
City of Grand Island



Tuesday, February 08, 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 Terry Brown, Calvary Assembly of God,
1424 North Eddy Street**

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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

MAYOR COMMUNICATION

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



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item C1

Recognition of Troy Hughes, Fire Training Division Chief for 20 Years of Service with the Grand Island Fire Department

The Mayor and City Council will recognize Troy Hughes, Fire Training Division Chief for his 20 years of dedicated service with the Grand Island Fire Department. Mr. Hughes was hired as a Firefighter on February 3, 1985 and moved to Temporary Lieutenant on January 11, 1992. He was promoted to Captain on February 7, 1992 and then to Fire Training Division Chief on February 11, 1998. We congratulate Mr. Hughes for his dedication, loyalty, and outstanding service to the City of Grand Island for the past 20 years.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item C2

Recognition of Fred Hotz, Fire Prevention Division Chief for 20 Years of Service with the Grand Island Fire Department

The Mayor and City Council will recognize Fred Hotz, Fire Prevention Division Chief for his 20 years of dedicated service with the Grand Island Fire Department. Mr. Hotz was hired as a Firefighter on January 16, 1985 and became a Firefighter/EMT on August 9, 1993. He was promoted to Temporary Captain on November 18, 1999 and then to Fire Prevention Division Chief on August 13, 2002. We congratulate Mr. Hotz for his dedication, loyalty, and outstanding service to the City of Grand Island for the past 20 years.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item D1

#2005-BE-3 - Consideration of Determining Benefits 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: February 8, 2005

Subject: Board of Equalization Hearing to Determine Benefits and Consideration of an Ordinance Levying Assessments for Street Improvement District 1253, Island Circle, West of Webb Road , in Lacy Subdivision

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

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

Background

The Certificate of Final Completion for Street Improvement District No. 1253 was approved on January 11, 2005 with February 8, 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. 1253 was awarded to The Diamond Engineering Company of Grand Island, Nebraska on August 24, 2004. The contract completion date was changed from October 15, 2004 to November 4, 2004 due to utility conflict delays and because the city directed Diamond to concentrate their efforts on the project to widen Stolley Park Road west of US HWY 281. Work on the project was completed at a construction price of \$108,867.82. Total cost of the project, including engineering, is \$115,399.89 with \$104,605.19 assessed to privately owned property. The estimated cost of the District at the time of creation was \$112,004.31. Costs for the project break down as follows:

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

Additional Costs	
Engineering, Publication, and TV Insp. Costs	\$ 6,532.07
Total Cost	\$ 115,399.89

Alternatives

1. Make a motion to approve the recommendation to allow the Board of Equalization to determine benefits for Street Improvement District No. 1253. Make a motion to 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. 1253.

(Sample Motion for the Ordinance)

Move to approve the ordinance levying the assessments for Street Improvement District No. 1253.

POINT OF BEGINNING

STALKER

PLAZA
SUB.

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

SPELTS-SCHULTZ

LOT 2

ISLAND CIRCLE

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

LACY

1

INDUSTRIAL
SUB.

LOT 1

2
SUB.

WEBB RD.

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

3



STREET IMPROVEMENT DISTRICT 1253

EXHIBIT "A"

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

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

PLAT TO ACCOMPANY
ORDINANCE NO. 8914

RESOLUTION 2005-BE-3

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. 1253 located in Island Circle, west of Webb Road, 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 \$104,605.19; 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. 1253, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Lacy Construction Co., a/k/a Lacy Building and Supply Co.	Lot 1, Lacy Subdivision	22,358.87
Lacy Construction Co., a/k/a Lacy Building and Supply Co.	North 200 feet of Lot 3, Lacy Subdivision	35,128.72
Lacy Construction Co., a/k/a Lacy Building and Supply Co.	Lot 4, Lacy Subdivision	26,611.01
B. E. Burhoop	Part of the N1/2 of the NE1/4 of Section 24-11-10, more particularly described as follows: Beginning at a point where the west line of Webb Road intersects the north line of Island Circle; thence west 225 feet; thence north 82.5 feet; thence east 225 feet; thence south 82.5 feet to the point of beginning. 82.5 feet north and south; 225 feet east and west.	13,714.59
Ellen Irene Bishop, Trustee	Part of the SE1/4 of the NE1/4 of Section 24-11-10, more particularly described as follows: Beginning at a point where the west line of Webb Road intersects the south line of Island Circle; thence south 99.5 feet; thence west 100.13 feet; thence north 99.5 feet; thence east 100.13 feet to the point of beginning. 100.13 feet east and west; 99.5 feet north and south.	6,792.00
TOTAL		\$104,605.19

Approved as to Form ☐ _____
February 2, 2005 ☐ City Attorney

RESOLUTION 2005-BE-3

Adopted by the City Council of the City of Grand Island, Nebraska, on February 8, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item E1

Public Hearing on Request of Amy Anderson, Personal Representative of the Estate of Thomas Anderson for Conditional Use Permit for Sand and Gravel Operation Located at 2819 South Locust Street

Staff Contact: Craig Lewis

Council Agenda Memo

From : Craig A. Lewis, Building Department Director

Meeting: February 8, 2005

Subject: Public Hearing on Request of Lyman-Richey Corp. & Amy Anderson of A & L Farms, Inc for conditional use permit to continue to operate a sand and gravel pumping facility at 2819 S. Locust St.

Item #'s: E-1 & G-5

Presenter: Craig Lewis, Building Department Director

Background

This request is for council approval to allow for the continued operation of a sand and gravel facility at the above referenced address. A conditional use permit is required as the current zoning classification, LLR or large lot residential does not allow for this type of use as a permitted principal use. The zoning classification does list as a permitted conditional use, commercial mines, quarries, sand and gravel pits and accessory uses. Conditional uses as listed in the zoning code must be approved by the City Council. The original request was presented to and approved by the City Council in 1972, and has received subsequent approvals for the past 33 years.

Discussion

Sand and gravel operations have been a part of Grand Island and the surrounding areas for a long time, as residential development continues to expand and the two uses become closer neighbors more conditions need to be implemented to assure a compatible existence for both uses.

City administration has developed the following restrictions, or conditions which appear appropriate to impose upon sand and gravel operations.

1). USE: The proposed uses are limited to those listed in the application, sand and gravel pumping processing, storage, stocking piling, distribution, and sales, both wholesale and retail. Retail sale may also include the sale of black dirt, river rock, and similar landscaping materials. The storage, recycling, or processing of other aggregate materials, such as asphalt or concrete is not allowable unless specifically listed, nor are the operation of concrete or asphalt batch plants.

2). CLOSURE: A statement of the proposed use of the property after the closing of the sand and gravel operation has been provided along with the application.

3). PRIMARY CONDITIONS:

(a). The permit shall be granted for a period not to exceed 3 years with the possibility of renewal for an additional time at the end of the 3 year period.

(b). Pumping of product shall not be allowed within 150 feet of any public road right of way and protected by a 6 foot earthen berm during pumping. The finished width of developable property adjacent to the public right of way shall be 300 feet at the time of termination of the operation. A setback of 100 feet from any adjacent property line shall be maintained.

(c). Pumping and other activities (including lighting) at the site shall be limited to daylight hours (15) minutes before sunrise and (15) minutes after sunset Mondays through Saturdays. No pumping or other processing activities shall be permitted on Sundays or from fifteen minutes after sunset to fifteen minutes before sunrise. One exception to this condition shall be in the months of March, April, October, and November activities may operate from 6:00 a.m. to 10:00 p.m. to allow for winter condition.

(d). Any internal combustion pump motors utilized shall be equipped with a functioning "hospital grade muffler" designed to reduce exhaust noise by 32 to 40 decibels.

(e). Materials and equipment shall not be stored on the property within any easements or the regulated floodway as determined by the Federal Emergency Management Agency or its successor and the entity with jurisdiction and authority to enforce floodplain regulations. No product, material or equipment shall be stored within an easement or in such a manor that it would violate any safety provisions of the National Electric Safety Code.

(f). All dead trees, rubbish, and debris, if any must be cleared from the real estate as soon as practical and such real estate must, at all times, be kept in a clean and neat condition.

(g). No trash, rubbish, debris, dead trees, lumber, bricks, refuse or junk material of any nature whatsoever shall be dumped, placed or located upon such real estate.

(h). Applicant shall not use the real estate in any way so as to create or result in an unreasonable hazard or nuisance to adjacent land owners or to the general public.

(i). Applicant shall maintain any and all drainage ditches that may be located upon the real property.

(j). Applicant shall not permit the hauling of sand and gravel from the premises and over and across any public highway or road unless said sand and gravel is complete dry and free from water or is hauled in trucks which are designed and equipped so as to prevent water from leaking onto the traveled portion of the roadbed.

(k). All water accumulated upon the premises by virtue of such mining and pumping operations shall be retained upon the premises and shall not flow upon or encroach upon any adjacent land. Only surface waters that have historically flowed from the premises shall be permitted to leave the same through historical natural drainage ways.

(l). Applicant shall continue the mining operation but if at anytime during the life of the permit issued the operation shall cease for a period of a continuous 18 months the permit shall become void and a renewal shall be obtained before becoming once again operational.

ALTERNATIVES

It appears the Council has the following alternatives concerning the issue.

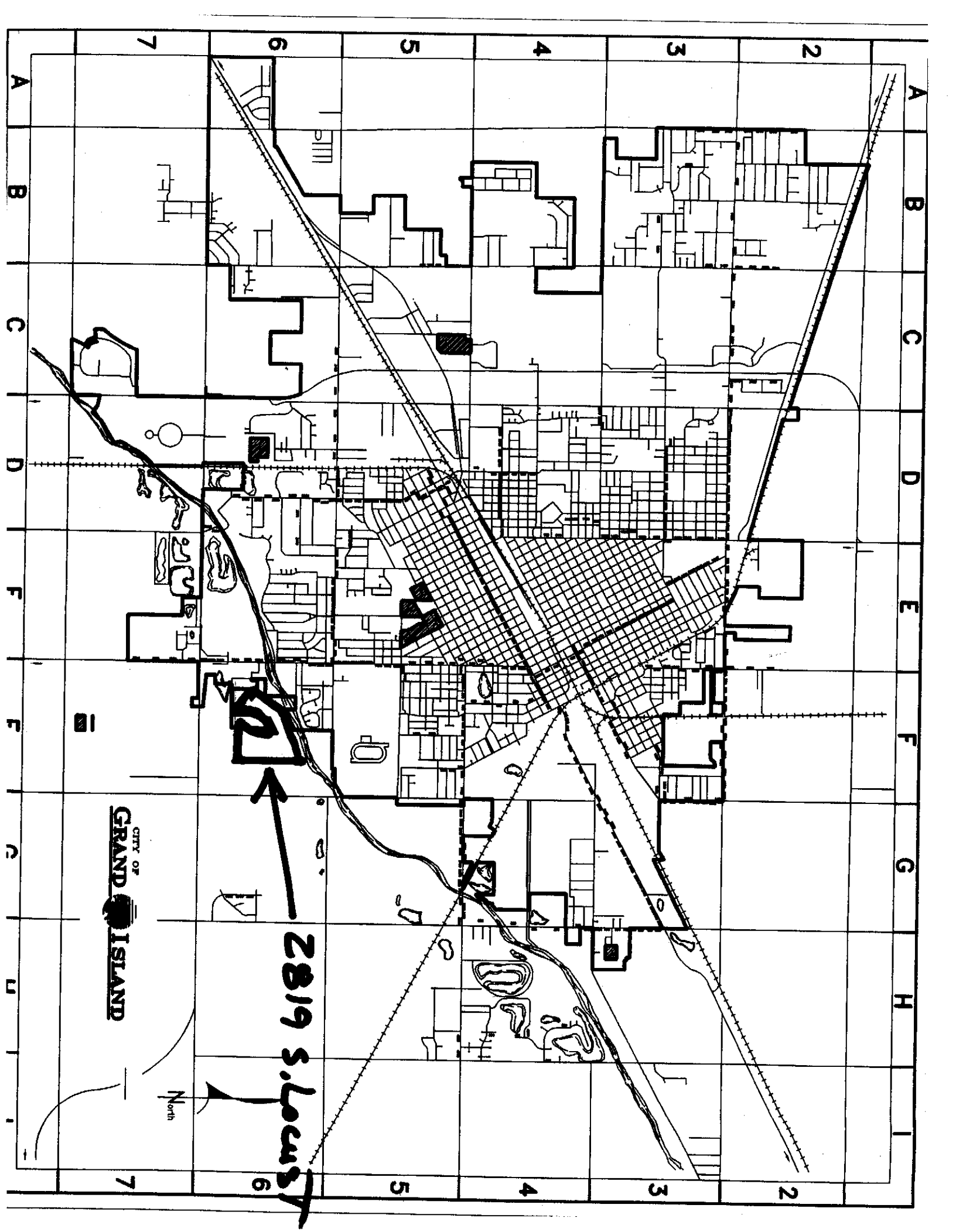
1. Approve the request with the proposed conditions.
2. Deny the request.
3. Approve the request with additional or revised conditions.

RECOMMENDATION

Approve the request with the identified conditions presented by City Administration.

SAMPLE MOTION

Motion to approve the conditional use with the conditions identified by the City Administration, published in the Council packet and presented at the Council meeting.



A B C D E F G H I
2 3 4 5 6 7
2 3 4 5 6 7

CITY OF
GRAND ISLAND

North

2819 S. LOUIS



Grand Island Pit

1. **Time for completing mining-** We anticipate mining to be completed on the property during the year of 2005. The only remaining virgin land to be mined is located in the northeast corner of the property. There is approximately five acres yet to be mined.
2. **Permit time-** We are asking for three years on the extension of the permit to be sure and have enough time to complete mining and time to remove the equipment and replace dirt over placed sand. We also need some time to remove stockpiles of mined material from the property.
3. **Adjoining Lyman-Richey property-** Lyman-Richey Corporation does own property adjacent to the property being mined under the conditional use permit. In 2004 we cleaned accumulated material from the property, disk and seeded the area to grass to give a pleasing appearance to the property.
4. **Anderson property reclamation-** At the completion of mining we will accomplish the following items:
 - A. Remove mining equipment
 - B. Remove stockpiles of screened products
 - C. Smooth waste sand areas to a pleasing appearance.
 - D. Cover the waste sand with available topsoil.
 - E. Remove electrical service from the mine area.
 - F. Remove scale and scale house from the permitted property.
5. **Environmental Issues**

At all times the mining operation will be conducted in accordance with the State of Nebraska Department of Environmental Quality permits dealing with air and water quality.

The mining operation will follow all Federal Department of Environmental Quality required permits for diesel fuel, oil and gasoline storage. All fuel storage must and will have secondary containment previous to allowing any fuel or oil on the property.

There is minimal haul road length due to the proximity to Blaine Street, therefore there will little or no dust caused by truck traffic.

All of Lyman-Richey mining operations operate under the rules and regulations as written and enforced by the Mining Health and Safety Act, MSHA, a set of Federal mandated regulations for all mining operations. The regulations of this Act mandate the maximum noise level of the operation within the bounds of the mining operation at 85 decibels. We strictly abide by these Federal regulations. Special mufflers are fitted to the engines on the dredge. The processing plant is entirely electric and has minimal noise.



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item E2

Public Hearing on One & Six Year Street Improvement Program

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director
Meeting: February 8, 2005
Subject: Approving One & Six Year Street Improvement Program
Item #'s: E-2 & G-6
Presenter(s): Steven P. Riehle, Public Works Director

Background

Adoption of a One and Six Year Street Improvement Program is required by State law as part of the requirements to receive approximately three million dollars of state gas tax funds each year.

Discussion

The public, Regional Planning Commission, and Council involvement was as follows:

- Tuesday, January 25, 2005 - City Council referred Plan to Regional Planning Commission.
- Wednesday, February 2, 2005 - Regional Planning Commission conducted a Public Hearing and forwarded the recommendation to the City Council.
- Tuesday, February 8, 2005 - City Council hears presentation from staff, conducts Public Hearing and passes Resolution adopting the Plan.

The only change to the original plan as published for the January 25, 2005 meeting was to remove the project to widen Eddy Street between 4th Street and 10th Street from the program.

Attached is staff's recommended One and Six Year Street Improvement Program.

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 One and Six Year Street Improvement Program.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the One and Six Year Street Improvement Program.

Sample Motion

Move to approve the One and Six Year Street Improvement Program.

2005 CONSTRUCTION SEASON

(ALL COSTS IN \$1,000's)

No.	Project Description	Total Project	State Federal Other	City STP	City G.O. Bond	City Cap. Impr. Fund
Street Construction						
M310- 480	Independence Ave./Shanna St. Paving	\$793				\$793
M310-	Claude Road Paving	\$250				\$250
M310- 386	S. Locust, Floodway to I-80, Bridge C0040 4120R	\$1,060		\$848		\$212
M310- 388	S. Locust, Floodway to I-80, Bridge C0040 4125R	\$1,095		\$876		\$219
M310- 463	Construction E&I - Two bridges over Platte (C0040-4120R & 4125R)	\$275		\$220		\$55
M310- 444	Paving Petition Program	\$400			\$400	
M310- 267	Two Bridge Replacements - Blaine @ Wood River (Engineering Design)	\$45				\$45
M310- 489	Widen Stolley Park Road - HWY 281 West 1/4 mile	\$240				\$240
M310- 450	Signal Detection - Locust & Stolley Park Road	\$50				\$50
Street Resurfacing						
M310- 445	Annual Resurfacing Program	\$400				\$400
Drainage & Flood Control						
M310- 485	PVIP Cells & Drainage	\$127				\$127
M310- 461	Moores,Prairie, & Silver Creek Flood Control Design	\$486	\$243			\$243
M310- 434	Annual Major Drainage Development	\$50				\$50
M310- 466	Concrete Lining of Drainage Ditches	\$50				\$50
M310-	Independence Avenue Drainage	\$80				\$80
Other						
M310- 425	Railroad Corridor Study	\$125				\$125
M310- 465	Engineering Design- Hike/Bike Bridge Superstructure over 2 Platte River Channels	\$50				\$50
M310- 389	Hike/Bike Trail Const. along Floodway - Hall County Park to S. Locust	\$600	\$480			\$120
M310- 385	Geographic Information System (Continued Development & Maintenance)	\$25				\$25
M310- 384	Construct One Landscaped Gateway Node (No. 1)	\$25				\$25
TOTALS		\$3,003	\$723	\$220	\$400	\$1,660

2006 CONSTRUCTION SEASON

(All Costs in \$1,000's)

No.	Project Description	Total Project	State Federal Other	City STP	City G.O. Bond	City Cap. Impr. Fund
Street Construction						
M310- 468	2006 Paving Petition Program	\$600			\$600	
M310- 487A	Stolley Park Rd Widening, Locust to Fonner Park Ent.(Eng Design & ROW)	\$90				\$90
M310- 500	Widen Capital Avenue West of HWY 281	\$1,070				\$1,070
M310- 407	S. Locust - HWY 34 to I-80 - Additional Landscaping	\$60	\$48			\$12
M310- 267	Two Bridge Replacements - Blaine @ Wood River	\$250	\$120			\$130
M310- 458	Traffic Signal - HWY 281/Wildwood Dr.	\$160	\$80			\$80
M310-	Wasmer Cell Construction	\$170				\$170
M310- 497	Illuminating Lighting - HWY 281, Stolley to Old Potash	\$250				\$250
Street Resurfacing						
M310- 470	Annual Resurfacing Program	\$750				\$750
Drainage & Flood Control						
M310- 485	PVIP Cells & Drainage	\$263				\$263
M310- 446	Annual Major Drainage Development	\$50				\$50
M310- 467	Concrete Lining of Drainage Ditches	\$50				\$50
M310- 459	Construct Drainway from CCC area to Wood River	\$425				\$425
M310- 382	Moores Creek Drainage - Rogers Well to S. of Old Potash HWY	\$200				\$200
M310- 461	Moores, Prairie, & Silver Creek Flood Control - Construction	\$780	\$420			\$360
M310-	Detention Cell/Ditch Restoration	\$50				\$50
Other						
M310- 385	Geographic Information System (Continued Development & Maintenance)	\$25				\$25
M310-	Misc. Safety Enhancements	\$150				\$150
M310- 387	Construct One Landscaped Gateway Node (No. 2)	\$25				\$25
M310- 408	Hike/Bike Bridge Superstructure over two Platte River Channels	\$350	\$280			\$70
M310- 431	Hike/Bike Trail Construction, S. Locust - Floodway to I-80	\$600	\$480			\$120
TOTALS:		\$6,368	\$1,428	\$0	\$600	\$4,340

2007 CONSTRUCTION SEASON

(All Costs in \$1,000's)

No.	Project Description	Total Project	State Federal Other	City STP	City G.O. Bond	City Cap. Impr. Fund
Street Construction						
M310- 487A	Stolley Park Rd widening, Locust to Fonner Park Ent. (Eng Design & ROW)	\$60			\$60	
M310- 409	S. Locust Grading and Median Drains for New Lanes (2007)	\$720		\$576		\$144
M310- 341	S. Locust Grading Floodway to I-80, Surfacing New Lanes (2007)	\$2,750		\$2,200		\$550
M310- 475	2007 Paving Petition Program	\$600			\$600	
M310- 351	Hwy 30 - Grant to Greenwich - NDOR Project (FY 2007)	\$3,749	\$3,749	\$750		
M310- 480	Independence Avenue Paving	\$1,050			\$1,050	
Street Resurfacing						
M310- 476	Annual Resurfacing Program (2007)	\$750				\$750
Drainage & Flood Control						
M310- 471	Annual Major Drainage Development (2007)	\$500				\$500
M310- 472	Concrete Lining of Drainage Ditches(2007)	\$50				\$50
M310- 461	Moores,Prairie, & Silver Creek Flood Control - Construction	\$780	\$420			\$360
M310-	Moores Creek Drainage - Old Potash HWY to Edna Dr.	\$150				\$150
M310-	Detention Cell/Ditch Restoration	\$50				\$50
Other						
M310- 385	Geographic Information System (Continued Development & Maintenance)	\$25				\$25
M310- 414	Hike/Bike Trail Construction, S. Locust to Morman Island. (Parallel to I-80)	\$600	\$480			\$120
M310- 390	Construct One Landscaped Gateway Node (No 3)	\$25				\$25
M310-	Misc. Safety Enhancements	\$150				\$150
TOTALS:		\$11,079	\$4,649	\$2,950	\$1,650	\$2,580

2008 Construction Season

(All costs in \$1,000s)

No.	Project Description	Total Project	State Federal Other	City STP	City G.O. Bond	City Cap. Impr. Fund
Street Construction						
M310- 487	Stolley Park Rd widening, Locust to Fonner Park Entrance (Construction)	\$1,200			\$1,200	
M310- 490	Annual Paving Petition Program (2008)	\$750			\$750	
M310- 353	Faidley Ave. - Moores Creek Ditch to North Rd.	\$1,250			\$1,250	
Street Resurfacing						
M310- 491	Annual Resurfacing Program (2008)	\$700				\$700
Drainage & Flood Control						
M310- 492	Annual Major Drainage Development (2008)	\$500				\$500
M310- 493	Concrete Lining of Drainage Ditches(2008)	\$50				\$50
M310- 461	Moores,Prairie, & Silver Creek Flood Control - Construction	\$780	\$420			\$360
M310-	Detention Cell/Ditch Restoration	\$50				\$50
Other						
M310- 397	Construct One Landscaped Gateway Node (No 4)	\$25				\$25
M310- 447	Hike/Bike Trail Construction - State St. to Veterans Home	\$600	\$480			\$120
M310- 385	Geographic Information System (Continued development and maintenance)	\$25				\$25
M310-	Misc. Safety Enhancements	\$150				\$150
TOTALS		\$6,080	\$900	\$0	\$3,200	\$1,980

2009 Construction Season

(All costs in \$1,000s)

No.	Project Description	Total Project	State Federal Other	City STP	City G.O. Bond	City Cap. Impr. Fund
Street Construction						

M310-	501	Annual Paving Petition Program (2009)	\$750			\$750	
		Widen Eddy Street Underpass to 5-lanes on					
M310-	334	south end	\$175				\$175
M310-	469	Capital Ave - HWY 281 to Webb Rd	\$900			\$900	
		Hwy 30 - Hwy 281 to west City Limits -					
M310-	352	NDOR Project	\$9,449	\$7,559		\$1,890	
Street Resurfacing							
M310-	503	Annual Resurfacing Program (2009)	\$700				\$700
Drainage & Flood Control							
M310-	504	Annual Major Drainage Development (2009)	\$500				\$500
M310-	505	Concrete Lining of Drainage Ditches(2009)	\$50				\$50
		Moore's,Prairie, & Silver Creek Flood Control					
M310-	461	- Construction	\$780	\$420			\$360
M310-		Detention Cell/Ditch Restoration	\$50				\$50
Other							
M310-	415	Construct One Landscaped Gateway Node (No. 5)	\$25				\$25
M310-	385	Geographic Information System (Continued development and maintenance)	\$25				\$25
M310-		Hike/Bike Trail Const. - Veterans Home to Eagle Scout Park	\$600	\$480			\$120
M310-		Misc. Safety Enhancements	\$150				\$150
TOTALS			\$14,154	\$8,459	\$0	\$3,540	\$2,155

2010 and After Construction

(All costs in \$1,000s)

No.	Project Description	Total Project	State Federal Other	City STP	City G.O. Bond	City Cap. Impr. Fund
M310-	Annual Paving Petition Program (2010)	\$750			\$750	
	Widen Eddy Street Underpass to 5-lanes on					
M310-	334 south end	\$175				\$175
M310-	89 Capital Ave - Webb to Broadwell Ave	\$2,500			\$2,500	
M310-	Capital Ave - Broadwell to St. Paul Road	\$2,500			\$2,500	
M310-	499 Grade Separation Broadwell @ UPRR	\$12,000	\$600		\$11,400	
M310-	502 East Bypass Grade Separation @ UPRR	\$16,000	\$800		\$15,200	
	S. Locust - Illumination Lighting S. City Limits to I-80					
M310-	498	\$1,000		\$500		\$500
	Hwy 30 - Hwy 281 to west City Limits -					
M310-	352 NDOR Project	\$9,449	\$7,559		\$1,890	

M310-	411	Hwy 34 - Locust to Hwy 281 - NDOR Projec+C181	\$6,679	\$5,343	\$1,336
M310-		Swift Road - WWTP to Shady Bend Rd	??		

Street Resurfacing

M310-		Annual Resurfacing Program (2010)	\$750		\$750
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Drainage & Flood Control

M310-		Annual Major Drainage Development (2010)	\$500		\$500
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M310-		Concrete Lining of Drainage Ditches(2010)	\$50		\$50
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M310-	461	Moores,Prairie, & Silver Creek Flood Control - Construction (Due remainder of Project)	\$4,680	\$2,520	\$2,160
M310-		Detention Cell/Ditch Restoration	\$50		\$50

Other

M310-	435	Construct One Landscaped Gateway Node (No. 6)	\$25		\$25
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M310-	385	Geographic Information System (Continued development and maintenance)	\$25		\$25
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M310-	416	BLDG Improvements at West Yard	\$375		\$375
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M310-		Hike/Bike Trail Const. along Floodway - S. Locust to Platte River	\$600	\$480	\$120
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M310-		Misc. Safety Enhancements	\$150		\$150
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TOTALS			\$58,258	\$17,302	\$500	\$35,576	\$4,880
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City of Grand Island

Tuesday, February 08, 2005

Council Session

Item E3

**Public Hearing on Acquisition of Utility Easement - 3429 West
13th Street - RT Omaha Franchise, LLC**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director
Meeting: February 8, 2005
Subject: Acquisition of Utility Easement – 3429 West 13th Street
RT Omaha Franchise, LLC
Item #'s: E-3 & G-9
Presenter(s): Gary R. Mader, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of RT Omaha Franchise, LLC, located at 3429 West 13th Street, 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 primary underground electrical cable and a pad-mounted transformer to serve the new Ruby Tuesday Restaurant.

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.

N.W. COR., E 1/2, N.E. 1/4
SEC. 13, T 11 N-R 10 W

13TH STREET

U.S. HWY 281

MEADOWLARK

WEST

THIRD

Lot 23

Lot 21

Lot 22

Lot 20

SUB.

75.0'

45.0'

45.0'

266.47'

241.28'

266.39'

238.78'

133.78'

55'

160'

20' UTILITY EASEMENT

30' PRIVATE DRIVE & UTILITY EASEMENT



LEGEND

INDICATES
UTILITY EASEMENT



CITY OF
GRAND ISLAND
UTILITIES DEPARTMENT

EXHIBIT "A"

DRN BY: K.J.M. SCALE: 1"= 60'
DATE: 2/2/2005 FILE: MEADOW



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item F1

**#8952 - Consideration of Assessments for Street Improvement
District 1253; Island Circle, West of Webb Road in Lacy
Subdivision**

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. 8952

An ordinance to assess and levy a special tax to pay the cost of construction of Street Improvement District No. 1253 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. 1253 located in Island Circle, west of Webb 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	☐ _____
February 3, 2005	☐ City Attorney

ORDINANCE NO. 8952 (Cont.)

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Lacy Construction Co., a/k/a Lacy Building and Supply Co.	Lot 1, Lacy Subdivision	22,358.87
Lacy Construction Co., a/k/a Lacy Building and Supply Co.	North 200 feet of Lot 3, Lacy Subdivision	35,128.72
Lacy Construction Co., a/k/a Lacy Building and Supply Co.	Lot 4, Lacy Subdivision	26,611.01
B. E. Burhoop	Part of the N1/2 of the NE1/4 of Section 24-11-10, more particularly described as follows: Beginning at a point where the west line of Webb Road intersects the north line of Island Circle; thence west 225 feet; thence north 82.5 feet; thence east 225 feet; thence south 82.5 feet to the point of beginning. 82.5 feet north and south; 225 feet east and west.	13,714.59
Ellen Irene Bishop, Trustee	Part of the SE1/4 of the NE1/4 of Section 24-11-10, more particularly described as follows: Beginning at a point where the west line of Webb Road intersects the south line of Island Circle; thence south 99.5 feet; thence west 100.13 feet; thence north 99.5 feet; thence east 100.13 feet to the point of beginning. 100.13 feet east and west; 99.5 feet north and south.	6,792.00
TOTAL		\$104,605.19

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

ORDINANCE NO. 8952 (Cont.)

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. 1253.

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: February 8, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G1

Approving Minutes of January 25, 2005 City Council Regular Meeting

*The Minutes of January 25, 2005 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

January 25, 2005

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 January 25, 2005. Notice of the meeting was given in the *Grand Island Independent* on January 19, 2005.

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.

INVOCATION was given by Pastor Joel Schroeder, St. Paul's Lutheran Church, 1515 South Harrison Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek commented on attending a meeting with the Nebraska Games and Parks Commission in Sydney, Nebraska where the Heartland Shooting Facility was granted \$250,000.00.

PUBLIC HEARINGS:

Public Hearing on Amendment to Community Authority (CRA) Redevelopment Plan for Blight and Substandard Area #2 and authorizing Tax Increment Financing for Harley Davidson Central Located at 2719 South Locust Street. Doug Walker, City Attorney reported that the Community Redevelopment Authority (CRA) had received an application requesting tax increment financing (TIF) for the Nebraska Cycle Company, Inc., dba Harley Davison Central located at 2719 South Locust Street. Explained were the state statute requirements for TIF and the background for this application. Duane Burns and Barry Sandstrom representing the CRA spoke in support. Applicant Bill Lawrey, 2519 Commerce Avenue spoke in support. No further public testimony was heard.

Public Hearing on Amendments to the Grand Island Comprehensive Plan and Future Land Use Map for Property Located at 2820 East Highway 34. (Mile Bridge School). Chad Naby, Regional Planning Director reported that Robert Kayl had made application for changes to the Comprehensive Plan and Future Land Use Map for the Mile Bridge School property located at 2820 East Highway 34. It was stated this property would be used as a heating and air conditioning business. Steve Morris, 1819 Spring Road, Rob Kayl, 1305 Sandra Road, and Kim Meyer, 4221 Springview Drive spoke in support. No further public testimony was heard.

Public Hearing on Amendments to the Grand Island Zoning Map for Property Located at 2820 East Highway 34 from TA Transitional Agricultural to B2 General Business. (Mile Bridge School) Chad Naby, Regional Planning Director reported that this item related to the previous item with regards to the Mile Bridge School property located at 2820 East Highway 34. Steve Morris, 1819 Spring

Road, Rob Kayl, 1305 Sandra Road, and Kim Meyer, 4221 Springview Drive spoke in support. No further public testimony was heard.

RESOLUTION:

#2005-33 – Approving Amendments to the Grand Island Comprehensive Plan and Future Land Use Map for Property Located at 2820 East Highway 34. (Mile Bridge School) Chad Nabity, Regional Planning Director reported that this item related to the Public Hearing held earlier and this Resolution needed to be acted upon before Ordinance #8950. Mr. Nabity explained the possible uses of the property if it were changed to B2 General Business and stated this was spot zoning. Discussion was held concerning an agreement between the buyer and seller of this property.

Motion by Gilbert, second by to Nickerson to approve Resolution #2005-33. Upon roll call vote, Councilmember’s Meyer, Whitesides, Pielstick, Gilbert, Nickerson, Cornelius, Hornady, Walker, and Haase voted aye. Councilmember Pauly voted no. Motion adopted.

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:

- #8950 - Consideration of Amendments to the Grand Island Zoning Map for Property Located at 2820 East Highway 34 from TA Transitional Agricultural to B2 General Business (Mile Bridge School)
- #8951 – Consideration of Approving Salary Ordinance

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of these ordinances on first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage.” Councilmember Haase seconded the motion. Upon roll call vote, Councilmember’s Meyer, Whitesides, Pielstick, Gilbert, Nickerson, Cornelius, Hornady, Walker, and Haase voted aye. Councilmember Pauly voted no. Motion adopted.

Brenda Sutherland, Human Resources Director explained the changes to Salary Ordinance #8951.

Motion was made by Pielstick, second by Cornelius to approve Ordinances #8950 and #8951.

City Clerk: Ordinances #8950 and #8951 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 #8950 and #8951 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 #8950 and #8951 are declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of January 11, 2005 City Council Regular Meeting.

Approving Minutes of January 18, 2005 City Council Study Session.

#2005-20 – Approving Bid Award for Turbine Room and DA Room Roof Replacement at Platte Generating Station with Weathercraft Company of Grand Island, Nebraska in an Amount of \$155,266.00.

#2005-21 – Approving Bid Award for Fuel Oil Facilities Upgrade Project for Burdick and Platte Generating Stations with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$781,000.00.

#2005-22 – Approving Amendments for Personnel FTE Budgets.

#2005-23 – Approving Contract for Police and Firefighters Pension Plan with Wells Fargo Bank, N.A.

#2005-24 – Approving Change Order #3 for Grand Generation Addition and Renovation with Starostka Group, Inc., of Grand Island, Nebraska for a Decrease in the Contract Amount of \$2,000.00. Lois Steinke, Executive Director of the Grand Generation Center invited the Council and the public to a walk-through at the Grand Generation Center on Thursday, January 27, 2005 from 2:00 p.m. to 4:00 p.m. Bob Sorensen updated the Council on the Grand Generation project and thanked them for their support.

#2005-25 – Approving Addendum to CNH Memorandum of Understanding.

#2005-26 – Approving the Name of “The Virgil Eiehusen Memorial Skeet Range”.

#2005-27 – Approving Authorization of Application for Household Hazardous Waste Grant Funds from the Nebraska Department of Environmental Quality.

#2005-28 – Approving Contract with Fonner Park Relative to Stand-By Ambulance.

#2005-29 – Approving Change Order No. 1 to the Contract with The Diamond Engineering Company of Grand Island, Nebraska for Widening Stolley Park Road West of U.S. Highway 281, Project 2004-P-08 for an Increase of \$18,624.80 and a Revised Contract Amount of \$668,779.70.

#2005-30 – Approving Certificate of Final Completion for Widening Stolley Park Road West of U.S. Highway 281, Project 2004-P-08 with The Diamond Engineering Company of Grand Island, Nebraska.

#2005-31 – Approving Subordination Agreement for Home Owned by Troy and Cathy Lehn, 1216 Warren Lane Purchased Under CDBG Down Payment Assistance Program.

REQUESTS AND REFERRALS:

Approving Referral of One and Six Year Street Improvement Program to Regional Planning Commission. Steve Riehle, Public Works Director reported that adoption of a One and Six Year

Street Improvement Program was required by State law as part of the requirements to receive approximately three million dollars of state gas tax funds each year.

Motion by Hornady, second by Pielstick, to refer the One and Six Year Street Improvement Program to the Regional Planning Commission for their review at their February 2, 2005 meeting. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2005-32 – Approving Amendment to Community Redevelopment Authority (CRA) Redevelopment Plan for Blight and Substandard Area #2 and Authorizing Tax Increment Financing (TIF) for Harley Davidson Central Located at 2719 South Locust Street. Doug Walker, City Attorney reported that this item related to the Public Hearing held earlier. A lengthy discussion was held with regards to the CRA's policies and procedures and the timing of events with regards to this application. Craig Lewis, Building Department Director commented on the building requirements for a building permit.

Motion by Pielstick, second by Whitesides to deny Resolution #2005-32 according to staff recommendation. Upon roll call vote, Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Councilmember Nickerson voted no. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Hornady to approve the Claims for the period of January 12, 2005 through January 25, 2005, for a total amount of \$1,794,903.36. Motion adopted unanimously.

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

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G2

Approving Minutes of February 1, 2005 City Council Study Session

The Minutes of February 1, 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

February 1, 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 February 1, 2005. Notice of the meeting was given in the Grand Island Independent on January 26, 2005.

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

Mayor Communication: Mayor Vavricek recognized Councilmember Pielstick to explain the "Go Red for Women" campaign which will be celebrated Friday, February 4, 2005. This campaign is to make women aware of heart risks, which is the No. 1 killer of women.

Presentation of Library Expansion Process: Mike Kneale, Library Board President reported that for the past several months the Library Facility Committee had been working on details related to the library's expansion/remodel project. Mr. Kneale presented a PowerPoint presentation to update the Council on actions taken by the Library Facility Committee and how those decisions would be referred to the Grand Island Facilities Corporation. Explained was the Request for Proposal (RFP) process. The Library Facility Committee would be managing the solicitation of this RFP for the corporation.

The following tentative timetable was presented:

- Site Clearing Summer 2005
- Design Work Summer/Fall 2005
- Groundbreaking Fall/Winter 2005
- Construction Finished Winter 2006/Spring 2007

Steve Fosselman, Library Director presented the Building Program Document which provided for specific space allocations and explanations for the expansion/remodel project for the library. Design and technology was presented in the way of automatic book returns.

Mr. Fosselman mentioned that the library would be open during construction. Property acquisition was discussed with a projected timeline of acquiring the remaining properties this spring.

Review of One and Six Year Street Improvement Program Steve Riehle, Public Works Director reported that the Regional Planning Commission would conduct a public hearing at their

February 2, 2005 meeting and the City Council would be asked to approve the program at their February 8, 2005 regular City Council meeting. Mr. Riehle explained one of the major projects for the 2005 construction season was the pavement construction for Independence Avenue from Shanna Street to 13th Street, as well as the paving of Shanna and Lariat Lane.

Other projects considered for 2005 were as follows:

- Annual Paving Petition Program
- Convert One Signal to Video Detection
- Annual Asphalt Resurfacing Program
- Annual Major Drainage Development
- Concrete Ditch Lining
- Railroad Corridor Study
- GIS Continued Maintenance
- Landscape Gateway
- Paving Claude Road to facilitate CNH operations
- Widening U.S. Highway 30 to the Merrick County line
- Two bridges over the Platte River for the northbound lanes of South Locust Street between I-80 and the south city limits
- Completion of the Railroad Corridor Study
- Continuation of the Moores, Prairie, and Silver Creek flood control design
- Hike/Bike trail from Central Community College to the Hall County Park

Projects to be considered for the 2006 – 2010 Construction were as follows:

2006 Construction

- Detention Cell & Ditch Restoration
- Safety Improvements
- Annual Paving Petition Program
- Annual Asphalt Resurfacing Program
- Annual Major Drainage Development
- Concrete Ditch Lining
- GIS Continued Maintenance
- Landscape Gateway
- Widening Capital Avenue west of U.S. Highway 281
- Construction of two northbound bridges on South Locust Street over the Platte River channels
- Commencement of roadway construction for the northbound lanes of South Locust Street between the I-80 interchange and the south city limits
- Hike/Bike trail construction

2007 Construction and Beyond

- Widen Eddy Street Underpass on South End
- Widen Eddy Street from 4th Street to 10th Street
- Widening Stolley to Heartland Events Center
- South Locust Grading, Lighting and Surfacing of Northbound Lanes
- Hike/Bike Trail Construction
- Morre's Creek Drain
- Widening U.S. Highway 30 between the U.S. Highway 30 railroad overpass and Greenwich Street
- Commencement of ten years of construction activities for the Moores, Prairie, and Silver Creek floodway protection project

Discussion was held with regards to Highway 34 and South Locust Street intersection and the possible increased traffic due to the new Wal-Mart on South Locust Street. Also discussed was the State Street and North Road intersection with regards to a traffic light. Mr. Riehle stated that a modern roundabout would be looked at for this location. Five Pointes intersection was discussed because of traffic congestion. This was also a location that would be considered for a roundabout.

Mentioned was the Wasmer detention cell to be constructed in 2006, before the Nebraska Department of Roads Highway 30 Widening Project of 2nd Street from 4 lane to 5 lane which was planned for 2007.

ADJOURNMENT: The meeting was adjourned at 7:50 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G3

Approving Appointment of Councilmember Bob Meyer to the Humane Society Board

The Mayor is recommending the appointment of Councilmember Bob Meyer as Council Liaison to the Humane Society Board. The appointment would become effective immediately and would expire on December 31, 2005. Approval is recommended.

Staff Contact: Mayor Vavricek



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G4

**Approving Request of Alice Frazier, 2323 West George Street for
Liquor Manager Designation for Pump & Pantry #3, 2511 Diers
Avenue**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: February 8, 2005

Subject: Request of Alice Frazier, 2323 West George Street for Liquor Manager Designation for Pump & Pantry #3, 2511 Diers Avenue

Item #'s: G-4

Presenter(s): RaNae Edwards, City Clerk

Background

Alice Frazier, 2323 West George Street has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "B-13151" Liquor License for Pump & Pantry #3, 2511 Diers Avenue. 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 Alice Frazier, 2323 West George Street for Liquor Manager Designation in conjunction with the Class "B-13151" Liquor License for Pump & Pantry #3, 2511 Diers Avenue.
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 Alice Frazier, 2323 West George Street for Liquor Manager Designation for Pump & Pantry #3, 2511 Diers Avenue.



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G5

Approving Request of Amy Anderson, Personal Representative of the Estate of Thomas Anderson for Conditional Use Permit for Sand and Gravel Operation Located at 2819 South Locust Street

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

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G6

#2005-34 - Approving One & Six Year Street Improvement Program

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

Staff Contact: Steven P. Riehle, Public Works Director

RESOLUTION 2005-34

WHEREAS, the Regional Planning Commission, after public notice having been published in one issue of the Grand Island Independent on January 22, 2005, and such notice also having been posted in at least three places in areas where it was likely to attract attention, conducted a public hearing on February 2, 2005, on the One and Six Year Street Improvement Program for 2005-2010 for the City of Grand Island; and

WHEREAS, at the February 2, 2005 public hearing, the Regional Planning Commission approved the One and Six Year Street Improvement Program 2005-2010, and recommended that such program be approved by the City Council; and

WHEREAS, the Grand Island City Council, after public notice having been published in one issue of the Grand Island Independent on February 3, 2005, and such notice also having been posted in at least three places in areas where it was likely to attract attention, conducted a public hearing on February 8, 2005, on the One and Six Year Street Improvement Program for the City of Grand Island; and

WHEREAS, this Council has determined that the Six Year Street Improvement Program as set out in Exhibit "A" should be adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Six Year Street Improvement Program 2005-2010, based on priorities of needs and calculated to contribute to the orderly development of city streets, and identified as Exhibit "A", is hereby approved and adopted by this Council.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 8, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 2, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G7

#2005-35 - Approving Bid Award for a Commercial Front Mount Mower for the Wastewater Division of the Public Works Department

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: February 8, 2005

Subject: Approving Bid Award for One Commercial Front Mount Mower for the Wastewater Division of the Public Works Department

Item #'s: G-7

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

Background

The Wastewater Division of the Public Works Department budgeted for commercial front mounted mower. On January 10, 2005 the Waste Water Division advertised for bids.

Discussion

Three bids were received and opened on January 27, 2005. The Waste Water Division of the Public Works Department and the Purchasing Division of the City Attorney's Office reviewed the bids that were received. All bids were submitted in compliance with the contract, plans, and specifications. A summary of the bids is shown below.

<i>Bidder</i>	<i>Exceptions</i>	<i>Bid Security</i>	<i>Total Bid</i>
Fairbanks Grand Island	None	Cashier's Check	\$9,950.00
Green Line Equipment	None	Cashier's Check	\$6,956.00
Landell-Thelen, Inc.	None	Cashier's Check	\$11,568.55

The estimate for this unit was \$15,000.00. There are sufficient funds in Account No. 53030054-85615 for this purchase.

Alternatives

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

1. Make a motion to approve the purchase of the commercial front mounted mower.
2. Refer the issue to a Committee
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the purchase of the commercial front mounted mower in the amount of \$6,956.00 from Green Line Equipment of Grand Island, NE.

Sample Motion

Move to approve the purchase of the Wastewater Division front mounted mower from Green Line Equipment in the amount of \$6,956.00.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: January 27, 2005 at 11:15 a.m.
FOR: (1) Commercial Front Mount Mower
DEPARTMENT: Public Works
ESTIMATE: \$15,000.00 with Trade-In
FUND/ACCOUNT: 53030054-85615
PUBLICATION DATE: January 10, 2005
NO. POTENTIAL BIDDERS: 4

SUMMARY

Bidder:	<u>Fairbanks Grand Island</u> Grand Island, NE	<u>Green Line Equipment</u> Grand Island, NE	<u>Landell-Thelen, Inc.</u> Shelton, NE
Bid Security:	Cashier's Check	Cashier's Check	Cashier's Check
Exceptions:	Noted	None	None
Bid Price with Trade-in:	\$9,950.00	\$6,956.00	\$11,568.55

cc: Steve Riehle, Public Works Director
Ben Thayer, Supt. of WWTP
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

Bub Buettner, Assistant Public Works Director
Danelle Collins, Admin. Assistant PW
Dale Shotkoski, Purchasing Agent

RESOLUTION 2005-35

WHEREAS, the City of Grand Island invited sealed bids for One (1) Commercial Front Mount Mower, according to plans and specifications on file with the City Engineer; and

WHEREAS, on January 27, 2005, bids were received, opened and reviewed; and

WHEREAS, Green Line Equipment of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$6,956.00; and

WHEREAS, such bid is below the engineer's estimate for such mower.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Green Line Equipment of Grand Island, Nebraska, in the amount of \$6,956.00 for one commercial front mount mower is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 8, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 3, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G8

**#2005-36 - Approving Bid Award for One 20 Ton Pull Type
Trailer Mounted Spreader for the Wastewater Division of the
Public Works Department**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: February 8, 2005

Subject: Approving Bid Award for a 20 Ton Pull Type Trailer Mounted Spreader for the Wastewater Division of the Public Works Department

Item #'s: G-8

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

Background

The Wastewater Division of the Public Works Department budgeted for a 20 ton pull type trailer mounted spreader.

Discussion

The trailer mounted spreader meets all of the requirements for the Wastewater Division. West Point Design, Inc. of West Point, NE submitted a bid the exceptions noted and approved in the amount of \$31,124.00. There are sufficient funds for this purchase in Account No. 53030054-85615.

Alternatives

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

1. Make a motion to approve the purchase of the 20 ton pull type trailer mounted spreader.
2. Refer the issue to a Committee
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the purchase of the trailer mounted spreader in the amount of \$31,124.00 from West Point Design, Inc. of West Point, NE.

Sample Motion

Move to approve the purchase of the Wastewater Division trailer mounted spreader from West Point Design, Inc. in the amount of \$31,124.00.



Dale M. Shotkoski, Assistant City Attorney

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BID OPENING

BID OPENING DATE: January 27, 2005 at 11:00 a.m.
FOR: (1) 20 Ton Pull Type Trailer Mounted Spreader
DEPARTMENT: Public Works
ESTIMATE: \$35,000.00
FUND/ACCOUNT: 53030054-85615
PUBLICATION DATE: January 10, 2005
NO. POTENTIAL BIDDERS: 3

SUMMARY

Bidder: West Point Design, Inc.
West Point, NE
Bid Security: Cashier's Check
Exceptions: Noted
Bid Price: \$31,124.00

cc: Steve Riehle, Public Works Director
Ben Thayer, Supt. of WWTP
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

Bub Buettner, Assistant Public Works Director
Danelle Collins, Admin. Assistant PW
Dale Shotkoski, Purchasing Agent

RESOLUTION 2005-36

WHEREAS, the City of Grand Island invited sealed bids for One (1) 20-Ton Pull Type Trailer Mounted Spreader, according to plans and specifications on file with the City Engineer; and

WHEREAS, on January 27, 2005, one bid was received, opened and reviewed; and

WHEREAS, West Point Design, Inc. of West Point, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$31,124.00; and

WHEREAS, such bid is below the engineer's estimate for such equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of West Point Design, Inc. of West Point, Nebraska, in the amount of \$31,124.00 for one 20-ton pull type trailer mounted spreader is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 8, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 3, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G9

**#2005-37 - Approving Acquisition of Utility Easement - 3429 West
13th Street - RT Omaha Franchise, LLC**

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

Staff Contact: Gary R. Mader

RESOLUTION 2005-37

WHEREAS, a public utility easement is required by the City of Grand Island, from RT Omaha Franchise, LLC, a Delaware limited liability company, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on February 8, 2005, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Twenty One (21), Meadowlark West Third Subdivision located in the city of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

The northerly five (5.0) feet of Lot Twenty One (21) Meadowlark West Third Subdivision; and the westerly twenty (20.0) feet of the easterly fifty nine (59.0) feet of the northerly twenty (20.0) feet of Lot Twenty One (21) Meadowlark West Third Subdivision.

The above-described easement and right-of-way containing 0.037 acres, more or less, as shown on the plat dated January 27, 2005, 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 RT Omaha Franchise, LLC, a Delaware limited liability company, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 8, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G10

#2005-38 - Approving Request for Proposal for Engineering Services - Transmission Line Work

Staff Contact: Gary R. Mader;Dale Shotkoski

Council Agenda Memo

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

Meeting: February 8, 2005

Subject: Award of Contract for Transmission Line Engineering Services

Item #'s: G-10

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

Background

The Electric Department utilizes a 115,000 volt transmission line around and through the City as the backbone of the Electric Distribution system. Generation and high voltage interconnections are on the southerly portions of this loop. Six substations on the loop are the source of power for the feeder circuits which provide power throughout the City. Five of these substations are separate from generating plants, making the 115 kV loop essential for providing electricity to our customers.

CXT Rail Products manufactures concrete ties at a manufacturing plant that is adjacent to the Union Pacific Rail Road on the east side of Grand Island. The 115 kV loop crosses the UPRR in this location. CXT intends to make improvements to their facility, through the installation of a gantry crane. To gain the additional clearance the transmission line needs to be relocated at a much higher elevation. CXT desires the reconstruction be completed with minimal delay.

Discussion

Steel poles mounted on large concrete foundations are required for the modifications. Consulting engineers have the specialized experience and design tools to assist them in the design. An experienced consulting engineer should be capable of rapid design completion.

A Request for Proposals was prepared to select a Design Engineer. These services were estimated to cost less than \$100,000. The Request for Proposals was advertised in accordance with the City Purchasing Code and solicitations were sent to four engineering firms with expertise in this field.

Proposals were received until February 1, 2005. Only Advantage Engineering of Chesterfield, Missouri submitted a Proposal. Advantage Engineering advises that preparation of plans and specifications can be complete by the first week of April, 2005. Their “not to exceed” cost is \$52,000.

Advantage Engineering has previously provided Grand Island with transmission line engineering services. The firm’s work has been quite satisfactory and they are very familiar with requirements specific to Grand Island.

Alternatives

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

1. Move to approve the Contract for Transmission Line Engineering Services
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that Council recommends awarding the Transmission Line Engineering Services Contract to Advantage Engineering of Chesterfield, Missouri, with a not to exceed cost of \$52,000.

Sample Motion

Move that the Transmission Line Engineering Services Contract be awarded to Advantage Engineering of Chesterfield, Missouri, with a not to exceed cost of \$52,000.



Dale M. Shotkoski, Assistant City Attorney

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**REQUEST FOR PROPOSAL
FOR
TRANSMISSION LINE ENGINEERING SERVICES**

RFP DUE DATE: February 1, 2005 at 11:00 a.m.
DEPARTMENT: Utilities
PUBLICATION DATE: January 12, 2005
NO. POTENTIAL BIDDERS: 4

SUMMARY OF PROPOSALS RECEIVED

Advantage Engineering, Inc.
Chesterfield, MO

cc: Gary Mader, Utilities Director
Burhl Gilpin, Utilities Dept.
Gary Greer, City Administrator
Dale Shotkoski, Purchasing Agent

Bob Smith, Assistant Utilities Director
Pat Gericke, Admin. Asst. Utilities
David Springer, Finance Director
Laura Berthelsen, Legal Assistant

P967

RESOLUTION 2005-38

WHEREAS, the City of Grand Island invited proposals for Transmission Line Engineering Services in accordance with a Request for Proposal on file at Phelps Control Center; and

WHEREAS, on February 1, 2005, one proposal was received, reviewed and evaluated in accordance with established criteria; and

WHEREAS, Advantage Engineering, Inc. of Chesterfield, Missouri, submitted a proposal in accordance with the terms of the request for proposals and all statutory requirements contained therein and the City Procurement Code, such proposal being for an amount not to exceed \$52,000.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of Advantage Engineering, Inc. of Chesterfield, Missouri, for transmission line engineering services for an amount not to exceed \$52,000 is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 8, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 3, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G11

**#2005-39 - Approving Bid Award for Cardiac Monitors for the
Grand Island Fire Department**

Staff Contact: Terry Leslie, Jim Rowell

Council Agenda Memo

From: Terry Leslie, EMS Division Chief

Meeting: February 8, 2005

Subject: Cardiac Monitor Bid

Item #'s: G-11

Presenter(s): Terry Leslie, EMS Division Chief
Jim Rowell, Fire Chief

Background

Cardiac monitors are utilized at emergency medical scenes to evaluate the patient's heart activity and provide emergency defibrillation, synchronized cardioversion, and external pacemaker therapy, as needed. Cardiac monitors developed over the last several years have the capability of allowing one cardiac monitor to be used by emergency care providers with differing levels of training instead of each level of training needing a different cardiac monitor. These monitors also utilize an alternative technology which is purported to be more effective in correcting ventricular fibrillation, the most common heart rhythm associated with cardiac arrest. This technology is recommended by a cardiologist in Grand Island. The Grand Island Fire Department (GIFD) has an assortment of cardiac monitors on its Engine Companies, which are first response vehicles, and its ambulances. GIFD utilizes six different models of monitors from two different manufacturers. These six different models require three different battery types to operate, three different battery charging systems, and four different non-interchangeable styles of adult size electrodes, each of which have a specific shelf life.

Discussion

On December 22, 2004, the Fire Department advertised for bids for cardiac monitors. There were two potential bidders. Two bids were received and opened on January 4, 2005. Medtronic Physio-Control of Redmond, WA is in compliance with the specifications and with no exceptions. There are sufficient funds available to purchase a total of six cardiac monitors at a total cost of \$62,330.

The transition to one model of cardiac monitor will eliminate the necessity of more than one monitor on the same apparatus due to personnel having different levels of training. Patient care may be transferred from personnel on one apparatus to another quicker and with less cost by using the same electrodes. Further operational cost savings will be gained by having one style of battery and battery charging system.

The choice between the two bids has been difficult, as GIFD has both models. Both models provide similar features and preference is evenly divided between personnel using them in the field.

I recommend the bid from Medtronic Physio Control be accepted for two reasons:

1. Although the bids have been competitive, Medtronic appears to be consistently able to provide individual monitors less expensively.
2. The suction machines used by GIFD to clear airways of vomiting patients, also, use the same style of batteries and charging systems used by Medtronic monitors. This will allow GIFD to transition to one battery style and charging system for its monitors and suction machines, one style cardiac monitor and electrodes able to be used by EMT-Basics and EMT-Paramedics, alike.

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 purchase of six cardiac monitors from Medtronic Physio-Control of Redmond, Washington.

Sample Motion

Move to approve six cardiac monitors from Medtronic Physio-Control of Redmond, Washington in the total amount of \$62,330.00.



Dale M. Shotkoski, Assistant City Attorney

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BID OPENING

BID OPENING DATE: January 4, 2005 at 11:00 a.m.
FOR: (3) Cardiac Monitors
DEPARTMENT: Fire
ESTIMATE: \$63,000.00
FUND/ACCOUNT: 10022102-85615
PUBLICATION DATE: December 22, 2004
NO. POTENTIAL BIDDERS: 2

SUMMARY

Bidder:	<u>Medtronic Physio-Control</u> Redmond, WA	<u>Zoll Medical Corporation</u> Chelmsford, MA
Bid Security:	Safeco Ins. Co.	Western Surety Company
Exceptions:	None	None
Bid Price:		
Cardiac Monitor Item #1	\$7,145.00 per unit	\$8,859.60/\$10,277.50
Cardiac Monitor Item #2	\$16,245.00 per unit	\$18,718.80/\$24,634.50 (trade-in options additional)

cc: Jim Rowell, Fire Chief
Chris Hoffman, Fire Secretary
Dale Shotkoski, Purchasing Agent

Terry Leslie, EMS Division Chief
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

RESOLUTION 2005-39

WHEREAS, the City of Grand Island invited sealed bids for at least Three Cardiac Monitors 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, Medtronic Physio-Control of Redmond, Washington, 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 \$7,145 for a basic cardiac monitor unit and \$16,245 for a cardiac unit with additional features including 12 lead ECG capabilities, oxygen and carbon dioxide monitoring capabilities and an automatic blood pressure cuff.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Medtronic Physio-Control of Redmond, Washington, in the total amount of \$62,330 for four basic cardiac monitor units and two premium cardiac monitor units as identified above is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 8, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G12

**#2005-40 - Approving Final Plat and Subdivision Agreement for
Backer Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: February 8, 2005
Subject: Backer Subdivision - Final Plat
Item #'s: G-12
Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

This subdivision proposes to create 4 lots on a parcel of land in the W ½ SE ¼ Section 10, Township 11, Range 9.

Discussion

The owners of this property, Grand Island Area Habitat for Humanity, have requested to subdivide it into 4 lots. The property is zoned R4 High Density Residential. The proposed lots meet all of the requirements for a legal subdivision. Streets are adjacent to the property. Water and sewer are available to all of the lots.

Alternatives

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

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

Recommendation

A motion was made by Wagoner and seconded by Monter to **approve** and recommend that the Grand Island City Council **approve** the final plat of Backer Subdivision.

A roll call vote was taken and the motion passed with 10 members present (Amick, O'Neill, Brown, Niemann, Miller, Eriksen, Ruge, Monter, Hayes, Wagoner) voting in favor.

Sample Motion

Approve the Final Plat for Backer Subdivision as presented.



RESOLUTION 2005-40

WHEREAS, Grand Island Area Habitat for Humanity, Inc., a Nebraska corporation, as owner, has caused to be laid out into lots, a tract of land comprising a part of Lots Twenty Six (26) and Twenty Seven (27), County Subdivision in the West Half of the Southwest Quarter (W1/2, SW1/4) of Section Ten (10), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, and the northerly Thirty Two and Sixty Two Hundredths (32.62) feet of Lots One (1), Block Four (4), Pleasant Hill Addition to the City of Grand Island, Hall County, Nebraska, said tract all being in the City of Grand Island, Hall County, Nebraska, under the name of BACKER SUBDIVISION, and has caused a plat thereof to be acknowledged by it; and

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

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

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

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 8, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 2, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G13

**#2005-41 - Approving Final Plat and Subdivision Agreement for
RDR Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: February 8, 2005
Subject: RDR Subdivision - Final Plat
Item #'s: G-13
Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

This subdivision proposes to create 2 lots on a parcel of land comprised of Lot 3, Block 134 Union Pacific Railway Co Second Addition.

Discussion

The owners of this property, Donald L. and Connie Robertson, have requested to subdivide it into 2 lots. The property is zoned R4 High Density Residential. The proposed lots do not meet the minimum width or area requirements. This subdivision would divide the two existing houses onto individual lots and allow them to be sold separately. These houses were built legally in the 1910's and 1920's. It has been the policy of the City to waive the minimum lot size and width requirements in these existing situations. Streets are adjacent to the property. Water and sewer are available to both lots and the subdivider will be required by the subdivision agreement to insure that each house has separate sewer and water services and to install separate services if they do not currently exist.

Alternatives

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

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

Recommendation

A motion was made by Amick and seconded by Miller to **approve** and recommend that the Grand Island City Council **approve** the final plat of RDR Subdivision as presented.

A roll call vote was taken and the motion passed with 10 members present (Amick, O'Neill, Brown, Niemann, Miller, Eriksen, Ruge, Monter, Hayes, Wagoner) voting in favor.

Sample Motion

Approve the Final Plat for RDR Subdivision as presented.



Proposed RDR Sub.

RDR Sub.

LOCATION MAP



RESOLUTION 2005-41

WHEREAS, Donald L. Robertson and Connie Robertson, husband and wife, as owners, have caused to be laid out into lots, a tract of land comprising all of Lot Three (3), Block One Hundred Thirty Four (134), Union Pacific Railway Cos Second Addition (also referred to as Union Pacific Railway Company's Second Addition) to the City of Grand Island, Hall County, Nebraska, under the name of RDR SUBDIVISION, and have caused a plat thereof to be acknowledged by them; and

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

WHEREAS, the buildings currently located on the bts of this subdivision were legal structures at the time the buildings were constructed; and

WHEREAS, the City of Grand Island recognizes that these lots will not be in conformance with current regulations pertaining to lot width and lot size, and hereby waives the requirements pertaining to lot width and lot size; and

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

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

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 8, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 2, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G14

#2005-42 - Approving Police and Firefighter Pension Plan Documents and Appointment of Wells Fargo as Trustee

Staff Contact: David Springer

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: February 8, 2005

Subject: Approving Police and Firefighters Pension Plan Documents and Appointment of Wells Fargo as Trustee

Item #'s: G-14

Presenter(s): Dave Springer, Finance Director

Background

The plan documents for the Police and Firefighter Pension plans have been reviewed and updated for any statutory or other changes by attorneys for Wells Fargo. The City Attorney's office and City Administration have also reviewed the documents and find them in order. In the past, the City, through the Finance Department, has acted as the Trustee for the plan.

Discussion

It is necessary that the City Council approve both plans, and as Wells Fargo had included Trustee services in their proposal at no charge, it would seem prudent to place this function under their stewardship also.

Alternatives

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

1. Approve the plan documents and Wells Fargo as Trustee.
2. Disapprove or /Deny the documents and/or appointment.
3. Table the issue

Recommendation

City Administration recommends that the Council approve the plan documents and appointment of Wells Fargo as Trustee.

Sample Motion

Approve the updated plan documents for the Police and Firefighters Pension plans and approve the appointment of Wells Fargo as Trustee for said plans.

RESOLUTION 2005-42

WHEREAS, on January 25, 2005, by Resolution 2005-23, the City Council of the City of Grand Island approved the proposal submitted by Wells Fargo Bank, N.A. and approved Defined Contribution Service Agreements for the Police Officer Retirement System Plan and Trust and the Firefighters' Retirement System Plan and Trust; and

WHEREAS, in conjunction with such retirement plans, it is necessary to approve the retirement plan documents and to appoint Wells Fargo as the trustee of the plans; and

WHEREAS, the proposed plan documents have been reviewed and approved by the City Attorney's office.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the plan documents are hereby approved for the Police Officer Retirement System and Trust.

BE IT FURTHER RESOLVED, that the plan documents are hereby approved for the Firefighters' Retirement System and Trust.

BE IT FURTHER RESOLVED, that Wells Fargo Bank, N.A. is hereby appointed trustee of the retirement plans for both the Police Officer Retirement System Plan and Trust and the Firefighters' Retirement System Plan and Trust.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 8, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item G15

**#2005-43 - Approving Amendment to the Agreement with the
Nebraska Department of Roads for Widening US HWY 30 from
Grant to Greenwich**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: February 8, 2005

Subject: Approving Amendment to the Agreement with the Nebraska Department of Roads for Widening of US HWY 30 Grant Street to Greenwich Street

Item #'s: G-15

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

Background

On January 14, 1997 the City of Grand Island entered into an agreement with the Nebraska Department of Roads for the improvements of US HWY 30 from Grant Street to Greenwich Street. Any amendments to the agreement must be approved by council.

Discussion

Improvements to this section of roadway are to reconstruct the 4-lane roadway to a 5-lane roadway and adding a center common left turn lane. In Section 2 – D, the original agreement calls for the State to directly bill the City of Grand Island for their share of the project. We are proposing to amend the agreement so that the City of Grand Island will relinquish Federal STP funds to the State to be applied for the City's share of the project. The City's share is currently estimated to be \$749,780.00. If sufficient Federal STP funds are not available, the State will invoice the City for the difference.

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 amendment to 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 the amendment to the agreement for the widening of US HWY 30 from Grant to Greenwich.

Sample Motion

Approve the amendment to the agreement.

A G R E E M E N T

PROJECT NO. NH-30-4(103), STATE CONTROL NO. 40352
CITY OF GRAND ISLAND
STATE OF NEBRASKA, DEPARTMENT OF ROADS
IMPROVE HIGHWAY US-30 IN GRAND ISLAND

THIS AGREEMENT, made and entered into this ____ day of _____, 19 ____, by and between the City of Grand Island, a municipal corporation of the State of Nebraska, hereinafter referred to as the "City," and the State of Nebraska, Department of Roads, hereinafter referred to as the "State."

WITNESSETH:

WHEREAS, it is the desire of the parties that a portion of Highway US-30 in Grand Island be improved at the location as shown in Exhibit "A" attached, which is hereby made a part of this agreement, and

WHEREAS, said improvement is located within the designated urban area of Grand Island, Nebraska, and funds administered by the State, hereinafter known as "State Funds," have been made available for the construction of improvements such as this, and

WHEREAS, Federal Regulations provide that the City shall not profit or otherwise gain from local property assessments that exceed the City's share of project costs, and

WHEREAS, it is the further desire of the City that the proposed urban construction be included in a project under the designation of NH-30-4(103), as evidenced by the Resolution of the City Council dated the ____ day of _____, 19 ____, attached hereto, identified as Exhibit "C," and hereby made a part of this agreement, and

WHEREAS, the description of the project is as follows:

Improve Highway US-30 in Grand Island from Grant Street to Greenwich Street by reconstructing the 4-lane roadway to a 5-lane roadway and adding a center common left turn lane.

NOW THEREFORE, in consideration of these facts and the mutual promises of the parties hereto, it is hereby agreed that the construction or reconstruction of the aforesaid highway between construction limits described in Exhibit "A" attached hereto, denoting Project No. NH-30-4(103), shall be accomplished according to and in the manner provided by plans and specifications to be

prepared by the State, which are to be, by this reference, made a part of this agreement.

And the parties agree further as follows:

SECTION 1. The City agrees:

- (a) To pass and enforce an ordinance as required to effect the following restrictions within the project limits: No Parking
- (b) To prohibit filling stations, service stations or other business establishments being located in such a way that vehicles being served will be required to stand on said public highway right of way.
- (c) To require that all future entrances from private property to the public right of way within the limits of this project receive prior approval of the Director-State Engineer or his authorized representative.
- (d) To clear, at no cost to the State, the present right of way of this project of all advertising signs. The City also agrees, at no cost to the State, to clear any other privately owned facility or thing that may interfere with the construction, maintenance and operation of the improvement planned in this project, and to keep the old and new right of way free of future encroachments, except those authorized by permit from the City and approved by the State and Federal Highway Administration.
- (e) If the City performs any part of the work on this project itself, to comply with the provisions of the Nebraska Fair Employment Practices Act as provided by Neb.Rev.Stat. §48-1101 through 48-1126 (Reissue 1988), and all regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation, Title 49 CFR, Parts 21 and 27 as set forth in Exhibit "B" attached hereto and hereby made a part of this agreement. The reference to "Contractor" in this exhibit shall mean the "City."
- (f) MINORITY BUSINESS ENTERPRISES
 - (1) Policy

The City and State further agree to ensure that minority business enterprises as defined in 49 CFR Part 23 shall have the maximum opportunity to participate in the performance of contracts

financed in whole or in part with Federal funds under this agreement. Consequently, the minority business requirements of 49 CFR Part 23 are hereby made a part of and incorporated by this reference into this agreement.

(2) Minority Business Enterprises Obligation

The City and State further agree to ensure that minority business enterprises as defined in 49 CFR Part 23 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard, the City shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. The City shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of FHWA assisted contracts.

The City acting as a subrecipient of Federal-aid funds on this project agrees to adopt the minority business enterprise program of the State for the Federal-aid contracts the City enters into on this project.

On any work performed by the City, failure of the City to carry out the requirements set forth above shall constitute breach of contract and, after the notification of the FHWA, may result in termination of the agreement or contract by the State or such remedy as the State deems appropriate.

- (g) Any changes in the roadway geometrics, either during project construction or after the project is completed, including but not limited to access control, driveways, median breaks, parking restrictions or any other traffic control items shall require prior approval of the State with Federal Highway Administration concurrence.
- (h) To provide, where the proposed construction involves a change in the grades established by City ordinance, that an amendment to said ordinance be passed, reestablishing said grades as shown in the plans without cost to the State.

SECTION 2. It is agreed and understood by the parties hereto that Federal-Aid Policy Guide, 23 CFR 645A, "Utility Relocations, Adjustments and Reimbursement", and Federal-Aid Policy Guide, 23 CFR 645B, "Accommodation of Utilities" issued by the U.S. Department of Transportation, Federal Highway Administration, as supplemented, revised or updated heretofore, is hereby expressly made a part of and incorporated into this agreement by this reference. By signing this agreement, the City agrees to adopt, on the improvement contemplated in this agreement the Nebraska Department of Roads' Policy for Accommodating Utilities on State Highway Right of Way issued by the State August, 1989, and its subsequent revisions or additions.

The City further agrees:

- (a) To comply with Neb.Rev.Stat. §39-1361 (Reissue 1988), and the rules and regulations of the Department of Roads before making or allowing to be made, any utility excavation, pavement cuts or performing other activity upon said highway, and shall be responsible to see that all such work is performed according to the rules and regulations of, and by authority of a permit granted by the Department of Roads of the State of Nebraska.
- (b) To furnish or cause to be furnished all of the labor, tools, equipment and materials for the rehabilitation of its municipally owned utilities as made necessary by the construction of this project.
- (c) To prepare and submit to the State upon receipt of preliminary construction plans for this project a plan and estimate detailing anticipated location and nonbetterment costs for the rehabilitation of all municipally owned utilities as made necessary by this project. It is mutually understood that all nonbetterment municipal utility rehabilitation costs within the corporate limits of the City will become a project cost, but that outside said City limits only the nonbetterment portion of the rehabilitation costs of facilities currently occupying private right of way will be reimbursed. The cost of nonbetterment rehabilitation of municipally owned and operated utilities within the corporate limits is currently unknown. Should this project necessitate the nonbetterment rehabilitation of any municipally owned and operated utilities, the parties hereto agree to enter into a supplemental agreement to provide for the construction of

the nonbetterment utilities and the reimbursement to the City for the State's share of the costs of the rehabilitation of municipally owned and operated utilities. Said supplemental agreement shall be entered into prior to utility work beginning.

- (d) To pay the State within thirty days after receipt of a billing from the State, the City's share of the project costs. The City's share shall be 20 percent of preliminary engineering, right of way, utilities, construction and construction engineering, which cost is currently estimated to be \$3,233,604.00 with the City's share being \$646,721.00; however, both parties recognize this is a preliminary estimate only and that the final cost may well be higher or lower than this preliminary estimate. When a construction contract is awarded, the State will bill the City for 20 percent of preliminary engineering, right of way and utility costs incurred by the State. Thirty days prior to construction work beginning, the State will bill the City for an additional \$113,176.00, which is approximately one month's advance of construction costs, and will bill the City thereafter in the amount of the City's share of the Contractor's progress estimates. When the City's initial two payments, plus the City's share of the progress estimates, equals the City's estimated share of project costs, such billings will cease until all project costs are known; except, if project costs overrun the estimated costs, the City will be billed for its share of such overrun. When the work is completed and all costs accumulated, the State will prepare and submit a final statement to the City showing the refund due to or additional payment due from the City.

SECTION 3. The Federal share of this project shall be reduced by any project specific local property assessments that exceed the appropriate local share on this project. This is subject to State review.

SECTION 4. All traffic control devices will conform to the latest approved edition of the Manual on Uniform Traffic Control Devices. If the City is to perform or contract for any work, they will develop a traffic control plan. The plan will be provided to the State's Project Manager for approval and acceptance. It will be the City's responsibility for the operation and maintenance of the approved traffic control plan.

SECTION 5. The City agrees that it will, without any cost to the State, provide and pay for the electrical energy for all of the luminaires of the roadway lighting system which may be constructed as a part of this project, including the electrical energy which may be required during the construction period of the project for lamp stabilization, luminaire adjustment, and system testing. Electrical energy shall be provided for dusk to dawn lighting, and the lighting level shall be uniform and constant through the hours of darkness. The City shall not knowingly permit any of the luminaires to remain inoperative for any unreasonable length of time. The City shall also provide all required maintenance for the said lighting system at no expense to the State. Such required maintenance will include but not be limited to the repair or replacement of all defective and burned out lamps as may be discovered or reported or as may be revealed by at least monthly routine maintenance patrols, the routine cleaning of luminaires annually and also for repair or replacement of any part of the roadway lighting system which might be necessary as a result of material deterioration or mechanical or electrical failure. In the event any part of the lighting system is damaged, the City will be responsible for furnishing replacements for any equipment which is so damaged and will furnish all labor and other material necessary and will complete the repairs at no cost to the State. It is further understood that the City shall be entitled to all damages collected from any wrongdoer who may have put the City to the expense of having to repair the damaged lighting installation.

SECTION 6. The State hereby grants to the City a permit to use State highway right of way in the vicinity in which such roadway lighting will be constructed, for ingress and egress for the purpose of operating and maintaining the said roadway lighting in accordance with this agreement. The City further agrees to comply with all traffic safety regulations, including those prescribed in the latest approved edition of the Manual of Uniform Traffic Control Devices and to use extreme caution when working in the State right of way and not block or encroach upon any traffic lane without first providing a flagperson to direct traffic.

SECTION 7. The City agrees to provide electrical power for the traffic control signal system at its own expense. The City further agrees at its own expense to maintain, operate and keep in good repair the entire signal installation. In the event any part or parts of the signal system are damaged by causes other than

normal wear and tear, the City agrees to repair such damage furnishing all labor and replacement parts or materials necessary to restore these said installations at the sole expense of the City and without any expense to the State. The City agrees that any repair or replacement parts furnished by the City in the maintenance of the signal system shall comply with State specifications and standards. It is further understood that the City shall be entitled to those damages collected from any wrong doer for the expense involved in repairing that portion of the signal installation maintained by the City. The State shall have jurisdiction in determining and controlling the cycle length, the interval length, sequence, and the hours and manner of the signal operation as provided by Neb.Rev.Stat. §39-610 (Reissue 1988).

SECTION 8. It is hereby agreed that plans and specifications for the above mentioned project will be on file in the office of the Department of Roads, Lincoln, Nebraska.

SECTION 9. The City and State will fully cooperate to cause the removal from public right of way, or correction or alteration in the public right of way, as necessary for the construction of the aforesaid project, of all pipe lines, poles or other underground or overhead services not owned by the City.

SECTION 10. The City agrees to participate toward the cost, as stated in Section 2, paragraph "d" of this agreement on that portion of the aforesaid project which was within the corporate limits of the City as they exist on the date that this Agreement is executed by the State.

SECTION 11. The State hereby agrees:

- (a) To prepare and convey to the City, prior to construction, plans for the proposed subject project.
- (b) To advertise and conduct a letting and receive bids on the contemplated improvement. The City agrees that the State will award the contract to the lowest responsible bidder and that said contract shall be signed only by the State.
- (c) To supervise and cause completion of the construction of the improvement as shown in the plans.
- (d) To acquire all additional right of way and do all things, in pursuance of the aforesaid project, not specifically assumed by the City.
- (e) To reimburse the City for the nonbetterment rehabilitation of municipally owned utility facilities as provided in Section 2(c).

- (f) To construct that portion of the project located outside the City limits without cost to the City, except as provided in Section 2(c).
- (g) To design as a part of this project a lighting system which meets present-day lighting standards.
- (h) To design a traffic control signal system, as required for this project. The materials and installation shall conform to the plans prepared by the State. Those plans shall be prepared by the State and will be available for inspection upon request by the City.

SECTION 12. The parties hereto agree that the State shall make sole determination as to the scheduling of the construction for this project.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the City this 14 day of January, 1997.

ATTEST:

CITY OF GRAND ISLAND

Candy K. Carhyatt
Clerk

Ken Strady
Mayor

EXECUTED by the State this 14th day of January, 1997.

STATE OF NEBRASKA
DEPARTMENT OF ROADS

Deputy Director-Engineering

RECOMMENDED:

W. Paul W. Brown
District Engineer

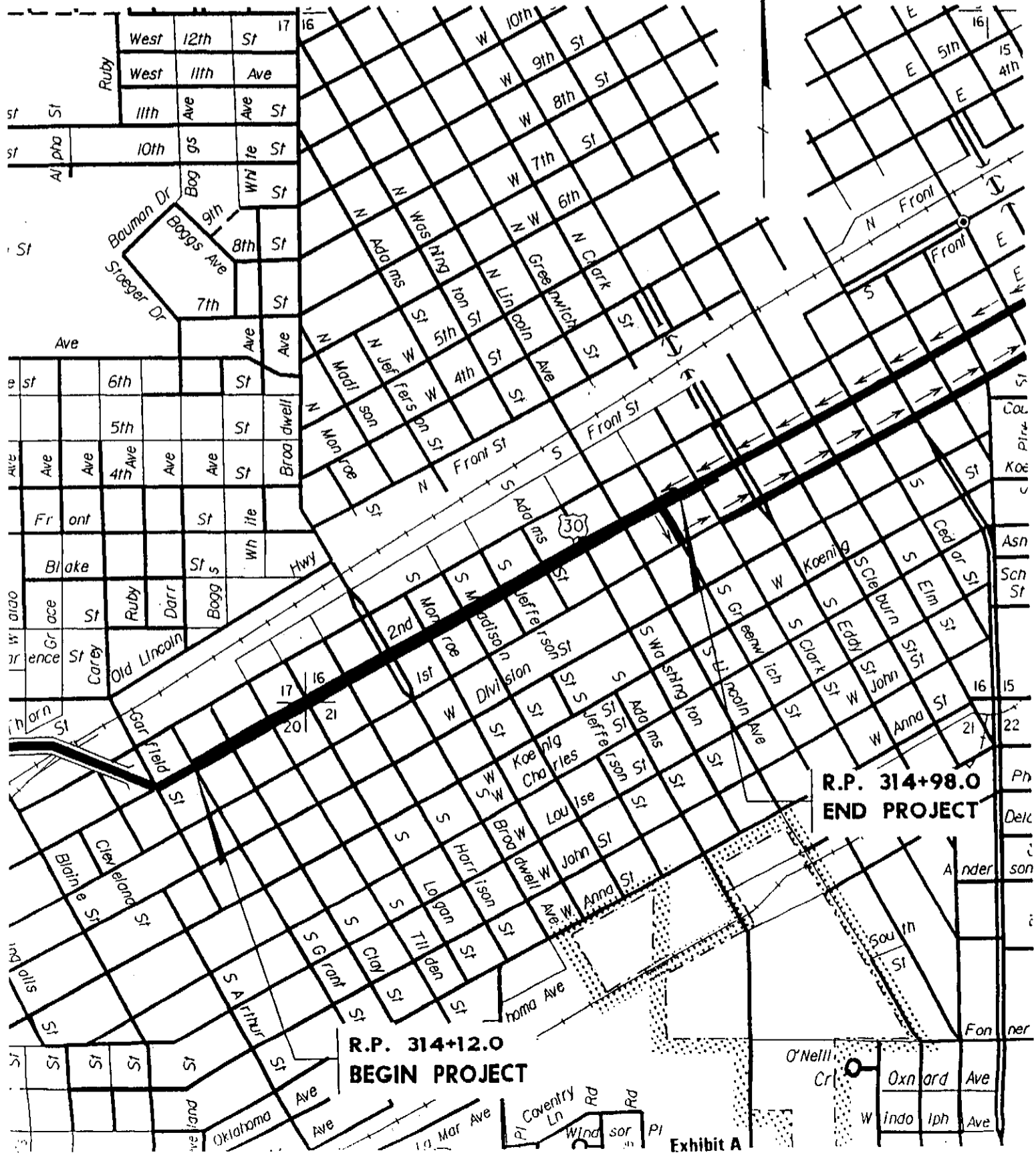
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NH-30-4(103)

BOOK NO. * C.N. 40352

HALL COUNTY

GRAND ISLAND



**R.P. 314+12.0
BEGIN PROJECT**

**R.P. 314+98.0
END PROJECT**

NONDISCRIMINATION CLAUSES

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor"), agrees as follows:

- (1) Compliance with Regulations: The Contractor will comply with the Regulations of the Department of Transportation relative to nondiscrimination in federally assisted programs of the Department of Transportation (Title 49, Code of Federal Regulations, Parts 21 and 27, hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) Nondiscrimination: The contractor, with regard to the work performed by it after award and prior to completion of the contract work, will not discriminate on the basis of disability, race, color, sex, religion or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix "A," "B," and "C" of Part 21 of the Regulations.
- (3) Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of disability, race, color, sex, religion or national origin.
- (4) Information and Reports: The contractor will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the State Highway Department, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including but not limited to,
 - (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b) cancellation, termination or suspension of the contract, in whole or in part.
- (6) Incorporation of Provisions: The contractor will include the provisions of paragraph (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, order, or instructions issued pursuant thereto. The contractor will take such action with respect to any subcontract or procurement as the State Highway Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State to enter into such litigation to protect the interests of the State, and in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

SUPPLEMENTAL AGREEMENT NO. 1

CITY OF GRAND ISLAND
STATE OF NEBRASKA, DEPARTMENT OF ROADS
PROJECT NO. NH-30-4(103), STATE CONTROL NO. 40352
IMPROVE HIGHWAY US-30 IN GRAND ISLAND

THIS SUPPLEMENTAL AGREEMENT, made and entered into by and between the City of Grand Island, hereinafter referred to as the "City", and the State of Nebraska, Department of Roads, hereinafter referred to as the "State",

WITNESSETH:

WHEREAS, the State and City entered into an agreement executed by the City on January 14, 1997, and by the State on July 8, 1997, that provided for improving Highway US-30 in Grand Island from Grant Street to Greenwich Street, and

WHEREAS, it now becomes necessary that the agreement be supplemented to provide for the relinquishment of the City's unobligated STP funds to the State to be used for the City's share of the project.

NOW THEREFORE, in consideration of these facts, the State and City agree as follows:

SECTION 1. The City and State understand the City will relinquish Federal STP funds to the State to be applied for the City's share of the project. The City's share is currently estimated to be \$749,780.00. The City further understands that if sufficient Federal STP funds are not available, the State shall invoice the City for the difference

SECTION 2. Except as specifically amended by this Supplemental Agreement, all terms and conditions of the agreement executed by the City on January 14, 1997 and by the State on July 8, 1997 shall remain in full force and effect.

IN WITNESS WHEREOF, the State and City have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the City this _____ day of _____, 20____.

WITNESS: CITY OF GRAND ISLAND

City Clerk

Mayor

EXECUTED by the State this _____ day of _____, 20____.

STATE OF NEBRASKA
DEPARTMENT OF ROADS

Roadway Design Engineer

RECOMMENDED:

District Engineer

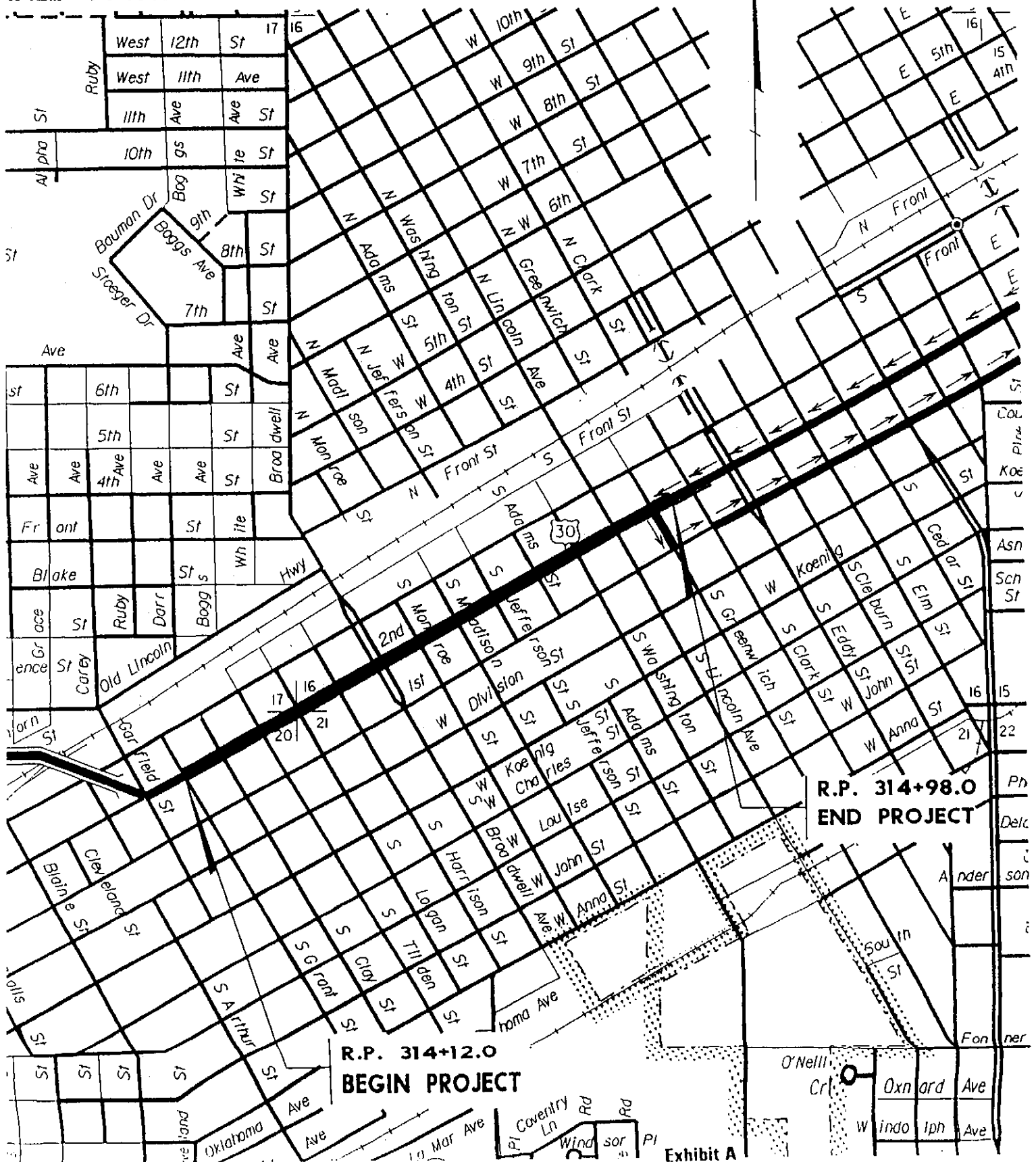
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NH-30-4(103)

BOOK NO. * C.N. 40352

HALL COUNTY

GRAND ISLAND



R.P. 314+12.0
BEGIN PROJECT

R.P. 314+98.0
END PROJECT

RESOLUTION 2005-43

WHEREAS, on January 13, 1997, by Resolution 97-16, the City Council of the City of Grand Island approved an agreement with the Nebraska Department of Roads to improve U.S. Highway 30 from Grant Street to Greenwich Street by reconstructing the 4-lane roadway to a 5-line roadway and adding a center common left turn lane; and

WHEREAS, such project is identified as Project No. NH-30-4(103), State Control No. 40352; and

WHEREAS, this agreement states that the Nebraska Department of Roads will bill the City for 20 percent of the costs associated with this project; and

WHEREAS, it is recommended that such agreement be amended to authorize the City to relinquish Federal STP funds to the State to be applied for the City's share of the project; and

WHEREAS, the City's share is currently estimated to be \$749,780; and

WHEREAS, the Nebraska Department of Roads will bill the City for the difference in costs if the City does not have sufficient Federal STP funds available for this project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Supplemental Agreement No. 1 with the Nebraska Department of Roads for Project No. NH-30-4(103), State Control No. 40352 as outlined above is hereby approved; and the Mayor is hereby authorized and directed to execute such supplemental agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 8, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 3, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item J1

Payment of Claims for the Period of January 26, 2005 through February 8, 2005

The Claims for the period of January 26, 2005 through February 8, 2005 for a total amount of \$2,578,001.36. A MOTION is in order.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, February 08, 2005

Council Session

Item X1

Discussion Concerning Acquisition of Real Estate and Personnel Issues

ADJOURN TO EXECUTIVE SESSION:

Discussion Concerning Acquisition of Real Estate and Personnel Issues.

RETURN TO REGULAR SESSION:

Staff Contact: Doug Walker