are necessary; and

WHEREAS, such modifications have been incorporated into Change Order No. 2 which includes Requests for Information, Requests for Quotation, Work Change Directives and Field Orders; and

WHEREAS, the result of such modifications will increase the contract amount by \$25,127 for a revised contract price of \$8,565,756.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 2 between the City of Grand Island and the John T. Jones Construction of Fargo, North Dakota as set out above.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.

RaNae Edwards, City Clerk



# Tuesday, January 11, 2005 Council Session

# Item G25

**#2005-18 - Approving Donation of a Privacy Fence to the Central Nebraska Humane Society** 

Staff Contact: Steven P. Riehle, Public Works Director

# **Council Agenda Memo**

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

Meeting: January 11, 2005

**Subject:** Approving Donation of a Privacy Fence to the Central

Nebraska Humane Society

Item #'s: G-25

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

### **Background**

Items of value need Council approval to be donated.

#### **Discussion**

The City of Grand Island's Waste Water Division purchased the Arends property in 2004. Surrounding a portion of the property is a privacy fence which will be removed. The fence is of no value to the Public Works Department. The Central Nebraska Humane Society expressed a need for the privacy fence. The estimated value of the fence is less than \$500.00.

## **Alternatives**

- 1. Make a motion to approve donating the privacy fence to the Central Nebraska Humane Society.
- 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 donating the privacy fence to the Central Nebraska Humane Society.

## **Sample Motion**

Move to approve the donation.

#### RESOLUTION 2005-18

WHEREAS, last fall the City of Grand Island acquired property at 414 South Shady Bend Road, adjacent to the Wastewater Treatment Plant; and

WHEREAS, the property contains a privacy fence; and

WHEREAS, the Public Works Department has no use for such privacy fence; and

WHEREAS, the Central Nebraska Humane Society has indicated an interest in obtaining such privacy fence; and

WHEREAS, it is recommended that such privacy fence be donated to the Central Nebraska Humane Society.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the privacy fence located on the city-owned property at 414 South Shady Bend Road is hereby donated to the Central Nebraska Humane Society.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.

RaNae Edwards, City Clerk



# Tuesday, January 11, 2005 Council Session

# Item G26

#2005-19 - Approving Bid Award for Thermal Imaging Cameras

**Staff Contact: Jim Rowell** 

# Council Agenda Memo

From: Troy Hughes, Training Division Chief

Dale Shotkoski, Assistant City Attorney

Meeting: January 11, 2005

**Subject:** Approving Bid Award for Thermal Imaging Cameras

**Item #'s:** G-26

**Presenter(s):** Troy Hughes, Training Division Chief

Jim Rowell, Fire Chief

### **Background**

On December 22, 2004, the Fire Department advertised for bids for thermal imaging cameras for various pieces of apparatus.

### **Discussion**

There were five potential bidders for this equipment. A total of three bids were received and opened on January 4, 2005. Heiman Fire Equipment of Ashton, Iowa is in compliance with the specifications with no exceptions and the lowest bidder at \$9,093.32 per camera package. There are sufficient funds available to purchase a total of six (6) camera packages (camera, transmitter and batteries).

### **Alternatives**

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

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

### Recommendation

Administration recommends the Council approve awarding the bid to Heiman Fire Equipment of Ashton, Iowa for the amount of \$54,563.52.

# Purchasing Division of Legal Department INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

Working Together for a Better Tomorrow, Today

#### **BID OPENING**

BID OPENING DATE: January 4, 2005 at 11:15 a.m.

FOR: (3) Thermal Imaging Cameras

**DEPARTMENT:** Fire

**ESTIMATE:** \$56,570.00

FUND/ACCOUNT: 10022101-85615 - \$50,000.00

29522001-85019 - \$ 6,570.00

PUBLICATION DATE: December 22, 2004

NO. POTENTIAL BIDDERS: 5

#### **SUMMARY**

Bidder: <u>Heiman Fire Equipment</u> Bullard

Ashton, IA Lees Summit, MO

Exceptions: None None

Bid Price: \$9,093.32 each \$11,830.00 each

Bidder: Fire Guard, Inc.

Omaha, NE

**Exceptions:** Noted

**Bid Price:** \$9,684.00 each

cc: Jim Rowell, Fire Chief Troy Hughes, Training Division Chief

Chris Hoffman, Fire Secretary

Gary Greer, City Administrator

Dale Shotkoski, Purchasing Agent

Laura Berthelsen, Legal Assistant

#### RESOLUTION 2005-19

WHEREAS, the City of Grand Island invited sealed bids for Thermal Imaging Cameras for the Fire Department, according to plans and specifications on file with the City Clerk; and

WHEREAS, on January 4, 2005, bids were received, opened and reviewed; and

WHEREAS, Heiman Fire Equipment of Ashton, Iowa, 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 \$9,093.32 for each thermal imaging camera package.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Heiman Fire Equipment of Ashton, Iowa, in the amount of \$9,093.32 each for six thermal imaging camera packages is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 11, 2005.

RaNae Edwards, City Clerk

Approved as to Form ¤ \_\_\_\_\_\_ January 4, 2005 ¤ City Attorney



# Tuesday, January 11, 2005 Council Session

## Item J1

Payment of Claims for the Period of December 22, 2004 through January 11, 2005

The Claims for the period of December 22, 2004 through January 11, 2005 for a total amount of \$3,789,043.33. A MOTION is in order.

**Staff Contact: RaNae Edwards**