
City of Grand Island



Tuesday, November 22, 2005

Council Session Packet

City Council:

Carole Cornelius
Peg Gilbert
Joyce Haase
Margaret Hornady
Robert Meyer
Mitchell Nickerson
Don Pauly
Jackie Pielstick
Scott Walker
Fred Whitesides

Mayor:

Jay Vavricek

City Administrator:

Gary Greer

City Clerk:

RaNae Edwards

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

Call to Order

Invocation - Minister Scott Jones, Third City Christian Church, 4100 West 13th Street

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, November 22, 2005

Council Session

Item D1

#2005-BE-13 - Consideration of Determining Benefits for Sanitary Sewer District No. 512; Marylane, Kentish Hills and Bradley Subdivisions

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Douglas R. Walker, City Attorney

Meeting: November 22, 2005

Subject: Board of Equalization Hearing to Determine Benefits and Consideration of an Ordinance Levying Assessments for Sanitary Sewer District No. 512, Marylane, Kentish Hills and Bradley Subdivision

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

Presenter(s): Douglas R. Walker, City Attorney
Steven P. Riehle, Public Works Director

This memorandum is intended to supplement the Council Agenda Memorandum on Items D-1 and F-1. The beginning portion of this memorandum discusses the history of the detention cell on Lot 13 in the Marylane Subdivision and was prepared by Steven P. Riehle, Public Works Director, and the discussion on the legal issues in part two of this memorandum was prepared by Douglas R. Walker, City Attorney.

Historical Background

Marylane Subdivision was platted in 1972 by Charles and Mary Fox before the area was annexed into the city. Lot 13 was designated as a detention cell because no storm sewer outlet was available for the subdivision.

Matt & Lori Beiber purchased Lot # 14 of Marylane Subdivision in August 2003 from Charles and Mary Fox to build a home. The Fox's also owned the detention cell property, lot # 13. They wanted the Beiber's to purchase the detention cell lot along with the lot for their home. Lots 13 & 14 were the last lots sold in the subdivision.

The Beiber's purchased the lot for \$10 because the Fox's did not want to continue to maintain the detention cell. The county assessor values the detention cell lot at \$1,145 for property tax computation purposes.

When Sanitary Sewer District was created, the estimated assessments were calculated with one equal assessment per lot.

Lot #'s 1 and 2 of Marylane Subdivision are under common ownership. Lot number 1 (3115 South North Road) has a house built on it. Lot # 2 (3940 Marylane) functions as an extended back yard for lot # 1. The proposed assessment levies an assessment to lot # 2 because someday it could be built upon.

The city has had a number of discussions with the Beiber's on possible options. These options included:

1. Deed the detention cell to the city. The city did not support this option because the cell did not have an outlet. The Beiber's were not interested in this option, since they wanted to maintain the property as a side yard to their home.
2. Do an administrative plat combining the lots into one.
3. We discussed deferring the assessment to the detention cell lot with the city attorney. He did not feel that we could do this since this property did not qualify for any statutory deferments.

Instances where a Lot was designated as a cell and later built on.

1. Lot # 25 of Freedom Acres Subdivision was designated in the subdivision agreement for use as a detention cell. Lot # 25 is at the high end of the development, so a detention cell was built at the low end of the development on lot # 21 (4124 Liberty Lane). The detention cell lot functions as a detention cell as well as a side yard for the home at 4130 Liberty Lane. The detention cell lot was assessed for the construction of sanitary sewer district number 501 in September 2003. The lot may be built upon in the future if storm sewer is available to serve the property. The property has since changed hands.
2. Lots Number 12 and 33 of Old Potash Subdivision were designated as detention cells in a subdivision agreement in 1978. The lots have since been built on. Sanitary sewer was built in the area after the homes were constructed.
3. Lot 1 of Western Heights 4th Subdivision (1315 Branding Iron Lane) was designated as a detention cell and now has a house on it. Sanitary sewer was built in the area after the home was constructed.

Instances where a Lot that is a detention cell was assessed for sanitary sewer

1. Lot 21 Freedom Acres (mentioned above)
2. Lot 14 in Kentish Hills Subdivision (3804 Hampton Road) is a detention cell that is being proposed to be assessed for sanitary sewer under this same district.

A permanent easement was purchased for the construction of water and sanitary sewer mains from the Beibers in November 2003 for \$1,500. A temporary construction easement (based on \$0.50 per square foot) for construction of the sanitary sewer main was purchased from the Beiber's for \$2,000 in September 2005.

Legal Issues

Section 16-672 of the Revised Statutes of Nebraska discuss assessments equalization and reassessments for the cost of constructing sewers. This section of the Nebraska Statutes states that the council shall levy a tax for sewer construction costs on real estate in the sewage district to the extent of benefits to such property by reason of such improvement. The statute further states that the benefits to such property shall be determined by the council sitting as a Board of Equalization after notice to property owners. The statute authorizes the council to assess the costs of the sewer district improvements by front foot method or according to such other rule as the council sitting as the Board of Equalization may adopt for the distribution or adjustment of the costs upon the lots or real estate in the sewage district benefited by the improvement. This section of the Nebraska Statutes gives the City Council discretion in deciding on the method to use for assessing the benefits of the sewage district. The Public Works Department has determined that the most equitable way to assess the benefits from the construction of this sewage district was to have an equal assessment for each lot in the district. The lots in the Marylane and Kentish Hills subdivisions are of unequal size and the foot frontage of the lots can vary significantly. The benefits however were comparable for each lot in the district; therefore, the Public Works Department made the recommendation that each lot be charged an equal assessment.

In the case at hand involving Lot 13 of the Marylane Subdivision, the Public Works Department determined that it was reasonable to go ahead and assess this lot in the same amount as the other lots although there is language in the Marylane Subdivision Agreement which requires Lot 13 to be used for storm water drainage and for the location of a detention cell. The Public Works Department made this determination because this lot, although at the present time being used for a detention cell, will not be used for a detention cell if a storm sewer district is created in the future. It is anticipated that in the future the 200 acre tract adjacent to the east side of the Marylane and Kentish Hills Subdivisions will also be developed and at that time easements will be acquired for locating storm sewers. Once the storm sewers have been installed in this area, there will no longer be a need for the detention cell. If the need for a detention cell is removed from this property it could be available for construction purposes. The Public Works Department has stubbed out a sanitary sewer service to this lot so that a connection can be made to the sanitary sewer in the future if this lot is developed.

In the section of this memo on the history of the assessment process in Grand Island for similar subdivisions, Steve Riehle noted that there have been several instances where lots that have had detention cells have been developed and used for constructing a residence. Mr. Riehle has also cited instances where lots used as detention cells were assessed on the same basis as other lots in a sanitary sewer district. It would therefore seem appropriate that the Council follow prior precedent and levy assessments in Sewer District No. 512 as it has in prior sewer districts.

I have reviewed the state statutes to ascertain whether there would be an option to defer the collection of the sewage assessment until some point in the future. From my analysis of the state statutes, I do not believe there are any deferrals which would apply to this property.

Another issue that has been raised about the assessments would be whether this real estate could be excluded from the district. I do not believe that this is a viable option since this district was set up to include Lot 13 of the Marylane Subdivision and this lot fits well within the borders of the district. To remove this lot at this time would cause a reassessment of all the other lots in these two subdivisions and it would not be appropriate to exclude this real estate after the creation of this district.

Another issue that was raised at the prior council meeting was whether a partial assessment could be levied against this lot based upon some factor of valuation. I would not recommend that this approach be used to levying the assessments as this would create a great deal of controversy regarding the relative values of lots within a sanitary sewer district and could create some very inequitable results.

Another issue regarding this lot would be whether an administrative plat could have been done to combine the two lots into one lot. There were discussions between Mr. Beiber and city personnel and Mr. Beiber was made aware of this option. Mr. Beiber chose not to replat his property into one lot but chose instead to continue to have two separately platted lots in the Marylane Subdivision. I believe that Mr. Beiber was informed by city personnel of the proposed method of assessing the benefits to each lot in the sewage connection district at the time this discussion took place and he made a decision not to combine his lots.

In conclusion, I would recommend that the City Council adopt the method of assessment proposed by the Public Works Department. It is my opinion that they are recommending an equitable method of assessing the benefits of the sewage district by assessing the cost to each separate lot.

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: November 22, 2005

Subject: Board of Equalization Hearing to Determine Benefits and Consideration of an Ordinance Levying Assessments for Sanitary Sewer District No. 512; Marylane, Kentish Hills and Bradley Subdivisions

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

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

Background

The Certificate of Final Completion for Sanitary Sewer District 512 was approved on October 11, 2005 with November 8, 2005 set as the date for Council to sit as the Board of Equalization. All work has been completed and special assessments have been calculated for the District.

The Public Hearing for the Board of Equalization was opened on November 8, 2005. Matt and Lori Bieber spoke against the proposed assessment to Lot No. 13 of Mary Lane Subdivision. Lot No. 13 is currently functioning as a detention cell as stipulated in the subdivision agreement. Resolution 2005-BE-13 which would have determined the benefits for the district was referred to the November 22, 2005 City Council meeting to allow staff to time to gather information necessary to make an informed decision on the proposed assessments.

Discussion

The contract for Sanitary Sewer District 512 was awarded to General Excavating of Lincoln, Nebraska on September 14, 2004. Work on the project was completed at a construction price of \$436,000.72. Total cost of the project, including engineering, was \$512,530.13. Costs for the project break down as follows:

Original Bid	\$ 477,488.14
Underruns	\$ 36,751.80
Deductions:	
Liquidated Damages	(\$ 600.00)
Restore Property Pins	(\$ 800.00)
Replace Trees	(\$ 300.00)
Fill & Grade Yards	(\$ 2,000.00)
T.V. Clean Line, Adjust Manholes	(\$ 2,909.86)

Additional Costs	
Fire Hydrant Adjustment	\$ 320.00
Driveway Replacement	\$ 1,554.24
Sub Total (Construction Price)	\$ 436,000.72
<u>Easement Acquisition/Restoration Costs</u>	\$ 32,929.34
<u>Engineering, Publication, TV Insp. Costs</u>	\$ 43,600.07
Total Project Cost	\$ 512,530.13

The estimated total for District 512 at the time of creation was \$521,110.50.

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 recommendation to allow the Board of Equalization to determine benefits and pass an ordinance allowing the City to recover the majority of the District costs and assess the benefiting owners.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council, sitting as a Board of Equalization, determine benefits and pass an ordinance to levy Special Assessments to individual properties.

Sample Motion

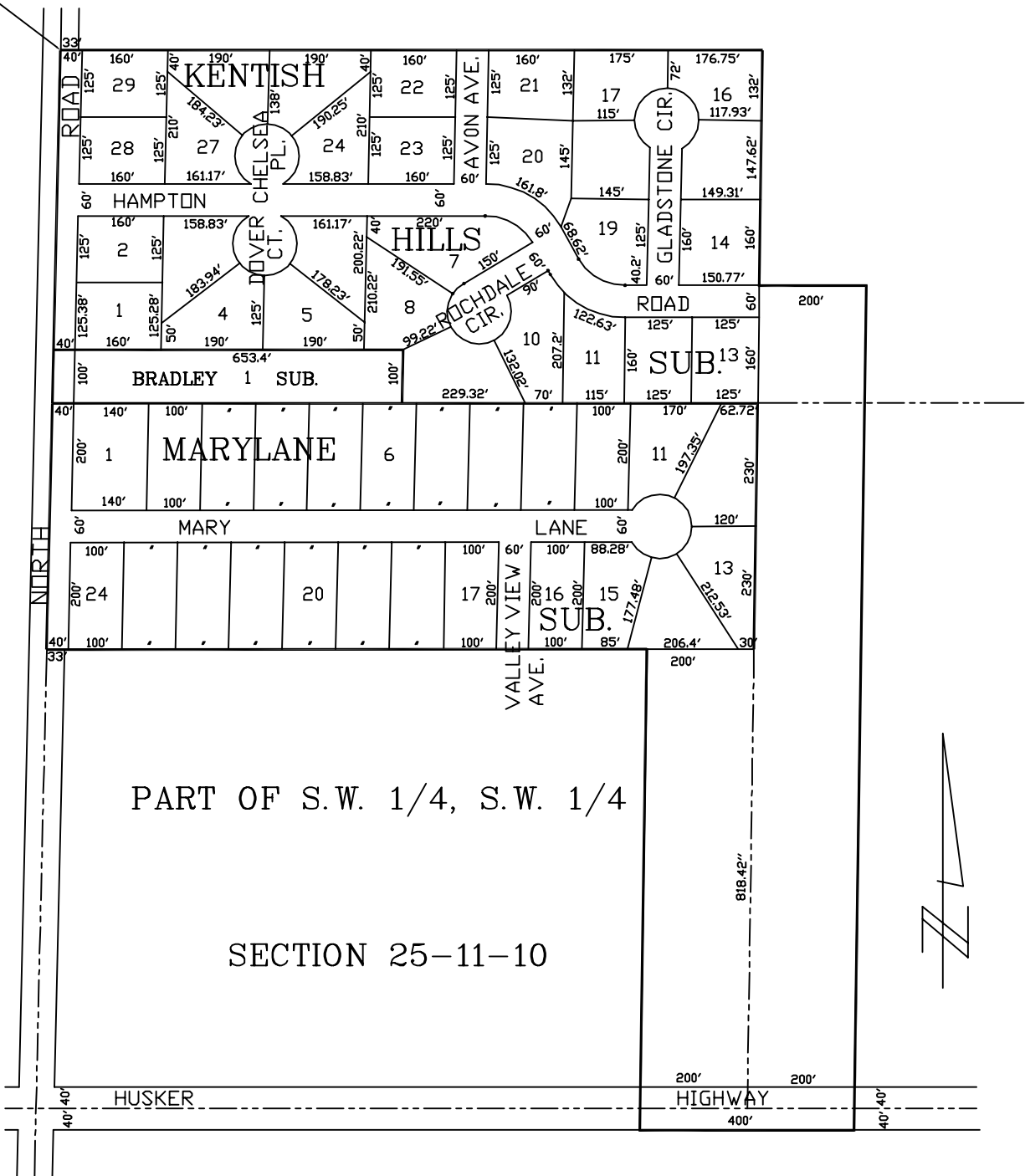
(Sample Motion for the Board of Equalization)

Move to approve the resolution establishing benefits for Sanitary Sewer District No. 512.

(Sample Motion for the Ordinance)

Move to approve the ordinance levying the assessments for Sanitary Sewer District No. 512.

POINT OF BEGINNING



SANITARY SEWER DISTRICT 512

EXHIBIT "A"

CITY OF
GRAND ISLAND
 PUBLIC WORKS DEPARTMENT

DATE: 10/17/03
 DRN BY: L.D.C.
 SCALE: 1"=300'

PLAT TO ACCOMPANY
 ORDINANCE NO. 8862

R E S O L U T I O N 2005-BE-13

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Sanitary Sewer District 512, 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 \$464,064.14; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 512, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Charles E. & Mary A. Fox	Lot 1, Marylane Subdivision	6,536.11
Charles E. & Mary A. Fox	Lot 2, Marylane Subdivision	6,536.11
Jerry L. & Rose G. Florez	Lot 3, Marylane Subdivision	6,536.11
Neal R. & Sondra L. Schroder	Lot 4, Marylane Subdivision	6,536.11
Lyle E. & Judith Maye Tibbs	Lot 5, Marylane Subdivision	6,536.11
Ronald L. & Delores K. Tenski	Lot 6, Marylane Subdivision	6,536.11
Jeffrey W. & Cynthia R. Hayes	Lot 7, Marylane Subdivision	6,536.11
Kenneth C. & Christine L. Durand	Lot 8, Marylane Subdivision	6,536.11
Cresencio & Maria Carmen Gutierrez	Lot 9, Marylane Subdivision	6,536.11
Keith A. & Joey L. Ruff	Lot 10, Marylane Subdivision	6,536.11
David A. & Ellen I. Nelson Green	Lot 11, Marylane Subdivision	6,536.11
Kenneth I. & Vera L. Henman	Lot 12, Marylane Subdivision	6,536.11
Matthew J. & Lori A. Beiber	Lot 13, Marylane Subdivision	6,536.11
Matthew J. & Lori A. Beiber	Lot 14, Marylane Subdivision	6,536.11
Timothy D. & Susan E. Pfeifer	Lot 15, Marylane Subdivision	6,536.11
Gregory J. & Penny L. Post	Lot 16, Marylane Subdivision	6,536.11
Dale E. & Sharon M. Huffman	Lot 17, Marylane Subdivision	6,536.11
Andrew M. & Joan E. Schwan	Lot 18, Marylane Subdivision	6,536.11
Charles E. & Loretta A. Roehrich	Lot 19, Marylane Subdivision	6,536.11
Terry Lee & Lori L. Jepson	Lot 20, Marylane Subdivision	6,536.11
Elaine K. & Steven A. Markham	Lot 21, Marylane Subdivision	6,536.11

RESOLUTION 2005-BE-13

Vincent E. & Cynthia A. Luhn	Lot 22, Marylane Subdivision	6,536.11
Dennis W. & Cheryl K. Harder	Lot 23, Marylane Subdivision	6,536.11
Jody D. & Robin R. Bennett	Lot 24, Marylane Subdivision	6,536.11
Robert W. & Penelope M. Thomas	Lot 1, Bradley Subdivision	6,536.11
Jeffrey N. & Angela M. Warren	Lot 1, Kentish Hills Subdivision	6,536.11
Frank P. & Marsha Prucha	Lot 2, Kentish Hills Subdivision	6,536.11
Ryan G. & Whitney C. Witt	Lot 3, Kentish Hills Subdivision	6,536.11
Dale G. & Joan J. Clark	Lot 4, Kentish Hills Subdivision	6,536.11
Steven D. & Theresa M. Stirn	Lot 5, Kentish Hills Subdivision	6,536.11
Thomas P. & Ronda K. Kruger	Lot 6, Kentish Hills Subdivision	6,536.11
Dennis W. & Keanna Leonard	Lot 7, Kentish Hills Subdivision	6,536.11
Heath A. & Barbara L. Johnson	Lot 8, Kentish Hills Subdivision	6,536.11
Thomas A. & Lisa M. Olsen	Lot 9, Kentish Hills Subdivision	6,536.11
Elmer E. & Kathleen F. Feldotto	Lot 10, Kentish Hills Subdivision	6,536.11
Randy L. & Laurie R. Peterson	Lot 11, Kentish Hills Subdivision	6,536.11
Danny L. & Lareen M. Halverson	Lot 12, Kentish Hills Subdivision	6,536.11
Monte L. & Michelle G. Shultz	Lot 13, Kentish Hills Subdivision	6,536.11
ABC Engineered Trusses Inc.	Lot 14, Kentish Hills Subdivision	6,536.11
Thomas M. & Jessica M. Whelan	Lot 15, Kentish Hills Subdivision	6,536.11
Ryan T. & Rebecca S. Waind	Lot 16, Kentish Hills Subdivision	6,536.11
Jeffry A. & Jamie A. Vinson	Lot 17, Kentish Hills Subdivision	6,536.11
Gregg & Shirley A. Schultz	Lot 18, Kentish Hills Subdivision	6,536.11
John M. & Dianne McMahan	Lot 19, Kentish Hills Subdivision	6,536.11
Bradley R. & Shree A. Arends	Lot 20, Kentish Hills Subdivision	6,536.11
Stephen C. & Teresa A. Skibinski	Lot 21, Kentish Hills Subdivision	6,536.11
John J. & Debra J. Lantz	Lot 22, Kentish Hills Subdivision	6,536.11
Guy L. Leverington & Patricia J. Beiber	Lot 23, Kentish Hills Subdivision	6,536.11
William F. & Connie J. Parten	Lot 24, Kentish Hills Subdivision	6,536.11
Timothy & Sheri Brown	Lot 25, Kentish Hills Subdivision	6,536.11
Charles T. & Debra L. Costello	Lot 26, Kentish Hills Subdivision	6,536.11
Ronnie R. & Darla M. Sitzman	Lot 27, Kentish Hills Subdivision	6,536.11
Craig & Terry Sue Starke	Lot 28, Kentish Hills Subdivision	6,536.11
Cindy J. Avila	Lot 29, Kentish Hills Subdivision	6,536.11

RESOLUTION 2005-BE-13

Gladys V. Schoel	Part of SE1/4, SW1/4 of Section 25-11-10; more particularly described as: the west 200 feet of the north 1498.42 feet of the south 1538.42 feet of E1/2, SW1/4 of Section 25-11-10.	111,113.95
Lutheran High School Assoc.	Part of SW1/4, SW1/4 of Section 25-11-10; more particularly described as follows: East 200 feet of north 818.42 feet of south 858.42 feet of SW1/4, SW1/4 of Section 25-11-10	0.00
TOTAL		\$464,064.14

-- --

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item D2

#2005-BE-14 - Consideration of Determining Benefits for Sanitary Sewer District No. 517; Deadwood Subdivision (Arch Avenue and Johnstown Rd Area)

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: November 22, 2005

Subject: Board of Equalization Hearing to Determine Benefits and Consideration of an Ordinance Levying Assessments for Sanitary Sewer District No. 517; Deadwood Subdivision (Arch Avenue and Johnstown Road Area)

Item #'s: D-2 & F-3

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

Background

The Certificate of Final Completion for Sanitary Sewer District 517 was approved on October 25, 2005 with November 22, 2005 set as the date for Council to sit as the Board of Equalization. All work has been completed and special assessments have been calculated for the District.

Discussion

The contract for Sanitary Sewer District 517 was awarded to The Starostka Group of Grand Island, Nebraska on June 28, 2005. Work on the project was completed on schedule at a construction price of \$19,237.52. Total cost of the project, including engineering, is \$21,463.14. 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

The entire cost for this project will be assessed to the adjacent property owners. The estimated total for District 517 at the time of creation was \$38,216.00.

Alternatives

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

1. Make a motion to approve the recommendation to allow the Board of Equalization to determine benefits and pass an ordinance allowing the City to recover all of the District costs and assess the benefiting owners.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council, sitting as a Board of Equalization, determine benefits and pass an ordinance to levy Special Assessments to individual properties.

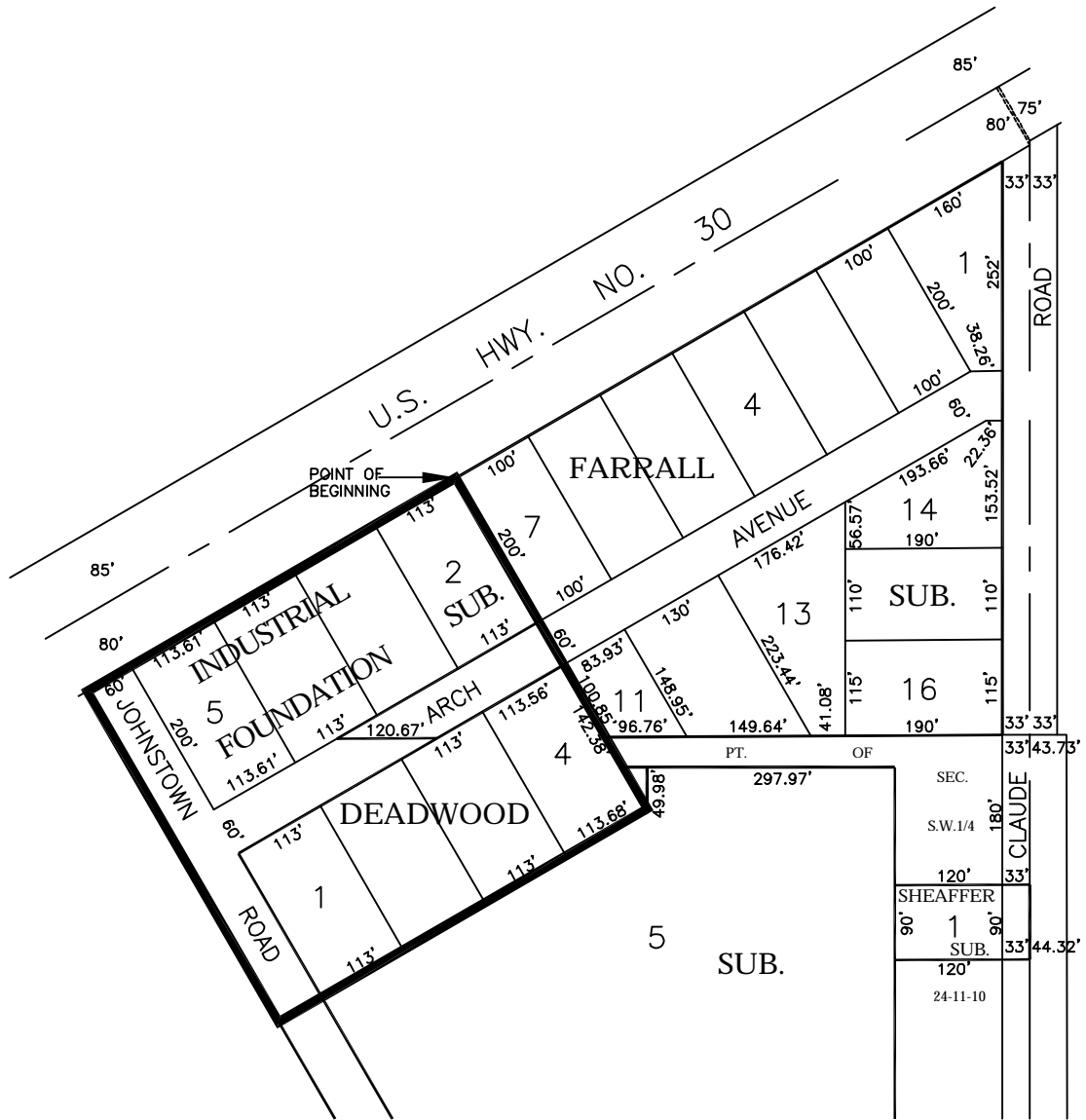
Sample Motion

(Sample Motion for the Board of Equalization)

Move to approve the resolution establishing benefits for Sanitary Sewer District No. 517.

(Sample Motion for the Ordinance)

Move to approve the ordinance levying the assessments for Sanitary Sewer District No. 517.



SANITARY SEWER DIST. 517

CITY OF
GRAND ISLAND
 PUBLIC WORKS DEPARTMENT

DATE: 3-4-05
 DRN BY: L.D.C.
 SCALE: 1"=200'

PLAT TO ACCOMPANY
 ORDINANCE NO. 8968

R E S O L U T I O N 2005-BE-14

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Sanitary Sewer District 517, 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 \$21,463.14; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 517, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Vaughn L. & Vicki L. Hesselgesser	Lot 2, Grand Island Industrial Foundation Subdivision	2,679.42
Platte Valley Communications, Inc.	Lot 3, Grand Island Industrial Foundation Subdivision	2,679.42
Platte Valley Communications, Inc.	Lot 4, Grand Island Industrial Foundation Subdivision	2,679.42
4503 L.L.C.	Lot 5, Grand Island Industrial Foundation Subdivision	2,693.89
Eric J. & Leslie A. Rose	Lot 1, Deadwood Subdivision	2,679.42
Eric J. & Leslie A. Rose	Lot 2, Deadwood Subdivision	2,679.42
Preferred Pump & Equipment L.P.	Lot 3, Deadwood Subdivision	2,679.42
Russell L. & Lisa A. Geist	Lot 4, Deadwood Subdivision	2,692.73
TOTAL		\$21,463.14

- - -

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

RaNae Edwards, City Clerk

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



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item E1

**Public Hearing on Change of Zoning for Land Located So. of Hwy
34 and West of So. Locust St. Proposed for Platting as Kings
Crossing Subdivision from B2-GCO General Business to CD-GCO
Commercial Development**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: November 22, 2005
Subject: Change of Zoning
Item #'s: E-1 & F-4
Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

This application proposes to change the zoning on a tract of land proposed for platting as King's Crossing Subdivision from B2-GCO General Business in a Gateway Corridor Overlay zone to CD-GCO Commercial Development within a Gateway Corridor Overlay zone.

Discussion

This property is being redeveloped and replatted within the Gateway Corridor Overlay zone along South Locust. The Grand Island Zoning Ordinance requires that any redevelopment and replatting of property in the Gateway Corridor Overlay be rezoned into a Commercial Development Zone. The CD zone gives the City Council and the citizens of Grand Island greater control over the type of development allowed on a property.

This application includes a landscaping plan with pedestrian lighting identical to the lights along the Wal-Mart property and along South Locust north of U.S. Highway 34. The application also includes a building design concept with proposed building materials and colors. The proposed materials and colors for this development would be similar but not identical to the Wal-Mart development to the east.

This development was proposed with Kings Lane as a new north south street between Lake Street and U.S. Highway 34. The Nebraska Department of Roads (NDOR) has final approval for the development the intersection of Kings Lane and U.S. Highway 34, including any requirement for a deceleration lane along U.S. Highway 34 for right turns onto Kings Lane. NDOR has verbally approved the development of Kings Lane but it is not know whether they will require the deceleration lane at this point.

Two people spoke at the public hearing before the planning commission regarding this development. Both were neighbors. One was interested in selling her property, which adjoins Kings Crossing to the developers and the other was excited to see some new development near his property.

Alternatives

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

1. Approve the rezoning as presented
2. Modify the rezoning to meet the wishes of the Council
3. Table the issue
4. Deny the request to rezone the property

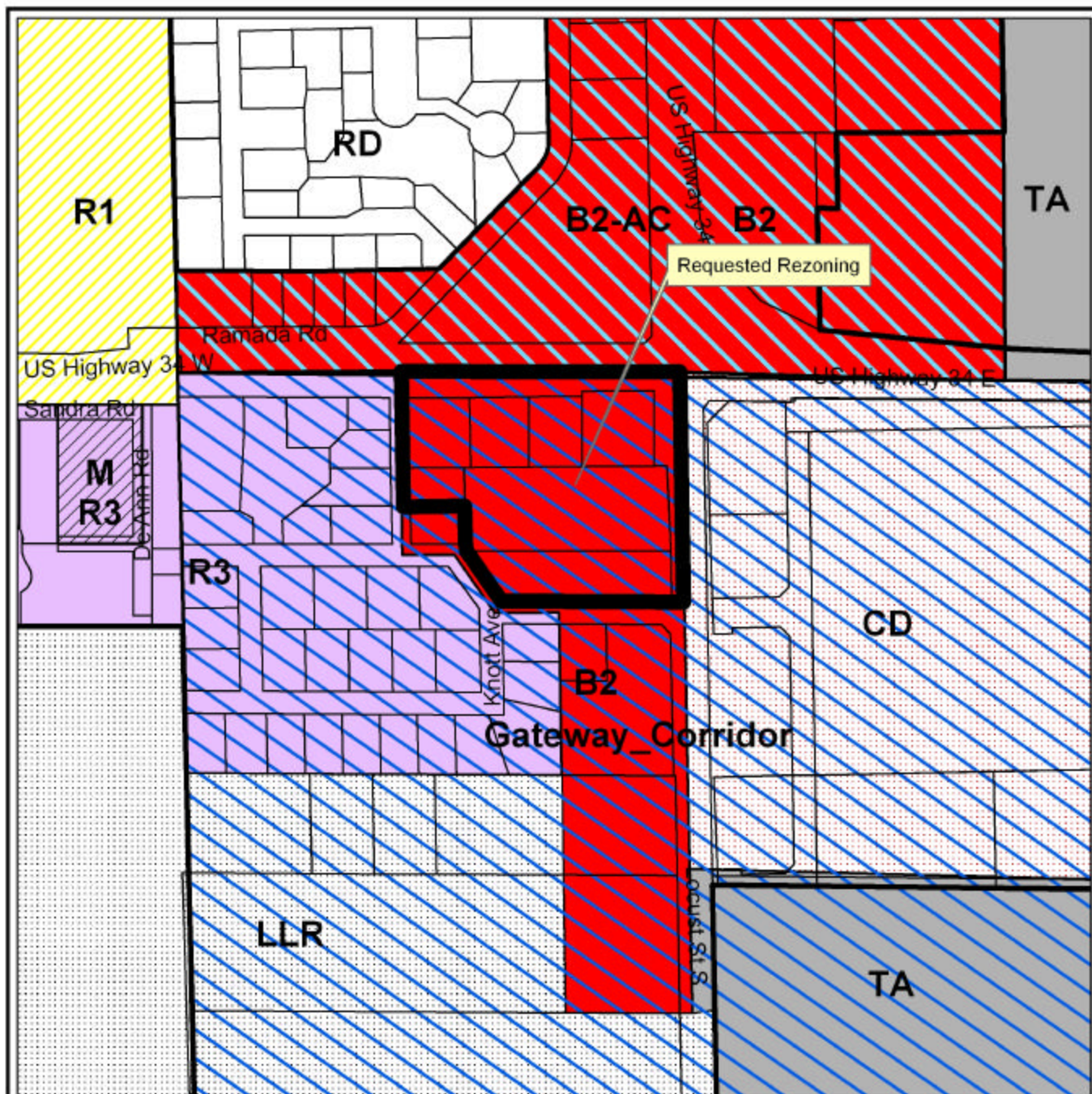
Recommendation

A motion was made by Amick 2nd by Miller to approve the rezoning as presented contingent upon approval of the Kings Lane intersection by NDOR.

A roll call vote was taken and the motion passed with 9 members present (Miller, Amick, O'Neill, Monter, Haskins, Eriksen, Brown, Niemann, Reynolds) voting in favor.

Sample Motion

Approve the rezoning for King's Crossing Subdivision as presented.



Requested Zoning

Scale : NONE

C-2-2006GI



-  From B2 : General Business Zone
-  To CD : Commercial Development Zone



THE PROFESSIONAL PLANNING COMMISSION FOR
Clark County, Nevada
© 2010, 2011 and 2012

Agenda Item # 5

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

October 24, 2005

SUBJECT: *Zoning Change (C-02-2006G1)*

PROPOSAL: To rezone a parcel of ground south of US Highway 34 west of north of Lake Street between South Locust Street and Tri Street from **B2-GCO** General Business with a Gateway Corridor Overlay to **CD-GCO** Commercial Development Zone with a Gateway Corridor Overlay. The CD Zone application also includes both the Preliminary and Final Plats for the King's Crossing Subdivision.

OVERVIEW:

Site Analysis

Current zoning designation:

B2-GCO General Business with a Gateway Corridor Overlay

Permitted and conditional uses:

B2-GCO General Business with a Gateway Corridor Overlay.

B2 Commercial and retail uses including those with outside storage of merchandise, office uses and residential uses up to a density of 43 units per acre. The Gateway Corridor Zone requires this property to be rezoned to the CD Zone with replatting the property. The GCO overlay also requires some architectural controls.

Comprehensive Plan Designation:

Commercial

Existing land uses.

Former Knott's Auction and Vacant Property

Adjacent Properties Analysis

Current zoning designations:

North: B2-AC General Business with an Arterial Commercial Overlay

East: CD-GCO Commercial Development Zone with a Gateway Corridor Overlay

West R3-Medium Density Residential

and South: B2-AC General Business with an Arterial Commercial Overlay

Permitted and conditional uses:

R3- Residential uses at a density of 14 dwelling units per acre.

B2-AC Commercial and retail uses including those with outside storage of merchandise, office uses and residential uses up to a density of 43 units per acre. **CD** Commercial uses and retail uses. Residential uses are not permitted in the CD zone.

Comprehensive Plan Designation:

North: General Commercial

East: General Commercial-Gateway Corridor

West: Medium Density Residential to Office

South: General Commercial

Existing land uses:

North: Riverside Inn

East: Wal-Mart

West: Single Family Residential

South: Vacant Property, Commercial Development

EVALUATION:

Positive Implications:

- *Consistent with the City's Comprehensive Land Use Plan:* The subject property is designated for commercial development.
- *Accessible to Existing Municipal Infrastructure:* Water and sewer services are available to service the area. Sanitary sewer and water are along the east side of the property. Drainage for this property has been accommodated within the drainage plan for this part of Grand Island.
- *Development is consistent with Gateway Corridor Overlay:* This development as proposed is substantially consistent with the intent of the Gateway Corridor Overlay District.
- *Adjacent street are arterial streets:* Both U.S. Highway 34 and South Locust Street are arterial streets. It is expected that these streets will carry significant traffic.
- *Proposed Landscaping Plan:* The proposed landscaping plan will extend the pedestrian lighting and landscaping south of U.S. Highway 34 to Lake Street.
- *Proposed Building Elevation:* The proposed building elevation, materials, and color scheme are complementary to the color scheme proposed for the Wal-Mart Development to the east. They are not identical so will allow for some variation but they will not clash.
- *Monetary Benefit to Applicant:* Would allow the applicant to develop and sell this property.

Negative Implications:

- *None foreseen*

Other

The proposed layout for this subdivision includes a new public street (King's Lane) between U.S. Highway 34 and Lake Street. This connection has not yet been approved by the Nebraska Department of Roads. They will meet on November 7th to review this application. Approval of this subdivision and rezoning should be contingent on approval of King's Lane by NDOR.

RECOMMENDATION:

That the Regional Planning Commission recommend that the Grand Island City Council change the zoning on this site from **B2-GCO** General Business with a Gateway Corridor Overlay to **CD-GCO** Commercial Development Zone with a Gateway Corridor Overlay along with the Preliminary and Final Plats for King's Crossing Subdivision contingent on approval of King's Lane by the NDOR.

_____ Chad Nability AICP, Planning Director



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item E2

**Public Hearing Concerning Acquisition of Utility Easement -
North of Fonner Park Road, between Pine & Sycamore Streets
(NE Goodwill Housing II, Inc.)**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director
Meeting: November 22, 2005
Subject: Acquisition of Utility Easement – North of Fonner Park Road, between Pine and Sycamore Streets – Nebraska Goodwill Housing II, Inc.
Item #'s: E-2 & G-7
Presenter(s): Gary R. Mader, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Nebraska Goodwill Housing II, Inc., located north of Fonner Park Road, between Pine and Sycamore Streets, in the City Of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

This easement will be used to place a three phase pad-mounted transformer and underground cable to provide electric service to the new apartment building.

Alternatives

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

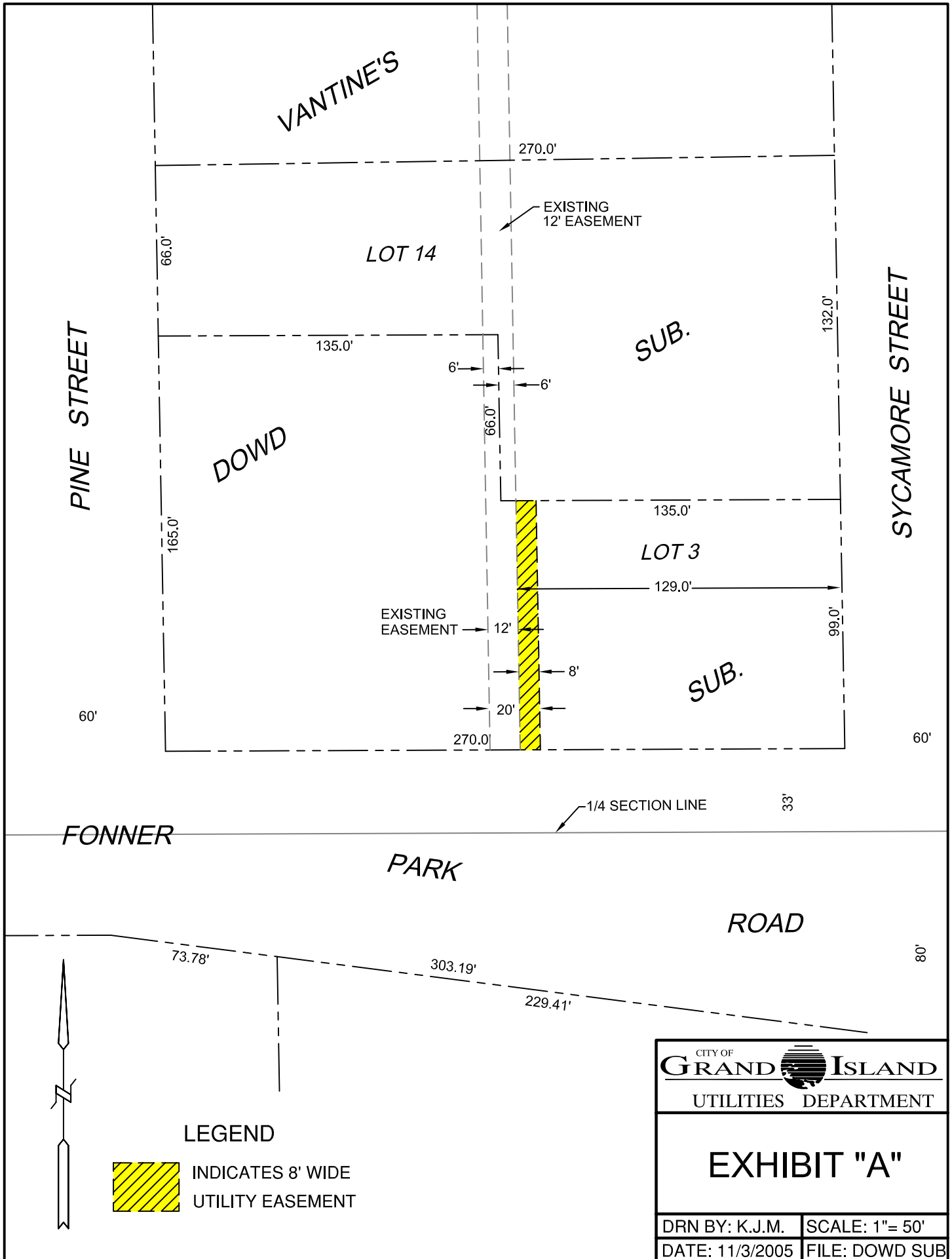
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Motion to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, November 22, 2005

Council Session

Item E3

**Public Hearing for Public Comment on the CDBG Funds for
Housing Rehabilitation**

Staff Contact: Marsha Kaslon

Council Agenda Memo

From: Marsha Kaslon, Community Development

Council Meeting: November 22, 2005

Subject: Public Hearing for Public Comment on the CDBG Funds Received from the Nebraska Department of Economic Development

Item #'s: E-3

Presenter(s): Marsha Kaslon, Community Development

Background

In August 2003, the City was awarded a \$270,400 Community Development Block Grant from the Nebraska Department of Economic Development (DED) for rehabilitation of residential owner-occupied homes. \$250,000 was to be used for rehabilitation of 10 owner-occupied homes based on a standard maximum amount of \$25,000 per home; \$10,000 (\$1,000 per house) for Lead-Based Paint assessment and/or remediation and General Administration of \$10,400. The period covered under the grant contract is August 15, 2003 to February 15, 2006. (30 months).

Eleven (11) homes are under contract with \$196,770 expended. \$53,230 of the funds remain. An extension was requested to and granted from DED due to the lack of available contractors in the Grand Island area with Lead-Based Paint Work Safe Practices Certification which is mandated by funding. February 15, 2006 is the deadline to have all projects completed. All reporting requirements are up-to-date.

Discussion

The Community Development Division is required by the DED to hold a second public hearing inviting public comment on the Community Development Block Grant funds the City of Grand Island spent and the progress made during the process of the grant.

Recommendation

No action required.



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item F1

#9014A - Consideration of Assessments for Sanitary Sewer District No. 512; Marylane, Kentish Hills and Bradley Subdivisions

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

Staff Contact: Steven P. Riehle, Public Works Director

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9014 A

An ordinance assessing and levying a special tax to pay the cost of construction of Sanitary Sewer District No. 512 of the City of Grand Island, Nebraska; providing for the collection of such special tax; repealing any provisions of the Grand Island City Code, ordinances, and parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

WHEREAS, a Board of Equalization Hearing was held on November 8, 2005 to determine assessments for property located within Sanitary Sewer District No. 512 of the City of Grand Island, Nebraska; and

WHEREAS, after a discussion of the proposed assessments, the City Council of the City of Grand Island requested that such matter be further reviewed, and that such issue be rescheduled for discussion at the November 22, 2005 City Council Meeting.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of construction of said

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

ORDINANCE NO. 9014 A (Cont.)

sanitary sewer main in said Sanitary Sewer District No. 512, as adjudged by the Mayor and Council of the 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 land as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Charles E. & Mary A. Fox	Lot 1, Marylane Subdivision	6,536.11
Charles E. & Mary A. Fox	Lot 2, Marylane Subdivision	6,536.11
Jerry L. & Rose G. Florez	Lot 3, Marylane Subdivision	6,536.11
Neal R. & Sondra L. Schroder	Lot 4, Marylane Subdivision	6,536.11
Lyle E. & Judith Maye Tibbs	Lot 5, Marylane Subdivision	6,536.11
Ronald L. & Delores K. Tenski	Lot 6, Marylane Subdivision	6,536.11
Jeffrey W. & Cynthia R. Hayes	Lot 7, Marylane Subdivision	6,536.11
Kenneth C. & Christine L. Durand	Lot 8, Marylane Subdivision	6,536.11
Cresencio & Maria Carmen Gutierrez	Lot 9, Marylane Subdivision	6,536.11
Keith A. & Joey L. Ruff	Lot 10, Marylane Subdivision	6,536.11
David A. & Ellen I. Nelson Green	Lot 11, Marylane Subdivision	6,536.11
Kenneth I. & Vera L. Henman	Lot 12, Marylane Subdivision	6,536.11
Matthew J. & Lori A. Beiber	Lot 13, Marylane Subdivision	6,536.11
Matthew J. & Lori A. Beiber	Lot 14, Marylane Subdivision	6,536.11
Timothy D. & Susan E. Pfeifer	Lot 15, Marylane Subdivision	6,536.11
Gregory J. & Penny L. Post	Lot 16, Marylane Subdivision	6,536.11
Dale E. & Sharon M. Huffman	Lot 17, Marylane Subdivision	6,536.11
Andrew M. & Joan E. Schwan	Lot 18, Marylane Subdivision	6,536.11
Charles E. & Loretta A. Roehrich	Lot 19, Marylane Subdivision	6,536.11
Terry Lee & Lori L. Jepson	Lot 20, Marylane Subdivision	6,536.11
Elaine K. & Steven A. Markham	Lot 21, Marylane Subdivision	6,536.11
Vincent E. & Cynthia A. Luhn	Lot 22, Marylane Subdivision	6,536.11
Dennis W. & Cheryl K. Harder	Lot 23, Marylane Subdivision	6,536.11
Jody D. & Robin R. Bennett	Lot 24, Marylane Subdivision	6,536.11
Robert W. & Penelope M. Thomas	Lot 1, Bradley Subdivision	6,536.11
Jeffrey N. & Angela M. Warren	Lot 1, Kentish Hills Subdivision	6,536.11
Frank P. & Marsha Prucha	Lot 2, Kentish Hills Subdivision	6,536.11

ORDINANCE NO. 9014 A (Cont.)

Ryan G. & Whitney C. Witt	Lot 3, Kentish Hills Subdivision	6,536.11
Dale G. & Joan J. Clark	Lot 4, Kentish Hills Subdivision	6,536.11
Steven D. & Theresa M. Stirn	Lot 5, Kentish Hills Subdivision	6,536.11
Thomas P. & Ronda K. Kruger	Lot 6, Kentish Hills Subdivision	6,536.11
Dennis W. & Keanna Leonard	Lot 7, Kentish Hills Subdivision	6,536.11
Heath A. & Barbara L. Johnson	Lot 8, Kentish Hills Subdivision	6,536.11
Thomas A. & Lisa M. Olsen	Lot 9, Kentish Hills Subdivision	6,536.11
Elmer E. & Kathleen F. Feldotto	Lot 10, Kentish Hills Subdivision	6,536.11
Randy L. & Laurie R. Peterson	Lot 11, Kentish Hills Subdivision	6,536.11
Danny L. & Lareen M. Halverson	Lot 12, Kentish Hills Subdivision	6,536.11
Monte L. & Michelle G. Shultz	Lot 13, Kentish Hills Subdivision	6,536.11
ABC Engineered Trusses Inc.	Lot 14, Kentish Hills Subdivision	6,536.11
Thomas M. & Jessica M. Whelan	Lot 15, Kentish Hills Subdivision	6,536.11
Ryan T. & Rebecca S. Waind	Lot 16, Kentish Hills Subdivision	6,536.11
Jeffry A. & Jamie A. Vinson	Lot 17, Kentish Hills Subdivision	6,536.11
Gregg & Shirley A. Schultz	Lot 18, Kentish Hills Subdivision	6,536.11
John M. & Dianne McMahon	Lot 19, Kentish Hills Subdivision	6,536.11
Bradley R. & Shree A. Arends	Lot 20, Kentish Hills Subdivision	6,536.11
Stephen C. & Teresa A. Skibinski	Lot 21, Kentish Hills Subdivision	6,536.11
John J. & Debra J. Lantz	Lot 22, Kentish Hills Subdivision	6,536.11
Guy L. Leverington & Patricia J. Beiber	Lot 23, Kentish Hills Subdivision	6,536.11
William F. & Connie J. Parten	Lot 24, Kentish Hills Subdivision	6,536.11
Timothy & Sheri Brown	Lot 25, Kentish Hills Subdivision	6,536.11
Charles T. & Debra L. Costello	Lot 26, Kentish Hills Subdivision	6,536.11
Ronnie R. & Darla M. Sitzman	Lot 27, Kentish Hills Subdivision	6,536.11
Craig & Terry Sue Starke	Lot 28, Kentish Hills Subdivision	6,536.11
Cindy J. Avila	Lot 29, Kentish Hills Subdivision	6,536.11
Gladys V. Schoel	Part of SE1/4, SW1/4 of Section 25-11-10; more particularly described as: the west 200 feet of the north 1498.42 feet of the south 1538.42 feet of E1/2, SW1/4 of Section 25-11-10.	111,113.95
Lutheran High School Assoc.	Part of SW1/4, SW1/4 of Section 25-11-10; more particularly described as follows: East 200 feet of north 818.42 feet of south 858.42 feet of SW1/4, SW1/4 of Section 25-11-10	0.00
TOTAL		\$464,064.14

ORDINANCE NO. 9014 A (Cont.)

SECTION 2. The special tax shall become delinquent as follows: One-tenth of the total amount shall become delinquent in fifty days; one-tenth in one year; one-tenth in two years; one-tenth in three years; one-tenth in four years; one-tenth in five years; one-tenth in six years; one-tenth in seven years; one-tenth in eight years; and one-tenth in nine years respectively, after the date of such levy; provided, however, the entire amount so assessed and levied against any lot, tract or parcel of land may be paid within fifty days from the date of this levy without interest, and the lien of special tax thereby satisfied and released. Each of said installments, except the first, shall draw interest at the rate of seven percent (7.0%) per annum from the time of such levy until they shall become delinquent. After the same become delinquent, interest at the rate of fourteen percent (14.0%) per annum shall be paid thereof, until the same is collected and paid.

SECTION 3. The assessment for Gladys V. Schoel has been deferred in accordance with City of Grand Island Resolution 2003-365 approved on December 9, 2003, and shall not accrue interest until terminated in accordance with Neb. Rev. Stat. §19-2428 through §19-2431.

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 "Sewer Extension Fund" for Sanitary Sewer District No. 512.

SECTION 6. Any provision of the Grand Island City Code, and any provision of any ordinance, or part of ordinance, in conflict herewith is hereby repealed.

ORDINANCE NO. 9014 A (Cont.)

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: November 22, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item F2

#9016 - Consideration of Creation of Street Improvement District No. 1258; Faidley Avenue Extending West for Six Hundred Fifty Feet (650 Feet)

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: November 22, 2005

Subject: Consideration of Creation of Street Improvement District No. 1258; Faidley Avenue Extending West for Six Hundred Fifty Feet (650 Feet)

Item #'s: F-2

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

Background

Council action is needed to create a Street Improvement District. If the District is created, a notice will be mailed to all affected property owners and a 20-day protest period will begin. If the district passes the protest and the council continues the district, plans will be prepared. The City will then bid, construct, and levy special assessments for the work.

Discussion

The District will consist of Faidley Avenue extending west 650'. The proposed district is to accompany the new subdivision that is being developed in the area.

Alternatives

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

1. Approve the creation of Street Improvement District 1258.
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 creation of Street Improvement District 1258; Faidley Avenue extending west for 650'. A ten (10) year assessment period is recommended.

Sample Motion

Approve the creation of Street Improvement District 1258.

• This Space Reserved for Register of Deeds •

ORDINANCE NO. 9016

An ordinance to create Street Improvement District No. 1258; to define the boundaries of the district; to provide for the improvement of a street within the district by paving, curbing, guttering, storm drainage, sidewalks, and other incidental work in connection therewith; to provide for the filing of this ordinance with the Hall County Register of Deeds; and to provide the publication and effective date of this ordinance.

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

SECTION 1. Street Improvement District No. 1258 in the City of Grand Island, Nebraska, is hereby created.

SECTION 2. The boundaries of the district shall be as follows:

Beginning at the center of Section 13-11-10; thence east on the south line of Faidley Avenue for a distance of Fifty (50.0) feet; thence north on a line perpendicular to the south line of Faidley Avenue for a distance of Eighty (80.0) feet to the north line of Faidley Avenue; thence west on the north line of Faidley Avenue for a distance of Fifty (50.0) feet to the west line of Crane Valley Sixth Subdivision; thence north on the west line of Crane Valley Sixth Subdivision for a distance of Three Hundred Eighty (380.0) feet; thence west on a line perpendicular to the west line of Crane Valley Sixth Subdivision for a distance of

ORDINANCE NO. 9016 (Cont.)

Four Hundred Eighty and Nine Tenths (480.9) feet; thence southwesterly on a line for a distance of Three Hundred Ten and Eight Tenths (310.8) feet; thence southeasterly on a line for a distance of Three Hundred (300.0) feet to the northerly line of right-of-way for Moore's Creek Drainage Channel; thence southwesterly on said right-of-way line for a distance of One Hundred Forty Seven and Twenty One Hundredths (147.21) feet; thence southeasterly on a line for a distance of Eighty One and Four Tenths (81.4) feet to the south right-of-way line of Moore's Creek Drainway right-of-way; thence east on a line Sixty (60.0) feet south of and parallel to the north line of the Southwest Quarter (SW1/4) of Section 13-11-10 for a distance of One Hundred Fifty Seven and Seven Tenths (157.7) feet; thence southeasterly on a line for a distance of Two Hundred Fifty Seven (257.0) feet; thence east on a line Three Hundred (300.0) feet south of and parallel to the north line of the Southwest Quarter (SW1/4) of Section 13-11-10 for a distance of Five Hundred Thirty Four and One Tenth (534.1) feet to the east line of the Southwest Quarter (SW1/4) of Section 13-11-10; thence north on the east line of the Southwest Quarter (SW1/4) of Section 13-11-10 for a distance of Three Hundred (300.0) feet to the point of beginning, as shown on the plat dated October 27, 2005, marked Exhibit 'A', attached hereto and incorporated herein by reference.

SECTION 3. The following street in the district shall be improved by paving and other incidental work in connection therewith:

Faidley Avenue in the City of Grand Island, Hall County, Nebraska.

Said improvements shall be made in accordance with plans and specifications approved by the Engineer for the City of Grand Island.

SECTION 4. All improvements shall be made at public cost, but the cost thereof shall be assessed upon the lots and lands in the district specially benefited thereby as provided by law.

SECTION 5. This ordinance, with the plat, is hereby directed to be filed in the office of the Register of Deeds, Hall County, Nebraska.

SECTION 6. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, as provided by law.

ORDINANCE NO. 9016 (Cont.)

SECTION 7. After passage, approval and publication of this ordinance, without the plat, notice of the creation of said district shall be published in the Grand Island Independent, a legal newspaper published and of general circulation in said City, as provided by law.

Enacted: November 22, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item F3

#9018 - Consideration of Assessments for Sanitary Sewer District No. 517; Deadwood Subdivision (Arch Avenue and Johnstown Rd Area)

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

Staff Contact: Steven P. Riehle, Public Works Director

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9018

An ordinance assessing and levying a special tax to pay the cost of construction of Sanitary Sewer District No. 517 of the City of Grand Island, Nebraska; providing for the collection of such special tax; repealing any provisions of the Grand Island City Code, ordinances, and parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of construction of said sanitary sewer main in said Sanitary Sewer District No. 517, as adjudged by the Mayor and Council of the 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 land as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Vaughn L. & Vicki L. Hesselgesser	Lot 2, Grand Island Industrial Foundation Subdivision	2,679.42
Platte Valley Communications, Inc.	Lot 3, Grand Island Industrial Foundation Subdivision	2,679.42

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

ORDINANCE NO. 9018 (Cont.)

Platte Valley Communications, Inc. 4503 L.L.C.	Lot 4, Grand Island Industrial Foundation Subdivision Lot 5, Grand Island Industrial Foundation Subdivision	2,679.42 2,693.89
Eric J. & Leslie A. Rose	Lot 1, Deadwood Subdivision	2,679.42
Eric J. & Leslie A. Rose	Lot 2, Deadwood Subdivision	2,679.42
Preferred Pump & Equipment L.P.	Lot 3, Deadwood Subdivision	2,679.42
Russell L. & Lisa A. Geist	Lot 4, Deadwood Subdivision	2,692.73
TOTAL		\$21,463.14

SECTION 2. The special tax shall become delinquent as follows: One-tenth of the total amount shall become delinquent in fifty days; one-tenth in one year; one-tenth in two years; one-tenth in three years; one-tenth in four years; one-tenth in five years; one-tenth in six years; one-tenth in seven years; one-tenth in eight years; and one-tenth in nine years respectively, after the date of such levy; provided, however, the entire amount so assessed and levied against any lot, tract or parcel of land may be paid within fifty days from the date of this levy without interest, and the lien of special tax thereby satisfied and released. Each of said installments, except the first, shall draw interest at the rate of seven percent (7.0%) per annum from the time of such levy until they shall become delinquent. After the same become delinquent, interest at the rate of fourteen percent (14.0%) per annum shall be paid thereof, until the same is collected and paid.

SECTION 3. The treasurer of the City of Grand Island, Nebraska, is hereby directed to collect the amount of said taxes herein set forth as provided by law.

SECTION 4. Such special assessments shall be paid into a fund to be designated as the "Sewer Extension Fund" for Sanitary Sewer District No. 517.

SECTION 5. Any provision of the Grand Island City Code, and any provision of any ordinance, or part of ordinance, in conflict herewith is hereby repealed.

ORDINANCE NO. 9018 (Cont.)

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

Enacted: November 22, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item F4

#9019 - Consideration of Change of Zoning for Land Located So. of Hwy 34 and West of So. Locust St. Proposed for Platting as Kings Crossing Subdivision from B2-GCO General Business to CD-GCO Commercial Development

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

Staff Contact: Chad Nabity

ORDINANCE NO. 9019

An ordinance rezoning a certain tract of land within the zoning jurisdiction of the City of Grand Island; changing the land use classification of a tract of land consisting of Lots 6, 7 and 10 of Palu Subdivision and unplatted tracts of land as recorded in Instrument No. 200412508, Instrument No. 200412510 and Instrument No. 200500184 at the Hall County Register of Deeds, all located in the Northeast Quarter of the Northeast Quarter (NE1/4, NE1/4) of Section 33, Township 11 North, Range 9 West of the 6th P.M., City of Grand Island, Hall County, Nebraska, from B2-General Business Zone within the GCO-Gateway Corridor Overlay to CD-Commercial Development Zone within the GCO-Gateway Corridor Overlay; directing the such zoning change and classification be shown on the Official Zoning Map of the City of Grand Island; amending the provisions of Section 36-44; and providing for publication and an effective date of this ordinance.

WHEREAS, the Regional Planning Commission on November 2, 2005, held a public hearing and made a recommendation on the proposed zoning of such area; and

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

WHEREAS, after public hearing on November 22, 2005, the City Council found and determined the change in zoning be approved and made.

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

SECTION 1. The following tract of land is hereby rezoned and reclassified and changed from B2-General Business Zone within the GCO-Gateway Corridor Overlay to CD-Commercial Development Zone within the GCO-Gateway Corridor Overlay:

ORDINANCE NO. 9019 (Cont.)

Commencing at the northeast corner of said NE1/4; thence on an assumed bearing of S89°28'08"W along the north line of said NE1/4 a distance of 721.20 feet; thence S01°17'57"E a distance of 46.53 feet to the point of intersection of the east right-of-way (R.O.W.) line of Tri Street and the south R.O.W. line of U.S. Highway 34, said point also being the Point of Beginning; thence N89°44'53"E along said south R.O.W. line a distance of 614.30 feet to the point of intersection of said south R.O.W. line and the west R.O.W. line of Locust Street; thence S37°03'26"E along said west R.O.W. line a distance of 74.44 feet; thence S05°51'03"E a distance of 113.01 feet; thence S02°13'38"E a distance of 237.70 feet; thence S02°13'38"E a distance of 111.27 feet; thence S45°03'16"W a distance of 33.95 feet to the point of intersection of said west R.O.W. line and the north R.O.W. line of Lake Street; thence N89°59'19"W along said north R.O.W. line a distance of 409.80 feet; thence N36°21'09"W a distance of 162.56 feet; thence N00°30'19"W a distance of 19.97 feet to the southeast corner of Lot 11 of said Palu Subdivision; thence N01°21'58"W along the east line of said Lot 11 a distance of 103.40 feet to the northeast corner of said Lot 11, said point also being the southeast corner of Lot 10 of said Palu Subdivision; thence S89°22'40"W along the south line of said Lot 10 a distance of 144.60 feet to the southwest corner of said Lot 10, said point also being on the east R.O.W. line of Tri Street; thence N01°21'03"W along said east R.O.W. line a distance of 289.12 feet to the point of beginning. Said tract contains 317,873 square feet or 7.30 acres more or less of which 0.79 acres is new dedicated public road right of way.

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

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

Enacted: November 22, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G1

Approving Minutes of November 8, 2005 City Council Regular Meeting

*The Minutes of November 8, 2005 City Council Regular Meeting are submitted for approval.
See attached MINUTES.*

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

November 8, 2005

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on November 8, 2005. Notice of the meeting was given in the *Grand Island Independent* on November 2, 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, Doug Walker, City Attorney, and Assistant Public Works Director Bud Buettner.

INVOCATION was given by Pastor Jay Vetter, Trinity United Methodist Church, 511 North Elm Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek welcomed Cynthia Osorio and Crystal Rivera with the Big Brothers Big Sisters Program and International Visitor Zhaobin Zhu from China and his interpreter Peter Pay.

PRESENTATIONS AND PROCLAMATIONS:

Presentation by the Fire Department on Preliminary Plan for Fire Station Facility. Fire Chief Jim Rowell introduced committee members working on the new fire station. Curt Rohlin, Fire Division Chief introduced James Brisnehan from Cannon Moss Brygger & Associates and Ken Newell from Stewart Cooper Newell Architect who presented a progress report on the Fire Station project to be located at 411 Fonner Park Road. Mentioned was a life expectancy of 50-75 years at a cost of under \$2 million. Bids will be let in January 2006 with construction estimated to take from 9-10 months.

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

#2005-BE-13 – Consideration of Determining Benefits for Sanitary Sewer District No. 512; Mary Lane, Kentish Hills and Bradley Subdivisions. Bud Buettner, Assistant Public Works Director reported that a contract for Sanitary Sewer District No. 512 was awarded to General Excavating of Lincoln, Nebraska on September 14, 2004 and work was completed with a Certificate of Final Completion approved on October 11, 2005 for a total construction cost of \$512,530.13. This action would determine the benefits for Sanitary Sewer District No. 512

Matt and Lori Beiber, 3809 Marylane protested their assessment stating they had two lots with one being a detention cell valued at \$1,100 and was a non-buildable lot assessed at \$6,500. It was stated this lot was not big enough to build on. Bud Buettner, Assistant Public Works Director stated this lot had potential to be a buildable lot. Chad Nabity, Regional Planning Director commented that it was the intention of the city that the detention cell would eventually go away.

Motion by Pielstick, second by Pauly to approve Resolution #2005-BE-13 was withdrawn after a lengthy discussion.

Motion by Pielstick, second by Hornady to refer Resolution #2005-BE-13 to the November 22, 2005 City Council meeting. Upon roll call vote, all voted aye. Motion adopted. Councilmember Gilbert abstained.

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

PUBLIC HEARINGS:

Public Hearing on Request of Jeff D. Leo dba Bud's Roadhouse, 2710 Diers Avenue for a Class "C" Liquor License. RaNae Edwards, City Clerk reported that Jeff D. Leo dba Bud's Roadhouse, 2710 Diers Avenue had submitted an application with the City Clerk's Office for a Class "C" Liquor License which allows for the sale of alcoholic beverages on and off sale within the corporate limits of the city. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on October 17, 2005; notice to the applicant of date, time, and place of hearing mailed on October 17, 2005; notice to the general public of date, time, and place of hearing published on October 29, 2005; memo from the Police Department; and Chapter 4 of the City Code. It was staff's recommendation to deny the request for the following reasons:

1. The applicant provided false information on the application, leaving out several important convictions.
2. The applicant pleaded guilty and was found guilty of a Class 1 Misdemeanor.
3. Convictions for driving under suspensions, disorderly conduct, carrying a concealed weapon, and violation of exploitation of human nudity do not indicate that the applicant is of good character and reputation.
4. The applicant's record indicates a pattern of behavior of disregard of the law.

Jeff Leo, 2720 State Street spoke in support and submitted a copy of a letter he had sent to the Liquor Control Commission regarding the false information on the application. No further public testimony was heard.

Public Hearing on Acquisition of a Public Utility Easement Located at 4250 Old Potash Highway. (Lee J. and Sherry A. Newport) Bud Buettner, Assistant Public Works Director reported that acquisition of a public utility easement located at 4250 Old Potash Highway was required in order to construct public Sanitary Sewer in this area. No public testimony was heard.

Public Hearing on Acquisition of a Public Utility Easement Located at 108 Arapahoe Avenue. (Gaylen & Kim Sprague) Bud Buettner, Assistant Public Works Director reported that acquisition of a public utility easement located at 108 Arapahoe Avenue was required in order to construct public Sanitary Sewer in this area. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement Located at 2836 and 2838 Cross Pointe Drive; Lot 11 North Pointe Subdivision (The Meadows Apartment Homes LLC). Bud Buettner, Assistant Public Works Director reported that acquisition of a public utility easement located at 2836 and 2838 Cross Pointe Drive was required in order to extend private sanitary sewer service to an adjacent property. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement along the East Side of Webb Road just South of White Cloud Road. (Wenzl, Inc.) Gary Mader, Utilities Director reported that acquisition of a Utility easement along the east side of Webb Road just south of White Cloud Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The purpose of this easement would be used to construct a new overhead three-phase distribution line to provide electrical service to a new pump at White Cloud Road and Webb Road. No public testimony was heard.

ORDINANCES:

Chad Nabity, Regional Planning Director stated that on November 3, 2005 the developers of this property requested that Council table Ordinance #9012 until such time that Council would consider the rezoning and final platting of this property.

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

Motion by Hornady, second by Nickerson to postpone Ordinance #9012 for not more that six months. 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 (Final Reading)

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

#9014A – Consideration of Assessments for Sanitary Sewer District No. 512 - Mary Lane, Kentish Hills and Bradley Subdivisions. (Referred to the November 22, 2005 City Council Meeting.)

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

#9015 – Consideration of Creation of Water Main District No. 452 – Knott Avenue and Lake Street

#9017 – Consideration of Salary Ordinance Relative to Emergency Management Positions

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

City Clerk: Ordinances #9015 and #9017 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 #9015 and #9017 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 #9015 and #9017 are declared to be lawfully adopted upon publication as required by law.

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

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

Approving Appointment of Dean Peg to Business Improvement District #5 Board.

Approving Re-Appointment of Roger Bullington and Appointment of John Hoggatt to the Grand Island Facilities Corporation.

Approving Request of Jack Henry, 4840 Baker Avenue for Liquor Manager Designation for Indian Head Golf Course, 4100 W. Husker Highway.

#2005-315 – Approving Acquisition of Public Utility Easement Located at 4250 Old Potash Highway (Lee J. and Sherry A. Newport).

#2005-316 – Approving Acquisition of Public Utility Easement Located at 108 Arapahoe Avenue (Gaylen & Kim Sprague).

#2005-317 – Approving Acquisition of Public Utility Easement Located at 2836 and 2838 Cross Pointe Drive; Lot 11 North Pointe Subdivision (The Meadows Apartment Homes LLC).

#2005-318 – Approving Bid Award for 47,000 GVW Dump Truck; Street and Transportation Division with Wick’s Sterling Trucks of Omaha, Nebraska in an Amount of \$67,815.00.

#2005-319 – Approving Installation of a Stop Sign on 17th Street at the Intersection with Walnut Street and State Street.

#2005-320 – Approving Acquisition of Utility Easement Located along the East Side of Webb Road just South of White Cloud Road (Wenzl, Inc.).

#2005-321 – Approving Western Area Power Administration (WAPA) Revisions to Contract.

#2005-322 – Approving Certificate of Final Completion for Modular Home Design/Build at Heartland Public Shooting Park with Lockhart Homes of Grand Island, Nebraska.

#2005-323 – Approving Renewal of Lease Agreement with Scott and Lisa Norton dba Health Plex Fitness Center.

REQUESTS AND REFERRALS:

Consideration of Request from Jeff D. Leo dba Bud's Roadhouse, 2710 Diers Avenue for a Class "C" Liquor License. Motion by Meyer, second by Pielstick to deny the request of Jeff D. Leo dba Bud's Roadhouse, 2710 Diers Avenue for a Class "C" Liquor License for the following reasons:

1. The applicant provided false information on the application, leaving out several important convictions.
2. The applicant pleaded guilty and was found guilty of a Class 1 Misdemeanor.
3. Convictions for driving under suspensions, disorderly conduct, carrying a concealed weapon, and violation of exploitation of human nudity do not indicate that the applicant is of good character and reputation.
4. The applicant's record indicates a pattern of behavior of disregard of the law.

Upon roll call vote, all voted aye. Motion adopted.

Consideration of Annexation for Property Located East of Engleman Road and South of Old Potash Highway and Refer to the Regional Planning Commission. Chad Nabity, Regional Planning Director reported that a request had been received to consider annexation of property located south of Old Potash Highway on the east side of Engleman Road. The owners were anticipating on developing this property which is contiguous with the Grand Island Municipal limits. The first step of annexation was to refer this request to the Regional Planning Commission for recommendation.

Motion by Hornady, second by Whitesides to refer this request to the Regional Planning Commission. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase to approve the Claims for the period of October 26, 2005 through November 8, 2005, for a total amount of \$2,368,687.32. Motion adopted unanimously.

Councilmember Haase abstained from claim #112407, Councilmember Pauly abstained from claim #112132, and Councilmember Pielstick abstained from claim #112449.

Mayor Vavricek recognized two members of the Community Youth Council and thanked them for coming to the meeting.

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

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G2

Approving Preliminary Plat for Kings Crossing Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: November 22, 2005
Subject: Kings Crossing Subdivision - Preliminary Plat
Item #'s: G-2
Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

This subdivision proposes to create 5 lots on a parcel of land located in the NE ¼ NE ¼ 33-11-09. This land consists of approximately 7.30 acres.

Discussion

In a Commercial Development Zone the preliminary plat is approved with the rezoning. The Nebraska Department of Roads (NDOR) has verbally approved the Kings Lane intersection with U.S. Highway 34. If the rezoning is approved this plat must also be approved. Any discussion on the plat should be included with discussion of the rezoning.

Alternatives

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

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

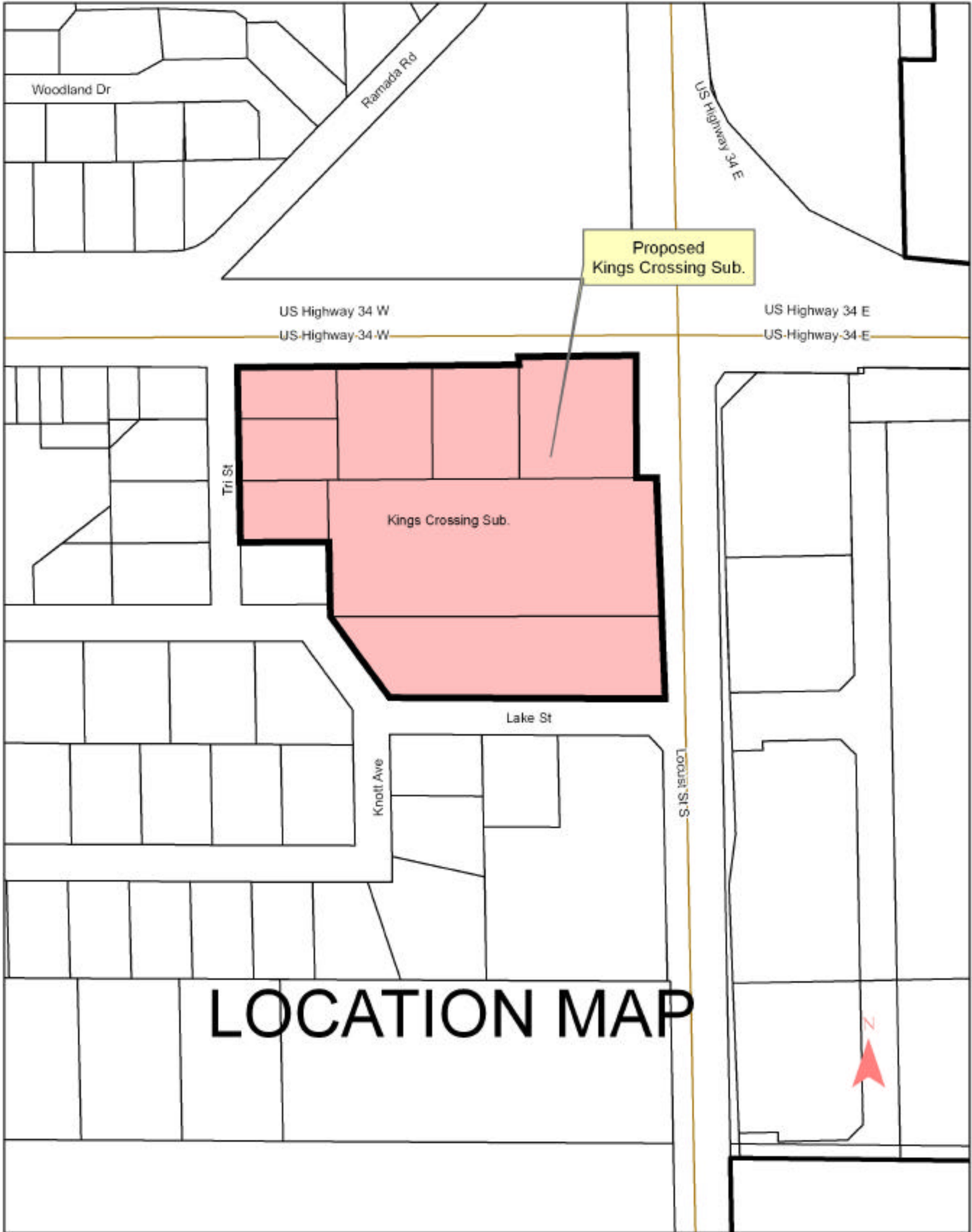
Recommendation

A motion was made by Amick 2nd by Miller to approve the preliminary plat as presented contingent upon approval of the Kings Lane intersection by NDOR.

A roll call vote was taken and the motion passed with 9 members present (Miller, Amick, O'Neill, Monter, Haskins, Eriksen, Brown, Niemann, Reynolds) voting in favor.

Sample Motion

Approve the Preliminary Plat for King's Crossing Subdivision as presented.





City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G3

**#2005-324 - Approving Final Plat and Subdivision Agreement for
Kings Crossing Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: November 22, 2005
Subject: Kings Crossing Subdivision - Final Plat
Item #'s: G-3
Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

This subdivision proposes to create 5 lots on a parcel of land located in the NE ¼ NE ¼ 33-11-09. This land consists of approximately 7.30 acres.

Discussion

In a Commercial Development Zone the final plat is approved with the rezoning. The Nebraska Department of Roads (NDOR) has verbally approved the Kings Lane intersection with U.S. Highway 34. If the rezoning is approved this plat must also be approved. Any discussion on the plat should be included with discussion of the rezoning.

Alternatives

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

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

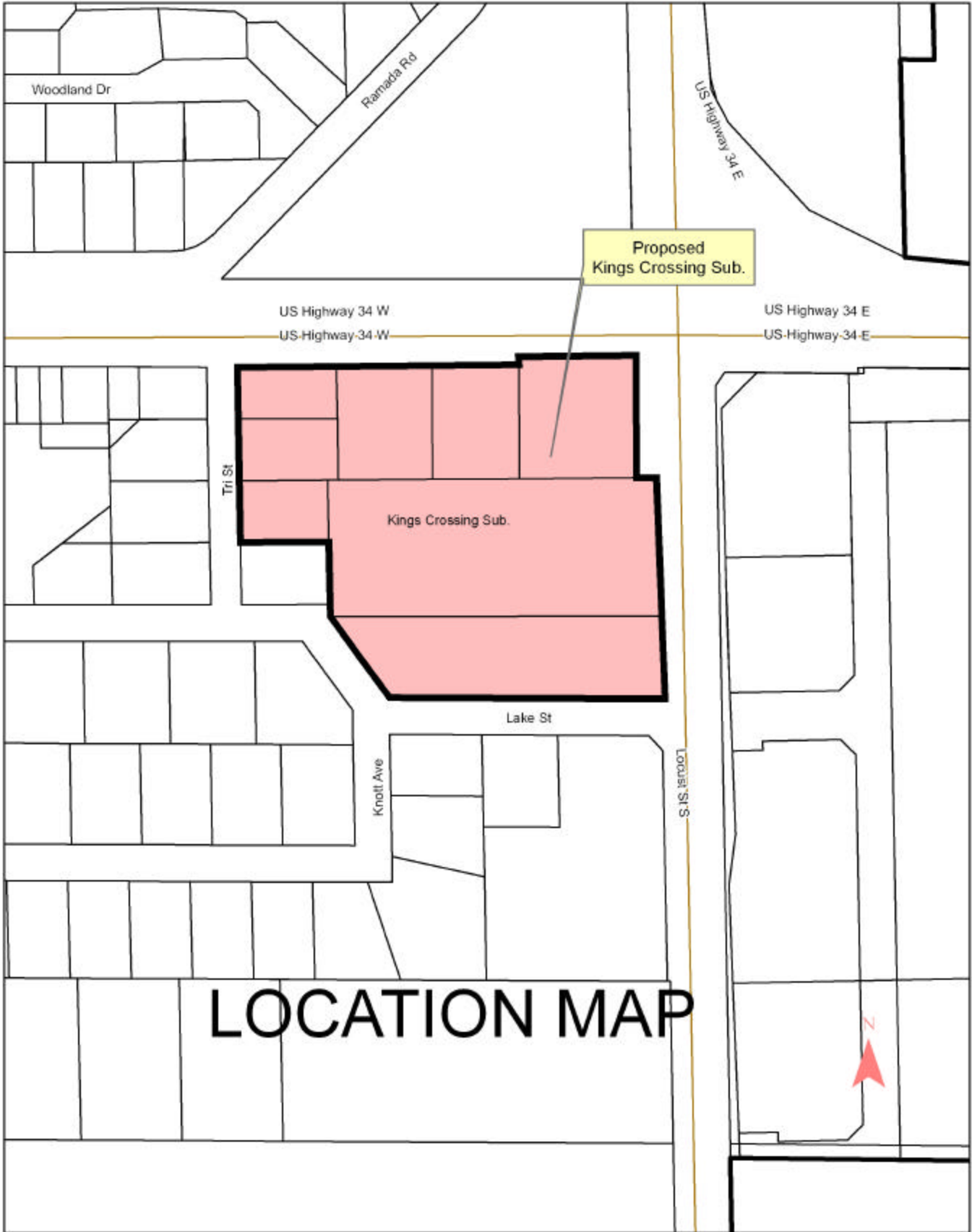
Recommendation

A motion was made by Amick 2nd by Miller to approve the final plat as presented contingent upon approval of King's Lane by NDOR.

A roll call vote was taken and the motion passed with 9 members present (Miller, Amick, O'Neill, Monter, Haskins, Eriksen, Brown, Niemann, Reynolds) voting in favor.

Sample Motion

Approve the Final Plat for King's Crossing Subdivision as presented.



LOCATION MAP

SUBDIVISION AGREEMENT

KING'S CROSSING SUBDIVISION

(Lots 1, 2, 3, 4, and 5)

In the City of Grand Island, Nebraska

The undersigned, R2S2 L.L.C., a limited liability company, hereinafter called the Subdivider, as owner of a tract of land consisting of Lots 6, 7 and 10 of Palu Subdivision and unplatted tracts of land as recorded in Instrument No. 200412508, Instrument No. 200412510 and Instrument No. 200500184 at the Hall County Register of Deeds, all located in the Northwest Quarter of the Northeast Quarter (NE1/4, NE1/4) of Section 33, Township 11 North, Range 9 West of the 6th P.M., in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

Commencing at the northeast corner of said NE1/4; thence on an assumed bearing of S89°28'08"W along the north line of said NE1/4 a distance of 721.20 feet; thence S01°17'57"E a distance of 46.53 feet to the point of intersection of the east right-of-way (R.O.W.) line of Tri Street and the south R.O.W. line of U.S. Highway 34, said point also being the Point of Beginning; thence N89°44'53"E along said south R.O.W. line a distance of 614.30 feet to the point of intersection of said south R.O.W. line and the west R.O.W. line of Locust Street; thence S37°03'26"E along said west

R.O.W. line a distance of 74.44 feet; thence S05°51'03"E a distance of 113.01 feet; thence S02°13'38"E a distance of 237.70 feet; thence S02°13'38"E a distance of 111.27 feet; thence S45°03'16"W a distance of 33.95 feet to the point of intersection of said west R.O.W. line and the north R.O.W. line of Lake Street; thence N89°59'19"W along said north R.O.W. line a distance of 409.80 feet; thence N36°21'09"W a distance of 162.56 feet; thence N00°30'19"W a distance of 19.97 feet to the southeast corner of Lot 11 of said Palu Subdivision; thence N01°21'58"W along the east line of said Lot 11 a distance of 103.40 feet to the northeast corner of said Lot 11, said point also being the southeast corner of Lot 10 of said Palu Subdivision; thence S89°22'40"W along the south line of said Lot 10 a distance of 144.60 feet to the southwest corner of said Lot 10, said point also being on the east R.O.W. line of Tri Street; thence N01°21'03"W along said east R.O.W. line a distance of 289.12 feet to the point of beginning. Said tract contains 317,873 square feet or 7.30 acres more or less of which 0.79 acres is new dedicated public road right of way;

desires to have subdivided as a subdivision the foregoing tract of land located within the corporate limits of the City of Grand Island, Nebraska, and hereby submits to the City Council of such City for acceptance as provided by law an accurate map and plat of such proposed subdivision, to be known as KING'S CROSSING SUBDIVISION, designating explicitly the land to be laid out and particularly describing the lots, easements, and streets belonging to such subdivision, with the lots designated by number, easements by dimensions, and streets by name, and proposes to cause the plat of such subdivision when approved by the Regional Planning Commission and the City Council to be acknowledged by such owner, certified as to accuracy of survey by a registered land surveyor, and to contain a dedication of the easements to the use and benefit of public utilities, and of the street to the use of the public forever. In consideration of the acceptance of the plat of said KING'S CROSSING SUBDIVISION, the Subdivider hereby consents and agrees with the City of Grand Island, Nebraska, that it will install or provide at its expense the following improvements:

1. **Commercial Development Zone.** This subdivision is within a designated Commercial Development Zone and shall be regulated in accordance with Chapter 36 of the Grand Island City Code. A Development Plan as shown on Exhibit A, attached hereto and incorporated herein by reference is hereby approved for such subdivision. A Landscaping Plan as shown on Exhibit B, attached hereto and incorporated herein by reference is hereby approved for such subdivision. Said Landscaping Plan shows the approximate location and minimum number of trees, shrubs, and pedestrian lights required along the exterior frontages. A Building Elevation Plan as shown on Exhibit C, attached hereto and incorporated herein by reference is hereby approved for such subdivision. Said Building Elevation Plan identifies the general building materials and color selections for buildings in this subdivision, including alternates. Any amendments to said plans shall be approved by the City of Grand Island in accordance with the Grand Island City Code. The current official Development Plan shall be on file with the City's Building Department.

2. **Design and Construction.** No building shall be constructed within the subdivision except within the Building Envelope Areas as identified on the Development Plan (Exhibit A). The buildings to be constructed shall be designed so that the exterior of such building shall be architecturally and aesthetically compatible in material and color. The design and construction shall be in conformity with sound architectural and engineering standards. No portion of any building constructed (including architectural features) shall exceed a height of fifty-five (55.0) feet above the center of the intersection of U.S. Highway 34 and South Locust Street.

3. **Paving.** The Subdivider agrees to pave King's Lane and that portion of Lake Street east of Knott Avenue and west of South Locust Street within the subdivision in accordance with

plans and specifications approved by the City's Director of Public Works, and subject to the City's inspection. If the Subdivider fails to pave King's Lane or Lake Street, the City may create a paving district to perform such work. The Subdivider agrees to waive the right to object to the creation of any paving district for King's Lane or Lake Street if it fails to pave these streets as required herein. The Subdivider agrees to waive the right to protest the creation of any paving or repaving district for U.S. Highway 34, Tri Street, or South Locust Street where they abut the subdivision.

4. **Driveway Access.** Vehicular access shall not be allowed directly onto U.S. Highway 34 from Lot One (1) or Lot Three (3). Vehicular access shall not be allowed directly onto South Locust Street from Lot Three (3), Lot Four (4) or Lot Five (5).

5. **Water.** The Subdivider shall design, construct and install an eight (8.0) inch diameter public water main in accordance with plans and specifications approved by the Director of Public Works, and subject to the City's inspection. In addition, the Subdivider shall extend, connect and provide water service to all lots in the subdivision in accordance with plans and specifications approved by the Director of Public Works, and subject to the City's inspection.

6. **Sanitary Sewer.** The Subdivider shall design, construct and install a ten (10) inch diameter public sanitary sewer in accordance with plans and specifications approved by the Director of Public Works, and subject to the City's inspection. In addition, the Subdivider shall extend, connect and provide sanitary sewer service to all lots in the subdivision in accordance with plans and specifications approved by the Director of Public Works, and subject to the City's inspection. At the time of the execution of this agreement, the Subdivider shall pay to the City of Grand Island a sewer connection fee in the amount of \$27,277.

7. **Electrical Service.** The Subdivider shall design, construct and install a conduit for a public electrical line in accordance with plans and specifications approved by the Director of Utilities, and subject to the City's inspection.

8. **Pedestrian Lighting.** The Subdivider agrees to purchase eight (8) pedestrian lights identical to those north and east of the development along the South Locust corridor. The Subdivider shall be responsible for the installation of seven (7) pedestrian lights along South Locust Street as shown on Exhibit B attached hereto. The remaining light shall be provided to the Grand Island Utilities Department to be used as a replacement.

9. **Sidewalks.** The Subdivider shall install all public sidewalks adjacent to U.S. Highway 34 and South Locust Street with the completion of the installation of King's Lane. The Subdivider shall install public sidewalk along the concrete paved portions of Lake Street and Kings Lane when the adjoining lots are built upon, and such sidewalk shall be regulated and required with the building permit for each such lot.

Immediate sidewalk construction adjacent to the gravel surfaced portions of Lake Street and Tri Street shall be waived. However, the sidewalks shall be constructed when the property owner is directed to do so by the City Council. In the event a Street Improvement District is created to pave the gravel surfaced portions of Lake Street or Tri Street abutting the subdivision, the Subdivider agrees to install public sidewalks within one year of the completion of such street improvement district in accordance with the City of Grand Island Sidewalk Policy.

10. **Storm Drainage.** The Subdivider agrees to grade all lots in the subdivision in conjunction with the development proposed thereon so that storm drainage is conveyed to a public right-of-

way or to other drainage systems approved by the Director of Public Works. The Drainage Plan must be approved by the Director of Public works.

11. **Signage.** Signage shall be permitted on the buildings as well as within the sign envelopes as designated on the Development Plan (Exhibit A) and adjacent to the identified public way. All signs shall be installed in accordance with the Grand Island City Code. Wall mounted signs are permissible as well as the signs identified in the chart attached hereto as Exhibit D and incorporated herein by this reference. Sizes indicated on Exhibit D are for the entire sign structure. All ground mounted signs (either pole or monument) shall be built within the designated sign envelope and shall conform to sign setbacks. Entrance and exit signs shall not exceed three (3.0) square feet in size and shall be permitted on the property within the sign envelope. All sign bases shall be built with materials similar to the buildings. Illuminated signs shall be illuminated internally.

12. **Engineering Data.** All final engineering plans and specifications for public improvements shall bear the signature and seal of a professional engineer registered in the State of Nebraska and shall be furnished by the Subdivider to the Department of Public Works for approval prior to contracting for construction of any improvements. Inspections of improvements under construction shall be performed under the supervision of a professional engineer registered in the State of Nebraska, and upon completion shall be subject to inspection and approval by the Department of Public Works prior to acceptance by the City of Grand Island. An "as built" set of plans and specifications including required test results bearing the seal and signature of a professional engineer registered in the State of Nebraska shall be filed with the Director of Public Works by the Subdivider prior to acceptance of these improvements by the City.

13. **Warranty.** The undersigned owner, as Subdivider, warrants that it is the owner in fee simple of the land described and proposed to be known as KING'S CROSSING SUBDIVISION, and that an abstract of title will be submitted for examination, if necessary, upon request of the City of Grand Island.

14. **Successors and Assigns.** This agreement shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their successors, assigns, heirs, devisees, and legatees. Where the term "Subdivider" is used in this agreement, the subsequent owners of any lots in the subdivision shall be responsible to perform any of the conditions of this agreement if the Subdivider has not performed such conditions.

Dated _____, 2005.

R2S2 L.L.C., a Limited Liability Company,
Subdivider

By: _____
_____(Name)
_____(Title)

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

On _____, 2005, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____, _____ of R2S2 L.L.C., a limited liability company, known personally to me to be the identical person who signed the foregoing Subdivision Agreement and acknowledged the execution thereof to be his voluntary act and deed for the purpose therein expressed on behalf of the company.

WITNESS my hand and notarial seal the date above written.

Notary Public

RESOLUTION 2005-324

WHEREAS, R2S2 L.L.C., a limited liability company, as owner, has caused to be laid out into lots, a tract of land consisting of Lots 6, 7 and 10 of Palu Subdivision and unplatted tracts of land as recorded in Instrument No. 200412508, Instrument No. 200412510 and Instrument No. 200500184 at the Hall County Register of Deeds, all located in the Northeast Quarter of the Northeast Quarter (NE1/4, NE1/4) of Section 33, Township 11 North, Range 9 West of the 6th P.M., City of Grand Island, Hall County, Nebraska, under the name of KING'S CROSSING SUBDIVISION, and has caused a plat thereof to be acknowledged by it; and

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

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

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

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

- - -

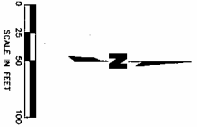
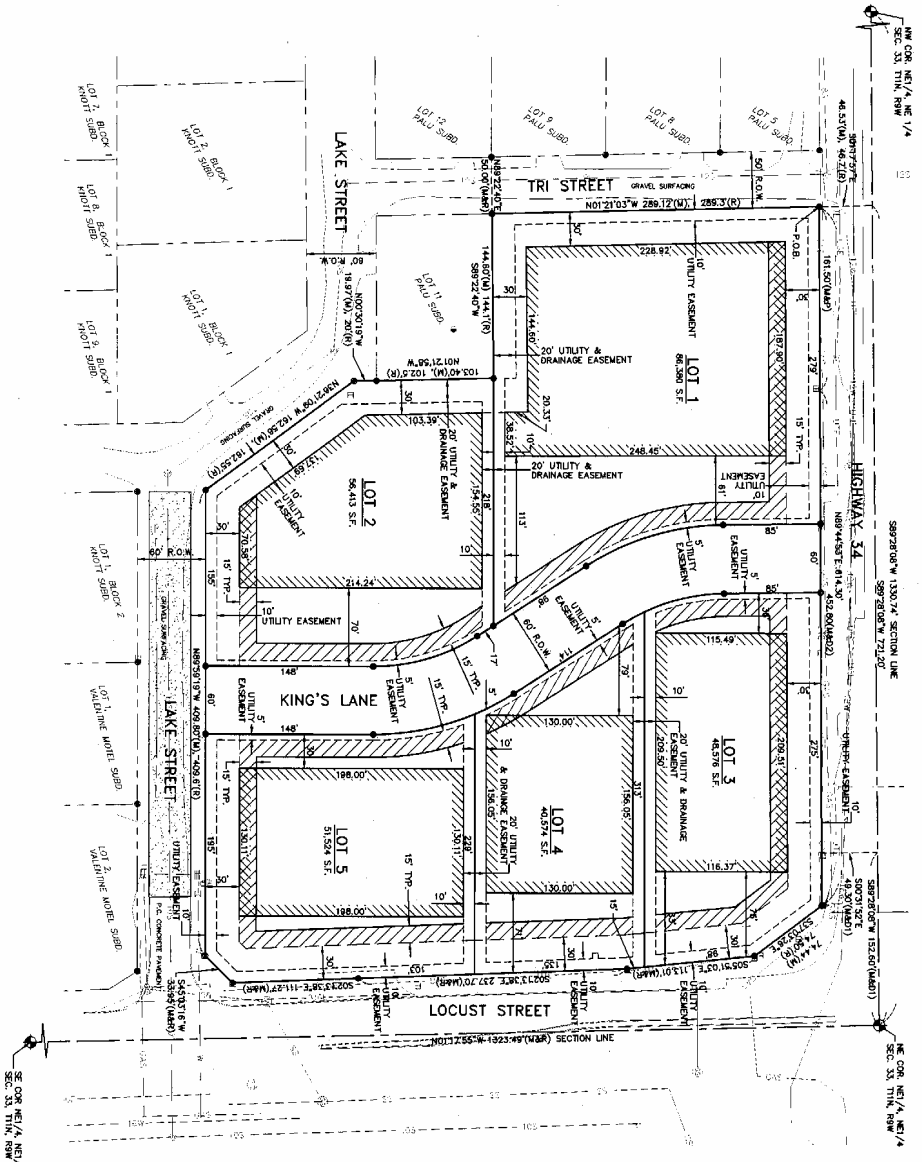
Adopted by the City Council of the City of Grand Island, Nebraska, November 22, 2005.

RaNae Edwards, City Clerk

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

KING'S CROSSING SUBDIVISION DEVELOPMENT PLAN

EXHIBIT A

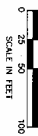
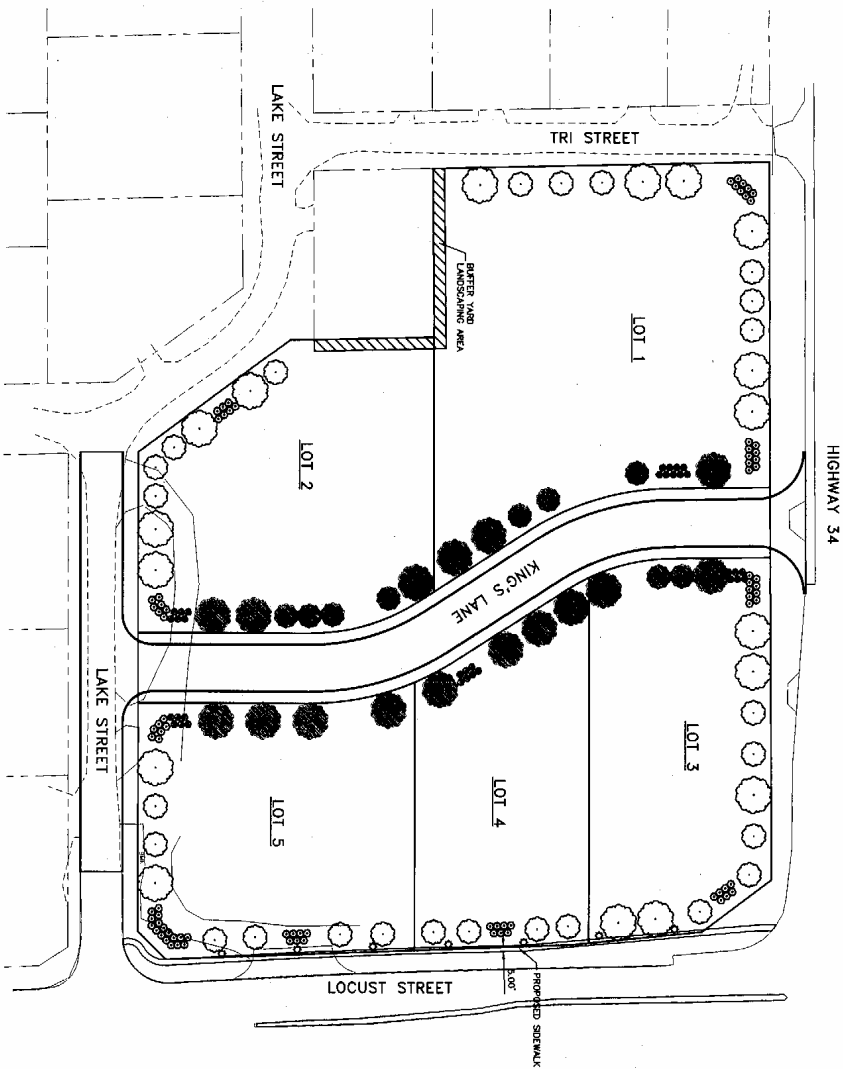


- BUILDING ENVELOPE
- 15' SOIL ENVELOPE
- PAVEMENT

OLSSON ASSOCIATES
 ENGINEERS - PLANNERS - SCIENTISTS - SURVEYORS
 201 10TH STREET, SUITE 200, DENVER, CO 80202
 (303) 733-8800 FAX (303) 733-8801
 WWW.OLSSONASSOCIATES.COM

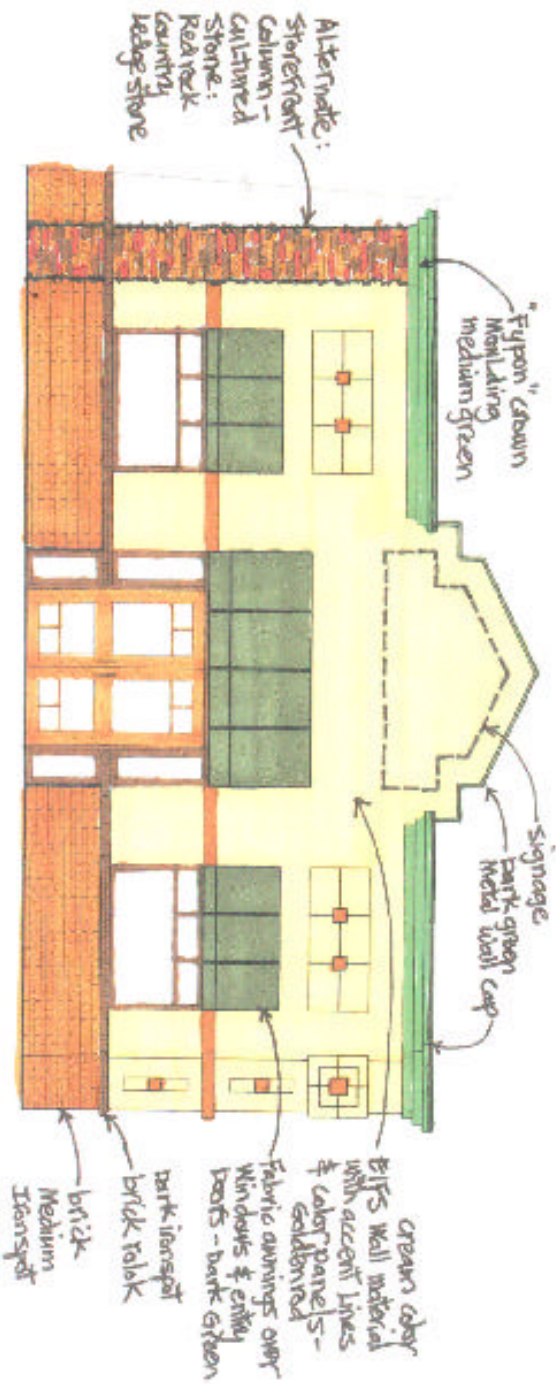
LANDSCAPING PLAN

EXHIBIT B



- LEGEND**
- PROPOSED PEDESTRIAN LIGHT
 - CANOPY TREE
 - UNDERSTORY TREE
 - SHRUB
 - CANOPY TREE
 - UNDERSTORY TREE
 - SHRUB
- PHASE 1 LANE APPROX. 1800 LF. OF PUBLIC STREET FRONTAGE**
- 1800/00 = 19 CANOPY TREES
 - 18 * 1 = 19 UNDERSTORY TREES
 - 18 * 3 = 57 SHRUBS
- PHASE 1 SHOWS THE FOLLOWING LANDSCAPING**
- 21 CANOPY TREES
 - 21 UNDERSTORY TREES
 - 86 SHRUBS
- PHASE 2 LANE APPROX. 1100 LF. OF PUBLIC STREET FRONTAGE**
- 1100/00 = 11 CANOPY TREES
 - 11 * 1 = 11 UNDERSTORY TREES
 - 11 * 3 = 33 SHRUBS
- PHASE 2 SHOWS THE FOLLOWING LANDSCAPING**
- 12 CANOPY TREES
 - 12 UNDERSTORY TREES
 - 36 SHRUBS

Building Elevation Plan
 "Exhibit C"



FRONT ELEVATION
 SCALE 1/4" = 1'-0"

King's Crossing Subdivision
 Architectural Style
 R2S2 development • Webb & Company Architects
 10.17.05

EXHIBIT D

Permitted Signage King's Crossing Subdivision

	Lot 1	Lot 2	Lot 3	Lot 4	Lot 5
South Locust Street	NA	NA	One (1) monument style sign not to exceed eight (8.0) feet in height or width for the entire sign structure. Maximum size sixty four (64) square feet.	One (1) monument style sign not to exceed eight (8.0) feet in height or width for the entire sign structure. Maximum size sixty four (64) square feet.	One (1) monument style sign not to exceed eight (8.0) feet in height or width for the entire sign structure. Maximum size sixty four (64) square feet.
King's Lane	One (1) monument style sign not to exceed six (6.0) feet in height or width for the entire sign structure. Maximum size thirty six (36) square feet.	One (1) monument style sign not to exceed six (6.0) feet in height or width for the entire sign structure. Maximum size thirty six (36) square feet.	One (1) monument style sign not to exceed six (6.0) feet in height or width for the entire sign structure. Maximum size thirty six (36) square feet.	One (1) monument style sign not to exceed six (6.0) feet in height or width for the entire sign structure. Maximum size thirty six (36) square feet.	One (1) monument style sign not to exceed six (6.0) feet in height or width for the entire sign structure. Maximum size thirty six (36) square feet.
U.S. Highway 34	One (1) monument style sign not to exceed eight (8.0) feet in height or width for the entire sign structure. Maximum size sixty four (64) square feet.	NA	One (1) monument style sign not to exceed eight (8.0) feet in height or width for the entire sign structure. Maximum size sixty four (64) square feet.	NA	NA
Lake Street	NA	One (1) pole sign not to exceed thirty (30.0) feet in height with a sign face limited to one hundred (100.0) square feet	NA	NA	One (1) monument style sign not to exceed six (6.0) feet in height or width for the entire sign structure. Maximum size thirty six (36) square feet.

* All signs must conform to the Grand Island City Code *



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G4

#2005-325 - Approving Services Contract for Section 125 Cafeteria Plan

Staff Contact: Brenda Sutherland

Council Agenda Memo

From: Brenda Sutherland, Human Resources Director
Meeting: November 22, 2005
Subject: Section 125 Cafeteria Plan Contract
Item #'s: G-4
Presenter(s): Brenda Sutherland, Human Resources Director

Background

The City has provided a section 125 cafeteria plan for its employees for the past seven years. The service provider for the plan has been McDermott & Miller. Administration finds it to be a responsible practice to shop its benefit vendors at regular intervals to insure that we are getting the best product or service at the best possible price. The City went out for an RFP during the month of October, 2005 asking for proposals from vendors for the City's cafeteria plan.

Discussion

The city interviewed three vendors as finalists and made the decision to choose ProcessWorks, Inc. out of Brookfield, Wisconsin as the vendor to provide service. The account will have a service representative in Omaha, Ne. The three finalists all provided an excellent benefit with a cost savings to the City. ProcessWorks showed the ability to deliver the most sophisticated level of service to our employees with the shortest turnaround time resulting in employees receiving reimbursements on a more timely basis. The City is able to increase the level of service and benefit with no increase in cost.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the contract with ProcessWorks, Inc. to become the service provider for the City's cafeteria plan.

Sample Motion

Motion to approve ProcessWorks as the service provider for the City's cafeteria plan.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL
FOR
SECTION 125 CAFETERIA PLAN**

RFP DUE DATE: October 28, 2005 at 4:00 p.m.
DEPARTMENT: Human Resources
PUBLICATION DATE: October 5, 2005
NO. POTENTIAL BIDDERS: 15

SUMMARY OF PROPOSALS RECEIVED

**Shonsey, Almquist, Maltzahn,
Galloway, Placke & Luth, P.C.**
Grand Island, NE

Regional Care Inc.
Scottsbluff, NE

McDermott & Miller
Grand Island, NE

ProcessWorks, Inc.
Brookfield, WI

PayFlex
Omaha, NE

Application Software, Inc.
Columbia, MO

North Central Marketing, Inc.
Grand Island, NE

Aetna
Richmond, KY

cc: Brenda Sutherland, Human Resources Director Gary Greer, City Administrator
David Springer, Finance Director Dale Shotkoski, Purchasing Agent
Laura Berthelsen, Legal Assistant

RESOLUTION 2005-325

WHEREAS, the City of Grand Island invited proposals for TPA Services to Assist in Administration of a Section 125 Cafeteria Plan in accordance with a Request for Proposal on file with the Human Resources Department; and

WHEREAS, proposals were due on October 28, 2005; and

WHEREAS, proposals were received, reviewed and evaluated in accordance with established criteria; and

WHEREAS, ProcessWorks, Inc. of Brookfield, Wisconsin, submitted a proposal in accordance with the terms of the request for proposals and all statutory requirements contained therein and the City Procurement Code, such proposal being in the amount of \$4.00 per participant per month with an initial setup fee of \$500 and an annual service fee of \$400 for the term of the four-year contract.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of ProcessWorks, Inc. of Brookfield, Wisconsin, is hereby approved for TPA services to assist in the administration of a Section 125 Cafeteria Plan in the amount of \$4.00 per participant per month with an initial setup fee of \$500 and an annual service fee of \$400 for the term of the four-year contract.

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

- - -

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

RaNae Edwards, City Clerk

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



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G5

#2005-326 - Approving Funding of Economic Development Corporation Request for Standard Iron (NWPS Rate Agreement Funds)

Staff Contact: Dave Springer

Council Agenda Memo

From: David Springer, Finance Director

Meeting: November 22, 2005

Subject: Approving Funding of Economic Development Corporation Request for Standard Iron and Platte Valley Industrial Park (NWPS Rate Agreement Funds)

Item #'s: G-5 & G-6

Presenter(s): David Springer, Finance Director

Background

On September 26, 2000, the City Council approved Resolution #2000-291 establishing an Economic Development Policy for the annual contribution from Northwestern Public Service (NWPS). Two requests have been received for funding and recommended for approval by the NWPS Funds Review Committee.

Discussion

The Grand Island Area Economic Development Corporation (GIAEDC) requests \$25,000 to help offset the cost of gas equipment to be installed on a new paintline at Standard Iron. The GIAEDC also requests \$25,000 to be used towards principal payment for the 127 acres of land that was purchased in January, 2000, to expand the Platte Valley Industrial Park. These funds represent direct cash contributions previously made by NWPS to the City of Grand Island and the usage of these funds for this purpose falls within the guidelines of the economic development policy set forth in the rate agreement. There are adequate funds in Account #10011102-85454.

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. Table the issue

Recommendation

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

Sample Motion

Approve the request for funds to allow payment to Standard Iron and to the Grand Island Area Economic Development Corporation.



GRAND ISLAND AREA
ECONOMIC
DEVELOPMENT CORPORATION

308-381-7500 • 800-658-4283 • Fax 308-398-7205 • www.grandisland.org

P.O. Box 1151

GRAND ISLAND, NE 68802-1151

September 22, 2005

Gary Greer, City Administrator
City of Grand Island
100 E 1st St
PO Box 1968
Grand Island, NE 68802-1968



RE: Applications for NWPS Economic Development Rate Agreement Funds

Dear Gary,

Our local review committee made up of the GIAEDC executive committee and Terry Wootten from NorthWestern Energy as spelled out in the rate agreement policy have reviewed the following project and recommend them to the City Council for their review and approval.

Project #1: To offset the cost of gas equipment for Standard Iron and their new paintline operation. Requesting for review and approval of \$25,000. Check is to be made payable to Standard Iron but mailed to GIAEDC.

Project #2: Principal payment of \$25,000 for the GIAEDC for the 127 acres that was purchased in January 2000 to expand the Platte Valley Industrial Park. Requesting for review and approval of \$25,000.

Attached is the request letters for your reference. If you have any questions, or would need any additional information, please give me a call. Thanks.

Sincerely,


Marlan Ferguson
President

Enclosure



207 DUNDAS ROAD
MONTICELLO, MN 55362-8916
763-295-8700 • Fax 763-295-8701
www.std-iron.com

August 16, 2005

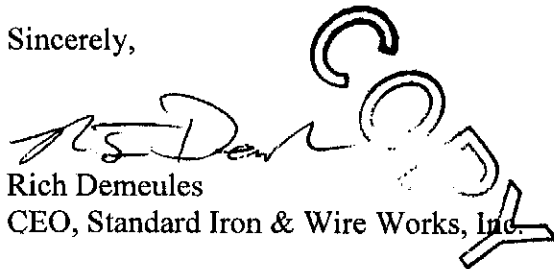
Executive Committee of the EDC
And
Terry Wooton
NorthWestern Energy
Grand Island Area Economic Development Corporation
308 North Locust Street, Suite 400
PO Box 1151
Grand Island, NE 68802-1151

Re: Gas Funding for Standard Iron, Inc.

I am writing to request that you consider Standard Iron, Inc. as a recipient for the Gas Funding program. Standard Iron has just completed a new 100,000+ square foot building in the Platte Valley Industrial Park. In addition to normal operations, Standard Iron will have a paintline operation in this facility that is a heavy user of natural gas. Our plant in Minnesota that has similar operations uses ~190,000 therms per year.

If you would like to have someone from Standard Iron attend your meeting to give you additional information, please contact Ray Saunders (Grand Island Plant Manager). You can also contact our Controller, Cathi Boerner, at 763-271-8774 with questions. Thank you for your consideration to this program.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rich Demeules', is written over a large, stylized graphic element that resembles a large, bold letter 'S' or a similar symbol. The signature is written in a cursive style.

Rich Demeules
CEO, Standard Iron & Wire Works, Inc.



GRAND ISLAND AREA
ECONOMIC
DEVELOPMENT CORPORATION

308-381-7500 • 800-658-4283 • Fax 308-398-7205 • www.grandisland.org

P.O. Box 1151

GRAND ISLAND, NE 68802-1151

September 20, 2005

Grand Island Area Economic Development Corp.
Executive Committee & Mr. Terry Wootton
Acting as NWPS Funds Review Committee
The Downtown Center
308 N. Locust Street, Ste. 400
Grand Island, NE 68801

RE: Request for Funding


Dear Review committee members,

I am requesting on behalf of the Grand Island Area Economic Development Corporation funds from the Northwestern Public Service rate agreement to assist the GIAEDC with our principal payment for our land at the Platte Valley Industrial Park.

This request is consistent with and falls within the guidelines of the economic development policy set forth in the rate agreement. I feel this is a prudent use of the funds, as this newly developing industrial property should directly benefit NWPS with new gas customers as all this property is in their service territory.

Thank you for your consideration. Please give me a call if you have any questions or need any additional information.

Sincerely,


Marlan Ferguson
President

COPY

RESOLUTION 2005-326

WHEREAS, Northwestern Public Service (NWPS) makes an annual contribution for economic development purposes to the City of Grand Island in the amount of \$86,000; and

WHEREAS, on September 26, 2000, the Mayor and City Council approved Resolution 2000-291 establishing an economic development policy for receiving, considering and making recommendations regarding requests for disbursement of said funds; and

WHEREAS, the office of the City Administrator received a recommendation for funding from the local economic development committee for \$25,000 payable to the Grand Island Area Economic Development Corporation on behalf of Standard Iron to assist with the installation cost of a paintline operation in the facilities which is a heavy user of natural gas; and

WHEREAS, said request is consistent with the intent of NWPS in making its annual economic development contribution, and the policy established by the Mayor and City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the request for disbursement in the amount of \$25,000 to be made to the Grand Island Area Economic Development Corporation on behalf of Standard Iron to fund a portion of the installation costs of a paintline operation in its facility is hereby approved

- - -

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

RaNae Edwards, City Clerk

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



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G6

#2005-327 - Approving Funding Request for Grand Island Area Economic Development Corporation (NWPS Rate Agreement Funds)

This item relates to Consent Agenda Item G-5.

Staff Contact: Dave Springer

RESOLUTION 2005-327

WHEREAS, Northwestern Public Service (NWPS) makes an annual contribution for economic development purposes to the City of Grand Island in the amount of \$86,000; and

WHEREAS, on September 26, 2000, the Mayor and City Council approved Resolution 2000-291 establishing an economic development policy for receiving, considering and making recommendations regarding requests for disbursement of said funds; and

WHEREAS, the office of the City Administrator received a recommendation for funding from the local economic development committee for \$25,000 payable to the Grand Island Area Economic Development Corporation to assist with the principal payment involved in their loan from the purchase of land at the Platte Valley Industrial Park; and

WHEREAS, said request is consistent with the intent of NWPS in making its annual economic development contribution, and the policy established by the Mayor and City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the request for disbursement in the amount of \$25,000 to fund the principal loan payment from the purchase of land at the Platte Valley Industrial Park is hereby approved, and a payment is authorized to be made to the Grand Island Area Economic Development Corporation for such purpose.

- - -

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

RaNae Edwards, City Clerk

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



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G7

#2005-328 - Approving Acquisition of Utility Easement Located North of Fonner Park Road between Pine & Sycamore Streets (NE Goodwill Housing II, Inc.)

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

Staff Contact: Gary R. Mader

RESOLUTION 2005-328

WHEREAS, a public utility easement is required by the City of Grand Island, from Nebraska Goodwill Housing II, Inc., to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on November 22, 2005, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot Three (3), Dowd Subdivision in the city of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

The westerly eight (8.0) feet of the easterly one hundred twenty nine (129.0) feet of Lot Three (3) Dowd Subdivision.

The above-described easement and right-of-way containing 0.027 acres, more or less, as shown on the plat dated November 3, 2005, marked Exhibit "A" attached hereto and incorporated herein by reference.

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

- - -

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

RaNae Edwards, City Clerk

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



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G8

#2005-329 - Approving the Continuing Disclosure Agreement and the Certificate of Participant for Nebraska City #2 Power Plant Participation

Staff Contact: Gary R. Mader; Doug Walker

Council Agenda Memo

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

Meeting: November 22, 2005

Subject: Nebraska City Unit #2 – Separate System Bonds
Continuing Disclosure Agreement and Certificate of Participant

Item #'s: G-8

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

Background

The City of Grand Island is a participant in a new coal fired power plant project being built by the Omaha Public Power District (OPPD) at the site of their existing Nebraska City Plant. The new unit will be the second on that site and is generally referred to as NC#2. All environmental permitting and state agency approvals have been completed, and the project is proceeding to the point that major capital expenditures are pending for construction. The methods of project funding are included in the Power Participation Agreement (PPA) between the City and OPPD.

The Project is a 600 MW power plant with OPPD having 300MW committed to their system and 300MW dedicated to seven Project Participants; public power utilities in Nebraska, Missouri and Minnesota. Grand Island's Participation Share is 30MW. The financing of the project is structured such that OPPD will issue their bonds for their share and will also issue the bonds for the Participants' share. The Participants' costs to service that debt are to be billed monthly over the 40 year life of the plant. Participants are obligated under the PPA to begin Capital Cost payments at the time the unit goes into commercial operation in 2009. The bond issue for the Participants' Share of the Capital Costs is referred to as the Separate System Bonds.

Discussion

Continuing Disclosure Agreement

Once the long term financing is in place for the Participants' share of the project capital costs, the administration of the bond issue requires each of the Participants to provide annual financial information to OPPD who will act as the Dissemination Agent. OPPD

will then compile the annual information from each Participant for dissemination to the bond holders and Underwriters in accordance with the bond covenants.

Attached is the *Continuing Disclosure Agreement*. By execution of this agreement, the City certifies that it will provide the required financial and operating information annually to OPPD over the term of the bond issue. The City also agrees that it will notify OPPD of circumstances that might occur during the term of the bonds that would have a material affect on the financial status of the Electric Utility. The information provided under this agreement would normally be provided by the City in support of Electric Revenue bonds issued directly by the City. But in the case of the NC#2 Project, each Participant makes submittal to OPPD, the Dissemination Agent, who compiles the data for dissemination in accordance with the Bond Covenants.

All participants in the Separate System Bonds issuance are required to execute the *Continuing Disclosure Agreement*.

Certificate of Participant

The NC#2 Separate System Bond issue requires the compilation of financial and operating data from each of the project Participants in order to prepare the Official Statement and other documents necessary to proceed with the issuance of the bonds to finance the Participants' share of the construction project. Each Participant must provide the required information and certify that this information is correct.

Attached is the *Certificate of Participant*. By execution of this document the City certifies that the information provided for preparation of the Separate System Bonds issue is correct, that there are not material legal matters pending which would affect the Participants' ability to meet its obligation to the project at the date of bond issuance.

All participants in the Separate System Bonds issuance are required to execute a *Certificate of Participant*.

Alternatives

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

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

Recommendation

City Administration recommends that the *Continuing Disclosure Agreement* and the *Certificate of Participant* be approved by Council for execution by the Mayor.

Sample Motion

Motion to approve the *Continuing Disclosure Agreement* and the *Certificate of Participant* and to authorize the Mayor to execute the documents.

CONTINUING DISCLOSURE AGREEMENT

\$112,000,000

**OMAHA PUBLIC POWER DISTRICT (NEBRASKA)
SEPARATE ELECTRIC SYSTEM REVENUE BONDS (NEBRASKA CITY 2)
2005 SERIES A**

THIS CONTINUING DISCLOSURE AGREEMENT, dated as of December 1, 2005 (this “Disclosure Agreement”), is executed and delivered by the undersigned (the “Participant”) and Omaha Public Power District, in its capacity as Dissemination Agent hereunder (the “Dissemination Agent”) and in its capacity as Issuer (the “Issuer”) of the above-captioned bonds (the “Bonds”) issued pursuant to the Issuer’s Resolution No. 5472 adopted November 17, 2005 (the “Resolution”). The Participant and the Issuer covenant and agree as follows:

Section 1. Purpose of the Disclosure Agreement. This Disclosure Agreement is being executed and delivered by the Participant, the Dissemination Agent and the Issuer for the benefit of the Holders and Beneficial Owners of the Bonds and in order to assist the Participating Underwriters in complying with, and constitutes the written undertaking of the Participant for the benefit of the Bondholders required by, Section (b)(5)(i) of Securities and Exchange Commission Rule 15c2-12 under the Securities Exchange Act of 1934, as amended (17 C.F.R. § 240.15c2-12) (the “Rule”).

The Participant, as an “obligated person” within the meaning of the Rule, undertakes to provide the following information as provided in this Disclosure Agreement:

- (1) Annual Financial Information; and
- (2) Audited Financial Statements, if any.

Section 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Agreement unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

“*Annual Financial Information*” means, in the case of the Participant, the financial information or operating data, provided at least annually, of the type included in the Participant’s section of Appendix A of the final official statement with respect to the Bonds, which Annual Financial Information may, but is not required to, include Audited Financial Statements. Annual Financial Information which consists of financial information derived from financial statements of the Participant (and not operating data) shall be prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board.

“*Audited Financial Statements*” means, in the case of the Participant, the annual audited financial statements of the Participant, if any. Audited Financial Statements shall be prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board.

“*Beneficial Owners*” means any person who has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds, including persons holding Bonds through nominees or depositories.

“*Dissemination Agent*” means initially, Omaha Public Power District, acting in its capacity as Dissemination Agent hereunder, or any successor Dissemination Agent designated in writing by the Issuer.

“ *Holders*” means either the registered owners of the Bonds, or, if the Bonds are registered in the name of The Depository Trust Participant or another recognized depository, any applicable participant in its depository system.

“*NRMSIR*” means a nationally recognized municipal securities information repository, as recognized from time to time by the Securities and Exchange Commission for the purposes referred to in the Rule; the NRMSIRs as of the date of this Disclosure Agreement being as follows: Bloomberg Municipal Repository, 100 Business Park Drive, Skillman, New Jersey 08558, Phone: (609) 279-3225, Facsimile: (609) 279-5962, E-Mail: Munis@Bloomberg.com; DPC Data Inc., One Executive Drive, Fort Lee, New Jersey 07024, Phone: (201) 346-0701, Facsimile: (201) 947-0107, E-Mail: nrmsir@dpcdata.com; FT Interactive Data, Attn: NRMSIR, 100 William Street, New York, NY 10038, Phone: (212) 771-6999, Fax: (212) 771-7390, E-Mail: NRMSIR@FTID.com, and Standard & Poor’s Securities Evaluations, Inc., 55 Water Street, 45th Floor, New York, New York 10041, Phone: (212) 438-4595, Facsimile: (212) 438-3975, E-Mail: nrmsir_repository@sandp.com.

“*Participant Report Date*” has the meaning set forth in Section 3(a) hereof.

“*Participating Underwriters*” means the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.

“*Participation Agreement*” means the Participation Power Agreements dated January 15, 2004, between the District and each Participant and any replacements thereof, as the same may be amended from time to time, which contain commitments by the Participants to finance and pay for the construction and operation of the Separate System.

“*SID*” means a state information depository as operated or designated by the State of Nebraska as such for the purposes referred to in the Rule. As of the date of this Disclosure Agreement, there is no SID.

Section 3. Provision of Annual Reports.

(a) While any Bonds are outstanding, the Participant shall, or upon written direction shall cause the Dissemination Agent to, provide the Annual Financial Information on or before the 210th day after the end of each fiscal year (the “Participant Report Date”), beginning on or after the date hereof, to each then existing NRMSIR and the SID, if any. If the Dissemination Agent is to provide the Annual Financial Information, not later than 15 Business Days (as defined in the Resolution) prior to said date, the Participant shall provide the Annual Financial Information to the Dissemination Agent. The Participant shall include with each such submission of Annual Financial

Information to the Dissemination Agent a written representation addressed to the Dissemination Agent, upon which the Dissemination Agent may conclusively rely, to the effect that the Annual Financial Information is the Annual Financial Information required to be provided by it pursuant to this Disclosure Agreement and that it complies with the applicable requirements of this Disclosure Agreement. In each case, the Annual Financial Information may be submitted as a single document or as a set of documents, and all or any part of such Annual Financial Information may be provided by specific cross-reference to other documents previously provided to each NRMSIR and the SID, if any, or filed with the Securities and Exchange Commission and, if such a document is a final official statement within the meaning of the Rule, available from the Municipal Securities Rulemaking Board. The Audited Financial Statements, if any, may, but are not required to be, provided as a part of the Annual Financial Information.

If not provided as part of the Annual Financial Information, the Participant shall, or, upon furnishing such Audited Financial Statements to the Dissemination Agent shall cause the Dissemination Agent to, provide Audited Financial Statements when and if available while any Bonds are Outstanding to each then existing NRMSIR and the SID, if any.

If by 15 Business Days prior to a Participant Report Date the Dissemination Agent has not received a copy of the Annual Financial Information, the Dissemination Agent shall contact the Participant to give notice that the Dissemination Agent has not received the Annual Financial Information and that such information must be provided to the NRMSIRs and SID, if any, by the applicable Participant Report Date.

The Dissemination Agent shall:

- (i) determine prior to the Participant Report Date the name and address of each NRMSIR and each SID, if any; and
- (ii) to the extent the Participant has provided the Annual Financial Information to the Dissemination Agent and required such information be sent to each NRMSIR or SID, file a report with the Participant certifying that the Annual Financial Information has been provided by the Dissemination Agent to each NRMSIR and SID, if any, pursuant to this Disclosure Agreement, stating the date it was provided and listing each then existing NRMSIR and the SID, if any, to which it was provided.

If the Dissemination Agent does not receive the Annual Financial Information from the Participant required by clause (a) of this Section by the applicable Participant Report Date, the Dissemination Agent shall, without further direction or instruction from the Participant, provide to the Municipal Securities Rulemaking Board and to the SID, if any, notice of any such failure to provide to the Dissemination Agent Annual Financial Information by the applicable Participant Report Date. For the purposes of determining whether information received from the Participant is Annual Financial Information, the Dissemination Agent shall be entitled conclusively to rely on the written representation made by the Participant pursuant to this Section.

Any filing under this agreement may be made solely by transmitting such filing to the Texas Municipal Advisory Council (the “MAC”) as provided at www.disclosureusa.org unless the United States Securities and Exchange Commission has withdrawn the interpretative advice in its letter to the MAC dated September 7, 2004.

Section 4. Termination of Reporting Obligation. The Participant’s, and the Dissemination Agent’s and the Issuer’s obligations under this Disclosure Agreement shall automatically terminate once the Bonds are no longer Outstanding.

Section 5. Dissemination Agent. The Issuer may, from time to time, with written notice to the Participant, appoint or engage a third-party Dissemination Agent to assist it in carrying out its obligations under this Disclosure Agreement, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent, upon notice to the Dissemination Agent. The initial Dissemination Agent shall be the Issuer. To the extent any Dissemination Agent engaged by the Issuer requires payment of a fee, or the Issuer incurs any expenses in discharging its obligations hereunder, the Participant shall promptly reimburse the Issuer for its pro rata portion of such fees (determined in such manner as pro rata payments are determined under the Participation Agreement).

Section 6. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Agreement, the Participant, the Dissemination Agent and the Issuer may amend this Disclosure Agreement and any provision of this Disclosure Agreement may be waived by the parties hereto, if such amendment or waiver is supported by an opinion of counsel expert in federal securities laws, acceptable to the Participant and the Issuer, to the effect that such amendment or waiver would not, in and of itself, cause the undertakings herein to violate the Rule if such amendment or waiver had been effective on the date hereof but taking into account any subsequent change in or official interpretation of the Rule, provided that the Participant shall have provided notice of such delivery and of the amendment to each then existing NRMSIR or the MSRB and the SID, if any, provided that neither the Trustee nor the Dissemination Agent shall be obligated to agree to any amendment that modifies the duties or liabilities of the Dissemination Agent or the Trustee without their respective consent thereto. Any such amendment shall satisfy, unless otherwise permitted by the Rule, the following conditions:

(i) The amendment may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law or change in the identity, nature or status of the obligated person or type of business conducted;

(ii) This Disclosure Agreement, as amended, would have complied with the requirements of the Rule at the time of the primary offering, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and

(iii) The amendment does not materially impair the interests of Beneficial Owners and Holders of any of the Bonds, as determined either by parties unaffiliated with the Participant (such as counsel expert in federal securities laws), or by approving vote of Bondholders pursuant to the terms of the Resolution at the time of the amendment. The initial Annual Financial Information after the amendment shall explain,

in narrative form, the reasons for the amendment and the effect of the change, if any, in the type of operating data or financial information being provided.

Section 7. Additional Information. Nothing in this Disclosure Agreement shall be deemed to prevent the Participant from disseminating any other information, using the means of dissemination set forth in this Disclosure Agreement or any other means of communication, or including any other information in any Annual Financial Information or other disclosure, in addition to that which is required by this Disclosure Agreement. If the Participant chooses to include any information in any Annual Financial Information or other disclosure in addition to that which is specifically required by this Disclosure Agreement, the Participant shall have no obligation under this Disclosure Agreement to update such information or include it in any future Annual Financial Information.

Section 8. Default. In the event of a failure of the Participant, the Dissemination Agent or the Issuer to comply with any provision of this Disclosure Agreement, the Issuer, may, on its own behalf, or at the written direction of a Participating Underwriter, the Insurer or the Holders of at least 25% in aggregate principal amount of Outstanding Bonds, shall, but only to the extent the Issuer receives indemnification to its satisfaction, or any Beneficial Owner or Holder of any of the Bonds may, seek mandate or specific performance by court order, to cause the Participant, the Dissemination Agent or the Issuer, as the case may be, to comply with its obligations under this Disclosure Agreement; provided that neither the Participant, the Dissemination Agent nor the Issuer shall be liable for monetary damages or any other monetary penalty or payment for breach of any of its obligations under this Section or unless, in the case of the Participant, such breach shall have been willful or reckless. A default under this Disclosure Agreement shall not be deemed an Event of Default under the Resolution or Participation Agreement, and the rights and remedies provided by the Resolution or Participation Agreement upon the occurrence of an “Event of Default” shall not apply to any such failure. The sole remedy under this Disclosure Agreement in the event of any failure of the Participant, the Dissemination Agent or the Issuer to comply with this Disclosure Agreement shall be an action to compel performance.

Section 9. Duties, Immunities and Liabilities of Issuer and Dissemination Agent. The Dissemination Agent (if other than the Issuer or the Issuer in its capacity as Dissemination Agent) and the Issuer shall have only such duties as are specifically set forth in this Disclosure Agreement. The Dissemination Agent and Issuer shall be paid compensation by the Participant for its services provided hereunder and all expenses, legal fees and advances made or incurred by the Dissemination Agent hereunder. Neither the Dissemination Agent nor the Issuer shall have any duty or obligation to review any information provided to it by the Participant hereunder or shall be deemed to be acting in a fiduciary capacity for the Participant, the Holders or Beneficial Owners of the Bonds or any other party. The obligations of the Participant under this Section shall survive resignation or removal of the Dissemination Agent or Issuer.

Section 10. Beneficiaries. This Disclosure Agreement shall inure solely to the benefit of the Participant, the Issuer, the Participating Underwriters and the Beneficial Owners and Holders of any Bonds and shall create no rights in any other person or entity.

Section 11. Interpretation. It being the intention of the Participant and the Issuer that there be full and complete compliance with the Rule, this Disclosure Agreement shall be construed in accordance with the written guidance and no-action letters published from time to time by the Securities and Exchange Commission and its staff with respect to the Rule.

Section 12. Governing Law. This Disclosure Agreement shall be governed by the laws of the State of Nebraska.

Section 13. Counterparts. This Disclosure Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

[Remainder of Page Left Blank Intentionally]

CITY OF GRAND ISLAND, NEBRASKA

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

OMAHA PUBLIC POWER DISTRICT

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

CERTIFICATE OF PARTICIPANT

\$112,000,000
OMAHA PUBLIC POWER DISTRICT (NEBRASKA)
SEPARATE ELECTRIC SYSTEM REVENUE BONDS (NEBRASKA CITY 2)
2005 SERIES A

The undersigned (the "Participant") hereby certifies as follows:

1. As of the date hereof, there is no action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, government agency, public board or body, pending against the Participant or, to the best knowledge of the Participant, threatened against the Participant, affecting the corporate existence of the Participant or the titles of its officers and directors to their respective offices, or affecting or seeking to prohibit, restrain or enjoin the performance of the Participant of its obligations under the Participation Power Agreement dated as of January 15, 2004 (the "Participation Agreement"), between the Participant and the Omaha Public Power District (the "District") or contesting or affecting as to the Participant the validity or enforceability of the Participation Agreement, or contesting powers of the Participant or the execution and delivery by the Participant of the Participation Agreement, nor, to the best knowledge of the Participant, is there any basis for any such action, suit, proceeding, inquiry or investigation, wherein an unfavorable decision, ruling or finding would materially adversely affect the corporate existence or authority of the Participant or the authorization, execution, delivery or performance by the Participant under the Participation Agreement.

2. As of the date hereof, there exists no default under the Participation Agreement nor has any event occurred which, with the passage of time or the giving of notice or both, would become a default under the Participation Agreement.

3. The Participant has all necessary right, power and authority to execute and deliver the Continuing Disclosure Agreement dated as of December 1, 2005 by and between the Participant and the District.

4. The Participant acknowledges and agrees that the Participation Agreement has become effective in accordance with the requirements set forth in Section 23.10 and 23.11 of the Participation Agreement, and that the Participation Agreement constitutes the legal, valid and binding obligation of Participant, enforceable in accordance with its terms. Without limiting the foregoing, the Participant agrees and acknowledges that LB 969 was passed by the 2004 Nebraska Legislature and that the Participant therefor represents and warrants in accordance with Sections 2.2.4 and 23.12 that the step-up provisions contained in Section 17.3 of the Participation Agreement are the legal, valid and binding obligation of the Participant, enforceable in accordance with their terms.

5. With respect to the Preliminary Official Statement dated November 2, 2005 (the "Preliminary Official Statement") and the Official Statement dated November 17, 2005 (the "Official Statement") issued in connection with the above referenced bonds (the "Bonds"), the information contained in Exhibit A thereof pertaining to the Participant did not as of its date, and

does not as of the date hereof, contain any untrue statement of a material fact relating to the Participant or omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading.

The following certification applies only if the Participant is not Nebraska Public Power District:

6. The Participant, in accordance with Section 2.2.6 of the Participation Agreement, hereby represents and warrants that all payments for Operation and Maintenance Costs (as defined in the Participation Agreement) made by the Participant under the Participation Agreement will at all times be deemed ordinary and necessary operational costs of Participant, which will be paid on an equal basis with other ordinary and necessary operational costs of the Participant and prior to the payment of any financed debt of the Participant.

The following certification applies only if the Participant is NPPD:

7. The Participant, in accordance with Section 2.2.6 of the Participation Agreement, hereby covenants to provide the District with a surety covering its share of the ongoing Operation and Maintenance Costs in accordance with Section 16.2 of the Participation Agreement.

[Remainder of Page Intentionally Left Blank]

DATED: December 1, 2005

CITY OF GRAND ISLAND, NEBRASKA

By: _____
Name: _____
Title: _____

R E S O L U T I O N 2005-329

WHEREAS, the City of Grand Island has entered into a Participation Power Agreement with the Omaha Public Power District (OPPD) dated January 15, 2004 to acquire 5% or approximately 30 megawatts of the capacity of OPPD's Nebraska City Power Plant addition referred to as NC2; and

WHEREAS, subsequent to the date of this agreement, the City of Grand Island has determined that the City's best option for financing the City's portion of Omaha Public Power District's NC2 power plant is through the issuance by OPPD of Separate Electric System Revenue Bonds (OPPD Bonds); and

WHEREAS, as part of the process of arranging financing for the OPPD Bonds, the Omaha Public Power District has requested that the City execute a Continuing Disclosure Agreement and a Certificate of Participant.

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

1. The Mayor and Council hereby find and determine that the City has entered into a Participation Power Agreement (the "Agreement") with Omaha Public Power District ("OPPD") with respect to the purchase of power from a coal fueled generating unit to be constructed at OPPD's Nebraska City, Nebraska, plant location; that for purposes of carrying out its obligations under the Agreement, OPPD is currently issuing its Separate Electric System Revenue Bonds (Nebraska City), 2005 Series A, (the "OPPD Bonds") and has requested that the City execute and deliver a Continuing Disclosure Agreement for purposes of assisting OPPD and its underwriters in carrying out their obligations under Rule 15c2-12 of the Securities and Exchange Commission and for the City to deliver certain certifications to OPPD in connection with its issuance of the OPPD Bonds; and that documents for approval by the Mayor and Council have been prepared and presented as follows:

- (a) Continuing Disclosure Agreement between the City and OPPD (in the separate capacity of Dissemination Agent) to be dated as of December 1, 2005; and
- (b) Certificate of Participant, to be dated the date of issuance of the OPPD Bonds (the documents described in (a) and (b) are referred to as the "City Closing Documents");

and that the City Closing Documents are in acceptable form and should be approved and their execution and delivery authorized.

2. The Agreement is hereby ratified and confirmed in all respects and the Mayor (or in his absence the Present of the Council) is hereby authorized to execute and deliver the Closing Documents on behalf of the City.

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

3. This resolution is hereby determined to be a measure necessary to carry out the obligations of the City under the Agreement and shall be in force and effect immediately upon its passage and approval.

- - -

PASSED AND APPROVED by the City Council of the City of Grand Island, Nebraska, November 22, 2005.

Jay Vavricek, Mayor

ATTEST:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G9

**#2005-330 - Approving Bid Award for Tree Trimming Contract
2006-TT-1**

Staff Contact: Gary R. Mader; DaleShotkoski

Council Agenda Memo

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

Meeting: November 22, 2005

Subject: Bid Award – Tree Trimming Contract 2006-TT-1

Item #'s: G-9

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

Background

Proper clearance between trees and power lines is very important to the safe operation and maintenance of the City's electric system. The Utilities Department has one crew dedicated to Right-of-Way maintenance and also uses the services of contractors when necessary to maintain line clearance over the nearly 500 miles of distribution and transmission lines. Specifications for Contract 2006-TT-1, have been prepared for private contractors to provide tree trimming services for the clearances needed for reliable electrical service.

Discussion

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

The project was publicly advertised and specifications were sent to seven (7) potential bidders. The bids were publicly opened at 11:00 a.m. on November 10, 2005 in accordance with City Procurement Codes. Three (3) bids were received and have been checked and evaluated. A tabulation of the bids received is listed below:

Bid Amount	Tom's Tree Service Grand Island, NE	Wright's Tree Service Des Moines, IA	Sheffield Tree Service Grand Island, NE
Section 1	\$7,300.00*	\$16,500.00	\$7,500.00
Section 2	\$5,000.00*	\$10,600.00	\$6,500.00
Section 3	\$10,500.00	\$18,500.00	\$6,250.00*
Section 4	\$9,500.00*	\$12,200.00	No Bid
Section 5	\$11,500.00*	\$19,200.00	No Bid
	Tom's Tree Service	Wright's Tree Service	Sheffield Tree Service

Bid Amount	Grand Island, NE	Des Moines, IA	Grand Island, NE
Section 6	\$14,000.00*	\$17,500.00	No Bid
Section 7	\$18,000.00*	\$24,500.00	No Bid
Section 8	\$5,100.00	\$7,000.00	\$3,500.00*
Section 9	\$12,500.00	\$17,500.00	\$3,800.00*
Section 10	\$16,500.00*	\$19,500.00	No Bid
Section 11	\$23,000.00	\$21,500.00*	No Bid
Section 12	\$18,500.00	\$16,200.00*	No Bid

(*) Indicates low bid per section

The combination of the lowest bids is \$133,050.00, and is below the estimate of \$150,000.00. All bids are without exceptions and meet Contract requirements. Funds were budgeted for FY 2005-2006 for this contract work.

Alternatives

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

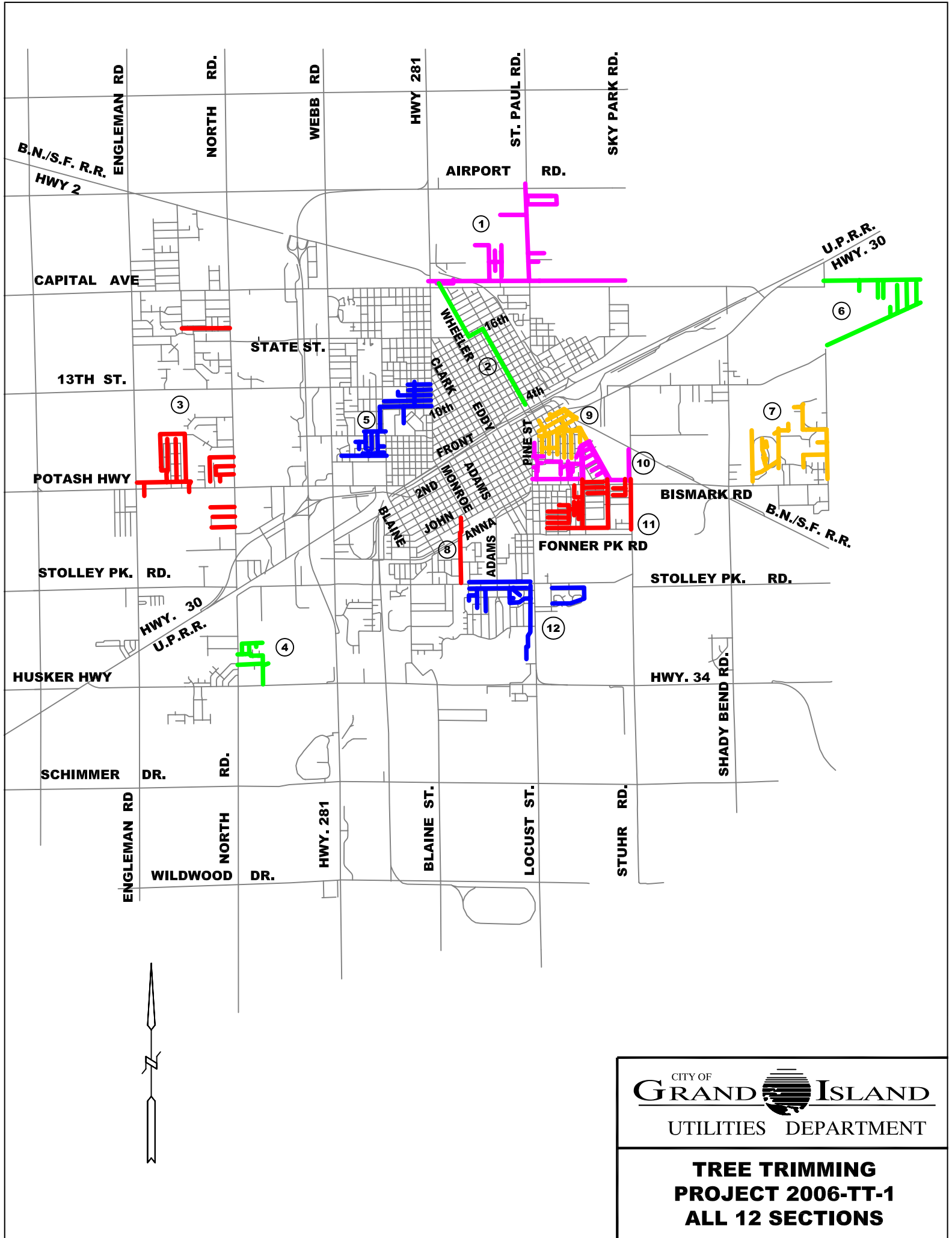
1. Move to approve the award of Tree Trimming Contract 2006-TT-1 to the individual bidders in each section
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council Sections 1, 2, 4, 5, 6, 7, and 10 to Tom's Tree Service in the amount of \$81,800; award Sections 3, 8, and 9 to Sheffield Tree Service in the amount of \$13,550.00; and award Sections 11, and 12 to Wright Tree Service, Inc. in the amount of \$37,700.00.

Sample Motion

Motion to approve award of Tree Trimming Contract 2006-TT-1, per section, to the individual low bidder for each section.



CITY OF
GRAND ISLAND
 UTILITIES DEPARTMENT

**TREE TRIMMING
 PROJECT 2006-TT-1
 ALL 12 SECTIONS**



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: November 10, 2005 at 11:00 a.m.
FOR: Tree Trimming Contract 2006-TT-1
DEPARTMENT: Utilities
ESTIMATE: \$150,000.00
FUND/ACCOUNT: 520
PUBLICATION DATE: October 19, 2005
NO. POTENTIAL BIDDERS: 7

SUMMARY

Bidder:	<u>Tom's Tree Service</u> Grand Island, NE	<u>Wright Tree Service, Inc.</u> Des Moines, IA	<u>Sheffield Tree Service</u> Grand Island, NE
Bid Security:	\$7,570.00	Merchants Bonding Co.	Western Surety Co.
Bid Price:			
Section 1:	\$ 7,300.00	\$16,500.00	\$ 7,500.00
Section 2:	\$ 5,000.00	\$10,600.00	\$ 6,500.00
Section 3:	\$10,500.00	\$18,500.00	\$ 6,250.00
Section 4:	\$ 9,500.00	\$12,200.00	No Bid
Section 5:	\$11,500.00	\$19,200.00	No Bid
Section 6:	\$14,000.00	\$17,500.00	No Bid
Section 7:	\$18,000.00	\$24,500.00	No Bid
Section 8:	\$ 5,100.00	\$ 7,000.00	\$ 3,500.00
Section 9:	\$12,500.00	\$17,500.00	\$ 3,800.00
Section 10:	\$16,500.00	\$19,500.00	No Bid
Section 11:	\$23,000.00	\$21,500.00	No Bid
Section 12:	\$18,500.00	\$16,200.00	No Bid

cc: Gary Mader, Utilities Director
Tom Barnes, Eng. Manager – Utilities
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

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

R E S O L U T I O N 2005-330

WHEREAS, the City of Grand Island invited bids for Tree Trimming Project 2006-TT-1 for the Utilities Department, according to the plans and specifications on file with the Utility Engineering Office at Phelps Control Center; and

WHEREAS, on November 10, 2005, bids were received, opened and reviewed; and

WHEREAS, the requested work has been divided into 12 sections in order to achieve the best and lowest cost, and to expedite the completion of the work; and

WHEREAS, Tom's Tree Service of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$81,800 for Sections 1, 2, 4, 5, 6, 7, and 10 of the contract; and

WHEREAS, Sheffield Tree Service of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$13,550 for Sections 3, 8 and 9 of the contract; and

WHEREAS, Wright Tree Service, Inc. of Des Moines, Iowa, submitted a bid in accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$37,700 for Sections 11 and 12 of the contract; and

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

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

1. The bid of Tom's Tree Service of Grand Island, Nebraska, in the amount of \$81,800 for Sections 1, 2, 4, 5, 6, 7, and 10 of Tree Trimming Project 2006-TT-1 is hereby approved as the lowest responsive bid submitted for those sections.

2. The bid of Sheffield Tree Service of Grand Island, Nebraska, in the amount of \$13,550 for Sections 3, 8 and 9 of Tree Trimming Project 2006-TT-1 is hereby approved as the lowest responsive bid submitted for those sections.

3. The bid of Wright Tree Service, Inc. of Des Moines, Iowa, in the amount of \$37,700 for Sections 11 and 12 of Tree Trimming Project 2006-TT-1 is hereby approved as the lowest responsive bid submitted for those sections.

Approved as to Form ✕ _____ November 16, 2005 ✕ City Attorney
--

4. A contract for such project be entered into between the City and such contractors; and that the Mayor is hereby authorized and directed to execute such contract on behalf of the City of Grand Island.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G10

**#2005-331 - Approving Bid Award for One (1) 128 Cubic Yard
Solid Waste Transfer Trailer**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

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

Meeting: November 22, 2005

Subject: Approving Bid Award for One (1) 128 Cubic Yard Solid Waste Transfer Trailer

Item #'s: G-10

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

Background

On October 25, 2005 the Solid Waste Division of the Public Works Department advertised for bids for the purchase of a 128 Cubic Yard Transfer Trailer. Funds for the trailer were in the approved 2005/2006 budget.

Discussion

One bid was received and opened on November 9, 2005. The Solid Waste Division of the Public Works Department and the Purchasing Division of the City Attorney's Office have reviewed the bid that was received. A summary of the bid is shown below.

<i>Bidder</i>	<i>Exceptions</i>	<i>Bid Security</i>	<i>Total</i>
Wilkens Industries, Inc., Morris MN	None	\$2,660.00	\$53,192.00

There are sufficient funds for this purchase in Account No. 50530040-85625. The cost estimate for the trailer was \$70,000.00

Alternatives

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

1. Make a motion to approve the purchase of the Transfer Trailer from Wilkens Industries, Inc. of Morris, MN in the amount of \$53,192.00.
2. Refer the issue to a committee.
3. Postpone the issue to a future date.

4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the purchase of the 128 Cubic Yard Transfer Trailer in the amount of \$53,192.00 from Wilkens Industries, Inc. of Morris, MN.

Sample Motion

Approve the purchase of the Transfer Trailer.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: November 9, 2005 at 11:15 a.m.
FOR: (1) 2006, 128 Cubic Yard Solid Waste Transfer Trailer
DEPARTMENT: Public Works
ESTIMATE: \$70,000.00
FUND/ACCOUNT: 50530040-85625
PUBLICATION DATE: October 25, 2005
NO. POTENTIAL BIDDERS: 7

SUMMARY

Bidder: Wilkens Industrices, Inc.
Morris, MN
Bid Security: \$2,660.00
Exceptions: None
Bid Price: \$53,192.00

cc: Steve Riehle, Public Works Director
Mike Dvorak, Interim Solid Waste Supt.
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

Bud Buettner, Assist. PW Director
Danelle Collins, Admin. Assist. PW
Dale Shotkoski, Purchasing Agent

RESOLUTION 2005-331

WHEREAS, the City of Grand Island invited sealed bids for one (1) 2006, 128 Cubic Yard Solid Waste Transfer Trailer for the Solid Waste Division of the Public Works Department, according to plans and specifications on file with the City Engineer; and

WHEREAS, on November 9, 2005, one bid was received, opened and reviewed; and

WHEREAS, Wilkens Industries, Inc. of Morris, Minnesota, 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 \$53,192.00; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Wilkens Industries, Inc. of Morris, Minnesota, in the amount of \$53,192.00 is hereby approved as the lowest responsible bid.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G11

**#2005-332 - Approving Bid Award for One (1) 90,000 GVW
Conventional Truck-Tractor; Solid Waste Division**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

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

Meeting: November 22, 2005

Subject: Approving Bid Award for One 90,000 GVW
Conventional Truck - Tractor; Solid Waste Division

Item #'s: G-11

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

Background

On October 25, 2005 the Solid Waste Division of the Public Works Department advertised for bids for the purchase of a Minimum 90,000 GVW Conventional Truck - Tractor. Funds for the truck - tractor were in the approved 2005/2006 budget.

Discussion

Three bids were received and opened on November 9, 2005. The Solid Waste Division of the Public Works Department and the Purchasing Division of the City Attorney's Office have reviewed the bids that were received. All three bids had exceptions. The truck – tractor bid submitted by Nebraska Truck Center of Grand Island NE was low bid; the exception to the bid is a 2007 model. Nebraska Truck Center can no longer provide assurance that the factory will accept any more orders for the 2006 model. However, the company can meet the delivery date with the 2007 model. The 2007 model by Nebraska Truck Center is still the low bid. A summary of the bids is shown below.

<i>Bidder</i>	<i>Exceptions</i>	<i>Bid Security</i>	<i>Total</i>
Hansen International Truck, Inc.	Noted	\$4,505.92	\$90,105.86
Nebraska Peterbilt	Noted	\$4,253.70	\$85,074.00
Nebraska Truck Center, Inc.	2006 Model – (Factory may no longer accept 2006 model orders)	Inland Insurance Company	\$83,717.00
Nebraska Truck Center, Inc.	2007 Model – (Can meet delivery date)	Inland Insurance Company	\$84,967.00

There are sufficient funds for this purchase in Account No. 50530040-85625.

Alternatives

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

1. Make a motion to approve the purchase of the 2007 Conventional Truck - Tractor from Nebraska Truck Center, Inc. of Grand Island, NE in the amount of \$84,967.00.
2. Refer the issue to a committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the purchase of the 2007 Truck - Tractor in the amount of \$84,967.00 from Nebraska Truck Center, Inc. of Grand Island, NE.

Sample Motion

Approve the purchase of the 2007 Conventional Truck - Tractor.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: November 9, 2005 at 11:00 a.m.

FOR: (1) 2006 Model 90,000 GVW Conventional Truck-Tractor

DEPARTMENT: Public Works

ESTIMATE: \$90,000.00

FUND/ACCOUNT: 50530040-85625

PUBLICATION DATE: October 25, 2005

NO. POTENTIAL BIDDERS: 4

SUMMARY

Bidder:	<u>Hansen International Truck, Inc.</u> Grand Island, NE	<u>Nebraska Peterbilt</u> Grand Island, NE
Bid Security:	\$4,505.92	\$4,253.70
Exceptions:	Noted	Noted
Bid Price:	\$90,105.86	\$85,074.00
Bidder:	<u>Nebraska Truck Center, Inc.</u> Grand Island, NE	
Bid Security:	Inland Insurance Company	
Exceptions:	Noted	
Bid Price:	\$83,717.00 \$84,967.00 (2007 Model)	

cc: Steve Riehle, Public Works Director
Mike Dvorak, Interim Solid Waste Supt.
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

Bud Buettner, Assist. PW Director
Danelle Collins, Admin. Assist. PW
Dale Shotkoski, Purchasing Agent

RESOLUTION 2005-332

WHEREAS, the City of Grand Island invited sealed bids for one (1) 2006 Model 90,000 GVW Conventional Truck-Tractor for the Solid Waste Division of the Public Works Department, according to plans and specifications on file with the City Engineer; and

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

WHEREAS, Nebraska Truck Center, Inc. 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 \$84,967 for a 2007 model alternative; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Nebraska Truck Center, Inc. of Grand Island, Nebraska, in the amount of \$84,967.00 for one 2007 model 90,000 GVW conventional truck-tractor is hereby approved as the lowest responsible bid.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G12

**#2005-333 - Approving Bid Award for Maintenance Work
Adjacent to the Downtown Parking Lots and Ramp**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: November 22, 2005

Subject: Approving Bid Award for Lawn / Landscape Maintenance and Snow Removal for Sidewalks and Greenscape Adjacent to the Downtown Parking Lots and Ramp

Item #'s: G-12

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

Background

On November 1, 2005 the Engineering Division of the Public Works Department advertised for bids for lawn / landscape maintenance and snow removal for sidewalks and greenscape adjacent to the downtown parking lots and ramp.

Discussion

Two bids were received on November 15, 2005. The Engineering Division of the Public Works Department and the Purchasing Division of the City Attorney's Office have reviewed the bids that were received. A summary of the bids is shown below.

<i>Bidder</i>	<i>Exceptions</i>	<i>Total</i>
Rick's Lawn Care, Grand Island, NE	Noted	\$5,275.00
Cloudburst Enterprises Grand Island, NE	None	\$8,980.00

There are sufficient funds in Account No. 27010001-85213 and 27110010-85213 to fund this contract.

Alternatives

1. Make a motion to approve awarding the bid to Rick's Lawn Care in the amount of \$5,275.00.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve a resolution authorizing the Mayor to sign a contract with Rick's Lawn Care for lawn / landscape maintenance and snow removal for sidewalks and greenscape adjacent to the downtown parking lots and ramp in the amount of \$5,275.00.

Sample Motion

Move to approve the award of the contract to Rick's Lawn Care.



Downtown Parking

Old Pine St. Electrical Plant

Water Reservoir

American Red Cross

YMCA/YWCA Property

City Hall

Fire Station No. 1

5th St W

4th St E

Wheeler Ave N

Locust St N

4th St W

Oak St N

South Front St E
Parking Lots 1

Parking Lots 3

Parking Lots 4
South Front St W
Parking Lots 5

Parking Lots 2

Parking Lots 6

Parking Lots 9

Dodge Parking Lot 7

Ek's Parking Lot 8

Pioneer Park

N

Koenig St E

Elm St N

1st St W

Court St E

Elm St S

Cedar St S

Division St W

Cleburn St S

Koenig St W

Charles St W

Charles St E

Pine St S



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

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

FOR: Lawn/Landscape Maintenance and Snow Removal for Sidewalks and Greenscape Adjacent to Downtown Parking Lots and Ramp

DEPARTMENT: Public Works

ESTIMATE: \$15,100.00

FUND/ACCOUNT: 27010001-85213 & 27110010-85213

PUBLICATION DATE: November 1, 2005

NO. POTENTIAL BIDDERS: 2

SUMMARY

Bidder:	<u>Rick's Lawn Care</u> Grand Island, NE	<u>Cloudburst Enterprises</u> Grand Island, NE
Exceptions:	Noted	None
Bid Price:	\$5,275.00	\$8,980.00

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

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

P1038

RESOLUTION 2005-333

WHEREAS, the City of Grand Island invited sealed bids for Lawn/Landscape Maintenance and Snow Removal for Sidewalks and Greenscape Adjacent to Downtown Parking Lots and Ramp, according to plans and specifications on file with the City Engineer; and

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

WHEREAS, Rick's Lawn Care 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 \$5,275.00; and

WHEREAS, such bid is below the estimate for such maintenance work.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Rick's Lawn Care of Grand Island, Nebraska, in the amount of \$5,275.00 for lawn/landscape maintenance and snow removal for sidewalks and greenscape adjacent to the downtown parking lots and ramp is hereby approved as the lowest responsible bid.

- - -

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

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G13

**#2005-335 - Approving Changes to Speed Limits on East US
Highway 30**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director
Meeting: November 22, 2005
Subject: Approving the Changes to Speed Limits on East US Highway 30
Item #'s: G-13
Presenter(s): Steven P. Riehle, Public Works Director

Background

The 4-lane project on east HWY 30 is complete and the Nebraska Department of Roads (NDOR) evaluated the speed zones in the area; therefore, they are requesting that the city pass a resolution to make speed limit adjustments.

Discussion

The NDOR's letter requesting the changes is attached. The recommendations are:

<u>Start</u>	<u>End</u>	<u>Proposed Speed Limit</u>
Sycamore Street	1500' west of Willow Street	35 mph
1500' west. of Willow St.	2500' west of Shady Bend Rd	45 mph
2500' west of Shady Bend Rd	270' west of Shady Bend Rd. (City Limits)	50 mph

Alternatives

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

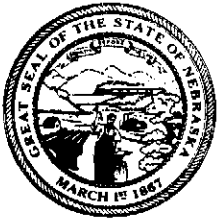
1. Approve a resolution establishing new speed limits along east US HWY 30.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council pass a resolution making the speed limit adjustments recommended by the Nebraska Department of Roads.

Sample Motion

Move to approve the resolution on speed limits along east US HWY 30.



Dave Heineman
Governor

STATE OF NEBRASKA

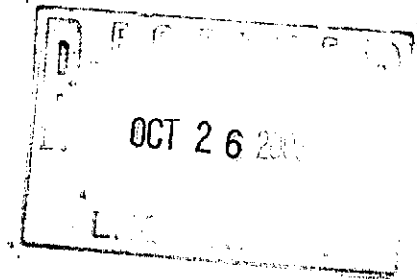
DEPARTMENT OF ROADS

John L. Craig, Director

1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759
Phone (402)471-4567 • FAX (402)479-4325 • www.dor.state.ne.us

October 24, 2005

RaNae Edwards – Clerk
City of Grand Island
PO Box 1968
100 East First Street
Grand Island, NE 68802



Dear Ms. Edwards,

With the completion of the 4-lane project on US-30 on the east side of Grand Island, the Nebraska Dept. of Roads has evaluated the speed zones in this area. The new traffic signal at US-30 and Shady Bend Road now has “PREPARE TO STOP WHEN FLASHING” beacons in advance of this traffic signal. Due to the unequal speeds on the west and east sides of this intersection (45 & 60 mph), the advance vehicular detectors will not work for the westbound traffic. Due to the unequal approach speeds, westbound traffic traveling at 60 mph will soon learn to disregard their beacon.

We request the City of Grand Island pass a new resolution on US-30 within the City’s corporate limits. A traffic study was done in this area which included the prevailing vehicle speeds, physical features of the roadway and roadside, and the existing traffic characteristics and control. The existing speed limits in this area were set previous to the new 4-lane highway in this area. We recommend the new speed limits to consist of the following (see also attached sketch):

On US-30

<u>Start</u>	<u>End</u>	<u>Speed Limit</u>
Sycamore St.	1500’ West of Willow St.	35 mph
1500’ West of Willow St.	2500’ West of Shady Bend Rd.	45 mph
2500’ West of Shady Bend Rd.	Shady Bend Rd. (Corporate Limits)	50 mph

A copy of the new speed zone resolution should be sent to the Traffic Engineering Division so a Speed Zone Authorization can be processed. The Nebraska Dept. of Roads will then establish the speed limits on this highway outside the corporate limits to match the new speed limit. A copy of the new Authorizations will then be sent to the City of Grand Island. The Nebraska Dept. of Roads will install and maintain the necessary speed zone signing on highway US-30.


Thank you for your cooperation with updating the speed limits within Grand Island. If there are any questions pertaining to our traffic study or revising the speed zone resolution for the City of Grand Island, please feel free to contact me.

Sincerely,

NEBRASKA DEPARTMENT OF ROADS



Alan Swanson
Traffic Engineering Analyst

Concurrences: 
Assistant Traffic Engineer

cc: Wes Wahlgren – District 4 Engineer
Steve Riehle – Public Works Director ✓
File

Attachment

R E S O L U T I O N 2005-335

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

Approved as to Form ✕ _____ November 16, 2005 ✕ City Attorney
--

Street	From	To	Limit
Capital Avenue	Engleman Road	North Road	35
Capital Avenue	North Road	Carleton Avenue	45
Capital Avenue	Carleton Avenue	St. Paul Road	35
Capital Avenue	St. Paul Road	Sky Park Road	45
Capital Avenue	Sky Park Road	1/2 mile east of Sky Park Road (city limits)	50
Cherry Street	Bismark Road	Sutherland Street	30
Concord Street	Diers Avenue	370 feet North of Diers Avenue	30
Custer Avenue	Old Lincoln Highway/ Old Potash Highway	Capital Avenue	30
Diers Avenue	Old Potash Highway	Capital Avenue	30
Eddy Street	Fourth Street	State Street	30
Engleman Road	Husker Highway	400 feet north of North Lane	45
Engleman Road	200 feet south of Lariat Lane	Capital Avenue	45
Engleman Road	Capital Avenue	1,000 feet north of Michigan Avenue	40
Faidley Avenue	U.S. Highway 281	Webb Road	35
Faidley Avenue	Webb Road	Custer Avenue	30
Fonner Park Road	South Locust Street	Stuhr Road	35
Fourth Street	Sycamore Street	Plum Street	25
Fourth Street	Plum Street	Beal Street	30
Fourth Street	Beal Street	Taft Street	35
Fourth Street	Taft Street	Seventh Street	45

Street	From	To	Limit
Gold Core Road	Wildwood Drive	Schimmer Drive	40
Husker Highway	U.S. Highway 30	Schroeder Avenue	50
Husker Highway	Schroeder Avenue	1/4 mile east of North Road (city limits)	40
Husker Highway	Prairieview Street	U.S. Highway 281	40
Independence Avenue	Capital Avenue	Nebraska Highway 2	35
Juergen Road	Wildwood Drive	Schimmer Drive	30
Locust Street	Wood River Floodway (south city limits)	U.S. Highway 34	45
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	1/4 mile west of Independence Avenue (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 Street	50
Nebraska Highway 2 – City Route	100 feet west of O'Flannagan Street	Broadwell Avenue	50
North Road	Husker Highway	Stolley Park Road	35
North Road	Old Highway 30	U.S. Highway 30	35
North Road	U.S. Highway 30	Old Potash Highway	45
North Road	Old Potash Highway	Nebraska Highway 2	40
Old Lincoln Highway	Garfield Street	Broadwell Avenue	30

Street	From	To	Limit
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	540 feet west of Arapahoe Avenue (west city limits)	Kaufman Avenue	45
Old Potash Highway	Kaufman Avenue	Custer Avenue	35
Quandt Road	Abbott Road	1/4 mile north of Abbott Road	50
Schimmer Drive	1/2 mile west of U.S. Highway 281 (west city limits)	230 feet east of Scheel Road (east city limits)	40
Second Street	Webb Road	Ada Street	35
Seedling Mile Road	1/2 mile west of Museum Drive	Shady Bend Road	35
Seedling Mile Road	Shady Bend Road	Approximately 1/4 mile east of Shady Bend Road (east city limits)	45
Shady Bend Road	Arabian Circle (city limits)	Bronco Road (city limits)	50
Shady Bend Road	Approximately 1/2 mile north of Bismark Road (city limits)	880 feet south of Gregory Avenue (city limits)	50
Shady Bend Road	231 feet south of Gregory Avenue (city limits)	300 feet north of Shady Bend Way (city limits)	35
Shady Bend Road	350 feet north of U.S. Highway 30 (city limits)	Union Pacific Railroad Right-of-Way (city limits)	35
Shady Bend Road	1,910 feet north of Capital Avenue	Airport Road	55
Sky Park Road	Seventh Street	Capital Avenue	45
Sky Park Road	Capital Avenue	Twin Star Lane	55

Street	From	To	Limit
Sky Park Road	Twin Star Lane	Gulf Stream Drive	45
Sky Park Road	Gulf Stream Drive	White Cloud Road	55
State Street	North Road	Ebony Lane	45
State Street	Ebony Lane	U.S. Highway 281	35
Stolley Park Road	920 feet west of Freedom Drive (west city limits)	U.S. Highway 30	50
Stolley Park Road	U.S. Highway 30	North Road	45
Stolley Park Road	North Road	U.S. Highway 281	45
Stolley Park Road	U.S. Highway 281	South Locust Street	35
Stolley Park Road	South Locust Street	Stuhr Road	45
Stuhr Road	270 feet south of the north intersection with Stolley Park Road (south city limits)	Fonner Park Road	55
Stuhr Road	Fonner Park Road	U.S. Highway 30	35
Sycamore Street	Fourth Street	Capital Avenue	30
Thirteenth Street	910 feet west of Branding Iron Lane (west city limits)	Cedar Ridge Court	45
Thirteenth Street	Cedar Ridge Court	U.S. Highway 281	35
U.S. Highway 30	Husker Highway	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

Street	From	To	Limit
U.S. Highway 30 (2 nd Street)	Broadwell Avenue	Greenwich Street	30

U.S. Highway 30 (eastbound) / Greenwich Street	Second Street	First 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	<u>1500 feet West of Willow Street</u> 300 feet East of the BNR	35
U.S. Highway 30	<u>1500 feet West of Willow Street</u> 300 feet East of the BNR	<u>2500 feet West of Shady Bend Road</u> 1300 feet East of Stuh Road	<u>45</u> 40
U.S. Highway 30	<u>2500 feet West of Shady Bend Road</u> 1300 feet East of Stuh Road	270 feet west of Shady Bend Road (east city limits)	<u>50</u> 45
U.S. Highway 34 (Husker Highway)	U.S. Highway 281	Wortman Drive (city limits)	50
U.S. Highway 34 (Husker Highway)	Karen Road (city limits)	De Ann Road	55
U.S. Highway 34 (Husker Highway)	De Ann Road	¼ mile East of Locust Street (east city limits)	45
U.S. Highway 34/281	Milepost No. 228.91 (1/4 mile south of Wildwood Drive)	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
Webb Road	Nebraska Highway 2 - city route	1410 feet north of Nebraska Highway 2 – city route (city limits)	40
Webb Road	900 feet south of the north intersection with U.S. Highway 281 (city limits)	240 feet south of the north intersection with U.S. Highway 281 (city limits)	40
White Cloud Road	Sky Park Road	2060 feet east of Sky Park Road (city limits)	50
Wildwood Drive	380 feet west of Elk Drive (west city limits)	610 feet east of Gold Core Drive (East city limits)	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 November 22, 2005.

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G14

#2005-336 - Approving Bid Award for Six (6) Police Vehicles

Staff Contact: Steve Lamken

Council Agenda Memo

From: Steve Lamken, Chief of Police
Meeting: November 22, 2005
Subject: Approve Bid Award for Six (6) Police Interceptor Units
Item #'s: G-14
Presenter(s): Steve Lamken, Chief of Police

Background

The 2005-2006 budget includes the replacement of six (6) police vehicles. Usually, the department purchases these vehicles from the state bid. However, the winner of the state bid did not include a local vendor. Therefore, it was decided to bid out the vehicles in order to allow for local vendors. There are sufficient funds in account no. 10022301-85625 for this purchase.

Discussion

Bids were let on November 15, 2005. Two bids were received as follows:

- #1 Anderson Ford, Grand Island, NE in the amount of \$134,460.00
- #2 Tincher ford, Plattsmouth, NE in the amount of \$135,420.00 (state bid)

Alternatives

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

1. Move to approve the purchase six (6) 2006 Ford Police Interceptor vehicles
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the lowest bid from Anderson Ford, Grand Island, NE in the amount of \$134,460.00.

Sample Motion

Motion to approve the purchase of six (6) 2006 Ford Police Interceptor vehicles from Anderson Ford, Grand Island, NE in the amount of \$134,460.00.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: November 15, 2005 at 11:00 a.m.
FOR: (6) Police Vehicles
DEPARTMENT: Police
ESTIMATE: \$156,000.00
FUND/ACCOUNT: 10022301-85625
PUBLICATION DATE: November 5, 2005
NO. POTENTIAL BIDDERS: 3

SUMMARY

Bidder:	<u>Anderson Ford L-M</u> Grand Island, NE	<u>Tincher Ford</u> Plattsmouth, NE
Exceptions:	None	None
Bid Price:	\$134,460.00	\$135,420.00

cc: Steve Lamken, Police Chief
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

Dennis Osterman, Police Dept.
Dale Shotkoski, Purchasing Agent

P1040

RESOLUTION 2005-336

WHEREAS, the City of Grand Island invited sealed bids for Six (6) 2006 Police Interceptor Vehicles, according to plans and specifications on file with the Police Department; and

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

WHEREAS, Anderson Ford Lincoln Mercury 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 \$134,460; and

WHEREAS, Anderson Ford Lincoln Mercury's bid is less than the engineer's estimate for such vehicles.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Anderson Ford Lincoln Mercury of Grand Island, Nebraska, in the amount of \$134,460 for six 2006 Police Interceptor vehicles is hereby approved as the lowest responsible bid.

- - -

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

RaNae Edwards, City Clerk

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



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item G15

#2005-337 - Approving Change Order No. 1 for Asbestos Removal & Demolition of Improvements at 1204, 1212 & 1216 West 2nd Street, 214 N. Washington St. and 1203/1205, 1209, 1215, & 1221 West 3rd Street

Staff Contact: Steve Fosselman

Council Agenda Memo

From: Steve Fosselman, Library Director

Meeting: November 22, 2005

Subject: Approving Change Order No. 1 for Asbestos Removal & Demolition of Improvements at 1204, 1212 & 1216 West 2nd Street, 214 N. Washington St. and 1203/1205, 1209, 1215, & 1221 West 3rd Street

Item #'s: G-15

Presenter(s): Steve Fosselman, Library Director

Background

The contract for asbestos removal and demolition of improvements in the block west of the Edith Abbott Memorial Library was awarded to Environmental Direct, Inc., Grand Island, Nebraska on August 9, 2005. Their low bid was \$143,333.19; two other bids were for \$239,445.00 and \$198,514.00. The engineer's estimate was \$215,000.00.

Discussion

Any change orders to the contract must be approved by City Council. Change Order No. 1 totals \$16,060.00 as follows:

Original Contract	\$ 143,333.19
Removal of undisclosed asbestos	\$ 4,280.00
This project did not specify the removal of approximately 2400 square feet of shingles containing asbestos behind the mansard tin on the west walls of the former Video Kingdom building. This additional asbestos was discovered during the project.	
Removal of undisclosed foundations	\$ 8,680.00
This project did not specify the removal of previously undisclosed foundations at the former Taco John's site. This additional work also included dirt hauling, soil	

tests, and removal of a grease tank on this property.

Salvage of city property \$ 3,100.00

This project did not specify the salvage of city property obtained in the sale of the former Taco John's. Salvage property included steam tables, booths, chairs, tables, signage, poles, and rooftop units. This additional work included labor, crane rental, transport and storage of this city property.

Revised Contract \$ 159,393.19

These items of work were needed to complete the asbestos removal and demolition project. Sufficient funds are available to pay the expense of this change order.

Alternatives

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

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

Recommendation

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

Sample Motion

Motion to approve Change Order 1 to the contract with Environmental Direct, Inc. for Asbestos Removal & Demolition of Improvements at 1204, 1212 & 1216 West 2nd Street, 214 N. Washington St. and 1203/1205, 1209, 1215, & 1221 West 3rd Street.

City of Grand Island
100 East 1st Street
Grand Island, Nebraska 68801

CHANGE ORDER NO. 1

Date of Issuance: 11/17/05

PROJECT: Asbestos Removal & Demolition of Improvements at 1204, 1212 & 1216 West 2nd Street,
214 N. Washington St. and 1203/1205, 1209, 1215, & 1221 West 3rd Street

CONTRACTOR: Environmental Direct, Inc., P.O. Box 2392, Grand Island, NE 68802

CONTRACT DATE: August 9, 2005 **AMOUNT OF ORIGINAL CONTRACT:** \$143,333.19

You are directed to make the changes in the subject contract as listed below:

- Remove undisclosed asbestos at former Video Kingdom/Subway building (\$ 4,280.00)
- Remove undisclosed foundations at former Taco John's property (\$ 8,680.00)
- Salvage city property at former Taco John's property (\$ 3,100.00)

The changes result in the following adjustment of Contract Price:

Contract Price Prior to This Change Order	\$ 143,333.19
Net Increase/Decrease Resulting from this Change Order	\$ 16,060.00
Revised Contract Price Including this Change Order	\$ 159,393.19

Approval Recommended:

City of Grand Island
Owner

By _____
Steve Fosselman Director

Date _____

The Above Change Order Accepted:

Environmental Direct, Inc.

By _____
Michael J. O'Neill, President

Date _____

Approved for the City of Grand Island

Mayor

Attest: _____
City Clerk

Date: _____

R E S O L U T I O N 2005-337

WHEREAS, on August 9, 2005, by Resolution 2005-231, the City of Grand Island awarded the bid for Asbestos Removal and Demolition of Improvements at 1204, 1212 and 1216 West 2nd Street, 214 North Washington Street and 1203/1205, 1209, 1215 and 1221 W. Third Street in the city of Grand Island, Nebraska to Environmental Direct, Inc. of Grand Island, Nebraska; and

WHEREAS, it has been determined that modifications to the work to be performed by Environmental Direct, Inc. are necessary; and

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

WHEREAS, the result of such modifications will increase the contract amount by \$16,060 for a revised contract price of \$159,393.19.

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

Removal of undisclosed asbestos	4,280.00
Removal of undisclosed foundations	8,680.00
Salvage of City property	3,100.00

- - -

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

RaNae Edwards, City Clerk

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



City of Grand Island

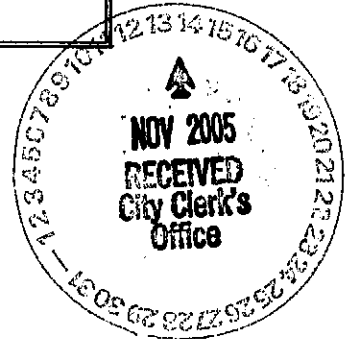
Tuesday, November 22, 2005

Council Session

Item H1

**Request from Wayne E. Vian for Ashlar Lodge No. 33 AF & AM
for Permission to Re-Dedicate the Cornerstone at Edith Abbott
Memorial Library and Policy and Procedures for Future City
Buildings**

Staff Contact: Wayne Vian



REQUEST FOR FUTURE AGENDA ITEM

If you have a specific topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number, and the specific topic. The item will be reviewed and possibly scheduled for a future meeting, or forwarded to City staff for appropriate action.

Name: Wayne E. Vian for Ashlar Lodge No. 33 A.F. & A.M.

Address: 1207 S. Harrison St, Grand Island, NE 68803

Telephone #: 384-4717 H 398-7435-Work cell

Date of Request: 14 November 2005

Description of Requested Topic: 1. Ashlar Lodge No. 33 A.F. & A.M. is asking for the Grand Island City Council's permission to re-dedicate the cornerstone at the Grace Abbott Memorial Library.

2. Ashlar Lodge No. 33 A.F. & A.M. is asking for a procedure or policy where Ashlar Lodge can lay a cornerstone at future city buildings at no cost to the city for the cornerstone.

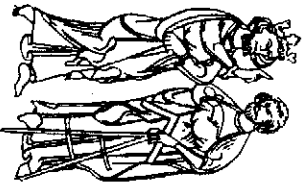
Today's Reasons for an

Ancient Tradition

What is a Cornerstone?

Until the development of steel-frame construction in this century, most buildings were erected by stacking stone on stone. Each part of the building was marked by ceremonies. The Foundation Stone was the first stone placed underground at the beginning of the building's foundation. The Cornerstone was the first stone placed above ground level, usually a massive stone which marked the north-east corner of the building. At the top of the building was a Cap Stone.

The ceremonies of placing these stones were under the direction of the stonemasons who built the buildings, although the highest officials of the church and state usually participated, including the king or his representative. The placement of the stones were occasions for public celebrations and fairs, each marking the progress of the building of the cathedral or castle.



Today, there are few actual cornerstones being placed, although you can easily find them on buildings built as late as the 1950's. Instead, a stone plaque, about 16 inches square and about the thickness of a brick, is used. Technically, it is called a "Commemorative Stone" since it is not part of the structure of the building but is put in place after the building is finished. But "Cornerstone" has remained the most common

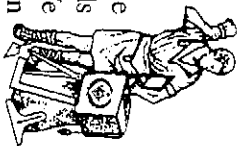
term.

Cornerstones have played an important role in the history of our nation as well as Europe. George Washington laid the cornerstone of the nation's capital building, both in his role as President of United States and his role as a Freemason.

Before that, Benjamin Franklin had established the tradition by laying the cornerstone of the state house in Philadelphia, when Grand Master of Pennsylvania. Since then, cornerstones have traditionally shown the date, the name of the Grand Master, and the Masonic emblem. Such a cornerstone has been part of the construction or dedication of almost every federal building and seat of state government since, including the state capital building of Nebraska.

Why does the Masonic
Fraternity place Cornerstones?

The Masonic Fraternity—the Freemasons—developed from the guilds of stonemasons of the Middle Ages. We are the oldest and largest Fraternity in the world, with a tradition dating back more than a thousand years. Our forefathers laid the first cornerstones, and we continue in their tradition.



Each large organization does things in the public interest—things related to their own heritage. The V.F.W. holds ceremonies in cemeteries on Memorial Day to honor the men and women who gave their lives in defense of the nation. The American Legion presents American flags to schools and gives programs on flag etiquette. Freemasons conduct cornerstone ceremonies and provide the stones, at no cost to the owners of the structure, on public buildings or buildings dedicated to religion, education, civic service or philanthropy. More than 10 such stones are placed in Nebraska each year.

What is the Ceremony Like?

It has changed very little since George Washington laid the cornerstone of our nation's capital with full Masonic honors and ceremonies, as shown on the cover. The clothing has changed, of course, and much smaller stones are used now, but the rest is about the same. There are two elements to the event—the ceremony itself, and the celebration preceding and following it. Usually the audience is called to order, a color guard presents the American flag and everyone joins in the flag salute. A prayer is then offered.

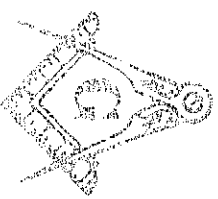
What follows next depends on the wishes of those responsible for the building. You may want remarks by local officials (the Mayor, local ministers, council members, etc.) to proceed the Masonic ceremony, or you may want the Masonic ceremony to go first.

The Masonic ceremony itself is short, only about 30 minutes long. The Grand Master (state president) makes a few remarks, and then the stone is symbolically "tested" with the ancient tools used by the stone-masons—the plumb, the level, and the square. With each, there is a brief reference to history and expression of appreciation for those responsible for the building, and an expression of hope for the future.



The cornerstone deposit is made.

The officers then dedicate (or rededicate) the stone and building with corn (which represents nourishment and plenty) wine (which represents joy) and oil (which represent peace, healing and comfort). Those three "elements" have been used in dedications of buildings since the time of ancient Rome.



Cornerstone Deposit

From the time of ancient Mesopotamia to the present, "deposits" have been made in the foundations of buildings or behind cornerstones. Deposits usually include information about the building, the ceremony, artifacts of the time, and other material, sealed away for posterity. For many years, boxes of soldered copper were used to protect the deposit, but today containers made of PVC are used. They are more permanent and far less likely to leak. The Fraternity will provide some of the items for the deposit, but for the most part the selection is up to you. Providing the deposit can be one of the most exciting parts of a cornerstone event. See the PLANNING card for some ideas.

Companion Stone

Sometimes a companion stone is set next to the cornerstone. It is the same size, 16" x 16", and can be engraved with many different things. If the stone is set on a school, the companion stone might show the name of the architect, the builder, and the School Board. If it is set on a church Board. If it is set on a church, it might show the name of the Minister and Church Board or Elders. If it is set on a City Hall, it might show the names of the Mayor and City Council members.

Whether or not there is a companion stone, and what it says, are up to you.

Is the cost?

There is no cost to you for the Masonic portion of the celebration. The Grand Lodge of Nebraska pays for the cornerstone and the cost of having a local brick mason actually set the stone in its position in the wall of the building after the ceremony is over.

The only costs to you are for events you may decide to hold with the celebration such as public picnics, contests, etc. (see the PLANNING card for some useful ideas)

How do you arrange for a Cornerstone?

Arrangements are made through your local Masonic Lodge.

Today's Reasons



Corner- Stones



Cornerstones - either the placement of a new stone or the rededication of an existing one - provide great opportunities for celebrations for the whole community. The activities can be small scale, or they can be made major community events.

Most communities find it helpful to appoint a committee to plan and oversee events surrounding the ceremony. Sometimes day-long festivals can be planned with events designed to appeal to differing groups in the community. It often helps to involve local civic groups, schools, business associations, fraternities and sororities as sponsors or participants.

Idea Starters

Community Picnic/Barbeque - Arrange for some civic or business group to hold a barbeque, cooking the food near the town square (if that is where the stone is located).

Poster/Essay Contest - Ask the schools to have students create posters or, for older students, write essays about the event. For example, if there is a cornerstone on the city hall or county courthouse (or an existing stone is to be rededicated), students might write essays about the founding of the town, the role of local government, or contrasting the role of a citizen now and 100 years ago. Posters might show a vision of the original ceremony or town life 100 years ago, or of what life might be like in the year 2050. The posters and essays can be displayed as part of the celebration and some even included in the deposit.

Old Fashioned Town Concert - Have the high school band play a concert in the town square or on the school grounds.

Home Heritage - Contact groups of quilters, people who can fruits and vegetables, who sew, or who do crafts such as carpentry. Have them go to schools and tell students about the crafts and products and display them.

Town History - Arrange for local historians to write booklets about the history of the town or to give programs in the schools and at the celebration. A copy can be included in the deposit.

Family Funfest - As part of the celebration, set aside time and space for "old-fashioned" activities such as horse shoe pitching, three-legged races, etc.

Video Archive - Announce a contest for the best video tape chronicle of the events of the celebration.

"Time Capsule" Deposits - If a new stone is being laid, or if an original stone is being rededicated, invite the community to provide deposits for the time capsule. A time capsule can be placed behind a new stone, or buried in some marked spot (perhaps under the side of the building) for a rededication. Set up a location on the day of the celebration to receive the materials.

✓ Ask people for business cards to be included.

✓ Have photographers taking pictures of townspeople and students at the event. Use black and white film and deposit the negatives rather than prints (take less space and lasts longer).

✓ Have children record greetings to the children 100 years from now; include the tape in the deposit.

✓ Interview citizens to create an "oral history" of the town and include the history of the capsule.

✓ Include materials made or grown in the region. If it is a wheat-producing region, include a sample of wheat in a sealed test tube. (Make sure combustible materials like seeds are sealed separately to avoid spontaneous combustion.) If there are manufacturers in the community, include samples of their products if they are small enough, otherwise, include literature from the company describing the product.

Historic Costume - Especially if an older stone is being rededicated, invite the citizens to dress in the clothing of the period when the stone was placed. You might even plan a contest for the best costume.



Planning makes all the difference when it comes to having a community cornerstone event. Some things to consider include:

How large do you want the event to be?

The event can be fairly small - the Grand Lodge Officers and a few local officials can simply place or rededicate the stone with such citizens as happen by. It can be quite large - a two or three day event with public barbeques, dances, contests, family events, and many other activities. (Some additional ideas are on the card marked The Community Celebration.) But since this is a great opportunity to build public support of city government, unity within the community, and civic awareness in school children, it's worth some time and effort.

When do you want to hold the event?

It's important to start planning early, since it may take a couple of months to find a date convenient to your community when the Grand Lodge Officers are available. And weather is a factor. If the event is planned for outside, it's best to avoid both the dead of winter and the height of summer. It's a good idea to hold the celebration during the school day, so students can attend. More are likely to attend during the school day than on a weekend or evening.

Decide who will participate

The Masonic part of the ceremony is fairly brief (see the brochure *Today's Reasons*). You will probably want to ask some guests and civic leaders to make remarks before or after the cornerstone laying itself - perhaps the Mayor or your State Senator or Representative. Select the people you would like to have speak and invite them (it's a good idea to suggest a time limit such as 5 or 10 minutes). Be sure to have a list with names and titles ready to give to the Grand Secretary before the event begins.

Make a Deposit List

It will be very helpful if you make a list of the materials to be deposited in the time capsule. The list does not need to be detailed--it's fine to say "business cards from citizens" rather than trying to list the names of each person who deposits a card.

Where is the stone to be located?

If a stone is to be placed on a new building, the architect can plan a space for it in the construction. (The stones are 16" x 16", if a companion stone is also used, a space 16" x 32" will be needed.) Sometimes, instead of setting them in the wall of the building, a short column of brick, stone, or cement is built, and the stone is set in that. If an existing stone is being rededicated, you may decide not to add an additional stone and simply provide for the burial of the time capsule. Perhaps under the sidewalk in front of the building. Sometimes a new stone is set in the sidewalk, covering the time capsule. Many combinations are possible.

Is there to be a companion stone?

Sometimes a companion stone is set next to the cornerstone. The companion stone might show the names of city council members, or school board members, or, if the building is to be dedicated to some well-known citizen ("The Michael Smithson City Office Center" for example), the companion stone might give a brief biography of the person.

Invite the media

The more advanced publicity you have, the better turnout from the citizens you can expect. It will be helpful to contact local radio and television stations, as well as the newspaper, and get them "on board" - asking for their help in spreading the word and building public excitement in the ceremony and surrounding events.



Why would you want a cornerstone on your civic building?

- ◆ It's traditional. Many county courthouses, city halls, and public office buildings have a Masonic cornerstone. So do many schools, churches, buildings on university campuses, and recreational facilities in state parks. There are even Masonic cornerstones on school buildings which were built before statehood.
- ◆ It helps instill civic pride. Ceremonies of dedicating a new building by placing a new cornerstone bring a sense of completion and participation in a major project. Rededicating a historic building by rededicating an existing stone is a chance to reflect on past accomplishments and share in optimism for the future.
- ◆ Cornerstones and their time capsules are a way to preserve the contemporary history of your community for the citizens of the distant future.
- ◆ Cornerstone ceremonies are a way to unite the citizens of the community in a celebration they can all share. Each group and interest can be a part of the activities surrounding a cornerstone ceremony.

- ◆ Cornerstone ceremonies provide an occasion for special school projects in civics, the recording of oral history by senior citizens, articles on community history in local newspapers, and many other activities to make local citizens more aware of their heritage.
- ◆ They also provide an opportunity for living study in American history. The children and adults will see a cornerstone ceremony which is virtually the same as that used by George Washington when, as both President of the United States and Acting Grand Master of Masons of Virginia, he laid the cornerstone of the nation's capitol building with full Masonic honors.
- ◆ Rededications of existing stones can combine an appreciation of the past with a commitment to the future and can serve as a bridge between generations.



Placement and dedication of Cornerstones on churches, schools, public buildings and facilities is a service of the Masonic Fraternity in Nebraska. Your local contact person is listed below:

For Cornerstone Information, contact:

Name _____

Address _____

Day Phone _____

Evening Phone _____

Lodge No. _____

**The Masonic Fraternity in
Nebraska**

**Grand Lodge A.:F.: & A.:M.:
of Nebraska
P.O. Box 81852
Lincoln, NE 68501-1852**

**402-475-4640
800-558-8029
Fax 402-475-4736**

www.glne.org



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item J1

Approving Payment of Claims for the Period of November 9, 2005 through November 22, 2005

The Claims for the period of November 9, 2005 through November 22, 2005 for a total amount of \$2,663,646.11. A MOTION is in order.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, November 22, 2005

Council Session

Item J2

Approving Payment of Claims for the Library Expansion for the Period as Submitted on November 22, 2005

The Claims for the Library Expansion for the period as submitted on November 22, 2005 for the following requisitions.

- #1 \$40,788.43
- #2 \$668,829.59
- #3 \$1,000.00
- #4 \$340,190.79
- #5 \$8,680.00
- #6 \$4,280.00
- #7 \$14,333.32
- #8 \$3,100.00

A MOTION is in order.

Staff Contact: David Springer

REQUISITION FOR DISBURSEMENT

Requisition No. 1

TO: Wells Fargo Bank, National Association, Trustee
1248 "O" Street, 4th Floor
Lincoln, NE 68501
Attention: Trust Department

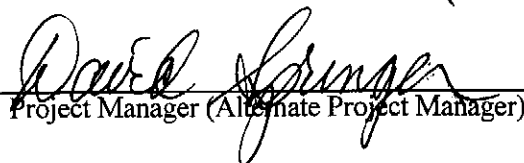
As Trustee under that Trust Indenture and Security Agreement, dated as of October 1, 2005 (the "Indenture"), executed by Grand Island Facilities Corporation, a Nebraska nonprofit corporation (the "Corporation") under which you serve as trustee, you are hereby directed to make payment from the Construction Fund (and/or Costs of Issuance Fund) pursuant to Article VI of said Indenture of the following amounts to the persons or firms indicated:

<u>Payee</u>	<u>Dollar Amount</u>	<u>Reason for Payment</u>
City of Grand Island	\$1,098.07	Printing OS
City of Grand Island	\$1,255.36	Printing POS
Baird Holm Attorneys Huston & Higgins	\$35,000.00 \$935.00	Bond Counsel Services Corporation's Legal Fee
Wells Fargo Bank, N.A.	\$2,500.00	Trustee and Acceptance Fees
TOTAL	\$40,788.43	

Pursuant to said Indenture, the undersigned Project Manager does hereby certify the following:

1. The above requested payments represent obligations incurred in the amounts shown by or on behalf of the Corporation with respect to the Project (or for costs of issuance for the Building Bonds) and have not previously been paid from the Construction Fund (and/or Costs of Issuance Fund).
2. The payments requested above represent disbursements permitted to be made from the Construction Fund (and/or Costs of Issuance Fund) under the terms of the Indenture and the Agreement (as defined in the Indenture), by and between said Corporation and the City of Grand Island, Nebraska.
3. Attached to this Requisition are copies of the invoices in the case of payment to third parties for services or materials. In the case of payments to the contractor under the Construction Contract (as defined in the Indenture) such contractor's application.

IN WITNESS WHEREOF, the undersigned has caused this disbursement requisition to be executed pursuant to the terms of said Indenture this 9th day of November, 2005.


Project Manager (Alternate Project Manager)

REQUISITION FOR DISBURSEMENT

Requisition No. 2

TO: Wells Fargo Bank, National Association, Trustee
1248 "O" Street, 4th Floor
Lincoln, NE 68501
Attention: Trust Department

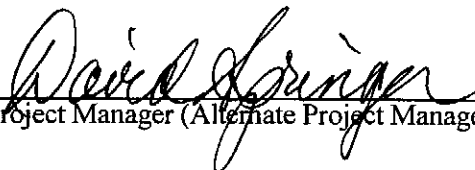
As Trustee under that Trust Indenture and Security Agreement, dated as of October 1, 2005 (the "Indenture"), executed by Grand Island Facilities Corporation, a Nebraska nonprofit corporation (the "Corporation") under which you serve as trustee, you are hereby directed to make payment from the Construction Fund (and/or Costs of Issuance Fund) pursuant to Article VI of said Indenture of the following amounts to the persons or firms indicated:

<u>Payee</u>	<u>Dollar Amount</u>	<u>Reason for Payment</u>
City of Grand Island	\$498,924.38	Reimburse Site Acquisition
City of Grand Island	\$162,036.57	Reimburse Site Preparation
Huston & Higgins	\$4,552.50	Corporation's Legal Fee
Grand Island Abstract	\$200.00	Title Reports
City of Grand Island	\$3,116.14	Legal and Professional Fees
TOTAL	\$668,829.59	

Pursuant to said Indenture, the undersigned Project Manager does hereby certify the following:

1. The above requested payments represent obligations incurred in the amounts shown by or on behalf of the Corporation with respect to the Project (or for costs of issuance for the Building Bonds) and have not previously been paid from the Construction Fund (and/or Costs of Issuance Fund).
2. The payments requested above represent disbursements permitted to be made from the Construction Fund (and/or Costs of Issuance Fund) under the terms of the Indenture and the Agreement (as defined in the Indenture), by and between said Corporation and the City of Grand Island, Nebraska.
3. Attached to this Requisition are copies of the invoices in the case of payment to third parties for services or materials. In the case of payments to the contractor under the Construction Contract (as defined in the Indenture) such contractor's application.

IN WITNESS WHEREOF, the undersigned has caused this disbursement requisition to be executed pursuant to the terms of said Indenture this 9th day of November, 2005.



 Project Manager (Alternate Project Manager)

REQUISITION FOR DISBURSEMENT

Requisition No. 3

TO: Wells Fargo Bank, National Association, Trustee
1248 "O" Street, 4th Floor
Lincoln, NE 68501
Attention: Trust Department

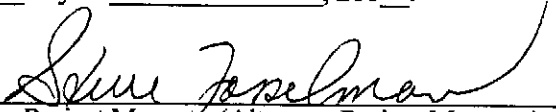
As Trustee under that Trust Indenture and Security Agreement, dated as of October 1, 2005 (the "Indenture"), executed by Grand Island Facilities Corporation, a Nebraska nonprofit corporation (the "Corporation") under which you serve as trustee, you are hereby directed to make payment from the Construction Fund (and/or Costs of Issuance Fund) pursuant to Article VI of said Indenture of the following amounts to the persons or firms indicated:

<u>Payee</u>	<u>Dollar Amount</u>	<u>Reason for Payment</u>
Third Party Environmental, Inc.	\$1,000.00	Demolition Project Management

Pursuant to said Indenture, the undersigned Project Manager does hereby certify the following:

1. The above requested payments represent obligations incurred in the amounts shown by or on behalf of the Corporation with respect to the Project (or for costs of issuance for the Building Bonds) and have not previously been paid from the Construction Fund (and/or Costs of Issuance Fund).
2. The payments requested above represent disbursements permitted to be made from the Construction Fund (and/or Costs of Issuance Fund) under the terms of the Indenture and the Agreement (as defined in the Indenture), by and between said Corporation and the City of Grand Island, Nebraska.
3. Attached to this Requisition are copies of the invoices in the case of payment to third parties for services or materials. In the case of payments to the contractor under the Construction Contract (as defined in the Indenture) such contractor's application.

IN WITNESS WHEREOF, the undersigned has caused this disbursement requisition to be executed pursuant to the terms of said Indenture this 4th day of November, 2005.



Project Manager (Alternate Project Manager)

REQUISITION FOR DISBURSEMENT

Requisition No. 4

TO: Wells Fargo Bank, National Association, Trustee
1248 "O" Street, 4th Floor
Lincoln, NE 68501
Attention: Trust Department


As Trustee under that Trust Indenture and Security Agreement, dated as of October 1, 2005 (the "Indenture"), executed by Grand Island Facilities Corporation, a Nebraska nonprofit corporation (the "Corporation") under which you serve as trustee, you are hereby directed to make payment from the Construction Fund (and/or Costs of Issuance Fund) pursuant to Article VI of said Indenture of the following amounts to the persons or firms indicated:

<u>Payee</u>	<u>Dollar Amount</u>	<u>Reason for Payment</u>
Mid Plains Construction Co.	\$340,190.79	Library Expansion Remodel Project

Pursuant to said Indenture, the undersigned Project Manager does hereby certify the following:

1. The above requested payments represent obligations incurred in the amounts shown by or on behalf of the Corporation with respect to the Project (or for costs of issuance for the Building Bonds) and have not previously been paid from the Construction Fund (and/or Costs of Issuance Fund).
2. The payments requested above represent disbursements permitted to be made from the Construction Fund (and/or Costs of Issuance Fund) under the terms of the Indenture and the Agreement (as defined in the Indenture), by and between said Corporation and the City of Grand Island, Nebraska.
3. Attached to this Requisition are copies of the invoices in the case of payment to third parties for services or materials. In the case of payments to the contractor under the Construction Contract (as defined in the Indenture) such contractor's application.

IN WITNESS WHEREOF, the undersigned has caused this disbursement requisition to be executed pursuant to the terms of said Indenture this 4th day of November, 2005.


Project Manager (Alternate Project Manager)

REQUISITION FOR DISBURSEMENT

Requisition No. 5

TO: Wells Fargo Bank, National Association, Trustee
1248 "O" Street, 4th Floor
Lincoln, NE 68501
Attention: Trust Department

As Trustee under that Trust Indenture and Security Agreement, dated as of October 1, 2005 (the "Indenture"), executed by Grand Island Facilities Corporation, a Nebraska nonprofit corporation (the "Corporation") under which you serve as trustee, you are hereby directed to make payment from the Construction Fund (and/or Costs of Issuance Fund) pursuant to Article VI of said Indenture of the following amounts to the persons or firms indicated:

<u>Payee</u>	<u>Dollar Amount</u>	<u>Reason for Payment</u>
Environmental Direct, Inc.	\$8,680.00	Demolition of undisclosed foundations in Asbestos Removal & Demolition Project.

Pursuant to said Indenture, the undersigned Project Manager does hereby certify the following:

1. The above requested payments represent obligations incurred in the amounts shown by or on behalf of the Corporation with respect to the Project (or for costs of issuance for the Building Bonds) and have not previously been paid from the Construction Fund (and/or Costs of Issuance Fund).
2. The payments requested above represent disbursements permitted to be made from the Construction Fund (and/or Costs of Issuance Fund) under the terms of the Indenture and the Agreement (as defined in the Indenture), by and between said Corporation and the City of Grand Island, Nebraska.
3. Attached to this Requisition are copies of the invoices in the case of payment to third parties for services or materials. In the case of payments to the contractor under the Construction Contract (as defined in the Indenture) such contractor's application.

IN WITNESS WHEREOF, the undersigned has caused this disbursement requisition to be executed pursuant to the terms of said Indenture this 16th day of November, 2005.

Project Manager (Alternate Project Manager)

REQUISITION FOR DISBURSEMENT

Requisition No. 6

TO: Wells Fargo Bank, National Association, Trustee
1248 "O" Street, 4th Floor
Lincoln, NE 68501
Attention: Trust Department

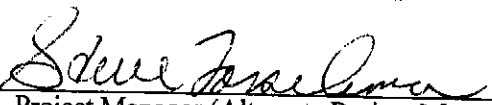
As Trustee under that Trust Indenture and Security Agreement, dated as of October 1, 2005 (the "Indenture"), executed by Grand Island Facilities Corporation, a Nebraska nonprofit corporation (the "Corporation") under which you serve as trustee, you are hereby directed to make payment from the Construction Fund (and/or Costs of Issuance Fund) pursuant to Article VI of said Indenture of the following amounts to the persons or firms indicated:

<u>Payee</u>	<u>Dollar Amount</u>	<u>Reason for Payment</u>
Environmental Direct, Inc.	\$4,280.00	Removal of undisclosed asbestos in Asbestos Removal & Demolition Project.

Pursuant to said Indenture, the undersigned Project Manager does hereby certify the following:

1. The above requested payments represent obligations incurred in the amounts shown by or on behalf of the Corporation with respect to the Project (or for costs of issuance for the Building Bonds) and have not previously been paid from the Construction Fund (and/or Costs of Issuance Fund).
2. The payments requested above represent disbursements permitted to be made from the Construction Fund (and/or Costs of Issuance Fund) under the terms of the Indenture and the Agreement (as defined in the Indenture), by and between said Corporation and the City of Grand Island, Nebraska.
3. Attached to this Requisition are copies of the invoices in the case of payment to third parties for services or materials. In the case of payments to the contractor under the Construction Contract (as defined in the Indenture) such contractor's application.

IN WITNESS WHEREOF, the undersigned has caused this disbursement requisition to be executed pursuant to the terms of said Indenture this 16th day of November, 2005.


Project Manager (Alternate Project Manager)

REQUISITION FOR DISBURSEMENT

Requisition No. 7

TO: Wells Fargo Bank, National Association, Trustee
1248 "O" Street, 4th Floor
Lincoln, NE 68501
Attention: Trust Department

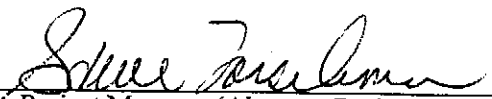
As Trustee under that Trust Indenture and Security Agreement, dated as of October 1, 2005 (the "Indenture"), executed by Grand Island Facilities Corporation, a Nebraska nonprofit corporation (the "Corporation") under which you serve as trustee, you are hereby directed to make payment from the Construction Fund (and/or Costs of Issuance Fund) pursuant to Article VI of said Indenture of the following amounts to the persons or firms indicated:

<u>Payee</u>	<u>Dollar Amount</u>	<u>Reason for Payment</u>
Environmental Direct, Inc.	\$14,333.32	100% completion of Asbestos Removal & Demolition Project.

Pursuant to said Indenture, the undersigned Project Manager does hereby certify the following:

1. The above requested payments represent obligations incurred in the amounts shown by or on behalf of the Corporation with respect to the Project (or for costs of issuance for the Building Bonds) and have not previously been paid from the Construction Fund (and/or Costs of Issuance Fund).
2. The payments requested above represent disbursements permitted to be made from the Construction Fund (and/or Costs of Issuance Fund) under the terms of the Indenture and the Agreement (as defined in the Indenture), by and between said Corporation and the City of Grand Island, Nebraska.
3. Attached to this Requisition are copies of the invoices in the case of payment to third parties for services or materials. In the case of payments to the contractor under the Construction Contract (as defined in the Indenture) such contractor's application.

IN WITNESS WHEREOF, the undersigned has caused this disbursement requisition to be executed pursuant to the terms of said Indenture this 16th day of November, 2005.



Project Manager (Alternate Project Manager)

REQUISITION FOR DISBURSEMENT

Requisition No. 8

TO: Wells Fargo Bank, National Association, Trustee
1248 "O" Street, 4th Floor
Lincoln, NE 68501
Attention: Trust Department

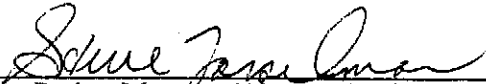
As Trustee under that Trust Indenture and Security Agreement, dated as of October 1, 2005 (the "Indenture"), executed by Grand Island Facilities Corporation, a Nebraska nonprofit corporation (the "Corporation") under which you serve as trustee, you are hereby directed to make payment from the Construction Fund (and/or Costs of Issuance Fund) pursuant to Article VI of said Indenture of the following amounts to the persons or firms indicated:

<u>Payee</u>	<u>Dollar Amount</u>	<u>Reason for Payment</u>
Environmental Direct, Inc.	\$3,100.00	Salvage of city property in Asbestos Removal & Demolition Project.

Pursuant to said Indenture, the undersigned Project Manager does hereby certify the following:

1. The above requested payments represent obligations incurred in the amounts shown by or on behalf of the Corporation with respect to the Project (or for costs of issuance for the Building Bonds) and have not previously been paid from the Construction Fund (and/or Costs of Issuance Fund).
2. The payments requested above represent disbursements permitted to be made from the Construction Fund (and/or Costs of Issuance Fund) under the terms of the Indenture and the Agreement (as defined in the Indenture), by and between said Corporation and the City of Grand Island, Nebraska.
3. Attached to this Requisition are copies of the invoices in the case of payment to third parties for services or materials. In the case of payments to the contractor under the Construction Contract (as defined in the Indenture) such contractor's application.

IN WITNESS WHEREOF, the undersigned has caused this disbursement requisition to be executed pursuant to the terms of said Indenture this 16th day of November, 2005.


Project Manager (Alternate Project Manager)