
City of Grand Island



Tuesday, February 22, 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 - Pator David Vaughn, Victory Bible Fellowship,
2416 North Hancock**

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 22, 2005

Council Session

Item C1

Proclamation "Daffodil Days" March 7-13, 2005

The American Cancer Society provides valuable services to patients and their families in Grand Island. In the hope that cancer can be beaten, the American Cancer Society has chosen the daffodil as their symbol of hope. Therefore, the Mayor has proclaimed the week of March 7-13, 2005 as "Daffodil Days" and encourages all citizens of Grand Island to support and celebrate this event. See attached PROCLAMATION.

Staff Contact: RaNae Edwards

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

PROCLAMATION

WHEREAS, cancer will strike 8,100 people in Nebraska this year; and

WHEREAS, the American Cancer Society provides valuable services to patients and their families in Grand Island, including transportation, information, and support; and

WHEREAS, the daffodil is the first flower of spring, and has been chosen as the American Cancer Society's symbol of hope that cancer can be beaten.

NOW, THEREFORE, I, Jay Vavricek, Mayor of the City of Grand Island, Nebraska, do hereby proclaim the week of March 7-13, 2005 as

“DAFFODIL DAYS”

in the City of Grand Island, and encourage all citizens of Grand Island to join with the American Cancer Society volunteers to support and celebrate this event by buying daffodils to support the Society's research, education, and service programs.

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

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item E1

**Public Hearing Concerning Annexation of Land Proposed for
Platting as Preisendorf Subdivision Located North of Oklahoma
Avenue and East of Washington Street**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: February 22, 2005
Subject: Annexation of Land Proposed as Preisendorf Subdivision
Item #'s: E-1 & F-1
Presenter(s): Chad Nability AICP, Regional Planning Director

Background

This application proposes to annex property located in the NW ¼ NE ¼ 21-11-9 into the City of Grand Island. This land is directly adjacent to the current City limit lines, and is proposed for platting as Preisendorf Subdivision.

Discussion

The owner of this property is proposing to subdivide the property into two lots as an addition to the City of Grand Island. The property is contiguous with the Grand Island Corporate Limits and was part of the county industrial tract. This property may not be annexed by the City as long as it is part of the County Industrial Tract, however the Hall County Board is processing an application to remove this property from that tract. This should be completed prior to council action on this property and must be done prior to final action on the property. City water and sewer are available to the property. The subdivider will extend the water line along the front of the property between Lincoln Street and across the Washington Street Right-Of-Way as part of the subdivision agreement.

Alternatives

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

1. Approve the annexation as presented
2. Modify the annexation to meet the wishes of the Council
3. Deny the request for annexation
4. Table the issue

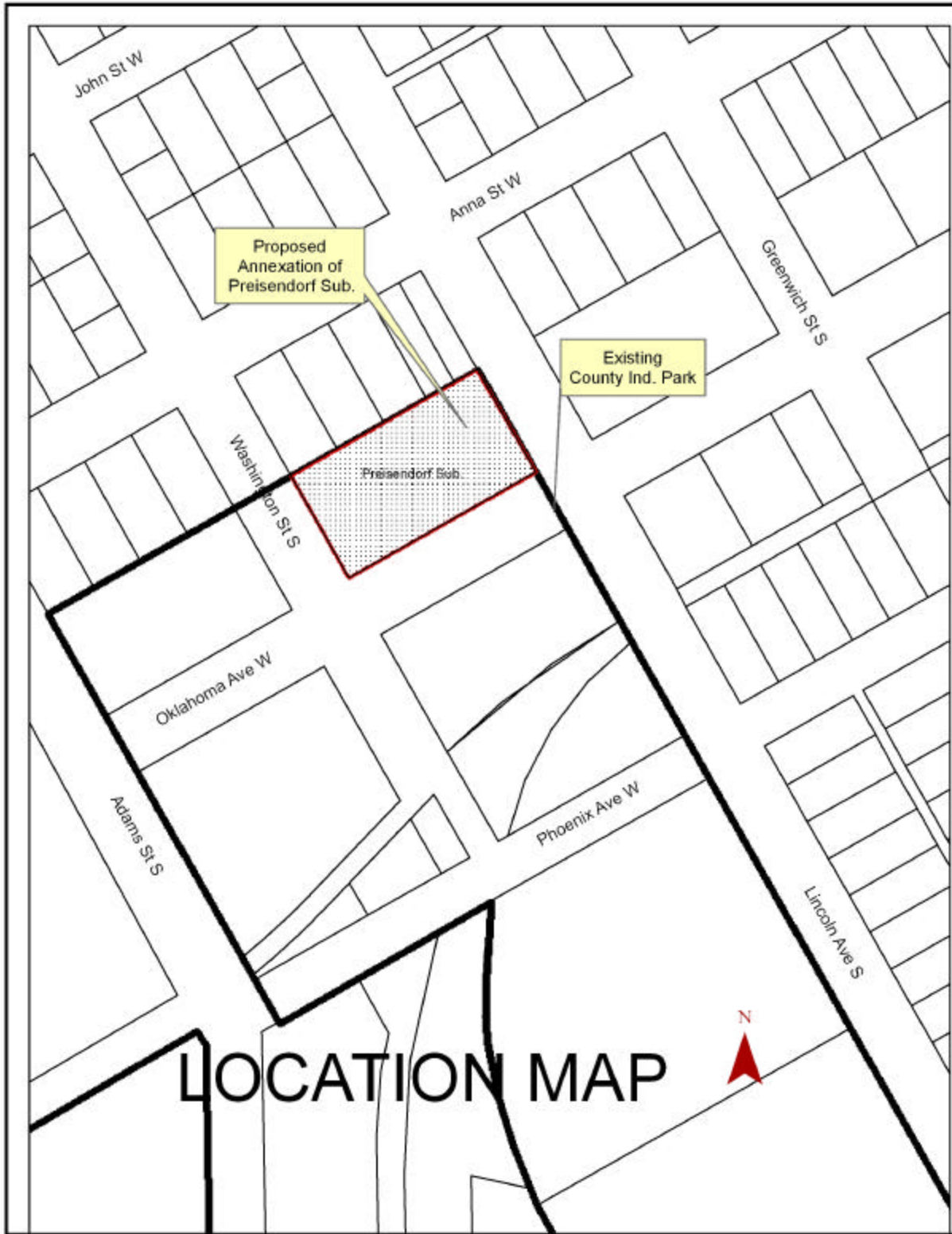
Recommendation

A motion was made by Miller and seconded by Amick to **approve** and recommend that the Grand Island City Council **approve** the annexation of this land into the City of Grand Island.

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

Sample Motion

Approve this annexation as presented.





City of Grand Island

Tuesday, February 22, 2005

Council Session

Item E2

**Public Hearing on Acquisition of Utility Easement - 3003
Gunbarrel Road - Oliver**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director
Meeting: February 22, 2005
Subject: Acquisition of Utility Easement – 3003 Gunbarrel Road,
¼ mile south of Airport Road - Oliver
Item #'s: E-2 & G-6
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 Bethany M. Oliver, located at 3003 Gunbarrel Road, ¼ mile south of Airport Road, in the City Of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

This easement will be used to locate high voltage underground electrical cable and a pad-mounted transformer to serve a new home.

Alternatives

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

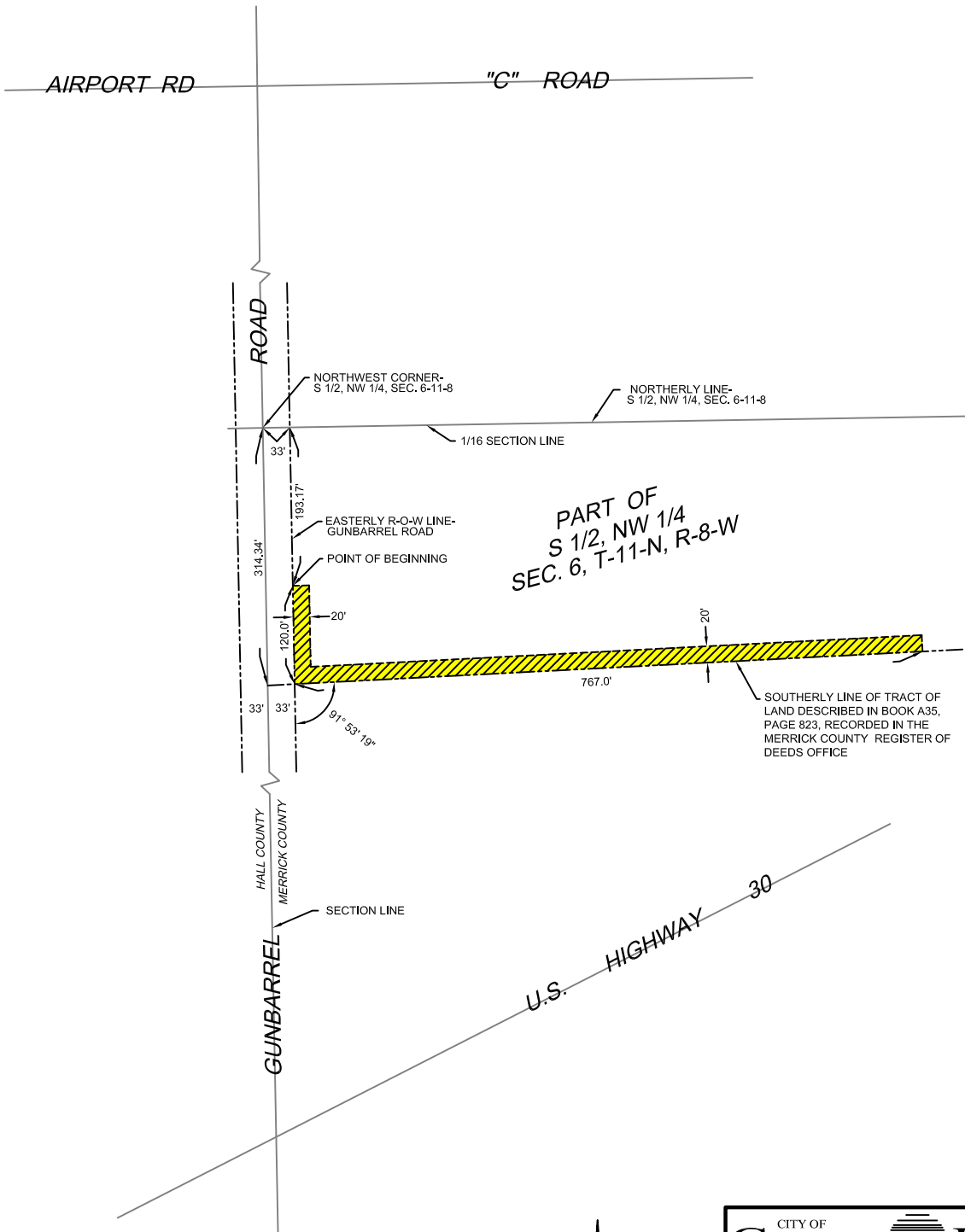
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

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.



LEGEND

 INDICATES 20' WIDE UTILITY EASEMENT



CITY OF GRAND ISLAND UTILITIES DEPARTMENT	
EXHIBIT "A"	
DRN BY: K.J.M.	SCALE: 1" = 120'
DATE: 1/31/2005	FILE: SEC 6.11.8



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item E3

Public Hearing on Acquisition of Utility Easement - 2103 W. Anna Street - First Presbyterian Church

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director
Meeting: February 22, 2005
Subject: Acquisition of Utility Easement – 2103 W. Anna Street
First Presbyterian Church
Item #'s: E-3 & G-7
Presenter(s): Gary R. Mader, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of the First Presbyterian Church of Grand Island, located behind the Church at 2103 W. Anna 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 overhead electric lines underground and add a pad mounted transformer to facilitate increased load at the Church.

Alternatives

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

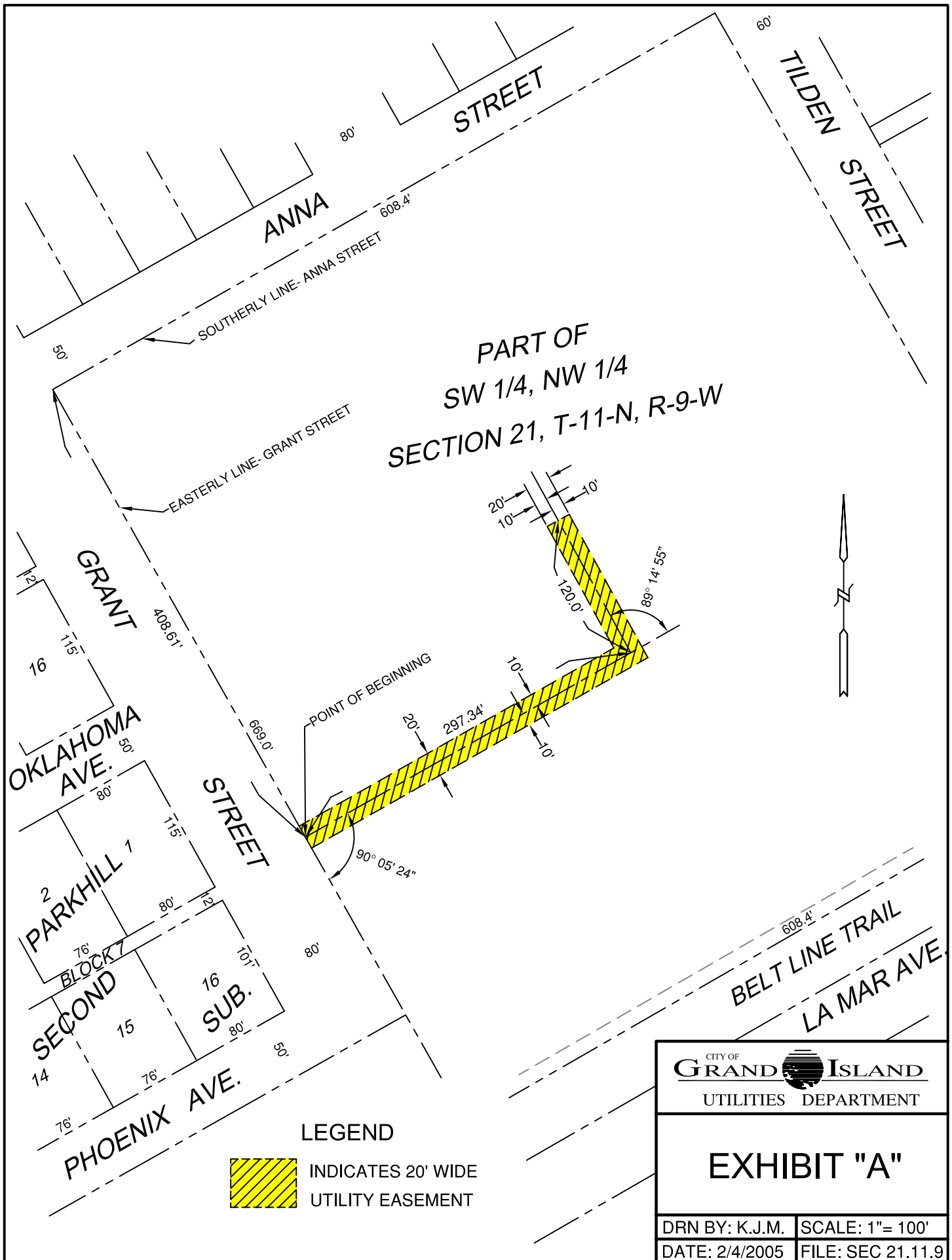
1. Make a motion to approve.
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

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.



PART OF
SW 1/4, NW 1/4
SECTION 21, T-11-N, R-9-W

LEGEND
 INDICATES 20' WIDE UTILITY EASEMENT

CITY OF GRAND ISLAND UTILITIES DEPARTMENT	
<h1>EXHIBIT "A"</h1>	
DRN BY: K.J.M.	SCALE: 1"= 100'
DATE: 2/4/2005	FILE: SEC 21.11.9



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item E4

**Public Hearing on Acquisitions of Right-of-Way Along Claude
Road North of Old US Hwy 30**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: February 22, 2005

Subject: Public Hearing and Approving Acquisition of Right-of-Way Along Claude Road

Item #'s: E-4 & G-8

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

Background

Nebraska State Law requires a Public Hearing and Council approval for acquisition of property. The Public Works Department needs to acquire Right-of-Way along Claude Road between old US HWY 30 and new HWY 30.

Discussion

The Right-of-Way is needed in order to widen Claude Road and install concrete paving with curb and gutter.

Alternatives

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

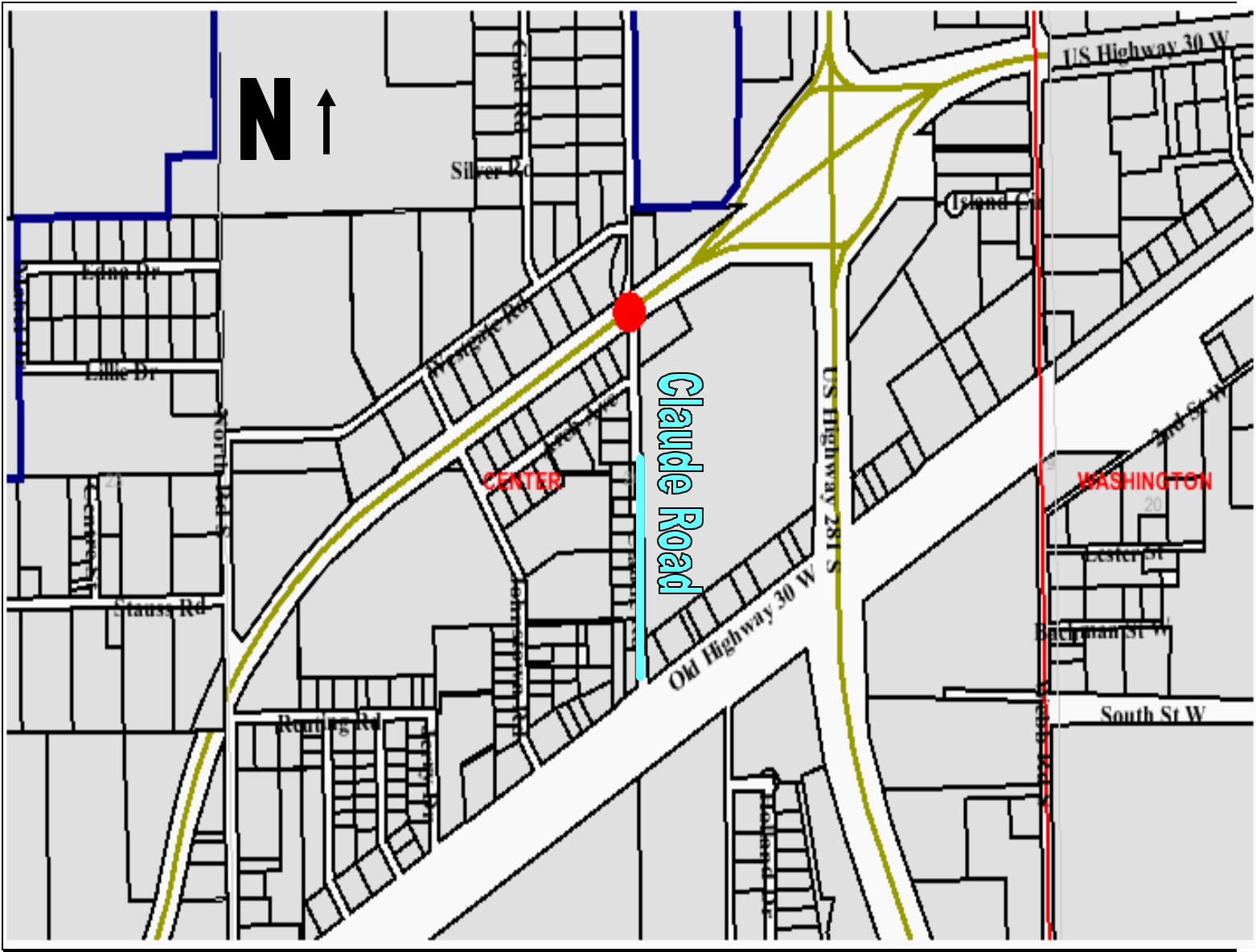
1. Move to approve the acquisition of the Rights-of-Way.
2. Refer the issue to committee.
3. Postpone the issue.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the Rights-of-Way.

Sample Motion

Move to approve the acquisition of the Rights-of-Way.





City of Grand Island

Tuesday, February 22, 2005

Council Session

Item E5

**Public Hearing on Request of RT Omaha Franchise, LLC dba
Ruby Tuesday, 3429 West 13th Street for a Class "I" Liquor
License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: February 22, 2005

Subject: Public Hearing on Request of RT Omaha Franchise, LLC dba Ruby Tuesday, 3429 West 13th Street for a Class “T” Liquor License

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

Presenter(s): RaNae Edwards, City Clerk

Background

RT Omaha Franchise LLC dba Rudy Tuesday, 3429 West 13th Street has submitted an application for a Class “T” Liquor License. A Class “T” Liquor License allows for the sale of alcoholic beverages on sale only within the corporate limits of the City of Grand Island.

Discussion

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

Alternatives

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

1. Approve the request for RT Omaha Franchise, LLC dba Ruby Tuesday, 3429 West 13th Street for a Class “T” Liquor License.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve this request contingent upon final inspections.

Sample Motion

Move to approve the request of RT Omaha Franchise, LLC dba Ruby Tuesday, 3429 West 13th Street for a Class "I" Liquor License contingent upon final inspections.



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item F1

**#8953 - Consideration of Annexation of Land Proposed for
Platting as Preisendorf Subdivision Located North of Oklahoma
Avenue and East of Washington Street (First Reading)**

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

Staff Contact: Chad Nabity

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 8953

An ordinance to annex Preisendorf Subdivision into the City of Grand Island; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

WHEREAS, Preisendorf Plumbing & Heating, Inc., a Nebraska corporation, as owner, has caused to be laid out into lots, a tract of land comprising a part of the Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) of Section Twenty One (21), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, under the name of PREISENDORF SUBDIVISION, which is proposed to be an addition to the City of Grand Island; and

WHEREAS, after public hearing on February 2, 2005, the Regional Planning Commission recommended the approval of annexing such addition into the City of Grand Island; and

WHEREAS, after public hearing on February 22, 2005, the City Council found and determined that such annexation be approved.

Approved as to Form ☐ _____
February 16, 2005 ☐ City Attorney

ORDINANCE NO. 8953 (Cont.)

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

SECTION 1. That Preisendorf Subdivision is hereby annexed into the City of Grand Island, and shall be entitled to all the rights and privileges, and shall be subject to all the laws, ordinances, rules, and regulations of the City of Grand Island

SECTION 2. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. 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 22, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item F2

#8954 - Consideration of Amendments to Chapter 2 of the City Code Relative to Community Projects and CRA

Staff Contact: Doug Walker

Council Agenda Memo

From: Douglas R. Walker, City Attorney
Meeting: February 22, 2005
Subject: City Code Update
Item #'s: F-2; F-4; F-6; F-7; F-8; F-9 and F-10
Presenter(s): Douglas R. Walker, City Attorney

Background

At the City Council Study Session on February 15, 2005, city staff proposed making changes to several chapters of the City Code. During the course of the last several months, city staff has noticed that a number of existing code sections are outdated and either needed to be revised or removed from the City Code. The ordinances that are being proposed for Council approval will make these changes as previously discussed at the February 15, 2005 study session.

Discussion

City staff is proposing that changes be made to Chapters 2, 13, 20, 22, 27 and 34 of the City Code. The changes to be made are as follows:

Chapter 2: Administration – Ordinance #8954

Delete the references to the Community Projects Director and the Community Development Division. Delete the code sections regarding the Downtown Development Division of the Community Projects Department and delete section 2-38 establishing the Community Projects Department. Code Sections 2-58, 2-59 and 2-60 all are referencing the Community Development Division that was formerly in the Community Projects Department but will now be in the Regional Planning Department. Section 2-123 would reinstate a City Code section that was in effect until 2003 which states that the City Administrator will designate a person to serve as the director and ex officio secretary of the Community Redevelopment Authority.

- Chapter 13: Downtown and Business Improvement Districts – Ordinance #8956**
The references to the Community Projects Department Director and the Downtown Development Division in Sections 13-19 and 13-50 have been deleted. The Business Improvement District has requested that code section 13-17.1(c) be revised to remove the sentence waiving the residential parking permit fee and also changing the location of where an application is made for a permit. The Grand Island Police Department currently handles the issuing of permits so the code section now reflects this change.
- Chapter 20: Miscellaneous Offenses – Ordinance #8958**
Section 20-1 of the City Code is being amended to remove subsection 2 of that code section. Subsection 2 is being recommended for removal because there has been some concern about its enforceability. This subsection is being replaced with Section 20-19 on volume control. This ordinance is based on an ordinance in Omaha which has been used successfully for several years. This is an area of the law that is somewhat subjective in nature but it was felt that by making the changes shown in the proposed new code section that this would be a more enforceable ordinance.
- Chapter 22: Motor Vehicles and Traffic – Ordinance #8959**
A change to Section 22-99 is being recommended to change the parking ordinance prohibiting people from parking in one location upon the city streets or on any public free parking lot from 24 hours to 72 hours. When snow storms happen that last over a duration of a day or more it is often difficult and impractical for people to have their cars moved within 24 hours. This change will also accommodate situations where people have guests for the weekend that may park on the public street in front of their residence and could be subject to a ticket under the current code.
- Chapter 27: Procurement – Ordinance #8961**
Code Section 27-9 would be revised under the proposed ordinance. The section of 27-9 to be revised would be under the receipt of proposals. The changes would delete the prohibition against disclosing the identity of offerers when the city seeks sealed proposals. Another change to this paragraph of Section 27-9 would be that the name and address of the offerers would open for public inspection. There is also a change to this paragraph indicating that all proposals will be open for public inspection after the award of the contract.
- Chapter 34: Telecommunications and Public Transportation – Ordinance #8962**
All of the code sections pertaining to taxi cab companies and taxi cab driver permits are to be deleted from the City Code under the proposed ordinance. It came to the attention of city staff that the city had not been enforcing the provisions of Section 34-75 through Section 34-81, which is

the article in the City Code regarding taxi cab companies. The current code sections require a permit from the city to operate a taxi cab company and it was felt by city staff that this was not an area that the city should attempt to regulate because city regulation would not be effective. A majority of the communities in Nebraska do not have regulations requiring a city permit for a taxi cab company and it was felt that these code sections should be deleted to reflect the current practice of not requiring a permit. Also being deleted would be Sections 34-85 through 34-98 which regard taxi cab driver permits. The city has not been requiring individual taxi drivers within the city to comply with the various requirements of these code sections and it was therefore felt that it would be better to delete them.

Dept. of Health References – Ordinance #8960

Delete references to the Grand Island-Hall County Health Department throughout the City Code and insert the Central District Health Department. The Health Department fee references in Sections 25-12, 29-8, 29-11, 29-12 and 29-13 are being deleted because the Central District Health Department sets its own fee schedules.

Alternatives

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

1. Move to approve these ordinances.
2. May choose not to pass one or more of these ordinances.
3. Postpone the issue to future date
4. Take no action on these ordinances.

Recommendation

City Administration recommends that the Council move to approve the ordinances.

Sample Motion

Motion to suspend the rule for three separate readings and move for final passage of each of these ordinances.

ORDINANCE NO. 8954

An ordinance to amend Chapter 2 of the Grand Island City Code; to amend Section 2-21 pertaining to Appointive Officers of the City; to delete Division 6 and Section 2-38 pertaining to the Community Projects Department; to amend Section 2-58 pertaining to the Community Development Division; to amend Section 2-59 pertaining to the appointment of a director for the Community Development Division; to amend Section 2-60 pertaining to Director Duties; to delete Article V and Sections 2-66, 2-67, 2-68, 2-69, and 2-70 pertaining to the Downtown Development Division and Downtown Development Director; to add Section 2-123 pertaining to the Director of the Community Redevelopment Authority; to repeal Sections 2-21, 2-38, 2-58, 2-59, 2-60, 2-66, 2-67, 2-68, 2-69, and 2-70 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 2-21 of the Grand Island City Code is hereby amended to read as follows:

§2-21. Officers; Appointive

Pursuant to Neb. Rev. Stat. §16-217, the following shall constitute the appointive officers of the City of Grand Island:

City Administrator
Chief of Police
Chief of the Fire Department
City Attorney
Public Works Director
Utilities Director
~~Community Projects Director~~
City Treasurer / Finance Director
Human Resources ~~Personnel~~ Director
City Clerk
Parks and Recreation Director
Building Department Director
Library Director

Directors of Departments created by Interlocal Agreements are as follows:

Approved as to Form	☐ _____
February 16, 2005	☐ City Attorney

ORDINANCE NO. 8954 (Cont.)

Emergency Management Director
Health Director
Planning Director

SECTION 2. Division 6. and Section 2-38 of the Grand Island City Code is hereby deleted:

~~Division 6. Community Projects Director~~

~~§2-38. Community Projects Department~~

~~There is hereby created a department of the City which shall be known as the Community Projects Department which shall perform the economic development, community development, downtown and business improvement functions of city government. The department shall be responsible for general administration and management of community projects and special projects as assigned by the City Administrator, Mayor and City Council. Within the department shall be included the Downtown Development Division and Community Development Division. All personnel within the department and its divisions shall be under the supervision and direction of the Community Projects Director.~~

~~There is hereby created the office of Community Projects Director to be appointed and removed in the manner applicable to City department heads generally and the Personnel Rules.~~

SECTION 3. Section 2-58 of the Grand Island City Code is hereby amended to read as follows:

§2-58. Community Development Division

There is hereby created a division of the Regional Planning ~~Community Projects~~ Department to be known as the Community Development Division, which shall be responsible for the performance of all administrative tasks involved in the implementation of the City's community development projects, programs, policies, and procedures adopted under the provisions of this article.

SECTION 4. Section 2-59 of the Grand Island City Code is hereby amended to read as follows:

§2-59. Director; Appointment

The director of the Regional Planning Department shall act as director of the Community Development Division. ~~There is hereby created the position of director of the Community Development Division.~~

SECTION 5. Section 2-60 of the Grand Island City Code is hereby amended to read as follows:

§2-60. Director; Duties

The director of the Regional Planning Department ~~Community Development Division~~ shall be responsible

ORDINANCE NO. 8954 (Cont.)

for performing the professional work involved in carrying out the purposes of this article, for directing the work of the Community Development Division, and for coordinating all the City's community development programs and projects ~~under the direction and supervision of the Community Projects Director.~~

SECTION 6. Article V. of Chapter 2 of the Grand Island City Code is hereby deleted.

SECTION 7. Section 2-66 of the Grand Island City Code is hereby deleted:

~~§2-66. Downtown Development; Purpose~~

~~_____ The purpose of this article is to set forth the manner in which the city shall administer the off-street parking and business improvement district activities granted to the city under the statutes of this state, including but not limited to the Off-Street Parking District Act, Neb. Rev. Stat. §19-3301, et seq., and Business Improvement District Act, Neb. Rev. Stat. §19-4015, et. seq.~~

SECTION 8. Section 2-67 of the Grand Island City Code is hereby deleted:

~~§2-67. Downtown Development Division; Creation~~

~~_____ There is hereby created a division of the Community Projects Department to be known as the Downtown Development Division, which shall be responsible for the performance of all administrative tasks involved in the implementation of the City's business improvement districts, off-street parking districts, and associated downtown development projects, policies and programs.~~

SECTION 9. Section 2-68 of the Grand Island City Code is hereby deleted:

~~§2-68. Director; Appointment~~

~~_____ There is hereby created the position of director of the Downtown Development Division.~~

SECTION 10. Section 2-69 of the Grand Island City Code is hereby deleted:

~~§2-69. Director; Duties~~

~~_____ The director of the Downtown Development Division shall be responsible for performing the professional work involved in carrying out the purposes of this article, for directing the work of the Downtown Development Division, and for coordinating the City's downtown business improvement districts, off-street parking districts, and associated downtown development projects, policies and programs under the direction and supervision of the Community Projects Director.~~

SECTION 11. Section 2-70 of the Grand Island City Code is hereby deleted:

~~§2-70. Director; Boards~~

~~_____ The Downtown Development Director shall serve as ex-officio secretary to all business improvement boards within the downtown area and shall perform such duties as may be assigned by said boards including but not~~

ORDINANCE NO. 8954 (Cont.)

~~limited to necessary administrative functions as are required by law; provided boards of other business improvement districts and off-street parking districts within the city may contract with the city for services of the director.~~

SECTION 12. Section 2-123 of the Grand Island City Code is hereby added to read as follows:

§2-123. Director

The City Administrator shall designate a person to serve as the Director and Ex Officio Secretary of the Community Redevelopment Authority, and that person shall perform such duties as may be assigned by the Authority, including the necessary administrative functions described in Neb. Rev. Stat. §18-2102.01 (Reissue of 1991).

SECTION 13. Sections 2-21, 2-38, 2-58, 2-59, 2-60, 2-66, 2-67, 2-68, 2-69, and 2-70 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

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

Enacted: February 22, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item F3

#8955 - Consideration of Amendments to Chapter 8 of the City Code Relative to International Building Codes

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig A. Lewis, Building Department Director

Meeting: February 22, 2005

Subject: Adoption of 2003 International Building and Residential Codes

Item #'s: F-3

Presenter(s): Craig Lewis, Building Department Director

Background

The City of Grand Island has for generations adopted and enforced codes which regulate the construction of buildings within the Grand Island jurisdictional area. The purpose of these codes is to provide minimum requirements to safeguard the public safety, health and general welfare, through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations.

Discussion

The City currently adopts and enforces the 1997 Uniform Building code. The City of Grand Island's Building Code Advisory Board has reviewed the 2003 International Building Code and the 2003 International Residential Code and recommends adoption with the revisions outlined in the attached amended chapter 8 of the City Code. The State of Nebraska has additionally in the recent past approved legislation which establishes a State Building Code and requires political subdivisions who chose to adopt and enforce a Building Code adopt the State Building Code which is the latest edition of the International Codes. The 2003 editions are the latest editions.

Alternatives

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

1. Approve the request and amend the City Code to adopt the International Building and Residential Codes
2. Disapprove or /Deny the request
3. Modify the request to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council approve the recommendation of the Building Code Advisory Board and Adopt the International Codes.

Sample Motion

A motion to approve ordinance # 8955 amending Chapter 8 of the Grand Island city code and adopting the 2003 International Building and Residential Code with specified revisions.



**INTEROFFICE
MEMORANDUM
BUILDING DEPT.**

*Working Together for a
Better Tomorrow. Today.*

DATE: February 17, 2005
TO: City Council
FROM: Craig Lewis
RE: Adoption of International Building Codes

At the February 15, 2005 City Council study session a question was raised about the effects of this new International Building Code on the potential redevelopment of downtown buildings. To clarify my response a fire sprinkler system would be required if the building had a dwelling, or any number of dwelling units proposed. The International Residential Code addresses one and two family dwellings and does not require these buildings to be protected with a fire sprinkler system, that code does however **only** address one and two family detached buildings. The development of a building which has a retail or mercantile use in a part of the building and a dwelling or a series of dwellings in another part of the building, either on a second floor or on the ground floor would be regulated by the International Building Code and would be required to be protected by a fire sprinkler system.

There would be some alternatives as to either protecting the entire building or if fire barrier walls were installed to separate the different occupancies only the dwellings would need to be protected with a fire sprinkler system.

The following is part of a published International Building Code Commentary concerning fire sprinklers in residential occupancies; With respect to life safety, the need for a sprinkler system is dependent on the occupants' proximity to the fire and the ability to respond to a fire emergency. Group R occupancies could contain occupants who may require assistances to evacuate, such as infants and those with a disability or who may simply be asleep. While the presence of a sprinkler system cannot always protect occupants in residential buildings who are aware of the ignition and either do not respond or respond inappropriately, it can prevent fatalities outside of the area of the fire origin, regardless of the occupant's response.

The recent loss of a commercial building with dwelling units on the second floor in the Hastings downtown area is an unfortunate example of what can happen with these types of mixed occupancy buildings with limited fire protection systems.

I hope this helps to clarify the requirements that the State adopted building code requires if you have any additional questions, or need any additional information please contact me.

ORDINANCE NO. 8955

An ordinance to amend Chapter 8 of the Grand Island City Code; to amend Article I, Division 1, Sections 8-1 through 8-25 of Chapter 8 to adopt the International Building Code; to repeal Article I, Division 1, Sections 8-1 through 8-25 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Article I, Division 1, Sections 8-1 through 8-25 of the Grand Island City Code is hereby amended to read as follows:

Article I. General

Division 1. International Building Code

§8-1. International Building Code (IBC) Adopted

The International Building Code, 2003 Edition, published by the International Code Council, is hereby adopted, together with any amendments thereto as may be made from time to time, except such portions as are hereinafter deleted, modified, or amended by ordinance and set forth in this chapter of the City Code. The following sections of the Appendix shall also be adopted:

Appendix C Group U – Agricultural Buildings
Appendix I – Patio Covers

One copy of the International Building Code, 2003 Edition, and all supplements or amendments thereto shall be filed in the office of the city clerk as provided by law.

§8-2. International Residential Code (IRC) Adopted

The International Residential Code, 2003 Edition, published by the International Code Council, is hereby adopted, together with any amendments thereto as may be made from time to time, except such portions as are hereinafter deleted, modified, or amended by ordinance and set forth in this chapter of the City Code.

One copy of the International Residential Code, 2003 Edition, and all supplements or amendments thereto shall be filed in the office of the City Clerk as provided by law.

§8-3. International Building Code (IBC) and International Residential Code (IRC); Standards Adopted

The following standards shall be used with the International Building Code and the International Residential Code adopted by §8-1 and §8-2 above:

Acceptable Wind Load Design Procedures:
2003 I.B.C. - Basic Wind Speed 90 mph
Exposure C only
Roof Snow Load - 30 pounds per sq. ft.
Frost Depth - 36 inch minimum
Seismic Design Category A, Site Class D
IRC, Table R301.5 Amend live load for sleeping rooms from 30 pounds to 40 pounds per square foot.

Approved as to Form ✕ _____
February 16, 2005 ✕ City Attorney

ORDINANCE NO. 8955 (Cont.)

§8-4. IBC - Certain Sections Not Adopted

It is especially provided that the following chapters, sections, and tables of the International Building Code are not adopted or approved, and the same shall be of no force and effect:

Chapter 1

Section 101.4.1 Electrical

Section 101.4.2 Gas

Section 101.4.3 Mechanical

Section 101.4.4 Plumbing

Section 101.4.5 Property Maintenance

Section 101.4.7 Energy

Section 103 Department of Safety

Section 107 Temporary Structures and Uses

Section 112 Board of Appeals

Chapter 13 – Energy Efficiency

Chapter 18

Section 1805.2.1(2) – Frost Protection; Constructing in accordance with ASCE-32

Chapter 27 – Electrical

Chapter 28 – Mechanical

Chapter 30 – Elevators and Conveying Systems

Chapter 32 – Encroachments into the Public Right-of-Way

Chapter 33 – Safeguards During Construction

Chapter 34 – Existing Structures

Appendix A Employee Qualifications

Appendix B Board of Appeals

Appendix D Fire Districts

Appendix E Supplementary Accessibility Requirements

Appendix F Rodent Proofing

Appendix G Flood-Resistant Construction

Appendix H Signs

Appendix J Grading

§8-5. IRC – Certain Sections and Parts Not Adopted

It is especially provided that the following parts, chapters, and sections of the International Residential Code are not adopted or approved, and the same shall be of no force and effect:

Section R101.2 – Scope; Exception

Section R102.7 – Existing Structures

Section R107 – Temporary Structures and Uses

Section R109.1.3 – Floodplain Inspections

Section R112 – Board of Appeals

Section R323 – Flood-Resistant Construction

Section R403.1.4.1(2) Frost Protection; Constructing in Accordance with Section R403.3

Section R403.1.4.1(3) Frost Protection; Constructing in Accordance with ASCE 32-01

Section R403.1.4.1 Frost Protection; Exceptions

Section R403.3 – Frost Protected Shallow Foundations

Section R403.3.1 – Foundations Adjoining Frost Protected Shallow Foundations

Section R403.3.1.1 – Attachment to Unheated Slab-on Ground Structure

Section R403.3.1.2 – Attachment to Heated Structure

Section R403.3.3.2 – Protection of Horizontal Insulation Below Ground

Section R403.3.3.3 – Drainage

Section R403.3.4 – Termite Damage

Section R406.2 – Concrete and masonry foundation waterproofing

Part IV - Energy Conservation

Part V - Mechanical

Part VI - Fuel Gas

ORDINANCE NO. 8955 (Cont.)

Part VII – Plumbing
Part VIII – Electrical
Part X - Appendices

§8-6. Building Code Advisory Board

There is hereby established a Building Code Advisory Board set out as follows:

BUILDING CODE ADVISORY BOARD

The purpose of the Building Code Advisory Board is to determine the suitability of alternate materials and methods of construction.

Purpose. Whereas, there may arise a design or material that may not meet the exact criteria of the Uniform Building Code, especially in the areas of Energy Related projects, this Board shall examine the data available, and/or may require any additional data, to determine that the proposed material or method is at least equivalent of the purpose as set forth in the Building Codes. The Board may not waive any requirements of the Building Codes, but only approve in lieu of/alternate methods of materials.

Member. The Building Code Advisory Board members will be appointed by the mayor and approved by the city council. They shall be persons who are qualified by experience and training to pass upon matters pertaining to building construction. The Board shall consist of seven members. The chief building official shall be an ex officio member and will act as secretary of the Board. One city council member shall also act as an ex officio member. At least four members of the Board must be present to constitute a quorum and be able to act.

Chairman/Officers; Length of Service. A chairman and vice chairman will be selected from among the seven members and each will serve a two-year term. The seven members will serve two-year terms, alternating four and three on a yearly basis.

Request Procedure. The request process for the Board shall be as follows:

- (1) If an applicant shall be denied a building permit or shall receive disapproval from the chief building official, the applicant may file a request on the forms furnished by the Building Department, together with a request procedure fee in accordance with the City of Grand Island Fee Schedule, stating in full detail what the product or project is, the use, sections of the Code that cannot be fully complied with, what the alternative material or method will be, and sufficient evidence supporting the request. This shall be filed with the chief building official who shall then notify the officers of the Board, who shall set a time of meeting, and the meeting shall be within ten (10) days of the date of application.
- (2) The meeting of the Building Code Advisory Board shall be presided over by the chairman.
- (3) The Board shall hear all evidence by the party requesting consideration and a presentation by the chief building official.
- (4) After hearing all evidence presented, the Board shall determine whether the proposed alternate method of material is equivalent with the interest and safety of the Code, or may recommend changes to their satisfaction.
- (5) An order approving such a request shall require a "Yes" vote of four of the Board members.
- (6) The Board shall render all decisions in writing to the applicant and the chief building official within a reasonable period of time.

§8-7. IBC - Amendment of Section 1704

Section 1704 of the International Building Code is hereby amended to read as follows:

Section 1704 General. Where application is made for construction as described in this section, the owner or the registered design professional in responsible charge acting as the owner's agent may be required to employ one or more special inspectors who shall provide inspections during construction on the types of work listed under Section 1704.

§8-8. IBC - Amendment of Section 108; Fees; Plan Review Fee

Section 108 of the International Building Code is hereby amended to read as follows:

Section 108.

- (a) *General.* Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by the jurisdiction.
- (b) *Permit Fees.* The fee for each permit shall be as set forth in the City of Grand Island Fee Schedule. The determination of value or valuation under any of the provisions of this code shall be made by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all

ORDINANCE NO. 8955 (Cont.)

construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment.

(c) *Plan Review Fees.* When a plan or other data are required to be submitted by Section 106, a plan review fee shall be paid in accordance with the City of Grand Island Fee Schedule at the time of submitting plans and specifications for review. The plan review fees specified in this subsection are separate fees from the permit fees, and are in addition to the permit fees.

Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in the City of Grand Island Fee Schedule.

(d) *Expiration of Plan Review.* Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(e) *Investigation Fees: Work Without a Permit.*

(1) *Investigation.* Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

(2) *Fee.* An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be in accordance with the City of Grand Island Fee Schedule. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(f) *Fee Refunds.* The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

§8-9. IBC - Amendment of Section 109

Section 109 of the International Building Code shall be amended to include the following subsection:
Section 109.7. Reinspections.

A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a reinspection, the applicant shall file an application therefore in writing on a form furnished for that purpose and pay the reinspection fee in accordance with the City of Grand Island Fee Schedule.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

§8-10. IBC - Amendment of Table 602

Table 602 of the International Building Code is hereby amended by adding thereto the following:

The provisions set forth above for RD-Residential Development Zone as identified in Chapter 36 of the Grand Island City Code shall be determined not from the location of a structure from the property line but from the location of a primary structure to another primary structure located on an adjacent lot. All requirements

ORDINANCE NO. 8955 (Cont.)

pertaining to fire resistant walls and window opening protection as set forth in Table No. 602 shall be complied with when such adjacent primary structures are closer than ten feet apart. Distance shall be measured at right angles from the wall of one structure to the closest wall of an adjacent primary structure.

§8-11. IBC - Amendment of Section 1025.1 and IRC – Amendment of Section R310

The following are hereby added as exceptions to Section 1025.1 of the International Building Code and Section R310 of the International Residential Code:

EXCEPTION: Basements used exclusively for the service of buildings and which do not exceed 300 square feet.

In existing single family residential occupancies other than apartments, a sleeping room may be added in an existing basement if the following conditions are met:

- (1) The sleeping room must have an openable window.
- (2) Smoke detectors have been installed in the sleeping room, the furnace room, and in the exitway of the basement.

§8-12. IBC - Amendment of Section 1805.1

Section 1805.1 of the International Building Code is hereby amended by adding the following:

Bearing Walls

Bearing walls shall be supported on masonry or concrete foundations or piles or other approved foundation system which shall be of sufficient size to support all loads. Where a design is not provided herein, the minimum foundation requirements for stud bearing walls shall be as set forth in Table No. 1805.4.2.

EXCEPTIONS:

- (1) A one-story wood or metal frame building not used for human occupancy and not over 200 square feet in floor area, may be placed upon a concrete slab of four inch minimum thickness.
- (2) Detached accessory buildings not exceeding 625 feet in floor area may use a six-inch wide by eighteen inch deep foundation system with at least twelve inches below grade.

§8-13. IRC – Amendment to Sections R403 and R404

Sections R403 Footings and R404 Foundation Walls of the International Residential Code are hereby amended by adding the following to read as follows:

Minimum Footing and Foundation Requirements for Residential Construction

- (1) The minimum footing foundation requirement, balanced fill, for a one-story residence shall be six (6) inches in width by thirty-six (36) inches below grade, with two #4 horizontal rebar continuous.
- (2) The minimum footing foundation requirement, unbalanced fill, for a one- or two-story frame residence shall be sixteen (16) inches in width by eight (8) inches deep, with two #4 rebar continuous and a minimum eight (8) inch wall of block or concrete.
- (3) In addition to the requirements set forth in subparagraphs (1) and (2) above, the following reinforcement requirements for wall foundation must be met:
 - 8" solid concrete from 60" up to 84" unbalanced fill – three #4 horizontal strands, equally spaced throughout height of wall;
 - 8" block - from 48" to 60" unbalanced fill - one #4 rebar vertical, 4' on center to grade height;
 - 8" block - from 60" to 84" unbalanced fill - one #4 rebar vertical, 4' on center to top of foundation.

§8-14. IBC – Amendment of Section 1807 and IRC- Amendment of R406

Section 1807 of the International Building Code and Section R406 of the International Residential Code is hereby amended by adding thereto the following:

Backplaster and Dampproofing

Exterior foundation walls below grade of any building consisting of masonry units having a basement shall be backplastered with one-half inch (1/2") Portland cement and sand mix (1:2 1/2 by volume) or two one-fourth inch (1/4") coats of Type M mortar, and with an approved dampproofing material. Poured concrete

ORDINANCE NO. 8955 (Cont.)

foundations shall be coated with dampproofing without back plaster. Alternative dampproofing may be approved by the building official.

Subsurface Drainage Systems

All buildings constructed with basements or floor levels twenty-four (24) inches or more below the elevation of the center line of the adjacent public street shall be provided with a subsurface drainage system. A subsurface drainage system shall consist of the minimum following elements:

- (1) Minimum four (4") diameter perforated or scored drain pipe embedded in four inches (4") of coarse gravel installed around the inside of the perimeter footing such that no floor location is greater than ten feet (10') to such drain pipe.
- (2) Minimum fifteen inch (15") diameter by thirty inch (30") deep sump pump pit for each one thousand five hundred (1,500) square feet of floor area to be drained.
- (3) Minimum two inch (2") diameter weep holes through the footing at eight foot (8') on center intervals with a minimum of four inch (4") of gravel cover on the exterior of the footing.
- (4) Minimum four inch (4") gravel bed under floor slab.

§8-15. IRC - Amendment of Section R105.2

Section R105.2 of the International Residential Code is hereby amended as follows:

Building: (1) One-story detached accessory structures, provided the floor area does not exceed 120 square feet.

§8-16. IRC – Amendment of Section R301.2

Section R301.2 of the International Residential Code is hereby amended by deleting "and set forth in Table R301.2(1)."

§8-17. IRC – Amendment of Section R302.1

The exception within Section R302.1 of the International Residential Code is hereby amended to read as follows:

Detached garages accessory to a dwelling located within 2 feet of a property line may have roof eaves projections not exceeding 12 inches.

§8-18. IRC – Amendment of Section R311.4.3

Section R311.4.3 of the International Residential Code is hereby amended by deleting the following exception:

Where a stairway of two or fewer risers is located on the exterior side of a door, other than the required exit door, a landing is not required for the exterior side of the door.

§8-19. IRC – Amendment of Section R311.5.3.1

Section R311.5.3.1 of the International Residential Code is hereby amended to reflect that the maximum riser height shall be 8 inches.

§8-20. Reserved

§8-21. Buildings Having Historical Significance

Buildings or structures which have been designated by official action of the Grand Island City Council as having special historical or architectural significance may comply with Section 3407 of the International Building Code for historic buildings.

Historical buildings shall be buildings which are currently listed on the National Register of Historical Buildings or are at least fifty years old and have one of the following characteristics: is associated with an important person or event which has contributed significantly to history, contains significant architectural or artistic design, or has significant archeological properties.

§8-22. Permits Required; Amendment of IBC Section 105 and IRC Section R105

Section 105 of the International Building Code and Section R105 of the International Residential Code shall be amended by adding the following:

No person, firm, or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish, equip, use, occupy, or maintain any building or structure in the city, or cause the same to be done without first obtaining a separate building permit for each such building or structure from the Building

ORDINANCE NO. 8955 (Cont.)

Department; provided, no permit shall be issued by the Building Department unless and until authorized by resolution of the City Council in any one or more of the following cases:

- (1) Where the real property described in the application for permit does not front upon a dedicated street or public road;
- (2) Where a subdivision as required by state statutes has not been lawfully approved and recorded with the Register of Deeds.
- (3) When the City Engineer certifies that surface water drainage is unavailable or inadequate to drain the public street or road abutting upon the real property described in the application for permit.
- (4) Where the City Engineer certifies that surface water drainage from the real property described in the application for permit will create or add to an impounding of surface water upon a public street or road.

§8-23. Temporary Retail Buildings; Restrictions

No person, firm, or corporation shall erect, construct, equip, use, occupy, or maintain any temporary building or structure in the City or two-mile jurisdiction or cause the same to be done without first obtaining a separate building permit for each such temporary building from the Building Department.

Temporary buildings shall be those buildings built and designed for use no longer than 120 calendar days to facilitate special events or annual sales.

Temporary buildings shall be constructed to support required wind load, adequately anchored, and located no closer than 20 feet to any adjacent structure, or be separated by a two-hour fire wall. Exterior walls shall be one-hour fire resistive if less than 20 feet from a property line, and the allowable area shall comply with the adopted building code.

Exiting shall be provided as required for permanent buildings.

Temporary buildings shall not be connected to permanent utilities, e.g., sewer, water, electric, or gas.

Temporary buildings permits shall be limited to one per tract of land, not to exceed 120 days per calendar year. The fee for a temporary building permit shall be in accordance with the City of Grand Island Fee Schedule.

§8-24. Commercial Display Buildings; Definition; Restrictions

No person, firm, or corporation shall place upon any property, any commercial display building without first obtaining a permit from the Building Department for the placement of such commercial display building(s).

Commercial display buildings shall be those structures which are offered for sale or used as display or inventory. They shall not be used for any other purpose, occupied, or used as storage facilities.

Commercial display buildings shall be constructed to support required wind loads, be adequately anchored, and in all other aspects comply with adopted building and zoning codes.

Commercial display buildings shall not be connected to permanent utilities.

The fee for commercial display buildings shall be in accordance with the City of Grand Island Fee Schedule.

§8-25. Barb Wire and Electrified Fences

It shall be unlawful for any person, partnership, firm, or corporation, either in person or through his or their employees or agents, to erect or cause to be erected or to maintain any barb wire or electrified fence or any barb wire or electrified string along or upon any fence or string as a barrier within the city limits of the City of Grand Island, except that it shall be permissible to string not more than three strands of barb wire or electrified fence upon supports inclined at an angle not greater than sixty degrees with the horizontal plane, when such wires are strung so that they are suspended above and within the privately owned enclosed property, and the bottom strand of such barb wire or electrified fence is not less than six feet above the surface of the ground.

SECTION 2. Article I, Division 1, Sections 8-1 through 8-25 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

ORDINANCE NO. 8955 (Cont.)

SECTION 3. That this ordinance shall be in force and take effect on March 31, 2005, after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: February 22, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item F4

#8956 - Consideration of Amendments to Chapter 13 of the City Code Relative to Downtown Residential Parking

This item relates to the aforementioned Ordinance Item F-2.

Staff Contact: Doug Walker

ORDINANCE NO. 8956

An ordinance to amend Chapter 13 of the Grand Island City Code; to amend Section 13-11 pertaining to the metered parking system; to amend Section 13-17.1 pertaining to special employer/employee and residential parking permits; to amend Section 13-19 pertaining to Vehicle Immobilization; to amend Section 13-50 pertaining to Sidewalk Usage in Business Improvement District No. 5; to repeal Sections 13-11, 13-17.1, 13-19 and 13-50 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 13-11 of the Grand Island City Code is hereby amended to read as follows:

§13-11. Metered Parking System

The mayor is hereby authorized and directed to establish a system of parking meters as herein defined, and to take all actions necessary or appropriate for the acquisition, establishment, erection, maintenance, and operation of such system. The metered parking system shall be operated under the supervision of the Police Department ~~Downtown Development Director~~.

SECTION 2. Section 13-17.1 of the Grand Island City Code is hereby amended to read as follows:

§13-17.1. Special Employer/Employee and Residential Parking Permit

A special parking permit may be issued to employers and employees of certain businesses and for residents of the downtown area for use at the 2-hour parking lot located on the north side of the 300 block of West Second Street, commonly known as the "Chamber Lot" under the following conditions:

(A) Employers must have a business, and employees must be employed by a business whose street addresses are in the following blocks: the 100 and 200 blocks of North Wheeler Street; the 100 and 200 block of North Walnut Street; the 200, 300 and 400 blocks of West Second Street, and the south side of the 300 block of West Third Street.

(B) Residents of the downtown area must have a residential address with a street address in the following blocks: the 100 and 200 blocks of North Wheeler Street; the 100 and 200 blocks of North Walnut Street; the 200, 300 and 400 blocks of West Second Street, and the south side of the 300 block of West Third Street.

(C) Applicants requesting an Employer/Employee Parking permit must pay a nonrefundable fee in accordance with the City of Grand Island Fee Schedule for each parking permit. ~~The Residential Parking Permit fee shall be waived.~~ Each parking permit commences upon issuance and expires on December 31 of each year. Application for or renewal of each parking permit requires the completion of an application form, the approval

Approved as to Form	☐ _____
February 16, 2005	☐ City Attorney

ORDINANCE NO. 8956 (Cont.)

of such application and payment of the fee set forth in the City of Grand Island Fee Schedule. Applications for renewal of the parking permit shall be made with the Grand Island Police Department ~~Downtown Development Division office.~~

(D) The parking permit provided by the Downtown Improvement Board must be placed on the rearview mirror and must be visible at all times while the vehicle is parked in the "Chamber Lot".

(E) The parking permit is valid in the "Chamber Lot" only.

SECTION 3. Section 13-19 of the Grand Island City Code is hereby amended to

read as follows:

§13-19. Immobilization Authorized

Any vehicle which has incurred parking fees which remain unpaid thirty-one (31) or more days after becoming due may be subject to immobilization and impoundment in the manner and form provided in this Article and Chapter 22, Article VII, Division 3 of this Code. Immobilization of an offending vehicle shall be accomplished by the Police Department applying a device to one or more of the vehicles wheels ~~at the request of the Community Projects Director or his/her designee.~~ The vehicle shall be released upon payment of all parking fees incurred by such vehicle and due prior to immobilization.

SECTION 4. Section 13-50 of the Grand Island City Code is hereby amended to

read as follows:

§13-50. Sidewalk Usage; Regulations

All sidewalk displays, sandwich board signs, vending carts, and sidewalk cafes located within or directly abutting Business Improvement District No. ~~52~~ shall comply with Public Right-of-Way Usage Regulations to be promulgated and adopted by the Downtown Business Improvement District Board. Copies of the Public Right-of-Way Usage Regulations shall be on file with the City Clerk, ~~Community Projects Director, Downtown Development Director,~~ and shall be available for public inspection.

SECTION 5. Sections 13-11, 13-17.1, 13-19 and 13-50 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

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

Enacted: February 22, 2005.

Jay Vavricek, Mayor

ORDINANCE NO. 8956 (Cont.)

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item F5

#8957 - Consideration of Amendments to Chapter 16 of the City Code Relative to International Fire Codes

Staff Contact: Jim Rowell

Council Agenda Memo

From: Fred Hotz, Fire Prevention Division Chief
Meeting: February 22, 2005
Subject: Adoption of 2003 International Fire Code
Item #: F-5
Presenter(s): Fred Hotz, Fire Prevention Division Chief

Background

Internationally, code officials recognize the need for a modern, up-to-date fire code addressing conditions hazardous to life and property from fire, explosion, handling or use of hazardous materials and the use and occupancy of buildings and premises. The *International Fire Code*®, in this 2003 edition, is designed to meet these needs through model code regulations that safeguard the public health and safety in all communities, large and small. This comprehensive fire code establishes minimum regulations for fire prevention and fire protection systems using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new system designs. This 2003 edition is fully compatible with all the *International Codes* (“I-Codes”) published by the International Code Council (ICC), including the *International Building Code* which is also proposed for adoption by the building department.

Discussion

The City currently adopts and enforces the 1991 Uniform Fire Code. This edition is 14 years old and in many respects outdated. After reviewing the model code options and polling other Nebraska communities of comparable size and or larger communities including Omaha, Lincoln, Hastings, Ralston, North Platte, Norfolk and others, the listed communities and most other communities have adopted or plan to adopt the International Fire Code (IFC). There is good reason for this. In communities that adopt and enforce building codes, it is paramount to adopt and enforce compatible codes. This is not only desirable for the enforcers, but is most desirable from the perspective of the architects, designers, engineers and contractors.

Alternatives

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

1. Approve the request and amend the City Code to adopt the International Fire Code.
2. Disapprove or deny the request.
3. Modify the request to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council approve the recommendation of the Fire Prevention Division of the Fire Department and Adopt the International Fire Code.

Sample Motion

A motion to approve ordinance # 8957 amending Chapter 16 of the Grand Island city code and adopting the 2003 International Fire Code with specified revisions.

ORDINANCE NO. 8957

An ordinance to amend Chapter 16 of the Grand Island City Code; to amend Sections 16-1 and 16-3 to adopt the International Fire Code; to add Sections 16-3.1, 16-3.2, 16-3.3, 16-3.4, and 16-3.5 to the Grand Island City Code pertaining to the International Fire Code; to repeal Sections 16-1 and 16-3 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 16-1 of the Grand Island City Code is hereby amended to read as follows:

§16-1. ~~International Uniform Fire Code (IFC) Adopted~~

The ~~International Uniform~~ Fire Code, ~~2003~~ 1991 Edition, published by the International Code Council Conference of Building Officials, is hereby adopted, except for such portions as heretofore or hereafter have been deleted, modified, or amended by ordinance and set forth in this Code. The following sections of the Appendix shall also be adopted:

- Appendix B – Fire Flow Requirements for Buildings
- Appendix C – Fire Hydrant Locations and Distribution
- Appendix D – Fire Apparatus Access Roads
- Appendix E – Hazard Categories
- Appendix F – Hazard Ranking

One copy of said Code shall be filed in the office of the City Clerk as provided by law.

SECTION 2. Section 16-3 of the Grand Island City Code is hereby amended to read as follows:

§16-3. ~~International Uniform Fire Code (IFC); Sections Not Adopted~~

It is especially provided that the following chapters, sections, and/or portions of the ~~International Uniform~~ Fire Code adopted pursuant to Section 16-1 above, are not adopted or approved, and the same shall be of no force and effect in accordance with state statutes:

- ~~1. Article 78 entitled "Fireworks"~~
- Section 105 – Permits
- Section 108 – Board of Appeals
- Chapter 38 – Liquefied Petroleum Gases
- Appendix A – Board of Appeals
- Appendix G – Cryogenic Fluids – Weight and Volume Equivalents

ORDINANCE NO. 8957 (Cont.)

SECTION 3. Section 16-3.1 is hereby added to the Grand Island City Code to read as follows:

§16-3.1. IFC – Amendment of Section 102.3

Section 102.3 of the International Fire Code is hereby amended to read as follows:

102.3 Change of use or occupancy. The provisions of the International Building Code shall apply to all buildings undergoing a change of occupancy.

SECTION 4. Section 16-3.2 is hereby added to the Grand Island City Code to read as follows:

§16-3.2. IFC – Amendment of Section 102.4

Section 102.4 of the International Fire Code is hereby amended to read as follows:

102.4 Application of building code. The design and construction of new structures shall comply with the International Building Code. Repairs, alterations and additions to existing structures shall comply with the International Building Code.

SECTION 5. Section 16-3.3 is hereby added to the Grand Island City Code to read as follows:

§16-3.3. IFC – Amendment of Section 102.5

Section 102.5 of the International Fire Code is hereby amended to read as follows:

102.5 Historic buildings. The construction, alteration, repair, enlargement, restoration, relocation or movement of existing buildings or structures that are designated as historic buildings when such buildings or structures do not constitute a distinct hazard to life or property shall be in accordance with the provisions of the International Building Code.

SECTION 6. Section 16-3.4 is hereby added to the Grand Island City Code to read as follows:

§16-3.4. IFC – Amendment of Section 109.3

Section 109.3 of the International Fire Code is hereby amended to read as follows:

109.3 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be subject to penalties as prescribed by law. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

SECTION 7. Section 16-3.5 is hereby added to the Grand Island City Code to read as follows:

ORDINANCE NO. 8957 (Cont.)

§16-3.5. IFC – Amendment of Section 111.4

Section 111.4 of the International Fire Code is hereby amended to read as follows:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

SECTION 8. Sections 16-1 and 16-3 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 9. That this ordinance shall be in force and take effect on March 31, 2005, after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: February 22, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item F6

#8958 - Consideration of Amendments to Chapter 20 of the City Code Relative to Noise

This item relates to the aforementioned Ordinance Item F-2.

Staff Contact: Doug Walker

ORDINANCE NO. 8958

An ordinance to amend Chapter 20 of the Grand Island City Code; to amend Section 20-1 pertaining to Disturbing the Peace; to add Section 20-19 pertaining to Volume Control; to repeal Section 20-1 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 20-1 of the Grand Island City Code is hereby amended to read as follows:

§20-1. Disturbing the Peace

(1) It shall be unlawful for any person to disturb the peace and quiet of any other person by loud noise, music, or language, by fighting or threatening to fight, or by any other offensive action. It shall be unlawful for any person in legal possession or charge of a residence or other private property to permit, or by inaction allow other persons on the premises to disturb the peace jointly or severally by loud noise, music, or language.

~~(2) It shall be unlawful for any person to operate any radio, tape player, compact disc player, stereophonic sound system, or similar device which reproduces or amplifies radio broadcasts, or musical recordings, in or upon any street, alley, or other public place in such a manner as to be audible to other persons in such public place more than fifty (50) feet from the source.~~

SECTION 2. Section 20-19 is hereby added to the Grand Island City Code to read as follows:

§20-19. Volume Control

No person shall play, use, operate or permit to be played, used or operated, any radio, tape recorder, cassette player, compact disc (CD) player, or other machine or device for reproducing sound, if it is located in or on any public property, including any public street, highway, building, sidewalk, park or thoroughfare; or any motor vehicle on a public street, highway or public space unless the volume of amplified sound shall be so controlled that it will not be audible for a distance in excess of one hundred (100) feet from the source and so that the volume is not unreasonably great and the noise, raucous, jarring, disturbing or a nuisance to persons within the area of audibility.

SECTION 3. Section 20-1 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

Approved as to Form	☐ _____
February 16, 2005	☐ City Attorney

ORDINANCE NO. 8958 (Cont.)

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

Enacted: February 22, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item F7

#8959 - Consideration of Amendments to Chapter 22 of the City Code Relative to 24 Hour Parking

This item relates to the aforementioned Ordinance Item F-2.

Staff Contact: Doug Walker

ORDINANCE NO. 8959

An ordinance to amend Chapter 22 of the Grand Island City Code; to amend Section 22-99 pertaining to time period for parking on city streets; to repeal Section 22-99 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 22-99 of the Grand Island City Code is hereby amended to read as follows:

§22-99. Seventy-two ~~Twenty-four~~ Hour Parking

It shall be unlawful for any person to park any vehicle or to permit such vehicle to stand at one location upon the streets or upon any public "free parking" lot for a period longer than seventy-two ~~twenty-four~~ hours.

SECTION 2. Section 22-99 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. That this ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: February 22, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 16, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item F8

#8960 - Consideration of Amendments to Chapter 17, 25, and 29 of the City Code Relative to Department of Health References

This item relates to the aforementioned Ordinance Item F-2.

Staff Contact: Doug Walker

ORDINANCE NO. 8960

An ordinance to amend Chapters 17, 20, 25 and 29 of the Grand Island City Code; to amend Sections 17-2, 20-13.1, 25-12, 25-13, 25-14, 25-16, 25-19, 25-20, 25-23, 29-1, 29-4, 29-7, 29-10, 29-11, and 29-17 to change the name from the Grand Island-Hall County Health Department to the Central District Health Department; to amend Sections 25-12, 29-8, 29-11, 29-12, and 29-13 pertaining to the Grand Island Fee Schedule; to repeal Sections 17-2, 20-13.1, 25-12, 25-13, 25-14, 25-16, 25-19, 25-20, 25-23, 29-1, 29-4, 29-7, 29-8, 29-10, 29-11, 29-12, 29-13 and 29-17 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 17-2 of the Grand Island City Code is hereby amended to read as follows:

§17-2. Duty of Department of Health

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

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

Approved methods of disposal for yard waste are as follows:

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

SECTION 2. Section 20-13.1 of the Grand Island City Code is hereby amended to read as follows:

Approved as to Form	☐ _____
February 16, 2005	☐ City Attorney

ORDINANCE NO. 8960 (Cont.)

§20-13.1. Nuisances; Specifically Defined

The maintaining, using, placing, depositing, leaving or permitting of any of the following specific acts, omissions, places, conditions, and things are hereby declared to be nuisances:

(A) Any odorous, putrid, unsound or unwholesome grain, meat, feathers, vegetable matter, or the whole or any part of any dead animal, fish, or fowl.

(B) Privies, vaults, cesspools, dumps, pits or like places which are not securely protected from flies or rats, or which are foul or malodorous.

(C) Filthy, littered or trash-covered cellars, houseyards, barnyards, stable-yards, factory-yards, mill yards, vacant areas in rear of stores, granaries, vacant lots, houses, buildings, or premises.

(D) Stockpiling animal manure in a manner that causes an abundance of flies, malodorous conditions or creates other health concerns, or which is kept or handled in violation of any ordinance of the City.

(E) Liquid household waste, human excreta, garbage, butcher's trimmings and offal, parts of fish or any waste vegetable or animal matter in any quantity; provided, nothing herein contained shall prevent the temporary retention of waste in receptacles in a manner approved by the health officer of the Central District Health Department ~~City~~, nor the dumping of non-putrefying waste in a place and manner approved by the health officer.

(F) Tin cans, bottles, glass, cans, ashes, small pieces of scrap iron, wire metal articles, bric-a-brac, broken stone or cement, broken crockery, broken glass, broken plaster, and all trash or abandoned material, unless the same be kept in covered bins or galvanized iron receptacles.

(G) Trash, litter, rags, accumulations of barrels, boxes, crates, packing crates, mattresses, bedding, used furniture, used appliances, excelsior, packing hay, straw or other packing material, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, old automobiles or parts thereof, or any other waste materials when any of said articles or materials create a condition in which flies or rats may breed or multiply, or which may be a fire danger or which are so unsightly as to depreciate property values in the vicinity thereof.

(H) Any unsightly building, billboard, or other structure, or any old, abandoned or partially destroyed building or structure or any building or structure commenced and left unfinished, which said buildings, billboards or other structures are either a fire hazard, a menace to the public health or safety, or are so unsightly as to depreciate the value of property in the vicinity thereof.

(I) All places used or maintained as junk yards, or dumping grounds, or for the wrecking and dissembling of automobiles, trucks, tractors, or machinery of any kind, or for the storing or leaving of worn-out, wrecked or abandoned automobiles, trucks, tractors, or machinery of any kind, or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or buildings or by other persons, which said places are kept or maintained so as to essentially interfere with the comfortable enjoyment of life or property by others, or which are so unsightly as to tend to depreciate property values in the vicinity thereof.

(J) Stagnant water permitted or maintained on any lot or piece of ground.

(K) Stockyards, granaries, mills, pig pens, cattle pens, chicken pens or any other place, building or enclosure, in which animals or fowls of any kind are confined or on which are stored tankage or any other animal or vegetable matter, or on which any animal or vegetable matter including grain is being processed, when said places in which said animals are confined, or said premises on which said vegetable or animal matter is located, are maintained and kept in such a manner that foul and noxious odors are permitted to emanate therefrom, to the annoyance of inhabitants of the City, or are maintained and kept in such a manner as to be injurious to the public health.

(L) All other things specifically designated as nuisances elsewhere in this Code.

SECTION 3. Section 25-12 of the Grand Island City Code is hereby amended to

read as follows:

§25-12. License Application; Types; When Issued

(A) All applications for a new or renewal license shall be filed with the Central District Health Department ~~Grand Island Hall County Health Department~~ accompanied by a fee established and adopted by the Board of Health in accordance with the City of Grand Island Fee Schedule. Upon payment of the license fee, receipt of the

ORDINANCE NO. 8960 (Cont.)

application, and receipt of the certificate of inspection, the Health Department Director shall issue a license to the applicant, which he/she shall keep displayed in his/her place of business at all times.

(B) Any change of ownership or change of location of the business licensed shall require a new application and license, with payment of fees therefor.

(C) Application for all licenses shall be made prior to the operation of any tattoo and/or body piercing work.

(D) Licenses shall be non-transferable.

(E) Type of Licenses:

(1) Annual License: An annual license may be issued for businesses, valid for one (1) year from the date of issuance. Renewals of such annual license shall be made by application prior to the expiration of the existing license.

(2) Temporary License: A temporary license may be issued for businesses, valid for no more than three (3) consecutive days, such dates to be specified on the license. Licenses issued on a temporary basis requires compliance with this article and with the Temporary Tattoo/Body Piercing Event Regulations promulgated and adopted by the Board of Health.

SECTION 4. Section 25-13 of the Grand Island City Code is hereby amended to

read as follows:

§25-13. Definitions

For the purposes of this Article, the following words and phrases shall have the meanings ascribed to them by this section:

Certificate of Inspection: The term "certificate of inspection" shall mean written approval from the Central District Health Department ~~Grand Island Hall County Department of Health~~ that said tattooing and/or body piercing establishment has been inspected and meets all of the terms of this Article relating to operation, maintenance, physical facilities, equipment and layout for operation of such business.

Body Piercing: The term "body piercing" shall mean the act of penetrating the skin, excluding the earlobes, to make generally permanent in nature, a hole, mark, or scar.

Health Department Director: The term "Health Department Director" shall mean the Director of the Central District Health Department ~~Grand Island Hall County Department of Health~~ or his/her authorized representative.

Operator: The term "operator" shall mean any individual, firm, company, corporation or association that owns or operates an establishment where tattooing and/or body piercing is performed and any individual who performs or practices the art of tattooing and/or body piercing on the person of another.

Tattoo: The term "tattoo" shall refer to any method of placing designs, letters, scrolls, figures, symbols or any other marks upon or under the skin with ink or any other substance resulting in the coloration of the skin by the aid of needles or any other instruments designed to touch or puncture the skin.

SECTION 5. Section 25-14 of the Grand Island City Code is hereby amended to

read as follows:

§25-14. Health and Sanitary Requirements

Each person who operates a tattooing and/or body piercing establishment shall comply with the following requirements:

(A) The room in which tattooing and/or body piercing is done shall have an area of not less than one hundred (100) square feet. The walls, floors and ceiling shall have an impervious, smooth and washable surface.

(B) A toilet shall be located in the establishment and shall be accessible at all times that the tattooing and/or body piercing establishment is open for business. A separate lavatory will be accessible to the operator to wash

ORDINANCE NO. 8960 (Cont.)

his/her hands prior to applying a tattoo or body piercing to a patron. The lavatory shall be supplied with hot and cold running water, soap and sanitary towels, and shall be cleaned and sanitized at least daily.

(C) All tables and other equipment shall be constructed of easily cleanable material, shall be painted or finished in a light color, with a smooth washable finish, and shall be separated from waiting customers or observers by a panel at least four (4) feet high or by a door.

(D) The entire premises and all equipment shall be maintained in a clean, sanitary condition and in good repair.

(E) The operator shall wash his/her hands thoroughly with soap and water before starting to tattoo and/or body pierce; the hands shall be dried with individual, single-use towels. After washing his/her hands, the operator shall rinse his/her hands in seventy percent (70%) alcohol (Rubbing Alcohol) or in an antiseptic solution approved by the ~~Central District Health Department~~Grand Island Hall County Department of Health. The operator will then don new disposable surgical gloves, and shall wear them while in contact with the customer. Upon completion of his/her work on each customer, the operator shall dispose of the gloves by incineration or autoclave. The operator shall not perform service on more than one (1) person at a time; that is, he/she shall commence and complete or terminate services with a customer, prior to commencing work on another individual.

(F) No tattooing and/or body piercing shall be done on any skin surface that has rash, pimples, boils, infections or manifests any evidence of unhealthy conditions.

(G) In the event a tattoo, blemish, birthmark or scar is changed, removed, camouflaged, or altered, a record must be made and kept in the client's record.

(H) Only disposable razors with a new, single-service blade shall be used on each customer or patron and then shall be sterilized and disposed of as soon as possible by incineration.

(I) The area to be tattooed and/or pierced shall first be thoroughly washed for a period of two (2) minutes with warm water to which has been added an antiseptic liquid soap. A sterile single-use sponge shall be used to scrub the area. After shaving and before tattooing and/or piercing is begun, a solution of seventy percent (70%) alcohol shall be applied to the area with a single-use sponge used and applied with a sterile instrument. Sponges shall be disposed of by sterilization and incineration.

(J) Only sterile petroleum jelly in single-service disposable containers, if available, or collapsible metal or plastic tubes, or its equivalent as approved by the ~~Central District Health Department~~Grand Island Hall County Department of Health, shall be used on the area to be tattooed and/or pierced and it shall be applied with sterile gauze which shall then be discarded and disposed of by incineration or autoclave. Petroleum jelly or an approved alternate substance shall not be applied directly with the fingers.

(K) The use of styptic pencils, alum blocks or other solid styptics to check the flow of blood is prohibited.

(L) Inquiry shall be made of each customer, and anyone giving a history of jaundice, hepatitis, lymphadenopathy or lymphadenitis (swelling of lymph nodes) Aids (HIV+) positive, or a history of blood donation exclusion (for other than hypertension and immediate illness) may not be tattooed and/or body pierced. Inquiry shall be recorded on an appropriate form which shall be executed by the customer and operator, and retained by the licensee for a period of not less than three (3) years.

(M) Single-service individual containers of dye or ink shall be used for each patron, and the container therefor shall be discarded immediately after completing work on a patron and any dye in which the needles were dipped shall not be used on another person. Excess dye or ink shall be removed from the skin with an individual sterile sponge or a disposable paper tissue which shall be used only on one (1) person and then immediately discarded and disposed of with other hazardous medical waste. After completing work on any person, the tattooed and/or pierced area shall be washed with sterile gauze saturated with an antiseptic soap solution approved by the ~~Central District Health Department~~Grand Island Hall County Department of Health, or a seventy percent (70%) alcohol solution. The tattooed and/or pierced area shall be allowed to dry and sterile petroleum jelly from a single-service disposable container, if available, or from collapsible metal or plastic tubes, shall be applied, using sterile gauze. A sterile gauze dressing shall then be fastened to the tattooed area with adhesive and/or the pierced area as needed.

(N) All tattoo and/or body piercing work shall be performed with a single-service sterile needle, which shall be disposed of immediately after use on one (1) customer by sterilization and incineration. The operator shall not remove tattoos, nor shall they be done over the site of obviously recent hypodermic injections. A single-service tube should be used in conjunction with a new needle. After use the tube shall be sterilized.

(O) Operator is responsible for issuing after-care instructions for each body piercing.

ORDINANCE NO. 8960 (Cont.)

(P) No animals may be kept or allowed in the place of business at any time.

(Q) Private residences or dwelling units are prohibited in the place of business unless the tattooing and/or body piercing operation is conducted in a separate and distinct location from the normal living quarters of a residential dwelling.

SECTION 6. Section 25-16 of the Grand Island City Code is hereby amended to

read as follows:

§25-16. Sterilizing of Instruments

A steam sterilizer (autoclave) shall be provided for sterilizing all needles and similar instruments before use on any customer, person or patron. (Alternate sterilizing procedures may only be used when specifically approve by the ~~Central District Health Department~~ ~~Grand Island Hall County Department of Health~~.) Sterilization of equipment will be accomplished by exposure to live steam for at least sixty (60) minutes at a minimum pressure of fifteen (15) pounds per square inch, temperature of two hundred fifty degrees Fahrenheit (250°) or one hundred twenty-one degrees Celsius (121°C).

Preparation of Instruments for Sterilization. After each tattoo job, the tattoo machine shall be placed in an ultrasonic type machine to remove the excess dye from the tubes and needle bars. When this process is completed the tubes and needle bars shall be removed from the tattoo machines. They shall then be placed into a covered container for sterilization by autoclaving.

Sterilizing of Instruments. Steam sterilizers, approved by the ~~Central District Health Department~~ ~~Grand Island Hall County Department of Health~~, shall be provided for each establishment. All needle bars, grips, tubes and instruments which pierce the skin, directly and in piercing the skin or come in contact with instruments which pierce the skin shall be sterilized before using on each customer by autoclaving under fifteen (15) pounds pressure for fifteen (15) minutes. The temperature maintained in autoclaving shall not be less than two hundred fifty degrees Fahrenheit (250°F) or one hundred twenty-one degrees Celsius (121°C).

Storing of Instruments. All tubes, grips and needle bars shall be left in the wrappers used during the autoclaving process. These wrapped articles shall be stored in a closed glass case or storage cabinet and shall be maintained in a sanitary manner at all times. The wrappers shall not be removed from the tubes, grips or needle bars until a tattoo and/or body piercing job is begun.

SECTION 7. Section 25-19 of the Grand Island City Code is hereby amended to

read as follows:

§25-19. Records

(A) Permanent records for each patron or customer shall be maintained by the licensee or operator of the establishment. Before the tattooing and/or body piercing operation begins, the patron or customer shall be required personally to enter, on a record form provided for such establishments, the date, his/her name, address, age, driver's license number or other acceptable photo identification, the responses to the inquiries set forth in §25-14(L), and his/her signature. A copy of the driver's license or photo identification shall be attached to and retained with the permanent record.

(B) Daily logs must be kept detailing sterilization of instruments.

(C) All such records required to be retained shall be kept by the operator or licensee for a period of not less than five (5) years. In the event of a change of ownership or closing the business, all such records shall be made available to the ~~Central District Health Department~~ ~~Grand Island Hall County Department of Health~~ or law enforcement officer of the City upon request.

ORDINANCE NO. 8960 (Cont.)

SECTION 8. Section 25-20 of the Grand Island City Code is hereby amended to

read as follows:

§25-20. Infections

No person, customer or patron having any skin infection or other disease of the skin or any communicable disease shall be tattooed and/or body pierced. All infections resulting from the practice of tattooing and/or body piercing which become known to the operator shall promptly be reported to the Central District Health Department ~~Grand Island Hall County Department of Health~~ by the person owning or operating the tattooing and/or body piercing establishment, and the infected client shall be referred to a physician.

SECTION 9. Section 25-23 of the Grand Island City Code is hereby amended to

read as follows:

§25-23. Certificate of Inspection

An applicant for a license to operate a tattooing and/or body piercing establishment shall first obtain a certificate of inspection from the Central District Health Department ~~Grand Island Hall County Department of Health~~, indicated the establishment has been inspected and is in compliance with the provisions of this Article.

SECTION 10. Section 29-1 of the Grand Island City Code is hereby amended to

read as follows:

§29-1. Nebraska Pure Food Act Enforcement

The Central District Health Department ~~Grand Island Hall County Department of Health~~ shall enforce the Nebraska Pure Food Act, together with any amendments thereto as may be made from time to time, in the inspection of food service establishments, the issuance, suspension and revocation of permits to operate food service establishments, the collection of fees for food service establishment permits, and the prohibiting of the sale of unsound or mislabeled food or drink. One copy of the Nebraska Pure Food Act, and all supplements or amendments thereto shall be filed in the office of the city clerk as provided by law.

SECTION 11. Section 29-4 of the Grand Island City Code is hereby amended to

read as follows:

§29-4. Permit; Required

It shall be unlawful for any person to operate a food establishment without first having obtained a permit from the Central District Health Department ~~Grand Island Hall County Health Department~~. More than one type of permit may be required in one establishment. Permits are issued based on the type of operations conducted within an establishment.

SECTION 12. Section 29-7 of the Grand Island City Code is hereby amended to

read as follows:

ORDINANCE NO. 8960 (Cont.)

§29-7. Inspections

All food establishments must be inspected by an authorized representative of the Central District Health Department~~Grand Island Hall County Health Department~~, or its designated representative, prior to obtaining a permit pursuant to this chapter. Inspections of food establishments thereafter shall be conducted periodically by the Central District Health Department~~Grand Island Hall County Health Department~~.

SECTION 13. Section 29-8 of the Grand Island City Code is hereby amended to read as follows:

§29-8. Fees

Except as otherwise provided by §29-9, any person applying for an annual permit under the provisions of this chapter shall annually pay a permit fee established and adopted by the Board of Health in accordance with the City of Grand Island Fee Schedule.

SECTION 14. Section 29-10 of the Grand Island City Code is hereby amended to read as follows:

§29-10. Fees; To Whom Paid

All permit fees paid pursuant to the provisions of this chapter shall be paid to the Central District Health Department~~Grand Island Hall County Health Department~~.

SECTION 15. Section 29-11 of the Grand Island City Code is hereby amended to read as follows:

§29-11. Delinquent Permit Fee

Renewal of the annual permits identified in this chapter shall be made prior to the expiration of the current permit. Permit fees for annual renewals shall be delinquent if the payment has not been received by the Central District Health Department~~Grand Island Hall County Health Department~~ by May 15 for the permits identified in Section 29-5(A), and by October 15 for those permits identified in Section 29-5(B). Establishments shall be assessed a delinquent food permit fee established and adopted by the Board of Health in accordance with the City of Grand Island Fee Schedule if the permits are not paid by these dates.

SECTION 16. Section 29-12 of the Grand Island City Code is hereby amended to read as follows:

§29-12. Penalty Fee

A fee established and adopted by the Board of Health in accordance with the City of Grand Island Fee Schedule will be assessed for operating a food service establishment without a permit, and each day of operation shall be considered a separate offense.

ORDINANCE NO. 8960 (Cont.)

SECTION 17. Section 29-13 of the Grand Island City Code is hereby amended to read as follows:

§29-13. Reinstatement Fee

Any person whose permit shall be temporarily suspended under any provision of this chapter shall pay a reinstatement fee established and adopted by the Board of Health in accordance with the City of Grand Island Fee Schedule before such permit is reinstated. Reinstatement shall not be effective until such reinstatement fee has been paid.

SECTION 18. Section 29-17 of the Grand Island City Code is hereby amended to read as follows:

§29-17. Building Plans

A copy of all building plans for new construction and/or remodeling projects for any food establishment covered by Chapter 29 of the Grand Island City Code shall be submitted to the Central District Health Department ~~Grand Island Hall County Health Department~~ prior to the commencement of such work.

SECTION 19. Sections 17-2, 20-13.1, 25-12, 25-13, 25-14, 25-16, 25-19, 25-20, 25-23, 29-1, 29-4, 29-7, 29-8, 29-10, 29-11, 29-12, 29-13 and 29-17 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 20. That this ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: February 22, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item F9

#8961 - Consideration of Amendments to Chapter 27 of the City Code Relative to Procurement

This item relates to the aforementioned Ordinance Item F-2.

Staff Contact: Doug Walker

ORDINANCE NO. 8961

An ordinance to amend Chapter 27 of the Grand Island City Code; to amend Section 27-9 pertaining to competitive sealed proposals; to repeal Section 27-9 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 27-9 of the Grand Island City Code is hereby amended to read as follows:

§27-9. Competitive Sealed Proposals

Conditions for Use. When the purchasing agent determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the City, a contract may be entered into by use of the competitive sealed proposals method.

Request for Proposals. Proposals shall be solicited through a request for proposals.

Public Notice. Adequate public notice of the request for proposals shall be given in the same manner as provided in §27-8 (Competitive Sealed Bidding); provided, the minimum time shall be fifteen (15) calendar days.

Receipt of Proposals. No proposals shall be handled so as to permit disclosure of ~~the identity of any offeror or~~ the contents of any proposal ~~to competing offerors~~ during the process of negotiation including meetings and interviews with any of the offerors. ~~A register of proposals shall be prepared containing the name of each offeror, the number of modifications received, if any, and a description sufficient to identify the item offered.~~ The register of proposals containing the name and address of the offerors shall be open for public inspection ~~only after contract award~~. All proposals shall be open for public inspection after the award of the contract.

Evaluation Factors. The request for proposals shall state the relative importance of price and other evaluation factors.

Discussion with Responsible Offerors and Revisions to Proposals. As provided in the request for proposals, discussions may be conducted with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and conformance to, the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussion, there shall be no disclosure of the identity of competing offerors or of any information derived from proposals submitted by competing offerors.

Award. Award shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the City, taking into consideration price and the evaluation factors set forth in the request for proposals. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made.

SECTION 2. Section 27-9 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

ORDINANCE NO. 8961 (Cont.)

SECTION 3. That this ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: February 22, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item F10

#8962 - Consideration of Amendments to Chapter 34 of the City Code Relative to Taxi Cab and Taxi Driver Permits

This item relates to the aforementioned Ordinance Item F-2.

Staff Contact: Doug Walker

ORDINANCE NO. 8962

An ordinance to amend Chapter 34 of the Grand Island City Code; to delete Article II. and Sections 34-75 through 34-81 pertaining to Taxicab Companies; to delete Article III. and Sections 34-85 through 34-98 pertaining to Taxicab Drivers' Permits; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Article II. and Sections 34-75 through 34-81 of the Grand Island City Code is hereby deleted:

Article II. Taxicab Companies

~~§34-75. Taxicab Company Permit; Required~~

~~It shall be unlawful for any person owning or operating a motor vehicle for the transportation of passengers for hire, to operate such vehicle, or cause such vehicle to be operated, upon the streets or alleys of the City without first obtaining a permit to do so.~~

~~§34-76. Taxicab Company Permit; Application~~

~~All applications for permit required by §34-75 shall be made to the city clerk on a form to be provided by the city clerk. Such application form shall require the applicant to set forth his or her name, residence, occupation, copy of certificate of public convenience and necessity, certificate of insurance, and such other facts as are necessary to show whether or not such applicant is a person of good moral character and otherwise qualified to operate vehicles carrying passengers for hire.~~

~~§34-77. Taxicab Company Permit; Fees~~

~~Every application for a permit as required by §34-75 shall be accompanied by a receipt signed by the city treasurer showing proof that the occupation tax has been paid in accordance with the City of Grand Island Fee Schedule. The money paid for the occupation tax shall go into the general fund of the City.~~

~~§34-78. Permit; Issuance~~

~~If the information on the application required by §34-76, duly verified, shall show that an applicant for a permit pursuant to the provisions of §34-75 is properly qualified, and if such applicant has complied with the requirements of §34-77 regarding the payment of fees, the city clerk shall issue such permit.~~

~~§34-79. Permits to be Numbered; Expiration Date~~

~~Permits issued pursuant to §34-78 shall bear a number signed by the city clerk with the name and address of the holders thereof. All such permits shall expire on December 31 of the year in which they are issued.~~

~~§34-80. Permit; Forfeiture~~

~~Every person violating any of the provisions of this chapter shall forfeit his or her permit issued pursuant to this article, at the discretion of the mayor and city council.~~

Approved as to Form _____
February 16, 2005 City Attorney

ORDINANCE NO. 8962 (Cont.)

§34-81. Taximeters

~~Every motor driven vehicle seating seven passengers or less shall have affixed thereto, in plain view, a taximeter, or other mechanical device, by which the charge for hire of such motor vehicle is mechanically calculated, either for distance driving or for waiting time, or for both, and upon which such charge shall be indicated by means of figures, and all fare of passengers shall be determined by such device or meter.~~

~~No license shall be issued to operate such motor vehicle until the taxi meter attached thereto has been inspected and found to be accurate.~~

~~After sundown, the face of every taximeter in operation shall be illuminated by a suitable light so arranged as to throw a continuous, steady light thereon. No person shall use, or permit to be used, or driven for hire, a public motor vehicle equipped with a taximeter, the case of which is unsealed.~~

SECTION 2. Article III. and Sections 34-85 through 34-98 of the Grand Island

City Code is hereby deleted:

Article III. Taxicab Drivers' Permits

§34-85. Taxicab Driver's Permit; Required

~~No person shall drive a taxicab in the City unless he or she shall have applied for and obtained a permit to do so from the city clerk.~~

§34-86. Requisite to Employment as Driver

~~No person operating a taxi company in the City shall employ or allow any person to drive a taxi unless such person shall first have been granted a permit to operate a taxi as provided by this article.~~

§34-87. Application

~~Each person desiring a taxicab driver's permit shall file an application therefor with the city clerk on a form provided by the clerk, setting forth the name and address of the applicant, and the name and address of the owner of the taxicab which he or she will drive.~~

§34-88. Medical Examination; Certificate

~~An applicant for a taxicab driver's permit shall undergo a medical examination, at applicant's expense, by a physician licensed in the State of Nebraska, and shall obtain a certificate from such examining physician showing the physical fitness of the applicant to become a licensed taxicab driver.~~

§34-89. Examination by Chief of Police

~~An applicant for a taxicab driver's permit shall take an examination to be given by the chief of police to determine whether or not the applicant is familiar with the provisions of this Code which are related to traffic, other traffic laws, and any other applicable regulations of the City, and whether or not such applicant is acquainted with the location of all streets and public places in the City. Such examination shall be in such form and shall be as comprehensive as the chief of police may deem necessary.~~

§34-90. Minimum Age

~~An applicant for a taxicab driver's permit shall be not less than eighteen years of age.~~

§34-91. Issuance

~~Upon an applicant for a taxicab driver's permit complying with the requirements of this article, and upon the filing of the health certificate, and a certificate showing that he or she has passed the examination given by the chief of police, and upon payment of the fees in accordance with the City of Grand Island Fee Schedule, the city clerk is authorized to issue such taxicab driver's permit.~~

ORDINANCE NO. 8962 (Cont.)

~~§34-92. Assignability~~

~~———— A taxicab driver's permit issued pursuant to this article is not assignable and shall authorize the holder thereof to drive only for the owner designated in the application. In the event such driver changes employers, the city clerk is authorized to issue a new permit to such driver, without examination, upon payment of the permit fee in accordance with the City of Grand Island Fee Schedule.~~

~~§34-93. Expiration Date~~

~~All permits issued pursuant to this article shall expire on December 31 following the date of issuance.~~

~~§34-94. Reserved~~

~~§34-95. When and Where Fees Payable~~

~~———— All renewal fees for permits pursuant to this article shall be due and payable at the office of the city treasurer on January 1 of each year.~~

~~§34-96. Permit Badge~~

~~———— The city treasurer shall issue to each person granted a permit to drive a taxi pursuant to this article, a badge, which badge shall be worn only by the person to whom such permit was issued and such badge shall be worn on the front of such driver's cap. The taxi driver's badge shall bear the name of the city, the number of the permit issued, and the word "taxi." The city treasurer shall collect the cost of such badge from the person to whom the permit is issued, and the cost thereof may be redeemed by the treasurer when the permittee shall no longer desire to drive a taxi, and shall surrender such badge in a good, usable condition.~~

~~§34-97. Permit Revocation; Chief of Police~~

~~———— The chief of police is hereby charged with the duty of approving all permits granted pursuant to this division, and if any person shall, in the discretion of the chief of police, be found to be a reckless driver and unfit to operate a taxi, such permit to operate the same may be revoked by the chief of police.~~

~~§34-98. Revocation; Driving While Intoxicated~~

~~———— If any person holding a permit pursuant to this article shall be found guilty of driving a taxi while intoxicated, the chief of police may revoke the permit granted to such violator.~~

SECTION 3. Sections 34-75 through 34-81 and 34-85 through 34-98 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

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

ORDINANCE NO. 8962 (Cont.)

Enacted: February 22, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G1

Approving Minutes of February 8, 2005 City Council Regular Meeting

The Minutes of February 8, 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

February 8, 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 February 8, 2005. Notice of the meeting was given in the *Grand Island Independent* on February 2, 2005.

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

INVOCATION was given by Pastor Terry Brown, Calvary Assembly of God, 1424 North Eddy Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek introduced Gloria Wolbach representing the AOK Lady's and explained the "Acts of Kindness" week. Mayor Vavricek mentioned the on-going process of the Fire Station and Fire Training Site. Also mentioned was the upcoming Council retreat which was set for March 5, 2005.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Troy Hughes, Fire Training Division Chief for 20 Years of Service with the Grand Island Fire Department. The Mayor and Council recognized Fire Training Division Chief Troy Hughes for 20 years of service with the City of Grand Island. Troy Hughes was present for the recognition.

Recognition of Fred Hotz, Fire Prevention Division Chief for 20 Years of Service with the Grand Island Fire Department. The Mayor and Council recognized Fire Prevention Division Chief Fred Hotz for 20 years of service with the City of Grand Island. Fred Hotz was present for the recognition.

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

#2005-BE-3 – Consideration of Determining Benefits for Street Improvement District No. 1253; Island Circle West of Webb Road in Lacy Subdivision. Steve Riehle, Public Works Director reported that Street Improvement District No. 1253 was completed on November 4, 2004 and this action was for determining the benefits for this district. Motion by Nickerson, second by Cornelius, to approve Resolution #2005-BE-3, carried unanimously.

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

PUBLIC HEARINGS:

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. Craig Lewis, Building Department Director reported that an application was received from Amy Anderson, Personal Representative of the Estate of Thomas Anderson to allow for the continued operation of a sand and gravel facility located at 2819 South Locust Street, not to exceed 3 years. Mr. Lewis stated the original request was approved by City Council in 1972 and had received subsequent approvals for the past 33 years. Mentioned were restrictions or conditions which appeared appropriate if approved by Council. Garry Williams, 610 Midaro Drive and Don Razez, 520 Midaro Drive spoke concerning the subdivision agreement which provided for a road to be put in by the subdivider. Their request was that Council approve the conditional use permit contingent upon the Anderson's signing a contract for the road work. No further public testimony was heard.

Public Hearing on One & Six Year Street Improvement Program. 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. This item was reviewed by Council at their January 25, 2005 Regular Meeting and referred to the Regional Planning Commission. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3429 West 13th Street. (RT Omaha Franchise, LLC) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 3429 West 13th Street was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to place primary underground electrical cable and a pad-mounted transformer to serve the new Ruby Tuesday Restaurant. No public testimony was heard.

ORDINANCES:

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

#8952 - Consideration of Assessments for Street Improvement District No. 1253; Island Circle West of Webb Road in Lacy Subdivision

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

Motion by Hornady, second by Cornelius to approve Ordinance #8952.

City Clerk: Ordinance #8952 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #8952 on final passage. All those in favor of the passage of this ordinance 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, Ordinance #8952 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Items G-5 and G-11 were removed from the Consent Agenda for further discussion. Motion by Hornady, second by Gilbert to approve the Consent Agenda excluding Items G-5 and G-11. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of January 25, 2005 City Council Regular Meeting.

Approving Minutes of February 1, 2005 City Council Study Session.

Approving Appointment of Councilmember Bob Meyer to the Humane Society Board.

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

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

#2005-35 – Approving Bid Award for One Commercial Front Mount Mower for the Wastewater Division of the Public Works Department with Green Line Equipment of Grand Island, Nebraska in an Amount of \$6,956.00.

#2005-36 – Approving Bid Award for One 20 Ton Pull Type Trailer Mounted Spreader for the Wastewater Division of the Public Works Department with West Point Design, Inc. of West Point, Nebraska in an Amount of \$31,124.00.

#2005-37 – Approving Acquisition of Utility Easement Located at 3429 West 13th Street. (RT Omaha Franchise, LLC)

#2005-38 – Approving Request for Proposal for Engineering Services for Transmission Line Work with Advantage Engineering, Inc. of Chesterfield, Missouri in an Amount not to exceed \$52,000.00.

#2005-40 – Approving Final Plat and Subdivision Agreement for Backer Subdivision. It was noted that Grand Island Habitat for Humanity, owners had submitted the final plat for Backer Subdivision, located on land comprising of the W1/2 SE1/4 of Section 10-11-9 for the purpose of creating 4 lots.

#2005-41 – Approving Final Plat and Subdivision Agreement for RDR Subdivision. It was noted that Donald and Connie Robertson, owners had submitted the final plat for RDR Subdivision, located on land comprising Lot 3, Block 134 Union Pacific Railway Co Second Addition for the purpose of creating 2 lots.

#2005-42 – Approving Police and Firefighter Pension Plan Documents and Appointment of Wells Fargo Bank, N.A. as Trustee.

#2005-43 – Approving Amendment to the Agreement with the Nebraska Department of Roads for Widening US Highway 30 from Grant Street to Greenwich Street.

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. Craig Lewis, Building Department Director explained the background of the conditional use permit which allowed Lyman-Richey Corp. to pump sand and gravel and the subdivision agreement which provided for the Anderson's to build a road. Doug Walker, City Attorney commented on the legal issues surrounding these two issues, stating they were two separate issues. A lengthy discussion was held concerning the subdivision agreement and the Anderson's responsibility and the application for the conditional use permit to allow Lyman-Richey Corp. to continue to pump sand and gravel. Mentioned were safety issues of not having a road built in this subdivision.

Steve Riehle, Public Works Director commented on contact he had with the Anderson's stating a design work and a contract for the road had been completed, but the Anderson's had not signed.

Garry Williams, 610 Midaro Drive commented that he did not want to stop Lyman-Richey Corp. from pumping but wanted leverage to get the contract signed by the Anderson's for the road work.

Motion was made by Whitesides, second by Haase to approve the Conditional Use Permit as requested by Amy Anderson, PR contingent upon the contract being signed to build the road as stated in the subdivision agreement. Upon roll call vote Councilmember's Whitesides, Gilbert, Cornelius, Pauly, and Haase voted yes. Councilmembers Meyer, Nickerson, Hornady, and Walker voted no. The Mayor stated he could not approve the motion with the stipulation of the subdivision agreement. Motion failed.

Motion by Nickerson, second by Meyer to approve the request of Amy Anderson for a Conditional Use Permit. Upon roll call vote, Councilmember's Meyer, Gilbert, Nickerson, Pauly, Hornady, and Walker voted yes. Councilmember's Whitesides, Cornelius, and Haase voted no. Motion adopted.

#2005-39 – Approving Bid Award for Cardiac Monitors for the Grand Island Fire Department with Medtronic Physio-Control of Redmond, Washington in an Amount of \$62,330.00. Terry Leslie, EMS Division Chief explained the purpose of the six cardiac monitors and how they would be used. Motion by Gilbert, second by Meyer to approve Resolution #2005-39. Motion was adopted unanimously.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Hornady to approve the Claims for the period of January 26, 2005 through February 8, 2005, for a total amount of \$2,577,193.87. Motion adopted unanimously.

ADJOURN TO EXECUTIVE SESSION: Motion by Hornady, second by Cornelius, to adjourn to Executive Session at 8:30 p.m. for the purpose of discussing Acquisition of Real Estate and Personnel Issues. Motion adopted unanimously.

RETURN TO REGULAR SESSION: Motion by Cornelius, second by Pauly to return to Regular Session at 9:35 p.m. Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 9:35 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G2

Approving Minutes of February 15, 2005 City Council Study Session

*The Minutes of February 15, 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 15, 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 15, 2005. Notice of the meeting was given in the Grand Island Independent on February 9, 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

Mayor Communication: Mayor Vavricek commented on several council members attending the League of Municipalities conference held in Lincoln, Nebraska the last two days.

Presentation by BKD, LLP Relative to Fiscal Year 20054 Electric and Water Audit Reports. David Springer, Finance Director introduced Roger Watton from BKD, LLP to give the audit reports. Mr. Watton stated that these were unqualified opinions and there were no weaknesses with the internal control. Highlighted was the water fund relative to reserves, capital, and this being a very stable account. Also mentioned were the electric fund and the pay down of debts. Rate increase was mentioned as a positive move for the city and a slight reduction in revenues before the rates took affect. Mr. Springer commented on the rate increase being implemented due to the cost of coal.

Presentation of Proposed Code Amendments and Adoption of the 2003 Addition of the International Building Codes and International Fire Codes. Craig Lewis, Building Department Director reported that for generations the City of Grand Island had adopted and enforced codes which regulate the construction of buildings within the Grand Island jurisdictional area. The City currently has adopted and enforced the 1997 Uniform Building code. Mentioned was the Building Code Advisory Board.

Mr. Lewis stated the City of Grand Island's Building Code Advisory Board had reviewed the 2003 International Building Code and the 2003 International Residential Code and recommended adoption with the revisions outlined in Chapter 8 of the City Code.

Some of the changes to the code were fire sprinkler systems, exits of buildings, energy code efficiencies (which will be brought back at a later date for Council approval), and residential code.

Fred Hotz, Fire Prevention Division Chief reported that internationally, code officials recognized the need for a modern, up-to-date fire code addressing conditions hazardous to life and property from fire, explosion, handling, or use of hazardous materials and the use and occupancy of buildings and premises. He stated the International Fire Code 2003 edition was designed to meet those needs.

Mr. Hotz stated the City currently had adopted and enforced the 1991 Uniform Fire Code which in many respects was outdated. He stated it was important to adopt and enforce the International Fire Code (IFC) which safeguards the public health and safety of the community. Mr. Hotz emphasized the importance of working the fire code and building codes together. Local codes could be more restrictive than the State codes.

Discussion was held with regards to the changes in code that would affect downtown redevelopment.

Discussion Concerning Changes to the Grand Island City Code. Doug Walker, City Attorney reported that during the course of the last several months, city staff had noticed that a number of existing code sections were outdated and either needed to be revised or removed from the City Code. This process would be done periodically throughout the year when the need arised.

The following was presented proposing changes to the City Code:

Chapter 2 - Administration

- Delete references to the Community Projects Director, Community Development Division, Downtown Development Division, and Community Projects Department
- Reinstate that the City Administrator will designate a person to serve as the director and ex-officio secretary of the Community Redevelopment Authority

Councilmember Gilbert thanked the Chamber of Commerce for administrating the CRA and encouraged a strong community participation on the board.

Chapter 13 – Downtown and Business Improvement Districts

- Delete references to the Community Projects Department Director and the Downtown Development Division
- Delete the sentence waiving the residential parking permit fee and change location of where an application is made to the Police Department

Chapter 20 – Miscellaneous Offenses

- Remove Section 2 and add Section 20-19 relative to volume control changing distance from 50 feet to 100 feet from the source

Discussion was held with regards to enforcement being subjective. Mr. Walker stated disturbing the peace ordinances would also be used. Police Chief Kyle Hetrick commented on having the tools to be able to enforce these ordinances and felt these changes would allow the Police Department to use discretion and enhance enforcement.

Tarl Carpenter, 1203 West 1st Street spoke in support.

Chapter 22 – Motor Vehicles and Traffic

- Change parking Ordinance prohibiting people from parking in one location upon the city street or on any public free parking lot from 24 hours to 72 hours

Discussion was held on the overly restrictive 24 hour parking regulations that had been on the books for several years and the need to update them. Chief Hetrick explained the process of enforcement as ticket-ticket-tow and that enforcement was done through the Code Enforcement Division of the Police Department. Also mentioned was the vacation house check service which the Police Department provided. Public Works Director Steve Riehle commented on odd – even parking during snow emergency which would add two days for snow removal.

Gerald Spencer, 320 East 21st Street, Tarl Carpenter, 1203 West 1st Street, and Michael Davis, 1123 West 1st Street spoke in support.

Chapter 27 – Procurement

- Delete provision against disclosing the identity of offerers when the city seeks sealed proposals
- Name and address of the offerers would be open for public inspection
- All proposals would be open for public inspection after the award of the contract

Chapter 34 – Telecommunications and Public Transportation

- Delete all code sections relating to taxi cab companies and taxi cab driver permits

Department of Health References

- Delete references to the Grand Island-Hall County Health Department throughout City Code and insert the Central District Health Department
- Delete references relating to the Health Department in the fee schedule

Councilmember Pielstick recommended that these changes be brought back to Council as soon as possible for approval.

ADJOURNMENT: The meeting was adjourned at 8:25 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G3

Approving Appointment of Craig Hand to Business Improvement District #5 Board

There is currently an opening on the Business Improvement District #5 Board due to the resignation of Tom Emerton. The Mayor with Council approval is recommending Craig Hand to fill the unexpired term of Mr. Emerton. The appointment would become effective immediately and would expire on December 31, 2006. Approval is recommended.

Staff Contact: Mayor Vavricek



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G4

**Approving Request of RT Omaha Franchise, LLC dba Ruby
Tuesday, 3429 West 13th Street for a Class "I" Liquor License**

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

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G5

**Approving Request of Debra Bomberger, 9909 S.W. 126th Street,
Denton, Nebraska for Liquor Manager Designation for Ruby
Tuesday, 3429 West 13th Street**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: February 22, 2005

Subject: Request of Debra Bomberger, 9909 S.W. 126th, Denton, Nebraska for Liquor Manager Designation for Ruby Tuesday, 3429 West 13th Street

Item #'s: G-5

Presenter(s): RaNae Edwards, City Clerk

Background

Debra Bomberger, 9909 S.W. 126th, Denton, Nebraska has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "I-67017" Liquor License for Rudy Tuesday, 3429 West 13th Street. This application has been reviewed by the Police Department and City Clerk's Office.

Discussion

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

Alternatives

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

1. Approve the request of Debra Bomberger, 9909 S.W. 126th, Denton, Nebraska for Liquor Manager Designation in conjunction with the Class "I-67017" Liquor License for Ruby Tuesday, 3429 West 13th Street.
2. Forward the request with no recommendation.
3. Take no action on the request.

Recommendation

City Administration recommends that the Council approve this request contingent upon final approval of the Class "I-67017" Liquor License for Ruby Tuesday, 3429 West 13th Street.

Sample Motion

Move to approve the request of Debra Bomberger, 9909 S.W. 126th Street, Denton, Nebraska for Liquor Manager Designation for Ruby Tuesday, 3429 West 13th Street.



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G6

**#2005-44 - Approving Acquisition of Utility Easement - 3003
Gunbarrel Road - Oliver**

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

Staff Contact: Gary R. Mader

RESOLUTION 2005-44

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

WHEREAS, a public hearing was held on February 22, 2005, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of the South Half of the Northwest Quarter (S1/2, NW1/4) of Section Six (6), Township Eleven (11) North, Range Eight (8) West of the 6th P.M. in Merrick County, Nebraska, the westerly and southerly line of the twenty (20.0) foot wide easement and right-of-way being more particularly described as follows:

Referring to the northwest corner of the South Half of the Northwest Quarter (S1/2, NW1/4) of Section Six (6), Township Eleven (11) North, Range Eight (8) West; thence easterly along the northerly line of the South Half of the Northwest Quarter (S1/2, NW1/4) of said Section Six (6), Township Eleven (11) North, Range Eight (8) West, a distance of thirty three (33.0) feet to a point on the easterly right-of-way line of Gunbarrel Road; thence southerly along the easterly right-of-way line of said Gunbarrel Road, a distance of one hundred ninety three and seventeen hundredths (193.17) feet to the Actual Point of Beginning; thence continuing along the easterly right-of-way line of said Gunbarrel Road, a distance of one hundred twenty (120.0) feet; thence deflecting left 91°53'19" and running easterly along the southerly line of a tract of land described in Book A35, Page 823, recorded in the Merrick County Register of Deeds Office, a distance of seven hundred sixty seven (767.0) feet.

The above-described easement and right-of-way containing 0.40 acres, more or less, as shown on the plat dated January 31, 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 Bethany M. Oliver, a single person, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2005.

RaNae Edwards, City Clerk

Approved as to Form ☐ _____
February 16, 2005 ☐ City Attorney



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G7

**#2005-45 - Approving Acquisition of Utility Easement - 2103 W.
Anna Street - First Presbyterian Church**

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

Staff Contact: Gary R. Mader

RESOLUTION 2005-45

WHEREAS, a public utility easement is required by the City of Grand Island, from the First Presbyterian Church of Grand Island, Nebraska, a religious corporation, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on February 22, 2005, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of the Southwest Quarter of the Northwest Quarter (SW1/4, NW1/4) of Section Twenty One (21), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Grand Island, Hall County, Nebraska, the centerline of the twenty (20.0) foot wide easement and right-of-way being more particularly described as follows:

Referring to the intersection of the easterly right-of-way line of Grant Street and the southerly right-of-way line of Anna Street; thence southeasterly along the easterly right-of-way line of said Grant Street, a distance of four hundred eight and sixty one hundredths (408.61) feet to the Actual Point of Beginning; thence deflecting left 90°05'24" and running in a northeasterly direction, a distance of two hundred ninety seven and thirty four hundredths (297.34) feet; thence deflecting left 89°14'55" and running in a northwesterly direction, a distance of one hundred twenty (120.0) feet.

The above-described easement and right-of-way containing 0.19 acres, more or less, as shown on the plat dated February 4, 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 the First Presbyterian Church of Grand Island, Nebraska, a religious corporation, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2005.

RaNae Edwards, City Clerk

Approved as to Form ☐ _____
February 16, 2005 ☐ City Attorney



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G8

#2005-46 - Approving Acquisitions of Right-of-Way Along Claude Road North of Old US Hwy 30

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

Staff Contact: Steven P. Riehle, Public Works Director

RESOLUTION 2005-46

WHEREAS, real property is required by the City of Grand Island for right-of-way purposes to widen Claude Road; and

WHEREAS, a public hearing was held on February 22, 2005, for the purpose of discussing the acquisition of rights-of-way affecting the following tracts of land located in a part of the Southwest Quarter (SW1/4) of Section Twenty Four (24), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in the city of Grand Island, Hall County, Nebraska:

Owner	Property Description
Armando Cortes and Elizabeth Cortes	Beginning at a point on the east line of the SW1/4 of Section 24-11-10, said point being 960.6 feet south of the northeast corner of the SW1/4 of 24-11-10; thence continuing south on said east line of said SW1/4 of Section 24-11-10 for a distance of 114 feet; thence northwesterly on a line to a point where it intersects a line 960.6 feet south of the north line of the SW1/4 of Section 24-11-10; thence east on a line 960.6 feet south of and parallel to the north line of the SW1/4 of Section 24-11-10 for a distance of 12.3 feet to the point of beginning; containing approximately 701.1 square feet more or less.
Charles H. Engel and Susie C. Engel	Beginning at a point on the east line of the SW1/4 of Section 24-11-10, said point being 810 feet south of the northeast corner of the SW1/4 of Section 24-11-10; thence continuing south on said east line of the SW1/4 of Section 24-11-10 for a distance of 150.6 feet; thence west on a line perpendicular to the east line of the SW1/4 of Section 24-11-10 for a distance of 12.3 feet; thence northwesterly on a line to a point where it intersects a line 810 feet south of the north line of the SW1/4 of Section 24-11-10; thence east on a line 810 feet south of and parallel to the north line of the SW1/4 of Section 24-11-10 for a distance of 18.7 feet to a point of beginning; containing 2,334.3 square feet more or less.
Adam J. Landenberger and Christine L. Landenberger	Beginning at a point on the east line of the SW1/4 of Section 24-11-10, said point being 630 feet south of the northeast corner of said SW1/4 of Section 24-11-10; thence continuing south on the east line of said SW1/4 of Section 24-11-10 for a distance of 90 feet; thence west on a line perpendicular to the east line of the SW1/4 of Section 24-11-10 for a distance of 20.7 feet; thence northwesterly on a line to a point where it intersects a line 630 feet south of the north line of said SW1/4 of Section 24-11-10; thence east on a line 630 feet south of and parallel to the north line of the SW1/4 of Section 24-11-10 for a distance of 22.6 feet to the point of beginning; containing approximately 1,948.5 square feet more or less.
Thomas B. Joyner Jr. and Chastity Joyner	Beginning at a point on the east line of the SW1/4 of Section 24-11-10, said point being 540 feet south of the northeast corner of said SW1/4 of Section 24-11-10; thence continuing south on said east line of said SW1/4 of Section 24-11-10 for a distance of 90 feet; thence west on a line perpendicular to the east line of said SW1/4 of Section 24-11-10 for a distance of 22.6 feet; thence northwesterly on a line to a point where it intersects a line 540 feet south of the north line of the SW1/4 of Section 24-11-10; thence east on a line 540 feet south of and parallel to the north line of the SW1/4 of Section 24-11-10 for a distance of 24.6 feet to the point of beginning; containing approximately 2,124 square feet more or less.
Justin M. Canning	Beginning at a point on the east line of the SW1/4 of Section 24-11-10, said point being 450 feet south of the northeast corner of said SW1/4 of Section 24-11-10; thence continuing south on said east line of said SW1/4 of Section 24-11-10 for a distance of 90 feet; thence west on a line perpendicular to the east line of said SW1/4 of Section 24-11-10 for a distance of 24.6 feet; thence northwesterly on a line to a point where it intersects a line 450 feet south of the north line of said SW1/4 of Section 24-11-10; thence east on a line 450 feet south of and parallel to the north line of said SW1/4 of Section 24-11-10 for a distance of 26.6 feet to the point of beginning; containing approximately 2,304 square feet more or less.

Approved as to Form <input type="checkbox"/> _____ February 16, 2005 <input type="checkbox"/> City Attorney
--

Kent J. Bruha	Beginning at a point on the east line of the SW1/4 of Section 24-11-10, said point being 360 feet south of the northeast corner of said SW1/4 of Section 24-11-10; thence continuing south on said east line of said SW1/4 of Section 24-11-10 for a distance of 90 feet; thence west on a line perpendicular to the east line of the SW1/4 for a distance of 26.6 feet; thence northwesterly on a line to a point where it intersects a line 360 feet south of the north line of said SW1/4; thence east on a line 360 feet south of and parallel to the north line of said SW1/4 of Section 24-11-10 for a distance of 28.5 feet to the point of beginning; containing approximately 2,479.5 square feet more or less.
Kim Smidt, Leland and Joshua Smidt	Beginning at the point on the east line of the SW1/4 of Section 24-11-10, said point being 720 feet south of the northeast corner of the SW1/4 of Section 24-11-10; thence continuing south on said east line of said SW1/4 of Section 24-11-10 for a distance of 90 feet; thence west on a line perpendicular to the east line of the SW1/4 of Section 24-11-10 for a distance of 18.7 feet; thence northwesterly on a line to a point where it intersects a line 720 feet south of the north line of the SW1/4 of Section 24-11-10; thence east on a line 720 feet south of and parallel to the north line of the SW1/4 of Section 24-11-10 for a distance of 20.7 feet to the point of beginning; containing 1,773 square feet more or less.
Kevin J. Houtwed and Karen Houtwed	Beginning at a point on the east line of the SW1/4 of Section 24-11-10, being 270 feet south of the northeast corner of said SW1/4 of Section 24-11-10; thence continuing south on said east line of said SW1/4 of Section 24-11-10 for a distance of 90 feet; thence west on a line perpendicular to said east line for a distance of 28.5 feet; thence northwesterly on a line to a point on a line being 270 feet south of the north line of the SW1/4 of Section 24-11-10; thence east on a line 270 feet south of and parallel to the north line of the SW1/4 of Section 24-11-10 for a distance of 30.5 feet to the point of beginning; containing approximately 2,655 square feet more or less.

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 right-of-way from the parties identified above on the above-described tracts of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G9

#2005-47 - Approving Bid Award for Sanitary Sewer District No. 515, Dale Roush Subdivision (Indian Acres)

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: February 22, 2005

Subject: Approving Bid Award for Sanitary Sewer District No. 515, Dale Roush Subdivision (Indian Acres)

Item #'s: G-9

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

Background

On January 24, 2005 the Engineering Division of the Public Works Department advertised for bids for Sanitary Sewer No. 515; Dale Roush Subdivision (Indian Acres).

Discussion

Three bids were received and opened on February 9, 2005. The Engineering Division of the Public Works Department and the Purchasing Division of the City Attorney's Office have reviewed the bids that were received. General Excavating and Diamond Engineering submitted bids in compliance with the contract, plans, and specifications with no exceptions. Starostka Group submitted a bid with a late start date and a longer construction period. A summary of the bids is shown below.

<i>Bidder</i>	<i>Exceptions</i>	<i>Bid Security</i>	<i>Bid Price</i>
General Excavating Lincoln NE	None	Universal Surety Co.	\$638,179.76
Diamond Engineering Co. Grand Island NE	None	Travelers Casualty	\$512,633.30
Starostka Group Grand Island NE	Noted	Merchants Bonding Co.	\$788,960.00

The engineers estimate for this project was \$610,239.00. There are sufficient funds in Account No. 53030055-85213 to fund this contract.

Alternatives

1. Make a motion to approve awarding the bid to The Diamond Engineering Company of Grand Island NE for Sanitary Sewer District No. 515 in the amount of \$512,633.30.
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 awarding the contract and passing a resolution authorizing the Mayor to sign a contract with The Diamond Engineering Company of Grand Island, Nebraska, for the amount of \$512,633.30.

Sample Motion

Move to approve the award of the contract to the lowest bidder, The Diamond Engineering Company of Grand Island, Nebraska for Sanitary Sewer District 515.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: February 9, 2005 at 11:00 a.m.
FOR: Sanitary Sewer District #515
DEPARTMENT: Public Works
ESTIMATE: \$610,239.00
FUND/ACCOUNT: 53030055-85213
PUBLICATION DATE: January 24, 2005
NO. POTENTIAL BIDDERS: 6

SUMMARY

Bidder:	<u>General Excavating</u> Lincoln, NE	<u>Diamond Engineering Co.</u> Grand Island, NE	<u>Starostka Group</u> Grand Island, NE
Bid Security:	Universal Surety Co.	Travelers Casualty	Merchants Bonding Co.
Exceptions:	None	None	Noted
Bid Price:	\$638,179.76	\$512,633.30	\$788,960.00

cc: Steve Riehle, Public Works Director
Danelle Collins, Admin. Asst. PW
Dale Shotkoski, Purchasing Agent

Ben Thayer, Supt. of WWTP
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

RESOLUTION 2005-47

WHEREAS, the City of Grand Island invited sealed bids for Sanitary Sewer District No. 515 located in Dale Roush Subdivision, Dale Roush Second Subdivision and a part of the Southwest Quarter (SW1/4) of Section 14-11-10, according to plans and specifications on file with the City Engineer; and

WHEREAS, on February 9, 2005, bids were received, opened and reviewed; and

WHEREAS, the Diamond Engineering Company of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$512,633.30; and

WHEREAS, the Diamond Engineering Company's bid is less than the estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of the Diamond Engineering Company of Grand Island, Nebraska, in the amount of \$512,633.30 for Sanitary Sewer District No. 515 is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 16, 2005	☐ City Attorney

WESTWOOD
PARK FOURTH
SUB.

WESTWOOD
PARK SIXTH
SUB.

REDWOOD

FAIDLEY AVENUE

ROAD

PART S.E. 1/4
N.W. 1/4
SECTION 14-11-10

PART N.W. 1/4
S.E. 1/4
SECTION 14-11-10

PART S.W. 1/4
S.E. 1/4
SECTION 14-11-10

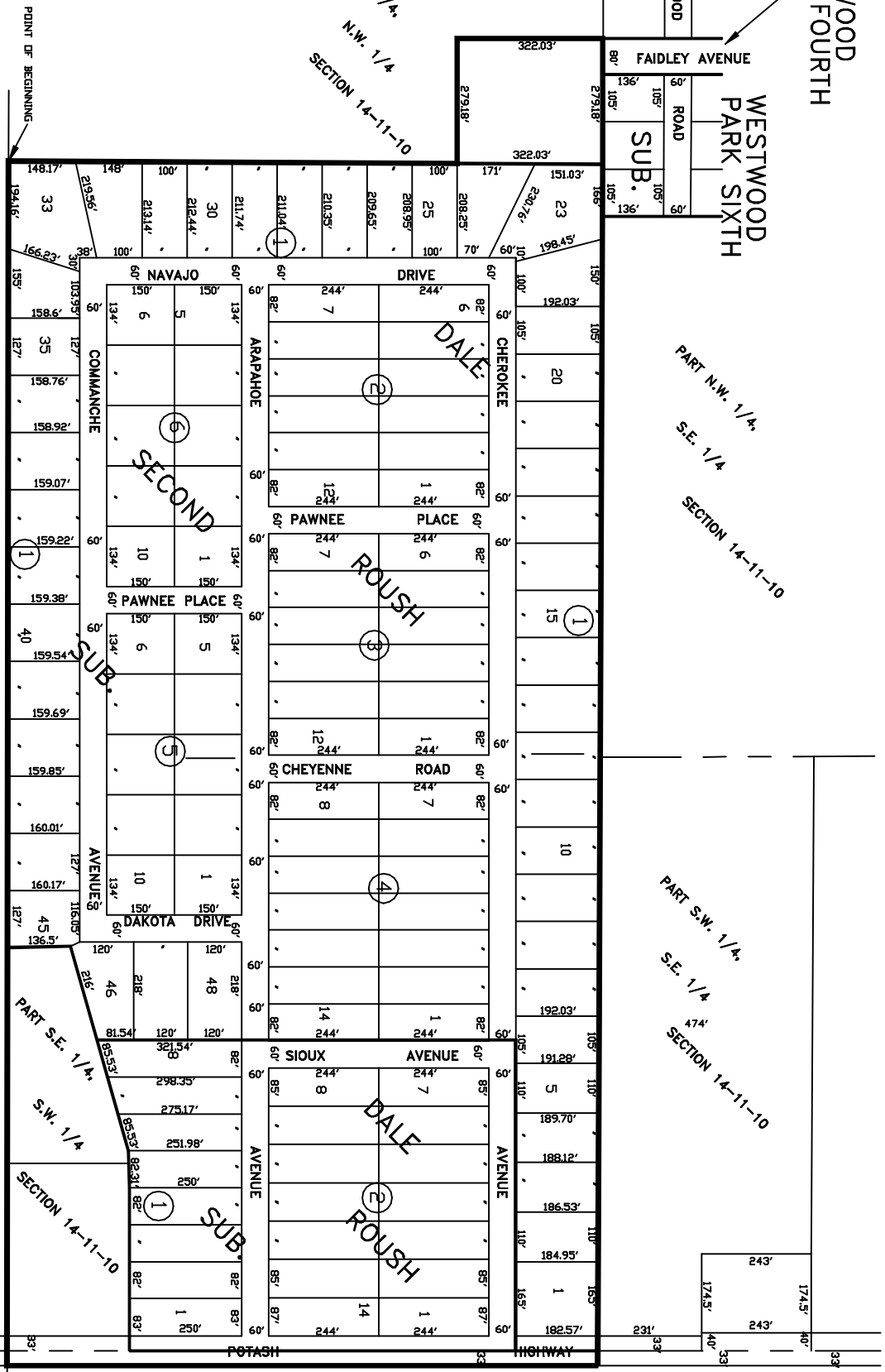


EXHIBIT "A"



SANITARY SEWER DISTRICT S15

SCALE 1" = 200' L.D.C. 4/5/04
PLAT TO ACCOMPANY ORDINANCE NO. 8896



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G10

#2005-48 - Approving Time Extension to Contract with The Diamond Engineering Company for Construction of Sanitary Sewer Districts No. 510 and 514

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: February 22, 2005

Subject: Approving Time Extension to the Contract with The Diamond Engineering Company for Construction of Sanitary Sewer Districts 510 and 514

Item #'s: G-10

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

Background

The City Council awarded the bid for construction of Sanitary Sewer Districts 510 and 515 to The Diamond Engineering Company on May 25, 2004. Diamond Engineering is requesting a time extension to complete the work for the above named district.

Discussion

The start of the project was delayed from an anticipated early start date of June 21, 2004 to August 16, 2004 because Right-of-Way was not acquired along the south side of 13th Street until the July 29, 2004 Council meeting. The start of the project was further delayed by a utility conflict with a Qwest junction box that was not moved until October 15, 2004. Work on the project started on September 7, 2004 and progressed satisfactorily up to where the Qwest junction box was relocated.

Alternatives

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

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

Recommendation

City Administration recommends that the Council extend the completion date for the project 58 working days for the days lost between June 21, 2004 and September 7, 2004.

Sample Motion

Move to approve the time extension.

POINT OF BEGINNING

PART OF S.W. 1/4, S.W. 1/4
SECTION 11-11-10

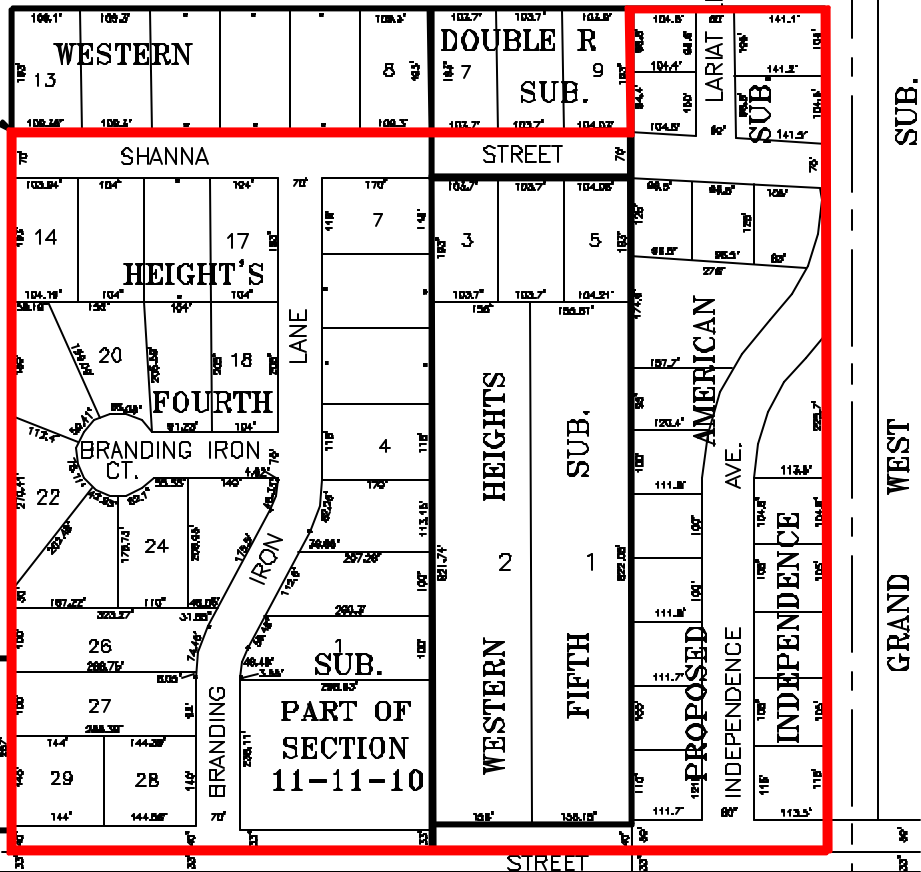
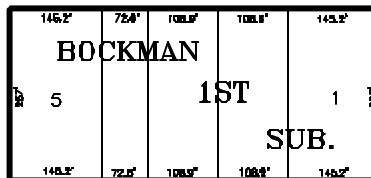


EXHIBIT "A"

SANITARY SEWER DISTRICT NO. 510

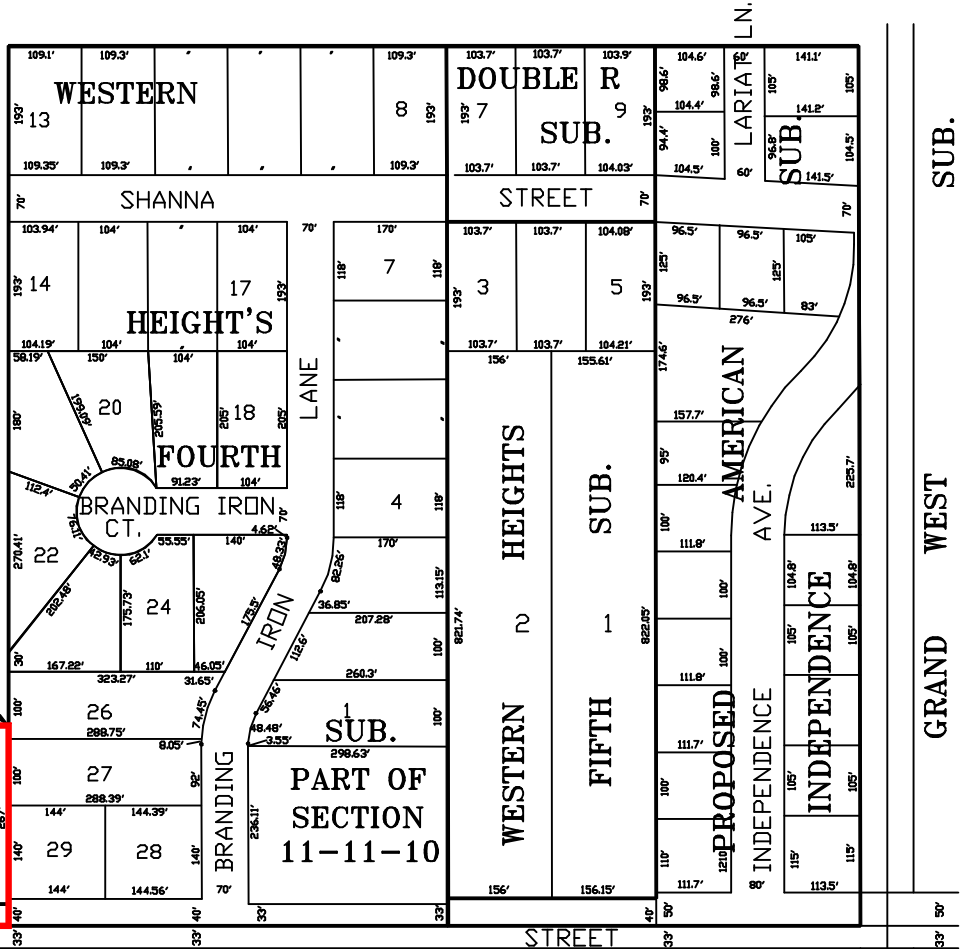
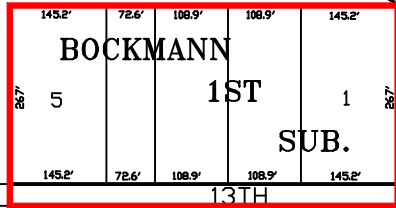


DATE: 7/14/03
DRN BY: L.D.C.
SCALE: 1"=300'

PLAT ACCOMPANY ORDINANCE
NO. 8826

PART OF S.W. 1/4, S.W. 1/4
SECTION 11-11-10

POINT OF BEGINNING



PART OF N.W. 1/4
SECTION 14-11-10



EXHIBIT "A"

SANITARY SEWER DISTRICT NO. 514

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 3/15/04
DRN BY: L.D.C.
SCALE: 1"=300'

PLAT ACCOMPANY ORDINANCE
NO. 8893

RESOLUTION 2005-48

WHEREAS, on May 25, 2004, by Resolution 2004-121, the City Council of the City of Grand Island approved the bid of The Diamond Engineering Company of Grand Island, Nebraska for Sanitary Sewer District Nos. 510 and 514 and Water Main District Nos. 443 and 447T; and

WHEREAS, the start of the project was delayed until right-of-way acquisitions were complete; and

WHEREAS, construction was also delayed for the relocation of a Qwest junction box; and

WHEREAS, it is requested that an extension of time be granted to The Diamond Engineering Company to complete such work; and

WHEREAS, it is recommended that the completion date for the project be extended 58 working days.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the completion date for Sanitary Sewer District Nos. 510 and 514 and Water Main District Nos. 443 and 447T is hereby extended 58 working days.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 17, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G11

**#2005-49 - Approving Annual Renewal of Maintenance Agreement
No. 12 with the Nebraska Department of Roads**

Staff Contact: Steven P. Riehle, Public Works Department

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: February 22, 2005

Subject: Approving Renewal of Maintenance Agreement No. 12
with the Nebraska Department of Roads

Item #'s: G-11

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

Background

Each year the City and the Nebraska Department of Roads enter into an agreement for the maintenance of the roadways that are State responsibility but are within the City Limits. The annual renewal of the agreement for 2005 has been prepared. The content and scope of the agreement are similar to that of previous years.

Discussion

The City performs mowing, street maintenance, and snow removal on certain portions of the State highway system within the corporate limits. This work is routinely performed in conjunction with other local street duties on US HWY 34 and US HWY 281. The Nebraska Department of Roads performs snow removal duties. Both the City and the State benefit from this arrangement. The net result of this exchange of services for 2005 will be a payment to the City of \$34,731.00.

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 renewal of Maintenance Agreement 12 with the Nebraska Department of Roads.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council pass a Resolution approving Maintenance Agreement No. 12.

Sample Motion

Approve the renewal of Maintenance Agreement No. 12 with the Nebraska Department of Roads for 2005.

MAINTENANCE AGREEMENT NO. 12

Maintenance Agreement Between the
Nebraska Department of Roads and the
Municipality of GRAND ISLAND
Municipal Extensions of GRAND ISLAND

AGREEMENT RENEWAL

WE hereby agree that Maintenance Agreement No. 12, as described above, be renewed for the period JANUARY 1, 2005 to DECEMBER 31, 2005.

All figures, terms, and exhibits to remain in effect as per the original agreement dated JANUARY 1, 2004.

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 _____ day if _____.

STATE OF NEBRASKA
DEPARTMENT OF ROADS

DISTRICT ENGINEER

ATTEST: CITY OF _____

CITY CLERK

MAYOR

RESOLUTION 2005-49

WHEREAS, on December 22, 1992, the City of Grand Island approved and entered into Maintenance Agreement No. 12 with the State Department of Roads with respect to the maintenance of certain state roads within the corporate limits of Grand Island; and

WHEREAS, this agreement requires annual renewal by both parties thereto; and

WHEREAS, it is in the best interest of the City of Grand Island to renew Maintenance Agreement No. 12, to be effective January 1, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the renewal of Maintenance Agreement No. 12 for the term January 1, 2005 through December 31, 2005 is hereby approved; and the Mayor is hereby authorized and directed to execute such renewal agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 16, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G12

**#2005-50 - Approving Bid Award for Furnishing Asphalt Hot-Mix
for 2005**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director
Dale Shotkoski, Assistant City Attorney

Meeting: February 22, 2005

Subject: Approving Bid Award for Asphalt Hot-Mix for 2005

Item #'s: G-12

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

Background

On February 7, 2005 the Street & Transportation Division of the Public Works Department advertised for bids for the purchase of asphalt hot-mix to be used in conjunction with in-house asphalt work throughout the calendar year 2005.

Discussion

Two bids were received and opened on February 16, 2005. The Street & Transportation Division of the Public Works Department and the Purchasing Division of the City Attorney's Office have reviewed the bids that were received. Both bids were submitted in compliance with the contract, plans, and specifications with no exceptions. A summary of the bids is shown below.

<i>Vendor</i>	<i>Exceptions</i>	<i>Unit Prices</i>
Gary Smith Construction Grand Island, NE	None	Type "B" - \$17.89/ton Type "C" - \$20.57/ton
J.I.L. Asphalt Paving Grand Island, NE	None	Type "B" - \$19.00/ton Type "C" - \$22.00/ton

There are sufficient funds in Account No. 10033503-85545 to purchase this material.

Alternatives

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

1. Approve awarding the bid to Gary Smith Construction Company in the amount of \$52,000.00.
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 awarding the purchase of the asphalt hot-mix to Gary Smith Construction Co. of Grand Island, Nebraska.

Sample Motion

Move to approve the award of the contract to the lowest bidder, Gary Smith Construction Co. of Grand Island, Nebraska in the amount of \$52,000.00.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: February 16, 2005 at 11:00 a.m.

FOR: Asphalt Hot-Mix for 2005

DEPARTMENT: Public Works

ESTIMATE: \$26.00 per ton – estimated use of 2,000 tons for a season
total of \$52,000.00

FUND/ACCOUNT: 10033503-85545

PUBLICATION DATE: February 7, 2005

NO. POTENTIAL BIDDERS: 2

SUMMARY

Bidder:	<u>J.I.L. Asphalt Paving Co.</u> Grand Island, NE	<u>Gary Smith Construction</u> Grand Island, NE
----------------	---	---

Bid Price:		
Type B:	\$19.00 per ton	\$17.89 per ton
Type C:	\$22.00 per ton	\$20.57 per ton

cc: Steve Riehle, Public Works Director
Danelle Collins, Admin. Assist. to Public Works
Dale Shotkoski, Purchasing Agent

Scott Johnson, Street Superintendent
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

RESOLUTION 2005-50

WHEREAS, the City of Grand Island invited sealed bids for furnishing Asphalt Hot-Mix for 2005, according to plans and specifications on file with the Street Division of the Public Works Department; and

WHEREAS, on February 16, 2005, bids were received, opened and reviewed; and

WHEREAS, Gary Smith Construction Co. 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 \$17.89 per ton for Type "B" and \$20.57 per ton for Type "C"; and

WHEREAS, the total cost based on the estimated usage for the 2005 construction season at the above-identified prices will be approximately \$52,000.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Gary Smith Construction Co. of Grand Island, Nebraska, in the amount of \$17.89 per ton for Type "B" asphalt hot-mix and \$20.57 per ton for Type "C" asphalt hot-mix is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 17, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G13

#2005-51 - Approving Bid Award for Concrete Pavement and Storm Sewer Repair Work for 2005

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director
Dale Shotkoski, Assistant City Attorney

Meeting: February 22, 2005

Subject: Approving Bid Award for Concrete Pavement and Storm Sewer Repairs, 2005

Item #'s: G-13

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

Background

On February 7, 2005 the Street & Transportation Division of the Public Works Department advertised for bids for concrete pavement and storm sewer repair for the calendar year 2005.

Discussion

Three bids were received and opened on February 16, 2005. The Street & Transportation Division of the Public Works Department and the Purchasing Division of the City Attorney's Office have reviewed the bids that were received. All bids were submitted in compliance with the contract, plans, and specifications with no exceptions. A summary of the bids is shown below.

<i>Vendor</i>	<i>Exceptions</i>	<i>Bid Security</i>	<i>Total Bid</i>
O.K. Paving Grand Island, NE	None	Cashier's Check	\$446,502.50
Galvan Construction Grand Island, NE	None	AMCO Insurance	\$462,675.00
The Diamond Engineering Co. Grand Island, NE	None	Travelers Casualty & Surety Co.	\$409,321.50

There are sufficient funds in Account No. 10033506-85351 (Concrete Repair), 10033504-85318 (Storm Sewer Repair), 10033503-85318 (Curb & Gutter), and 10033503-85547 (Materials) to fund this contract. This is a calendar year contract that extends beyond the current fiscal year. In the event that funds become unavailable in the fiscal year 2005/2006, the scope of work for this contract will be scaled down accordingly.

Alternatives

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

1. Approve awarding the bid to The Diamond Engineering Company.
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 awarding the contract to The Diamond Engineering Company of Grand Island, Nebraska, for the amount of \$409,321.50.

Sample Motion

Move to approve the award of the contract to the lowest bidder, The Diamond Engineering Company of Grand Island, Nebraska, for concrete pavement and storm sewer repair for 2005.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: February 16, 2005 at 11:15 a.m.

FOR: Concrete Pavement & Storm Sewer Repair for 2005

DEPARTMENT: Public Works

ESTIMATE: \$537,000.00

FUND/ACCOUNT: 10033506-85351 10033503-85318
10033504-85318 10033503-85547

PUBLICATION DATE: February 7, 2005

NO. POTENTIAL BIDDERS: 3

SUMMARY

Bidder:	<u>O.K. Paving</u> Grand Island, NE	<u>Diamond Engineering Co.</u> Grand Island, NE	<u>Galvan Construction</u> Grand Island, NE
Bid Security:	Cashier's Check	Travelers Casualty	AMCO Insurance
Exceptions:	None	None	None
Bid Price:	\$446,502.50	\$409,321.50	\$462,675.00

cc: Steve Riehle, Public Works Director
Danelle Collins, Admin. Assist. to Public Works
Dale Shotkoski, Purchasing Agent

Scott Johnson, Street Superintendent
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

RESOLUTION 2005-51

WHEREAS, the City of Grand Island invited sealed bids for Concrete Pavement and Storm Sewer Repair 2005, according to plans and specifications on file with the Street Division of the Public Works Department; and

WHEREAS, on February 16, 2005, bids were received, opened and reviewed; and

WHEREAS, The Diamond Engineering Company of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$409,321.50; and

WHEREAS, The Diamond Engineering Company's bid is less than the engineer's estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of The Diamond Engineering Company of Grand Island, Nebraska, in the amount of \$409,321.50 for Concrete Pavement and Storm Sewer Repair 2005 is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 17, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G14

#2005-52 - Approving Bid Award for Furnishing Concrete Ready-Mix for 2005

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director
Dale Shotkoski, Assistant City Attorney

Meeting: February 22, 2005

Subject: Approving Bid Award for Concrete Ready-Mix for 2005

Item #'s: G-14

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

Background

On February 7, 2005 the Street & Transportation Division of the Public Works Department advertised for bids for the purchase of concrete ready-mix to be used in conjunction with in-house concrete repairs throughout the calendar year 2005.

Discussion

Three bids were received and opened on February 16, 2005. The Street & Transportation Division of the Public Works Department and the Purchasing Division of the City Attorney's Office have reviewed the bids that were received. All three bids were submitted in compliance with the contract, plans, and specifications with no exceptions. A summary of the bids is shown below.

<i>Vendor</i>	<i>Exceptions</i>	<i>Unit Prices</i>
Brodsky's Ready-Mix Grand Island, NE	None	\$53.45 per cubic yard
Gerhold Concrete Company Grand Island, NE	None	\$52.00 per cubic yard
Consolidated Concrete Grand Island, NE	None	\$57.75 per cubic yard

There are sufficient funds in Account No. 10033503-85545 to purchase this material.

Alternatives

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

1. Approve awarding the bid to Gerhold Concrete Company in the amount of \$102,400.00.
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 awarding the contract for the purchase of the concrete ready-mix to Gerhold Concrete Company of Grand Island, Nebraska.

Sample Motion

Move to approve the award of the contract to the lowest bidder, Gerhold Concrete Company of Grand Island, Nebraska in the amount of \$102,400.00.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: February 16, 2005 at 11:30 a.m.
FOR: Concrete Ready-Mix for 2005
DEPARTMENT: Public Works
ESTIMATE: \$64.00 per cubic yard – estimated use of 1,600 cubic yards for a Season total of \$102,400.00
FUND/ACCOUNT: 10033503-85545
PUBLICATION DATE: February 7, 2005
NO. POTENTIAL BIDDERS: 3

SUMMARY

Bidder:	<u>Gerhold Concrete Co.</u> Grand Island, NE	<u>Brodsky's Ready Mix</u> Grand Island, NE	<u>Consolidated Concrete</u> Grand Island, NE
Bid Price:			
Per Cubic Yard	\$52.00	\$53.45	\$57.75

cc: Steve Riehle, Public Works Director
Danelle Collins, Admin. Assist. PW
Dale Shotkoski, Purchasing Agent

Scott Johnson, Street Superintendent
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

RESOLUTION 2005-52

WHEREAS, the City of Grand Island invited sealed bids for furnishing Concrete Ready-Mix for 2005 for the Street & Transportation Division, according to plans and specifications on file with the Street Division of the Public Works Department; and

WHEREAS, on February 16, 2005, bids were received, opened and reviewed; and

WHEREAS, Gerhold Concrete Co. 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 \$52.00 per cubic yard; and

WHEREAS, the total cost based on the estimated usage for the 2005 construction season at the above-identified price, will be approximately \$102,400.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Gerhold Concrete Co. of Grand Island, Nebraska, in the amount of \$52.00 per cubic yard for concrete ready-mix is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G15

**#2005-53 - Approving Annual Certificate of Compliance with the
Nebraska Department of Roads Maintenance Agreement No. 12
for the Calendar Year 2004**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: February 22, 2005

Subject: Approving Certificate of Compliance with the Nebraska Department of Roads Maintenance Agreement No. 12 for the Calendar Year 2004

Item #'s: G-15

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

Background

The City of Grand Island and the Nebraska Department of Roads have an agreement for the maintenance of roadways that are State responsibility but within the City Limits.

Discussion

The agreement requires certification that the City completed the work for the 2004 calendar year.

Alternatives

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

1. Make a motion to approve authorization for the Mayor to sign the Certificate of Compliance for the 2004 calendar year.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council pass a Resolution authorizing the Mayor to sign the Certificate of Compliance.

Sample Motion

Approve authorization for the Mayor to sign the Certificate of Compliance

CERTIFICATE OF COMPLIANCE

Maintenance Agreement No. 12

Maintenance Agreement Between the
Nebraska Department of Roads and the
Municipality of GRAND ISLAND
Municipal Extensions in GRAND ISLAND

We hereby certify that all roadway surface maintenance has been accomplished as
per terms of the Maintenance Agreement specified above.

As per SECTION 7d, of the agreement, we are submitting this certificate to the
District Engineer WESLEY WAHLGREN, Department of Roads,
GRAND ISLAND, Nebraska

ATTEST: _____ DAY OF _____, _____.

CITY CLERK

MAYOR

I hereby certify that roadway surface maintenance was performed as per the above
Agreement and payment for the same should be made.

DISTRICT ENGINEER – DEPT OF ROADS

RESOLUTION 2005-53

WHEREAS, each year the City of Grand Island enters into a maintenance agreement with the State Department of Roads with respect to the maintenance of certain state roads within the corporate limits of Grand Island; and

WHEREAS, the City has complied with all roadway surface maintenance work for the calendar year 2004 in accordance with the agreement; and

WHEREAS, upon receiving the City's Certificate of Compliance, the state will reimburse the City for maintenance work performed.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island has complied with the terms of Maintenance Agreement No. 12 for calendar year 2004; and the Mayor is hereby authorized and directed to execute the Certificate of Compliance for such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 16, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G16

**#2005-54 - Approving Housing Development Corporation Regional
Housing Program Participation Agreement**

Staff Contact: Joni Kuzma

Council Agenda Memo

From: Joni Kuzma, Development Specialist

Meeting: February 22, 2005

Subject: Housing Development Corporation Regional Housing Program Participation Agreement

Item #'s: G-16

Presenter(s): Joni Kuzma, Development Specialist

Background

The Housing Development Corporation (HDC) is a non-profit corporation providing affordable housing programs in Central Nebraska. In 2004, their program expanded into Grand Island with a Purchase, Rehab and Resale grant award from the Department of Economic Development. This grant enabled them to purchase several substandard homes, provide required repairs and resell the homes to low-to-moderate income residents.

The City of Grand Island Community Development Division has a good working relationship with the HDC, refers clients to their program when appropriate and utilizes their First Time Home Buyer Education Class.

Discussion

The Department of Economic Development has committed \$200,000 per year for the next few years of “set-aside” funds to the Housing Development Corporation. This grant will be dispersed by the HDC among a five county area, Adams, Clay, Hall, Nuckolls and Webster Counties. Each community within the five county region is being asked to enter into an agreement with the HDC giving them permission to provide affordable housing programs in the community. This agreement essentially formalizes the ability of the HDC to provide affordable housing programs in Grand Island, comparable to the service they currently provide.

The HDC program will not conflict with the affordable housing programs currently administered by the Community Development Division. The City will continue to provide affordable housing programs to low to moderate income residents in specific target areas and apply for and administer grant funds from the Department of Economic

Development. The funding awarded to the HDC will be available to low-income residents throughout the city so will not be limited to a target area.

Alternatives

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

1. Authorize the Mayor to enter into a Participation Agreement with the Housing Development Corporation and approve the agreement.
2. Disapprove or /Deny the Participation Agreement with the Housing Development Corporation.
3. Modify the Participation Agreement to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council authorize the Mayor to enter into a Participation Agreement with the Housing Development Corporation.

Sample Motion

Authorize the Mayor to enter into a Participation Agreement with the Housing Development Corporation and approve the Participation Agreement.

SOUTH CENTRAL NEBRASKA REGIONAL HOUSING PROGRAM

PARTICIPATION AGREEMENT

This PARTICIPATION AGREEMENT is entered into this _____ day of _____, 200____, by and between HOUSING DEVELOPMENT CORPORATION, a Nebraska non-profit corporation ("HDC") and _____, a political subdivision of the State of Nebraska ("Community").

The Recitals

In support of this Participation Agreement, the parties hereby recite and state as follows:

1. Pursuant to the provisions of the Cranston-Gonzalez National Affordable Housing Act of 1990, the United States Department of Housing and Urban Development ("HUD") has been authorized to make grants to states through the HOME Investment Partnership Program ("HOME").
2. Grants from HOME for the state of Nebraska are administered by the Nebraska Department of Economic Development ("DED") which has designated HDC as a Community Housing Development Organization ("CHDO") pursuant to HUD and DED guidelines, making HDC eligible to receive "Set-Aside" HOME funds for various programs.
3. The Community is desirous of participating in a regional program developed and administered by HDC to insure access to HOME funds and/or other affordable housing program funds for the benefit of the citizens of the Community.
4. The regional program to be developed and administered by HDC shall consist of communities within Adams, Clay, Hall, Nuckolls, and Webster Counties in Nebraska, determined to be eligible and as designated by HDC.

NOW, THEREFORE, HDC and the Community hereby mutually agree and state their Participation Agreement as follows:

**SECTION ONE
SOUTH CENTRAL NEBRASKA REGIONAL
HOUSING PROGRAM**

1.1 Regional Housing Program. HDC hereby agrees to provide regional housing services to communities in South Central Nebraska (the "Regional Housing Program") for the purposes of applying for grants or funds from the HOME program as administered by DED. The Regional Housing Program consists of cities, towns, villages or communities within the following counties in the state of Nebraska: Adams, Clay, Hall, Nuckolls, and Webster. On behalf of the Community, HDC shall use its best efforts to:

- A. Secure grants and/or funds for the rehabilitation, construction, and production of affordable housing to increase the supply of decent, safe and sanitary housing for low-to-moderate income persons within the Community.
- B. Promote and advance the goals of the Nebraska Affordable Housing Program for the Community as determined by DED, the Community and/or HDC.
- C. Provide a mechanism to leverage private investment in the development of affordable housing within the Community.

1.2 Administration of Local Housing Program. HDC shall, on behalf of the Community, by and through the Regional Housing Program or otherwise, provide to the Community grant writing and administration services as shall be necessary to make application for:

- A. The use of set-a-side funds directed to HDC by DED as required by HUD's annual allocation of HOME funds to the state of Nebraska; and,

- B. The acquisition and use of funds provided by such other affordable housing programs as the Community and HDC shall determine appropriate.

Additionally, HDC shall administer an Owner Occupied Housing Rehabilitation Program and/or a Homeowner Purchase Rehabilitation and Resale Program, or programs of similar nature and intent, within the jurisdictional boundaries of the Community. HDC shall provide an annual report to the Community outlining actions of the Regional Housing Program.

1.3 Community Participation in Regional Housing Program. The Community hereby agrees to participate in the activities and affairs of the Regional Housing Program. Further, the Community hereby designates HDC as a "Housing Service Provider" for the Community. This designation and this Participation Agreement shall not prohibit the Community from making other application to DED for grant or other funds, for housing, economic development, or other projects within the Community. As a part of the Regional Housing Program, the Community agrees to provide to HDC the following:

- A. All statistical and other information concerning the Community as maybe required and/or necessary for purposes of the Regional Housing Program, including, but not limited to, application for HOME funds or grants.
- B. The use of the Community's public meeting spaces for the conducting the affairs of the Regional Housing Program on behalf of the Community.
- C. Assistance in disseminating information to the citizens and/or residents of the Community concerning the affairs of the Regional Housing Program.

SECTION TWO TERM

The term of this Participation Agreement shall be of a perpetual term commencing on the day and year first written above. Either party may cancel this Participation agreement by providing written notice of intent to terminate this Participation Agreement as least ninety (90) days prior to the termination date.

Said notice shall be delivered to the address set forth above or any such other address as the parties may provide to the other from time-to-time.

SECTION THREE ACCOUNTING FOR HOME FUNDS

Any funds received by HDC in the Regional Housing Program shall be deposited and received into an HDC account and recorded upon the books and records of HDC. HDC shall keep all records of the account in a manner which is consistent with generally accepted accounting principles. Payments from such accounts will be obligations incurred consistent with various programs utilized in accordance with this Participation Agreement and will be supported by contracts, invoices, brochures, and other data, as appropriate, evidencing the necessity for such expenditures.

SECTION FOUR REPRESENTATIONS OF HDC

HDC hereby represents and warrants to the Community as follows:

- A. Qualification. That HDC has a requisite power to carry on its business as a CHDO, and that such designation has been received from DED for purposes of owning, sponsoring, and developing affordable housing within Adams, Clay, Hall, Nuckolls, and Webster counties in Nebraska.
- B. Authorization and Enforceability. HDC has the full power and authority to make, execute, and deliver and perform the terms and conditions of this Participation Agreement and any related documentation, and the execution, delivery and performance of this Participation Agreement and any related documentation by the Authority have been duly authorized by all necessary corporate actions. This Participation Agreement has been duly executed and delivered by HDC and shall constitute the legal, valid, and binding obligation of HDC, enforceable in accordance with its terms.

- C. **Status.** HDC is organized exclusively for charitable and/or education purposes in accordance with Section 501 (c) 3 of the Internal Revenue Code of the United States. The purpose of HDC is to promote additional affordable low to moderate income housing in Adams, Clay, Hall, Nuckolls, and Webster counties in Nebraska.

SECTION FIVE RECORDS

HDC agrees to keep records required pursuant to the HOME program and 24C.F.R. Part 92, and such additional records as DED may require for its HOME program. All records pertinent to HOME funds and the Regional Housing Program will be retained by HDC for a period of five (5) years after a final audit, unless a longer retention period is required by the HOME program or 24C.F.R. Part 92. If any claim, litigation, or audit is started before the expiration of the five (5) year period, the records must be retained until all claims, litigation, or audit findings involving records have been resolved. The Community and its duly authorized officials will have full access to, and the right to examine, audit, excerpt, and/or transcribe any of HDC records pertaining to the Regional Housing Program.

SECTION SIX FURTHER AGREEMENTS

The Community and HDC agree that the Community has no specific participation in grant funds allocated to HDC by DED and funds are subject to the terms and conditions for specific programs. The Community and HDC further agree that the Community's participation in specific programs shall be subject to the terms and conditions of such programs. This Participation Agreement is intended solely for the purpose of showing

the Community's intention to participate in grants as administered by HDC on behalf of the Regional Housing Program.

**SECTION SEVEN
GOVERNING LAW**

This Participation Agreement shall be governed and construed in accordance with the laws and regulations of the State of Nebraska. HDC and the Community shall comply with all other laws and regulations, both federal and state, as may be applicable to any contract or program entered into in furtherance of the purposes of this Participation Agreement, including the HOME program and 24C.F.R. Part 92.

WHEREFORE, the parties have set forth their signatures effective as of the _____
day of _____, 200__.

**HOUSING DEVELOPMENT CORPORATION,
A Nebraska Non-Profit Corporation,**

By: _____

Title: _____

A Nebraska Political Subdivision,

By: _____

Title: _____

RESOLUTION 2005-54

WHEREAS, the Housing Development Corporation is a non-profit corporation that provides affordable housing programs in Grand Island through a Purchase, Rehab and Resale grant award from the Nebraska Department of Economic Development; and

WHEREAS, the City of Grand Island refers clients to their program when appropriate, and utilizes their First Time Home Buyer Education Class; and

WHEREAS, the Nebraska Department of Economic Development has committed \$200,000 per year for the next few years to the Housing Development Corporation to be dispersed within Adams, Clay, Hall, Nuckolls and Webster counties; and

WHEREAS, each participating entity is asked to enter into an agreement with the Housing Development Corporation to allow the Housing Development Corporation to provide their affordable housing programs in the community; and

WHEREAS, the proposed Participation Agreement with the Housing Development Corporation has been reviewed and approved by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Participation Agreement with the Housing Development Corporation to provide affordable housing programs in the community is hereby approved; and the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 16, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G17

**#2005-55 - Approving Change Order #4 for Grand Generation
Center Renovation and Expansion Project**

Staff Contact: Joni Kuzma

Council Agenda Memo

From: Joni Kuzma, Community Development
Council Meeting: February 22, 2005
Subject: Change Order #4 Grand Generation Center
Item #'s: G-17
Presenter(s): Joni Kuzma, Development Specialist

Background

The City of Grand Island is the owner of record of the building occupied by Senior Citizen Industries, Inc, located at 304 East 3rd Street. In July 2004, the City awarded a contract in the amount of \$615,985.00 to Starostka Group Unlimited for the expansion and renovation of the Center. The City received a Community Development Block grant in the amount of \$350,000 to assist in this expansion and renovation. At the October 26, 2004 meeting of the City Council, Change Order #1 was approved in the amount of \$17,524.25 for removal of miscellaneous debris found under the footings during the redigging for the laying of the foundation. Change Order #2 was approved at the Dec. 21, 2004 Council meeting to decrease the amount of the contract by \$29,992.00 for the deduction of the Fire Sprinkler system and allow a 45 day time extension for completion. Change Order #3 was approved at the January 25, 2005 to decrease the contract sum by \$2,000 from a Home Depot gift applied to contractor supply purchases.

Discussion

Change Order #4 addresses a revision of Footings and Foundations, which includes additional work needed in the Kitchen Work Room and the addition of two receptacles on the east side of the center wall of the kitchen. With Council approval, the contract amount (amended by change order #3) of \$601,517.25 will be increased by \$4,940.00. The new contract amount will be \$606,457.25, an amount less than the original contracted base bid.

Since the City owns the building and the original contract was signed by the City, Change Order #4 is being submitted to the City for their approval.

ALTERNATIVES

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

1. Approve Change Order #4 .
2. Refer the issue to a Committee.
3. Postpone the issue to a later date.

Recommendation

City Administration recommends that the Council approve Change Order #4.

Sample Motion

Motion to approve Change Order #4 to the contract with Starostka Group Unlimited on the expansion and renovation of the Senior Citizens Industries, Inc.

RESOLUTION 2005-55

WHEREAS, on July 13, 2004, by Resolution 2004-166, the City of Grand Island awarded the bid for the addition and renovation of the Grand Generation Center at 304 East Third Street to Starostka Group, Inc. of Grand Island, Nebraska; and

WHEREAS, on October 26, 2004, by Resolution 2004-274, the City of Grand Island approved Change Order No. 1 for such project to authorize the removal of miscellaneous debris found under the footings; and

WHEREAS, on December 21, 2004, by Resolution 2004-322, the City of Grand Island approved Change Order No. 2 for such project to extend the base bid contract completion date to February 26, 2005 and to transfer the costs of the fire sprinkler system to a separate contract; and

WHEREAS, on January 25, 2005, by Resolution 2005-24, the City of Grand Island approved Change Order No. 3 decreasing the contract sum by \$2,000 due to a Home Depot gift applied to contractor supply purchases; and

WHEREAS, additional work is needed in the kitchen work room and additional receptacles are necessary on the east side of the center wall of the kitchen; and

WHEREAS, such additional work will increase the contract by \$4,940 for a total adjusted contract amount of \$606,457.25.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 4 between the City of Grand Island and Starostka Group, Inc. of Grand Island, Nebraska, to increase the contract amount by \$4,940 for additional work needed in the kitchen area as set out in such change order.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 16, 2005	☐ City Attorney



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G18

**#2005-56 - Approving Bid Award for Technical Rescue Equipment
for the Fire Department**

Staff Contact: Jim Rowell

Council Agenda Memo

From: Troy Hughes, Training Division Chief
Meeting: February 22, 2005
Subject: Technical Rescue Equipment
Item #'s: G-18
Presenter(s): Troy Hughes, Training Division Chief

Background

The Grand Island Fire Department applied and was awarded a FEMA Fire Act Grant Award in 2004. This grant will provide technical rescue training and equipment to our department. The total grant award is \$126,874.00. The federal share of this award is \$114,187.00 with the City's share being \$12,687.00. This bid award is for the equipment portion of the FEMA grant.

Discussion

The Grand Island Fire Department received seven bids for a variety of technical rescue equipment. Bids were received from Innovative Access, Inc. of Evergreen, CO, Heiman Fire Equipment of Ashton, IA, Municipal Emergency Services of Snyder, NE, Tech ResQ of Mannford, OK, Ed M Feld Equipment Co, Inc. of Carroll, IA, Fireguard of Omaha, NE, and Roco Corporation of Baton Rouge, LA.

Municipal Emergency Services, Tech ResQ, innovative Access, Roco Corporation, and Heiman Fire Equipment bids meet all specification requirements. Fireguard and Ed M. Feld Equipment did not meet bid specifications

Alternatives

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

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

Recommendation

City Administration recommends that the Council award bids to:

• Tech ResQ	\$16,293.02
• Municipal Emergency Services	\$12,105.00
• Innovative Access	<u>\$ 4,487.01</u>
Total Bid Award	\$32,885.03

Sample Motion

Move to approve purchase of technical rescue equipment from Tech ResQ in the amount of \$16,293.02; Municipal Emergency Services in the amount of \$12,105.00; and Innovative Access in the amount of \$4,487.01 for a total bid award amount of \$32,885.03.

INTEROFFICE MEMORANDUM

Dale M. Shotkoski, Assistant City Attorney



*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: February 15, 2005 at 11:00 a.m.

FOR: Technical Rescue Equipment

DEPARTMENT: Fire

ESTIMATE: \$42,049.00

FUND/ACCOUNT: 10022101-85540

PUBLICATION DATE: January 29, 2005

NO. POTENTIAL BIDDERS: 10

SUMMARY

Bidder:	<u>Roco Rescue</u>	<u>Fire Guard, Inc.</u>	<u>Municipal Emergency Services</u>	<u>Ed M. Feld Equipment Co., Inc.</u>
	Baton Rouge, LA	Omaha, NE	Snyder, NE	Carroll, IA
Exceptions:	None	None	Noted	None
Bidder:	<u>Innovative Access, Inc.</u>	<u>Tech Resq</u>	<u>Heiman Fire Equipment</u>	
	Evergreen, CO	Mannford, OK	Ashton, IA	
Exceptions:	None	None	None	

cc: Jim Rowell, Fire Chief
Chris Hoffman, Fire Dept. Sec.
Dale Shotkoski, Purchasing Agent

Troy Hughes, Training Division Chief
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

Description	Roco Corporation Baton Rouse, LA		Fireguard, Inc. Omaha, NE		Municipal Emg. Ser. Snyder, NE	
	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
1. One-Half (1/2") Rescue Lifeline (5000')	\$.99	\$4,950.00	\$.67	\$3,350.00	\$.72	\$3,600.00
2. Load release hitch cord (1200')	.53	636.00	.48	576.00	.37	444.00
3. Ultra-Pro 2 edge protector (2)	57.82	115.64	No Bid	No Bid	47.00	94.00
4. Russ Anderson/SMC edge roller (2)	132.30	264.60	86.24	172.48	93.00	186.00
5. Edge Guards 24" (10)	22.50	225.00	12.67	126.70	17.50	175.00
6. Roof roller (2)	198.90	397.80	78.89	157.78	144.00	288.00
7. Entry-ease edge protector (1)	186.20	186.20	63.33	63.33	160.00	160.00
8. Traverse 540° large rescue belay (2)	240.00	480.00	236.11	472.22	199.00	398.00
9. Knot passing pulley (2)	148.60	297.20	129.17	258.34	107.00	214.00
10. Single pulley (24)	60.65	1,455.60	29.06	697.44	44.00	1,056.00
11. Double pulley (8)	92.35	738.80	49.11	392.88	65.00	520.00
12. Locking D carabiners – gold (100)	19.60	1,960.00	11.56	1,156.00	14.00	1,400.00
13. Locking D carabiners – black (30)	21.55	646.50	11.17	335.10	16.00	480.00
14. Extra large locking carabiner (20)	29.15	583.00	19.61	392.20	22.00	440.00
15. Rigging plate (8)	38.10	304.80	25.56	204.48	28.00	224.00
16. NFPA brake bar rack (10)	86.40	864.00	No Bid	No Bid	62.00	620.00
17. Rescue 8 wears (10)	50.95	509.50	33.33	333.30	37.00	370.00
18. Steel gibbs ascenders w/soft link (10)	81.30	813.00	No Bid	No Bid	64.00	640.00
19. Petzel swivel (6)	65.60	393.60	56.67	340.02	48.00	288.00
20. Ascension ascenders (8)	51.90	415.20	39.67	317.36	38.00	304.00
21. Confined space rescue harness (20)	297.90	5,958.00	210.53	4,210.60	229.00	4,580.00
22. Lifesaver victim harness (4)	147.00	588.00	94.45	377.80	115.00	460.00
23. Lifesaver victim chest harness (4)	59.75	239.00	36.67	146.68	46.00	184.00
24. Radio harness (10)	51.90	519.00	23.34	233.40	39.00	390.00
25. 2: tubular webbing (600')	.61	366.00	.40	240.00	.43	258.00
26. Rescue etrier (10)	32.30	323.00	23.17	231.70	24.00	240.00
27. Rescue wristlets (4)	17.10	68.40	16.39	65.56	15.00	60.00
28. Pick off straps (10)	28.40	284.00	16.67	166.70	22.00	220.00
29. Adjustable stretcher strap (8)	23.50	188.00	16.00	128.00	18.00	144.00
30. Load release strap (8)	28.40	227.80	17.78	142.24	22.00	176.00
31. Anchor strap 3 foot (4)	22.50	90.00	13.34	53.36	17.00	68.00
32. Anchor strap 7 foot (6)	24.50	147.00	15.33	91.98	19.00	114.00

Description – continued	Roco Rescue Baton Rouge, LA		Fireguard, Inc. Omaha, NE		Municipal Emg. Ser. Snyder, NE	
	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
33. Anchor strap 15 foot (6)	31.30	187.80	19.33	115.98	24.50	147.00
34. Variable length anchor strap (6)	34.30	205.80	21.33	127.98	26.00	156.00
35. Rope bags (250-300 ft) (8)	38.70	309.60	21.33	170.64	30.00	240.00
36. Rope bags (325-400 ft) (4)	41.15	164.60	25.55	102.20	32.00	128.00
37. Rope bags (425-500 ft) (2)	44.10	88.20	25.55	51.10	34.00	68.00
38. Equipment bags (18" x 5") (8)	16.40	131.20	No Bid	No Bid	13.00	104.00
39. Equipment bags (28" x 16") (6)	71.50	429.00	No Bid	No Bid	58.00	348.00
40. Vertical lift stretcher harness (2)	122.50	245.00	No Bid	No Bid	96.00	192.00
41. Low angle evac stretcher harness (2)	71.50	143.00	43.33	86.66	54.00	108.00
42. Stretcher harness (2)	156.80	313.60	86.67	173.34	120.00	240.00
43. Full body splint litter w/case (1)	697.75	697.75	715.79	715.79	550.00	550.00
44. Half back extrication lift harness (1)	1,125.63	1,125.63	942.10	942.10	938.00	938.00
45. Traverse rescue stretcher (1)	1,126.00	1,126.00	No Bid	No Bid	1,020.00	1,020.00
46. Confined space litter (1)	293.00	293.00	297.78	297.78	255.00	255.00
47. Sked stretcher system (2)	510.95	1,021.90	416.67	833.34	359.00	359.00
48. Sked evac tripod (1)	1,260.10	1,260.10	968.42	968.42	775.00	775.00
49. ResQmax line deployment kit (1)	1,716.95	1,716.95	No Bid	No Bid	1,470.00	1,470.00
50. Portable hand light and helmet mount (12)	46.90	562.80	18.79	225.48	32.00	384.00
51. Intrinsically safe blower exhauster for confined space (1)	1,649.30	1,649.30	1,358.50	1,358.50	1,600.00	1,600.00
52. Confined space rescue pulley kit (1)	726.60	726.60	326.32	326.32	599.00	599.00
53. Bullard Advent A2 tech rescue helmets (25)	103.85	2,596.25	81.11	2,027.75	73.00	1,825.00
54. Rescue rappel gloves (30)	33.30	999.00	36.11	1,083.30	26.00	780.00
55. IAFF Rescue Randy (1)	1,070.00	1,070.00	1,000.00	1,000.00	995.00	995.00

Description	Ed M Feld Equip. Co. Carroll, IA		Innovative Access, Inc. Evergreen, CO		Tech Resq Mannford, OK	
	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
1. One-Half (1/2") Rescue Lifeline (5000')	\$.85	\$4,250.00	\$.79	\$3,950.00	\$.59	\$2,932.50
2. Load release hitch cord (1200')	.55	660.00	.42	504.00	.37	441.60
3. Ultra-Pro 2 edge protector (2)	No Bid	No Bid	46.61	93.22	47.50	94.99
4. Russ Anderson/SMC edge roller (2)	99.00	198.00	106.65	213.30	93.15	372.60
5. Edge Guards 24" (10)	15.50	155.00	18.17	181.70	17.19	171.93
6. Roof roller (2)	148.00	296.00	160.37	320.74	140.07	280.14
7. Entry-ease edge protector (1)	No Bid	No Bid	150.10	150.10	163.88	163.88
8. Traverse 540° large rescue belay (2)	No Bid	No Bid	245.00	490.00	197.23	394.45
9. Knot passing pulley (2)	110.00	220.00	119.80	239.60	104.64	209.28
10. Single pulley (24)	45.00	1,080.00	48.90	1,173.60	42.71	1,025.06
11. Double pulley (8)	68.00	544.00	74.45	595.60	65.03	520.26
12. Locking D carabiners – gold (100)	18.40	1,840.00	15.80	1,580.00	13.80	1,380.00
13. Locking D carabiners – black (30)	21.00	630.00	17.38	521.40	15.18	455.40
14. Extra large locking carabiner (20)	21.00	420.00	23.50	470.00	20.53	410.55
15. Rigging plate (8)	29.00	232.00	30.73	245.84	26.84	214.73
16. NFPA brake bar rack (10)	65.00	650.00	69.67	696.70	60.86	608.58
17. Rescue 8 wears (10)	42.00	420.00	41.08	410.80	35.88	358.80
18. Steel gibbs ascenders w/soft link (10)	No Bid	No Bid	65.57	655.70	62.04	620.43
19. Petzel swivel (6)	49.00	294.00	52.93	317.58	46.23	277.38
20. Ascension ascenders (8)	42.00	336.00	41.87	334.96	36.57	292.56
21. Confined space rescue harness (20)	No Bid	No Bid	240.16	4,803.20	227.24	4,544.80
22. Lifesaver victim harness (4)	No Bid	No Bid	118.50	474.00	112.13	448.50
23. Lifesaver victim chest harness (4)	No Bid	No Bid	48.19	192.76	45.60	182.39
24. Radio harness (10)	32.00	320.00	41.87	418.70	39.62	396.18
25. 2: tubular webbing (600')	.59	354.00	.49	294.00	.43	256.68
26. Rescue etrier (10)	No Bid	No Bid	26.07	260.70	24.67	246.68
27. Rescue wristlets (4)	No Bid	No Bid	16.00	64.00	16.05	64.22
28. Pick off straps (10)	25.00	250.00	22.91	229.10	21.68	216.78
29. Adjustable stretcher strap (8)	No Bid	No Bid	18.96	151.68	17.94	143.52
30. Load release strap (8)	No Bid	No Bid	22.91	183.28	21.68	173.42
31. Anchor strap 3 foot (4)	No Bid	No Bid	18.17	72.68	17.19	68.77
32. Anchor strap 7 foot (6)	No Bid	No Bid	19.75	118.50	18.69	112.13

Description – continued	Ed M Feld Equip. Co. Carroll, IA		Innovative Access, Inc. Evergreen, CO		Tech Resq Mannford, OK	
	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
33. Anchor strap 15 foot (6)	No Bid	No Bid	25.28	151.68	23.92	143.52
34. Variable length anchor strap (6)	No Bid	No Bid	27.65	165.90	26.16	156.98
35. Rope bags (250-300 ft) (8)	52.50	420.00	31.20	249.60	29.53	236.26
36. Rope bags (325-400 ft) (4)	42.00	168.00	33.18	132.72	31.40	125.58
37. Rope bags (425-500 ft) (2)	42.00	84.00	35.55	71.10	33.64	67.28
38. Equipment bags (18" x 5") (8)	No Bid	No Bid	13.23	105.84	12.52	100.19
39. Equipment bags (28" x 16") (6)	55.00	330.00	57.67	346.02	59.23	355.35
40. Vertical lift stretcher harness (2)	No Bid	No Bid	98.75	197.50	93.44	186.88
41. Low angle evac stretcher harness (2)	No Bid	No Bid	57.67	115.34	54.57	109.14
42. Stretcher harness (2)	No Bid	No Bid	126.40	252.80	119.60	239.20
43. Full body splint litter w/case (1)	774.00	774.00	562.48	562.48	570.63	570.63
44. Half back extrication lift harness (1)	144.00	144.00	907.39	907.39	924.62	924.62
45. Traverse rescue stretcher (1)	470.00	470.00	1,034.10	1,034.10	1,057.08	2,114.16
46. Confined space litter (1)	225.00	225.00	269.10	269.10	258.75	258.75
47. Sked stretcher system (2)	216.00	432.00	402.90	805.80	354.32	354.32
48. Sked evac tripod (1)	863.00	863.00	906.90	906.90	802.82	802.82
49. ResQmax line deployment kit (1)	No Bid	No Bid	1,480.20	1,480.20	1,511.74	1,511.74
50. Portable hand light and helmet mount (12)	No Bid	No Bid	37.84	454.08	33.05	396.61
51. Intrinsically safe blower exhauster for confined space (1)	740.00	740.00	1,513.00	1,513.00	1,645.13	1,645.13
52. Confined space rescue pulley kit (1)	No Bid	No Bid	585.78	585.78	592.48	592.48
53. Bullard Advent A2 tech rescue helmets (25)	75.00	1,875.00	76.20	1,905.00	79.35	1,983.75
54. Rescue rappel gloves (30)	19.00	570.00	26.86	805.80	25.42	762.45
55. IAFF Rescue Randy (1)	1,075.00	1,075.00	891.50	891.50	972.61	972.61
					Freight \$1,421.29	

**Heiman Fire Equip.
Omaha, NE**

Description	Unit Price	Extended Price	Unit Price	Extended Price
1. One-Half (1/2") Rescue Lifeline (5000')	\$.96	\$4,800.00		
2. Load release hitch cord (1200')	.51	612.00		
3. Ultra-Pro 2 edge protector (2)	56.00	112.00		
4. Russ Anderson/SMC edge roller (2)	132.00	528.00		
5. Edge Guards 24" (10)	22.00	220.00		
6. Roof roller (2)	198.00	396.00		
7. Entry-ease edge protector (1)	180.00	180.00		
8. Traverse 540° large rescue belay (2)	233.00	466.00		
9. Knot passing pulley (2)	144.00	288.00		
10. Single pulley (24)	58.00	1,392.00		
11. Double pulley (8)	90.00	720.00		
12. Locking D carabiners – gold (100)	19.00	1,900.00		
13. Locking D carabiners – black (30)	21.00	630.00		
14. Extra large locking carabiner (20)	28.00	560.00		
15. Rigging plate (8)	37.00	296.00		
16. NFPA brake bar rack (10)	84.00	840.00		
17. Rescue 8 wears (10)	50.00	500.00		
18. Steel gibbs ascenders w/soft link (10)	80.00	800.00		
19. Petzel swivel (6)	64.00	384.00		
20. Ascension ascenders (8)	50.00	400.00		
21. Confined space rescue harness (20)	290.00	5,800.00		
22. Lifesaver victim harness (4)	142.00	568.00		
23. Lifesaver victim chest harness (4)	58.00	232.00		
24. Radio harness (10)	50.00	500.00		
25. 2: tubular webbing (600')	.60	360.00		
26. Rescue etrier (10)	30.00	300.00		
27. Rescue wristlets (4)	17.00	68.00		
28. Pick off straps (10)	27.00	270.00		
29. Adjustable stretcher strap (8)	22.00	176.00		
30. Load release strap (8)	27.00	216.00		
31. Anchor strap 3 foot (4)	21.00	84.00		
32. Anchor strap 7 foot (6)	24.00	144.00		

Heiman Fire Equip.**Omaha, NE****Description – continued**

	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
33. Anchor strap 15 foot (6)	30.00	180.00				
34. Variable length anchor strap (6)	33.00	198.00				
35. Rope bags (250-300 ft) (8)	38.00	304.00				
36. Rope bags (325-400 ft) (4)	40.00	160.00				
37. Rope bags (425-500 ft) (2)	43.00	86.00				
38. Equipment bags (18" x 5") (8)	16.00	128.00				
39. Equipment bags (28" x 16") (6)	69.00	414.00				
40. Vertical lift stretcher harness (2)	120.00	240.00				
41. Low angle evac stretcher harness (2)	70.00	140.00				
42. Stretcher harness (2)	155.00	310.00				
43. Full body splint litter w/case (1)	678.00	678.00				
44. Half back extrication lift harness (1)	1,094.00	1,094.00				
45. Traverse rescue stretcher (1)	1,130.00	2,260.00				
46. Confined space litter (1)	290.00	290.00				
47. Sked stretcher system (2)	455.00	455.00				
48. Sked evac tripod (1)	1,023.00	1,023.00				
49. ResQmax line deployment kit (1)	1,750.00	1,750.00				
50. Portable hand light and helmet mount (12)	45.00	540.00				
51. Intrinsically safe blower exhauster for confined space (1)	1,650.00	1,650.00				
52. Confined space rescue pulley kit (1)	710.00	710.00				
53. Bullard Advent A2 tech rescue helmets (25)	72.00	1,800.00				
54. Rescue rappel gloves (30)	32.00	960.00				
55. IAFF Rescue Randy (1)	975.00	975.00				

Bid Award for MES

Item #	Description	Quantity	Unit Price	Extended Price
1	One-Half (1/2") Rescue Lifeline (3400') (1000' Yellow, 1000' Red, 800' Orange, 700' Blue)	3400	\$ 0.72	\$ 2,448.00
2	Load release hitch cord per foot	1200	\$ 0.37	\$ 444.00
4	Russ Anderson/SMC edge roller	4	\$ 93.00	\$ 372.00
11	Double pulley	8	\$ 65.00	\$ 520.00
24	Radio harness	10	\$ 39.00	\$ 390.00
26	Rescue etrier	10	\$ 24.00	\$ 240.00
27	Rescue wristlets	4	\$ 15.00	\$ 60.00
31	Anchor strap 3 foot	4	\$ 17.00	\$ 68.00
34	Variable length anchor strap	6	\$ 26.00	\$ 156.00
41	Low angle evac stretcher harness	2	\$ 54.00	\$ 108.00
43	Full body splint litter w/case	1	\$ 550.00	\$ 550.00
45	Traverse rescue stretcher	2	\$1,020.00	\$ 2,040.00
46	Confined space litter	1	\$ 255.00	\$ 255.00
48	Sked evac tripod	1	\$ 775.00	\$ 775.00
49	ResQmax line deployment kit	1	\$1,470.00	\$ 1,470.00
50	Portable hand light and helmet mount	12	\$ 32.00	\$ 384.00
53	Bullard Advent A2 tech rescue helmets	25	\$ 73.00	\$ 1,825.00
	Total Bid Award			\$ 12,105.00

Bid Award to Tech ResQ

Item #	Description	Quantity	Unit Price	Extended Price
1	One-Half (1/2") Rescue Lifeline per foot	1600	\$ 0.59	\$ 944.00
5	Edge Guards 24"	10	\$ 17.19	\$ 171.90
6	Roof roller	2	\$ 140.07	\$ 280.14
8	Traverse 540° large rescue belay	2	\$197.23	\$ 394.46
9	Knot passing pulley	2	\$ 104.64	\$ 209.28
10	Single pulley	24	\$ 42.71	\$ 1,025.04
12	Locking D carabiners – gold	100	\$ 13.80	\$ 1,380.00
13	Locking D carabiners – black	30	\$ 15.18	\$ 455.40
14	Extra large locking carabiner	20	\$ 20.53	\$ 410.60
15	Rigging plate	8	\$ 26.84	\$ 214.72
16	NFPA brake bar rack	10	\$ 60.86	\$ 608.60
17	Rescue 8 wears	10	\$ 35.88	\$ 358.80
18	Steel gibbs ascenders w/soft link	10	\$ 62.04	\$ 620.40
19	Petzel swivel	6	\$ 46.23	\$ 277.38
20	Ascension ascenders	8	\$ 36.57	\$ 292.56
21	Confined space rescue harness (15 regular, 3 small, 2 x-large)	20	\$227.24	\$ 4,544.80
22	Lifesaver victim harness	4	\$ 112.13	\$ 448.52
23	Lifesaver victim chest harness	4	\$ 45.60	\$ 182.40
25	2" tubular webbing per foot	600	\$ 0.43	\$ 258.00
28	Pick off straps	10	\$ 21.68	\$ 216.80
29	Adjustable stretcher strap	8	\$ 17.94	\$ 143.52
30	Load release strap	8	\$ 21.68	\$ 173.44
32	Anchor strap 7 foot	6	\$ 18.69	\$ 112.14
33	Anchor strap 15 foot	6	\$ 23.92	\$ 143.52
35	Rope bags (250-300 ft)	8	\$ 29.53	\$ 236.24
36	Rope bags (325-400 ft)	4	\$ 31.40	\$ 125.60
37	Rope bags (425-500 ft)	2	\$ 33.64	\$ 67.28
38	Equipment bags (18" x 5")	8	\$ 12.52	\$ 100.16
40	Vertical lift stretcher harness	2	\$ 93.44	\$ 186.88
42	Stretcher harness	2	\$ 119.60	\$ 239.20
47	Sked stretcher system	2	\$ 354.32	\$ 708.64
54	Rescue rappel gloves - tan and black (10 med, 10 large, 10 xlarge)	30	\$ 25.42	\$ 762.60
	Total Bid Award			\$ 16,293.02

Bid Award to Innovative Access, Inc.

Item #	Description	Quantity	Unit Price	Extended Price
3	Ultra-Pro 2 edge protector	2	\$ 46.61	\$ 93.22
7	Entry-ease edge protector	1	\$ 150.10	\$ 150.10
39	Equipment bags (28" x 16")	6	\$ 57.67	\$ 346.02
44	Half back extrication lift harness	1	\$ 907.39	\$ 907.39
	Intrinsically safe blower exhauster			
51	for confined space	1	\$1,513.00	\$ 1,513.00
52	Confined space rescue pulley kit	1	\$ 585.78	\$ 585.78
55	IAFF Rescue Randy	1	\$ 891.50	\$ 891.50
	Total Bid Award			\$ 4,487.01
	Total of All Bids Awarded			\$ 32,885.03

RESOLUTION 2005-56

WHEREAS, the City of Grand Island invited sealed bids for Technical Rescue Equipment, according to plans and specifications on file with the City Clerk; and

WHEREAS, on February 15, 2005, bids were received, opened and reviewed; and

WHEREAS, Municipal Emergency Services of Snyder, 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 \$12,105.00 for items numbered 1, 2, 4, 11, 24, 26, 27, 31, 34, 41, 43, 45, 46, 48, 49, 50 and 53; and

WHEREAS, Tech ResQ of Mannford, Oklahoma, 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 \$16,293.02 for items numbered 1, 5, 6, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 28, 29, 30, 32, 33, 35, 36, 37, 38, 40, 42, 47 and 54; and

WHEREAS, Innovative Access, Inc. of Evergreen, Colorado, 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 \$4,487.01 for items numbered 3, 7, 39, 44, 51, 52, and 55; and

WHEREAS, the total of the above bids is less than the estimate for such items.

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

1. The bid of Municipal Emergency Services of Snyder, Nebraska, in the amount of \$12,105.00 for technical rescue equipment items numbered 1, 2, 4, 11, 24, 26, 27, 31, 34, 41, 43, 45, 46, 48, 49, 50 and 53 is hereby approved as the lowest responsible bid for those items.
2. The bid of Tech ResQ of Mannford, Oklahoma, in the amount of \$16,293.02 for technical rescue equipment items numbered 1, 5, 6, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 28, 29, 30, 32, 33, 35, 36, 37, 38, 40, 42, 47 and 54 is hereby approved as the lowest responsible bid for those items.
3. The bid of Innovative Access, Inc. of Evergreen, Colorado, in the amount of \$4,487.01 for technical rescue equipment items numbered 3, 7, 39, 44, 51, 52, and 55 is hereby approved as the lowest responsible bid for those items.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2005.

Approved as to Form _____
February 17, 2005 City Attorney

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item G19

**#2005-57 - Approving Agreement with the Nebraska Children's
Family Foundation Grant**

Staff Contact: Paul Bresino

Council Agenda Memo

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

Meeting: February 22, 2005

Subject: Nebraska Children and Families Foundation Agreement for 2005

Item #'s: G-19

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

Background

The City of Grand Island has received a grant award from Nebraska Children and Families Foundation since 1997 to fund Family Preservation and Support grant (Community Youth Council) programs, which benefit children, youth and families. A 1995 needs assessment identified gaps in services to these populations and the Community Youth Council has received grant funding since 1997 to provide programs to meet the needs as identified. Community Youth Council program goals include reducing racism, strengthening families, reducing gang activities, and reducing drug and alcohol use.

In December, Community Development submitted a grant application and program plan for calendar year 2005. The grant request included continued funding for Youth Leadership Tomorrow, the Multicultural Coalition.

Discussion

The City has received the agreement with the Nebraska Children and Families Foundation for continuation funding within the Family Preservation and Support Program (Community Youth Council). The agreement is for the time period between January 1, 2005 and December 31, 2005 in the amount of \$18,000 to fund efforts to support the Hall County Youth Leadership Tomorrow program and to financially support the efforts of the Multicultural Coalition and Center. The City Administration and Community Youth Council recommend entering into an agreement with Nebraska Children and Families Foundation for receipt of funding for the above mentioned programs.

Alternatives

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

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

Recommendation

City Administration recommends that the Council give approval to enter into an agreement with Nebraska Children and Families Foundation for an \$18,000 grant to fund programs for children, youth and families in Grand Island and Hall County.

Sample Motion

Approve the agreement with Nebraska Children and Families Foundation for an \$18,000 grant to fund programs for children, youth and families in Grand Island and Hall County.

RESOLUTION 2005-57

WHEREAS, the Nebraska Children and Families Foundation has recommended that the City of Grand Island be provided federal funds awarded to the State of Nebraska Department of Health and Human Services for implementation of family preservation and support services; and

WHEREAS, a Letter of Agreement between the Nebraska Children and Families Foundation, the State of Nebraska Department of Health and Human Services, and the City of Grand Island is required to set out the responsibilities of each party with respect to the use of funding for the implementation of such program; and

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

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

1. The Letter of Agreement between the Nebraska Children and Families Foundation, the State of Nebraska Department of Health and Human Services, and the City of Grand Island for the use of grant funds in the amount of \$18,000 to finance programs of family preservation and support services as outlined in the agreement is hereby approved.
2. The Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item J1

Payment of Claims for the Period of February 9, 2005 through February 22, 2005

The Claims for the period of February 9, 2005 through February 22, 2005 for a total amount of \$2,525,033.02. A MOTION is in order.

Staff Contact: RaNae Edwards