
City of Grand Island



Tuesday, April 22, 2008

Council Session Packet

City Council:

**Tom Brown
Larry Carney
John Gericke
Peg Gilbert
Joyce Haase
Robert Meyer
Mitchell Nickerson
Bob Niemann
Kirk Ramsey
Jose Zapata**

Mayor:

Margaret Hornady

City Administrator:

Jeff Pederson

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 - Reverend Daniel Bremer, Grace Lutheran Church, 545 East Memorial Drive

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, April 22, 2008

Council Session

Item C1

Proclamation "Tourism Recognition Month" May, 2008

Whereas, travel and tourism is extremely important to the community of Grand Island in terms of revenues generated, and because the travel and tourism industry contributes to the employment, economic prosperity, international trade, and relations and peace, understanding, and goodwill, Mayor Hornady, in conjunction with the Hall County Convention and Visitors Bureau, has proclaimed the month of May, 2008 as "Tourism Recognition Month". See attached PROCLAMATION.

Staff Contact: Mayor Hornady

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

PROCLAMATION

WHEREAS, the travel and tourism industry in Grand Island is vital to our economic stability and growth and it contributes substantially to Grand Island's employment, economic prosperity, international trade and relations, peace, understanding and goodwill; and

WHEREAS, travel and tourism ranks as one of Grand Island's largest industries in terms of revenue generated contributing over \$139 million in our economy in 2007 with over 1 million people visiting our attractions and staying in our hotels; and

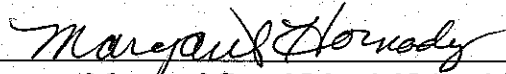
WHEREAS, recognizing travel and tourism can be expected to play an even greater role in the lives of those who live in the Greater Grand Island area.

NOW, THEREFORE, I, Margaret Hornady, Mayor of the City Grand Island, Nebraska, in recognition of the unique significance of the travel and tourism industry in the lives of the citizens of Grand Island, do hereby proclaim, May 2008 as

"Tourism Recognition Month"

in the City of Grand Island, and urge all citizens to observe tourism with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Grand Island to be affixed this 22nd day of April in the year of our Lord Two Thousand and Eight.

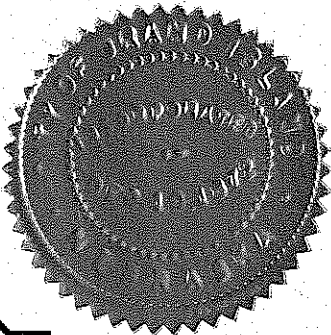


Mayor of Grand Island, Nebraska

Attest:



RaNae Edwards, City Clerk





City of Grand Island

Tuesday, April 22, 2008

Council Session

Item D1

**#2008-BE-1 - Consideration of Determining Benefits for Water
Main District 455 - Parkview Area**

Staff Contact: Gary R. Mader

Council Agenda Memo

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

Meeting: April 22, 2008

Subject: Water Main District 455, Park-View Subdivision Area

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

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

Background

The Park-View area initially developed over 75 years ago and at the time of development was not within the City Limits. Private domestic household wells were used for water supply at the time and have served that entire area until recently. In 2001, groundwater contamination was discovered in the area aquifer as a part of the Water Department's routine water testing for the Grand Island Municipal system. That discovery led to extensive additional testing by Grand Island, the Nebraska Department of Environmental Quality and the Environmental Protection Agency; and ultimately, designation of the Parkview Superfund Site by EPA. As a result of the contamination, many of the private wells in the area are no longer suitable for use for drinking water supply without purification equipment use, and others are in jeopardy as the contamination spreads in the aquifer. In response to the contamination problems, the city created Water Main District 454 to facilitate extension of the municipal water system throughout the subdivision. That initial district was protested out by the area residents.

After the failure of District 454, a number of area residents again petitioned the City to create a Water Main District. This request was for a smaller area, serving a portion of the subdivision where the interest in having a municipal water system extension was more prevalent. That district, District 455, was created as laid out by the petitioners and successfully passed the protest period. Installation of the City water mains to serve District 455 was completed during the 2007 construction season. That extension is now fully operational and has been incorporated into the municipal system. A map of District 455 is attached for reference.

Discussion

The construction of the district was done using the “Assessment District” administrative process. This is the standard method used by the City to recoup construction costs when water mains are installed in developed areas, at the request of the property owners. The total project cost was \$268,664.74. Of that total, the assessment amount chargeable to the district is \$260,064.64. The City’s expense is the remaining \$8,600.10 for engineering cost over the standard 10%. This cost is associated with additional construction oversight required to complete the work as specified.

There are 40 single family homes and one vacant lot within the district’s boundaries. The proposed assessments are based on equal benefit and value of service to each property. Each residential property would be assessed an equal portion of the total assessment amount or \$6,343.04 assessed to each of the 41 newly served properties.

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

Alternatives

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

1. Move to approve assessments as proposed
2. Refer the issue to a Committee for further study
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the assessment amounts for Water Main District 455 be set for the properties within the district as tabulated on the attached listing.

Sample Motion

Move to approve the assessment amounts for Water Main District 455.

RESOLUTION 2008-BE-1

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Water Main District 455, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$260,064.64; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Water Main District No. 455, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Eugene & Jacqualyne Heupel	Lot 30, Block C, Park-View Subdivision	\$6,343.04
Michael & Jody Nelson	Lot 38, Block D, Park-View Subdivision	\$6,343.04
Jerrold & Linda Tjaden	Lot 28, Block C, Park-View Subdivision	\$6,343.04
William & Sandra Lawrey	Lot 36, Block D, Park-View Subdivision	\$6,343.04
William & Sandra Lawrey	Lot 26, Block C, Park-View Subdivision	\$6,343.04
Roger C. Pape	Lot 34, Block D, Park-View Subdivision	\$6,343.04
Patrick & Suzanne Dowd	Lot 22, Block C, Park-View Subdivision Lot 24, Block C, Park-View Subdivision	\$6,343.04
Rocke & Marlene Beason	Lot 32, Block D, Park-View Subdivision	\$6,343.04
Kris Mileczko	Lot 30, Block D, Park-View Subdivision	\$6,343.04
Robert & Joanie Guerrero	Lot 20, Block C, Park-View Subdivision	\$6,343.04
Aaron Wobig	Lot 28, Block D, Park-View Subdivision	\$6,343.04
Thomas & Lorinda Lou Brown	Lot 18, except the East 12 th Feet of Block C, Park-View Subdivision	\$6,343.04
William & Sherri Tolle	Lot 26, Block D, Park-View Subdivision	\$6,343.04
Waldo & Dorothy Ruhe	Lot 16, Block C, Park-View Subdivision and the East 12 Feet of Lot 18, Block C, Park-View Subdivision	\$6,343.04
Charles & Christine Hoffman	Lot 14, Block C, Park-View Subdivision	\$6,343.04
Geraldine Lee & David C. Fairchild	Lot 24, Block D, Park-View Subdivision	\$6,343.04
James & Gaylene Von Housen	Lot 22, Block D, Park-View Subdivision	\$6,343.04
Carol Castleberry	Lot 12, Block C, Park-View Subdivision	\$6,343.04
Frank & Marlene Henke	Lot 20, Block D, Park-View Subdivision	\$6,343.04

RESOLUTION 2008-BE-1

Brian & Trudi Henke	Lot 18, Block D, Park-View Subdivision	\$6,343.04
Richard & Eurdis Willis	Lot 8, Block C, Park-View Subdivision	\$6,343.04
Richard & Eurdis Willis	Lot 10, Block C, Park-View Subdivision	\$6,343.04
Denny Fitzgerald	Lot 16, Block D, Park-View Subdivision	\$6,343.04
Melvin & Eleanor Ruge	Lot 6, Block C, Park-View Subdivision	\$6,343.04
Patricia & Keith Pirnie	Lot 14, Block D, Park-View Subdivision	\$6,343.04
Ron & Elaine Schweitzer	Lot 2, Commerce Subdivision	\$6,343.04
Edward Jr. & Phyllis Guzinski	Lot 12, Block D, Park-View Subdivision	\$6,343.04
Dale J. Dey Ermand	Lot 10, Block D, Park-View Subdivision	\$6,343.04
William Fred & Ellen Schritt	Lot 2, Park Subdivision	\$6,343.04
Andrew & Kristen Bishop	Lot 8, Block D, Park-View Subdivision	\$6,343.04
Ernest Kozisek	Lot 17, Block D, Park-View Subdivision	\$6,343.04
Clifford & Katherine Christensen	Lot 6, Block E, Park-View Subdivision	\$6,343.04
Joshua & Jessica Pottebaum	Lot 15, Block D, Park-View Subdivision	\$6,343.04
Michelle Kohlhof	Lot 5, Block E, Park-View Subdivision	\$6,343.04
Rickey & Michelle Lockard	Lot 13, Block D, Park-View Subdivision	\$6,343.04
Gary & DeVonne Schuett	Lot 4, Block E, Park-View Subdivision	\$6,343.04
Max & Sandra Cates	The West 96.8 Feet of Lot 11, Lot D, Park-View Subdivision	\$6,343.04
Warren & Deborah Norman	Lot 3, Block E, Park-View Subdivision	\$6,343.04
Andrew W. & Flora E. Bolin, Trustees	Lot 9, Block D, Park-View Subdivision and the East 10 feet of Lot 11, Block D, Park-View Subdivision	\$6,343.04
Steven & Ashley Krings	Lot 2, Block E, Park-View Subdivision	\$6,343.04
Duane & Dinah Fredrick	Lot 7, Block D, Park-View Subdivision	\$6,343.04
TOTAL		\$260,064.64

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, on April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item E1

**Public Hearing on Request from A. Meier, Inc. dba Bandits, 1016
N. Diers Avenue, Suite #118 for an Addition to Class "C-63264"
Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: April 22, 2008

Subject: Public Hearing on Request of A. Meier, Inc. dba Bandits, 1016 North Diers Avenue, Suite 118 for an Addition to Class "C-63264" Liquor License

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

Presenter(s): RaNae Edwards, City Clerk

Background

A. Meier, Inc. dba Bandits, 1016 North Diers Avenue, Suite 118 has submitted an application for an addition to their Class "C-63264" Liquor License. The request includes an addition of a beer garden, an area of approximately 12' x 70' to be added to the west side of the existing building. (See attached drawing.)

Discussion

Chapter 2, Section 012.07 of the Nebraska Liquor Control Commission Rules and Regulations define "Beer garden" as "an outdoor area included in licensed premises, which is used for the service and consumption of alcoholic liquors, and which is contained by a fence or wall preventing the uncontrolled entrance or exit of persons from the premises, and preventing the passing of alcoholic liquors to persons outside the premises" City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Clerk, Building, Fire, and Health Departments.

Alternatives

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

1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.

3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

Recommendation

Based on the Nebraska Liquor Control Commission's criteria for the approval of Liquor Licenses, City Administration recommends that the Council approve the application.

Sample Motion

Move to approve the application for an addition from A. Meier, Inc. dba Bandits, 1016 North Diers Avenue, Suite 118, Liquor License "C-63264" contingent upon final inspections.

RECEIVED

APR 07 2003

NE LIQUOR CONTROL COMMISSION

NEBRASKA LIQUOR
CONTROL COMMISSION

TO WHOM THIS MAY CONCERN:

I AM PLANNING TO ADD A BEER GARDEN ON THE WEST SIDE OF MY EXCISTING BAR. MY LEASE IS THE SAME FROM WHEN I FIRST OPENED AND IT IS GOOD FOR ANOTHER 12 YEARS. WE DO SELL FOOD AT MY ESTABLISHMENT AND I WAS TOLD TO APPLY FOR A SIDEWALK CAFE LICENCE. THE AREA IS APPROXIMATLY 12 FEET BY 70 FEET. THERE WILL BE A DOOR CONNECTING THE BEER GARDEN TO THE BAR ON THE WEST WALL. THE PROPOSED AREA WILL BE SOUROUNDED BY A 5 FOOT HIGH STEEL FENCE. IF YOU HAVE ANY QUESTIONS FEEL FREE TO CALL ME ANY TIME AT 308 380 4550.

THANKYOU



ANDREW MEIER

RECEIVED

APR 07 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

BANDITS

(LICENSED AREA)

NEW
DOORWAY →

6 FT

12 FT

70 FT.

(PROPOSED
ARE TO
BE LICENSED)

FRONT DOOR

12 FT.

(NORTH)



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item E2

**Public Hearing Concerning Acquisition of Utility Easement - 4040
Gold Core Drive - ASAP Real Estate, LLC**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: April 22, 2008

Subject: Acquisition of Utility Easement – 4040 Gold Core Drive
ASAP Real Estate, LLC

Item #'s: E-2 & G-4

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

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of ASAP Real Estate, LLC, located south and east of the building at 4040 Gold Core Drive (Gold Core and Schimmer Drive) in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

This easement will be used to place underground high voltage cable and a pad-mounted transformer to provide the new ASAP building with electrical power.

Alternatives

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

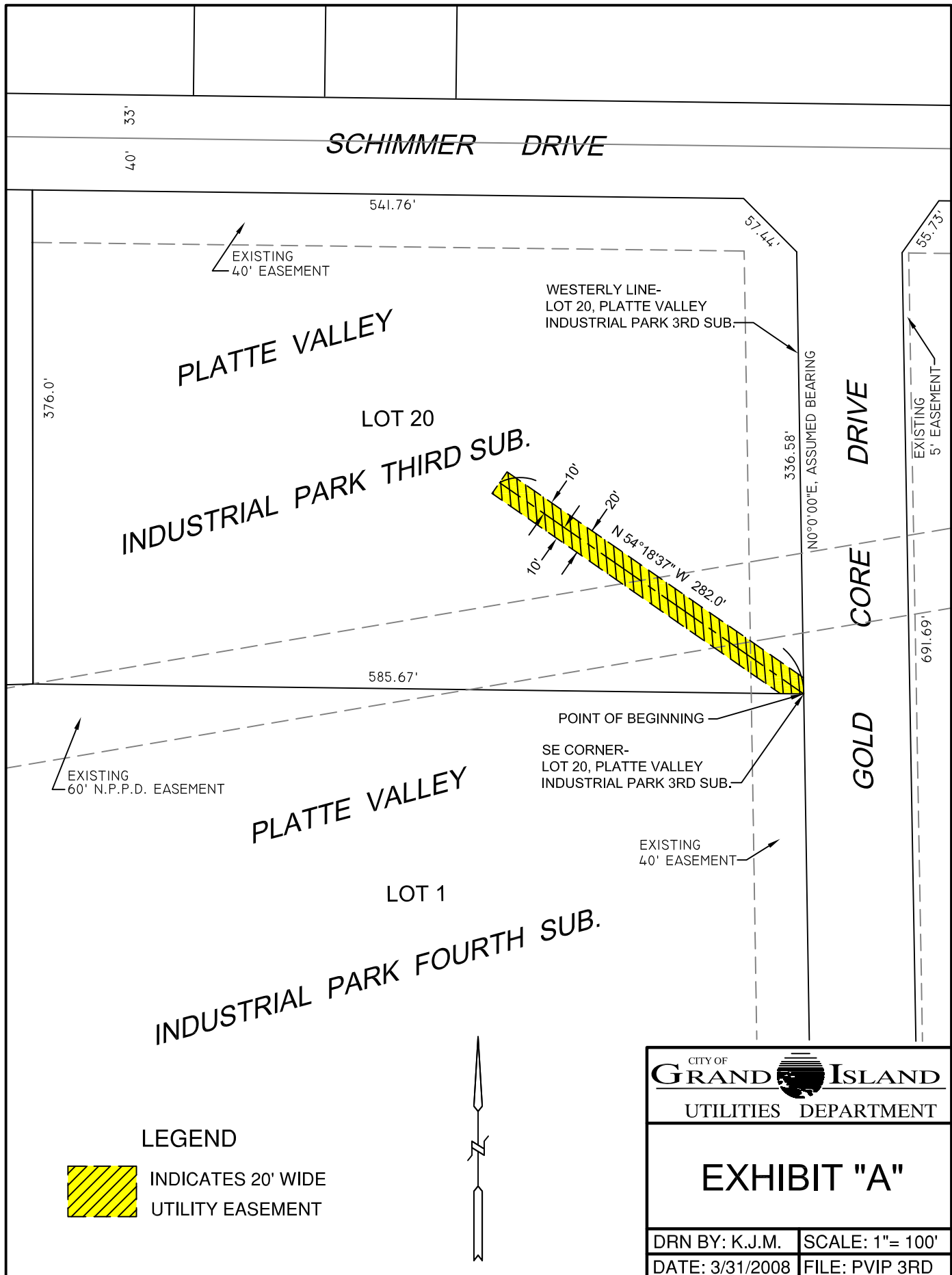
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, April 22, 2008

Council Session

Item E3

**Public Hearing Concerning Acquisition of Utility Easement - 1814
N. Eddy - Five-Points - Casey's General Store**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: April 22, 2008

Subject: Acquisition of Utility Easement – 1814 N. Eddy –
5- Points - Casey's Retail Company a/k/a Casey's
General Store

Item #'s: E-3 & G-5

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

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Casey's Retail Company, located behind Casey's General Store at 1814 North Eddy (Broadwell Avenue and Eddy Street – Five Points), in the City Of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair appurtenances, including a water main.

Discussion

Casey's Retail Company is planning to expand and upgrade their store at 1814 North Eddy. The new store will conflict with an existing water main crossing the property. Casey's will have the water main relocated to a different part of their property which will require the requested easement to allow public access and ownership of the main.

Alternatives

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

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

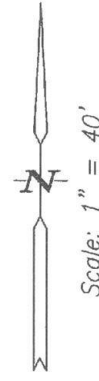
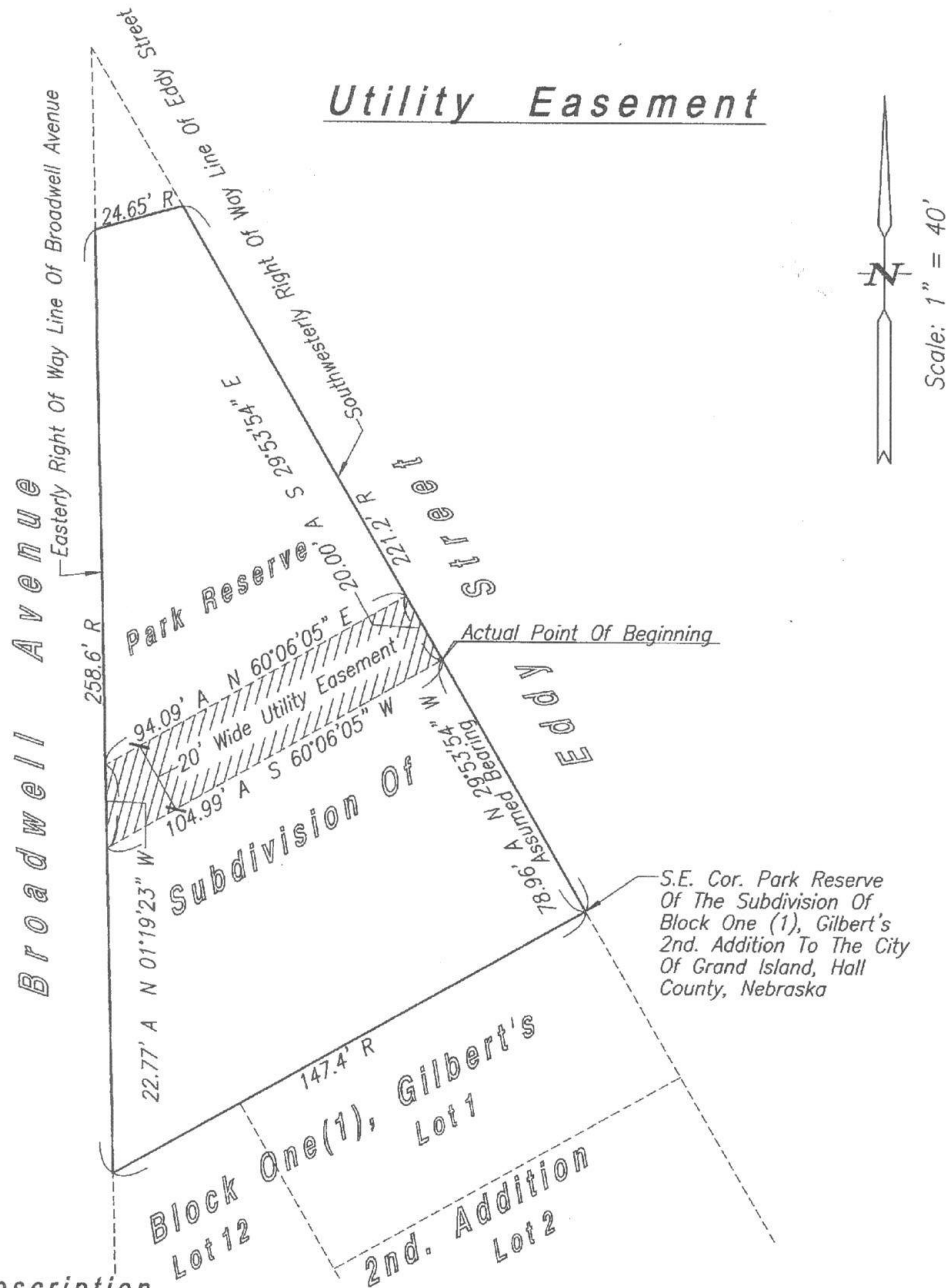
Recommendation

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

Sample Motion

Move to approve acquisition of the Utility Easement.

Utility Easement



Description

A tract of land comprising a part of the Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition to the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

Beginning at the southeast corner of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition, said point also being on the southwesterly right of way line of Eddy Street; thence running northwesterly along the northeasterly line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition, and the southwesterly right of way line of Eddy Street, on an Assumed Bearing of N29°53'54"W, a distance of Seventy Eight and Ninety Six Hundredths (78.96) feet, to the ACTUAL point of beginning; thence running S60°06'05"W, a distance of One Hundred Four and Ninety Nine Hundredths (104.99) feet, to a point on the westerly line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition and to a point on the easterly right of way line of Broadwell Avenue; thence running N01°19'23"W, along the west line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition and the easterly right of way line of Broadwell Avenue, a distance of Twenty Two and Seventy Seven Hundredths (22.77) feet; thence running N60°06'05"E a distance Ninety Four and Nine Hundredths (94.09) feet, to a point on the easterly line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition and to a point on the westerly right of way line of Eddy Street; thence running S29°53'54"E, along the easterly line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition and the westerly right of way line of Eddy Street, a distance of Twenty (20.00) feet, to the ACTUAL point of beginning and containing 0.046 acres more or less.

3/25/2008

EXHIBIT "A"

Sheet No. 1 Of 1



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item E4

**Public Hearing Concerning Acquisition of Utility Easement - 3620
Old Potash Highway - Levander**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: April 22, 2008

Subject: Acquisition of Utility Easement – 3620 Old Potash Hwy.
- Levander

Item #'s: E-4 & G-6

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

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Brian D. and Annette R. Levander, located in the rear of property located at 3620 Old Potash Highway (Old Potash Hwy. and Kaufman Avenue), in the City Of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

This easement will be used to place high voltage cable and a pad-mounted transformer to provide electric service to a new auto sales and service building.

Alternatives

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

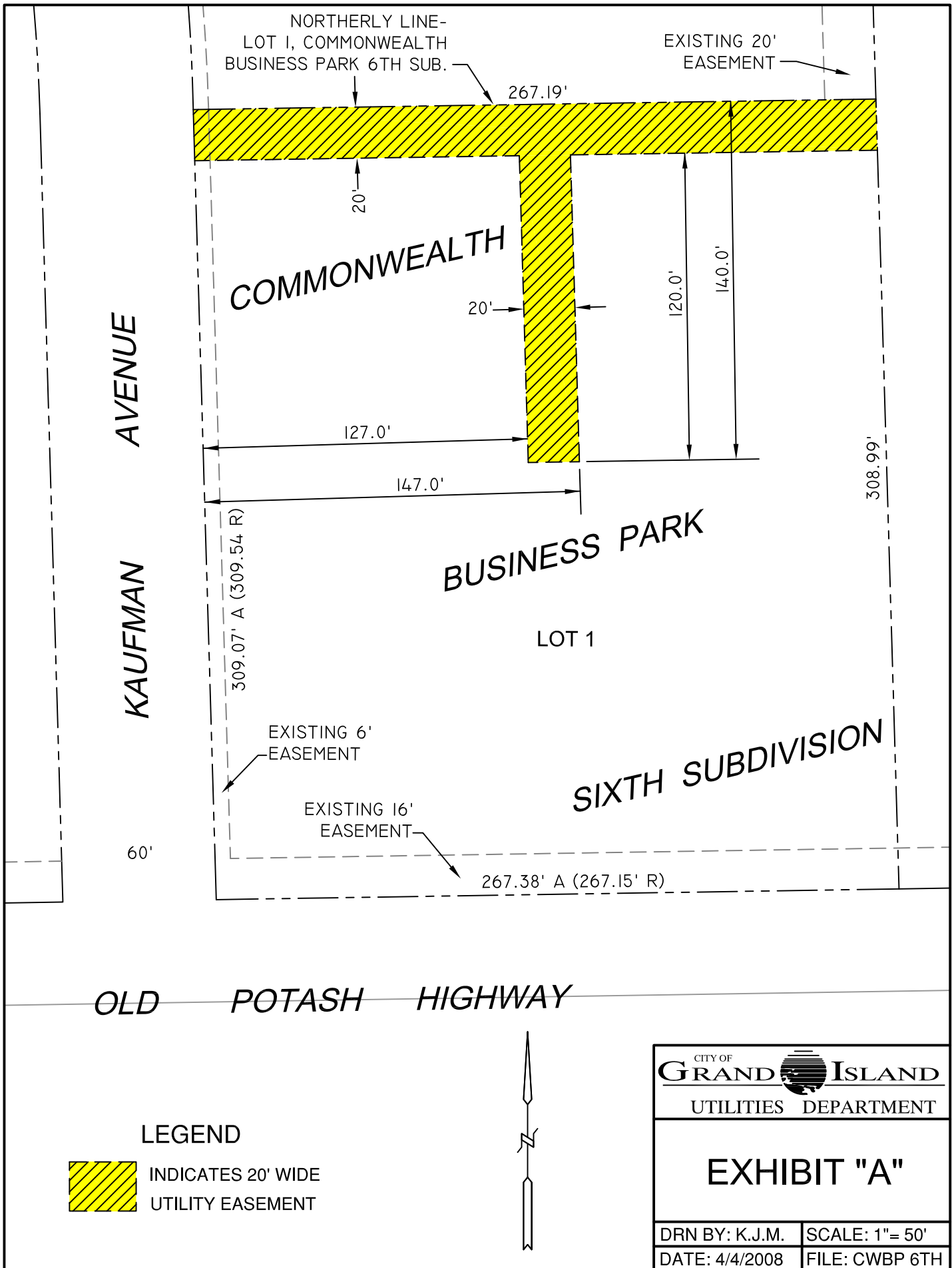
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, April 22, 2008

Council Session

Item E5

**Public Hearing on Acquisition of Public Utility Easement Located
at 1404 Independence Avenue; Lot 12 of American Independence
Subdivision (Gary E. and Mary G. Valasek)**

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: April 8, 2008

Subject: Public Hearing on Acquisition of Public Utility Easement
Located at 1404 Independence Avenue; Lot 12 of
American Independence Subdivision (Gary E. and Mary
G. Valasek)

Item #'s: E-5 & G-8

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

Background

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council. A public utility easement is needed at 1404 Independence Avenue; Lot 12 of American Independence Subdivision to accommodate public utilities. The easement will allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easement.

Discussion

This new easement will be ten (10) feet wide on the north side of Lot 12 of American Independence Subdivision. At tonight's meeting we are also requesting approval to acquire a ten (10) foot wide easement on the south side of Lot 11 of American Independence Subdivision. These two easements will join and satisfy the total public utility easement requirement of twenty (20) feet.

Alternatives

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

1. Move to approve

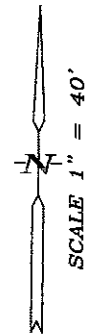
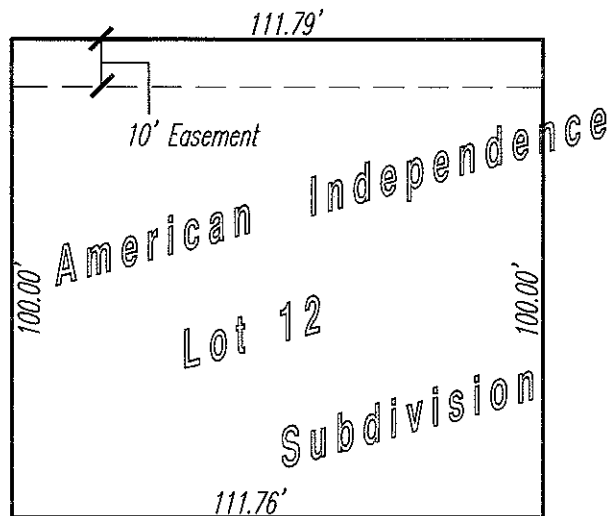
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve the acquisition of the Easement.



EASEMENT

A tract of land comprising the northerly Ten (10.0) feet of Lot Twelve (12), American Independence Subdivision, in the City of Grand Island, Nebraska, said tract containing 0.026 acres more or less.

EXHIBIT 'A'

September 23, 2005

Sheet 1 of 1



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item E6

Public Hearing on Acquisition of Public Utility Easement Located at 1410 Independence Avenue; Lot 11 of American Independence Subdivision (Gary E. and Mary G. Valasek)

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: April 22, 2008

Subject: Public Hearing on Acquisition of Public Utility Easement
Located at 1410 Independence Avenue; Lot 11 of
American Independence Subdivision (Gary E. and Mary
G. Valasek)

Item #'s: E-6 & G-9

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

Background

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council. A public utility easement is needed at 1410 Independence Avenue; Lot 11 of American Independence Subdivision to accommodate public utilities. The easement will allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easement.

Discussion

This new easement will be ten (10) feet wide on the south side of Lot 11 of American Independence Subdivision. At tonight's meeting we are also requesting approval to acquire a ten (10) foot wide easement on the north side of Lot 12 of American Independence Subdivision. These two easements will join and satisfy the total public utility easement requirement of twenty (20) feet.

Alternatives

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

1. Move to approve

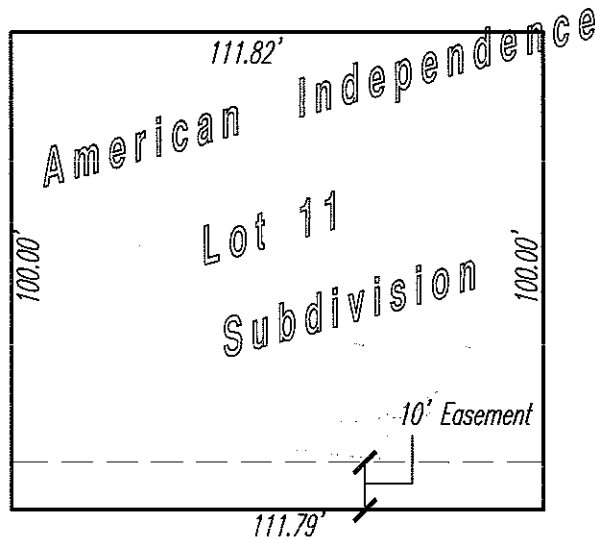
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

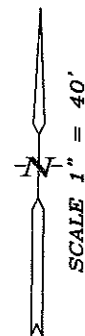
City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the Easement.

Sample Motion

Move to approve the acquisition of the Easement.



Independence Avenue



EASEMENT

A tract of land comprising the southerly Ten (10.0) feet of Lot Eleven (11), American Independence Subdivision, in the City of Grand Island, Nebraska, said tract containing 0.026 acres more or less.

EXHIBIT 'A'

September 23, 2005

Sheet 1 of 1



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item E7

**Public Hearing on Amendment to Chapter 36-70 of the Grand
Island City Code Relative to Automobile Body Repair by
Conditional Use Permit in the B3 - Heavy Business Zone**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: April 22, 2008

Subject: Text Amendment of Zoning Ordinance

Item #'s: E-7 & F-3

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

Background

Concerning proposed amendments to section 36.70, Section B, addition of Automobile body repair as a conditional use to the B3 Zoning District in the Grand Island City Code. (C-12-2008GI) Rick Johnson an owner of property located in the B3 Heavy Business Zone requested consideration of the proposed amendments. (See full recommendation.)

Discussion

The following proposed amendment to section 36.70 Section B of the Grand Island City Code, was considered by the Regional Planning Commission at the April 2, 2008 meeting following a public hearing.

§36-70. (B-3) Heavy Business Zone

Intent: The intent of this zoning district is to provide for the multiple uses within the central business district. Residential uses are permitted at the density of the (RO) Residential Office Zone.

(B) Conditional Uses: The following uses are subject to any conditions listed in this chapter and are subject to other conditions relating to the placement of said use on a specific tract of ground in the (B-3) Heavy Business Zoning District as approved by City Council.

- (1) Manufacture, fabrication or assembly uses incidental to wholesale or retail sales wherein not more than 20% of the floor area is so used
- (2) Outdoor sales and rental lots for new or used automobiles, boats, motor vehicles, trailers, manufactured homes, farm and construction machinery
- (3) Stores and shops for the conduct of wholesale business, including sale of used merchandise.
- (4) Towers

(5) Automobile body repair: subject to the following minimum standards:

No storage of parts or unlicensed vehicles outside of an enclosed building,

The facility shall meet or exceed all building and fire code requirements,
(6) Other uses as indicated in the Zoning Matrix [Attachment A hereto]

Nabity explained the proposed changes and that Automobile Body Repair is a permitted use in the M3 Zoning District north of Downtown and that there is an existing Body Repair Business (Vintage Autobody) located at 3rd and Elm. Heineman asked if this would also allow body work on motorcycles and Nabity responded that it would include all automobiles as written.

A motion was made by Haskins, and seconded by Snodgrass, to approve the Text Amendment Zoning Ordinance as presented. A roll call vote was taken and the motion carried with 9 members present voting in favor (Miller, O'Neill, Hayes, Reynolds, Monter, Haskins, Bredthauer, Heineman, Snodgrass).

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the proposed changes as presented

Sample Motion

Move to approve as recommended.

Agenda Item #4

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

March 21, 2008

SUBJECT:

Concerning amendments to the Zoning Ordinance for the City of Grand Island and its 2 mile extra-territorial jurisdiction. Amendments to be considered pertain to the §36-70 (B) B3-Heavy Business Zone Conditional Uses to include Automobile body repair as a conditional use in this zoning district (C-12-2008GI)

PROPOSAL:

The changes proposed here were requested by Rick Johnson of Grand Island, Nebraska. All areas with changes are **highlighted**. Additions are *italicized and underlined* and deletions are in ~~strike-out~~.

§36-70. (B-3) Heavy Business Zone

Intent: The intent of this zoning district is to provide for the multiple uses within the central business district. Residential uses are permitted at the density of the (RO) Residential Office Zone.

(B) Conditional Uses: The following uses are subject to any conditions listed in this chapter and are subject to other conditions relating to the placement of said use on a specific tract of ground in the (B-3) Heavy Business Zoning District as approved by City Council.

(1) Manufacture, fabrication or assembly uses incidental to wholesale or retail sales wherein not more than 20% of the floor area is so used

(2) Outdoor sales and rental lots for new or used automobiles, boats, motor vehicles, trailers, manufactured homes, farm and construction machinery

(3) Stores and shops for the conduct of wholesale business, including sale of used merchandise.

(4) Towers

(5) Automobile body repair: subject to the following minimum standards:

No storage of parts or unlicensed vehicles outside of an enclosed building,

The facility shall meet or exceed all building and fire code requirements,

(6) Other uses as indicated in the Zoning Matrix [Attachment A hereto]

OVERVIEW:

The B3 zone does not permit Automobile Body repair but does allow mechanical repair garages by conditional use permit. Vintage Body Shop at 3rd and Elm has been located in the B3 district for many years without creating any issues. The only B3 property in the City is located in the Downtown area. All of the property

north of the B3 zone is M3-Mixed Use Manufacturing and allows Automobile Body Repair as a permitted principal use.

This use would not be appropriate for the entire B3 zoned area but there are places along the outskirts that it would not be detrimental. Allowing this use as a conditional use would give Council the option of permitting it and placing reasonable restriction on it in those locations where it would make sense.

Automobile mechanical repair and sales are both conditional uses in the B3 zone and allowed in the M3 zone.

RECOMMENDATION:

That the Regional Planning Commission recommends that the Grand Island City Council **approve** the changes to the Grand Island Zoning Ordinance as requested.

_____ Chad Nabity AICP, Planning Director

§36-70. (B-3) Heavy Business Zone

Intent: The intent of this zoning district is to provide for the multiple uses within the central business district. Residential uses are permitted at the density of the (RO) Residential Office Zone.

(A) Permitted Principal Uses: The following principal uses are permitted in the (B-3) Heavy Business Zoning District.

- (1) Agencies as found in the Zoning Matrix [Attachment A hereto]
- (2) Boarding and lodging houses, fraternity and sorority houses
- (3) Churches, synagogues, chapels, and similar places of religious worship and instruction of a quiet nature
- (4) Colleges offering courses of general instruction, including convents, monasteries, dormitories, and other related living structures when located on the same site as the college
- (5) Country clubs
- (6) Dwelling units
- (7) Elderly Home, Assisted Living
- (8) Group Care Home with less than eight (8) individuals
- (9) Hospitals, nursing homes, convalescent or rest homes
- (10) Hotel and motel uses
- (11) Mortuaries, funeral homes, and funeral chapels
- (12) Nonprofit community buildings and social welfare establishments
- (13) Office and office buildings for professional and personal services as found in the Zoning Matrix [Attachment A hereto]
- (14) Preschools, nursery schools, day care centers, children's homes, and similar facilities
- (15) Public parks and recreational areas
- (16) Public, parochial and private schools having a curriculum equivalent to an elementary or higher educational level
- (17) Public and quasi-public buildings for cultural use
- (18) Radio and television stations (no antennae), private clubs and meeting halls
- (19) Railway right-of-way but not including railway yards or facilities
- (20) Retail activities of a prescriptive service provided it is limited to being secondary to said use. Retail space is limited to 25% of the total floor area
- (21) Stores and shops that conduct retail business, provided, all activities and display goods are carried on within an enclosed building except that green plants and shrubs may be displayed in the open, as per the Zoning Matrix [Attachment A hereto]
- (22) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises
- (23) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall be of such exterior design as to harmonize with nearby properties
- (24) Vocational or trade schools, business colleges, art and music schools and conservatories, and other similar uses
- (25) Other uses as indicated in the Zoning Matrix [Attachment A hereto]

(B) Conditional Uses: The following uses are subject to any conditions listed in this chapter and are subject to other conditions relating to the placement of said use on a specific tract of ground in the (B-3) Heavy Business Zoning District as approved by City Council.

- (1) Manufacture, fabrication or assembly uses incidental to wholesale or retail sales wherein not more than 20% of the floor area is so used
- (2) Outdoor sales and rental lots for new or used automobiles, boats, motor vehicles, trailers, manufactured homes, farm and construction machinery
- (3) Stores and shops for the conduct of wholesale business, including sale of used merchandise.
- (4) Towers

(5) Automobile body repair: subject to the following minimum standards:

No storage of parts or unlicensed vehicles outside of an enclosed building.

The facility shall meet or exceed all building and fire code requirements.

(6) Other uses as indicated in the Zoning Matrix [Attachment A hereto]

(C) Permitted Accessory Uses:

(1) Buildings and uses accessory to the permitted principal use.

(D) Space Limitations:

Uses			Minimum Setbacks					
		A	B	C	D	E		
	Minimum Parcel Area (feet)	Minimum Lot Width (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Street Side Yard (feet)	Maximum Ground Coverage	Maximum Building Height (feet)
Permitted Uses	3,000	30	10	0 ¹	0 ²	10	100%	
Conditional Uses	3,000	30	10	0 ¹	0 ²	10	100%	

¹ No rear yard setback is required if bounded by an alley, otherwise a setback of 10 feet is required.

² No side yard setback is required, but if provided, not less than five feet or unless adjacent to a parcel whose zone requires a side yard setback, then five feet. When adjacent to a public alley, the setback is optional and may range from 0 feet to 5 feet.

(E) Miscellaneous Provisions:

(1) Supplementary regulations shall be complied with as defined herein.

(2) Only one principal building shall be permitted on one zoning lot except as otherwise provided

Amended by Ordinance No. 8947, effective 1-5-2005



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item F1

**#9164 - Consideration of Assessments for Water Main District
455 - Parkview Area**

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

Staff Contact: Gary R. Mader

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9164

An ordinance to assess and levy a special tax to pay the cost of construction of Water Main District No. 455 of the City of Grand Island, Nebraska; to provide for the collection of such special tax; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts, and parcels of land specifically benefited, for the purpose of paying the cost of construction of said water main in said Water Main District 455, as adjudged by the Mayor and Council of said City, to the extent of benefits thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and lands as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Eugene & Jacqualyne Heupel	Lot 30, Block C, Park-View Subdivision	\$6,343.04
Michael & Jody Nelson	Lot 38, Block D, Park-View Subdivision	\$6,343.04

ORDINANCE NO. 9164 (Cont.)

Jerrold & Linda Tjaden	Lot 28, Block C, Park-View Subdivision	\$6,343.04
William & Sandra Lawrey	Lot 36, Block D, Park-View Subdivision	\$6,343.04
William & Sandra Lawrey	Lot 26, Block C, Park-View Subdivision	\$6,343.04
Roger C. Pape	Lot 34, Block D, Park-View Subdivision	\$6,343.04
Patrick & Suzanne Dowd	Lot 22, Block C, Park-View Subdivision Lot 24, Block C, Park-View Subdivision	\$6,343.04
Rocke & Marlene Beason	Lot 32, Block D, Park-View Subdivision	\$6,343.04
Kris Mileczko	Lot 30, Block D, Park-View Subdivision	\$6,343.04
Robert & Joanie Guerrero	Lot 20, Block C, Park-View Subdivision	\$6,343.04
Aaron Wobig	Lot 28, Block D, Park-View Subdivision	\$6,343.04
Thomas & Lorinda Lou Brown	Lot 18, except the East 12 th Feet of Block C, Park-View Subdivision	\$6,343.04
William & Sherri Tolle	Lot 26, Block D, Park-View Subdivision	\$6,343.04
Waldo & Dorothy Ruhe	Lot 16, Block C, Park-View Subdivision and the East 12 Feet of Lot 18, Block C, Park-View Subdivision	\$6,343.04
Charles & Christine Hoffman	Lot 14, Block C, Park-View Subdivision	\$6,343.04
Geraldine Lee & David C. Fairchild	Lot 24, Block D, Park-View Subdivision	\$6,343.04
James & Gaylene Von Housen	Lot 22, Block D, Park-View Subdivision	\$6,343.04
Carol Castleberry	Lot 12, Block C, Park-View Subdivision	\$6,343.04
Frank & Marlene Henke	Lot 20, Block D, Park-View Subdivision	\$6,343.04
Brian & Trudi Henke	Lot 18, Block D, Park-View Subdivision	\$6,343.04
Richard & Eurdis Willis	Lot 8, Block C, Park-View Subdivision	\$6,343.04
Richard & Eurdis Willis	Lot 10, Block C, Park-View Subdivision	\$6,343.04
Denny Fitzgerald	Lot 16, Block D, Park-View Subdivision	\$6,343.04
Melvin & Eleanor Ruge	Lot 6, Block C, Park-View Subdivision	\$6,343.04
Patricia & Keith Pirnie	Lot 14, Block D, Park-View Subdivision	\$6,343.04
Ron & Elaine Schweitzer	Lot 2, Commerce Subdivision	\$6,343.04
Edward Jr. & Phyllis Guzinski	Lot 12, Block D, Park-View Subdivision	\$6,343.04
Dale J. Dey Ermand	Lot 10, Block D, Park-View Subdivision	\$6,343.04
William Fred & Ellen Schritt	Lot 2, Park Subdivision	\$6,343.04
Andrew & Kristen Bishop	Lot 8, Block D, Park-View Subdivision	\$6,343.04
Ernest Kozisek	Lot 17, Block D, Park-View Subdivision	\$6,343.04
Clifford & Katherine Christensen	Lot 6, Block E, Park-View Subdivision	\$6,343.04
Joshua & Jessica Pottebaum	Lot 15, Block D, Park-View Subdivision	\$6,343.04
Michelle Kohlhof	Lot 5, Block E, Park-View Subdivision	\$6,343.04

ORDINANCE NO. 9164 (Cont.)

Rickey & Michelle Lockard	Lot 13, Block D, Park-View Subdivision	\$6,343.04
Gary & DeVonne Schuett	Lot 4, Block E, Park-View Subdivision	\$6,343.04
Max & Sandra Cates	The West 96.8 Feet of Lot 11, Lot D, Park-View Subdivision	\$6,343.04
Warren & Deborah Norman	Lot 3, Block E, Park-View Subdivision	\$6,343.04
Andrew W. & Flora E. Bolin, Trustees	Lot 9, Block D, Park-View Subdivision and the East 10 feet of Lot 11, Block D, Park-View Subdivision	\$6,343.04
Steven & Ashley Krings	Lot 2, Block E, Park-View Subdivision	\$6,343.04
Duane & Dinah Fredrick	Lot 7, Block D, Park-View Subdivision	\$6,343.04
TOTAL		\$260,064.64

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

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

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

SECTION 5. Such special assessments shall be paid into a fund to be designated as the "Water Fund 455".

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

ORDINANCE NO. 9164 (Cont.)

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

Enacted: April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item F2

**#9165 - Consideration of Conveyance of Property Located at 415
East 9th Street**

Staff Contact: Joni Kuzma

Council Agenda Memo

From: Joni Kuzma, Community Development Administrator

Meeting: April 22, 2008

Subject: Consideration of Conveyance of Property Located at 415 East 9th Street

Item #'s: F-2

Presenter(s): Joni Kuzma, Community Development Administrator

Background

The City purchased the building and property at 415 East 9th Street in March 1992 for \$14,750 as a part of a Homestead Program using Community Development Block Grant funds. In August 1992, the home was sold to a Homestead participant for \$1.00. As a part of this program, the City loaned \$12,500 to the homeowner to make improvements to the home and there was another warranty deed for \$14,500 with the homeowner. Both were released and the City resumed ownership of the property in 1995 when the homeowner defaulted on their mortgage.

The property was rented between 1995 and 2007, but has been vacant since February 2007. The Council declared the property as surplus at the February 26, 2008 Council meeting. A Request for Proposals was published in the Grand Island Independent on Sunday, March 9th and sealed bids were accepted until March 25, 2008 at 4:00 p.m.

Discussion

Two sealed bids were received and recorded by the City Clerk's office. Habitat for Humanity submitted the highest bid to purchase the property for \$5,000, provided a timeline, and clearly outlined a plan to sell the property to a low-income home buyer, as originally outlined in the Homestead Program.

The next step is for the Council to accept the bid and conditions for sale and approve a corresponding ordinance. Once the ordinance passes, the conditions of sale will be published for three consecutive weeks (April 29, May 6, and May 13, 2008). If no public remonstrance is filed within 30 days after final publication of the ordinance, the property can be conveyed.

Alternatives

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

1. Move to accept the bid, approve the ordinance, and direct the City Clerk to publish the ordinance for three consecutive weeks following approval
2. Reject the bid
3. Take no action on the issue and retain the property.

Recommendation

City Administration recommends that the Council accept the bid, approve the ordinance, and direct the City Clerk to publish the ordinance for three consecutive weeks following approval.

Sample Motion

Move to accept the bid, approve the ordinance, and direct the City Clerk to publish the ordinance for three consecutive weeks following approval.

ORDINANCE NO. 9165

An ordinance directing and authorizing the sale of real estate to Grand Island Area Habitat for Humanity, Inc.; providing for the giving of notice of such conveyance and the terms thereof; providing for the right to file a remonstrance against such conveyance; providing for publication and the effective date of this ordinance.

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

SECTION 1. The City of Grand Island, Nebraska, will convey to Grand Island Area Habitat for Humanity, Inc. a tract of land legally described as:

Lot Two (2), Block One Hundred Thirty Three (133), Union Pacific Railway Co's
Second Addition to the City of Grand Island, Hall County, Nebraska

SECTION 2. In consideration for such conveyance the purchaser shall pay the City the sum of Five Thousand and No/100 Dollars (\$5,000.00). The buyer will be responsible for the costs of recording the deed and one half the cost of a title insurance owner's policy and all the cost of any lender's policy. Conveyance of the real estate above described shall be by warranty deed, upon payment of the consideration pursuant to the terms and conditions of an Agreement for Warranty Deed between the parties.

SECTION 3. As provided by law, notice of such conveyance and the terms thereof shall be published for three consecutive weeks in the *Grand Island Independent*, a newspaper published for general circulation in the City of Grand Island. Immediately after the passage and publication of this ordinance, the City Clerk is hereby directed and instructed to prepare and publish said notice.

ORDINANCE NO. 9165 (Cont.)

SECTION 4. Authority is hereby granted to the electors of the City of Grand Island to file a remonstrance against the conveyance of such within described real estate; and if a remonstrance against such conveyance signed by registered voters of the City of Grand Island equal in number to thirty percent of the registered voters of the City of Grand Island voting at the last regular municipal election held in such City be filed with the City Council within thirty days of passage and publication of such ordinance, said property shall not then, nor within one year thereafter, be conveyed.

SECTION 5. The conveyance of said real estate is hereby authorized, directed and confirmed; and if no remonstrance be filed against such conveyance, the Mayor shall make, execute and deliver to Grand Island Area Habitat for Humanity, Inc. a warranty deed for said real estate, and the execution of such deed is hereby authorized without further action on behalf of the City Council.

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

Enacted: April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item F3

#9166 - Consideration of Amendment to Chapter 36-70 of the Grand Island City Code Relative to Automobile Body Repair by Conditional Use Permit in the B3 - Heavy Business Zone

This item relates to the aforementioned Public Hearing Item E-7.

Staff Contact: Chad Nabity

ORDINANCE NO. 9166

An ordinance to amend Chapter 36 of the Grand Island City Code specifically, to amend Section 36-70 pertaining to the B-3 Heavy Business Zone; to repeal Sections 36-70 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Section 36-70 of the Grand Island City Code is hereby amended to read as follows:

§36-70. (B-3) Heavy Business Zone

Intent: The intent of this zoning district is to provide for the multiple uses within the central business district. Residential uses are permitted at the density of the (RO) Residential Office Zone.

(A) Permitted Principal Uses: The following principal uses are permitted in the (B-3) Heavy Business Zoning District.

- (1) Agencies as found in the Zoning Matrix [Attachment A hereto]
- (2) Boarding and lodging houses, fraternity and sorority houses
- (3) Churches, synagogues, chapels, and similar places of religious worship and instruction of a quiet nature
- (4) Colleges offering courses of general instruction, including convents, monasteries, dormitories, and other related living structures when located on the same site as the college
- (5) Country clubs
- (6) Dwelling units
- (7) Elderly Home, Assisted Living
- (8) Group Care Home with less than eight (8) individuals
- (9) Hospitals, nursing homes, convalescent or rest homes
- (10) Hotel and motel uses
- (11) Mortuaries, funeral homes, and funeral chapels
- (12) Nonprofit community buildings and social welfare establishments
- (13) Office and office buildings for professional and personal services as found in the Zoning Matrix [Attachment A hereto]
- (14) Preschools, nursery schools, day care centers, children's homes, and similar facilities
- (15) Public parks and recreational areas
- (16) Public, parochial and private schools having a curriculum equivalent to an elementary or higher educational level
- (17) Public and quasi-public buildings for cultural use
- (18) Radio and television stations (no antennae), private clubs and meeting halls
- (19) Railway right-of-way but not including railway yards or facilities

ORDINANCE NO. 9166 (Cont.)

(20) Retail activities of a prescriptive service provided it is limited to being secondary to said use. Retail space is limited to 25% of the total floor area

(21) Stores and shops that conduct retail business, provided, all activities and display goods are carried on within an enclosed building except that green plants and shrubs may be displayed in the open, as per the Zoning Matrix [Attachment A hereto]

(22) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises

(23) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall be of such exterior design as to harmonize with nearby properties

(24) Vocational or trade schools, business colleges, art and music schools and conservatories, and other similar uses

(25) Other uses as indicated in the Zoning Matrix [Attachment A hereto]

(B) **Conditional Uses:** The following uses are subject to any conditions listed in this chapter and are subject to other conditions relating to the placement of said use on a specific tract of ground in the (B-3) Heavy Business Zoning District as approved by City Council.

(1) Manufacture, fabrication or assembly uses incidental to wholesale or retail sales wherein not more than 20% of the floor area is so used

(2) Outdoor sales and rental lots for new or used automobiles, boats, motor vehicles, trailers, manufactured homes, farm and construction machinery

(3) Stores and shops for the conduct of wholesale business, including sale of used merchandise.

(4) Towers

(5) Automobile body repair: subject to the following minimum standards:

No storage of parts or unlicensed vehicles outside of an enclosed building,

The facility shall meet or exceed all building and fire code requirements.

(6) Other uses as indicated in the Zoning Matrix [Attachment A hereto]

(C) **Permitted Accessory Uses:**

(1) Buildings and uses accessory to the permitted principal use.

(D) **Space Limitations:**

Uses			Minimum Setbacks					
		A	B	C	D	E		
	Minimum Parcel Area (feet)	Minimum Lot Width (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Street Side Yard (feet)	Maximum Ground Coverage	Maximum Building Height (feet)
Permitted Uses	3,000	30	10	0 ¹	0 ²	10	100%	
Conditional Uses	3,000	30	10	0 ¹	0 ²	10	100%	

¹ No rear yard setback is required if bounded by an alley, otherwise a setback of 10 feet is required.

ORDINANCE NO. 9166 (Cont.)

² No side yard setback is required, but if provided, not less than five feet or unless adjacent to a parcel whose zone requires a side yard setback, then five feet. When adjacent to a public alley, the setback is optional and may range from 0 feet to 5 feet.

(E) Miscellaneous Provisions:

(1) Supplementary regulations shall be complied with as defined herein.

(2) Only one principal building shall be permitted on one zoning lot except as otherwise provided

Amended by Ordinance No. 8947, effective 1-5-2005

Amended by Ordinance No. 9166, effective 5-13-2008

SECTION 2. Section 36-70 as existing prior to this amendment, and any ordinances or parts of ordinances in conflict herewith, are repealed.

SECTION 3. The validity of any section, subsection, sentence, clause, or phrase of this ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause, or phrase thereof.

SECTION 4. That this ordinance shall be in force and take effect May 13, 2008.

Enacted: April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item F4

#9167 - Consideration of Exceptions to Chapter 27 of the Grand Island City Code Regarding Fuel Purchase and Delivery for the Fleet Services Division of the Public Works Department

Staff Contact: Steve Riehle

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: April 22, 2008

Subject: Consideration of Exceptions to Chapter 27 of the Grand Island City Code Regarding Fuel Purchase and Delivery for the Fleet Services Division of the Public Works Department

Item #'s: F-4

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

Background

On March 26, 2008 the Fleet Services Division of the Public Works Department advertised for bids for fuel delivery. The bids were requested because the current fuel prices push the cost for a tanker load over the \$20,000 informal bid limit in the city code. Funds for the fuel were approved in the 2007/2008 budget. The estimate for such delivery was \$3.10 per gallon for 10% ethanol gasoline and \$3.60 per gallon for 5% number 2 bio-diesel.

Discussion

There was one response from the advertisement to bidders, but they did not submit a bid due to volatility with the fuel market.

Currently each time the City is in need of fuel, the Fleet Services Superintendent contacts the three local gas suppliers and purchases fuel from the lowest priced company using a Purchase Order. The three local suppliers are Bosselman, Inc., Sapp Bros. Petroleum, Inc. and Aurora Co-op. These three local fuel suppliers were contacted to set a markup of \$0.015 over the rack price at the pipeline. Fuel will be purchased from the supplier with the lowest quote, using the negotiated formula shown below.

Price for fuel will be determined as follows:

Pipeline Price	\$xx.xx per gallon
Margin over rack price	\$0.015 per gallon
Freight (estimated)	\$0.017 per gallon

Fuel Surcharge (estimated) \$0.003 per gallon
Total Price

Freight fees and fuel surcharges will vary due to fuel cost and inflation, at this time fees are after taxes and environmental fees. Fuel will come from the Doniphan pipeline directly to the Fleet Services Facility. We will generally purchase close to 10,000 gallons of fuel per tanker load.

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 Ordinance No. 9167 making the changes to fuel purchase and delivery.

Sample Motion

Move to approve changes to fuel purchase and delivery.

ORDINANCE NO. 9167

An ordinance to be read in conjunction with Chapter 27 of the Grand Island City Code; to provide for fuel purchases by Fleet Services in excess of \$20,000.00; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Fleet Services advertised for bids for fuel purchases expected to exceed \$20,000.00 and received no bids. A mark-up of \$0.015 per gallon of fuel has been negotiated with three local providers plus a reasonable delivery charge. For fuel purchases under \$20,000.00, Fleet Services shall follow the procurement code. Prior to every purchase in excess of \$20,000.00, quotes shall be solicited from three vendors based on the negotiated mark-up and reasonable delivery charge and purchased from the vendor with the lowest total quote. Different varieties of fuel may be purchased in the same tanker load provided that the fuel is purchased from the vendor with the lowest total price.

SECTION 2. Section 27 as existing prior to this amendment, and any ordinances or parts of ordinances in conflict herewith, are **not** repealed but are to be read in conjunction with this ordinance.

SECTION 3. The validity of any section, subsection, sentence, clause, or phrase of this ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause, or phrase thereof.

SECTION 4. 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.

ORDINANCE NO. 9167 (Cont.)

Enacted: April 22, 2008.

Attest:

Margaret Hornady, Mayor

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item G1

**Receipt of Official Documents - Pawnbroker's Official Bonds for
Bronx Pawn, G.I. Loan Shop, and Wayne's Pawn Shop**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: April 22, 2008

Subject: Approving Renewal of Pawnbroker Official Bond

Item #'s: G-1

Presenter(s): RaNae Edwards, City Clerk

Background

Chapter 25 of the Grand Island City Code requires that all persons who shall engage in the business of pawnbroker are required to make application to the Mayor and City Council. Along with the application and fee, a bond is required which is to be approved by the Mayor and City Council. Each license expires on April 30th of each year and must be renewed prior to that date.

Discussion

Bronx Pawn, 386 North Pine Street; G.I. Loan Shop, 1004 West Second Street; and Wayne's Pawn Shop, 203 West Third Street have submitted their application, fee, and bond for renewal of their pawnbroker's license. (See attached)

Alternatives

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

1. Move to approve the renewals
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 application and bond for renewal of pawnbroker's license.

Sample Motion

Move to approve the renewal applications and bonds for Bronx Pawn, G.I. Loan Shop, and Wayne's Pawn Shop.



Pawnbroker's License Application

Business Owner Name: Roxy Clark

Business Owner Address: 386 N. Pine

Business Manager Name: Roxy Clark

Business Manager Address: Same

Business Street Address: 386 N. Pine

Location of storage of goods if kept at location other than business location:

Fenced location:
Any Big Items, Cars, Trailers, Boats, etc.
would be stored at 3rd + E - Merrick County if needed.
List all criminal convictions (except minor traffic infractions) of owner, manager, or all officers and shareholders (if applicant is a corporation):

Offense	Location of Court	Conviction Date
<u>NONE</u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

If additional space is required, continue on back of the application.

Additional Documents Required:

1. All applicants must include bond to the City of Grand Island in the sum of \$5,000 with the application.
2. All corporate applicants must attach a copy of Articles of Incorporation and list of officers/shareholders.

All licenses expire on April 30th of each year. The City of Grand Island requires payment of an occupation tax in the amount of \$75.00 when the license is issued as well as a license fee in the amount of \$75.00.

All licenses are subject to approval and issuance by the City Council. Be sure you are familiar with the City Code and State Statutes pertaining to pawnbrokers.

Nationwide Mutual Insurance Company
Bond Department
1100 Locust, Department 2006
Des Moines, IA 50391-2006

Bond Continuation Certificate

Nationwide Mutual Insurance Company, hereinafter called Company, in consideration of an Agreed Premium hereby continues in force Bond Number 7900313016

Bond Description Pawn Broker

in the sum of \$ 5,000.00

on behalf of Roxy Clark dba Bronx Pawn
386 N. Pine St.
Grand Island, NE 68801

in favor of City of Grand Island

for the extended term beginning 12:00:00 a.m. January 10, 2008

and ending 11:59:59 p.m. January 9, 2009

subject to all terms, conditions and limitations contained in the original bond.

This continuation certificate is executed upon the express condition that the Company's liability under the bond and all continuation certificates issued shall not be cumulative and shall in no event exceed in the aggregate the largest single amount stated on the original bond, any rider attached thereto, of any continuation certificate.

SIGNED, SEALED AND DATED 1 / 10 / 2008

NATIONWIDE MUTUAL INSURANCE COMPANY

By:



Stephen S. Rasmussen, President





OLD REPUBLIC SURETY COMPANY
P O BOX 1976
DES MOINES, IA 50305

CONTINUATION CERTIFICATE

BOND NUMBER	BOND DESCRIPTION	BOND AMOUNT	EFFECTIVE DATE	EXPIRATION DATE
RLI- 557589	PAWNBROKER	5,000	5/01/2008	5/01/2009

PRINCIPAL

BEAZLEY, DARLO R.
G.I. LOAN SHOP
1004 W 2ND
GRAND ISLAND, NE 68801

OBLIGEE

CITY OF GRAND ISLAND
2ND & PINE
GRAND ISLAND, NE 68801

THIS BOND CONTINUES IN FORCE TO THE ABOVE EXPIRATION DATE CONDITIONED AND PROVIDED THAT THE LOSSES OR RECOVERIES ON IT AND ANY AND ALL ENDORSEMENTS SHALL NEVER EXCEED THE PENALTY SET FORTH IN THE BOND AND WHETHER THE LOSSES OR RECOVERIES ARE WITHIN THE FIRST AND/OR SUBSEQUENT OR WITHIN ANY EXTENSION OR RENEWAL PERIOD, PRESENT, PAST OR FUTURE. ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.

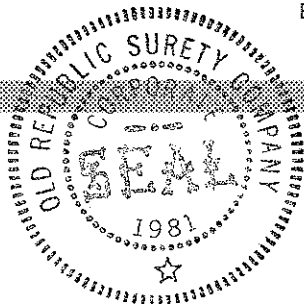
SIGNED AND DATED THIS THIRTEENTH DAY OF JANUARY, 2008

40-7749
GARY THOMPSON AGENCY, INC.
P O BOX 759
GRAND ISLAND, NE 68802

OLD REPUBLIC SURETY COMPANY
SURETY

By

Kerrodine J. Stetter
ASSISTANT SECRETARY





Pawnbroker's License Application

Business Owner Name: ARDITH MAY

Business Owner Address: 2530 N WEBB ROAD, GRAND ISLAND, NE 68803

Business Manager Name: GARY MAY

Business Manager Address: 573 E. DEPT DAVENPORT, NE 68801

Business Street Address: 203 WEST 3RD GRAND ISLAND, NE 68801

Location of storage of goods if kept at location other than business location:

List all criminal convictions (except minor traffic infractions) of owner, manager, or all officers and shareholders (if applicant is a corporation):

Offense	Location of Court	Conviction Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

If additional space is required, continue on back of the application.

Additional Documents Required:

1. All applicants must include bond to the City of Grand Island in the sum of \$5,000 with the application.
2. All corporate applicants must attach a copy of Articles of Incorporation and list of officers/shareholders. *ON FILE*

All licenses expire on April 30th of each year. The City of Grand Island requires payment of an occupation tax in the amount of \$75.00 when the license is issued as well as a license fee in the amount of \$75.00.

All licenses are subject to approval and issuance by the City Council. Be sure you are familiar with the City Code and State Statutes pertaining to pawnbrokers.



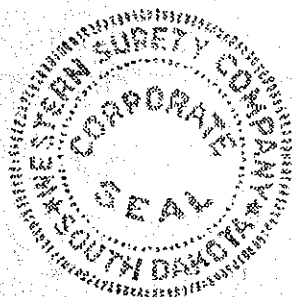
Western Surety Company

CONTINUATION CERTIFICATE

Western Surety Company hereby continues in force Bond No. 05756024 briefly described as PAWNBROKER CITY OF GRAND ISLAND,
for WAYNE E. MAY & ARDITH MAY DBA WAYNE'S PAWN SHOP, as Principal,
in the sum of \$ FIVE THOUSAND AND NO/100 Dollars, for the term beginning April 01, 2007, and ending April 01, 2010, subject to all the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.

Dated this 22 day of January, 2007.



WESTERN SURETY COMPANY

By

Paul T. Bruffat, Senior Vice President

THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item G2

Approving Minutes of April 8, 2008 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

April 8, 2008

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 April 8, 2008. Notice of the meeting was given in *The Grand Island Independent* on April 2, 2008.

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

INVOCATION was given by Pastor Randy Fett, St. Paul's Lutheran Church, 1515 South Harrison Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Hornady introduced Community Youth Council Members Dustin Supencheck and Austin Witmer. Also mentioned was this Sunday the CYC would be doing their roadside trash pick up of 3 miles as a partner of the Clean Community System.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "April is for the Arts" Month, April 2008. Mayor Hornady proclaimed the month of April, 2008 as "April is for the Arts". Marsha Dunn, Moonshell Arts & Humanities Council President was present to receive the proclamation.

Proclamation "National Library Week" April 13-19, 2008. Mayor Hornady proclaimed the week of April 13-19, 2008 as "National Library Week". Steve Fosselman, Library Director was present to receive the proclamation.

Proclamation "Public Health Month" April, 2008. Mayor Hornady proclaimed the month of April 2008 as "Public Health Month". Teresa Anderson, Executive Director of the Central District Health Department was present to receive the proclamation.

ORDINANCES:

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

#9162 – Consideration of Revisions to Chapter 8 of the Grand Island City Code Relative to International Building and Residential Codes

#9163 – Consideration of Vacation of a Portion of Easement in Lot 5 and Lots 8 thru 15 of American Independence Subdivision (Gary E. and Mary G. Valasek)

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

Craig Lewis, Building Department Director reported that Ordinance #9162 would amend Chapter 8 of the Grand Island City Code to the 2006 editions of the International Building and Residential codes. Discussion was held on basement codes which were not changed. Also discussed were insurance requirements.

Steve Riehle, Public Works Director reported that Ordinance #9163 would vacate the easterly 8’ of the existing 20’ wide easement on the west side of Lot 5 and Lots 8 thru 15 of American Independence Subdivision.

Motion by Nickerson, second by Ramsey to approve Ordinances #9162 and #9163.

City Clerk: Ordinances #9162 and #9163 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #9162 and #9163 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9162 and #9163 are declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of March 25, 2008 City Council Regular Meeting.

Approving Appointment of John Folsom to the Business Improvement District #6 Initial Board.

#2008-103 – Approving Bid Award for Concrete Pavement and Storm Sewer Repairs for 2008 with OK Paving of Hordville, Nebraska in an Amount of \$670,265.00.

#2008-104 – Approving Certificate of Final Completion for Sanitary Sewer District No. 906 Replacement, Between Yund and Division Streets, from Plum Street to Vine Street with The Diamond Engineering Company of Grand Island Nebraska.

#2008-105 – Approving Certificate of Final Completion for Street Improvement Project NO. 2007-P-5; Intersection of 10th Street and Adams Street/Broadwell Avenue with The Diamond Engineering Company of Grand Island Nebraska.

#2008-106 – Approving Boundaries for Creation of Business Improvement District #7 and Establishing Initial Appointments to Board.

#2008-107 – Approving Boundaries for Creation of Business Improvement District #8 and Establishing Initial Appointments to Board.

#2008-108 – Approving Final Plat and Subdivision Agreement for NCC-1701 Subdivision. It was noted that Timothy L. Grandon, Ezelluen Z. Fox, and Donald H. & Dolores S. Muhs, owners had submitted the Final Plat and Subdivision Agreement for NCC-1701 Subdivision located west of Webb Road and south of Highway 2 for the purpose of platting 2 lots and shifting the property line between them.

#2008-109 – Approving Bid Award for Campground Potable Water System for Heartland Public Shooting Park with Island Plumbing Company of Grand Island Nebraska in an Amount of \$29,121.00. Councilmember Meyer abstained.

PAYMENT OF CLAIMS:

Motion by Brown, second by Haase to approve the Claims for the period of March 26, 2008 through April 8, 2008, for a total amount of \$2,427,866.39. Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 7:30 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item G3

Approving Minutes of April 8, 2008 City Council Study Session

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

April 8, 2008

Pursuant to due call and notice thereof, a Study Session 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 April 8, 2008. Notice of the meeting was given in the *Grand Island Independent* on April 5, 2008.

Mayor Margaret Hornady called the meeting to order at 7:35 p.m. The following members were present: Councilmember's Brown, Haase, Zapata, Nickerson, Gericke, Carney, Gilbert, Ramsey, Niemann, and Meyer. The following City Officials were present: City Administrator Jeff Pederson, City Clerk RaNae Edwards, City Attorney Dale Shotkoski, Public Works Director Steve Riehle, and Finance Director David Springer.

Waste Water Treatment Plant Update. Steve Riehle, Public Works Director reported that the purpose of the Study Session was to update council on Solids Handling at the Waste Water Treatment Plant (WWTP), customer breakdown, Swift loading and Swift's pre-treatment improvements, a review of past presentations on costs and the 2008 budget, along with discharge permit and future waste water operations. A PowerPoint presentation was presented.

Mr. Riehle stated the City's top wastewater customer was the Swift packing plant at 57%, customers at 38%, food processing 4% and implement manufacturer 1%.

Reviewed were presentations to Council regarding the Waste Water Treatment Plant.

Presented were the following advantages of Anaerobic Digestion:

- Reliable and consistent process – widely used with successful track record
- Lowest O & M costs
- Major reduction in solids
- Pathogen reduction (Class B) allows immediate land application
- Improved de-watering ability of solids
- Enclosed to control odors
- Potential beneficial use of digester gas

City Administration recommended moving forward with the RFP for consultant engineering services for the Acid Gas Anaerobic Digestion system.

Discussion was held regarding construction started at the Swift Plant to build an anaerobic lagoon. Growth within Grand Island was discussed regarding the future needs of the waste water treatment plant.

Discharge Permit and Swift Update:

- Discharge Permit exceeded March 27th through March 31st
 - Total Suspended Solids

- Carbonaceous Biochemical Oxygen Demand (CBOD)
- Elevated levels of CBOD considered cause of fish kill
- Swift Update
 - Tuesday (April 8, 2008) meeting with NDEQ & EPA
 - Wednesday (April 9, 2008) meeting with City & JBS Swift & Company

Discussion was held regarding the outcome of the April 9, 2008 meeting. It was hoped that the City could reach an agreement with Swift and avoid any more permit violations. Jeff Pederson, City Administrator commented that the April 9, 2008 meeting was to reach parameters for an agreement, fees, and costs through negotiations which may take several months to complete. Disaster planning was mentioned regarding the environment, steps taken to avoid any more problems, and penalties.

Jeff Pederson, City Administrator commented on the importance of the WWTP and importance of planning for the future. Future management of WWTP was mentioned as there was no current Superintendent on staff.

Mr. Pederson stated there was an option for a Public – Private Partnership for Wastewater Operations with the following points provided:

- Agreement to provide complete operation, maintenance, and management services
- City continues to own system
- Private company required to transition current employees to employment with the company
- Experience, expertise, innovative approaches aimed at increased efficiency and cost effectiveness
- Five year contract
- Request for statement of qualifications/proposals

Discussion was held concerning the possibility of a Public – Private Partnership regarding costs of an RFP, benefits, ownership, enterprise fund, and control of costs, employee issues, policies and procedures currently used.

ADJOURNMENT: The meeting was adjourned at 8:40 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item G4

**#2008-110 - Approving Acquisition of Utility Easement - 4040 Gold
Core Drive - ASAP Real Estate, LLC**

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

Staff Contact: Gary R. Mader

RESOLUTION 2008-110

WHEREAS, a public utility easement is required by the City of Grand Island, from ASAP Real Estate, LLC, to install, upgrade, maintain and repair public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on April 22, 2008, for the purpose of discussing the proposed acquisition of an easement located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

Beginning at the southwest corner of Lot Twenty (20.0) Platte Valley Industrial Park Third Subdivision; thence N54°18'37"W, a distance of two hundred eighty two (282.0) feet. The side lines of the above described easement tract shall be prolonged or shortened as required to terminate on the boundary of Grantor's property.

The above-described easement and right-of-way containing a total of 0.127 acres, more or less, as shown on the plat dated 3/31/2008, 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 ASAP Real Estate, LLC, on the above-described tract of land.

- - -

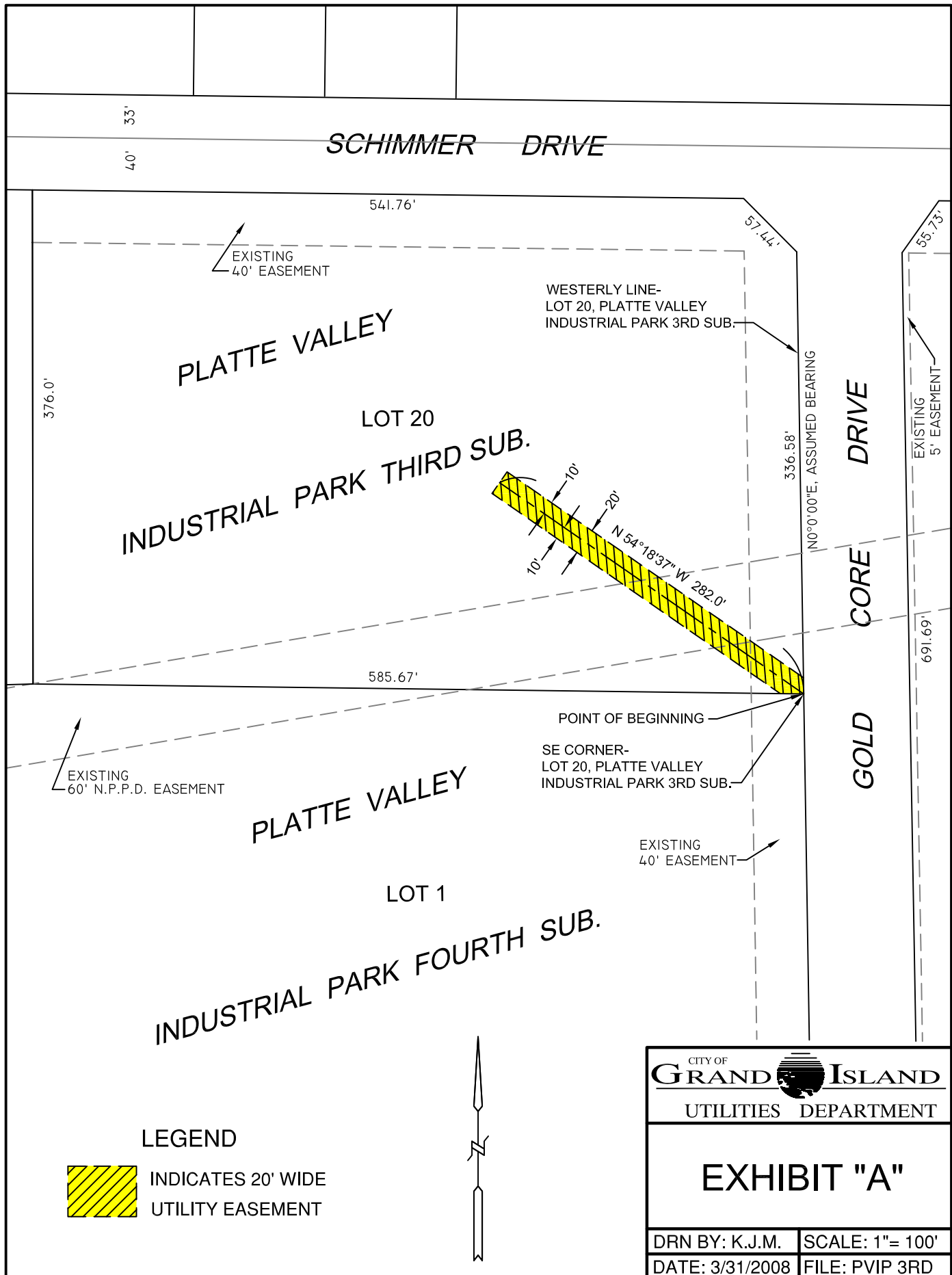
Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 16, 2008	☐ City Attorney





City of Grand Island

Tuesday, April 22, 2008

Council Session

Item G5

**#2008-111 - Approving Acquisition of Utility Easement - 1814 N.
Eddy - 5-Points - Casey's General Store**

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

Staff Contact: Gary R. Mader

RESOLUTION 2008-111

WHEREAS, a public utility easement is required by the City of Grand Island, from Casey's Retail Company, a/k/a Casey's General Store, to install, upgrade, maintain and repair public utilities and appurtenances, including water mains; and;

WHEREAS, a public hearing was held on April 22, 2008, for the purpose of discussing the proposed acquisition of an easement located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

Beginning at the southeast corner of the Park Reserve of Gilbert's Subdivision of Block One (1), Gilbert's 2nd Addition, said point also being on the southwesterly right-of-way line of Eddy Street; thence running northwesterly along the northeasterly line of said Park Reserve of Gilbert's Subdivision of Block One (1), Gilbert's 2nd Addition, and the southwesterly right-of-way line of Eddy Street, on an assumed bearing of N29°53'54"W, a distance of seventy eight and ninety six hundredths (78.96) feet to the ACTUAL Point of Beginning; thence running S60°06'05"W, a distance of one hundred four and ninety nine hundredths (104.99) feet, to a point on the westerly line of said Park Reserve of Gilbert's Subdivision of Block One (1), Gilbert's 2nd Addition and to a point on the easterly right-of-way line of Broadwell Avenue; thence running N01°19'23"W, along the west line of said Park Reserve of Gilbert's Subdivision of Block One (1), Gilbert's 2nd Addition and the easterly right-of-way line of Broadwell Avenue, a distance of twenty two and seventy seven hundredths (22.77) feet; thence running N60°06'05"E, a distance of ninety four and nine hundredths (94.09) feet, to a point on the easterly line of said Park Reserve of Gilbert's Subdivision of Block One (1), Gilbert's 2nd Addition and to a point on the westerly right-of-way line of Eddy Street; thence running S29°53'54"E, along the easterly line of said Park Reserve of Gilbert's Subdivision of Block One (1), Gilbert's 2nd Addition and the westerly right-of-way line of Eddy Street, a distance of twenty (20.0) feet, to the ACTUAL Point of Beginning.

The above-described easement and right-of-way containing 0.046 acres, more or less, as shown on the plat dated 3/25/2008, 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 Casey's Retail Company, a/k/a Casey's General Store, on the above-described tract of land.

- - -

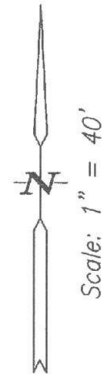
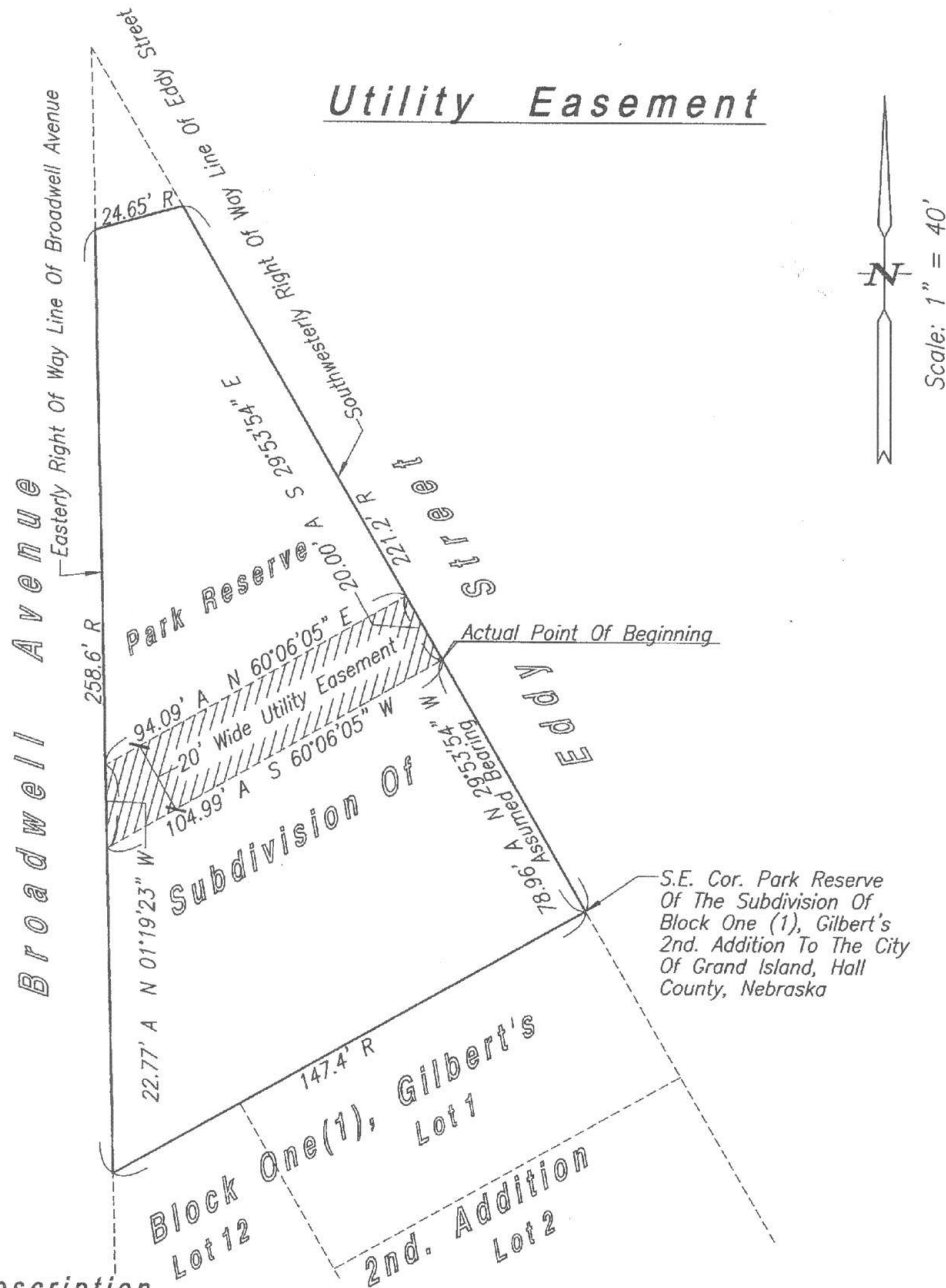
Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Utility Easement



Description

A tract of land comprising a part of the Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition to the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

Beginning at the southeast corner of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition, said point also being on the southwesterly right of way line of Eddy Street; thence running northwesterly along the northeasterly line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition, and the southwesterly right of way line of Eddy Street, on an Assumed Bearing of N29°53'54"W, a distance of Seventy Eight and Ninety Six Hundredths (78.96) feet, to the ACTUAL point of beginning; thence running S60°06'05"W, a distance of One Hundred Four and Ninety Nine Hundredths (104.99) feet, to a point on the westerly line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition and to a point on the easterly right of way line of Broadwell Avenue; thence running N01°19'23"W, along the west line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition and the easterly right of way line of Broadwell Avenue, a distance of Twenty Two and Seventy Seven Hundredths (22.77) feet; thence running N60°06'05"E a distance Ninety Four and Nine Hundredths (94.09) feet, to a point on the easterly line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition and to a point on the westerly right of way line of Eddy Street; thence running S29°53'54"E, along the easterly line of said Park Reserve of the Subdivision of Block One (1), Gilbert's 2nd. Addition and the westerly right of way line of Eddy Street, a distance of Twenty (20.00) feet, to the ACTUAL point of beginning and containing 0.046 acres more or less.

3/25/2008

EXHIBIT "A"

Sheet No. 1 Of 1



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item G6

#2008-112 - Approving Acquisition of Utility Easement - 3620 Old Potash Highway - Levander

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

Staff Contact: Gary R. Mader

RESOLUTION 2008-112

WHEREAS, a public utility easement is required by the City of Grand Island, from Brian D. Levander and Annette R. Levander, to install, upgrade, maintain and repair public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on April 22, 2008, for the purpose of discussing the proposed acquisition of an easement located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

The northerly twenty (20.0) feet of Lot One (1), Commonwealth Business Park Sixth Subdivision; and

The easterly twenty (20.0) feet of the westerly one hundred forty seven (147.0) feet of the northerly one hundred forty (140.0) feet of said Lot One, Commonwealth Business Park Sixth Subdivision. The above-described easement and right-of-way containing a total of 0.178 acres, more or less, as shown on the plat dated 4/4/2008, 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 Brian D. Levander and Annette R. Levander, on the above-described tract of land.

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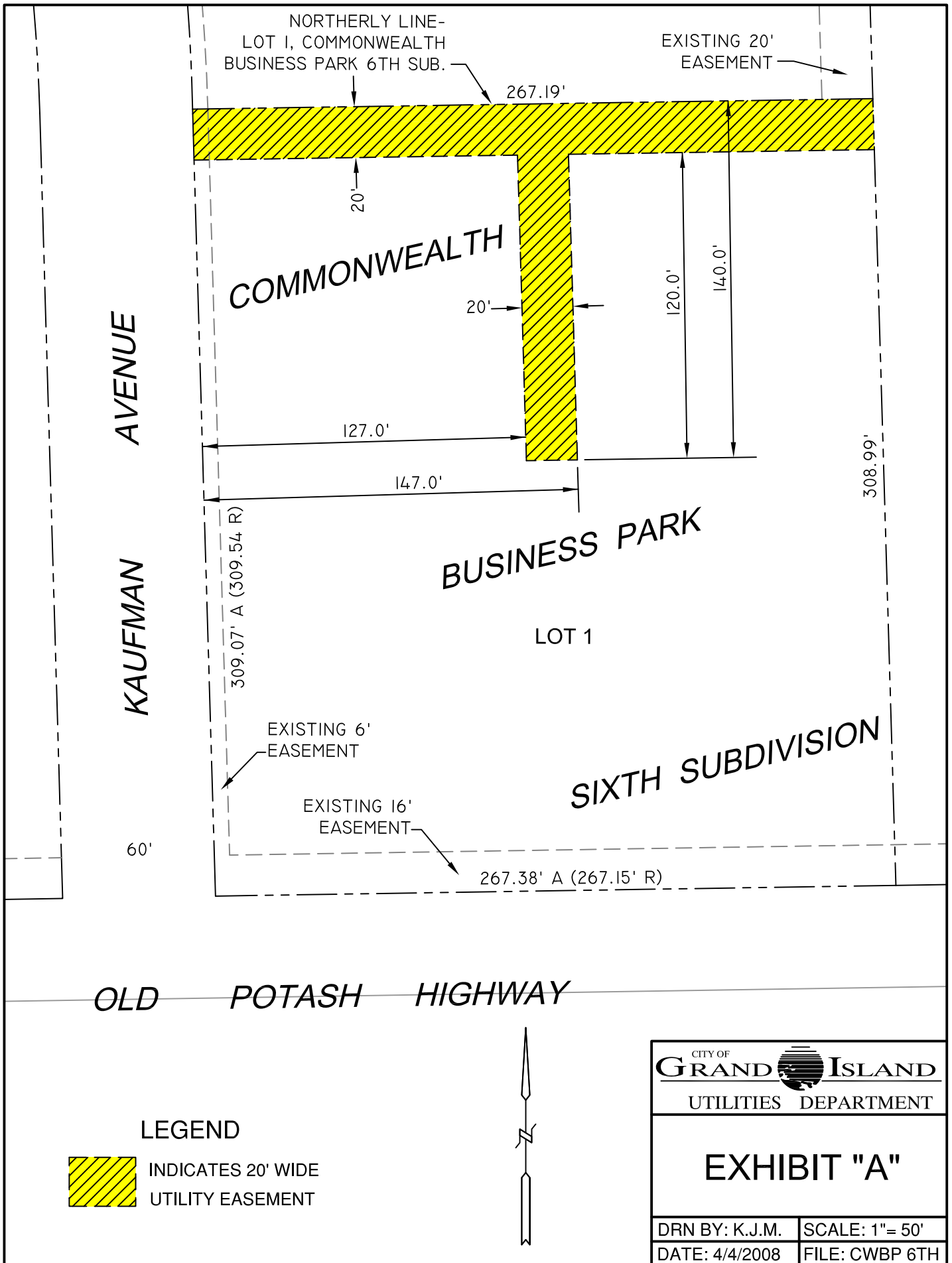
Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 16, 2008	☐ City Attorney





City of Grand Island

Tuesday, April 22, 2008

Council Session

Item G7

**#2008-113 - Approving Contract for 2008-PGS-P-1 - Area Paving
at 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: April 22, 2008

Subject: Road Paving – Platte Generating Station

Item #'s: G-7

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

Background

As part of the air emission permit issued for the Platte Generating Station by the Nebraska Department of Environmental Quality, fugitive dust is not allowed from the plant site. Included in fugitive dust is that from vehicle traffic on unpaved roads. To minimize the potential for this dust, the plant has implemented annual road paving projects.

Discussion

The specifications for the Road Paving-Platte Generating Station were advertised and issued for bid in accordance with the City Purchasing Code. Responses were received from the following bidders. The engineer's estimate for this project was \$50,000.00.

Bidder	Bid Price
Castle Construction, Inc., Columbus, NE	\$ 43,967.59
The Diamond Engineering Company, Grand Island, NE	\$ 47,264.50

The Bids were reviewed by Utility Engineering Staff and have no exceptions. Both bids are below the engineer's estimate of \$50,000.00 and compliant with 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

Recommendation

City Administration recommends that the Council award the Contract for Road Paving - Platte Generating Station, to Castle Construction of Columbus, Nebraska, as the low responsive bidder in the amount of \$43,967.59.

Sample Motion

Move to approve the contract with Castle Construction for Road Paving at Platte Generating Station in the amount of \$43,967.59 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: April 15, 2008 at 11:15 a.m.

FOR: Contract 2008-PGS-P-1 Area Paving at PGS

DEPARTMENT: Utilities

ESTIMATE: \$50,000.00

FUND/ACCOUNT: 520

PUBLICATION DATE: March 27, 2008

NO. POTENTIAL BIDDERS: 5

SUMMARY

Bidder:	<u>Castle Construction, Inc.</u> Columbus, NE	<u>The Diamond Engineering Company</u> Grand Island NE
Bid Security:	IMT Insurance Company	Universal Surety Company
Exceptions:	None	None
Bid Price:	\$43,967.59	\$47,264.50

cc: Gary Mader, Utilities Director
Dale Shotkoski, City Attorney
Jeff Pederson, City Administrator

Pat Gericke, Utilities Admin. Assist.
Wes Nespor, Assist. City Attorney
Tom Barnes, Eng. Manager

P1248

RESOLUTION 2008-113

WHEREAS, the City of Grand Island invited sealed bids for area paving at Platte Generating Station, according to plans and specifications on file with the Utilities Department ; and

WHEREAS, on April 15, 2008, bids were received, opened and reviewed; and;

WHEREAS, Castle Construction, Inc., of Columbus, 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 \$43,967.59; and

WHEREAS, the bid of Castle Construction, Inc., is less than the estimate for the Road Paving at Platte Generating Station.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Castle Construction, Inc., of Columbus, Nebraska in the amount of \$43,967.59 for Road Paving at Platte Generating Station is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 17, 2008	☐ City Attorney



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item G8

**#2008-114 - Approving Acquisition of Public Utility Easement
Located at 1404 Independence Avenue; Lot 12 of American
Independence Subdivision (Gary E. and Mary G. Valasek)**

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

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

RESOLUTION 2008-114

WHEREAS, a public utility easement is required by the City of Grand Island, from Gary E. and Mary G. Valasek, to construct and maintain the utilities at 1404 Independence Avenue, Lot 12 of American Independence Subdivision; and

WHEREAS, a public hearing was held on April 22, 2008, for the purpose of discussing the proposed acquisition of an easement consisting of the northerly ten (10.0) feet of Lot Twelve (12), American Independence Subdivision, in the City of Grand Island, Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Gary E. and Mary G. Valasek, on the above-described lot of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item G9

**#2008-115 - Approving Acquisition of Public Utility Easement
Located at 1410 Independence Avenue; Lot 11 of American
Independence Subdivision (Gary E. and Mary G. Valasek)**

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

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

RESOLUTION 2008-115

WHEREAS, a public utility easement is required by the City of Grand Island, from Gary E. and Mary G. Valasek, to construct and maintain the utilities at 1410 Independence Avenue, Lot 11 of American Independence Subdivision; and

WHEREAS, a public hearing was held on April 22, 2008, for the purpose of discussing the proposed acquisition of an easement consisting of the southerly ten (10.0) feet of Lot Eleven (11), American Independence Subdivision, in the City of Grand Island, Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Gary E. and Mary G. Valasek, on the above-described lot of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item G10

**#2008-116 - Approving Bid Award for 47,000 GVW Dump Truck -
Streets Division of the Public Works Department**

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: April 22, 2008

Subject: Approving Bid Award for 47,000 GVW Dump Truck - Streets Division of the Public Works Department

Item #'s: G-10

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

Background

On March 1, 2008 the Streets Division of the Public Works Department advertised for bids for the purchase of one (1) minimum 47,000 GVW Dump Truck. Funds for the truck were in the approved 2007/2008 budget. The estimate was \$85,000.00.

Discussion

Four (4) bids were received and opened on March 18, 2008. The Streets Division of the Public Works Department and the Purchasing Division reviewed the bids that were received. The bid received for a Sterling truck from Wick's Sterling Trucks did not include sound dampening and weather insulation as required by section 12 of the specifications and has California emissions controls that shut the engine off every 5 minutes when idling. The bid for a Sterling truck with a Cummins Engine from Nebraska Truck Center meets the specifications. A summary of the bids received is shown below.

Bidder	Manufacturer	Exceptions	Total Bid w/o Extended Warranty
Nebraska Peterbilt of Grand Island, NE	Peterbilt w/ Crysteel Body	Noted	\$88,372.00
Nebraska Peterbilt of Grand Island, NE	Peterbilt w/ Galion Body	Noted	\$86,317.00
Hansen International Truck, Inc. of Grand Island, NE	International w/ Galion Body	Noted	\$83,127.24

Wick's Sterling Trucks of Omaha, NE	Sterling w/ Crysteel Body	Noted	\$83,682.00
Wick's Sterling Trucks of Omaha, NE	Sterling w/ Galion Body	Noted	\$81,627.00
Nebraska Truck Center, Inc. of Grand Island, NE	Sterling w/ Galion Body - MBE Engine	Noted	\$82,892.00
Nebraska Truck Center, Inc. of Grand Island, NE	Sterling w/ Galion Body – Cummins Engine	Noted	\$81,794.00
Nebraska Truck Center, Inc. of Grand Island, NE	Freightliner w/ Galion Body	Noted	\$81,740.00

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

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve awarding the bid for one (1) 47,000 GVW Sterling Dump Truck with a Cummins Engine to Nebraska Truck Center, Inc. of Grand Island, Nebraska in the amount of \$81,794.00.

Sample Motion

Move to approve the bid award to Nebraska Truck Center, Inc. of Grand Island, Nebraska.

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: March 18, 2008 at 11:00 a.m.

FOR: (1) 47,000 GVW Dump Truck

DEPARTMENT: Public Works

ESTIMATE: \$85,000.00

FUND/ACCOUNT: 10033501-85625

PUBLICATION DATE: March 1, 2008

NO. POTENTIAL BIDDERS: 7

SUMMARY

Bidder:	<u>Nebraska Peterbilt</u> Grand Island NE	<u>Hansen International Truck, Inc.</u> Grand Island NE
Exceptions:	Noted	Noted
Make:	Peterbilt w/Galion Body	International w/Galion Body
Bid Price:	\$86,317.00	\$83,127.24
Exceptions:	Noted	
Make:	Peterbilt w/Crysteel Body	
Bid Price:	\$88,372.00	
Bidder:	<u>Wick's Sterling Trucks</u> Omaha, NE	<u>Nebraska Truck Center, Inc.</u> Grand Island NE
Exceptions:	Noted	Noted
Make:	Sterling w/Galion Body	Freightliner w/Galion Body
Bid Price:	\$81,627.00	\$81,740.00
Exceptions:	Noted	Noted
Make:	Sterling w/Crysteel Body	Sterling w/Galion Body
Bid Price:	\$83,682.00	\$81,794.00 Cummins Engine \$82,892.00 MBE Engine

RESOLUTION 2008-116

WHEREAS, the City of Grand Island invited sealed bids for One (1) 47,000 GVW Dump Truck, according to specifications on file with the City Engineer; and

WHEREAS, on March 18, 2008, bids were received, opened and reviewed; and

WHEREAS, Nebraska Truck Center, Inc. of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and specifications and all other statutory requirements contained therein, such bid being in the amount of \$81,794.00, and

WHEREAS, Nebraska Truck Center, Inc's bid is less than the estimate for such vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Nebraska Truck Center, Inc. of Grand Island, Nebraska, in the amount of \$81,794.00 for one 47,000 GVW Dump Truck is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item G11

**#2008-117 - Approving Confidentiality and Nondisclosure
Agreements with Omaha Public Power District (OPPD) and
Nebraska Public Power District (NPPD)**

Staff Contact: David Springer

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: April 22, 2008

Subject: Electric Rate Study: Approving Confidentiality and Nondisclosure Agreements with Omaha Public Power District (OPPD) and Nebraska Public Power District (NPPD).

Item #'s: G-11

Presenter(s): Dave Springer, Finance Director

Background

At the November 13, 2007 council meeting, a contract was approved with Christensen Associates to perform a load profiling and cost-of-service study for the Electric Department. Some of the core work of this study entailed gathering consumption information and usage patterns on our customer base. We anticipated having to randomly install a number of interval data recorders, or “smart meters”, to gather data for statistical analysis.

Discussion

In discussions with OPPD and NPPD, we were informed that they have load profile data for their customers, for which, we believe there is good correlation to our customer base, at a minimum, at least, for residential customers. They have agreed to provide this data to Grand Island for the nominal fees of \$900 and \$2,500 respectively. They have requested, however, that the City execute confidentiality and nondisclosure agreements that state that the information will only be used by authorized personnel and be used for the City’s load profiling and cost-of-service study as indicated. This is a reasonable request and will save the City considerable costs in having to install many fewer smart meters than originally estimated, as well as speeding up the analytical work.

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.

Sample Motion

Move to approve the Resolution to execute confidentiality and nondisclosure agreements with OPPD and NPPD.

AGREEMENT

Omaha Public Power District ("OPPD"), a public corporation and political subdivision of the State of Nebraska, and the City of Grand Island, Nebraska, a municipal corporation doing business as Grand Island Utilities ("Grand Island"), agree this ____ day of April, 2008, as follows:

1. **Load Data.** Within a reasonable time of execution of this Agreement, OPPD agrees to supply to Grand Island electric load data showing the interval electricity usage for various classes of OPPD customers ("Load Data"). The Load Data will be provided to Grand Island in a spreadsheet format, without customer names, addresses or other identifying information. The Load Data will be used solely by Grand Island for ratemaking and load forecasting ("Authorized Uses").

2. **Limitations.** The Load Data supplied by OPPD is provided to Grand Island "as is" without any representations, warranties or promises of any kind, other than the agreement to provide the Load Data as set forth in paragraph 1 above. Grand Island represents and warrants that it shall use the Load Data solely for the Authorized Uses.

3. **Fees and Other Costs.** Upon execution of this Agreement, in consideration of OPPD providing the Load Data, Grand Island shall pay to OPPD the sum of Two Thousand Five Hundred and no/100 Dollars (\$2,500.00), plus expenses incurred by OPPD in the preparation of this Agreement, which OPPD estimates to be less than \$1,000.00.

4. **Confidentiality.** Grand Island agrees to maintain as confidential the Load Data supplied by OPPD and agrees that the Load Data shall not be provided to any person other than employees, agents or consultants of Grand Island with the need to know the Load Data. In the event Grand Island is subject to a demand or legal action to release the Load Data pursuant to a legal requirement, Grand Island promptly shall notify OPPD and, at OPPD's request, shall cooperate with OPPD in contesting disclosure of the Load Data to the fullest extent provided by law.

5. **Liability and Indemnity.** To the fullest extent permitted by law, Grand Island shall indemnify, defend and hold harmless OPPD against and from all liabilities that arise from or are related to an act or omission of Grand Island with respect to the Load Data, unless such liabilities are caused by OPPD. Notwithstanding any other provision in this Agreement, neither party shall be liable to the other for any punitive, consequential, incidental or special damages, or alleged lost profits, incurred or alleged to have been incurred as a result of or related to the Load Data.

6. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns. Neither party may assign this Agreement without the prior written consent of the other party.

7. **Governing Law.** This Agreement shall be governed by and interpreted in accordance with the law of the State of Nebraska.

8. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof, and all prior agreements, statements and negotiations are hereby superseded. This Agreement may be amended only by a writing signed by each party.

OMAHA PUBLIC POWER DISTRICT
("OPPD")

By: _____
Title: _____

CITY OF GRAND ISLAND, NEBRASKA,
d/b/a GRAND ISLAND UTILITIES
("GRAND ISLAND")

By: _____
Title: _____

CONFIDENTIALITY AND NONDISCLOSURE AGREEMENT

This Confidentiality and Nondisclosure Agreement ("Agreement") is made on this ___th day of March, 2008 between Nebraska Public Power District ("NPPD"), the City of Grand Island ("Grand Island"), and Christensen Associates Energy Consulting, LLC. ("Consultant"), hereinafter also referred to as "Party" or "Parties".

WHEREAS, NPPD is in possession of certain confidential, proprietary, and trade secret information, relating to NPPD's retail load research data consisting of hourly load profiles for the NPPD residential RS, RSSH, RSWH, RSWHSH and commercial GS rate classes for the June 1, 2006 through May 31, 2007 time period and the NPPD commercial GSDM and CESH rate classes for the June 1, 2002 through May 31, 2003 time period ("Data"); and

WHEREAS, NPPD is willing to have Consultant receive, analyze and use the Confidential Information in order to support and assist Consultant in performing its cost-of-service analysis services related to Grand Island and NPPD is willing to disclose the same to Consultant and Grand Island as herein provided.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The Parties agree and acknowledge that the Confidential Information, including all contents, information and material therein, is confidential commercial information and constitutes proprietary and trade secret information of NPPD and that the Confidential Information shall not be disclosed or used other than as expressly provided herein. Confidential Information may be marked or labeled as such by NPPD but failure to do so shall not affect or diminish its inclusion within this Agreement. Information that is (i) publicly available from sources other than NPPD through no unauthorized act of Consultant, (ii) rightfully received from a third party, or (iii) independently developed by Consultant without use of Confidential Information, shall not be deemed to be Confidential Information.

2. In consideration of the receipt of the Confidential Information, Consultant and Grand Island agree that it shall:

(a) Not disclose, reveal, or allow access to the Confidential Information, and the contents or existence thereof, in any form or manner to any person, except its employees that have a need to know related to the cost-of-service analysis for the Consultant's client, Grand Island, without the prior express written consent of an officer of NPPD and shall take whatever action is necessary to prevent access to Confidential Information by unauthorized persons and shall prevent disclosure of Confidential Information by its

employees to other persons, including employees of corporate parents, subsidiaries, affiliates, partners, subcontractors, or contractors.

(b) Use the Confidential Information only with respect to the cost-of-service analysis related to Grand Island by Consultant, and advice, opinions and reports related thereto, and not for any other commercial, competitive, strategic, advertising, sales, promotion, technical, personal, educational, or industry purpose or other public or private purpose or activity.

(c) Not copy, reproduce, recopy or duplicate the Confidential Information without written consent of NPPD, except as is required in the execution of the consulting services for its client, Grand Island, or for the use of the cost-of-service analysis results by Grand Island.

(d) Return the Confidential Information and all copies, reproductions, abstracts, excerpts, notations, summaries, outputs, reiterations or compilations thereof to NPPD upon completion of Consultant's performance of said services or earlier if requested by NPPD.

3. NPPD may enforce this Agreement by appropriate legal and equitable actions and remedies, including specific performance and injunctive relief, and any violation of this Agreement in any respect shall constitute a material breach of the Agreement and a conclusive presumption that NPPD has been damaged by the breach.

4. This Agreement is deemed to have been made and entered into in the State of Nebraska and shall be governed, controlled and construed in accordance with the laws of the State of Nebraska, without application of conflict of law principles. Any legal action on or arising out of or related to this Agreement shall be commenced and maintained in courts in the State of Nebraska and the Parties agree to such forum and venue.

5. This Agreement may be executed in two counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same agreement.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives on the dates set forth below.

NEBRASKA PUBLIC POWER DISTRICT

CHRISTENSEN ASSOCIATES ENERGY
CONSULTING, LLC.

By _____

By _____

Name _____

Name _____

Title _____

Title _____

Date _____

Date _____

CITY OF GRAND ISLAND

By _____

Name _____

Title _____

Date _____

RESOLUTION 2008-117

WHEREAS, the City Electric Department has previously entered into a contract with Christensen Associates to perform a load profiling and cost-of-service study; and

WHEREAS, this study entails the gathering of consumption and usage pattern information on our customer base for statistical analysis; and

WHEREAS, Omaha Public Power District (OPPD) and Nebraska Public Power District (NPPD) have such data on their customers which they have agreed to make available to Grand Island; and

WHEREAS, OPPD and NPPD have requested that the City execute Confidentiality and Nondisclosure agreements on their behalf; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to execute Confidentiality and Nondisclosure agreements with OPPD and NPPD relative to their customer data.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item G12

#2008-118 - Approving the Furnishing of WAS Holding Tank Diffusers, Project 2008-WWTP-1, for the Waste Water Division of the Public Works Department

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: April 22, 2008

Subject: Approving the Furnishing of WAS Holding Tank Diffusers, Project 2008-WWTP-1, for the Waste Water Division of the Public Works Department

Item #'s: G-12

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

Background

On March 31, 2008 the Waste Water Division of the Public Works Department advertised for bids for the furnishing of WAS Holding Tank Diffusers.

Discussion

Two (2) bids were received and opened on April 15, 2008. The Purchasing and Waste Water Divisions for the City have reviewed the bids. SSI-Aeration, Inc. of Poughkeepsie, New York has met all specifications for the holding tank diffusers and their bid of \$56,700.00 is below the estimate of \$115,000.00.

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 awarding the bid for furnishing WAS Holding Tank Diffusers to SSI-Aeration, Inc. of Poughkeepsie, New York in the amount of \$56,700.00.

Sample Motion

Move to approve the bid award.



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: April 15, 2008 at 11:00 a.m.

FOR: Furnishing & Installing WAS Holding Tank Diffusers
WWTP Projects 2008-WWTP-1 and 2008-WWTP-2

DEPARTMENT: Public Works

ESTIMATE: \$115,000.00 Project 2008-WWTP-1 Furnish
\$ 60,000.00 Project 2008-WWTP-2 Install

FUND/ACCOUNT: 53030054-85213-53044

PUBLICATION DATE: March 31, 2008

NO. POTENTIAL BIDDERS: 12

SUMMARY

INSTALL WAS HOLDING TANK DIFFUSERS - PROJECT 2008-WWTP-2

Bidder:	<u>Judds Brothers Construction Co.</u> Lincoln, NE	<u>The Diamond Engineering Co.</u> Grand Island NE
Bid Security:	Inland Insurance Company	Universal Surety Company
Exceptions:	None	None
Bid Price:	\$71,421.00	\$69,000.00
Bidder:	<u>A & D Millwright, Inc.</u> Grand Island NE	<u>SSI-Aeration, Inc.</u> Poughkeepsie, NY
Bid Security:	Western Surety Company	\$2,835.00
Exceptions:	None	None
Bid Price:	\$49,700.00	\$56,700.00
Bidder:	<u>Industrial Process Technology, Inc.</u> Mitchell, SD	<u>Environmental Dynamics, Inc.</u> Columbia, MO
Bid Security:	Travelers Casualty & Surety Co.	\$3,500.00
Exceptions:	None	None
Bid Price:	\$46,268.00	\$67,650.00

FURNISH WAS HOLDING TANK DIFFUSERS - PROJECT 2008-WWTP-1

Bidder:	<u>SSI-Aeration, Inc.</u> Poughkeepsie, NY	<u>Environmental Dynamics, Inc.</u> Columbia, MO
Bid Security:	\$2,835.00	\$3,500.00
Exceptions:	None	None
Bid Price:	\$56,700.00	\$67,650.00

cc: Steve Riehle, Public Works Director
Dale Shotkoski, City Attorney
Jeff Pederson, City Administrator

Catrina Delosh, PW Admin. Assist.
Wes Nespor, Assist. City Attorney
Brad Titman, WWTP

P1247

RESOLUTION 2008-118

WHEREAS, the City of Grand Island invited sealed bids for Furnishing WAS Holding Tank Diffusers, Project 2008-WWTP-1, according to specifications on file with the Waste Water Division; and

WHEREAS, on April 15, 2008, bids were received, opened and reviewed; and

WHEREAS, SSI-Aeration, Inc. of Poughkeepsie, New York, submitted a bid in accordance with the terms of the advertisement of bids and specifications and all other statutory requirements contained therein, such bid being in the amount of \$56,700.00, and

WHEREAS, SSI-Aeration, Inc.'s bid is less than the estimate for such material.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of SSI-Aeration, Inc. of Poughkeepsie, New York, in the amount of \$56,700.00 for furnishing WAS Holding Tank Diffusers is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 17, 2008	☐ City Attorney



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item G13

#2008-119 - Approving the Installation of WAS Holding Tank Diffusers, Project 2008-WWTP-2, for the Waste Water Division of the Public Works Department

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: April 22, 2008

Subject: Approving the Installation of WAS Holding Tank Diffusers, Project 2008-WWTP-2 for the Waste Water Division of the Public Works Department

Item #'s: G-13

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

Background

On March 31, 2008 the Waste Water Division of the Public Works Department advertised for bids for the installation of WAS Holding Tank Diffusers.

Discussion

Four (4) bids were received and opened on April 15, 2008. The Purchasing and Waste Water Divisions for the City have reviewed the bids. Industrial Process Technology, Inc. of Mitchell, South Dakota meets all requirements for the installation of the holding tank diffusers and their bid of \$46,268.00 is below the estimate of \$60,000.00.

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 awarding the bid for installation of WAS Holding Tank Diffusers to Industrial Process Technology, Inc. of Mitchell, South Dakota in the amount of \$46,268.00.

Sample Motion

Move to approve the bid award.



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: April 15, 2008 at 11:00 a.m.

FOR: Furnishing & Installing WAS Holding Tank Diffusers
WWTP Projects 2008-WWTP-1 and 2008-WWTP-2

DEPARTMENT: Public Works

ESTIMATE: \$115,000.00 Project 2008-WWTP-1 Furnish
\$ 60,000.00 Project 2008-WWTP-2 Install

FUND/ACCOUNT: 53030054-85213-53044

PUBLICATION DATE: March 31, 2008

NO. POTENTIAL BIDDERS: 12

SUMMARY

INSTALL WAS HOLDING TANK DIFFUSERS - PROJECT 2008-WWTP-2

Bidder:	<u>Judds Brothers Construction Co.</u> Lincoln, NE	<u>The Diamond Engineering Co.</u> Grand Island NE
Bid Security:	Inland Insurance Company	Universal Surety Company
Exceptions:	None	None
Bid Price:	\$71,421.00	\$69,000.00
Bidder:	<u>A & D Millwright, Inc.</u> Grand Island NE	<u>SSI-Aeration, Inc.</u> Poughkeepsie, NY
Bid Security:	Western Surety Company	\$2,835.00
Exceptions:	None	None
Bid Price:	\$49,700.00	\$56,700.00
Bidder:	<u>Industrial Process Technology, Inc.</u> Mitchell, SD	<u>Environmental Dynamics, Inc.</u> Columbia, MO
Bid Security:	Travelers Casualty & Surety Co.	\$3,500.00
Exceptions:	None	None
Bid Price:	\$46,268.00	\$67,650.00

FURNISH WAS HOLDING TANK DIFFUSERS - PROJECT 2008-WWTP-1

Bidder:	<u>SSI-Aeration, Inc.</u> Poughkeepsie, NY	<u>Environmental Dynamics, Inc.</u> Columbia, MO
Bid Security:	\$2,835.00	\$3,500.00
Exceptions:	None	None
Bid Price:	\$56,700.00	\$67,650.00

cc: Steve Riehle, Public Works Director
Dale Shotkoski, City Attorney
Jeff Pederson, City Administrator

Catrina Delosh, PW Admin. Assist.
Wes Nespor, Assist. City Attorney
Brad Titman, WWTP

P1247

RESOLUTION 2008-119

WHEREAS, the City of Grand Island invited sealed bids for Installing WAS Holding Tank Diffusers, Project 2008-WWTP-2, according to specifications on file with the Waste Water Division; and

WHEREAS, on April 15, 2008, bids were received, opened and reviewed; and

WHEREAS, Industrial Process Technology, Inc. of Mitchell, South Dakota, submitted a bid in accordance with the terms of the advertisement of bids and specifications and all other statutory requirements contained therein, such bid being in the amount of \$46,268.00, and

WHEREAS, Industrial Process Technology, Inc.'s bid is less than the estimate for such work.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Industrial Process Technology, Inc. of Mitchell, South Dakota, in the amount of \$46,268.00 for installing WAS Holding Tank Diffusers is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 17, 2008	☐ City Attorney



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item I1

**#2008-120 - Consideration of Request from A. Meier, Inc. dba
Bandits, 1016 N. Diers Avenue, Suite #118 for an Addition to Class
"C-63264" Liquor License**

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

Staff Contact: RaNae Edwards

RESOLUTION 2008-120

WHEREAS, an application was filed by A. Meier, Inc., doing business as Bandits, 1016 North Diers Avenue, Suite 118 for an addition to their Class "C-63264" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on April 12, 2008; such publication cost being \$16.03; and

WHEREAS, a public hearing was held on April 22, 2008, for the purpose of discussing such liquor license application.

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

_____ The City of Grand Island hereby recommends approval of the above-identified liquor license addition contingent upon final inspections.

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

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

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	<input type="checkbox"/>	_____
April 16, 2008	<input type="checkbox"/>	City Attorney



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item I2

**#2008-121 - Consideration of Approving Letter of Support for
Essential Air Service (EAS) to the Department of Transportation
(DOT)**

Staff Contact: Jeff Pederson

Council Agenda Memo

From: Jeff Pederson, City Administrator

Meeting: April 22, 2008

Subject: Essential Air Service Recommendation

Item #'s: I-2

Presenter(s): Mike Olson, AAE Central Nebraska Regional Airport
Executive Director

Background

The Department of Transportation developed a program entitled Essential Air Service (EAS) several years ago to assure that smaller rural communities would be provided with passenger air service. The program provides subsidies to commercial air carriers to offset the cost of offering such service in areas where ridership cannot be to the level to achieve profitability. This program is intended to help small communities in economic development, community development and population stabilization. Hall County has benefited from this program over the last few years by assuring that the area continued flight service for citizens and businesses.

On January 16, 2008 the current air carrier, Mesa Airlines, filed a "Notice of Termination of Service". The Department of Transportation asked for bids from air carriers for the various EAS communities for the continuation of air service. The Central Nebraska Regional Airport received bids from two airlines: Great Lakes Aviation and Hawaii Island Air. A summary of the proposals is attached for City Council review.

Discussion

The Department of Transportation encourages public input into the process to secure EAS providers. On April 9, 2008 the Central Nebraska Regional Airport Board conducted a public meeting to seek input from citizens and businesses concerning air service. Mike Olson, Executive Director will be on hand to present the outcome of the public participation process and results of a recently completed survey for City Council review. He will also present a recommendation from the Airport Authority Board

requesting concurrence from the Grand Island City Council in support for Hawaii Island Air - Option #1.

Alternatives

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

1. Move to approve
2. Move to deny

Recommendation

City Administration recommends that the Council accept the recommendation of the Hall County Airport Authority Board submitted by Hawaii Island Air and pass resolution #2008-121 to authorize the Mayor to send a letter to the Department of Transportation expressing support of such proposal.

Sample Motion

Motion to accept the recommendation of the Hall County Airport Authority Board submitted by Hawaii Island Air and pass resolution #2008-121 to authorize the Mayor to send a letter to the Department of Transportation expressing support of such proposal.



April 16, 2008

Mayor Margaret Hornady
 City of Grand Island
 P.O. Box 1968
 Grand Island, NE 68802

Dear Mayor Hornady:

If you recall, on January 16th our current air carrier, Mesa Airlines, filed a "Notice of Termination of Service." As a result of this action, the Department of Transportation requested bids from other airlines to take over service at nine communities the termination affected. On March 21st, the request for bids were received. The Central Nebraska Regional Airport received bids from two airlines: Great Lakes Aviation and Hawaii Island Air. Both airlines proposed service to Kansas City.

On Wednesday, April 9th, the Airport Authority conducted a public input meeting with both airlines having a representative present to talk about their proposals. During this public meeting, a number of questions were asked to both airlines.

During the Airport Authority's board retreat on Friday, April 11th, the Airport Authority Board voted 5-0 to recommend Hawaii Island Air as the replacement air carrier for Mesa Airlines. The board took into consideration a number of issues in their final decision. The board also took into consideration the online survey conducted on the airport's website.

The results of the survey (attached) favored Hawaii Island Air over Great Lakes Aviation 51-33. Also taken into consideration were the following:

- Ability to start service in 90 days upon bid award
- Size of aircraft
- Ticket prices
- Frequency
- Interview of airlines from the April 9th public meeting


Mayor Margaret Hornady
City of Grand Island
April 16, 2008
Page 2

In conclusion, the Airport Authority Board felt the 37-seat Dash-8 aircraft and low airfares (starting at \$59 each way) to Kansas City on Hawaii Island Air was the better of the two airline bids.

The Hall County Airport Authority Board is respectfully requesting concurrence from the Grand Island City Council in our support for Hawaii Island Air – Option #1. Also, the Airport Authority is requesting a letter of support from Mayor Hornady recommending the same to the Department of Transportation.

Sincerely submitted,

HALL COUNTY AIRPORT AUTHORITY

A handwritten signature in black ink, appearing to read "Michael J. Olson", with a long horizontal flourish extending to the right.

Michael J. Olson, AAE
Executive Director

MJO/srw

Hall County Airport Authority

April 11, 2008

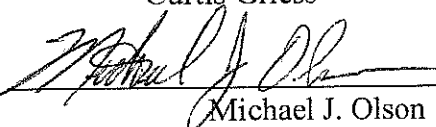
Resolution 08-31

Essential Air Service (EAS) Agreement

AUTHORITY ACTION TAKEN: Resolved that the Hall County Airport Authority makes the following recommendations to the Department of Transportation (DOT) for air service for the Central Nebraska Regional Airport under the Essential Air Service (EAS) program listed in order of preference:

1. Hawaii Island Air -- Option #1
2. Hawaii Island Air -- With time schedule as close to Option #1 for times

Chairman: 
Curtis Griess

Executive Director: 
Michael J. Olson

ESSENTIAL AIR SERVICE SURVEY
Central Nebraska Regional Airport

On Tuesday, March 25, 2008, the Central Nebraska Regional Airport received bids from 2 airlines for our Essential Air Service. The bids from Hawaii Island Air and Great Lakes Aviation are for non-stop service to Kansas City. You will notice on each proposal the flight schedule is included. Great Lakes Aviation will utilize the 19 seat Beech 1900 and Hawaii Island Air will utilize the 37 seat Dash 8 aircraft with a lavatory and a flight attendant.

Hawaii Island Air is proposing airfares as low as \$59.00 each way to Kansas City with a 7-day advanced purchase. Great Lakes Aviation has not proposed any airfare information.

Your Name: _____

Please Print

1. How often do you travel by airline? (Please check one.)

_____ Once
_____ 2-4 times a year
_____ 4-7 times a year
_____ More than 7 times a year

2. Is your travel mostly: (Please check one.)

_____ Business
_____ Leisure
_____ Both

3. Please rank in order of importance: (1-6)

_____ Size of aircraft
_____ Ticket prices
_____ Frequency of flights
_____ Reliable service
_____ Connecting hub
_____ Code share or Frequent Flyer programs

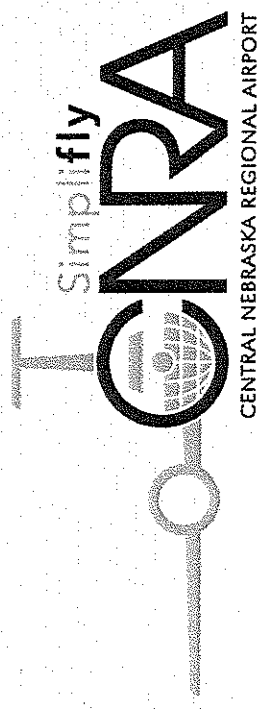
4. What 3 airports in the United States do you fly to the most?

5. Of the 2 airlines that have submitted proposals, which airline do you prefer?

_____ Great Lakes Aviation
_____ Hawaii Island Air

Central Nebraska Regional Airport

Survey Results



How often do you travel by airline?

Once	2-4 Times A Year	4-7 Times A Year	More Than 7 Times A Year
9	36	22	24

Is your travel mostly:

Business	Leisure	Both
18	30	43

Rank in Order of Importance

- 1. Ticket Prices**
 - 2. Connecting Hub**
 - 3. Frequency of Flights**
 - 4. Connecting Hub**
 - 5. Size of Aircraft**
 - 6. Code Share or Frequent Flyer Programs**
-

Rank in Order of Importance

Ranking	Size of Aircraft	Ticket Prices	Frequency of Flights	Reliable Service	Connecting Hub	Code Share or Frequent Flyer Programs
1	3	57	7	24	11	2
2	5	18	14	26	30	2
3	11	7	31	23	11	5
4	12	5	23	9	25	6
5	35	2	12	3	8	19
6	20	1	2	4	2	50

What 3 airports in the United States do you fly to the most?

- ☐ 1st Airport Choice: Denver
 - ☐ 2nd Airport Choice: Denver
 - ☐ 3rd Airport Choice: Chicago
-

Airport Preferences:

1. Denver – 16

- (Followed by Kansas City (15) and Chicago (14))**

2. Denver – 19

- Followed by Chicago (12), Kansas City (7) and Omaha (7)**

3. Chicago & Omaha – 9

- Followed by Phoenix (6), Denver (5) and Kansas City (5)**
-

Which airline proposal do you prefer?

- ☐ Hawaii Island Air - 51
 - ☐ Great Lakes Aviation - 33
-

If you chose Hawaii Island Air,
which proposal did you favor?

- ☐ Option #1 – 9
 - ☐ Option #2 – 6
 - ☐ Option #5 – 8
 - ☐ Option #7 – 5
 - ☐ Option #9 – 5
 - ☐ Option #11 – 2
 - ☐ Option #12 – 3
-

Hawaii Island Air d/b/a Island Air

All flights operated with 37-seat DeHavilland Dash-8-100 series aircraft. (Reserve the right to substitute a similar 30+ seat cabin-class aircraft in place of the Dash-8 in the future.)
Code share with United Airlines and Continental Airlines.

Option #1	Service to Kansas City (Part of package that includes Joplin, MO and Columbia, MO)				EAS Subsidy \$1,639,076			
	Grand Island to Kansas City				Kansas City to Grand Island			
	Depart	Arrive	Frequency	Stops	Depart	Arrive	Frequency	Stops
	0540 1535	0645 1640	Mon-Sat Sun-Fri	0 (47) 0 (44)	1400 2015	1505 2120	Mon-Sat Sun-Fri	0 (38) 0 (48)
Option #2	Service to Kansas City (Part of package that includes Joplin, MO and Columbia, MO)				EAS Subsidy \$1,551,286			
	Grand Island to Kansas City				Kansas City to Grand Island			
	Depart	Arrive	Frequency	Stops	Depart	Arrive	Frequency	Stops
	0540 1255	0645 1400	Mon-Sat Sun-Fri	0 (47) 0 (35)	1130 2015	1235 2120	Mon-Sat Sun-Fri	0 (38) 0 (48)
Option #5	Service to Kansas CityEAS Subsidy \$1,649,560 (Part of package that includes Joplin, MO)							
	Grand Island to Kansas City				Kansas City to Grand Island			
	Depart	Arrive	Frequency	Stops	Depart	Arrive	Frequency	Stops
	1030 1755	1135 1900	Mon-Sat Sun-Fri	0 (35) 0 (19)	0905 1630	1010 1735	Mon-Sat Sun-Fri	0 (19) 0 (37)

Hawaii Island Air d/b/a Island Air (Continued)

All flights operated with 37-seat DeHavilland Dash-8-100 series aircraft. (Reserve the right to substitute a similar 30+ seat cabin-class aircraft in place of the Dash-8 in the future.)
Code share with United Airlines and Continental Airlines.

Option #7	Service to Kansas City (Part of package that includes Joplin, MO; Columbia, MO; and Kirksville, MO)		EAS Subsidy \$1,721,063			
	Grand Island to Kansas City		Kansas City to Grand Island			
	<u>Depart</u>	<u>Arrive</u>	<u>Frequency</u>	<u>Stops</u>	<u>Depart</u>	<u>Arrive</u>
	0550 1255	0655 1400	Mon-Sat Sun-Fri	0 (48) 0 (35)	0930 2015	1035 2120
			Mon-Sat	0 (22)	Sun-Fri	0 (48)
Option #9	Service to Kansas City (Part of package that includes Joplin, MO; Harrison, AR; and Hot Springs, AR)		EAS Subsidy \$1,493,258			
	Grand Island to Kansas City		Kansas City to Grand Island			
	<u>Depart</u>	<u>Arrive</u>	<u>Frequency</u>	<u>Stops</u>	<u>Depart</u>	<u>Arrive</u>
	1030 1655	1135 1800	Mon-Sat Sun-Fri	0 (35) 0 (31)	0905 1530	1010 1635
			Mon-Sat	0 (19)	Sun-Fri	0 (38)
Option #11	Service to Kansas City (Part of package that includes Harrison, AR; Hot Springs, AR; and Columbia, MO)		EAS Subsidy \$1,561,105			
	Grand Island to Kansas City		Kansas City to Grand Island			
	<u>Depart</u>	<u>Arrive</u>	<u>Frequency</u>	<u>Stops</u>	<u>Depart</u>	<u>Arrive</u>
	0540 1255	0645 1400	Mon-Sat Sun-Fri	0 (47) 0 (35)	1130 2015	1235 2120
			Mon-Sat	0 (38)	Sun-Fri	0 (47)

Hawaii Island Air d/b/a Island Air (Continued)

All flights operated with 37-seat DeHavilland Dash-8-100 series aircraft. (Reserve the right to substitute a similar 30+ seat cabin-class aircraft in place of the Dash-8 in the future.)
Code share with United Airlines and Continental Airlines.

Option #12	Service to Kansas City (Part of package that includes Columbia, MO)	EAS Subsidy \$1,572,295			
		Kansas City to Grand Island			
		Grand Island to Kansas City			
		Depart	Arrive	Frequency	Stops
		0540	0645	Mon-Sat	0 (38)
		1255	1400	Sun-Fri	0 (47)
		Kansas City to Grand Island			
		Depart	Arrive	Frequency	Stops
		1130	1235	Mon-Sat	0 (38)
		2015	2120	Sun-Fri	0 (47)

Great Lakes Aviation, Ltd.

Flights operated with 19-seat Beechcraft 1900D aircraft.

Proposal #5	Three round trip non-stops to Kansas City Hub					EAS Subsidy \$1,867,351
<u>Flight No.</u>	<u>Frequency</u>	<u>Flow</u>	<u>Schedule</u>	<u>Block Time</u>	<u>Equipment</u>	
7200	123456	GRI-MCI	0600-0715	75	BE1 (50)	
7201	123456	MCI-GRI	1140-1255	75	BE1 (39)	
7202	1234567	GRI-MCI	1310-1425	75	BE1 (37)	
7203	1234567	MCI-GRI	1530-1645	75	BE1 (38)	
7204	12345 7	GRI-MCI	1700-1815	75	BE1 (24)	
7205	12345 7	MCI-GRI	2000-2115	75	BE1 (42)	

Note: Great Lakes Aviation, Ltd. has submitted a proposal for McCook to Kansas City with one stop at Grand Island, NE; Hays, Ks; or Salina, KS.

RESOLUTION 2008-121

WHEREAS, the Central Nebraska Regional Airport has been working diligently to improve the air service options available to central Nebraskans and to increase the number of enplanements from the local airport; and

WHEREAS, the current air carrier, Mesa Airlines, filed a "Notice of Termination of Service"; and

WHEREAS, on April 11, 2008, the Hall County Airport Authority Board approved a resolution authorizing a recommendation to the Department of Transportation to allow Hawaii Island Air of Honolulu, Hawaii to provide two (2) weekly round trip nonstop flights to Kansas City, Missouri; and

WHEREAS, the recommendation would serve more passengers in central Nebraska, and would be the best use of federal Essential Air Service subsidies; and

WHEREAS, the City of Grand Island supports the efforts to increase affordable, convenient options for air travel for central Nebraska; and

WHEREAS, the Hawaii Island Air of Honolulu, Hawaii offers the best proposal with the goal of reaching self sufficiency in a more timely manner from EAS; and

WHEREAS, increased air traffic to serve central Nebraska would be a valuable asset to the community.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor and City Council of the City of Grand Island hereby pledge their full support, endorsement, and cooperation with the efforts of the Hall County Airport Authority in submitting a recommendation to the Department of Transportation seeking Essential Air Service improvement funding to allow Hawaii Island Air of Honolulu, Hawaii to provide two (2) weekly round trip nonstop flights to Kansas City, Missouri.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to send a letter to the Department of Transportation expressing support of such proposal.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 22, 2008

Council Session

Item J1

Approving Payment of Claims for the Period of April 9, 2008 through April 22, 2008

The Claims for the period of April 9, 2008 through April 22, 2008 for a total amount of \$2,576,950.15. A MOTION is in order.

Staff Contact: David Springer