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# City of Grand Island



**Tuesday, May 09, 2006**

**Council Session Packet**

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**City Council:**

**Carole Cornelius**

**Peg Gilbert**

**Joyce Haase**

**Margaret Hornady**

**Robert Meyer**

**Mitchell Nickerson**

**Don Pauly**

**Jackie Pielstick**

**Scott Walker**

**Fred Whitesides**

**Mayor:**

**Jay Vavricek**

**City Administrator:**

**Gary Greer**

**City Clerk:**

**RaNae Edwards**

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**7:00:00 PM**

**Council Chambers - City Hall**

**100 East First Street**

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**Call to Order**

**Invocation - Pastor Vern Rice, Independent Bethel Baptist Church, 1223 East 6th Street**

**Pledge of Allegiance**

**Roll Call**

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## **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.

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## **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.

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## **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, May 09, 2006

Council Session

## Item C1

### Proclamation "Salvation Army Week" May 15-21, 2006

*Innovative and professional services have been provided by The Salvation Army to the community of Grand Island with little or no thanks expected. Mayor Vavricek has proclaimed the week of May 15-21, 2006 as "Salvation Army Week" in Grand Island and encourages all citizens to join in saluting the steadfast men and women who bind up the brokenhearted and renew the heart of our community by their quiet service of compassion. See attached PROCLAMATION.*

Staff Contact:

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

PROCLAMATION

- WHEREAS, The Salvation Army's only business in Grand Island, Nebraska, as everywhere, is still human business, undertaken with joy for the family of humankind to the greater glory of God; and
- WHEREAS, through sound, innovative and professional services, The Salvation Army serves the people of Grand Island with unshakable faith in all, no matter how desperate the situation and views all people as people with possibilities; and
- WHEREAS, The Salvation Army acts on behalf of all the residents of our community, with neither salvation nor any other condition prerequisite, nor expecting any thanks, yet nonetheless welcoming community support.

NOW, THEREFORE, I, Jay Vavricek, Mayor of Grand Island, Nebraska, do hereby proclaim the week of May 15-21, 2006 as

***“SALVATION ARMY WEEK”***

in the City of Grand Island, and I urge all citizens to join me in saluting the steadfast men and women who bind up the brokenhearted and renew the heart of our community by their quiet service of compassion.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Grand Island to be affixed this ninth day of May in the year of our Lord Two Thousand and Six.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, May 09, 2006

Council Session

## Item E1

**Public Hearing Concerning Acquisition of Utility Easement - 3720  
Arch Avenue - South Central Industrial Properties X, L.P.**

Staff Contact: Gary R. Mader

# **Council Agenda Memo**

**From:** Robert H. Smith, Asst. Utilities Director

**Meeting:** May 9, 2006

**Subject:** Acquisition of Utility Easement - 3720 Arch Avenue -  
South Central Industrial Properties X, L.P.

**Item #'s:** E-1 & G-2

**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 South Central Industrial Properties X, L.P., located at 3720 Arch Avenue (Claude Road and U.S. Hwy. 30), 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 is in two parts. Tract One (1) will be used to locate primary underground electric cable and a pad-mounted transformer to provide electricity to a new building. Tract Two (2) is needed to relocate the overhead power line along Claude Road. This is needed to provide a driveway from Claude Road to the new business. The customer will pay to relocate the overhead line for his convenience.

## **Alternatives**

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

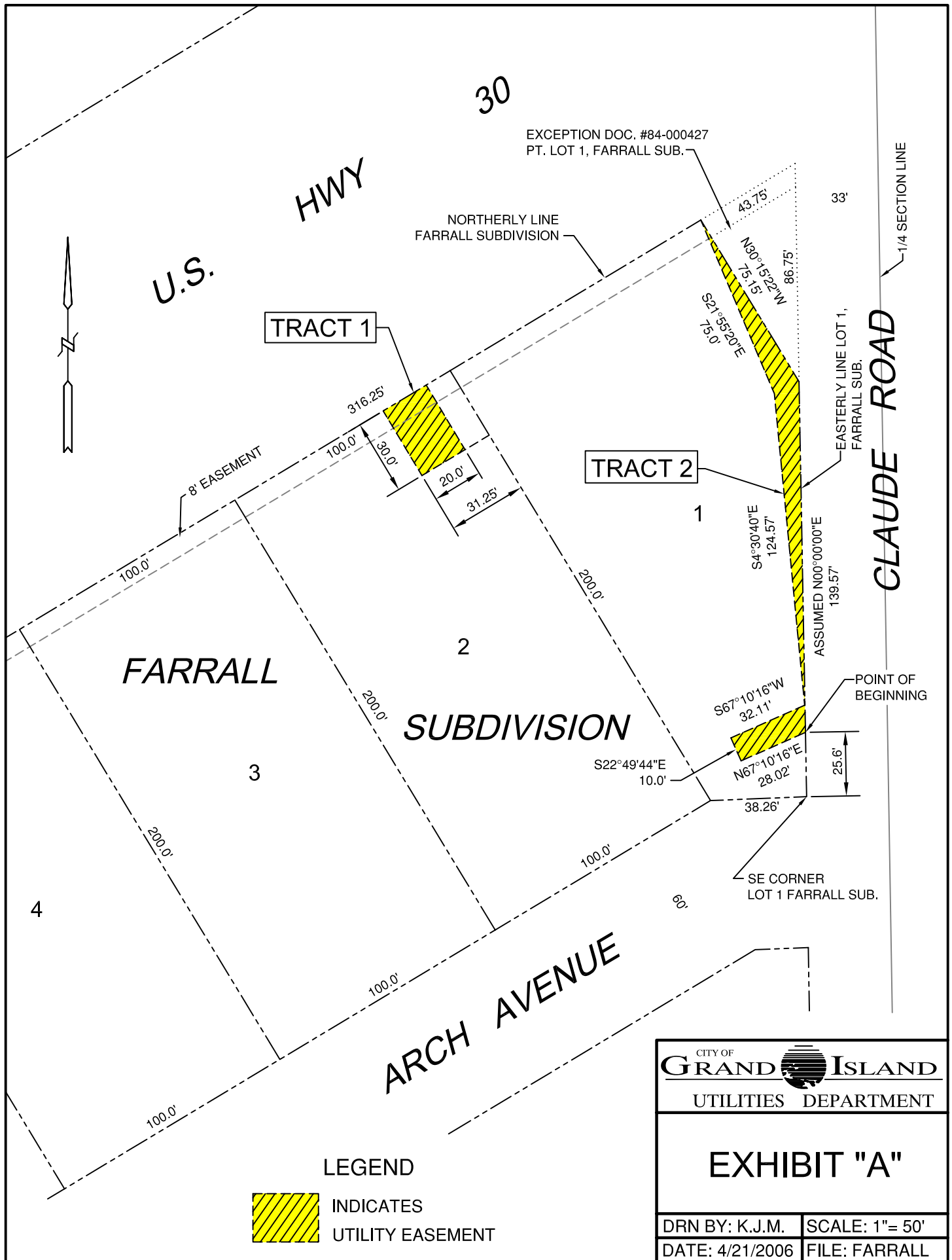
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

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

## **Sample Motion**

Motion to approve acquisition of the Utility Easement.







# City of Grand Island

Tuesday, May 09, 2006

Council Session

## Item E2

**Public Hearing on Acquisition of Lot One (1) and Lot Two (2) in Block Thirteen (13) of Fairview Park Addition to the City of Grand Island (Steven D. and Bonnie R. Lockwood and John Burke and Karen Williams-Burke)**

Staff Contact: Steven P. Riehle, Public Works Director

# **Council Agenda Memo**

**From:** Steven P. Riehle, Public Works Director

**Meeting:** May 9, 2006

**Subject:** Public Hearing on Purchase of Lot One (1) and Lot Two (2) in Block Thirteen (13) of Fairview Park Addition to the City of Grand Island; (Steven D. and Bonnie R. Lockwood and John Burke and Karen Williams-Burke)

**Item #'s:** E-2 & G-3

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

## **Background**

A public hearing must be held and Council action must be taken by resolution for the City of Grand Island to acquire property.

## **Discussion**

The intersection of 10<sup>th</sup> Street, Adams Street, and Broadwell Avenue is a combination of a “Tee” and “Y” intersection. The safety of the intersection can be improved by stopping Adams Street short of 10<sup>th</sup> Street and building a cul-de-sac. The subject property is needed in order to construct the cul-de-sac. The parties have agreed to sell the property for \$550.00.

## **Alternatives**

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

1. Move to approve the acquisition of the property at 10<sup>th</sup> Street and Adams 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 a resolution for the purchase of the property in the amount of \$550.00.

## **Sample Motion**

Motion to approve the acquisition of the property.



AREA BEING ACQUIRED FROM STEVEN D. & BONNIE R. LOCKWOOD  
AND KAREN K. WILLIAMS-BURKE & JOHN BURKE



# City of Grand Island

Tuesday, May 09, 2006

Council Session

## Item G1

**Approving Minutes of May 2, 2006 City Council Regular Meeting**

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

May 2, 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 May 2, 2006. Notice of the meeting was given in *The Grand Island Independent* on April 19, 2006.

Council President Margaret Hornady called the meeting to order at 7:00 p.m. The following members were present: Councilmember's Meyer, Pielstick, Gilbert, Nickerson, Pauly, Hornady, Walker, and Haase. Mayor Vavricek and Councilmember's Whitesides and Cornelius were 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 Attorney Dale Shotkoski.

INVOCATION was given by Pastor Terry Brown, Northridge Assembly of God, 3025 Independence Avenue followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Council President Hornady introduced Mike Olson, Executive Director of the Hall County Regional Airport. Mr. Olson announced that a public meeting would take place on Thursday, May 11, 2006 at College Park with the Hall County Airport Authority to discuss future essential air service.

PUBLIC HEARINGS:

Public Hearing on Request of Ronald F. King dba King's Bar, 316 East 2<sup>nd</sup> Street for a Change of Location for Class 'C-59418' Liquor License to 217 East Stolley Park Road #6 & #7. RaNae Edwards, City Clerk reported that Ronald F. King dba King's Bar, 316 East 2<sup>nd</sup> Street had submitted an application with the City Clerk's Office for a change of location to their Class 'C-59418' Liquor License to 217 East Stolley Park Road #6 & #7. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 7, 2006; notice to the applicant of date, time, and place of hearing mailed on April 18, 2006; notice to the general public of date, time, and place of hearing published on April 22, 2006; along with Chapter 4 of the City Code. Staff recommended approval. No public testimony was heard.

Public Hearing on Request of Cornhusker C-Stores, Inc. dba Pumpers, 1904 North Diers Avenue for a Class 'D' Liquor License. RaNae Edwards, City Clerk reported that Cornhusker C-Stores, Inc. dba Pumpers, 1904 North Diers Avenue had submitted an application with the City Clerk's Office for a Class 'D' Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 3, 2006; notice to the applicant of date, time, and place of hearing mailed on April 18,

2006; notice to the general public of date, time, and place of hearing published on April 22, 2006; along with Chapter 4 of the City Code. Staff recommended approval. Terry Gokie, Lincoln, Nebraska, president of Cornhusker C-Stores was present to answer questions. No public testimony was heard.

Public Hearing on Request of Keetay, Inc. dba Downtown Copper Mill, 115 West 3<sup>rd</sup> Street for a Class "C" Liquor License. RaNae Edwards, City Clerk reported that Keetay, Inc. dba Downtown Copper Mill, 115 West 3<sup>rd</sup> Street had submitted an application with the City Clerk's Office for a Class "C" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on March 30, 2006; notice to the applicant of date, time, and place of hearing mailed on April 18, 2006; notice to the general public of date, time, and place of hearing published on April 22, 2006; along with Chapter 4 of the City Code. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 218 Wilmar Avenue. (281 & Old Potash, LLC) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 218 Wilmar Avenue was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The purpose of the easement would be to place underground electric cable and a pad-mounted transformer to provide electrical service to a new building. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 620 East 4<sup>th</sup> Street. (State Glass, Inc.) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 620 East 4<sup>th</sup> Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The purpose of the easement would be to place underground cable and a pad-mounted transformer to provide electrical service to new buildings. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 420 North St. Paul Road. (Patrick Rentals, LLC) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 420 North St. Paul Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The purpose of the easement would be to place underground electric cable and a pad-mount transformer to provide electrical service to new buildings. No public testimony was heard.

Public Hearing Concerning Issuance of Development Revenue Bonds by Hall County for the Heartland Events Center. Chad Nabity, Regional Planning Director reported that the Heartland Events Center had requested that Hall County issue revenue bonds based on the Hall County Lodging Tax for the Heartland Events Center. The Events Center was located in a Blighted and Substandard area and was consistent with the Generalized Redevelopment Plan for CRA Area #2. No public testimony was heard.

Public Hearing on Acquisition of Drainage Easement Located at 2908, 2912, and 2916 Lee Street and 4083 Northview Drive. (Lots 12 thru 15 of Northview First Subdivision) – (McNelis Development, LLC and MelDor, LLC) Steve Riehle, Public Works Director reported that a public easement was needed at 2908, 2912, and 2916 Lee Street and 4083 Northview Drive in

order to construct an outfall storm sewer from Woodland Park Subdivision to the city owned outfall ditch that runs through Northview Subdivision. No public testimony was heard.

ORDINANCES:

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

#9043 - Consideration of Repealing Chapter 6 of the Grand Island City Code Relative to Bicycles

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 Nickerson seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Dale Shotkoski, Interim City Attorney reported that after reviewing Chapter 6 of the City Code there was no need to have a separate chapter for bicycles. Bicycles would be included in the section of the City Code that deals with streets. Lewis Kent, 624 East Meves spoke in opposition. City Administrator Gary Greer stated the Police Department would still register bikes.

Motion by Pielstick, second by Meyer to approve Ordinance #9043.

City Clerk: Ordinance #9043 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 #9043 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.

Council President Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9043 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of April 11, 2006 City Council Regular Meeting.

Approving Request of Gary Brandt, 4104 Fairacres Road, Kearney, Nebraska for Liquor Manager Designation for Ampride, 3210 West Potash.

Approving Request of Kent Birnie, 1224 West Anna Street for Liquor Manager Designation for Copa Cabana, 2850 Old Fair Road.

#2006-124 – Approving Acquisition of Utility Easement Located at 218 Wilmar Avenue. (281 & Old Potash, LLC)



#2006-125 – Approving Application of Utility Easement Located at 620 East 4<sup>th</sup> Street. (State Glass, Inc.)

#2006-126 – Approving Acquisition of Utility Easement Located at 420 North St. Paul Road. (Patrick Rentals LLC)

#2006-127 – Approving Application of Power Review Board for Adjusting Service Area.

#2006- 128 – Approving Bid Award for Horizontal Superheater Repair with Moorhead Machinery & Boiler Company of Minneapolis, Minnesota in an Amount of \$1,032,029.00 and Option 2.

#2006-129 – Approving Bid Award for Sixty (60) Satec SA320 Circuit Breaker Monitoring and Control Modules with Weisler & Associates, Inc. of Kansas City, Missouri in an Amount of \$243,318.00.

#2006-130 – Approving Bid Award for a Puller/Tensioner with the Sarlex Rope and Swivel with Sherman & Reilly, Inc. of Chattanooga, Tennessee in an Amount of \$49,250.00.

#2006-131 – Approving Bid Award for Asphalt Maintenance Project 2006-AC-1 with Gary Smith Construction of Grand Island, Nebraska in an Amount of \$495,445.80.

#2006-132 – Approving Certificate of Final Completion for Final Clarifier Mechanisms for the Waste Water Treatment Plant with Dorr Oliver Eimco of Salt Lake City, Utah.

#2006-133 – Approving Certificate of Final Completion for Final Clarifier Improvements for the Wastewater Treatment Plant (Installation) with The Diamond Engineering Company of Grand Island, Nebraska.

#2006-134 – Approving Certificate of Final Completion for Final Clarifier Improvements for the Wastewater Treatment Plant (Painting) with HEG Painting Company, Inc. of Cherokee, Iowa.

#2006-135 – Approving Certificate of Final Completion for Final Clarifier Improvements for the Wastewater Treatment Plant (Electrical) with Middleton Electric, Inc. of Grand Island, Nebraska.

#2006-136 – Approving Bid Award for Water Main Project 2005-W-12; Sanitary Sewer Project 2005-S-14; and Street Improvement Project 2006-P-2 – New Public Safety Center with Starostka Group Unlimited, Inc. of Grand Island, Nebraska in an Amount of \$463,984.38.

#2006-137 – Approving Acquisiiton of a Drainage Easement Located at 2908, 2912, and 2916 Lee Street and 4083 Northview Drive (Lots 12 thru 15 of Northview First Subdivision) – (McNelis Development, LLC and MelDor LLC)

#2006-138 – Approving Issuance of Development Revenue Bonds by Hall County for the Heartland Events Center.

#2006-139 – Approving Alternate Bid Award for Trucking of Sewage Sludge with Butler County Landfill, Inc. of David City, Nebraska at a Rate of \$9.50 per ton.

#2006-140 – Approving HIDTA Funding to the Grand Island Police Department for the Tri City Drug Task Force.

#2006-141 – Approving Bid Award for Eleven (11) Mobile Data Systems and Mobile Digital Video Systems with Data911 of Chesterfield, Missouri in an Amount of \$117,027.81.

#2006-142 – Approving Bid Award for Sanitary Sewer Project No. 2006-S-3; Sewer Replacement between Koenig and Division Streets from Harrison Street to Broadwell Avenue for Construction of the Wasmer Detention Cell with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$43,475.68.

#2006-143 – Approving License Agreement for Installation of Monitoring Wells with CNH American, LLC on City Property and Right-of-Ways.

#2006-144 – Approving Correction to Ownership on Logan’s Final Plat and Subdivision Agreement.

#2006-145 – Approving Interlocal Agreement with Hall County for Operation of the Hall County Emergency Management/Communications Center.

#2006-146 – Approving Non-Disclosure Agreement with GeoComm, Inc. for Expanded 911 Capabilities.

#2006-147 – Approving Funding of Economic Development Corporation Request for Platte Valley Industrial Park (NWPS Rate Agreement Funds) in an Amount of \$70,000.00.

RESOLUTIONS:

#2006-148 – Consideration of Request from Ronald F. King dba King’s Bar, 316 East 2<sup>nd</sup> Street for a Change of Location for Class “C-59418” Liquor License to 217 East Stolley Park Road #6 & #7. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing and recommended approval contingent upon final inspections.

Motion by Nickerson, second by Pielstick to approve the request from Ronald F. King dba King’s Bar, 316 East 2<sup>nd</sup> Street for a change of location for Class “C-59418” Liquor License to 217 East Stolley park Road #6 & #7 contingent upon final inspections. Upon roll call vote, all voted aye. Motion adopted.

#2006-149 – Consideration of Request from Cornhusker C-Stores, Inc. dba Pumpers, 1904 North Diers Avenue for Class “D” Liquor License and Angela M. Larson, 1845 Santa Anita Drive for

Liquor Manager Designation. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing with the request of Angela M. Larson for a Liquor Manager designation. Approval was recommended contingent upon final inspections and the stipulation that a state approved server/seller training program be completed.

Motion by Nickerson, second by Pielstick to approve the request of Cornhusker C-Stores, Inc. dba Pumpers, 1904 North Diers Avenue for a Class "D" Liquor License contingent upon final inspections and the request of Angela M. Larson for a Liquor Manager designation with the stipulation that a state approved server/seller training program be completed. Upon roll call vote, all voted aye. Motion adopted.

#2006-150 – Consideration of Request from Keetay, Inc. dba Downtown Copper Mill, 115 West 3<sup>rd</sup> Street for Class "C" Liquor License and Dana S. Harris, 1726 Allen Court for Liquor Manager Designation. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing with the request of Dana S. Harris for a Liquor Manager designation. Approval was recommended contingent upon final inspections and the stipulation that a state approved server/seller training program be completed.

Motion by Nickerson, second by Pielstick to approve the request of Keetay, Inc. dba Downtown Copper Mill, 115 West 3<sup>rd</sup> Street for a Class "C" Liquor License contingent upon final inspections and the request of Dana S. Harris for a Liquor Manager designation with the stipulation that a state approved server/seller training program be completed. Upon roll call vote, all voted aye. Motion adopted.

#2006-151 – Approving Bid Award for Construction of Law Enforcement Center with Chief Construction Company of Grand Island, Nebraska. Steve Lamken, Police Chief reported that a committee along with Wilson/Estes Police Architects had been working on the design and construction of a new collocated law enforcement center for over a year. Six bids along with 5 alternatives with each bid were received and opened on April 17, 2006.

After review of the bids it was recommended to accept the low bid from Chief Construction Company of Grand Island, Nebraska for a base bid of \$7,288,000.00. It was also recommended to accept Alternative No. 2 – Concrete Parking Lot Pavement in an Amount of \$20,530.00 and Alternative No. 3 – Portland Cement Concrete Pavement at Parking Lot in an amount of \$97,550.00

Motion by Meyer, second by Pielstick to approve the bid award for construction of Law Enforcement Center with Chief Construction Company of Grand Island in an amount of \$7,288,000.00 and the following alternates:

1. Alternative No. 2 – Concrete Parking Lot Pavement - \$20,530.00
2. Alternative No. 3 – Portland Cement Concrete Pavement at Parking Lot - \$97,550.00

For a total bid cost of \$7,406,080.00.

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

PAYMENT OF CLAIMS:

Motion by Nickerson, second by Gilbert to approve the Claims for the period of April 12, 2006 through May 2, 2006, for a total amount of \$4,489,627.72. Motion adopted unanimously.

EXECUTIVE SESSION: Motion by Pielstick, second by Gilbert to adjourn to executive session at 7:30 p.m. p.m. for the purpose of discussing union negotiations. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Walker, second by Pauly to return to regular session at 9:27 p.m.

ADJOURNMENT: The meeting was adjourned at 9:27 p.m.

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, May 09, 2006

Council Session

## Item G2

**#2006-152 - Approving Acquisition of Utility Easement - 3720 Arch Avenue - South Central Industrial Properties X, L.P.**

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

Staff Contact: Gary R. Mader

RESOLUTION 2006-152

WHEREAS, a public utility easement is required by the City of Grand Island, from South Central Industrial Properties X, L.P., a limited partnership, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on May 9, 2006, for the purpose of discussing the proposed acquisition of an easement and right-of-way through a part of Lot One (1) and a part of Lot Two (2) Farrall Subdivision located in the city of Grand Island, Hall County, Nebraska, the utility easement and right-of-way being more particularly described as follows:

Tract No. 1:

The northerly thirty (30.0) feet of the westerly twenty (20.0) feet of the easterly thirty-one and twenty-five hundredths (31.25) feet of Lot Two (2) Farrall Subdivision; and

Tract No. 2:

Beginning at a point on the easterly line of Lot One (1) Farrall Subdivision, said point being twenty-five and six tenths (25.6) feet north of the southeast corner of said Lot One (1); thence continuing on an assumed bearing of N00°00'00"E along the easterly line of said Lot One (1), a distance of one hundred thirty-nine and fifty-seven hundredths (139.57) feet; thence N30°15'22"W a distance of seventy-five and fifteen hundredths (75.15) feet to a point on the northerly line of said Lot One (1); thence S21°55'20"E a distance of seventy-five (75.0) feet; thence S4°30'40"E a distance of one hundred twenty-four and fifty-seven hundredths (124.57) feet; thence S67°10'16"W a distance of thirty-two and eleven hundredths (32.11) feet; thence S22°49'44"E a distance of ten (10.0) feet; thence N67°10'16"E a distance of twenty-eight and two hundredths (28.02) feet to the said Point of Beginning.

The above-described easement and right-of-way containing a combined total of 0.045 acres, more or less, as shown on the plat dated April 21, 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 South Central Industrial Properties X, L.P., a limited partnership, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 9, 2006.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

Approved as to Form    ☐ \_\_\_\_\_  
May 4, 2006               ☐ City Attorney

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, May 09, 2006

Council Session

## Item G3

**#2006-153 - Approving Acquisition of Lot One (1) and Lot Two (2) in Block Thirteen (13) of Fairview Park Addition to the City of Grand Island (Steven D. and Bonnie R. Lockwood and John Burke and Karen Williams-Burke)**

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

Staff Contact: Steve Riehle



RESOLUTION 2006-153

WHEREAS, the intersection of 10<sup>th</sup> Street, Adams Street, and Broadwell Avenue is a combination of a "T" and "Y" intersection which poses ongoing traffic safety issues; and

WHEREAS, improving the traffic flow at such intersection would require the acquisition of property in order to construct a cul-de-sac; and

WHEREAS, the owners of property adjacent to such intersection have agreed to sell a small parcel of land to the City for use in developing a cul-de-sac; and

WHEREAS, a public hearing was held on May 9, 2006, for the purpose of discussing the proposed acquisition of property comprising the north Seventy and Seven Tenths (70.7) feet of Lots One (1) and Two (2) in Block Thirteen (13), Fairview Park Addition to the City of Grand Island, Hall County, Nebraska.

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 property at the intersection of 10<sup>th</sup> Street, Adams Streets and Broadwell Street from Steven P. Lockwood and Bonnie R. Lockwood, husband and wife, and Karen K. Williams-Burke and John Burke, wife and husband, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 9, 2006.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form    ☐ \_\_\_\_\_  
May 4, 2006                ☐ City Attorney



# City of Grand Island

Tuesday, May 09, 2006

Council Session

## Item G4

**#2006-154 - Approving Bid Award for Street Improvement Project  
2005-P-11; Temporary Right Turn Lane - Capital Avenue from  
Diers Avenue to U.S. HWY 281**

Staff Contact: Steven P. Riehle, Public Works Director

# Council Agenda Memo

**From:** Steven P. Riehle, Public Works Director

**Meeting:** May 9, 2006

**Subject:** Approving Bid Award for Street Improvement Project 2005-P-11; Temporary Right Turn Lane - Capital Avenue from Diers Avenue to U.S. HWY 281

**Item #'s:** G-4

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

## Background

On April 19, 2006 the Engineering Division of the Public Works Department advertised for bids for Street Improvement Project No. 2005-P-11; temporary right turn lane at Capital Avenue from Diers Avenue to U.S. HWY 281. The eastbound right turn lane starts at Diers Avenue and ends at U.S. HWY 281 and will improve the traffic flow and safety in the area. Bid notices were sent to 14 potential bidders.

## Discussion

One (1) bid was received and opened on May 1, 2006. The bid was submitted in compliance with the contract, plans, and specifications with no exceptions. The engineer's estimate for the project was \$29,043.25. A summary of the bid is shown below.

<i>Bidder</i>	<i>Exceptions</i>	<i>Bid Security</i>	<i>Bid Price</i>
The Diamond Engineering Co. Grand Island, NE	None	Universal Surety Company	\$26,546.50

There are sufficient funds in Account No. 40033530-90148 to fund this contract.

## **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 awarding the contract and pass a resolution authorizing the Mayor to sign a contract with The Diamond Engineering Company of Grand Island, NE.

## **Sample Motion**

Motion to approve awarding the contract for Street Improvement Project 2005-P-11 to The Diamond Engineering Company of Grand Island, Nebraska in an amount of \$26,546.50.



↑  
N

Capital Avenue

Diers Avenue

US HWY 281

Widening for Eastbound  
Right Turn Lane



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** May 1, 2006 at 11:00 a.m.  
**FOR:** Street Improvement Project 2005-P-11  
**DEPARTMENT:** Public Works  
**ESTIMATE:** \$29,043.25  
**FUND/ACCOUNT:** 40033530-90148  
**PUBLICATION DATE:** April 19, 2006  
**NO. POTENTIAL BIDDERS:** 14

**SUMMARY**

**Bidder:** Diamond Engineering Co.  
Grand Island, NE  
**Bid Security:** Universal Surety Company  
**Exceptions:** None  
**Bid Price:** \$26,546.50

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

Ron Underwood, Civil Eng.  
Gary Greer, City Administrator  
Laura Berthelsen, Legal Assistant

**P1085**

RESOLUTION 2006-154

WHEREAS, the City of Grand Island invited sealed bids for Street Improvement Project 2005-P-11, according to plans and specifications on file with the City Engineer; and

WHEREAS, on May 1, 2006, one bid was received, opened and reviewed; and

WHEREAS, The Diamond Engineering Company of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$26,546.50; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of The Diamond Engineering Company of Grand Island, Nebraska, in the amount of \$26,546.50 for Street Improvement Project 2005-P-11 is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 9, 2006.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form    ☐ \_\_\_\_\_  
May 4, 2006            ☐ City Attorney



# City of Grand Island

Tuesday, May 09, 2006

Council Session

## Item I1

**#2006-155 - Approving Construction of Memorial at New Fire Station #1**

Staff Contact: Jim Rowell



# Council Agenda Memo

**From:** Jim Rowell, Fire Chief  
**Meeting:** May 9, 2006  
**Subject:** Memorial Site  
**Item #'s:** I-1  
**Presenter(s):** Jim Rowell, Fire Chief

## Background

The Grand Island Firefighters resolved to create a memorial for firefighters and emergency medical technicians. They formed a committee and began to develop the plans for the site, garner support for the project and do fundraising for the idea development phase of the project.

The Grand Island firefighters started by sponsoring events at the annual Fire School and each year the event has provided food and a fun evening for visiting firefighters. These first fundraising efforts served multiple purposes. In addition to providing fun and fellowship, these events promoted the establishment of the memorial here in Grand Island and raised money to get the project started.

## Discussion

The firefighters are asking for permission to use a portion of the property that is the site for the new fire station for the memorial. Having a definite location will establish the project as a reality by providing the first tangible piece of the project.

The memorial will be 200 feet by 300 feet on the southeast end of the fire station site. Attached is a rendering that shows how the memorial is planned to be constructed. The size and placement of the memorial will not hamper operations at that station. The memorial will enhance the appearance of the property and provide a convenient location where the public can take the opportunity to visit.

Initial estimate for the project cost is \$300,000 which will be raised from various non-city sources to construct the memorial. The firefighters will continue fundraising efforts to construct the memorial and provide some equipment for its operation. The property will become the property of the city upon completion and the city will then bare the cost of

the utilities and maintenance of the site. The maintenance would be the cost of electricity for lighting the flags and the water fountain feature along with the pump for the fountain. The portion of the property covered by the memorial would reduce the total area to be mowed and therefore will not create significant cost in the maintenance of the grounds. The cost of the electricity and water would be similar to that of Pioneer Park and depending on the lighting and pump should be under \$2,000 per year. The firefighters are intending to provide a funding source for the ongoing costs of the memorial through the donations received for the site.

## **Alternatives**

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

1. Move to approve the use of the land for the memorial
2. Deny the use of the property
3. Modify the request to meet the needs of the City Council
4. Table the issue

## **Recommendation**

City Administration recommends that the Council to approve the use of the property for the memorial site.

## **Sample Motion**

Motion to approve the use of the property for the memorial site.



Hall St

Sycamore St S

Oak St S

Nebraska Ave

Vine St S

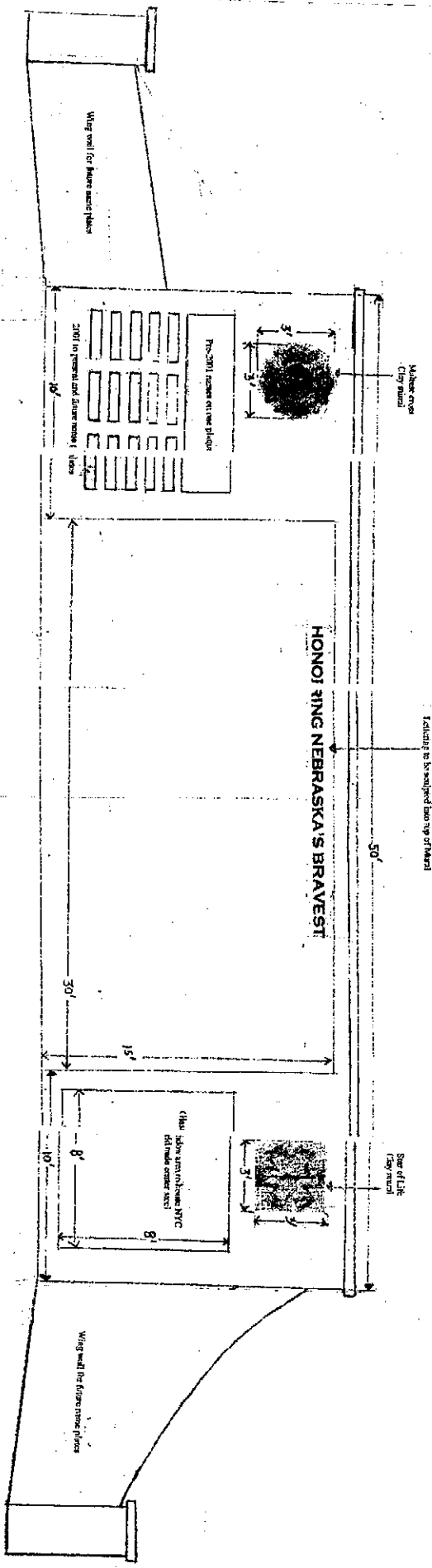
Hall St

Fonner Park Rd E

Fire Station

Proposed Memorial Site





HONOI TING NEERASKA'S BRAVEST

30'

50'

15'

8'

10'

3' x 3'

3' x 3'

8' x 8'

10' x 8'

3000 to present and future main plates

The 3000 plates on one plate

3' x 3'

3' x 3'

8' x 8'

10' x 8'

15' x 30'

30' x 50'

HONOI TING NEERASKA'S BRAVEST

Wing wall for future basic plates

Wing wall for future basic plates

Main entrance (top right)

Door of Life (top right)

Door of Life (top left)

Door of Life (bottom left)

(This door is made of wood and will be made of steel)

Failure to be subject into top of main

RESOLUTION 2006-155

WHEREAS, on April 11, 2006, the City Council of the City of Grand Island approved the construction of a replacement Fire Station No. 1 to be located on near Fonner Park; and

WHEREAS, the Fire Chief has been approached by members of the memorial committee requesting to use an area approximately 200 feet by 300 feet in size to construct a memorial at the site of the new fire station; and

WHEREAS, the cost of the memorial would be paid using private funds; and

WHEREAS, upon completion of the construction and full payment of such memorial, the memorial shall be donated to the City of Grand Island; and

WHEREAS, it is recommended that such project be authorized.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Fire Department is hereby authorized to designate an area approximately 200 feet by 300 feet in size for the construction of a memorial to be located at the new fire station being built at 409 E. Fonner Park Road.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 9, 2006.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form    ☐ \_\_\_\_\_  
May 4, 2006            ☐ City Attorney



# City of Grand Island

Tuesday, May 09, 2006

Council Session

## Item J1

### Approving Payment of Claims for the Period of May 3, 2006 through May 9, 2006

*The Claims for the period of May 3, 2006 through May 9, 2006 for a total amount of \$1,189,339.69. A MOTION is in order.*

Staff Contact: RaNae Edwards



# City of Grand Island

Tuesday, May 09, 2006

Council Session

## Item J2

### **Approving Payment of Claims for the Library Expansion for the Period of April 12, 2006 through May 9, 2006**

*The Claims for the Library Expansion for the period of April 12, 2006 through May 9, 2006 for the following requisitions.*

#26 \$710.00

#27 \$437,838.08

*A MOTION is in order.*

Staff Contact: RaNae Edwards

EXHIBIT B  
Mortgage, Trust Indenture and Security Agreement

Requisition Form

REQUISITION FOR DISBURSEMENT

Requisition No. 26

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

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

<u>Payee</u>	<u>Dollar Amount</u>	<u>Reason for Payment</u>
Olsson Associates	\$710.00	Concrete and Density tests for footing construction.

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

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

IN WITNESS WHEREOF, the undersigned has caused this disbursement requisition to be executed pursuant to the terms of said Indenture this 28th day of April, 2006.

  
\_\_\_\_\_  
Project Manager



(402) 474-6311  
Fax (402) 474-5160



**OLSSON ASSOCIATES**  
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

1111 Lincoln Mall  
Suite 111  
P.O. Box 84608  
Lincoln, NE 68501-4608

Edith Abbott Memorial Library  
211 N Washington St  
Grand Island, NE 68801

Invoice number 85696  
Date 4/26/2006

Contract: 2-2006-0141  
Edith Abbott Mem Library GI  
Scope of Work: OA Project No. 2-2006-0141.02 - Footings

Client ID: 4338

Professional services rendered from February 26, 2006 through April 8, 2006 for work completed in accordance with our verbal agreement. Services completed this period include concrete and density tests for footing construction.

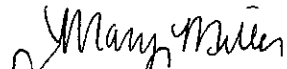
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**2-12-411 E Abbott Mem Lib Footing Insp**

**Testing**

<u>Vendor / Activity</u>	<u>Units</u>	<u>Rate</u>	<u>Amount</u>
Concrete Cylinders/Slump & Air	7.00	60.00	420.00
Trip Charge - 30-mile Radius	6.00	10.00	60.00
Concrete Cylinder Breaks	20.00	10.00	200.00
Concrete Cylinder Reserves	6.00	5.00	30.00
Testing subtotal	39.00		710.00
Item subtotal			710.00
Invoice total			710.00

Approved by

  
Jeffrey R. Palik

**INVOICE PAYMENT IS REQUESTED WITHIN 30 DAYS**

EXHIBIT B  
Mortgage, Trust Indenture and Security Agreement

Requisition Form

REQUISITION FOR DISBURSEMENT

Requisition No. 27

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


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

<u>Payee</u>	<u>Dollar Amount</u>	<u>Reason for Payment</u>
Mid Plains Construction Co.	\$437,838.08	Library Expansion/Remodel Project

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

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

IN WITNESS WHEREOF, the undersigned has caused this disbursement requisition to be executed pursuant to the terms of said Indenture this 3rd day of May, 2006.

  
\_\_\_\_\_  
Project Manager

**MID PLAINS CONSTRUCTION CO.**  
 1319 W. North Front St.  
 GRAND ISLAND, NE 68801

# STATEMENT

DATE  
 4/30/06  
 NUMBER  
 50175

**(308) 382-2760**

Grand Island Facilities Corporation  
 PO Box 1968  
 Grand Island, NE 68802

TERMS:

PLEASE DETACH AND RETURN WITH YOUR REMITTANCE

\$ \_\_\_\_\_

DATE	CHARGES AND CREDITS	BALANCE
	BALANCE FORWARD	
	Re: Edith Abbott Memorial Library 2005 Expansion/Remodel Project	
	Mid Plains Labor & Materials to Date	386,507.71
	Cannon Moss Brygger & Assoc	370,168.94
	Diamond Engineering Co.	184,864.70
	Subcontractors	532,713.87
	Subtotal	1,474,255.22
	Management Fee (6.1%)	89,929.57
	Total Costs To Date	1,564,184.79
	Less 5% retainage	-78,209.24
	Subtotal	1,485,975.55
	Less previous billings	-1,048,137.47
	Balance Due this Invoice	437,838.08

**MID PLAINS CONSTRUCTION CO.**

*Thank You*

**PAY LAST AMOUNT  
 IN THIS COLUMN**