
City of Grand Island



Tuesday, August 08, 2006

Council Session Packet

City Council:

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

Mayor:

Jay Vavricek

City Administrator:

Gary Greer

City Clerk:

RaNae Edwards

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

Call to Order

Invocation - Pastor George Oxford, First Church of the Nazarene, 1022 West 6th 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, August 08, 2006

Council Session

Item C1

**Presentation of the Community Redevelopment Authority (CRA)
Budget**

Staff Contact: Chad Nabity

**COMMUNITY REDEVELOPMENT AUTHORITY
2006-2007 ANNUAL BUDGET**

The CRA budget for 2006-2007 is offered to you with a review of the responsibilities of the CRA. Those responsibilities and abilities are outlined in State Statutes and are summarized, in part, as follows:

The creation of Redevelopment Authorities was authorized by the Nebraska Legislature in order to provide communities with the ability to address certain areas of a city in need of improvement and development. Powers granted to Community Redevelopment Authorities are outlined in Chapter 18 of the Statutes and include the ability to expend funds to acquire substandard or blighted areas, make public improvements, and assist with development and redevelopment projects in specified areas. The Authority has virtually the same powers as any political subdivision, including borrowing money, issuing bonds, undertaking surveys and appraisals and asking for a levy of taxes.

A five-member board, appointed by the Mayor with the approval of the City Council, governs the CRA. The CRA is administered by a Director and devotes the overwhelming share of its resources to highly visible and effective programs: including commercial façade improvements, removal of deteriorated structures, partnering with non-profit and government community centers for improvements. The CRA funds its programs primarily through assessments on taxable properties within the Grand Island city limits.

BLIGHTED AND SUBSTANDARD AREAS

There are five (5) designated Blighted and Substandard Areas within the Grand Island City Limits. These are contiguous areas that range from the southern city limits along S. Locust Street to Capital Avenue and Sky Park Road near the Central Nebraska Regional Airport. A sixth area including Five Points, Eddy Street, Broadwell Avenue and 2nd Street West is currently being studied.

FISCAL RESOURCES

General Revenues for 2006-2007,

The CRA is requesting property tax revenues of \$492,540. Historically, the levies and tax asking have been:

2005-2006	2004-2005	2003-2004	2002-2003	2001-2002
\$0.023625	\$0.024287	\$0.025325	\$0.024721	\$0.024721
\$492,540	\$457,391	\$402,431	\$388,713	\$367,384

At the July 20, 2006 meeting, the Community Redevelopment Authority approved the proposed budget establishing a preliminary request of \$0.022824 for each hundred dollars

of valuation for an anticipated \$492,540 based on an estimated taxable valuation of \$2,158,000,000.

Program Funding

The Community Redevelopment Authority has the ability to assist private developers and governmental entities with the commercial, residential or mixed-use redevelopment projects throughout the City. Specific detail on projects is as follows:

- Purchase of Dilapidated Properties/Infrastructure. The 2006-2007 budget includes \$115,000 for the acquisition of substandard properties in the blighted and substandard areas and for the provision of infrastructure.
- Facade Development \$100,000 has been budgeted for the façade development program, including grants and interest buy down these projects are unidentified at this time. This program is available to all blighted and substandard areas. For the next year, \$244,000 is already committed for façade improvements in the Downtown area
- Other Committed Projects: \$725,000 has been committed to projects including the Heartland Events Center, Central Nebraska Humane Society and Hall County.
- Other Projects: \$100,000 has been reserved for other projects in the blight and substandard areas. This funding can be assigned to specific projects including but not limited to infrastructure improvements in the blighted and substandard areas that would support larger redevelopment plans.

CONCLUSION

Grand Island has one of the most efficient and progressive Community Redevelopment Authorities across the state. A continued aggressive approach toward redevelopment will be the focus for the CRA in 2006-2007. The investments this community has made in housing, redevelopment efforts, infrastructure and economic development, bode well for the future of the community.

This budget reflects the continued and changing needs of the community. The Community Redevelopment Authority is to be commended for the difference their dedication and vision is making in this community.

COMMUNITY REDEVELOPMENT AUTHORITY
FY 2006 - 2007 BUDGET

	2004 Actual	2005 ACTUAL	2006 Revised Budget	2006 Projected	2007 Budget
CONSOLIDATED					
Beginning Cash	1,159,196	1,110,533	1,139,803	601,250	786,055
REVENUE:					
Property Taxes	576,254	590,228	640,864	678,100	715,336
Loan Proceeds	-				
Interest Income	14,416	15,926	9,000	17,320	10,000
Land Sales	-	13,434	50,000	-	100,000
Other Revenue	-	21,872	-	1,938	-
TOTAL REVENUE	590,670	641,460	699,864	697,358	825,336
TOTAL RESOURCES	1,749,866	1,751,993	1,839,667	1,298,608	1,611,391
EXPENSES					
Auditing & Accounting	12,750	4,700	8,000	7,000	8,000
Legal Services	7,599	5,907	10,000	6,000	10,000
Consulting Services	1,250	8,000	15,000	5,000	15,000
Contract Services	26,323	22,716	50,000	40,000	50,000
Printing & Binding	984	555	1,500	800	1,500
Other Professional Services	3,250	-	5,000	2,000	5,000
General Liability Insurance	-	-	-	-	-
Legal Notices	314	474	1,000	600	1,000
Licenses & Fees	62	-	-	-	-
Travel & Training	-	-	1,500	-	1,500
Other Expenditures	149,008	-	500	100	500
Office Supplies	292	246	750	250	750
Supplies	-	-	500	-	500
Land	-	17,521	200,000	165,000	115,000
Committed Façade Improvements					245,000
New Façade Improvement	221,655	195,699	150,000	100,000	100,000
South Locust	12,000	150,000	150,000	3,900	-
Alleyway Improvement	7,674	-	-	-	-
Other Projects	59,276	61,948	500,000	-	100,000
Committed Other Projects					725,000
Property Taxes BID Fees					4,000
Property Management					2,000
Bond Principal	62,450	72,009	71,993	86,707	118,906
Bond Interest	74,446	72,415	72,674	95,196	103,890
TOTAL EXPENSES	639,333	612,190	1,238,417	512,553	1,607,546
INCREASE(DECREASE) IN CASH	(48,663)	29,270	(538,553)	184,805	(782,210)
ENDING CASH	1,110,533	1,139,803	601,250	786,055	3,845
LESS COMMITMENTS			-	-	-
AVAILABLE CASH	1,110,533	1,139,803	601,250	786,055	3,845
CHECKING	639,382	1,139,803	(78,750)	786,055	3,845
INVESTMENTS	471,151	-	680,000	-	-
Total Cash	1,110,533	1,139,803	601,250	786,055	3,845

COMMUNITY REDEVELOPMENT AUTHORITY
FY 2006 - 2007 BUDGET

	2004 Actual	2005 ACTUAL	2006 Revised Budget	2006 Projected	2007 Budget
CRA					
GENERAL OPERATIONS:					
Property Taxes	440,206	456,540	492,540	492,540	492,540
Interest Income	14,173	15,695	9,000	17,000	10,000
Land Sales	-	13,434	50,000	-	100,000
Other Revenue	-	975		1,938	
TOTAL	454,379	486,644	551,540	511,478	602,540
GILI TRUST					
Property Taxes	68,189	66,498	65,780	65,780	65,780
Interest Income	-		-		
Other Revenue	-				
TOTAL	68,189	66,498	65,780	65,780	65,780
CHERRY PARK LTD II					
Property Taxes	64,425	66,094	59,180	59,180	59,180
Interest Income	216	141		180	-
Other Revenue					
TOTAL	64,641	66,235	59,180	59,360	59,180
GENTLE DENTAL					
Property Taxes	3,433		4,202	4,202	4,202
Interest Income	28	13		5	-
Other Revenue		1,734			
TOTAL	3,461	1,747	4,202	4,207	4,202
PROCON TIF					
Property Taxes			19,162	19,162	19,162
Loan Proceeds	-			95	
Interest Income		72			
Other Revenue		19,162			
TOTAL	-	19,234	19,162	19,257	19,162
WALNUT HOUSING PROJECT					
Property Taxes		1,096		37,236	74,472
Loan Proceeds	-	6		40	
Interest Income					
Other Revenue					
TOTAL	-	1,102	-	37,276	74,472
TOTAL REVENUE	590,670	641,460	699,864	697,358	825,336

COMMUNITY REDEVELOPMENT AUTHORITY
FY 2006 - 2007 BUDGET

	2004 Actual	2005 ACTUAL	2006 Revised Budget	2006 Projected	2007 Budget
EXPENSES					
CRA					
GENERAL OPERATIONS:					
Auditing & Accounting	12,750	4,700	8,000	7,000	8,000
Legal Services	2,599	5,907	10,000	6,000	10,000
Consulting Services	1,250	8,000	15,000	5,000	15,000
Contract Services	26,323	22,716	50,000	40,000	50,000
Printing & Binding	984	555	1,500	800	1,500
Other Professional Services	3,250	-	5,000	2,000	5,000
General Liability Insurance		-		-	250
Legal Notices	314	474	1,000	600	1,000
Licenses & Fees					
Travel & Training	-	-	1,500	-	1,500
Other Expenditures	25	-	500	100	500
Office Supplies	292	246	750	250	750
Supplies		-	500	-	500
Land		17,521	200,000	165,000	115,000
PROJECTS					
Façade Improvement	221,655	195,699	150,000	100,000	445,000
South Locust	12,000	150,000	150,000	3,900	-
Alleyway Improvement	7,674	-	0		
Other Projects	59,276	61,948	500,000	-	725,000
Property Taxes BID Fees					4,000
Property Management					2,000
TOTAL CRA OPERATING EXPENSES	348,392	467,766	1,093,750	330,650	1,385,000
GILI TRUST					
Bond Principal	34,470	37,279	37,279	37,279	37,279
Bond Interest	31,310	28,501	28,501	28,501	28,501
TOTAL GILI EXPENSES	65,780	65,780	65,780	65,780	65,780
CHERRY PARK LTD II					
Bond Principal	27,177	29,322	29,322	29,322	34,131
Bond Interest	32,003	29,858	29,858	29,858	25,049
TOTAL CHERRY PARK EXPENSES	59,180	59,180	59,180	59,180	59,180
GENTLE DENTAL					
Legal Services	-	-			
Bond Principal	803	1,735	1,735	1,735	1,987
Bond Interest	2,596	2,467	2,467	2,467	2,215
TOTAL GENTLE DENTAL	3,399	4,202	4,202	4,202	4,202
PROCON TIF					
Legal Services	5,000		-		
Licenses & Fees	61		-		
Other Expenditures	148,983		-		
Bond Principal		3,673	3,657	3,657	8,250
Bond Interest	8,538	11,589	11,848	11,848	10,912
TOTAL PROCON TIF	162,582	15,262	15,505	15,505	19,162
WALNUT HOUSING PROJECT					
Other Expenditures					
Bond Principal				14,714	30,934
Bond Interest				22,522	43,538
TOTAL WALNUT HOUSING PROJECT	-	-	-	37,236	74,472
TOTAL EXPENSES	639,333	612,190	1,238,417	512,553	1,607,796



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item D1

**#2006-BE-5 - Consideration of Determining Benefits for Water
Main District No. 450 (Circle Drive Area)**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Gary R. Mader, Utilities Director

Meeting: August 8, 2006

Subject: Water Main District 450 and Water Main District 451 – Circle Drive Area

Item #'s: D-1, D-2, F-3, & F-4

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

Background

The two referenced districts were created to serve the existing residents in an area south of Stolley Park Road and west of Blaine Street, in south central Grand Island, including parts of Stewart Place Subdivision; Stewart Place 4th Subdivision; and Elmer's Subdivision.

Water Main District 450 was created at the request of the property owner to serve a high density multi-family housing development on the east side of Circle Drive, and along Sunny Brooke Road and Stewart Drive. The majority of the properties within the district are under one ownership. Water Main District 451 is located along the westerly portion of Circle Drive. The properties are a combination of single family homes and multiple family units. The two districts were combined under one contract for construction to provide economy of scale on adjacent, connected districts. Attached for reference are copies of the district's plats showing the project area.

Discussion

The construction of both districts were created using the "Assessment District" administration process. This is the standard method used by the City to recoup construction costs when mains are installed at the request of the area property owners in developed areas. The total project cost was \$247,393.77. Of the total, the amount chargeable to Water Main District 450 is \$114,849.54; the amount chargeable to District 451 is \$99,945.50; and the remaining \$32,598.73 is City cost for oversized mains and extending lines to the area.

The calculation of assessments is based on the costs of construction for each district, apportioned equally to the residential structures within each district, adjusted for the

number of service lines required. Since the area is a combination of single family homes and duplexes, the method assigned equal value for each domicile (residence in each district), plus the contract price for the service line(s) to each domicile (a duplex may have multiple services depending on the owners needs).

The Water Department will finance the assessment costs for five years. The assessment payment schedule is set up with five annual installments at 7% simple interest on the outstanding balance. The first payment is due 50 days after the Council sets the assessments at the Board of Equalization (BOE) Hearing. Attached for reference are copies of the district's costs, ownership records, and calculated assessments.

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 assessment amounts for Water Main District 450 and Water Main District 451 be set for the properties within the districts as tabulated on the attached listing.

Sample Motion

Motion to approve the assessment amounts for Water Main District 450 and Water Main District 451.

WMD 450

LOT BLK		SUBDIVISION and ADDRESS	DOMICILE	\$5,838.41 \$\$\$	\$625.75 + SERVICE	\$\$\$	TOTAL EST\$
	6 1	Stewart Place Sub					
E 9'	7 1	Stewart Place Sub Patrick & Susan Maginnis, H & W 2904 Circle Dr, Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
	7 2	Stewart Place Sub Eugene L & Ilene J Pletcher 2805 Circle Dr, Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
E 2'	3 3	Stewart Place Sub					
	4 3	Stewart Place Sub Harold C & Lois L Hudiburgh, H & W 2104 Circle Dr, Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
	5 3	Stewart Place Sub; 2112-2114 Circle Dr Ronald L & Una M Vonbehren, H & W 2915 Circle Dr, Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
	2	Stewart Place 4th Sub; 2015-2017 Circle Dr	1	5,838.41	2	1,251.50	7,089.91
	3	Stewart Place 4th Sub; 2021-2023 Circle Dr	1	5,838.41	2	1,251.50	7,089.91
	4	Stewart Place 4th Sub; 2105-2107 Circle Dr	1	5,838.41	2	1,251.50	7,089.91
	5	Stewart Place 4th Sub; 2720-2722 Sunny Brooke Road	1	5,838.41	2	1,251.50	7,089.91
	6	Stewart Place 4th Sub; 2716-2718 Sunny Brooke Road	1	5,838.41	2	1,251.50	7,089.91
	13	Stewart Place 4th Sub; 2713-2715 Sunny Brooke Road	1	5,838.41	2	1,251.50	7,089.91
	14	Stewart Place 4th Sub; 2717-2719 Sunny Brooke Road	1	5,838.41	2	1,251.50	7,089.91
	15	Stewart Place 4th Sub; 2721-2723 Sunny Brooke Road	1	5,838.41	2	1,251.50	7,089.91
	16	Stewart Place 4th Sub; 2720-2722 Stewart Place	1	5,838.41	2	1,251.50	7,089.91
	17	Stewart Place 4th Sub; 2716-2718 Stewart Place	1	5,838.41	2	1,251.50	7,089.91
	18	Stewart Place 4th Sub; 2710-2712 Stewart Place	1	5,838.41	2	1,251.50	7,089.91
	19	Stewart Place 4th Sub; 2716-2715 Stewart Place	1	5,838.41	2	1,251.50	7,089.91
	20	Stewart Place 4th Sub; 2717-2719 Stewart Place	1	5,838.41	2	1,251.50	7,089.91
	21	Stewart Place 4th Sub; 2721-2713 Stewart Place	1	5,838.41	2	1,251.50	7,089.91
		Dynasty Enterprises, Inc PO Box 574, Grand Island, NE 68802	14		28		99,258.74
							\$114,849.54

WMD 451

Rev: 8-1-06a

LOT BLK	SUBDIVISION and ADDRESS	DOMICILE	\$3,271.95 \$\$\$	\$625.75 + SERVICE	\$\$\$	TOTAL EST\$
W 66' E 14'	7 1 Stewart Place Sub 8 1 Stewart Place Sub Victor G & Kala D Rojas, H & W 2908 Circle Dr, Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
W 61' E 7'	8 1 Stewart Place Sub 9 1 Stewart Place Sub Jori Lee & Kimberly Lynn Aden, H & W 2912 Circle Dr, Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
W 68' E 6.33'	9 1 Stewart Place Sub 10 1 Stewart Place Sub Kent D & Theresa R Engelhardt, H & W 2918 Circle Dr, Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
W 88' PT See Document '200205909	10 1 Stewart Place Sub 11 1 Stewart Place Sub; (Duplex 2922 - 2924 Circle Dr) Michael R & Jean A Wilson, H & W Co-trustees of the Michael R & Jean A Wislon Revocable Trust 2922 Circle Dr, Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
PT PT See Document '200304597	10 1 Stewart Place Sub 11 1 Stewart Place Sub; (Duplex 3002 - 3004 Circle Dr) Billy L & Rae Jeanne Barnesberger, H & W 302 Lakeside Drive, Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
S 23' N 44'	11 1 Stewart Place Sub 12 1 Stewart Place Sub Dianne G & Neal E Kelley, H & W 2106 W Circle Dr, Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
S 31' N 38'	12 1 Stewart Place Sub 13 1 Stewart Place Sub; 2116 S Circle Dr Norbert M Wenzl, a single person 2116 Circle Dr, Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
S 37' N 51	13 1 Stewart Place Sub 14 1 Stewart Place Sub; (Duplex 2122 - 2124 S Circle Dr) Jerry L & Sharon K Skeen H & W and Roxie I Crist (ea 1/2 undivided interest) 2122 Circle Dr, Grand Island, NE 68801	1	3,271.95	2	1,251.50	4,523.45
S 24' N 65'	14 1 Stewart Place Sub 15 1 Stewart Place Sub; (Duplex 2206 - 2208 S Circle Dr) The Starostka Family Trust - Robert L. & Rosella M Starostka H & W Trustees 1708 Doreen St, Grand Island, NE 68801	1	3,271.95	2	1,251.50	4,523.45
S 10' N 17'	15 1 Stewart Place Sub 16 1 Stewart Place Sub 17 1 Stewart Place Sub; (Duplex 2210 - 2212 S Circle Dr) David R & Christine A Starostka H & W, and Danny & Janet Starostka H & W PO Box 5316, Grand Island, NE 68802	1	3,271.95	2	1,251.50	4,523.45
W 150' of S 183'	17 1 Stewart Place Sub; (Duplex 2214-2216, Duplex 2222-2224) D & O Investments PO Box 5316, Grand Island, NE 68802	2	6,543.90	4	2,503.00	9,046.90
	8 2 Stewart Place Sub Marietta Hofferber a single person & Cyndie L Larson a single person 2811 Circle Dr, Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
E 1/2	9 2 Stewart Place Sub 10 2 Stewart Place Sub; (Duplex 2817 - 2821 Circle Dr) Shirley A Nielsen Revocable Living Trust, Shirley A Nielsen Trustee 2817 Circle Drive, Grand Island, NE 68801	1	3,271.95	2	1,251.50	4,523.45
W 1/2	10 2 Stewart Place Sub 11 2 Stewart Place Sub; (Duplex 2905 - 2911 Circle Dr) John M & Sue L Cook H & W 2905 Circle Dr, Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
	12 2 Stewart Place Sub Todd & Alaina Verplank, H & W 2917 Circle Dr, Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
	1 3 Stewart Place Sub Ronald L & Una M VonBehren 2915 Circle Dr Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
	2 3 Stewart Place Sub Wauneta B McGown Trustee of the Wauneta B McGown Living Revocable Trust 2909 Circle Dr Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
Ex E 2'	3 3 Stewart Place Sub Kenneth & Sandra Maret H & W 2903 Circle Dr Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
E 24'	6 3 Stewart Place Sub 7 3 Stewart Place Sub; (Duplex 2906 - 2910 Circle Dr) Bryan D Fiala, a single person 2906 Circle Dr Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
E 61'	7 3 Stewart Place Sub Diane J Beran, a single person 2914 Circle Dr Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
	8 3 Stewart Place Sub Nancy K Montgomery, a single person 2920 Circle Drive Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
	9 3 Stewart Place Sub Alan L Peterson, a single person 2926 Circle Dr Grand Island, NE 68801	1	3,271.95	1	625.75	3,897.70
PT See Attached	2 Elmer's Subdivision Kenneth & Jan Tell H & W Darrold D & Peggy Jo Dannehl H & W 1019 W John St Grand Island, NE 68801	2	6,543.90	0	0.00	6,543.90

MAIN DISTRICT 450 AND 451 ESTIMATE
 Cooke Rod, Stewart Dr, and Circle Dr area
 6/23/2006

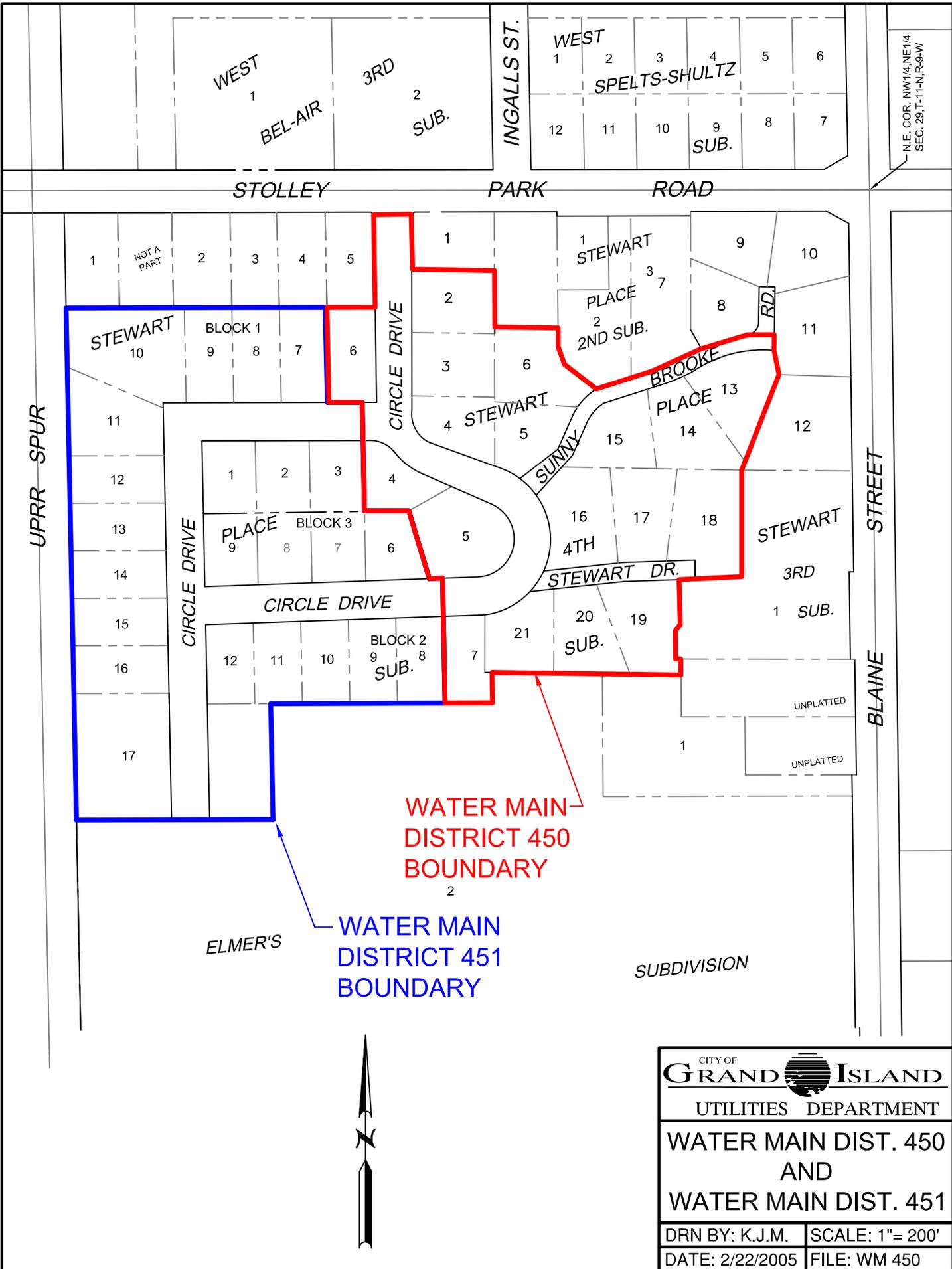
Est = 6/30/2005
 Bids = 8/11/2005

STEWART SUB AREA
 DISTRICT 450

CIRCLE DRIVE AREA
 DISTRICT 451

CITY SHARE - OVER SIZE

Item	Description	Installed		Bid Unit		Total		STEWART SUB AREA		CIRCLE DRIVE AREA		CITY SHARE - OVER SIZE	
		Quantity		\$\$\$	\$\$\$	Quantity	\$\$\$	Quantity	\$\$\$	Quantity	\$\$\$	Quantity	\$\$\$
C. 1.01	12"X12"X 6" TAPPING SLEEVE	1.00	EA	1,985.00	1,985.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	1,985.00
C. 1.02	8" D.I. PIPE, (S.J.)	1,330.77	LF	23.70	31,539.25	159.89	3,229.68	1,170.88	23,651.87	1,330.77	4,657.70	1,330.77	4,657.70
C. 1.03	8"X 8"X 8" TEE (M.J.)	1.00	EA	255.00	255.00	0.00	0.00	1.00	195.00	1.00	60.00	1.00	60.00
C. 1.04	8"X 8"X 6" TEE (M.J.)	5.00	EA	240.00	1,200.00	1.00	195.00	4.00	780.00	5.00	225.00	5.00	225.00
C. 1.05	8"X 90° ELL (M.J.)	1.00	EA	188.50	188.50	0.00	0.00	1.00	141.38	1.00	47.12	1.00	47.12
C. 1.06	8"X 22 1/2 ELL (M.J.)	2.00	EA	176.60	353.20	2.00	289.00	0.00	0.00	2.00	64.20	2.00	64.20
C. 1.07	8"X 6" REDUCER (M.J.)	2.00	EA	133.45	266.90	0.00	0.00	0.00	0.00	2.00	266.90	2.00	266.90
C. 1.08	8" RS GATE VALVE	2.00	EA	975.00	1,950.00	0.00	0.00	2.00	1,425.90	2.00	524.10	2.00	524.10
C. 1.09	8" RETAINER GLAND	1.00	EA	66.50	66.50	0.00	0.00	1.00	51.10	1.00	15.40	1.00	15.40
C. 1.10	8" CAP (M.J.)	1.00	EA	107.40	107.40	0.00	0.00	1.00	88.65	1.00	18.75	1.00	18.75
C. 1.11	6" D.I. PIPE, (S.J.)	1,895.49	LF	20.20	38,288.90	1,117.59	22,575.32	695.12	14,041.32	82.79	1,672.26	82.79	1,672.26
C. 1.12	6"X 6"X 6" TEE (M.J.)	7.00	EA	195.00	1,365.00	5.00	975.00	2.00	390.00	0.00	0.00	0.00	0.00
C. 1.13	6"X 45 ELL (M.J.)	8.00	EA	143.40	1,147.20	5.00	717.00	1.00	143.40	2.00	286.80	2.00	286.80
C. 1.14	6"X 22 1/2 ELL (M.J.)	5.00	EA	144.50	722.50	5.00	722.50	0.00	0.00	0.00	0.00	0.00	0.00
C. 1.15	6" CAP (M.J.) W/ 2" TAPPED PLUG	1.00	EA	88.65	88.65	1.00	88.65	0.00	0.00	0.00	0.00	0.00	0.00
C. 1.16	6" RS TAPPING VALVE	1.00	EA	915.00	915.00	0.00	0.00	0.00	0.00	1.00	915.00	1.00	915.00
C. 1.17	6" RS GATE VALVE	4.00	EA	712.95	2,851.80	3.00	2,138.85	1.00	712.95	0.00	0.00	0.00	0.00
C. 1.18	VALVE BOX	7.00	EA	159.25	1,114.75	3.00	477.75	3.00	477.75	1.00	159.25	1.00	159.25
C. 1.19	FIRE HYDRANT ASSEMBLY COMPLETE	9.00	EA	1,310.00	11,790.00	5.00	6,550.00	4.00	5,240.00	0.00	0.00	0.00	0.00
C. 1.20	1" WATER SERVICE, COMPLETE	67.00	EA	625.75	41,925.25	32.00	20,024.00	29.00	18,146.75	6.00	3,754.50	6.00	3,754.50
C. 1.21	2" WATER SERVICE, COMPLETE	2.00	EA	962.65	1,925.30	2.00	1,925.30	0.00	0.00	0.00	0.00	0.00	0.00
C. 1.22	THRUST BLOCK	30.00	EA	103.85	3,115.50	19.00	1,973.15	8.00	830.80	3.00	311.55	3.00	311.55
C. 1.23	6" RETAINER GLAND	1.00	EA	51.10	51.10	1.00	51.10	0.00	0.00	0.00	0.00	0.00	0.00
C. 1.24	BELL BLOCK	2.00	EA	348.30	696.60	1.00	348.30	1.00	348.30	0.00	0.00	0.00	0.00
C. 1.25	ROADWAY SAW CUT	1,055.41	LF	2.75	2,901.83	818.78	2,251.65	163.96	450.89	72.47	199.29	72.47	199.29
C. 1.26	DRIVEWAY SAW CUT	762.74	LF	2.75	2,097.54	102.89	282.94	659.86	1,814.60	0.00	0.00	0.00	0.00
C. 1.27	REMOVE CURB & GUTTER	26.46	LF	2.40	63.50	26.46	63.50	0.00	0.00	0.00	0.00	0.00	0.00
C. 1.28	REPLACE CURB & GUTTER	26.46	LF	18.20	481.57	26.46	481.57	0.00	0.00	0.00	0.00	0.00	0.00
C. 1.29	REMOVE ASPH. / CONC. ROADWAY	838.30	SY	4.25	3,562.78	723.38	3,074.37	80.68	342.89	34.24	145.52	34.24	145.52
C. 1.30	REPLACE ASPH. / CONC. ROADWAY	838.30	SY	28.00	23,472.40	723.38	20,254.64	80.68	2,259.04	34.24	958.72	34.24	958.72
C. 1.31	REMOVE ASPH. / CONC. DRIVEWAY	676.05	SY	4.25	2,873.21	286.95	1,219.55	389.10	1,653.66	0.00	0.00	0.00	0.00
C. 1.32	REPLACE ASPH. / CONC. DRIVEWAY	613.09	SY	28.00	17,166.52	223.99	6,271.80	389.10	10,894.72	0.00	0.00	0.00	0.00
C. 1.33	REMOVE CONCRETE SIDEWALK	54.72	SF	0.45	24.62	54.72	24.62	0.00	0.00	0.00	0.00	0.00	0.00
C. 1.34	REPLACE CONCRETE SIDEWALK	54.72	SF	3.00	164.16	54.72	164.16	0.00	0.00	0.00	0.00	0.00	0.00
C. 1.35	R-O-W SEEDING	900.00	SF	0.40	360.00	0.00	0.00	0.00	0.00	900.00	360.00	900.00	360.00
	CONTRACT AMOUNT				197,077.43		96,369.40		84,080.97		16,627.06		16,627.06
	WATER DEPT MATERIALS				8,771.19		4,839.96		3,871.97		59.26		59.26
	PO 2724 - BACKFILL MATERIAL				5,250.00		2,878.29		2,371.71				
	PO 2707 - HE CONCRETE				535.00				535.00				
	PO 2746 - HE CONCRETE				321.00		321.00						
	ENGINEERING / ADMINISTRATION				35,439.15		10,440.89		9,085.85		15,912.41		15,912.41
	PROJECT TOTAL				\$247,393.77		\$114,849.54		\$99,945.50		\$32,598.73		\$32,598.73



WEST
1
BEL-AIR
3RD
2
SUB.

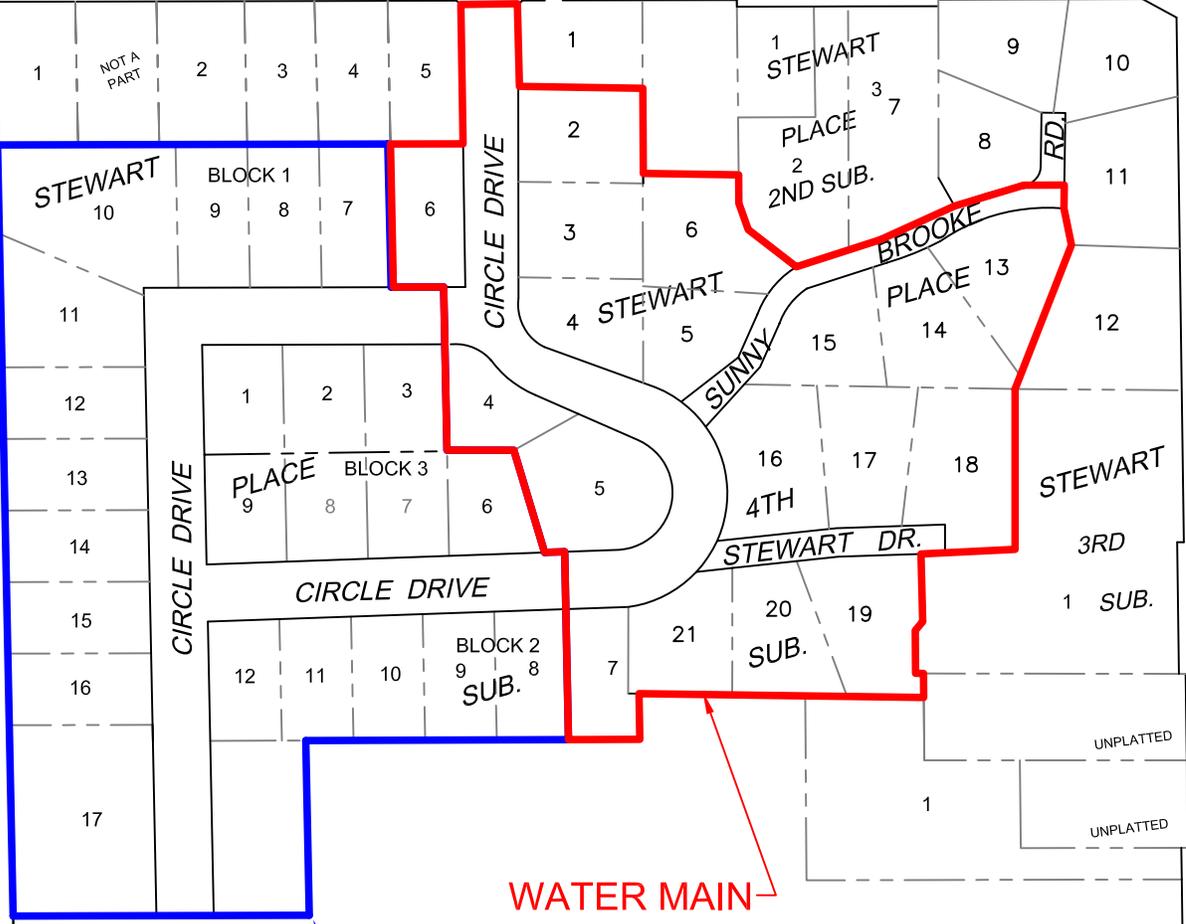
INGALLS ST.

WEST
1 2 3 4 5 6
SPELTS-SHULTZ
12 11 10 9 8 7
SUB.

N.E. COR. NW1/4, NE1/4
SEC. 29, T-11-N, R-9-W

STOLLEY PARK ROAD

UPRR SPUR



BLAINE STREET

WATER MAIN DISTRICT 450 BOUNDARY

ELMER'S WATER MAIN DISTRICT 451 BOUNDARY

SUBDIVISION



CITY OF GRAND ISLAND
UTILITIES DEPARTMENT
WATER MAIN DIST. 450 AND WATER MAIN DIST. 451
DRN BY: K.J.M. | SCALE: 1"= 200'
DATE: 2/22/2005 | FILE: WM 450

RESOLUTION 2006-BE-5

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Water Main District 450, 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 \$114,849.54; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Water Main District No. 450, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Patrick & Susan Maginnis	Lot 6 and east 9 feet of Lot 7, Block 1, Stewart Place Subdivision	3,897.70
Eugene L. & Ilene J. Pletcher	Lot 7, Block 2, Stewart Place Subdivision	3,897.70
Harold C. & Lois L. Hudiburgh	East 2 feet of Lot 3, and all of Lot 4, Block 3, Stewart Place Subdivision	3,897.70
Ronald L. & Una M. Vonbehren	Lot 5, Block 3, Stewart Place Subdivision	3,897.70
Dynasty Enterprises, Inc.	Lot 2, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 3, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 4, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 5, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 6, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 13, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 14, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 15, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 16, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 17, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 18, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 19, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 20, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 21, Stewart Place 4 th Subdivision	7,089.91
TOTAL		\$114,849.54

Approved as to Form <input type="checkbox"/> _____ August 3, 2006 <input type="checkbox"/> City Attorney

RESOLUTION 2006-BE-5

Adopted by the City Council of the City of Grand Island, Nebraska, on August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item D2

**#2006-BE-6 - Consideration of Determining Benefits for Water
Main District No. 451 (Circle Drive Area)**

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

Staff Contact: Gary R. Mader

RESOLUTION 2006-BE-6

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Water Main District 451, 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 \$99,945.50; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Water Main District No. 451, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Victor G. & Kala D. Rojas	West 66 feet of Lot 7, Block 1 and East 14 feet of Lot 8, Block 1, Stewart Place Subdivision	3,897.70
Jori Lee & Kimberly Lynn Aden	West 61 feet of Lot 8, Block 1 and East 7 feet of Lot 9, Block 1, Stewart Place Subdivision	3,897.70
Kent D. & Theresa R. Engelhardt	West 68 feet of Lot 9, Block 1 and East 6.33 feet of Lot 10, Block 1, Stewart Place Subdivision	3,897.70
Michael R. & Jean A. Wilson Revocable Trust	The westerly eighty-eight (88) feet of the easterly ninety-four and thirty-three hundredths (94.33) feet of Lot Ten (10), in Block One (1) Stewart Place Subdivision and a tract of land described as follows: Beginning at the northeast corner of Lot Eleven (11), Block One (1), Stewart Place Subdivision; thence running southerly along the east boundary line of Lot Eleven (11) a distance of twenty-two (22) feet; thence westerly, parallel to the north line of Lot Ten (10), a distance of fifty-eight (58); thence northerly, parallel to the east line of Lot Eleven (11), to a point on the northerly lot line of Lot Eleven (11); thence southeasterly along and upon the northerly lot line of Lot Eleven (11) to the point of beginning, all in the City of Grand Island, Hall County, Nebraska.	3,897.70
Billy L. & Rae Jeanne Bamesberger	A tract of land comprising part of Lots Ten (10) and Eleven (11) in Block One (1) in Stewart Place Subdivision, being a part of the Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) of Section Twenty Nine (29) in Township Eleven (11) North, Range Nine (9) West of the 6 th P.M. in Hall County, Nebraska, more particularly described as follows: Beginning at the northwest corner of said Lot 10, Block 1, Stewart Place Subdivision; thence running southerly along and upon the westerly line of said Lots 10 and 11, a distance of 130.0 feet; thence running easterly parallel to the northerly line of said Lot 10, a distance of 92.0 feet; thence running northerly parallel to the westerly	3,897.70

Approved as to Form	☐ _____
August 3, 2006	☐ City Attorney

RESOLUTION 2006-BE-6

	line of said Lots 10 and 11, a distance of 130.0 feet to the northerly line of said Lot 10; thence running westerly along and upon the northerly line of said Lot 10, a distance of 92.0 feet to the place of beginning AND a tract of land in Lots Ten (10) and Eleven (11), Block One (1), Stewart Place Subdivision in the city of Grand Island, Hall County, Nebraska, more particularly described as follows: Beginning at a point on the west line of said Lot Eleven (11), said point being 130 feet south of the northwest corner of said Lot Ten (10); thence easterly parallel to the north line of said Lot 10, a distance of 92.0 feet; thence southerly parallel to the west line of said Lot Eleven (11), a distance of 53.0 feet; thence westerly parallel to the south line of said Lot Eleven (11), a distance of 92.0 feet to a point on the west line of said Lot Eleven (11); thence north along the west line of said Lot Eleven (11), a distance of 53.0 feet, to the point of beginning.	
Dianne G. & Neal E. Kelley	South 23 feet of Lot 11 and the north 44 feet of Lot 12, Block 1, Stewart Place Subdivision	3,897.70
Norbert M. Wenzl	South 31 feet of Lot 12 and the north 38 feet of Lot 13, Block 1, Stewart Place Subdivision	3,897.70
Jerry L. & Sharon K. Skeen and Roxie I. Crist	South 37 feet of Lot 13 and the north 51 feet of Lot 14, Block 1, Stewart Place Subdivision	4,523.45
The Starostka Family Trust	South 24 feet of Lot 14 and the north 65 feet of Lot 15, Block 1, Stewart Place Subdivision	4,523.45
David R. & Christine A. Starostka and Danny & Janet Starostka	South 10 feet of Lot 15, all of Lot 16, and the north 17 feet of Lot 17, Block 1, Stewart Place Subdivision	4,523.45
D & O Investments	West 150 feet of South 183 feet of Lot 17, Block 1, Stewart Place Subdivision	9,046.90
Marietta Hofferber and Cyndie L. Larson	Lot 8, Block 2, Stewart Place Subdivision	3,897.70
Shirley A. Nielsen Revocable Living Trust	Lot 9 and the E1/2 of Lot 10, Block 2, Stewart Place Subdivision	4,523.45
John M. & Sue L. Cook	W1/2 of Lot 10 and all of Lot 11, Block 2, Stewart Place Subdivision	3,897.70
Todd & Alaina Verplank	Lot 12, Block 2, Stewart Place Subdivision	3,897.70
Ronald L. & Una M. VonBehren	Lot 1, Block 3, Stewart Place Subdivision	3,897.70
Wauneta B. McGown Living Revocable Trust	Lot 2, Block 3, Stewart Place Subdivision	3,897.70
Kenneth & Sandra Maret	Lot 3, Block 3 (except east 2 feet), Stewart Place Subdivision	3,897.70
Bryan D. Fiala	Lot 6 and the east 24 feet of Lot 7, Block 3, Stewart Place Subdivision	3,897.70
Diane J. Beran	East 61 feet of Lot 7, Block 3, Stewart Place Subdivision	3,897.70
Nancy K. Montgomery	Lot 8, Block 3, Stewart Place Subdivision	3,897.70

RESOLUTION 2006-BE-6

Alan L. Peterson	Lot 9, Block 3, Stewart Place Subdivision	3,897.70
Kenneth & Jan Tell and Darrold D. & Peggy Jo Dannehl	Part of Lot 2, Elmer's Subdivision, more particularly described as follows: Beginning at the southwest corner of Lot Twelve (12) Stewart Place Subdivision in the city of Grand Island, Hall County, Nebraska, being a point on the easterly right-of-way line of Circle Drive; thence southerly along the southerly right-of-way line of said Circle Drive, a distance of one hundred eighty three and one tenth (183.1) feet; thence easterly along the easterly extension of the southerly line of Lot Seventeen (17) said Stewart Place Subdivision, a distance of one hundred (100.0) feet; thence northerly parallel with the easterly right-of-way line of Circle Drive, a distance of one hundred eighty three and one tenth (183.1) feet to the southerly line of said Stewart Place Subdivision; thence westerly along the southerly line of said Stewart Place Subdivision, a distance of one hundred (100.0) feet to the said point of beginning.	6,543.90
TOTAL		\$99,945.50

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, on August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item E1

Public Hearing on Request of CXT/LB Foster for Conditional Use Permit to Extend the Temporary Use of Office Trailers Located at 710 East US Highway 30

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig A. Lewis, Building Department Director

Meeting: August 8, 2006

Subject: Request of James McCaslin of CXT/LB Foster Company for Approval of a Conditional Use Permit to Allow for the Continued Use of Two Temporary Buildings at 710 East Highway #30

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

Presenter(s): Craig Lewis – Building Department Director

Background

This request is for approval of a conditional use to allow for the continued use of two temporary buildings at the above referenced site. In 1998 the City Council approved a two year conditional use permit to place these temporary buildings at the site to serve as office and break room facilities for the newly constructed fabrication plant. Subsequent approvals have been granted by the City Council on July 24, 2000 for two years, June 25, 2002 for two years, and June 7, 2004 for an additional two years. There have been four separate approvals bringing the duration of this temporary use to eight years.

The recent request is for approval of an additional one year period ending in June of 2007.

Discussion

The City code allows for temporary buildings and uses if approved by the City Council in the form of a Conditional Use Permit. For the past eight years these buildings provided for temporary facilities. Twice within the past eight years, CXT has stated in the application for renewal that plans are either in the works or the buildings were intended to be replaced with permanent facilities. The current application request is for a one year approval and states that plans for permanent buildings are expected within the next 12 months. The site location is such that it would not appear that this request will have any negative impact on the neighboring properties.

Alternatives

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

1. Approve the request.
2. Disapprove or /Deny the request.
3. Modify the request to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council approve the request and authorize the issuance of a conditional use permit for an additional 12 month period.

Sample Motion

Motion to approve the request of CXT/LB Foster for a conditional use permit for a temporary office and break room structure for a twelve month period.



Conditional Use Permit Application

pc: Building, Legal, Utilities
Planning, Public Works

1. The specific use/~~construction~~ requested is: Use of existing office trailers
duration not to exceed 1 year.
2. The owner(s) of the described property is/are: Art/B Foster 415 Holiday Dr, Pitts PA 15220
3. The legal description of the property is: unplatted land of Union Pacific RR
4. The address of the property is: 710 E US Hwy 30, Grand Island, NE
5. The zoning classification of the property is: M-1
6. Existing improvements on the property is: N/A
7. The duration of the proposed use is: 1 year
8. Plans for construction of permanent facility is: within next 12 months
9. The character of the immediate neighborhood is: Industrial
10. There is hereby **attached** a list of the names and addresses of all property owners within 200' of the property upon which the Conditional Use Permit is requested.
11. Explanation of request: To extend conditional use permit for additional 12 mths ending June 22 ~~2007~~, 2007. Plans for permanent facility are expected within 12 months.

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

6-21-06

Date

Angela Guthrie for James McCaslin

Owners(s)

520-260-2909 - Jmk

Phone Number

710 E US Hwy 30, PO Box 1808

Address

308-380-0874 - AG

Grand Island, NE

City

State

68801

Zip

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



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item E2

**Public Hearing on Acquisition of a Public Utilities Easement
Located Along 1149 South Stuhr Rd (Amy Anderson)**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: August 8, 2006

Subject: Public Hearing and Approval for Acquisition of a Public Utilities Easement Located Along 1149 South Stuhr Rd (Amy Anderson)

Item #'s: E-2 & G-7

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

Background

Council action is necessary for the City of Grand Island to acquire public easements. The Public Works Department needs to acquire an easement along the property of 1149 South Stuhr Road (Amy Anderson); behind 819 South Stuhr Road (Thomas and Faye Conlon).

Thomas and Faye Conlon own the property at 819 South Stuhr Road. They have a private septic tank and leach field for treatment of their sewage waste. The Conlon's would like to connect to city sewer as their septic system has not been fully functional since they bought the property in 2003. They have been using a Laundromat to do laundry and have had the septic tank pumped several times in the last year.

A sanitary sewer interceptor line is located in a 20' wide easement that is separated from the Conlon's property by a 7' strip of property owned by Amy Anderson. An easement is needed across Ms. Anderson's property to allow the Conlon's to connect to a manhole on the sanitary sewer interceptor. The property where the easement is needed is mostly weeds and contains no buildings.

Discussion

The Conlon's have made numerous attempts over the last ten months to seek approval from Ms. Anderson for the easement. Ms. Anderson has stated that she would sign the easement documents but never has. The Conlon's are requesting council approval of the easement. They are hopeful that Ms. Anderson will sign the easement document if she understands that the city supports connecting the Conlon's to city sewer.

Alternatives

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

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

Recommendation

City Administration recommends that the Council conduct a Public Hearing and approve the Resolution for the acquisition of the Public Utility Easement.

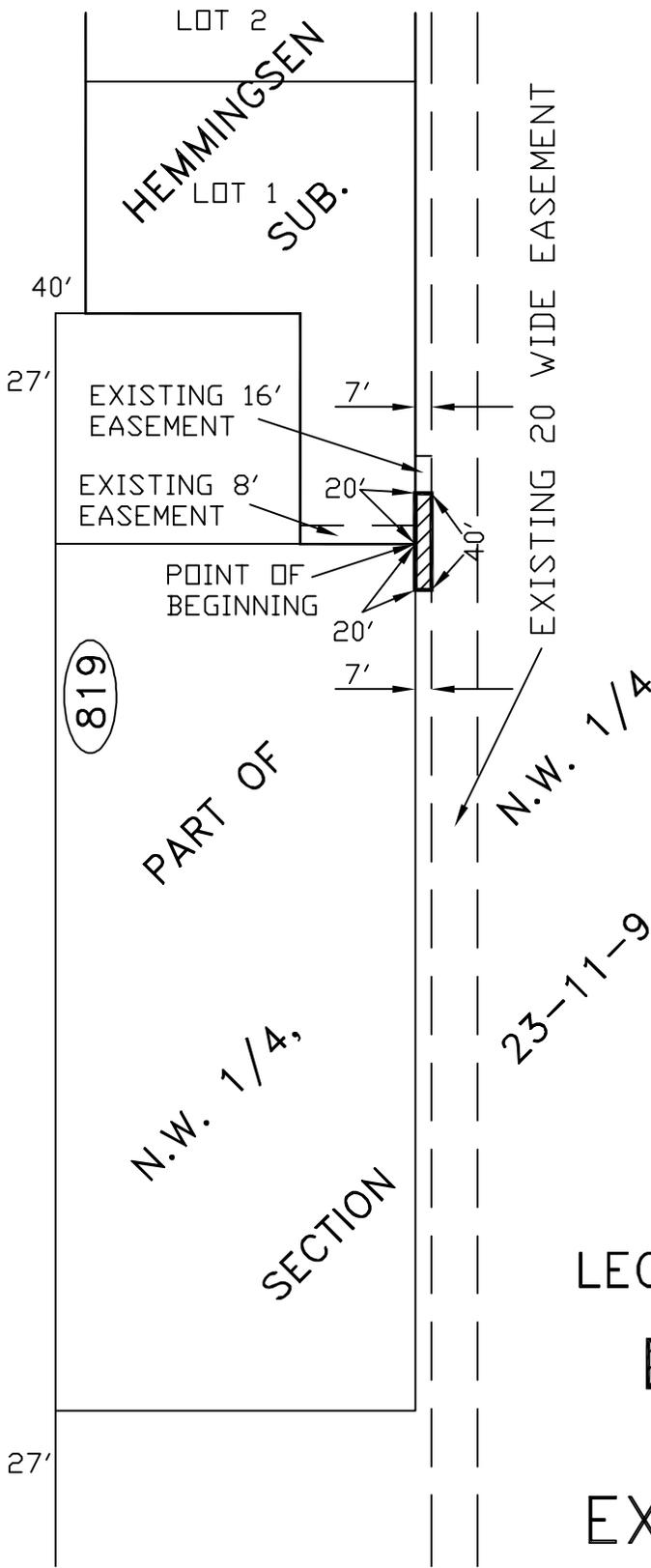
Sample Motion

Motion to approve the acquisition of the Public Utility Easement.

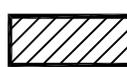
ROAD

WEST LINE SECTION 23-11-9

STUHR



LEGEND



EASEMENT AREA ACQUIRED

EXHIBIT "A"



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item E3

**Public Hearing on Acquisition of Hike/Bike Easement Located at
3645 South Locust Street (Judith K. Poland)**

Staff Contact: Steve Paustian

Council Agenda Memo

From: Steve Paustian, Parks and Recreation Director
Meeting: August 8, 2006
Subject: Easement Acquisition for Hike/Bike Trail at 3645 So. Locust
Item #'s: E-3 & G-14
Presenter(s): Steve Paustian, Parks and Recreation Director

Background

A utility easement is in place for the above mentioned land. A hike/bike trail is designed to be constructed within this easement.

Discussion

A grant has been secured to extend the hike/bike trail from Hall County Park to connect to an existing trail segment located along the west side of the Wal-Mart property. In order to make this connection it is necessary to use an existing utility easement located at 3645 South Locust for trail use. Currently the easement allows for utility uses only. It is now necessary to add a provision to the easement to allow for construction and maintenance of a hike/bike trail.

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 modification to the existing easement to include trail construction and maintenance.

Sample Motion

Motion to approve modification to easement.



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item E4

Public Hearing on Request of Delfino Vargas-Bernal dba Las Vegas Bar and Grill, 316 East 2nd Street for a Class "C" Liquor License

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: August 8, 2006

Subject: Public Hearing on Request of Delfino Vargas-Bernal dba Las Vegas Bar and Grill, 316 East 2nd Street for a Class “C” Liquor License

Item #'s: E-4 & I-1

Presenter(s): RaNae Edwards, City Clerk

Background

Delfino Vargas-Bernal dba Las Vegas Bar and Grill, 316 East 2nd Street has submitted an application for a Class “C” Liquor License. A Class “C” Liquor License allows for the sale of alcohol on and off sale inside the corporate limits of the city.

Discussion

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Clerk, Building, Fire, Health, and Police Departments. Attached is the Police Department’s background investigation and recommendation.

Alternatives

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

1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

Recommendation

Based on the Nebraska Liquor Control Commission's criteria for the approval of Liquor Licenses, City Administration recommends that the Council approve the application of Delfino Vargas-Bernal dba Las Vegas Bar and Grill, 316 East 2nd Street for a Class "C" Liquor License with the stipulation that a state approved alcohol server/seller training program be completed by Mr. Vargas-Bernal.

Sample Motion

Move to approve the application of Delfino Vargas-Bernal dba Las Vegas Bar and Grill, 316 East 2nd Street for a Class "C" Liquor License with the stipulation that a state approved alcohol server/seller training program be completed by Mr. Vargas-Bernal.



**INTEROFFICE
MEMORANDUM**
Police Department

*Working Together for a
Better Tomorrow. Today.*

DATE: August 1, 2006

TO: RaNae Edwards, City Clerk

FROM: Brad Brush, Lieutenant, Police Department

RE: Application for Liquor License/Liquor Manager Designation in the name of
of Delfino Vargas Bernal and the business name of Las Vegas
Bar and Grill, 316 E 2nd, Grand Island, NE 68801

The Grand Island Police Department has received the application for Liquor License/Liquor Manager Designation in the name of Delfino Vargas Bernal and the business name of Las Vegas Bar and Grill to be located at 316 E 2nd, Grand Island, NE 68801

The application for the Liquor Manager and for the Retail Corporation Liquor License is technically inaccurate, thus a false application. However, even if the conviction had been declared it would not have risen to the level of a Class I Misdemeanor, thus disqualifying the Applicant.

Therefore, it is the Police Department's recommendation to accept this Liquor Manager Designation application as well as the Liquor license application for the Business, Delfino Vargas Bernal, dba Las Vegas Bar and Grill, 316 E 2nd, Grand Island, NE 68801.

BB/rk

08/01/06
07:54

Grand Island Police Dept.
LAW INCIDENT TABLE

City : Grand Island
 Occurred after : 10:01:15 07/26/2006
 Occurred before : 10:01:15 07/26/2006
 When reported : 10:01:15 07/26/2006
 Date disposition declared : 07/31/2006
 Incident number : L06074022
 Primary incident number :
 Incident nature : Liquor Lic Inv Liquor License Investigation
 Incident address : 316 E 2nd
 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 : GIPD Grand Island Police Department
 Responsible officer : Brush B
 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	97633		Vargas-Bernal, Delfino	lig lic applicant
NM	115826		Vargas, Carmen	mentioned

LAW INCIDENT NARRATIVE:

Request for assessment & recommendation-Liquor Manager Designation Application and Retail Corporation Liquor License.

The Liquor Manager Designation Applicant's name is Delfino Vargas Bernal Business-Las Vegas Bar and Grill, 316 E 2nd, GI, NE 68801

A check of the Nebraska Criminal Justice Information System (NCJIS) found the following conviction not declared by Delfino Vargas-Bernal;

*Speeding 11-15 MPH County/State; Dawson County Infraction
Offense Date is 11/20/2002, Plea is Guilty/Admit

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

A National Crime Intelligence Center (NCIC) search reflected no other convictions.

08/01/06
07:54

Grand Island Police Dept.
LAW INCIDENT TABLE

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Page: 2

Delfino B Vargas, date of birth 08-24-68 is a registered voter in Dawson County, Nebraska.

A check of the Nebraska Criminal Justice Information System (NCJIS) found no convictions on Carmen Vargas. However I did find that on three separate occasions she was the assignee on criminal cases. I determined that assignee indicates person is named as having posted bond. I was able to determine she had posted bond for;

- Luis A Carlos-Delgado, dob 04-12-75, Dawson County, 12-22-97
- Omar C Delgado, dob 04-11-79, Lincoln County, on 12-23-97
- Omar C Delgado, dob 04-11-79, Lincoln County, on 03-11-98

I received a phone call from Atty Jerry Janulewicz, who indicated he is representing Delfino Vargas Barnal and offered to assist if I had any questions for Vargas-Barnal, due to Vargas Barnal not speaking English. At the time of the call, I did not have any questions.

I did call Janulewicz on 07-28-06 to see if Vargas Barnal had a local address. I did ask if possibly Delfino Vargas-Barnal would live in the apartment/house attached to the proposed bar. I also asked if Omar A Carlos-Delgado & Luis A Carlos-Delgado were Carmen Vargas, his wife's children. Janulewicz advised that Vargas Barnal did not presently have a local address, indicating he would move to the Grand Island area if and when he obtained a liquor license. Janulewicz indicated he would try and get the other information and get back to me.

In summation;
The application for the Liquor manager and for the Retail Corporation Liquor License is technically inaccurate, thus a false application. However, even if the conviction had been declared it would not have risen to the level of a Class I Misdemeanor, thus disqualifying the applicant.

It is the police department's recommendation to accept this Liquor Manager Designation Application in the name of Delfino Vargas Barnal, as well as the Liquor License application for the business, Delfino Vargas Barnal dba Las Vegas Bar and Grill, 316 E 2nd, GI, NE 68801.

LAW INCIDENT RESPONDERS DETAIL:

Se	Responding offi	Unit n	Unit number
1	NSP1	NSP Monitor	



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item E5

Public Hearing on Proposed FY 2006-2007 City Single Budget

Staff Contact: David Springer

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: August 8, 2006

Subject: Public Hearing for FY 2006-2007 Single City Budget

Item #'s: E-5

Presenter(s): Dave Springer, Finance Director

Background

The budget process for the City of Grand Island begins in April with internal budget compilation and culminates with the submittal of the final budget to the State Auditor in September. Following are accomplishments that have occurred:

- * Departments reviewed their current budgets and submitted 2006-2007 budget requests.
- * Outside Agencies were contacted to submit their budget requests for next year.
- * Requests were reviewed with each department by City Administration.
- * 2006-2007 budgets were adjusted to promote efficiencies and effectiveness.
- * Board review and approval took place for Business Improvement Districts, CRA, and Solid Waste Agency.
- * On June 20th, the City Council conducted a Study Session to review the proposed Fee Schedule, FTE requests and funding of Outside Agencies.
- * On July 11th, the City Council approved FTE Schedule, Outside Agency funding, and the 2006-2007 User Fee Schedule (except for utilities)
- * On July 25, the City Council conducted a public hearing and approved the Solid Waste Agency Budget and the budgets for Business Improvement Districts #3, #4, and #5

Discussion

At the August 8th Council Meeting, the City Council is asked to conduct a public hearing on the proposed budget to allow for public input. The public hearing will be followed up by a Special Budget meeting on August 15th, where council will be able to ask questions and respond to information concerning the proposed budget and public input. At the August 15th meeting, the Council will be asked to make determination on the budget or set further meetings to move toward determination.

Future steps concerning the budget include:

- | | |
|--------------------|--|
| August 15, 2006 | Special Budget meeting |
| August 22, 2006 | Approve Fee Schedule for Utilities
Adopt budget and approve lid limit increase |
| September 12, 2006 | Board of Equalization for BID's
Public hearing on General Property, Parking District #2, and
CRA tax request
Set Business Improvement District Assessments
Establish Parking District #1 occupation tax request
Establish property tax requests for General Property, Parking
District #2, and CRA |
| September 20, 2006 | Submit Budget to State Auditor |

Recommendation

The Council is asked to conduct the public hearing and take information from the citizens. After conducting the hearing, it is recommended that the City Council take the information under advisement for further discussion at the August 15th Special Budget Session

The budget transmittal letter, a Budget in Brief', and a draft document of the budget has been provided to Council on August 4th. If any further information is needed, please contact City Administration.



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item F1

#9058 - Consideration of Vacating a 10' Easement on Lots One (1) and Two (2) of Summerfield Estates 6th Subdivision (Little B's Corporation)

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: August 8, 2006

Subject: Consideration of Vacating a 10' Easement on Lots One (1) and Two (2) of Summerfield Estates 6th Subdivision (Little B's Corporation)

Item #'s: F-1

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

Background

Vacation of easements requires council action through passing of an ordinance.

Discussion

When sanitary sewer was constructed along Summerfield Avenue for the Summerfield Estate 3rd Subdivision, a sewer service was not built to serve the property east of Summerfield Avenue and south of Warbler Road, it would be served by a future Sanitary Sewer Main. When the lots for Summerfield Estates 5th Subdivision were platted, a sanitary sewer easement was needed to serve Lot No. 2. The developer reconfigured the lots with Summerfield Estates 6th Subdivision therefore the easement is no longer needed.

Alternatives

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

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

Recommendation

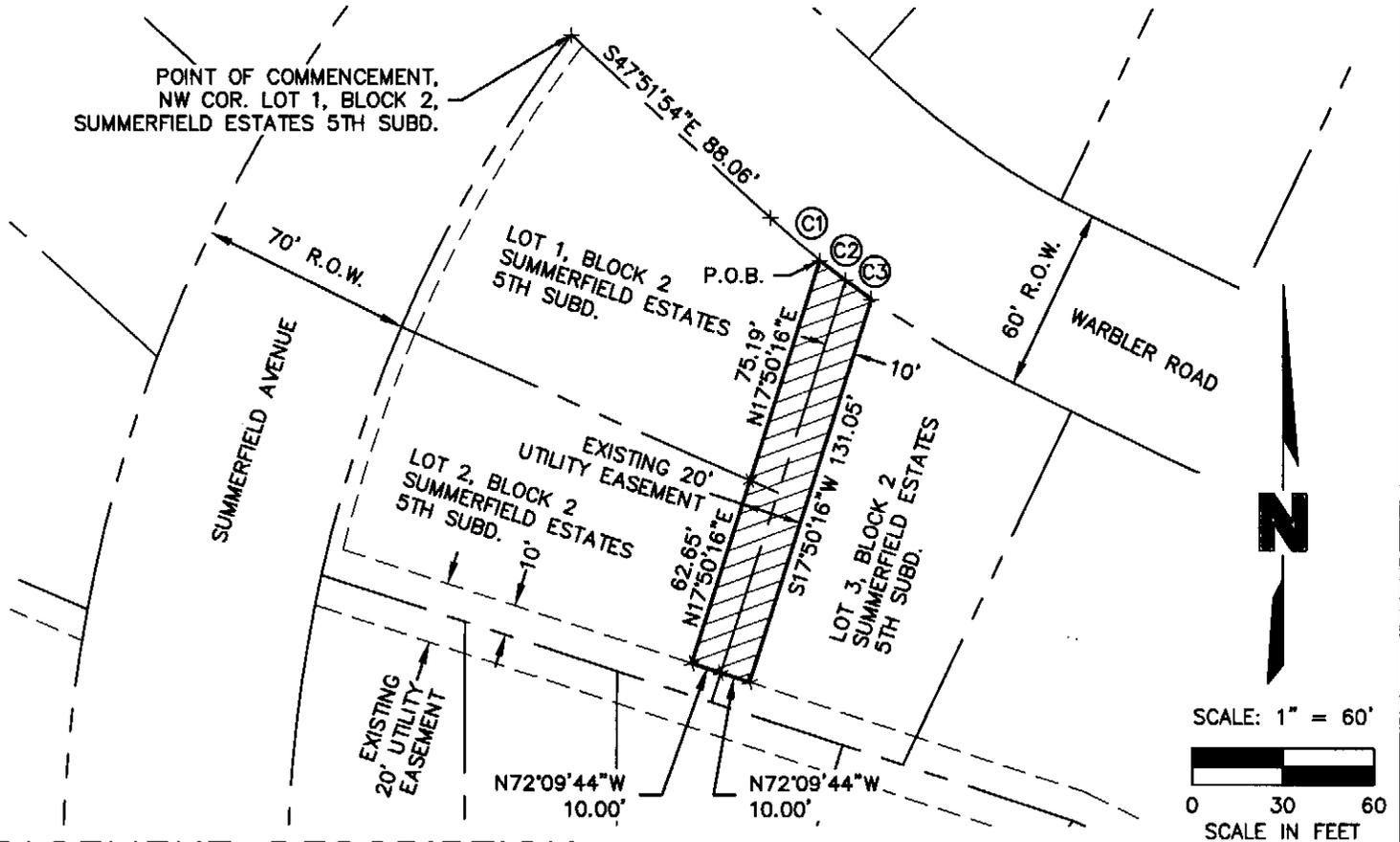
City Administration recommends that the Council approve the Ordinance for the vacation of the easement.

Sample Motion

Motion to approve the vacation of the Utility Easement.

EASEMENT VACATION

SUMMERFIELD ESTATES FIFTH SUBDIVISION



EASEMENT DESCRIPTION

A UTILITY EASEMENT BEING 20 FEET IN WIDTH LOCATED IN LOT 1, LOT 2 AND LOT 3, BLOCK 2 OF SUMMERFIELD ESTATES FIFTH SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 2, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF THE EAST RIGHT-OF-WAY (R.O.W.) LINE OF SUMMERFIELD AVENUE AND THE SOUTH R.O.W. LINE OF WARBLER ROAD; THENCE ON AN ASSUMED BEARING OF S47°51'54"E ALONG AND UPON SAID SOUTH R.O.W. LINE A DISTANCE OF 88.06 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 03°43'29", AN ARC LENGTH OF 21.45 FEET, A RADIUS OF 330.00 FEET AND A CHORD BEARING S49°43'38"E FOR A DISTANCE OF 21.45 FEET TO THE POINT OF INTERSECTION OF THE WEST LINE OF SAID UTILITY EASEMENT AND SAID SOUTH R.O.W. LINE OF WARBLER ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG AND UPON SAID SOUTH R.O.W. LINE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 01°50'37", AN ARC LENGTH OF 10.62 FEET, A RADIUS OF 330.00 FEET AND A CHORD BEARING S52°30'41"E FOR A DISTANCE OF 10.62 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 2; THENCE CONTINUING ALONG AND UPON SAID SOUTH R.O.W. LINE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 01°49'26", AN ARC LENGTH OF 10.50 FEET, A RADIUS OF 330.00 FEET AND A CHORD BEARING S54°20'43"E FOR A DISTANCE OF 10.50 FEET TO THE POINT OF INTERSECTION OF THE EAST LINE OF SAID UTILITY EASEMENT AND SAID SOUTH R.O.W. LINE OF WARBLER ROAD; THENCE S17°50'16"W ALONG THE EAST LINE OF SAID UTILITY EASEMENT A DISTANCE OF 131.05 FEET TO THE POINT OF INTERSECTION OF SAID EAST EASEMENT LINE AND THE NORTH LINE OF A 20' WIDE UTILITY EASEMENT; THENCE N72°09'44"W ALONG AND UPON SAID NORTH EASEMENT LINE A DISTANCE OF 10.00 FEET TO THE POINT OF INTERSECTION OF SAID NORTH EASEMENT LINE AND THE WEST LINE OF SAID LOT 3, BLOCK 2; THENCE CONTINUING ALONG AND UPON SAID NORTH EASEMENT LINE N72°09'44"W A DISTANCE OF 10.00 FEET TO THE POINT OF INTERSECTION OF SAID NORTH EASEMENT LINE AND THE WEST LINE OF A 20' WIDE UTILITY EASEMENT; THENCE N17°50'16"E ALONG SAID WEST EASEMENT LINE A DISTANCE OF 62.65 FEET TO THE POINT OF INTERSECTION OF SAID WEST EASEMENT LINE AND THE NORTH LINE OF SAID LOT 2, BLOCK 2; THENCE CONTINUING ALONG SAID WEST EASEMENT LINE N17°50'16"E A DISTANCE OF 75.19 FEET TO THE POINT OF BEGINNING. SAID PERMANENT UTILITY EASEMENT CONTAINS 2,687 SQUARE FEET OR 0.06 ACRES MORE OR LESS.

CURVE TABLE

CURVE	DELTA	LENGTH	RADIUS	TANGENT	BEARING	CHORD
C1	3°43'29"	21.45'	330.00'	10.73'	S49°43'38"E	21.45'
C2	1°50'37"	10.62'	330.00'	5.31'	S52°30'41"E	10.62'
C3	1°49'26"	10.50'	330.00'	5.25'	S54°20'43"E	10.50'

DATE:
6/19/06

EASEMENT VACATION
LOTS 1, 2 AND 3, BLOCK 2
SUMMERFIELD ESTATES FIFTH SUBD.
CITY OF GRAND ISLAND, NEBRASKA

OLSSON
ASSOCIATES

201 East 2nd Street
P.O. Box 1072
Grand Island, NE 68802-1072

TEL 308.384.8750
FAX 308.384.8752
www.olssonllc.com

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9058

An ordinance to vacate an existing easement located in a part of Lots One (1), Two (2), and Three (3), Block Two (2) in Summerfield Estates Fifth Subdivision in the City of Grand Island, Hall County, Nebraska; to provide for filing this ordinance in the office of the Register of Deeds of Hall County; 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 the twenty (20.0) foot wide easement located in a portion of Lots One (1), Two (2) and Three (3), Block Two (2), Summerfield Estates Fifth Subdivision in the City of Grand Island, Hall County, Nebraska, is hereby vacated. Such easement to be vacated is the easterly ten (10.0) feet of Lots One (1) and Two (2), Block Two (2), and the westerly ten (10.0) feet of Lot Three (3), Block Two (2), all in Summerfield Estates Fifth Subdivision as shown and more particularly described on Exhibit A attached hereto.

Approved as to Form	☐ _____
August 3, 2006	☐ City Attorney

ORDINANCE NO. 9058 (Cont.)

SECTION 2. This ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 3. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item F2

#9059 - Consideration of Assessments for Water Main District No. 450 (Circle Drive Area)

This items relates to the aforementioned Board of Equalization Items D-1 & D-2.

Staff Contact: Gary R. Mader

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9059

An ordinance to assess and levy a special tax to pay the cost of construction of Water Main District No. 450 of the City of Grand Island, Nebraska; to provide for the collection of such special tax; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts, and parcels of land specifically benefited, for the purpose of paying the cost of construction of said water main in said Water Main District 450, as adjudged by the Mayor and Council of said City, to the extent of benefits thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and lands as follows:

ORDINANCE NO. 9059 (Cont.)

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Patrick & Susan Maginnis	Lot 6 and east 9 feet of Lot 7, Block 1, Stewart Place Subdivision	3,897.70
Eugene L. & Ilene J. Pletcher	Lot 7, Block 2, Stewart Place Subdivision	3,897.70
Harold C. & Lois L. Hudiburgh	East 2 feet of Lot 3, and all of Lot 4, Block 3, Stewart Place Subdivision	3,897.70
Ronald L. & Una M. Vonbehren	Lot 5, Block 3, Stewart Place Subdivision	3,897.70
Dynasty Enterprises, Inc.	Lot 2, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 3, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 4, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 5, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 6, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 13, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 14, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 15, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 16, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 17, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 18, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 19, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 20, Stewart Place 4 th Subdivision	7,089.91
Dynasty Enterprises, Inc.	Lot 21, Stewart Place 4 th Subdivision	7,089.91
TOTAL		\$114,849.54

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

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

ORDINANCE NO. 9059 (Cont.)

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

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

SECTION 5. Such special assessments shall be paid into a fund to be designated as the "Water Fund 450".

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

SECTION 7. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item F3

#9060 - Consideration of Assessments for Water Main District No. 451 (Circle Drive Area)

This items relates to the aforementioned Board of Equalization Items D-1 & D-2.

Staff Contact: Gary R. Mader

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9060

An ordinance to assess and levy a special tax to pay the cost of construction of Water Main District No. 451 of the City of Grand Island, Nebraska; to provide for the collection of such special tax; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts, and parcels of land specifically benefited, for the purpose of paying the cost of construction of said water main in said Water Main District 451, as adjudged by the Mayor and Council of said City, to the extent of benefits thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and lands as follows:

ORDINANCE NO. 9060 (Cont.)

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Victor G. & Kala D. Rojas	West 66 feet of Lot 7, Block 1 and East 14 feet of Lot 8, Block 1, Stewart Place Subdivision	3,897.70
Jori Lee & Kimberly Lynn Aden	West 61 feet of Lot 8, Block 1 and East 7 feet of Lot 9, Block 1, Stewart Place Subdivision	3,897.70
Kent D. & Theresa R. Engelhardt	West 68 feet of Lot 9, Block 1 and East 6.33 feet of Lot 10, Block 1, Stewart Place Subdivision	3,897.70
Michael R. & Jean A. Wilson Revocable Trust	The westerly eighty-eight (88) feet of the easterly ninety-four and thirty-three hundredths (94.33) feet of Lot Ten (10), in Block One (1) Stewart Place Subdivision and a tract of land described as follows: Beginning at the northeast corner of Lot Eleven (11), Block One (1), Stewart Place Subdivision; thence running southerly along the east boundary line of Lot Eleven (11) a distance of twenty-two (22) feet; thence westerly, parallel to the north line of Lot Ten (10), a distance of fifty-eight (58); thence northerly, parallel to the east line of Lot Eleven (11), to a point on the northerly lot line of Lot Eleven (11); thence southeasterly along and upon the northerly lot line of Lot Eleven (11) to the point of beginning, all in the City of Grand Island, Hall County, Nebraska.	3,897.70
Billy L. & Rae Jeanne Bamesberger	A tract of land comprising part of Lots Ten (10) and Eleven (11) in Block One (1) in Stewart Place Subdivision, being a part of the Northwest Quarter of the Northeast Quarter (NW1/4, NE1/4) of Section Twenty Nine (29) in Township Eleven (11) North, Range Nine (9) West of the 6 th P.M. in Hall County, Nebraska, more particularly described as follows: Beginning at the northwest corner of said Lot 10, Block 1, Stewart Place Subdivision; thence running southerly along and upon the westerly line of said Lots 10 and 11, a distance of 130.0 feet; thence running easterly parallel to the northerly line of said Lot 10, a distance of 92.0 feet; thence running northerly parallel to the westerly line of said Lots 10 and 11, a distance of 130.0 feet to the northerly line of said Lot 10; thence running westerly along and upon the northerly line of said Lot 10, a distance of 92.0 feet to the place of beginning AND a tract of land in Lots Ten (10) and Eleven (11), Block One (1), Stewart Place Subdivision in the city of Grand Island, Hall County, Nebraska, more particularly described as follows: Beginning at a point on the west line of said Lot Eleven (11), said point being 130 feet south of the northwest corner of said Lot Ten (10); thence easterly parallel to the north line of said Lot 10, a distance of 92.0 feet; thence southerly parallel to the west line of said Lot Eleven (11), a distance of 53.0 feet; thence westerly parallel to the south line of said Lot Eleven (11), a distance of 92.0 feet to a point on the west line of said Lot Eleven (11); thence north along the west line of said Lot Eleven (11), a distance of 53.0 feet, to the point of beginning.	3,897.70

ORDINANCE NO. 9060 (Cont.)

Dianne G. & Neal E. Kelley	South 23 feet of Lot 11 and the north 44 feet of Lot 12, Block 1, Stewart Place Subdivision	3,897.70
Norbert M. Wenzl	South 31 feet of Lot 12 and the north 38 feet of Lot 13, Block 1, Stewart Place Subdivision	3,897.70
Jerry L. & Sharon K. Skeen and Roxie I. Crist	South 37 feet of Lot 13 and the north 51 feet of Lot 14, Block 1, Stewart Place Subdivision	4,523.45
The Starostka Family Trust	South 24 feet of Lot 14 and the north 65 feet of Lot 15, Block 1, Stewart Place Subdivision	4,523.45
David R. & Christine A. Starostka and Danny & Janet Starostka	South 10 feet of Lot 15, all of Lot 16, and the north 17 feet of Lot 17, Block 1, Stewart Place Subdivision	4,523.45
D & O Investments	West 150 feet of South 183 feet of Lot 17, Block 1, Stewart Place Subdivision	9,046.90
Marietta Hofferber and Cyndie L. Larson	Lot 8, Block 2, Stewart Place Subdivision	3,897.70
Shirley A. Nielsen Revocable Living Trust	Lot 9 and the E1/2 of Lot 10, Block 2, Stewart Place Subdivision	4,523.45
John M. & Sue L. Cook	W1/2 of Lot 10 and all of Lot 11, Block 2, Stewart Place Subdivision	3,897.70
Todd & Alaina Verplank	Lot 12, Block 2, Stewart Place Subdivision	3,897.70
Ronald L. & Una M. VonBehren	Lot 1, Block 3, Stewart Place Subdivision	3,897.70
Wauneta B. McGown Living Revocable Trust	Lot 2, Block 3, Stewart Place Subdivision	3,897.70
Kenneth & Sandra Maret	Lot 3, Block 3 (except east 2 feet), Stewart Place Subdivision	3,897.70
Bryan D. Fiala	Lot 6 and the east 24 feet of Lot 7, Block 3, Stewart Place Subdivision	3,897.70
Diane J. Beran	East 61 feet of Lot 7, Block 3, Stewart Place Subdivision	3,897.70
Nancy K. Montgomery	Lot 8, Block 3, Stewart Place Subdivision	3,897.70
Alan L. Peterson	Lot 9, Block 3, Stewart Place Subdivision	3,897.70

ORDINANCE NO. 9060 (Cont.)

Kenneth & Jan Tell and Darrold D. & Peggy Jo Dannehl	Part of Lot 2, Elmer's Subdivision, more particularly described as follows: Beginning at the southwest corner of Lot Twelve (12) Stewart Place Subdivision in the city of Grand Island, Hall County, Nebraska, being a point on the easterly right-of-way line of Circle Drive; thence southerly along the southerly right-of-way line of said Circle Drive, a distance of one hundred eighty three and one tenth (183.1) feet; thence easterly along the easterly extension of the southerly line of Lot Seventeen (17) said Stewart Place Subdivision, a distance of one hundred (100.0) feet; thence northerly parallel with the easterly right-of-way line of Circle Drive, a distance of one hundred eighty three and one tenth (183.1) feet to the southerly line of said Stewart Place Subdivision; thence westerly along the southerly line of said Stewart Place Subdivision, a distance of one hundred (100.0) feet to the said point of beginning.	6,543.90
TOTAL		\$99,945.50

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

SECTION 3. The entire amount so assessed and levied against any lot, tract or parcel of land may be paid within fifty days from the date of this levy without interest, and the lien of special tax thereby satisfied and released. Each of said installments, except the first, shall draw interest at the rate of seven percent (7%) per annum from the time of such levy until they shall become delinquent. After the same become delinquent, interest at the rate of fourteen (14%) per annum shall be paid thereof, until the same is collected and paid.

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

SECTION 5. Such special assessments shall be paid into a fund to be designated as the "Water Fund 451".

ORDINANCE NO. 9060 (Cont.)

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

SECTION 7. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item F4

#9061 - Consideration of Approving Salary Ordinance

Staff Contact: Brenda Sutherland

Council Agenda Memo

From: Brenda Sutherland, Human Resources Director

Meeting: August 8, 2006

Subject: Salary Ordinance

Item #'s: F-4

Presenter(s): Brenda Sutherland, Human Resources Director

Background

The City of Grand Island conducts salary surveys on various employee groups so that they may stay within acceptable standards should we be challenged at the Commission of Industrial Relations (C.I.R.). Surveys are done as part of union negotiations and labor agreements. The City surveys its non-union workforce on a three year schedule and its union workforce based on labor negotiations which have also been averaging about three years. As part of the budget process a salary ordinance is brought forward every year so that wages may be put into place for the new fiscal year which begins in October.

Discussion

Per labor agreement, the City conducted a survey for the positions covered by the IBEW union. These positions are found in the Utilities department and the Finance department. The survey showed that all of the positions that were covered by the labor agreement were under comparability and need adjusted upward. The survey resulted in an overall total increase to the positions in the IBEW bargaining unit of 6.97%. The percentage change varies by position. Some positions may see an increase of 4% while others may move at a higher rate depending on the survey results. The array that was used for the survey was: Ames, IA, Fremont, Garden City, KS, Hastings, Kearney, Muscatine, IA, Norfolk, North Platte, NPPD and Southern Power. The utilities industry across the Midwest is experiencing major growth and can be seen by the swing in wages.

The non-union positions saw an overall total increase of around 3.2%. Some positions were over comparability and others were under. Those positions that were over will be frozen and those that were under will be brought up. The largest shift here was again in the positions related to the utility market (Finance & Utilities). The array used for this survey was: Ames, IA, Fremont, Hastings, Kearney, Norfolk, North Platte and Salina,

KS. In addition, we used Garden City, KS and Muscatine, IA for some of the utility positions where matches are harder to find.

Per labor agreement, there is a 3% change to the positions covered by the AFSCME agreement and a 3.5% increase for the positions covered by the FOP agreement. Administration is proposing a 2.25% increase for the positions covered by the IAFF bargaining unit.

Also, proposed by administration is a change to the pay out of sick leave to non-union employees at retirement. Currently, non-union employees are paid half of their sick leave bank at retirement and Directors are also eligible for half of their sick leave bank at termination up to 240 hours. The proposed change would be that the sick leave that is paid out be paid into the employee's Voluntary Employees' Beneficiary Association (VEBA). The dollars would go in tax free so the employee would see an increase in the dollars that they have to spend on medical expenses and they would also come out tax free when the employee accesses the money for use of eligible medical expenses. The City would save money by not paying the social security match.

As the City is no longer providing retiree health insurance for employees, the VEBA contribution becomes an excellent vehicle for helping to fund future medical expenses.

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 Salary Ordinance.

Sample Motion

Motion to approve Salary Ordinance #9061.

ORDINANCE NO. 9061

An ordinance to amend Ordinance No. 9061 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 remove the classification and salary ranges for Administration Secretary, Legal Assistant, Public Works Secretary, Public Safety Secretary, Maintenance Worker 1; Solid Waste and Maintenance Worker II, Solid Waste; to repeal Ordinance No. 9017, 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	<u>1505.91/2119.64</u> 1369.60 / 1927.78	Exempt

Approved as to Form _____
August 4, 2006 City Attorney

ORDINANCE NO. 9061 (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Accounting Technician – Solid Waste, Streets, WWTP	1018.28 / 1432.90	40 hrs/week
Administrative Assistant – Administration, Fire, Public Works, Utilities	1099.42 / 1547.94	40 hrs/week
Administration Secretary	912.17 / 1283.10	40 hrs/week
Assistant to the City Administrator	<u>1433.28/2017.83</u> 1391.53 / 1959.06	Exempt
Assistant Public Works Director	<u>2086.00/2934.85</u> 1853.77 / 2608.12	Exempt
Assistant Utility Director – Administration	<u>2798.73/3938.43</u> 2470.20 / 3476.10	Exempt
Assistant Utility Director – PGS & PCC	<u>3031.68/4266.42</u> 2675.80 / 3765.59	Exempt
Attorney	<u>2003.06/2818.62</u> 1944.72 / 2736.52	Exempt
Audio-Video Technician	<u>1311.50/1845.46</u> 1273.30 / 1791.70	40 hrs/week
Biosolids Technician	<u>1185.21/1668.38</u> 1125.37 / 1584.14	40 hrs/week
Building Department Director	<u>2283.50/3211.95</u> 2216.99 / 3118.40	Exempt
Building Inspector	<u>1318.18/1854.63</u> 1305.13 / 1836.27	40 hrs/week
Building Secretary	<u>930.41/1308.76</u> 912.17 / 1283.10	40 hrs/week
Cemetery Superintendent	1364.25 / 1920.65	Exempt
City Administrator	<u>3694.74/5199.50</u> 3587.13 / 5048.15	Exempt
City Attorney	<u>2667.93/3754.87</u> 2590.22 / 3645.50	Exempt
City Clerk	<u>1533.36/2157.82</u> 1356.44 / 1908.86	Exempt
Civil Engineering Manager – Public Works Engineering	<u>2032.23/2860.65</u> 1843.96 / 2595.64	Exempt

ORDINANCE NO. 9061 (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Civil Engineering Manager – Utility, PCC	<u>2235.14/3146.78</u> 2028.07 / 2855.25	Exempt
Collection System Supervisor	<u>1406.27/1979.02</u> 1322.34 / 1860.90	40 hrs/week
Communications Specialist/EMD	<u>960.06/1354.25</u> 945.87 / 1334.23	40 hrs/week
Community Development Administrator	<u>1159.73/1631.88</u> 1125.95 / 1584.35	Exempt
Community Service Officer – Police Department	826.58 / 1162.73	40 hrs/week
Custodian	<u>826.10/1165.76</u> 798.05 / 1126.18	40 hrs/week
Development/ <u>Grants</u> Specialist	<u>1159.73/1631.88</u> 1125.95 / 1584.35	Exempt
Electric Distribution Superintendent	<u>2238.54/3149.39</u> 2110.04 / 2968.60	Exempt
Electric Distribution Supervisor	<u>1891.18/2660.18</u> 1782.62 / 2507.48	40 hrs/week
Electric Underground Superintendent	<u>1993.46/2804.93</u> 1879.02 / 2643.91	Exempt
Electrical Engineer I	<u>1828.81/2574.69</u> 1659.39 / 2336.16	Exempt
Electrical Engineer II	<u>2119.69/2983.49</u> 1923.32 / 2707.10	Exempt
Electrical Inspector	<u>1318.18/1854.63</u> 1305.13 / 1836.27	40 hrs/week
Emergency Management Clerk	<u>861.38/1211.86</u> 844.50 / 1188.10	40 hrs/week
Emergency Management Deputy Director	<u>1472.18/2071.60</u> 1348.40 / 1897.42	Exempt
Emergency Management Director	<u>2095.21/2948.19</u> 1919.04 / 2700.30	Exempt
EMS Division Chief	1780.80 / 2505.67	Exempt
<u>Engineering Technician</u>	<u>1317.93/1854.27</u>	<u>40 hrs/week</u>

ORDINANCE NO. 9061 (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
	1279.54/1800.26	
Engineering Technician Supervisor	<u>1510.15/2125.74</u>	Exempt
	1448.06 / 2038.35	
Equipment Operator, Solid Waste	<u>1126.58/1586.55</u>	40 hrs/week
	1072.32 / 1510.14	
Equipment Operator, WWTP	<u>1115.42/1570.85</u>	40 hrs/week
	1061.70 / 1495.19	
Finance Director	<u>2658.80/3741.50</u>	Exempt
	2581.36 / 3632.53	
Finance Secretary	<u>930.41/1308.76</u>	40 hrs/week
	912.17 / 1283.10	
Fire Chief	<u>2422.44/3407.86</u>	Exempt
	2351.89 / 3308.60	
Fire Operations Division Chief	<u>1916.76/2696.98</u>	Exempt
	1780.80 / 2505.67	
Fire Prevention Division Chief	1780.80 / 2505.67	Exempt
Fire Training Division Chief	1780.80 / 2505.67	Exempt
Fleet Services Superintendent	<u>1518.48/2138.12</u>	Exempt
	1459.66 / 2055.29	
Fleet Services Supervisor	<u>1265.20/1780.43</u>	40 hrs/week
	1216.19 / 1711.46	
Golf Course Superintendent	1699.29 / 2391.18	Exempt
<u>Grounds Management Crew Chief – Cemetery</u>	<u>1274.19/1793.14</u>	<u>40 hrs/week</u>
<u>Grounds Management Crew Chief - Parks</u>	<u>1312.42/1846.93</u>	40 hrs/week
	1274.19 / 1793.14	
Human Resources Director	<u>2337.34/3287.67</u>	Exempt
	2269.26 / 3191.91	
Human Resources Specialist	1211.46 / 1704.40	40 hrs/week
Information Technology Manager	<u>2157.10/3035.07</u>	Exempt
	1934.66 / 2722.10	
Information Technology Supervisor	<u>1809.78/2546.93</u>	Exempt
	1623.16 / 2284.30	
Legal Assistant	1303.62 / 1835.04	40 hrs/week

ORDINANCE NO. 9061 (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Legal Secretary	<u>1063.89/1498.93</u> 979.06 / 1379.41	40 hrs/week
Librarian I	1193.05 / 1678.11	Exempt
Librarian II	1312.53 / 1846.64	Exempt
Library Assistant I	<u>832.39/1170.95</u> 822.11 / 1156.50	40 hrs/week
Library Assistant II	<u>918.16/1291.93</u> 906.82 / 1275.98	40 hrs/week
Library Assistant Director	<u>1556.71/2190.42</u> 1511.37 / 2126.62	Exempt
Library Clerk	<u>697.70/983.03</u> 689.08 / 970.90	40 hrs/week
Library Director	<u>2106.85/2695.64</u> 2045.49 / 2879.26	Exempt
Library Page	<u>528.02/743.20</u> 521.50 / 734.02	40 hrs/week
Library Secretary	<u>930.41/1308.76</u> 912.17 / 1283.10	40 hrs/week
Maintenance Mechanic I	<u>1087.13/1533.71</u> 1045.02 / 1474.30	40 hrs/week
Maintenance Mechanic II	<u>1220.54/1717.26</u> 1173.26 / 1650.74	40 hrs/week
Maintenance Worker I – Solid Waste	931.79 / 1312.53	40 hrs/week
Maintenance Worker I – Building, Golf, Library	957.65 / 1347.30	40 hrs/week
<u>Maintenance Worker I – Golf</u>	<u>986.38/1387.72</u>	<u>40 hrs/week</u>
Maintenance Worker I – WWTP	<u>1038.80/1461.49</u> 976.80 / 1374.26	40 hrs/week
Maintenance Worker II – Solid Waste	981.72 / 1382.08	40 hrs/week
Maintenance Worker II – Building, Golf	1008.48 / 1422.21	40 hrs/week
<u>Maintenance Worker II – Golf</u>	<u>1038.74/1464.87</u>	<u>40 hrs/week</u>
Maintenance Worker II – WWTP	<u>1093.94/1542.74</u> 1028.64 / 1450.66	40 hrs/week
Meter Reading Supervisor	<u>1306.49/1839.94</u>	Exempt

ORDINANCE NO. 9061 (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
	1240.53 / 1747.04	
Office Manager – Police Department	1113.70 / 1567.54	40 hrs/week
Parking Monitor	553.72 / 780.02	40 hrs/week
Parks and Recreation Director	<u>2382.92/3351.66</u>	Exempt
	2313.52 / 3254.04	
Parks and Recreation Secretary	<u>930.41/1308.76</u>	40 hrs/week
	912.17 / 1283.10	
Parks Maintenance Superintendent	<u>1589.78/2236.34</u>	Exempt
	1543.47 / 2171.20	
Payroll Specialist	1187.70 / 1670.98	40 hrs/week
Planning Director	<u>2362.77/3324.06</u>	Exempt
	2293.95 / 3227.25	
Planning Secretary	<u>930.41/1308.76</u>	40 hrs/week
	912.17 / 1283.10	
Planning Technician	<u>1416.78/1993.34</u>	40 hrs/week
	1279.54 / 1800.26	
Plans Examiner	<u>1318.18/1854.63</u>	40 hrs/week
	1305.13 / 1836.27	
Plumbing Inspector	<u>1318.18/1854.63</u>	40 hrs/week
	1305.13 / 1836.27	
Police Captain	<u>1807.51/2543.25</u>	Exempt
	1780.80 / 2505.67	
Police Chief	<u>2537.12/3571.25</u>	Exempt
	2463.23 / 3467.24	
Police Records Clerk	<u>871.29/1226.77</u>	40 hrs/week
	847.97 / 1193.94	
Power Plant Maintenance Supervisor	<u>2089.82/2939.61</u>	Exempt
	1870.00 / 2630.40	
Power Plant Operations Supervisor	<u>2175.14/3060.41</u>	Exempt
	1964.45 / 2763.97	
Power Plant Superintendent – Burdick	<u>2382.59/3352.74</u>	Exempt
	2102.90 / 2959.17	
Power Plant Superintendent – PGS	<u>2746.76/3863.40</u>	Exempt

ORDINANCE NO. 9061 (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
	2424.32 / 3409.89	
Public Information Officer	<u>1369.46/1926.70</u>	Exempt
	1211.46 / 1704.40	
Public Safety Secretary	1007.58 / 1421.32	40 hrs/week
Public Works Director	<u>2669.02/3755.90</u>	Exempt
	2591.29 / 3646.50	
Public Works Secretary	912.17 / 1283.10	40 hrs/week
Purchasing Technician	<u>998.25/1404.18</u>	40 hrs/week
	912.17 / 1283.10	
Recreation Superintendent	<u>1507.29/2120.18</u>	Exempt
	1456.11 / 2048.19	
Regulatory and Environmental Specialist	<u>2060.93/2898.97</u>	Exempt
	1870.00 / 2630.40	
Senior Accountant	<u>1700.63/2392.34</u>	Exempt
	1546.69 / 2175.80	
Senior Communications Specialist/EMD	<u>1116.24/1570.09</u>	40 hrs/week
	1022.38 / 1438.07	
Senior Electrical Engineer	<u>2320.75/3265.33</u>	Exempt
	2105.76 / 2962.83	
Engineering Technician	1279.54 / 1800.26	40 hrs/week
Senior Equipment Operator, Solid Waste	<u>1182.93/1664.51</u>	40 hrs/week
	1125.95 / 1584.34	
Senior Equipment Operator, WWTP	<u>1159.74/1631.87</u>	40 hrs/week
	1103.88 / 1553.28	
Senior Maintenance Worker	<u>1206.77/1698.62</u>	40 hrs/week
	1134.74 / 1597.24	
Senior Utility Secretary	<u>942.30/1328.94</u>	40 hrs/week
	914.86 / 1290.24	
Shooting Range Superintendent	<u>1507.29/2120.18</u>	Exempt
	1456.11 / 2048.19	
Solid Waste Division Clerk	<u>836.78/1177.23</u>	40 hrs/week
	820.37 / 1154.15	
Solid Waste Superintendent	<u>1711.93/2409.00</u>	Exempt

ORDINANCE NO. 9061 (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Stormwater Technician	1662.06 / 2338.84 <u>1321.22/1858.91</u>	40 hrs/week
Street Superintendent	1279.54 / 1800.26 <u>1637.98/2307.06</u>	Exempt
Street Supervisor	1609.81 / 2267.38 <u>1300.21/1828.62</u>	40 hrs/week
Turf Management Specialist	1277.84 / 1797.17 <u>1317.93/1854.27</u>	40 hrs/week
Utility Director	1279.54 / 1800.26 <u>3628.53/5104.31</u>	Exempt
Utility Production Engineer	3522.84 / 4955.64 <u>2449.49/3447.23</u>	Exempt
Utility Secretary	2161.95 / 3042.57 <u>930.41/1308.76</u>	40 hrs/week
Utility Services Manager	912.17 / 1283.10 <u>1917.91/2698.95</u>	Exempt
Utility Warehouse Supervisor	1744.31 / 2454.65 <u>1491.57/2097.88</u>	40 hrs/week
Victim Assistance Unit Coordinator	1382.46 / 1944.42 <u>871.29/1226.77</u>	40 hrs/week
Wastewater Clerk	847.97 / 1193.94 820.37 / 1154.15	40 hrs/week
Wastewater Engineering/Operations Superintendent	1843.96 / 2595.64	Exempt
Wastewater Plant Maintenance Supervisor	<u>1411.80/1986.92</u>	40 hrs/week
Wastewater Plant Operator I	1357.11 / 1909.95 <u>1002.93/1411.43</u>	40 hrs/week
Wastewater Plant Operator II	952.30 / 1340.17 <u>1121.13/1578.63</u>	40 hrs/week
Wastewater Plant Process Supervisor	1064.52 / 1498.93 <u>1464.03/2061.29</u>	40 hrs/week
Wastewater Plant Senior Operator	1390.11 / 1957.21 <u>1185.21/1668.38</u>	40 hrs/week
	1125.37 / 1584.14	

ORDINANCE NO. 9061 (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Water Superintendent	<u>1804.48/2538.25</u> 1680.50 / 2363.86	Exempt
Water Supervisor	<u>1538.58/2166.80</u> 1432.87 / 2017.93	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 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	<u>984.46/1384.40</u> 955.79 / 1344.08	40 hrs/week
Fleet Services Attendant/Clerk	<u>894.96/1262.27</u> 868.90 / 1225.50	40 hrs/week
Fleet Services Inventory Specialist	<u>981.67/1381.61</u> 953.08 / 1341.37	40 hrs/week
Fleet Services Mechanic	<u>1123.02/1579.46</u> 1090.30 / 1533.46	40 hrs/week
Horticulturist	<u>1039.48/1464.57</u> 1009.20 / 1421.91	40 hrs/week
Maintenance Worker – Cemetery	<u>977.01/1375.08</u> 948.55 / 1335.03	40 hrs/week
Maintenance Worker – Parks	<u>970.48/1366.69</u> 942.22 / 1326.88	40 hrs/week
Maintenance Worker – Streets	<u>949.97/1336.86</u> 922.30 / 1297.92	40 hrs/week

ORDINANCE NO. 9061 (Cont.)

Senior Equipment Operator – Streets	<u>1078.62/1518.66</u> 1047.21 / 1474.42	40 hrs/week
Senior Maintenance Worker – Parks	<u>1078.62/1518.66</u> 1047.21 / 1474.42	40 hrs/week
Senior Maintenance Worker – Streets	<u>1078.62/1518.66</u> 1047.21 / 1474.42	40 hrs/week
Traffic Signal Technician	<u>1078.62/1518.66</u> 1047.21 / 1474.42	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	<u>977.01/1377.08</u> 892.75 / 1258.32	40 hrs/week
Computer Programmer	<u>1513.68/2128.69</u> 1399.61 / 1968.27	40 hrs/week
Computer Technician	<u>1180.80/1661.14</u> 1091.82 / 1535.95	40 hrs/week
Custodian	<u>872.70/1228.05</u> 832.70 / 1171.78	40 hrs/week
Electric Distribution Crew Chief	<u>1737.62/2444.21</u> 1622.13 / 2281.74	40 hrs/week
Electric Underground Crew Chief	<u>1737.62/2444.21</u> 1622.13 / 2281.74	40 hrs/week
Engineering Technician I	<u>1240.47/1745.26</u> 1146.99 / 1613.74	40 hrs/week
Engineering Technician II	<u>1511.46/2127.79</u>	40 hrs/week

ORDINANCE NO. 9061 (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
	1397.56 / 1967.44	
GIS Technician	<u>1628.85/2291.16</u>	40 hrs/week
	1506.10 / 2118.50	
Instrument Technician	<u>1798.26/2529.78</u>	40 hrs/week
	1662.75 / 2339.14	
Lineworker Apprentice	<u>1229.67/1730.06</u>	40 hrs/week
	1147.94 / 1615.06	
Lineworker First Class	<u>1574.93/2215.29</u>	40 hrs/week
	1470.25 / 2068.05	
Materials Handler	<u>1465.89/2061.87</u>	40 hrs/week
	1398.71 / 1967.38	
Meter Reader	<u>992.30/1396.84</u>	40 hrs/week
	942.19 / 1326.31	
Meter Technician	<u>1235.44/1738.16</u>	40 hrs/week
	1175.94 / 1654.45	
Power Dispatcher I	<u>1728.75/2431.52</u>	40 hrs/week
	1621.64 / 2280.86	
Power Dispatcher II	<u>1815.74/2554.09</u>	40 hrs/week
	1703.24 / 2395.84	
Power Plant Maintenance Mechanic	<u>1540.86/2167.37</u>	40 hrs/week
	1470.25 / 2068.05	
Power Plant Operator	<u>1662.33/2338.11</u>	40 hrs/week
	1544.42 / 2172.26	
Senior Accounting Clerk	<u>1026.27/1445.68</u>	40 hrs/week
	937.78 / 1321.02	
Senior Engineering Technician	<u>1628.85/2291.16</u>	40 hrs/week
	1506.10 / 2118.50	
Senior Materials Handler	<u>1618.58/2276.58</u>	40 hrs/week
	1544.42 / 2172.26	
Senior Meter Reader	<u>1068.55/1501.93</u>	40 hrs/week
	1014.60 / 1426.10	
Senior Power Dispatcher	<u>2003.52/2817.99</u>	40 hrs/week
	1879.39 / 2643.39	

ORDINANCE NO. 9061 (Cont.)

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Senior Power Plant Operator	<u>1834.38/2580.48</u> 1704.26 / 2397.43	40 hrs/week
Senior Substation Technician	<u>1798.26/2529.78</u> 1662.75 / 2339.14	40 hrs/week
Senior Water Maintenance Worker	<u>1330.48/1872.17</u> 1266.40 / 1782.00	40 hrs/week
Substation Technician	<u>1670.29/2349.30</u> 1544.42 / 2172.26	40 hrs/week
Systems Technician		40 hrs/week
<u>Systems Technician</u>	<u>1798.26/2529.78</u> 1662.75 / 2339.14	<u>40 hrs/week</u>
Tree Trim Crew Chief	<u>1574.93/2215.29</u> 1470.25 / 2068.05	40 hrs/week
Utilities Electrician	<u>1670.29/2349.30</u> 1544.42 / 2172.26	40 hrs/week
Utility Technician	<u>1745.98/2455.96</u> 1622.13 / 2281.74	40 hrs/week
Utility Warehouse Clerk	<u>1114.27/1568.30</u> 1040.21 / 1464.06	40 hrs/week
Water Maintenance Worker	<u>1175.57/1654.54</u> 1118.95 / 1574.86	40 hrs/week
Wireworker I	<u>1357.38/1909.78</u> 1267.15 / 1782.84	40 hrs/week
Wireworker II	<u>1574.93/2215.29</u> 1470.25 / 2068.05	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 and wages, excluding shift differential as provided by contract) to be paid for such

ORDINANCE NO. 9061 (Cont.)

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	<u>1238.20/1730.92</u> 1196.33 / 1672.38	40 hrs/week
Police Sergeant	<u>1520.42/2083.33</u> 1469.01 / 2012.88	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	<u>1505.65/2118.93</u> 1472.52 / 2072.30	212 hrs/28 days
Firefighter / EMT	<u>1156.87/1627.96</u> 1131.42 / 1592.14	212 hrs/28 days
Firefighter / Paramedic	<u>1305.23/1836.72</u> 1276.52 / 1796.31	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

ORDINANCE NO. 9061 (Cont.)

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 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, and the IBEW labor union may receive an annual stipend not to exceed \$500 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

ORDINANCE NO. 9061 (Cont.)

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:

(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.

ORDINANCE NO. 9061 (Cont.)

(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 department bargaining agreement shall have a contribution to a VEBA made on their behalf in lieu of payment for one quarter of their accumulated 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 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 be paid for one-half of their accumulated 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 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 sick leave.

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

SECTION 9. 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.

ORDINANCE NO. 9061 (Cont.)

SECTION 10. 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 11. The salary adjustments identified herein shall be effective with the pay period beginning on October 2, 2006.

SECTION 12. Ordinance No. 9017 and all other ordinances and parts of ordinances in conflict herewith be, and the same are, hereby repealed.

SECTION 13. 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: August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item G1

Approving Minutes of July 25, 2006 City Council Regular Meeting

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

July 25, 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 July 25, 2006. Notice of the meeting was given in *The Grand Island Independent* on July 19, 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, Nickerson, Cornelius, Hornady, Walker, and Haase. Councilmember Pauly 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 Gary Schulte, Evangelical Free Church, 2609 South Blaine Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek commented on the Environmental Protection Agency (EPA) Meeting to be held at 7:00 p.m. Thursday, July 27, 2006 in the Community Meeting Room at City Hall. The meeting was to discuss the Parkview Superfund.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of 2005-2006 Community Youth Council. The Mayor and City Council recognized the following Community Youth Council members: Sophomores: Ashley Kahlupa, Central Catholic; Sarah Kuta, Senior High; Lauren Shoemaker, Senior High; Allen Buck, Heartland Lutheran; and Jeffrey Seim, Heartland Lutheran (absent). Juniors: Jodie Meis, Central Catholic; Amber Moreno, Senior High; Elizabeth Koch, Heartland Lutheran; Keely Keel, Northwest; and Theresa Swezey, Northwest. Seniors: Nina Batenhorst, Central Catholic; Janel Meis, Central Catholic; James Pfeifer, Central Catholic; Brent Nesbitt, Senior High; Cameron Schmid, Senior High (absent); Allison Peters, Heartland Lutheran; Kristi Rollen, Heartland Lutheran; Paul Hanson, Northwest (absent); and Amanda Pflaster, Northwest.

Wendy Meyer-Jerke, CYC Coordinator introduced the following CYC Board: Paul Briseno, City of Grand Island; Butch Hurst, Grand Island Police Department; Ed Jarosik, Five Points Bank; Carole Ostdiek, Holiday Tour and Travel; Darren Sanchez, Union Bank and Trust; and Celine Stahlnecker, Grand Island Public Library. A brief overview of the 2005-2006 Community Youth Council activities was given.

ADJOURN TO THE GRAND ISLAND AREA SOLID WASTE AGENCY: Motion by Hornady, second by Cornelius, carried unanimously to adjourn to the Grand Island Area Solid Waste Agency.

Public Hearing on Proposed FY 2006-2007 Grand Island Area Solid Waste Agency Budget. Steve Riehle, Public Works Director reported that a separate hearing was required for the Solid Waste Agency Budget. The Agency budget was the same as the City Solid Waste Division budget (Fund 505) which appeared in the City's Annual Budget Document for Fiscal Year 2006-2007. No public testimony was heard.

#2006-SWA-1 – Approving Adoption of FY 2006-2007 Annual Budget for the Grand Island Solid Waste Agency. Motion by Nickerson, second by Pielstick, to approve Resolution #2006-SWA-1. Upon roll call, all voted aye. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing on Change of Zoning for Land Proposed for Platting as Francis Subdivision Located East of Carleton Avenue and South of Curran Avenue from B2 General Business & RO Residential Office to RD Residential Development. Chad Naby, Regional Planning Director reported that Raymond J. O'Connor, owner was requesting the City change the zoning on approximately 3.697 acres of land east of Carleton Avenue and south of Curran Avenue, Lots 3, 4, 5, and 6, Bosselman Second Subdivision proposed for platting as Francis Subdivision for the purpose of developing 12 duplex units. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement along the South Right-of-Way Line of Lillie Drive, West of North Road. (Karen J. Bredthauer) Gary Mader, Utilities Director reported that acquisition of a utility easement located along the south right-of-way line of Lillie Drive, west of North 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 cables and pad-mounted transformers to serve the new Springdale Subdivision. No public testimony was heard.

Public Hearing on Request of Edwin D. Bolanos dba La Zona Rosa, 613 East 4th Street for a Change of Location for Class "C-70104" Liquor License to 611 East 4th Street. RaNae Edwards, City Clerk reported that an application had been received from Edwin D. Bolanos dba La Zona Rosa, 613 East 4th Street for a change of location to their Class "C-70104" Liquor License to 611 East 4th Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City of July 3, 2006; notice to the general public of date, time, and place of hearing published on July 15, 2006; notice to the applicant of date, time, and place of hearing mailed on July 3, 2006; along with Chapter 4 of the City Code. Staff recommended denial on the findings that no approved plan had been submitted, property permits had not been issued; and Law Enforcement concerns regarding parking lot issues and open out buildings in the area. Craig Lewis, Building Department Director reported that he had received plans today and permits would be forthcoming. Recommended approval pending final inspections. No further public testimony was heard.

Public Hearing Pursuant to the Nebraska Liquor Control Commission Rules and Regulations §53-134.04 Regarding Complaints Filed Against OK Liquor, 305 West Koenig Street, Liquor License "D-15914". Due to a conflict of interest Councilmember Nickerson recused himself and left the room. Dale Shotkoski, Interim City Attorney reported that one of the letters of complaint received was not from a resident of the City which does not meet the Nebraska Liquor Control Commissions Rules and Regulations §53-134.04. Also mentioned was that some of the letters did not site the violation and code from the Rules and Regulations as required by law. Mr. Shotkoski felt uncomfortable continuing with the proceedings.

Motion was made by Hornady, second by Meyer that there were not five (5) valid complaints and the Public Hearing should not be held. Upon roll call vote, Councilmember's Meyer, Whitesides, Gilbert, Cornelius, Hornady, Walker and Haase voted aye. Councilmember Pielstick voted no. Motion adopted.

Councilmember Nickerson returned to the meeting.

ORDINANCES:

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

- #9054 - Consideration of Change of Zoning for Land Proposed for Platting as Francis Subdivision Located East of Carleton Avenue and South of Curran Avenue from B2 General Business & RO Residential Office to RD Residential Development
- #9055 – Consideration of Amending Ordinance No. 9015 – Creation of Water Main District No. 452
- #9056 – Consideration of Creating Sidewalk District No. 1, 2006 – Various Locations within Grand Island
- #9057 – Consideration of Ordinance Authorizing \$7,975,000 Public Safety Tax Anticipation Bonds Series 2006

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

Chad Nabity, Regional Planning Director stated Ordinance #9054 related to the aforementioned Public Hearing.

Gary Mader, Utilities Director explained that Ordinance #9055 would replace Ordinance #9015 to correct the legal description for Water Main District No. 452.

Steve Riehle, Public Works Director reported that Ordinance #9056 related to action the City council had taken on May 10, 2005. City Council passed Resolution #2005-149 authorizing City staff to notify property owners to install sidewalk. As of this date seven (7) property owners had

not installed sidewalks. This ordinance would allow for the creation of Sidewalk District 1, 2006 whereby the property owners would be assessed for the installation of their sidewalks.

Bruce Lefler representing Ameritas Investment Corporation explained that Ordinance #9057 was authorizing bonds in the amount of \$7,995,000 for the new Law Enforcement Safety Center. The city had an AAA rating and the interest rate over all would be 4.55% through 2018. Discussion was held with regards to an early payoff. There would be no penalty after 5 years.

Chuck Haase, 3024 Colonial Lane questioned the amount budgeted for this project, the 1/2 cent sales tax, and how funds were transferred from the General Fund. David Springer, Finance Director explained that the funds had been transferred and that the budget books would be out next week.

Motion by Pielstick, second by Whitesides to approve Ordinances #9054, #9055, #9056, and #9057.

City Clerk: Ordinances #9054, #9055, #9056, and #9057 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #9054, #9055, #9056, and #9057 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9054, #9055, #9056, and #9057 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-26 was pulled until the August 8, 2006 meeting. Consent Agenda items G-8, G-20, and G-22 were pulled for further discussion. Motion by Hornady, second by Cornelius to approve the Consent Agenda excluding items G-8, G-20, G-22, and G-26. Upon roll call vote, all voted aye. Motion adopted.

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

Approving Minutes of July 13, 2006 City Council Joint Meeting. Councilmember's Meyer and Whitesides abstained.

Approving Minutes of July 18, 2006 City Council Study Session.

Approving Re-Appointment of Doug Jensen to the Animal Advisory Board.

Approving Re-Appointments of Al Avery, Dianne Miller, Joanne Holmes, and Mike Nolan and New Appointment of Karen Bredthauer to the Zoning Board of Adjustment.

Approving Re-Appointments of John O'Meara, Donald Skeen, and Steve Grubbs and New Appointment of Todd Enck to the Building Code Advisory Board.

Approving Re-Appointments of Mike McElroy and Loran Peterson and New Appointments of Russ Shaw, Scott Hilligas, Mike Myers, Todd Bredthauer, and Armondo Perez to the Gas Fitter Examining Board.

Approving Request of Daniel Albert, 509 Grant Street, Holdrege, Nebraska for Liquor Manager Designation for Sunmart #768, 3420 West State Street.

Approving Request of Daryl Werth, 320 Nelson, St. Paul, Nebraska for Liquor Manager Designation for Pizza Hut, 707 N. Diers Avenue.

Approving Preliminary Plat for Francis Subdivision.

#2006-198 – Approving Final Plat and Subdivision Agreement for Francis Subdivision. It was noted that Raymond J. and Jennifer S. O'Connor, owners proposed to create 12 lots on a tract of land in Lots 3, 4, 5, and 6, Bosselman Section Subdivision consisting of approximately 3.697 acres.

#2006-199 – Approving Final Plat and Subdivision Agreement for Gilbert Acres Subdivision. It was noted that Francie Niedfelt Ballou and Elizabeth and Gene Gilbert, owners proposed to create 1 lot on a tract of land comprising a part of the W1/2 SE1/4 of Section 35-11-9 consisting approximately 1.93 acres. Councilmember Gilbert voted no.

#2006-200 – Approving Final Plat and Subdivision Agreement for Stoltenberg Second Subdivision. It was noted that Webb Road L.L.C., owner proposed to create 1 lot on a parcel of land in the SE 1/4 Section 24-11-10 consisting of approximately 1.850 acres.

#2006-201 – Approving Acquisition of Utility Easement Along the South Right-of-Way Line of Lillie Drive, West of North Road. (Karen J. Bredthauer)

#2006-202 – Approving Bid Award for Liquid Ortho-Polyphosphate for Corrosion Control with CalciQuest, Inc. of Belmont, North Carolina in an Amount of \$86,940.00.

#2006-203 – Approving FY 2006-2007 Annual Budget for Business Improvement District #3, South Locust Street from Stolley Park Road to Highway 34, and Setting September 12, 2006 for Board of Equalization

#2006-204 – Approving FY 2006-2007 Annual Budget for Business Improvement District #4, South Locust Street from Stolley Park Road to Fonner Park Road, and Setting September 12, 2006 for Board of Equalization.

#2006-205 – Approving FY 2006-2007 Annual Budget for Business Improvement District #5, Downtown, and Setting September 12, 2006 for Board of Equalization.

#2006-207 – Approving Designation of Bert Gurney and Associates, Inc. of Omaha, Nebraska as the Sole Source Provider for a 10 Inch Fairbanks Morse Pump in an Amount of \$22,572.00.

#2006-209 – Approving Agreement with Kirkham Michael & Associates, Inc. of Omaha, Nebraska for Engineering Consulting Services for Storm Sewer Design Relative to the Wasmer Detention cell in an Amount of \$66,874.44.

#2006-210 – Approving Extension of Five Years to Interlocal Agreement with Hall County School District #40-0002 Relative to the School Resource Officers and the Addition of School Crossing Guards through September 30, 2006.

#2006-211 – Approving Subordination Request for 1208 East 5th Street. (Galen and Rebecca Williams)

#2006-212 – Approving Subordination Request for 715 North White Avenue. (Ronald R. Aguilar) This item was pulled from the Agenda and will be placed on the August 8, 2006 City Council Regular meeting.

#2006-213 – Approving Submittal of Grant Application to the Nebraska Department of Economic Development Under the Building Entrepreneurial Communities Act.

#2006-214 – Approving Funding of Economic Development Corporation Request for Heartland Events Center in an Amount of \$50,000.00 (NWPS Rate Agreement Funds).

Approving Request of Dustin Smith, 2642 N. Carleton Avenue #9 for Liquor Manager Designation for Pizza Hut, 1608 South Locust Street. Motion was made by Pielstick, second by Whitesides to approve the request of Dustin Smith contingent upon his completing an alcohol server/training course. Upon roll call vote, all voted aye. Motion adopted.

#2006-206 – Approving Installation of Protected Left Turn Arrows for the Traffic Signal on Stolley Park Road at the Intersection of Blaine Street. Steve Riehle, Public Works Director answered questions regarding how a traffic turn signal was determined to be placed at any intersection such as traffic counts, delays in traffic, and monitoring traffic at intersections.

Motion was made by Walker, second by Gilbert to approve Resolution #2006-206. Upon roll call vote, all voted aye. Motion adopted.

#2006-208 – Approving Notification to Property Owners to Install Sidewalk by July 31, 2007 – Various Locations within Grand Island. Motion was made by Gilbert, second by Walker to approve Resolution #2006-208. Discussion was held regarding sidewalks located at Vine and 4th Street and at Kimball and 4th Street. It was mentioned that backyard sidewalks were typically paid for by the city and front yard sidewalks were paid by the homeowners. Sidewalks were discussed at the Schroeder Subdivision by Husker Highway and the Water Park locations. It was noted that the city would install sidewalks by the new Fire Station. Councilmember Cornelius suggested that the Sycamore to Vine Street sidewalks be moved up to 2007

Lee Casey, 2419 South Blaine Street spoke in support of sidewalks on Blaine Street from Pioneer Blvd. to Stolley Park Road.

Motion was made by Pielstick, second by Whitesides to amend the main motion by deleting “Both sides of Vine Street from East North Front Street to 4th Street” and “Both sides of Kimball Avenue from East North Front Street to 4th Street”. Upon roll call vote, all voted aye. Motion adopted.

Motion was made by Gilbert, second by Hornady to amend the main motion by deleting “North side of Husker Highway from Schroeder Avenue to Buckingham Drive”. Upon roll call vote, all voted aye. Motion adopted.

Motion was made by Cornelius, second by Whitesides to amend the main motion by adding “North side of Fønner Park Road from Sycamore Street to Vine Street”. Upon roll call vote, all voted aye. Motion adopted.

Upon roll call vote on the main motion and amendments to approve Resolution #2006-208, all voted aye. Motion adopted.

REQUESTS AND REFERRALS:

Request of USA Outdoor Advertising to Amend Chapter 31 of the Grand Island City Code Relative to Off Premise (Billboard) Signs. This request was pulled from the Agenda at the request of USA Outdoor Advertising and moved to the August 8, 2006 City Council Regular Meeting.

RESOLUTIONS:

#2006-215 - Consideration of Request from Edwin D. Bolanos dba La Zona Rosa, 631 East 4th Street for a Change of Location for Class “C-70104” Liquor License to 611 East 4th Street. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing.

Motion by Pielstick, second by Walker to deny the request of Edwin D. Bolanos dba La Zona Rosa for a change of location to their Class “C-70104” based on the following findings:

- Law Enforcement concerns with out buildings
- Parking lot issues
- Police Officer resources

Police Chief Steve Lamken commented on very little parking, not enough light, concerns of activity and access to surrounding property, and safety to the Police Officers with the number of out buildings. Craig Lewis, Building Department Director commented on parking and final inspections.

Al Fitzgerald, 1304 West Sycamore Street spoke in support. Discussion was held regarding the out buildings.

Upon roll call vote, Councilmember's Meyer, Whitesides, Pielstick, Gilbert, Cornelius, Hornady, Walker, and Haase voted aye. Councilmember Nickerson vote no. Motion adopted.

#2006-216 – Consideration of Complaints Filed Pursuant to the Nebraska Liquor Control Commission Rules and Regulations §53-134.04 Regarding OK Liquor, 305 West Koenig Street, Liquor License “D-15914” Resolution #2006-216 was not acted upon because there were not five (5) valid complaints and the Public Hearing was not held.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Hornady to approve the Claims for the period of July 12, 2006 through July 25, 2006, for a total amount of \$3,079,609.12. Motion adopted unanimously. Councilmember Pielstick abstained from claim #132353.

ADJOURNMENT: The meeting was adjourned at 8:50 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item G2

Approving Minutes of July 31, 2006 City Council Special Meeting

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL SPECIAL MEETING

July 31, 2006

Pursuant to due call and notice thereof, a Special 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 July 31, 2006. Notice of the meeting was given in the *Grand Island Independent* on July 28, 2004.

Mayor Jay Vavricek called the meeting to order at 5:00 p.m. The following members were present: Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Nickerson, Cornelius, Hornady, Walker and Haase. Councilmember Pauly was absent. The following City Officials were present: City Clerk RaNae Edwards, Finance Director David Springer, Human Resources Director Brenda Sutherland and Interim City Attorney Dale Shotkoski.

EXECUTIVE SESSION:

Motion by Pielstick, second by Cornelius, carried unanimously to adjourn to executive session at 5:05 p.m. for the purpose of discussing IAFF Union Negotiations.

RETURN TO REGULAR SESSION:

Motion by Whitesides, second by Gilbert, carried unanimously to reconvene in regular session at 6:03 p.m.

ADJOURNMENT: Adjourned the meeting at 6:03 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item G3

Approving Request of Fonner Park Exposition and Events Center, Inc. for Ratification of Election of Board of Directors

At the December 21, 1998 City Council Meeting, Resolution #98-332 was adopted supporting the application of Fonner Park to the Internal Revenue Service for a 501(c)(3) exemption for construction and operation of an Exposition and Events Center. This approval created the formation of the Fonner Park Exposition and Events Center, Inc. The Internal Revenue Service requires the election of the members of the Board of Directors of Fonner Park Exposition and Events Center, Inc. be ratified by the Grand Island City Council. The appointments of Brian Hamilton, George Wanitschke, Vince Dowding, Jim Cannon, and Scott Zana to the Board of Directors for the Fonner Park Exposition and Events Center, Inc. are recommended.

Staff Contact: Mayor Vavricek

**LEININGER, SMITH, JOHNSON,
BAACK, PLACZEK, STEELE & ALLEN**

ATTORNEYS AT LAW

ESTABLISHED IN 1929

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A.J. LUEBS (1903-1996)

D. STEVEN LEININGER
BRUCE I. SMITH
MICHAEL L. JOHNSON
AREND R. BAACK
DANIEL M. PLACZEK
ROGER G. STEELE
CATHLEEN H. ALLEN
BRANDON S. CONNICK
SONYA K. KOPERSKI
TANYA J. JANULEWI CZ

JAMES A. BELTZER
SPECIAL COUNSEL

July 27, 2006

Mayor Jay Vavricek
City Hall Building
100 E. First Street
P.O. Box 1968
Grand Island, NE 68802

Re: Fonner Park Exposition and Events Center, Inc.

Dear Mayor Vavricek:

Please have the City Clerk of the City of Grand Island, Nebraska place the following matter on the agenda of the meeting of the City Council of the City of Grand Island, Nebraska scheduled for August 8, 2006:

"Fonner Park Exposition and Events Center, Inc./ Ratification of Election of Board of Directors"

On July 26, 2006 the following persons were elected as directors of the Fonner Park Exposition and Events Center, Inc.:

Brian Hamilton
George Wanitschke
Vince Dowding
Jim Cannon
Scott Zana

The Fonner Park Exposition and Events Center, Inc. is a nonprofit corporation formed under Section 501(c)(3) of the Internal Revenue Code for the purposes of lessening the burdens of government. Specifically, the Fonner Park Exposition and Events Center, Inc. was formed to lessen the burdens of the City of Grand Island, Nebraska in planning, constructing and operating an agricultural exposition and events center in the City of Grand Island, Nebraska.



Mayor Jay Vavricek
July 27, 2006
Page 2

As a condition to obtaining exemption under Section 501(c)(3) of the Internal Revenue Code, the Internal Revenue Service required that the following provisions be included in the Bylaws of Fonner Park Exposition and Events Center, Inc.:

- (1) The Mayor of the City of Grand Island, Nebraska nominates one (1) member of the Board of Directors of Fonner Park Exposition and Events Center, Inc.; and
- (2) The election of the members of the Board of Directors of Fonner Park Exposition and Events Center, Inc. is submitted to the City Council of the City of Grand Island, Nebraska for ratification.

Because Fonner Park Exposition and Events Center, Inc. was formed for the purpose of lessening the burdens of government, the Internal Revenue Service imposed the foregoing requirements on Fonner Park Exposition and Events Center, Inc. so that there would be an opportunity for oversight by the City of Grand Island, Nebraska in regard to the election of directors of Fonner Park Exposition and Events Center, Inc.

As you know, you nominated Scott Zana as a member of the Board of Directors of Fonner Park Exposition and Events Center, Inc. in compliance with the requirements of (1) above. The election of the members of the Board of Directors of Fonner Park Exposition and Events Center, Inc. should now be submitted to the City Council of the City of Grand Island, Nebraska for ratification in compliance with the requirements of (2) above.

Thank you for your time and consideration.

Sincerely,

LEININGER, SMITH,
JOHNSON, BAACK, PLACZEK,
STEELE & ALLEN

MICHAEL L. JOHNSON
MLJ/tld

cc: Mr. Gary Greer, City Administrator
Ms. RaNae Edwards, City Clerk
Mr. Hugh Miner, Jr.



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item G4

**Approving Request of Susan McAfee, 1863 7th Avenue,
Dannebrog, Nebraska for Liquor Manager Designation for Pump
& Pantry #3, 2511 Diers Avenue**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: August 8, 2006

Subject: Request of Susan McAfee, 1863 7th Avenue, Dannebrog, Nebraska for Liquor Manager Designation for Pump & Pantry #3, 3511 Diers Avenue

Item #'s: G-4

Presenter(s): RaNae Edwards, City Clerk

Background

Susan McAfee, 1863 7th Avenue, Dannebrog, Nebraska has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "B-13151" Liquor License for Pump & Pantry #3, 2511 Diers Avenue. 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.

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 a Liquor Manager Designation.

Sample Motion

Move to approve the request of Susan McAfee, 1863 7th Avenue, Dannebrog, Nebraska for Liquor Manager Designation in conjunction with the Class "B-13151" Liquor License for Pump & Pantry #3, 2511 Diers Avenue with the stipulation that Ms. McAfee complete a state approved alcohol server/seller training program.



DATE: July 26, 2006

TO: RaNae Edwards, City Clerk

FROM: Brad Brush, Lieutenant, Police Department

RE: Application for Liquor Manager (Susan McAfee)
Pump and Pantry, 2511 Diers Ave

The Grand Island Police Department has received an application for Liquor Manager Designation for Pump and Pantry, 2511 Diers Ave, in the name of Susan McAfee.

The application for the liquor manager is technically inaccurate, thus a false Application. However, even if the convictions had been declared they would Not have risen to the level of a Class I Misdemeanor, thus disqualifying the Applicant.

It is the Police Department's recommendation to accept this Liquor Manager Designation Application in the name of Susan McAfee for Pump and Pantry, 2511 Diers Avenue, Grand Island, NE 68803

BB/rk

07/26/06
09:27

Grand Island Police Dept.
LAW INCIDENT TABLE

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City :
Occurred after : 16:11:54 07/24/2006
Occurred before : 16:11:54 07/24/2006
When reported : 16:11:54 07/24/2006
Date disposition declared : 07/26/2006
Incident number : L06073723
Primary incident number :
Incident nature : Liquor Lic Inv Liquor License Investigation
Incident address : 2511 Diers Ave
State abbreviation :
ZIP Code :
Contact or caller : Ranae Edwards
Complainant name number :
Area location code :
Received by : Brush B
How received : T Telephone
Agency code : GIPD Grand Island Police Department
Responsible officer : Brush B
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 :

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INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	22099		McAfee, Larry Scott	husband of Susan
NM	94953		McAfee, Susan R	liq mgr appl
NM	115710		Pump & Pantry,	mentioned

LAW INCIDENT NARRATIVE:

Request for assessment & recommendation-Liquor Manager Designation Application.

The Liquor Manager Designation Applicant's name is Susan McAfee, Business-Pump & Pantry, 2511 Diers Ave, GI, NE 68803.

A check of the Nebraska Criminal Justice Information System (NCJIS) found the following convictions not declared by Susan McAfee;

- *Speeding 11-15 MPH County/State; Hall County Infraction
Offense Date is 05/16/2000, Plea is Guilty/Admit
- *Speeding 6-10 MPH County/State; Howard County Infraction
Offense Date is 09/13/2003, Plea is Guilty/Admit
- *Speeding 11-15 MPH County/State; Madison County Infraction
Offense Date is 06/12/2004, Plea is Guilty/Admit
- *Speeding 11-15 MPH County/State; Howard County, Infraction
Offense Date is 08/21/2005, Plea is Guilty/Admit

07/26/06
09:27

Grand Island Police Dept.
LAW INCIDENT TABLE

333
Page: 2

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

A National Crime Intelligence Center (NCIC) search reflected no other convictions.

A check of the Nebraska Criminal Justice Information System (NCJIS) found the following convictions not declared by L Scott McAfee;

- *Speeding 16-20 MPH Municipal; Grand Island City, Infraction
Offense Date is 12/05/2000, Plea is Guilty/Admit
- *Speeding 11-15 MPH County/State; Hall County Infraction
Offense Date is 04/12/2001, Plea is Guilty/Admit
- *Speeding 11-15 MPH County/State; Wayne County Infraction
Offense Date is 07/04/2002, Plea is Guilty/Admit
- *Speeding 11-15 MPH Municipal; Grand Island City Infraction
Offense Date is 03/22/2003, Plea is Guilty/Admit

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

A National Crime Intelligence Center (NCIC) search reflected no other convictions.

In summation;

The application for the Liquor manager is technically inaccurate, thus a false application. However, even if the convictions had been declared they would not have risen to the level of a Class I Misdemeanor, thus disqualifying the applicant.

It is the police department's recommendation to accept this Liquor Manager Designation Application in the name of Susan McAfee for Pump & Pantry, 2511 Diers Ave, GI, NE 68803.



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item G5

**#2006-212 - Approving Request for Subordination Agreement for
715 North White Avenue (Ronald Aguilar)**

Staff Contact: Marsha Kaslon

Council Agenda Memo

From: Marsha Kaslon, Community Development

Council Meeting: August 8, 2006

Subject: Subordination Request for 715 North White Avenue (Ronald R. Aguilar)

Item #'s: G-5

Presenter(s): Marsha Kaslon, Community Development

Background

The City of Grand Island has a Deed of Trust filed on property owned by Ronald R. Aguilar at 715 North White Avenue, in the amount of \$17,400.00. On January 1, 1994, Community Development Block Grant funds in the amount of \$17,400.00 were loaned to Ronald R. Aguilar, a single person, to assist in the purchase of a home in the Community Development Block Grant program. The legal description is:

Lot 11 and the south 5 feet of Lot 12, Block 3, Lambert's 2nd Subdivision to the City of Grand Island, Hall County, Nebraska.

The owner is requesting permission to assume a first mortgage, behind which the City would become the second mortgage.

Discussion

The City's current Deed of Trust is junior in priority to a Deed of Trust to Morequity, Inc., in the amount of \$17,400.00. A new lien in the amount of \$61,200.00 with Popular Financial Service, LLC would replace the senior Deed of Trust. By law, the new Deed of Trust would be junior in priority to the City's lien, however, the new lender, Popular Financial Service, LLC, has asked the City to subordinate its Deed of Trust to the new Deed of Trust.

The new appraised value of the property is \$68,000 and is sufficient to secure the first mortgage of \$61,200.00 and the City's original mortgage of \$17,400.00. The City's loan

of \$17,400.00 will be forgiven if the original owner of the property (Ronald R. Aguilar) resides in the house for a period of 15 years from the date the lien was filed which was July 1, 1994. The lien amount decreases 10% per year. (There is \$3,383.33 left on the loan balance.)

ALTERNATIVES

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

1. Approve the Subordination Request.
2. Refer the issue to a Committee.
3. Postpone the issue to a later date.

RECOMMENDATION

City Administration recommends that the Council approves the Subordination Request.

Sample Motion

Motion to approve the Subordination Agreement with Ronald .R. Aguilar to Popular Financial Service, LLC, placing the City in the junior position to the new Deed of Trust.

SUBORDINATION AGREEMENT

NOTICE; THIS SUBORDINATION AGREEMENT RESULTS IN YOUR SECURITY INTEREST IN THE PROPERTY BECOMING SUBJECT TO AND OF LOWER PRIORITY THAN THE LIEN OF SOME OTHER OR LATER SECURITY INSTRUMENT.

THIS AGREEMENT, made this 8th day of August, 2006, by Ronald R. Aguilar, a single person, owners of the land hereinafter described and hereinafter referred to as "Owner", and Morequity, Inc., present owner and holder of the Deed of Trust and Note first and hereinafter described and hereinafter referred to as "Beneficiary".

WITNESSETH:

THAT, WHEREAS, Ronald R. Aguilar, a single person, DID EXECUTE a Deed of Trust dated July 1, 1994 to the City of Grand Island, covering:

Lot Eleven (11) and the south five (5) feet of Lot Twelve (12), Block Three (3), Lambert's Second Addition to the City of Grand Island, Hall County, Nebraska.

To secure a Note in the sum of \$17,400.00 dated July 1, 1994 in favor of the City of Grand Island, which Deed of Trust was recorded July 5, 1994 as Document No. 94-105774 in the Official Register of Deeds Office of Hall County (remaining amount owed as of August 8, 2006 is \$3,383.33); and

WHEREAS, Owner has executed, or are about to execute, a Deed of Trust and Note in the sum of \$61,200.00 dated August 8, 2006 in favor of Popular Financial Service, LLC, hereinafter referred to as "Beneficiary" payable with interest and upon the terms and conditions described therein, which Deed of Trust is to be recorded concurrently herewith; and

IT IS RECOMMENDED THAT, PRIOR TO THE EXECUTION OF THIS SUBORDINATION AGREEMENT, THE PARTIES CONSULT WITH THEIR ATTORNEYS WITH RESPECT THERETO.

WHEREAS, it is a condition precedent to obtaining said loan that said Deed of Trust last above mentioned shall unconditionally be and remain at all times a lien or charge upon the land hereinbefore described, prior and superior to the lien or charge of the Deed of Trust first above mentioned; and

WHEREAS, Beneficiary is willing to make said loan, provided the Deed of Trust securing the same is a lien or charge upon the above-described property prior and superior to the lien or charge of the Deed of Trust first above mentioned and provided that Beneficiary will specifically and unconditionally subordinate the lien or charge of the Deed of Trust first above mentioned to the lien or charge of the Deed of Trust in favor of Beneficiary; and

WHEREAS, it is to the mutual benefit of the parties hereto that Beneficiary make such loan to Owners; and Beneficiary is willing that the Deed of Trust securing the same shall, when recorded constitute a lien or charge upon said land which is unconditionally prior and superior to the lien or charge of the Deed of Trust first above mentioned.

NOW, THEREFORE, in consideration of the mutual benefits accruing to the parties hereto and other valuable consideration, the receipt and sufficiency of which consideration is hereby acknowledged, and in order to induce Beneficiary to make the loan above referred to, it is hereby declared, understood, and agreed as follows:

- 1) That said Deed of Trust securing said Note in favor of Beneficiary, and any renewals or extensions thereof shall unconditionally be and remaining all times a lien or charge on the property therein described, prior and superior to the lien or charge of the Deed of Trust first above mentioned.
- 2) That Beneficiary would not make its loan above described without this Subordination Agreement.
- 3) That this Agreement shall be the whole and only agreement with regard to the subordination of the lien or charge of the Deed of Trust first above to the lien or charge of the Deed of Trust in favor of Beneficiary above referred to and shall supersede and cancel, but only insofar as would affect the priority between the Deeds of Trust hereinbefore specifically described, any prior agreement as to such subordination including, but not limited to, those provisions, if any, contained in the Deed of Trust first above mentioned, which provide for the subordination of the lien or charge thereof to another Deed or Deeds of Trust or to another mortgage or mortgages.

Beneficiary declares, agrees and acknowledges that:

- 1) He consents to and approves (i) of all provisions of the Note and Deed of Trust in favor of Beneficiary above referred to, and (ii) all agreements, including but not limited to any loan or escrow agreements, between Owner and Beneficiary for the disbursement of the proceeds of Beneficiary's loan;
- 2) Beneficiary in making disbursements pursuant to any such agreement is under no obligation or duty to, nor has Beneficiary represented that it will, see to the application of such proceeds by the person or persons to whom Beneficiary disburses such proceeds and any application or use of such proceeds for purposes other than those provided for in such agreement or agreements shall not defeat the subordination herein made in whole or in part;
- 3) He intentionally and unconditionally waives, relinquishes and subordinates the lien or charge of the Deed of Trust first above mentioned in favor of the lien or charge upon said land of the Deed of Trust in favor of Beneficiary above referred to and understands that in reliance upon, and in consideration of this waiver, relinquishment and subordination specific loans and advances are being and will be made and, as part and parcel thereof, specific monetary and other obligations are being and will be entered into which would not be made or entered into but for said reliance upon this waiver, relinquishment and subordination; and
- 4) An endorsement has been placed upon the Note secured by the Deed of Trust first above mentioned that said Deed of Trust has by this instrument been subordinated to the lien or charge of the Deed of Trust in favor of Beneficiary above referred to.

NOTICE: THIS SUBORDINATION AGREEMENT CONTAINS A PROVISION WHICH ALLOWS THE PERSON OBLIGATED ON YOUR REAL PROPERTY SECURITY TO OBTAIN A LOAN, A PORTION OF WHICH MAY BE EXPENDED FOR OTHER PURPOSES THAN IMPROVEMENT OF THE LAND.

By: _____

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

Sworn and Subscribed to before me this _____ day of _____, 2006.

Notary Public

RESOLUTION 2006-212

WHEREAS, the City of Grand Island, is the lender and secured party of a Deed of Trust dated July 1, 1994, and recorded on July 5, 1994, as Instrument No. 94-105774, in the amount of \$17,400.00, with a remaining balance owed of \$3,383.33 as of August 8, 2006, secured by property located at 715 North White Avenue and owned by Ronald R. Aguilar, said property being described as follows:

Lot Eleven (11) and the south five (5) feet of Lot Twelve (12), Block Three (3), Lambert's Second Addition to the City of Grand Island, Hall County, Nebraska.

WHEREAS, Ronald R. Aguilar wishes to execute a Deed of Trust and Note in the amount of \$61,200.00 with Popular Financial Service, LLC to be secured by the above-described real estate conditioned upon the City subordinating its Deed of Trust to his lien priority; and

WHEREAS, the value of the above-described real estate is sufficient to adequately secure both loans.

WHEREAS, the requested subordination of the City's lien priority is in the best interests of all parties.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to execute an agreement subordinating the lien priority of the above described Deeds of Trust from Ronald R. Aguilar, to the City of Grand Island, as beneficiary to that of the new loan and Deed of Trust of Popular Financial Service, LLC, Beneficiary, as more particularly set out in the subordination agreement.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 25, 2006	☐ City Attorney



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item G6

**#2006-217 - Approving Request for Subordination Agreement for
1115 East 9th Street (Victor M. & Gina A. Henriquez)**

Staff Contact: Marsha Kaslon

Council Agenda Memo

From: Marsha Kaslon, Community Development

Council Meeting: August 8, 2006

Subject: Subordination Request for 1115 East 9th Street
(Victor M. and Gina A. Henriquez)

Item #'s: G-6

Presenter(s): Marsha Kaslon, Community Development

Background

The City of Grand Island has a Deed of Trust filed on property owned by Victor M. and Gina A. Henriquez at 1115 East 9th Street, in the amount of \$12,500.00 and \$9,000.00 on December 31, 2002. Community Development Block Grant funds in the amount of \$21,500.00 was loaned to Victor M. and Gina A. Henriquez, married persons, to assist in the purchase of a home in the Community Development Block Grant program. The legal description is:

Lot Nine (9), Lincoln View Estates Subdivision in the City of Grand Island, Hall County, Nebraska.

The owner is requesting permission to assume a first mortgage, behind which the City would become the second mortgage.

Discussion

The City's current Deed of Trust is junior in priority to a Deed of Trust to Country Wide Mortgage, in the amount of \$21,500.00. A new lien in the amount of \$66,104.69 with Wells Fargo would replace the senior Deed of Trust. By law, the new Deed of Trust would be junior in priority to the City's lien, however, the new lender, Wells Fargo, has asked the City to subordinate its Deed of Trust to the new Deed of Trust.

The new appraised value of the property is \$87,000 and is sufficient to secure the first mortgage of \$66,104.69 and the City's original mortgage of \$21,500.00. The City's loan

of \$21,500.00 will be forgiven if the original owner of the property (Victor M. and Gina A. Henriquez) resides in the house for a period of 10 years from the date the lien which was December 31, 2002. The lien amount decreases 10% per year on the lien of \$12,500. (There is a balance of \$17,020.81 left on the loan.)

ALTERNATIVES

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

1. Approve the Subordination Request.
2. Refer the issue to a Committee.
3. Postpone the issue to a later date.

RECOMMENDATION

City Administration recommends that the Council approve the Subordination Request.

Sample Motion

Motion to approve the Subordination Agreement with Victor M. & Gina A. Henriquez to Wells Fargo, placing the City in the junior position to the new Deed of Trust.

SUBORDINATION AGREEMENT

NOTICE; THIS SUBORDINATION AGREEMENT RESULTS IN YOUR SECURITY INTEREST IN THE PROPERTY BECOMING SUBJECT TO AND OF LOWER PRIORITY THAN THE LIEN OF SOME OTHER OR LATER SECURITY INSTRUMENT.

THIS AGREEMENT, made this 8th day of August, 2006, by Victor M. and Gina A. Henriquez, husband and wife, owners of the land hereinafter described and hereinafter referred to as "Owner", and Country Wide Mortgage, present owner and holder of the Deed of Trust and Note first and hereinafter described and hereinafter referred to as "Beneficiary".

WITNESSETH:

THAT, WHEREAS, Victor M. and Gina A. Henriquez, married persons, DID EXECUTE a Deed of Trust dated December 31, 2002 to the City of Grand Island, covering:

Lot Nine (9), Lincoln View Estates Subdivision in the City Of Grand Island, Hall County, Nebraska.

To secure a Note in the sum of \$12,500.00 and \$9,000 dated December 31, 2002 in favor of the City of Grand Island, which Deed of Trust was recorded December 31, 2002 as Document No. 200214703 and Document No. 200214704 in the Official Register of Deeds Office of Hall County (remaining amount owed as of August 8, 2006 is \$17,020.81); and

WHEREAS, Owner has executed, or are about to execute, a Deed of Trust and Note in the sum of \$66,104.69 dated August 8, 2006 in favor of Wells Fargo, hereinafter referred to as "Beneficiary" payable with interest and upon the terms and conditions described therein, which Deed of Trust is to be recorded concurrently herewith; and

IT IS RECOMMENDED THAT, PRIOR TO THE EXECUTION OF THIS SUBORDINATION AGREEMENT, THE PARTIES CONSULT WITH THEIR ATTORNEYS WITH RESPECT THERETO.

WHEREAS, it is a condition precedent to obtaining said loan that said Deed of Trust last above mentioned shall unconditionally be and remain at all times a lien or charge upon the land hereinbefore described, prior and superior to the lien or charge of the Deed of Trust first above mentioned; and

WHEREAS, Beneficiary is willing to make said loan, provided the Deed of Trust securing the same is a lien or charge upon the above-described property prior and superior to the lien or charge of the Deed of Trust first above mentioned and provided that Beneficiary will specifically and unconditionally subordinate the lien or charge of the Deed of Trust first above mentioned to the lien or charge of the Deed of Trust in favor of Beneficiary; and

WHEREAS, it is to the mutual benefit of the parties hereto that Beneficiary make such loan to Owners; and Beneficiary is willing that the Deed of Trust securing the same shall, when recorded constitute a lien or charge upon said land which is unconditionally prior and superior to the lien or charge of the Deed of Trust first above mentioned.

NOW, THEREFORE, in consideration of the mutual benefits accruing to the parties hereto and other valuable consideration, the receipt and sufficiency of which consideration is hereby acknowledged, and in order to induce Beneficiary to make the loan above referred to, it is hereby declared, understood, and agreed as follows:

- 1) That said Deed of Trust securing said Note in favor of Beneficiary, and any renewals or extensions thereof shall unconditionally be and remain all times a lien or charge on the property therein described, prior and superior to the lien or charge of the Deed of Trust first above mentioned.
- 2) That Beneficiary would not make its loan above described without this Subordination Agreement.
- 3) That this Agreement shall be the whole and only agreement with regard to the subordination of the lien or charge of the Deed of Trust first above to the lien or charge of the Deed of Trust in favor of Beneficiary above referred to and shall supersede and cancel, but only insofar as would affect the priority between the Deeds of Trust hereinbefore specifically described, any prior agreement as to such subordination including, but not limited to, those provisions, if any, contained in the Deed of Trust first above mentioned, which provide for the subordination of the lien or charge thereof to another Deed or Deeds of Trust or to another mortgage or mortgages.

Beneficiary declares, agrees and acknowledges that:

- 1) He consents to and approves (i) of all provisions of the Note and Deed of Trust in favor of Beneficiary above referred to, and (ii) all agreements, including but not limited to any loan or escrow agreements, between Owner and Beneficiary for the disbursement of the proceeds of Beneficiary's loan;
- 2) Beneficiary in making disbursements pursuant to any such agreement is under no obligation or duty to, nor has Beneficiary represented that it will, see to the application of such proceeds by the person or persons to whom Beneficiary disburses such proceeds and any application or use of such proceeds for purposes other than those provided for in such agreement or agreements shall not defeat the subordination herein made in whole or in part;
- 3) He intentionally and unconditionally waives, relinquishes and subordinates the lien or charge of the Deed of Trust first above mentioned in favor of the lien or charge upon said land of the Deed of Trust in favor of Beneficiary above referred to and understands that in reliance upon, and in consideration of this waiver, relinquishment and subordination specific loans and advances are being and will be made and, as part and parcel thereof, specific monetary and other obligations are being and will be entered into which would not be made or entered into but for said reliance upon this waiver, relinquishment and subordination; and
- 4) An endorsement has been placed upon the Note secured by the Deed of Trust first above mentioned that said Deed of Trust has by this instrument been subordinated to the lien or charge of the Deed of Trust in favor of Beneficiary above referred to.

R E S O L U T I O N 2006-217

WHEREAS, the City of Grand Island, is the lender and secured party of a Deed of Trust dated December 31, 2002, and recorded on December 31, 2002, as Instrument No. 0200214703, in the amount of \$12,500.00, and a separate Deed of Trust dated December 31, 2002, and recorded on December 31, 2002, as Instrument No. 0200214704, in the amount of \$9,000.00, secured by property located at 1115 East 9th Street and owned by Victor M. Henriquez and Gina A. Henriquez, husband and wife, said property being described as follows:

Lot Nine (9), Lincoln View Estates Subdivision in the City of Grand Island, Hall County, Nebraska.

WHEREAS, Victor and Gina Henriquez wish to execute a Deed of Trust and Note in the amount of \$66,104.69 with Wells Fargo Bank, N.A. to be secured by the above-described real estate conditioned upon the City subordinating its two Deeds of Trust to its lien priority; and

WHEREAS, the value of the above-described real estate is sufficient to adequately secure all the loans.

WHEREAS, the requested subordination of the City's lien priority is in the best interests of all parties.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to execute an agreement subordinating the lien priority of the above described Deeds of Trust from Victor M. Henriquez and Gina A. Henriquez, husband and wife, to the City of Grand Island, as beneficiary to that of the new loan and Deed of Trust of Wells Fargo Bank, N.A., Beneficiary, as more particularly set out in the subordination agreement.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 25, 2006	☐ City Attorney



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item G7

**#2006-218 - Approving Acquisition of a Public Utilities Easement
Located Along 1149 South Stuhr Rd (Amy Anderson)**

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

Staff Contact: Steven P. Riehle, Public Works Director

R E S O L U T I O N 2006-218

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

WHEREAS, a public hearing was held on August 8, 2006, for the purpose of discussing the proposed acquisition of an easement located in part of the Northwest Quarter (NW1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in the City of Grand Island, Hall County, Nebraska, the easement being more particularly described as follows:

Beginning at the southeast corner of Lot One (1), Hemmingsen Subdivision; thence North on the east line of Lot One (1), Hemmingsen Subdivision for a distance of twenty (20.0) feet, thence east on a line perpendicular to the east line of Hemmingsen Subdivision for a distance of seven (7.0) feet to the west line of an existing twenty (20.0) foot easement; thence south on the west line of said existing twenty (20.0) foot easement for a distance of forty (40.0) feet; thence west on a line perpendicular to said west line of the existing twenty (20.0) foot easement for a distance of seven (7.0) feet; thence north on a line being an extension of the east line of Lot One (1), Hemmingsen Subdivision for a distance of twenty (20.0) feet to the point of beginning and containing 280 sq ft more or less, as shown on Exhibit "A" dated October 18, 2005, attached hereto and incorporated herein by this 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 Amy Anderson, a single person, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 3, 2006	☐ City Attorney



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item G8

**#2006-219 - Approving Continuation of Street Improvement
District 1256; Widening of Capital Avenue from the Moores Creek
Drain to Webb Road**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: August 8, 2006

Subject: Approving Continuation of Street Improvement District 1256; Widening of Capital Avenue from the Moores Creek Drain to Webb Road

Item #'s: G-8

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

Background

Street Improvement District 1256 was created by the City Council on July 12, 2005. Legal notice of creation of the District was published in the Grand Island Independent on July 22, 2005. Notification was also mailed to the property owners stating that the construction would take place unless more than 50% of the abutting landowners submitted written protests during the protest period. An information meeting was held on May 5, 2005 to explain the process to the abutting property owners.

The District consists of widening Capital Avenue from the Moores Creek Drain to Webb Road. The district is an upgrade to a multi-lane concrete curb and gutter roadway with storm sewer. The costs for construction of sidewalks will be assessed where sidewalks do not already exist. A width of 41' or no more than 20% of the project costs will be assessed to the benefiting properties, with the balance of the project paid with by federal funds.

Discussion

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration have approved the mandated noise study that was completed in April 2006 by Olsson Associates of Grand Island, NE. Both the NDOR and the Federal Highway Administration have authorized the City of Grand Island to proceed with the Right-of-Way acquisitions and to continue the district.

This district completed the 20-day protest period at 5:00 p.m., August 8, 2005. No protests were filed against this district.

Alternatives

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

1. Move to approve the continuation and construction of Street Improvement District 1256.
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 continuation and construction of Street Improvement District 1256.

Sample Motion

Motion to approve continuation and construction.

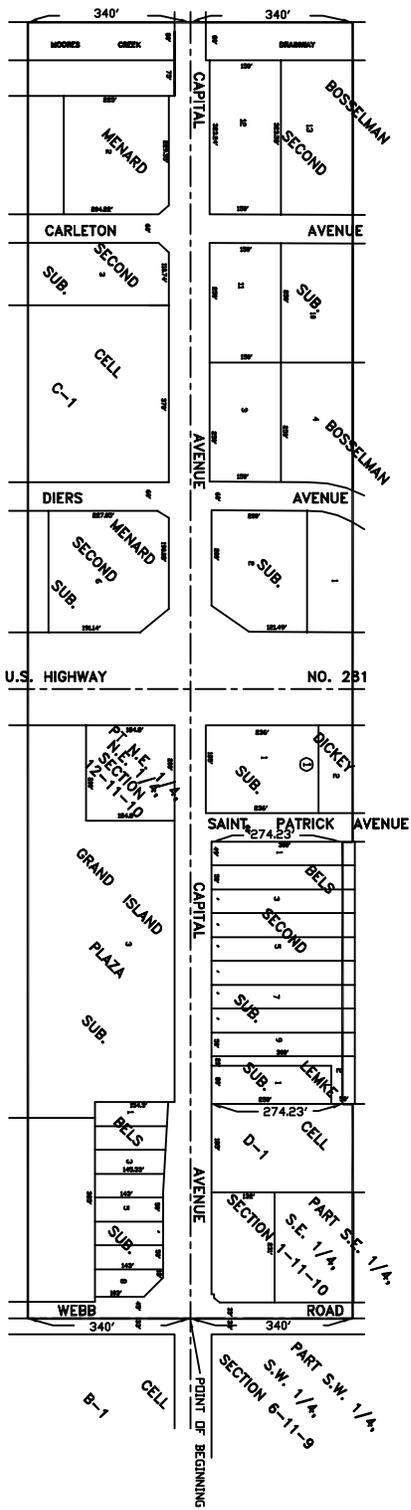


EXHIBIT "A"

GENSLER & ASSOCIATES
 ARCHITECTS & PLANNERS

PLAT TO ACCOMPANY ORDINANCE
 NO. 8985

SCALE 1" = 200' L.D.C. 6/27/05

STREET IMPROVEMENT DISTRICT 1256

RESOLUTION 2006-219

WHEREAS, Street Improvement District No. 1256 (widening of Capital Avenue from the Moore's Creek Drainway to Webb Road), was created by Ordinance No. 8985 on July 12, 2005; and

WHEREAS, notice of the creation of such street improvement district was published in the Grand Island Independent in accordance with the provisions of Section 16-619, R.R.S. 1943; and

WHEREAS, Section 16-620, R.R.S. 1943, provides that if the owners of record title representing more than 50% of the front footage of the property abutting upon the streets, avenues, or alleys, or parts thereof which are within such proposed district shall file with the City Clerk within twenty days from the first publication of said notice written objections to such street improvement district, said work shall not be done and the ordinance shall be repealed; and

WHEREAS, an informational meeting was held on May 5, 2005 to further explain said project; and

WHEREAS, on July 22, 2005, letters were sent to abutting property owners advising them of the creation of such improvement district; and

WHEREAS, the protest period ended on August 8, 2005, and no protests were filed with the City Clerk against the creation of Street Improvement District No. 1256.

WHEREAS, a mandated noise study has been completed, and the Nebraska Department of Roads and the Federal Highway Administration have now authorized the City to proceed with right-of-way acquisitions and the construction such project; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that insufficient protests having been filed with the City Clerk against the creation of Street Improvement District No. 1256, such district shall be continued and constructed according to law.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 8, 2006.

Jay Vavricek, Mayor

Attest:

Approved as to Form	☐ _____
August 3, 2006	☐ City Attorney

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item G9

#2006-220 - Approving Certificate of Final Completion for Street Improvement District 1257; Shanna Street in Western Heights 4th Subdivision

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: August 8, 2006

Subject: Certificate of Final Completion for Street Improvement District 1257; Shanna Street in Western Heights 4th Subdivision

Item #'s: G-9

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

Background

The contract for Street Improvement District 1257 was awarded to The Diamond Engineering Company of Grand Island, NE on March 7, 2006. Work commenced on April 19, 2006 and was completed on May 31, 2006.

Discussion

Street Improvement District 1257 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 \$117,704.47. Total cost of the project, including contract administration, is \$129,474.92. The bulk of the overruns were for removal and replacement of driveways to make a transition to the new concrete roadway. Costs for the project break down as follows:

Original Bid	\$ 104,273.72
Overruns	\$ 12,608.95
Underruns	(\$ 178.20)
Remove & Replace Mailboxes	\$ 1,000.00
Sub Total (Construction Price)	\$ 117,704.47
Additional Costs:	
Contract Administration, <u>Engineering, and Publication Costs</u>	<u>\$ 11,770.45</u>
Total Cost	\$ 129,474.92

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 schedule 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 and set the Board of Equalization date of September 12, 2006 for Street Improvement District 1257.

Sample Motion

Motion to approve the Certificate of Final Completion and set the Board of Equalization hearing.

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

STREET IMPROVEMENT DISTRICT 1257

CITY OF GRAND ISLAND, NEBRASKA

AUGUST 8, 2006

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

This is to certify that construction of STREET IMPROVEMENT DISTRICT NO. 1257 has been fully completed by The Diamond Engineering Company of Grand Island, NE under the contract dated March 21, 2006. The construction of this Street Improvement District 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 regarding this Street Improvement District is hereby accepted for the City of Grand Island, Nebraska, by me, Steven P. Riehle, Public Works Director, in accordance with the provisions of Section 16-650 R.R.S., 1943.

District No. 1257, Shanna Street in Western Heights 4th Subdivision

Final Quantities- Street Improvement District No. 1257

Shanna Street in Western Heights Fourth Sub.

7/27/2006

Bids Opened March 1, 2006

No.	Description	Quantity	Unit	Diamond Engineering Co.	
				Unit Price	Total Price
1	6" PCC Pavement	3021.7	sy	\$ 23.60	\$ 71,312.12
2	PCC Integral Curb	1290	lf	\$ 1.55	\$ 1,999.50
3	PC Concrete Header	37	lf	\$ 12.20	\$ 451.40
4	5" PCC Driveway	552	sy	\$ 26.40	\$ 14,572.80
5	4" PCC Sidewalk	500	sf	\$ 3.30	\$ 1,650.00
6	Type "D" Modified Inlets	2	ea	\$ 1,510.00	\$ 3,020.00
7	18" RCP, Cls. III	26	lf	\$ 37.60	\$ 977.60
8	Adjust Manhole	2	ea	\$ 355.00	\$ 710.00
9	Remove Conc. Or Asph. Pavement	2318	sy	\$ 5.85	\$ 13,560.30
10	Remove Sidewalk	301	sf	\$ 0.70	\$ 210.70
11	Remove Conc. Or Asph. Driveway	721	sy	\$ 7.75	\$ 5,587.75
12	Pavement Sawcut	24	lf	\$ 3.15	\$ 75.60
13	Remove 6" PVC Culvert	28	lf	\$ 7.15	\$ 200.20
14	Remove 12" CMP Culvert	187	lf	\$ 7.50	\$ 1,402.50
15	Remove 15" RCP Culvert	50	lf	\$ 7.60	\$ 380.00
16	Remove & Relay 18" RCP St. Sewer	40	lf	\$ 14.85	\$ 594.00
	Total Contract Cost				\$ 116,704.47
	Remove & Replace mailboxes	10	ea	\$ 100.00	\$ 1,000.00
	Total Construction Cost				\$ 117,704.47
	Engineering-10%				\$ 11,770.45

Respectfully submitted,

Steven P. Riehle
Public Works Director

August 8, 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 the Street Improvement District No. 1257, be approved.

I further recommend that the Costs of Engineering be credited to Account No. 10033001-74516 from Account No. 40033530-90061 in the amount of \$11,770.45.

I further recommend that the City Council sit as the Board of Equalization on September 12, 2006 to determine benefits and levy special assessments.

Respectfully submitted,

Jay Vavricek
Mayor

RESOLUTION 2006-220

WHEREAS, the City Engineer of the City of Grand Island have issued a Certificate of Final Completion for Street Improvement District No. 1257 located on Shanna Street in Western Heights 4th Subdivision in Grand Island, Nebraska, certifying that the Diamond Engineering Company of Grand Island, Nebraska, under contract approved on March 7, 2006, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the City Engineer recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs with such recommendation.

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

1. The Certificate of Final Completion for Street Improvement District No. 1257 is hereby confirmed and approved.
2. The City Council will sit as a Board of Equalization on September 12, 2006 to determine benefits and set assessments for Street Improvement District No. 1257.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item G10

**#2006-221 - Approving Change Order No. 2 with Chief
Construction for Law Enforcement Center**

Staff Contact: Steve Lamken

Council Agenda Memo

From: Captain Robert Falldorf, Police Department
Meeting: August 8, 2006
Subject: Change Order #2 Law Enforcement Center
Item #'s: G-10
Presenter(s): Steven Lamken, Police Chief

Background

Additional costs associated with this change order result from the required use of 16 gauge studs in lieu of 20 gauge studs for lobby walls. Although the structural drawings do indicate 16 gauge studs, the architectural drawings are unclear.

Discussion

The proposal was reviewed and approved by the project engineer and architect. Accepting Change Order #2 in the amount of \$2,526.30 will reduce the contingency fund for the project to a total of \$155,078.70. The initial contingency fund amount for the project was set at \$150,000.00.

Alternatives

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

1. Move to approve Change Order #2.
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 #2 for the Law Enforcement Center.

Sample Motion

Motion to approve Change Order #2 for the construction of the Law Enforcement Center with Chief Construction of Grand Island, Nebraska for a deduction in the contingency fund in the amount of \$2,526.30.

Wilson Estes Police Architects



5799 Broadmoor
Suite 520
Mission, Kansas 66202
www.policearchitects.com

1 August 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. 2**

Dear Robert,

We have reviewed and recommend acceptance of the accompanying Change Order No. 2.

Change Order No. 2 Summary

Requested By: Bohnert Construction

Description of Change:

Change Relocate column lines 19 and 24 as described in the letter from A. T. Renczarski dated June 8, 2006.

Make changes to sheets S000 and S301 as described in the letter from A. T. Renczarski dated June 8, 2006.

Construct two-story lobby walls as indicated on ASD-77.

Additional cost associated with this change result from the requirement that lobby walls required the use of sixteen gage studs in lieu of 20 gage. Although the structural drawings do indicate 16 gage studs, the architectural drawings are unclear.

Purpose of Change: Correction of discrepancies between the architectural and structural drawings.

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:	157,605.00
Change in Contingency Allowance by this Change Order:	-2526.30
New Contingency Allowance after this Change Order:	155,078.70

Reference Documents: Proposal Request No. 3
CR #1 REV

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

Regards,
WILSON ESTES POLICE ARCHITECTS

Tom Zahn
Project Manager

Attachments: Change Order No. 2
Change Request CR #1 REV

Bohnert Const, A Div Of Chief Ind

6124 Connecticut
Kansas City, MO 64120
Ph : (816)231-2281

Change Request

To: ZAHN, TOM
WILSON ESTES POLICE ARCHITECTS
5799 BROADMOOR, SUITE 520
OVERLAND PARK, KS 66202
Ph: (913)384-1115 Fax: (913)384-2292

Number: CR #1 REV
Date: 7/31/06
Job: 06-363 GRAND ISLAND LAW ENFORCEMENT
Phone: (308)385-5444

Description: Work Required By ASI # 3

We are pleased to offer the following specifications and pricing to make the following changes:

ASI # 3 switches metal studs from 20ga. to 16ga. which incurs additional costs for both material and labor as follows:

Add for 16ga. studs	Material	\$2,250
	Labor	\$1,101
	Sub Mark-up	\$ 335

	Total ADD	\$3,686

Credit for 20ga. Studs	Material	(\$723)
	Labor	(\$525)
	Sub Mark-up	(\$125)

	Total Credit	(1,373)

The total amount to provide this work is \$2,526.30

.....(Please refer to attached sheet for details:)

The schedule is not affected by this change.

If you have any questions, please contact me at (816)231-2281.

Submitted by: ACKERMAN, GRANT

Approved by: _____

Date: _____

Cc:

Bohnert Const, A Div Of Chief Ind

6124 Connecticut
Kansas City, MO 64120
Ph : (816)231-2281

Change Request CR #1 REV Price Breakdown
Continuation Sheet

Description: Work Required By ASI # 3

Description	Labor	Material	Equipment	Subcontract	Other	Price
E & K Costs				\$2,313.00		\$2,313.00
					Subtotal:	\$2,313.00
			Bohnert Fee 10%	\$2,313.00	9.22%	\$213.30
						\$0.00
					Total:	\$2,526.30

RESOLUTION 2006-221

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 July 11, 2006, by Resolution 2006-194, the City of Grand Island approved Change Order No. 1 to allow the use of aluminum instead of copper for the electrical feeder conductors for the project for a savings to the City of \$7,605.00, increasing the construction contingency to \$157,605.00; and

WHEREAS, at this time it is necessary to correct a discrepancy between the architectural and structural drawings for the project with respect to the use of 16 gauge studs rather than 20 gauge studs for the lobby walls of the facility; and

WHEREAS, such change has been incorporated into Change Order No. 2, and will result in an expense in the amount of \$2,526.30, leaving a balance of \$155,078.70 in the construction contingency.

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. 2 for the construction of the Law Enforcement Center to correct the discrepancy between the architectural and structural drawings for the project with respect to the use of 16 gauge studs rather than 20 gauge studs for the lobby walls of the facility.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 3, 2006	☐ City Attorney



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item G11

#2006-222 - Approving a Time Extension to the Contract with The Diamond Engineering Company for Construction of Street Improvement District 1258; Faidley Avenue Extending West for Six Hundred Fifty Feet (650 Feet)

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: August 8, 2006

Subject: Approving a Time Extension to the Contract with The Diamond Engineering Company for Construction of Street Improvement District 1258; Faidley Avenue Extending West for Six Hundred Fifty Feet (650 Feet)

Item #'s: G-11

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

Background

Any changes to a contract require council approval. The City Council awarded the bid for construction of Street Improvement District 1258 to The Diamond Engineering Company on April 11, 2006. The contract called for the work to be completed by July 15, 2006.

Discussion

The Diamond Engineering Company is requesting to extend the completion time to September 15, 2006. The contractor has paving work adjacent to schools which needs to be completed before the start of school. Administration believes this request is reasonable. The developer who requested the Street Improvement District has approved the time extension.

Alternatives

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

1. Move to approve the time extension.
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 to extend the completion date to September 15, 2006.

Sample Motion

Motion to approve the time extension.

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

CONTRACT TIME EXTENSION

PROJECT: Street Improvement District 1258; Faidley Avenue Extending West
for Six Hundred Fifty Feet (650 Feet)

CONTRACTOR: The Diamond Engineering Company

AMOUNT OF ORIGINAL CONTRACT: \$157,886.40

CONTRACT AWARD DATE: April 11, 2006

CONTRACT DATE: April 25, 2006

Notice to Proceed Date..... **April 26, 2006**

Original Completion Date**July 15, 2006**

Revised Completion Date**September 15, 2006**

Contractor The Diamond Engineering Company

By _____

Date _____

Title _____

CITY OF GRAND ISLAND, NEBRASKA,

By _____

Jay Vavricek, Mayor

Date _____

Attest: _____

RaNae Edwards, City Clerk

RESOLUTION 2006-222

WHEREAS, on April 11, 2006, by Resolution 2006-111, the City Council of the City of Grand Island approved the bid of the Diamond Engineering Company of Grand Island, Nebraska for Street Improvement District No. 1258 [Faidley Avenue extending west for 650 feet]; and

WHEREAS, the Diamond Engineering Company has requested an extension of the completion date for the project, with a new proposed completion date of September 15, 2006; and

WHEREAS, the developer requesting the paving project and city staff believe that the extension request is reasonable and should be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the completion date for Street Improvement District No. 1258 is hereby extended until September 15, 2006.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ☐ _____
August 3, 2006 ☐ City Attorney



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item G12

#2006-223 - Approving Certificate of Final Completion and Setting Date for Board of Equalization for Water Main District 452 - Knott Subdivision Area

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Gary R. Mader, Utilities Director
Meeting: August 8, 2006
Subject: Water Main District 452 – Knott Subdivision Area
Item #'s: G-12
Presenter(s): Gary R. Mader, Utilities Director

Background

Water Main District 452 was created at the request of area property owners to serve Knott Avenue, Lake Street, and Tri Street within the Knott Subdivision and Palu Subdivision. The neighborhood is located south of US Highway 34 and west of Locust Street (just west of Wal-Mart south) and is a combination of single family homes and commercial development. A map of the district is attached for reference. The district passed protest with only 3.3% protest.

Discussion

The construction was done as an “Assessment District”. This is the standard method used by the City to recoup costs when new water mains are installed at the request of the area property owners in developed areas. The total project cost was \$82,176.85. Of the total, the amount chargeable to the district is \$72,353.26. The City’s cost for oversized mains and extending lines to the area is \$9,823.59.

Since the area is a combination of single family homes and commercial development, the calculations for assessments are based on 8” diameter mains in commercial areas and 6” diameter mains for residential. Additionally, the properties within the district vary substantially in shape, size, and configuration. By state statute, assessments are to be determined by the benefit added to the properties. With the variation in configuration, staff selected an assessment computation method utilizing two separate property characteristics, the front footage and property area. Half of the assessment is based on front footage and half on property area.

The assessment is due 50 days after the Council sets the assessments at the Board of Equalization (BOE) Hearing. The Water Department will finance the assessment for five

years at 7% simple interest on the unpaid balance. Attached for reference are copies of the district's costs, ownership records, and calculated assessments.

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 date of the Board of Equalization
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 and set the Board of Equalization for September 12, 2006 to determine benefits and assessments for the properties within the boundaries of Water Main District 452.

Sample Motion

Make a motion to approve the Certificate of Final Completion for Water Main District 452, Knott Subdivision area, and set the Board of Equalization for September 12, 2006.

U.S. HIGHWAY 34

SECTION LINE

NORTHEAST CORNER-
SECTION 33, T-11-N, R-9-W

POINT OF
BEGINNING

PART OF NE1/4, NE1/4
SECTION 33, T-11-N, R-9-W
(PROPOSED KINGS
CROSSING SUBDIVISION)

LOCUST STREET

PALU

SUB. STREET

TRI STREET

LAKE STREET

LAKE STREET

ARLENE AVE.

KNOTT

BLOCK 3

BLOCK 1

KNOTT AVENUE

SUBDIVISION

BLOCK 2

VALENTINE
MOTEL SUB.

WATER MAIN
DISTRICT 452
BOUNDARY

EXHIBIT "A"



CITY OF
GRAND ISLAND
UTILITIES DEPARTMENT

PLAT TO ACCOMPANY
ORDINANCE NO. 9015

DRN BY: K.J.M. | SCALE: 1"= 200'
DATE: 10/25/2005 | FILE: WMD 452

WATER MAIN DISTRICT 452

Knott Subdivision - Lake St, Knott Ave, Tri St
WVO 22141

Item	Description	Bid Unit \$	QUANTITIES PLACED		TOTAL AMT COMPLETED \$	6" Equivalent Residential	8" Commercial	Oversize City
C. 1.01	12" x 12" x 8" Tapping Sleeve	1,964.92	1.00	EA	1,964.92	\$859.65	\$982.46	\$122.81
C. 1.02	8" D.I. Pipe (sj)	21.38	1,631.51	LF	34,881.68	\$15,858.35	\$16,757.86	\$2,265.47
C. 1.03	8" x 8" x 8" Tee (mj)	251.22	2.00	EA	502.44	\$219.82	\$251.22	\$31.40
C. 1.04	8" x 8" x 6" Tee (mj)	192.21	4.00	EA	768.84	\$336.37	\$384.42	\$48.05
C. 1.05	8" x 6" Reducer (mj)	109.52	1.00	EA	109.52	\$0.00	\$109.52	\$0.00
C. 1.06	8" x 90° Ell (mj)	174.03	1.00	EA	174.03	\$76.14	\$87.02	\$10.87
C. 1.07	8" x 45° Ell (mj)	161.33	2.00	EA	322.66	\$141.16	\$161.33	\$20.17
C. 1.08	8" Cap (mj) w/ 2" Tap	136.53	2.00	EA	273.06	\$119.46	\$136.53	\$17.07
C. 1.09	8" Set Screw Ring	49.28	2.00	EA	98.56	\$43.12	\$49.28	\$6.16
C. 1.10	8" RS Gate Valve	792.26	3.00	EA	2,376.78	\$1,039.84	\$1,188.39	\$148.55
C. 1.11	8" RS Tapping Valve	966.51	1.00	EA	966.51	\$422.85	\$483.26	\$60.40
C. 1.12	Valve Box	152.35	4.00	EA	609.40	\$304.70	\$304.70	\$0.00
C. 1.13	1" Water Service Complete	861.37	12.00	EA	10,336.44	\$10,336.44	\$0.00	\$0.00
C. 1.14	Thrust Block	109.03	10.00	EA	1,090.30	\$545.15	\$545.15	\$0.00
C. 1.15	Bell Block	395.07	2.00	EA	790.14	\$395.07	\$395.07	\$0.00
C. 1.16	Poly Wrap	0.76	1,568.00	LF	1,191.68	\$619.17	\$572.51	\$0.00
C. 1.17	Fire Hydrant Assembly	1,144.10	4.00	EA	4,576.40	\$2,288.20	\$2,288.20	\$0.00
C. 1.18	Remove Asph / Conc Roadway	4.67	44.00	SY	205.48	\$102.74	\$102.74	\$0.00
C. 1.19	Replace Asph / Conc Roadway	33.91	44.00	SY	1,492.04	\$746.02	\$746.02	\$0.00
C. 1.20	Saw Cut	2.76	49.50	LF	136.62	\$68.31	\$68.31	\$0.00
C. 1.21	TOTAL				\$62,867.50	\$34,522.56	\$25,613.99	\$2,730.95
	Water Dept Materials				3,999.03	\$1,999.51	\$1,999.52	\$0.00
	Engineering / Overhead / Administration				15,310.32	\$4,108.84	\$4,108.84	\$7,092.64
	TOTAL PROJECT COST				\$82,176.85	\$40,630.91	\$31,722.35	\$9,823.59

WMD 452 RESIDENTIAL AREA					
SUBDIVISION	LOT & Blk	Owner and Address	Sq Footage	Front Ft	Assessable \$ 1/2 SF+1/2 FF
Palu Subdivision See attached description	Part of 8	Dorothy Menke Revocable Trust Dorothy Menke Trustee 3412 Tri Street Grand Island, NE 68801	15,470.25	101.00	\$2,985.49
Palu Subdivision	9	Gaylord A & Susan Martens H & W Tomas Palu, David Palu, Amy Palu, and Micheal Palu 3422 Tri Street Grand Island, NE 68801	16,311.50	101.00	\$3,061.50
Palu Subdivision	11	Manuel & Cathern E Vega H & W 324 Lake Street Grand Island, NE 68801	14,719.82	101.80	\$2,930.27
Palu Subdivision	12	Dennis L Beins, a single person 3428 Tri Street Grand Island, NE 68801	16,384.18	101.60	\$3,077.49
Knott Subdivision	1 1	Lyle E & Arlene M Knott 321 Lake Street Grand Island, NE 68801	22,101.38	157.07	\$4,466.06
	1 2		15,000.00	100.00	\$2,927.28
	2 2		17,397.89	100.00	\$3,143.92
	5 2		16,000.00	100.00	\$3,017.63
					\$13,554.89
Knott Subdivision	2 1	Marlene R & Jerald W Andersen W & H 407 Lake Street Grand Island, NE 68801	23,401.70	140.00	\$4,315.18
Knott Subdivision	9 1	Ronnie L & Solveig L Knott H & W 321 Knott Ave Grand Island, NE 68801	19,422.98	117.79	\$3,606.56
	4 2		18,397.94	90.00	\$3,077.07
					\$6,683.63
Knott Subdivision	3 2	Randy L & Terri L Knott H & W 313 Knott Ave Grand Island, NE 68801	30,254.14	82.00	\$4,022.46
			224,861.78	1,292.26	\$40,630.91
			\$0.1806928	\$31.4417455	

WMD 452 COMMERCIAL AREA					
SUBDIVISION / SECTION	LOT & Blk	Owner and Address	Sq Footage	Front Ft	Assessable \$ 1/2 SF+1/2 FF
Valentine Motel Subdivision	1	R S Wheel, LLC a NE Limited Liability Co 2514 S Locust Street Grand Island, NE 68801	18,750.00	125.00	\$4,522.33
Palu Subdivision	7	R2S2, LLC a NE Limited Liability Co 2024 Stagecoach Road Grand Island, NE 68801	16,311.50	101.00	\$3,816.60
	10		14,554.10	101.00	\$3,570.63
Pt NE 1/4, NE 1/4 Sec 33-11-9 See attached description			63,709.22	717.58	\$19,812.80
					\$27,200.03
			113,324.82	1,044.58	\$31,722.36
			\$0.2799241	\$30.3685200	

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

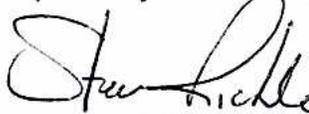
WATER MAIN DISTRICT NO. 452

August 8, 2006

Water Main District No. 452 is located south of U.S. Hwy. 34 and west of Locust Street along Knott Avenue, Lake Street and Tri Streets. The work on this main, as certified to be fully completed by Gary R. Mader, Utilities Director, is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provision on Section 16-650, R.R.S., 1943.

It is recommended that the City Council sit as Board of Equalization on September 12, 2006, to determine benefits and levy special assessments.

Respectfully submitted,



Steve Riehle,
Public Works Director

WATER MAIN DISTRICT NO. 452

August 8, 2006

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

I hereby recommend that the Engineer's Certificate of Final Completion for Water Main District 452 be approved.

I further recommend that the City Council sit as Board of Equalization on September 12, 2006, to determine benefits and levy special assessments.

Respectfully submitted,

Jay Vavricek
Mayor

INTEROFFICE MEMORANDUM



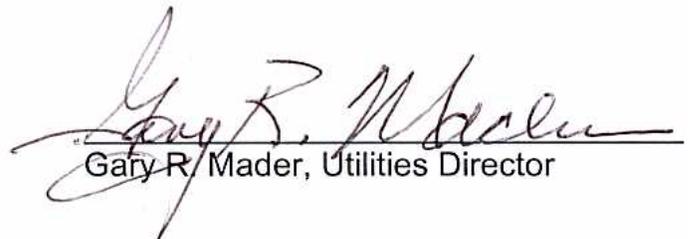
*Working Together for a
Better Tomorrow. Today.*

DATE: July 31, 2006
TO: Mayor and Council Members
FROM: Gary R. Mader, Utilities Director

SUBJECT: Water Main District 452

This memo is to certify that Water Main District 452, located south of U.S. Hwy. 34 and west of Locust Street along Knott Avenue, Lake Street and Tri Streets, has been fully completed. All work was done in accordance with the terms and conditions of the contract, and complies with the plans and specifications. The water main district has been placed in service.

It is recommended that a Board of Equalization be set for September 12, 2006, to determine the benefits and connection fees for the properties within the boundaries of Water Main District 452.


Gary R. Mader, Utilities Director

GRM/pag

pc: Dave Springer
Bob Smith
Steve Riehle
Laura Berthelsen
Dave Goosic
Tom Barnes
Yolanda Rayburn

R E S O L U T I O N 2006-223

WHEREAS, the City Engineer and the Utilities Director of the City of Grand Island have issued a Certificate of Final Completion for Water Main District No. 452 in Knott Subdivision and Palu Subdivision in Grand Island, Nebraska, certifying that the Diamond Engineering Company of Grand Island, Nebraska, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the City Engineer and the Utilities Director recommend the acceptance of the final completion; and

WHEREAS, the Mayor concurs with such recommendation.

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

1. The Certificate of Final Completion for Water Main District No. 452 is hereby confirmed and approved.
2. The City Council will sit as a Board of Equalization on September 12, 2006 to determine benefits and set assessments for Water Main District No. 452.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 3, 2006	☐ City Attorney



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item G13

#2006-224 - Approving Contract with Flatwater Materials for Sale of Fly Ash from Platte Generating Station - Utilities Department

Staff Contact: Gary R. Mader; Dale Shotkoski

Council Agenda Memo

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

Meeting: August 8, 2006

Subject: Platte Generating Station Fly Ash Purchase

Item #'s: G-13

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

Background

As part of the combustion process of the coal in the boiler at the Platte Generating Station, ash is entrained in the exhaust gas. This ash, referred to as fly ash, is removed by an electrostatic precipitator before the gas enters the chimney. It is conveyed from the precipitator to a storage silo. The ash must then be disposed in on-site landfill areas or used for off-site applications such as an additive for concrete or asphalt, or soil stabilization. Almost all of the ash is of a quality usable for these off-site uses and has been sold to contractors since shortly after plant start-up. The contractor is responsible for removal of the ash to ensure that the operation of the plant is not impacted.

Discussion

The specifications for the Platte Generating Station Fly Ash Purchase were prepared and issued for bid in accordance with City purchasing procedures. This five year contract is based on a "take all" basis during each calendar year with a price per ton paid to the City. Responses were received from the following bidders.

<u>Bidder</u>	<u>Bid Price</u>
Headwaters Resources, Fargo, ND	\$ 2.00 per ton
Flatwater Materials, Inc., Grand Island, NE	\$ 0.76 per ton

The specifications include a provision requiring the contractor to remove all ash produced at the plant. That has been a standard provision in the Ash Contract for over ten years. The high bidder, Headwaters Resources, took exception to that provision with no indications as to how much ash they would re-use. If that exception were allowed, the Contract would allow the contractor to remove no ash, which would require the Utilities

Department to provide for on-site landfill at the Department's expense. This bid is therefore evaluated as non-compliant with the specifications.

Alternatives

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

1. Move to approve the Contract for the Platte Generating Station Fly Ash Purchase
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 Bid to Flatwater Materials, Inc. from Grand Island, NE, as the high responsive bidder, with the bid purchase price of \$0.76 per ton.

Sample Motion

Motion to approve the bid of \$0.76 per ton from Flatwater Materials, Inc. for the Platte Generating Station Fly Ash Purchase as submitted.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: July 20, 2006 at 11:00 a.m.
FOR: Fly Ash Purchase (PGS)
DEPARTMENT: Utilities
ESTIMATE: None
FUND/ACCOUNT: 520
PUBLICATION DATE: July 6, 2006
NO. POTENTIAL BIDDERS: 6

SUMMARY

Bidder:	<u>Headwaters Resources</u> Fargo, ND	<u>Flatwater Materials Inc.</u> Grand Island
Exceptions:	Noted	None
Bid Price:	\$2.00 per ton	\$0.76 per ton

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

Tim Luchsinger, Asst. Utilities Director
Gary Greer, City Administrator
Laura Berthelsen, Legal Assistant

P1094

R E S O L U T I O N 2006-224

WHEREAS, the City of Grand Island invited bids for Platte Generating Station Fly Ash Purchase from the Utilities Department, according to the plans and specifications on file in the office of the Utilities Department; and

WHEREAS, on July 6, 2006, bid were received, opened and reviewed; and

WHEREAS, Flatwater Materials, Inc. 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 \$.76 per equivalent dry ton.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of the Flatwater Materials, Inc. of Grand Island, Nebraska, in the amount of \$.76 per equivalent dry ton to purchase fly ash from the Platte Generating Station is hereby approved as the highest responsive bid submitted.

BE IT FURTHER RESOLVED, that a contract for such project be entered into between the City and such contractor ; 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, August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 3, 2006	☐ City Attorney



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item G14

#2006-225 - Approving Acquisition of Hike/Bike Easement Located at 3645 South Locust Street (Judith K. Poland)

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

Staff Contact: Steve Paustian

RESOLUTION 2006-225

WHEREAS, a hike/bike trail easement is required by the City of Grand Island, from Judith K. Poland, a single person, to install, upgrade, maintain, and repair a hike/bike path along the west side of South Locust Street south of U.S. Highway 34; and

WHEREAS, a public hearing was held on August 8, 2006, for the purpose of discussing the proposed acquisition of an easement and right-of-way located in the Northwest Quarter (NW1/4) of Section 34, Township 11 North, Range 9 West of the 6th P.M., city of Grand Island, Hall County, Nebraska, the easement and right-of-way being more particularly described as follows:

Referring to the southwest corner of the Northwest Quarter of said Section 34; thence easterly along the south line of said Northwest Quarter a distance of 25.761 meters (84.52 feet) to a point, said point also being the true Point of Beginning; thence easterly deflecting 00°00'00" right along the south line of said Northwest Quarter a distance of 11.384 meters (37.35 feet) to a point; thence northwesterly deflecting 95°20'59" left a distance of 98.221 meters (322.25 feet) to a point; thence northerly deflecting 03°24'06" right a distance of 117.565 meters (385.71 feet) to a point; thence northerly deflecting 0°34'09" left a distance of 69.919 meters (229.39 feet) to a point; thence northerly deflecting 0°34'08" left a distance of 99.946 meters (327.91 feet) to a point; thence easterly deflecting 90°00'00" right a distance of 8.300 meters (27.23 feet) to a point; thence northerly deflecting 90°00'00" left a distance of 10.424 meters (34.20 feet) to a point; thence westerly deflecting 87°04'20" left a distance of 13.317 meters (43.69 feet) to a point; thence southerly deflecting 92°55'40" left a distance of 111.037 meters (364.29 feet) to a point; thence southerly deflecting 0°34'08" right a distance of 69.846 meters (229.15 feet) to a point; thence southerly deflecting 0°34'09" right a distance of 215.227 meters (706.12 feet) to the point of beginning. Said easement containing an area of 0.241 hectares (0.60 acres) more or less.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public hike/bike trail easement from Judith K. Poland, a single person, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 8, 2006.

Jay Vavricek, Mayor

Attest:

Approved as to Form _____
August 3, 2006 City Attorney

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item H1

Consideration of Request of CXT/LB Foster for Conditional Use Permit to Extend the Temporary Use of Office Trailers Located at 710 East US Highway 30

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

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item I1

**#2006-226 - Consideration of Request of Delfino Vargas-Bernal
dba Las Vegas Bar and Grill, 316 East 2nd Street for a Class "C"
Liquor License**

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

Staff Contact: RaNae Edwards

RESOLUTION 2006-226

WHEREAS, an application was filed by Delfino Vargas-Bernal, doing business as Las Vegas Bar and Grill at 316 East 2nd Street for a Class "C" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on July 29, 2006; such publication cost being \$13.60; and

WHEREAS, a public hearing was held on August 8, 2006, for the purpose of discussing such liquor license application.

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

_____ The City of Grand Island hereby recommends approval of the above-identified liquor license application, with the stipulation that a state approved alcohol server/seller training program be completed by Mr. Vargas-Bernal.

_____ The City of Grand Island hereby makes no recommendation as to the above-identified liquor license application.

_____ The City of Grand Island hereby makes no recommendation as to the above-identified liquor license application with the following stipulations: _____

_____ The City of Grand Island hereby recommends denial of the above-identified liquor license application for the following reasons: _____

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 8, 2006.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form _____
August 3, 2006 City Attorney



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item I2

#2006-227 - Consideration of Economic Development Incentive Agreement with J.C. Doyle, Ltd.

Staff Contact: Marlan Ferguson, EDC President

Council Agenda Memo

From: Dale M. Shotkoski, Interim City Attorney

Meeting: August 8, 2006

Subject: Authorizing the City to Enter Into an Incentive Agreement for Inducement Grants and Benefits to J.C. Doyle, Ltd.

Item #'s: I-2

Presenter(s): Dale M. Shotkoski, Interim City Attorney

Background

The voters of the City of Grand Island approved an economic development plan at the May 6, 2003 election. Subsequent to the election, the city has adopted an ordinance that establishes the economic development plan and a Citizens Advisory Review Committee to oversee the process of approving applications for economic development incentives. J.C. Doyle, Ltd. has applied for a forgivable loan from the Grand Island Area Economic Development Corporation pursuant to the Economic Development Plan. This application has been reviewed and approved by the executive committee of the Economic Development Corporation and by the Citizens Advisory Review Committee. The J.C. Doyle, Ltd. application is now being forwarded to the City Council for its approval pursuant to the city's economic development plan.

Discussion

The Economic Development Corporation has taken the application of J.C. Doyle, Ltd., for a \$20,000 forgivable loan as an incentive to assist with the production of computer software in the City of Grand Island. An incentive agreement for inducement grants and benefits has been prepared by the Economic Development Corporation which sets forth the terms under which J.C. Doyle, Ltd. would receive these benefits. J.C. Doyle, Ltd. would receive a \$20,000 forgivable loan which would not have to be repaid if J.C. Doyle, Ltd. meets all of the employment targets during the five year period for which the agreement would be in effect. The Incentive Agreement spells out in detail how the employment targets would be calculated and what amount of funds would be paid back if these targets are not met. The application of J.C. Doyle, Ltd. meets all of the criteria for extending economic incentives and the Economic Development Corporation's executive board as well as the Citizens Advisory Review Committee have both unanimously

recommended approval of the incentive agreement by the Grand Island City Council. For the above mentioned reasons, city administration is seeking City Council approval of the resolution authorizing the city to enter into the incentive agreement for inducement grants and benefits with J.C. Doyle, Ltd..

Alternatives

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

1. Approve the resolution authorizing the city to enter into the incentive agreement for inducement grants and benefits.
2. Disapprove or /Deny the agreement for inducement grants and benefits.
3. Modify the agreement to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council approve the resolution authorizing the city to enter into the incentive agreement for inducement grants and benefits with J.C. Doyle, Ltd..

Sample Motion

Approve the resolution authorizing the city to enter into the incentive agreement for inducement grants and benefits with J.C. Doyle, Ltd.



GRAND ISLAND AREA
ECONOMIC
 DEVELOPMENT CORPORATION

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

P.O. Box 1151

GRAND ISLAND, NE 68802-1151

PROJECT APPLICATION FOR ECONOMIC DEVELOPMENT PROGRAMS

1. Applicant Business Name J. C. Doyle, Inc./LTD

Address 2312 S. Locust, Grand Island, NE 68801

Telephone (308) 384-5380

Email Address jerry@jcdoyle.com

Business Contact Person Jerry Wissing

Telephone (308) 380-0743

2. Business Organization: Corporation Partnership
 Proprietor Other

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

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

5. Product or Services Provided: J.C. Doyle offers software solutions for business applications. J.C. Doyle serves many cooperatives and grain companies throughout Nebraska with software and hardware support.

6. Project Description: J.C. Doyle is converting the 20 year old software product with the use of Java and a real time relational database.

7. Project Timetable: This project has been underway for sometime now - 3 years - completion is within one year.

8. Employment Information:

Current number of employees 11

Proposed number of employees 21

What is the average hourly wage for all employees? \$18.00

Number of new jobs to be created 10

What would be the average hourly wage for new jobs? \$12-13 per hour

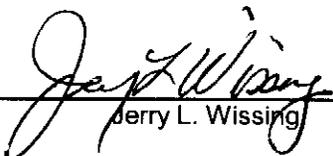
Number of jobs to be retained, if any 21

Please describe all benefits which the business provides to employees:
Health Insurance, Vacation, Sick Pay, Simple IRA, Flexible work schedules

9. Financing/Incentives Requested: We are currently working to obtain an SBA loan
through Five Points Bank. We are also considering making application to the State of
Nebraska utilizing the new Nebraska Advantage incentive package.
At this time would like to see assistance come from the Grand Island Area Economic
Development Corp. in the way of LB-840 funding. Any denomination of assistance would
greatly be appreciated.

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

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

By: 
Jerry L. Wissing
Vice President
Title

Date: 06/21/2006

Grand Island Area Economic Development LB-840 Project Application

Project Name: J.C. Doyle

Date Referred to Grand Island Area Economic Development Board: 7-13-06

Approved: X Disapproved: _____ Date: 7-13-06

Comments: _____

Signature of President: Marian Ferguson
Marian Ferguson

Date Referred to Citizen's Review Committee: 7-26-06

Approved: ✓ Disapproved: _____ Date: 7/26/06

Comments: _____

Signature of Chairman: [Signature]
Tim White

Date Referred to City Council: _____

Approved: _____ Disapproved: _____ Date: _____

Comments: _____

Signature of Mayor: _____
Jay Vavricek

ECONOMIC DEVELOPMENT AGREEMENT

In reliance upon the business plan of J.C. Doyle, Ltd. (Employer) which will have a beneficial economic impact upon the Grand Island area by increasing employment opportunities, the City of Grand Island (The City) and the Grand Island Area Economic Development Corporation (the Development Corporation) hereby agree to provide Employer with the assistance described in this Economic Development Agreement. Employer hereby accepts the economic assistance expressly set forth below and agrees to the terms and conditions hereof, including, without limitation, the terms and conditions of repayment.

Section 1

BUSINESS PLAN

Employer is an existing company located in Grand Island which provides computer software and maintenance thereof to businesses. Employer's software applications provide operations for all business accounting, including grain accounting, equity and patronage accounting for co-operatives.

Employer represents that it is in the process of completing and refining a new software system. When the new system is complete Employer will need to increase its staff. Employer intends to hire not less than five (5) new employees in the first twelve (12) months after it receives the forgivable loan contemplated by this Economic Development Agreement and an additional five (5) new employees in the next consecutive twelve (12) months. The beginning wage ratio for the new employees will be in the \$12.00 to \$13.00 per hour range. Employer's present eleven (11) employees' average wage is \$18.00 per hour.

Section 2

TERMS USED HEREIN

As used in this Economic Development Agreement the following words and phrases shall mean the following:

1. Employees means the number of fulltime equivalent persons employed by Employer in Grand Island, Nebraska, as of the end of the Measuring Year and determined as follows: divide (i) the total number of regular time hours that Employer paid

Employees to work during the Measuring Year [including forty (40) hours per week for each week worked by each salaried Employees] by (ii) 2080.

2. The Base Year means the twelve (12) calendar months ending upon the last day before the beginning of the first Measuring Year.

3. The first (1st) Measuring Year shall begin upon the first day of the next month after Employer receives The Advance under the provisions of Section 4, paragraph 1, below, and end on the last day of the twelfth (12th) consecutive calendar month thereafter. The subsequent Measuring Years shall have the same fiscal year as the first Measuring Year.

4. Employment Certificate means a written statement certified to be true and correct by the President of Employer and attested by its chief accountant. It shall be delivered to the Development Corporation within fifteen (15) days after the close of the Base Year and within fifteen (15) days after the close of each Measuring Year thereafter. It shall state (i) the total number of hours for which Employer paid hourly Employees and (ii) the number of salaried Employees and the number of weeks each were employed by Employer at Grand Island, Nebraska, during the applicable Base or Measuring Year.

Section 3

EMPLOYMENT REQUIREMENTS

Employer shall meet each of the following requirements:

1. Employer shall have had eleven (11) Employees during the Base Year.

2. During the first (1st) Measuring Year Employer shall increase the number of its employees to sixteen (16).

3. During the second (2nd) Measuring Year Employer shall (i) maintain a minimum of sixteen (16) employees at all times and (ii) increase the number of its employees to twenty-one (21) by the end of that Measuring Year.

4. During the third (3rd) Measuring Year Employer shall maintain a minimum of twenty-one (21) employees at all times.

5. For each of Measuring Years four (4) and five (5) Employer shall maintain a minimum of twenty-one (21) employees at all times.

Section 4

MONETARY ADVANCES

1. Not later than the last day of the month in which Employer (i) notifies the Development Corporation in writing that Employer is implementing the Business Plan at Grand Island, Nebraska and (ii) submits its Employment Certificate for the Base Year and funds are approved under The City's Economic Development Program, The City will advance Employer Twenty Thousand and No/100 Dollars (\$20,000.00) (The Advance).

2. If Employer meets the requirement of paragraph 3(i) of Section 3, above, Development Corporation will forgive repayment by Employer of Five Thousand and No/100 Dollars (\$5,000.00) of the Advance.

3. If during the third (3rd) Measuring Year Employer meets the requirement of paragraph 4 of Section 3, above, Development Corporation will forgive repayment by Employer of Five Thousand and No/100 Dollars (\$5,000.00) of the Advance.

4. If during the fourth (4th) Measuring Year Employer meets the requirement of paragraph 4 of Section 3, above, Development Corporation will forgive repayment by Employer of Five Thousand and No/100 Dollars (\$5,000.00) of the Advance.

5. If during the fifth (5th) Measuring Year Employer meets the requirement of paragraph 4 of Section 3, above, Development Corporation will forgive repayment by Employer of Five Thousand and No/100 Dollars (\$5,000.00) of the Advance.

6. If Employer fails to meet the Employee requirements set forth in Section 3 for any Measuring Year, then the total of any amounts forgiven under the provisions of this Section for prior years performance shall be deducted from The Advance and Employer shall repay the balance to The City. The balance shall become due on the last day of any Measuring Year for which the requirements of that Measuring Year or any prior Measuring Year were not attained or became unattainable and shall be paid with interest on the unpaid balance at the rate of eight (8%) per annum until paid in full.

Section 5

LEGAL EFFECT

1. Notwithstanding any other provision of this agreement Employer agrees as follows:

(a) If Employer is merged into or with any other corporation, limited liability company or partnership, the provisions of this agreement shall continue in full force and effect and shall be binding upon the surviving organization.

(b) If Employer or its successor discontinues the primary operation of its business in Grand Island, Nebraska, by reason of the transfer of its assets to another person or company or for any other reason, then immediately and without any further notice being required the entire amount of The Advance which is then repayable to The City or which would become repayable after a lapse of time as provided in this agreement, shall become immediately due and payable; provided, however, that the Development Corporation and the City may waive the provisions of this subparagraph (b) if a transferee of all of Employer's assets which is acceptable to Development Corporation agrees in writing to assume the obligations of Employer hereunder.

2. Upon request of Development Corporation, Employer, and its successors, shall furnish any additional documentation Development Corporation deems necessary to confirm that Employer has met its obligations under this Economic Development Agreement.

3. Notwithstanding any other provisions of this document, this Economic Development Agreement will expire on November 30, 2006, and be of no further force or effect if Employer has not taken the action required by paragraph 1 of Section 4 prior to that date.

4. The contents of this Economic Development Agreement contain all of the agreements and understandings between the Development Corporation, The City and Employer relative to the provisions hereof and the specified repayment and supersedes any and all prior agreements and understandings whether written or oral concerning economic development grants or incentives.

5. The provisions of this agreement are fully binding upon the Development Corporation, The City and upon Employer and upon their respective successors.

Dated this _____ day of July, 2006.

GRAND ISLAND AREA ECONOMIC
DEVELOPMENT CORPORATION

By Marlan Ferguson
Marlan Ferguson, President

J.C. DOYLE, LTD,
Employer

By Jerry Wissing
Jerry Wissing
Title Vice President

THE CITY OF GRAND ISLAND

By _____
Jay Vavricek, Mayor

RESOLUTION 2006-227

WHEREAS, on July 22, 2003, the City of Grand Island adopted an Economic Development Program and a Citizens Advisory Review Committee to oversee the process of approving applications for economic development incentives; and

WHEREAS, J.C. Doyle, Ltd. has applied for a forgivable loan in the amount of \$20,000 from the Grand Island Area Economic Development Corporation in accordance with the Economic Development Program; and

WHEREAS, such application has been approved by the executive committee of the Economic Development Corporation and was approved on July 26, 2006 by the Citizens Advisory Review Committee; and

WHEREAS, J.C. Doyle, Ltd. will be required to meet or exceed employment numbers and employee salary levels as outlined in the Economic Development Agreement to retain all of the economic incentives granted under the agreement; and

WHEREAS, it is in the best interests of the City to provide economic development funding to J.C. Doyle, Ltd. as provided by the Grand Island Economic Development Program.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Economic Development Agreement by and between the City, the Grand Island Area Economic Development Corporation, and J.C. Doyle, Ltd. to provide \$20,000 in economic assistance through a forgivable loan to J.C. Doyle, Ltd. to be used to expand its existing computer software and maintenance operations.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 8, 2006.

Jay Vavricek, Mayor

Attest:

Approved as to Form	☐ _____
August 3, 2006	☐ City Attorney

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item I3

**#2006-228 - Consideration of Statement on EPA Proposed Action
Concerning the Parkview Superfund Site**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Gary R. Mader, Utilities Director

Meeting: August 8, 2006

Subject: EPA Proposed Action concerning the Parkview Superfund Site

Item #'s: I-3

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

Background

As a part of the Parkview Superfund Program, EPA has conducted detailed analyses of the Volatile Organic Compound (VOC) contamination plume in the southern and southwestern portions of Grand Island. The contamination plume is now well defined. EPA has developed an interim remediation plan that was presented at a public meeting held at City Hall on July 27, 2006. At that meeting EPA presented its information concerning the extent and origin of the contamination and a number of alternatives concerning remediation. Along with the comment received at the public meeting, EPA will receive additional written comment on the information presented and on the remediation alternatives presented. The public comment period closes on August 20, 2006.

Discussion

The recommended remediation alternative from EPA involves the installation of extraction wells in the contaminated portion of the aquifer, near the leading edge of the plume. The leading edge is currently in the Parkview Subdivision of the City. The design includes wells for the removal of the contaminated groundwater, piping systems to move the extracted water to a filter treatment facility to remove the VOC's, and return of the cleaned water to area lakes or natural drainage in the area. Restoration of the aquifer is estimated to take decades.

In the Parkview Subdivision, most of the residents utilize private wells which tap the underlying aquifer for water supply. A significant portion of that underlying aquifer is contaminated above standards for drinking water. At the public meeting, there were a number of comments requesting the extension of the City water system into the Parkview

area, in order to provide a safe water supply during the interim time period that the recommended remediation system is operating. The extension of City water lines is not now a part of the EPA's proposed plan. From comments heard at the public meeting and from some Council members, staff felt that the Council might wish to make formal comments concerning the proposed EPA remediation plan. The attached Resolution has been drafted for Council's consideration as comment to EPA during the formal comment period.

Alternatives

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

1. Move to approve
2. Modify the Resolution
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council make its wishes known to EPA concerning this matter, via the proposed Resolution, and that the Mayor be directed to provide comments to EPA expressing the City's position.

Sample Motion

Motion to approve the Resolution stating the position of the Grand Island City Council.



*Working Together for a
Better Tomorrow. Today.*

August 9, 2006

Beckie Himes
U.S. EPA, Region 7
901 N. Fifth St.
Kansas City KS 66101

RE: City of Grand Island, Nebraska
Parkview Superfund Site

Dear Ms. Himes:

The City of Grand Island is impressed with EPA's conscientious and thorough investigation of the serious ground water contamination currently plaguing the southwestern portion of this City. At the public meeting of July 27, 2006, the accuracy and detail of that investigation were evident, and the presentation of the information with the remediation alternatives was very beneficial to the City's understanding.

The City of Grand Island supports EPA's Preferred Alternative for the remediation of the ground water contamination in the southern portions of the City. The City supports this interim remedy as it is designed to halt the progress of the ground water contamination plume, restore the quality of the aquifer, protect municipal wells in the area, and results in a beneficial use of the effluent from the proposed treatment facilities.

However, the City does have concerns about the 30 year time frame that will be required to achieve the remediation. Over 120 residential properties in that area rely on the underlying aquifer for their potable water supply. A number of those private wells have tested above the safe drinking water standards for various contaminants and several others have tested positive, but below the drinking water standards – for now.

The Grand Island City Council has considered this concern at length, and unanimously passed the attached resolution to state its position. The periodic testing of private wells and the use of filter equipment on some wells is helpful. But the presence of this contamination throughout the aquifer from which hundreds of people draw their drinking water causes a climate of concern and fear. People are worried that their well will be the next one to be contaminated. That fear can be eliminated by the extension of the municipal water system to serve the Parkview area. The City of Grand Island requests

Page 2
August 9, 2006
Parkview Superfund

that EPA undertake extension of the municipal water system throughout the area of concern.

Thank you for the opportunity to comment on this project, and we look forward to the day that this contamination is no longer a threat.

Sincerely,

Jay Vavricek, Mayor
City Of Grand Island

JV/pg

pc: Gary Greer, City Administrator
Gary R. Mader, Utilities Director
Robert H. Smith, Asst. Utilities Director

RESOLUTION 2006-228

WHEREAS, the City of Grand Island, Nebraska is the site of the Parkview Well Superfund Site; and

WHEREAS, the Environmental Protection Agency has conducted extensive analyses of the ground water contamination by Volatile Organics Compounds, which affects a wide area in the southern and southwestern areas of the City; and

WHEREAS, the high levels of contamination have great potential to cause adverse health affects, have resulted in the loss of numerous private wells and a municipal well, and have caused grave concern among the City's citizenry; and

WHEREAS, the Environmental Protection Agency has proposed an interim remedy under CERCLA (the Comprehensive Environmental Response, Compensation and Liability Act) to remediate the distal groundwater contamination affecting numerous private drinking water wells and potentially affecting additional municipal wells; and

WHEREAS, the proposed interim remedy includes provisions to clean the contaminated ground water to protect public health and municipal wells; and

WHEREAS, the Preferred Alternative estimated time to achieve the Remedial Action Objectives (ROA) is of concern at a 30 year time frame.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island does hereby support the remediation Proposed Alternative as presented by EPA at the Public Meeting held in Grand Island on July 27, 2006 for the long term clean-up of contaminated ground water.

BE IT FURTHER RESOLVED, that the City of Grand Island is concerned that the 30 year time frame for clean-up is too long and that EPA, at its cost, should extend the municipal water system into the Parkview area to immediately address the contaminated private wells in the area in order to protect the public health in the immediate future.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to provide comments to the EPA expressing the City's position.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 8, 2006.

Jay Vavricek, Mayor

Attest:

Approved as to Form	☐ _____
August 4, 2006	☐ City Attorney

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item J1

Approving Payment of Claims for the Period of July 26, 2006 through August 8, 2006

The Claims for the period of July 26, 2006 through August 8, 2006 for a total amount of \$2,391,075.13. A MOTION is in order.

Staff Contact: David Springer



City of Grand Island

Tuesday, August 08, 2006

Council Session

Item J2

Approving Payment of Claims for the Library Expansion for the Period of July 12, 2006 through August 8, 2006

The Claims for the Library Expansion for the period of July 12, 2006 through August 8, 2006 for the following requisitions.

#32 \$239,102.86

#33 \$ 429.19

A MOTION is in order.

Staff Contact: David Springer

EXHIBIT B
Mortgage, Trust Indenture and Security Agreement

Requisition Form

REQUISITION FOR DISBURSEMENT

Requisition No. 32

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.	\$ 239,102.86	Design/Build Contract

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 2nd day of August, 2006.



Project Manager

AIA Document G702™ - 1992

Application and Certificate for Payment

TO OWNER:
 Grand Island Facilities Corp
 PO Box 1968
 Grand Island, NE 68802

PROJECT:
 Edith Abbott Memorial Library
 2005 Expansion/Remodel Project
 Grand Island, Nebraska

FROM CONTRACTOR:
 Mid Plains Construction Co.
 1319 W North Front St
 Grand Island, NE 68801

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
 Continuation Sheet, AIA Document G703, is attached.

- 1. ORIGINAL CONTRACT SUM \$ 5,700,000.00
- 2. Net change by Change Orders \$.00
- 3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 5,700,000.00
- 4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 2,312,122.77

- 5. RETAINAGE:
 - a. 5 % of Completed Work \$ 115,606.14
 (Column D + E on G703)
 - b. % of Stored Material \$
 (Column F on G703)

Total Retainage (Lines 5a + 5b or Total in Column I of G703) \$ 115,606.14

- 6. TOTAL EARNED LESS RETAINAGE \$ 2,196,516.63
 (Line 4 Less Line 5 Total)
- 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 1,957,413.77
 (Line 6 from prior Certificate)
- 8. CURRENT PAYMENT DUE \$ 239,102.86
- 9. BALANCE TO FINISH, INCLUDING RETAINAGE \$ 3,503,483.37
 (Line 3 less Line 6)

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		\$	\$
Total approved this Month		\$	\$
TOTALS		\$	\$
NET CHANGES by Change Order		\$	\$

APPLICATION NO: 10
PERIOD TO: 7/31/06
CONTRACT FOR:
CONTRACT DATE:
PROJECT NOS:
CONTRACTOR:
FIELD:
OTHER:

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payments shown herein is now due.

By: *[Signature]* **CONTRACTOR**
 State of Nebraska
 Date: 8/2/06

County of Hall
 Subscribed and sworn to before me this 2nd day of August, 2006

Notary Public: *[Signature]*
 My Commission expires: 12/26/08



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

By: _____ ARCHITECT: _____ Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

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



TEL 402.474.6311
FAX 402.474.5160

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

Invoice number 88620
Date 7/24/2006

Contract: 2-2006-0141

Client ID: 4338

Edith Abbott Mem Library GI

Scope of Work: OA Project No. 2-2006-0141.02 - Footings

Professional services rendered from April 4, 2006 through July 15, 2006 for work completed in accordance with our verbal agreement. Services completed this period include concrete for concrete floor construction and testing of concrete cylinders.

2-12-411 E Abbott Mem Lib Footing Insp

Labor

<u>Employee Type</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Senior Technician	1.00	52.00	52.00
Labor subtotal	1.00		52.00

Reimbursable

<u>Vendor / Activity</u>	<u>Units</u>	<u>Rate</u>	<u>Amount</u>
Postage & Shipping	18.00	0.39	7.02
Cell Phone - Billable			0.17
Reimbursable subtotal	18.00		7.19

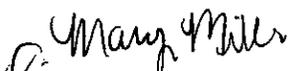
Testing

<u>Vendor / Activity</u>	<u>Amount</u>
Testing	370.00
Testing subtotal	370.00

Item subtotal 429.19

Invoice total 429.19

Approved by


Jeffrey R. Palik

INVOICE PAYMENT IS REQUESTED WITHIN 30 DAYS