
City of Grand Island



Tuesday, December 19, 2006

Council Session Packet

City Council:

Carole Cornelius
John Gericke
Peg Gilbert
Joyce Haase
Robert Meyer
Mitchell Nickerson
Jackie Pielstick
Vacancy
Scott Walker
Fred Whitesides

Mayor:

Margaret Hornady

City Administrator:

Gary Greer

City Clerk:

RaNae Edwards

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

Call to Order

This is an open meeting of the Grand Island City Council. The City of Grand Island abides by the Open Meetings Act in conducting business. A copy of the Open Meetings Act is displayed in the back of this room as required by state law.

The City Council may vote to go into Closed Session on any agenda item as allowed by state law.

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, December 19, 2006

Council Session

Item -1

Administration of Oath to Newly Elected Councilmember Mitch Nickerson

City Clerk RaNae Edwards will administer the Oath of Office to newly Elected Councilmember Mitchell Nickerson - Ward 4.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item D1

#2006-BE-14 - Consideration of Determining Benefits for Street Improvement District 1258; Extending Faidley Avenue West of Diers Avenue an Additional Six Hundred Fifty Feet (650 Feet)

Staff Contact: Steven P. Riehle, Public Works Department

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: December 19, 2006

Subject: Board of Equalization Hearing to Determine Benefits and Consideration of an Ordinance Levying Assessments for Street Improvement District 1258; Extending Faidley Avenue West of Diers Avenue an Additional Six Hundred Fifty Feet (650 Feet)

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

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

Background

The Certificate of Final Completion for Street Improvement District 1258 was approved on November 28, 2006 with December 19, 2006 set as the date for Council to sit as the Board of Equalization. All work has been completed and special assessments have been calculated for the District.

Discussion

The contract for Street Improvement District 1258 was awarded to The Diamond Engineering Co., of Grand Island, NE on April 11, 2006. Work on the project was completed at a construction price of \$179,224.90. Total cost of the project including contract administration is \$197,147.92. Costs for the project break down as follows:

Original Bid	\$ 157,886.40
Overruns	\$ 19,853.50
Change Order No. 1	\$ 1,485.00
Sub Total (Construction Price)	\$ 179,224.90
Additional Costs:	
Contract Administration,	
<u>Engineering, and Publication Costs</u>	<u>\$ 17,922.49</u>
Total Cost	\$ 197,147.39

The estimated cost at the time of creation was \$147,865.00.

The bulk of the overruns were for the construction of the intersection for Irongate Avenue to serve LaRue Subdivision at the request of the developer and two (2) additional concrete letdown structures that were not shown on the plans and had to be removed. The Irongate intersection is a city cost in accordance with past practices for assessing Street Improvement Districts.

Alternatives

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

1. Move to approve a resolution to determine benefits and pass an ordinance levying the assessments.
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 sit as the Board of Equalization to 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 determining benefits for Street Improvement District 1258.

(Sample Motion for the Ordinance)

Move to approve the ordinance levying the assessments for Street Improvement District 1258.

RESOLUTION 2006-BE-14

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Street Improvement District No. 1258, 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 \$132,300.28; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Street Improvement District No. 1258, such benefits are the sums set opposite the several descriptions as follows:

Name	Description	Assessment
T&E Cattle Company	Part of NE ¼ SW ¼ of Section 13-11-10	\$31,681.98
City of Grand Island Utilities Department	Part of NE ¼ SW ¼ Section 13-11-10 (200'x200') Beginning at the NE corner of said SW ¼, thence S. 200'; thence West 200'; thence N 200'; thence #200' to the point of beginning.	\$20,568.20
City of Grand Island Moore's Creek Drain	Part of the SE ¼ NW ¼ Section 13-11-10; Beginning on the East line of said NW ¼ and 160' North of the SE corner of said SW ¼; thence north 300'; thence west 80'; thence south 300'; thence east 80' to the point of beginning.	\$10,516.32
Housing Plus LLC	Lot 40, Larue Subdivision	\$146.30
Housing Plus LLC	Lot 41, Larue Subdivision	\$760.67
Housing Plus LLC	Lot 42, Larue Subdivision	\$1,429.39
Housing Plus, LLC	Lot 43, Larue Subdivision	\$2,724.83
Housing Plus LLC	Lot 44, Larue Subdivision	\$5,228.17
Housing Plus LLC	Lot 45, Larue Subdivision	\$8,181.17
Housing Plus LLC	Lot 46, Larue Subdivision	\$4,552.46
Housing Plus LLC	Lot 47, Larue Subdivision	\$2,272.28
Housing Plus LLC	Lot 48, Larue Subdivision	\$1,168.35
Housing Plus LLC	Lot 49, Larue Subdivision	\$608.32
Housing Plus LLC	Lot 50, Larue Subdivision	\$59.04
Housing Plus LLC	Lot 77, Larue Subdivision	\$104.50
Housing Plus LLC	Lot 78, Larue Subdivision	\$389.98
Housing Plus LLC	Lot 79, Larue Subdivision	\$742.56
Housing Plus LLC	Lot 80, Larue Subdivision	\$1,315.08
Housing Plus LLC	Lot 81, Larue Subdivision	\$3,381.62
Housing Plus LLC	Outlot B, Larue Subdivision	\$11,291.15
Housing Plus LLC	Lot 82, Larue Subdivision	\$2,941.53
Housing Plus LLC	Lot 83, Larue Subdivision	\$1,256.99
Housing Plus LLC	Lot 84, Larue Subdivision	\$743.62
Housing Plus LLC	Lot 85, Larue Subdivision	\$224.02
Housing Plus LLC	Lot 110, Larue Subdivision	\$26.98
Housing Plus LLC	Lot 111, Larue Subdivision	\$735.06
Housing Plus LLC	Lot 112, Larue Subdivision	\$1,002.90
Housing Plus LLC	Outlot A, Larue Subdivision	\$18,246.81
Total Assessment		\$132,300.28

RESOLUTION 2006-BE-14

Adopted by the City Council of the City of Grand Island, Nebraska, on December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item E1

**Public Hearing Concerning Acquisition of Utility Easement
Located at 305 Wilmar Avenue (NE Colorado Cellular dba Viaero
Wireless)**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: December 19, 2006

Subject: Acquisition of Utility Easement – 305 Wilmar Avenue – NE Colorado Cellular, Inc. (dba Viaero Wireless)

Item #'s: E-1 & G-18

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 NE Colorado Cellular, Inc., located at 305 Wilmar Avenue (south of West North Front Street between Wilmar Avenue and Webb Road), in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

This easement will be used to place underground power cables and a pad-mounted transformer to provide electricity to a new Viaero Wireless office and tower.

Alternatives

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

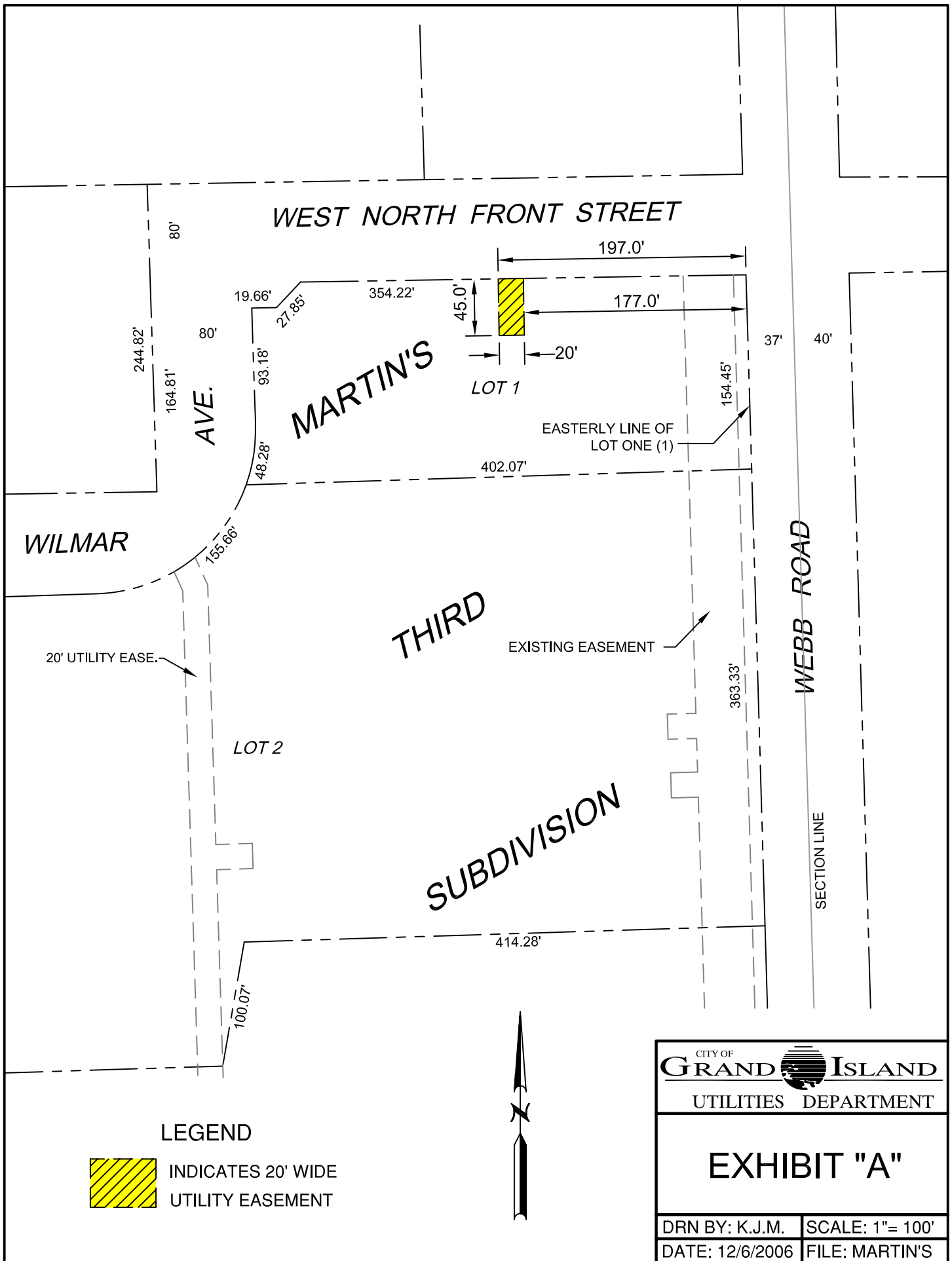
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation


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

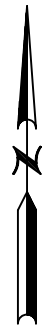
Sample Motion

Motion to approve acquisition of the Utility Easement.



LEGEND

 INDICATES 20' WIDE UTILITY EASEMENT



CITY OF
GRAND ISLAND
UTILITIES DEPARTMENT

EXHIBIT "A"

DRN BY: K.J.M.	SCALE: 1"= 100'
DATE: 12/6/2006	FILE: MARTIN'S



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item F1

**#9097 - Consideration of Assessments for Street Improvement
District 1258; Extending Faidley Avenue West of Diers Avenue an
Additional Six Hundred Fifty Feet (650 Feet)**

Staff Contact: Steven P. Riehle, Public Works Director

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9097

An ordinance to assess and levy a special tax to pay the cost of construction of Street Improvement District No. 1258 of the City of Grand Island, Nebraska; to provide for the collection of such special tax; to repeal any provision of the Grand Island City Code, ordinances, and parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of construction of said Street Improvement District No. 1258 located on Faidley Avenue west of Diers Avenue, extending west for an additional six hundred fifty feet (650') in the city of Grand Island, Nebraska, as adjudged by the Council of said City, sitting as a Board of Equalization, to the extent of benefits accruing thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and land as follows:

Approved as to Form	☐ _____
December 14, 2006	☐ City Attorney

ORDINANCE NO. 9097 (Cont.)

Name	Description	Assessment
T&E Cattle Company	Part of NE ¼ SW ¼ of Section 13-11-10	\$31,681.98
City of Grand Island Utilities Department	Part of NE ¼ SW ¼ Section 13-11-10 (200'x200') Beginning at the NE corner of said SW ¼, thence S. 200'; thence West 200'; thence N 200'; thence #200' to the point of beginning.	\$20,568.20
City of Grand Island Moores Creek Drain	Part of the SE ¼ NW ¼ Section 13-11-10; Beginning on the East line of said NW ¼ and 160' North of the SE corner of said SW ¼; thence north 300'; thence west 80'; thence south 300'; thence east 80' to the point of beginning.	\$10,516.32
Housing Plus LLC	Lot 40, Larue Subdivision	\$146.30
Housing Plus LLC	Lot 41, Larue Subdivision	\$760.67
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Housing Plus LLC	Lot 112, Larue Subdivision	\$1,002.90
Housing Plus LLC	Outlot A, Larue Subdivision	\$18,246.81
Total Assessment		\$132,300.28

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

ORDINANCE NO. 9097 (Cont.)

interest, and the lien of special tax thereby satisfied and released. Each of said installments, except the first, shall draw interest at the rate of seven percent (7.0%) per annum from the time of such levy until they shall become delinquent. After the same become delinquent, interest at the rate of fourteen percent (14.0%) per annum shall be paid thereon, until the same is collected and paid.

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

SECTION 4. Such special assessments shall be paid into a fund to be designated as the "Paving District Assessment Fund" for Street Improvement District No. 1258.

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

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

Enacted: December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item F2

#9098 - Consideration of Amendments to Chapter 34 of the Grand Island City Code Relative to Telecommunications Occupation Tax

Staff Contact:

Council Agenda Memo

From: Gary D. Greer, City Administrator

Meeting: December 19, 2006

Subject: Revision to Chapter 23 of the City Code

Item #'s: F-2

Presenter: Gary D. Greer, City Administrator
David Springer, Finance Director

Background

In 1958 the City of Grand Island adopted Ordinance number 3365 enacting the current 3% occupational tax on telephone landlines, appropriately named the Telegraph Companies Occupational Tax. Historically the revenue collected from this tax is allocated throughout the General Fund. According to the 1960 census Grand Island had a population of 25,742, and nearly all residents had a landline telephones.

Today, Grand Island's population is well over 45,000. In this day of technology, mobile phones are rapidly taking the place of traditional landline phones. According to the Federal Communications Commission the cellular telephone subscribers in America now exceeds 180 million. Data collected from the Grand Island/Hall County 911 call center verifies this growing trend. In 2002 the percentage of calls received in the 911 center from mobile phones was 14%. Within a few years this percentage has drastically increased to over half of the calls received in the 911 call center and will only continue to increase. Please see the attached graph detailing the percentage of landline vs. mobile phones received in the Grand Island/Hall County 911 call center. Collected telephone occupational tax dollars has decreased throughout the years confirming the number of landlines is decreasing. Mobile phones are not subject to this tax.

Currently a \$1 surcharge is collected monthly from every landline telephone user in Grand Island. This surcharge is utilized as a subsidy to offset expenses of the 911 call center. As landline numbers decrease the collected dollars have been unpredictable. Currently the fund is fighting to stay in the black. When this surcharge was originally created, only landlines utilized the 911 service and telecommunication specialists received one call per emergency incident. Today it is not uncommon to receive multiple phone calls per incident with the convenience of mobile phones. Although the more calls

received creates greater knowledge and better response to an incident, it also creates a greater workload for 911 and first responders.

The 911 call center and Emergency Management are in need of extensive software and equipment upgrades to meet the current and changing demands of technology. The current equipment doesn't identify mobile phone location, a much needed service for Grand Island and Hall County rural areas.

Discussion

The amendment of the telephone occupational tax ordinance, to include mobile phones will generate revenue to further subsidize increased work created by mobile phones. The 911 department and first responders are constantly updating equipment as technology changes, this additional revenue will help with the costs of these modifications.

Additionally, Deputy Emergency Manager, Larry Smith reported to the Civil Defense – Communication Center Joint City/County Committee that the department is requesting staff to keep up with demand. Please see the attachment report concerning this issue.

Ordinance 9098 is presented for council consideration to level the playing field between landline phone companies and wireless companies. The ordinance simply adds mobile telecommunications services as subject to the occupational tax. In order to allow time for the implementation of this ordinance by wireless companies, the ordinance is drawn up to take effect March 1, 2007. The occupation fee would be changed to all wireless phones with billing addresses in the city limits.

Multiple communities throughout Nebraska have enacted a similar tax at a higher percentage. Please refer to the attached chart concerning communities who have already enacted an occupation fee. Administration is recommending the same percentage for mobile phones as enacted in 1958 for landline phones, 3%.

Revenues from the occupational fee are expected to be approximately \$400,000. These funds will be placed in the general fund to offset costs concerning the 911 operation and other emergency related city costs.

Alternatives

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

1. Move to approve the revision of the City Code amending Chapter 23.
2. Disapprove or deny the ordinance which would revise the City Code concerning Chapter 23 in which event the current provisions of the code will remain in effect.
3. Modify the recommendations of city staff changing chapter 23 of the City Code.

4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the amendment of Chapter 23 of the current City Code as recommended by city staff.

Sample Motion

Motion to approve the ordinance amending Chapter 23 of the City Code.

Emergency Management
Grand Island – Hall County
911 Communications Division

October 14, 2006

TO: Emergency Management Inter Local Committee

FROM: Larry J. Smith, Deputy Director *LJS*

SUBJECT: 911 Center Dispatch Staffing Concerns

I have selected the recent month of August 2006 to provide you with information on a concern of staffing in the 911 Center. In short, we may be running shifts far too often with only two Dispatchers on duty and or having Dispatchers work too much over time to help cover a shift.

August was a rather difficult month for us with the first notable concern the loss of a Swing Shift Dispatcher on FMLA. She will remain off duty until the first week in November which is a result in a net loss of 40 employee hours per week. The second noticeable concern was the Selective Enforcement by the Sheriff's Office and Police Department from August 18th through September 4th which overloaded our Center with additional radio traffic.

On Wednesday August 23rd there was a group of individuals selling door-to-door that forged transient sales forms. An Officer made a traffic stop related to this incident which resulted in an on going incident that created a high amount of radio traffic involving 3 more Officers for 3 hours. During this time additional Officers were working selective enforcement also creating additional radio traffic. During all of this the 911 center received a report of shots fired out in the county which was followed by a pursuit north of Grand Island ending in Grand Island creating yet more radio traffic. Along with this the calls for service during this 8 hour shift added up to 120. This was handled with only two dispatchers on duty taking no breaks.

Friday August 25th we were also hit hard in the evening but this time with three dispatchers on duty. Again selective enforcement was out in full but also a Warrant Bash was also conducted with about 25 to 30 stops to attempt to serve warrants. One of our dispatchers who speaks Spanish was required to assist an Officer with an interview in an assault case for 1 ½ hours leaving only two dispatchers to handle the rest. Again our call volume was right at 120 other calls for service that evening.

Tuesday August 29th with only two dispatchers working again we receive a total of 125 calls for service with Officers working selective enforcement.

Dispatchers are moved around in the hours they work in an effort to have enough on duty to handle the call volume however there are times we run into situations where there just aren't enough Dispatchers available to work. These are the times we are running with just two Dispatchers and might be at risk of not being able to handle the work load which may or may not occur on that shift.

We have 13 full time Dispatchers and if we are at full staff we can cover the 21 shifts per week 17 times with three Dispatchers on duty which leaves four shifts per week with only two on duty. Again that's if we are at full staff and no one is gone on vacation, sick leave, personal leave, FMLA or gone for training or meetings.

We attempt to limit the number of Dispatchers to one per day that is allowed to take off on vacation however this is very difficult. At this time with one on FMLA for 12 weeks that would mean that no one else could take any leave which would not be fair. So we allow one additional to take leave which then leaves us two Dispatchers short. If a third calls in sick we are then short three Dispatchers for that day and more than likely end up assigning other Dispatchers to work a 12 hour shift to help cover but will most likely be running with only two on duty for the entire day.

I feel guilty when I leave the 911 Center to go home and there are only two Dispatchers working. I hear all the radio traffic on my radio as I drive home and hear Officers/Deputies EMS & Fire Personnel having to call more than once to get answered. I also hear the telephones ringing in the back ground of the radio traffic that are not getting answered on the first couple of rings.

As I drive I look around and see all the vehicle traffic and all the people and estimate that my two Dispatchers are responsible for 50,000 plus people that might have the need to dial 911 for immediate help.

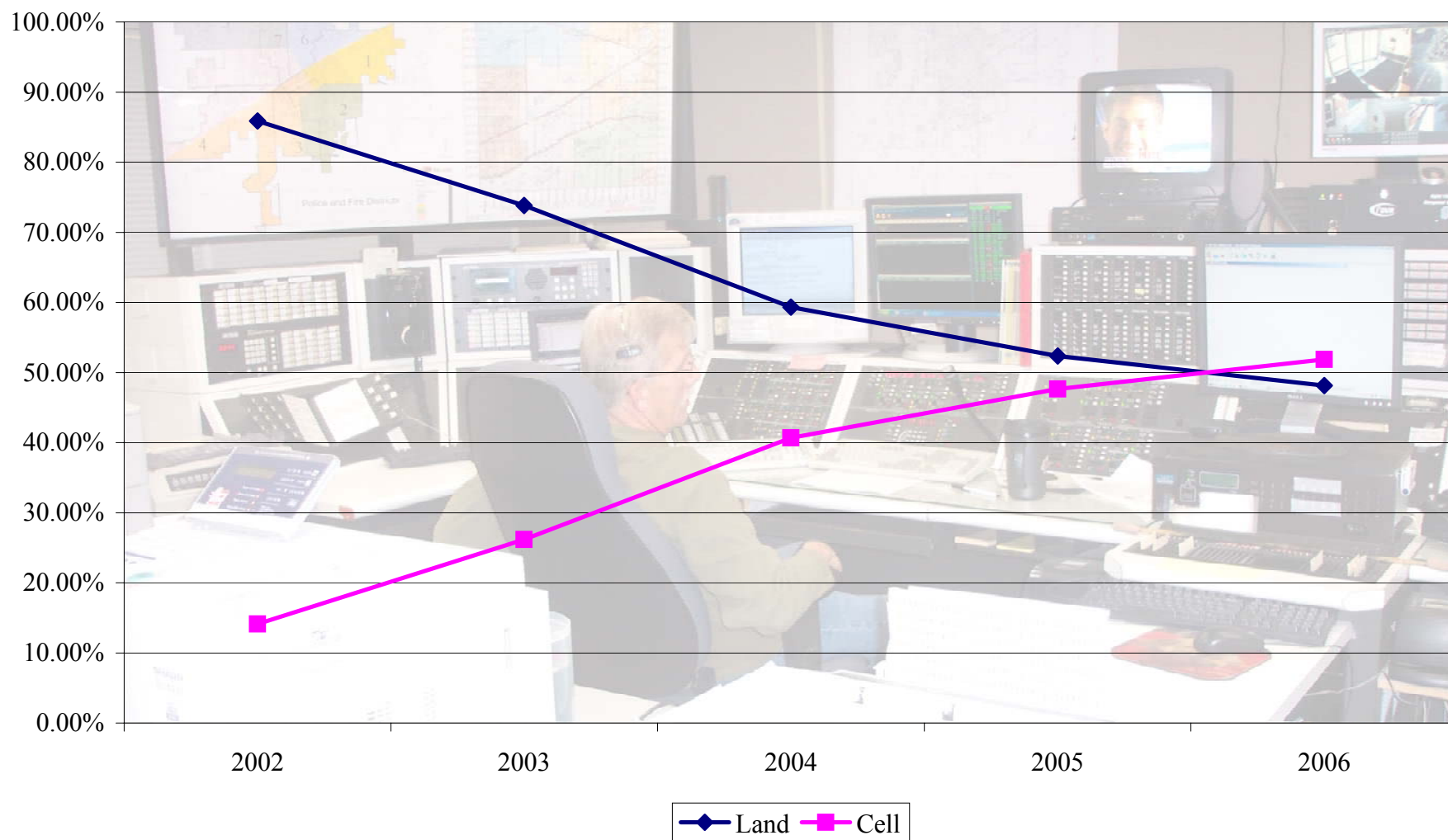
Our Dispatchers have become very efficient in prioritizing their work and the calls they receive. They work very hard at keeping themselves available for that next call that might be an emergency. But in doing this they are short and to the point with the citizens that call 911, SO, PD, Humane Society etc. which I'm sure at times the citizen thinks we are rude and the service they are receiving is inadequate and that we don't care.

I realize this FY Budget is final but ask for your consideration in approving two additional Dispatchers to work the 911 Center in the FY 07-08 Budget. You are invited to come down to the 911 Center at any time to sit and observe the operations to get a better feel of what the Dispatchers do.

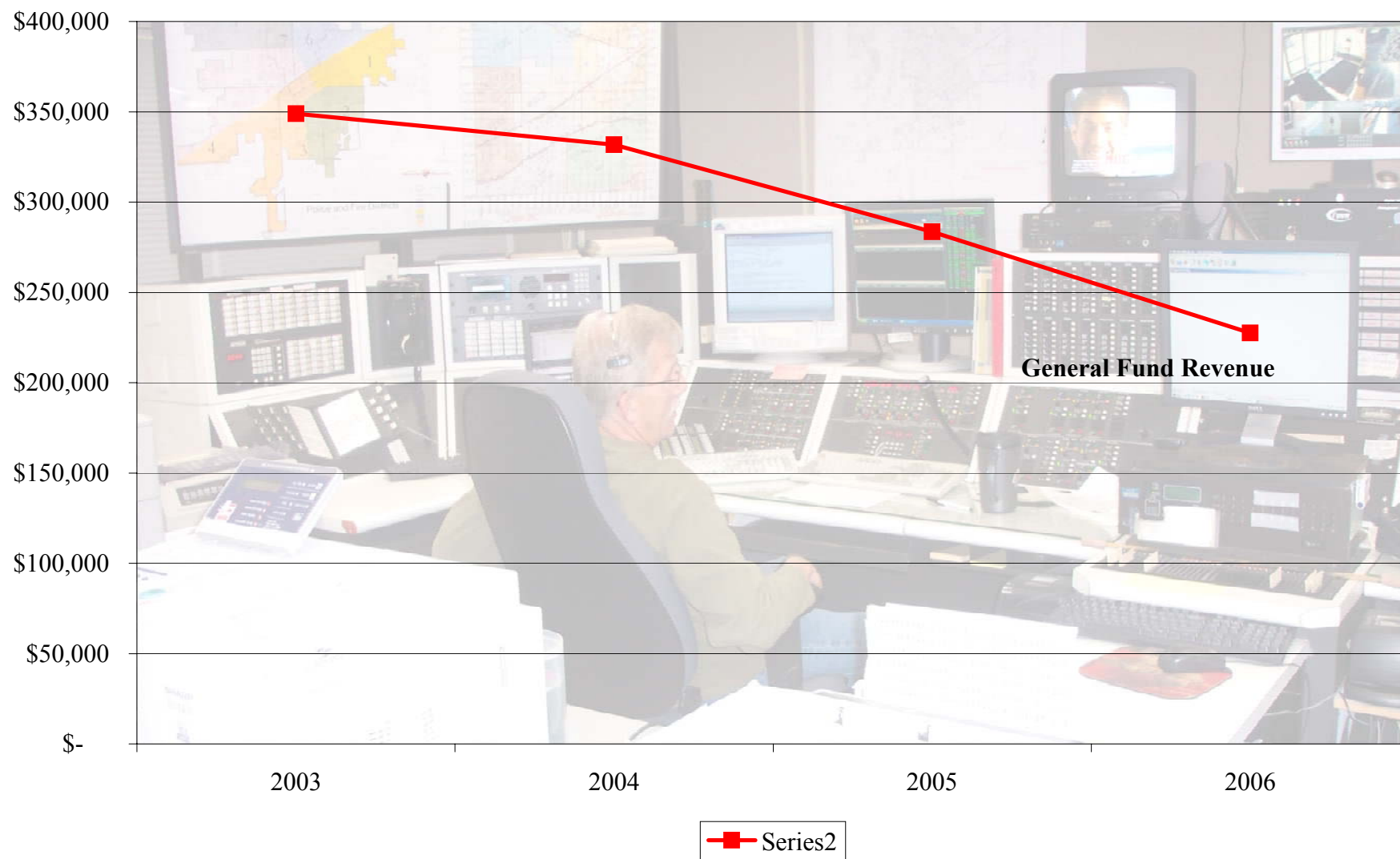
Thanks you.

LJS/ljs

Percentage of Landline vs Mobile Phone Calls Received in the 911 Call Center



Landline Telephone Occupational Tax Collected



Nebraska Cities With a Mobile Occupational Tax						
Municipality	Rate	Annual Occ Tax Revenue	Revenue @ 3%	2005 pop	3% Tax per Capita	Monthly
Bellevue	5.00%	\$ 911,671.00	\$ 547,003.00	45,955	\$ 11.90	\$ 0.99
Columbus	3.00%	\$ 268,000.00	\$ 268,000.00	20,998	\$ 12.76	\$ 1.06
Lincoln	5.50%	\$ 6,437,000.00	\$ 3,511,091.00	226,081	\$ 15.53	\$ 1.29
Omaha	6.25%	\$ 13,700,000.00	\$ 6,576,000.00	392,127	\$ 16.77	\$ 1.40
Norfolk	3.00%	Cell rate enacted this year				
South Sioux	\$1 Per bill					
Seward	4.00%					
Elkhorn	5.00%					

Cell Bill Tax @ 3%		
Monthly Bill	Occ Tax	Tax Charged
\$ 30.00	3%	\$ 0.90
\$ 50.00	3%	\$ 1.50
\$ 75.00	3%	\$ 2.25
\$ 100.00	3%	\$ 3.00

Article III. Telephone Companies

§23-21. Occupation Tax; Exemption

All telephone companies doing business in the City are required to pay an occupation tax to the City in an amount equal to three percent of the gross receipts from the legally established basic monthly charges collected for local exchange telephone service to subscribers within the City. There shall be excepted from the provisions of this article all receipts for telephone service to the United States government or any of its departments, and all receipts from the state or any of its departments, and no part or portion of the tax provided for in this article shall be levied upon or assessed against or taken from the United States government, the government of the state, or any of either of their departments.

§23-22. Payment Period and Due Date

The payment of the occupation tax levied pursuant to this article shall be in quarterly payments, using the calendar quarter year as a basis for determining and computing the amount of tax payable. Each quarterly payment shall be due forty-five days after the termination of each calendar quarter year.

§23-23. To Whom Payable; Receipt; Disposition

The occupation tax levied pursuant to this article shall be paid to the city treasurer at the time provided by this article who shall issue and deliver receipt therefor upon the payment thereof, and the amount of payment shall be credited by the city treasurer to the general fund.

§23-24. Interest and Penalty

All payments of the occupation tax levied pursuant to this article which are made after the due date thereof shall draw interest at the rate of one percent per month and, after payment thereof has been in default for six months, a penalty of five percent shall be added thereto in addition to such interest charges, which shall be paid by any company subject to this occupation tax.

§23-25. Quarterly Report of Gross Receipts

All telephone companies shall, at the time they make their quarterly payments of the occupation tax levied pursuant to this article, file with the city clerk a full, complete and detailed statement of the gross receipts subject to such occupation tax, which statement shall be duly verified and sworn to by the manager in charge of the business of the particular company in the city or by a higher managerial employee of such company.

§23-26. Adjustments

Each succeeding quarterly payment of the occupation tax levied pursuant to this article may include any adjustment which is shown on the report provided for by §23-25 which may be necessary for the consideration of uncollectibles or any other matters which may have resulted in either an excess or a deficiency in the amount of tax paid in any previous quarter.

§23-27. Right of City to Inspect Records

The City shall have the right at any time to inspect, through its officers, agents or representatives, the books and records of any telephone company, for the purpose of verifying any report submitted pursuant to the requirements of §23-25.

§23-28. When Tax Report Not Filed

In case any telephone company shall refuse, fail or neglect to furnish or file any report required by §23-25 at the time required for such filing, or shall fail or refuse to permit the City to inspect the books and records of such company for the purpose of verifying such report, then the occupation tax for the preceding quarter shall be the sum of five thousand dollars, and such amount shall be paid within forty-five days following the end of the calendar quarter as required by §23-22 and such amount shall draw interest and be subject to penalties as provided by §23-24.

§23-29. Right of City to Sue

In case any telephone company shall fail to make payment of the occupation tax provided for by this article at the time specified for such payment, the City shall have the right to sue any such company in any court of competent jurisdiction for the amount of such occupation tax due and payable under the terms and provisions of this article and may recover judgment against any such company for such amount so due, together with interest and penalties, and may have execution thereon.

§23-30. Other Fees and Taxes

The occupation tax provided for by this article shall be in lieu of any other occupation, license, permit or franchise fee or tax assessed against telephone companies under the provisions of this Code or other ordinances of the City.

ORDINANCE NO. 9098

An ordinance to calculate an occupation tax for telephone and telecommunications companies and creating an enforcement and reporting system for telephone company and telecommunications company occupation taxes and rates; provide for an effective date; and to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. That Chapter 23, Article III, Section 23-21 of the Grand Island City Code shall be added to read as follows:

Article III. Telecommunication Tax~~Telephone Companies~~

§23-21. Occupation Tax; Exemption

(A) All telephone companies and mobile telecommunications services doing business in the City are required to pay an occupation tax to the City in an amount equal to three percent of the gross receipts from the legally established basic monthly charges collected for local exchange telephone service to subscribers within the City, intrastate message toll telephone service and mobile telecommunications services for revenue in the City. There shall be excepted from the provisions of this article all receipts for telephone service to the United States government or any of its departments, and all receipts from the state or any of its departments, and no part or portion of the tax provided for in this article shall be levied upon or assessed against or taken from the United States government, the government of the state, or any of either of their departments.

(B) As used in this section, mobile telecommunications services shall mean a wireless communication service carried on between mobile stations or receivers and land stations, and by mobile stations communicating among themselves, and includes:

- (i) Both one-way and two-way wireless communications services;
- (ii) A mobile service which provides a regularly interacting group of base, mobile, portable and associated control and relay stations, whether on an individual, cooperative, or multiple basis for private one-way or two-way land mobile radio communications by eligible users over designated areas of operation; and
- (iii) Any personal communications service.

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

SECTION 3. This ordinance shall be in force and take effect from and after its

ORDINANCE NO. 9098 (Cont.)

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

Enacted: December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item F3

#9099 - Consideration of Amendment to Salary Ordinance Relative to GITV Position and City Administrator Contract

Staff Contact: Brenda Sutherland

Council Agenda Memo

From: Brenda Sutherland, Human Resources Director

Meeting: December 19, 2006

Subject: Salary Ordinance

Item #'s: F-3

Presenter(s): Brenda Sutherland, Human Resources Director

Background

The City of Grand Island uses a salary ordinance as a permissive document to govern its ability to pay wages and benefits to its employees. Last September the City Council passed Ordinance No. 9075. This document has provided the guidelines for current wages and benefits for City employees.

Discussion

There are two issues that are being addressed in the proposed salary ordinance. The first is the pay scale for the Audio-Video Technician. The City uses comparability as a guide to determine wages and benefits for its positions. The Audio-Video Technician position is one that has not had similar or like positions to compare to in the past. When the position was vacated recently, administration decided to look in local markets with similar or like positions to find wage comparability. It was discovered that the wages for this position were out of line with the market place. Administration is recommending that the wages be brought into a more comparable level to more accurately reflect wages appropriate for the position.

The second item that is being addressed is to update the salary ordinance to reflect the terms and conditions that were set forth in the City Administrator's contract that was approved by Council on December 5, 2006. The changes that are brought forth for approval are as follows; change the car allowance from \$400 per month to \$300 per pay period, add the section that allows for the total number of hours in the medical leave bank to be paid into the employee's VEBA at termination, and add the section that addresses the additional maximum annual deferred compensation benefit of \$15,500 to be paid over the course of 26 pay periods.

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 proposed changes to the City Salary Ordinance.

Sample Motion

Motion to approve Salary Ordinance No. 9099.

ORDINANCE NO. 9099

An ordinance to amend Ordinance No. 9075 known as the Salary Ordinance which lists the currently occupied classifications of officers and employees of the City of Grand Island, Nebraska and established the ranges of compensation of such officers and employees; ~~to include the classification and salary ranges for Evidence Technician and Maintenance Worker I, Shooting Range;~~ to amend the salary range for the Audio-Video Technician; to repeal Ordinance No. 9075, and any ordinance or parts of ordinances in conflict herewith; ~~to amend the salary ranges for the general employees to reflect a cost of living adjustment; to amend the salary ranges for employees under the AFSCME labor union in accordance with the labor agreement; to amend the salary ranges for employees under the IBEW labor union in accordance with the labor agreement; to amend the salary ranges for the employees under the FOP labor union in accordance with the labor agreement;~~ to provide for severability; to provide for the effective date thereof; and to provide for publication of this ordinance in pamphlet form.

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

SECTION 1. The currently occupied classifications of officers and general employees of the City of Grand Island, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classifications, and the number of hours and work period which certain officers and general employees shall work prior to overtime eligibility are as follows:

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Accountant	1505.91/2119.64	Exempt
Accounting Technician – Solid Waste, Streets, WWTP	1018.28/1432.90	40 hrs/week
Administrative Assistant – Administration, Fire,	1099.42/1547.94	40 hrs/week

Approved as to Form	<input checked="" type="checkbox"/> _____
December 15, 2006	<input checked="" type="checkbox"/> City Attorney

ORDINANCE NO. (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Public Works, Utilities		
Assistant to the City Administrator	1433.28/2017.83	Exempt
Assistant Public Works Director	2086.00/2934.85	Exempt
Assistant Utility Director – Administration	2798.73/3938.43	Exempt
Assistant Utility Director – PGS & PCC	3031.68/4266.42	Exempt
Attorney	2003.06/2818.62	Exempt
Audio-Video Technician	<u>1038.69/1461.54</u> 1311.50/1845.46	40 hrs/week
Biosolids Technician	1185.21/1668.38	40 hrs/week
Building Department Director	2283.50/3211.95	Exempt
Building Inspector	1318.18/1854.63	40 hrs/week
Building Secretary	930.41/1308.76	40 hrs/week
Cemetery Superintendent	1364.25/1920.65	Exempt
City Administrator	3694.74/5199.60	Exempt
City Attorney	2667.93/3754.87	Exempt
City Clerk	1533.36/2157.82	Exempt
Civil Engineering Manager – Public Works Engineering	2032.23/2860.65	Exempt
Civil Engineering Manager – Utility, PCC	2235.14/3146.78	Exempt
Collection System Supervisor	1406.27/1979.02	40 hrs/week
Communications Specialist/EMD	960.06/1354.25	40 hrs/week
Community Development Administrator	1159.73/1631.88	Exempt
Community Service Officer – Police Department	826.58 / 1162.73	40 hrs/week
Custodian	826.10/1165.76	40 hrs/week
Development/Grants Specialist	1159.73/1631.88	Exempt
Electric Distribution Superintendent	2238.54/3149.39	Exempt
Electric Distribution Supervisor	1891.18/2660.18	40 hrs/week
Electric Underground Superintendent	1993.46/2804.93	Exempt
Electrical Engineer I	1828.81/2574.69	Exempt
Electrical Engineer II	2119.69/2983.49	Exempt
Electrical Inspector	1318.18/1854.63	40 hrs/week
Emergency Management Clerk	861.38/1211.86	40 hrs/week
Emergency Management Deputy Director	1472.18/2071.60	Exempt
Emergency Management Director	2095.21/2948.19	Exempt

ORDINANCE NO. (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
EMS Division Chief	1780.80/2505.67	Exempt
Engineering Technician	1321.22/1858.91	40 hrs/week
Engineering Technician Supervisor	1510.15/2125.74	Exempt
Equipment Operator, Solid Waste	1126.58/1586.55	40 hrs/week
Equipment Operator, WWTP	1115.42/1570.85	40 hrs/week
Evidence Technician	826.58/1162.73	40 hrs/week
Finance Director	2658.80/3741.50	Exempt
Finance Secretary	930.41/1308.76	40 hrs/week
Fire Chief	2422.44/3407.86	Exempt
Fire Operations Division Chief	1916.76/2696.98	Exempt
Fire Prevention Division Chief	1780.80/2505.67	Exempt
Fire Training Division Chief	1780.80/2505.67	Exempt
Fleet Services Superintendent	1518.48/2138.12	Exempt
Fleet Services Supervisor	1265.20/1780.43	40 hrs/week
Golf Course Superintendent	1699.29/2391.18	Exempt
Grounds Management Crew Chief – Cemetery	1274.19/1793.14	40 hrs/week
Grounds Management Crew Chief - Parks	1312.42/1846.93	40 hrs/week
Human Resources Director	2337.34/3287.67	Exempt
Human Resources Specialist	1211.46/1704.40	40 hrs/week
Information Technology Manager	2157.10/3035.07	Exempt
Information Technology Supervisor	1809.78/2546.93	Exempt
Legal Secretary	1063.89/1498.93	40 hrs/week
Librarian I	1193.05 / 1678.11	Exempt
Librarian II	1312.53 / 1846.64	Exempt
Library Assistant I	832.39/1170.95	40 hrs/week
Library Assistant II	918.16/1291.93	40 hrs/week
Library Assistant Director	1556.71/2190.42	Exempt
Library Clerk	697.70/983.03	40 hrs/week
Library Director	2106.85/2965.64	Exempt
Library Page	528.02/743.20	40 hrs/week
Library Secretary	930.41/1308.76	40 hrs/week
Maintenance Mechanic I	1087.13/1533.71	40 hrs/week
Maintenance Mechanic II	1220.54/1717.26	40 hrs/week

ORDINANCE NO. (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Maintenance Worker I – Building, , Library	957.65/1347.30	40 hrs/week
Maintenance Worker I – Golf, Shooting Range	986.38/1387.72	40 hrs/week
Maintenance Worker I – WWTP	1038.80/1461.49	40 hrs/week
Maintenance Worker II – Building	1008.48/1422.21	40 hrs/week
Maintenance Worker II – Golf	1038.74/1464.87	40 hrs/week
Maintenance Worker II – WWTP	1093.94/1542.74	40 hrs/week
Meter Reading Supervisor	1306.49/1839.94	Exempt
Office Manager – Police Department	1113.70/1567.54	40 hrs/week
Parking Monitor	553.72/780.02	40 hrs/week
Parks and Recreation Director	2382.92/3351.66	Exempt
Parks and Recreation Secretary	930.41/1308.76	40 hrs/week
Parks Maintenance Superintendent	1589.78/2236.34	Exempt
Payroll Specialist	1187.70/1670.98	40 hrs/week
Planning Director	2362.77/3324.06	Exempt
Planning Secretary	930.41/1308.76	40 hrs/week
Planning Technician	1416.78/1993.34	40 hrs/week
Plans Examiner	1318.18/1854.63	40 hrs/week
Plumbing Inspector	1318.18/1854.63	40 hrs/week
Police Captain	1807.51/2543.25	Exempt
Police Chief	2537.12/3571.25	Exempt
Police Records Clerk	871.29/1226.77	40 hrs/week
Power Plant Maintenance Supervisor	2089.82/2939.61	Exempt
Power Plant Operations Supervisor	2175.14/3060.41	Exempt
Power Plant Superintendent – Burdick	2382.59/3352.74	Exempt
Power Plant Superintendent – PGS	2746.76/3863.40	Exempt
Public Information Officer	1369.46/1926.70	Exempt
Public Works Director	2669.02/3755.90	Exempt
Purchasing Technician	998.25/1404.18	40 hrs/week
Recreation Superintendent	1507.29/2120.18	Exempt
Regulatory and Environmental Specialist	2060.93/2898.97	Exempt
Senior Accountant	1700.63/2392.34	Exempt
Senior Communications Specialist/EMD	1116.24/1570.09	40 hrs/week
Senior Electrical Engineer	2320.75/3265.33	Exempt

ORDINANCE NO. (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Senior Equipment Operator, Solid Waste	1182.93/1664.51	40 hrs/week
Senior Equipment Operator, WWTP	1159.74/1631.87	40 hrs/week
Senior Maintenance Worker	1206.77/1698.62	40 hrs/week
Senior Utility Secretary	933.15/1316.05	40 hrs/week
Shooting Range Superintendent	1507.29/2120.18	Exempt
Solid Waste Division Clerk	836.78/1177.23	40 hrs/week
Solid Waste Superintendent	1711.93/2409.00	Exempt
Stormwater Technician	1321.22/1858.91	40 hrs/week
Street Superintendent	1637.98/2307.06	Exempt
Street Supervisor	1300.21/1828.62	40 hrs/week
Turf Management Specialist	1317.93/1854.27	40 hrs/week
Utility Director	3628.53/5104.31	Exempt
Utility Production Engineer	2449.49/3447.23	Exempt
Utility Secretary	930.41/1308.76	40 hrs/week
Utility Services Manager	1917.91/2698.95	Exempt
Utility Warehouse Supervisor	1491.57/2097.88	40 hrs/week
Victim Assistance Unit Coordinator	871.29/1226.77	40 hrs/week
Wastewater Clerk	820.37/1154.15	40 hrs/week
Wastewater Engineering/Operations Superintendent	1843.96/2595.64	Exempt
Wastewater Plant Maintenance Supervisor	1411.80/1986.92	40 hrs/week
Wastewater Plant Operator I	1002.93/1411.43	40 hrs/week
Wastewater Plant Operator II	1121.13/1578.63	40 hrs/week
Wastewater Plant Process Supervisor	1464.03/2061.29	40 hrs/week
Wastewater Plant Senior Operator	1185.21/1668.38	40 hrs/week
Water Superintendent	1804.48/2538.25	Exempt
Water Supervisor	1538.58/2166.80	40 hrs/week
Worker / Seasonal	412.00/1600.00	Exempt
Worker / Temporary	412.00	40 hrs/week

SECTION 2. The currently occupied classifications of employees of the City of Grand Island included under the AFSCME labor agreement, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such

ORDINANCE NO. (Cont.)

classifications, and the number of hours and work period which certain such employees included under the AFSCME labor agreement shall work prior to overtime eligibility are as follows:

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Equipment Operator – Streets	984.46/1384.40	40 hrs/week
Fleet Services Attendant/Clerk	894.96/1262.27	40 hrs/week
Fleet Services Inventory Specialist	981.67/1381.61	40 hrs/week
Fleet Services Mechanic	1123.02/1579.46	40 hrs/week
Horticulturist	1039.48/1464.57	40 hrs/week
Maintenance Worker – Cemetery	977.01/1375.08	40 hrs/week
Maintenance Worker – Parks	970.48/1366.69	40 hrs/week
Maintenance Worker – Streets	949.97/1336.86	40 hrs/week
Senior Equipment Operator – Streets	1078.62/1518.66	40 hrs/week
Senior Maintenance Worker – Parks	1078.62/1518.66	40 hrs/week
Senior Maintenance Worker – Streets	1078.62/1518.66	40 hrs/week
Traffic Signal Technician	1078.62/1518.66	40 hrs/week

SECTION 3. The currently occupied classifications of employees of the City of Grand Island included under the IBEW labor agreements, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classifications, and the number of hours and work period which certain such employees included under the IBEW labor agreements shall work prior to overtime eligibility are as follows:

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Accounting Clerk	977.01/1377.08	40 hrs/week
Computer Programmer	1513.68/2128.69	40 hrs/week
Computer Technician	1180.80/1661.14	40 hrs/week
Custodian	872.70/1228.05	40 hrs/week
Electric Distribution Crew Chief	1737.62/2444.21	40 hrs/week
Electric Underground Crew Chief	1737.62/2444.21	40 hrs/week
Engineering Technician I	1240.47/1745.26	40 hrs/week
Engineering Technician II	1511.46/2127.79	40 hrs/week

ORDINANCE NO. (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
GIS Technician	1628.85/2291.16	40 hrs/week
Instrument Technician	1798.26/2529.78	40 hrs/week
Lineworker Apprentice	1229.67/1730.06	40 hrs/week
Lineworker First Class	1574.93/2215.29	40 hrs/week
Materials Handler	1465.89/2061.87	40 hrs/week
Meter Reader	992.30/1396.84	40 hrs/week
Meter Technician	1235.44/1738.16	40 hrs/week
Power Dispatcher I	1728.75/2431.52	40 hrs/week
Power Dispatcher II	1815.74/2554.09	40 hrs/week
Power Plant Maintenance Mechanic	1540.86/2167.37	40 hrs/week
Power Plant Operator	1662.33/2338.11	40 hrs/week
Senior Accounting Clerk	1026.27/1445.68	40 hrs/week
Senior Engineering Technician	1628.85/2291.16	40 hrs/week
Senior Materials Handler	1618.58/2276.58	40 hrs/week
Senior Meter Reader	1068.55/1501.93	40 hrs/week
Senior Power Dispatcher	2003.52/2817.99	40 hrs/week
Senior Power Plant Operator	1834.38/2580.48	40 hrs/week
Senior Substation Technician	1798.26/2529.78	40 hrs/week
Senior Water Maintenance Worker	1330.48/1872.17	40 hrs/week
Substation Technician	1670.29/2349.30	40 hrs/week
Systems Technician	1798.26/2529.78	40 hrs/week
Tree Trim Crew Chief	1574.93/2215.29	40 hrs/week
Utilities Electrician	1670.29/2349.30	40 hrs/week
Utility Technician	1745.98/2455.96	40 hrs/week
Utility Warehouse Clerk	1114.27/1568.30	40 hrs/week
Water Maintenance Worker	1175.57/1654.54	40 hrs/week
Wireworker I	1357.38/1909.78	40 hrs/week
Wireworker II	1574.93/2215.29	40 hrs/week

SECTION 4. The currently occupied classifications of employees of the City of Grand Island included under the FOP labor agreement, and the ranges of compensation (salary

ORDINANCE NO. (Cont.)

and wages, excluding shift differential as provided by contract) to be paid for such classifications, and the number of hours and work period which certain such employees included under the FOP labor agreement shall work prior to overtime eligibility are as follows:

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Police Officer	1238.20/1730.92	40 hrs/week
Police Sergeant	1520.42/2083.33	40 hrs/week

SECTION 5. The currently occupied classifications of employees of the City of Grand Island included under the IAFF labor agreement, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classifications, and the number of hours and work period which certain such employees included under the IAFF labor agreement shall work prior to overtime eligibility are as follows:

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Fire Captain	1472.52/2118.93	212 hrs/28 days
Firefighter / EMT	1131.42/1627.96	212 hrs/28 days
Firefighter / Paramedic	1276.52/1836.72	212 hrs/28 days

SECTION 6 The classification of employees included under labor agreements with the City of Grand Island, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classification, and the number of hours and work period which certain such employees shall work prior to overtime eligibility area as stated above. All full-time fire fighters and police officers shall be paid a clothing and uniform allowance in addition to regular salary. All full-time fire fighters shall be paid a clothing and uniform allowance in addition to regular salary in the amount of \$80.00 per month. All full-time police officers shall be paid a clothing and uniform allowance in addition to regular salary of \$50.00 per month. Full-time police officers may also receive a reimbursement toward the

ORDINANCE NO. (Cont.)

purchase of body armor, not to exceed \$400. Full-time fire fighters and fire captains may receive a one-time uniform acquisition allowance of up to \$850. Full-time fire fighters and fire captains, may receive an annual stipend for longevity not to exceed \$520. If any such fire fighter or police officer shall resign, or his or her employment be terminated for any reason whatsoever, the clothing allowance shall be paid on a prorata basis, but no allowance shall be made for a fraction of a month.

Non-union employees and employees covered by the AFSCME labor union, the FOP labor union, the IBEW labor union, and IAFF labor union may receive an annual stipend not to exceed \$1,000 for bilingual pay.

Utilities Department personnel in the IBEW bargaining unit and the classifications of Meter Reading Supervisor, Power Plant Superintendent, Power Plant Supervisor, Electric Distribution Superintendent, Electric Distribution Supervisor, Water Superintendent, Water Supervisor, Electric Underground and Substation Superintendent, Electric Underground and Substation Supervisor, and Engineering Technician Supervisor shall be eligible to participate in a voluntary uniform program providing an allowance up to \$18.00 per month. When protective clothing is required for Utilities Department personnel in the IBEW, the City shall pay 60% of the cost of providing and cleaning said clothing and the employees 40% of said cost. Public Works Department personnel in the AFSCME bargaining unit shall be eligible to participate in a voluntary uniform program providing an allowance up to \$18 per month. Full-time Fleet Services personnel shall receive a uniform allowance of \$12 biweekly. Public Works Department personnel in the job classifications Fleet Services Supervisor, Fleet Services Superintendent, and Fleet Services Mechanic shall receive a tool allowance of \$10 biweekly.

SECTION 7. Employees shall be compensated for unused sick leave as follows:

ORDINANCE NO. (Cont.)

(A) For all employees except those covered in the IAFF and AFSCME bargaining agreement, the City will include in the second paycheck in January of each year, payment for an employee's unused sick leave in excess of 960 hours accrued in the preceding calendar year. The compensation will be at the rate of one-half day's pay based on the employee's current pay rate at the time of such compensation, for each day of unused sick leave which exceeds 960 hours accrual of the preceding year.

For those employees covered in the AFSCME bargaining agreement, the City will include in the second paycheck in January of each year, payment for an employee's unused sick leave in excess of 968 hours accrued in the preceding calendar year. The compensation will be at the rate of one-half day's pay based on the employee's current pay rate at the time of such compensation, for each day of unused sick leave which exceeds 968 hours accrual of the preceding year.

For those employees covered in the IAFF bargaining agreement, the City will make a contribution into a VEBA (Voluntary Employees' Beneficiary Association) on behalf of the employee in lieu of payment for an employee's unused sick leave in excess of 2,880 hours accrued in the preceding calendar year. The contribution will be at the rate of one-quarter day's pay based on the employee's current pay rate at the time of such contribution, for each day of unused sick leave which exceeds 2,880 hours accrual of the preceding year.

(B) All employees except non-union and those covered in the fire department bargaining agreement shall be paid for one-half of their accumulated sick leave at the time of their retirement, the rate of compensation to be based on the employee's salary at the time of retirement. Employees covered in the fire

ORDINANCE NO. (Cont.)

department bargaining agreement shall have a contribution to a VEBA made on their behalf in lieu of payment for one quarter of their accumulated medical~~sick~~ leave at the time of their retirement, the amount of contribution will be based upon the employee's salary at the time of retirement. Non-union employees shall have a contribution to a VEBA made on their behalf in lieu of payment for one-half of their accumulated medical~~sick~~ leave at the time of their retirement. The amount of contribution will be based upon the employee's salary at the time of retirement.

(C) Department heads shall have a contribution made to their VEBA for one-half of their accumulated medical~~sick~~ leave, not to exceed 30 days of pay, upon their resignation, the rate of compensation to be based upon the salary at the time of termination. Compensation for unused sick leave at retirement shall be as provided above.

(D) The City Administrator shall have a contribution made to his VEBA for the total hours of accumulated medical leave upon termination, the rate of compensation to be based upon the salary at the time of termination.

(E) The death of an employee shall be treated the same as retirement, and payment shall be made to the employee's beneficiary or estate for one-half of all unused medical~~sick~~ leave.

SECTION 8. The city administrator shall receive a vehicle allowance of ~~\$300~~400 per pay period~~month~~ in lieu of mileage for use of personal vehicle travel within Hall County, ~~payable monthly.~~

ORDINANCE NO. (Cont.)

SECTION 9. The City Administrator shall receive the maximum annual deferral limit allowable by the Internal Revenue Service deposited in his ICMA-RC 457 Account. The amount will be paid over the course of 26 pay periods.

SECTION ~~109~~. Reimbursed expenses which are authorized by Neb. Rev. Stat. §13-2201, et. seq., the Local Government Miscellaneous Expenditure Act and/or which the Internal Revenue Service requires to be reflected on an employee IRS Form W-2 at year end, are hereby authorized as a payroll entry.

SECTION ~~1140~~. The validity of any section, subsection, sentence, clause, or phrase of this ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause, or phrase thereof.

SECTION ~~1244~~. The salary adjustments identified herein shall be effective with the pay period beginning on October 2, 2006.

SECTION ~~1342~~. Ordinance No. 9017 and all other ordinances and parts of ordinances in conflict herewith be, and the same are, hereby repealed.

SECTION ~~1443~~. This ordinance shall be in full force and take effect from and after its passage and publication in pamphlet form in one issue of the Grand Island Independent as provided by law.

Enacted: December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G1

**Receipt of Official Document - Tort Claim Filed by Jamey A.
Plejdstrup**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: February 14, 2006

Subject: Receipt of Official Document – Tort Claim filed by Jamey A. Plejdrup

Item #'s: G-1

Presenter(s): RaNae Edwards, City Clerk

Background

The City of Grand Island has received a Tort Claim on December 8, 2006 from Jamey A. Plejdrup alleging certain claims which took place on or about December 10, 2005 in connection with an arrest. A copy of this claim is attached to comply with the Nebraska Political Subdivision Tort Claims Act.

Discussion

This is not an item for council action other than to simply acknowledge that the claim has been received.

Recommendation

City Administration recommends that the Council take no action other than acknowledge receipt of the claim.

Sample Motion

Motion to approve acknowledgement of the Tort Claim filed by Jamey A. Plejdrup.

(TORT CLAIM)

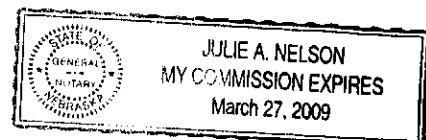
This letter is to explain that on DEC. 10th 2005 I Jamey A. Plejdrup Was assaulted by the G.I. Police and the G.I. Fire Dept . Also I was Falsely arrested and confined arbitrarily for 6 days . As a result of this crime against Me , I was inflicted with great pain and suffering because of the brutal arrest and mental anguish because of the cruel and lack of attention that I received from the civil servants and the jail house that I have mentioned now and in prier complaints . As a direct result of there crime I have lost valuable time devoted to work and I am at a financial loss because of there crime. I have lost respect and moral decencies, for they have insulted my pride and integrity . Also I am being a subject to a malicious prosecution brought by the Hall co. Courts so that they cover any wrongs they have committed. The persecution and discrimination against me is awful and I am a victimized Citizen Of Grand Island NE. Please Be advised that this letter is A legal and binding with in time (TORT CLAIM)against the City of Grand Island NE. and the State of Nebraska U.S.A...

12/08/06

Jamey A. Plejdrup

12/8/06

Julie Nelson





City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G2

Approving Minutes of December 5, 2006 City Council Regular Meeting

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

December 5, 2006

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on December 5, 2006. Notice of the meeting was given in *The Grand Island Independent* on November 29, 2006.

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

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 acknowledged Community Youth Council member's Malorie Meier and Kasey Grim.

STATE OF THE CITY ADDRESS: Mayor Vavricek commented on the accomplishments over the last four years. Mentioned were: increased jobs and record employment, economic activity, interstate access, redeveloped neighborhoods, opening an events center, protected homes and businesses from flooding, water contamination issues, helicopter base, ballot issues, odor reduction at the Waste Water Treatment Plant, recruited professional leaders in key city positions, and new city facilities.

Mayor Vavricek thanked his family and the citizen's of Grand Island for their support.

CITY COUNCIL REORGANIZATION:

APPROVING MINUTES OF NOVEMBER 28, 2006 CITY COUNCIL MEETING: Motion by Hornady, second by Cornelius, to approve the minutes of the November 28, 2006 City Council meeting. Upon roll call vote, all voted aye. Motion adopted.

ACCEPTANCE OF ELECTION CERTIFICATE: Motion by Gilbert, second by Walker, to accept the Election Certificate. Upon roll call vote, all voted aye. Motion adopted.

COMMENTS BY OUTGOING OFFICIALS: Councilmember Don Pauly thanked the citizen's, administration, and fellow council members for their support during the last four years in office.

RECESS: The meeting recessed at 7:20 p.m. for the transition to the new governing body. The meeting reconvened at 7:35 p.m.

ADMINISTRATION OF OATH TO NEWLY ELECTED MAYOR AND COUNCIL MEMBER'S: City Clerk RaNae Edwards administered the Oath of Office to newly elected Mayor Margaret Hornady. Ms. Edwards then administered the Oath of Office to newly elected Councilmember John Gericke and returning Councilmember's Carole Cornelius, Peg Gilbert, and Robert (Bob) Meyer.

SEATING OF NEWLY ELECTED MAYOR AND COUNCILMEMBER'S FOLLOWED BY ROLL CALL: The following members were present: Mayor Hornady, Councilmember's Meyer, Haase, Whitesides, Gilbert, Gericke, Cornelius, Walker, and Pielsick. Councilmember Nickerson was absent.

COMMENTS BY NEWLY ELECTED OFFICIALS: Mayor Hornady introduced her family and thanked Mayor Vavricek for his service. She then thanked the citizen's of Grand Island for giving her the opportunity to serve as Mayor for the next four years. Mentioned were her goals to promote fiscal responsibility and to manage safety opportunities.

Councilmember's John Gericke, Carole Cornelius, Peg Gilbert, and Bob Meyer each thanked the citizen's of Grand Island for the opportunity to represent them.

ELECTION OF CITY COUNCIL PRESIDENT: City Clerk RaNae Edwards reported that the City Council was required to elect one Councilmember to the office of Council President for a term of one year and that the Council President automatically assumed the duties of the Mayor in the event that the Mayor was absent or otherwise unable to fulfill her duties. Councilmember Cornelius nominated Councilmember Peg Gilbert. Councilmember Walker nominated Councilmember Carole Cornelius. Councilmember Pielstick nominated Councilmember Bob Meyer.

City Clerk RaNae Edwards called for the first ballot. It was reported that Councilmember Meyer had received 4 votes, Councilmember Cornelius had received 2 votes, and Councilmember Gilbert had received 2 votes. A second round of ballots was conducted. Ms. Edwards reported that Councilmember Meyer had received 4 votes, Councilmember Cornelius had received 2 votes, and Councilmember Gilbert had received 2 votes. A third round of ballots was conducted. Ms. Edwards reported that Councilmember Meyer had received 7 votes and Councilmember Gilbert had received 1 vote. Mayor Hornady declared Councilmember Bob Meyer the new Council President for 2007.

Motion by Whaitesides, second by Pielstick, carried unanimously to make the vote a unanimous one for Councilmember Meyer as City Council President. Upon roll call vote, all voted aye. Motion adopted.

ORDINANCES:

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

#9096 – Consideration of Vacating a 60' Utility and Ingress/Egress Easement along Lots Five (5) and Six (6) of Cedar Ridge Second Subdivision (GILD Investments, LLC)

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

Steve Riehle, Public Works Director reported that Ordinance #9096 would vacate a 60' easement along Lots Five (5) and Six (6) of Cedar Ridge Second Subdivision. The developer reconfigured the lots as platted in Cedar Ridge Second Subdivision with the platting of Cedar Ridge Third

Subdivision. There were no utilities on these lots and the City did not need the easement for ingress/egress.

City Clerk: Ordinance #9096 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9096 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9096 is declared to be lawfully adopted upon publication as required by law.

REQUESTS AND REFERRALS:

Consideration of Request from Mark Galvan to Contest the Contract for Softball Fields at Ryder Park: Mark Galvan, President of the Central Nebraska Girls Softball Association contested the contract with the ABCD Girls Softball Association for softball fields used at Ryder Park. Mr. Galvan requested the use of the Ryder Park softball fields for his girl's softball program. Explained was their use of the Senior High softball fields but were limited to time of play due to no lights on the field. Also explained were the other fields within the city and the number of kids versus the number of fields.

The following people spoke in support of not changing the contract with the ABCDD Girl's Softball Association:

- Jan Sorensen, 312 West 17th Street
- Bill Scott, 904 West Louise Street
- Susan Graf, 2220 West Division Street
- Vernon Engel, 528 Wyandotte Street
- Jerry Robinson, 2703 Riverview Drive
- Steve Rempe, 1028 N. Hancock Avenue
- Bob Sorensen, 312 West 17th Street
- Frank Zavala, 2529 West 5th Street
- Todd Arnett, 2303 Sherman Blvd.
- Lonnie Dixon, 3220 West 18th Street
- Lois Stienike, 103 West Ashton Avenue

Steve Paustian, Parks and Recreation Director commented on the background of the George Park fields and contracts. Discussed was the limited number of fields for the amount of girls wanting to play.

Discussion was held concerning allowing Mark Galvan's league the ability to use the Ryder Park softball fields when not being used by the ABCDD league. Bob Sorensen stated the fields were used 7 days a week.

Motion was made by Pielstick, second by Haase to continue the current contract with ABCDD Girl's Softball Association for one year. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2006-352 – Approving Appointment of City Administrator Gary Greer and Employment Contract:
Mayor Hornady reported that City Administrator Gary Greer's initial appointment term expired with the close of Mayor Jay Vavricek's term of office. Mayor Hornady recommended Gary Greer be reappointed to the position of Grand Island City Administrator with renewal of his contract. His term would run with the term of the Mayor.

Discussion was held regarding Section 11 – Retirement in the contract allowing the employee to receive the maximum annual deferral limit allowed by the Internal Revenue Service to be deposited in the employees ICMA-RC 457 account. Councilmember Gilbert questioned what the amount would be. David Springer, Finance Director stated the amount would be approximately \$15,000 annually.

Motion by Meyer, second by Pielstick to approve Resolution #2006-352. Upon roll call vote, all voted aye. Motion adopted.

#2006-353 – Approving Appointment of Interim City Attorney Dale Shotkoski:

#2006-354 – Approving Appointment of City Clerk RaNae Edwards:

#2006-355 – Approving Appointment of Public Works Director Steve Riehle:

#2006-356 – Approving Appointment of Finance Director David Springer:

Motion by Pielstick, second by Whitesides to approve Resolutions #2006-353, #2006-354, #2006-355, and #2006-356. 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 November 29, 2006 through December 5, 2006, for a total amount of \$1,819,041.92. Motion adopted unanimously.

Motion by Cornelius, second by Haase to approve the following Claims for the Library Expansion for the Period of November 29, 2006 through December 5, 2006:

#45	\$235,981.76
#46	\$ 5,250.00
#47	\$ 350.00

Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 9:00 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G3

Approving Councilmember Appointments to Boards and Commissions

Staff Contact: Mayor Hornady

Council Agenda Memo

From: Mayor Margaret Hornady

Meeting: December 19, 2006

Subject: Approving Councilmember Appointments to Boards and Commissions

Item #'s: G-3

Presenter(s): Mayor Margaret Hornady

Background

It is customary in December of each year for the Mayor to recommend appointments of Councilmember's to represent the City on various Boards and Commissions.

Discussion

The following appointments have been submitted by the Mayor for approval. These appointments will become effective on January 1, 2007 and will expire on December 31, 2007:

Building Code Advisory Board:	Bob Meyer
Business Improvement District #3:	John Gericke
Business Improvement District #4:	Bob Meyer
Business Improvement District #5:	Jackie Pielstick
City/County Communications/Civil Defense Committee:	Scott Walker, John Gericke, Bob Meyer
City/County Efficiency Effectiveness: Committee	Fred Whitesides & Mitch Nickerson
Community Development Advisory Board:	Jackie Pielstick

Community Redevelopment Authority:	Peg Gilbert
Fire Station #1/Training:	Bob Meyer
GI Area Economic Development Corp.	Peg Gilbert
Humane Society:	Carole Cornelius
Library Board:	Fred Whitesides
Library Facility Committee:	Fred Whitesides
Multi-Cultural Coalition:	Carole Cornelius
Problem Resolution Team:	Jackie Pielstick
Regional Planning Commission:	Joyce Haase & Mitch Nickerson
Systems Information Advisory Committee (City/County)	Mitch Nickerson
Transportation Committee:	John Gericke & Jackie Pielstick

Alternatives

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

1. Move to approve the appointments of Councilmember's to Board and Commissions
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 recommendation of the Mayor.

Sample Motion

Motion to approve the appointments of Councilmember's to the Boards and Commissions for 2007 as recommended by the Mayor.



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G4

Approving Appointments to the Electrical Board

The following individuals have expressed their willingness to serve on the City of Grand Island Electrical Board for the year 2007. Larry Seney, Master Electrician; Elio Castillo, Journeyman Electrician; Bob Bennett, Utility Department Representative; Bob Ranard, General Public Representative; and Craig Lewis and Dean Mathis, Building Department as Ex-Officio members. The above recommendations are made in compliance with the Grand Island City Code and approval is requested.

Staff Contact: Craig Lewis



*Working Together for a
Better Tomorrow. Today.*

DATE: December 11, 2006
 TO: Mayor Hornady and City Council
 FROM: Craig A. Lewis, Building Department Director *CA*
 RE: Appointments to the Electrical Board

The following men have been contacted and have indicated their willingness to serve on the Electrical Board of the City of Grand Island for the year 2007.

<u>Representing</u>	<u>Name/Address</u>	<u>Employed</u>
Master Electrician	Larry Seney 1521 N. Walnut Grand Island, NE 68801	Self Employed
Journeyman Electrician	Elio Castillo 115 W. 6 th St. Grand Island, NE 68801	Middleton Electric
Utility Department	Bob Bennett 1515 S. Newcastle Rd. Grand Island, NE 68801	City of G. I.
General Public	Bob Ranard 2408 W. Louise Grand Island, NE 68803	Retired
Building Inspection (Ex-Officio)	Craig Lewis 2321 W. Koenig Grand Island, NE 68803	City of Grand Island Building Department
Building Inspection (Ex-Officio)	Dean Mathis 2309 W. 14 th St. Grand Island, NE 68803	City of Grand Island Building Department

The above recommendations are made in compliance with the Grand Island Electrical Code and are contingent upon approval of the Mayor and the City Council.



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G5

Approving Appointments to the Gas Fitters & Appliance Installers Board

The following individuals have expressed their willingness to serve on the City of Grand Island Gas Fitters & Appliance Installers Board for the year 2007. Mike McElroy, Master Gas Fitter; Loren Peterson, Gas Company Representative; Scott Hilligas, Contracting Master Gas Fitter; Mike Myers, Master Gas Fitter; Todd Bredthauer, Journeyman Gas Fitter; Armando Perez, Community Member; and Russ Shaw, Plumbing Inspector for the Building Department. The above recommendation is made in compliance with the Grand Island City Code and approval is requested.

Staff Contact: Craig Lewis

INTEROFFICE MEMORANDUM



*Working Together for a
Better Tomorrow. Today.*

DATE: December 13, 2006

TO: Mayor Hornady & City Council

FROM: Craig A. Lewis, Building Department Director *CL*

RE: Appointment to the Gas Fitters Examining Board

The following men have been contacted and have indicated their willingness to serve on the Gas Fitters Examining Board of the City of Grand Island for the year 2007.

<u>Representing</u>	<u>Name/Address</u>	<u>Employed</u>
Building Department	Russ Shaw	Plumbing Inspector
Local Gas Company	Loran Peterson PO Box 220 Grand Island NE 68802	Northwestern
Contracting Master Gas Fitter	Scott Hilligas 2304 W Lincoln Hwy Grand Island NE 68801	Midwest Heating & Air
Master Gas Fitter	Mike McElroy 807 Claude Rd Grand Island NE 68803	McElroy Service Co
Master Gas Fitter	Mike Myers 318 E Capital Ave Grand Island NE 68801	Myers Heating & Air
Journeyman Gas Fitter	Todd Bredthauer PO Box 484 Grand Island NE 68802	Jerrys Sheet Metal
Community Member	Armando Perez 812 E 5 th Street Grand Island NE 68801	



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G6

Approving Appointments to the Plumbers Examining Board

The following individuals have express their willingness to serve on the City of Grand Island Plumbing Board for a two year term 2007/2008. Doug Hough and Eric Rose, Master Plumbers; Jeremy Collinson, Health Department; and Craig Lewis and David Scoggins, Building Department as Ex-Officio member. The above recommendations are made in compliance with the Grand Island City code and approval is requested.

Staff Contact: Craig Lewis



*Working Together for a
Better Tomorrow. Today.*

DATE: November 29, 2006
 TO: Mayor Hornady and City Council
 FROM: Craig A. Lewis, Building Department Director *CL*
 RE: Appointments to the Plumbing Board

The following people have been contacted and have indicated their willingness to serve on the Plumbing Board of the City of Grand Island for a two-year term.

<u>Term</u>	<u>Representing</u>	<u>Name/Address</u>	<u>Employed</u>
2 yr. 07-08	Master Plumber	Doug Hough 6066 S. North Rd. Grand Island, NE 68803	Water Works Plumbing
2 yr. 07-08	Master Plumber	Eric Rose 3821 Arch Ave. Grand Island, NE 68803	Husker Plumbing
2 yr. 07-08	Health Department	Jeremy Collinson 1137 S Locust St Grand Island, NE 68801	City of G. I. & Hall County Health Department
	Building Inspection (Ex-Officio)	David Scoggins 103 W. 22 nd St. Grand Island, NE 68801	City of G. I. Building Department
	Building Inspection (Ex-Officio)	Craig Lewis 2321 W. Koenig Grand Island, NE 68803	City of G. I. Building Department

The above recommendations are made in compliance with the Grand Island Plumbing Code and are contingent upon approval of the Mayor and the City Council.



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G7

**Approving Request of Verna Rae Clampill, 412 West 3rd Street for
Liquor Manager Designation for Howard Johnson Riverside inn,
3333 Ramada Road**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: December 19, 2006

Subject: Request of Verna Rae Clampill, 412 West 3rd Street for Liquor Manager Designation for Howard Johnson Riverside Inn, 3333 Ramada Road

Item #'s: G-7

Presenter(s): RaNae Edwards, City Clerk

Background

Verna Rae Clampill, 412 West 3rd Street has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "C-65949" Liquor License for Howard Johnson Riverside Inn, 3333 Ramada Road. This application has been reviewed by the Police Department and City Clerk's Office.

Discussion

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all liquor manager designations. All departmental reports have been received. See attached Police Department report.

Alternatives

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

1. Approve the request.
2. Forward the request with no recommendation.
3. Take no action on the request.

Recommendation

City Administration recommends that the Council approve this request for Liquor Manager Designation.

Sample Motion

Move to approve the request of Verna Rae Clampill, 412 West 3rd Street for Liquor Manager Designation in conjunction with the Class "C-65949" Liquor License for Howard Johnson Riverside Inn, 3333 Ramada Road with the stipulation that Ms. Clampill complete a state approved alcohol server/seller training program.



**INTEROFFICE
MEMORANDUM**
Police Department

*Working Together for a
Better Tomorrow. Today.*

DATE: November 29, 2006

TO: RaNae Edwards, City Clerk

FROM: Brad Brush, Lieutenant, Police Department

RE: Liquor Manager Designation for Howard Johnson Riverside Inn
located at 3333 Ramada Road in the name of Verna Clampill

Howard Johnson Riverside Inn, 3333 Ramada Road, has made application for a Liquor Manager Designation for Verna Clampill.

It is the Police Department's recommendation to accept this Liquor Manager Designation Application in the name of Verna Clampitt, for the business of Stratford Plaza, LLC, Howard Johnson Riverside Inn, Tiki Lounge, 3333 Ramada Road, Grand Island, NE 68801.

BB/rk

A handwritten signature in cursive script, appearing to read "B. Brush".

11/29/06
07:55

Grand Island Police Dept.
LAW INCIDENT TABLE

333
Page: 1

City : Grand Island
Occurred after : 14:53:15 11/28/2006
Occurred before : 14:53:15 11/28/2006
When reported : 14:53:15 11/28/2006
Date disposition declared : 11/28/2006
Incident number : L06114109
Primary incident number :
Incident nature : Liquor Lic Inv Liquor License Investigation
Incident address : 3333 Ramada Road
State abbreviation : NE
ZIP Code : 68801
Contact or caller : RaNae Edwards
Complainant name number :
Area location code : PCID Police - CID
Received by : Brush B
How received : T Telephone
Agency code :
Responsible officer :
Offense as Taken :
Offense as Observed :
Disposition : CLO Closed Case
Misc. number :
Geobase address ID :
Long-term call ID :
Clearance Code : CL Case Closed
Judicial Status :
=====

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	7973		Clampitt, Verna Rae	liq mgr applicant
NM	69835		Howard Johnson Riverside Inn,	mentioned

LAW INCIDENT NARRATIVE:

Request for assessment & recommendation-Liquor Manager Designation Application.

The Liquor Manager Designation Applicant's name is Verna R Clampill
Business-Stratford Plaza, LLC, Howard Johnson Riverside Inn, Tiki Lounge, 3333
Ramada Road, GI, NE 68801.

Nebraska Criminal Justice Information System (NCJIS) was searched and I was
unable to locate anything on the last name Clampill.

Searching Nebraska Criminal Justice Information System (NCJIS) I did locate
information on a Clampitt.

Nebraska Criminal Justice Information System (NCJIS) was searched and the
following convictions not declared by Verna R Clampill, under the name of
Clampitt were found;

1.)Speeding 6-10 MPH Hall County/State ; Infraction

11/29/06
07:55

Grand Island Police Dept.
LAW INCIDENT TABLE

333
Page: 2

Offense Date is 12/15/2000
Plea is Guilty/Admit
2.) Violate stop or yield sign Hall County; Infraction
Offense Date is 08/25/2001
Plea is Guilty/Admit

Failure to declare the correct last name causes the application to be false.

Failure to declare the above convictions causes the application to be false.

National Crime Intelligence Center (NCIC) search under the name Clampitt or
Clampill reflected no other convictions.

It is the police department's recommendation to accept this Liquor Manager
Designation Application in the name of Verna R Clampitt, for the business of
Stratford Plaza, LLC, Howard Johnson Riverside Inn, Tiki Lounge, 3333 Ramada
Road, GI, NE 68801.



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G8

**#2006-357 - Approving Change Order No. 9 with Chief
Construction for Law Enforcement Center**

Staff Contact: Steve Lamken

Council Agenda Memo

From: Steven Lamken, Police Chief

Meeting: December 19, 2006

Subject: Change Order #9, Law Enforcement Center

Item #'s: G-8

Presenter(s): Steven Lamken, Police Chief

Background

The City awarded Chief Construction the contract in the summer of 2006 to construct the new law enforcement center for a cost of \$7,406,080. \$150,000 of contingency funds were provided in the contract to allow for needed change orders during the project. To date there is \$146,893.24 remaining in contingency funds.

Discussion

The Police Department and Sheriff's Office have identified additional sites where electrical, phone, and data outlets are needed in the new law enforcement center. The cost of installing the additional services is \$6,007.49.

The architects have approved the use of an alternate brand of electronic lock hardware on an entrance door in the building that reduces costs by \$553.47.

Accepting the added costs of the service sites in the center and deducting the savings from the hardware create a net cost of \$5,398.67. Accepting change order #9 reduces the contingency funds to \$141,494.57.

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 Change Order #9 for additional services for the law enforcement center with Chief Construction at a cost of \$5,398.67

Sample Motion

Motion to approve Change Order #9 with Chief Construction for the sum of \$5,398.67 for installation of additional electrical, phone, and data outlets and the use of alternative electronic locking hardware as specified in the construction of the law enforcement center.

WILSON ESTES POLICE ARCHITECTS



5799 BROADMOOR
SUITE 520
MISSION, KANSAS 66202
WWW.POLICEARCHITECTS.COM

14 November 2006

Captain Robert Falldorf
GRAND ISLAND POLICE DEPARTMENT
131 South Locust
Grand Island, Nebraska 68801

**Re: Grand Island / Hall County Law Enforcement Center
Change Order No. 9**

Dear Robert,

We have reviewed and recommend acceptance of the accompanying Change Order No. 9

Change Order No. 9 Summary

Requested By: Engineering Team

Description of Change: Additional phone / data outlets in a couple of rooms, and additional ground wire.
This change order also includes some hardware modifications.

Purpose of Change: Block is not needed as a separation in a secured area.

Change Order Summary:

Change to Contract Time: No Change

Substantial Completion Date after this Change Order: 20 August, 2007

Original Contract Sum:	7,406,080.00
Contract Sum prior to this change:	7,406,080.00
Change in Contract Sum by this Change Order	0.00
New Contract sum after this Change Order:	7,406,080.00

Original Contingency Allowance:	150,000.00
Contingency Allowance prior to this Change Order:	146,893.24
Change in Contingency Allowance by this Change Order:	-5,398.67
New Contingency Allowance after this Change Order:	141,494.57

Grand Island / Hall County Law Enforcement Center
Change Order Summary

Page: 2

Reference Documents: Architects Proposal Request No. 10 and Architects Proposal Request No. 12.

If you have any questions or require any additional information, please let me know.

Regards,
WILSON ESTES POLICE ARCHITECTS

Jeremy Levasseur

Attachments: Change Order No. 9
APR 10
APR 12



AIA Document G701™ – 2001

Change Order

PROJECT (Name and address): Grand Island / Hall County Law Enforcement Center Grand Island, Nebraska	CHANGE ORDER NUMBER: 009 DATE: November 27, 2006	OWNER: <input checked="" type="checkbox"/> ARCHITECT: <input checked="" type="checkbox"/> CONTRACTOR: <input checked="" type="checkbox"/> FIELD: <input type="checkbox"/> OTHER: <input type="checkbox"/>
TO CONTRACTOR (Name and address): Chief Construction Company 2107 North South Road Grand Island, Nebraska 68803	ARCHITECT'S PROJECT NUMBER: 0412 CONTRACT DATE: June 15, 2006 CONTRACT FOR: General Construction	

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

This change represents additional phone/data receptacles and electrical ground wire. This change also reflected is some modifications to the door hardware.

The original Contract Sum was	\$ 7,406,080.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 7,406,080.00
The Contract Sum will be unchanged by this Change Order in the amount of	\$ 0.00
The new Contract Sum including this Change Order will be	\$ 7,406,080.00

The Contract Time will be unchanged by Zero (0) days.

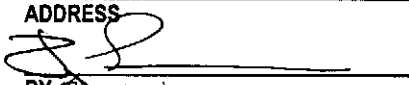
The date of Substantial Completion as of the date of this Change Order therefore is August 20, 2007

The original contingency allowance included in the contract was	\$ 150,000.00
The net change to the contingency allowance by previous Change Orders	\$ 3,106.76
The contingency allowance prior to this Change Order Was	\$ 146,893.24
The contingency allowance will be decreased by this Change Order in the amount of	\$ -5,398.67
The new contingency allowance including this Change Order will be	\$ 141,494.57

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

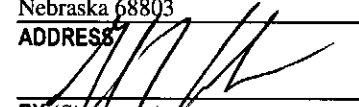
Wilson Estes Police Architects
ARCHITECT (Firm name)

5799 Broadmoor, Suite 520, Mission,
Kansas 66208
ADDRESS

BY (Signature)

Jeremy Levasseur
(Typed name)

DATE

Chief Construction Company
CONTRACTOR (Firm name)

2107 North South Road, Grand Island,
Nebraska 68803
ADDRESS

BY (Signature)

Grant Ackerman
(Typed name)

11/27/2006
DATE

City of Grand Island
OWNER (Firm name)

100 East 1st Street, Grand Island,
Nebraska 68801
ADDRESS

BY (Signature)

(Typed name)

DATE

R E S O L U T I O N 2006-357

WHEREAS, on May 2, 2006, by Resolution 2006-151, the City of Grand Island awarded a bid in the total amount of \$7,406,080.00 (including alternate bids 2 and 3) for the construction of a Law Enforcement Center to Chief Construction Company of Grand Island, Nebraska; and

WHEREAS, included in the \$7,406,080 bid was a construction contingency of \$150,000;
and

WHEREAS, on November 28, 2006, by Resolution 2006-346, the City of Grand Island approved Change Order No. 8 to install alternate materials in the construction of the blood drying room;
and

WHEREAS, at this time it is necessary to use an alternate brand of electronic lock hardware on an entrance door of the Law Enforcement Center and to install additional electrical, telephone and data outlets in the building; and

WHEREAS, such changes have been incorporated into Change Order No. 9, and will result in a decrease the contingency fund by \$5,398.67.

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.9 for the construction of the Law Enforcement Center to provide the modification set out as follows:

Install Alternate Brand of Electronic Lock Hardware on Entrance Door (reduction of original cost)	\$ -553.47
Install Additional Electrical, Telephone and Data Outlets.....	\$6,007.49

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ December 14, 2006 <input type="checkbox"/> City Attorney
--



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G9

#2006-358 - Approving Contract with Crime and Protection Solutions LLC for Services Relating to High Intensity Drug Trafficking Area (HIDTA) Grant

Staff Contact: Steve Lamken

Council Agenda Memo

From: Captain Robert Falldorf, Police Department

Meeting: December 19, 2006

Subject: Approval of Contract Between the City of Grand Island and Crime and Protection Solutions L.L.C.

Item #'s: G-9

Presenter(s): Steve Lamken, Chief of Police

Background

The Office of National Drug Control Policy (ONDCP) has awarded a High Intensity Drug Trafficking Area (HIDTA) grant to the state of Nebraska for utilization by various state and local law enforcement agencies. The City of Grand Island by and through the Grand Island Police Department and Tri-Cities Federal Drug Task Force has participated in a variety of activities in connection with the HIDTA grant and other coordinated activities to fight drug trafficking. The City of Grand Island has agreed to act as the fiduciary for the HIDTA grant, and as such, it is necessary to renew contracts with independent contractors who will be providing professional services for the HIDTA program for the year 2007.

Discussion

This is a renewal contract between the City of Grand Island and Crime and Protection Solutions, an independent contractor. The City of Grand Island acts as the fiduciary for the HIDTA grant and pays for the services of independent contractors out of the grant funds, in this case, the services of Crime and Protection Solutions L.L.C.

Alternatives

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

1. Approve the contract between the City of Grand Island and Crime and Protection Solutions L.L.C.
2. Send to committee for further discussion.
3. Table for more discussion.
4. Take no action.

Recommendation

City Administration recommends that the Council approve the contract between the City of Grand Island and Crime and Protection Solutions L.L.C.

Sample Motion

Move to approve the contract between the City of Grand Island and Crime and Protection Solutions L.L.C.

Contract Between

Crime and Protection Solutions L.L.C and City of Grand Island Police Department

Contract made *January 1, 2007*, between *City of Grand Island Police Department*, of *131 S. Locust, Grand Island, Hall County, Nebraska*, here referred to as OWNER, and *Crime and Protection Solutions L.L.C*, of *P.O. Box 88, Boys town, Douglas County, Nebraska*, here referred to as CONTRACTOR.

RECITALS

- A. OWNER owns and/or operates a *Law Enforcement Agency* at the address set forth above, and OWNER desires to have the following services performed:

Criminal Intelligence Analysis

CONTRACTOR agrees to perform these services for OWNER under the terms and conditions set forth in this contract.

In consideration of the mutual promises set forth in this contract, it is agreed by and between OWNER and CONTRACTOR:

SECTION ONE.

DESCRIPTION OF WORK

The work to be performed by CONTRACTOR includes all services generally performed by CONTRACTOR in contractor's usual line of business, including, but not limited to, the following:

- Study criminal relationships of targets.
- Link and chart suspects to criminal organizations or events to determine who is doing what with whom.
- Focus on organized crime such as narcotics smuggling, money laundering, gangs, terrorism, and in general crimes.
- Work with Law Enforcement Officer(s) and Agent(s) who gather information by field observation, confidential information sources, and public records.
- Establish criminal profiles that include prior crimes and criminal relationships to aid in making a connection between members and the organization.
- Use telephone toll analysis to plot telephone activity to determine the size and location of criminal groups and individuals involved.
- Study the suspect's assets to determine the flow of money going in and coming from the targeted group.

The OWNER only responsibility under this contract is to administer the Cooperative Agreement Contract between ONDCP and the OWNER by supplying ONDCP the proper documentation regarding any payment due to the CONTRACTOR and disbursing such funds to the CONTRACTOR.

SECTION TWO.

PAYMENT

OWNER will pay CONTRACTOR the total sum of \$ 4,750.00 per month for the work to be performed under this contract.

SECTION THREE.

RELATIONSHIP OF PARTIES

The parties intend that an independent contractor-employer relationship will be created by this contract. OWNER is interested only in the results to be achieved and the conduct and control of the work will lie solely with CONTRACTOR. CONTRACTOR is not to be considered an agent or employee of OWNER for any purpose, and the employees of CONTRACTOR are not entitled to any of the benefits that OWNER provides for owner's employees. It is understood that OWNER does not agree to use contractor exclusively. It is further understood that CONTRACTOR is free to contract for similar services to be performed for other owners while under contract with OWNER.

SECTION FOUR.

LIABILITY

The work to be performed under this contract will be performed entirely at contractor's risk, and CONTRACTOR assumes all responsibility for the condition of tools and equipment used in the performance of this contract. CONTRACTOR agrees to indemnify OWNER for any and all liability or loss arising in any way out of the performance of this contract.

SECTION FIVE.

TERMINATION OF AGREEMENT

This Contract may be terminated by mutual consent of both parties, or by either party, upon 30 days written notice without cause provided.

The OWNER may terminate this contract effective upon delivery of written notice to the CONTRACTOR, or at such later date as may be stated in the notice, under the following condition:

1. If funding from federal, state, or other sources is not obtained by OWNER and continued at levels sufficient to allow for purchase of the services in the indicated quantities or term, the contract will be terminated.

CONTRACTOR understands that should he/she no longer be able to perform the services required, for any reason, this entire Agreement shall automatically terminate without notice.

SECTION SIX

INDEMNITY

CONTRACTOR agrees to indemnify, save and hold harmless the OWNER, including its agencies, officers, and employees, from any and all claims of any nature, including all costs, expenses and attorneys' fees, which may in any manner result from or arise out of this agreement, except for claims resulting from or arising out of the OWNER sole negligence. CONTRACTOR also agrees to indemnify, save and hold the OWNER harmless for all costs, expenses, and attorney's fees incurred in establishing and litigating the indemnification coverage provided herein.

SECTION SEVEN

INSURANCE

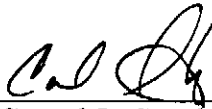
CONTRACTOR does hereby for himself and his officers, agents, employees, and successors, collectively referred to in this paragraph as 'CONTRACTOR', release and forever discharge the OWNER, its officers, agents, and employees, collectively referred to in this paragraph as the OWNER, of any and all debt, damages, claims causes of action, suits, liabilities, and damages of whatever nature which CONTRACTOR might now have or might subsequently acquire by reason of any matter or things whatsoever and particularly growing out of or in any way connected with, directly or indirectly, this agreement and/or services to be performed pursuant to the same, including but not limited to, any claims for workers compensation, health insurance, or any other benefit, and any claims challenging the constitutionality or legality or the provision of this agreement; any and all existing or future common law statutes or laws, civil rights or constitutional claims, and any other claims of any nature.

SECTION EIGHT

NONDISCRIMINATION AND COMPLIANCE WITH LAWS

CONTRACTOR shall not, in the performance of this contract, discriminate or permit discrimination in violation of federal or state laws or local ordinance because of race, color, sex, age, political or religious opinions, affiliations or national origin. CONTRACTOR agrees to comply with all applicable laws, rules, regulations, and policies, including but not limited to those relating to nondiscrimination, accessibility, and civil rights. CONTRACTORS agrees to timely file all required reports, make required payroll deductions, and timely pay all taxes and premiums owed, including but not limited to sales and use taxes and unemployment compensation and workers compensations premiums. CONTRACTOR shall have and keep current at all times during the term of this agreement all licenses and permits required by law.

In witness whereof, the parties have executed this agreement on the 31st day of December 2006.



*Cornel D. Stemley, Crime Analyst
Crime and Protection Solutions L.L.C*

Margaret Hornady, Mayor
City of Grand Island, Nebraska

R E S O L U T I O N 2006-358

WHEREAS, the Office of National Drug Control Policy (ONDCP) has awarded a High Intensity Drug Trafficking Area (HIDTA) grant to the state of Nebraska for utilization by various state and local law enforcement agencies; and

WHEREAS, the City of Grand Island has participated in a variety of activities in connection with the HIDTA grant and other coordinated activities to fight drug trafficking; and

WHEREAS, it is in the interests of the City of Grand Island and its citizens to participate in the Midwest HIDTA program; and

WHEREAS, it is necessary to renew contracts with independent contractors who will be providing professional services for the HIDTA program for the year 2007.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island shall participate in the Midwest HIDTA independent contractor program, coordinating its activities with those of other federal, state and local law enforcement agencies.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute such documents and take such action as is necessary and appropriate to accomplish these purposes.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G10

**#2006-359 - Approving Purchase of One (1) 2007 Police
Department Motorcycle**

Staff Contact: Steve Lamken

Council Agenda Memo

From: Steven Lamken, Police Chief

Meeting: December 19, 2006

Subject: Purchase of 2007 Police Department Motorcycle

Item #'s: G-10

Presenter(s): Steven Lamken, Police Chief

Background

The Police Department budgeted \$17,000 for one new motorcycle for the Police patrol fleet in the 2006/2007 budget. The Department solicited bids from three dealers for one Harley Davidson police package motorcycle and received one bid of \$17,799.75 from Harley Central of Grand Island.

Discussion

The Police Department 2006/2007 budget provides for the purchase of one new motorcycle for the marked patrol fleet. The Department budgeted \$17,000 for the purchase of one motorcycle with the intent of trading in a 2004 motorcycle from the fleet. The Department solicited bids from three Harley Davidson dealers and received one bid from Harley Central of Grand Island for \$17,779.75 with a trade in allowance of \$11,500.00 for the 2004 motorcycle, leaving a balance of \$6,299.75. The purchase price includes the labor of changing out equipment from the 2004 motorcycle to the 2007 motorcycle.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the purchase of one 2007 Harley Davidson motorcycle from Harley Central of Grand Island for a purchase price of \$17,779.75 and trade in one 2004 Harley Davidson motorcycle for a trade in value of \$11,500.00

Sample Motion

Motion to approve the purchase of one 2007 Harley Davidson motorcycle from Harley Central of Grand Island for a purchase price of \$17,779.75 and trade in one 2004 Harley Davidson motorcycle for a trade in value of \$11,500.00 for a final cost of \$6,299.75.

RESOLUTION 2006-359

WHEREAS, the Police Department of the City of Grand Island invited sealed bids for one Harley Davidson police package motorcycle, according to plans and specifications on file with the City Clerk; and

WHEREAS, one bid was received, opened and reviewed; and

WHEREAS, Harley Davidson Central of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$17,799.75 with a trade in allowance of \$11,500.00 for a 2004 motorcycle, leaving a balance of \$6,299.75; and

WHEREAS, Harley Davidson Central's bid is less than the Police Department's estimate for such motorcycle.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Harley Davidson Central of Grand Island, Nebraska, in the total amount of \$17,799.75 with a trade in allowance of \$11,500.00 for a 2004 motorcycle, leaving a balance of \$6,299.75 is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 14, 2006	☐ City Attorney



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G11

#2006-360 - Approving Purchase of Additional Munis Modules

Staff Contact: David Springer

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: December 19, 2006

Subject: Approving Supplemental Software: Self Service for Employees and Document Management

Item #'s: G-11

Presenter(s): Dave Springer, Finance Director

Background

In June, 2001, the City purchased MUNIS Integrated Financial Software from Tyler Technologies, Inc. It has been implemented and running for over four years now, and has proved very satisfactory, with the annual upgrades keeping it state-of-the-art. It is the Information Technology Department's continuing goal to improve internal efficiencies and reduce labor, paperwork, and retention files. Such improvements have been a key to enabling Finance to reduce FTEs in each of the last four years. To this end, we are requesting the purchase of two add-on MUNIS software modules.

Discussion

Munis Self Service for Employees. This module will extend access to MUNIS information via the Internet. It will alleviate routine requests for information by having the data accessible online and give employees convenient access to view employee information. MUNIS Self Service automates an employee's leave request to online supervisory approval, eliminating paper forms and then automatically adds the entry to the Payroll batch. This will eliminate the time and attendance clerk from duplicating keying these entries.

The online benefit enrollment capabilities will be a big time saver for both Human Resources and Payroll. HR will be able to easily monitor open enrollment forms and produce company required forms if needed for employee signatures. The new deduction information will then automatically update into MUNIS employee master files.

Document Management. This is a module that would provide a way to electronically manage documents in our current Financial and Payroll systems. It eliminates the shuffle

of system-generated reports and forms by automatically transferring them into images for storage and future retrieval from MUNIS. The images are then filed digitally, where they can be retrieved as needed. These forms and reports are instantly available and linked to our MUNIS applications. Users can find files in seconds, as opposed to rifling through reports. Document Management provides the most efficient method to capture, process, and store MUNIS reports. This method also allows more than one person to access a document simultaneously and avoids the mishap of having documents filed in the wrong folder.

With a 25% year-end discount, the cost of the MUNIS Self Service module is \$11,875 and the Document Management \$21,000. Appropriations are budgeted in 60510001-85501. Annual maintenance for Document Management would be waived the first year and for the Self Service, it would not begin until 9/13/07. They would be \$2,960 and \$2,250 respectively, annually, thereafter.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the contract with MUNIS.

Sample Motion

Approve the MUNIS add-on contract for Self Service and Document Management modules.

tyler *works.*

Tyler Technologies, Inc. MUNIS Division 370 US Route One Falmouth, Maine 04105 800.772.2260 tylertechnologies.com

Courts and Justice

Financial and City Solutions

Property Appraisal and Tax

Document Management

Price Quote**City of Grand Island****Customer # 0828****Date of Issue: 12/8/06****Alban Michaud****MUNIS Division***Sales Executive*

370 US Route One

Falmouth, Maine 04105

Phone: (800)772-2260 Ext. 4147

Fax: (207)781-2981

www.munis.comamichaud@munis.com

Product Description	Qty.	Unit Price	Discount	Ext. Price
Connector for Laserfiche - Document Management	1	\$ 22,000.00	\$ 5,500.00	\$ 16,500.00
\$4,500 installation/configuration	1	\$ 4,500.00		\$ 4,500.00
MUNIS Self Service for Employees (Self-Hosted)	1	\$ 12,500.00	\$ 3,125.00	\$ 9,375.00
Installation	1	\$ 1,500.00		\$ 1,500.00
Training Day	1	\$ 1,000.00		\$ 1,000.00
Document Management - Annual Maintenance (waived Year 1)	1	\$ 2,960.00		\$ 2,960.00
MUNIS Self Service for Employees - Annual Maintenance (starts 9/13/07)	1	\$ 2,250.00		\$ 2,250.00
Total:				\$ 38,085.00

My Signature below authorizes MUNIS to provide products and services as described above.Name: _____
Print_____
Date

Return Fax: 207-781-2981

PO # (If Used)

RESOLUTION 2006-360

WHEREAS, on July 10, 2001, by Resolution 2001-180, the City of Grand Island approved the proposal of Process, Inc., d/b/a Munis Integrated Financial Software to implement new accounting software with an integrated financial program; and

WHEREAS, in order to enhance this software's capabilities and improve operating efficiencies, it is desirable to purchase an additional two MUNIS software modules; and

WHEREAS, with a 25% year-end discount, the cost of the additional MUNIS modules is \$32,875.00; and

WHEREAS, the funding for such modules is provided in the 2006/2007 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of two additional. MUNIS modules in the amount of \$32,875.00 from MUNIS Integrated Financial Software, is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G12

**#2006-361 - Approving Certificate of Final Completion and
Scheduling the Board of Equalization for Sidewalk District No. 1,
2006**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: December 19, 2006

Subject: Approving Certificate of Final Completion and
Scheduling the Board of Equalization for Sidewalk
District No. 1, 2006

Item #'s: G-12

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

Background

The contract for Sidewalk District No. 1, 2006 was awarded to Galvan Construction, Inc. of Grand Island, NE on September 12, 2006. Work commenced on November 6, 2006 and was completed on November 7, 2006.

Discussion

Sidewalk District No. 1, 2006 was completed in accordance with the terms, conditions, and stipulations of the contract, plans, and the specifications. The project was completed on schedule at a construction price of \$924.00. Total cost of the project, including fill dirt and Engineering Services, is \$1,216.40. The original contract amount was based off of installing sidewalk along seven (7) properties. Six (6) of the properties had the sidewalks installed by a different contractor thus the project was completed at a lesser amount than what the contract was for. The majority of the costs for this project will be assessed to the adjacent property. The fill dirt is a City expense, in accordance with past practice. Costs for the project break down as follows:

Original Bid	\$ 6,212.25
Less Amount for Six Properties	(\$ 5,288.25)
Sub Total (Construction Price)	\$ 924.00
20 Cubic Yds of Fill Dirt	\$ 200.00
<u>Engineering</u>	<u>\$ 92.40</u>
Total Cost	\$ 1,216.40

Alternatives

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

1. Move to approve the Certificate of Final Completion and set the Board of Equalization Hearing.
2. Refer the issue to a Committee.
3. Postpone the issue to future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the Certificate of Final Completion for Sidewalk District No. 1, 2006 and set the Board of Equalization date of January 23, 2007.

Sample Motion

Motion to approve the Certificate of Final Completion and set the Board of Equalization Hearing for Sidewalk District No. 1, 2006.

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

SIDEWALK DISTRICT NO. 1, 2006

CITY OF GRAND ISLAND, NEBRASKA
DECEMBER 19, 2006

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

This is to certify that SIDEWALK DISTRICT NO. 1, 2006 has been fully completed by Galvan Construction Inc. of Grand Island under contract dated September 21, 2006. The work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans, and the specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provisions of Section 16-650 R.R.S., 1943.

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

SIDEWALK DISTRICT NO. 1, 2006 is located at various properties throughout Grand Island

<u>Item</u>	<u>Description</u>	<u>Total Quantity</u>	<u>Unit Price</u>	<u>Total Cost</u>
1	4" PCC Sidewalk	336	2.75 s.f.	\$924.00
2	Supply Fill Material and Fill Ditch (20 Cubic Yards)	1	1 l.s.	200.00
TOTAL CONSTRUCTION COST SIDEWALK DISTRICT NO. 1, 2006				\$ 1,124.00
LESS AMOUNT PREVIOUSLY PAID CONTRACTOR				\$ 0
BALANCE DUE CONTRACTOR THIS FINAL PAYMENT				\$ 1,124.00
<u>Engineering Costs</u>				<u>\$ 92.40</u>
TOTAL COST SIDEWALK DISTRICT NO. 1, 2003				\$ 1,216.40
Amount Assessable to Property Owners				\$ 1,016.40
City Cost For Fill Material				\$ 200.00

Respectfully submitted,

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

December 19, 2006

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

I hereby recommend that the Engineer's Certificate of Final Completion for Sidewalk District No. 1, 2006 be approved and a warrant be issued from Account No. 40033535-90072 in the amount of \$1,124.00; payable to Galvan Construction Inc. for the total amount due the contractor of \$1,124.00.

I further recommend that the costs of City Engineering and publication costs be credited to Account No. 100.130.04516 from account 40033535-90072 in the amount of \$92.40.

I further recommend that the City Council sit as a Board of Equalization on January 23, 2007 to determine benefits and levy special assessments.

Respectfully submitted,

Margaret Hornady
Mayor

RESOLUTION 2006-361

WHEREAS, the Public Works Director of the City of Grand Island has issued a Certificate of Final Completion for Sidewalk District No. 1, 2006, certifying that Galvan Construction, Inc. of Grand Island, Nebraska, under contract dated September 21, 2006, has completed such project according to the terms, conditions, and stipulations for such improvements; and

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

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

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

1. The Public Works Director's Certificate of Final Completion for Sidewalk District No. 1, 2006, is hereby confirmed.
2. A warrant be issued in the amount of \$1,216.40 payable to Galvan Construction, Inc. for the total amount due the contractor.
3. The City Council will sit as a Board of Equalization on January 23, 2007 to determine benefits and set assessments for Sidewalk District No. 1, 2006.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 14, 2006	☐ City Attorney



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G13

**#2006-362 - Approving State Bid Award for ½ Ton Chevrolet
Pickup Truck (Street and Transportation Division)**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: December 19, 2006

Subject: Approving Bid Award for ½ Ton Chevrolet Pickup Truck
(Street and Transportation Division)

Item #'s: G-13

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

Background

The Street and Transportation Division of the Public Works Department is due to replace the 1998 Street Supervisor's pickup truck. The truck currently has over 98,000 in town miles on it.

Discussion

The ½ Ton Chevrolet 4x4 extended cab pickup truck awarded under State of Nebraska contract #11808 OC meets all of the requirements for the Street & Transportation Division. A 4 wheel drive pickup is needed for the Street Supervisor during culvert, grading and snow removal operations. The following is a summary of the State bid contract.

<i>Bidder</i>	<i>Exceptions</i>	<i>Total Cost</i>
Sid Dillon Wahoo, Inc. Wahoo, Nebraska	None	\$22,868.00

There are sufficient funds for this purchase in Account No. 10033501-85625.

Alternatives

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

1. Move to approve the purchase of the pickup truck.
2. Refer the issue to a Committee.

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

Recommendation

City Administration recommends that the Council approve the purchase of the ½ Ton Chevrolet 4x4 extended cab pickup truck in the amount of \$22,868.00 from Sid Dillon Wahoo, Inc. of Wahoo, Nebraska.

Sample Motion

Motion to approve the purchase of the pickup.

RESOLUTION 2006-362

WHEREAS, the Street and Transportation Division of the Public Works Department budgeted in the 2006/2007 fiscal year to purchase a Half Ton Four Wheel Drive Pickup Truck; and

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

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

WHEREAS, the funding for such vehicle is provided in the 2006/2007 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of one Half Ton Four Wheel Drive Pickup Truck in the amount of \$22,868.00 from the State contract holder, Sid Dillon Wahoo, Inc. of Wahoo, Nebraska, is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G14

#2006-363 - Approving Renewal Rider Agreement with the Union Pacific Railroad Company for the Intersection of 3rd Street and Blaine Street

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: December 19, 2006

Subject: Approving Renewal Rider Agreement with the Union Pacific Railroad Company for the Intersection of 3rd Street and Blaine Street

Item #'s: G-14

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

Background

An agreement was made between the City of Grand Island and the Union Pacific Railroad Company (UPRR), a lessee to the St. Joseph and Grand Island Railway Company, on May 9, 1979. The agreement is for a portion of the intersection of 3rd Street and Blaine Street being on the UPRR Right-of-Way.

Discussion

The lease needs to be renewed to allow for the street intersection to remain as it currently exists. The renewal is a lump sum of \$10,500 for the term of May 8, 2004 thru May 7, 2029.

Alternatives

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

1. Move to approve the renewal rider agreement with the Union Pacific Railroad Company for the intersection of 3rd Street and Blaine Street.
2. Refer the issue to a Committee.
3. Postpone the issue to future date.
4. Take no action on the issue.

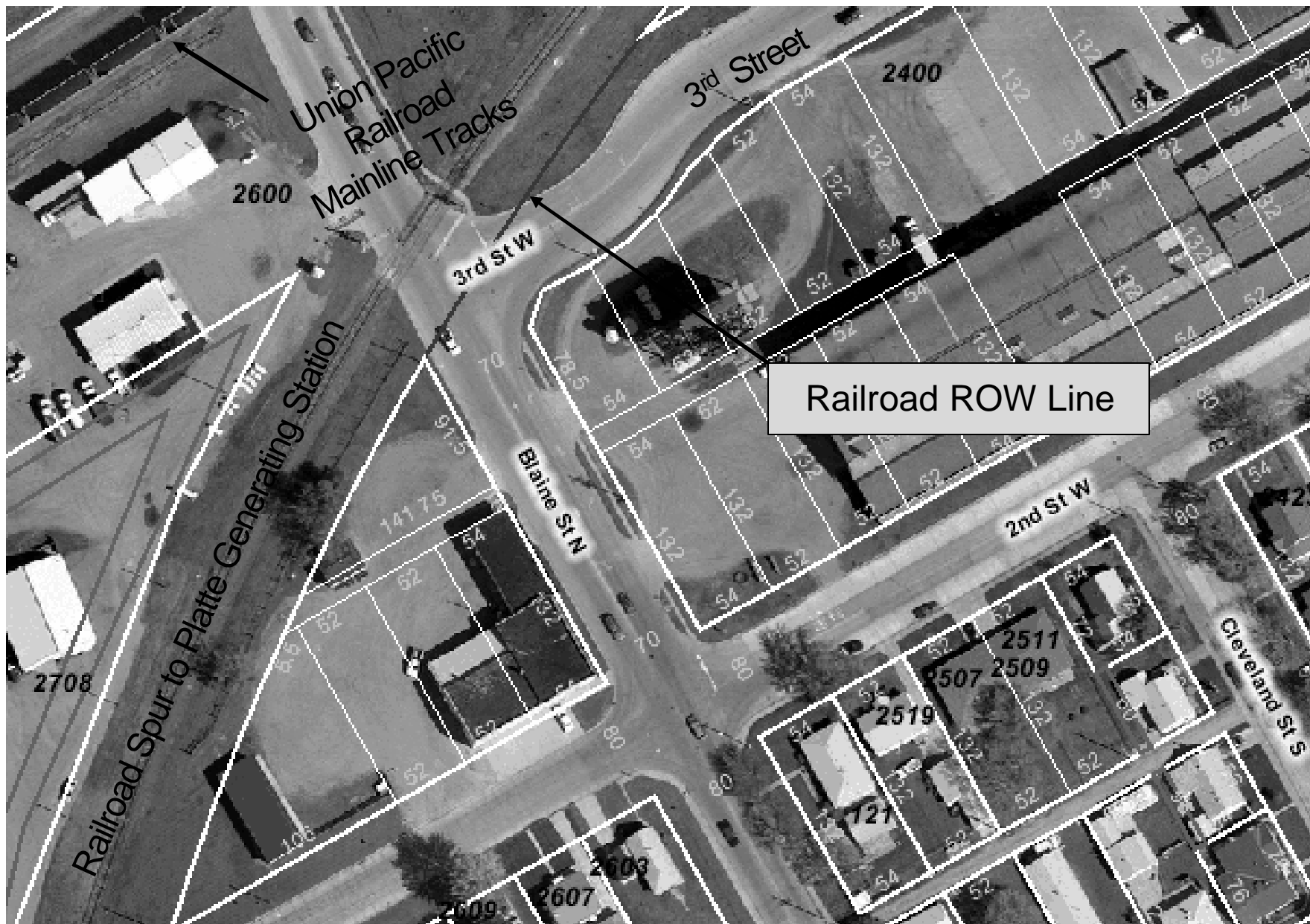
Recommendation

City Administration recommends that the Council approve the renewal rider agreement with the Union Pacific Railroad Company for the intersection of 3rd Street and Blaine Street.

Sample Motion

Motion to approve the renewal rider agreement.





Folder No. 26-55

RENEWAL RIDER AGREEMENT

UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, and its predecessors in interest, (hereinafter the "Railroad Company") and the **CITY OF GRAND ISLAND**, a Nebraska Municipal Corporation, (hereinafter the "Licensee"), or their predecessors in interest, have heretofore entered into an agreement dated May 09, 1979, bearing Railroad Company Audit No. A103694 (hereinafter "Basic Agreement") covering highway purposes at Mile Post 22.1 on the River Industrial Lead at or near Grand Island, Hall County, Nebraska.

The parties hereto now mutually agree that the Basic Agreement, including any supplement or amendment thereto (if any), is hereby adopted by the parties hereto as their agreement for a term commencing retroactively to May 8, 2004, and extending to May 07, 2029.

Effective October 23, 2006, Lessee shall pay to Lessor advance fixed rent of Ten Thousand Five Hundred Dollars (\$10,500.00) for the term.

All the terms and conditions of the Basic Agreement, as heretofore or herein supplemented and/or amended (if applicable), shall have the same force and effect and be as binding upon the parties hereto during said term as if the same were repeated herein.

The following Special Provision for 'Protection of Fiber Optic Cable Systems' is hereby made a part hereof.

Fiber optic cable systems may be buried on the Licensor's property. Protection of the fiber optic cable systems is of extreme importance since any break could disrupt service to users resulting in business interruption and loss of revenue and profits. Licensee shall telephone the Licensor at 1-800-336-9193 (a 24-hour number) to determine if fiber optic cable is buried anywhere on the Licensor's premises to be used by the Licensee. If it is, Licensee will telephone the telecommunications company(ies) involved, arrange for a cable locator, and make arrangements for relocation or other protection of the fiber optic cable prior to beginning any work on the Licensor's premises.

Except as herein modified, all terms and conditions of the Basic Agreement remain the same.

Executed this _____ day of _____, 2006.

UNION PACIFIC RAILROAD COMPANY

CITY OF GRAND ISLAND

By: _____
AVP-Real Estate

By: _____
Title: _____

RESOLUTION 2006-363

WHEREAS, on May 9, 1979, the City of Grand Island entered into a lease agreement for highway purposes for the intersection at Third and Blaine Streets in Grand Island, with The St. Joseph and Grand Island Railway Company, a corporation of the State of Kansas and Nebraska, and its lessee, Union Pacific Railroad Company, a corporation of the State of Utah, ; and

WHEREAS, the City of Grand Island and the Union Pacific Railroad Company are interested in continuing the provisions of such lease agreement by way of a Renewal Rider Agreement; and

WHEREAS, the City of Grand Island agrees to pay Union Pacific Railroad rent in the amount of \$10,500.00, effective October 23, 2006; and

WHEREAS, the term of said lease shall be for a term commencing retroactively to May 8, 2004, and shall extend to May 7, 2029; and

WHEREAS, the proposed Renewal Rider Agreement has been reviewed and approved by the Interim City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Renewal Rider Agreement between the City of Grand Island and the Union Pacific Railroad for highway purposes for the intersection at Third and Blaine Streets in Grand Island, Nebraska, is hereby approved; and the Mayor is hereby authorized and directed to execute such Renewal Rider Agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 14, 2006	☐ City Attorney



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G15

**#2006-364 - Approving Bid Award for Backyard Hydraulic Digger
Derrick/Bucket**

Staff Contact: Gary R. Mader;DaleShotkoski

Council Agenda Memo

From: Gary R. Mader, Utilities Director
Dale Shotkoski, Interim City Attorney

Meeting: December 19, 2006

Subject: Bid Award – Backyard Hydraulic Digger Derrick/Bucket

Item #'s: G-15

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

Background

The Utilities Department, Line and Underground Divisions frequently have need to set poles and transformers in very congested areas where conventional line construction equipment simply can't get into. Specialty equipment is manufactured to allow line work to be done safely and efficiently in these areas. A "Backyard Hydraulic Digger Derrick/Bucket" was included in this year's budget to replace a 1991 unit which is 16 years old and does not have the capacity or size needed. Bids for the unit were publicly advertised on Friday, November 3, 2006. Bid documents were also mailed to four potential bidders.

On Monday, November 27, 2006, three bids were received and opened. The bids were as follows:

Bidder:	Tiiger, Inc. Cedarburg, WI	S.D.P. Manufacturing, Inc. Dunkirk, IN	Terex Utilities San Antonio, TX
Exceptions:	Noted	Noted	Noted
Bid Price:	\$121,243.00	\$115,980.0	\$97,353.00

Discussion

The equipment proposed in the "as read" low bid from Terex Utilities was not compliant with the specifications in a number of requirements; size, lifting capacity, carrying capacity, height, boom rotation, and pole claw tilt.

The equipment bid from Terex Utilities was not compliant in the following areas;

1. 3,000 lbs. of lifting capacity in lieu of 3,800 lbs. specified
2. 2,000 lbs. of lifting capacity in lieu of 2,500 lbs. specified
3. Thirty-nine foot bucket working height in lieu of 44 foot specified
4. Non-continuous rotation of the hydraulic boom in lieu of continuous rotation as specified
5. No hydraulic tilt on pole claw - *NOTE: None of the bidders were able to meet this specification.*

As is evident from the foregoing comparisons, the unit bid from Terex Utilities is much smaller and less capable than the specified unit.

The second low bid, S.D.P. Manufacturing meets all specifications with the one overall exception to the pole claw tilt. S.D.P. Manufacturing is the lowest compliant bidder.

Alternatives

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

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

Recommendation

City Administration recommends that the Council award the Backyard Hydraulic Digger Derrick/Bucket to the lowest compliant bidder, S.D.P. Manufacturing, Inc., of Dunkirk, Indiana in the amount of \$115,980.00.

Sample Motion

Make a motion to approve the purchase of a Backyard Hydraulic Digger Derrick/Bucket from S.D.P. Manufacturing, Inc., for \$115,980.00.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: November 27, 2006 at 11:00 a.m.

FOR: Backyard Hydraulic Digger Derrick/Bucket

DEPARTMENT: Utilities

ESTIMATE: \$140,000.00

FUND/ACCOUNT: 520

PUBLICATION DATE: November 3, 2006

NO. POTENTIAL BIDDERS: 4

SUMMARY

Bidder:	<u>Tiiger, Inc.</u>	<u>S.D.P. Manufacturing, Inc.</u>
	Cedarburg, WI	Dunkirk, IN
Exceptions:	Noted	Noted
Bid Price:	\$121,243.00	\$115,980.00

Bidder:	<u>Terex Utilities</u>
	San Antonio, TX
Exceptions:	Noted
Bid Price:	\$97,353.00

cc: Gary Mader, Utilities Director
Pat Gericke, Utilities Admin. Assist.
Dale Shotkoski, Purchasing Agent

Bob Smith, Assist. Utilities Director
Gary Greer, City Administrator
Sherry Peters, Legal Secretary

P1121

R E S O L U T I O N 2006-364

WHEREAS, the City of Grand Island invited sealed bids for a Backyard Hydraulic Digger Derrick/Bucket for the Utilities Department, according to specifications on file with the City Clerk's Office; and

WHEREAS, on November 27, 2006, bids were received, opened and reviewed; and

WHEREAS, S.D.P. Manufacturing of Dunkirk, Indiana, submitted a bid in accordance with the terms of the advertisement of bids and specifications and all other statutory requirements contained therein, such bid being in the amount of \$115,980.00; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of S.D.P. Manufacturing of Dunkirk, Indiana, in the amount of \$115,980.00 for a Backyard Hydraulic Digger Derrick/Bucket is hereby approved as the lowest compliant bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G16

#2006-365 - Approving Bid Award for Grading Work at the Wellfield - Wells 5, 9, and 12 (Project 2007-W-1)

Staff Contact: Gary R. Mader;DaleShotkoski

Council Agenda Memo

From: Gary R. Mader, Utilities Director
Dale Shotkoski, Interim City Attorney

Meeting: December 19, 2006

Subject: Bid Award for Contract 2007-WF-1
Platte River Wellfield

Item #'s: G-16

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

Background

The City's primary drinking water source is located at the Platte River Wellfield. Forty years ago, the original wells were installed without building enclosures over the wells infrastructure. In order to improve maintenance, reliability, environmental safety, and secure operations, the Utilities Department has been systematically working to place protective buildings over each well. This has been an on-going process for the past three years. Protective buildings for an additional three wells are budgeted again this year.

Contract 2007-WF-1 consists of furnishing all equipment and labor for grading, constructing embankments, and related earthwork around wells 5, 9, and 12 at the City's Platte River Wellfield. The work is required before the new buildings can be constructed.

Attached for reference is a site drawing.

Discussion

The contract was publicly advertised and bid documents were sent to seven (7) potential bidders. Bids were opened in accordance with City Procurement Codes at 11:00 a.m. on December 7, 2006. Three bids were received and are tabulated below:

<u>Bidder</u>	<u>Exceptions</u>	<u>Bid Price</u>
Platte Valley Construction Co. Grand Island, NE	None	\$35,645.40
Hooker Brothers Construction Co. Grand Island, NE	None	\$39,225.00

<u>Bidder</u>	<u>Exceptions</u>	<u>Bid Price</u>
Starostka Group Unlimited, Inc Grand Island, NE	Completion 5/23/2008	\$78,153.00

The three bids received have been evaluated by Utility Engineering staff. All are complete and exceptions are as noted. The project is scheduled for completion by March 17, 2007.

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 Well Field Contract 2007-WF-1 to the low responding bidder
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

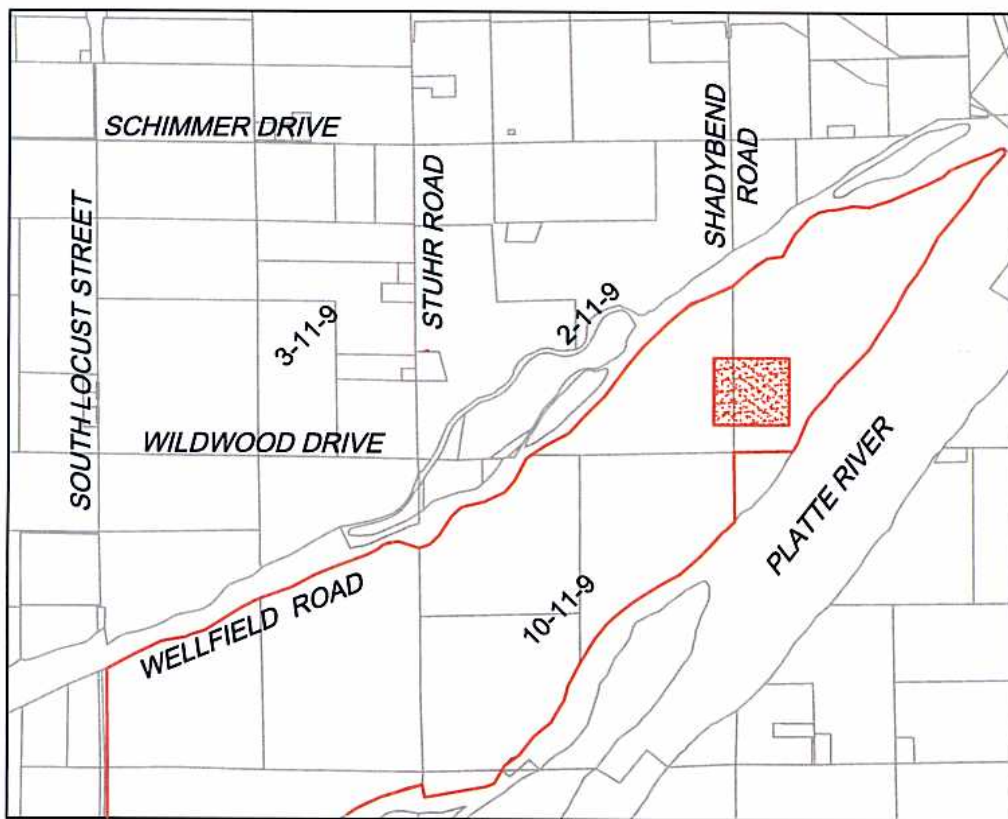
Recommendation

City Administration recommends that the Council award Contract 2007-WF-1, Platte River Wellfield Wells 5, 9, and 12 Earthwork; to the low responsive bidder, Platte Valley Construction Co. of Grand Island, NE, in the amount of \$35,645.40. Their bid is without exceptions and below the project cost estimate of \$49,000.00.

Sample Motion

Motion to approve the bid award of Contract 2007-WF-1 to Platte Valley Construction Co., of Grand Island, NE.

CONTRACT 2007-WF-1 PROJECT LOCATION



Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: December 7, 2006 at 11:00 a.m.

FOR: Platte River Well Field – Wells 5, 9 & 12 Earthwork

DEPARTMENT: Utilities

ESTIMATE: \$49,000.00

FUND/ACCOUNT: 525

PUBLICATION DATE: November 22, 2006

NO. POTENTIAL BIDDERS: 7

SUMMARY

Bidder:	<u>Platte Valley Construction Co.</u> Grand Island, NE	<u>Hooker Brothers Construction Co.</u> Grand Island, NE
Bid Security:	Universal Surety Co.	Western Surety Co.
Exceptions:	None	None
Bid Price:	\$35,645.40	\$39,225.00
Bidder:	<u>Starostka Group</u> Grand Island, NE	
Bid Security:	Universal Surety Co.	
Exceptions:	Noted	
Bid Price:	\$78,153.00	

cc: Gary Mader, Utilities Director
Tom Barnes, Eng. Manager
Gary Greer, City Administrator
Sherry Peters, Legal Secretary

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

RESOLUTION 2006-365

WHEREAS, the City of Grand Island invited sealed bids for Contract 2007-WF-1, Platte River Well Field Wells 5, 9 & 12 Earthwork, according to plans and specifications on file with the City Clerk's office; and

WHEREAS, on December 7, 2006, bids were received, opened and reviewed; and

WHEREAS, Platte Valley Construction Company of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and specifications and all other statutory requirements contained therein, such bid being in the amount of \$35,645.40; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Platte Valley Construction Company of Grand Island, Nebraska, in the amount of \$35,645.40 for Contract 2007-WF-1, Platte River Well Field Wells 5, 9 & 12 Earthwork is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G17

**#2006-366 - Approving Bid Award for Tree Trimming Project
2007-TT-1**

Staff Contact: Gary R. Mader;DaleShotkoski

Council Agenda Memo

From: Gary R. Mader, Utilities Director
Dale Shotkoski, Interim City Attorney

Meeting: December 19, 2006

Subject: Bid Award – Tree Trimming Contract 2007-TT-1

Item #'s: G-17

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 2007-TT-1 were prepared for private contractors to provide bids for tree trimming services for the clearances needed for safe, reliable electrical service.

Discussion

The specifications provide for the City to award each of the 22 line sections included in the specifications to the lowest bidder for each individual section.

The project was publicly advertised and specifications were sent to ten (10) potential bidders. The bids were publicly opened at 11:15 a.m. on November 20, 2006 in accordance with City Procurement Codes. Bids were received from three contractors and have been checked and evaluated. A tabulation of the bids received is listed below:

Bid Amount	Tom's Tree Service Grand Island, NE	Sheffield Tree Service Grand Island, NE	Wright Tree Service Des Moines, IA	TOTAL Low Bid Per Section
Section 1	\$19,000.00	No Bid	\$37,600.00	\$19,000.00
Section 2	\$ 7,000.00	\$4,800.00	\$23,760.00	\$ 4,800.00
Section 3	\$ 9,600.00	No Bid	\$34,720.00	\$ 9,600.00
Section 4	\$ 7,000.00	\$3,800.00	\$24,960.00	\$ 3,800.00
	Tom's Tree	Sheffield Tree	Wright	TOTAL Low

Bid Amount	Service Grand Island, NE	Service Grand Island, NE	Tree Service Des Moines, IA	Bid Per Section
Section 5	\$13,500.00	\$4,200.00	\$51,520.00	\$ 4,200.00
Section 6	\$18,100.00	No Bid	\$45,200.00	\$18,100.00
Section 7	\$ 8,000.00	\$4,500.00	\$24,880.00	\$ 4,500.00
Section 8	\$14,000.00	\$8,250.00	\$25,200.00	\$ 8,250.00
Section 9	\$ 6,000.00	\$1,850.00	\$22,240.00	\$ 1,850.00
Section 10	\$ 3,800.00	\$4,800.00	\$19,040.00	\$ 3,800.00
Section 11	\$ 4,400.00	\$3,250.00	\$21,600.00	\$ 3,250.00
Section 12	\$ 2,500.00	No Bid	\$ 8,000.00	\$ 2,500.00
Section 13	\$ 8,000.00	No Bid	\$14,400.00	\$ 8,000.00
Section 14	\$ 9,000.00	\$5,200.00	\$14,240.00	\$ 5,200.00
Section 15	\$ 4,800.00	\$4,500.00	\$ 8,640.00	\$ 4,500.00
Section 16	\$10,000.00	No Bid	\$43,360.00	\$10,000.00
Section 17	\$17,500.00	No Bid	\$28,880.00	\$17,500.00
Section 18	\$ 3,000.00	\$1,500.00	\$ 6,720.00	\$ 1,500.00
Section 19	\$ 7,000.00	No Bid	\$11,600.00	\$ 7,000.00
Section 20	\$ 6,000.00	No Bid	\$10,720.00	\$ 6,000.00
Section 21	\$ 4,700.00	\$3,500.00	\$10,800.00	\$ 3,500.00
Section 22	\$ 4,500.00	No Bid	\$ 8,800.00	\$ 4,500.00
TOTALS	\$187,400.00	\$50,150.00	\$496,880.00	\$151,350.00
Low Bid Totals	\$106,000.00	\$45,350.00		

The total cost based on the lowest bid for each line section is \$151,350. That total is above the estimate of \$150,000.00 by 0.9%. The Utilities Department believes these bids are competitive and reflect current market for this type of work; and would recommend that the contract work be awarded as bid, in total. All bids are without exceptions and meet Contract requirements.

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

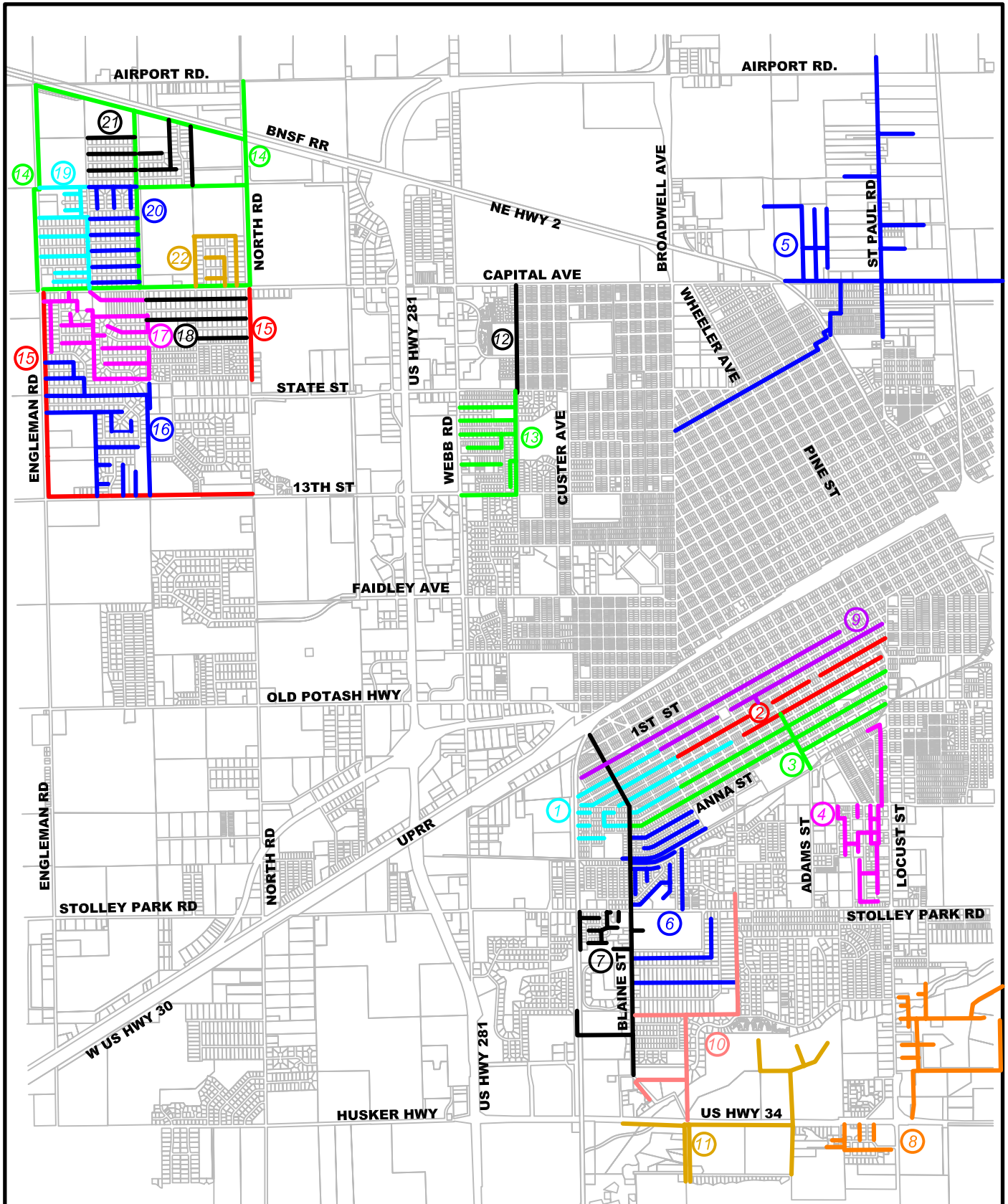
Recommendation

City Administration recommends that the Council award Tree Trimming Contract 2007-TT-1 Sections 1, 3, 6, 10, 12, 13, 16, 17, 19, 20, and 22 to Tom's Tree Service in the

amount of \$106,000; and award Sections 2, 4, 5, 7, 8, 9, 11, 14, 15, 18 and 21 to Sheffield Tree Service in the amount of \$45,350.00.

Sample Motion

Motion to approve award of Tree Trimming Contract 2007-TT-1, to Tom's Tree Service and Sheffield Tree Service based upon the lowest bid for each individual line section.



CITY OF
GRAND ISLAND
UTILITIES DEPARTMENT

**TREE TRIMMING
PROJECT 2007-TT-1
ALL 22 SECTIONS**

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: November 20, 2006 at 11:15 a.m.

FOR: Tree Trimming Project 2007-TT-1

DEPARTMENT: Utilities

ESTIMATE: \$150,000.00

FUND/ACCOUNT: 520

PUBLICATION DATE: November 6, 2006

NO. POTENTIAL BIDDERS: 10

SUMMARY

Bidder:	<u>Tom's Tree Service</u>	<u>Sheffield Tree Service</u>	<u>Wright Tree Service</u>
	Grand Island, NE	Grand Island, NE	Des Moines, IA
Bid Security:	Western Surety Company	Western Surety Company	Merchants Bonding Co.
Exceptions:	None	None	None
Bid Price:			
Section 1	\$19,000.00	No Bid	\$37,600.00
Section 2	7,000.00	4,800.00	23,760.00
Section 3	9,600.00	No Bid	34,720.00
Section 4	7,000.00	3,800.00	24,960.00
Section 5	13,500.00	4,200.00	51,520.00
Section 6	18,100.00	No Bid	45,200.00
Section 7	8,000.00	4,500.00	24,880.00
Section 8	14,000.00	8,250.00	25,200.00
Section 9	6,000.00	1,850.00	22,240.00
Section 10	3,800.00	4,800.00	19,040.00
Section 11	4,400.00	3,250.00	21,600.00
Section 12	2,500.00	No Bid	8,000.00
Section 13	8,000.00	No Bid	14,400.00
Section 14	9,000.00	5,200.00	14,240.00
Section 15	4,800.00	4,500.00	8,640.00
Section 16	10,000.00	No Bid	43,360.00

Section 17	17,500.00	No Bid	28,880.00
Section 18	3,000.00	1,500.00	6,720.00
Section 19	7,000.00	No Bid	11,600.00
Section 20	6,000.00	No Bid	10,720.00
Section 21	4,700.00	3,500.00	10,800.00
Section 22	<u>4,500.00</u>	<u>No Bid</u>	<u>8,800.00</u>
TOTAL:	\$187,400.00	\$50,150.00	\$496,880.00

cc: Gary Mader, Utilities Director
Tom Barnes, Utilities Eng. Manager
Gary Greer, City Administrator
Sherry Peters, Legal Secretary

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

P1123

RESOLUTION 2006-366

WHEREAS, the City of Grand Island invited bids for Tree Trimming Project 2007-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 20, 2006, bids were received, opened and reviewed; and

WHEREAS, the requested work has been divided into 22 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 \$106,000.00 for Sections 1, 3, 6, 10, 12, 13, 16, 17, 19, 20 and 22 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 \$45,350.00 for Sections 2, 4, 5, 7, 8, 9, 11, 14, 15, 18 and 21 of the contract; and

WHEREAS, the combined total of the lowest bids for the above-listed twenty two sections represents the lowest responsible bid 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 \$106,000.00 for Sections 1, 3, 6, 10, 12, 13, 16, 17, 19, 20 and 22 of Tree Trimming Project 2007-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 \$45,350.00 for Sections 2, 4, 5, 7, 8, 9, 11, 14, 15, 18 and 21 of Tree Trimming Project 2007-TT-1 is hereby approved as the lowest responsive bid submitted for those sections.

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, December 19, 2006.

Margaret Hornady, Mayor

Attest:

Approved as to Form	☐ _____
December 14, 2006	☐ City Attorney

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G18

**#2006-367 - Approving Acquisition of Utility Easement Located at
305 Wilmar Avenue (NE Colorado Cellular dba Viaero Wireless)**

Staff Contact: Gary R. Mader

RESOLUTION 2006-367

WHEREAS, a public utility easement is required by the City of Grand Island, from NE Colorado Cellular, Inc., to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on December 19, 2006, for the purpose of discussing the proposed acquisition of an easement located in a part of Lot One (1) Martin's Third Subdivision, in the City of Grand Island, Hall County, Nebraska, the twenty (20.0) foot wide utility easement, being more particularly described as follows:

The northerly forty five (45.0) feet of the westerly twenty (20.0) feet of the easterly one hundred ninety seven (197.0) feet of Lot One (1) Martin's Third Subdivision.

The above-described easement and right-of-way containing a total of 900 square feet, more or less, as shown on the plat dated December 6, 2006, 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 NE Colorado Cellular, Inc., on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 14, 2006	☐ City Attorney



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G19

**#2006-368 - Approving Final Plat and Subdivision Agreement for
Platte Valley Industrial Park 5th Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: December 19, 2006

Subject: Platte Valley Industrial Park 5th Subdivision – Final Plat

Item #'s: G-19

Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

This final plat proposes to create 2 lots on a replat of Lot 1, Platte Valley Industrial Park Second Subdivision, located in the Northwest Quarter of the Southwest Quarter of Section 5, Township 10 North, Range 9 West of the 6th P.M., City of Grand Island, Hall County, Nebraska. This land consists of approximately 21.77 acres. This subdivision meets all of the requirements for a legal subdivision in the City of Grand Island and all city utilities are available.

Discussion

The final plat for Platte Valley Industrial Park Second Subdivision was considered by the Regional Planning Commission at the December 13, 2006 meeting. A motion was made by Miller and seconded by Brown to approve the plat as presented. A roll call vote was taken and the motion carried with 10 members present voting in favor (Miller, Amick, O'Neill, Ruge, Hayes, Haskins, Eriksen, Brown, Niemann, Snodgrass).

Alternatives

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

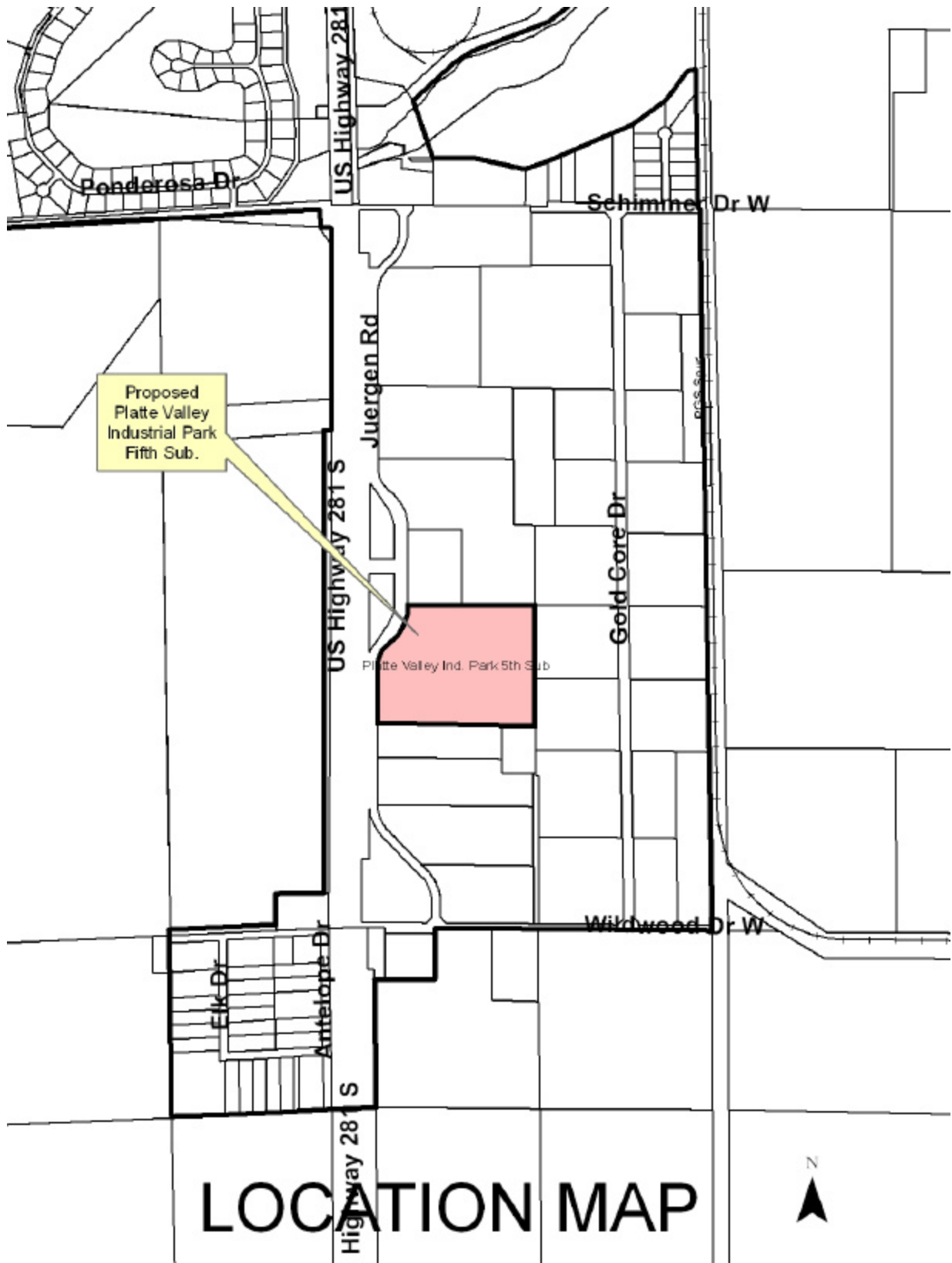
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

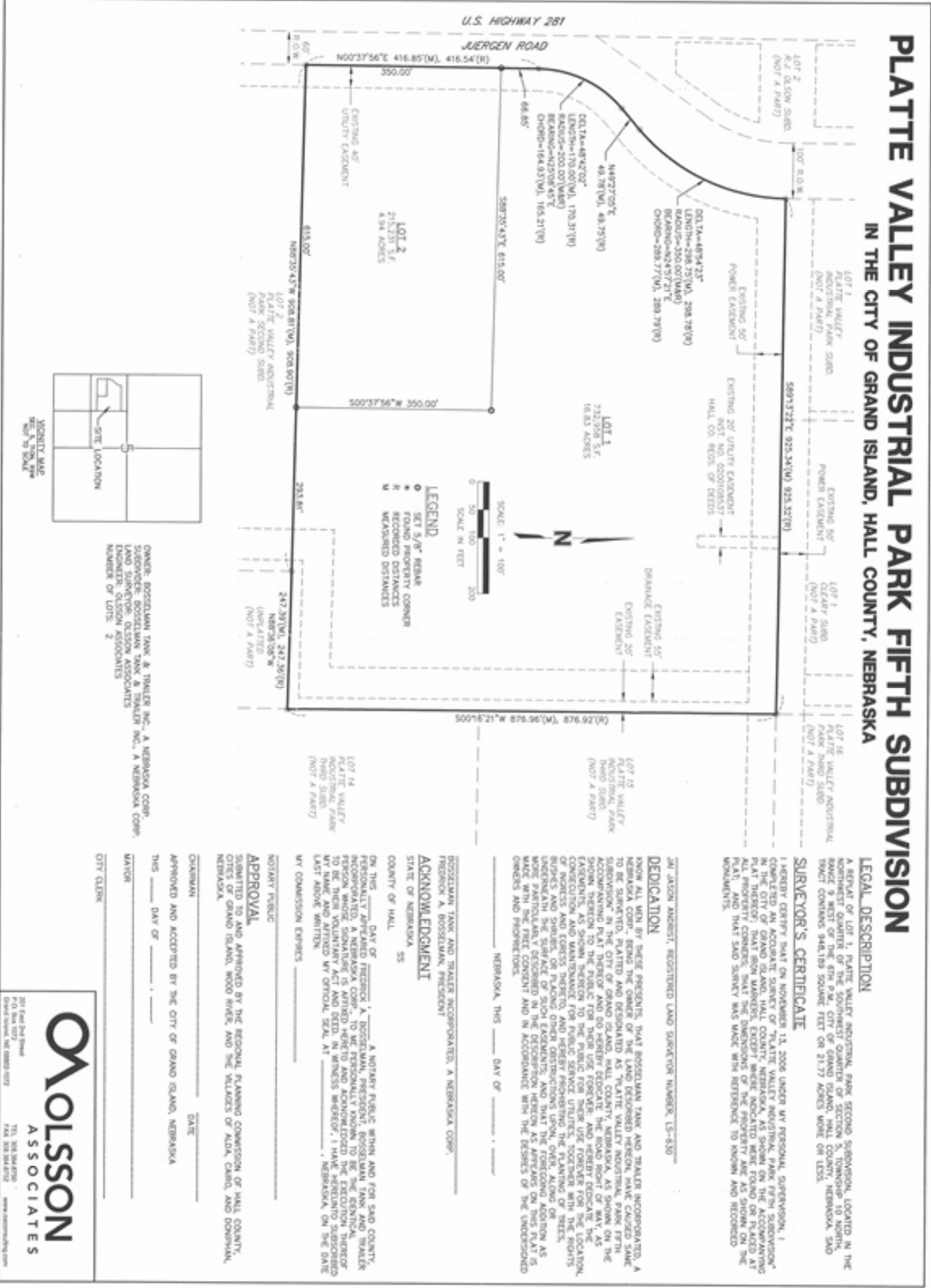
City Administration recommends that the Council approve the final plat as presented

Sample Motion

Motion to approve as recommended.



DWG: P:\Projects\2003\2003\00000000\00000000.dwg USER: jstevens
DATE: May 21, 2003 1:10pm 2003



Olsson ASSOCIATES

201 East 4th Street
PO Box 507
Grand Island, NE 68803-0507
TEL: 308.384.6100
FAX: 308.384.6170
www.olssonhwy.com

RESOLUTION 2006-368

WHEREAS, Bosselman Tank and Trailer Incorporation, a Nebraska Corporation, as owner, has caused to be laid out into a lot, a tract of land located in the Northwest Quarter of the Southwest Quarter of Section 5, Township 10 North, Range 9 West of the 6th P.M., City of Grand Island, Hall County, Nebraska, said tract containing 21.77 acres, more or less, under the name of PLATTE VALLEY INDUSTRIAL PARK 5TH SUBDIVISION, and have caused a plat thereof to be acknowledged by them; and

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

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

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

BE IT FURTHER RESOLVED that the final plat of PLATTE VALLEY INDUSTRIAL PARK 5TH 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, December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 14, 2006	☐ City Attorney



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G20

#2006-369 - Approving Final Plat and Subdivision Agreement for Pleasant View 15th Subdivision

Staff Contact: Chad Nabitv

Council Agenda Memo

From: Regional Planning Commission

Meeting: December 19, 2006

Subject: Pleasant View Fifteenth Subdivision – Final Plat

Item #'s: G-20

Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

This final plat proposes to create 20 lots on a tract of land being part of the West Half of the Northeast Quarter (W1/2 NE1/4) of Section Twenty-two (22), Township Eleven (11) North, Range Nine (9) West of the Sixth P.M., City of Grand Island, Hall County, Nebraska. This land consists of approximately 5.86 acres. The original preliminary plat for this property was approved by the Grand Island City Council in 1977. The cul-de-sac is longer than the subdivision regulations would recommend (650 feet rather than 500 feet). This was approved with the original preliminary plat and development has occurred around this site since that point in time. No other development options are available for this property that could result in a shorter cul-de-sac.

Discussion

The final plat for Pleasant View Fifteenth Subdivision was considered under Consent Agenda by the Regional Planning Commission at the December 13, 2006 meeting. A motion was made by Ruge and seconded by Miller to approve the plat as presented. A roll call vote was taken and the motion carried with 10 members present voting in favor (Miller, Amick, O'Neill, Ruge, Hayes, Haskins, Eriksen, Brown, Niemann, Snodgrass).

Alternatives

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

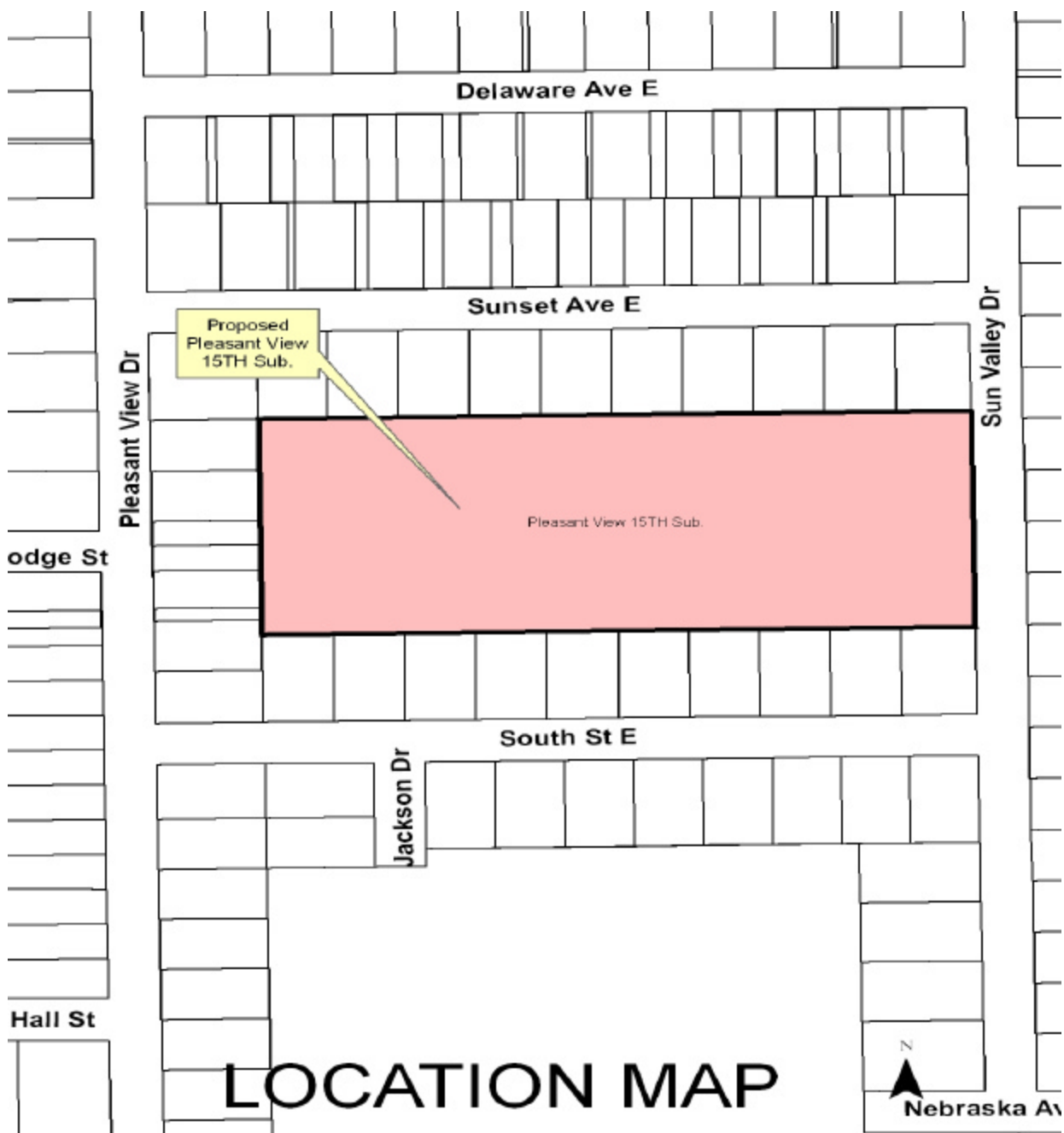
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the final plat as presented

Sample Motion

Motion to approve as recommended.



[illegible]

City Desk _____ (SEE A4)

Agreed and accepted by the City of Grand Island, Nebraska this _____ day of _____, 20____.

Mayor _____

History Public	(S E A)
<hr/>	
APPROVALS	
Submitted to and approved by the Regional Planning Commission of Nass County, Cities of Altus, Ocala, and Chipley, Historical	
Chairman	
<hr/>	
Date	

Greg J. Washburn, President

ADVERTISEMENTS

COUNTY OF _____ }
STATE OF _____ } 55.

On the _____ day of _____, 20____, before me,

_____ to _____

My commission expires _____

CHRYSLER CREDIT CORP., OF HARTFORD, CONNECTICUT
a National Corporation

[illegible]

RESOLUTION 2006-369

WHEREAS, GNR Development Corporation, a Nebraska Corporation, as owner, has caused to be laid out into a lot, a tract of land being part of the West Half of the Northeast Quarter (W ½ NE ¼) of Section 22, Township 11 North, Range 9 West of the 6th P.M., City of Grand Island, Hall County, Nebraska, said tract containing 5.86 acres, more or less, under the name of PLEASANT VIEW FIFTEENTH SUBDIVISION, and have caused a plat thereof to be acknowledged by them; and

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

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

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

BE IT FURTHER RESOLVED that the final plat of PLEASANT VIEW FIFTEENTH 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, December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 14, 2006	☐ City Attorney



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item G21

#2006-370 - Approving Amendment to CDBG Grant #93-ED-018

Staff Contact: Joni Kuzma

Council Agenda Memo

From: Joni Kuzma, Community Development

Council Meeting: December 19, 2004

Subject: Amendment to Nova-Tech grant #93-ED-018

Item #'s: G-21

Presenter(s): Joni Kuzma, Development Grants Specialist

Background

In 1993, Nova-Tech, Inc. received a 5% Community Development Block Grant as a loan of \$340,500 for working capital. The core activity of the company is sterile filtration of fluids in an FDA in-vitro device and drug registered facility. The company was founded in 1988. Nova-Tech was to have paid back the loan in 25 installments following a \$17,000 initial interest payment. City records show an outstanding principal balance of \$192,704.77; an outstanding interest amount of \$18,742.52 (\$211,447.29 total); amount repaid \$147,295.23. *No payment has been made since 9/7/04.*

On Feb. 20, 1995, the repayment schedule was restructured and approved by Council. A second repayment restructure was presented to Council in July 1997. The council passed a resolution that forgave all interest prior to September 1997 and restructured the payments over a 7-year period. In 1997, Nova-Tech received a windfall payment of \$565,000 from the cancellation of a contract with Auto Immune. At that time, the City chose not to take any percentage of that windfall and allowed Nova-Tech to reinvest all of those funds into the business.

In August 2006, an investor in Nova-Tech obtained a default judgment against Nova-Tech, Inc. and Gloria J. Thesenvitz. The investor accepted a single cash payment offer. The effort to procure enough cash to pay this judgment prompted Ms. Thesenvitz to come to the City to again restructure the CDBG debt. The judgment and settlement have been reviewed by Community Development, the Finance Director and the Community Development Advisory Committee.

Job Creation: The original job creation requirement as stated in the CDBG contract was to create 16 full time Equivalents positions. Of these positions 51% or 9FTE's were to be held by low- moderate-income people according to Section 8 HUD Guidelines.

Nova-Tech's employment:

<u>2005</u>	<u>2006</u>
16 FTE's	18 FTE's
1 ¾ time employee	1 ¾ time
2 Part Time employees	2 Part Time
<u>1 Student Intern</u>	<u>1 Student Intern</u>
Total 20	23

It appears that Nova-Tech met the job creation requirement as outlined in the original agreement. The positions were maintained for a period of 1 year after August 2005.

Discussion

The goal of the original CDBG grant to Nova-Tech for working capital has been met and the company is seeing a profit. However, they have been in default on the CDBG loan since September 1994. Based on the financial information provided to Community Development by Nova-Tech, Community Development staff and the Community Development Advisory Committee make the following recommendation for action in regard to the outstanding loan.

“It is the recommendation of Community Development that the City forgive all interest accrued to date (about \$18,000) and assigns 0% interest to the outstanding principal. Nova-Tech will be given the option to pay a lump sum payment of \$50,000 to the City of Grand Island by January 15, 2008. If payment is received by that date, the \$340,000 lien will be removed from the business and released. If payment is NOT received by that date, the original lien of \$340,000 will still be valid and repayment of the unpaid balance will begin February 1, 2008 at 5% interest.”

Staff feels that this solution benefits both parties and the community. CDBG funds are in danger of large cuts at the federal level. Reuse funds collected from loan payments on Economic Development loans are important to continued economic development. Most recently, \$75,000 of reuse funds were awarded to Standard Iron for building construction and \$150,000 to Case New Holland for the purchase of equipment.

The Department of Economic Development (DED) has been contacted regarding the City's options for negotiating the lien on Nova-Tech. DED indicated that since the Memorandum of Understanding and repayment of the lien are an agreement between the City and Nova-Tech, the City can amend the agreement as appropriate.

ALTERNATIVES

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

1. Approve the Amendment to the Memorandum of Understanding for CDBG grant 93-ED-018

2. Deny the Amendment to the Memorandum of Understanding for CDBG grant 93-ED-018
3. Postpone the issue to a later date.

Recommendation

City Administration recommends that the Council approve the Amendment to the Memorandum of Understanding for CDBG grant 93-ED-018

Sample Motion

Motion to approve the Amendment to the Memorandum of Understanding for CDBG grant 93-ED-018.

AMENDMENT
to
Memorandum of Understanding
CDBG NO. 93-ED-018

WHEREAS, the City of Grand Island and Nova-Tech, Inc. entered into a Memorandum of Understanding, DCBG no. 93-ED-018, on or about February 14, 1994; and

WHEREAS, the parties have agreed to restructure the repayment provisions of the loan set forth in said Memorandum of Understanding,

Now, therefore, it is hereby mutually agreed by and between the City of Grand Island, Nebraska, and Nova-Tech, Inc. that section **"A. LOAN"**, subsection **"Interest Rate and Loan Terms"** be amended to read as follows:

Interest Rate and Loan Terms: The interest rate on the CDBG will be fixed at 5.0 percent 0 percent and all interest accrued through December 19, 2006 be forgiven. No interest shall accrue from this date until January 15, 2008. The following loan terms shall be added to the agreement:

Nova Tech, Incorporated will have until January 15, 2008 to pay the City of Grand Island the amount of \$50,000.00. Once payment has been received in full, the City will release the obligation of the previous loan agreement with Nova Tech, Inc. The payment must be made in full and will not be accepted in smaller increments.

If the City of Grand Island does not receive a payment of \$50,000.00 by January 15, 2008, Nova Tech, Inc. must resume payment on the entire amount due on the original note at 5.0% interest.

All other terms and conditions of the aforesaid Memorandum of Understanding shall be and remain in full force and effect. The parties agree to properly execute and deliver any further and additional documents as may be required to fully implement this Agreement.

Dated:

CITY OF GRAND ISLAND, NEBRASKA,
a Municipal Corporation

Attest

RaNae Edwards, City Clerk

By: _____
Margaret Hornady, Mayor

NOVA-TECH, INC., a Corporation

By: _____
Gloria J. Thesenvitz, President

RESOLUTION 2006-370

WHEREAS, in 1993 Nova-Tech, Inc., was the recipient of a 5% Community Development Block Grant in the amount of \$340,500 at 5% interest for working capital; and

WHEREAS, the City of Grand Island and Nova-Tech, Inc., entered into Memorandum of Understanding CDBG No. 93-ED-018, on or about February 14, 1994, wherein Nova-Tech, Inc., agreed to repay the loan in 25 installments following a \$17,000.00 initial interest payment; and

WHEREAS, the City of Grand Island and Nova-Tech, Inc, have agreed to restructure the repayment provisions of the loan set forth in the Memorandum of Understanding, wherein interest accrued to date shall be forgiven, a 0% interest rate assigned to the negotiated account, Nova-Tech, Inc., shall pay \$50,000.00 to the City of Grand Island on or before January 15, 2008; and

WHEREAS, the proposed Amendment to Memorandum of Understanding, CDBG No. 93-ED-018 has been reviewed and approved by the Interim City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Amendment to Memorandum of Understanding, CDBG No. 93-ED-018 between the City of Grand Island and Nova-Tech, Inc., for a restructure of repayment provisions is hereby approved; and the Mayor is hereby authorized and directed to execute such Amendment to Memorandum of Understanding on behalf of the City of Grand Island.

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

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Adopted by the City Council of the City of Grand Island, Nebraska, December 19, 2006.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 15, 2006	☐ City Attorney



City of Grand Island

Tuesday, December 19, 2006

Council Session

Item H1

Consideration of Annexation of Property Located at the Platte Valley Industrial Park and Refer to the Regional Planning Commission

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP

Meeting: May 2, 2006

Subject: Annexation of Property Located at 502 East Capital Avenue,
North of Capital Avenue East of the BNSF Rail Line

Item #'s: H-1

Presenter(s): Chad Nabity, AICP Hall County Regional Planning Director

Background

A request has been received to consider annexation of property located east of the Platte Valley Industrial Park in the E 1/2 of Section 5, Township 10 North, Range 9 West of the 6th PM and in the SW 1/2 of Section 4, Township 10 North, Range 9 West of the 6th PM located between Wildwood Drive and Schimmer Drive on both sides of Blaine Street. The Grand Island Area Economic Development Corporation has secured options on or owns the property in the E 1/2 of 5-10-9; Tom and Carlotta Hartman own the SW 1/4 of 4-10-9; together they are requesting this annexation in anticipation of industrial development. This property is contiguous with the Grand Island Municipal limits on its western border.

Discussion

Nebraska Revised Statute §16-117 provides for the process of annexation the first step of which is for the Mayor and City Council to refer the matter to the Regional Planning Commission for a recommendation. This will be followed by the process as outlined in the attached

Alternatives

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

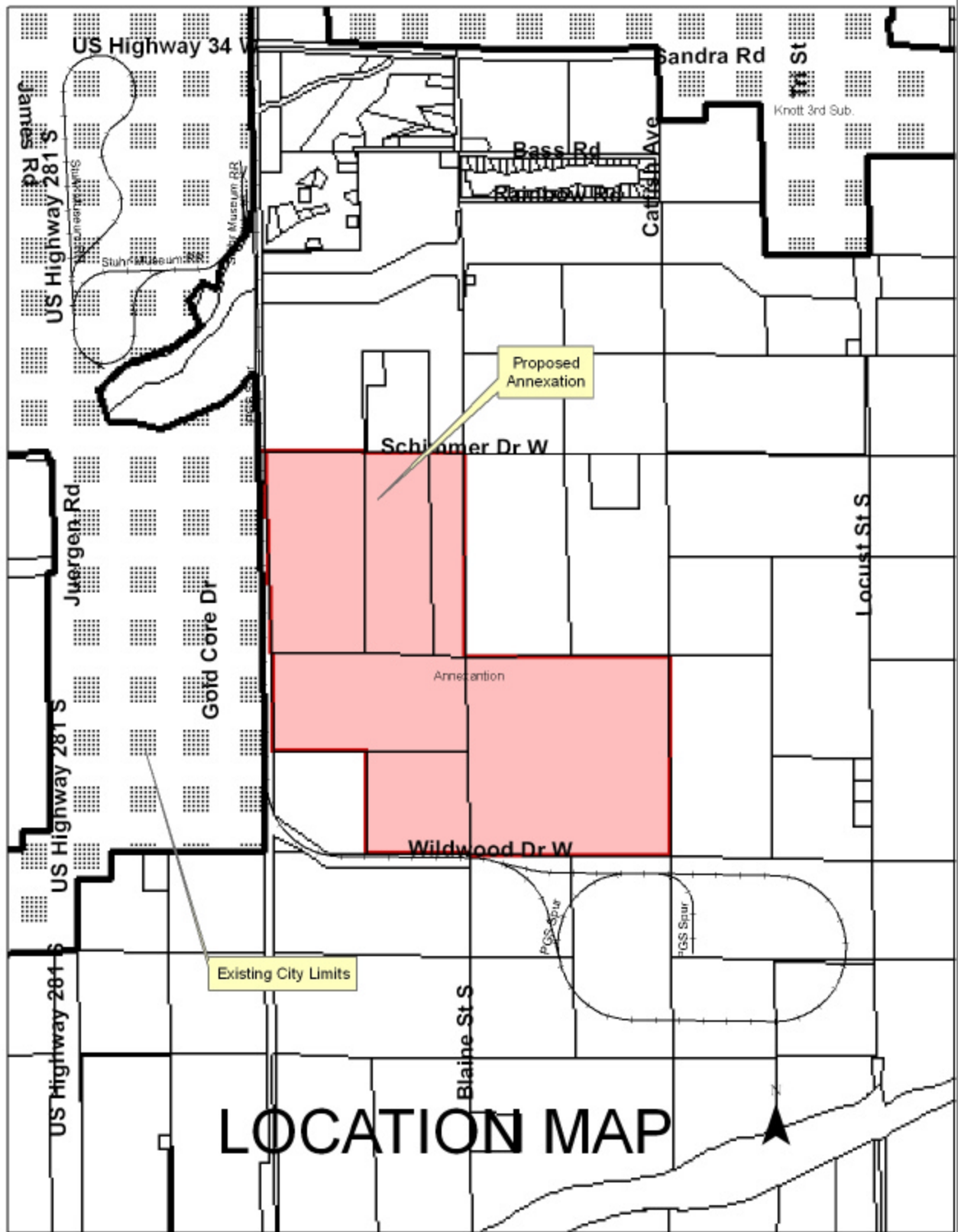
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council refer this item to the Hall County Regional Planning Commission.

Sample Motion

Motion to refer this annexation request to the Regional Planning Commission for consideration and recommendation.





City of Grand Island

Tuesday, December 19, 2006

Council Session

Item J1

Approving Payment of Claims for the Period of December 6, 2006 through December 19, 2006

The Claims for the period of December 6, 2006 through December 19, 2006 for a total amount of \$3,794,682.72. A MOTION is in order.

Staff Contact: Steve Fosselman