
City of Grand Island



Tuesday, October 25, 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

Invocation - Pastor Mike Benischek, First United Methodist Church, 4190 West Capital Avenue

Pledge of Allegiance

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, October 25, 2005

Council Session

Item C1

**Presentation by Marlan Ferguson, Economic Development
President Relative to Semi-Annual Report by the Citizens' Review
Committee on the Economic Development Program Plan**

Marlan Ferguson, President of the Economic Development Corporation (EDC) will present a PowerPoint presentation to update the Mayor and City Council on Economic Development activities in Grand Island and Hall County.

Staff Contact: Marlan Ferguson, EDC President



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item D1

**#2005-BE-11 - Consideration of Determining Benefits for Water
Main District 443 - American Independence Subdivision**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Gary R. Mader, Utilities Director

Meeting: October 25, 2005

Subject: Water Main District 443 – American Independence Subdivision

Item #'s: D-1 & F-3

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

Background

District 443 was created by Council to provide municipal water service to the properties along Independence Avenue, Shanna Street, Lariat Lane, and Branding Iron Lane. These streets are within the American Independence Subdivision, American Independence 2nd Subdivision and part of Grand West Subdivision. Attached for reference is a copy of the District Plat showing the project area.

To provide for the most economical installation of infrastructure in the area, the Utilities Department and Public Works Department designed and prepared specifications for a joint project to include installation of both water main and sanitary sewer under a single construction project. Water main installation has been completed as per the contract requirements and in accordance with the project specifications.

Discussion

The Water Main construction was done as an Assessment District, which is the Department's standard process for water main installation at the request of the property owners in developed areas. The total assessable cost of Water Main District 443 was \$70,025.92. The computation of assessments is based on the cost of construction. That cost is apportioned to each of the properties within the district based upon a combination of front footage and lot size to determine the assessment amount.

Assessments may be financed with the Water Department over five years, with 7% simple interest on the outstanding balance. The first payment is due 50 days after the Council sets the assessments at the Board of Equalization (BOE) Hearing.

Alternatives

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

1. Approve the assessment amounts for Water Main District 443.
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 assessments for Water Main District 443 be set for the properties within the District as tabulated on the attached listing.

Sample Motion

Motion to approve the assessment amounts for Water Main District 443.



WATER MAIN DISTRICT 443

OWNER & ADDRESS	LOT	SUBDIVISION	\$15.582837 F / F	\$0.124726 SQ FT	1/2 FF + 1/2 SF ASSESSMENT
Gary E Valasek & Mary G Valasek H/W	1	American Independence Subdivision	98.61	9,870.64	2,767.75
4228 W 13th Street, Grand Island, NE 68803	2	American Independence Subdivision	99.57	10,596.15	2,873.21
" "	5	American Independence Subdivision	96.50	12,044.13	3,005.96
" "	6	American Independence Subdivision	96.50	12,044.18	3,005.96
Brian D & Kellie E Haynes					
3206 Langenheder Dr, Grand Island, NE 68803	7		105.00	12,356.61	3,177.39
Gary E Valasek & Mary G Valasek H/W	8	American Independence Subdivision	174.55	37,168.82	7,355.90
" "	9	American Independence Subdivision	101.72	13,021.52	3,209.21
" "	10	American Independence Subdivision	100.40	11,310.78	2,975.27
" "	11	American Independence Subdivision	100.00	11,185.05	2,953.36
" "	12	American Independence Subdivision	100.00	11,182.30	2,953.01
" "	13	American Independence Subdivision	100.00	11,179.46	2,952.66
" "	14	American Independence Subdivision	100.00	11,176.62	2,952.31
" "	15	American Independence Subdivision	110.00	12,291.11	3,247.13
" "	16	American Independence Subdivision	115.00	13,055.84	3,420.43
" "	17	American Independence Subdivision	105.00	11,921.86	3,123.17
" "	18	American Independence Subdivision	105.00	11,923.11	3,123.32
" "	19	American Independence Subdivision	105.00	11,924.36	3,123.49
" "	20	American Independence Subdivision	104.82	11,965.75	3,125.83
Scott C Kuehl & Kenora R Kuehl H/W					
4357 Manchester Rd, Grand Island, NE 68803	21	American Independence Subdivision	113.54	17,166.99	3,910.45
Gary E Valasek & Mary G Valasek H/W	1	American Independence 2nd Subdivision	99.95	14,123.84	3,319.11
Rodney E Valasek & Julie R Valasek H/W					
4240 Norseman Ave, Grand Island, NE 68803	2	American Independence 2nd Subdivision	101.82	14947.59	3,451.00
District 443 Front Footage			2,232.98		
District 443 Square Footage				282,456.71	
TOTAL TO DISTRICT 443					\$70,025.92

R E S O L U T I O N 2005-BE-11

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Water Main District 443, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$70,025.92; and

According to the front foot and cost of installation to provide service to each of the respective lots, tracts, and real estate within such Water Main District No. 443, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Gary E. Valasek & Mary G. Valasek	Lot 1, American Independence Subdivision	2,767.75
Gary E. Valasek & Mary G. Valasek	Lot 2, American Independence Subdivision	2,873.21
Gary E. Valasek & Mary G. Valasek	Lot 5, American Independence Subdivision	3,005.96
Gary E. Valasek & Mary G. Valasek	Lot 6, American Independence Subdivision	3,005.96
Brian D. Haynes & Kellie E. Haynes	Lot 7 American Independence Subdivision	3,177.39
Gary E. Valasek & Mary G. Valasek	Lot 8, American Independence Subdivision	7,355.90
Gary E. Valasek & Mary G. Valasek	Lot 9, American Independence Subdivision	3,209.21
Gary E. Valasek & Mary G. Valasek	Lot 10, American Independence Subdivision	2,975.27
Gary E. Valasek & Mary G. Valasek	Lot 11, American Independence Subdivision	2,953.36
Gary E. Valasek & Mary G. Valasek	Lot 12, American Independence Subdivision	2,953.01
Gary E. Valasek & Mary G. Valasek	Lot 13, American Independence Subdivision	2,952.66
Gary E. Valasek & Mary G. Valasek	Lot 14, American Independence Subdivision	2,952.31
Gary E. Valasek & Mary G. Valasek	Lot 15, American Independence Subdivision	3,247.13
Gary E. Valasek & Mary G. Valasek	Lot 16, American Independence Subdivision	3,420.43
Gary E. Valasek & Mary G. Valasek	Lot 17, American Independence Subdivision	3,123.17
Gary E. Valasek & Mary G. Valasek	Lot 18, American Independence Subdivision	3,123.32
Gary E. Valasek & Mary G. Valasek	Lot 19, American Independence Subdivision	3,123.49
Gary E. Valasek & Mary G. Valasek	Lot 20, American Independence Subdivision	3,125.83
Scott C. Kuehl & Kenora R. Kuehl	Lot 21, American Independence Subdivision	3,910.45
Gary E. Valasek & Mary G. Valasek	Lot 1, American Independence 2 nd Subdivison	3,319.11
Rodney E. Valasek & Julie R. Valasek	Lot 2, American Independence 2 nd Subdivision	3,451.00
TOTAL		\$70,025.92

RESOLUTION 2005-BE-11

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Adopted by the City Council of the City of Grand Island, Nebraska, on October 25, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item D2

**#2005-BE-12 - Consideration of Determining Benefits for Water
Main District 447T - Grand West Subdivision**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Gary R. Mader, Utilities Director

Meeting: October 25, 2005

Subject: Water Main District 447T – Grand West Subdivision

Item #'s: D-2 & G-14

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

Background

District 447T was constructed in conjunction with Water Main District 443. Water Main District 443 was created at the request of area property owners to provide municipal water service along Independence Avenue.

During the development of construction plans for District 443, there was an opportunity to economically extend a water main in Shanna Street, between Independence and Mansfield Road. The interconnection provides increased reliability and capacity to the area as a whole, and would provide water service to properties on the south side of Shanna. Therefore Water Main District 447T was created and combined for construction and bid with District 443. A map of the district is attached for reference.

Discussion

The area on the north side of this District is adjacent to a City detention cell. The lots on the south side are owned by the Third City Christian Church and are undeveloped at this time. The District's construction was done as a Tap District, which is the Department's standard method for water main extensions through undeveloped areas. The total assessable cost for Water Main District 447T was \$19,950.94

That cost is apportioned to each of the properties within the district based upon a combination of front footage and lot size to determine the connection fee. That fee is collected when the properties are connected to receive City water service.

Alternatives

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

1. Approve the assessment amounts for Water Main District 447T
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 assessments for Water Main District 447T be set for the properties within the District as tabulated on the attached listing.

Sample Motion

Motion to approve the assessment amounts for Water Main District 447T.

SOUTHERLY LINE OF
WESTERN HEIGHTS
3 RD SUB.

LN

SUBDIVISION

LA

SHANNA

WESTERN HEIGHTS

FIFTH SUBDIVISION

B22.05'

INDEPENDENCE AVE

\$113.50

~~OUTFALL DITCH~~

GRAND WEST SUB

WATER MAIN
DISTRICT 443
BOUNDARY

DETENTION CELL
WATER MAIN

WATER MAIN
DISTRICT 447T
BOUNDARY

NORTHERLY ROWL
SHAWNA STREET

589°52'12"E
K99 59°

SHANNA ST.

POINT OF BEGINNING

NORTHERLY LINE LOT 1
GRAND WEST SUB.

Lot 1

EASIERLY LINE OF
SW 1/4, SEC. 11, T.11-N, R.10-W

CITY OF
GRAND ISLAND

UTILITIES DEPARTMENT

1/30/2004 SCALE:1"=200'

- DEDICATED 50' ROAD RIGHT OF WAY

20 PASADENA

1270

OTM

13 TH

SOUTHERLY LINE OF
SEC. 11, T-11-N, R-10-W

WATER MAIN DISTRICT 447T

WATER MAIN DISTRICT 447T			\$15.582837	\$0.124726	1/2 FF + 1/2 SF
OWNER & ADDRESS	LOT	SUBDIVISION	F/F	SQ/FT	ASSESSMENT
Third City Christian Church	2	Grand West Subdivision	80.00	9,799.20	2,468.84
A Nebraska Non-Profit Corp	3	Grand West Subdivision	79.00	9,676.71	2,437.98
4100 W 13th Street, Grand Island, NE 68803	4	Grand West Subdivision	79.00	9,676.71	2,437.98
" "	5	Grand West Subdivision	79.00	9,676.71	2,437.98
" "	6	Grand West Subdivision	79.00	9,676.71	2,437.98
" "	7	Grand West Subdivision	79.00	9,676.71	2,437.98
" "	8	Grand West Subdivision	79.07	10,060.00	2,486.87
City of Grand Island - Public Works Dept	Detension Cell, PT N 1/2, SE 1/4, Sec 11-11-10		100.00	10,000.00	2,805.33
District 447T Front Footage			654.07		
District 447T Square Footage				78,242.75	
TOTAL TO DISTRICT 447T					\$19,950.94

R E S O L U T I O N 2005-BE-12

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Water Main District 447T, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$19,950.94; and

Such benefits are equal and uniform; and

According to the area of the respective lots, tracts, and real estate within such Water Main District No. 447T, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Connection Fee</u>
Third City Christian Church	Lot 2, Grand West Subdivision	2,468.84
Third City Christian Church	Lot 3, Grand West Subdivision	2,437.98
Third City Christian Church	Lot 4, Grand West Subdivision	2,437.98
Third City Christian Church	Lot 5, Grand West Subdivision	2,437.98
Third City Christian Church	Lot 6, Grand West Subdivision	2,437.98
Third City Christian Church	Lot 7, Grand West Subdivision	2,437.98
Third City Christian Church	Lot 8, Grand West Subdivision	2,486.87
City of Grand Island	Detention Cell located in part of N1/2, SE1/4 of Section 11-11-10	2,805.33
TOTAL		\$19,950.94

BE IT FURTHER RESOLVED that the special benefits as determined by this resolution shall not be levied as special assessments but shall be certified by this resolution to the Register of Deeds, Hall County, Nebraska, pursuant to Section 16-6,103, R.R.S. 1943. A connection fee in the amount of the above benefit accruing to each property in the district shall be paid to the City of Grand Island at the time such property becomes connected to the water main. No property benefited as determined by this resolution shall be connected to the water main until the connection fee is paid. The connection fees collected shall be paid into the fund from which construction costs were made to replenish such fund for the construction costs.

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Adopted by the City Council of the City of Grand Island, Nebraska, October 25, 2005.

Approved as to Form <input type="checkbox"/> _____ October 20, 2005 <input type="checkbox"/> City Attorney

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item E1

**Public Hearing Concerning the Semi-Annual Report by the
Citizens' Review Committee on the Economic Development
Program Plan**

Staff Contact: Doug Walker

Council Agenda Memo

From: Douglas R. Walker, City Attorney

Meeting: October 25, 2005

Subject: Public Hearing Concerning the Semi-Annual Report by the Citizen's Review Committee on the Economic Development Program Plan.

Item #'s: E-1 & G-11

Presenter(s): Douglas R. Walker, City Attorney
Tim White, Chairman, Citizen's Advisory Review Committee

Background

The voters of the City of Grand Island approved an economic development plan at the May 6, 2003 election. Subsequent to the election, the city has adopted an ordinance that establishes the economic development plan and a Citizens Advisory Review Committee to oversee the process of approving applications for economic development incentives. The Citizens Advisory Review Committee is required by State Statute and the Grand Island City Code to make a semi-annual report to the City Council.

Discussion

The Citizens Advisory Review Committee has been conducting regular meetings during the last six months as required by the City Code and the Nebraska Statutes. The committee has been able to approve one application for funding since the last semi-annual report. The committee looks forward to receiving and reviewing meritorious applications for consideration in the future.

Alternatives

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

1. Accept the semi-annual report of the Citizens Advisory Review Committee.

2. Do not accept the semi-annual report of the Citizens Advisory Review Committee.

Recommendation

City Administration recommends that the Council accept the semi-annual report of the Citizens Advisory Review Committee.

Sample Motion

Motion to accept the semi-annual report of the Citizens Advisory Review Committee.



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item E2

**Public Hearing on Request from Richard and Patricia Hartman,
5075 South Locust Street for Conditional Use Permit for Sand &
Gravel Operation Located at 3812 South Blaine Street.**

Staff Contact: Craig Lewis

Council Agenda Memo

From : Craig A. Lewis, Building Department Director

Meeting: October 25, 2005

Subject: Public Hearing on Request of Richard & Patricia Hartman for a Conditional Use Permit to Operate a Sand and Gravel Pumping Facility at 3812 S. Blaine Street Grand Island, Nebraska

Item #'s: E-2 & H-1

Presenter: Craig A. Lewis, Building Department Director

Background

This request is for Council approval to allow for the operation of a sand and gravel facility at the above referenced address. A conditional use permit is required as the current zoning classification, TA (transitional agricultural) does not allow for this type of use as a permitted principal use. The zoning classification does list as a permitted conditional use, commercial mines, quarries, sand and gravel pits and accessory uses. Conditional uses as listed in the zoning code must be approved or denied by the City Council in the form of a conditional use after a finding that the proposed use will or will not comply with the purposes as identified in the Code.

Section 36-2 of the Grand Island Zoning code, Purposes: This chapter has been made in accordance with a comprehensive plan and to promote the health, safety, and general welfare of the community; to lessen congestion in streets; to secure safety from fire and other dangers; to provide adequate light and air; to promote the distribution of population, land classifications and land development to support provisions for adequate transportation, water flows, water supply, drainage, sanitation, recreation, and other public requirements; to protect property against blight and depreciation; and to secure economy in government expenditures.

This request is to begin in the year 2006 after a qualified operator is identified and continue until the year 2026.

Discussion:

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

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

1). USE: The proposed uses are limited to those listed in the application, sand and gravel pumping processing, storage, stocking piling, distribution, and sales, both wholesale and retail. Retail sale may also include the sale of black dirt, river rock, and similar landscaping materials. The storage, recycling, or processing of other aggregate materials, such as asphalt or concrete is not allowable unless specifically listed, nor are the operation of concrete or asphalt batch plants. Neither of these operations have been requested in this application.

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

3). PRIMARY CONDITIONS: (a). The permit shall be granted for a period not to exceed 10 years with the possibility of renewal for an additional time at the end of the 10 year period.

(b). Pumping of product shall not be allowed within 150 feet of any public road right of way and protected by a 6 foot earthen berm during pumping. The finished width of developable property adjacent to the public right of way shall be a minimum 300 feet at the time of termination of the operation. A setback of 100 feet from any adjacent property line, and a setback of 250 feet from the Central Platte Natural Resources District Wood River Diversion Channel Levee property shall be maintained between the pumping operations.

(c). Pumping and other activities (including lighting) at the site shall be limited to daylight hours (15) minutes before sunrise and (15) minutes after sunset Mondays through Saturdays. No pumping or other processing activities shall be permitted on Sundays or from fifteen minutes after sunset to fifteen minutes before sunrise. One exception to this condition shall be in the months of March, April, October, and November activities may operate from 6:00a.m. to 7:00p.m. to allow for winter condition.

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

(e). Materials and equipment shall not be stored on the property within any easements or the regulated floodway as determined by the Federal Emergency Management Agency or its successor and the entity with jurisdiction and authority to enforce floodplain regulations. There is currently along the east edge of the property a 45' electrical easement and an existing transmission line, no product, material or equipment shall be stored within that easement or in such a manner that it would violate any safety provisions of the National Electric Safety Code.

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

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

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

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

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

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

(l). Applicant shall begin the mining operation within a period of 18 months from the issuance of this permit or if the applicant fail to begin operations within the 18 months the permit shall be considered null and void and subject to reapplication and rehearing. Additionally if at anytime during the life of the permit issued the operation shall cease for a period of a continuous 18 months the permit shall become void and a renewal shall be obtained before becoming once again operational.

ALTERNATIVES:

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

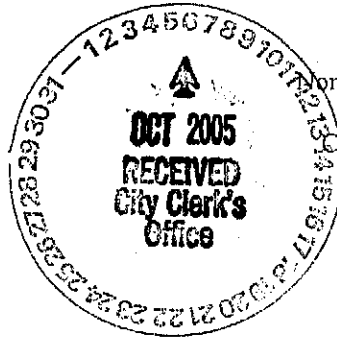
1. Approve the request with the proposed conditions, finding that the proposed application is and will continue to be in conformance with the purpose of the zoning regulations.
2. Deny the request, finding that the proposed application does not conform to the purpose of the zoning regulations.
3. Approve the request with additional or revised conditions and findings of fact.
4. Refer the matter to a special committee for a determination of a finding of fact.

RECOMMENDATION:

Approve the request if all conditions are met as presented by City Administration and if the City Council finds that the proposed use and application promotes the health, safety, and general welfare of the community, protects property against blight and depreciation, and is generally harmonious with the surrounding neighborhood.

SAMPLE MOTION:

Motion to approve the conditional use with the conditions identified by the City Administration, published in the Council packet and presented at the Council meeting and finding that the applications conforms with the purpose of the zoning regulations.



Non-Refundable Fee: \$155.00
Return by: _____
Council Action on: 10-25-05

Conditional Use Permit Application

pc: Building, Legal, Utilities
Planning, Public Works

1. The specific use/construction requested is: Mining of sand, gravel and rock from the described property.
2. The owner(s) of the described property is/are: Richard and Patricia Hartman
3. The legal description of the property is: See attached.
4. The address of the property is: 3812 S. Blaine Street, Grand Island, NE 68801
5. The zoning classification of the property is: TA
6. Existing improvements on the property is: None.
7. The duration of the proposed use is: 25 years.
8. Plans for construction of permanent facility is: See attached plans for mining.
9. The character of the immediate neighborhood is: Agricultural.
10. There is hereby **attached** a list of the names and addresses of all property owners within 200' of the property upon which the Conditional Use Permit is requested.
11. Explanation of request: To allow mining of the described property to obtain sand and gravel for construction uses in Grand Island areas.

I/We do hereby certify that the above statements are true and correct and this application is signed as an acknowledgement of that fact.

9/26/2005
Date

Richard and Patricia Hartman
Owners(s)

(308) 384-6442
Phone Number

5075 S. Locust Street, Grand Island, NE 68801
Address

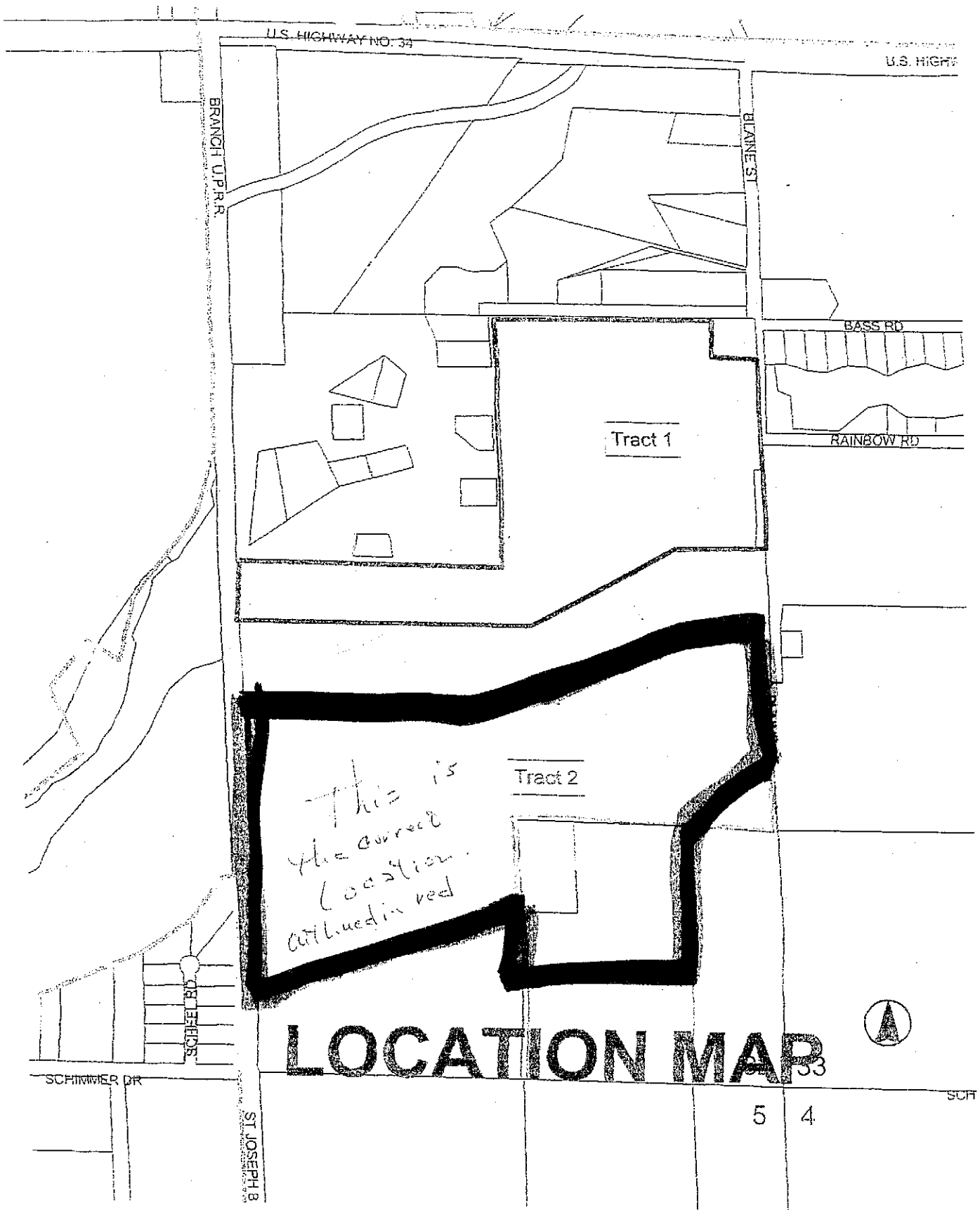
City State Zip

Please Note: Delays May Occur if Application is Incomplete or Inaccurate.

Legal Description of Purchased and Leased Property

A tract of land comprising a part of the Southeast Quarter of Section Thirty Two, Township Eleven North, Range Nine West of the 6th P.M., in Hall County, Nebraska, more particularly described as follows:

Beginning at the northeast corner of said Southeast Quarter; thence running southerly along the east line of said Southeast Quarter, on an assumed bearing of S00 00'00" W, a distance of Five Hundred eighty Six and Sixty Nine Hundredths (586.69) feet, to the ACTUAL Point of Beginning; Thence running S 89 degrees 17'35" W, a distance of Forty (40) feet; Thence running N 00 degrees 00'00" E, a distance of Two Hundred Ten and Two Hundredths (210.02) feet; Thence running S 89 degrees 19' 26" W, a distance of Eight (8) feet; Thence running N 00 degrees 00' 09" W, a distance of One hundred Thirty Five and One Hundredths (135.01) feet; Thence running N 11 degrees 09' 24" W, a distance of One Hundred Seven and Forth Five Hundredths (107.45) feet; Thence running S 89 degrees 16' 35" W, a distance of Three Hundred Forty Four and Seventy Nine Hundredths (344.79) feet; Thence running S 61 degrees 59' 54" W, a distance of Seven Hundred Eighty Six and Ninety Three Hundredths (786.93) feet; Thence running S 89 degrees 55' 41" W, a distance of One Thousand Five hundred Thirty Four and Seventy Four Hundredths (1534.74) feet to a point on the easterly right of way line of the Saint Joseph Branch of the Union Pacific Railroad; thence running S 01 degrees 03' 45" E along the easterly right of way line of the Saint Joseph Branch of the Union Pacific Railroad, a distance of One Thousand Five Hundred Thirteen and Fifty Seven hundredths (1513.57) feet; Thence running N 88 degrees 55' 50" E, a distance of Six Hundred Seventy Seven and Thirty Seven Hundredths (677.37) feet; Thence running N 69 degrees 35' 54" E, a distance of Six Hundred Seventy Four and Eighty Hundredths (674.80) feet; Thence N 00 degrees 00' 00" a distance of Five Hundred (500) feet; Thence running S 00 degrees 01' 52" W a distance of Forty One and Thirty Five Hundredths (41.35) feet; Thence running S 89 degrees 35' 36" E, a distance of One Thousand Three Hundred Fourteen and Sixty Four Hundredths (1314.64) feet, to the southeast corner of the Northeast Quarter of said Southeast Quarter; Thence running N 00 degrees 00' 00" W, along the east line of said Southeast Quarter, a distance of Seven Hundred Forth Two and Nine Hundredths (742.09) feet to the ACTUAL Point of Beginning and containing 74.269 acres more or less, of which 0.562 acres more or less is presently occupied by public road right of way. Net 73.707 acres more or less.



ATTACHMENT TO CONDITIONAL USE PERMIT APPLICATION

Richard Hartman and Patricia Hartman, Husband and Wife, request a special use permit to allow excavation, processing, stock piling and selling of aggregates on an agricultural zone parcel at 3812 S. Blaine. The Application is requested by the owners to allow the special use; the owners anticipate entering into a contract with a qualified operator to include the following specifications:

1. Time of Mining Operations. The estimated time to operate the mining operation will be approximately 22 years. The owners plan upon contracting with a qualified operator to begin operations on the property in 2006 to continue until approximately 2026 which would also include time for reclamation and restoration of the property.
2. Location of Processing Plant. The owners are contemplating locating a processing plant on the south side of the parcel approximately 1,300 feet west of Blaine Street and approximately 1,200 feet north of Schimmer Drive. The total area of the processing plant will be six (6) acres.
3. Ingress and Egress to Plant Site. Currently there is a driveway to the property off of Schimmer Drive and that road is contemplated as the location of ingress and egress to the plant.
4. Environmental Issues. The operator selected by the owner will be required to maintain its operation in accordance with Nebraska Department of Environmental Quality including permits regulating air and water quality.

The mining operator will be required to follow all federal Department of Environmental Quality rules and regulations including obtaining permits for diesel fuel, oil and gasoline storage. The fuel storage must and will have secondary containment provisions to allow safe use before any fuel or oil will be stored on the property.

The operator will be required to operate in such a fashion as to minimize dust caused by truck traffic. The relative short length of the haul road from Schimmer Road to the plant site will also minimize dust.

The operator will be required to maintain the mining operations pursuant to rules and regulations enforced by the Mining Health and Safety Act as mandated by the federal government. The regulations of this act require maximum noise level within the boundary of the mining operation to be maintained at 85 decibels or less. The owners will require the operator to strictly comply with these federal regulations and will also provide for a requirement of use of special mufflers to be fitted to the engines on the dredge. An electronic processing plant will be used in order to minimize noise.

The operator will be required to place stockpiles of mined material in such a fashion as to absorb and deflect as much of the motor noise as possible. The federal regulations require back up of alarms for the loaders.

5. Mining Operations. The operator will be required to remove top soil from the area to be mined each year. This process will reduce the exposure of the underlying sand to wind erosion. The top soil that is removed will be stockpiled on the perimeter of the property and the operator will be required to cover the waste sand from the mining process at the conclusion of each mining phase.

To start the mining process, a hole will be dug below the water level to allow the dredge to be placed. Once placed, the dredge will float on the created opening to the ground water level. The dredge will be located at approximately 8 feet below the original ground surface. Fluctuations in the ground water level can occur during the mining season that is normally conducted from March 15 to December 15.

Because of its placement below the ground surface, the dredge will not be readily visible from view of adjoining property owners and the placement of the top soil stockpile along the boundaries of the operation will also serve as a screening of the operation from adjoining properties.

It is anticipated that the operator will work approximately 3 to 5 acres of land per year depending upon demand. The number of acres used can fluctuate depending upon the number tons of materials from the excavation. The entire 74 acre parcel less the 6 acre plant site is anticipated to be completely mined in approximately 22 years.

The sand that is mined that is considered to be a waste product will be placed against the stockpiled top soil and placed at a height conducive to the development of the property for other uses contemplated after the mining operation is completed. At the conclusion of the mining operation, there will be approximately 40 acres of open water.

6. Reclamation. The stockpiled top soil will be placed over the waste sand on the perimeter of the lake area and leveled. The top soiled will be planted periodically throughout the mining operation with grass to prevent wind erosion on the soil. The reclamation of the property will be an ongoing process in conjunction with the mining operation in an effort to maintain the resulting land area reclaimed to be level and pleasing in appearance.

At the conclusion of the mining operation, all mining equipment will be timely removed and stockpiles will have been eliminated. It is anticipated that the conclusion of the operation will result in a lake and surrounding land area for planting and residential uses.

October 17, 2005
1919 BASS Rd.,
GRAND Island, NE
68801

MR. GARY GREER
100 E First St.,
GRAND Island, NE.

DEAR SIR:

My wife JEAN and I want to go on
Record in opposition to the pumping
Permit of Dick HARTMAN to pump GRAVEL
in the AREA of Blaine St. and Schimmer Drive.

It would greatly affect the land and
House prices in the AREA. Also, Hall County
Park is very near. Please also consider the
adverse effect on quality of life in the AREA.

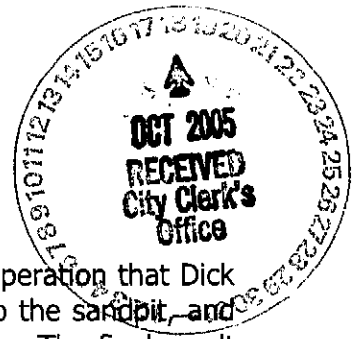
Thank you very much

D. Stelmach & wife, JEAN.
1919 BASS Rd



October 14, 2005

Dear Mayor Vavricek:



My name is Kathy Miller and we live on Scheel Road, bordering the sand and gravel operation that Dick Hartman is again proposing. I attended the previous meetings with my opposition to the sandpit, and spoke at the last meeting, and again, I would like to state my concerns on the matter. The final result of a sandpit with surrounding homes is a lovely thought, but it will be a long time until that happens. My family is concerned about the 20+ years between now and then.

I sent you a letter the last times this item was brought before the Council, and I am sending another letter, hoping you feel the same as you did then and will again vote against the sandpit. Please bear with me as I review some of the comments that the Council made at the previous meetings. Mr. Hartman said there were no reasons given to deny the permit at the last meeting, but they were at the previous meeting. Ms. Cornelius commented about the quality of life issue, that it is a beautiful area, and that it could effect the Hall County Park attendance. Ms. Hornady said that it is a lovely area, and there are few pieces of pristine prairie left in Nebraska. That this ground has never had a plow put to the ground and still has original swales. And that we are funding projects to develop greenspace, so this might be best left alone as prairie. Ms. Gilbert said that this sandpit is different than some, that the population density was already there. She was concerned who would police all the conditions placed upon the permit should it be allowed, and that with other pits the residents had to complain to get results. And that maybe with so many conditions, can it be right? She commented that there are too many problems, that it would be pro-active to stop. Ms. Pielstick was concerned as to the safety of children, as was Ms. Haase, who said that a neighbor when she was young almost suffocated at a sandpit. She said that the people were there first, and that to develop homes would benefit everybody, but we are not desperate for another gravel pit, that something could be done with the land, but not a sandpit. And to simply appreciate the quiet. Mr. Nickerson said at the very first meeting that Hall County Park would not be effected by the north pit, (which was voted down over a year ago), but could be by the south pit, and it could be 15 years or so before the south happens. It was only ten months before the south pit was brought up again, and voted down again, and now it is being brought up yet again. In driving through Hall County Park, you will see that the park would definitely be effected, that the pit is proposed within 100' of the campground. And Stuhr Museum is directly in view of the pit also, not something we would like to promote as a city, I wouldn't think.

I am also attaching articles from the Independent, and pleading with you to take the time to read them and remember what was all said at the last meetings. Our street is small, but we are surrounded by the same beauty and neighbors that the last proposal was for.

Following is a list of our concerns, in no particular order, as we feel they are all equally important.

The increase of traffic on Schimmer is a worry. With Hall County Park's entrance on Schimmer, there are many bike riders and joggers every day (as the norm, when the Park isn't being repaired). With the additional truck traffic all day long with the pit entrance, it would be even more dangerous for them to get to the park. The traffic from the Industrial Park is heavier now, but usually is done by the end of the work day when people use the park most. The only other road to get to the park is off Highway 281, very unsafe, and now we would be making Schimmer equally unsafe. There is also the hike/bike trail to Mormon Island. From my understanding this would run parallel with the sandpit, with blowing, pelting sand, a giant sandpile to look at, and the safety concern for any wanderers from the trail, as water and sand attract children. There would also be increased traffic on Blaine, where I imagine the bike trial would cross, and there would be more danger to the walkers and bikers.

I'm hopeful that you will once again deny this permit, as nothing has changed since the last meetings, but I feel that certain measures should be down in writing, should the outcome be different than the last meetings. Monday-Saturday pumping only, NO Sunday, and dawn to dusk is what I understand the norm is. I feel these hours are even too long, the sun comes up before 6:00 in the morning and stays light until late in the evening, there wouldn't be many quiet moments. Any lesser time of operation would be appreciated.

NO concrete plant or hot mix plant can be added at a later date. Only product that will come out of the ground, no incoming. Not natural state. Cannot bring in rock or asphalt to be ground down. This would help keep the site cleaner, no concrete or asphalt piles, and less noise from grinding machines. Also less traffic from trucks hauling product back in.

The height of the piles of sand: The piles we see around the county in sandpits are mountainous. Looking out at a solid mountain of sand is not the view we were excited about when we purchased our home 18 years ago outside of town.

Where will the piles of sand be placed? We request at least a 300' (or more if possible) setback on the sand and the pumping. We are worried that the sand will be put right up to our backyards and result in much blowing, and also the noise from loading trucks and lights from those trucks. We are worried about the blowing sand even pitting the siding of our houses, as we've heard reported from homes around current sandpits.

Concerned that the lights will be too bright and shine on our homes, the lights on the sand pile on South Locust are as bright as day and shine at all times.

Request that all mufflers that can be used, will be used. And any back-up alarms that could be muffled, also be.

If there is a buffer wall of dirt, it needs to be maintained or sprayed. Weeds and tumbleweeds are a huge eyesore also. Many times the outer boundaries of a property are where the piles of eyesore are stored, which happens to be up against my back yard.

Site must stay clean, no scrap, wood or pipes.

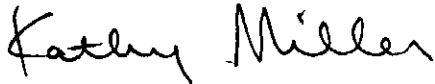
If housing must happen, I would welcome the neighbors who would be homeowners and take pride in their area. But for an eyesore of a sandpit to be there for 20+ years, then the years of settling ground before the homes are built, I must oppose. And with all the taxpayer money that is being spent to argue this case in court and for the city to defend their stance, the citizens should oppose it also.

And I would be curious as to what the pumping would do to the underground water supplies. Although we are in the city limits now, we all still have our own wells...would this pumping effect our water supplies?

Thank you for your time. I appreciate all the help you can give us in this matter. There have been many changes to our little neighborhood the last couple of years. We were annexed into the city and are hopeful that our representatives will help us with our concerns. We have tolerated the blowing dirt from the Industrial Park, and now the noise of the industries going in over there. I have had to fight to keep my children in their neighboring school. And now we need to fight to keep a mess out of our backyards.

Please help us.

Sincerely,

A handwritten signature in black ink that reads "Kathy Miller". The signature is written in a cursive style with a large, stylized "K" and "M".

Byron and Kathy Miller
4015 Scheel Road
Grand Island, NE 68803
381-7060 (home)
389-7222 (work)

Business move causing a stir

Proposed move by sand and gravel operation near Hall County Park has neighbors concerned

By Tracy Overstreet
tracy.overstreet@theindependent.com

Lyman-Richey Corp. wants to move its longtime sand and gravel operation from South Locust Street to 75 acres of ag land east of Hall County Park.

But the move from inside city limits to outside city limits is raising concerns from neighboring subdivisions.

"It's in my backyard," said Kathy Miller, 4015 Scheel Road.

The matter goes before the Grand Island City Council during a 7 p.m. Tuesday meeting at City Hall, 100 E. First.

The council is being asked to issue a conditional use permit for the sand and gravel operation at 3812 S. Blaine because the property is within the two-mile extraterritorial jurisdiction that cities can regulate.

The 75 acres that Lyman-Richey

football field away from Miller's back door on land currently owned by Hall County Supervisor Dick Hartman. The land is south of the Wood River Flood Control project and north of Schimmer Drive just west of Blaine Street.

Hartman had proposed a year ago to develop land he owns north of the flood control project into a housing subdivision with a lake that would be dredged by Lyman-Richey as a sand and gravel operation.

That proposal was denied by the Grand Island City Council on an 8-2 vote amid neighbor concerns, primarily from the Rainbow Lakes Subdivision east of Blaine, about noise, blowing dirt, increased traffic and safety for neighborhood children.

An 11-year-old boy was killed in 1998 at Central Sand and Gravel, 2819 S. Locust, whose parent company is Lyman-Richey. The boy had been sliding down a 25- to 30-foot-tall gravel pile and came into contact with power lines and was electrocuted.

Dan Lind, 2111 Bass Road, said there's also a safety concern for children who walk, ride bicycles, or are pulled in wagons by their parents along Blaine Street, which connects Bass Road and Rainbow Road in the Rainbow Lake development.

Heavy sand and gravel truck traffic would pose a threat, he said.

"Traffic is still going to be on Blaine," Lind said. "It isn't that far from where it was before."

The conditional use permit application said the driveway into the site would be from the south along Schimmer Drive.

Pumping operations are proposed to begin in 2006 and continue for 22 years in creation of a 40-acre lake.

"The resulting lake and surrounding land area on the described property will probably be platted for the sale of residential building lots," the permit application said.

"It ain't going to hurt anybody," Hartman said of the operation. "It will be a nice thing for the world."

Hartman referred all other questions to Grand Island attorney Bill Francis, representing Lyman-Richey. A call to Francis was not returned.

Miller said not only will the operation be an eyesore for her, but it's also in clear view of the Hall County Park, Stuhr Museum and the hike and bike trail proposed to run along the top of the flood control project.

Hall County Supervisor Bud Jeffries, who chairs the county's parks committee, said he hadn't been notified of the proposal and therefore had no comment.

Hall County Clerk Marla Conley said the county did receive a written notice from the city that the conditional use permit would be considered by the council on Tuesday, but she wasn't sure if supervisors had seen, read, or been given copies of the notice. It was included in a file folder of "communications" at the county board's meeting last Tuesday, she said.

City Building Department Director Craig Lewis is recommending approval of the conditional use permit for up to 10 years as long as certain conditions are met. They include adhering to a setback of 150 feet from Blaine Street, 250 feet from the flood control project, and 100 feet from the Scheel subdivision on the west and a farmhouse located to the south of the property.

Miller is also concerned about a six-day-a-week, sunup-to-sundown operation that utilizes heavy equipment.

"If homes develop there, that's fine. I'll welcome the neighbors," Miller said. "They don't have trucks with back-up horns."

Park area not good site for sand/gravel pit

Last May the Grand Island City Council rejected a proposal submitted by Dick Hartman to develop a sand and gravel pumping operation on land he owns between the Rainbow Lake subdivision and Hall County Park.

Home > Opinion > Park area
Web-Posted Apr 11, 2005

The project was originally to include tracks of land along South Blaine Street bisected by the Wood River Flood Control area and flanked by Hall County Park on the southwest and Meadowlark and Rainbow subdivisions to the north and east.

Only the land north of the river drainage was included in consideration for a conditional use permit. The council rejected the permit on an 8 to 2 vote based largely on objections presented by residents of the area concerned about noise, blowing dust, heavy truck traffic and safety.

At tomorrow's council meeting, Hartman will revisit his request for a conditional use permit for an aggregate operation, this time for the track of land to the south of the drainage at 3812 S. Blaine. The permit would allow Lyman-Richey Corp. to excavate, process, stockpile and sell aggregates on the 75-acre parcel. The permit is a pre-condition of a pending sale agreement between Hartman and Lyman-Richey.

The question of suitability remains tantamount in the decision to grant the mining permit. Residential development in the area has grown significantly over the past several years and a number of new homes have been added since last May. Homeowners and builders have invested in this corner of Grand Island because of the quiet, safety and proximity to town, parks and rural Hall County.

South Locust redevelopment and the major new interchange on I-80 will combine to focus future growth to the south. The city and county will someday have to contend with the impact of commercial, industrial and residential impact in the area between Highway 34 and the Interstate.

In the meantime the city council once again has the opportunity to make the right choice in considering what is most suitable for present and future residents of the area, the users of Hall County Park and the future of the county and Grand Island. We urge the council to reject the permit.

Home > News > Hartman sand and gravel debate continues
Web-Posted Jul 7, 2005

Hartman sand and gravel debate continues

By Tracy Overstreet
tracy.overstreet@theindependent.com

A dispute regarding a denied permit for a Grand Island sand and gravel operation is centering on what state statutes apply and whether a 30-day appeal deadline should be imposed.

Hall County Supervisor Dick Hartman applied for a conditional use permit to have a sand and gravel operation on 73 acres he owns just east of Hall County Park.

The Grand Island City Council held a public hearing on the permit request April 12 and denied the permit at the same meeting.

Hartman's attorney, Bill Francis, filed an appeal April 26, but didn't file city council minutes with the court until June 8 -- a timeline that City Attorney Doug Walker said failed to meet a state-required 30-day deadline.

On Wednesday, the city asked Hall County District Judge Teresa Luther to dismiss the case.

Not only had Hartman not met the 30-day deadline, but he failed to file a praecipe, or transcript of the council proceedings, and failed to follow the "petition in error" process that applies in such matters, Walker said.

But Francis said the petition in error process doesn't apply. There's separate state statute that applies to zoning appeals and it was amended last year, Francis said.

Luther advised both attorneys to file written arguments to her by July 27 and replies to each other's arguments by Aug. 3.

Hartman was not present during Wednesday's court hearing.

He had been seeking to sell his pasture to Lyman-Richey Corp. to operate a sand and gravel operation on the acreage located immediately north of Schimmer Drive and west of Blaine Street.

[Home](#) > [News](#) > Sand and gravel operation threatens Hall County Park

eb-Posted May 19, 2004

Sand and gravel operation threatens Hall County Park

County supervisor Hartman applies for permit

 By Tracy Overstreet
tracy.overstreet@theindependent.com

The tables have turned on the Hall County board when it comes to sand and gravel operations.

The seven-member board has struggled in issuing conditional use permits for the operations, which have proved to be controversial in more than one case this year.

But now instead of granting a permit, the county is in the position of being the affected landowner -- through one of its board members.

Supervisor Dick Hartman has applied for a sand and gravel permit on two pieces of property he owns on South Blaine Street -- one of which is immediately east of the Hall County Park.

"I am concerned about the noise and the dust as far as impacting our county park," said Supervisor Scott Arnold.

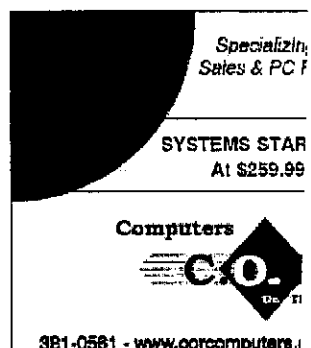
His other five colleagues agreed, as did numerous other neighbors, but it will be the Grand Island City Council, not the county board, that makes a final decision.

That's because Hartman's property is located at 3812 and 36

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Independent Talk

"...It is a myth that it is cheaper to live in a small town. The personal costs of travel in time and money to secure just minimal needs are tremendous and have out-paced pocketbook in many cases. ..." [lilchick377](#), in our topic: sub: for rural America

Blaine, is not in city limits, but is in the city's two-mile jurisdiction for such permits.

Hartman's permit is to be considered by the city during a 7 p.m. council meeting May 25.

Property owners from a nearby subdivision -- Rainbow Lakes -- came to the county board's Tuesday meeting to discuss their concerns.

Jane Thorngren, 1716 Rainbow Road, questioned using that land for a sand and gravel operation when it's surrounded by so many residences.

"We've weathered the NRD project," she said of construction of the Wood River flood diversion channel south of the nearby subdivisions.

The NRD project caused a lot of blowing dirt and Thorngren fears that the sand and gravel operation will continue that and prevent families from enjoying their outdoor space along lake beaches and in yards.

Richard Miner, 3527 S. Blaine, said he objects to the increased traffic on Blaine, the noise of pumping and the lights associated with the sand and gravel operation. He has circulated a neighborhood petition and plans to take it to the city council meeting next week.

"Ninety-five percent of the people have signed -- they don't want it there," said Scott Leisinger, 2119 Bass Road.

Supervisor Bud Jeffries said it's really a two-sided sword because the city and county need the aggregate from such an operation to continue to grow, but the operations can pose problems for residents. That's why the county board suggested that all the conditions recently required for a Werner Construction sand and gravel operation near Guenther Road be applied here -- limiting pumping to daylight hours, prohibiting it on Sunday, requiring mufflers on equipment and forbidding asphalt plants and aggregate storage. All these are conditions the city has already recommended.

"This might be the best of both worlds," Hartman finally said after sitting quiet through most of the discussion. "I could put in trailer houses or I could put a feedlot in there."

"Are you threatening us?" Miner asked.

"I'm just saying I own the land and I can do with it what I want to do," Hartman said.

He backpedaled and said he may not ever use the permit -- inaction that would make it null and void after 18 months, according to the city. But once the property owners left the meeting, he again talked of placing livestock -- up to 300 hogs on the land if his permit isn't approved.



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Tuesday
May 25, 2004 **4-A**

Editorial Page Editor: Jim Faddis, 381-9413

George Ayoub Senior Writer Mercedes Ayala Community Representative

City should deny sand, gravel permit

The Grand Island City Council has the opportunity tonight to do the right thing when it comes to determining how the city should grow. They are being asked to give permission to a proposal to create a sand and gravel operation that will sit smack dab between the Hall County Park and the Rainbow Lakes subdivision, all located south of the city on Blaine Street.

Our view

The Grand Island City Council should deny a permit for a sand and gravel operation near the Hall County Park and a housing subdivision.

From this corner it seems like a slam dunk. Deny the proposal because of the potential impact on Hall County Park users and the people who have built homes across Blaine Street from the proposed sand and gravel operation. It is a matter of determining

if the proposal is worth the negative impact on park users and home owners.

Rainbow Lakes homeowners have every reason to oppose this permit. It will not enhance their property and will be a detriment to further development.

The properties involved are not in the city limits. But the city has zoning control over parcels within two miles of the city boundaries. That makes it a city council issue. This is precisely why the two-mile jurisdiction exists — to make sure that industrial development does not impact the overall quality of life of the community.

This permit would also allow the Hall County Park to become less desirable from a user standpoint. With precious few parks available in Hall County, it does not make sense to allow an industrial use such as a sand and gravel operation to deteriorate the ambiance and natural setting of the park.

We urge the council to make quick action of this proposal and deny the permit.

Thank you for your comments and votes last Tuesday evening regarding the Richard Hartman sand and gravel operation. I had not attended a council meeting before and was impressed by viewpoints of all the council members. It seems to me that you really are looking out for the best interest of the homeowners and also the city of Grand Island. Comments about safety, keeping green space, families being there first, all hit the nail on the head.

My concern is that Mr. Hartman will re-apply for the south pit in the near future and people may forget comments from the Tuesday meeting. I live on Schell Road and our subdivision is smaller than Rainbow or Meadowlark, but we feel we are equally important...as is Hall County Park. Even part of the view from Stuhr Museum would be of the operation. We hope that when and if this issue comes before you again, you will remember all the discussion from last evening and help keep this eyesore from our neighborhood also.

Thank you so much for your time.

Kathy Miller
4015 Scheel Road
Grand Island, NE 68801

May 28, 2004

Lyman-Richey representative Carl Roberts said the company would put up a fence, but there is no guaranteed method of keeping everyone out.

Attorney John Amick, representing Hartman, said the sand and gravel operation was a win-win situation for the nearby subdivisions, because it would create a similar looking lake on which similar type homes could be built -- a complement to the existing homes.

Although there would be temporary inconveniences -- which Amick estimated at two years before development could begin -- the end result would be something that would increase the area aesthetics and value in the long-run.

Councilman Mitch Nickerson liked the idea of a similar-looking lake development and favored the permit for that reason. It's a given that the land will develop in some fashion, he said, because there is no new land being made.

But Councilwoman Margaret Hornady preferred the land be left "pristine Nebraska prairie" and Councilwomen Carole Cornelius and Peg Gilbert said there were just too many problems with the property to make it a good fit for a sand and gravel operation.

Little talk centered around the impact the operation would have on Hall County Park, largely because an application to pump nearby land at 3812 S. Blaine was pulled and not expected to be filed again for about eight years. Hall County Park Superintendent Chuck Kaufman, speaking on his own behalf, also said he had no concerns about the sand and gravel operation impacting the park.

Some of the homeowners and Councilman Fred Whitesides took personal shots at Hartman, whom Amick had advised not to attend the meeting strictly for that reason. Those comments prompted Nickerson to apologize for Whitesides and scold the public for not being big enough to "take the personality out of the project."

In other action the council:

- Awarded a contract to C.T. Brannon Corp. of Tyler, Texas, to prepare a comprehensive aquatics study at a cost not to exceed \$29,800.

- Requested southwest Grand Island be declared a Superfund site.

- Amended city code regarding nuisance violations specifically

me > News > Sand and gravel pit denied
b-Posted May 26, 2004

Sand and gravel pit denied

City Council concerned about environmental and safety issues

by Tracy Overstreet
tracy.overstreet@theindependent.com

The voices, faces and signatures of nearly 40 homeowners made a difference to the Grand Island City Council Tuesday night.

The council voted 8-2 to deny a sand and gravel pit permit to Hall County Supervisor Dick Hartman for land he owns at 3630 S. Blaine. Councilmen Bob Meyer and Mitch Nickerson were in favor of the permit.

"We are very pleased with the vote," said Jane Thorngren, 1716 Rainbow Road. "The council took into affect our lives and the quality of lives."

Thorngren and several other property owners from the nearby subdivisions of Rainbow Lake and Meadowlark Estates opposed the sand and gravel operation because of dirt, dust, noise, increased traffic and safety concerns.

Those safety issues included keeping the pit inaccessible to children said Scott Fox, 1916 Rainbow Road, who noted the proposed gravel pit operator, Lyman-Richey Corp., is the parent company of Central Sand and Gravel where an 11-year-old boy was killed in 1998 while playing at a Grand Island gravel pit.

Fox said Lyman-Richey also was reprimanded for Clean Water

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new

HALL COUNTY BOARD of SUPERVISORS
Hall County Administration Building
121 South Pine Street, Grand Island, NE 68801-6099
Telephone: (308)385-5093 Fax: (308)385-5094 TDD: (800)833-7352

Supervisors

Chair: Pamela E. Lancaster 381-2754

Jim Eriksen 381-0952

William (Bud) Jeffries 382-8154

Richard Hartman 384-6442

Robert Rye 389-4781

Scott Arnold 384-3905

Robert Humiston Jr. 382-4343

Board Assistant: Stacey Ruzicka 385-5093

October 18, 2005

City of Grand Island
City Council Members
PO Box 1968
Grand Island, NE 68802



RE: Conditional Use Permit for 3812 S Blaine Street

Dear Council Members:

Please refer to the attached letters dated May 19, 2004 and April 11, 2005 regarding the conditional use permit for the property located at 3812 S Blaine Street. Once again we are sharing our concerns with you. As far as we are concerned, the situation has not changed. We continue to be concerned that this property is in such close proximity to Hall County Park.

We are requesting that you not grant the conditional use permit for this property. Thank you for considering our request.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Lancaster".

Hall County Board of Supervisors
Pamela Lancaster, Chair

Enclosures

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Scott Arnold 384-3905

Robert Humiston Jr. 382-4343

Board Assistant: Stacey Ruzicka 385-5093

April 11, 2005

City of Grand Island
City Council Members
PO Box 1968
Grand Island, NE 68802



RE: Conditional Use Permit for 3812 S Blaine Street

Dear Council Members:

Please refer to the attached letter dated May 19, 2004 regarding the conditional use permit for the same property located at 3812 S Blaine Street. We feel that the same conditions exist except for the fact that this location is even closer to Hall County Park. In addition, our concern is that the gravel trucks traveling to and from this location will no doubt use Highway 281 and pass directly in front of the park.

We are requesting that you not grant the conditional use permit for this property. Thank you for considering our request.

Sincerely,

Hall County Board of Supervisors
Pamela Lancaster, Chair
Jim Eriksen, Vice-Chair
Scott Arnold
Bud Jeffries
Robert Rye

Enclosures

HALL COUNTY BOARD of SUPERVISORS
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121 South Pine Street, Grand Island, NE 68801-6099
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Richard Hartman 384-6442
Robert Rye 389-4781

Board Assistant: Stacey Ruzicka 385-5093

May 19, 2004

City of Grand Island
City Council Members
PO Box 1968
Grand Island, NE 68802



RE: Conditional Use Permits for 3812 and 3630 S Blaine Street

Dear Council Members:

The Hall County Board of Supervisors discussed at their meeting on May 18, a response to your letter to property owners regarding the proposed conditional use permits for sand and gravel operations located at 3812 and 3630 South Blaine Street.

Attached you will find a number of conditions we would like considered as requirements to obtain the permits. Our recent experience with a sandpit located in a similar proximity to homeowners resulted in these stipulations. Considering that campers, visitors to our community, as well as residents enjoy Hall County Park, we feel that these requirements are not excessive.

Thank you for your consideration of our request.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Lancaster".

Hall County Board of Supervisors
Pamela Lancaster, Chair

Enclosure

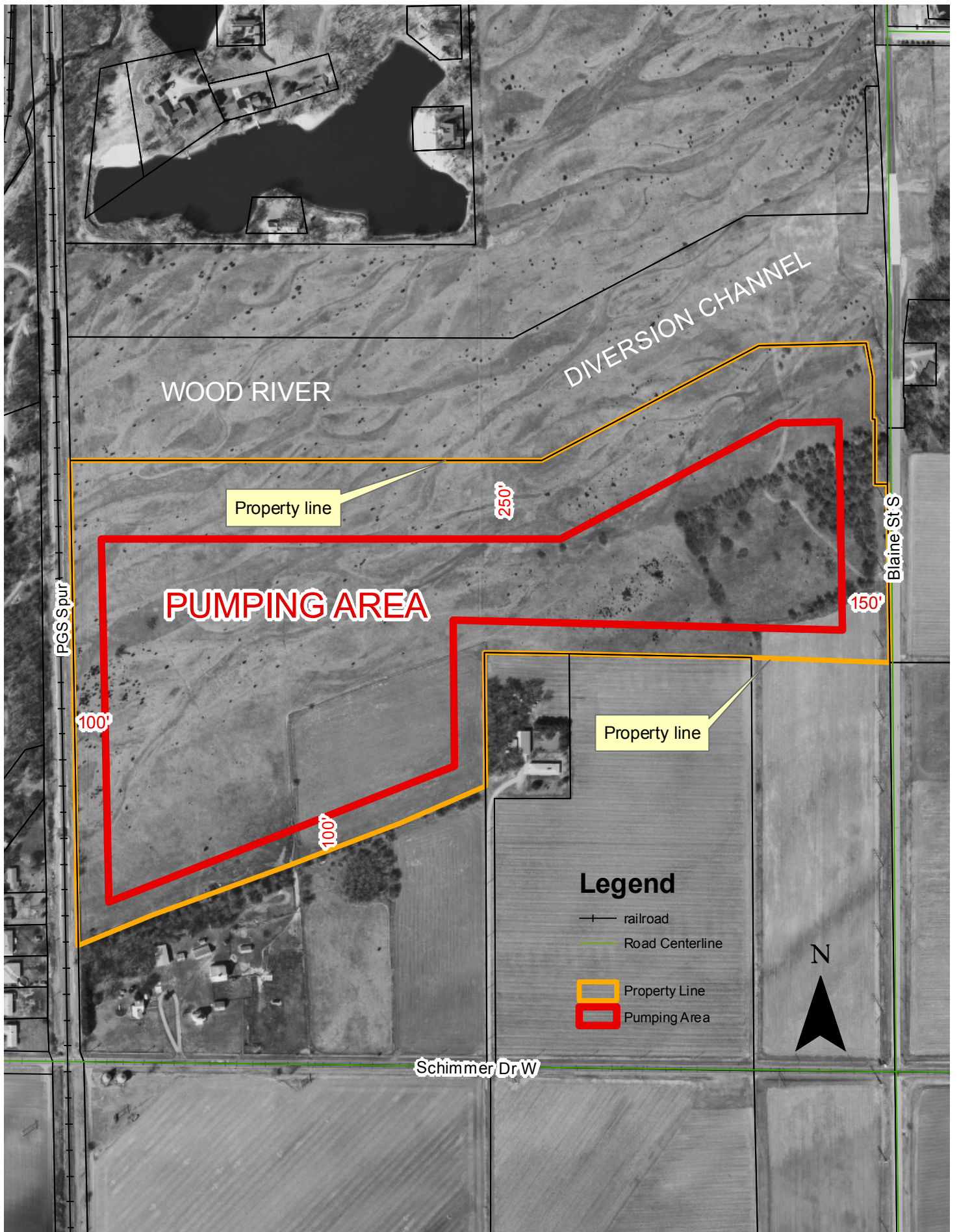
Hall County Board of Supervisors

May 19, 2004

Conditional Use Permits for 3812 and 3630 S Blaine Street

Requested Conditions

- Pumping of sand and gravel and storage of recyclable road construction materials shall not be allowed within 300 feet of a public road right of way, easement, or railroad.
- Pumping and other activities including, but not limited to, lighting, hauling, loading, unloading, sorting, and processing, is permitted from fifteen minutes after sunrise to fifteen minutes after sunset Mondays through Saturdays. No pumping or other activities are permitted on Sundays or from fifteen minutes after sunset to fifteen minutes after sunrise.
- Any internal combustion pump motors utilized shall be equipped with a functioning "hospital grade muffler" designed to reduce exhaust noise by 32 to 40 decibels.
- Materials and equipment shall not be stored on the property within the regulated floodways as determined by the Federal Emergency Management Agency or its successor and the entity having jurisdiction and authority to enforce floodplain regulations.
- All dead trees, rubbish and debris, if any, must be cleared from the above described real estate as soon as practical and said real estate must, at all times, be kept in a clean and neat condition.
- No trash, rubbish, debris, broken concrete, dead trees, lumber, bricks, refuse or junk material of any nature whatsoever shall be dumped, placed or located upon said real estate.
- Crushing or grinding of aggregates other than those mined on site shall not be permitted.
- Manufacturing uses including, but not limited to, asphalt or Portland cement based concrete production, shall not be permitted.
- Applicant shall not use said real estate in such a way so as to create or result in an unreasonable hazard or nuisance to adjacent landowners or to the general public.
- Applicant shall maintain any and all drainage ditches that may be located upon the real property.
- Applicant shall not permit the hauling of sand and gravel from the premises and over and across any public highway or road unless said sand and gravel is completely dry and free of water or is hauled in trucks which are designed and equipped so as to prevent water from leaking onto the traveled portion of the roadbed.
- All water accumulated upon the premises by virtue of such mining and pumping operations shall be retained upon the premises and shall not flow upon or encroach upon any adjacent land. Only surface waters that have historically flowed from the premises shall be permitted to leave the same through historical natural drainage ways.





City of Grand Island

Tuesday, October 25, 2005

Council Session

Item E3

**Public Hearing Concerning Acquisition of a Public Utilities
Easement Located at 741 N. Webb Road (Veronica I. Hutton
Estate)**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: October 25, 2005

Subject: Public Hearing Concerning Acquisition of a Public Utilities Easement Located at 741 N. Webb Road (Veronica I. Hutton Estate)

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

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

Background

Council action is necessary for the City of Grand Island to acquire public easements. The Public Works Department needs to acquire an easement along the property of 731 N. Webb Rd to extend public sanitary sewer to the property.

Discussion

This easement will be used in order to have access to install, upgrade, maintain, and repair public utilities including but not limited to sanitary sewers, storm sewers, water mains, electric utility poles, overhead and underground power lines, manholes, pipelines, surface markers, and other appurtenances, upon, over, along, in, underneath and through the tract of land.

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 Public Utility Easement.
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 conduct a Public Hearing and approve acquisition of the Public Utility Easement.

Sample Motion

Move to approve the acquisition of the Public Utility Easement.





City of Grand Island

Tuesday, October 25, 2005

Council Session

Item E4

**Public Hearing Concerning Acquisition of a Public Utilities
Easement Located at 821 N. Webb Road (Allen & Sheila Garton)**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: October 25, 2005

Subject: Public Hearing Concerning Acquisition of a Public Utilities Easement Located at 821 N. Webb Road (Allen & Sheila Garton)

Item #'s: E-4 & G-7

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

Background

Council action is necessary for the City of Grand Island to acquire public easements. The Public Works Department needs to acquire an easement along the property of 821 N. Webb Rd. to extend public sanitary sewer to the property.

Discussion

This easement will be used in order to have access to install, upgrade, maintain, and repair public utilities including but not limited to sanitary sewers, storm sewers, water mains, electric utility poles, overhead and underground power lines, manholes, pipelines, surface markers, and other appurtenances, upon, over, along, in, underneath and through the tract of land.

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 Public Utility Easement.
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 Public Utility Easement.

Sample Motion

Move to approve the acquisition of the Public Utility Easement.





City of Grand Island

Tuesday, October 25, 2005

Council Session

Item F1

**#9012 - Consideration of Annexation of Property Located South of
Case New Holland and West of US Highway 281 (Second Reading)**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: October 25, 2005
Subject: Annexation
Item #'s: F-1 (Second Reading)
Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

This request provides for the annexation of land located in the SE ¼ NE ¼ 25-11-10 into the Grand Island City Limits. (Exhibit A). The owners of this property have requested that the city consider this property for annexation in preparation for development. Council forwarded this request to the Hall County Regional Planning Commission and approved an annexation plan on this property.

Discussion

On September 7th, 2005 the Hall County Regional Planning Commission held a public hearing before considering this matter.

No members of the public testified at the hearing held by the Regional Planning Commission.

This property is adjacent to and contiguous with the Grand Island City limits on all sides.

Sewer and water are available to the property included in this annexation request. This property is within the Grand Island Utilities Electrical Service District. This property is not within the Grand Island School District. Annexing these properties will not impact the two mile extraterritorial jurisdiction of Grand Island.

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. Table the issue

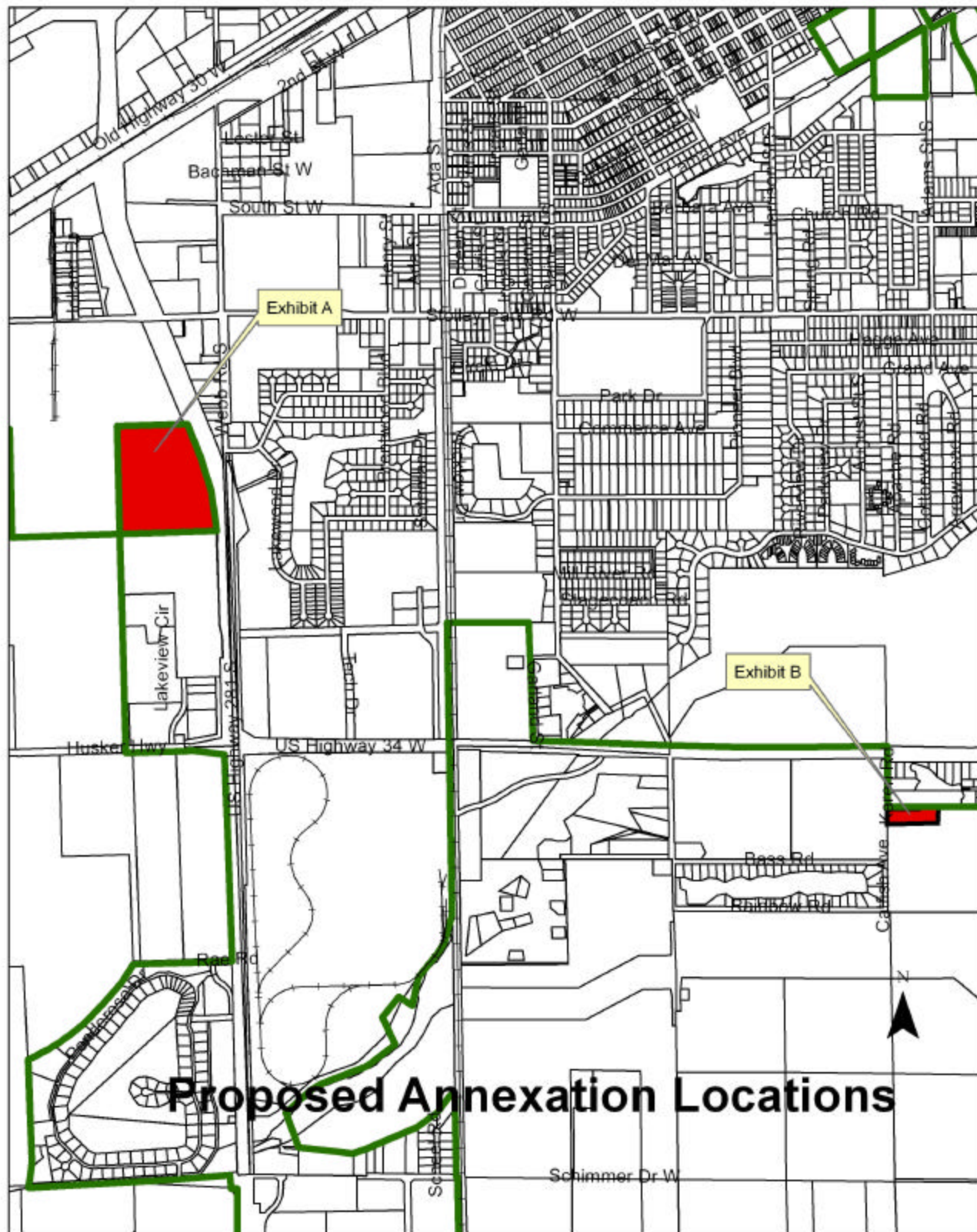
Recommendation

A motion was made by Haskins 2nd by Ruge to approve and recommend that the City of Grand Island **approve** this annexation and as presented.

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

Sample Motion

Approve the annexation as Submitted



* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9012

An ordinance to extend the boundaries and include within the corporate limits of, and to annex to the City of Grand Island, Nebraska, a tract of land comprising a part of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Twenty Five (25), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska; to provide service benefits thereto; to confirm zoning classifications; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, after public hearing on September 7, 2005, the Regional Planning Commission recommended the approval of annexing into the City of Grand Island, a part of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Twenty Five (25), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska, more particularly described as follows, into the City of Grand Island, Hall County, Nebraska:

Beginning at the northwest corner of Lot Five (5), Pedcor Subdivision, said point also being the southwest corner of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section 25-11-10; thence north on the west line of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section 25-11-10 to the northwest corner of the Southeast Quarter of the Northeast Quarter (SE1/4,

Approved as to Form	<input type="checkbox"/> _____
October 20, 2005	<input type="checkbox"/> City Attorney

ORDINANCE NO. 9012 (Cont.)

NE1/4) of Section 25-11-10; thence east on the north line of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section 25-11-10 to the west line of U.S. Highway 281; thence south and east on the west line of U.S. Highway 281 to the south line of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section 25-11-10; thence west on the south line of the Southeast Quarter of the Northeast Quarter of Section 25-11-10 to the point of beginning, as shown on Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, after public hearing on October 11, 2005, the City Council of the City of Grand Island found and determined that such annexation be approved; and

WHEREAS, on October 11, 2005, the City Council of the City of Grand Island approved such annexation on first reading.

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

SECTION 1. It is hereby found and determined that:

(A) The above described tract of land is urban or suburban in character, and that the subject property is contiguous or adjacent to the corporate limits of said City.

(B) The subject land will receive the material benefits and advantages currently provided to land within the City's corporate limits including, but not limited to police, fire, emergency services, street maintenance, and utilities services upon annexation to the City of Grand Island, Nebraska, and that City electric, water and sanitary sewer service is available, or will be made available, as provided by law.

(C) The various zoning classifications of the land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed.

(D) There is unity of interest in the use of the said tract of land, lots, tracts, highways and streets (lands) with the use of land in the City, and the community convenience

ORDINANCE NO. 9012 (Cont.)

and welfare and in the interests of the said City will be enhanced through incorporating the subject land within the corporate limits of the City of Grand Island.

(E) The plan for extending City services adopted by the City Council by the passage and approval of Resolution No. 2005-246 is hereby approved and ratified as amended.

SECTION 2. The boundaries of the City of Grand Island, Nebraska, be and are hereby extended to include within the corporate limits of the said City the contiguous and adjacent tract of land located within the boundaries described above.

SECTION 3. The subject tract of land is hereby annexed to the City of Grand Island, Hall County, Nebraska, and said land and the persons thereon shall thereafter be subject to all rules, regulations, ordinances, taxes and all other burdens and benefits of other persons and territory included within the City of Grand Island, Nebraska.

SECTION 4. The owners of the land so brought within the corporate limits of the City of Grand Island, Nebraska, are hereby compelled to continue with the streets, alleys, easements, and public rights-of-way that are presently platted and laid out in and through said real estate in conformity with and continuous with the streets, alleys, easements and public rights-of-way of the City.

SECTION 5. That a certified copy of this Ordinance shall be recorded in the office of the Register of Deeds of Hall County, Nebraska and indexed against the tracts of land.

SECTION 6. Upon taking effect of this Ordinance, the services of said City shall be furnished to the lands and persons thereon as provided by law, in accordance with the Plan for Extension of City Services adopted by herein.

ORDINANCE NO. 9012 (Cont.)

SECTION 7. That all ordinances and resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 8. This ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet form, as provided by law.

Approved on Second Reading on October 25, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item F2

#9013 - Consideration of Annexation of Property Located South of Sandra Road and West of South Locust Street (Second Reading)

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: October 25, 2005
Subject: Annexation
Item #'s: F-2 (Second Reading)
Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

This request provides for the annexation of land located in the S ½ NW ¼ NE ¼ 33-11-09 into the Grand Island City Limits. (Exhibit B). The owners of this property have requested that the city consider this property for annexation in preparation for expansion of the nursing home directly to the north of this property. This property was rezoned by the Grand Island City Council in August of 2005 for that purpose. Council forwarded this request to the Hall County Regional Planning Commission and approved an annexation plan on this property.

Discussion

On September 7th, 2005 the Hall County Regional Planning Commission held a public hearing before considering this matter.

No members of the public testified at the hearing held by the Regional Planning Commission.

This property is adjacent to and contiguous with the Grand Island City along its northern property line.

Sewer and water are available to the property included in this annexation request. This property is within the Grand Island Utilities Electrical Service District. This property is not within the Grand Island School District. Annexing these properties will not impact the two mile extraterritorial jurisdiction of Grand Island.

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. Table the issue

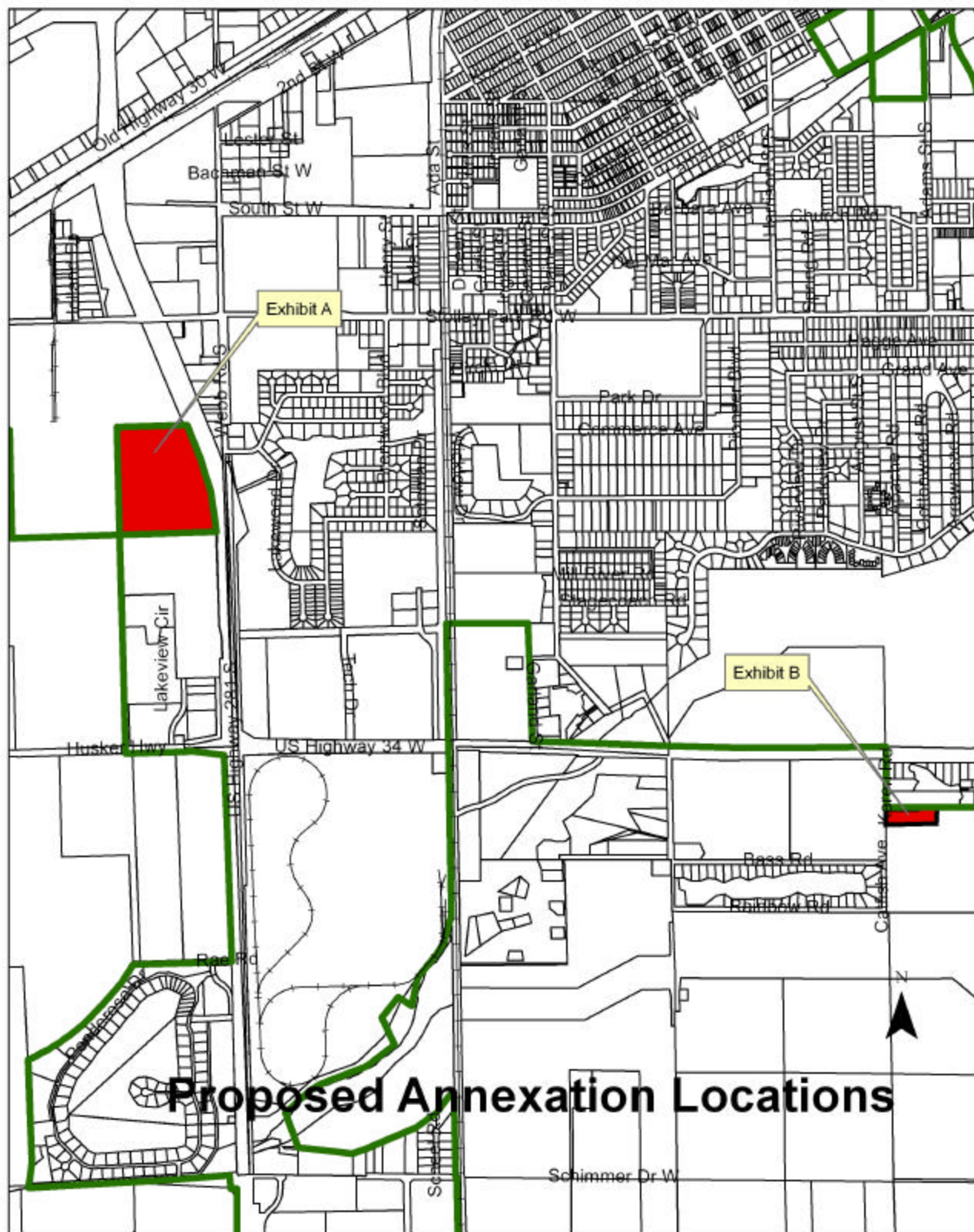
Recommendation

A motion was made by Miller 2nd by Brown to approve and recommend that the City of Grand Island **approve** this annexation and as presented.

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

Sample Motion

Approve the annexation as Submitted



* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9013

An ordinance to extend the boundaries and include within the corporate limits of, and to annex into the City of Grand Island, Nebraska, a tract of land comprising a part of the Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) of Section Thirty Three (33), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska; to provide service benefits thereto; to confirm zoning classifications; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, after public hearing on September 7, 2005, the Regional Planning Commission recommended the approval of annexing into the City of Grand Island, a tract of land comprising a part of the Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) of Section Thirty Three (33), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, more particularly described as follows:

Beginning at the southwest corner of Phillips Subdivision; thence east on the south line of Phillips Subdivision for a distance of 600.0 feet; thence south on a line perpendicular to the south line of Phillips Subdivision for a distance of 217.8 feet south of and parallel to the south line of Phillips Subdivision for a distance of 600.0 feet to the west line of the Northeast Quarter (NE1/4) of Section 33-11-9;

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October 20, 2005	<input type="checkbox"/>	City Attorney

ORDINANCE NO. 9013 (Cont.)

thence north on the west line of the Northeast Quarter (NE1/4) of Section 33-11-9 for a distance of 217.8 feet to the point of beginning, as shown on Exhibit "B" attached hereto and incorporated herein by this reference; and

WHEREAS, after public hearing on October 11, 2005, the City Council of the City of Grand Island found and determined that such annexation be approved; and

WHEREAS, on October 11, 2005, the City Council of the City of Grand Island approved such annexation on first reading.

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

SECTION 1. It is hereby found and determined that:

(A) The above-described tract of land is urban or suburban in character, and that the subject property is contiguous or adjacent to the corporate limits of said City.

(B) The subject land will receive the material benefits and advantages currently provided to land within the City's corporate limits including, but not limited to police, fire, emergency services, street maintenance, and utilities services upon annexation to the City of Grand Island, Nebraska, and that City electric, water and sanitary sewer service is available, or will be made available, as provided by law.

(C) The various zoning classifications of the land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed.

(D) There is unity of interest in the use of the said tract of land, lots, tracts, highways and streets (lands) with the use of land in the City, and the community convenience and welfare and in the interests of the said City will be enhanced through incorporating the subject land within the corporate limits of the City of Grand Island.

ORDINANCE NO. 9013 (Cont.)

(E) The plan for extending City services adopted by the City Council by the passage and approval of Resolution No. 2005-246 is hereby approved and ratified as amended.

SECTION 2. The boundaries of the City of Grand Island, Nebraska, be and are hereby extended to include within the corporate limits of the said City the contiguous and adjacent tract of land located within the boundaries described above.

SECTION 3. The subject tract of land is hereby annexed to the City of Grand Island, Hall County, Nebraska, and said land and the persons thereon shall thereafter be subject to all rules, regulations, ordinances, taxes and all other burdens and benefits of other persons and territory included within the City of Grand Island, Nebraska.

SECTION 4. The owners of the land so brought within the corporate limits of the City of Grand Island, Nebraska, are hereby compelled to continue with the streets, alleys, easements, and public rights-of-way that are presently platted and laid out in and through said real estate in conformity with and continuous with the streets, alleys, easements and public rights-of-way of the City.

SECTION 5. That a certified copy of this Ordinance shall be recorded in the office of the Register of Deeds of Hall County, Nebraska and indexed against the tracts of land.

SECTION 6. Upon taking effect of this Ordinance, the services of said City shall be furnished to the lands and persons thereon as provided by law, in accordance with the Plan for Extension of City Services adopted by herein.

SECTION 7. That all ordinances and resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 8. This ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet form, as provided by law.

ORDINANCE NO. 9013 (Cont.)

Approved on Second Reading on October 25, 2005.

Attest:

Jay Vavricek, Mayor

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item F3

**#9014 - Consideration of Assessments for Water Main District
443 - American Independence Subdivision**

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

Staff Contact: Gary R. Mader

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ORDINANCE NO. 9014

An ordinance to assess and levy a special tax to pay the cost of construction of Water Main District No. 443 of the City of Grand Island, Nebraska; to provide for the collection of such special tax; 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. There is hereby assessed upon the following described lots, tracts, and parcels of land specifically benefited, for the purpose of paying the cost of construction of said water main in said Water Main District 443, as adjudged by the Mayor and Council of said City, to the extent of benefits thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and lands as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Gary E. Valasek & Mary G. Valasek	Lot 1, American Independence Subdivision	2,767.75

ORDINANCE NO. 9014 (Cont.)

Gary E. Valasek & Mary G. Valasek	Lot 2, American Independence Subdivision	2,873.21
Gary E. Valasek & Mary G. Valasek	Lot 5, American Independence Subdivision	3,005.96
Gary E. Valasek & Mary G. Valasek	Lot 6, American Independence Subdivision	3,005.96
Brian D. Haynes & Kellie E. Haynes	Lot 7 American Independence Subdivision	3,177.39
Gary E. Valasek & Mary G. Valasek	Lot 8, American Independence Subdivision	7,355.90
Gary E. Valasek & Mary G. Valasek	Lot 9, American Independence Subdivision	3,209.21
Gary E. Valasek & Mary G. Valasek	Lot 10, American Independence Subdivision	2,975.27
Gary E. Valasek & Mary G. Valasek	Lot 11, American Independence Subdivision	2,953.36
Gary E. Valasek & Mary G. Valasek	Lot 12, American Independence Subdivision	2,953.01
Gary E. Valasek & Mary G. Valasek	Lot 13, American Independence Subdivision	2,952.66
Gary E. Valasek & Mary G. Valasek	Lot 14, American Independence Subdivision	2,952.31
Gary E. Valasek & Mary G. Valasek	Lot 15, American Independence Subdivision	3,247.13
Gary E. Valasek & Mary G. Valasek	Lot 16, American Independence Subdivision	3,420.43
Gary E. Valasek & Mary G. Valasek	Lot 17, American Independence Subdivision	3,123.17
Gary E. Valasek & Mary G. Valasek	Lot 18, American Independence Subdivision	3,123.32
Gary E. Valasek & Mary G. Valasek	Lot 19, American Independence Subdivision	3,123.49
Gary E. Valasek & Mary G. Valasek	Lot 20, American Independence Subdivision	3,125.83
Scott C. Kuehl & Kenora R. Kuehl	Lot 21, American Independence Subdivision	3,910.45
Gary E. Valasek & Mary G. Valasek	Lot 1, American Independence 2 nd Subdivision	3,319.11
Rodney E. Valasek & Julie R. Valasek	Lot 2, American Independence 2 nd Subdivision	3,451.00
TOTAL		\$70,025.92

SECTION 2. The special tax shall become delinquent as follows: One-fifth of the total amount shall become delinquent in fifty days; one-fifth in one year; one-fifth in two years; one-fifth in three years; and one-fifth in four years, respectively after the date of such levy.

SECTION 3. The entire amount so assessed and levied against any lot, tract or parcel of land may be paid within fifty days from the date of this levy without interest, and the lien of special tax thereby satisfied and released. Each of said installments, except the first, shall draw interest at the rate of seven percent (7%) per annum from the time of such levy until they

ORDINANCE NO. 9014 (Cont.)

shall become delinquent. After the same become delinquent, interest at the rate of fourteen (14%) per annum shall be paid thereof, until the same is collected and paid.

SECTION 4. The treasurer of the City of Grand Island, Nebraska, is hereby directed to collect the amount of said taxes herein set forth as provided by law.

SECTION 5. Such special assessments shall be paid into a fund to be designated as the "Water Fund 443".

SECTION 6. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 7. 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: October 25, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G1

Approving Minutes of October 11, 2005 City Council Regular Meeting

*The Minutes of October 11, 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

October 11, 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 October 11, 2005. Notice of the meeting was given in the *Grand Island Independent* on October 5, 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, Pauly, Hornady, Walker, and Haase. Councilmember Cornelius was absent. The following City Officials were present: City Administrator Gary Greer, City Clerk RaNae Edwards, Finance Director David Springer, and Public Works Director Steve Riehle.

INVOCATION was given by Associate Pastor Alan Davis, Independent Bethel Baptist Church, 1223 East 6th Street followed by the posting of the colors by the Grand Island Police Department Honor Guard and the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Presentation by the Mayor and City Council to Police Chief Kyle Hetrick. Mayor Vavricek presented Police Chief Kyle Hetrick a retirement plaque on behalf of the City and thanked Chief Hetrick for his 33 years of service to the City. Joe Jeanette from the U.S. Attorney General's Office presented Chief Hetrick with a plaque.

Presentation by the AOK Ladies to Police Chief Kyle Hetrick. Janie Hoch and several AOK Ladies presented Police Chief Hetrick with a plaque and T-shirt and thanked him for his service. Cookies donated by Super Saver were passed out to those in attendance.

MAYOR COMMUNICATION: Mayor Vavricek commented on a benefit for Larry Trospen, former Grand Island Policeman to be held October 23, 2005. The Mayor then introduced his wife Jan Vavricek, a 5th Grade teacher from Jefferson Elementary and Itzel Solano a 5th grade student who read her "Top 10 Reasons to Live in Grand Island".

Proclamation "Celebrate NEBRASKA! Day" October 22, 2005. Mayor Vavricek proclaimed October 22, 2005 as "Celebrate NEBRASKA! Day". Dr. Richard Frueling with the Nebraska Bird Observatory at Crane Meadows Visitor Center was present to receive the proclamation.

Proclamation "Clergy Appreciation Month" October, 2005. Mayor Vavricek proclaimed the month of October, 2005 as "Clergy Appreciation Month". Associate Pastor Alan Davis from the Independent Bethel Baptist Church, 1223 East 6th Street was present to receive the proclamation.

Proclamation “Grand Island Young Reader’s Day” November 8, 2005. Mayor Vavricek proclaimed November 8, 2005 as “Grand Island young Reader’s Day”. Lisa Willman from Staab Management Company was present to receive the proclamation.

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

#2005-BE-9 – Consideration of Determining Benefits for Sanitary Sewer District No. 510; American Independence Subdivision, Western Heights Fourth and Fifth Subdivisions and Bockman Subdivision. Steve Riehle, Public Works Director reported that the Certificate of Final Completion for Sanitary Sewer District No. 510 was approved on September 13, 2005 with October 11, 2005 set as the date for determining the benefits for this district.

Motion by Pielstick, second by Hornady to approve Resolution #2005-BE-9, carried unanimously. Motion adopted.

#2005-BE-10 – Consideration of Determining Benefits for Sanitary Sewer District No. 514; American Independence Subdivision, Western Heights Fourth and Fifth Subdivisions and Bockman Subdivision. Steve Riehle, Public Works Director reported that the Certificate of Final Completion for Sanitary Sewer District No. 514 was approved on September 13, 2005 with October 11, 2005 set as the date for determining the benefits for this district.

Motion by Hornady, second by Haase to approve Resolution #2005-BE-10, carried unanimously. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing on Annexation of Property Located South of Case New Holland and West of US Highway 281. Chad Nabity Regional Planning Director reported that the owner of land located in the SE 1/4 NE 1/4 Section 25-11-10 located south of Case New Holland and west of US Highway 281 was requesting this land be annexed into the City which was contiguous with the Grand Island City limits on all sides for preparation for development. The Hall County Regional Planning Commission had held a public hearing and recommended annexation. No public testimony was heard.

Public Hearing on Annexation of Property Located South of Sandra Road and West of South Locust Street. Chad Nabity, Regional Planning Director reported that the owners of land located in the S 1/2 NW 1/4 NE 1/4 of Section 33-11-09 located south of Sandra Road and west of South Locust Street were requesting this land be annexed into the City which was adjacent to and contiguous with the Grand Island City along its northern property line for the purpose of expansion of the nursing home directly to the north of this property. No public testimony was heard.

ORDINANCES:

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

#9010 – Consideration of Assessments for Sanitary Sewer District No. 510; American Independent Subdivision, Western Heights Fourth and Fifth Subdivisions and Bockman Subdivision

#9011 – Consideration of Assessments for Sanitary Sewer District No. 514; American Independent Subdivision, Western Heights Fourth and Fifth Subdivisions and Bockman 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 these ordinances on first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage.” Councilmember Hornady seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Steve Riehle, Public Works Director stated Ordinances #9010 and #9011 related to the action taken earlier during the Board of Equalization.

Motion by Meyer, second by Hornady to approve Ordinances #9010 and #9011.

City Clerk: Ordinances #9010 and #9011 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #9010 and #9011 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9010 and #9011 are declared to be lawfully adopted upon publication as required by law.

Chad Nabity, Regional Planning Director stated Ordinances #9012 and #9013 related to the aforementioned Public Hearings. This was the first of three readings.

#9012 – Consideration of Annexation of Property Located South Case New Holland and West of US Highway 281 (First Reading)

Motion by Pielstick, second by Haase to approve Ordinance #9012 on first reading only. Upon roll call, all voted aye. Motion adopted.

#9013 – Consideration of Annexation of Property Located South of Sandra Road and East of South Locust Street (First Reading)

Motion by Pielstick, second by Pauly to approve Ordinance #9013 on first reading only. Upon roll call, all voted aye. Motion adopted.

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

Approving Minutes of September 27, 2005 City Council Regular Meeting.

Approving Re-Appointment of Dianne Miller to the Regional Planning Commission.

#2005-283 – Approving Final Plat and Subdivision Agreement for Kaaar Subdivision. It was noted that Northstar Plaza, L.L.C. owners had submitted the final plat for Kaaar Subdivision for the purpose of creating 10 lots on a parcel of land located in the W 1/2 NW 1/4 SE 1/4 Section 12-11-10.

#2005-284 – Approving Agreement for Funding with Hope Harbor in an Amount of \$4,500.00.

#2005-285 – Approving Agreement for Funding with Convention & Visitors Bureau in an Amount of \$10,000.00.

#2005-286 – Approving Agreement for Funding with grand Island Area Council for International Visitors in an Amount of \$1,000.00.

#2005-287 – Approving Agreement for Funding with the Crisis Center, Inc. in an Amount of \$12,000.00.

#2005-288 – Approving Agreement with the Grand Island Dive Rescue Team in an Amount of \$2,000.00.

#2005-289 – Approving Agreement for Funding with the Retired Senior Volunteer Program in an Amount of \$10,000.00.

#2005-290 – Approving Agreement for Funding with the Senior Citizens Industries, Inc. in an Amount of \$15,000.00.

#2005-291 – Approving Agreement for Funding with the Clean Community System in an Amount of \$20,000.00.

#2005-292 – Approving City Council Meeting Schedule for 2006.

#2005-293 – Approving Agreement Consulting Services for Wastewater Collection and Treatment System Comprehensive Plan Updates with CH2M Hill of Englewood, Colorado in an Amount no to exceed \$346,200.00.

#2005-294 – Approving Certificate of Final Completion for Sanitary Sewer District No. 512; Marylane, Kentish Hills and Bradley Subdivisions with General Excavating of Lincoln, Nebraska. Councilmember Gilbert abstained.

#2005-295 – Approving Bid Award for Water Main Project 2005-W-11 and Sanitary Sewer District Project 2005-S-1 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$52,384.03.

#2005-296 – Approving Bid Award for Wellfield Well #6 and Wellfield Well #7 Abandonment and Replacement Well Construction with Sargent Irrigation Company of Broken Bow, Nebraska in an Amount of \$166,502.21.

#2005-297 – Approving Appointment of Gary Mader as Alternate Board Member from the City of Grand Island, Utilities Department to the Public Power Generating Agency.

#2005-298 – Approving Change Order No. 1 to the Fuel Oil Facilities Upgrade Contract with The Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$4,880.37 and a Revised Contract Amount of \$785,880.37.

PAYMENT OF CLAIMS:

Motion by Hornady, second by Haase to approve the Claims for the period of September 28, 2005 through October 11, 2005, for a total amount of \$4,598,075.79. Motion adopted unanimously. Councilmember Peistlick abstained from Claim #109783.

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

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G2

Approving Minutes of October 18, 2005 City Council Study Session

The Minutes of October 18, 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

October 18, 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 October 18, 2005. Notice of the meeting was given in the *Grand Island Independent* on October 12, 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, City Attorney Doug Walker, and Public Works Director Steve Riehle.

INVOCATION was given by Councilmember Jackie Pielstick followed by the PLEDGE OF ALLEGIANCE.

Presentation by the Hall County Supervisors Regarding Jail Election. Hall County Supervisor Chair Pam Lancaster stated that counties are required by state statutes to provide for the incarceration of their criminals. A PowerPoint presentation was given with the help of Dave Arnold, Correction's Director to review the current conditions of the jail. The current facility was built in 1904 with additions in 1948 and 1978 and does not meet the Nebraska Jail Standards but has been allowed to operate since 1980 because of a Grandfather clause.

Introduced was Correction Officer Corporal Jimmy Vann who spoke concerning the dangerous working conditions at the current jail.

Martin Berglund with the DLR Group of Omaha, Nebraska presented the proposed site layout of the new jail to be located on East Highway 30. Councilmember Meyer asked whether the facility would be able to expand vertically. Mr. Berglund stated that it would not. Reviewed was the proposed floor plan. Discussion was held regarding the separation of male and female inmates and the difference between minimum and maximum security.

Hall County Supervisor Bud Jeffries explained the possibility of expansion and the work release program. The goal was to get more prisoners on work release. Mentioned was this facility would be a very basic steel and cement structure. County Supervisor Scott Arnold mentioned the safety and management issues of a new facility. The current Public Safety Center would be converted to a Court House Annex and the current jail would be torn down. Discussed was the possibility of the Jail Standards or the Judges closing the current facility due to safety issues. Mr. Arnold explained the process of booking an inmate and the logistics of the current facility which were inadequate.

County Supervisor Jim Eriksen stated this proposal was the only alternative there was. The jail committee worked hard at coming up with the best option available. This facility was projected to meet the needs for the next 20 to 25 years.

If the jail bond should pass the timeline would be 2 to 2½ years before it could be occupied.

Dan Smith representing Kirkpatrick Pettis explained the cost of the facility. Mr. Smith stated the projected cost was estimated at \$22,225,000 with financing of a 30-year bond. Based on a \$100,000 of property valuation the cost per year would be \$39.50.

Councilmember's Meyer and Pielstick spoke in support of the jail bond. Discussion was held with regards to educating the public, jail tours, and advertisement for the bond election.

ADJOURNMENT: The meeting was adjourned at 8:20 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G3

Approving Appointments to the Human Rights Commission

The Mayor has submitted the reappointments of Jacinto Corona and Kris Nolan Brown to the Human Rights Commission. These appointment would become effective November 1, 2005, upon approval by City Council and would expire October 31, 2008. Approval is recommended.

The Mayor also has submitted the appointment of Darren Sanchez to replace Dr. Jim Keyser to the Human Rights Commission. This appointment would become effective immediately upon approval by City Council and would expire October 31, 2008. Approval is recommended.

Staff Contact: Mayor Vavricek



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G4

#2005-299 - Approving Final Change Order No. 8 for the Senior Center Expansion

Staff Contact: Joni Kuzma

Council Agenda Memo

From: Joni Kuzma, Community Development Specialist

Council Meeting: October 25, 2005

Subject: Final Change Order (#8), Grand Generation Center

Item #'s: G-4

Presenter(s): Joni Kuzma, Community 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. Change Order #4, approved February 22, 2005, increased costs by \$4,940 for 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. On March 22, 2005, Council approved Change Order #5 for a variety of electrical conduit additions and addition of a fire extinguisher cabinet.

On April 26, Council approved Change Order #6 for \$5,065.00 to reflect a base amount of \$614,153.75, an amount less than the original contracted base bid. On June 28, 2005, Council approved Change Order #7 for a variety of electrical and venting changes, which increased the contract by \$2,426.00 for a total adjusted contract amount of \$616,579.75.

Discussion

Change Order #8 provides for relocation for existing sanitary sewer in order to accommodate a memorial brick wall. Changes were approved by the Grand Generation Center Board of Directors. With Council approval, the contract amount of \$616,579.75 will be increased by \$1,118.65. The new contract amount will be \$617,698.40 and will be assumed by the Grand Generation Center at their cost.

Since the City owns the building and the original contract was signed by the City, Change Order #8 is being submitted to the City for their approval. The contract termination date for this project was July 9, 2005.

ALTERNATIVES

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

1. Approve Change Order #8.
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 #8.

Sample Motion

Motion to approve Change Order #8 to the contract with Starostka Group Unlimited on the expansion and renovation of the Senior Citizens Industries, Inc.

RESOLUTION 2005-299

WHEREAS, on July 13, 2004, by Resolution 2004-166, the City Council of 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 Council of 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 Council of 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 Council of 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, on February 22, 2005, by Resolution 2005-55, the City Council of the City of Grand Island approved Change Order No. 4 increased the contract sum by \$4,940 for a revision of footings and foundations including additional kitchen work; and

WHEREAS, on March 22, 2005, by Resolution 2005-86, the City Council of the City of Grand Island approved Change Order No. 5 for a variety of electrical conduit additions and a fire extinguisher cabinet increasing the contract by \$2,631.50; and

WHEREAS, on April 26, 2005, by Resolution 2005-133, the City Council of the City of Grand Island approved Change Order No. 6 for additional electrical work increasing the contract by \$5,065.00; and

WHEREAS, on June 28, 2005, by Resolution 2005-192, the City Council of the City of Grand Island approved Change Order No. 7 for a variety of electrical and venting additions and changes increasing the contract by \$2,426.00; and

WHEREAS, Change Order No. 8 provides for relocation of existing sanitary sewer and for a memorial brick wall which will increase the contract by \$1,118.65 for a total adjusted contract amount of \$617,698.40; and

WHEREAS, the cost of Change Order No. 8 will be paid by the Grand Generation Center.

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. 8 between the City of Grand Island and Starostka Group, Inc. of Grand Island, Nebraska, to increase the contract amount by \$1,118.65 to relocate existing sanitary sewer and to install a memorial brick wall as set out in such change order.

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Adopted by the City Council of the City of Grand Island, Nebraska, October 25, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G5

#2005-300 - Approving Changes to Speed Limits on City Streets

Staff Contact: Steve Riehle, City Engineer/Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: October 25, 2005

Subject: Approving the Changes to Speed Limits on City Streets

Item #'s: G-5

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

Background

The speed limits on city streets are set by State Statute at 15 MPH in alleys, 20 MPH in any business district, and 25 MPH on other city streets unless changed by City Council Resolution.

Discussion

The Engineering Division of the Public Works Department in conjunction with the Police Department studied and evaluated speed limits within the City of Grand Island. Changes are needed for the following reasons:

- consistency
- reflect the impact of development
- adjustments due to city limits changes
- reflect actual posted speed limits.

The proposed changes are shown on the resolution. The words in the resolution that have a line through them will be removed. The words that are underlined will be added.

Proposed Increased Speed Limits

- Bismark between Vine and Stuhr from 25 to 30
 - Other comparable streets by classifications, use, width, and design such as Anna, Faidley, and Sycamore are 30 MPH.
- 11th Street between Custer and Ruby from 20 to 25
 - To be consistent with other residential streets. Setting the speed limit at 25 MPH means that it does not need to be included in the resolution.

Proposed Decreased Speed Limits

- Capital Avenue between Carleton Avenue & US HWY 281 from 45 to 35; due to growth and development in the area.
- Cherry Street between Bismark and Sutherland Street from 35 to 30; near Cherry Park Apartments.
- Husker HWY between North Rd and ¼ mile east of North Road from 50 to 40; south of Heartland Lutheran High School.
- Husker HWY between Prairie View Street and US HWY 281 from 50 to 40; south of the River Bend Apartments.
- Independence from Capital to Nebraska HWY 2 from 40 to 35; due to growth and development in the area.
- S. Locust between the Wood River Floodway and US HWY 34 from 50 to 45; due to growth and development in the area.
- North Road between US HWY 30 and Old Potash HWY from 50 to 45; to be more consistent with speed limits in the area.
- 13th Street from west of Branding Iron Lane to Cedar Ridge Court from 50 to 45; due to growth and development in the area.
- State Street from Ebony Lane to Moores Creek Floodway from 45 to 35; due to growth and development in the area.

The other changes not detailed are to cover annexed areas or are minor housekeeping changes.

Alternatives

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

1. Approve resolution establishing speed limits on city streets.
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 establishing speed limits with changes recommended by staff.

Sample Motion

Move to approve the resolution on speed limits.

Proposed Speed Limit Changes

October 25, 2005

Independence 40 to 35 mph
Capital to NE Hwy 2

Capital 45 to 35 mph
Carleton to Hwy 281

11th Street 20 to 25 mph
Custer to Ruby

Bismark 25 to 30 mph
Vine to Stuhr

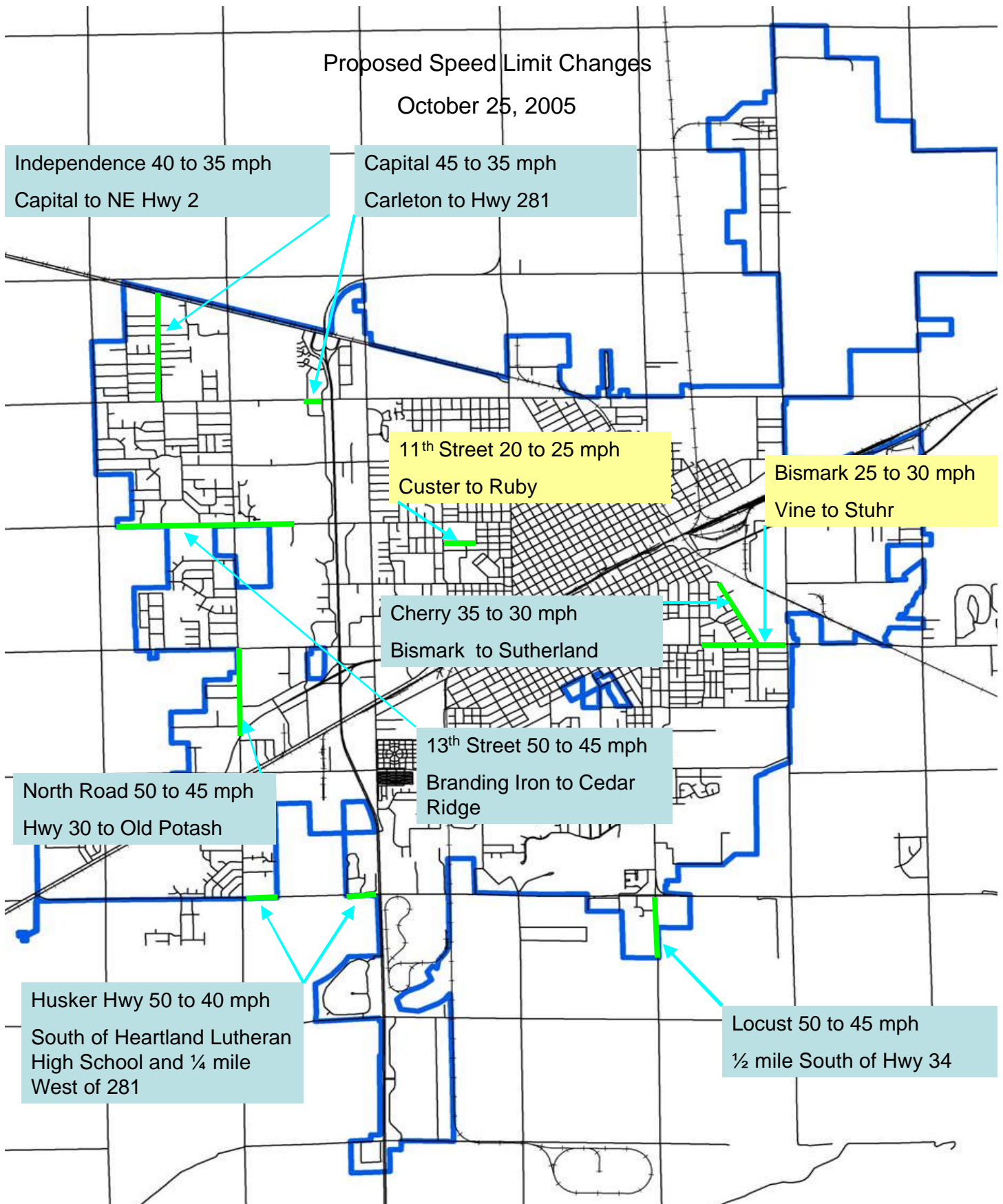
Cherry 35 to 30 mph
Bismark to Sutherland

North Road 50 to 45 mph
Hwy 30 to Old Potash

13th Street 50 to 45 mph
Branding Iron to Cedar Ridge

Husker Hwy 50 to 40 mph
South of Heartland Lutheran
High School and ¼ mile
West of 281

Locust 50 to 45 mph
½ mile South of Hwy 34



RESOLUTION 2005-300

WHEREAS, the City Council, by authority of Section 22-51 of the Grand Island City Code, may by resolution, establish speed limits upon the streets of the City of Grand Island.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that speed limits within the City of Grand Island are established as follows:

Street	From	To	Limit
<u>Abbott Road</u>	<u>1/2 mile west of Sky Park Road (city limit)</u>	<u>Sky Park Road</u>	<u>50</u>
<u>Abbott Road</u>	<u>Quandt Road</u>	<u>Approximately 1/2 mile east of Quandt Road (city limit)</u>	<u>50</u>
Adams Street	Stolley Park Road	<u>Anna Street County Industrial Area</u>	30
<u>Airport Road</u>	<u>1/4 mile west of Sky Park Road (west city limits)</u>	<u>Sky Park Road</u>	<u>55</u>
Airport Road	Shady Bend Road east approximately 1/2 mile	<u>Approximately 1/2 mile east of Shady Bend Road (east city limits)</u>	50
Anna Street	Blaine Street	Locust Street	30
<u>Bismark Road</u>	<u>Vine Street</u>	<u>Stuhr Road</u>	<u>30</u>
<u>Bismark Road</u>	<u>Stuhr Road</u>	<u>400 feet east of Stuhr Road (city limit)</u>	<u>55</u>
Blaine Street	U.S. Highway 34	Stolley Park Road	35
Broadwell Avenue	Anna Street	Prospect Avenue	30
Broadwell Avenue	Prospect Street	<u>Nebraska Highway 2 (city route) BNRR</u>	35
Broadwell Avenue	<u>Nebraska Highway 2 (city</u>	<u>1/4 mile north of Roberts Street</u>	45

Street	From	To	Limit
	route) BNR	(north city limits)	
Capital Avenue	Engleman Road	North Road	35
Capital Avenue	North Road	Carleton Avenue U.S. Highway 281	45
Capital Avenue	Carleton Avenue U.S. Highway 281	St. Paul Road	35
Capital Avenue	St. Paul Road	1/2 mile east of Sky Park Road	45
<u>Capital Avenue</u>	<u>Sky Park Road</u>	<u>1/2 mile east of Sky Park Road (city limits)</u>	<u>50</u>
Cherry Street	Bismark Road	Sutherland Street	30 35
Concord Street	Diers Avenue	370 feet North of Diers Avenue for 370 feet to the dead end	30
Custer Avenue	Old Lincoln Highway/ Old Potash Highway	Capital Avenue	30
Diers Avenue	Old Potash Highway The dead end south of Faidley Avenue	Capital Avenue	30
Eddy Street	Fourth Street	State Street	30
Eleventh Street	Custer Street	Ruby Street	20
Engleman Road	Husker Highway	400 feet north of North Lane 350 feet north of Stolley Park Road	45
Engleman Road	200 400-feet south of Lariat Lane	Capital Avenue	45
Engleman Road	Capital Avenue	1,000 400-feet north of Michigan Avenue	40
Faidley Avenue	U.S. Highway 281	Webb Road	35
Faidley Avenue	Webb Road	Custer Avenue	30

Street	From	To	Limit
Fonner <u>Park Road</u>	South Locust Street	Stuhr Road	35
Fourth Street	Sycamore Street	<u>Plum Street</u> BNRR	25
Fourth Street	<u>Plum Street</u> BNRR	<u>Beal Street</u> UPRR	30
Fourth Street	<u>Beal Street</u> UPRR	Taft Street	35
Fourth Street	Taft Street	Seventh Street	45
Gold Core Road	Wildwood Drive	Schimmer Drive	40
Husker Highway	<u>U.S. Highway 30</u> west city limits	Schroeder Avenue	50
Husker Highway	Schroeder Avenue	<u>1/4 mile east of North Road (city limits)</u> North Road	40
Husker Highway	<u>Prairieview Street</u> North Road	U.S. Highway 281	40 50
Independence Avenue	Capital Avenue	Nebraska Highway 2	35 40
Juergen Road	Wildwood Drive	Schimmer Drive	30
Locust Street	<u>Wood River Floodway (south city limits)</u>	U.S. Highway 34	45 50
Locust Street	U.S. Highway 34	Stagecoach Road	40
Locust Street	Stagecoach Road	Stolley Park Road	35
Locust Street	Stolley Park Road	Charles Street	30
Locust Street	Charles Street	First Street	25
Nebraska Highway 2	<u>1/4 mile west of Independence Avenue</u> Northwest Avenue extended (west city limits)	1,200 feet west of Diers Avenue	55
Nebraska Highway 2	1,200 feet west of Diers Avenue	100 feet west of O'Flannagan's Street	50

Street	From	To	Limit
Nebraska Highway 2 – City Route	100 feet west of O'Flannagan's Street	Broadwell Avenue	50
North Road	Husker Highway	<u>Stolley Park Road</u> U.S. Highway 30	35
<u>North Road</u>	<u>Old Highway 30</u>	<u>U.S. Highway 30</u>	<u>35</u>
North Road	U.S. Highway 30	Old Potash Highway	45 50
North Road	Old Potash Highway	Nebraska Highway 2	40
Old Lincoln Highway	Garfield Street	Broadwell Avenue	30
Old Highway 30	West intersection with U.S. Highway 30	Webb Road	45
Old Highway 30	Webb Road	East intersection with U.S. Highway 30	35
Old Potash Highway	<u>540 feet west of Arapahoe Avenue (west city limits)</u>	<u>Kaufman Avenue</u> U.S. Highway 281	45
Old Potash Highway	<u>Kaufman Avenue</u> U.S. Highway 281	Custer Avenue	35
<u>Quandt Road</u>	<u>Abbott Road</u>	<u>1/4 mile north of Abbott Road</u>	<u>50</u>
Schimmer Drive	West city limits	Ponderosa Drive	40
Schimmer Drive	<u>1/2 mile west of U.S. Highway 281 (west city limits)</u>	<u>230 feet east of Scheel Road (east city limits)</u>	40
Second Street	Webb Road	<u>Ada Street</u> St. Joseph RR	35
Seedling Mile Road	<u>1/2 mile west of Museum Drive</u> U.S. Highway 30	Shady Bend Road	35
Seedling Mile Road	Shady Bend Road	<u>Approximately 1/4 mile east of Shady Bend Road (east city limits)</u>	45

Street	From	To	Limit
<u>Shady Bend Road</u>	<u>Arabian Circle (city limits)</u>	<u>Bronco Road (city limits)</u>	<u>50</u>
<u>Shady Bend Road</u>	<u>Approximately 1/2 mile north of Bismark Road (city limits)</u>	<u>880 feet south of Gregory Avenue (city limits)</u>	<u>50</u>
Shady Bend Road	231 feet south of Gregory Avenue <u>(city limits)</u>	300 feet north of Shady Bend Way <u>(city limits)</u>	35
Shady Bend Road	<u>350 feet north of U.S. Highway 30 (north) (city limits)</u>	Union Pacific Railroad Right-of-Way <u>(city limits)</u>	35
Shady Bend Road	<u>1,910 feet 1/4 mile north of Capital Avenue</u>	Airport Road	55
Sky Park Road	Seventh Street	Capital Avenue	45
Sky Park Road	Capital Avenue	Twin Star Lane	55
Sky Park Road	Twin Star Lane	Gulf Stream Drive	45
Sky Park Road	Gulf Stream Drive	White Cloud Road	55
State Street	North Road	<u>Ebony Lane Moores Creek Floodway</u>	45
State Street	<u>Ebony Lane Moores Creek Floodway</u>	U.S. Highway 281	35
Stolley Park Road	<u>920 feet west of Freedom Drive (west city limits)</u>	U.S. Highway 30	50
Stolley Park Road	U.S. Highway 30 / North Road	<u>North Road U.S. Highway 281</u>	45
<u>Stolley Park Road</u>	<u>North Road</u>	<u>U.S. Highway 281</u>	45
Stolley Park Road	U.S. Highway 281	South Locust Street	35
Stolley Park Road	South Locust Street	<u>Stuhr Road East City Limits</u>	45
Stuhr Road	<u>270 feet south of the north intersection with Stolley Park Road (south city limits)</u>	<u>Fonner Park Road U.S. Highway 30</u>	<u>55</u>

Street	From	To	Limit
<u>Stuhr Road</u>	<u>Fonner Park Road</u>	<u>U.S. Highway 30</u>	<u>35</u>
Sycamore Street	Fourth Street	Capital Avenue	30
Thirteenth Street	<u>910 feet west of Branding Iron Lane (west city limits)</u>	<u>Cedar Ridge Court 1/4 mile West of U.S. Highway 281</u>	<u>45</u> 50
Thirteenth Street	<u>Cedar Ridge Court 1/4 mile West of U.S. Highway 281</u>	U.S. Highway 281	35
U.S. Highway 30	<u>Husker Highway West City Limits</u>	Johnstown Road	55
U.S. Highway 30	Johnstown Road	East Intersection with Old Highway 30	45
U.S. Highway 30	East Intersection with Old Highway 30	Grant Street	35
U.S. Highway 30 (2 nd Street)	Grant Street	Broadwell Avenue	35
U.S. Highway 30 (2 nd Street)	Broadwell Avenue	Greenwich Street	30
U.S. Highway 30 (eastbound) / Greenwich Street	<u>Second</u> First Street	<u>First</u> Second Street	30
U.S. Highway 30 (1 st Street and 2 nd Street)	Greenwich Street	Eddy Street	30
U.S. Highway 30 (1 st Street and 2 nd Street)	Eddy Street	Sycamore Street	25
U.S. Highway 30 (1 st Street and 2 nd Street)	Sycamore Street	300 feet East of the BNRR	35
U.S. Highway 30	300 feet East of the BNRR	1300 feet East of Stuhr Road	40
U.S. Highway 30	1300 feet East of Stuhr Road	<u>270 feet west of Shady Bend Road (east city limits)</u>	45

Street	From	To	Limit
U.S. Highway 34 (<u>Husker Highway</u>)	U.S. Highway 281	<u>Wortman Drive (city limits)</u> <u>Blaine Street</u>	50
U.S. Highway 34 (<u>Husker Highway</u>)	<u>Karen Road (city limits)</u> <u>Blaine Street</u>	<u>De Ann Road 1/4 mile West of</u> <u>Locust Street</u>	55
U.S. Highway 34 (<u>Husker Highway</u>)	<u>De Ann Road 1/4 mile West of</u> <u>Locust Street</u>	1/4 mile East of Locust Street (east city limits)	45
U.S. Highway 34/281	Milepost No. <u>228.91</u> 229.16 (1/4 mile south of <u>Wildwood Drive</u>)	Milepost No. 231.16 (Husker Highway)	55
U.S. Highway 281	Milepost No. 67.6 (Husker Highway)	Milepost No. 68.1 (south intersection with Webb Road)	55
U.S. Highway 281	Milepost No. 68.1 (south intersection with Webb Road)	Milepost No. 72 (NE Highway 2)	50
Walnut Street	Charles Street	First Street	30
Webb Road	South Intersection with U.S. Highway 281	Nebraska Highway 2 (city route)	35
<u>Webb Road</u>	<u>Nebraska Highway 2 - city route</u>	<u>1410 feet north of Nebraska Highway 2 – city route (city limits)</u>	<u>40</u>
<u>Webb Road</u>	<u>900 feet south of the north intersection with U.S. Highway 281 (city limits)</u>	<u>240 feet south of the north intersection with U.S. Highway 281 (city limits)</u>	<u>40</u>
<u>White Cloud Road</u>	<u>Sky Park Road</u>	<u>2060 feet east of Sky Park Road (city limits)</u>	<u>50</u>
<u>Wildwood Drive</u>	<u>West city limits</u>	<u>U.S. Highway 281</u>	45
Wildwood Drive	380 feet west of Elk Drive (<u>west city limits</u>) U.S. Highway 281	<u>610 feet east of Gold Core Drive (East city limits)</u>	45

OTHER SPEED ZONES:

The speed limit for all alleys within the downtown Congested Parking Area as defined in Section 13-17 of the Grand Island City Code shall be 10 miles per hour.

BE IT FURTHER RESOLVED, that this resolution supercedes any and all other resolutions establishing or amending speed limits for the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on October 25, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G6

**#2005-301 - Approving Acquisition of a Public Utilities Easement
Located at 741 N. Webb Road (Veronica I. Hutton Estate)**

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

Staff Contact: Steven P. Riehle, Public Works Director

RESOLUTION 2005-301

WHEREAS, a public utility easement is required by the City of Grand Island, from Glenn R. Hutton, an unmarried individual, and Glenn R. Hutton, personal representative of the Veronica I. Hutton Estate, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on October 25, 2005, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot One (1), Fractional Section Eighteen (18), and part of the West Half of the Northwest Quarter (W1/2, NW1/4) of Section Seventeen (17), all Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in the city of Grand Island, Hall County, Nebraska, the twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows:

Beginning at the northwest corner of Lot Eight (8), Block Two (2), Colonial Estates Tenth Subdivision; thence running southerly along the west line of said Lot Eight (8) Block Two (2), a distance of Eleven and Three Tenths (11.3) feet; thence running west perpendicular to said west line of said Lot Eight (8) Block Two (2), a distance of twenty (20.0) feet; thence running north parallel with and twenty (20.0) feet west of the west line of said Lot Eight (8), Block Two (2), a distance of One Hundred Thirty Eight and Six Tenths (138.6) feet, to a point on the north line of a tract of land located in a part of said Lot One (1) Fractional Section Eighteen (18), and part of the West Half of the Northwest Quarter (W1/2, NW1/4) of Section Seventeen (17); thence running easterly along the north line of said Lot One (1), Fractional Section Eighteen (18), and part of the West Half of the Northwest Quarter (W1/2, NW1/4) of Section Seventeen (17), a distance of twenty (20.0) feet, to a point on the west line of Lot Nine (9) Block Two (2) Colonial Estates Tenth Subdivision; thence running southerly along the west line of said Lot Nine (9) Block Two (2), a distance of One Hundred Twenty Seven and Three Tenths (127.3) feet to the point of beginning, and containing 0.064 acres 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 a public utility easement from Glenn R. Hutton, an unmarried individual, and Glenn R. Hutton, personal representative of the Veronica I. Hutton Estate on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 25, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
October 20, 2005	☐ City Attorney



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G7

**#2005-302 - Approving Acquisition of a Public Utilities Easement
Located at 821 N. Webb Road (Allen & Sheila Garton)**

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

Staff Contact: Steven P. Riehle, Public Works Director

RESOLUTION 2005-302

WHEREAS, a public utility easement is required by the City of Grand Island, from Allen R. Garton and Sheila A. Garton, husband and wife, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on October 25, 2005, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot One (1), Fractional Section Eighteen (18), and part of the West Half of the of the Northwest Quarter (W1/2, NW1/4) of Section Seventeen (17), all in Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in the city of Grand Island, Hall County, Nebraska, the twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows:

Beginning at the southwest corner of Lot Nine (9), Block Two (2), Colonial Estates Tenth Subdivision; thence running northerly along the west line of said Lot Nine (9), Block Two (2), a distance of One Hundred Twenty Seven and Three Tenths (127.3) feet to the Actual Point of Beginning; thence continuing northerly along the west line of said Lot Nine (9), Block Two (2), a distance of Twenty (20.0) feet; thence running westerly perpendicular to the west line of said Lot Nine (9), Block Two (2), a distance of Twenty (20.0) feet; thence running southerly parallel with and Twenty (20.0) feet west of the west line of said Lot Nine (9), Block Two (2), a distance of Twenty (20.0) feet to a point on the south line of a tract of land located in part of Lot One (1), Fractional Section Eighteen (18) and part of the West Half of the Northwest Quarter (W1/2, NW1/4), Section Seventeen (17); thence running easterly along the south line of said tract of land located in part of Lot One (1), Fractional Section Eighteen (18) and part of the West Half of the Northwest Quarter (W1/2, NW1/4) of Section Seventeen (17), a distance of Twenty (20.0) feet to the actual point of beginning. Said tract of land contains 0.009 acres 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 a public utility easement from Allen R. Garton and Sheila A. Garton, husband and wife, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 25, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
October 20, 2005	☐ City Attorney



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G8

**#2005-303 - Approving Bid Award for Capital Heights Drainway
Rip Rap & Grading; 2005-D-3 and for Capital Avenue Outfall
Structure; 2005-D-4**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

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

Meeting: October 25, 2005

Subject: Approving Bid Award for Capital Heights Drainway Rip
Rap & Grading; 2005-D-3 and for the Capital Avenue
Outfall Structure; 2005-D-4

Item #'s: G-8

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

Background

On October 7, 2005 the Engineering Division of the Public Works Department advertised for bids for riprap and grading of the Capital Heights Drainway (2005-D-3) and for the outfall structure along Capital Avenue (2005-D-4).

Discussion

One bid was received and opened on October 19, 2005. The Engineering Division of the Public Works Department and the Purchasing Division of the City Attorney's Office reviewed the bid that was received. The bid was submitted in compliance with the contract, plans, and specifications with no exceptions. A summary of the bid is shown below.

<i>Bidder</i>	<i>Exceptions</i>	<i>Bid Security</i>	<i>Bid Price</i>
The Diamond Engineering Co. Grand Island, NE	None	Universal Surety Company	2005-D-3 \$ 33,598.00 2005-D-4 \$107,953.58 Total Bid: \$141,551.58

The cost estimate for the construction bid was \$155,200.00. The total estimated cost for the project including construction, contingencies, and engineering is \$175,287.00. The City's share is estimated at \$38,926.00 (including contingencies). The NRCS share is estimated at \$136,361.00. There are sufficient funds in account 40033520-90112 to fund this contract.

Alternatives

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

1. Make a motion to approve awarding the bid.
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 Co., of Grand Island, NE for the amount of \$141,551.58.

Sample Motion

Move to approve the award of the contract to The Diamond Engineering Co. for the riprap and grading of the Capital Heights Drainway (2005-D-3) and for the outfall structure along Capital Avenue (2005-D-4).

Nebraska Highway 2

North Road

Capital Heights Drainway

Ditch Repair &
Rip Rap Work

Northwest High School



Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: October 19, 2005 at 11:00 a.m.

FOR: Project 2005-D-4 Capital Avenue Outfall Structure &
Project 2005-D-3 Capital Heights Drainway Riprap & Grading

DEPARTMENT: Public Works

ESTIMATE: \$30,900.00 Project 2005-D-3
\$124,300.00 Project 2005-D-4

FUND/ACCOUNT: 40033520-90112

PUBLICATION DATE: October 7, 2005

NO. POTENTIAL BIDDERS: 6

SUMMARY

Bidder: Diamond Engineering Co.
Grand Island, NE

Bid Security: Universal Surety Company

Exceptions: None

Bid Price:

Project 2005-D-4	\$107,953.58
Project 2005-D-3	<u>\$ 33,598.00</u>
Total Bid:	\$141,551.58

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

Bud Buettner, Assist. Public Works Director
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

P1032

RESOLUTION 2005-303

WHEREAS, the City of Grand Island invited sealed bids for Project 2005-D-4 Capital Avenue Outfall Structure and Project 2005-D-3 Capital Heights Drainway Riprap and Grading, according to plans and specifications on file with the Public Works Department; and

WHEREAS, on October 19, 2005, one bid was 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 \$141,551.58; and

WHEREAS, such bid is below the estimate for such projects.

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 \$141,551.58 for Project 2005-D-4 Capital Avenue Outfall Structure and Project 2005-D-3 Capital Heights Drainway Riprap and Grading is hereby approved as the lowest responsible bid.

BE IT FURTHER RESOLVED, that a contract between the City and such contractor for such project 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, October 25, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
October 20, 2005	☐ City Attorney



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G9

#2005-304 - Approving Time Extension to the Contract with The Diamond Engineering Company for Construction of Sanitary Sewer District 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: October 25, 2005

Subject: Approving a Time Extension to the Contract with The Diamond Engineering Company for Construction of Sanitary Sewer District 515; Dale Roush Subdivision (Indian Acres)

Item #'s: G-9

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

Background

The City Council awarded the bid for construction of Sanitary Sewer District 515 to The Diamond Engineering Company on February 22, 2005. Diamond Engineering is requesting a time extension to complete the work.

Discussion

The project was delayed for the following reasons:

May 11, 2005 Flooding

On May 12, 2005 the City asked Diamond Engineering to turn off their de-watering pumps to avoid flooding properties downstream of the project along the Moores Creek Ditch. The ground water levels rise very quickly and it sometimes takes a few weeks to get the ground water back down. Diamond Engineering was able to get the ground water level low enough to resume work on the project after losing twelve (12) working days (Monday thru Friday).

Additional Sewer Main

Additional sanitary sewer main was added to the project resulting in one (1) additional working day.

Letdown Structure

A letdown structure was installed to accommodate drainage resulting in one (1) additional working day.

Right-of-Way Delays

The contractor was delayed five (5) days because the tenant was not moved out of the house at 1 Navajo Drive. The house was purchased by the City of Grand Island and needed to be moved.

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 to November 25, 2005.

Sample Motion

Move to approve the time extension.

City of Grand Island
100 East First Street
Grand Island NE 68801

CONTRACT TIME EXTENSION

PROJECT: Sanitary Sewer District 515

CONTRACTOR: The Diamond Engineering Company

CONTRACT DATE: March 18, 2005

AMOUNT OF ORIGINAL CONTRACT: \$512,633.30

You are directed to make the changes in the subject contract as shown on attached sheet. The changes result in the following adjustment of Contract Price and Contract Time:

Contract Price Prior to This Change Order.....\$512,633.30

Net Increase/Decrease Resulting from this Change Order.....\$0

Revised Contract Price Including this Change Order.....\$512,633.30

Notice to Proceed Date.....**May 2, 2005**

Original Completion Date (180 Calendar Days).....**October 30, 2005**

Net Increase Resulting from this Change Order.....**19 Working Days**

Revised Contract Final Completion Date (25 Calendar Days).....**November 25, 2005**

Approval Recommended:

City of Grand Island
Owner

By _____
Public Works Director

Approval Recommended:

Diamond Engineering Company

By _____
Jim Harder, President

The Above Change Order Accepted:

Mayor

Attest: _____

Date _____

The Above Change Order Accepted:

Diamond Engineering Company
Contractor

By: _____

Date _____

RESOLUTION 2005-304

WHEREAS, on February 22, 2005, by Resolution 2005-47, 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 No. 515; and

WHEREAS, the completion of such project has been delayed due to a variety of events including the flooding that occurred on May 11, 2005, more work added to the project, and right-of-way issues; and

WHEREAS, The Diamond Engineering Company has requested an extension to complete Sanitary Sewer District No. 515; and

WHEREAS, it is recommended that the completion date for the project be extended until November 25, 2005.

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. 515 is hereby extended until November 25, 2005.

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, October 22, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
October 20, 2005	☐ City Attorney



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G10

**#2005-305 - Approving Certificate of Final Completion for
Sanitary Sewer District No. 517; Deadwood Subdivision (Arch
Avenue and Johnstown Road Area)**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: October 25, 2005

Subject: Certificate of Final Completion for Sanitary
Sewer District No. 517; Deadwood Subdivision
(Arch Avenue and Johnstown Road Area)

Item #'s: G-10

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

Background

The contract for Sanitary Sewer District No. 517 was awarded to the Starostka Group of Grand Island, NE on June 28, 2005. Work commenced on August 18, 2005 and was completed on October 7, 2005.

Discussion

The work was completed in accordance with the terms, conditions, and stipulations of the contract and complies with the contract, the plans, and the specifications. The project was completed at a construction price of \$19,237.52. Total cost of the project, including contract administration, is \$21,463.14. The entire cost for this project will be assessed to the adjacent properties. Costs for the project break down as follows:

Original Bid	\$ 20,408.03
Underuns	(\$ 1,170.51)
Sub Total (Construction Price)	\$ 19,237.52
<u>Engineering, Publication, TV Insp. Costs</u>	<u>\$ 2,225.62</u>
Total Project Cost	\$ 21,463.14

Alternatives

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

1. Approve the Certificate of Final Completion.

2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.
- 5.

Recommendation

City Administration recommends that the Council approve the Certificate of Final Completion for Sanitary Sewer District No. 517 and set the Board of Equalization date of November 22, 2005.

Sample Motion

Move to approve the Certificate of Final Completion and set the Board of Equalization Hearing for Sanitary Sewer District No. 517.



ENGINEER'S CERTIFICATE OF FINAL COMPLETION

SANITARY SEWER DISTRICT 517

CITY OF GRAND ISLAND, NEBRASKA

October 25, 2005

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

This is to certify that Sanitary Sewer District No. 517, has been fully completed by Starostka Group Unlimited, Grand Island, Nebraska under a contract dated July 7, 2005. The work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans, and the specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provisions of Section 16-650 R.R.S., 1943.

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

Sanitary Sewer District 517 is located along Arch Avenue East of Johnstown Road.

Item No.	Description	Unit Price	Total Quantity		Total Cost
1	Build 10" PVC Sanitary Sewer	\$ 12.25	431.0	l.f.	\$ 5,279.75
2	Build 6" service line per standard plan #132.	\$ 328.00	3	Each	\$ 984.00
3	Build 6" service line per standard plan STUBOUT	\$ 539.00	3	Each	\$ 1,617.00
4	Build 4' diameter standard manhole #132-A.	\$ 1,326.00	1	Each	\$ 1,326.00
5	Build 4' diameter standard manhole extra depth	\$ 3,221.00	0.49	v.f.	\$ 1,578.29
6	Remove asphalt or concrete pavement	\$ 8.35	67.05	s.y.	\$ 559.87
7	Construct asphalt or concrete pavement	\$ 29.20	67.05	s.y.	\$ 1,957.86
8	Pavement sawcut	\$ 3.85	195.00	l.f.	\$ 750.75
9	Build 6" sanitary sewer/watermain crossing	\$ 447.00	2	Each	\$ 894.00
10	Furnish and place gravel	\$ 7.00	103.00	c.y.	\$ 721.00
11	Remove Culvert	\$ 236.00	4	Each	\$ 944.00
12	Relay Culvert	\$ 285.00	3	Each	\$ 855.00
13	Furnish & place new 12" CMP culvert	\$ 17.70	100.00	l.f.	\$ 1,770.00
TOTAL CONTRACT AMOUNT					\$ 19,237.52
TOTAL CONSTRUCTION COST					\$ 19,237.52

ENGINEER'S CERTIFICATE OF FINAL COMPLETION
SANITARY SEWER DISTRICT 517
Page -2-

SUMMARY OF OTHER COST

City of Grand Island Wastewater Division – TV Inspection	\$ 233.73
Grand Island Daily Independent – Advertising	\$ 68.14
City of Grand Island Engineering Division – Engineering & Administration	\$ 1,923.75
TOTAL OTHER COSTS	\$ 2,225.62
 TOTAL COST OF SANITARY SEWER DISTRICT NO. 517	 \$ 21,463.14

Respectfully submitted,

Steven P. Riehle
City Engineer
Public Works Director

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

I hereby recommend that the Engineer's Certificate of Final Completion for Sanitary Sewer District 517 be approved.

I further recommend that the Costs of Engineering be credited to Account No. 10033001-74516 from Account No. 53030055-85213 in the amount of \$1,923.75.

I further recommend that the City Council sit as a Board of Equalization on November 22, 2005, to determine benefits and levy special assessments.

Respectfully submitted,

Jay Vavricek
Mayor

RESOLUTION 2005-305

WHEREAS, the City Engineer/Public Works Director for the City of Grand Island has issued a Certificate of Final Completion for Sanitary Sewer District No. 517 located along Arch Avenue east of Johnstown Road, certifying that Starostka Group Unlimited of Grand Island, Nebraska, under contract dated July 7, 2005, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Public Works Director recommends the acceptance of the district; and

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

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

1. The City Engineer/Public Works Director's Certificate of Final Completion for Sanitary Sewer District No. 517 is hereby confirmed.
2. The City Council will sit as a Board of Equalization on November 22, 2005 to determine benefits and set assessments for Sanitary Sewer District No. 517.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 25, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G11

**#2005-306 - Approving Semi-Annual Report by the Citizens'
Review Committee on the Economic Development Program Plan**

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

Staff Contact: Doug Walker

RESOLUTION 2005-306

WHEREAS, Neb. Rev. Stat. §18-2715(3) and Grand Island City Code §2-110 require a report by the Citizens Advisory Review Committee to the City Council at least once every six months on its findings and suggestions on the administration of the Economic Development Plan; and

WHEREAS, a public hearing on the report submitted by the Citizens Advisory Review Committee was held at a regular session of the Grand Island City Council on October 25, 2005; and

WHEREAS, said report gave accurate information about the activities of the past six months that have taken place pursuant to the Economic Development Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the semi-annual report of the Citizens Advisory Review Committee is hereby accepted and approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 25, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G12

**#2005-307 - Approving State Bid Award for ¾ Ton Pickup Truck
with Lift Gate; Fleet Services Division**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: October 25, 2005

Subject: Approving State Bid Award for ¾ Ton Pickup Truck with Lift Gate

Item #'s: G-12

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

Background

The Fleet Service Division of the Public Works Department is due to replace the 1991 Shop pickup with lift gate. The vehicle has little value and will be kept as a loaner vehicle.

Discussion

The ¾ ton regular cab pickup truck awarded under State of Nebraska contract #11412 OC meets all of the requirements (with an added dealer lift gate) for the Fleet Services Division. The following is a summary of the State bid contract.

<i>Bidder</i>	<i>Exceptions</i>	<i>Total Cost</i>
Anderson Ford Grand Island, Nebraska	None	Pickup - \$ 22,570.00 Lift Gate - \$ 2,199.00 Total - \$ 24,769.00

There are sufficient funds for this purchase in Account No. 61010001-85625.

Alternatives

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

1. Move to approve the purchase of the pickup truck.

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

Recommendation

City Administration recommends that the Council approve the purchase of the ¾ ton pickup truck with a lift gate from Anderson Ford of Grand Island, Nebraska.

Sample Motion

Move to approve the purchase of the ¾ ton pickup truck with a lift gate under state contract from Anderson Ford of Grand Island, Nebraska in the amount of \$24,769.00.

RESOLUTION 2005-307

WHEREAS, the Fleet Service Division of the Public Works Department budgeted in the 2005/2006 fiscal year to replace a 1991 Shop pickup with lift gate; and

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

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

WHEREAS, the funding for such vehicle is provided in the 2005/2006 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of one 2005 3/4 ton pickup truck with a lift gate in the amount of \$24,769.00 from the State contract holder, Anderson Ford of Grand Island, Nebraska, is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 25, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G13

**#2005-308 - Approving Bid Award for Substation Site Security -
Project 05-PCC-02 - Utilities Department**

Staff Contact: Gary R. Mader; DaleShotkoski

Council Agenda Memo

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

Meeting: October 25, 2005

Subject: Award of Contract #05-PCC-02, Substation Site Security

Item #'s: G-13

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

Background

Grand Island Utilities Department has eight major electric substations around the City, protected only by barb wire topped chain link fence and padlocks. In the past, this level of security was the national standard but with events over the last few years, security should be improved. In addition, security of the electric industry is coming under increasing scrutiny from government regulatory agencies. This project will help ensure that Grand Island is well positioned to meet any standards set forth.

The project would provide video surveillance and recording at each substation and an equipment warehouse. The intent of the security is to detect intrusion and record possible theft or vandalism. In addition to the video record, activity in the substations would be monitored 24/7 from Phelps Control Center via monitors.

Discussion

Specifications for Substation Site Security, Contract #05-PCC-02, were prepared. The specifications were advertised in accordance with the City Procurement Code and issued for bid on September 6, 2005. Eight potential bidders received a direct solicitation. The engineer's estimate was \$120,000. Bids were publicly opened on October 3, 2005. The bids are tabulated below:

Bidder	Location	Bid Amount
CPS Company	South Lancaster, MA	\$57,500
Telephone Systems of NE	Grand Island, NE	\$18,303.12(w/exceptions)

The "as read" low bidder, Telephone Systems, took exceptions to a significant portion of the functional and technical provisions in the specifications including:

- The PC based, rack mounted, Video Recorder with serial buss available for connection to the Department's existing systems.
- The section specifying the functional requirements for Communications outputs and interconnections to the existing Utility Ethernet system.
- The section specifying the alarm function.
- And the entire section specifying the security system for the warehouse location.

While taking exceptions to major functional and technical requirements, the bidder provided an instruction manual for equipment to be supplied under his bid. Staff review of that manual indicates that the proposed equipment may partially meet the functional and technical requirements of the Specifications. However, since the bidder has taken exceptions to major portions of the specifications, the bidder is accepting no responsibility for either the capabilities of the proposed equipment or for it being successfully installed to provide the specified security system.

CPS Company took no exceptions. CPS recently relocated from Shelton, Nebraska and retains strong ties to central Nebraska. Much of the installation and support will be performed by local firms. The Electric Department has worked with CPS and its subcontractors satisfactorily in the past and is confident in that firms capabilities.

This project is included in the Electric Department Capital Improvement Budget for Fiscal Year 2005 – 2006.

Alternatives

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

1. Move to approve the bid from CPS Company for Contract #05-PCC-02, Substation Site Security
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 Contract #05-PCC-02, Substation Site Security to the low responsive bidder, CPS Company, of South Lancaster, MA.

Sample Motion

Motion to award Contract #05-PCC-02, Substation Site Security to CPS Company.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: October 3, 2005 at 11:00 a.m.

FOR: Substation Site Security 05-PCC-02

DEPARTMENT: Utilities

ESTIMATE: \$120,000.00

FUND/ACCOUNT: E520

PUBLICATION DATE: September 9, 2005

NO. POTENTIAL BIDDERS: 5

SUMMARY

Bidder:	<u>Telephone Systems of NE, Inc.</u> Grand Island, NE	<u>CPS</u> South Lancaster, MA
Bid Security:	AMCO Insurance Company	\$2,900.00
Exceptions:	Noted	None
Bid Price:	\$18,303.12 (Tax not included)	\$57,500.00

cc: Gary Mader, Utilities Director
Jeff Mead, PGS
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

Bob Smith, Assistant Utilities Director
Pat Gericke, Utilities Admin. Sec.
Dale Shotkoski, Purchasing Agent

P1021

RESOLUTION 2005-308

WHEREAS, the City of Grand Island invited sealed bids for Substation Site Security 05-PCC-02, according to plans and specifications on file at the Utility Engineering Office at Phelps Control Center; and

WHEREAS, on October 3, 2005, bids were received, opened and reviewed; and

WHEREAS, CPS Company of South Lancaster, Massachusetts, 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 \$57,500; and

WHEREAS, such bid is below 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 CPS Company of South Lancaster, Massachusetts, in the amount of \$57,500 for Substation Site Security 05-PCC-02 is hereby approved as the lowest responsible bid.

BE IT FURTHER RESOLVED, that a contract between the City and such contractor for such project 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, October 25, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G14

**#2005-309 - Approving Connection Fees for Water Main District
447T - Grand West Subdivision**

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

Staff Contact: Gary R. Mader

* This Space Reserved for Register of Deeds *

RESOLUTION 2005-309

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the special benefits as determined by Resolution 2005-BE-12 shall not be levied as special assessments but shall be certified by this resolution to the Register of Deeds, Hall County, Nebraska, pursuant to Section 16-6,103 R.R.S. 1943. A connection fee in the amount of the benefit identified below accruing to each property in the district shall be paid to the City of Grand Island at the time such property becomes connected to the water main. No property benefited as determined by this resolution shall be connected to the water main until the connection fee is paid. The connection fees collected shall be paid into the fund from which construction costs were made to replenish such fund for the construction costs.

According to the front foot and area of the respective lots, tracts, and real estate within such Water Main District 447T, such benefits are the sums set opposite the descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Connection Fee</u>
Third City Christian Church	Lot 2, Grand West Subdivision	2,468.84
Third City Christian Church	Lot 3, Grand West Subdivision	2,437.98
Third City Christian Church	Lot 4, Grand West Subdivision	2,437.98
Third City Christian Church	Lot 5, Grand West Subdivision	2,437.98
Third City Christian Church	Lot 6, Grand West Subdivision	2,437.98
Third City Christian Church	Lot 7, Grand West Subdivision	2,437.98
Third City Christian Church	Lot 8, Grand West Subdivision	2,486.87

Approved as to Form ☐ _____
October 20, 2005 ☐ City Attorney

City of Grand Island	Detention Cell located in part of N1/2, SE1/4 of Section 11-11-10	2,805.33
TOTAL		\$19,950.94

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 25, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G15

**#2005-310 - Approving Bid Award for Replacement Gas Turbine
Generator Voltage Control System - Burdick Generating Station**

Staff Contact: Gary R. Mader; DaleShotkoski

Council Agenda Memo

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

Meeting: October 25, 2005

Subject: Replacement Gas Turbine Generator Voltage Control System – Burdick Generating Station

Item #'s: G-15

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

Background

Gas Turbine Unit #1 (GT #1) at Burdick Station was installed in 1967. This unit remains an integral part of the Electric Utility's generating mix. It is used for peaking duty when City electric demand is above the capacity of PGS and it is the prime mover for black start capability. At nearly 40 years since installation, replacement of critical control systems is necessary due to obsolescence and lack of replacement parts and support. The unit's turbine control systems were replaced in 2000 with up to date electronic equipment.

GT #1 generator control systems are still the original systems which have been obsolete for some time. It is the recommendation of the Utilities Department that the generator control systems be replaced. Specifications for a replacement generator control system were prepared and issued for bid in accordance with the City Procurement Code.

Discussion

The specifications for "Replacement Gas Turbine Generator Voltage Control System – Burdick Generating Station" were issued for bid. Two bids were received as tabulated below. The Engineers Estimate for this project was \$150,000.

Bidder	Bid Price
E2 Power Systems, Inc., Littleton, CO	\$ 78,175.00
General Electric Company, Loveland, CO	\$137,000.00

The bid from General Electric did not include sales tax. Otherwise, both bids were in compliance with the specifications.

The specifications required redundant generator controllers that would allow uninterrupted control on the unit in the event of the failure of a single controller. This configuration is similar to the replacement system recently installed on the base loaded generator at the Platte Generating Station. In addition to the specified controller configuration, E2 Power systems provided an alternate bid utilizing a single controller system, which is similar to the other gas turbines at Burdick Station. This option would include a spare, pre-programmed controller, ready to be interchanged with the installed controller, but the second unit would not be on line continuously, running in parallel. The utility engineering staff reviewed this alternative proposal in detail and finds the cost savings to be significant in relation to the failure rates of these types of units and the typical operating hours of this generator. Staff recommends accepting the alternate bid of \$57,850.

Alternatives

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

1. Move to approve the award of the Replacement Gas Turbine Generator Voltage Control System for the Burdick Generating Station contract.
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council award the contract to E2 Power Systems, Inc., of Littleton, Colorado, as the low responsive bidder, at a price of \$57,850, for the alternate bid.

Sample Motion

Motion to approve the alternate bid of \$57,850 from E2 Power Systems, Inc., for the Replacement Gas Turbine Generator voltage Control System for Burdick Generating Station contract.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: October 13, 2005 at 11:00 a.m.

FOR: Replacement Gas Turbine Generator Voltage Control System

DEPARTMENT: Utilities

ESTIMATE: \$150,000.00

FUND/ACCOUNT: 525

PUBLICATION DATE: September 18, 2005

NO. POTENTIAL BIDDERS: 3

SUMMARY

Bidder:	<u>General Electric Co.</u> Loveland, CO	<u>E2 Power Systems, Inc.</u> Littleton, CO
Bid Security:	Safeco Insurance Co. of America	\$3,908.75
Exceptions:	None	None
Bid Price:	\$137,000.00	\$78,175.00

cc: Gary Mader, Utilities Director
Karen Nagel, Utilities Secretary
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

Bob Smith, Assistant Utilities Director
Pat Gericke, Admin. Utilities Sec.
Dale Shotkoski, Purchasing Agent

P1024

RESOLUTION 2005-310

WHEREAS, the City of Grand Island invited sealed bids for Replacement Gas Turbine Generator Voltage Control System at the Burdick Generating Station, according to plans and specifications on file at the Platte Generating Station; and

WHEREAS, on October 13, 2005, bids were received, opened and reviewed; and

WHEREAS, E2 Power Systems, Inc. of Littleton, Colorado, submitted an alternate bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such alternate bid being in the amount of \$57,850; and

WHEREAS, such bid is below the estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the alternate bid of E2 Power Systems, Inc. of Littleton, Colorado, in the amount of \$57,850 for Replacement Gas Turbine Generator Voltage Control System at the Burdick Generating Station is hereby approved as the lowest responsible bid.

BE IT FURTHER RESOLVED, that a contract between the City and such contractor for such project 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, October 25, 2005.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
October 20, 2005	☐ City Attorney



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G16

**#2005-311 - Approving State Bid Award for (2) 2006 Case 621 D
Wheel Loaders; Wastewater Division**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: October 25, 2005

Subject: Approving State Bid Award for (2) 2006 Case 621 D
Wheel Loaders; Wastewater Division

Item #'s: G-16

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

Background

The Wastewater Division of the Public Works Department budgeted for two (2) wheel loaders for use in the compost operations.

Discussion

The wheel loaders awarded under State of Nebraska contract #10850 OC meets all of the requirements for the Wastewater Division. Mid-Land Equipment of Lincoln, NE submitted a bid with no exceptions in the amount of \$107,800 for each loader. Trade in value for one of the loaders is \$95,550 (net cost of \$12,250) and \$96,800 for the other (net cost of \$11,000). The total net cost for the loaders is \$23,250. There are sufficient funds for this purchase in Account No. 53030054-85615.

Alternatives

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

1. Move to approve the purchase of the two (2) wheel loaders.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the purchase of the 621 D wheel loaders from Mid-Land Equipment of Omaha, Nebraska.

Sample Motion

Move to approve the purchase of the wheel loaders under state contract from Mid-Land Equipment of Omaha, Nebraska in the amount of \$23,250.00.

RESOLUTION 2005-311

WHEREAS, the Wastewater Division of the Public Works Department budgeted in the 2005/2006 fiscal year to purchase two (2) wheel loaders for use in the compost operations; and

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

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

WHEREAS, the funding for such vehicles is provided in the 2005/2006 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of two 621 D wheel loaders in the total net amount of \$23,250.00 (after trade-in) from the State contract holder, Mid-Land Equipment of Omaha, Nebraska, is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 25, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G17

**#2005-312 - Approving State Bid Award for a Front End Loader;
Street and Transportation Division**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: October 25, 2005

Subject: Approving State Bid Award for a Front End Loader;
Street and Transportation Division

Item #'s: G-17

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

Background

The Street & Transportation Division of the Public Works Department is due to replace the current 1994 Front End Loader.

Discussion

The front end loader awarded under State of Nebraska contract #10850 OC meets all of the requirements for the Street & Transportation Division. The following is a summary of the State bid contract.

<i>Bidder</i>	<i>Exceptions</i>	<i>Total Cost</i>
Mid-Land Equipment Omaha, Nebraska	None	Base Bid - \$91,816.00 <u>Less Trade In - \$20,000.00</u> Total Cost - \$71,816.00

There are sufficient funds for this purchase in Account No. 10033501-85615.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the purchase of the front end loader from Mid-Land Equipment of Omaha, Nebraska.

Sample Motion

Move to approve the purchase of the front end loader under state contract from Mid-Land Equipment of Omaha, Nebraska in the amount of \$71,816.00.

RESOLUTION 2005-312

WHEREAS, the Street and Transportation Division of the Public Works Department budgeted in the 2005/2006 fiscal year to replace a 1994 Front End Loader; and

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

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

WHEREAS, the funding for such vehicle is provided in the 2005/2006 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of one 2005 front end loader in the amount of \$71,816.00 from the State contract holder, Mid-Land Equipment of Omaha, Nebraska, is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 25, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item G18

#2005-314 - Approving Amendment to the Agreement with Natural Resources Conservation Service for Flood Damage Repair Work

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: October 25, 2005

Subject: Approving Amendment to the Agreement with Natural Resources Conservation Service for Flood Damage Repair Work

Item #'s: G-18

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

Background

On July 12, 2005 the City of Grand Island entered into an agreement with the Natural Resources Conservation Service of the United States Department of Agriculture (NRCS) for federal funding of two flood repair projects.

- 1) NRCS Project Number GI-1 (City Project 2005-D-3; Capital Heights Drainway Riprap and Grading; East of North Road)
- 2) NRCS Project Number GI-2 (City Project 2005-D-4; Capital Avenue Outfall Structure)

Discussion

The cost estimate at the time of the agreement was \$115,380.00. The cost estimate at the time the project was advertised \$155,200. The estimate was increased because the design more than doubled the quantity of sheet piling and material costs are increasing with the rising fuel costs. The bid came in at \$141,551.58 and is under consideration to be awarded at the October 25, 2005 City Council meeting. The NRCS requires an amendment to the agreement to increase the available funding.

Alternatives

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

1. Approve the amendment to the agreement.
2. Refer the issue to a Committee.

3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve a resolution authorizing the Mayor to sign an amendment to the agreement with the NRCS for flood damage repair work.

Sample Motion

Move to approve the amendment to the agreement.

STATE: Nebraska
PROJECT: City of Grand Island EWP Project
AGREEMENT NO. 69-6526-5-165

UNITED STATES DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE

COOPERATIVE AGREEMENT
LOCALLY LED CONTRACTING

AMENDMENT NO.1

THIS AGREEMENT is being amended to include the following changes to obligate additional funds necessary to complete the work covered as outlined in the original agreement and therefore amend agreed to clauses as entered into by and between the City of Grand Island, Public Works Department hereinafter called the Sponsor; and the Natural Resources Conservation Service, United States Department of Agriculture, hereinafter called NRCS.

The original estimated construction cost was \$115,380. This amends the estimated construction cost by increasing the total estimated construction cost to \$141,552. A 10% of estimated construction contingency cost for overruns and differing site conditions is being added to the agreement which is \$14,155. The NRCS share of amended construction cost is estimated to be \$106,164 and the NRCS share for the contingency costs is estimated to be \$10,617. The NRCS share of the estimated construction cost of \$116,781.

- A. It is agreed that the following-described work is to be constructed at an estimated cost of \$141,552.00.

<u>DSR No.</u>	<u>Description of Work</u>	<u>Estimated Cost</u>
GI-1	Repair and protect slopes of channel and armor side slopes with riprap. Remove sediment deposition	\$33,598
GI-2	Repair and protect water control structure with sheet pile and riprap.	\$107,954
Total Cost		\$141,552

Section B.1. is changed to read as follows:

1. Provide 25 percent (cash or in-kind) of the cost of constructing the emergency watershed protection measures described in Section A. This cost to the sponsor is estimated to be \$35,388 which does not include contingency costs.

Section C.1. is changed to read as follows:

1. Provide 75 percent of the cost of constructing the emergency watershed protection measures described in Section A. This construction cost to NRCS is estimated to be \$106,164. This is an increase of \$19,629 from the original cost of construction. The anticipated contingency cost of \$10,617 for construction contingency increases the total additional NRCS construction funds available for the project by \$30,246.

Section C.8. is being added to read as follows:

8. Provide funds based on 10% of the construction cost for the anticipated contingency construction cost of the works of improvements described in the 2 DSR's which totals \$14,155. This cost to NRCS is limited to 75% of the contingency amount which is \$10,617.

All other terms and conditions of the original agreement remain unchanged.

SPONSOR

By: _____

Title: _____

Date: _____

.

This action authorized at an
official meeting of

on the _____ day of _____,

20__, at _____

State of _____.

(Signature)

(Title)

UNITED STATES DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE

By: _____

Title: _____

Date: _____

RESOLUTION 2005-314

WHEREAS, on July 12, 2005, by Resolution 2005-197, the City Council of the City of Grand Island approved a Cooperative Agreement with the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture to install emergency watershed protection measures to relieve hazards and damages created by the flooding that occurred in the area in May 2005; and

WHEREAS, the cost estimate of the project at the time of the agreement was \$115,380; and

WHEREAS, the only bid received for the project was \$141,551.58, such increase in cost being due to design changes and increased material costs; and

WHEREAS, based on such increased construction costs, it is necessary to amend the Cooperative Agreement to adjust the amounts required to be paid by the parties to the agreement; and

WHEREAS, the City's share of the construction costs remains at 25%, estimated to be \$35,388; and

WHEREAS, the City's cost can include in-kind services such as engineering which is estimated at \$19,580; and

WHEREAS, the proposed Amendment No. 1 has been reviewed and approved by the City Attorney's office.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Amendment No. 1 to the Cooperative Agreement between the City and the Natural Resources Conversation Service of the United States Department of Agriculture (NRCS) is hereby approved to adjust the construction costs and amounts required to be paid by each party.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 25, 2005.

Approved as to Form	☐ _____
October 20, 2005	☐ City Attorney

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item H1

**Consideration of Request from Richard and Patricia Hartman,
5075 South Locust Street for Conditional Use Permit for Sand &
Gravel Operation Located at 3812 South Blaine Street.**

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

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item I1

#2005-313 - Approving Funding of Economic Development Request

Staff Contact: David Springer

Council Agenda Memo

From: David Springer, Finance Director

Meeting: October 25, 2005

Subject: Approving Economic Development Funding Request

Item #'s: I-1

Presenter(s): David Springer, Finance Director

Background

On July 22, 2003, the City Council approved Ordinance No. 8830 adopting an Economic Development Program for the City of Grand Island in conformance with Neb. Rev. Stat. 18-2710. This provides for annual funding of \$750,000 by the City.

Discussion

A request has been received from the Grand Island Area Economic Development Corporation, duly approved by the Citizens' Review Committee for payment of \$350,000. Said funds to be used for operating expenses, community publicity, and promotion.

Alternatives

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

1. Approve the request for funds.
2. Disapprove or deny the request for funds.
3. Modify the Resolution to meet the wishes of the Council.
4. Table the issue.

Recommendation

City Administration recommends that the Council approve the request for funds.

Sample Motion

Motion to approve the request for funds to allow payment of \$350,000 to the Grand Island Area Economic Development Corporation.



PROJECT APPLICATION FOR ECONOMIC DEVELOPMENT PROGRAMS

1. Applicant Business Name Grand Island Area Economic Development Corp.

Address The Downtown Center, 308 North Locust, STE 400, Grand Island, NE 68801

Telephone (308) 381-7500

Email Address mferguson@grandisland.org

Business Contact Person Marlan Ferguson, President

Telephone (308) 381-7500

2. Business Organization: ☒ Corporation ☐ Partnership
☐ Proprietor ☐ Other

3. Business Type: ☐ Startup ☒ Existing
☐ Business Buyout ☐ Spec Building
☐ Other

4. Project Location: ☐ Within the city limits of Grand Island, Nebraska
☐ Outside the city limits, but within the 2 mile zoning jurisdiction
☐ Outside the zoning jurisdiction of Grand Island in (county)

5. Product or Services Provided: N/A

6. Project Description: Operating overhead to include salaries and benefits, occupancy costs, supplies, business recruitment, and community publicity. To offset cost associated with infrastructure including: interest, real estate taxes, maintenance, advertising, special assessments to city, debt service payments, and infrastructure needs study (long range plan).

7. Project Timetable: October 1, 2005 thru September 30, 2006

8. Employment Information:

Current number of employees 2 (full-time equivalent)

Proposed number of employees N/A (full-time equivalent)

What is the average hourly wage for all employees? N/A

Number of new jobs to be created N/A (full-time equivalent)

What would be the average hourly wage for new jobs? N/A

Number of jobs to be retained, if any N/A (full-time equivalent)

Please describe all benefits which the business provides to employees: N/A

9. Financing/Incentives Requested: The request for \$350,000 funding from LB-840 funds is
for the fiscal year beginning October 1, 2005 thru September 30, 2006. Application being
made is to continue Economic Development within Hall County under state statute 13,315.

NOTE: Additional Information may be required and made part of this application by attachment.

To the best of my knowledge, this application and supporting information is accurate, and may be relied upon by representatives of the Grand Island Area Economic Development Corporation (GIAEDC).

By: Marlan Ferguson
Marlan Ferguson
President
Title

Date: 10/3/2005

Date Referred to Grand Island Area Economic Development Board: 22-Sep-05

Approved: x Disapproved: Date: 9/23/2005

Comments:

Signature of Chairman:

William Westering

Date Referred to Citizen's Review Committee: October 18, 2005

Approved: ☒ Disapproved: ☐ Date: 10/18/08

Comments: 10

Signature of Chairman:

Tim White

Date Referred to City Council: October 25, 2005

Approved: _____ Disapproved: _____ Date: 10/25/2005

Comments:

Signature of Mayor: _____

Jay Vavricek

GRAND ISLAND AREA ECONOMIC DEVELOPMENT CORPORATION

BUDGETED COSTS TO APPLY TO LB-840 \$350,000 REQUEST

(replacement funds for previous city funding under state statute 13,315)

For Fiscal Period October 1, 2005 thru September 30, 2006

Infrastructure Costs

Platte Valley Industrial Park

Interest, Real Estate Taxes, Maintenance, Advertising	\$ 41,359.00
Special Assessments to City	75,525.00
Debt Service Payments	25,000.00
Infrastructure Needs Study (long range plan)	12,500.00

Project Costs	161,610.00
---------------	------------

Overhead Contribution

(to include salaries and benefits, occupancy costs, supplies, business recruitment, and community publicity)	34,006.00
	<u>350,000.00</u>

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITIZENS' REVIEW COMMITTEE

October 18, 2005

Pursuant to due call and notice thereof, a Regular Meeting of the Citizens' Review Committee (CRC) of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on October 18, 2005. Notice of the meeting was given in the *Grand Island Independent* on October 12, 2005.

Chairman Tim White called the meeting to order at 8:00 a.m. The following board members were present: Tim White, Ed Armstrong, Lisa Willman, Dehn Renter, Dan Eakes, Bill Thiemann, and Mark Stelk. The following City Officials were present: City Administrator Gary Greer, City Clerk RaNae Edwards, Finance Director David Springer, and City Attorney Doug Walker

APPROVAL OF MINUTES. Motion was made by Armstrong, second by Renter to approve the minutes of the June 21, 2005 CRC meeting. Motion adopted unanimously.

PRESENTATION OF SEMI-ANNUAL REPORT: Marlan Ferguson, Grand Island Economic Development Corporation (EDC) President presented the semi-annual report and application from the EDC for \$350,000. A PowerPoint presentation was made reviewing budgeted costs, economic impact, and progress for Grand Island.

Mentioned were the following four (4) LB-840 applications that were approved:

Heritage Disposal & Storage	\$100,000
CXT, Inc. a LB Foster Company	\$200,000
Love Signs	\$ 42,000
Westward Airways (Rescinded)	

Mr. Ferguson stated these businesses created an estimated \$15 million in new property tax with 323 new jobs and an estimated new Annual Property Tax of \$285,500.

The total LB-840 dollars allocated for Fiscal Year 2004/2005 were:

Available Funding for Projects:		\$800,000
Standard Iron	\$200,000	
Heritage Disposal	100,000	
Love Signs	42,000	
CXT, Inc.	<u>200,000</u>	
	\$542,000	
Balance for Future Projects:		\$258,000

Lisa Willman thanked Mr. Ferguson and the EDC staff for their work in bringing new businesses to Grand Island. Discussion was held with regards to jobs and salaries. EDC funds were discussed regarding carry over funds.

Motion was made by Willman, second by Stelk to approve the EDC application for funding in the amount of \$350,000. Upon roll call vote, all voted aye. Motion adopted.

Tim White mentioned that the Citizens' Review Committee's Semi-Annual Report would be given to the City Council on October 25, 2005 and encouraged attendance by the committee.

NEW BUSINESS: Tim White mentioned the open house invitation for CXT on November 9, 2005 and encouraged everyone to attend.

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

RaNae Edwards
City Clerk

RESOLUTION 2004-313

WHEREAS, on July 22, 2003, by Ordinance No. 8830, the City Council of the City of Grand Island approved and adopted an Economic Development Program for the City of Grand Island prepared in conformity with Neb. Rev. Statute §18-2710; and

WHEREAS, such program was amended on August 12, 2003, by Ordinance No. 8832;
and

WHEREAS, the program provides for \$750,000 in annual funding to be provided by the City of Grand Island; and

WHEREAS, a request has been made by the Grand Island Area Economic Development Corporation and the Economic Development Program's Citizens Review Committee for the payment of \$350,000 to be used for operating expenses, community publicity and promotion.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that approval is given to forward \$350,000 in City funding to the Grand Island Area Economic Development Corporation in accordance with the Economic Development Program.

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Adopted by the City Council of the City of Grand Island, Nebraska, October 25, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, October 25, 2005

Council Session

Item J1

Payment of Claims for the Period of October 12, 2005 through October 25, 2005

The Claims for the period of October 12, 2005 through October 25, 2005 for a total amount of \$3,352,132.56. A MOTION is in order.

Staff Contact: RaNae Edwards