
City of Grand Island



Tuesday, May 22, 2007

Council Session Packet

City Council:

Tom Brown
John Gericke
Peg Gilbert
Joyce Haase
Robert Meyer
Mitchell Nickerson
Vacant
Vacant
Scott Walker
Fred Whitesides

Mayor:

Margaret Hornady

City Administrator:

Vacant

City Clerk:

RaNae Edwards

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

Call to Order

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

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

Invocation - Pastor Terry Brown, Northridge Assembly of God, 3025 Independence Avenue

Pledge of Allegiance

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

Individuals who have appropriate items for City Council consideration should complete the Request for Future Agenda Items form located at the Information Booth. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given.

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

This is an opportunity for individuals wishing to provide input on any of tonight's agenda items to reserve time to speak. Please come forward, state your name and address, and the Agenda topic on which you will be speaking.

MAYOR COMMUNICATION

This is an opportunity for the Mayor to comment on current events, activities, and issues of interest to the community.



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item -1

Approving Appointment of Jose Zapata as City Councilmember for Ward 1

Mayor Margaret Hornady has submitted the name of Jose Zapata for appointment as Councilmember to represent Ward 1. This vacancy was created when Councilmember Carol Cornelius resigned as of April 30, 2007. As is required by City Code Section 2-25, "The mayor shall fill by appointment any vacancy which may exist, caused by death, resignation or disability of any elective officer of the City. Such appointment of the mayor shall be subject, however, to approval of the majority of the council." A MOTION is in order.

Staff Contact: Mayor Hornady



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item -2

Approving Appointment of Larry Carney as City Councilmember for Ward 4

Mayor Margaret Hornady has submitted the name of Larry Carney for appointment as Councilmember to represent Ward 4. This vacancy was created April 8, 2007 upon the death of Councilmember Jackie Pielstick. As is required by City Code Section 2-25, "The mayor shall fill by appointment any vacancy which may exist, caused by death, resignation or disability of any elective officer of the City. Such appointment of the mayor shall be subject, however, to approval of the majority of the council." A MOTION is in order.

Staff Contact: Mayor Hornady



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item -3

**Administration of Oath of Office to Jose Zapata City
Councilmember for Ward 1 and Larry Carney City
Councilmember for Ward 4**

*City Clerk RaNae Edwards will administer the Oath of Office to newly appointed
Councilmember Jose Zapata - Ward 1 and Councilmember Larry Carney - Ward 4.*

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item E1

**Public Hearing Concerning Change of Zoning for Land Located at
3425 State Street from CD Commercial Development to Amended
CD Commercial Development**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: May 22, 2007

Subject: Change of Zoning for Land Located at 3425 State Street

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

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

Background

This application proposes to change the zoning on a tract of land located on Lot 1, Conestoga North Subdivision in the City of Grand Island, Hall County, Nebraska from CD Commercial Development to Amended CD Zone. This property is located at 3425 State Street, Grand Island, Nebraska.

Discussion

This proposed development would increase the building envelopes and allow larger buildings for two buildings on the lot (Balz Sports Bar and El Toro Restaurant) see the attached exhibits. El Toro would be expanded as shown and further expansion within the building envelope would also be allowed if approved. Balz would be allowed to expand within the building envelope at some point in the future. The Balz expansion would likely be a roofed outdoor area similar to the outdoor seating at El Toro.

The building sizes that are proposed are larger than those originally approved on this site. In a Commercial Development Zone (CD) the developer has a great deal of freedom to design the site at the front end. If the plan is approved by Council it can be built exactly as the developer wishes. Once that plan has been accepted any deviations in building size of more than 10% require Council approval.

The developer is asking Council to approve larger building envelopes for two of the buildings on the site.

The Planning Commission held a hearing on this application at their meeting on May 2, 2007. No members of the public spoke in reference to this item.

City Administration recommended approval of these changes.

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

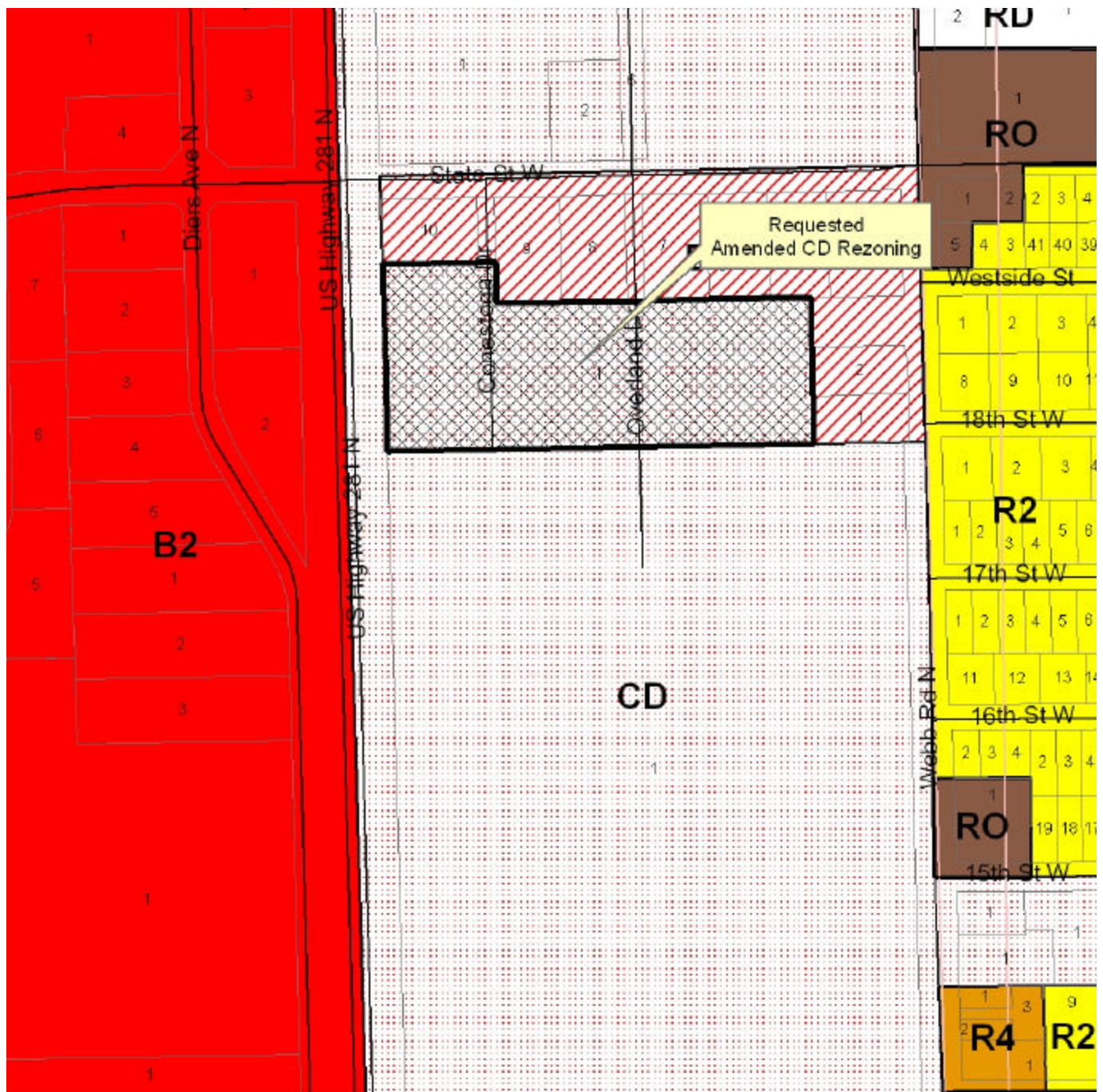
Recommendation

A motion was made by Amick and seconded by Eriksen to approve the amended CD zone and development plan as presented.

A roll call vote was taken and the motion passed with 9 members present (Miller, Amick, O'Neill, Ruge, Eriksen, Niemann, Hayes, Bredthauer, Snodgrass) voting in favor.

Sample Motion

Motion to approve the amended CD Zone and development plan for Lot 1, Conestoga North Subdivision in Grand Island, Hall County, Nebraska.



Requested Zoning



- From CD : Commercial Development Zone
- To Amended CD : Commercial Development Zone

Scale : NONE

C-18-2007GI



CITY OF CEDAR RAPIDS, IOWA
City Council, Board of Public Works
City Planning Department



Requested Zoning



Scale : NONE

C-18-2007GI



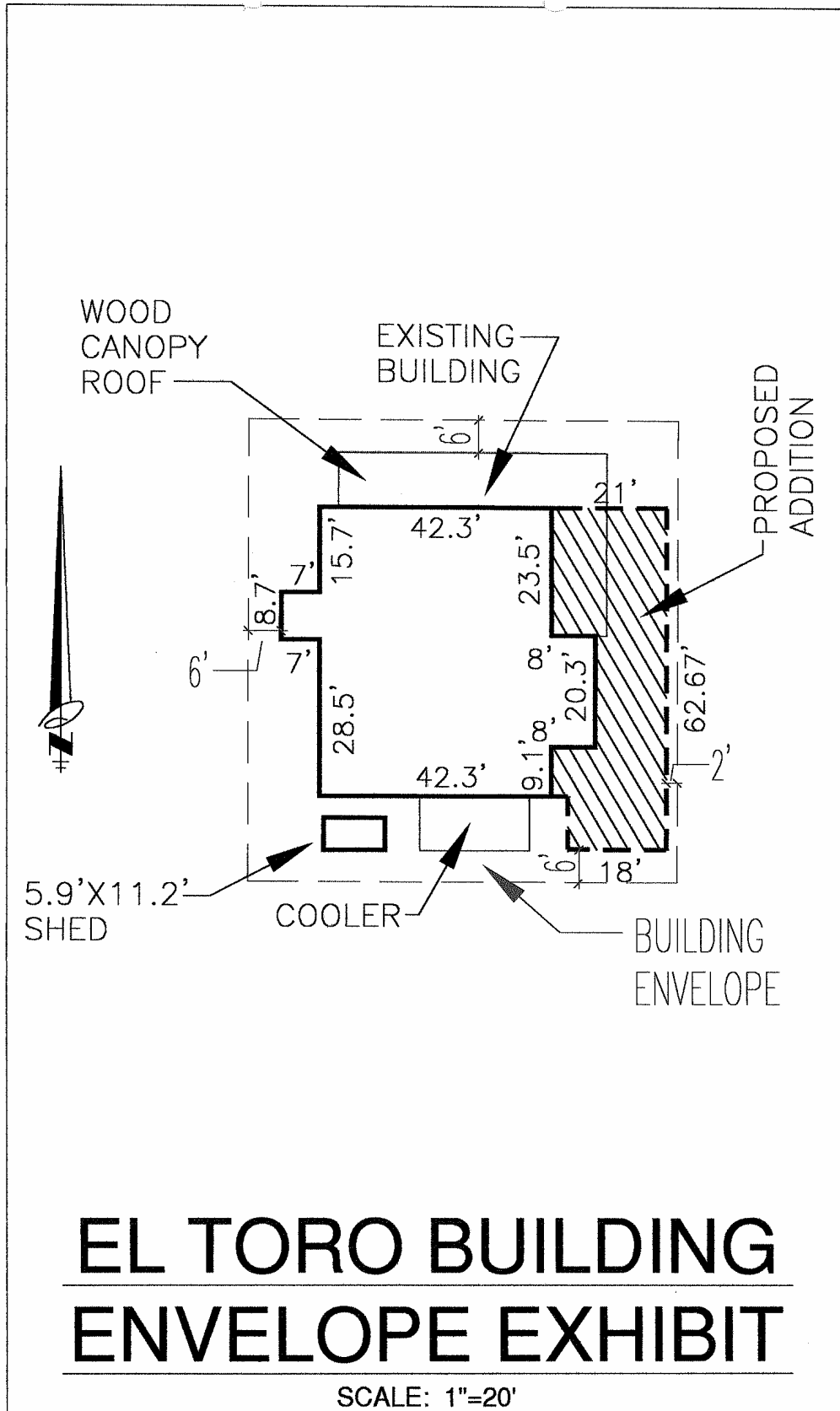
From CD : Commercial Development Zone

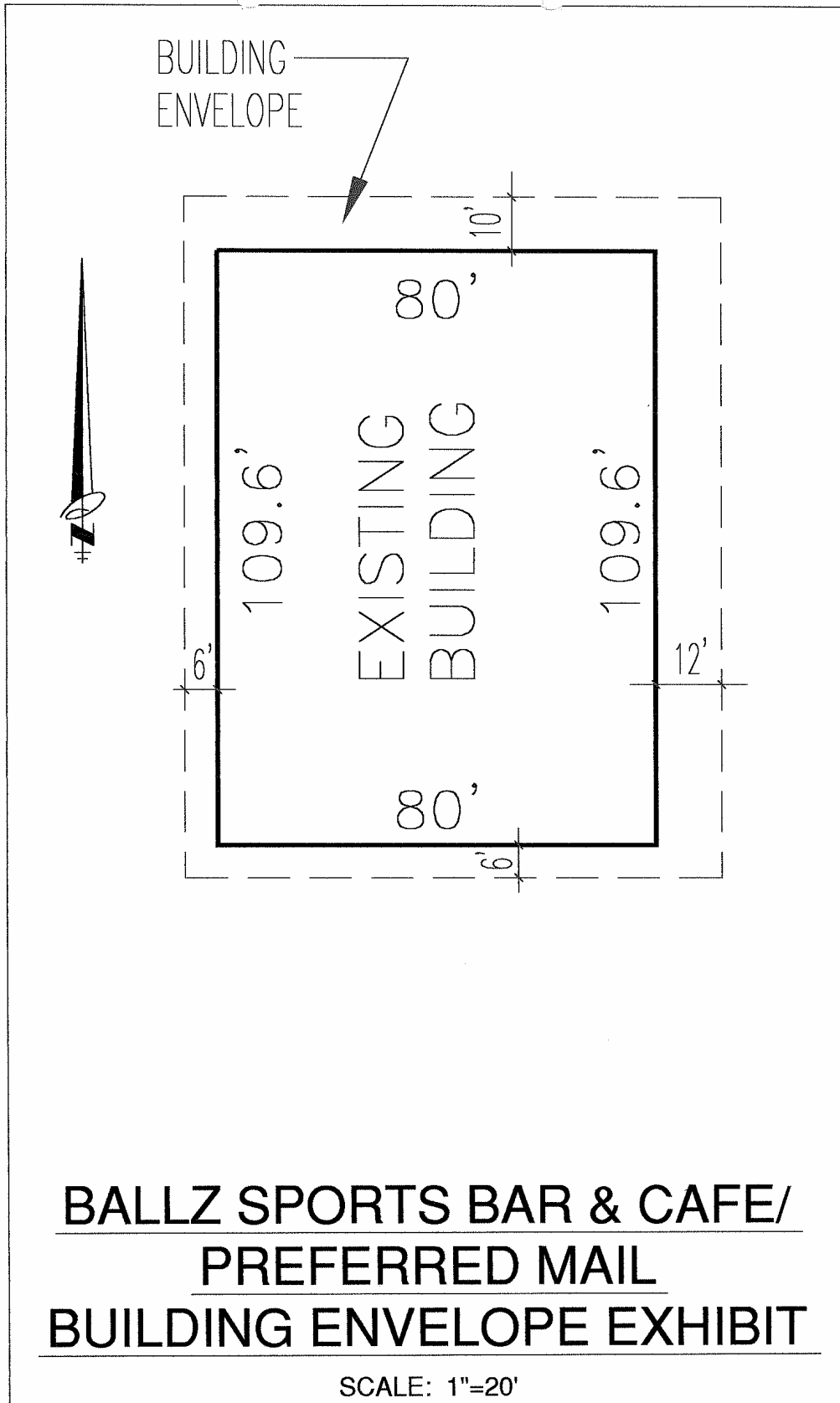


To Amended CD : Commercial Development Zone



City of Overland Park
Planning and Development Department
11001 West 110th Street, Suite 100
Overland Park, KS 66211







City of Grand Island

Tuesday, May 22, 2007

Council Session

Item E2

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

Staff Contact: Marlon Ferguson, EDC President

Council Agenda Memo

From: Dale M. Shotkoski, City Attorney

Meeting: May 22, 2007

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

Item #'s: E-2 & G-5

Presenter(s): Dale M. Shotkoski, City Attorney
Tim White, Chairman,
Citizen's Advisory Review Committee

Background

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

Discussion

The Citizens Advisory Review Committee has been conducting regular meetings during the last six months as required by the City Code and the Nebraska Statutes. The committee looks forward to receiving and reviewing meritorious applications for consideration in the future. The committee received the semi-annual report from the Economic Development Corporation at its meeting of May 15, 2007, and voted to forward it onto the City Council for its review and acceptance.

Alternatives

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

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

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

Recommendation

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

Sample Motion

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



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item E3

**Public Hearing Concerning Acquisition of Utility Easement
Located on the West Side of the Riverbend Apartments
Development Project on Husker Highway - Schoel**

Staff Contact: Gary R. Mader; Wesley Nespor

Council Agenda Memo

From: Gary R. Mader, Utilities Director
Wesley Nespor, Asst. City Attorney/Purchasing

Meeting: May 22, 2007

Subject: Acquisition of Utility Easement – North and West of
Husker Highway and US 281 - Schoel

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

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

Background

Pedcor Investments is developing the property north and west of Husker Highway and US Highway 281. The property was subdivided into Pedcor Subdivision and Pedcor 2nd Subdivision. The development is more commonly known as Riverbend Apartments

As part of the development, water and sewer lines were installed along the western boundary of the property. Easements were given to the City as part of the Subdivision for those utilities. During construction, a fence between the farmer to the west and Riverbend was removed and replaced upon completion. The fence is placed in its historical location which intrudes onto Pedcor property, and is on top of the new water line. Pedcor and the adjoining landowner have reached an amicable understanding to leave the fence where it is.

Discussion

Since the farmer has a property interest in the location of the water line, the City Attorney believes a simple easement signed by the farmer will be sufficient to protect the City's interest to legally maintain the water line.

The attached easement will insure the City's rights and will still allow the farmer to continue the farming interest he has historically enjoyed.

Alternatives

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

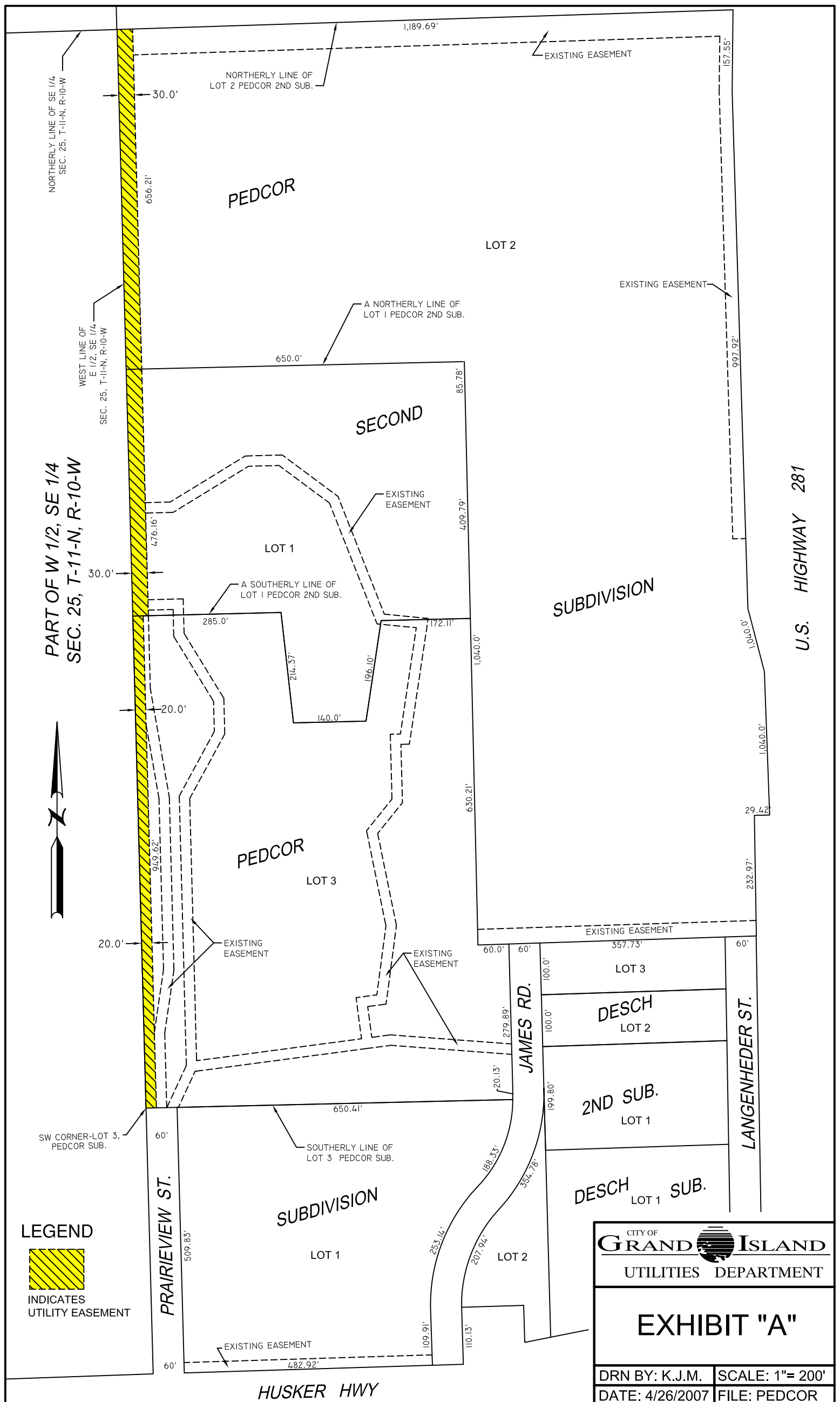
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the easement and the payment of one dollar for that right.

Sample Motion

Motion to approve acquisition of utility easement.





City of Grand Island

Tuesday, May 22, 2007

Council Session

Item E4

**Public Hearing Concerning Acquisition of Utility Easement - 3356
W Old Highway 30 - Plaza Square Development, LLC.**

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

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: May 22, 2007

Subject: Public Hearing and Approving Acquisition of a Public Utilities Easement Located Along 3356 W Old Highway 30 (Plaza Square Development, L.L.C.)

Item #'s: E-4 & G-11

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

Background

Council action is necessary for the City of Grand Island to acquire public utility easements.

Discussion

Properties along the north side of West Old Highway 30 are building a public sanitary sewer main under project number 2007-S-6. This Easement is needed in order to construct, operate, maintain, extend, repair, replace and remove public utilities, including sanitary sewers, manholes, pipelines, surface markers, and other appurtenances, upon, over, along, across, in, underneath and through a tract of land consisting of a Twenty (20.0) foot wide easement located in a part of the Southeast Quarter of the Northeast Quarter (SE ¼ NE ¼) of Section Twenty Four (24), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., in the City Of Grand Island, Hall County, Nebraska.

Alternatives

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

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

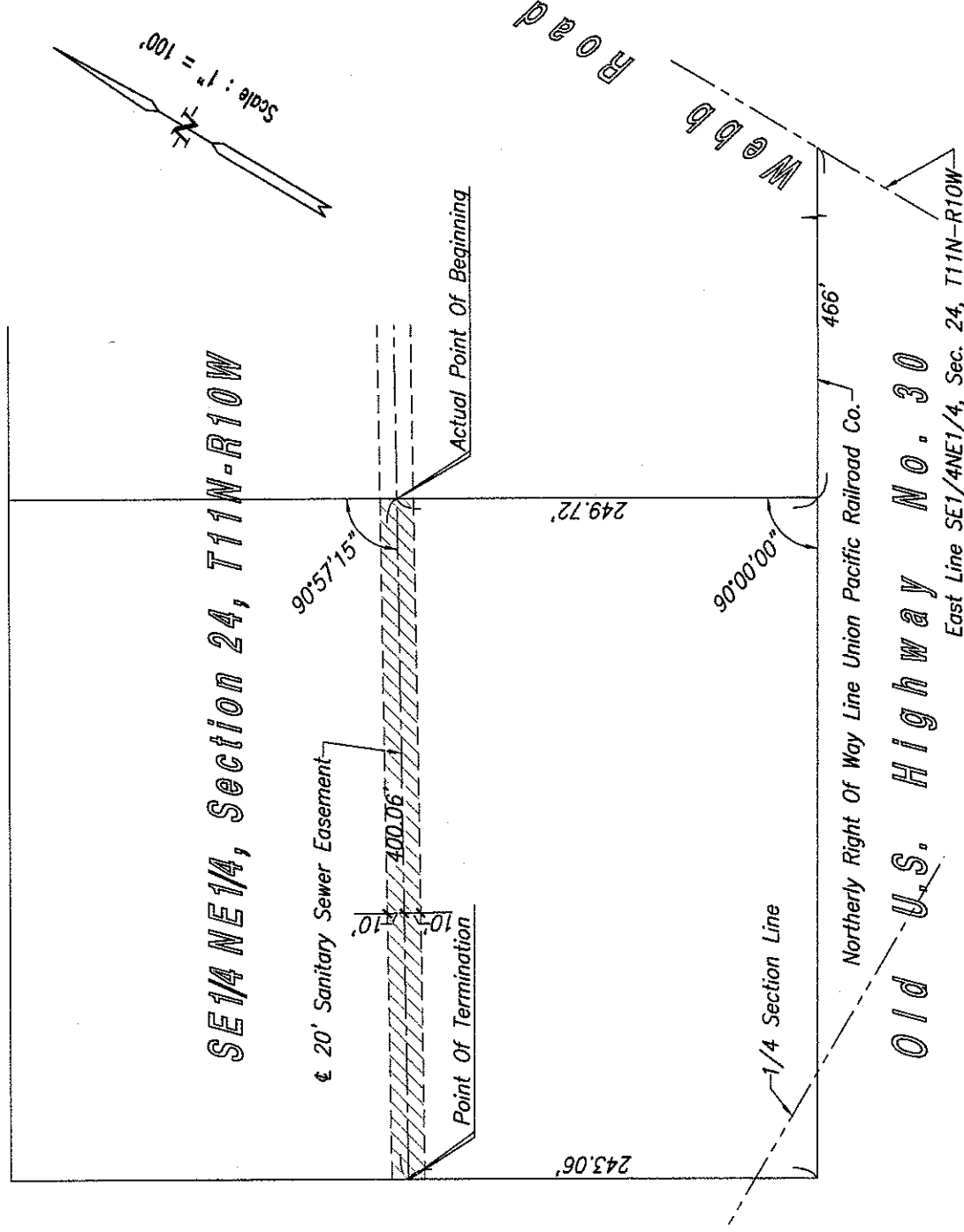
Recommendation

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

Sample Motion

Move to approve the acquisition of the Public Utility Easement in the amount of one dollar.

SANITARY SEWER EASEMENT



Description

A tract of land consisting of a Twenty (20.0) foot wide easement located in a part of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Twenty Four (24), Township Eleven (11) North, Range Ten (10) West of the 6th. P.M., in the City of Grand Island, Hall County, Nebraska, the centerline of said Twenty (20.0) foot wide easement being more particularly described as follows:

Beginning at the intersection of the east line of said Southeast Quarter of the Northeast Quarter (SE1/4NE1/4), and the northerly right of way line of the Union Pacific Railroad Company; thence running southwesterly along the northerly right of way line of the Union Pacific Railroad Company, a distance of Four Hundred Sixty Six (466.0) feet; thence deflecting right 90°00'00" and running northwesterly a distance of Two Hundred Forty Nine and Seventy Two Hundredths (249.72) feet, to the ACTUAL point of beginning; thence deflecting left 90°57'15" and running southwesterly a distance of Four Hundred and Six Hundredths (400.06) feet, to the Point Of Termination, said tract containing 0.184 acres more or less.

EXHIBIT 'A'

Date : April 16, 2007

Sheet No. 1 Of 1



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item E5

**Public Hearing Concerning Acquisition of Utility Easement - 3320
W Old Highway 30 - Jack D & DeAnne L O'Hara**

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

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: May 22, 2007

Subject: Public Hearing and Approving Acquisition of a Public Utilities Easement Located Along 3320 W Old Highway 30 (Jack D. and DeAnne L. O'Hara)

Item #'s: E-5 & G-12

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

Background

Council action is necessary for the City of Grand Island to acquire public utility easements.

Discussion

Properties along the north side of West Old Highway 30 are building a public sanitary sewer main under project number 2007-S-6. This Easement is needed in order to construct, operate, maintain, extend, repair, replace and remove public utilities, including sanitary sewers, manholes, pipelines, surface markers, and other appurtenances, upon, over, along, across, in, underneath and through a tract of land consisting of a Twenty (20.0) foot wide easement located in a part of the Southeast Quarter of the Northeast Quarter (SE ¼ NE ¼) of Section Twenty Four (24), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., in the City Of Grand Island, Hall County, Nebraska.

Alternatives

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

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

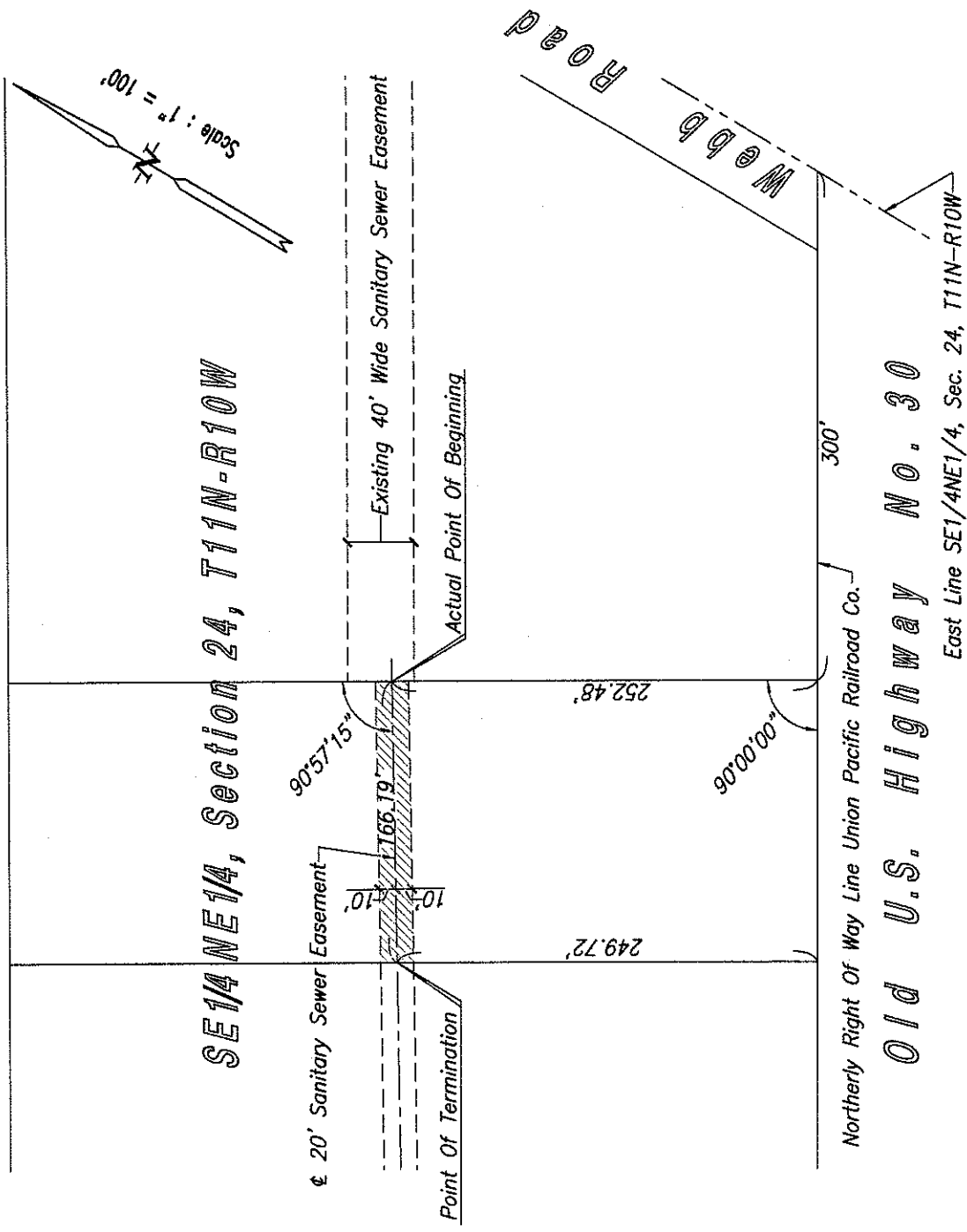
Recommendation

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

Sample Motion

Move to approve the acquisition of the Public Utility Easement in the amount of one dollar.

SANITARY SEWER EASEMENT



Description

A tract of land consisting of a Twenty (20.0) foot wide easement located in a part of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Twenty Four (24), Township Eleven (11) North, Range Ten (10) West of the 6th. P.M., in the City of Grand Island, Hall County, Nebraska, the centerline of said Twenty (20.0) foot wide easement being more particularly described as follows:

Beginning at the intersection of the east line of said Southeast Quarter of the Northeast Quarter (SE1/4NE1/4), and the northerly right of way line of the Union Pacific Railroad Company; thence running southwesterly along the northerly right of way line of the Union Pacific Railroad Company, a distance of Three Hundred (300.0) feet; thence deflecting right 90°00'00" and running northwesterly a distance of Two Hundred Fifty Two and Forty Eight Hundredths (252.48) feet, to the ACTUAL point of beginning; thence deflecting left 90°57'15" and running southwesterly a distance of One Hundred Sixty Six and Nineteen Hundredths (166.19) feet, to the Point Of Termination, said tract containing 0.076 acres more or less.

EXHIBIT 'A'

Date : April 16, 2007

Sheet No. 1 Of 1



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item E6

**Public Hearing Concerning Acquisition of Ingress/Egress
Easement - 1910 & 1916 S Locust St - Sax's Pizza of America, Inc.**

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

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: May 22, 2007

Subject: Public Hearing and Approving Acquisition of
Ingress/Egress Easement at 1910 & 1916 S Locust Street,
Lot 1 and Lot 2 of Sax's Second Subdivision (Sax's
Pizza of America, Inc.)

Item #'s: E-6 & G-13

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

Background

Council action is necessary for the City of Grand Island to acquire Ingress/Egress Easements.

Discussion

A shared driveway was built as part of the construction project on Locust Street from Stolley Park Road to Fonner Park Road. An Ingress/Egress easement was overlooked at that time, but is needed to allow the driveway to be shared as intended.

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 Ingress/Egress 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 Ingress/Egress Easement.

Sample Motion

Motion to approve the acquisition of the Ingress/Egress Easement in the amount of one dollar.

SAX'S 2ND

LOT 2

INGRESS/ EGRESS
EASEMENT ON LOT 2

INGRESS/ EGRESS
EASEMENT ON LOT 1

SUB.

LOT 1

STOLLEY PARK RD.

LOCUST ST



EXHIBIT "A"



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item F1

**#9119 - Consideration of Change of Zoning for Land Located at
3425 State Street from CD Commercial Development to Amended
CD Commercial Development**

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

Staff Contact: Chad Nabity

ORDINANCE NO. 9119

An ordinance rezoning a certain tract of land within the zoning jurisdiction of the City of Grand Island; changing the land use classification of a tract of land consisting of Lot One (1), Conestoga North Twelfth Subdivision, in the City of Grand Island, Hall County, Nebraska, from CD Commercial Development to Amended CD Commercial Development; directing the such zoning change and classification be shown on the Official Zoning Map of the City of Grand Island; amending the provisions of Section 36-44; and providing for publication and an effective date of this ordinance.

WHEREAS, the Regional Planning Commission on May 2, 2007, held a public hearing and made a recommendation on the proposed zoning of such area; and

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

WHEREAS, after public hearing on May 22, 2007, the City Council found and determined the change in zoning be approved and made; and

WHEREAS, the owners of the property have requested amendments to final development plan as approved for Lot One (1) of Conestoga North Twelfth Subdivision; and

WHEREAS, those amendments have been agreed upon in an approved subdivision agreement.

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

SECTION 1. The following tract of land is hereby rezoned, reclassified and changed from CD Commercial Development to Amended CD Commercial Development:

ORDINANCE NO. 9119 (Cont.)

A tract of land comprising all of Lot One (1), Conestoga North Twelfth Subdivision, in the City of Grand Island, Hall County, Nebraska, containing 8.485 acres, more or less.

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

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

Enacted: May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G1

Approving Minutes of May 8, 2007 City Council Regular Meeting

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

May 8, 2007

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on May 8, 2007. Notice of the meeting was given in *The Grand Island Independent* on May 2, 2007.

Mayor Margaret Hornady called the meeting to order at 7:00 p.m. The following City Council members were present: Councilmember's Walker, Nickerson, Gericke, Brown, Gilbert, Whitesides, Haase, and Meyer. The following City Officials were present: City Clerk RaNae Edwards, City Attorney Dale Shotkoski, Finance Director David Springer, and Public Works Director Steve Riehle.

INVOCATION was given by Pastor Vern Rice, Independent Bethel Baptist Church, 1223 East 6th Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Hornady acknowledged Community Youth Council members Jeff Seim and Sarah Kuta.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Employee Health and Fitness Week" May 13-19, 2007. Mayor Hornady proclaimed May 13-19, 2007 as "Employee Health and Fitness Week". Jenny Roush with St. Francis Medical Center and Tina Whited with McCain Foods were present to receive the proclamation.

Proclamation "Hall County 150 Celebration" May through December, 2007. Mayor Hornady proclaimed May through December, 2007 as "Hall County 150 Celebration". Trish Beam, Liz Gerberding, Steve Fosselman, Joe Black, Carl Mayhew, and Sharon Hughes were present to receive the proclamation.

ORDINANCES:

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

- #9115 – Consideration of Change of Zoning for Land Located at 1822 and 1824 East 7th Street from M-2 Heavy Manufacturing to R-4 High Density Residential
- #9116 – Consideration of Change of Zoning for Land Located at 4106 West Stolley Park Road from LLR – Large Lot Residential to B-2 General Business
- #9117 – Consideration of Amending Chapter 18 of the Grand Island City Code Relative to Gas
- #9118 – Consideration of Amending Chapter 26 of the Grand Island City Code Relative to Plumbing

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

Chad Nabity, Regional Planning Director reported Ordinances #9115 and #9116 were read on first reading only at the April 24, 2007 City Council meeting.

Craig Lewis, Building Department Director reported that Ordinances #9117 and #9118 were read on first reading only at the April 24, 2007 City Council meeting.

Motion by Meyer, second by Brown to approve Ordinances #9115, #9116, #9117, and #9118 on second and final reading. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #9115, #9116, #9117, and #9118 on second reading and final passage. All those in favor of the passage of these ordinances on second reading and final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady: By reason of the roll call votes on second reading and then upon final passage, Ordinances #9115, #9116, #9117, and #9118 are declared to be lawfully adopted upon publication as required by law.

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

Receipt of Official Document – Tort Claim Filed by Sheri S. Chandler.

Approving Minutes of April 24, 2007 City Council Regular Meeting.

Approving Request of Linda Sands, 1004 West 12th Street for Liquor Manager Designation for the Fraternal Order of Eagles #378, 213 North Sycamore Street.

#2007-103 – Approving Final Plat and Subdivision Agreement for Cooper Subdivision. It was noted that John and Tammy Dearing, owners, had submitted the Final Plat for Cooper Subdivision located on a tract of land comprising all of Lot Four (4), Block Ninety-three (93), Original Town consisting of approximately 0.200 acres for the purpose of creating 2 lots.

#2007-104 – Approving Severance Agreement with the Northwest Baseball/Softball Association.

#2007-105 – Approving Consultant Contract for Nebraska Children and Families Foundation Grant with Diann Muhlbach in an Amount not to exceed \$19,445.04.

#2007-106 – Approving Subordination Agreement for 510 East 4th Street (Danny and Sarah Anson).

#2007-107 – Approving Subordination Agreement for 1009 North Cherry Street (Brent Lloyd and Vicki Guadalupe Lloyd, divorced).

#2007-108 – Approving Change Order No. 11 for the Law Enforcement Center with Chief Construction of Grand Island, Nebraska in an Amount of \$2,273.62.

#2007-109 – Approving 2007 High Intensity Drug Trafficking Area (HIDTA) Grant with the Nebraska State Patrol in an Amount of \$54,892.00.

#2007-110 – Approving Continuation of Sanitary Sewer District No. 523, Lots 1-8 and 22-31 of Westwood Park 2nd Subdivision.

#2007-111 – Approving Designating the North Side of Capital Avenue between Independence Avenue and Macron Street as No Parking.

SPECIAL ITEMS:

Motion by Meyer, second by Gericke to adjourn to executive session at 7:20 p.m. for the purpose of discussing Northwestern Gas Rate Negotiations and federal litigation regarding the Groene vs. Seng et al case. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION:

Motion by Meyer, second by Whitesides to return to regular session at 7:45 p.m. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Gilbert, second by Haase to approve the Claims for the period of April 25, 2007 through May 8, 2007, for a total amount of \$2,725,633.20. Motion adopted unanimously.

Motion by Nickerson, second by Haase to approve the following Claims for the Library Expansion for the period of April 25, 2007 through May 8, 2007:

#68	\$257,705.64
#69	2,950.00
#70	640.00

Motion adopted unanimously.

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

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G2

Approving Appointments of Dianne Miller, Robert Niemann, and Scott Eriksen to the Interjurisdictional Planning Commission (Merrick County)

The Mayor has submitted the re-appointments of Dianne Miller and Robert Niemann to the Interjurisdictional Planning Commission Board (Merrick County). These appointments would become effective May 25, 2007 upon approval by City Council and would expire on May 23, 2008.

The Mayor has also submitted the appointment of Scott Eriksen to the Interjurisdictional Planning Commission Board (Merrick County) to replace Tom Brown. This appointment would become effective immediately upon approval by City Council and would expire on May 23, 2008.

Approval is recommended.

Staff Contact: Mayor Margaret Hornady



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G3

Approving Appointments of Bryon Wheeler, Hugh Miner, and Roy Neneman to the Business Improvement District #4 Board

The Mayor has submitted the re-appointments of Bryon Wheeler, Hugh Miner, and Roy Neneman to the Business Improvement District No. 4 Board. These appointments would become effective June 1, 2007 upon approval by City Council and would expire on May 31, 2009. Approval is recommended.

Staff Contact: Mayor Margaret Hornady



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G4

**Approving Request of Susan McAfee, 1863 7th Avenue,
Dannebrog, Nebraska for Liquor Manager Designation for Pump
& Pantry #15, 2028 East Highway 30**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: May 22, 2007

Subject: Request of Susan McAfee, 1863 7th Avenue, Dannebrog, Nebraska for Liquor Manager Designation for Pump & Pantry #15, 2028 East Highway 30

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-16782 Liquor Licenses for Pump & Pantry #15 located at 2028 East Highway 30.

This application has been reviewed by the Police Department and City Clerk's Office.

Discussion

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

Alternatives

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

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

Recommendation

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

Sample Motion

Move to approve the request of Susan McAfee, 1863 7th Avenue for Liquor Manager Designation in conjunction with the Class “B-16782” Liquor License for Pump & Pantry #15, 2028 East Highway 30 with the stipulation that Ms. McAfee complete a state approved alcohol server/seller training program.



INTEROFFICE
MEMORANDUM
Police Department

*Working Together for a
Better Tomorrow. Today.*

DATE: May 10, 2007

TO: RaNae Edwards, City Clerk

FROM: Dave Vitera, Sergeant, Police Department

RE: Liquor Manager Designation – Pump and Pantry #15,
2028 East Highway 30, Grand Island, NE 68801
Susan McAfee

The Grand Island Police Department has received a request for Liquor Manager Designation for Pump and Pantry #15, 2028 East Highway 30, Grand Island, NE 68801 in the name of Susan McAfee.

Ms. McAfee has 4 undisclosed speeding convictions, making her application technically false according to the Nebraska Liquor Control Action. However, since McAfee's violations didn't rise to the level of a Class I Misdemeanor, they would not cause her application to be automatically excluded.

Therefore, it is the Police Department's recommendation to approve the Liquor Manager Designation for Susan McAfee.

DV/rk *Dave Vitera*

05/08/07
13:02

Grand Island Police Dept.
LAW INCIDENT TABLE

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Page: 1

City : Grand Island
Occurred after : 12:47:37 05/08/2007
Occurred before : 12:47:37 05/08/2007
When reported : 12:47:37 05/08/2007
Date disposition declared : 05/08/2007
Incident number : L07051242
Primary incident number :
Incident nature : Liquor Lic Inv Liquor License Investigation
Incident address : 2028 Hwy 30 E
State abbreviation : NE
ZIP Code : 68801
Contact or caller :
Complainant name number :
Area location code : PCID Police - CID
Received by : Vitera D
How received : T Telephone
Agency code : GIPD Grand Island Police Department
Responsible officer : Vitera D
Offense as Taken :
Offense as Observed :
Disposition : CLO Closed Case
Misc. number : printed
Geobase address ID :
Long-term call ID :
Clearance Code : CL Case Closed
Judicial Status : NCI Non-criminal Incident

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	51767	05/08/07	Pump & Pantry, #15	Business
NM	94953	05/08/07	McAfee, Susan R	Liquor Manager

LAW INCIDENT NARRATIVE:

Investigation for Liquor Manager Designation

LAW INCIDENT RESPONDERS DETAIL:

Se	Responding offi	Unit n	Unit number
1	Vitera D	318	Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	12:59:35 05/08/2007

Grand Island Police Department

05/08/07
13:02

Grand Island Police Dept.
LAW INCIDENT TABLE

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Page: 2

Supplemental Report

I received a copy of a request for Susan R. McAfee to be the Liquor Manager at the Pump and Pantry #15. I checked McAfee through Spillman, and she doesn't have any violations. I also checked her through NCJIS which shows her to have four convictions for speeding.

The application clearly asks, "Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any charge?" It further states that a charge includes federal, state, "local law, ordinance, or resolution." The "No" box was checked.

McAfee's four undisclosed speeding convictions technically makes the application false according to the Nebraska Liquor Control Act Part II Rules and Regulations, Chapter 2 Requirements for Licensees, .010.01 Falsification of Application. It states:

"No applicant for a liquor license, or partner, principal, agent or employee of any applicant for a liquor license shall provide false or misleading information to the Nebraska Liquor Control Commission, its executive director, or employees. Any violation of this provision may result in denial of application for a liquor license or, in the event that a license has already been issued, suspension, cancellation or revocation of such license."

According to the Nebraska Liquor Control Act (Part I, Article I, [D] Licenses, Issuance and Revocation- 53-125 "Classes of persons to whom no license issued"

"No license of any kind shall be issued to...(5) a person who has been convicted of or has pleaded guilty to any Class I misdemeanor pursuant to Chapter 28, article 3, 4, 7, 8, 10, 11 or 12, or any similar offense under a prior criminal statute or in another state..." Since McAfee's violations didn't rise to the level of a Class I Misdemeanor, they would not cause her application to be automatically excluded.

It's the Police Department's recommendation to approve the Liquor Manager Designation for Susan McAfee.

Date, Time: Tue May 08 13:00:03 CDT 2007
Reporting Officer: Vitera
Unit #: 835



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G5

**#2007-112 - Approving the Semi-Annual Report by the Citizens'
Review Committee on the Economic Development Program Plan**

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

Staff Contact: Marlon Ferguson, EDC President

RESOLUTION 2007-112

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

WHEREAS, a public hearing on the report submitted by the Citizens Advisory Review Committee was held at a regular session of the Grand Island City Council on May 22, 2007; and

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

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 17, 2007	☐ City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G6

#2007-113 - Approving Acquisition of Utility Easement Located on the West Side of the Riverbend Apartments Development Project on Husker Highway - Schoel

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

Staff Contact: Gary R. Mader; Wesley Nespor

RESOLUTION 2007-113

WHEREAS, a public utility easement is required by the City of Grand Island, from Jerome K. Schoel and Brenda L. Schoel, Husband and Wife, to install, upgrade, maintain, and repair public utilities and appurtenances; and

WHEREAS, a public hearing was held on May 22, 2007, for the purpose of discussing the proposed acquisition of an easement located in a part of the East Half of the Southeast Quarter (E ½ SE ¼) of Section Twenty Five (25), Township Eleven (11) North, Range Ten (10), West of the 6th P.M., now known as part of Lot Three (3) Pedcor Subdivision and Lot One (1) and Lot Two (2), Pedcor Second Subdivision in the City of Grand Island, Hall County, Nebraska, the utility easement being more particularly described as follows:

The westerly twenty (20.0) feet of Lot Three (3) Pedcor Subdivision and the westerly thirty (30.0) feet of Lot One (1) and the westerly thirty (30.0) feet of Lot Two (2) Pedcor Subdivision.

The above-described easement and right-of-way containing a total of 1.216 acres, more or less, as shown on the plat dated April 26, 2007, marked Exhibit "A", attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Jerome K. Schoel and Brenda L. Schoel, Husband and Wife, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	<input type="checkbox"/>	_____
May 17, 2007	<input type="checkbox"/>	City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G7

**#2007-114 - Approving Bid Award - Hook Lift Truck with
Flatbed - Underground Division, Utilities Department**

Staff Contact: Gary R. Mader; Wesley Nespor

Council Agenda Memo

From: Gary R. Mader, Utilities Director
Wesley Nespor, Asst. City Attorney/Purchasing

Meeting: May 22, 2007

Subject: Bid Award – Hook Lift Truck with Flatbed – Underground Division,
Utilities Department

Item #'s: G-7

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

Background

The Utilities Department budgeted in '06 – '07 to replace a 1970 flatbed, dump bed truck in the Electric Underground Division. The replacement vehicle is one that can use several different beds on the same chassis. The new truck would give the Underground Division flexibility in its usage and is much safer than the existing truck. The bed length is increased from 12' to 14' while the GVW rating is increased from 24,000 to 52,000 lbs.

The configuration to use different truck beds is referred to as the hook-lift system. For example, it would allow for the bed and wire rack to be placed on the ground when reloading reels of cable, allowing personnel to be farther away from the reels as they are loaded in place on the racks. The large spools weigh up to 2,400 lbs.

A variety of beds and boxes can be used to reduce labor when changing sizes of cable for different projects. A dump box would be used for snow removal in the winter and to haul rock for bedding underground vaults at other times.

The truck will also be used to haul the larger three-phase power transformers and concrete cable vaults.

Discussion

Specifications were written for a truck with the hook lift system, and sent to six possible bidders as well as advertising according to the City Purchasing Code.

Bids were opened at the advertised time of 11:00 a.m. on Thursday, May 3, 2007. Bids were received from five different bidders, two bidders gave five alternate bids, one gave one alternate and two gave just one bid for a total of 16 prices.

<i>Bid #</i>	<i>Bid with Trade-In</i>	<i>Bidder</i>	<i>Make of Truck</i>	<i>Make of Lift</i>
1	\$106,800.00	Hansen International	International 7500	Stellar – 138-18-32
2	\$108,380.00	Nebraska Truck	Freightliner M2	Hook All-HA300-140-61
3	\$108,910.00	Nebraska Truck	Freightliner M2	Swap Loader SL-330
4	\$108,993.00	Wicks	Sterling LT7501	Swap Loader SL-330
5	\$109,650.00	Hansen International	International 7500	Hook All-HA300-140-61
6	\$110,180.00	Hansen International	International 7500	Swap Loader SL-330
7	\$110,640.00	Nebraska Truck	Sterling Acterra	Hook All-HA300-140-61
8	\$110,700.00	Hansen International	International 7500	Galbreath-U-30-HK
9	\$111,170.00	Nebraska Truck	Sterling Acterra	Swap Loader SL-330
10	\$111,625.00	Nebraska Truck	Freightliner M2	Swap Loader SL-330
11	\$112,200.00	Hansen International	International 7500	Galbreath-U-40-HK
12	\$112,950.00	Hansen International	International 7500	Swap Loader SL-330
13	\$112,950.00	Cornhusker Intern.	International-7400	Hook All-HA300-140-61
14	\$113,885.00	Nebraska Truck	Sterling Acterra	Swap Loader SL-330
15	\$115,901.96	Nebraska Peterbuilt	Peterbuilt-340	Hook All-HA300-140-61
16	\$116,431.96	Nebraska Peterbuilt	Peterbuilt-340	Swaploader-SL-330

Evaluation of the bids :

Two of the hook lift manufacturers, Swap Loader SL-330 and Galbreath-U-40-HK meet specifications, the other two do not. All truck manufacturers have some minor exceptions to the specifications. Those exceptions are minor and are acceptable by the Department.

The evaluation shows the lowest compliant bid is from Nebraska Truck, #3 in the above table, with a Freightliner M2 Chassis, and a Swap Loader SL-330 hook lift.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the purchase of the Hook Lift Truck with Flatbed from Nebraska Truck of Grand Island as the low compliant bidder, in the amount of \$108,910.00, including trade-in.

Sample Motion

Motion to approve the purchase of the Freightliner M2 Chassis, Swap Loader SL-330 hook lift and LCL body from Nebraska Truck of Grand Island, Nebraska in the amount of \$108,910.00, including trade-in.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

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Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: May 3, 2007 at 11:00 a.m.

FOR: 2007 Truck – Complete Hook Lift Truck with Flatbed

DEPARTMENT: Utilities

ESTIMATE: \$185,000.00

FUND/ACCOUNT: 520

PUBLICATION DATE: April 10, 2007

NO. POTENTIAL BIDDERS: 6

SUMMARY

Bidder:	<u>Cornhusker International Truck, Inc.</u> Lincoln, NE	<u>Omaha Standard Truck, Inc.</u> Council Bluffs, IA
Bid Security:	Universal Underwriters Ins. Co.	Merchants Bonding Co.
Exceptions:	Noted	Noted

Chassis:	International	
Hook System:	Hook-All	Stellar
Base Bid Price:	\$112,950.00	\$ 30,100.00
Less Trade-In:	<u>-0- -</u>	<u>-0- -</u>
Net Price:	\$112,950.00	\$ 30,100.00

Bidder:	<u>Nebraska Truck Center, Inc.</u> Grand Island, NE		
Bid Security:	\$5,470.50		
Exceptions:	Noted		
Chassis:	Freightliner		
Hook System:	Swaploader	Hook-All	Swaploader
Base Bid Price:	\$109,410.00	\$108,880.00	\$112,125.00
Less Trade-In:	<u>500.00</u>	<u>500.00</u>	<u>500.00</u>

Net Price:	\$108,910.00	\$108,380.00	\$111,625.00
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Bidder:	<u>Nebraska Truck Center, Inc.</u> Grand Island, NE
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Bid Security:	\$5,583.50
Exceptions:	Noted

Chassis:	Sterling		
Hook System:	Swaploader (LCL)	Hook-All	Swaploader
Base Bid Price:	\$111,670.00	\$111,140.00	\$114,385.00
Less Trade-In:	<u>500.00</u>	<u>500.00</u>	<u>500.00</u>

Net Price:	\$111,170.00	\$110,640.00	\$113,885.00
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Bidder:	<u>Wick's Sterling Trucks, Inc.</u> Omaha, NE	<u>Nebraska Peterbilt</u> Grand Island, NE
Bid Security:	Employers Mutual Casualty Co.	\$5,795.10
Exceptions:	Noted	Noted

Chassis:	Sterling 2008	Peterbilt	
Hook System:	Swaploader	Hook-All	Swaploader
Base Bid Price:	\$110,643.00	\$118,901.96	\$119,431.96
Less Trade-In:	<u>1,650.00</u>	<u>3,000.00</u>	<u>3,000.00</u>

Net Price:	\$108,993.00	\$115,901.96	116,431.96
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Bidder:	<u>Hansen International Truck, Inc.</u> Grand Island, NE
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Bid Security:	\$5,500.00
Exceptions:	Noted

Chassis:	International		<u>Options – Add to Base Bid Price</u>
Hook System:	Stellar	Hook-All	\$2,850.00
Base Bid Price:	\$110,300.00	Swaploader	\$3,380.00
Less Trade-In:	<u>3,500.00</u>	Galbreath	\$3,900.00
		Galbreath	\$5,400.00
Net Price:	\$106,800.00	Swaploader	\$6,095.00

cc: Gary Mader, Utilities Director
Pat Gericke, Utilities Admin. Assist.
Wes Nespor, Assist. City Attorney

Bob Smith, Assist. Utilities Director
Dale Shotkoski, City Attorney
Sherry Peters, Legal Secretary

RESOLUTION 2007-114

WHEREAS, the City of Grand Island invited sealed bids for a Hook Lift Truck with Flatbed, according to plans and specifications on file with the Utilities Department; and

WHEREAS, on May 3, 2007, bids were received, opened and reviewed; and

WHEREAS, Nebraska Truck, of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$108,910.00; and

WHEREAS, Nebraska Truck's bid is less than the estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Nebraska Truck, of Grand Island, in the amount of \$108,910.00 for a Hook Lift Truck with Flatbed is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G8

**#2007-115 - Approving Bid Award - Turbine Generator Inspection
and Repair - Platte Generating Station**

Staff Contact: Gary R. Mader; Wesley Nespor

Council Agenda Memo

From: Gary R. Mader, Utilities Director
Wesley Nespor, Asst. City Attorney/Purchasing

Meeting: May 22, 2007

Subject: Turbine Generator Inspection and Repair

Item #'s: G-8

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

Background

A major inspection and overhaul of the turbine generator at the Platte Generating Station is performed every five years. The next overhaul is scheduled for Fall of this year. During this inspection, the turbine generator is completely disassembled and all components are cleaned, inspected, repaired or replaced as necessary. Specifications were developed by the plant maintenance staff to include all labor to open, inspect, clean, and close the turbine and the generator, with the City to supply all parts and materials. Included in the bid are technical support and 500 hours of repair labor for bearings, steam nozzles, turbine rotor blades, and generator parts. The Specifications include a composite hourly rate for additions or reductions in the repair labor amount as the amount of actual work is not known until the unit is disassembled and inspected.

Discussion

The specifications for the Turbine Generator Inspection and Repair were issued for bid and responses were received from the following bidders. The engineer's estimate for this project was \$700,000.00.

Bidder	Bid Price
NAES Turbine Services	\$443,072.00
Elliott Company	\$558,349.00
Power Generation Service, Inc.	\$589,130.00
Pro Energy Services, LLC	\$694,430.00
Mechanical Dynamics & Analysis, LTD	\$713,030.00

Department Staff reviewed the bids for compliance with the City's detailed specifications. The bid of NAES Turbine Services is compliant with those specifications.

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 presented in this motion

Recommendation

City Administration recommends that the Council award the bid to NAES Turbine Services from Houston, Texas, as the low responsive bidder, with the bid price of \$443,072.00.

Sample Motion

Motion to approve the bid of \$443,072.00 from NAES Turbine Services for the Turbine Generator Inspection and Repair as submitted.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: May 8, 2007 at 11:00 a.m.

FOR: Turbine Generator Inspection & Repair

DEPARTMENT: Utilities

ESTIMATE: \$700,000.00

FUND/ACCOUNT: 520

PUBLICATION DATE: March 30, 2007

NO. POTENTIAL BIDDERS: 8

SUMMARY

Bidder:	<u>Pro Energy Services, LLC</u> Sedalia, MO	<u>Mechanical Dynamics & Analysis, LTD</u> Latham, NY
Bid Security:	Western Surety Company	RLI Insurance Company
Exceptions:	Noted	None
Base Bid Price:	\$649,000.00	\$685,580.00
Sales Tax:	<u>n/a</u>	<u>n/a</u>
Total Bid:	\$649,000.00	\$685,580.00
Bidder:	<u>Elliott Company</u> Jeannette, PA	<u>Power Generation Service, Inc.</u> Anoka, MN
Bid Security:	Vigilant Insurance Company	Travelers Casualty & Surety Co.
Exceptions:	None	Noted
Base Bid Price:	\$557,649.00	\$589,060.00
Sales Tax:	<u>700.00</u>	<u>70.00</u>
Total Bid:	\$558,349.00	\$589,130.00

Bidder:	<u>NAES Turbine Services</u> Huston, TX
Bid Security:	Western Surety Company
Exceptions:	Noted
Base Bid Price:	\$442,330.00
Sales Tax:	<u>742.00</u>
Total Bid:	\$443,072.00

cc: Gary Mader, Utilities Director
Karen Nagel, Utilities Secretary
Wes Nesper, Assistant City Attorney

Bob Smith, Assist. Utilities Director
Dale Shotkoski, Purchasing Agent
Sherry Peters, Legal Secretary

P1162

RESOLUTION 2007-115

WHEREAS, the City of Grand Island invited sealed bids for Turbine Generator Inspection & Repair, according to plans and specifications on file with the Platte Generating Station of the Utilities Department; and

WHEREAS, on May 8, 2007, bids were received, opened and reviewed; and

WHEREAS, NAES Turbine Services, of Houston, Texas, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$443,072.00; and

WHEREAS, NAES Turbine Service's bid is less than the estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of NAES Turbine Services, of Houston, Texas, in the amount of \$443,072.00 for Turbine Generator Inspection & Repair is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G9

#2007-116 - Approving Right of Entry Agreement between the City of Grand Island and Poland Oil (Sapp Brothers) Hwy. 281 & Capital Avenue

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Gary R. Mader, Utilities Director

Meeting: May 22, 2007

Subject: Right-of-Entry Agreement – Poland Oil, Inc., a Nebraska Corporation

Item #'s: G-9

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

Background

The Public Works Department of the City is in the process of obtaining property values through appraisers to establish the fair value of the right-of-way needed for the expansion of Capital Avenue on both sides of Highway 281. The process is time consuming and will not be completed until later this year.

Discussion

The Utilities Department has a need to enter the property of Poland Oil, Inc., a Nebraska Corporation, to install a single power pole and an east-west double circuit overhead line across the property.

When the Capital Avenue widening project is done, this pole line will be located in the expanded right-of-way needed to accommodate the road improvement project. But that right-of-way is not now available. The Utilities Department has contacted the property owner in order to make arrangements to proceed with the necessary line construction at this time, rather than waiting until all new right-of-way acquisition is done. This would allow Utilities to complete their work prior to the actual road construction beginning, and thereby reduce congestion during the road improvement project.

The Legal Department has reviewed the agreement and does not feel it will damage the negotiating position of either the City or Poland Oil. There is no cost to either party for this agreement.

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 Right of Entry Agreement between the City of Grand Island, and Poland Oil, Inc., a Nebraska Corporation.

Sample Motion

Motion to approve the Right of Entry Agreement between the City of Grand Island and Poland Oil, Inc.

RIGHT OF ENTRY AGREEMENT

THIS AGREEMENT entered into this 15th day of May, 2007, by and between The City of Grand Island, Nebraska, hereinafter called the "Grantee" and POLAND OIL, INC., n/k/a SAPP BROS. PETROLEUM, INC., a Nebraska business corporation, hereinafter called the "Grantor", whether one or more.

WHEREAS, the Grantee is in the process of negotiating for the acquisition of easements on certain real estate owned by the Grantor, and the right to enter upon such real estate is immediately needed by the Grantee.

The Grantee is in the process of constructing a new roadway, and the Grantee needs the right to enter upon the Grantor's property for the purpose of beginning utility relocations. **A new overhead power line will be constructed east-west across the property approximately 12' north of the existing property line or at the south end of the existing fuel canopy. A new power pole will be set in the southeast corner of the property approximately 37' west of the centerline of the St. Patrick Avenue.**

Upon execution of this Agreement, the Grantee, its agents, employees and all persons contracting with the Grantee and their employees, may make immediate entry upon said premises; provided, however, that such entry shall in no way interfere with the Grantor's ongoing business operations. Such entry shall include the right to temporarily store materials, excavate and refill a trench, drive construction equipment, and perform other activities necessary to construct said project; provided, however, that such entry shall in no way interfere with the Grantor's ongoing business operations. Grantor and Grantee agree to cooperate in good faith with respect to the purposes and performance of the terms of this Agreement.

This Right of Entry Agreement terminates thirty (30) days after the project is completed or on July 31, 2007, whichever occurs first; and is granted upon the condition that the Grantee will cause the area disturbed under this easement to be restored upon completion of construction.

NOW THEREFORE, in consideration of the mutual promises and covenants granted hereunder and subject to the foregoing restrictions, the Grantor hereby grants to the Grantee the right to enter upon the following described real estate:

SEE ATTACHED EXHIBIT "A"


That said Grantor for himself, itself or themselves and his or their heirs, executives, administrators and assigns, does or do confirm upon said Grantee and its assigns, that he, they or it is or are Grantors of the above described property and that he, they or it has or have the right to grant and convey this Right of Entry in the manner and form aforesaid and that he, they or it will and his or their heirs, executives, administrators and assigns shall warrant and defend this Right of Entry to said Grantee and its assigns against the lawful claims and demands of all persons.

It is further understood that this agreement shall in no way constitute a waiver of any lawful claims for the value of the Grantor's property to be acquired or for any other lawful compensable claims incurred by Grantor. Provided that no breach exists with respect to the terms and obligations of this Agreement, no claim for damages for wrongful entry or trespass shall be made by the Grantor against the Grantee on the Real Property which is the subject of this Agreement.

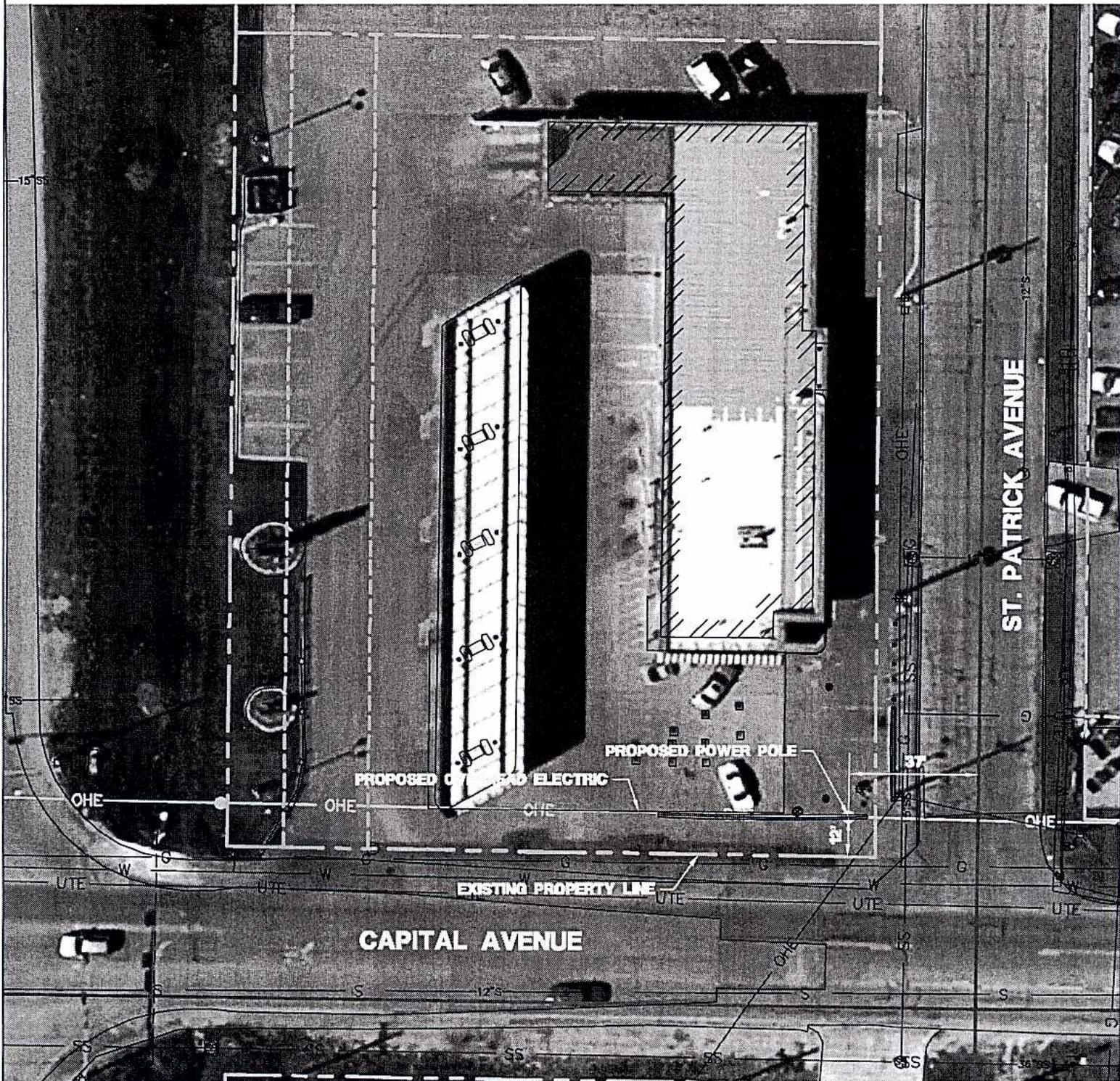
GRANTEE(S):

City of Grand Island, Nebraska

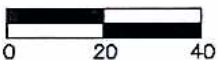
GRANTOR(S): POLAND OIL, INC.,
n/k/a SAPP BROS. PETROLEUM, INC.



Authorized Representative



SCALE: 1" = 40'



SCALE IN FEET

EXHIBIT "A"

MOLSSON
ASSOCIATES

241 East 3rd Street,
P.O. Box 11177
Wilmington, NC 28402-1177

TEL: 361-346-1177
FAX: 361-346-1178
www.molssonassociates.com

RESOLUTION 2007-116

WHEREAS, on July 12, 2005, by Resolution 2005-196, the City Council of the City of Grand Island approved the acquisition of real property for utility easements and right-of-way purposes to widen Capital Avenue from the Moore's Creek Drainway (approximately one-half mile west of U.S. Highway 281) east to Webb Road; and

WHEREAS, it is necessary for the Utilities Department of the City of Grand Island to enter property owned by Poland Oil, Inc., n/k/a Sapp Bros. Petroleum, Inc., to install a single power pole and an east-west double circuit overhead line across the property; and

WHEREAS, a proposed Right of Entry Agreement between the City of Grand Island and Poland Oil, Inc., n/k/a Sapp Bros. Petroleum, Inc., authorizing the use of the city right of entry, for such purposes has been reviewed by the City Attorney's office.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Right of Entry Agreement by and between the City and Poland Oil, Inc., n/k/a Sapp Bros. Petroleum, Inc., authorizing the city's entrance onto the property of Sapp Bros. Petroleum, Inc., to install a single power pole and an east-west double circuit overhead line across the property is hereby approved.

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, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 18, 2007	☐ City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G10

**#2007-117- Approving Discontinuation of Sanitary Sewer District
No. 524, Lots 1-18 & Lots 29-47 of Westwood Park Subdivision**

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

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: May 22, 2007

Subject: Approving Discontinuation of Sanitary Sewer No. 524, Lots 1-18 & Lots 29-47 of Westwood Park Subdivision

Item #'s: G-10

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

Background

Sanitary Sewer District 524 was created by the City Council on April 10, 2007. Legal notice of the creation of the District was published in the *Grand Island Independent* on April 16, 2007. A letter and Frequently Asked Questions sheet was also mailed to all property owners. A public open house was held on May 1, 2007 to explain the details of the project.

Discussion

The district completed the 30-day protest period at 5:00 p.m., Wednesday, May 16, 2007. There were protests filed against this District by 19 abutting property owners. These owners represented 2,256.92 front feet, or 55.65% of the total District frontage of 4,055.73 feet.

Alternatives

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

1. Approve the discontinuation of Sanitary Sewer District 524.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the discontinuation of Sanitary Sewer District 524.

Sample Motion

Move to approve the discontinuation of Sanitary Sewer District 524.

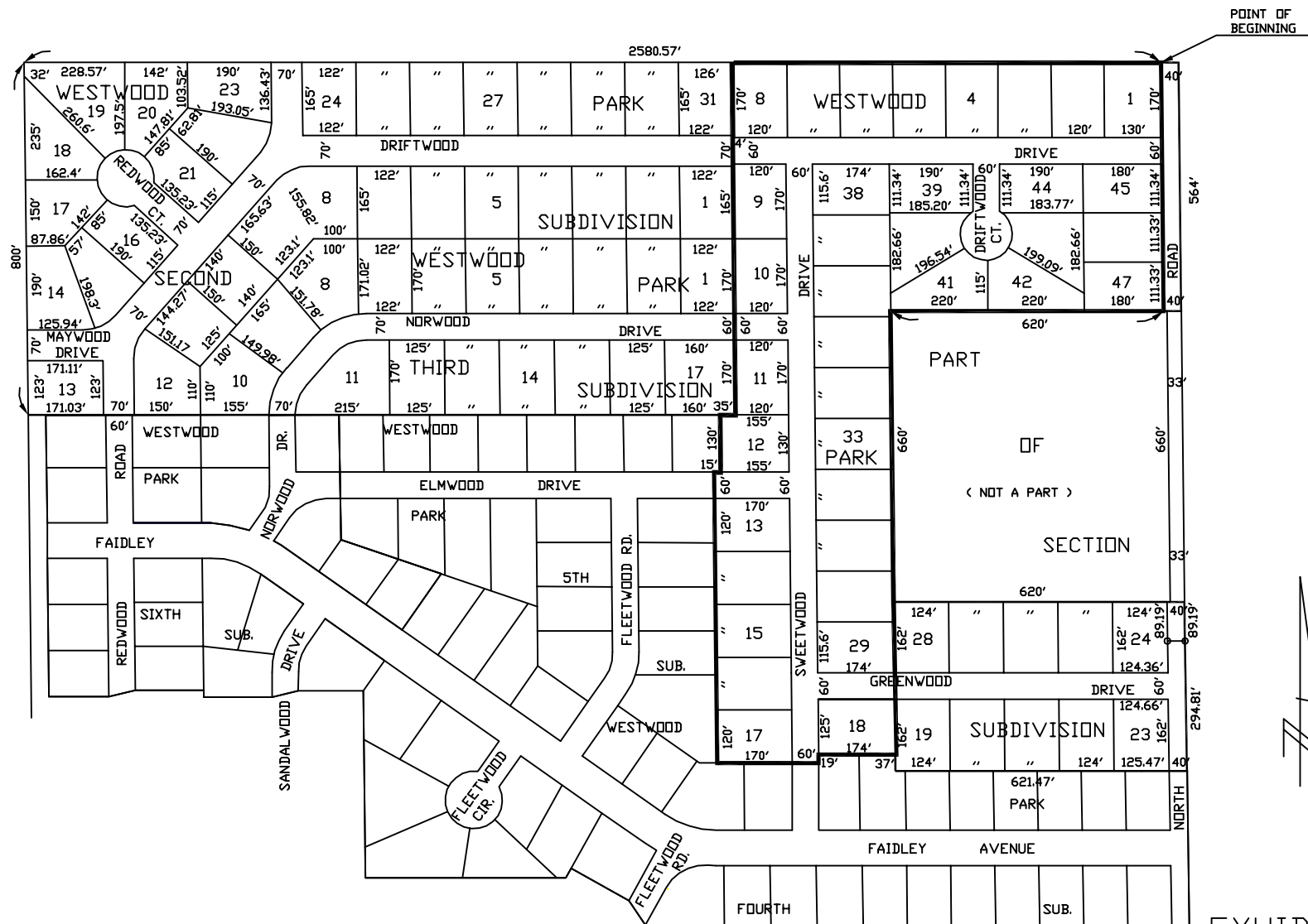


EXHIBIT "A"

CITY OF GRAND ISLAND
PUBLIC WORKS DEPARTMENT

PLAT TO ACCOMPANY
ORDINANCE

SCALE 1"=400' L.D.C. 3-27-07

RESOLUTION 2007-117

WHEREAS, Sanitary Sewer District No. 524, Lots 1-18 and 29-47 of Westwood Park Second Subdivision, was created by Ordinance No. 9113 on April 10, 2007; and

WHEREAS, notice of the creation of such sewer district was published in the Grand Island Independent on April 16, 2007, in accordance with the provisions of Section 16-667.01, R.R.S. 1943; and

WHEREAS, Section 16-667.01, 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 thirty days from the first publication of said notice written objections to such district, said work shall not be done and the ordinance shall be repealed; and

WHEREAS, the protest period ended on May 16, 2007, and protests representing 55.65% of the total District frontage were received.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that sufficient protests have been filed with the City Clerk against the creation of Sanitary Sewer District No. 524, therefore, such district shall be discontinued according to law.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 18, 2007	☐ City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G11

**#2007-118 - Approving Acquisition of Utility Easement - 3356 W
Old Highway 30 - Plaza Square Development, LLC.**

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

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

RESOLUTION 2007-118

WHEREAS, a public sanitary sewer easement is required by the City of Grand Island, from Plaza Square Development, L.L.C., to construct, operate, maintain, extend, repair, replace and remove public utilities, including sanitary sewers, manholes, pipelines, surface markers and other appurtenances through a tract of land consisting of a twenty (20.0) foot wide easement; and

WHEREAS, a public hearing was held on May 22, 2007, for the purpose of discussing the proposed acquisition of an easement located in a part of the Southeast Quarter of the Northeast Quarter (SE¼ NE¼) of Section Twenty Four (24), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in the City of Grand Island, Hall County, Nebraska, the centerline of said Twenty (20.0) foot wide easement being more particularly described as follows:

Beginning at the intersection of the east line of said Southeast Quarter of the Northeast Quarter (SE¼ NE¼), and the northerly right of way line of the Union Pacific Railroad Company; thence running southwesterly along the northerly right of way line of the Union Pacific Railroad Company, a distance of Four Hundred Sixty Six (466.0) feet; thence deflecting right 90°00'00" and running northwesterly a distance of Two Hundred Forty Nine and Seventy Two Hundredths (249.72) feet, to the actual point of beginning; thence deflecting left 90°57'15" and running southwesterly a distance of Four Hundred and Six Hundredths (400.06) feet, to the Point of Termination, said tract containing 0.184 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 sanitary sewer easement from Plaza Square Development, L.L.C., on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 18, 2007	☐ City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G12

**#2007-119 - Approving Acquisition of Utility Easement - 3320 W
Old Highway 30 - Jack D & DeAnne L O'Hara**

This item relates to the aforementioned Public Hearing Item #E-5.

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

RESOLUTION 2007-119

WHEREAS, a public sanitary sewer easement is required by the City of Grand Island, from Jack D. O'Hara and DeAnne L. O'Hara, husband and wife, to construct, operate, maintain, extend, repair, replace and remove public utilities, including sanitary sewers, manholes, pipelines, surface markers and other appurtenances through a tract of land consisting of a twenty (20.0) foot wide easement; and

WHEREAS, a public hearing was held on May 22, 2007, for the purpose of discussing the proposed acquisition of an easement located in a part of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty Four (24), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in the City of Grand Island, Hall County, Nebraska, the centerline of said Twenty (20.0) foot wide easement being more particularly described as follows:

Beginning at the intersection of the east line of said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), and the northerly right of way line of the Union Pacific Railroad Company; thence running southwesterly along the northerly right of way line of the Union Pacific Railroad Company, a distance of Three Hundred (300.0) feet; thence deflecting right 90°00'00" and running northwesterly a distance of Two Hundred Fifty Two and Forty Eight Hundredths (252.48) feet, to the actual point of beginning; thence deflecting left 90°57'15" and running southwesterly a distance of One Hundred Sixty Six and Nineteen Hundredths (166.19) feet, to the Point of Termination, said tract containing 0.076 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 sanitary sewer easement from Jack D. O'Hara and DeAnne L. O'Hara, husband and wife, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 17, 2007	☐ City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G13

**#2007-120 - Approving Acquisition of Ingress/Egress Easement -
1910 & 1916 S Locust St - Sax's Pizza of America, Inc.**

This item relates to the aforementioned Public Hearing Item #E-6.

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

RESOLUTION 2007-120

WHEREAS, property is required by the City of Grand Island, from the owners of Sax's Pizza of America, Inc., located at 1910 and 1916 South Locust Street, for ingress and egress purposes; and

WHEREAS, a public hearing was held on May 22, 2007, for the purpose of discussing the acquisition of the proposed ingress/egress rights-of-way.

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 the tracts of land as described on Exhibit "A" attached hereto, located at 1910 and 1916 South Locust Street for ingress/egress purposes.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 17, 2007	☐ City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G14

**#2007-121 - Approving Proposal from Creative Design Video for
Nebraska H2O Stormwater Awareness Media Campaign**

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

Council Agenda Memo

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

Meeting: May 22, 2007

Subject: Approving Proposal from Creative Design Video for Nebraska H₂O Stormwater Awareness Media Campaign

Item #'s: G-14

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

Background

In 2005, the EPA expanded the “pollutant discharge” portion of the Clean Water Act of 1977 to include storm water runoff from all Nebraska communities with a population over 10,000. Subsequently, the City of Grand Island was designated as a National Pollutant Discharge Elimination System (NPDES) Phase II Storm Water community. The city applied to the Nebraska Department of Environmental Quality (NDEQ) for a storm water permit on July 26, 2005. The NDEQ issued a 5-year storm water permit to the city for the period of January 1, 2006 through December 31, 2010.

A stormwater grant application was approved on October 24, 2006 by the city and submitted to the NDEQ. The grant will help the city carry out the requirements of the City’s Stormwater Management Plan (SWMP). The grant was approved with \$93,807 in grant funds received by the city into account number 25111601-74360. The grant requires a 20% match of either cash or in-kind services such as the Stormwater Technician Wages.

Grant activities are restricted to the Best Management Practices (BMP’s) and seven Minimum Control Measures (MCM’s) identified in the city storm water permit. The seven MCM’s are: 1) education and outreach, 2) public involvement/participation, 3) illicit discharge detection and elimination, 4) construction site storm water runoff control, 5) post-construction storm water management in new development and redevelopment, 6) pollution prevention good housekeeping for municipal operations, and 7) monitoring.

The work plan submitted with the grant targeted elements of the city’s SWMP for the funds. Public Education and Outreach were identified as the priorities in this initial funding period of the stormwater grant. The work plan identified 80% (\$75,045.60) of the total grant for this funding period to be used for public education & outreach, and training of city employees as well as public stakeholders.

This media effort is part of the City’s public education and outreach program that is a requirement of the City’s NPDES general permit to release stormwater to the waters of the state. Creative Design Video will develop and work with the City in implementing a

comprehensive media campaign for the education of the Public on Stormwater issues. This effort is further detailed in the City's SMS4 (Small Municipal Separate Stormwater System) Stormwater Management Plan.

Discussion

On April 24, 2007 the Stormwater Division of the Public Works Department issued a Request for Proposals (RFP) to perform media services regarding the Nebraska H2O Stormwater Awareness Media Campaign. Two firms visited with city staff regarding the RFP and one of those firms (Creative Design Video) submitted a proposal.

The proposal from Creative Design Video addresses the items outlined in the RFP and the stormwater grant work plan. The total estimated amount of \$58,125 in Creative Design Video's proposal falls within the estimated budget in accordance with the city's stormwater grant work plan.

Alternatives

1. Make a motion to approve the proposal from Creative Design Video with work to be performed at actual cost with a maximum of \$58,125.00.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the council approve the proposal from Creative Design Video with work to be performed at actual cost, not to exceed \$58,125.00

Sample Motion

Move to approve the proposal from Creative Design Video.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL
FOR
NEBRASKA STORMWATER AWARENESS MEDIA CAMPAIGN**

RFP DUE DATE: May 11, 2007 at 4:00 p.m.

DEPARTMENT: Public Works

PUBLICATION DATE: April 24, 2007

NO. POTENTIAL BIDDERS: 2

SUMMARY OF PROPOSALS RECEIVED

Creative Design Video
Omaha, NE

cc: Steve Riehle, Public Works Director
Gary Willard, Public Works
Dale Shotkoski, City Attorney
Sherry Peters, Legal Secretary

David Springer, Finance Director
Catrina Delosh, PW Admin. Assist.
Wes Nespor, Assist. City Attorney

P1167

RESOLUTION 2007-121

WHEREAS, in 2005, the EPA expanded the “pollutant discharge” portion of the Clean Water Act of 1977 to include storm water runoff from all Nebraska communities with a population over 10,000; and

WHEREAS, the City of Grand Island has been designated as a National Pollutant Discharge Elimination System (NPDES) Phase II Stormwater community; and

WHEREAS, on October 24, 2006, by Resolution No. 2006-316, the City Council approved a grant application to the Nebraska Department of Environmental Quality to carry out the requirements of the city’s storm water management plan; and

WHEREAS, eighty percent of the total grant is to be used for public education and outreach, and training of city employees as well as public stakeholders; and

WHEREAS, on April 24, 2007, the Stormwater Division of the Public Works Department invited proposals to perform media services regarding the Nebraska H2O Stormwater Awareness Media Campaign; and

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

WHEREAS, Creative Design Video, submitted a proposal in accordance with the terms of the request for proposals and all statutory requirements contained therein and the City Procurement Code, such proposal being for work to be performed at actual cost not to exceed \$58,125.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of Creative Design Video, for media services regarding the Nebraska H2O Stormwater Awareness Media Campaign in an amount not to exceed \$58,125.00 is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

Approved as to Form	<input type="checkbox"/>	_____
May 18, 2007	<input type="checkbox"/>	City Attorney

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G15

#2007-122 - Approving Tree Grinding Services from December 2006 Ice Storm with O'Neill Wood Resources

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

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: May 22, 2007

Subject: Approving Tree Grinding Services from December Ice Storm with O'Neill Wood Resources

Item #'s: G-15

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

Background

Ice storms on December 20th, 30th and 31st damaged numerous trees throughout central Nebraska. Streets Division crews began the cleanup work picking up trees from within street right-of-way on Thursday, December 21, 2006. Trees that were in the street or placed near the curb by adjacent property owners were taken by Streets Division employees and trucks to the snow stockpile site on East US Highway 30 (future Fire Training Center property). On January 1st, cleanup work resumed following the 2nd storm. On January 2nd, a truck and employees from the Waste Water Division joined in the cleanup efforts. Streets Division cleanup efforts were essentially completed on January 30, 2007. All of the work of picking up of trees damaged in the ice storms was performed by city crews.

Since the stockpile site is also used for piling snow, the tree pile needed to be reduced in size to allow for room to pile snow. The reduction in volume is eligible for reimbursement by the Federal Emergency Management Agency (FEMA) because it facilitates proper disposal of the tree debris from the storms. The grindings will be screened to pull out fines before being hauled to the Waste Water Treatment Plant (WWTP) to dispose of in compost operations.

The cost to grind the trees is eligible for reimbursement by the FEMA as a volume reduction effort to properly dispose of the trees. The cost of screening the grindings and hauling to the WWTP to allow the material to be disposed of in the compost operation at the WWTP is not eligible.

The work of dealing with the tree debris from the storms is broken into three areas for tracking 1. Tree Grinding; 2. Screening; and 3. Hauling.

1. Grinding

A price for tree grinding was reached using quotes from an October 2006 Purchase Order for tree grinding work at the Solid Waste Division Transfer Station. Quotes for the 2006 purchase order were received from Fox Bros Hay Co, Inc. of O'Neill, Nebraska for \$385.00 per hour and from O'Neill Wood Resources, LLC for \$350.00 per hour.

The city's representative from the FEMA advised that the cost to grind trees should to be tracked by the cubic yard. The time to grind the first pile of trees was tracked at \$350 and calculated to \$0.32 per cubic yard.

2. Screening

Screening Work was performed in January 2007 on 1,875 cubic yards of screenings at \$0.75 per cubic yard for a total of \$1,406.25 under purchase order number 14764-00, dated February 22, 2007.

Screenings were hauled from the stockpile site to the WWTP stockpile site in January 2007 with 1,875 cubic yards hauled at \$1.50 per cubic yard for a total of \$2,812.50. The work was paid for under purchase order number 14764-00, dated February 22, 2007.

Discussion

The City procurement code limits the dollar amount whereby City Staff can hire a contractor to no more than \$7,500.00. Since the work performed exceeds this limit, council authority is needed to approve the work.

1. Grinding

The total cost for tree grinding to date calculates to 104,904 cubic yards @ \$0.32 for a total of \$33,569.42. Purchase Order number 14765-00, dated February 22, 2007 paid \$4,608 for tree grinding, leaving \$28,961.28 yet to pay.

To be certain, the cost was fair and reasonable. Total cost for the work of grinding the trees at \$0.32 per cubic yard was compared to the cost of \$350.00 per hour. If the trees would have been ground at \$350.00 per hour, the total would have been \$34,912.00 compared to \$33,569.42 if by the cubic yard.

There is approximately 4,000 cubic yards of trees left to be ground. This remaining grinding work will be bid out using informal bids.

2. Screening

There is additional screening work to be performed, but the work was delayed because the WWTP did not have room for additional screenings and the approaching spring weather reduced the chance of needing the stockpile area for piling snow.

There is approximately 6,000 cubic yards of tree grindings left to be screened. This remaining screening work will be bid out using informal bids.

3. Hauling

The WWTP has limited room for screenings, so we will have WWTP trucks and employees haul screenings to the WWTP for disposal in the composting operation.

Alternatives

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

1. Authorize The Mayor to issue a purchase order in the amount of \$28,961.28 for the tree grinding work.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council authorize the Mayor to issue a purchase order for the work.

Sample Motion

Move to approve the tree grinding work with O'Neill Wood Resources of Grand Island, Nebraska in an amount of \$28,961.28.

RESOLUTION 2007-122

WHEREAS, December 20, 30 and 31, 2006, the City of Grand Island sustained damage to public facilities and infrastructure as a result of ice storms in the area; and

WHEREAS, clean up efforts were performed by the Streets Division of the Public Works Department to clear trees and debris within the street right-of-way, with trees taken to the snow stockpile site on East US Highway 30; and

WHEREAS, because the stockpile site is used for snow removal, it was necessary to reduce the volume of trees and debris by grinding; and

WHEREAS, pursuant to the city's Procurement Code, quotes were obtained for the reduction of trees and debris and on February 22, 2007, O'Neill Wood Resources, LLC, was paid \$4,608.00 for such services, leaving a balance due of \$28,961.28 due and payable to O'Neill Wood Resources, LLC; and

WHEREAS, the city's Procurement Code limits the use of quotations to the amount of \$7,500.00, and therefore, City Council approval is needed to approve payment of the remaining balance; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that that payment of \$28,961.28 to O'Neill Wood Resources, LLC, of Grand Island, Nebraska for the grinding of trees and debris is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 18, 2007	☐ City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G16

#2007-123 - Approving Amendment to Agreement with Olsson Associates for ROW Appraisal Services on the Capital Avenue Widening Project

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

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: May 22, 2007

Subject: Approving Amendment Number 3 to the Agreement with Olsson Associates for Right of Way Appraisal Services on the Project to Widen Capital Avenue

Item #'s: G-16

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

Background

On November 9, 2004 the City of Grand Island entered into an agreement with Olsson Associates for Engineering Consulting Services to Widen Capital Avenue West from the Moores Creek ditch to just east of Webb Road. Any amendments to the agreement must be approved by council.

Discussion

Additional work beyond the scope of the original agreement is needed to complete Right of Way acquisition.

The Nebraska Department of Roads informed us on May 10, 2007 that the appraisals have to be updated on any remaining tracts of land where Right of Way acquisition is not yet completed.

The attached agreement with Olsson Associates was negotiated for work to be performed at actual cost in an amount not to exceed \$6,200.

Alternatives

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

1. Make a motion to approve the amendment to the agreement.
2. Refer the issue to a Committee.

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

Recommendation

City Administration recommends that the Council approve the amendment to the agreement.

Sample Motion

Move to approve the amendment to the agreement with Olsson Associates of Grand Island, Nebraska in an amount not to exceed \$6,200.

3rd AMENDMENT TO LETTER AGREEMENT FOR ENGINEERING SERVICES

THIS AMENDMENT TO LETTER AGREEMENT, made as of the 22nd day of May 2007, by and between the City of Grand Island, Nebraska ("Client") and Olsson Associates ("OA"), WITNESSETH, That whereas the Client intends to update Right of Way Appraisals, review the Appraisal Updates, and negotiate Temporary Easement Extension for which services were provided under the agreement between the City of Grand Island and Olsson Associates dated November 3, 2004, a fee for these services for the Project are hereby added to the agreement in accordance with paragraph 2, Letter of Agreement. Said Additional Services shall be provided as set forth hereafter.

Scope of Services

A. Right of Way Appraisal Services:

The right of way appraisal services per agreement for Professional Services Roadway Design – Capital Avenue, Exhibit "A" Section E. OA proposes to use the firm of Johnson Appraisal, LLC as a subconsultant to complete Appraisal Updates for tract 5 owned by Sapp Bros and tracts 16, 17, and 19 owned by Menards. Bill Fischer of Grand Island will review appraisals conducted by Johnson Appraisal Updates as required by the uniform act to acquire right of way on federal aid projects.

Right-of-way Appraisal Update (4 Tracts @ \$600/Each)	\$2,400
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Appraisal Reviews (4 Tracts @ \$300/Each)	\$1,200
---	---------

Appraisal Project Coordination	\$600
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Fees for testimony in County or District Court in condemnation proceedings would be based on an Hourly charge of \$100/hour including travel and preparation time.

B. Temporary Easement Extension Negotiations:

Per Exhibit A, Section E, OA will obtain the services of Midwest Right of Way Services to negotiate extension of temporary easements for tracts 20, 21, and 22 owned by Gordman Grand Island, LLC needed by the City of Grand Island to be able to complete the project. This includes meetings with the contracting entity, plan review, negotiating for deeds, contracts and/or easements, and submitting the completed necessary documents to OA and Client for each tract.

Acquisition Negotiations (estimated 20 tracts)	\$2,000
--	---------

3rd Amendment Total	\$6,200
---------------------------------------	----------------

Fees are based on our Direct Labor Costs times a factor of 2.5 for services rendered by our principals, and employees engaged directly on the Project, plus the subconsultant fee.

Billings will be submitted and payable monthly in accordance with the original agreement.

Termination Provisions

- A. The termination provisions of Paragraph 5.3 of the General Provisions of the original agreement apply to this contact amendment.

OLSSON ASSOCIATES

By _____
Matthew M. Rief, P.E.

Accepted this _____ day of
_____, 2007

CITY OF GRAND ISLAND

By _____
Margaret Hornady,
Title _____ Mayor

ATTEST:

By _____
RaNae Edwards
Title _____ City Clerk

R E S O L U T I O N 2007-123

WHEREAS, on November 9, 2004, by Resolution No. 2004-285, the City Council of the City of Grand Island approved an agreement with Olsson Associates of Grand Island, Nebraska, to perform preliminary design services to widen Capital Avenue from the Moores Creek Drainway to Webb Road ; and

WHEREAS, on April 26, 2005, by Resolution No. 2005-131, the City Council of the City of Grand Island approved Amendment #1 to the agreement with Olsson Associates to extend the final design to Webb Road; and

WHEREAS, on April 24, 2007, by Resolution No. 2007-97, the City Council of the City of Grand Island approved Amendment #2 to the agreement with Olsson Associates for additional services related to right-of-way acquisition; and

WHEREAS, additional work beyond the scope of the original agreement related to appraisal services is needed to complete right-of-way acquisition.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the amendment to the agreement with Olsson Associates of Grand Island, Nebraska, is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	<input type="checkbox"/>	_____
May 18, 2007	<input type="checkbox"/>	City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G17

**#2007-124 - Approving Change Order No. 1 with Mid Plains
Construction Co. for Library Expansion**

Staff Contact: Steve Fosselman

Council Agenda Memo

From: Steve Fosselman, Library Director

Meeting: May 22, 2007

Subject: Approving Change Order No. 1 with Mid Plains Construction Co. for Library Expansion

Item #'s: G-17

Presenter(s): Steve Fosselman, Library Director

Background

On May 10, 2007 the Grand Island Public Facilities Corporation approved Change Order No. 1 with Mid Plains Construction Co. for Library Expansion. Corporation actions are then brought before the Grand Island City Council for approval.

Discussion

In accordance with Article 16 of the Design/Build Contract with Mid Plains Construction Company which authorizes changes and extensions of time, the change order approved by the Corporation constitutes two changes to the design/build contract between the Corporation and the design/builder:

- An increase of \$130,969.84 to the Guaranteed Maximum Price (GMP) to re-roof the existing library (original 1972-1974 construction).

Initial reviews of the condition of this original roof indicated the need for general repairs only, however, conditions discovered during the project indicate more extensive problems with re-roofing as the most cost-effective solution for the long term. Since the contractor is onsite and able to accomplish this additional work before this project's conclusion, approval of this change order is recommended.

This change order increases the GMP from \$5,700,000 (Article 10.A.1) to \$5,830,969.84. Since the design/build contract is part of a full \$7,000,000 bonded budget for the library expansion/remodel project and there are sufficient funds in this full budget, approving this change order will result in no additional expense to this project.

- A change in the date of substantial completion from June 7, 2007 to August 31, 2007.

As per Article 8.A of the design/build contract, a date of commencement of November 14, 2005 was agreed upon. Article 8.B specifies substantial completion not later than 570 days from the commencement date, hence June 7, 2007.

It is recommended that due to asbestos abatement delays of 63 days that were beyond the control of the contractor, and factoring in an extra three weeks for roof replacement, that this change order be approved for a date of substantial completion of August 31, 2007. This fits well within the library's service needs for operating in an expanded facility.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve Change Order No. 1 with Mid Plains Construction Co. for Library Expansion.

Sample Motion

Motion to approve Change Order No. 1 with Mid Plains Construction Co. for Library Expansion in the amount of \$130,969.84.

CHANGE ORDER

AIA DOCUMENT G701

Distribution to:

OWNER ☐
ARCHITECT ☐
CONTRACTOR ☐
FIELD ☐
OTHER ☐

PROJECT: Edith Abbott Memorial Library
(name, address) 2005 Expansion/Remodel Project
Grand Island, Nebraska

CHANGE ORDER NUMBER: ONE

TO (Contractor):

INITIATION DATE: 5/1/07

Mid Plains Construction Co.
1319 W North Front Street
Grand Island, NE 68801

ARCHITECT'S PROJECT NO:

CONTRACT FOR:

CONTRACT DATE: 7/05

You are directed to make the following changes in this Contract:

Re-roof existing library as per our attached proposal dated 3/15/07

Add \$130,969.84

Not valid until signed by both the Owner and Architect.

Signature of the Contractor indicates his agreement herewith, including any adjustment in the Contract Sum or Contract Time.

The original (Contract Sum) (Guaranteed Maximum Cost) was \$ 5,700,000.00

Net change by previously authorized Change Orders \$.00

The (Contract Sum) (Guaranteed Maximum Cost) prior to this Change Order was \$ 5,700,000.00

The (Contract Sum) (Guaranteed Maximum Cost) will be (increased) ~~(decreased)~~ ~~(unchanged)~~ by this Change Order \$ 130,969.84

The new (Contract Sum) (Guaranteed Maximum Cost) including this Change Order will be ... \$ 5,830,969.84

The Contract Time will be (increased) ~~(decreased)~~ ~~(unchanged)~~ by 3 weeks until 8/31/07 () Days.

The Date of Substantial Completion as of the date of this Change Order therefore is 8/31/07

ARCHITECT

Address

BY

DATE

Mid Plains Construction Co.

CONTRACTOR

1319 W North Front Street

Address
Grand Island, NE 68801

BY

DATE

Authorized:

GRAND ISLAND FACILITIES

OWNER

P.O. Box 1968

Address
Grand Island, NE 68802

BY

DATE



MID PLAINS CONSTRUCTION CO.

GENERAL CONTRACTORS

March 15, 2007

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

Attention: Mr. Steve Fosselman

Reference: Library Expansion/Remodel Project
Proposed Re-roof Existing Building

Dear Mr. Fosselman:

We propose to re-roof the existing library as follows:

General Conditions	\$ 1,600.00
Demolition	900.00
Roofing	119,500.00
Painting	1,440.00
6.1% Fee	<u>7,529.84</u>
TOTAL	\$130,969.84

Note: The new addition will be covered by warranty from the Duff Company.
The existing building, if this proposal is accepted, will be covered by warranty
from Ziemba Company.

Sincerely,

MID PLAINS CONSTRUCTION CO.


Russ J. Giesenhausen
President

RJG/dp

R E S O L U T I O N 2007-124

WHEREAS, the Grand Island Public Facilities Corporation approved a contract with Mid Plains Construction for the renovation and expansion of the Edith Abbott Memorial Library for a Guaranteed Maximum Price of \$5,700,000.00; and

WHEREAS, on May 10, 2007, the Grand Island Public Facilities Corporation approved Change Order No. 1 with Mid Plains Construction Co. for re-roofing the Edith Abbott Memorial Library and revising the date of substantial completion from June 7, 2007 to August 31, 2007; and

WHEREAS, corporate actions taken by the Grand Island Public Facilities Corporation must be approved by the City Council; and

WHEREAS, it is recommended that modifications to the work to be done by Mid Plains Construction are necessary; and

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

WHEREAS, the result of such modification will increase the contract amount by \$130,969.84 for a revised contract price of \$5,830,969.84.

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

General Conditions	\$ 1,500.00
Demolition	\$ 900.00
Roofing	\$119,500.00
Painting	\$ 1,440.00
6.1% Fee	\$ <u>7,529.84</u>
Total	\$130,969.84

Date of Substantial Completion..... August 31, 2007

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ May 18, 2007 <input type="checkbox"/> City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G18

**#2007-125 - Approving Certificate of Final Completion with
McGill Asbestos Abatement Co. for Library Asbestos Removal at
211 N. Washington Street**

Staff Contact: Steve Fosselman

Council Agenda Memo

From: Steve Fosselman, Library Director

Meeting: May 22, 2007

Subject: Approving Certificate of Final Completion with McGill Asbestos Abatement Co. for Library Asbestos Removal at 211 N. Washington Street

Item #'s: G-18

Presenter(s): Steve Fosselman, Library Director

Background

The contract for asbestos removal was awarded by the City Council on February 13, 2007 to McGill Asbestos Abatement Co. and has been completed.

Discussion

The work for this contract has been completed in accordance with the terms, conditions, and stipulations of the contract and complies with the contract, the plans, and the specifications. The project was completed on schedule at a construction price of \$72,834.00. Costs for the project break down as follows:

Original Bid	\$ 72,834.00
Change Orders	NONE
Total Cost	\$ 72,834.00

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 Certificate of Final Completion for this project.

Sample Motion

Motion to approve the certificate of final completion with McGill Asbestos Abatement Co. for library asbestos removal at 211 N. Washington Street.

CERTIFICATE OF FINAL COMPLETION

Library Asbestos Removal at 211 N. Washington Street

CITY OF GRAND ISLAND, NEBRASKA

May 22, 2007

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

This is to certify that the project for asbestos removal at 211 N. Washington Street has been fully completed by McGill Asbestos Abatement Co. in accordance with the terms, conditions, and stipulations of the contract and complies with the contract, the plans, and the specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by me as Library Director.

It is further certified that this project includes the following items and costs and that this certificate shall constitute the Final Payment for this work.

Original Bid	\$ 72,834.00
<u>Change Orders</u>	<u>NONE</u>
Total Cost	\$ 72,834.00

Respectfully submitted,

Steve Fosselman
Library Director

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

I hereby recommend that the Certificate of Final Completion for the project for asbestos removal at 211 N. Washington Street be approved.

Respectfully submitted,

Margaret Hornady
Mayor

RESOLUTION 2007-125

WHEREAS, the Library Director of the City of Grand Island has issued his Certificate of Final Completion for Asbestos Abatement at the Edith Abbott Memorial Library, certifying that McGill Asbestos Abatement Co., under contract dated February 13, 2007, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Library Director recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs with the Library Director's recommendations.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Library Director's Certificate of Final Completion for Asbestos Abatement at the Edith Abbott Memorial Library is hereby confirmed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G19

#2007-126 - Approving Change Order No. 5 with Tri Valley Builders, Inc. for Fire Station #1 Construction

Staff Contact: Jim Rowell

Council Agenda Memo

From: Jim Rowell Fire Chief
Meeting: May 22, 2007
Subject: Fire Station Change Order 5
Item #'s: G-19
Presenter(s): Jim Rowell Fire Chief

Background

The fire station project continues to move along very well. Following the initial council action to approve the project including alternates a change order was approved to change some materials used. This action resulted in a \$123,000.00 reduction in the project cost.

Change order two was approved in September of 2006. The items in that change order resulted in a cost increase of \$56,541.00. That increase was less than half of the amount saved in the first change order and the total remained less than the amount originally authorized by council. The changes were not additions to the project but were required by codes or necessitated by construction processes. The eight items changed included changes to the water lines, sewer line, putting the water line under the street and dewatering to allow that. It also included relocating the electrical connection and providing door closers, door smoke seals and sidewalk along Fonner Park Road.

Change order number three was a single item providing for the replacement of the four acrylic showers with four ceramic tile showers at a cost of \$9,343.00.

Change order number four included three items, security locks on three doors, four light fixtures, and changing the storm water drains to plastic pipe. The first two of these items were increases in cost and the third was a reduction in cost. The overall effect in cost was a reduction of \$656.00.

The security lock system is an increase in cost of \$3,472.00 and provides for key pads at three doors. This lock system allows us to keep the building locked and does not require providing keys to every firefighter. This system is similar to what the other stations have and provides authorized access while providing greater security.

The light fixtures are for the shower areas and are necessary due to the change in the construction of the shower areas. The additional cost is \$1,057.00 for fixtures, materials and labor.

The third item is the change in materials for the storm water drainage system. Changing from concrete to plastic pipe reduces the cost by \$5,185.00.

The cost of items one and two are less than the reduction in cost provided by item three resulting a reduction in project cost of \$656.00.

Discussion

Change order five includes adding a receptacle, removing the doorbells, reduce the number of overhead hose reels to six, add one exit sign and relocate two cord reels.

Change order five resulted in a decrease of \$1,611.00 in the project cost. The original project cost was \$2,455,500 with this change order project cost is at \$2,394,444. This puts the project cost at \$61,000.00 under original construction budget.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve change order number five.

Sample Motion

Motion to approve change order number five for fire station construction project.

AIA® Document G701™ – 2001

Change Order

PROJECT (Name and address):	CHANGE ORDER NUMBER: 005	OWNER: <input checked="" type="checkbox"/>
GRAND ISLAND FIRE STATION #1	DATE: May 04, 2007	ARCHITECT: <input checked="" type="checkbox"/>
GRAND ISLAND, NEBRASKA		CONTRACTOR: <input checked="" type="checkbox"/>
TO CONTRACTOR (Name and address):	ARCHITECT'S PROJECT NUMBER: 05140	FIELD: <input type="checkbox"/>
TRI VALLEY BUILDERS, INC.	CONTRACT DATE: April 04, 2006	OTHER: <input type="checkbox"/>
PO BOX 2341	CONTRACT FOR: General Construction	
GRAND ISLAND, NE 68802-2341		

THE CONTRACT IS CHANGED AS FOLLOWS:

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

Item 1: Cost to add a receptacle in Room 103 and delete all the door bells.	NO CHANGE
Item 2: Credit for six (6) hose reels and mounting.	DEDUCT (\$1,974.00)
Item 3: Cost to add one exit sign at door mark 149E.	ADD \$ 198.00
Item 4: Relocate two cord reels.	ADD \$ 165.00

TOTAL DEDUCT THIS CHANGE ORDER	\$ 1,611.00
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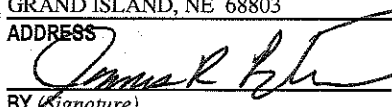
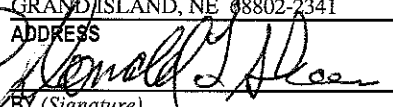
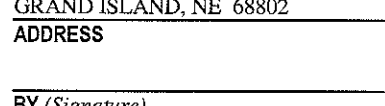
The original Contract Sum was	\$ 2,195,000.00
The net change by previously authorized Change Orders	\$ 201,055.00
The Contract Sum prior to this Change Order was	\$ 2,396,055.00
The Contract Sum will be decreased by this Change Order in the amount of	\$ (1,611.00)
The new Contract Sum including this Change Order will be	\$ 2,394,444.00

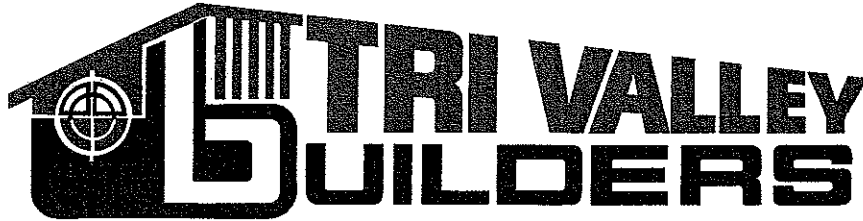
The Contract Time will be increased by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is unchanged.

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

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

CANNON MOSS BRYGGER & ASSOC.	TRI VALLEY BUILDERS, INC.	CITY OF GRAND ISLAND
ARCHITECT (Firm name)	CONTRACTOR (Firm name)	OWNER (Firm name)
2535 CARLETON AVENUE, SUITE A	PO BOX 2341	P.O. BOX 1968
GRAND ISLAND, NE 68803	GRAND ISLAND, NE 68802-2341	GRAND ISLAND, NE 68802
ADDRESS	ADDRESS	ADDRESS
		
BY (Signature)	BY (Signature)	BY (Signature)
JAMES R. BRISNEHAN	DONALD L. SKEEN	MARGARET HORNADY
(Typed name)	(Typed name)	(Typed name)
05/04/07	5-4-07	
DATE	DATE	DATE



GENERAL CONTRACTORS

3630 OLD WEST HIGHWAY 30

P.O. BOX 2341

GRAND ISLAND, NEBRASKA 68802

(308) 384-6821 FAX (308) 384-5545

April 11, 2007

Cannon Moss Brygger & Associates
2535 Carleton Ave., Suite A
Grand Island, NE 68803

Attn: Jim Brisnehan

RE: Grand Island Fire Station #1

The cost to add a receptacle in Room 103 and delete all the door bells is NO
CHANGE.

If you have any questions please call.

Sincerely,

Donald L. Skeen

TRI VALLEY BUILDERS, INC.

Enclosure (2)

DLS/sj



Middelton Electric Inc
2716 W. Old Hwy 30
Grand Island, NE 68802
Phone: 308-382-2550
Fax: 308-382-3442

Bid Proposal

4/9/2007

TO:

TRI VALLEY BUILDERS
P.O. BOX 2341
GRAND ISLAND, NE 68802

JOB:

G.I. FIRE STATION-Add recept stor 103

Bid Date: 3/1/2006

Work Description: Material and labor to add a recept in storage room 103

Job Information:

Our total price for the above job is: \$221.00

Sincerely,


WILL GLANDT

Middelton Electric Inc

2716 W. Old Hwy 30
Grand Island, NE 68802
Phone: 308-382-2550
Fax: 308-382-3442

Bid Proposal

4/11/2007

TO:

TRI VALLEY BUILDERS
P.O. BOX 2341
GRAND ISLAND, NE 68802

JOB:

G.I. FIRE STATION-Deduct for door bells

Bid Date: 3/1/2006

Work Description: Material and labor to deduct all the door bells

Job Information:

Our total price for the above job is: **\$-217.00**

Sincerely,



WILL GLANDT



GENERAL CONTRACTORS
3630 OLD WEST HIGHWAY 30
P.O. BOX 2341
GRAND ISLAND, NEBRASKA 68802
(308) 384-6821 FAX (308) 384-5545



April 18, 2007

Cannon Moss Brygger & Associates
2535 Carleton Ave., Suite A
Grand Island, NE 68803

Attn: Jim Brisnehan

RE: Grand Island Fire Station #1

Per your letter of March 12, 2007 we have a deduct of **(\$1,974.00)** for six hose reels and mounting.

If you have any questions please call.

Sincerely,

Donald L. Skeen

TRI VALLEY BUILDERS, INC.

Enclosure (2)

DLS/sj

ERRY'S

SHEET METAL - HEATING - COOLING, INC.

PHONE 308-384-2881 P.O. BOX 484
907 W. OKLAHOMA GRAND ISLAND, NE 68801

4-16-2007

Tri Valley Builders
3630 W Old Hwy 30
Grand Island, NE 68803

RE: G. I Fire Station

Attention: Don Skeen

O'Hara Plumbing	Deduct	\$ 1,974.00
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Total Cost of Change	Deduct	\$ 1,974.00
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Thank You,

K. C. Hehnke



HEATING **LENNOX** COOLING

Proposal

O'Hara Plumbing Co., Inc.

P.O. Box 1038
Grand Island, NE 68802-1038
(308) 382-0765
Fax (308) 382-5166

PROPOSAL SUBMITTED TO Jerry's Sheetmetal		PHONE	DATE April 17, 2007
STREET		JOB NAME Grand Island Fire Station	
CITY, STATE and ZIP CODE		JOB LOCATION	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

Credit for (6) hose reels:

108'-3/4" black pipe

83.00

Fittings & Hangers

44.00

Material for hose reels hangers

93.00

6-Hose reels

1,878.00

Labor

504.00

2,602.00

Restocking fee on hose reels (25%)

469.50

Freight

158.50

\$1,974.00

The Proposer hereby to furnish material and labor — complete in accordance with above specifications, for the sum of: _____ dollars (\$ _____).

Payment to be made as follows:

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature _____

Note: This proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____



GENERAL CONTRACTORS
3630 OLD WEST HIGHWAY 30
P.O. BOX 2341
GRAND ISLAND, NEBRASKA 68802
(308) 384-6821 FAX (308) 384-5545



September 22, 2006

Cannon Moss Brygger & Associates
2535 Carleton Ave., Suite A
Grand Island, NE 68803

Attn: Jim Brisnehan

RE: Grand Island Fire Station #1

The cost to add one exit sign at door mark 149E is an add of **\$198.00**.
If you have any questions please call.

Sincerely,

Donald L. Skeen

TRI VALLEY BUILDERS, INC.

Enclosure (1)

DLS/sj

Middelton Electric Inc

2716 W. Old Hwy 30
Grand Island, NE 68802
Phone: 308-382-2550
Fax: 308-382-3442

Bid Proposal

9/22/2006

TO:

TRI VALLEY BUILDERS
P.O. BOX 2341
GRAND ISLAND, NE 68802

JOB:

G.I. FIRE STATION-ADD EXIT SIGN

Bid Date: 3/1/2006

Work Description: All labor and material to add one exit sign above southwest personnel door in apparatus bay 150

Our total price for the above job is: **\$180.00**

Includes:

Sincerely,



WILL GLANDT



GENERAL CONTRACTORS

3630 OLD WEST HIGHWAY 30

P.O. BOX 2341

GRAND ISLAND, NEBRASKA 68802

(308) 384-6821 FAX (308) 384-5545

March 12, 2007

Cannon Moss Brygger & Associates

2535 Carleton Ave., Suite A

Grand Island, NE 68803

Attn: Jim Brisnehan

RE: Grand Island Fire Station #1

Relocate two cord reels-**ADD \$165.00.**

If you have any questions please call.

Sincerely,

Donald L. Skeen

TRI VALLEY BUILDERS, INC.

DLS/sj



R E S O L U T I O N 2007-126

WHEREAS, on April 11, 2006, by Resolution 2006-123, the City Council of the City of Grand Island awarded Tri Valley Builders, Inc. of Grand Island, Nebraska, the bid for the construction of Fire Station No. 1 at a base bid of \$2,195,000 plus four alternates resulting in a total bid cost of \$2,455,500; and

WHEREAS, on February 27, 2007, by Resolution 2007-46, the City of Grand Island approved Change Order #4 for such project resulting in a total bid cost of \$2,396,055.00; and

WHEREAS, it is recommended that modifications to the work to be done by Tri Valley Builders, Inc. are necessary; and

WHEREAS, such modifications have been incorporated into Change Order No. 5; and

WHEREAS, the result of such modification will decrease the contract amount by \$1,611.00 for a revised contract price of \$2,394,444.00.

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. 5 between the City of Grand Island and Tri Valley Builders, Inc. of Grand Island, Nebraska to provide the modifications set out as follows:

Credit for Six Hose Reels and Mounting	\$ - 1,974.00
Cost to Add One Exit Sign at Door Mark 149E	\$ 198.00
Relocate Two Cord Reels	\$ 165.00
Total	\$ 1,611.00

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 17, 2007	☐ City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G20

#2007-127 - Approving Change Order No. 6 with Tri Valley Builders, Inc. for Fire Station #1 Construction

Staff Contact: Jim Rowell

Council Agenda Memo

From: Jim Rowell Fire Chief
Meeting: May 22, 2007
Subject: Fire Station Change Order 6
Item #'s: G-20
Presenter(s): Jim Rowell Fire Chief

Background

The fire station project continues to move along very well. Following the initial council action to approve the project including alternates a change order was approved to change some materials used. This action resulted in a \$123,000.00 reduction in the project cost.

Change order two was approved in September of 2006. The items in that change order resulted in a cost increase of \$56,541.00. That increase was less than half of the amount saved in the first change order and the total remained less than the amount originally authorized by council. The changes were not additions to the project but were required by codes or necessitated by construction processes. The eight items changed included changes to the water lines, sewer line, putting the water line under the street and dewatering to allow that. It also included relocating the electrical connection and providing door closers, door smoke seals and sidewalk along Fonner Park Road.

Change order number three was a single item providing for the replacement of the four acrylic showers with four ceramic tile showers at a cost of \$9,343.00.

Change order number four included three items, security locks on three doors, four light fixtures, and changing the storm water drains to plastic pipe. The first two of these items were increases in cost and the third was a reduction in cost. The overall effect in cost was a reduction of \$656.00.

The security lock system is an increase in cost of \$3,472.00 and provides for key pads at three doors. This lock system allows us to keep the building locked and does not require providing keys to every firefighter. This system is similar to what the other stations have and provides authorized access while providing greater security.

The light fixtures are for the shower areas and are necessary due to the change in the construction of the shower areas. The additional cost is \$1,057.00 for fixtures, materials and labor.

The third item is the change in materials for the storm water drainage system. Changing from concrete to plastic pipe reduces the cost by \$5,185.00.

The cost of items one and two are less than the reduction in cost provided by item three resulting a reduction in project cost of \$656.00.

Change order five includes adding a receptacle, removing the doorbells, reduce the number of overhead hose reels to six, add one exit sign and relocate two cord reels. Change order five resulted in a decrease of \$1,611.00

Discussion

Change order six is the addition of floor tile to the hallway where a wall was relocated increasing the hallway length. Number 6 resulted in an increase of \$1,283.00. The original project cost was \$2,455,500 with this change order project cost is at \$2,395,727. This puts the project cost at \$59,773 under original construction budget.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve change order number six.

Sample Motion

Motion to approve change order number six for fire station construction project.



AIA[®] Document G701[™] – 2001

Change Order

PROJECT (Name and address):	CHANGE ORDER NUMBER: 006	OWNER: <input checked="" type="checkbox"/>
GRAND ISLAND FIRE STATION #1	DATE: May 10, 2007	ARCHITECT: <input checked="" type="checkbox"/>
GRAND ISLAND, NEBRASKA		CONTRACTOR: <input checked="" type="checkbox"/>
TO CONTRACTOR (Name and address):	ARCHITECT'S PROJECT NUMBER: 05140	FIELD: <input type="checkbox"/>
TRI VALLEY BUILDERS, INC.	CONTRACT DATE: April 04, 2006	OTHER: <input type="checkbox"/>
PO BOX 2341	CONTRACT FOR: General Construction	
GRAND ISLAND, NE 68802-2341		

THE CONTRACT IS CHANGED AS FOLLOWS:

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

Item 1: Provide and install ceramic tile floor and base in Corridor 142. ADD \$1,283.00

TOTAL ADD THIS CHANGE ORDER \$1,283.00

The original Contract Sum was	\$ 2,195,000.00
The net change by previously authorized Change Orders	\$ 199,444.00
The Contract Sum prior to this Change Order was	\$ 2,394,444.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 1,283.00
The new Contract Sum including this Change Order will be	\$ 2,395,727.00

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

The date of Substantial Completion as of the date of this Change Order therefore is unchanged.

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

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

CANNON MOSS BRYGGER & ASSOC.
ARCHITECT (Firm name)

2535 CARLETON AVENUE, SUITE A
GRAND ISLAND, NE 68803

ADDRESS

BY (Signature)

JAMES R. BRISNEHAN

(Typed name)

DATE

5-10-07

TRI VALLEY BUILDERS, INC.
CONTRACTOR (Firm name)

PO BOX 2341
GRAND ISLAND, NE 68802-2341

ADDRESS

BY (Signature)

DONALD L. SKEEN

(Typed name)

DATE

5-10-07

CITY OF GRAND ISLAND
OWNER (Firm name)

P.O. BOX 1968
GRAND ISLAND, NE 68802

ADDRESS

BY (Signature)

MARGARET HORNADY

(Typed name)

DATE



GENERAL CONTRACTORS

3630 OLD WEST HIGHWAY 30

P.O. BOX 2341

GRAND ISLAND, NEBRASKA 68802

(308) 384-6821 FAX (308) 384-5545

May 8, 2007

Cannon Moss Brygger & Associates
2535 Carleton Ave., Suite A
Grand Island, NE 68803



Attn: Jim Brisnehan

RE: Grand Island Fire Station #1

The cost to install ceramic tile floor and base in Corridor #142 is an add of
\$1,283.00.

Subcontractor	\$1,110.00
TVB Overhead	\$ 78.00
TVB Profit	<u>\$ 95.00</u>
TOTAL	\$1,283.00

If you have any questions please call.

Sincerely,

Donald L. Skeen

TRI VALLEY BUILDERS, INC.

DLS/sj

R E S O L U T I O N 2007-127

WHEREAS, on April 11, 2006, by Resolution 2006-123, the City Council of the City of Grand Island awarded Tri Valley Builders, Inc. of Grand Island, Nebraska, the bid for the construction of Fire Station No. 1 at a base bid of \$2,195,000 plus four alternates resulting in a total bid cost of \$2,455,500; and

WHEREAS, on May 22, 2007, by Resolution 2007-126, the City of Grand Island approved Change Order #5 for such project resulting in a total bid cost of \$2,394,444.00; and

WHEREAS, it is recommended that modifications to the work to be done by Tri Valley Builders, Inc. are necessary; and

WHEREAS, such modifications have been incorporated into Change Order No. 6; and

WHEREAS, the result of such modification will increase the contract amount by \$1,283.00 for a revised contract price of \$2,395,727.00.

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. 6 between the City of Grand Island and Tri Valley Builders, Inc. of Grand Island, Nebraska to provide the modifications set out as follows:

Installation of Ceramic Tile Floor and Base in Corridor #142..... \$1,283.00

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____	
May 17, 2007	<input type="checkbox"/> City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item G21

**#2007-128 - Approving Extension of Building Lease with the
Nebraska State Patrol for Storage Building at the Cornhusker
Army Ammunition Plant**

Staff Contact: Steve Paustian

Council Agenda Memo

From: Steve Paustian, Parks and Recreation Director

Meeting: May 22, 2007

Subject: Modifying Lease with Nebraska State Patrol for Building A-30 at Cornhusker Army Ammunition Plant

Item #'s: G-21

Presenter(s): Steve Paustian, Parks and Recreation Director

Background

On May 22, 2001, City Council approved the leasing of several buildings at the former Cornhusker Army Ammunition Plant pursuant to the provisions of Resolution 2001-132. The leases that were approved provide for an automatic one year renewal requested by the lessees. The resolution was presented for Council consideration and Council authorized the city to renew the lease on Building's No. A-30, A-11, and A-12 located on city property at the former Cornhusker Army Ammunition Plant.

Discussion

The State of Nebraska has requested that their lease be modified to reflect a two year lease period. This time frame works better as it coincides with the States bi-annual budgeting process.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the resolution modifying the term of the lease for building A-30 to a two year period

Sample Motion

Motion to approve the resolution authorizing the City to modify the lease to a two year period for Building A-30 with the State of Nebraska, Department of Administrative Services.

STATE OF NEBRASKA



Dave Heineman
Governor

DEPARTMENT OF ADMINISTRATIVE SERVICES
Carlos Castillo
Director

STATE OF NEBRASKA LEASE ADDENDUM CA-65971364

The Lease Agreement and subsequent Addenda (CA-65971364) between the City of Grand Island (Lessor) and the Department of Administrative Services, State Building Division (Lessee) on behalf of the Nebraska State Patrol (Tenant Agency) for office space described below is herein extended:

**Building A-30
Cornhusker Army Ammunition Plant
Grand Island, Nebraska**

Lessor, Lessee and Tenant Agency hereby agree that said Lease shall be extended for a period of two (2) years commencing **May 1, 2007** and ending on **April 30, 2009** at an annual rate of \$500.00 paid in an annual installment of **\$500.00**.

All other terms and conditions of the original Lease Agreement and subsequent Addenda shall remain the same and are hereby ratified and confirmed.

APPROVED:

Lessor
City of Grand Island

Date

Lessee
Director
Department of Administrative Services

Date

Lessee
Administrator, State Building Division
Department of Administrative Services

Date

RESOLUTION 2007-128

WHEREAS, the City of Grand Island is the owner of an approximately 420 acre tract of land at the former Cornhusker Army Ammunition Plant, which has several buildings which were leased by the US Army Corp of Engineers during their ownership of the property; and

WHEREAS, on May 22, 2001, by Resolution 2001-132, the City approved Building Leases with the tenants of the buildings pending development of the property; and,

WHEREAS, on April 24, 2007, the City Council approved the lease of the Nebraska State Patrol for the rental of a storage unit, which will terminate on April 30, 2008; and

WHEREAS, the Nebraska State Patrol has requested that their lease be extended to April 30, 2009.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Lease of the Nebraska State Patrol at the former Cornhusker Army Ammunition Plant is hereby authorized to be renewed for an additional two years.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 17, 2007	☐ City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item I1

#2007-129 - Consideration of Economic Development Incentive Agreement with Principal Life Insurance Company

Staff Contact: Marlan Ferguson, EDC President

Council Agenda Memo

From: Dale M. Shotkoski, City Attorney

Meeting: May 22, 2007

Subject: Approving Economic Development Incentive
Agreement with Principal Life Insurance Company

Item #'s: I-1

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

Background

At the May 2003 special election, the voters of the City of Grand Island approved LB840 funding to enable the city to extend economic development incentives through the Grand Island Economic Development Corporation. The Economic Development Corporation has received an application from Principal Life Insurance Company for job incentives and expansion of the current facility located in Grand Island, Nebraska.

Discussion

Principal Life Insurance Company has submitted an application (attached) for economic development incentives, which would include \$2,000 per employee for job creation, for a total of \$300,000; and \$30,000 for infrastructure expansion. Principal Life Insurance Company states in its application that it intends to hire 150 additional employees. The expansion would be approximately 23,000 square feet. Construction is expected to begin in June of 2007 and be completed by mid-2008. Employees would be added starting in 2008, with 150 employees expected to have been added by the end of 2013.

The application of Principal Life Insurance Company meets all the criteria for extending economic incentives and has been approved by the Executive Board of the Economic Development Corporation and by the Citizens Review Committee. Both the Economic Development Corporation Executive Board and the Citizens Review Committee have approved this application and is now being forwarded to the City Council for final consideration.

Alternatives

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

1. Move to approve the Economic Development Agreement with Principal Life Insurance Company.
2. Do not approve the Economic Development Agreement with Principal Life Insurance Company.
3. Postpone the issue to future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the resolution authorizing the city to enter into the Economic Development Agreement with Principal Life Insurance Company.

Sample Motion

Motion to approve the resolution authorizing the city to enter into the Economic Development Agreement with Principal Life Insurance Company.



PROJECT APPLICATION FOR ECONOMIC DEVELOPMENT PROGRAMS

1. Applicant Business Name Principal Life Insurance Company *
- Address 3025 College Street, Grand Island NE 68803
- Telephone (308) 385-7298
- Email Address Rasmussen.Densel@principal.com
- Business Contact Person Densel Rasmussen
- Telephone (308) 385-7298
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) _____

* Parent Corporation: Principal Financial Group, Inc., 711 High Street, Des Moines IA 50392

5. Product or Services Provided: Principal Life Insurance Company, a subsidiary of
Principal Financial Group, Inc., will market and service health insurance, life insurance and
specialty benefits, and retirement and investor services at the Grand Island location.
Please refer to Attachment 1.

6. Project Description: Expansion and renovation of the building at 3025 College Street,
to accommodate 150 additional employees. Approximately 23,000 square feet will be
added to the building, with meeting rooms, training space, an enhanced wellness facility,
and an expanded food service provided. Expected cost of infrastructure, \$6,043,500.

7. Project Timetable: Construction is expected to begin as early as June 2007 and to
be completed by mid-2008. Employees will be added starting in 2008, with 150 employees
expected to have been added by the end of 2013.

8. Employment Information:

Current number of employees	<u>625</u>	(full-time equivalent) (agreed base employees)
Proposed number of employees	<u>775</u>	(full-time equivalent)
What is the average hourly wage for all employees?		<u>\$14.51 as of 12/31/06</u>
Number of new jobs to be created	<u>150</u>	(full-time equivalent)
What would be the average hourly wage for new jobs?		<u>\$12.00 per hour plus benefits</u>
Number of jobs to be retained, if any	<u>625</u>	(full-time equivalent)

Please describe all benefits which the business provides to employees:

Please see Attachment 2.


9. Financing/Incentives Requested: No financing is requested.

We request a job incentive of \$2000 per employee, or \$300,000 total for 150 additional
employees. The job level is to be attained, and forgiveness granted, in accordance with
Attachment 3.

We request an infrastructure incentive in the amount of \$30,000.

NOTE: Additional Information required and made part of this application by attachment:
Excerpts from the 2006 Financial Report of The Principal Financial Group,
including consolidated financial statements and opinion letters.
2005 Corporate tax return (first 4 pages, supporting schedules, Forms 851)

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: 
Ted Brackett

Title: Second Vice President, Facility Operations

Date: 4/27/07

Grand Island Area Economic Development LB-840 Project Application

Project Name: Principal Life Insurance Company aka Principal Financial Group

Date Referred to Grand Island Area Economic Development Board: 25-Apr-07

Approved: x Disapproved: _____ Date: 4-26-07

Comments: This application was approved unanimously by the Executive Committee of the GIAEDC.
The impact the company has had on this community over the past 25 years has been
tremendous. The GIAEDC Board is pleased to be part of the continuing success of

Principal.

Signature of President: Marlan Ferguson
Marlan Ferguson

Date Referred to Citizen's Review Committee: May 15, 2007

Approved: X Disapproved: _____ Date: 5/15/07

Comments: _____

Signature of Chairman: Tim White
Tim White

Date Referred to City Council: _____

Approved: _____ Disapproved: _____ Date: _____

Comments: _____

Signature of Mayor: Margaret Hornady
Margaret Hornady

Grand Island Project Application for Economic Development Programs

Principal Financial Group, Inc. / Principal Life Insurance Company

Attachment 1

Page 2, Item 5

Product or Services Provided

Company Overview: What We Do

The Principal Financial Group® (The Principal®) is a leader in offering businesses, individuals and institutional clients a wide range of financial products and services, including retirement and investment services and life and health insurance through its diverse family of financial services companies.

Health & Wellness

The Principal Financial Group is a leader in consumer-driven healthcare solutions, tailored to meet the needs of any size business. And through the Principal Wellness Company, a member of The Principal, we also offer integrated wellness programs that help employers to improve employee health, save money, reduce claim activity and save lives.

Insurance

As a premier provider of employee benefits, the Principal Financial Group offers group disability, life, vision and dental insurance to growing companies across the United States.

For individuals, The Principal offers life and disability insurance, including high value solutions for estate planning, business continuation, executive benefits and financial planning to business owners, senior executives and key employees.

Retirement & Investments

As the nation's 401(k) leader and total retirement solutions innovator, The Principal® offers a wide range of **workplace retirement plans and programs** including 401(k), 403(b), defined benefit plans, Employer Stock Ownership Plans (ESOP), nonqualified deferred compensation plans, group annuities, individual 401(k)s, SIMPLE & SEP IRAs for non-profit, government, union and for-profit organizations of all sizes.

The Principal offers investment opportunities for individuals as well, including mutual funds, annuities, rollover IRAs, traditional and Roth IRAs, as well as retirement planning and investment tools and education for savers in all life stages.

Grand Island Project Application for Economic Development Programs
Principal Financial Group, Inc. / Principal Life Insurance Company
Attachment 2

Page 2, Item 8

Please describe all benefits which the business provides to employees

The Principal offers a variety of benefits and amenities, in addition to pay, to provide a total compensation package that makes the Principal a great place to work. Some of these benefits are:

- Incentive pay
- Personal time off
- Bought time off
- Volunteer time off
- Alternative work schedules
- Employee discounts
- Diversity resource groups
- Workout facilities
- Flexible dress code (jeans are allowed every day, and even more casual dress is allowed for a fee that goes to charities)
- Free parking
- Lactation room
- Dining room with vending machines, a different type of catered lunch each day, and a catered breakfast every Wednesday
- Free drink Mondays
- Reasonably priced on-site chair massage is available every Wednesday
- Dry cleaning service
- Classified section on the employee Web site, allowing employees to buy or sell items
- Health coverage
- Retirement benefits (a 401(k) plan, a pension plan, and continuation of medical, vision, dental and life insurance)
- The opportunity to purchase group universal life insurance, long-term care insurance, and property and casualty insurance
- Stock plans (Employee Stock Ownership Plan and Employee Stock Purchase Plan)
- Disability benefits
- Life, accidental death and dismemberment, and business travel accident insurance
- Flexible spending accounts
- The Principal Employee Financial Center (to assist employees regarding various financial products)
- The Principal Bank (an online bank)
- Answer Financial (a service to find solutions to insurance and financial needs from companies that offer products other than those offered by The Principal)
- Educational assistance program
- Employee assistance program
- Adoption benefits
- Flexible spending accounts

Grand Island Project Application for Economic Development Programs
Principal Financial Group, Inc. / Principal Life Insurance Company
Attachment 3

Page 3, Item 9

Financing/Incentives Requested:

Schedule for Job Levels to be Attained and Forgiveness of Job Incentive Payments:

150 total new jobs @ \$2000 per job = \$300,000 job incentive amount.

Year	Jobs Added (and Total Jobs) as of 12/31 of the year shown	Percentage of 150 employees reached 12/31 of the year shown	Forgiveness Requested 12/31 of the year shown
base	625 employees		
2008	25 (650 total)	16.67%	n/a
2009	25 (675 total)	33.33%	n/a
2010	25 (700 total)	50.00%	20% (\$60,000)
2011	25 (725 total)	66.67%	20% (\$60,000)
2012	25 (750 total)	83.33%	20% (\$60,000)
2013	25 (775 total)	100%	20% (\$60,000)
2014	maintain 775 employees	maintain 100%	20% (\$60,000)
Totals	625 + 150 = 775	100%	100% (\$300,000)

ECONOMIC DEVELOPMENT AGREEMENT
WITH
PRINCIPAL LIFE INSURANCE COMPANY

This Agreement is made by the City of Grand Island, Nebraska (The City), and the Grand Island Area Economic Development Corporation (The Development Corporation) with Principal Life Insurance Company (PLIC) as follows:

Section 1

BUSINESS AND INCENTIVE PLANS

1. PLIC has filed with The Development Corporation a Project Application for Economic Development Programs. In the Application PLIC states that it intends to expand and renovate its office building at 3025 College Street in Grand Island to improve the working environment for its existing personnel and to accommodate an additional one hundred fifty (150) employees over the next six (6) years. About twenty-three thousand (23,000) square feet of space will be added to the building. PLIC intends that the construction of its expansion and renovation will begin in early summer of 2007 and be completed by the middle of 2008.

2. The City and The Development Corporation accept the PLIC Application with enthusiasm and agree to provide the economic incentive grants set forth in this Agreement.

3. The City and The Development Corporation find that PLIC is a qualifying interstate business under The City's Economic Development Program, that the PLIC project qualifies under the Program, that the Project will be of substantial economic benefit to the people of the surrounding area as well as the people of Grand Island, and that the economic incentive grants set forth below contribute to the fulfillment of the major objective of The City's Economic Development Plan to create new jobs.

Section 2

INFRASTRUCTURE INCENTIVE

To assist PLIC in its expansion and renovation of its office building as is described in its Application, the City will pay Thirty Thousand and No/100 Dollars (\$30,000.00) to

PLIC. This amount will be paid within thirty (30) days after PLIC formally notifies The Development Corporation that it implemented its renovation and expansion plan as set forth in its Application by beginning the construction work on the office building and the funds are approved under the City's Economic Development Program.

Section 3

JOB CREATION INCENTIVES

Part 1

Definitions

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

1. Employees means the number of fulltime equivalent persons employed by PLIC 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 PLIC paid Employees to work during the Measuring Year [including forty (40) hours per week for each week worked by each salaried Employee] by (ii) 2080.

2. Employment Certificate means a written statement certified to be true and correct by the Grand Island Human Resource and Building Services Manager of PLIC and attested by its Financial Controller. It shall be delivered to The Development Corporation within thirty (30) days after the end of each year beginning on December 31, 2007. It shall state (i) the total number of hours for which PLIC paid hourly Employees based in Grand Island, (ii) the number of salaried Employees and the number of weeks each were employed by PLIC at Grand Island, Nebraska, during the applicable year, and (iii) the number of Employees as of the last day of the year.

Part 2

Employment Requirements

PLIC shall meet each of the following employment requirements:

1. PLIC shall have had at least six hundred twenty-five (625) Employees as of May 1, 2007.

2. PLIC shall maintain not less than six hundred twenty-five (625) Employees continuously through December 31, 2007.

3. As of December 31, 2008, PLIC will have at least six hundred fifty (650) Employees, will maintain not less than six hundred fifty (650) Employees continuously through December 31, 2008 and will increase its number of employees to six hundred seventy-five (675) by December 31, 2009.

4. As of December 31, 2009, PLIC will have at least six hundred seventy-five (675) Employees, will maintain not less than six hundred seventy-five (675) Employees continuously through December 31, 2009 and will increase its number of employees to seven hundred (700) by December 31, 2010.

5. As of December 31, 2010, PLIC will have at least seven hundred (700) Employees, will maintain not less than seven hundred (700) Employees continuously through December 31, 2010 and will increase its number of employees to seven hundred twenty-five (725) by December 31, 2011.

6. As of December 31, 2011, PLIC will have at least seven hundred twenty-five (725) Employees, will maintain not less than seven hundred twenty-five (725) Employees continuously through December 31, 2011 and will increase its number of employees to seven hundred fifty (750) by December 31, 2012.

7. As of December 31, 2012, PLIC will have at least seven hundred fifty (750) Employees, will maintain not less than seven hundred fifty (750) Employees continuously through December 31, 2012 and will increase its number of employees to seven hundred seventy-five (775) by December 31, 2013.

8. As of December 31, 2013, PLIC will have at least seven hundred seventy-five (775) Employees and will maintain not less than seven hundred seventy-five (775) Employees continuously through December 31, 2014.

Part 3

Monetary Advances

1. Not later than thirty days (30) after The Development Corporation receives from PLIC the implementation notice required by Section 2 of this Agreement and funds are approved

under The City's Economic Development Program, The City will advance PLIC Three Hundred Thousand and No/100 Dollars (\$300,000.00) to assist in the development of the proposed one hundred fifty (150) new jobs.

2. If as of December 31 of each of the years 2010 through 2014, inclusive (The Forgiveness Years), PLIC has met each of the employment requirements for that year and every prior year beginning with 2007, then within thirty (30) days after The Development Corporation receives the Employment Certificate required for that Forgiveness Year, The City will give PLIC formal notice that Sixty Thousand and No/100 Dollars (\$60,000.00) of the original advance of Three Hundred Thousand and No/100 Dollars (\$300,000.00) is then forgiven and PLIC shall have no further obligation with regard to any forgiven amount.

3. If PLIC fails to meet the employment requirements set out in Part 2 of this Section 3 for 2007 or any subsequent year then the total amounts, if any, theretofore forgiven under the provisions of this Part 3 of Section 3 for each prior year's performance shall be deducted from the advance and PLIC shall repay the balance to The City. The balance shall become due on the last day of the first year in which the employment requirement was not attained or became unattainable and shall be paid with interest on the unpaid balance at the rate of six percent (6%) per annum until paid in full.

Section 4

LEGAL EFFECT

1. Upon request PLIC shall furnish The Development Corporation and The City such additional documentation and information as either may reasonably request to satisfy the requirements of The City's Economic Development Program.

2. This Economic Development Agreement contains all of the agreements and understandings between The Development Corporation, The City and PLIC relative to the provisions hereof and supersedes any and all prior agreements and understandings whether written or oral concerning economic development grants or incentives. No additions or changes to this Agreement shall be effective until they are reduced to a writing signed by all three (3) parties to this Agreement.


3. The provisions of this Agreement are fully binding upon The Development Corporation, The City and PLIC, and their respective successors.

Dated this _____ day of May, 2007.

GRAND ISLAND AREA ECONOMIC
DEVELOPMENT CORPORATION

By 
Marlan Ferguson, President

PRINCIPAL LIFE INSURANCE
COMPANY

By 
Ted Brackett,
Second Vice President -
Facility Operations

THE CITY OF GRAND ISLAND

By _____
Margaret Hornady, Mayor

RESOLUTION 2007-129

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, Principal Life Insurance Company has applied for a forgivable loan for job incentive in the amount of \$300,000.00 and \$30,000.00 towards infrastructure 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 May 15, 2007 by the Citizens Advisory Review Committee; and

WHEREAS, Principal Life Insurance Company 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 Principal Life Insurance Company 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 Principal Life Insurance Company, to provide \$330,000.00 in economic assistance to Principal Life Insurance Company, to be used for expanding its business at 3025 West College Street in Grand Island is hereby approved.

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, May 22, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	<input type="checkbox"/>	_____
May 17, 2007	<input type="checkbox"/>	City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item I2

#2007-130 - Consideration of Economic Development Incentive Agreement with Hornady Manufacturing, Inc.

Staff Contact: Marlan Ferguson, EDC President

Council Agenda Memo

From: Dale M. Shotkoski, City Attorney

Meeting: May 22, 2007

Subject: Approving Economic Development Incentive Agreement with Hornady Manufacturing, Inc.

Item #'s: I-2

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

Background

At the May 2003 special election, the voters of the City of Grand Island approved LB840 funding to enable the city to extend economic development incentives through the Grand Island Economic Development Corporation. The Economic Development Corporation has received an application from Hornady Manufacturing, Inc. for job incentives towards training new employees at their facility located in Grand Island, Nebraska.

Discussion

Hornady Manufacturing, Inc. has submitted an application (attached) for economic development incentives, which would include \$2,000 per employee for job creation, for a total of \$154,000. Hornady Manufacturing, Inc. states in its application that it intends to hire 77 additional employees by May 1, 2009.

The application of Hornady Manufacturing, Inc. meets all the criteria for extending economic incentives and has been approved by the Executive Board of the Economic Development Corporation and by the Citizens Review Committee. Both the Economic Development Corporation Executive Board and the Citizens Review Committee have approved this application and is now being forwarded to the City Council for final consideration.

Alternatives

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

1. Move to approve the Economic Development Agreement with Hornady Manufacturing, Inc.
2. Do not approve the Economic Development Agreement with Hornady Manufacturing, Inc.
3. Postpone the issue to future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the resolution authorizing the city to enter into the Economic Development Agreement with Hornady Manufacturing, Inc.

Sample Motion

Motion to approve the resolution authorizing the city to enter into the Economic Development Agreement with Hornady Manufacturing, Inc.



PROJECT APPLICATION FOR ECONOMIC DEVELOPMENT PROGRAMS

1. Applicant Business Name Hornady Manufacturing, Inc.

Address 3625 Old Potash Highway, Grand Island, NE 68803

Telephone (308) 382-1390

Email Address mkroeker@hornady.com

Business Contact Person Mark Kroeker

Telephone (308) 382-1390 Ext 227

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: Like so many successful companies, Hornady Mfg. was born out of one man's vision of a better product for his own use. The first year yielded total sales of only \$10,000 - a figure that increased three-fold over the first decade. By 1958, the company had moved from the rented garage, to our present location. The number of full-time employees increased to 40. Today Hornady Mfg. has over 180 employees, and occupies over 70,000 sq. ft. of a plant that in a single day produces more bullets than the entire first year's production. Our market includes not only the United States, but much of Canada, Europe, Australia, Iceland, New Zealand, and parts of Africa.

6. Project Description: largest independent producer of bullets and home reloading presses.

7. Project Timetable: By the end of 2008, Hornady Mfg. is expected to complete its building expansion with several new machines and presses. By May 1, 2009, an additional 77 new employees will be hired to staff a newly created second shift.

8. Employment Information:

Current number of employees	<u>182</u>	(full-time equivalent)
Proposed number of employees	<u>259</u>	(full-time equivalent)
What is the average hourly wage for all employees?	<u>\$20.40</u>	
Number of new jobs to be created	<u>77</u>	(full-time equivalent)
What would be the average hourly wage for new jobs?	<u>\$13.70</u>	
Number of jobs to be retained, if any	<u>259</u>	(full-time equivalent)

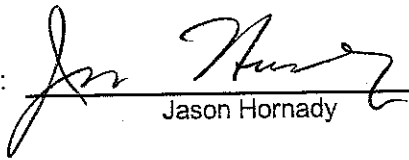
Please describe all benefits which the business provides to employees:

Hornady Mfg. offers its employees company paid personal days, profit sharing, education reimbursement, and Short Term Disability Ins. In addition, we offer health, life, dental, long term disability, and retirement plan. As other fringe benefits, a flexible spending account and optional life insurance for spouse/dependents.

9. Financing/Incentives Requested: The addition of a second shift and adding onto our
existing location is a major investment. It is at this time we are requesting \$2,000/new
hire, not to exceed 77 new hires for a total incentive of \$154,000.00.

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: 
Jason Hornady
Vice President
Title

Date: 4-30-07

Grand Island Area Economic Development LB-840 Project Application

Project Name: Hornady Manufacturing, Inc.

Date Referred to Grand Island Area Economic Development Board: 30-Apr-07

Approved: x Disapproved: _____ Date: _____

Comments: It is amazing that a company which started out in a garage right here in Grand Island now
will have over 250 employees. We are pleased that Hornady Mfg. chose to remain and
grow here in Grand Island.

Signature of President: Marlan Ferguson
Marlan Ferguson

Date Referred to Citizen's Review Committee: May 15, 2007

Approved: X Disapproved: _____ Date: 5/15/07

Comments: _____

Signature of Chairman: Tim White
Tim White

Date Referred to City Council: _____

Approved: _____ Disapproved: _____ Date: _____

Comments: _____

Signature of Mayor: _____
Margaret Hornady
Robert Meyer, Council President

ECONOMIC DEVELOPMENT AGREEMENT

In reliance upon the business plan of Hornady Manufacturing, Inc. (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 manufacturer's bullets and ammunition reloading presses. Its products are sold throughout the United States and in many foreign countries.

Employer represents that it is in the process of completing the expansion of its manufacturing building and the installation of new machines and presses. Upon the completion of this project Employer will add a second shift of workers to its fulltime employees. It expects to create seventy-seven (77) new local jobs at an average wage of \$13.70 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 first (1st) Measuring Year shall begin upon the first day of May, 2007 and end on April 30, 2008. 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 each Measuring Year. 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 at least one hundred eighty-two (182) Employees during the first Measuring Year.

2. During the second (2nd) Measuring Year Employer shall (i) maintain a minimum of one hundred eighty-two (182) employees at all times and (ii) increase the number of its employees to two hundred fifty-nine (259) by the end of that second (2nd) Measuring Year.

3. During each of the third (3rd), fourth (4th) and fifth (5th) Measuring Years Employer shall maintain a minimum of two hundred fifty-nine (259) employees at all times.

Section 4

MONETARY ADVANCES

1. Within thirty (30) days after Employer submits its Employment Certificate showing that it employed not less than one hundred eighty-two (182) employees on May 1, 2007, and funds are approved under The City's Economic Development Program, The City will advance Employer One Hundred Fifty-four Thousand and No/100 Dollars (\$154,000.00) (The Advance).

2. If Employer meets the required employment of two hundred fifty-nine (259) employees by April 30, 2009, and

continuously maintains its employees at or about that level through April 30 in each of the years 2010, 2011 and 2012 then not later than thirty (30) days after the Development Corporation receives the required Employment Certificate for each year, The City will notify Employer that Fifty-three Thousand Three Hundred Thirty-three and 33/100 Dollars (\$53,333.33) of The Advance is then forgiven and Employer shall thereafter have no obligation to repay that amount to The City.

3. If Employer fails to meet the Employment Requirements set forth in Section 3 for any Measuring Year, then the total of any amounts (in any) forgiven under the provisions of paragraph 2 of this Section 4 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 six (6%) 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 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. 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 7th day of May, 2007.

GRAND ISLAND AREA ECONOMIC
DEVELOPMENT CORPORATION

By Marlan Ferguson
Marlan Ferguson, President

HORNADY MANUFACTURING, INC.
Employer

By Jason Hornady
Jason Hornady,
Vice President

THE CITY OF GRAND ISLAND

By _____
Robert Meyer, President
Grand Island City Council

RESOLUTION 2007-130

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, Hornady Manufacturing, Inc. has applied for a forgivable loan in the amount of \$154,000.00 towards the training of new employees 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 May 15, 2007 by the Citizens Advisory Review Committee; and

WHEREAS, Hornady Manufacturing, Inc. 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 Hornady Manufacturing, Inc. 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 Hornady Manufacturing, Inc., to provide \$154,000.00 in economic assistance to Hornady Manufacturing, Inc., to be used for expanding its business at 3625 West Old Potash Highway in Grand Island is hereby approved.

BE IT FURTHER RESOLVED, that the President of the City Council 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, May 22, 2007.

Attest:

Robert Meyer, President
City Council

RaNae Edwards, City Clerk

Approved as to Form	<input type="checkbox"/> _____
May 17, 2007	<input type="checkbox"/> City Attorney



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item J1

**Approving Payment of Claims for the Period of May 9, 2007
through May 22, 2007**

*The Claims for the period of May 9, 2007 through May 22, 2007 for a total amount of
\$1,920,473.92. A MOTION is in order.*

Staff Contact: David Springer



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item J2

Approving Payment of Claims for the Library Expansion for the Period of May 9, 2007 through May 22, 2007

The Claims for the Library Expansion for the period of May 9, 2007 through May 22, 2007 for the following requisition:

#71 \$72,834.00

A MOTION is in order.

Staff Contact: David Springer

EXHIBIT B
Mortgage, Trust Indenture and Security Agreement

Requisition Form

REQUISITION FOR DISBURSEMENT

Requisition No. 71

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>
McGill Asbestos Abatement Co., Inc.	\$72,834.00	Removal of Asbestos

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 9th day of May, 2007.



Project Manager

INVOICE



**McGILL ASBESTOS
ABATEMENT CO., INC.**

4205 South 33rd Street
Omaha NE 68107

(402) 731-7171

City of Grand Island
Attn: City Clerk
100 East First Street
Grand Island, NE 68801

April 27, 2007

Amount

RE: Edith Abbott Memorial Library
211 North Washington Street
Grand Island, NE 68801

Removal of Asbestos Containing Materials
43,000 S.F. of Ceiling Material
Thru-out Building

\$

\$

72,834.00

Nº

10242

TOTAL THIS INVOICE

\$

72,834.00

Terms: Net 10 Days.



City of Grand Island

Tuesday, May 22, 2007

Council Session

Item X

Update Concerning IBEW, FOP, IAFF, and AFSCME Union Contract Negotiations

City Attorney Dale Shotkoski will update the Mayor and Council on Union Contract Negotiations for IBEW, FOP, IAFF, and AFSCME.

Staff Contact: Dale Shotkoski