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# City of Grand Island



**Tuesday, August 26, 2008**

## **Council Session Packet**

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### **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**

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**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.

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**Invocation - Pastor Nick Schonlau, Third City Christian Church, 4100 West 13th Street**

**Pledge of Allegiance**

**Roll Call**

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### **A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS**

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

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### **B - RESERVE TIME TO SPEAK ON AGENDA ITEMS**

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

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### **MAYOR COMMUNICATION**

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



# **City of Grand Island**

**Tuesday, August 26, 2008**

**Council Session**

## **Item E1**

**Public Hearing on Request from Hooker Brothers Construction Co. for a Conditional Use Permit to Stockpile Recyclable Concrete and Asphalt Located at 3016 North Webb Road**

**Staff Contact: Craig Lewis**

# **Council Agenda Memo**

**From:** Craig Lewis, Building Department Director

**Meeting:** August 26, 2008

**Subject:** Request from Rod Hooker of Hooker Brothers Construction Co. for Approval of a Conditional Use Permit to Allow for the Stockpiling of Concrete and Asphalt Materials, and the Surface Mining of Earth, Sand and Gravel, and the Reshaping of the Existing Lake Area at 3016 N. Webb Road

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

**Presenter(s):** Craig Lewis, Building Department Director

## **Background**

This request is to allow for the continued and expanded use of the property as a storage and recycling area and to allow for minor commercial operations as development of the approximately 40 acre tract is divided into 4 separate 10 acre residential properties.

The site was previously utilized as a tree farm and most recently subdivided into residential lots along Webb Road with several of the properties fully developed into residential single family dwellings.

## **Discussion**

The property currently is zoned LLR or Large Lot Residential and as such any commercial mines, quarries, sand and gravel pits and accessory uses are only allowed if approved by the City Council in the form of a conditional use.

The intent of the current property owner is to continue to develop the property into four ten acre residential lots. As part of that development the owner has begun to stockpile material for development of driveways and improvements. The stockpiling of material is permissible if used for the onsite development, but any commercial resale, processing, or mining of the property is not permitted without the approval of the City Council. Because of the size and scope of this development, City staff believes there will be a minor

amount of product either removed from the site or offered for resale and as such a conditional use permit would be required.

There does not appear to be an intent to operate a commercial mining or processing operation at this site, however the owners do anticipate some business activity and express a desire to be in compliance with City regulations. Approval of a conditional use permit will minimize the need for continual monitoring of this property.

City Staff has developed the following conditions which appear appropriate to impose upon this operation and were modeled after previous sand and gravel operations:

**1). Use:** the proposed uses are limited to those listed on the application, stockpiling of recycleable concrete and asphalt for use on the property, and excavation and reshaping of the existing lake. Excess material may be sold or removed from the property.

**2).Closure :** At the closure of the development a subdivision platt shall be submitted to the Regional Planning Commission for review and approval of the proposed subdivision.

**3).Primary Conditions :**

(a). The permit shall be granted for a two year period with the possibility of a renewal at the end of the initial period.

(b). Pumping of material for sale shall not be allowed. Pumping and dredging to reshape and create an adequate depth of the proposed lake is permissible.

(c). The finished width of developable property adjacent to the public right of way shall be 300 feet at the time of completion. A setback of 100 feet from any adjacent property line shall be maintained between any reshaping of the lake or any recycling operation.

(d). Development activities ( including lighting) at the site shall be limited to daylight hours (15) minutes before sunrise and (15) minutes after sunset Mondays through Saturday. No development activities shall be permitted on Sundays or from fifteen minutes after sunset or fifteen minutes before sunrise.

(e). Materials and equipment shall not be stored on the property within any easements or the regulated floodway as determined by the Federal Emergency Management Agency or it's successor and the entity with jurisdiction and authority to enforce floodplain regulations. No product, material or equipment shall be stored within any easement or in such a manor that it would violate any safety provisions of the National Electric Safety code.

(f). All dead trees, rubbish, and debris, if any must be cleared from the real estate as soon as practical and such real estate must, at all times be kept in a clean and neat condition.

(g). No trash, rubbish, debris, dead trees, lumber, bricks, refuse or junk material of any nature whatsoever shall be dumped, place, or located upon such real estate.

(h). Applicant shall not use the real estate in any way so as to create or result in an unreasonable hazard or nuisance to adjacent land owners or to the general public.

(i). Applicant shall maintain any and all drainage ditches that may be located upon the real estate.

(j). Applicant shall not permit the hauling of any material from the premises over and across any public highway or road unless said material is completely dry and

free from water or is hauled in trucks which are designed and equipped so as to prevent water from leaking onto the traveled portion of the roadbed.

(k). All water accumulated upon the premises by virtue of such operations shall be retained upon the premises and shall not flow upon or encroach upon any adjacent land. Only surface waters that have historically flowed from the premises shall be permitted to leave the same historical natural drainage ways.

(l). If at any time during the life of the permit the operation shall cease for a continuous 12 months the permit shall become void and a renewal shall be obtained before becoming once again operational.

### **Alternatives**

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

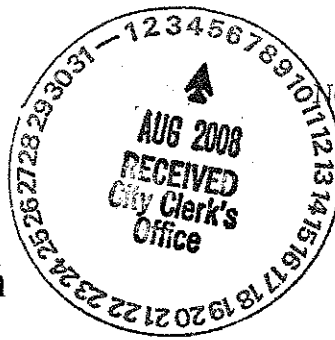
1. Approve the request for a Conditional Use Permit finding that the application is and will be in conformance with the zoning regulations. .
2. Disapprove or /Deny the Request finding the proposal does not conform to the purpose of the zoning regulations.
3. Modify the Conditional Use Permit to meet the wishes of the Council.
4. Refer the matter to a special committee for a determination of a finding of fact.
5. Table the request.

### **Recommendation**

City Staff recommends that the Council approve the conditional use permit if all conditions as presented are met and if the City Council finds that the proposed application promotes the health, safety, and general welfare of the community, protects property against blight and depreciation, and is generally harmonious with the surrounding neighborhood.

### **Sample Motion**

Move to approve the requested conditional use permit as specified in the staff recommendation published in the Council packet and presented at the Council meeting and finding that the application conforms with the purpose of the zoning regulations.



## Conditional Use Permit Application

pc: Building, Legal, Utilities  
Planning, Public Works

1. The specific use/construction requested is: Stockpile recycleable concrete & asphalt that will be used for the development of this property
2. The owner(s) of the described property is/are: HBCC Timberline L.L.C.
3. The legal description of the property is: Lot 6 Timberline Second Subdivision
4. The address of the property is: 3016 North Webb Road
5. The zoning classification of the property is: Large Lot Residential
6. Existing improvements on the property is: none
7. The duration of the proposed use is: 2 years
8. Plans for construction of permanent facility is: Rezone property into (4) 10 acre lots adjoining a constructed 25-30 acre lake
9. The character of the immediate neighborhood is: residential on the east side only
10. There is hereby attached a list of the names and addresses of all property owners within 200' of the property upon which the Conditional Use Permit is requested.
11. Explanation of request: the property will have (4) individual private accesses which have been allotted for when the houses adjoining to the east were constructed. The material being recycled will be used in the construction of each private drive.

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

8-4-08

Date

Hooker Brothers Construction Co by Paul Hooker  
Owners(s)

384-2030

Phone Number

2510 South North Road

Address

Grand Island Nebraska 68803  
City State Zip

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



US Highway 281 N



Webb Rd N

BNSF Railroad Main Line

BNSF Railroad Main Line







# **City of Grand Island**

**Tuesday, August 26, 2008**

**Council Session**

## **Item E2**

**Public Hearing and Approval of Revolving Loan Funds for  
Environmental Review Update at Cornhusker Army Ammunition  
Plant/Industrial Park**

**Staff Contact: Joni K**

# **Council Agenda Memo**

**From:** Joni Kuzma, Community Development Administrator

**Meeting:** August 26, 2008

**Subject:** Approving Revolving Loan funds for Environmental Review Update at Cornhusker Army Ammunition Plant/Industrial Park

**Item #'s:** E-2 & G-12

**Presenter(s):** Joni Kuzma, Community Development Administrator

## **Background**

The City of Grand Island maintains a revolving loan fund comprised of recaptured monies from Community Development Block Grant (CDBG) Economic Development loans. The Community Development Division manages the funds and submits semi-annual program income reports to the Nebraska Department of Economic Development regarding the fund status and projects proposed and/or completed. The City has a CDBG Reuse Plan that serves as the guideline for qualifying projects.

The Grand Island Area Economic Development Corporation submitted an application to the City requesting \$43,750.00 of Revolving Loan funds to update a previously completed Environmental Review for the Cornhusker Industrial Park (CAAP). This review would also include an analysis of the existing water system and options for sanitary sewer.

On June 24, 2008, the Grand Island City Council approved the obligation of Revolving Loan funds to the proposed project contingent on the recommendation by the Reuse Committee and completion of applicable requirements outlined in the Reuse Plan. The Reuse Committee met on August 12, 2008 and voted to recommend that the Council approve use of \$43,750 of Reuse funds for the proposed project.

On August 19, the Hall County Board of Supervisors approved a resolution that would allow the City to manage and expend reuse funds in their jurisdiction. With this resolution, the Cornhusker Army Ammunition Plant/Industrial Park is in a qualifying location.

A public hearing is required 10 days prior to such hearing at a regularly scheduled Council meeting. A legal notice was published August 16, 2008 in the Grand Island Independent for a public hearing at the August 26, 2008 Council meeting.

### **Discussion**

The project meets all of the requirements for use of Revolving loan funds. A qualifying project must:

1. Be used for Economic Development. The Cornhusker Army Ammunition Plant/Industrial Park is targeted for business and industrial development.
2. Meet a National Objective as identified by the Department of Economic Development. This project meets the National Objective of “aiding in the prevention or elimination of slums or blight.”
3. Be located in a qualifying area. This project is not within the city limits of Grand Island. The County has approved use of these funds by resolution.

At this time the Council is requested to approve the use of Revolving Loan funds for the proposed project at the Cornhusker Army Ammunition Plant/Industrial Park.

### **Alternatives**

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

1. Move to approve the use of Revolving Loan funds for the proposed project at the Cornhusker Army Ammunition Plant/Industrial Park
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 use of Revolving Loan funds for the proposed project at the Cornhusker Army Ammunition Plant/Industrial Park.

### **Sample Motion**

Move to approve the use of Revolving Loan funds for the proposed project at the Cornhusker Army Ammunition Plant/Industrial Park.



# **City of Grand Island**

**Tuesday, August 26, 2008**

**Council Session**

## **Item E3**

**Public Hearing on Creation of Business Improvement District #8,  
Downtown**

**Staff Contact: Wes Nespor**

# **Council Agenda Memo**

**From:** Legal Department

**Meeting:** August 26, 2008

**Subject:** Resolution of Intention to Establish Business Improvement District #6  
Resolution of Intention to Establish Business Improvement District #7  
Public Hearing and Ordinance to Establish Business Improvement District #8

**Item #'s:** E-3, F-1, G-6 & G-7

**Presenter(s):** Dale Shotkoski, City Attorney  
Wesley D. Nespor, Attorney

## **Background**

The Mayor and Council set preliminary boundaries and appointed an initial Board of Directors to Business Improvement District (BID) #6, #7, and #8. The Board has recommended formal creation of a new district and the Regional Planning Commission concurs in that recommendation.

## **Discussion**

Pursuant to the authority given in Neb Rev Stats 19-4015 through 19-4038, cities may create Business Improvement Districts to facilitate improvements and to develop and promote a variety of beneficial activities. The next stage in the process for BID #6 and #7 is the adoption of a Resolution of Intention to Establish the District. The resolution must contain: a description of the boundaries; the time and place of a hearing to establish the District by Ordinance; the proposed projects, facilities, and improvements for the District; the proposed or estimated costs of the improvements and facilities; and the method of raising revenue. Upon passage of the Resolution of intent, it will be published once in the newspaper and a copy mailed to owners of taxable property in the District giving them notice of the hearing to be held on September 9, 2008.

The next stage in the process for BID #8 is to hold a public hearing to hear all protests and receive evidence for or against the District and to adopt the Ordinance formally



creating the District. There must be a ruling upon all the protests prior to the close of the hearing. This can be in the form of a motion to determine the protests are valid and that they constitute less than or more than 50% of the assessable units of real estate in the District. After the hearing, if the owners of less than 50% of the assessable units have protested the District, Council may adopt an Ordinance to create the District.

## **Alternatives**

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

### **DISTRICT #6 RESOLUTION OF INTENT**

1. Move to adopt the Resolution of Intent to Establish District #6.
2. Take no action on the issue.

### **DISTRICT #7 RESOLUTION OF INTENT**

3. Move to adopt the Resolution of Intent to Establish District #7.
4. Take no action on the issue.

### **DISTRICT #8 HEARING**

5. Move to determine that the protests are valid and constitute less than 50% of the assessable units in the District.
6. Move to determine that the protests are valid and constitute more than 50% of the assessable units in the District.
7. Continue the hearing from time to time.

### **DISTRICT #8 ORDINANCE**

8. Upon conclusion of the hearing, move to adopt the ordinance creating the District.
9. Take no action on the issue.

## **Recommendation**

City Administration recommends that the Council adopt the Resolutions of Intent to Establish District #6 and #7 setting this matter for hearing on September 9, 2008 at 7:00 p.m. Further, Administration recommends that Council adopt the Ordinance creating BID #8 after hearing.

## **Sample Motion**

Move to determine that the protests for District #8 are valid but constitute less than 50% of the assessable units in the District.

Move to adopt the Ordinance creating Business Improvement District #8.

Move to adopt the Resolution of Intent to Establish Business Improvement District #6.

Move to adopt the Resolution of Intent to Establish Business Improvement District #7.



# City of Grand Island

Tuesday, August 26, 2008

Council Session

## Item F1

**#9180 - Consideration of Creating Business Improvement District  
#8, Downtown**

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

Staff Contact: Wes Nespor

ORDINANCE NO. 9180

An ordinance amending Chapter 13 Sections 13-91 through 13-96; establishing a business improvement district; establishing the purpose of such district; describing the boundaries of such district; establishing that real property in the area will be subject to a special assessment; establishing a method of assessment; providing for a penalty for failure to pay the special assessment; repealing ordinances in conflict herewith; providing for severability; and providing for publication and the effective date of this ordinance.

WHEREAS, the City Council adopted Resolution 2008-211 on August 12, 2008, which was published on August 15, 2008 in the *Grand Island Independent* establishing the intention to create a business improvement district; and

WHEREAS, pursuant to said resolution, a notice of hearing was published and mailed as required by law, and public hearing duly held at 7:00 p.m. on August 26, 2008, in the Council Chambers at City Hall, 100 East First Street, Grand Island, Nebraska, concerning the formation of such district; and

WHEREAS, the proposed business improvement district is located within the boundaries of an established area of the City zoned for business, public, or commercial purposes; and

WHEREAS, the City Council now finds and determines that a business improvement district should be created in accordance with the proposal contained in said resolution of August 12, 2008.

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

ORDINANCE NO. 9180 (Cont.)

SECTION 1. Article XII and Chapter 13 Sections 91 through 96 of the Grand Island City Code are amended to read:

**ARTICLE XII. Business Improvement District No. 8**

**§13-91 Creation of District.**

There is hereby created and established a business improvement district pursuant to Chapter 19, Article 40, Revised Statutes of Nebraska, 1943, as amended, to be known as Business Improvement District No. 8 of the City of Grand Island, Nebraska.

**§13-92 Purpose**

The purpose, public improvements and facilities to be included in said district shall be:

- (A) Retention and Recruitment. Business Improvement District No. 8 will encourage business retention and recruitment through the planning and implementation of Downtown promotions, continued Main Street commitments and downtown investments to attract the attention of people looking for vibrant and welcoming places to dine, shop, live, work and play.

Funds have been allocated for each of the five years for Retention and Recruitment, Main Street Promotions, the Grand Theatre, Main Street Contract; and funding in years 1-3 for the research and development of a Revolving Loan Fund.

- (i) Creation and implementation of a plan for improving the general architectural design of public areas in the district;
- (ii) The development of any public activities and promotion of public events, including the management and promotion and advocacy of retail trade activities or other promotional activities, in the district area, including, but not limited to, plans, creation, development, equipment, supplies, materials, services, management, staff, maintenance and improvement of communication and image building events and activities, such as holiday events, community events, media activities, newsletters, seasonal and special events and parades and other activities for the benefit of the district.
- (B) Downtown Beautification. The beautification component of the Business Improvement District #8 budget is comprised of physical improvements to the District. The Board, through a series of informal and formal discussion with

## ORDINANCE NO. 9180 (Cont.)

downtown property owners, identified a need to augment the existing physical elements in the downtown. By increasing artistic elements, it is believed the personality of the downtown will be strengthened and a sense of place developed. A consistent approach to adding these artistic elements will enhance the uniqueness of downtown and, at the same time, create a pleasant setting to complement the various activities held in the downtown. These physical improvements include, but are not limited to, Kaufmann Cummings Park, planters, murals, sculptures, trees and grates, signs and banners, benches, streetscape, and trash containers.

- (i) Improvement of any public place or facility in the district area, including landscaping, physical improvements for decoration or security purposes, and plantings, including but not limited to, plans, creation, development, equipment, supplies, materials, services, management, staff, maintenance, improvement and associated activities of streetscape and alleyway improvement
- (ii) Construction or installation of sidewalks, parks, meeting and display facilities, lighting, benches or other seating furniture, sculptures, trash receptacles, shelters, fountains, and any useful or necessary public improvements, including, but not limited to plans, creation, development, equipment, supplies, materials, services, management, staff, maintenance, improvement, and associated activities of streetside and other public area projects;
- (iii) Maintenance, repair, and reconstruction of any improvement's or facilities authorized by the Business Improvement District Act

(C) Implementation and Maintenance: The talent and resources vested in this district rely upon the successful completion of each project and careful maintenance of the downtown area to ensure the best possible results from the investments of downtown stakeholders, including this District. To accomplish the duties incumbent upon this District in all areas of work described herein, the district may recruit volunteers or secure labor and services for hire:

- (i) The district may employ or contract for personnel for any improvement program under the act, and providing for any service as may be necessary or proper to carry out the purposes of the act, including, but not limited to, activities, projects, staff, consulting services, materials, equipment, supplies, and services necessary or convenient for the management of the affairs of the business improvement district, to include budget development and supervision, representation of the interests of the district to public and private entities, research, development, travel, training, development and implementation of business and residential recruitment and retention projects, downtown beautification projects and activities which contribute to regaining, sustaining or improving the



## ORDINANCE NO. 9180 (Cont.)

economic health and viability of the district and the implementation of the goals and objectives of the Business Improvement Board.

- (ii) Any other project or undertaking for the betterment of the public facilities in the district area, whether the project be capital or noncapital in nature.

### **§13-93 District Boundaries**

The outer boundaries of Business Improvement District No. 8 are described as follows:

Beginning at a point being the intersection of the South line of Third Street and the West line of Kimball Avenue; thence South on the West line of Kimball Avenue to a point One Hundred Thirty-Two Feet (132') South of the South line of First Street; thence West on a line One Hundred Thirty-Two Feet (132') South of and parallel to the South line of First Street to the West line of Sycamore Street; thence Southerly on the Westerly line of Sycamore Street to the North line of Court Street; thence Westerly on the North line of Court Street to the West line of Pine Street; thence Southerly on the West line of Pine Street to the North line of Charles Street; thence Westerly on the North line of Charles Street and an extension thereof to the East line of Walnut Street; thence Northerly on the East line of Walnut Street to a point One Hundred Thirty-Two Feet (132') North of the North line of Division Street; thence West on a line One Hundred Thirty-Two Feet (132') North of and parallel to the North line of Division Street and an extension thereof to the East line of Cedar Street; thence Northerly on the East line of Cedar Street to the South line of First Street; thence West on the South line of First Street to the West line of Elm Street; thence Southerly on the West line of Elm Street for a distance of One Hundred Thirty-Two Feet (132'); thence Westerly on a line One Hundred Thirty-Two Feet (132') South of and parallel to the South line of First Street to the East line of Eddy Street; thence Northerly on the East line of Eddy Street to the South line of South Front Street; thence Easterly on the South line of South Front Street to the West line of Oak Street; thence Southerly on the West line of Oak Street to the South line of Third Street; thence Westerly on the South line of Third Street and an extension thereof to the point of beginning.

Commonly owned properties that are intersected by a boundary line establishing the district shall be considered as entirely within the district unless otherwise determined by the City Council when sitting as a Board of Equalization.

### **§13-94 Special Assessments**

The real property located within the boundaries of Business Improvement District No. 5 shall be subject to special assessment as authorized by Chapter 19, Article 40, Sections 19-4015 through

ORDINANCE NO. 9180 (Cont.)

19-4038, Revised Statutes of Nebraska, 1943, as amended, also known as the Business Improvement District Act.

**§13-95 Assessment Method**

The method of assessment to be imposed within said district shall be as follows:

(A) In a timely fashion each year, except the initial creating year, a proposed budget shall be prepared for Business Improvement District No. 8 for the ensuing fiscal year to commence on the first day of October and end on the following last day of September.

(B) Said proposed budget shall be considered by the city council during open session at a regularly scheduled city council meeting. Following such consideration, a proposed assessment schedule shall be prepared.

(C) The amount of the special assessment for each property shall be based upon the special benefits to the property as fairly and equitably assessed by the City Council and calculated in accordance with the following formula:

Assessed value of individual property divided by total assessed value of all taxable property in the district times total special assessment equals individual special assessment. Based upon the recommendation of the Business Improvement District Board, owner-occupied residential properties within the district will be assessed at 70% of assessed valuation based on their primary benefit from the downtown beautification and maintenance programs. Owners of property exempt from ad valorem taxes are encouraged to support District activities, promotions, and improvements but property exempt from ad valorem taxes will not be subject to special assessment for this Business Improvement District. Property owned by the Federal Government, the State of Nebraska and political subdivisions thereof shall not be subject to special assessment for this Business Improvement District. For mixed use properties that combine owner-occupied residential and other uses, the property owner may submit evidence supporting a pro-rated split of the assessed value (between owner-occupied residential and other uses) for the City Council to consider when sitting as a board of equalization. The assessed values to be used in the above formula shall be the values, as shown in the office of the Hall County Assessor, in effect on the first day of January of the current year.

(D) The proposed district shall become effective on October 1, 2008 for a period of five years to terminate on September 30, 2013. The estimated total annual budget for costs and expenses of the work to be performed within such district during the first year totals \$137,500; provided that the maximum amount of the first year's annual assessment for the district shall not exceed \$90,000. The estimated total first-year budget by area of work is as follows:

Retention and Recruitment	\$41,500
Downtown Beautification	\$53,500
Implementation and Maintenance	\$42,500

## ORDINANCE NO. 9180 (Cont.)

In the subsequent four years, the maximum amount of annual assessment and annual budget for the district will not exceed the first year maximum assessment and budget amounts plus an annual increase equal to the amount of the Consumer Price Index or 3%, whichever is less. The assessments levied for the first year shall not exceed \$90,000. The district may pursue additional funding (without increasing the district assessments) to complete the amounts for costs and expenses included in the budget. The specific improvements for the first year are listed for purposes of estimating the costs and expenses of performing the proposed work and improvements. Although the district is proposed for a five-year period, the City council, after public hearing, shall approve an annual budget for specific improvements in each succeeding year consistent with the ordinance creating the district. The City Council retains the authority to change, modify and remove proposed improvements; however, the proposed improvements cannot exceed the scope of improvements and the annual assessment cannot exceed the maximum amounts of the annual assessment as provided by the ordinance creating the district.

(E) Notice of the proposed assessment shall be published as required by NE. Rev. Statutes Section 19-4030, as amended.

(F) The city council, sitting as a Board of Equalization, shall levy the special assessments on all properties at one time, in accordance with the method of assessment provided above. If the city council finds that the proposed method of assessment does not provide a fair and equitable method of apportioning costs, then it may assess the costs under such method as the city council finds to be fair and equitable.

(G) Said assessments shall be payable in one installment to be come delinquent fifty (50) days after the date of such levy. Delinquent payments shall draw interest at the rate specified in NE. Rev. Statutes Section 45-104.01, as amended. All special assessments provided herein shall be a lien on the property assessed superior and prior to all other liens except general taxes and other special assessments which shall be of equal priority. Liens for special assessments may be foreclosed and are subject to interest at the statutory rate when payment of the assessment is delinquent as provided by law. No special assessment made hereunder shall be void for any irregularity, defect, error or informality in procedure, in levy or equalization thereof.

### **§13-96 Disestablishment Procedure**

In the event requests to disestablish this business improvement district are made and filed with the city clerk within any (30) day period by owners of real property representing fifty percent (50%) or more of the total value of the real property within the district as shown in the office of the Hall County Assessor on the first day of January of the current year, the city council may disestablish the district by ordinance after a hearing before the city council. The city council shall

ORDINANCE NO. 9180 (Cont.)

adopt a resolution of intention to disestablish the area at least fifteen days prior to the hearing. The resolution shall give the time and place of the hearing. After hearing, the city council may disestablish the district as provided in the Business Improvement District Act.

SECTION 2. Any ordinance or ordinances in conflict herewith, be and hereby are, repealed. Specifically Sections 13-30 through 13-39 and Sections 13-71 through 13-80 are repealed and reserved.

SECTION 3. If any section, subsection, sentence, phrase, or clause, of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. This ordinance shall be in force and take effect from and after its passage, approval and publication, in pamphlet form, within fifteen days in one issue of the *Grand Island Independent* as provided by law.

Enacted: August 26, 2008.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk



# **City of Grand Island**

**Tuesday, August 26, 2008**

**Council Session**

## **Item G1**

**Receipt of Official Document - Tort Claim Filed by Jeff Raitt**

**Staff Contact: Dale Shotkoski**



# **Council Agenda Memo**

**From:** Dale Shotkoski, City Attorney

**Meeting:** August 26, 2008

**Subject:** Receipt of Official Document – Tort Claim filed by Jeff Raitt

**Item #'s:** G-1

**Presenter(s):** Dale Shotkoski, City Attorney

## **Background**

The City of Grand Island has received a Notice of Tort Claim from Jeff Raitt, alleging certain claims in connection with an accident with a Grand Island ambulance which occurred on April 21, 2008 at the intersection of Highway 281 and State Street in Grand Island, Nebraska.

Without getting into issues concerning the City's and other parties' liability, and whether the claim of Jeff Raitt is fair and reasonable, we are simply providing a copy of this claim to you in compliance with the Nebraska Political Subdivision Tort Claims Act.

For a person to assert a tort claim against the City of Grand Island, a written notice of the claim must be filed with the City Clerk, Secretary or other official responsible for keeping official records. The claim must be filed within one year of the accrual of the claim, and the Council has six months to act on the claim. No suit can be filed until after the Council acts on the claim, or the six months has run.

Historically, the City of Grand Island has simply let the six months run. Not all claims result in a suit being filed, so it makes good sense to not act affirmatively in many instances. In any event, if you wish to look further into this claim, please contact the City Attorney's office, and we will provide you with the information which we have in connection with the claim. Our recommendation is to continue to take no affirmative action on tort claims. It must be emphasized that by providing copies of alleged claims to you, we are not making an admission or representation that a claim has been properly filed in any respect. We also recommend that no comments concerning a particular claim be made during Council meetings, unless you decide to bring the matter on for formal consideration. Even then, we ask that comments be carefully considered so that the legal rights of all parties are preserved.

## **Discussion**

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

## **Recommendation**

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

## **Sample Motion**

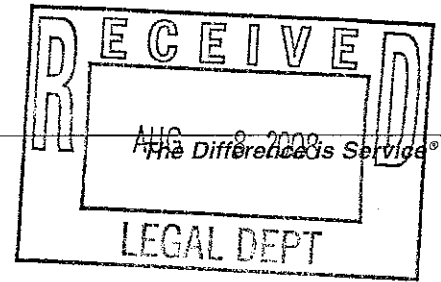
Move to approve acknowledgement of the Tort Claim filed by Jeff Raitt.



# GREAT WEST

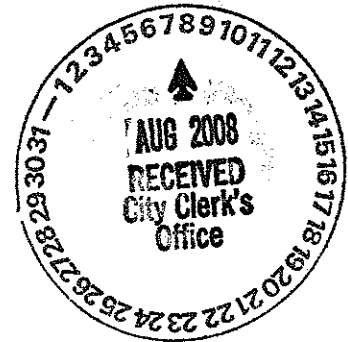
Casualty Company

1100 West 29th Street • P.O. Box 277  
South Sioux City, NE 68776-0277 • 402-494-2411



August 7, 2008

MR WARREN ELMORE  
EMC INSURANCE COMPANY  
P O BOX 2070  
OMAHA NE 68103-2070



**RE:** O/File #: C68774-W-926  
O/Insured: Jeff Raitt  
D/Loss: 4/21/08  
Y/Claim #: BA80 Z00 496 395  
Y/Insured: City of Grand Island, NE

Dear Mr. Elmore:

It is my understanding you are denying our subrogation claim for the accident caused by the Grand Island, Nebraska ambulance on April 21, 2008 in the City of Grand Island, Nebraska. Pursuant to Nebraska law, I am putting you on notice of the amount of our damages and our claim against the City. By copy of this letter, I am also notifying the City of Grand Island.

As a result of the negligence of the ambulance driver, our insured's truck was a total loss. Our insured's truck had an actual cash value of \$25,000 and my insured had a \$500 deductible. Great West Casualty Company issued payment of \$24,500, and has received a high salvage bid of \$7,500. In addition, Great West Casualty Company paid for a tow and recovery of \$5,253.40. This brings our pay out on the tractor file to \$22,253.40.

Great West Casualty Company also made payments on the trailer file for tow, and parts and labor in the amount of \$1,478.05. Our liability department has also issued payment to Debra and Allen Radowsky for the damages they received as a result of this accident for \$13,169.27.

At this point, Great West Casualty Company's total damages are \$36,900.72.

My insured, in addition to his \$500 deductible, has downtime or loss of use for a reasonable time to replace his truck in the amount of \$469.09 a day for 41 days, or \$20,339.69. This brings my insured's property damage claim to \$20,839.69.


WE CAN PROVIDE BETTER CUSTOMER SERVICE WHEN YOU REFER TO THE ABOVE FILE NUMBER

Claim No.: C68774-W-926  
Page 2

If you have reconsidered your denial of this claim and wish to discuss settlement, please contact me.

Very truly yours,

GREAT WEST CASUALTY COMPANY

  
Michelle R. Sherman  
Senior Subrogation Attorney  
402-494-7876

DMSau1we/mc

Enclosures

Cc: City of Grand Island, Nebraska



# **City of Grand Island**

**Tuesday, August 26, 2008**

**Council Session**

## **Item G2**

**Approving Minutes of August 12, 2008 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**



CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

August 12, 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 August 12, 2008. Notice of the meeting was given in *The Grand Island Independent* on August 6, 2008.

Council President Nickerson 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. Mayor Hornady was absent. The following City Officials were present: City Administrator Jeff Pederson, Deputy City Clerk Paul Briseno, Finance Director David Springer, City Attorney Dale Shotkoski, and Public Works Director Steve Riehle.

INVOCATION was given by Father Richard Piontkowski, St. Mary's Catholic Church, 204 South Cedar Street followed by the PLEDGE OF ALLEGIANCE.

COMMUNICATION: President Nickerson introduced Community Youth Council members Sam Schneider and Zach Shultz.

PUBLIC HEARINGS:

Public Hearing on Request from Roadhouse Garage, Inc. dba Roadhouse Garage & Grill, 2710 Diers Avenue, Suite B for a Class "C" Liquor License. This item was pulled from the agenda at the request of the applicant, Thomas Schutte.

Public Hearing on Request from Consolidated Concrete Co. for a Conditional Use Permit for Use of Two Conex Containers to Store Concrete Admixtures Located at 3440 West Old Highway 30. Craig Lewis, Building Department Director reported Consolidated Concrete Co. had applied for a Conditional Use Permit to use two shipping containers to store concrete admixtures and equipment at 3440 West Old Highway 30. The containers had been on the site since June of 2007. It was recommended council approve the conditional use permit for a thirty month period, expiring December 31, 2009. No public testimony was heard.

Public Hearing Concerning Acquisition of Utility Easement Located at 3625 Old Potash Highway (County of Hall, Hornady Family Limited Partnership and Hornady Manufacturing). Gary Mader, Utilities Director reported that a utility easement was needed at 3625 Old Potash Highway in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used to place underground cable and a pad-mounted transformer to provide service to the new expansion of Hornady Manufacturing. Staff recommended approval. No public testimony was heard.

Public Hearing on Proposed FY 2008-2009 City Single Budget. David Springer, Finance Director reported that Council needed to conduct a public hearing to take information from the citizens of Grand Island on the proposed FY 2008-2009 City Single Budget. A Special Budget meeting would be held on August 19, 2008 and August 20<sup>th</sup> and 21<sup>st</sup> if needed, followed by

adoption of the budget and lid limit increase on August 26, 2008. Mr. Springer reported there was currently \$5.2 million in cash balance. No public testimony was heard.

Public Hearing on Community Redevelopment Authority (CRA) Budget. Chad Nabity, Regional Planning Commission presented the CRA 2008-2009 Annual Budget. The following budget highlights were presented: 1) \$100,000 to purchase dilapidated structures 2) \$200,000 for façade improvements 3) \$240,000 for Rail road horn project 4) \$500,000 for other projects. No public testimony was heard.

CONSENT AGENDA: Consent agenda items G-14, G-17 and G-20 were pulled for further discussion. Motion by Zapata, second by Ramsey to approve the Consent Agenda excluding items G-14, G-17 and G-20. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of July 22, 2008 City Council Regular Meeting.

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

Approving Refuse Hauler Permit for O'Neill Transportation and Equipment, LLC, 558 S. Stuhr Road.

#2008-199 – Approving Change Order No. 22 with Chief Construction Company of Grand Island, Nebraska for Law Enforcement Center for a reduction of \$21,165.14 which would close the contingency fund.

#2008-200 – Approving Contract for Equipment Services Related to Fully Integrated Global Navigation Satellite System for the Public Works Department with Seiler Instrument and Manufacturing Company, Inc. of Omaha, Nebraska in an amount not to exceed \$57,309.50.

#2008-201 – Approving Repairs and Rental of Electrical Switch Gear from Electrical Reliability from Lee's Summit, Missouri in an amount of \$17,800.00.

#2008-202 – Approving Amendment to Resolution 2008-146; Trucking of Sewage Sludge for the Waste Water Division with Butler County Landfill of David City, Nebraska to include the Fuel Cost Adjustment.

#2008-203 – Approving Designating Portions of the East Side of Custer Avenue, North of Faidley Avenue as No Parking.

#2008-204 – Approving Bid Award for One (1) Compost Turner for the Solid Waste Division with Vermeer Equipment of Nebraska, Inc. from Lincoln, Nebraska in an Amount of \$69,557.00.

#2008-205 – Approving Bid Award for One (1) Semi Tractor to Dump Truck Conversion and New Pup Trailer for the Waste Water Division with Truck Equipment Service Company from Lincoln, Nebraska in an Amount of \$72,204.17.

#2008-206 – Approving Change Order #1 for Capital Avenue Widening, Street Improvement District No. 1256 with The Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$351,219.24 and a Revised Contract Amount of \$3,717,061.49.

#2008-207 – Approving Designating No Parking Zone on the West Side of Greenwich Street from Second Street to the Alley One Half Block North.

#2008-208 – Approving Acquisition of Utility Easement Located at 3625 Old Potash Highway (County of Hall, Hornady Family Limited Partnership and Hornady Manufacturing).

#2008-210 – Approving Bid Award for Substation Transformer Maintenance Services with Electro-Test and Maintenance, Inc. from Rapid City, South Dakota in an Amount of \$133,134.75.

#2008-211 – Approving Resolution of Intent to Create Business Improvement District #8, Downtown.

#2008-213 – Approving Contract with the USDA Natural Resources Conservation Service for Wildlife Habitat Incentives Program (WHIP) at the Heartland Public Shooting Park.

#2008-214 – Approving Agreement with the Loup/Platte Ringnecks Chapter of Pheasants Forever, Inc. for Reimbursement of Expenses Associated with the Wildlife Habitat Incentives Program (WHIP).

#2008-209 – Approving Bid Award for Elevator Modernization at Platte Generating Station with Eletech, Inc. from Omaha, Nebraska in an Amount of \$177,975.00. Gary Mader, Utilities Department Director explained the need to modernize the elevator at the Platte Generating Plant. Specifications were issued and bids were received. Two out of the three bids received did not meet the specifications. Recommendation by staff was to award the bid to the second lowest bidder. Discussion was held on completion of work, liquidated damages and bonds. Mr. Mader stated there were no liquidated damages in the contract.

Motion by Ramsey, second by Zapata to approve Resolution #2008-209. Upon roll call vote, Councilmember's Meyer, Niemann, Ramsey, Carney, Gericke, Nickerson, Zapata, Haase, and Brown voted aye. Councilmember Gilbert voted no. Motion adopted.

#2008-212 – Approving Purchase of Playground Equipment Play Structure with Fry and Associates, Inc. from North Kansas City, Missouri in an Amount of \$29,840.00. Steve Paustian, Parks and Recreation Director explained the need for new playground equipment at Sothman Park. Lewis Kent, 624 E. Meves spoke in opposition.

Motion by Gilbert, seconded by Brown to approve Resolution #2008-212. Upon roll call vote, all voted aye. Motion adopted.

#2008-215 – Approving Agreement to Wellness Program with Coventry Health and Life Insurance Company in the Amount of \$110 per participant. Brenda Sutherland, Human Resources Director reported on an amendment to the Wellness Program which would increase the physical per participant to \$110. Discussion was held regarding the increase in cost.

Motion by Zapata, second by Meyer to approve Resolution #2008-215. Upon roll call vote, all voted aye. Motion adopted.

REQUESTS AND REFERRALS:

Consideration of Request from Consolidated Concrete Co. for a Conditional Use Permit to Use Two Conex Containers to Store Concrete Admixtures Located at 3440 West Old Highway 30. Craig Lewis, Building Department Director reported this item related to the aforementioned Public Hearing.

Motion by Meyer, second by Brown to approve the request. Upon roll call vote, all voted aye. Motion adopted.

Consideration of Referring Business Improvement District's #6 and #7 Formation and Proposal to the Regional Planning Commission. Wes Nespor, Attorney reported there were a number of sequential steps to create a BID. The Mayor and Council had appointed an initial Board of Directors for both BID's #6 and #7. The next step in the process was to refer these BID's to the Regional Planning Commission for review and recommendation according to law.

Motion by Meyer, second by Gericke to approve referring Business Improvement District's #6 and #7 Formation and Proposal to the Regional Planning Commission. Upon roll call vote, all voted aye. Motion adopted.

Consideration of Referring Request from Bernard H. Borer, Jr. to Annex Property Located Adjacent to and North of Capital Avenue to the Regional Planning Commission. Chad Nabity, Regional Planning Director reported that a request from Bernard H. Borer, Jr. had been received to annex property located at 908 East Capital Avenue for the purpose of development.

Motion by Brown, second by Haase to approve the request from Bernard H. Borer, Jr. to Annex Property Located at 908 East Capital Avenue. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2008-216 – Consideration of Request from Roadhouse Garage, Inc. dba Roadhouse Garage & Grill, 2710 Diers Avenue, Suite B for a Class "C" Liquor License. This item was pulled from the agenda at the request of the applicant, Thomas Schutte.

PAYMENT OF CLAIMS:

Motion by Brown, second by Haase to approve the Claims for the period of July 23, 2008 through August 12, 2008, for a total amount of \$3,571,426.76. Motion adopted unanimously.

ADJOURN TO EXECUTIVE SESSION: Motion by Meyer, second by Haase to adjourn to Executive Session for the purpose of an update on IBEW Union Contract Negotiations and Strategy Session with Respect to Potential Real Estate Purchase under LB 1116 (State Fair Relocation) at 7:45 p.m. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Meyer, second by Gilbert to return to Regular Session at 9:40 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:40 p.m.

Paul Briseno  
Deputy City Clerk



# **City of Grand Island**

**Tuesday, August 26, 2008**

**Council Session**

## **Item G3**

**Approving Minutes of August 19 and 20, 2008 City Council Budget Meetings**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL BUDGET MEETING

August 19, 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 August 19, 2008. Notice of the meeting was given in *The Grand Island Independent* on August 13, 2008.

Council President Mitch Nickerson called the meeting to order at 7:00 p.m. The following City Council members were present: Councilmember's Brown, Haase, Nickerson, Gericke, Carney, Gilbert, Ramsey, Niemann, and Meyer. Mayor Hornady and Councilmember Zapata were absent. 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 Reverend Nancy Lambert, Trinity United Methodist Church, 511 North Elm Street followed by the PLEDGE OF ALLEGIANCE.

RESOLUTIONS:

#2008-217 – Consideration of Approving Contract with IBEW. Brenda Sutherland, Human Resources Director reported that city administration had negotiated a labor agreement with IBEW utilities department and finance department that would run from October 1, 2008 through September 30, 2011. Ms. Sutherland explained the increases in the contract.

Questioned was if there would be an increase in electrical rates if this contract was approved. Gary Mader, Utilities Director stated this would not increase the electrical rates.

Motion by Meyer, second by Brown to approve Resolution #2008-217. Upon roll call vote, all voted aye. Motion adopted.

Council President Nickerson and IBEW representatives Mike Semm and Dan Quick signed the contract.

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:

#9178 – Sale of Lot 8, Platte Valley Industrial Park Third Subdivision

#9179 – Consideration of Approving Salary Ordinance

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

### #9178 – Sale of Lot 8, Platte Valley Industrial Park Third Subdivision

Gary Mader, Utilities Department Director reported Ordinance #9178 would allow for the sale of Lot 8, Platte Valley Industrial Park Third Subdivision to the Grand Island Economic Development Corporation in the amount of \$125,820.00.

Motion by Meyer, second by Ramsey to approve Ordinances #9178.

City Clerk: Ordinance #9178 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Council member Zapata was present at 7:20 p.m.

City Clerk: Ordinance #9178 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Council President Nickerson: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9178 is declared to be lawfully adopted upon publication as required by law.

### #9179 – Consideration of Approving Salary Ordinance

Brenda Sutherland, Human Resources Director reported Ordinance #9179 was the annual salary ordinance for all city employees for fiscal year beginning October 1, 2008. Many of the wages reflected labor agreements approved previously by the City Council. It was recommended a 3.75% increase to non-union employees and a 4.75% increase for department directors. Ms. Sutherland explained the changes in wages for the union contracts.

Motion by Meyer, second by Ramsey to approve Ordinance #9179.

Discussion was held on the 4.75% increase for Department Directors.

Motion by Meyer, second by Carney to amend Ordinance #9179 to decrease the Department Directors salaries from 4.75% to 3.75%. Upon roll call vote, Councilmember's Meyer, Niemann, Ramsey, Gilbert, Carney, Gericke, Nickerson, Haase, and Brown voted aye. Councilmember Zapata voted no. Motion adopted.

Discussion was held on the Finance Secretary salary. Finance Director David Springer stated this position was non-union and this was an adjustment for the extra work performed in this position.

Motion by Gericke, second by Meyer to adjust the Finance secretary to the same as all other non-union secretaries. Upon roll call vote, all voted aye. Motion adopted.

Discussion was held on non-union salaries and how much of a savings would be realized if the salaries were at 3% instead of the proposed 3.75%. Finance Director David Springer stated he did not have that information, but could get it for council.



Motion by Gilbert, second by Carney to postpone Ordinance #9179 to the August 20, 2008 meeting. Upon roll call vote, Councilmember's Ramsey, Gilbert, Carney, Zapata, Haase and Brown voted aye. Councilmember's Meyer, Niemann, Gericke and Nickerson voted no. Motion adopted.

Review of Proposed FY 2008/2009 City Single Budget. Jeff Pederson, City Administrator presented a brief summary of the city budget including the General Fund, cash balances, and addendums. Mr. Pederson presented the following Key Fiscal Issues:

- Sales tax revenue growth not sufficient to fund operational increases of the General Fund
- Property tax funding a declining percentage of General Fund operations
- Depletion of General Fund Reserves no longer possible at previous years levels New expanded revenue sources necessary to "bridge" time until sales tax debt obligations are paid
- Need to begin to draw down excess monies from Firefighters unallocated fund as a means to deal with revenue needs of the General Fund
- Property Tax levy needs to begin gradual upward adjustment to assume a greater role in the General Fund Revenue
- A plan for funding capital projects in the General Fund needs to be identified to include an increased role for debt financing

The following Major Steps Proposed to Address Issues were presented:

- Increase in property tax mill levy from .238319 to .250000
- Sell General obligation bond of \$2 million to provide revenue for public works projects
- Expense several years of City firefighter retirement match against unallocated fund
- Consider only "critical" additions to workforce
- Funding for only the highest priority capital projects

David Springer, Finance Director explained changes to the Proposed Budget book. (See attached) In addition to these changes were \$50,000 reduction in Fire expenses, \$450,000 reduction in Public Works paving projects, and the deletion of all the capital items in Emergency Management due to the County's lack of funding. Mr. Springer stated the city was in good shape financially.

The council reviewed each department's budget. Discussions were held regarding travel and training, overtime, and insurance.

Motion by Gilbert, second by Gericke to fix the time to which to adjourn to Wednesday, August 20, 2008 at 7:00 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:25 p.m.

City Council Budget Meeting – Cont.  
August 20, 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 August 20, 2008. Notice of the meeting was given in *The Grand Island Independent* on August 13, 2008.

Council President Mitch Nickerson 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. Mayor Hornady was absent. 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.

The PLEDGE OF ALLEGIANCE was said followed by roll call.

Finance Director David Springer commented on the time-line for completing the budget.

The City Council resumed review of the 2008/2009 proposed budget.

Discussion was held concerning monies budgeted to clean out ditches, culverts, and detention cells in the Public Works Department. Steve Riehle, Public Works Director stated there were monies budgeted. Mr. Riehle commented on Stolley Park drainage. Explained was the increase in the Curbs, Gutters & Sidewalks line item. This was because of Federal regulations.

Steve Paustian, Parks and Recreation Director answered several question concerning the Heartland Public Shooting Park's budget. Also discussed were capital projects. Mr. Paustian updated the Council on problems with the Lincoln pool.

Council reviewed the five year capital projects. Discussed were Hike/Biker Trails, Soccer/baseball field development at the Veterans Home, Aquatic Development, Grade Separation at Broadwell/UPRR, and South Locust; I-80 to Hwy 34.

Steve Riehle, Public Works Director explained federal matching funds and what they could be used for. Discussion was held regarding way-side horns and closing intersections. Chad Nabity, Regional Planning Director commented that the \$150,000 budgeted for way-side horns were for four crossings and this would be matched with CRA funds.

Steve Paustian, Parks and Recreation Director commented on the Racquet Center. Currently it was being leased.

Discussion was held regarding the funding of the Hartland Public Shooting Park.

Motion by Gilbert, second Meyer to delete the \$150,000 for the CAPP Land Develop-Heartland Public Shooting Park under the 400 Fund Capital Projects. Upon roll call vote, Councilmember's Brown, Haase, Zapata, Nickerson, Carney, Gilbert, Ramsey, Niemann and Meyer voted aye. Councilmember Gericke voted no. Motion adopted.

Discussion was held on budgeted Misc. Safety Enhancements-RR Study in the amount of \$150,000.

Motion by Meyer, second by Niemann to decrease the 400 Fund Capital Project Misc. Safety Enhancements-RR Study from \$150,000 to \$25,000. Upon roll call, Councilmember's Brown, Zapata, Nickerson, Gericke, Carney, Gilbert, Ramsey, Niemann and Meyer voted aye. Councilmember Haase voted no. Motion adopted.

Discussion was held on the budgeted purchase of a bob-cat for the Heartland Public Shooting Park.

Brenda Sutherland, Human Resources Director commented that a decrease of non-union salaries to 3% would be a savings of \$57,608. If Department Director's were included it would be a savings of \$67,973. There would be a savings of \$20,000 if the Travel and Training were reduced 10%.

David Springer, Finance Director explained the Fire & Police Pension fund. A lengthy discussion followed.

Steve Riehle, Public Works Director answered questions concerning increased sewer system pipe in the Stolley Park area. Jeff Pederson, City Administrator commented on the 400 Capital Improvements Fund. Steve Paustian, Parks and Recreation Director commented on the salary ordinance.

#### #9179 – Consideration of Approving Salary Ordinance

Motion by Gilbert, second by Haase to amend Salary Ordinance #9179 to decrease the non-union salaries to 3% with the exception of Division Chiefs of the Fire Department, Wastewater Superintendent and Library Pages.

Motion by Meyer, second by Carney to call the question. Upon roll call vote, Councilmember's Meyer, Ramsey, Gilbert, Carney, Nickerson, Zapata, and Haase voted aye. Councilmember's Niemann, Gericke and Brown voted no. Motion adopted.

Upon roll call vote on amendment to Salary Ordinance #9170 to decrease the non-union salaries to 3% with the exception of Division Chiefs of the Fire Department, Wastewater Superintendent and Library Pages, Councilmember's Ramsey, Gilbert and Haase voted aye. Councilmember's Meyer, Niemann, Carney, Gericke, Nickerson, Zapata, and Brown voted no. Motion failed.

City Clerk: Ordinances #9179 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmember's Meyer, Niemann, Carney, Gericke, Nickerson, Zapata, and Brown voted aye. Councilmember's Ramsey, Gilbert and Haase vote no. Motion adopted.

City Clerk: Ordinance #9179 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, Councilmember's Meyer, Niemann, Carney, Gericke, Nickerson, Zapata, and Brown voted aye. Councilmember's Ramsey, Gilbert and Haase vote no. Motion adopted.

Council President Nickerson: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9179 is declared to be lawfully adopted upon publication as required by law.

Council recessed at 9:45 p.m. and reconvened at 10:00 p.m.

Discussion was held on the Enterprise Funds. Gary Mader, Utilities Department Director and Steve Riehle, Public Works Director commented on rate increases.

Motion by Carney, second by Gericke to restore \$14,000 in the Legislative budget under Travel and Training. Upon roll call vote, Councilmember's Ramsey, Gilbert, Carney, Gericke, Nickerson and Brown voted aye. Councilmember's Meyer, Niemann, Zapata and Haase voted no. Motion adopted.

Motion by Carney, second by Meyer to hold the Mill Levy at .25 as presented in the proposed budget.

Motion by Gericke, second by Nickerson to amend the Mill Levy to .27. Upon roll call vote, Councilmember's Gericke, Nickerson and Zapata voted aye. Councilmember's Meyer, Niemann, Ramsey, Gilbert, Carney, Haase and Brown voted no. Motion failed.

Roll call upon the main motion to hold the Mill Levy at .25, Councilmember's Brown, Haase, Zapata, Gericke, Carney, Gilbert, Ramsey, Niemann and Meyer voted aye. Councilmember Nickerson voted no. Motion adopted.

Discussion was held concerning bonding capital projects. City Administrator Jeff Pederson stated the City would have to eventually bond capital projects in the future.

Motion by Gilbert, second by Haase to not include \$2 million bonding for the Capital Projects in the 2008/2009 budget. Upon roll call vote, Councilmember's Niemann, Ramsey, Gilbert, Carney and Haase voted aye. Councilmember's Meyer, Gericke, Nickerson, Zapata and Brown voted no. Motion failed.

Motion by Meyer, second by Brown to approve \$2 million bonding for Capital Projects in the 2008/2009 budget. Upon roll call vote, Councilmember's Meyer, Gericke, Nickerson, Zapata and Brown voted aye. Councilmember's Niemann, Ramsey, Gilbert, Carney and Haase voted no. Motion failed.

Motion by Meyer, second by Ramsey to approve the requests made by Mayor Hornady and the changes as presented in the addendum on Tuesday, August 19, 2008 with the exception of the change to Travel and Training in the Legislative budget. Upon roll call vote, Councilmember's Meyer, Ramsey, Gilbert, Carney, Gericke, Nickerson, Zapata, and Brown voted aye. Councilmember's Niemann and Haase voted no. Motion adopted.

Discussion was held regarding traffic signals at the Library. Steve Fosselman, Library Director requested \$70,000 to be included in the 2008/2009 budget to complete this project.

Discussion was held regarding increasing the storm management system pipe from 24" to 36" along Stolley Park Road. Steve Riehle, Public Works Director commented that the engineering study in an amount of \$50,000 was currently in the budget, but the construction in an amount of \$250,000 was not included in the 2008/2009 budget.

Motion by Gilbert, second by Brown to approve the increase of the storm management system from 24" to 36" on Stolley Park Road not to exceed \$250,000.

Motion by Carney, second by Meyer to postpone this item until Tuesday, August 26, 2008. Upon roll call vote, all voted aye. Motion adopted.

David Springer, Finance Director stated that if the Council was going to take action on the State Fair it would have to be done by the September 9, 2008 Council meeting.

ADJOURNMENT: The meeting was adjourned at 11:05 p.m.

RaNae Edwards  
City Clerk

**FISCAL YEAR 2008-2009 ADDENDUM TO PROPOSED BUDGET**

<u>FUND</u>	<u>DEPARTMENT</u>	<u>CHANGE</u>	<u>ACCT #</u>	<b>INCREASE (DECREASE) FUND APPROPRIATION</b>
General	Mayor	Mayor Forgave 2009 Salary	10011203-Payroll	(14,025)
General	Council	Travel Expense Decrease	10011204-85428	(7,000)
General	Finance	IBEW-Contract Wage Changes	10011401-Payroll	7,679
General	Emergency Mgmt	Remove FTE-Communication Specialist	10022601-Payroll	(48,657)
General	Library	Remove FTE-Assistant & Library Page	10044301-Payroll	(42,904)
CHANGE IN APPROPRIATION				(104,907)
PROPOSED APPROPRIATION				36,661,936
AMENDED APPROPRIATION				36,557,029
<hr/>				
400 Fund	Capital Improve	Fiber Optic Connections	40015025-90002	50,000
400 Fund	Capital Improve	Fire Training Center	40015025-90170	(50,000)
400 Fund	Capital Improve	Annual Paving Project	40033530-90060	(100,000)
CHANGE IN APPROPRIATION				(100,000)
PROPOSED APPROPRIATION				3,391,000
AMENDED APPROPRIATION				3,291,000
<hr/>				
505 Fund	Solid Waste			
CHANGE IN APPROPRIATION		Move GPS Equip purchase from 2008 to 2009	50530043-85615	80,000
PROPOSED APPROPRIATION				2,889,477
AMENDED APPROPRIATION				2,969,477
<hr/>				
530 Fund	WWTP			
CHANGE IN APPROPRIATION		10% Engineer Fees-Install Mechanism Primaries	53030054-85213	99,000
PROPOSED APPROPRIATION				12,494,650
AMENDED APPROPRIATION				12,593,650
<hr/>				
605 Fund	Info Technology			
CHANGE IN APPROPRIATION		IBEW-Contract Wage Changes	60510001-Payroll	27,534
PROPOSED APPROPRIATION				1,041,832
AMENDED APPROPRIATION				1,069,366
<hr/>				
<b>2009 Budget Summary Appropriations</b>				
GENERAL FUND				(104,907)
CAPITAL IMPROVEMENTS FUND				(100,000)
ENTERPRISE FUNDS				179,000
INTERNAL SERVICE FUNDS				27,534
CHANGE IN APPROPRIATION				1,627
PROPOSED APPROPRIATION				145,538,070
AMENDED APPROPRIATION				145,539,697

City of Grand Island			Fiscal Year 2008-2009	
<u>Changes to Proposed Annual Budget</u>			<u>Effect on Ending Cash Balance</u>	
	<u>2008 Projection</u>		<u>Reason</u>	
100 Fund	10,495	Decrease Mayor's Salary 2008	Mayor forgave 2008 Salary	
100 Fund	25,000	Increase in Interest Income-Nondepart	Change in projection	
100 Fund	25,000	Increase in Ambulance Revenue	Change in projection	
100 Fund	35,000	Increase in Wireless Franchise Revenue	Change in projection	
100 Fund	(100,000)	Decrease in Sales Tax Revenue	Change in projection	
<b>100 Fund</b>	<b>(4,505)</b>	<b>Net Increase (Decrease)</b>		
<b>210 Fund</b>	<b>80,000</b>	<b>Net Increase (Decrease)</b>	Increase Gas Tax State Funds	
<b>400 Fund</b>	<b>147,676</b>	<b>Net Increase (Decrease)</b>	Increase Intergovernmental Revenue	
<b>401 Fund</b>	<b>40,000</b>	<b>Net Increase (Decrease)</b>	Increase Special Assessment Paving Revenue	
<b>505 Fund</b>	<b>80,000</b>	<b>Net Increase (Decrease)</b>	Move GPS Equip purchase from 2008 to 2009	
530 Fund	(351,219)	50530055-85213-53019	Resolution 2008-206 Sewer Change Order-Capital Ave	
530 Fund	650,000	53030001-74500	Increase Projection Sewer Revenue	
530 Fund	170,000	53030001-74787	Increase Projection Interest Income	
<b>530 Fund</b>	<b>468,781</b>	<b>Net Increase (Decrease)</b>		
<b>615 Fund</b>	<b>500,000</b>	<b>Net Increase (Decrease)</b>	Change in projection for Health Ins employee premiums	
	<b>1,311,952</b>	<b>All Funds 2008 Projection Cash Increase</b>		
<u>2009 Budget</u>			<u>Reason</u>	
100 Fund	104,907	Change in General Fund Appropriations	See 2008-2009 Addendum Proposed Budget Worksheet	
100 Fund	(2,466)	10022605-74773	Remove FTE-Communication Specialist-Health Ins	
100 Fund	25,000	10022102-74528	Increase in Ambulance Revenue	
100 Fund	35,000	10055001-74034	Increase in Wireless Franchise Revenue	
100 Fund	(23,096)	10022601-74355	Decrease revenue from County-50% of expenses	
100 Fund	112,500	10022101-74360	Fire Revenue-Federal Grant-Defibrillator	
<b>100 Fund</b>	<b>251,845</b>	<b>Net Increase (Decrease) 2009</b>		
<b>210 Fund</b>	<b>100,000</b>	<b>Net Increase (Decrease) 2009</b>	Increase Gas Tax State Funds	
<b>400 Fund</b>	<b>100,000</b>	<b>Net Increase (Decrease) 2009</b>	Change in Appropriations	
<b>505 Fund</b>	<b>(80,000)</b>	<b>Net Increase (Decrease) 2009</b>	Change in Appropriations	
<b>530 Fund</b>	<b>(99,000)</b>	<b>Net Increase (Decrease) 2009</b>	Change in Appropriations	
<b>605 Fund</b>	<b>(27,534)</b>	<b>Net Increase (Decrease) 2009</b>	Change in Appropriations	
<b>615 Fund</b>	<b>600,000</b>	<b>Net Increase (Decrease) 2009</b>	Change in projection Health Ins employee premiums	
	<b>845,311</b>	<b>All Funds Cash Increase 2009 Budget</b>		
	<b>2,157,263</b>	<b>All Funds Cash Increase 2008 Projection &amp; 2009 Budget</b>		



# **City of Grand Island**

**Tuesday, August 26, 2008**

**Council Session**

## **Item G4**

**#2008-218 - Approving Interlocal Agreement for the Central  
Nebraska Environmental Complex**

Staff Contact: Paul Briseno, Assist. to City Administrator



# **Council Agenda Memo**

**From:** Paul M. Briseno, Assistant to the City Administrator

**Meeting:** August 20, 2008

**Subject:** Approving Interlocal Agreement for the Central Nebraska Environmental Complex

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

**Presenter(s):** Paul M. Briseno, Assistant to the City Administrator

## **Background**

In February 2004, the Grand Island City Council identified the development of a permanent regional Household Hazardous Waste Facility as a community goal. In 2007 a construction grant was submitted to the Nebraska Environmental Trust. This grant was denied as the project had no established working relationship with Keep Nebraska Beautiful, no interlocals identifying the service area, and the proposed facility was designed with unnecessary elements.

## **Discussion**

In February an interlocal was created. The Legal Department, Nebraska Department of Environmental Quality, Nebraska Department of Environmental Trust and municipalities with established collection facilities assisted in the creation of the interlocal. Originally the interlocal was sent to 15 communities and one county. Recently Hamilton and Howard Counties have asked to join the interlocal.

The interlocal agreement identifies a number of elements essential to the success of this project. Local and county governments who sign the interlocal agreement agree to the following terms :

- Their citizens will be part of the CNEC service area and solely cooperate with the CNEC once operational, for household hazardous waste needs. Furthermore, the City of Grand Island will submit grant applications on their behalf.
- Make known the resources of the CNEC through various notifications to citizens at their cost.
- Materials will be accepted free of charge from citizens.
- The City of Grand Island will provide staffing and operation of the household hazardous waste section of the facility through a five year operational grant.
- The agreement is in effect for five years.

- The CNEC shall provide a report annually of services used by citizens of the cooperating entities.

The City of Grand Island will submit a construction grant to the Nebraska Environmental Trust in September. The proposed construction grant application request is \$796,360. A city match of \$40,000 will be allocated in the 2009-10 Budget with a \$40,000 in-kind match of land. There will be no cost to the City from the 2008-09 Budget. Notice of award does not take place until spring 2009 putting construction at the beginning of the 2009-10 fiscal year.

#### **Central Nebraska Environmental Complex**

##### **\*Estimated Construction Cost**

Architect Estimate	\$ 784,000
7% Contingency	\$ 54,880
<b>Total Construction Cost</b>	<b>\$ 838,880</b>

City of Grand Island Cash Match	\$ 40,000
<b>Environmental Trust Grant Request</b>	<b>\$ 798,880</b>

A separate operation grant for 5 years will be requested in February 2009 from the Nebraska Department of Environmental Quality.

At this point in time only support is requested from cooperating entities. Cooperating communities will incur costs for notification of services available to citizens. Cooperating entities will be asked to participate financially if an extension of a five year operational grant is not awarded after the first five years of operation.

Council has identified two goals that fit appropriately under this project. These goals are:

- **Secure funding and begin construction of the Household Hazardous Waste facility**
- **Continue to aggressively address environmental issues and advocate for citizens**

### **Alternatives**

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

1. Move to approve the grant application and authorize the Mayor to sign all related documents.
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 Council approve the Central Nebraska Environmental Complex Interlocal Agreement.

## **Sample Motion**

Move to approve the Central Nebraska Environmental Complex Interlocal Agreement.

**Interlocal Agreement**  
**CENTRAL NEBRASKA ENVIRONMENTAL COMPLEX**

This Agreement is made and entered into by the City of Grand Island, a Municipal Corporation and Nebraska political subdivision and the City's of Alda, Ashton, Aurora, Burwell, Cairo, Central City, Doniphan, Grand Island, Hampton, Loup City, Ord, Spalding, Spencer, St. Paul, Wood River, and the County's of Hall, Hamilton, Howard.

WHEREAS, The City's of Alda, Ashton, Aurora, Burwell, Cairo, Central City, Doniphan, Grand Island, Hampton, Loup City, Ord, Spalding, Spencer, St. Paul, Wood River, and the County's of Hall, Hamilton, Howard will be called here after as COOPERATING ENTITIES; and

WHEREAS, The City of Grand Island and COOPERATING ENTITIES enter into an Interlocal Agreement, which establish terms under which Grand Island will pursue grant funding for the construction of a Household Hazardous Waste (HHW) and recycling facility to be called The Central Nebraska Environmental Complex (CNEC); and

WHEREAS, The COOPERATING ENTITIES agree to be part of the (CNEC) service area and solely cooperate with the CNEC once operational, for household hazardous waste needs, and

WHEREAS, The COOPERATING ENTITIES agree to make known the resources of the CNEC through notification submitted to citizens once a year through one of the following means of distribution, direct mail, utility inserts, other mass distribution, and notice given at city hall and/or other city/county owned facilities utilized by the general public, and.

WHEREAS, COOPERATING ENTITIES will pay the cost of materials and distribution of notification to their citizens, and

WHEREAS, The CNEC will design and provide a media template to all COOPERATING ENTITIES for consistency, and

WHEREAS, The CNEC will accept household hazardous waste and recyclables free of charge to any citizen; and

WHEREAS, The City of Grand Island will provide a cash and in-kind match for the CNEC construction grant; and

WHEREAS, The City of Grand Island will pursue a five (5) year operational grant for the Household Hazardous Waste (HHW) facility and provide an in-kind match, and

WHEREAS, The City of Grand Island will provide property, staffing and operation of a household hazardous waste (HHW) facility; and

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, it is agreed as follows:

1. **AUTHORITY.** This Agreement is made pursuant to authority provided in the Nebraska Interlocal Cooperation Act (Neb. Rev. Stat § 13-801, r.r.s., 1943, et seq.), without a separate entity being created.
2. **TERM OF AGREEMENT,** This agreement shall become effective on the date the last signature is applied, and shall remain in effect for five (5) years or until it is terminated as provided herein.
3. **SCOPE OF PROGRAM,** The City of Grand Island shall on behalf of the service area, to submit applications to the Nebraska Environmental Trust or other grant agencies for funding the construction of the CNEC.

The City of Grand Island shall also on behalf of the service area, to submit applications to the Nebraska Department of Environmental Quality (NDEQ), or other grant agencies for funding the operation of the HHW facility. All parties agree to negotiate in good faith should available grant funding fail to cover all necessary construction or operational costs.

The Grand Island City Administrator or his/her designee shall oversee the construction and operation of the CNEC facility.

4. **SITE LOCATION,** The CNCE shall be located at 5050 West Potash Highway, adjacent to the City of Grand Island Transfer station, consisting of approximately eight (8) acres for use as the CNCE. Ownership of the property and subsequent improvements shall remain the City of Grand Islands unless otherwise provided for in amendments to this agreement.
5. **STAFFING,** The City of Grand Island shall provide the staffing, utilities, repairs and maintenance for the operation of the HHW facility. The City of Grand Island shall be reimbursed for such costs attributable to the operation from the funds described in number three (3) above.
6. **TERMINATION,** Involvement of any member entity with the interlocal agreement, and responsibilities under this Agreement, may be terminated by such member without cause effective upon 90 days written notice to the other members of the interlocal agreement. Termination of a member's involvement with the interlocal agreement pursuant to this Agreement shall not operate to terminate this Agreement nor shall it affect any rights obtained under this Agreement, prior to such notice of termination being given, for costs incurred or moneys advanced, or for actions taken or responsibilities assumed, by another member of the interlocal agreement during the term of and pursuant to this Agreement.

**MISCELLANEOUS.** Once operational the City of Grand Island shall provide a report annually of CNEC use by citizens of the COOPERATING ENTITIES.

R E S O L U T I O N    2008-218

WHEREAS, in February 2004, the Grand Island City Council identified development of a permanent, regional Household Hazardous Waste Facility as a community goal; and

WHEREAS, the current City Council has selected the following 2008-09 City Council Goals:

- Secure funding and begin construction of the Household Hazardous Waste facility.
- Continue to aggressively address environmental issues and advocate for citizens.

; and

WHEREAS, an interlocal agreement was created with assistance from the City's Legal Department, Nebraska Department of Environmental Quality, Nebraska Department of Environmental Trust and municipalities with established collection facilities; and

WHEREAS, the interlocal agreement establishes the City of Grand Island's responsibility; and

WHEREAS, the interlocal agreement identifies the cooperating entities requirements; and

WHEREAS, thirteen communities and three counties have signed the interlocal agreement;  
and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Interlocal Agreement for the Central Nebraska Environmental Complex which outlines responsibilities and requirements by and among the Counties of Hall, Hamilton, Howard, and the Cities of Grand Island, Alda, Aurora, Burwell, Cairo, Central City, Doniphan, Hampton, Loup City, Ord, Spencer, St. Paul, and Wood River to provide safe recycling and disposal of household hazardous waste products, computers, aluminum, and offer educational resources.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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

Approved as to Form	☐ _____
August 22, 2008	☐ City Attorney



# **City of Grand Island**

**Tuesday, August 26, 2008**

**Council Session**

## **Item G5**

**#2008-219 - Approving Grant Application for the Central  
Nebraska Environmental Complex**

**Staff Contact: Paul Briseno, Assist. to City Administrator**

# **Council Agenda Memo**

**From:** Paul M. Briseno, Assistant to the City Administrator

**Meeting:** August 21, 2008

**Subject:** Central Nebraska Environmental Complex Construction Grant from the Nebraska Environmental Trust

**Item #'s:** G-5

**Presenter(s):** Paul M. Briseno, Assistant to the City Administrator

## **Background**

In February 2004, the Grand Island City Council identified the development of a permanent regional Household Hazardous Waste Facility as a community goal. In 2007 a construction grant was submitted to the Nebraska Environmental Trust. This grant was denied as the project had no established working relationship with Keep Nebraska Beautiful, no interlocals identifying the service area, and the proposed facility was designed with unnecessary elements.

The original design was paid by a Department of Environmental Quality grant.

## **Discussion**

In February an interlocal was created. The Legal Department, Nebraska Department of Environmental Quality, Nebraska Department of Environmental Trust and municipalities with established collection facilities assisted in the creation of the interlocal. Originally the interlocal was sent to 15 communities and one county. Recently Hamilton and Howard Counties have asked to join the interlocal.

In July 2008, Council approved an amendment to the original contract with Milco and Associates for \$12,500. This cost was expensed out of the Solid Waste Division. The redesign incorporate requests of the Nebraska Environmental Trust, Nebraska Department of Environmental Quality and added cost savings efficiencies that reduced the size of the facility. An increase of recycling/educational elements was also realized. These modifications will offer citizens greater opportunities to conserve resources and provide a single location for many environmental needs.

The proposed facility size is 7,650 sq ft which provides space for household hazardous waste processing, computer decommissioning, aluminum recycling, swap shop for reuse of materials, and administrative areas. Construction costs have been estimated at \$784,000. Staff has added a 7% contingency for a total cost of \$836,360.



Cost effective green elements are incorporated into the design of this facility and include materials of high content of recycled materials such as liner panels for interior walls, skylights or translucent wall panels in the processing area for day lighting to reduce energy consumption, ceiling fans in processing areas and offices to reduce cooling loads, ground source heat pump HVAC system for offices and low maintenance landscaping. Building materials that have the capability of being recycled will be utilized when ever possible.

Local retailers that sell many of the products accepted at the complex have been contacted to establish a working relationship. Once the Central Nebraska Environmental Complex is constructed, local retailers will provide educational materials to customers. This information will include the site, hours of operation and materials accepted. Grand Island has a retail pull of 350,000 citizens from central Nebraska.

The City of Grand Island will resubmit a construction grant to the Nebraska Environmental Trust in September. The proposed construction grant application request is \$796,360. A city match of \$40,000 will be allocated in the 2009-10 budget with a \$40,000 in-kind match of land. There will be no cost to the City from the 2008-09 budget. Notice of award does not take place until spring 2009 putting construction at the beginning of the 2009-10 fiscal year.

**Central Nebraska Environmental Complex**  
**\*Estimated Construction Cost**

Architect Estimate	\$ 784,000
7% Contingency	\$ 54,880
<b>Total Construction Cost</b>	<b>\$ 838,880</b>
City of Grand Island Cash Match	\$ 40,000
<b>Environmental Trust Grant Request</b>	<b>\$ 798,880</b>

A separate operation grant for 5 years will be requested in February 2009 from the Nebraska Department of Environmental Quality.

Council has identified two goals that fit appropriately under this project. These goals are:

- **Secure funding and begin construction of the Household Hazardous Waste facility**
- **Continue to aggressively address environmental issues and advocate for citizens**

**Alternatives**

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

1. Move to approve the grant application and authorize the Mayor to sign all related documents.

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 Council approve a grant application for construction funds from the Nebraska Environmental Trust and authorize the Mayor to sign all related documents.

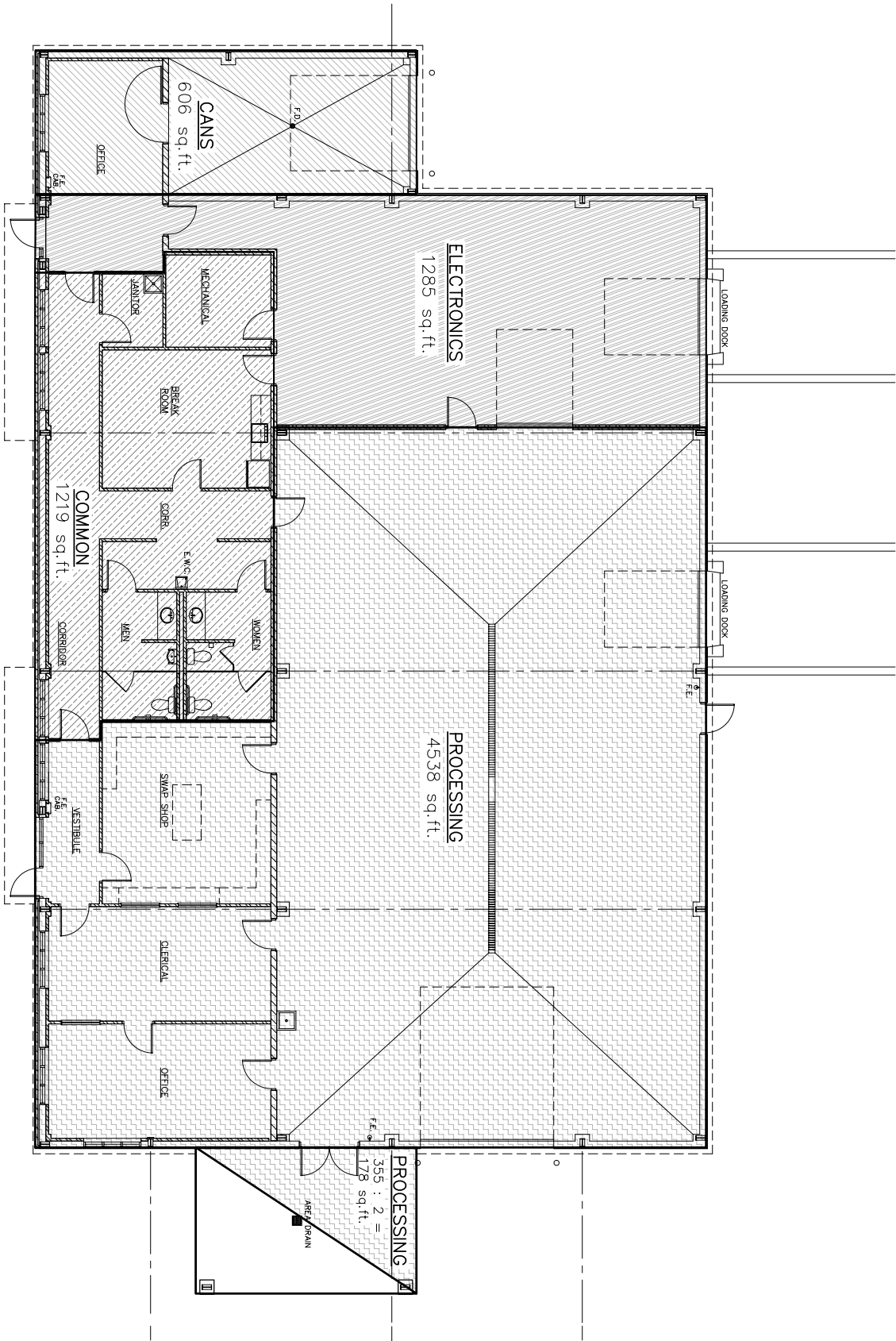
### **Sample Motion**

Move to approve a grant application for construction funds from the Nebraska Environmental Trust and authorize the Mayor to sign all related documents.

WALL LEGEND

METAL STUD

CONCRETE MASONRY



NORTH

FLOOR PLAN

SCALE: 1/8" = 1'-0"

VERIFY SCALES	
BAR IS ONE INCH ON ORIGINAL DRAWING	
0	1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.	
SCALE: AS SHOWN	
PROJECT NO. W149-G1-06	
DATE: AUGUST, 2008	
FIELD BOOK: W&A DWG NO. 15840	
DRAWN BY: JAW	
CHECKED BY: RJS	
SHEET A-1 OF 25	

GRAND ISLAND HOUSEHOLD HAZARDOUS WASTE

FLOOR PLAN - AREA FIGURES

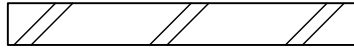
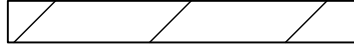
GRAND ISLAND, NEBRASKA

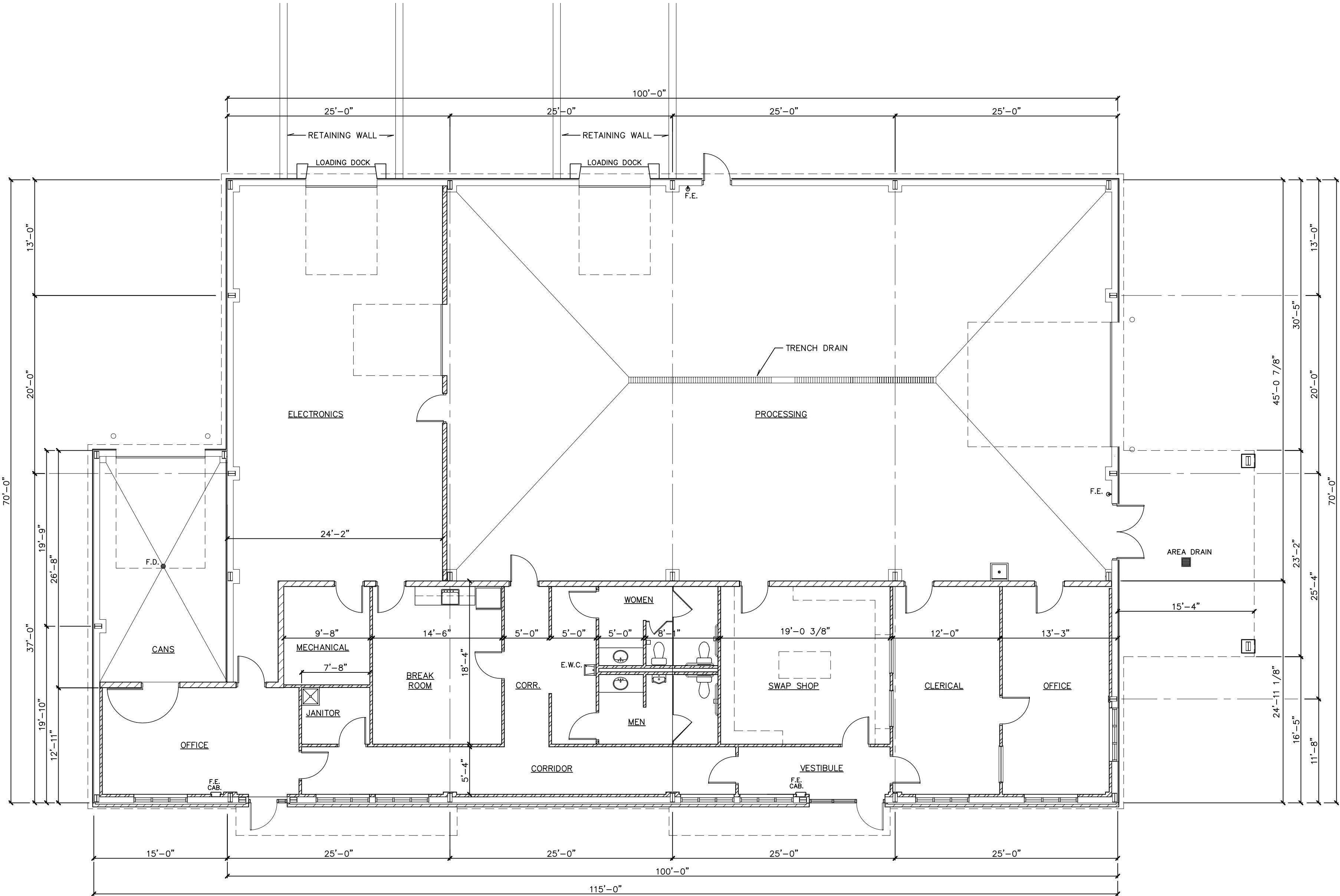
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REVISIONS	BY
<div><div>MILCO</div><div>Environmental Services, Inc.</div><div>Kearney, NE (308) 237-5923</div><div>McCook, NE (308) 345-4741</div></div>	

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WALL LEGEND

-  METAL STUD
-  CONCRETE MASONRY



REVISIONS	BY

**MILCO**  
Environmental  
Services, Inc.  
Kearney, NE (308) 237-5923  
McCook, NE (308) 345-4741

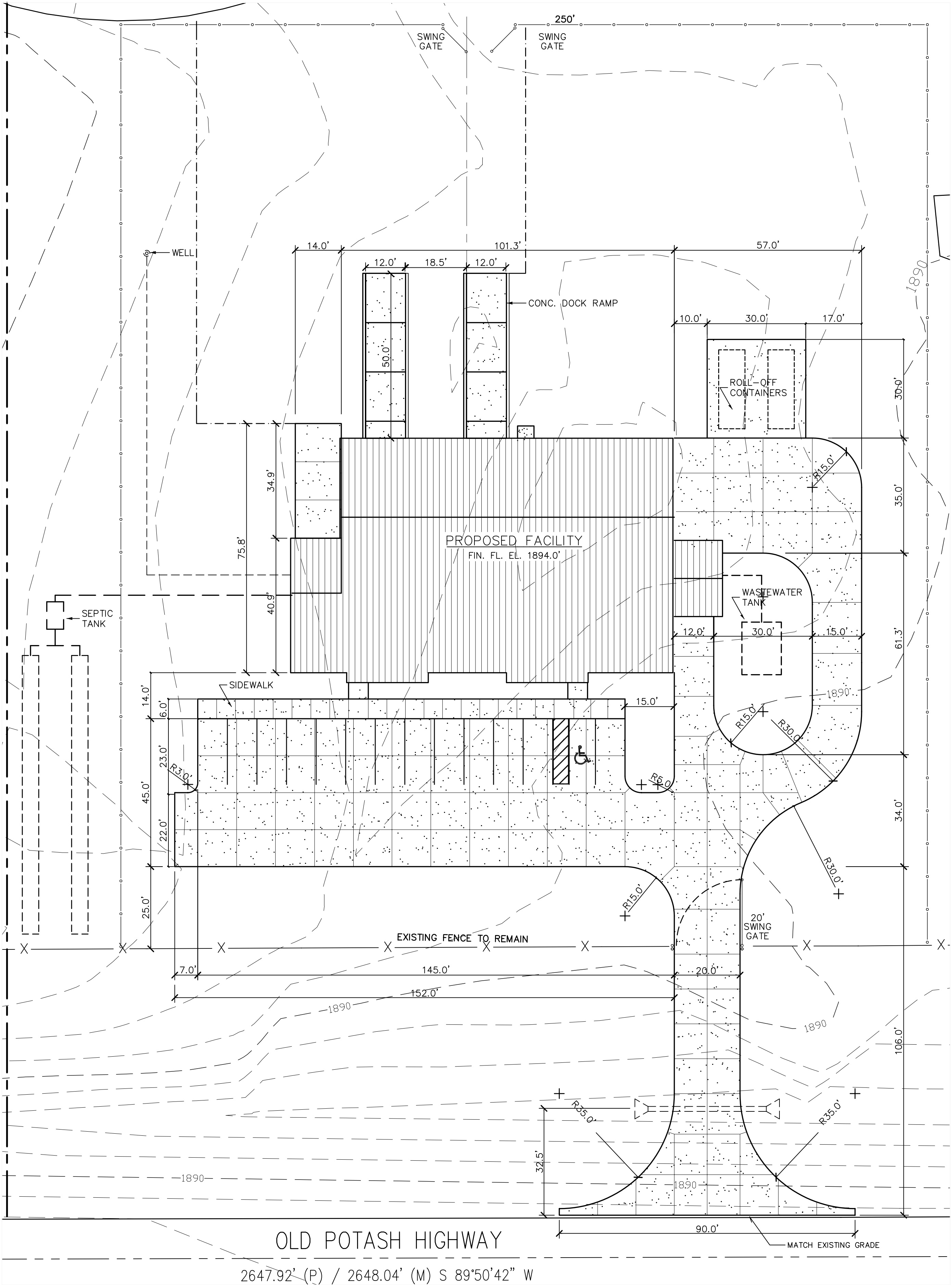
GRAND ISLAND HOUSEHOLD HAZARDOUS WASTE  
**FLOOR PLAN**  
GRAND ISLAND, NEBRASKA

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PROJECT NO. M149-G1-06	
DATE: AUGUST, 2008	
FIELD BOOK	M&A DWG NO. 15840
DRAWN BY: JAW	APRVD BY: RJS
SHEET	OF 25
A-1	



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LEGEND

CONCRETE PAVING

BENCH MARK T.B.M. EL.= 1893.58'

NORTHWEST CAP BOLT ON FIRE HYDRANT LOCATED ON THE EAST SIDE OF EXISTING CONCRETE SURFACE, REFER TO SHEET C-1 FOR ACTUAL LOCATION.

NOTE: SEA LEVEL DATUM ELEVATION 1894.0' TO BE EQUAL TO ELEVATION 100'-0" ON ARCHITECTURAL DRAWINGS.

REVISIONS	BY

**MILCO**  
Environmental  
Services, Inc.  
Kearney, NE (308) 237-5923  
McCook, NE (308) 345-4741

GRAND ISLAND HOUSEHOLD HAZARDOUS WASTE  
**SITE PLAN and DETAILS**  
GRAND ISLAND, NEBRASKA

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VERIFY SCALES

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SCALE: AS SHOWN

PROJECT NO. M149-G1-06

DATE: AUGUST 2008

FIELD BOOK M&A DWG NO. 15843

DRAWN BY: CAB APRVD BY: RJS

SHEET C-2 25

RESOLUTION 2008-219

WHEREAS, in February 2004, the Grand Island City Council identified development of a permanent, regional Household Hazardous Waste Facility as a community goal; and

WHEREAS, the current City Council have selected the following 2008-09 City Council Goals:

- Secure funding and begin construction of the Household Hazardous Waste facility.
- Continue to aggressively address environmental issues and advocate for citizens.

; and

WHEREAS, in July 2008, Grand Island City Council approved \$12,500 redesign with MILCO and Associates from the Solid Waste Fund; and

WHEREAS, the building plan and site plan have been prepared by MILCO Environmental Services, INC., with an estimated construction cost of \$784,000; and

WHEREAS, staff has added a 7% contingency for a total cost of \$836,360; and

WHEREAS, if awarded the grant, a city match of \$40,000 cash maybe allocated in the 2009-2010 budget; and

WHEREAS, an in-kind match of \$40,000 for land, \$12,500 for redesign, and staff time will be utilized; and

WHEREAS, a grant application has been prepared to request funding in the amount of \$796,360 from the Nebraska Environmental Trust for the construction costs of the facility; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island is hereby authorized to submit a grant application in the amount of \$796,360 to the Nebraska Environmental Trust for the construction of a Household Hazardous Waste Facility.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute all documents necessary for the submission of the grant application.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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

Approved as to Form  
August 22, 2008

☐ \_\_\_\_\_  
☐ City Attorney



# City of Grand Island

Tuesday, August 26, 2008

Council Session

## Item G6

**#2008-220 - Approving Resolution of Intent to Create Business Improvement District #6, Second Street**

*See Memo under Public Hearing Item E-3.*

Staff Contact: Wes Nespor



## RESOLUTION 2008-220

WHEREAS, the District 6 Business Improvement Board has recommended that the City of Grand Island create a business improvement district with amended boundaries in the form hereinafter set forth; and

WHEREAS, on August 13, 2008, the Regional Planning Commission recommended approval of the creation of such business improvement district; and

WHEREAS, the City Council has determined that a public hearing should be held on the proposed business improvement district.

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

1. The proposed district shall be considered in public hearing before the City Council on September 9, 2008, at 7:00 p.m. in the Council Chambers at City Hall in Grand Island, Nebraska.
2. District Boundaries. The proposed boundaries of Business Improvement District No. 6 are described as follows:  
Beginning at a point on the Westerly line of Eddy Street, said point being One Hundred Thirty-Two Feet (132') Southeast of the Intersection of the Southerly line of Second Street and the Westerly line of Eddy Street; thence Westerly on a line One Hundred Thirty-Two Feet (132') Southeast and parallel to the Southerly line of Second Street to a point Sixty-Six Feet (66') Northeast of the Easterly line of Greenwich Street; thence Southerly on a line Sixty-Six Feet (66') Northeast of and parallel to the Easterly line of Greenwich Street to the Northerly line of First Street; thence Westerly on the Northerly line of First Street to a point Sixty-Six Feet (66') Southwest of the Westerly line of Greenwich Street; thence Northerly on a line Sixty-Six Feet (66') Southwest of and parallel to the Westerly line of Greenwich Street to a point One Hundred Thirty-Two Feet (132') Southeast of the Southerly line of Second Street; thence Westerly on a line One Hundred Thirty-Two Feet (132') Southeast of and parallel to the Southerly line of Second Street to a point Sixty-Six Feet (66') Northeast of Broadwell Avenue; thence Southerly on a line Sixty-Six Feet (66') Northeast of and parallel to the Easterly line of Broadwell Avenue to the Northerly line of First Street; thence Westerly on the Northerly line of First Street to a point One hundred thirty-five and sixty-nine hundredths Feet (135.69') Southwest of the Westerly line of Broadwell Avenue; thence Northerly on a line One hundred thirty-five and sixty-nine hundredths Feet (135.69') Southwest of and parallel to the Westerly line of Broadwell Avenue Sixty-five and seventy-six hundredths feet (65.76'); thence Westerly on a line parallel to the Northerly line of First Street twenty-three Feet (23'); thence Northerly on a line parallel to the Westerly line of Broadwell Avenue to a point One Hundred Thirty-Two Feet (132') Southeast of the South Ine of Second Street; thence Westerly on a line One

Hundred Thirty-Two Feet (132') Southeast of and parallel to the Southerly line of Second Street to the Easterly line of Garfield Avenue; thence Northerly on the Easterly line of Garfield Avenue to a point One Hundred Thirty-Two Feet (132') Northwest of the Northerly line of Second Street; thence Easterly on a line One Hundred Thirty-Two Feet (132') Northwest of and parallel to the Northerly line of Second Street to a point Sixty-Six Feet (66') Southwest of the Westerly line of Broadwell Avenue; thence Northerly on a line Sixty-Six Feet (66') Southwest of and parallel to the Westerly line of Broadwell Avenue to the Southerly line of Union Pacific Railroad Right-of-Way; thence Easterly on the Southerly line of Union Pacific Railroad to a point Sixty-Six Feet (66') Northeast of the Easterly line of Broadwell Avenue; thence Southerly on a line Sixty-Six Feet (66') Northeast of and parallel to the Easterly line of Broadwell Avenue to a point One Hundred Thirty-Two Feet (132') Northwest of the Northerly line of Second Street; thence Easterly on a line One Hundred Thirty-Two Feet (132') Northwest of and parallel to the Northerly line of Second Street to the Westerly line of Eddy Street; thence Southeast on the Westerly line of Eddy Street to the point of beginning.

3. Creation of District: Improvements. The proposed work to be performed and specific improvements to be made or maintained within the proposed district shall include:

Improvement of any public place or facility in the district area, including landscaping, physical improvements for decoration or security purposes, and plantings and maintenance, repair, and reconstruction of any improvements or facilities authorized by the Business Improvement District Act, including, but not limited to: maintenance and improvement of the landscaped greenway; maintenance, repair, improvement and replacement of the sprinkler system in the greenway; regular mowing and trimming of the greenway; all facets of the purchase, care and replacement of trash receptacles, benches, welcome signs, streetscape improvements, trees, shrubs and grass and other decorative improvements; snow removal from the sidewalks parallel to Second Street; employment of or contracting for personnel, purchase of equipment, materials, supplies or other expenses to accomplish the purposes of the district; other incidental or ongoing expenses as needed for the maintenance, improvement and beautification of the green belt area and to accomplish the goals and objectives of the Business Improvement Board of the district.

The district may employ or contract for personnel for any improvement program under the act, and providing for any service as may be necessary or proper to carry out the purposes of the act, including, but not limited to, activities, projects, staff, consulting services, materials, equipment, supplies, and services necessary or convenient for the management of the affairs of the business improvement district, to include budget development and supervision, representation of the interests of the district to public and private entities, research, development, travel, training, development and implementation of business and residential recruitment and retention projects, downtown beautification projects and activities which contribute to regaining, sustaining or improving the economic health and viability of the district and the implementation of the goals and objectives of the Business Improvement Board.

Any other project or undertaking for the betterment of the public facilities in the district area, whether the project be capital or noncapital in nature.

4. Term, Annual Budget and Limitations. The proposed district shall become effective on October 1, 2008 for a period of five years to terminate on September 30, 2013. The estimated total annual budget for costs and expenses of the work to be performed within such district during the first year totals \$43,800. The estimated total first-year budget by area of work is as follows:

Beautification	\$38,500
Administration and maintenance	\$ 5,300

In the subsequent four years, the maximum amount of annual assessment and annual budget for the district may be more or less than the first year assessment and budget amounts but the total budgeted assessment and expenditures will not exceed \$183,600 during the 5 year term of the District, the same being the estimated costs of all projects and maintenance requirements. The assessments levied for the first year shall not exceed \$43,800. The specific improvements for the first year are listed for purposes of estimating the costs and expenses of performing the proposed work and improvements. Although the district is proposed for a five-year period, the City council, after public hearing, shall approve an annual budget for specific improvements in each succeeding year consistent with the ordinance creating the district. The City Council retains the authority to change, modify and remove proposed improvements; however, the proposed improvements cannot exceed the scope of improvements and the annual assessment cannot exceed the maximum amounts of the annual assessment as provided by the ordinance creating the district.

5. Method of Assessment. The proposed district shall receive funding from special assessments based upon the special benefits to the property as fairly and equitably assessed by the City Council. The assessments shall be levied annually as the front footage of the individual real property within the district calculated as the distance between the furthest east line and the furthest west line of each parcel divided by total front footage calculated in the same fashion of all assessable property in the district times the total special assessment equals individual special assessment. The record owners of the front footages to be used in the above formula shall be the owners, as shown in the office of the Hall County Register of Deeds, in effect on the first day of January of the current year. Based upon the recommendation of the Business Improvement District Board, properties within the district not immediately adjacent to Second Street will be assessed at 0% of front footage in the first year but may receive special benefit in subsequent years for projects along side streets. Owners of property exempt from ad valorem taxes are encouraged to support District activities, promotions, and improvements but property exempt from ad valorem taxes will not be subject to special assessment for this Business Improvement District. Property

owned by the Federal Government, the State of Nebraska and political subdivisions thereof shall not be subject to special assessment for this Business Improvement District.

6. Notice. A copy of this resolution of intention shall be published one time in the *Grand Island Independent*, and a copy shall be mailed to each owner of taxable property as shown by the latest tax rolls of the Hall County Treasurer.
7. Boundary Lines. Commonly owned properties that are intersected by a boundary line establishing the district shall be considered as entirely within the district unless otherwise determined by the City Council when sitting as a Board of Equalization.
8. Enforcement. The special assessments provided herein shall be a lien on the property assessed superior and prior to all other liens except general taxes and other special assessments which shall be of equal priority. Liens for special assessments may be foreclosed and are subject to interest at the statutory rate when payment of the assessment is delinquent as provided by law. No special assessment made hereunder shall be void for any irregularity, defect, error or informality in procedure, in levy or equalization thereof.

Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 26, 2008

Council Session

## Item G7

**#2008-221 - Approving Resolution of Intent to Create Business Improvement District #7, South Locust Street from Hwy 34 to Stolley Park Road**

*See Memo under Public Hearing Item E-3.*

Staff Contact: Wes Nespor

## RESOLUTION 2008-221

WHEREAS, the District 7 Business Improvement Board has recommended that the City of Grand Island create a business improvement district with amended boundaries in the form hereinafter set forth; and

WHEREAS, on August 13, 2008, the Regional Planning Commission recommended approval of the creation of such business improvement district; and

WHEREAS, the City Council has determined that a public hearing should be held on the proposed business improvement district.

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

1. The proposed district shall be considered in public hearing before the City Council on September 9, 2008, at 7:00 p.m. in the Council Chambers at City Hall in Grand Island, Nebraska.
2. District Boundaries. The proposed boundaries of Business Improvement District No. 7 are described as follows:

Beginning at the Southeast corner of Section Twenty-Eight (28), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M., Hall County, Nebraska; thence West on the South line of Section Twenty-Eight (28), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. for a distance of Two Hundred Feet (200'); thence Northerly on a line Two Hundred Feet (200') West of and parallel to the East line of Section Twenty-Eight (28), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. to the North line of Section Twenty-Eight (28), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M.; thence East on the North line of Section Twenty-Eight (28), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. to the Northeast corner of Section Twenty-Eight (28), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M.; thence continuing East on the North line of Section Twenty-Seven (27), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. for a distance of Three Hundred Seventy-Five Feet (375'); thence South on a line Three Hundred Seventy-Five Feet (375') East of and parallel to the West line of Section Twenty-Seven (27), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. to the South line of Section Twenty-Seven (27), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M.; thence West on the South line of Section Twenty-Seven (27), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. for a distance of Three Hundred Seventy-Five Feet (375') to the point of beginning.

3. Creation of District: Improvements. The proposed work to be performed and specific improvements to be made or maintained within the proposed district shall include:

Improvement of any public place or facility in the district area, including landscaping, physical improvements for decoration or security purposes, and plantings and maintenance, repair, and reconstruction of any improvements or facilities authorized by the Business Improvement District Act, including, but not limited to: maintenance and improvement of the landscaped greenway; maintenance, repair, improvement and replacement of the sprinkler system in the greenway; regular mowing and trimming of the greenway; all facets of the purchase, care and replacement of trash receptacles, benches, welcome signs, streetscape improvements, trees, shrubs and grass and other decorative improvements; snow removal from the sidewalks parallel to S. Locust; employment of or contracting for personnel, purchase of equipment, materials, supplies or other expenses to accomplish the purposes of the district; other incidental or ongoing expenses as needed for the maintenance, improvement and beautification of the green belt area and to accomplish the goals and objectives of the Business Improvement Board of the district.

The district may employ or contract for personnel for any improvement program under the act, and providing for any service as may be necessary or proper to carry out the purposes of the act, including, but not limited to, activities, projects, staff, consulting services, materials, equipment, supplies, and services necessary or convenient for the management of the affairs of the business improvement district, to include budget development and supervision, representation of the interests of the district to public and private entities, research, development, travel, training, development and implementation of business and residential recruitment and retention projects, downtown beautification projects and activities which contribute to regaining, sustaining or improving the economic health and viability of the district and the implementation of the goals and objectives of the Business Improvement Board.

Any other project or undertaking for the betterment of the public facilities in the district area, whether the project be capital or noncapital in nature.

4. Term, Annual Budget and Limitations. The proposed district shall become effective on October 1, 2008 for a period of five years to terminate on September 30, 2013. The estimated total annual budget for costs and expenses of the work to be performed within such district during the first year totals \$45,000. The estimated total first-year budget by area of work is as follows:

Beautification	\$ 4,100
Implementation and maintenance	\$40,900

In the subsequent four years, the maximum amount of annual assessment and annual budget for the district may exceed the first year assessment and budget amounts but the total budgeted assessment and expenditures will not exceed \$250,000 during the 5 year term of the District, the same being the estimated costs of all projects and maintenance requirements. The assessments levied for the first year shall not exceed \$45,000. The specific improvements for the first year are listed for purposes of estimating the costs and expenses of performing the proposed work and improvements. Although the district is proposed for a five-year period, the City council, after public hearing, shall approve an annual budget for specific improvements in each succeeding year consistent with the ordinance creating the district. The City Council retains the authority to change, modify and remove proposed improvements; however, the proposed improvements cannot exceed the scope of improvements and the annual assessment cannot exceed the maximum amounts of the annual assessment as provided by the ordinance creating the district.

5. Method of Assessment. The proposed district shall receive funding from special assessments based upon the special benefits to the property as fairly and equitably assessed by the City Council. The assessments shall be levied annually as the front footage of the individual real property adjacent to S. Locust Street within the district divided by total front footage of all assessable property in the district times the total special assessment equals individual special assessment. The record owners of the front footages to be used in the above formula shall be the owners, as shown in the office of the Hall County Register of Deeds, in effect on the first day of January of the current year. Owners of property exempt from ad valorem taxes are encouraged to support District activities, promotions, and improvements but property exempt from ad valorem taxes will not be subject to special assessment for this Business Improvement District. Property owned by the Federal Government, the State of Nebraska and political subdivisions thereof shall not be subject to special assessment for this Business Improvement District.
6. Notice. A copy of this resolution of intention shall be published one time in the *Grand Island Independent*, and a copy shall be mailed to each owner of taxable property as shown by the latest tax rolls of the Hall County Treasurer.
7. Boundary Lines. Commonly owned properties that are intersected by a boundary line establishing the district shall be considered as entirely within the district unless otherwise determined by the City Council when sitting as a Board of Equalization.
8. Enforcement. The special assessments provided herein shall be a lien on the property assessed superior and prior to all other liens except general taxes and other special assessments which shall be of equal priority. Liens for special assessments may be foreclosed and are subject to interest at the statutory rate when payment of the assessment is delinquent as provided by law. No special assessment made hereunder shall be void for



any irregularity, defect, error or informality in procedure, in levy or equalization thereof.

Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 26, 2008

Council Session

## Item G8

**#2008-222- Approving FY 2008-2009 Annual Budget for Business Improvement District #4, South Locust Street from Stolley Park Road to Fonner Park Road and Setting Date for Board of Equalization**

Staff Contact: David Springer

# **Council Agenda Memo**

**From:** Dave Springer, Finance Director

**Meeting:** August 26, 2008

**Subject:** Approving FY 2008-2009 Annual Budget for Business Improvement District #4, South Locust Street from Stolley Park Road to Fonner Park Road, and setting Date for Board of Equalization

**Item #'s:** G-8

**Presenter(s):** Dave Springer, Finance Director

## **Background**

In July, 2002, the City Council adopted Ordinance #8751 creating Business Improvement District (BID) #4, South Locust Street from Stolley Park Road to Fonner Park Road. The ordinance established the purpose of the District, described the boundaries, and established that real property in the area would be subject to a special assessment to support the purposes of the District. The creating Ordinance requires that a proposed budget for the District be approved by the BID Board and forwarded to the City Council for consideration. On July 23, 2008, the BID #4 Board met and approved the 2008-2009 Budget which provides for special assessments in the amount of \$5.00 per front footage for a total of \$24,745 for the 4,949 front footage.

## **Discussion**

The majority of the appropriations in the proposed budget of \$24,745 are for the upkeep of sprinkler systems, maintenance of green spaces, and snow removal along their portion of the South Locust corridor. The appropriations for 2008-2009 also include a City fee of \$1,500 for accounting services. A copy of the proposed 2008-2009 budget is attached for review.

## **Alternatives**

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

1. Approve the 2008-2009 Budget for BID #4 and set the date for the Board of Equalization.
2. Modify the budget and/or reschedule the Board of Equalization.

### **Recommendation**

City Administration recommends that the Council approve the 2008-2009 Budget for BID #4 and set the date of September 23, 2008 for the Board of Equalization. Notice of the Hearing and proposed assessments will be published according to State Statutes.

### **Sample Motion**

Move to approve the 2008-2009 Budget for BID #4 and set the date of September 23, 2008 for the Board of Equalization.

**BUSINESS IMPROVEMENT BOARD #4**  
**FY 2008-2009 BUDGET**

	<b>2006 Actual</b>	<b>2007 Actual</b>	<b>2008 Budget</b>	<b>2008 Projected</b>	<b>2009 Budget</b>
<b>ASSESSMENT PER FRONT FOOTAGE</b>	\$3.50	\$3.50	\$4.50	\$4.50	\$5.00
4,949 Feet					
<b>REVENUE</b>					
Account					
74140 Special Asessments	17,390	16,859	22,176	22,207	24,745
74787 Interest Revenue	-	-	-	-	-
74795 Other Revenue	-	-			
<b>TOTAL REVENUE</b>	<b>17,390</b>	<b>16,859</b>	<b>22,176</b>	<b>22,207</b>	<b>24,745</b>
<b>APPROPRIATIONS</b>					
Account					
85213 Contract Services	13,432	12,447	13,500	14,000	13,500
85245 Printing & Binding Services	37	224	250	100	250
85249 Snow & Ice Removal	-	425		1,278	-
85305 Utility Services	3,730	2,972	4,500	4,500	4,500
85319 Repair & Maint - Land Improve	978	3,094	2,000	1,500	2,000
85413 Postage	67	56	250	100	250
85416 Advertising	-	-	1,000	800	1,000
85419 Legal Notices	260	240	500	350	500
85490 Other Expenditures	-	-	500	200	500
85505 Office Supplies	-	-	500	100	500
85560 Trees and Shrubs	-	2,160	-	500	-
85590 Other General Supplies	3,883	60	5,000	3,500	5,000
<b>TOTAL OPERATING EXPENSE</b>	<b>22,387</b>	<b>21,678</b>	<b>28,000</b>	<b>26,928</b>	<b>28,000</b>
<b>ANNUAL EXCESS/(LOSS)</b>	<b>(4,997)</b>	<b>(4,819)</b>	<b>(5,824)</b>	<b>(4,721)</b>	<b>(3,255)</b>
Beginning Cash Balance	27,921	22,924	18,105	18,105	13,384
Revenues	17,390	16,859	22,176	22,207	24,745
Expenditures	22,387	21,678	28,000	26,928	28,000
<b>Ending Cash Balance</b>	<b>22,924</b>	<b>18,105</b>	<b>12,281</b>	<b>13,384</b>	<b>10,129</b>

RESOLUTION 2008-222

WHEREAS, the City Council has considered the proposed budget of the Business Improvement District No. 4 for the fiscal year 2008-2009; and

WHEREAS, the City has received the assessed values of the individual properties within Business Improvement District No. 4 as shown in the office of the Hall County Assessor in effect on the first day of January, 2008.

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

1. The budget for Business Improvement District No. 4 is hereby considered.
2. A proposed assessment schedule shall be prepared.
3. A hearing before the City Council sitting as a board of equalization on the proposed assessments shall be held on September 23, 2008 at 7:00 p.m. in the City Council chambers of City Hall, 100 East First Street, Grand Island, Nebraska.
4. Notice of hearing shall be published once each week for three consecutive weeks in accordance with the Business Improvement District Act.
5. Notice of hearing shall be mailed to all property owners of Business Improvement District No. 4 by U.S. mail, postage prepaid.

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Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 26, 2008

Council Session

## Item G9

**#2008-223 - Approving FY 2008-2009 Annual Budget for Business Improvement District #6, 2nd Street from Garfield Avenue to Eddy Street**

Staff Contact: David Springer

# **Council Agenda Memo**

**From:** Dave Springer, Finance Director

**Meeting:** August 26, 2008

**Subject:** Approving FY 2008-2009 Annual Budget for Business Improvement District #6, Second Street, and setting Date for Board of Equalization

**Item #'s:** G-9

**Presenter(s):** Dave Springer, Finance Director

## **Background**

This evening, the City Council is being asked to create Business Improvement District (BID) #6, Second Street. The creating ordinance establishes the purpose of the District, describes the boundaries, and establishes that real property in the area that would be subject to a special assessment to support the purposes of the District. The creating Ordinance requires that a proposed budget for the District be approved by the BID Board and forwarded to the City Council for consideration. On July 17, 2008, the BID #6 Board met and approved the 2008-2009 Budget which provides for special assessments in the amount of \$6.00 per front footage for a total of \$42,864 for the 7,144 front footage.

## **Discussion**

The majority of the proposed budget of \$42,864 is to be used for the installation of landscaping and beautification and the subsequent maintenance of frontage areas along the Second Street portion of their district. The appropriations for 2008-2009 also include a City fee of \$1,500 for accounting services. A copy of the proposed 2008-2009 budget is attached for review.

## **Alternatives**

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

1. Approve the 2008-2009 Budget for BID #6 and set the date for the Board of Equalization.



2. Modify the budget and/or reschedule the Board of Equalization.

### **Recommendation**

City Administration recommends that the Council approve the 2008-2009 Budget for BID #6 and set the date of September 23, 2008 for the Board of Equalization. Notice of the Hearing and proposed assessments will be published according to State Statutes.

### **Sample Motion**

Move to approve the 2008-2009 Budget for BID #6 and set the date of September 23, 2008 for the Board of Equalization.

**BUISNESS IMPROVEMENT DISTRICT #6 - SECOND STREET  
FY 2008-2009 BUDGET and FIVE YEAR PLAN**

	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>5 Year</b>
	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>	<b>Total</b>
<b>Front Footage</b>	<b>7,144</b>	<b>7,144</b>	<b>7,144</b>	<b>7,144</b>	<b>7,144</b>	
<b>Levy (Per Foot)</b>	<b>\$6.00</b>	<b>\$5.50</b>	<b>\$5.00</b>	<b>\$4.50</b>	<b>\$4.00</b>	<b>\$5.00 Ave.</b>

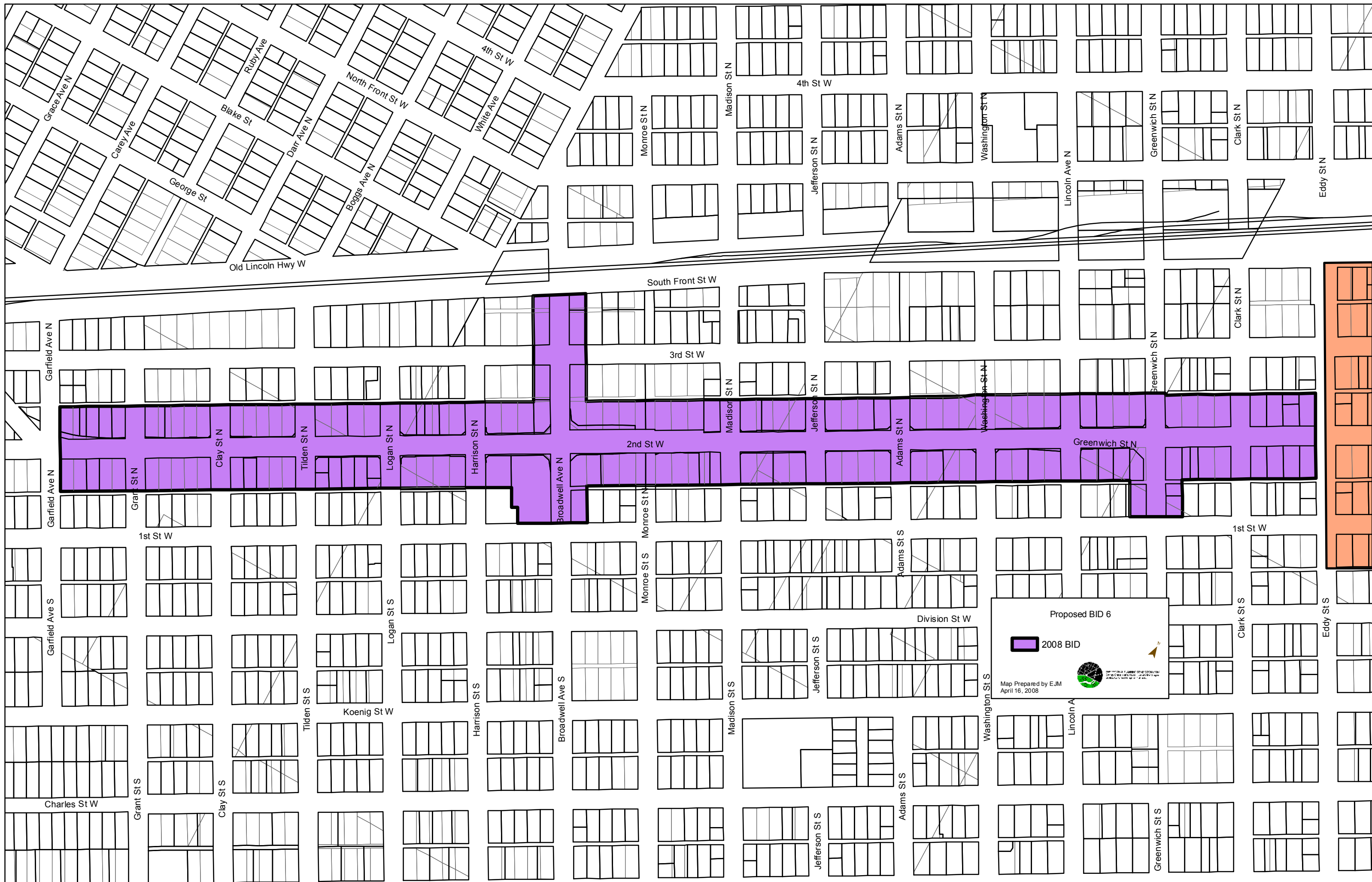
**REVENUE**

Account						
74140 Special Asessments	42,864	39,292	35,720	32,148	28,576	178,600
74795 Other Revenue	1,000	1,000	1,000	1,000	1,000	5,000
<b>TOTAL REVENUE</b>	<b>43,864</b>	<b>40,292</b>	<b>36,720</b>	<b>33,148</b>	<b>29,576</b>	<b>183,600</b>

**APPROPRIATIONS**

Account						
85213 Contract Services	15,000	15,000	15,000	15,000	15,000	75,000
85241 Computer Services						-
85245 Printing & Binding Services	300	300	300	300	300	1,500
85249 Snow & Ice Removal	-	-	-	-	-	-
85290 Other Professional Services	2,000	1,500	1,500	1,500	1,500	8,000
85305 Utility Services	1,500	2,000	2,100	2,200	2,300	10,100
85390 Other Property Services	-	-	-	-	-	-
85413 Postage	250	250	250	250	250	1,250
85416 Advertising	1,500	1,500	1,500	1,500	1,500	7,500
85419 Legal Notices	500	500	500	500	500	2,500
85422 Dues & Subscriptions						-
85428 Travel & Training						-
85490 Other Expenditures	4,500	4,000	3,000	3,000	2,500	17,000
85505 Office Supplies	250	250	250	250	250	1,250
85560 Trees & Shrubs	3,500	3,000	2,500	2,000	1,500	12,500
85590 Other General Supplies	500	500	500	500	500	2,500
85608 Land Improvements	14,000	10,000	8,000	7,500	5,000	44,500
<b>TOTAL OPERATING EXPENSE</b>	<b>43,800</b>	<b>38,800</b>	<b>35,400</b>	<b>34,500</b>	<b>31,100</b>	<b>183,600</b>

<b>ANNUAL EXCESS/(LOSS)</b>	<b>64</b>	<b>1,492</b>	<b>1,320</b>	<b>(1,352)</b>	<b>(1,524)</b>	-
Beginning Cash Balance	-	64	1,556	2,876	1,524	-
Revenues	43,864	40,292	36,720	33,148	29,576	183,600
Expenditures	43,800	38,800	35,400	34,500	31,100	183,600
<b>Ending Cash Balance</b>	<b>64</b>	<b>1,556</b>	<b>2,876</b>	<b>1,524</b>	<b>-</b>	<b>-</b>



RESOLUTION 2008-223

WHEREAS, the City Council has considered the proposed budget of the Business Improvement District No. 6 for the fiscal year 2008-2009; and

WHEREAS, the City has received the assessed values of the individual properties within Business Improvement District No. 6 as shown in the office of the Hall County Assessor in effect on the first day of January, 2008.

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

1. The budget for Business Improvement District No. 6 is hereby considered.
2. A proposed assessment schedule shall be prepared.
3. A hearing before the City Council sitting as a board of equalization on the proposed assessments shall be held on September 23, 2008 at 7:00 p.m. in the City Council chambers of City Hall, 100 East First Street, Grand Island, Nebraska.
4. Notice of hearing shall be published once each week for three consecutive weeks in accordance with the Business Improvement District Act.
5. Notice of hearing shall be mailed to all property owners of Business Improvement District No. 6 by U.S. mail, postage prepaid.

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Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

**Tuesday, August 26, 2008**

**Council Session**

## **Item G10**

**#2008-224 - Approving FY 2008-2009 Annual Budget for Business Improvement District #7, South Locust Street from Stolley Park Road to Highway 34**

Staff Contact: David Springer

# **Council Agenda Memo**

**From:** Dave Springer, Finance Director

**Meeting:** August 26, 2008

**Subject:** Approving FY 2008-2009 Annual Budget for Business Improvement District #7, South Locust Street from Stolley Park Road to Highway 34, and setting Date for Board of Equalization

**Item #'s:** G-10

**Presenter(s):** Dave Springer, Finance Director

## **Background**

This evening, the City Council is being asked to create Business Improvement District (BID) #7, South Locust Street from Stolley Park Road to Highway 34. This is the current BID #3, which ends on September 30. The creating ordinance establishes the purpose of the District, describes the boundaries, and establishes that real property in the area would be subject to a special assessment to support the purposes of the District. The creating Ordinance requires that a proposed budget for the District be approved by the BID Board and forwarded to the City Council for consideration. On June 18, 2008, the BID #7 Board met and approved the 2008-2009 Budget which provides for special assessments in the amount of \$4.66 per front footage for a total of \$45,000 for the 9,665 front footage.

## **Discussion**

The majority of the proposed budget of \$45,000 is to be used for the maintenance of frontage areas along the South Locust Street portion of their district. The appropriations for 2008-2009 also include a City fee of \$875 for accounting services. A copy of the proposed 2008-2009 budget is attached for review.

## **Alternatives**

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

1. Approve the 2008-2009 Budget for BID #7 and set the date for the Board of Equalization.
2. Modify the budget and/or reschedule the Board of Equalization.

### **Recommendation**

City Administration recommends that the Council approve the 2008-2009 Budget for BID #7 and set the date of September 23, 2008 for the Board of Equalization. Notice of the Hearing and proposed assessments will be published according to State Statutes.

### **Sample Motion**

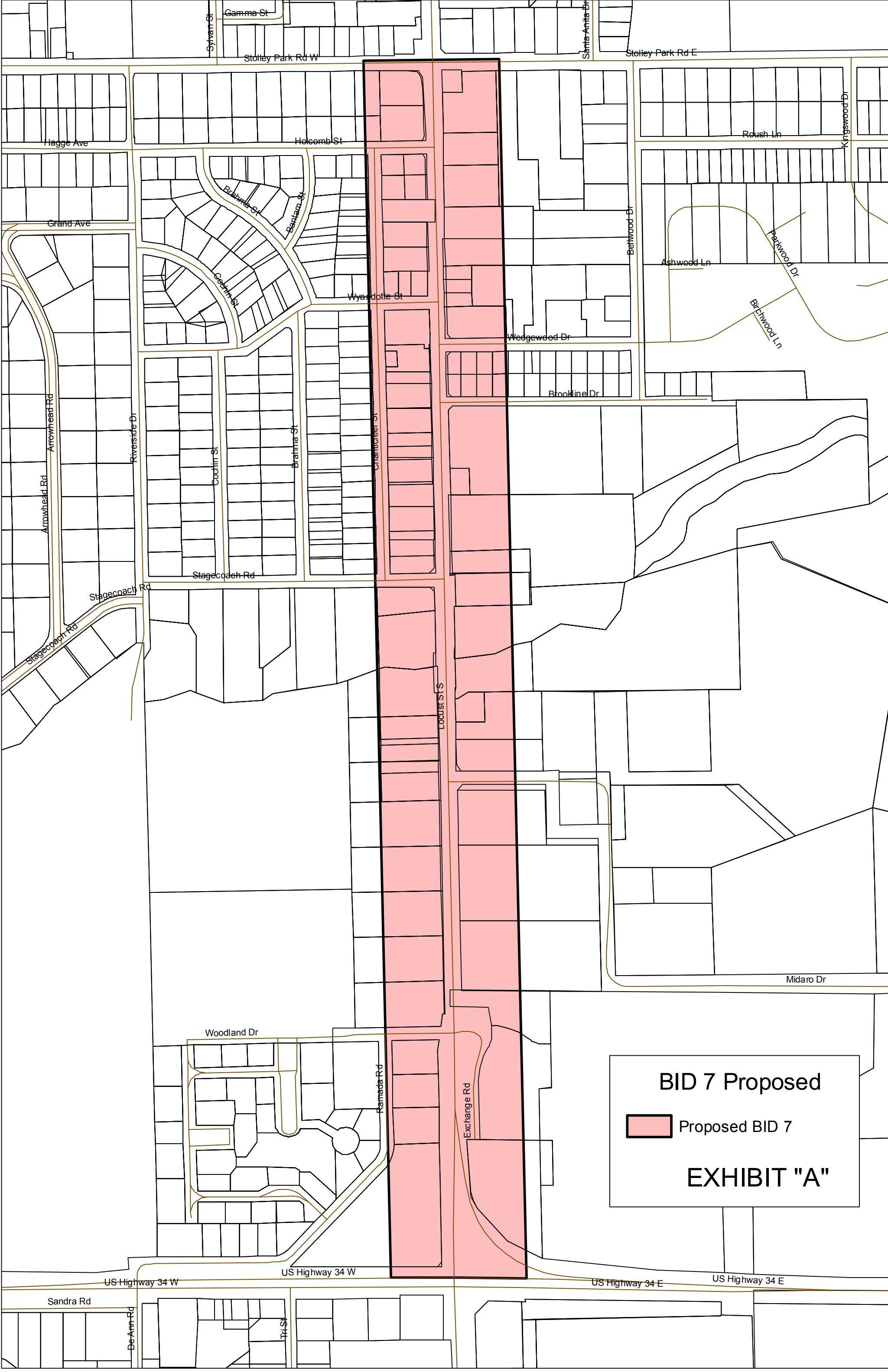
Move to approve the 2008-2009 Budget for BID #7 and set the date of September 23, 2007 for the Board of Equalization.

**BUSINESS IMPROVEMENT BOARD #7  
FY 2007-2008 AND FIVE YEAR BUDGET**

**STOLLEY PARK ROAD TO HWY 34  
(Old BID #3)**

	<b>2007 Actual</b>	<b>2008 Budget</b>	<b>2008 Projected</b>	<b>2009 Budget</b>	<b>2010 Budget</b>	<b>2011 Budget</b>	<b>2012 Budget</b>	<b>2013 Budget</b>	<b>5 Year Total</b>
<b>Front Footage</b>	<b>9,945</b>	<b>9,945</b>	<b>9,945</b>	<b>9,665</b>	<b>9,665</b>	<b>9,665</b>	<b>9,665</b>	<b>9,665</b>	
	<b>\$3.50</b>	<b>\$4.25</b>	<b>\$4.25</b>	<b>\$4.66</b>	<b>\$4.97</b>	<b>\$5.17</b>	<b>\$5.38</b>	<b>\$5.69</b>	<b>\$5.10 Ave</b>
<b>REVENUE</b>									
Account									
74140 Special Assessments	40,723	42,266	41,000	45,000	48,000	50,000	52,000	55,000	250,000
74795 Other Revenue	4,000	0	0	0	0	0	0	0	0
<b>TOTAL REVENUE</b>	<b>44,723</b>	<b>42,266</b>	<b>41,000</b>	<b>45,000</b>	<b>48,000</b>	<b>50,000</b>	<b>52,000</b>	<b>55,000</b>	<b>250,000</b>
<b>APPROPRIATIONS</b>									
Account									
85213 Contract Services	18,180	20,675	18,500	23,100	24,100	25,150	26,253	27,410	126,013
85245 Printing & Binding Services	250	100	80	0	0	0	0	0	0
85249 Snow & Ice Removal	722	2,000	988	2,000	2,000	2,000	2,000	2,000	10,000
85290 Other Professional & Tech.	130								0
85305 Utility Services	5,956	6,000	5,900	6,000	6,300	6,615	6,945	7,295	33,155
85319 Repair & Maint - Land Impro	2,559	0	1,500	2,000	2,000	2,500	2,500	2,500	11,500
85325 Repair & Maint - M & E		3,300							0
85390 Other Property Services	0	0	0	0	0	0	0	0	0
85413 Postage	173	250	200	250	250	250	250	250	1,250
85416 Advertising	0	0	0	0	5,000	5,000	0	0	10,000
85419 Legal Notices	376	750	550	750	750	750	750	750	3,750
85490 Other Expenditures	0	1,000	250	4,000	3,000	3,000	4,100	5,600	19,700
85505 Office Supplies	0	100	50	100	115	130	145	196	686
85560 Trees & Shrubs	3,780	3,000	2,000	5,000	5,000	5,000	7,000	7,000	29,000
85590 Other General Supplies	0	2,000	100	0	0	0	0	0	0
85608 Land Improvements	0	3,000	12,000	3,100	3,000	1,500	3,000	3,000	13,600
<b>TOTAL OPERATING EXPENSE</b>	<b>32,126</b>	<b>42,175</b>	<b>42,118</b>	<b>46,300</b>	<b>51,515</b>	<b>51,895</b>	<b>52,943</b>	<b>56,001</b>	<b>258,654</b>
<b>ANNUAL EXCESS/(LOSS)</b>	<b>12,597</b>	<b>91</b>	<b>(1,118)</b>	<b>(1,300)</b>	<b>(3,515)</b>	<b>(1,895)</b>	<b>(943)</b>	<b>(1,001)</b>	<b>(8,654)</b>
Beginning Cash Balance	(2,825)	9,772	9,772	8,654	7,354	3,839	1,944	1,001	
Revenues	44,723	42,266	41,000	45,000	48,000	50,000	52,000	55,000	
Expenditures	32,126	42,175	42,118	46,300	51,515	51,895	52,943	56,001	
<b>Ending Cash Balance</b>	<b>9,772</b>	<b>9,863</b>	<b>8,654</b>	<b>7,354</b>	<b>3,839</b>	<b>1,944</b>	<b>1,001</b>	<b>0</b>	<b>0</b>





BID 7 Proposed



Proposed BID 7

EXHIBIT "A"

RESOLUTION 2008-224

WHEREAS, the City Council has considered the proposed budget of the Business Improvement District No. 7 for the fiscal year 2008-2009; and

WHEREAS, the City has received the assessed values of the individual properties within Business Improvement District No. 7 as shown in the office of the Hall County Assessor in effect on the first day of January, 2008.

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

1. The budget for Business Improvement District No. 7 is hereby considered.
2. A proposed assessment schedule shall be prepared.
3. A hearing before the City Council sitting as a board of equalization on the proposed assessments shall be held on September 23, 2008 at 7:00 p.m. in the City Council chambers of City Hall, 100 East First Street, Grand Island, Nebraska.
4. Notice of hearing shall be published once each week for three consecutive weeks in accordance with the Business Improvement District Act.
5. Notice of hearing shall be mailed to all property owners of Business Improvement District No. 7 by U.S. mail, postage prepaid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 26, 2008

Council Session

## Item G11

**#2008-225 - Approving FY 2008-2009 Annual Budget for Business Improvement District #8, Downtown**

Staff Contact: David Springer

# **Council Agenda Memo**

**From:** Dave Springer, Finance Director

**Meeting:** August 26, 2008

**Subject:** Approving FY 2008-2009 Annual Budget for Business Improvement District #8, Downtown, and Setting Date for Board of Equalization

**Item #'s:** G-11

**Presenter(s):** Dave Springer, Finance Director

## **Background**

This evening, the City Council is being asked to create Business Improvement District (BID) #8, Downtown. The creating ordinance establishes the purpose of the District, describes the boundaries, and establishes that real property in the area would be subject to a special assessment to support the purposes of the District. The creating Ordinance requires that a proposed budget for the District be approved by the BID Board and forwarded to the City Council for consideration. On August 25, 2008, the BID #8 Board met and approved the 2008-2009 budget which provides for special assessments in the amount of \$84,380.

## **Discussion**

In this district, assessments are paid by property owners based on the valuation of land and real property in the district as of January 1 of the current year. No personal property is figured into the assessment. Owners are billed for the assessment on October 1 of each fiscal year. The total taxable value for the district as of January 1, 2006 was \$29,573,895 which for budgeted assessments of \$84,380 gives a levy of .285319 per \$100 of real property. Downtown Beautification, Retention and Recruitment, and Maintenance are the areas of proposed work to be performed by the BID. The appropriations for 2008-2009 also include a City fee of \$5,000 for accounting services. A copy of the proposed 2008-2009 budget is attached for review.

## **Alternatives**

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

1. Approve the 2008-2009 Budget for BID #8 and set the date for the Board of Equalization.
2. Modify the budget and/or reschedule the Board of Equalization.

## **Recommendation**

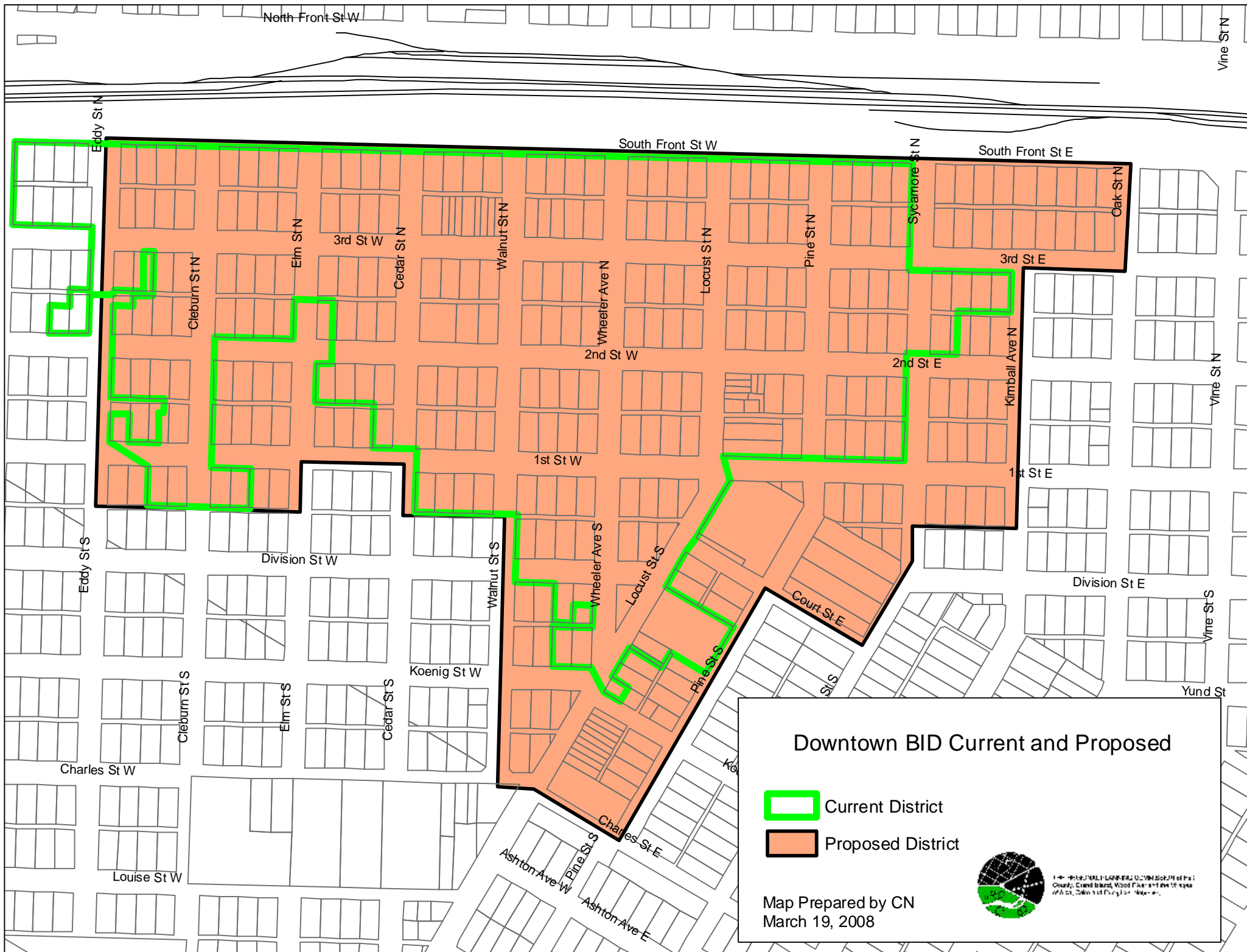
City Administration recommends that the Council approve the 2008-2009 Budget for BID #8 and set the date of September 23, 2008 for the Board of Equalization. Notice of the Hearing and proposed assessments will be published according to State Statutes.

## **Sample Motion**



Move to approve the 2008-2009 Budget for BID #8 and set the date of September 23, 2008 for the Board of Equalization.

**BUISNESS IMPROVEMENT DISTRICT #8**  
**FY 2008-2009 and FIVE YEAR BUDGET** (Old BID #5)

	<b>2007 Actual</b>	<b>2008 Budget</b>	<b>2008 Projected</b>	<b>2009 Budget</b>	<b>2010 Budget</b>	<b>2011 Budget</b>	<b>2012 Budget</b>	<b>2013 Budget</b>	<b>5 Year Total</b>
<b>Valuation</b>				29,573,895	29,573,895	29,573,895	29,573,895	29,573,895	
<b>Levy</b>				0.285319	0.313452	0.322856	0.332540	0.342518	
<b>REVENUE</b>									
Account									
74140 Special Asessments	79,111	80,000	80,379	84,380	92,700	95,481	98,345	101,296	472,202
74795 Other Revenue	1,240	1,000	5,706	47,500	48,925	50,393	51,905	53,462	55,066
<b>TOTAL REVENUE</b>	<b>80,351</b>	<b>81,000</b>	<b>86,085</b>	<b>131,880</b>	<b>141,625</b>	<b>145,874</b>	<b>150,250</b>	<b>154,758</b>	724,386
<b>APPROPRIATIONS</b>									
Account									
85213 Contract Services	49,820	52,000	51,000	41,500	43,000	45,000	48,000	50,000	227,500
85245 Printing & Binding Servic	6,105	2,000	4,000	4,000	4,000	4,000	4,000	4,000	20,000
85249 Snow & Ice Removal	310	-	-	500	500	500	500	442	2,442
85290 Other Professional Service	1,529	2,000	2,000	2,500	3,500	4,500	5,000	6,000	21,500
85305 Utility Services	1,019	2,000	1,600	1,700	1,800	1,900	2,000	2,100	9,500
85390 Other Property Services	-	-	-	-	-	-	-	-	-
85413 Postage	1,467	1,500	1,200	1,200	1,300	1,400	1,500	1,600	7,000
85416 Advertising	13,564	18,000	18,000	20,500	16,000	16,000	16,000	16,000	84,500
85419 Legal Notices	1,040	2,000	1,800	2,000	2,000	2,000	2,000	2,000	10,000
85422 Dues & Subscriptions	4,720	-	10						-
85428 Travel & Training	2,403	-	500	500	500	500	500	500	2,500
85490 Other Expenditures	2,206	2,500	3,500	26,750	31,675	32,724	38,399	39,766	169,314
85505 Office Supplies	658	1,000	500	600	600	600	600	600	3,000
85560 Trees & Shrubs	-	1,000	1,090	3,000	1,000	1,000	1,000	1,000	7,000
85590 Other General Supplies	243	1,000	800	750	750	750	750	750	3,750
85608 Land Improvements		5,000	4,000	32,000	35,000	35,000	30,000	30,000	162,000
<b>TOTAL OPERATING EXPENSES]</b>	<b>85,084</b>	<b>90,000</b>	<b>90,000</b>	<b>137,500</b>	<b>141,625</b>	<b>145,874</b>	<b>150,249</b>	<b>154,758</b>	<b>730,006</b>
<b>ANNUAL EXCESS/(LOSS)</b>	<b>(4,733)</b>	<b>(9,000)</b>	<b>(3,915)</b>	<b>(5,620)</b>	<b>-</b>	<b>(0)</b>	<b>1</b>	<b>(0)</b>	<b>-</b>
Beginning Cash Balance	14,268	9,535	9,535	5,620	-	-	(0)	0	
Revenues	80,351	81,000	86,085	131,880	141,625	145,874	150,250	154,758	
Expenditures	85,084	90,000	90,000	137,500	141,625	145,874	150,249	154,758	
<b>Ending Cash Balance</b>	<b>9,535</b>	<b>535</b>	<b>5,620</b>	<b>-</b>	<b>-</b>	<b>(0)</b>	<b>0</b>	<b>(0)</b>	



## Downtown BID Current and Proposed

-  Current District
-  Proposed District

Map Prepared by CN  
March 19, 2008



City of Grand Island, Nebraska  
City of Grand Island, Nebraska  
City of Grand Island, Nebraska

RESOLUTION 2008-225

WHEREAS, the City Council has considered the proposed budget of the Business Improvement District No. 8 for the fiscal year 2008-2009; and

WHEREAS, the City has received the assessed values of the individual properties within Business Improvement District No. 8 as shown in the office of the Hall County Assessor in effect on the first day of January, 2008.

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

1. The budget for Business Improvement District No. 8 is hereby considered.
2. A proposed assessment schedule shall be prepared.
3. A hearing before the City Council sitting as a board of equalization on the proposed assessments shall be held on September 23, 2008 at 7:00 p.m. in the City Council chambers of City Hall, 100 East First Street, Grand Island, Nebraska.
4. Notice of hearing shall be published once each week for three consecutive weeks in accordance with the Business Improvement District Act.
5. Notice of hearing shall be mailed to all property owners of Business Improvement District No. 8 by U.S. mail, postage prepaid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, August 26, 2008

Council Session

## Item G12

**#2008-226 - Approving Revolving Loan Funds for Environmental Review Update at Cornhusker Army Ammunition Plant/Industrial Park**

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

Staff Contact: Joni Kuzma

RESOLUTION 2008-226

WHEREAS, the City of Grand Island maintains a Revolving Loan Fund of recaptured Community Development Block Grant (CDBG) Economic Development grant monies; and

WHEREAS, a request has been made from the Grand Island Area Economic Development Corporation for use of the funds to update a previously completed environmental review and to complete a Phase 1 Environmental Review at the Cornhusker Army Ammunition Plant/Industrial Park (CAAP); and

WHEREAS, revolving loan funds were obligated at the June 24, 2008 by Council contingent on review of the final application, a recommendation from the reuse committee, approval of a resolution by Hall County for use on County property, compliance with the reuse plan and any amendments thereto, and a public hearing prior to final approval; and

WHEREAS, the proposed project is an eligible use according to the 1994 City Reuse Plan and jurisdictional requirements were met through a resolution with Hall County to expend funds in their jurisdiction at an August 19, 2008 County Board meeting; and

WHEREAS, the Reuse Committee met on August 12, 2008 and voted to recommend approval of the project to the City Council; and

WHEREAS, a Public Hearing was held at the August 26, 2008 Council meeting and legal notice published 10 days prior to said meeting; and

WHEREAS, Council action is required to commit revolving loan funds to this project

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island commits reuse funds for the purpose of an environmental review update and Phase 1 Environmental Review at the Cornhusker Army Ammunition Plan/Industrial Park (CAAP) in compliance with the reuse plan and any amendments thereto.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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

Approved as to Form	<input type="checkbox"/>	_____
August 21, 2008	<input type="checkbox"/>	City Attorney



# **City of Grand Island**

**Tuesday, August 26, 2008**

**Council Session**

## **Item G13**

**#2008-227 - Approving Bid Award for Skid Steer Loader for the Streets Division**

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

# **Council Agenda Memo**

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

**Meeting:** August 26, 2008

**Subject:** Approving Bid Award for Skid Steer Loader for the Streets Division

**Item #'s:** G-13

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

## **Background**

On July 19, 2008 the Streets Division of the Public Works Department advertised for bids for one (1) skid steer loader.

## **Discussion**

Three (3) bids were received and opened on July 31, 2008. The bids were submitted in compliance with the contract and specifications. A summary of the bids is shown below.

<b>Bidder</b>	<b>Exceptions</b>	<b>Total Bid</b>	<b>Re-Purchase Price</b>
Green Line Equipment of Grand Island, NE	None	\$21,732.61	\$6.00 per hour
Fairbanks of Grand Island, NE	Noted	\$25,408.00	\$10.00 per hour
Central Nebraska Bobcat of Grand Island, NE	None	\$24,430	\$7.50 per hour

The re-purchase price sets the cost for a new skid steer at the end of each year. The number of hours put on the skid steer, during the previous year, is multiplied by the re-purchase price for the total cost of a new skid steer. An example of the re-purchase calculation is as follows: 500 hours x \$7.50 per hour = \$3,750.00

Green Line Equipment bid a unit that does not meet the specifications. An inadequate hydraulic system was the primary reason, among others. The vendor was contacted and agreed that the unit that was bid would not meet the requirements for the type of work to be performed.

Funds are available in account number 10033501-85615.

### **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 bid award to Central Nebraska Bobcat of Grand Island, NE.

### **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:** July 31, 2008 at 11:00 a.m.  
**FOR:** Skid Steer Loader  
**DEPARTMENT:** Public Works  
**ESTIMATE:** \$35,000.00  
**FUND/ACCOUNT:** 10033501-85615  
**PUBLICATION DATE:** July 19, 2008  
**NO. POTENTIAL BIDDERS:** 3

**SUMMARY**

<b>Bidder:</b>	<b><u>NMC</u></b>	<b><u>Green Line Equipment</u></b>
	Doniphan, NE	Grand Island NE
<b>Exceptions:</b>		Noted
<b>Bid Price:</b>	No Bid	\$21,732.61
<b>Guaranteed</b>		
<b>Re-Purchase Price:</b>		\$6.00 per hour

<b>Bidder:</b>	<b><u>Fairbanks Grand Island</u></b>	<b><u>Central Nebraska Bobcat</u></b>
	Grand Island NE	Grand Island NE
<b>Exceptions:</b>	Noted	None
<b>Bid Price:</b>	\$25,408.00	\$24,430.00
<b>Guaranteed</b>		
<b>Re-Purchase Price:</b>	\$10.00 per hour	\$7.50 per hour

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

Catrina Delosh, PW Admin. Assist.  
Wes Nespor, Assist. City Attorney  
Scott Johnson, Street Superintendent



RESOLUTION 2008-227

WHEREAS, the City of Grand Island invited sealed bids for One (1) skid steer loader, according to plans and specifications on file with the Streets Division of the Public Works Department; and

WHEREAS, on July 31, 2008 bids were received, opened, and reviewed; and

WHEREAS, Central Nebraska Bobcat 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 \$24,430.00 with a Re-purchase price of \$7.50 per hour; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Central Nebraska Bobcat of Grand Island, Nebraska in the amount of \$24,430.00 for the purchase of one (1) skid steer loader, with a re-purchase price of \$7.50 per hour, is hereby approved as the lowest responsible bid.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute a contract for the purchase of one (1) skid steer loader with Central Nebraska Bobcat of Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

---

Margaret Hornady, Mayor

Attest:

---

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 21, 2008	☐ City Attorney





# City of Grand Island

Tuesday, August 26, 2008

Council Session

## Item G14

**#2008-228 - Approving Award of Proposal for Anaerobic Digestion  
System for the Wastewater 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:** August 26, 2008

**Subject:** Approving Award of Proposal for Anaerobic Digestion System for the Wastewater Division of the Public Works Department

**Item #'s:** G-14

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

## **Background**

On June 5, 2008 a Request for Proposals (RFP) for the design of an anaerobic digestion system at the Wastewater Treatment Plant was advertised in the Grand Island Independent for the Wastewater Division of the Public Works Department.

## **Discussion**

Three (3) proposals were opened on July 7, 2008 and reviewed by Public Works Department Staff and the Purchasing Division of the City. Interviews were conducted on July 24, 2008 with the three firms that submitted proposals.

- Black and Veatch of Kansas City, Missouri with Olsson Associates of Grand Island, Nebraska as a sub consultant
- CH2MHill of Omaha, Nebraska with Miller & Associates of Kearney, Nebraska as a sub consultant
- HDR Engineering, Inc. of Omaha, Nebraska with JEO Engineering of Grand Island, Nebraska as a sub consultant

Black and Veatch of Kansas City, Missouri submitted a proposal in accordance with the required criteria listed in the RFP. The work is to be performed at actual costs with a maximum of \$900,000.00.

A selection criterion was based on the following:

- 1) Experience and qualifications of the team:
  - a) Knowledge of wastewater treatment facilities

- b) Knowledge of condition assessment methodologies
  - c) Firm's experience, efficiency, judgment and integrity
  - d) Knowledge of Two-Phase Anaerobic Digestion
- 2) Work plan and understanding of this project
  - 3) Level of effort relative to services provided
  - 4) Past performance/references
  - 5) Ability to complete the work on time and budget
  - 6) Cost/Fee

### **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 award of proposal for the design of an anaerobic digestion system to Black and Veatch of Kansas City, Missouri.

### **Sample Motion**

Move to approve the award of proposal.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a  
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL  
FOR  
DESIGN OF AN ANAEROBIC DIGESTION SYSTEM**

**RFP DUE DATE:** July 7, 2008 at 4:00 p.m.

**DEPARTMENT:** Public Works

**PUBLICATION DATE:** June 5, 2008

**NO. POTENTIAL BIDDERS:** 13

**SUMMARY OF PROPOSALS RECEIVED**

**CH2MHill**  
Omaha, NE

**Black & Veatch**  
Kansas City, MO

**HDR Engineering, Inc.**  
Omaha, NE

cc: Steve Riehle, Public Works Director  
Jeff Pederson, City Administrator  
Dale Shotkoski, City Attorney  
Roger Scott, PW Eng. Technician

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

**P1257**

## RESOLUTION 2008-228

WHEREAS, the city desires to hire a professional consulting engineer to provide services required for design, construction engineering and contract administration services of an anaerobic digestion system addition to the solids handling process at the Wastewater Treatment Plant; and

WHEREAS, on June 5, 2008 the City of Grand Island advertised for such professional services according to a Request for Proposals on file with the Wastewater Division of the Public Works Department; and

WHEREAS, on July 7, 2008 proposals were received, reviewed, and evaluated in accordance with established criteria; and

WHEREAS, the engineering firm Black and Veatch of Kansas City, Missouri with Olsson Associates of Grand Island, Nebraska as a sub consultant submitted a proposal in accordance with the terms of the Request for Proposals, all statutory requirements contained therein and the City Procurement Code; and

WHEREAS, on July 24, 2008 city staff interviewed the engineering firm Black and Veatch of Kansas City, Missouri for selection criteria requirements in design, construction engineering and contract administration services of an anaerobic digestion system; and

WHEREAS, based on the City's rating of all proposals received, using the City's rating system, the engineering firm Black and Veatch of Kansas City, Missouri with Olsson Associates of Grand Island, Nebraska has been deemed most qualified for the services called for; and

WHEREAS, the engineering firm Black and Veatch of Kansas City, Missouri has shown experience and expertise in the area of anaerobic digestion, and is in the business of providing such professional consulting engineering services, and is willing to perform the outlined services to request for proposal; and

WHEREAS, the engineering firm Olsson Associates of Grand Island, Nebraska has shown experience and expertise in the area of surveying, utility design, and construction engineering and has been deemed most qualified as a sub consultant with Black and Veatch; and

WHEREAS, it has been determined that it is in the best interest of the City of Grand Island to enter into a contract agreement with the engineering firm Black and Veatch of Kansas City, Missouri with Olsson Associates of Grand Island, Nebraska as a sub consultant; and

WHEREAS, the negotiated contract agreement, and compensation for such professional consulting engineering services is considered fair and reasonable; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the consulting engineering firm, Black and Veatch of Kansas City, Missouri for the professional services associated to the design of an anaerobic digestion system is hereby approved.

BE IT FURTHER RESOLVED, that public awareness and cost of services tasks shall be included in the design phase of the professional consulting services; and

BE IT FURTHER RESOLVED, that such compensation to professional service for the design of an anaerobic digestion system shall be performed at actual costs with a maximum of \$900,000.00; and

BE IT FURTHER RESOLVED, that the City in accordance with the Request for Proposals, when deemed appropriate may enter into negotiations for an amendment to the agreement to provide Services During Construction (Construction Phase); and

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 26, 2008

Council Session

## Item G15

**#2008-229 - Approving Change Order No. 1 for the 2008 Asphalt Resurfacing Project No. 2008-AC-1**

Staff Contact: steve

# **Council Agenda Memo**

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

**Meeting:** August 26, 2008

**Subject:** Approving Change Order No. 1 for the 2008 Asphalt Resurfacing Project No. 2008-AC-1

**Item #'s:** G-15

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

## **Background**

Gary Smith Construction Company, Inc. was awarded a \$718,376.68 contract on May 27, 2008. The contract was for asphalt resurfacing in 12 areas of the City of Grand Island.

## **Discussion**

The depth of milling on 3<sup>rd</sup> Street was estimated at 2", however to fully remove the existing asphalt and have a good base for the new asphalt a 4" milling was necessary. The extra 2" milling adds a total cost of \$29,216.24 to the project.

## **Alternatives**

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

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

## **Recommendation**

City Administration recommends that the Council approve Change Order No. 1 for Asphalt Resurfacing Project No. 2008-AC-1.

## **Sample Motion**

Move to approve Change Order No. 1.



City of Grand Island  
100 East 1st Street  
Grand Island, Nebraska 68801

**CHANGE ORDER NUMBER 1**

**Date of Issuance:** August 15, 2008

**PROJECT:** Asphalt Resurfacing Project No. 2008-AC-1

**CONTRACTOR:** Gary Smith Construction Company, Inc.

**CONTRACT DATE:** May 27, 2008

The depth of milling on 3<sup>rd</sup> Street was estimated at 2", however to fully remove the existing asphalt and have a good base for the new asphalt a 4" milling was necessary. The extra 2" milling adds a total cost of \$29,216.24 to the project.

The changes result in the following adjustment to the Contract Amount:

Contract Price Prior to This Change Order .....	\$718,376.68
Net Increase/Decrease Resulting from this Change Order .....	\$ 29,216.24
Revised Contract Price Including this Change Order .....	\$747,592.92

**Approval Recommended:**

By \_\_\_\_\_  
Steven P. Riehle, Public Works Director

Date \_\_\_\_\_

**The Above Change Order Accepted:**

\_\_\_\_\_  
Gary Smith Construction Company, Inc.  
Contractor

By \_\_\_\_\_  
Gary Smith, President

Date \_\_\_\_\_

**Approved for the City of Grand Island:**

By \_\_\_\_\_  
Margaret Hornady, Mayor

Attest: \_\_\_\_\_  
RaNae Edwards, City Clerk

Date \_\_\_\_\_

R E S O L U T I O N    2008-229

WHEREAS, on May 27, 2008, by Resolution 2008-143, the City Of Grand Island awarded Gary Smith Construction Company, Inc. of Grand Island, Nebraska the bid in the amount of \$718,376.68 for Asphalt Resurfacing Project No. 2008-AC-1 for Asphalt Resurfacing; and

WHEREAS, it has been determined that modifications to the work to be performed by Gary Smith Construction Company, Inc. are necessary; and

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

WHEREAS, it is recommended that modifications to the work to be done by Gary Smith Construction Company, Inc. are necessary; and

WHEREAS, the result of such modifications will increase the contract amount by \$29,216.24 for a revised contract price of \$747,592.92.

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

Increasing the depth of milling on 3<sup>rd</sup> Street from 2" to 4" to fully remove the existing asphalt down to brick.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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

Approved as to Form	☐ _____
August 21, 2008	☐ City Attorney



# City of Grand Island

**Tuesday, August 26, 2008**

**Council Session**

## **Item G16**

**#2008-230 - Approving Certificate of Final Completion for the  
2008 Asphalt Resurfacing Project No. 2008-AC-1**

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

# **Council Agenda Memo**

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

**Meeting:** August 26, 2008

**Subject:** Approving Certificate of Final Completion for the 2008 Asphalt Resurfacing Project No. 2008-AC-1

**Item #'s:** G-16

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

## **Background**

Gary Smith Construction Company, Inc. of Grand Island was awarded a \$718,376.68 contract on May 27, 2008. The contract was for asphalt resurfacing in 12 areas of the City of Grand Island. Work commenced on July 17, 2008 and was completed on August 13, 2008.

## **Discussion**

The project was completed in accordance with the terms, conditions, and stipulations of the contract, plans, and specifications. It was completed at a total cost of \$747,592.92, for an overrun total of \$29,216.24. The overrun on this project was due to the depth of milling required on 3<sup>rd</sup> Street. The estimate was figured with a 2" milling, however in order to remove all existing asphalt, to the bricks underneath, a 4" milling was necessary.

The additional funds are available in Account No. 10033503-85547.

## **Alternatives**

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

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

### **Recommendation**

City Administration recommends that the Council approve the Certificate of Final Completion for Asphalt Resurfacing Project No. 2008-AC-1.

### **Sample Motion**

Move to approve the Certificate of Final Completion for Asphalt Resurfacing Project No. 2008-AC-1.

## ENGINEER'S CERTIFICATE OF FINAL COMPLETION

Asphalt Resurfacing Project No. 2008-AC-1  
CITY OF GRAND ISLAND, NEBRASKA  
August 15, 2008

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

This is to certify that Asphalt Resurfacing Project No. 2008-AC-1 has been fully completed by Gary Smith Construction Company, Inc. of Grand Island, Nebraska under the contract dated May 27, 2006. The work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans and specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provisions of Section 16-650 R.R.S., 1943.

### **Asphalt Resurfacing Project No. 2008-AC-1**

<u>No.</u>	<u>Description</u>	<u>Unit</u> <u>Price</u>	<u>Unit</u>	<u>Total</u> <u>Quantity</u>	<u>Total</u> <u>Cost</u>
1.	Type "A"	\$22.90	ton	7,375.55	\$168,900.10
2.	Type "BC"	\$15.40	ton	5,054.00	\$ 77,831.60
3.	Asphalt Cement	\$ 2.17	gal	153,775.10	\$333,691.97
4.	Tack Coat	\$ 1.50	gal	12,300.00	\$ 18,450.00
5.	Milling	\$ 1.45	s.y.	102,565.00	\$148,719.25
					-----
<b>Original Project Total</b>					<b>\$747,592.92</b>

I hereby recommend that the Engineer's Certificate of Final Completion for Asphalt Resurfacing Project No. 2008-AC-1 be approved.

\_\_\_\_\_  
Steven P. Riehle – City Engineer/Public Works Director

\_\_\_\_\_  
Margaret Hornady – Mayor

R E S O L U T I O N    2008-230

WHEREAS, the City Engineer/Public Works Director for the City Of Grand Island has issued a Certificate of Completion for Project No. 2008-AC-1, Asphalt Resurfacing, certifying that Gary Smith Construction Company, Inc., of Grand Island, Nebraska, under contract, has completed the asphalt resurfacing; and

WHEREAS, the City Engineer/Public Works Director recommends the acceptance of the project; and

WHEREAS, the Mayor concurs with the recommendation of the City Engineer/Public Works Director; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Certificate of Final Completion for Project No. 2008-AC-1, Asphalt Resurfacing, is hereby confirmed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 26, 2008

Council Session

## Item G17

**#2008-231 - Approving Contract Amount Correction to Resolution 2008-122; Bid Award to The Diamond Engineering Company for the Construction of Street Improvement District No. 1256**

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



# **Council Agenda Memo**

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

**Meeting:** August 26, 2008

**Subject:** Approving Contract Amount Correction to Resolution 2008-122; Bid Award to The Diamond Engineering Company for the Construction of Street Improvement District No. 1256

**Item #'s:** G-17

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

## **Background**

On May 13, 2008 City Council approved, by Resolution 2008-122, the bid award to The Diamond Engineering Company for the construction of Street Improvement District No. 1256, Capital Avenue Widening between Moores Creek Drainway and Webb Road, in the amount of \$3,365,842.25.

## **Discussion**

In calculating the bid submitted by The Diamond Engineering Company the actual total is higher than what was submitted. Math errors were found in Section A, B, and E and in the overall bid total for a difference of \$13,486.00. With the correction to The Diamond Engineering Company's bid they are still the lowest responsible bidder for Street Improvement District No. 1256.

## **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 correct bid award of \$3,379,328.25 to The Diamond Engineering Company for construction of Street Improvement District No. 1256.

### **Sample Motion**

Move to approve correct bid award for the Street Improvement District No. 1256, Capital Avenue Widening Project.

RESOLUTION 2008-231

WHEREAS, on May 13, 2008, by Resolution 2008-122, the City Council of the City of Grand Island awarded the bid of The Diamond Engineering Company of Grand Island, Nebraska for the construction of Street Improvement District No. 1256, Widening of Capital Avenue from the Mores Creek Drain to Webb Road; and

WHEREAS, Resolution 2008-122 incorrectly stated the bid award to be \$3,365,842.25; and

WHEREAS, it is necessary to amend Resolution 2008-122 to award the bid in the correct amount of \$3,379,328.25 to The Diamond Engineering Company for the construction of Street Improvement District No. 1256; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Resolution 2008-122 is hereby amended to correct the bid award amount to \$3,379,328.25 to The Diamond Engineering Company of Grand Island, Nebraska for the construction of Street Improvement District No. 1256.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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

Approved as to Form	☐ _____
August 21, 2008	☐ City Attorney



# City of Grand Island

Tuesday, August 26, 2008

Council Session

## Item G18

**#2008-232 - Approving Annual Agreement for Operating System  
and Database Administration Support with MUNIS**

Staff Contact: David Springer

# **Council Agenda Memo**

**From:** Dave Springer, Finance Director

**Meeting:** August 26, 2008

**Subject:** Approving Annual Agreement for Operating System & Database Administration Support with MUNIS

**Item #'s:** G-18

**Presenter(s):** Dave Springer, Finance Director

## **Background**

On July 10, 2001, Council approved the purchase and implementation of the MUNIS integrated financial software system. In order to receive needed software upgrades and technical assistance from the company, it is necessary to enter into an annual Operating System and Database Administration Support Agreement.

## **Discussion**

The cost for the period of 9/14/2008 to 9/13/2009 of the Operating System Support is \$22,755.32, for the MUNIS Licensing and Support is \$78,977.30, for Data Base Server Support is \$4,583.25, and for User Interface Support is \$3,000, for a total annual cost of \$109,315.87. The need for annual support and their related costs were presented to Council at the time of the initial purchase. We have 50 client seats or licenses.

## **Alternatives**

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

1. Approve the 2008-2009 contract with MUNIS for software support.
2. Disapprove or deny the contract.
3. Modify the Resolution to meet the wishes of the Council
4. Table the issue

## **Recommendation**

City Administration recommends that the Council approve the 2008-2009 software support contract with MUNIS.

## **Sample Motion**

Move to approve the Annual Agreement for Operating System & Database Administration Support with MUNIS.

RESOLUTION 2008-232

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

WHEREAS, in order to receive continued upgrades and technical assistance from the company, it is necessary to enter into an annual Operating System and Database Administration Support Agreement; and

WHEREAS, the cost for the period of September 14, 2008 to September 13, 2009 for operating system support is \$22,755.32; and

WHEREAS, the cost for the period of September 14, 2008 to September 13, 2009 for Munis licensing and support is \$78,977.30; and

WHEREAS, the cost for the period of September 14, 2008 to September 13, 2009 for Data Base Service Support is \$4,583.25 and for User Interface Support is \$3,000.00; and

WHEREAS, the proposed agreements have been reviewed and approved by the City Attorney's office

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the annual Agreement for Operating System and Database Administration Support by and between the City and Munis, Inc. for the amount of \$109,315.87 is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

\_\_\_\_\_

Approved as to Form	<input type="checkbox"/>	_____
August 21, 2008	<input type="checkbox"/>	City Attorney

RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, August 26, 2008

Council Session

## Item G19

**#2008-233 - Approving Renewal of Boiler and Machinery  
Insurance - Utilities Department**

Staff Contact: Gary R. Mader; Dale Shotkoski

# **Council Agenda Memo**

**From:** Gary R. Mader, Utilities Director  
Dale Shotkoski, City Attorney  
David Springer, Finance Director

**Meeting:** August 26, 2008

**Subject:** Boiler and Machinery Insurance – Utilities Department

**Item #'s:** G-19

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

## **Background**

The Utilities Department Boiler and Machinery Property Peril and Fire coverage insurance is up for renewal as of October 1, 2008. This insurance is specifically designed for Electric Utilities and is readily adaptable to the Water Utility, which is also included in the coverage. The Utilities Department's insurance provider, FM Global, provided the attached proposal for renewal of the present coverage.

Over the past five years, the replacement cost of the Utilities facilities has increased greatly, primarily due to increased construction and metals costs. For example, copper prices have increased over 200% since 2004. The proposed insurance renewal includes a substantial increase in the total insured valuation of Water and Electric Utility properties, of 22%, to a total covered valuation of \$440,000,000.

Additionally, in the proposal, there are provisions for terrorism coverage. The City Council firmly rejected the terrorism coverage several years ago, and it has not been included in subsequent renewals. Price quotes for terrorism coverages are provided in the proposal along with a Policy Holder Disclosure form for execution by the City. FM Global requires execution of the form, either accepting or rejecting terrorism coverage. The current renewal does not include terrorism coverage. The complete policy is available in the Utilities and Finance offices for review. The renewal proposal and proposed policy have been reviewed by the Legal and Finance Departments.

## **Discussion**

The premium for the renewal of the Boiler and Machinery, Property Peril, and Fire coverage is \$393,651.00, which is a 4.7% increase from the current policy premium. Additionally, FM Global is a mutual company of insureds. Recent good claims records of insureds has resulted in a premium refund from the current year in the amount of \$51,123.00.

## **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 renewal of the Utilities Department's Boiler and Machinery, Property and Peril, and Fire Insurance with FM Global and, if Council agrees, authorization of the Utilities Director to execute the Notice of Terrorism Insurance Coverage form to decline that coverage.

## **Sample Motion**

Move to approve acceptance of the FM Global insurance for the Utilities Department, with authorization to decline the Terrorism Coverage.

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# Proposal

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City of Grand Island  
August 06, 2008



# Proposal



## Overview

Our proposal for 2008 is more than a summary of coverage terms and pricing – it is a package of engineering and account services, designed to respond to the interests and objectives of the City of Grand Island. The goal is to reach a point where this package is customized to such an extent that the efforts of the FM Global team of people are more of an extension of the City of Grand Island rather than a group of independent contractors.

The actual terms for the upcoming policy year are not markedly different from the current year, the exception being terrorism changes. The revisions are noted later in the proposal.

## Accomplishments

Over the last year, FM Global and the City of Grand Island have accomplished the following:

Completed a joint inspection of both equipment and facility hazard field engineers, account engineer and plant personnel. This allowed for a mutual understanding of exposures and recommendations and actions to be taken.

Agreed to plans and completed the installation of an automatic sprinkler system in the warehouse.

## Client Service Plan /Risk Improvement Plan

As indicated above this proposal is more than a summary of coverage terms and pricing. This section summarizes future action plans to continue to improve the risk. We use the Client Service Plan as the tool to keep focus.

Included in the plan is an action item to complete an oil fire hazard analysis at the Burdick Station

A second joint inspection is planned for August of 2008.

The cooling tower at Burdick is to be replaced in 2009.

The combustion control/burner management recommendation will be completed

FM Global is checking with engineering staff to determine an acceptable alternative to the steam valve dismantle and repair recommendation.

Develop and present a claims process and procedure and present it to the client.

## Insurance

As a mutual insurance company, we are committed to the best interests of our policyholders.

**Contract Certainty** - an issue of utmost importance to our relationship, we pride ourselves on ensuring that documentation reflecting our agreements are provided in a timely manner. With agreement to all renewal terms, if an order to bind coverage as outlined herein is confirmed at least five business days prior to renewal, FM Global will guarantee that the Master Policy will be delivered prior to the renewal date.

## **Financial Strength and Business Model**

### **Financial Strength and Stability**

FM Global has assets of over US \$12 billion. As of 31 December 2007, our Policyholders Surplus is approximately US \$6.3 billion and Gross Premium US \$4.7 billion.

A mutual company with a very strong balance sheet, FM Global's ability to provide stable capacity and meet its obligations to policyholders has been confirmed by major industry rating agencies, principally:

In January 2008 A.M. Best affirmed FM Global's A+ (Superior) rating and "stable" rating outlook, citing FM Global's "solid operating performance" and "extremely strong capitalization". An A+ rating is assigned to those insurers with "a very strong ability to meet their ongoing obligations to policyholders", according to A.M. Best, who also noted FM Global as a "market leader" with significant market share and policyholder retention as a result of its "stable capacity, unmatched engineering, global reach, loss prevention technology, shared commitment to property preservation . . ." for its policyholders.

In February 2008 Fitch Ratings affirmed FM Global's AA (Very Strong) rating and assigned a "stable" rating outlook. According to Fitch, "FM Global's favorable underwriting performance is due in large part to the company's ability to incorporate its engineering expertise into its risk selection and underwriting processes".

### **Mutual Ownership**

As a mutual company, our clients are our owners. Our difference is the ability to absorb and tolerate volatility. The value to our clients is large, stable capacity and the ability to focus on understanding the risk.

Our philosophy as a mutual company is that to meet our customers' needs we must maintain open lines of communication. Through our Board of Directors, Regional Advisory Boards and Risk Management Executive Councils, senior management receives input from a representation of major insureds. Many positive changes in our operations including the development of new products have been made as a result of these discussions.

As a mutual company, FM Global is able to share our positive results with clients instead of having to return the money to shareholders. We have been able to deliver this benefit in a number of ways including:

# Proposal



**Membership Credits** - we have paid out three Membership Credits with a total of US\$918 million returned to our policyholders since 2001. We also recently declared a fourth Membership Credit for 2008 in the amount of approximately US\$380 million.

**Membership Credits** - we have paid out three Membership Credits with a total of US\$918 million returned to our policyholders since 2001. We also declared a fourth Membership Credit for 2008 in the amount of approximately US\$380 million.

- City of Grand Island premium credit to be given at 01 October 2008 renewal
- 15% credit based on premium as of 01 July 2008
- **Your Membership Credit is USD51,123**

**Expanded Capacity** - as our capital grows we have an obligation as a mutual insurer to make available corresponding additional capacity to our clients.

**Increased Program Stability** - as our capacity expands we are less reliant on facultative reinsurance and therefore overall market conditions.

## Changes from the current Policy include:

- Policy amended in accordance with the 2007 extension of the Terrorism Risk Insurance Act of 2002.
- Need - Policy Number change for the Employers Mutual Companies Policy
- Policy Limit increased to \$440,000,000

## Schedule of Locations and Values

Loc. No.	Address	100% Values
	Building	73,936,331
	Machinery & Equipment	365,762,431
	<u>Stock &amp; Supplies</u>	0
	Total Property	439,698,762

Total Insurable Value:

# Proposal



2007	2008
USD360,817,829	USD439,698,762

## Premium

2007	2008
USD340,824 All Risk	USD357,865 All Risk
USD 0 Terrorism	USD 0 Terrorism see attached
USD 0 Flood	USD 0 Flood
USD375,813 Total	USD393,651 Total

Payment is due upon receipt of invoice or on the date coverage begins, whichever is later.  
Policies will be subject to cancellation for non-payment of premium bills.

Premium does not include the quote for Certified Terrorism. See the optional Terrorism quote detailed elsewhere.



## U. S. Terrorism

The Terrorism Risk Insurance Act of 2002 as amended and extended in 2005 and again in 2007, requires that insurers advise clients, prior to the renewal date of their current policy, of their option to elect or reject terrorism coverage under the act as part of their property renewal policy. It also requires insurers to disclose the cost of such coverage for the policy term. As a brief reminder, the act provides licensed, admitted carriers with a substantial federal reinsurance backstop for terrorism acts that are certified by the Secretary of the Treasury of the United States as covered events (known as certified losses). Generally speaking, the act responds strictly to events that take place within the United States, its protectorates, territories, and possessions. The Act has been extended to expire on 31 December 2014.

Attached is the Policyholder Disclosure Notice of Terrorism Insurance Coverage document and the applicable certified terrorism endorsement. **Please note the following important conditions that require your action:**

The Disclosure form must be completed, signed and returned to Patrick Belding prior to the renewal policy effective date of October 01, 2008 indicating your choice to accept or decline certified coverage as part of your renewal policy.

The premium for certified coverage is USD21,419 for the term of October 01, 2008 to October 01, 2009. This premium corresponds with the annual premium stated on the Policyholder Disclosure Notice of Terrorism Insurance Coverage and does not include applicable taxes or surcharges.

## **POLICYHOLDER DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE**

**Date: August 15, 2008**

**Insured Name: City of Grand Island**  
**Account Number: 05249**

**Insurer Name: Factory Mutual Insurance Company**

The Terrorism Risk Insurance Act of 2002, as amended and extended in 2005 and again in 2007, gives you the right as part of your property renewal policy to elect or reject insurance coverage for locations within the United States or any territory or possession of the United States for losses arising out of acts of terrorism, as defined and certified in accordance with the provisions of the act.

YOU SHOULD KNOW THAT WHERE COVERAGE IS PROVIDED FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM, SUCH LOSSES MAY BE PARTIALLY REIMBURSED BY THE UNITED STATES GOVERNMENT UNDER A FORMULA ESTABLISHED BY FEDERAL LAW. UNDER THIS FORMULA, THE UNITED STATES GOVERNMENT GENERALLY PAYS 85% OF COVERED TERRORISM LOSSES EXCEEDING A STATUTORILY ESTABLISHED DEDUCTIBLE PAID BY THE INSURER REFERENCED ABOVE.

YOU SHOULD ALSO KNOW THAT THE TERRORISM RISK INSURANCE ACT, AS AMENDED, CONTAINS A \$100 BILLION CAP THAT LIMITS THE U.S. GOVERNMENT REIMBURSEMENT AS WELL AS INSURERS' LIABILITY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM WHEN THE AMOUNT OF SUCH LOSSES IN ANY ONE PROGRAM YEAR EXCEEDS \$100 BILLION. IF THE AGGREGATE INSURED LOSSES FOR ALL INSURERS EXCEED \$100 BILLION, YOUR COVERAGE MAY BE REDUCED.

THE PREMIUM CHARGED FOR THIS COVERAGE IS PROVIDED BELOW AND DOES NOT INCLUDE ANY CHARGES FOR THE PORTION OF LOSS COVERED BY THE FEDERAL GOVERNMENT UNDER THE ACT.

**ACCEPTANCE OR REJECTION OF TERRORISM INSURANCE COVERAGE:** UNDER FEDERAL LAW, YOU HAVE THE RIGHT TO ACCEPT OR REJECT THIS OFFER OF COVERAGE FOR TERRORIST ACTS COVERED BY THE ACT AS PART OF YOUR RENEWAL POLICY. IF WE DO NOT RECEIVE THIS SIGNED DISCLOSURE FORM PRIOR TO THE RENEWAL POLICY EFFECTIVE DATE OF October 01, 2008. THEN YOUR RENEWAL POLICY WILL REFLECT YOUR DECISION NOT TO PURCHASE THE TERRORISM COVERAGE PROVIDED BY THE ACT.

\_\_\_\_\_ I hereby elect to purchase coverage for terrorist acts covered by the act for an annual premium of \$21,419. This premium does not include applicable taxes or surcharges.

\_\_\_\_\_ I hereby decline this offer of coverage for terrorist acts covered by the act.

\_\_\_\_\_  
Policyholder / Applicant Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

## **SUPPLEMENTAL UNITED STATES CERTIFIED ACT OF TERRORISM ENDORSEMENT**

**This Endorsement is applicable to all insured Locations in the United States, its territories and possessions and the Commonwealth of Puerto Rico.**

**Coverage for “Certified Act of Terrorism” Under The Terrorism Risk Insurance Act of 2002, as amended.**

In consideration of a premium charged of USD21,419, this Policy, subject to the terms and conditions therein and in this Endorsement, covers direct physical loss or damage to insured property and any resulting TIME ELEMENT loss, as provided in the TIME ELEMENT section of the Policy, caused by or resulting from a Certified Act of Terrorism as defined herein.

Notwithstanding anything contained elsewhere in this Policy, any exclusion or limitation of terrorism in this Policy and any endorsement attached to and made a part of this Policy, is hereby amended to the effect that such exclusion or limitation does not apply to a “Certified Act of Terrorism” as defined herein. This amendment does not apply to any limit of liability for a Certified Act of Terrorism, if any, stated under the LIMITS OF LIABILITY clause of the DECLARATIONS section of this Policy.

With respect to any one or more Certified Act(s) of Terrorism, this Company will not pay any amounts for which the Company is not responsible under the terms of the Terrorism Risk Insurance Act of 2002 (including subsequent action of Congress pursuant to the Act) which includes a provision stating that if the aggregate insured losses exceed USD100,000,000,000 during any program year, neither the United States Government nor any insurer that has met its insurer deductible shall be liable for the payment of any portion of the amount of such losses that exceed USD100,000,000,000. If the aggregate insured losses for all insurers exceed USD100,000,000,000, your coverage may be reduced.

The coverage provided under this Endorsement for “Certified” losses caused by acts of terrorism will be partially reimbursed by the United States Government under a formula established by Federal Law. Under this formula, the United States pays 85% of covered terrorism losses exceeding a statutorily established retention by the insurer referenced in this Policy. The premium charged for this coverage is provided above.

The terms and limitations of any terrorism exclusion, or the inapplicability or omission of a terrorism exclusion, do not serve to create coverage for any loss which would otherwise be excluded under this Endorsement or the Policy.

The coverage provided by this Endorsement only applies to a Certified Act of Terrorism.

Reference and Application: The following term(s) means:

# Proposal

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## Certified Act of Terrorism:

A "Certified Act of Terrorism" means any act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State, and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act of 2002 as amended and extended in 2005 and in 2007. The criteria contained in that Act for a "Certified Act of Terrorism" include the following:

- a. The act resulted in aggregate losses in excess of USD5,000,000; and
- b. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

RESOLUTION 2008-233

WHEREAS, the City's Utility Department subscribes to insurance for boiler and machinery, property, peril and fire coverage; and

WHEREAS the boiler and machinery, property, peril and fire coverage insurance term expires October 1, 2008; and

WHEREAS the insurance of electric and water utilities facilities is a specialized market with a limited number of potential providers; and

WHEREAS valuation adjustments resulted in an increased total insured value of property from the present amount of \$360,817,829.00 to \$439,698,762.00; and

WHEREAS a proposal was received from the current provider, Factory Mutual Insurance Company of St. Louis, Missouri, in the amount of \$393,651.00; and

WHEREAS the insurance provider requires that the City either except or reject Terrorism Insurance Coverage by executing the form provided; and

WHEREAS the City has opted not to accept Terrorism Insurance Coverage in past policies.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of Factory Mutual Insurance Company of St. Louis, Missouri, with premium in the amount of \$393,651.00 is hereby approved, and the Utilities Director is hereby directed to execute the form to decline Terrorism Insurance Coverage.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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

Approved as to Form	☐ _____
August 21, 2008	☐ City Attorney



# **City of Grand Island**

**Tuesday, August 26, 2008**

**Council Session**

## **Item G20**

**#2008-234 - Approving Agreement with Platte Valley Weed  
Management Area**

Staff Contact: Gary R. Mader; Wesley Nespor

# **Council Agenda Memo**

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

**Meeting:** August 26, 2008

**Subject:** Control of Noxious Weeds in the Platte River Wellfield

**Item #'s:** G-20

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

## **Background**

The City of Grand Island Wellfield property lies within the braided channels of the Platte River. The northern most channel of the river establishes the property boundary and is a significant source of recharge to the underlying aquifer which provides drinking water to the City. A non-native, invasive Phragmites species has become abundant in this channel and threatens to reduce or redirect necessary water flow.

Phragmites Australis is an aggressive invasive plant species. It is a perennial grass found along rivers, streams, flood plains, and lake shores in Nebraska. Up to 20 feet tall, dense stands of these non-native Phragmites species will produce a thick monoculture and quickly displace native vegetation. With an extensive system of rhizomes extending up to 32 feet in length and capable of producing many new shoots, Phragmites can quickly consume a waterway. This invasive species is a hybrid cross of an aggressive imported landscaping cultivar and a native reed species.

On April 15, 2008, the Nebraska Department of Agriculture (NDA) Director Greg Ibach designated non-native Phragmites as a noxious weed. This designation was put in place to help county weed control officials and landowners address areas of high infestation and prevent further spread of this invasive species.

## **Discussion**

The invasive Phragmite is now dominate in hundreds of miles of Platte River channels, and over just the past few years, has moved into the channels near the City's Wellfield. The species is now required by noxious weed designation to be controlled by property

owners. Additionally, by its dense level of growth, this hybrid species inhibits river flows adjacent to the Wellfield.

The Platte Valley Weed Management Area (PVWMA) is a group of public and private agencies and land owners working together to coordinate efforts and expertise to combat the spread of invasive and noxious weed species in the central Platte River drainage area. That group is initiating efforts to control the invasive Phragmites species and was recently awarded a grant from the Nebraska Department of Agriculture to assist in that effort. A very similar program was recently successfully completed in the Republican River basin.

The north river channel at the Wellfield is very over-grown by the invasive species and is included in the PVWMA. That group is requesting that the City of Grand Island grant permission for eradication of Phragmites and other invasive species in the river channel adjacent to the Wellfield. The attached agreement is proposed to allow that access. There is no cost to the City.

### **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 agreement to allow PVWMA to control Phragmites Australis and other invasive species in the Platte River adjacent to the Wellfield.

### **Sample Motion**

Move to approve the agreement to allow PVWMA to control Phragmites Australis and other invasive species in the Platte River adjacent to the Wellfield.



# **AGREEMENT TO ALLOW PROJECT FOR INVASIVE PLANT CONTROL AND RIVER RESTORATION**

REQUESTING SPONSOR:

Platte Valley Weed Management Area (PVWMA)

Organization or Group

9730 Antelope Avenue

Street and/or Box Number

Kearney, NE 68847

City and Zip

Dick Kincaid-Chairman Platte Valley Weed Management Area

(308) 236-1244

Contact Person

Telephone Number

The purpose of this Agreement is to authorize the PVWMA, its employees, agents and assigns to conduct invasive plant control within the river channel of the Platte River, on lands owned by the City of Grand Island and to assure that the City take no action that inhibits conducting this project.

## **PROJECT DESCRIPTION**

The Platte Valley Weed Management Area (PVWMA) encompasses 11 counties and approximately 181 river miles of the Platte River. The PVWMA is an association consisting of county weed superintendents, non-government organizations, environmental organizations and local landowners. The PVWMA received a Nebraska Department of Agriculture grant to control and remove invasive species within the Platte River and its side channels. This grant, the central Platte River project will address invasive and noxious weed problems within approximately 135 'river' miles of the Platte River between Gothenburg and Central City Nebraska.

Phragmites and other invasive vegetative species have formed dense plant colonies that stabilize riverbanks and sandbars forming 'choke' points within the river channel that restrict water movement downstream. The primary goal of this project is to improve river channel flow conveyance through the eradication and clearing of invasive vegetation.

Specifically, along the City of Grand Island well field land, the PVWMA would use mechanical means to remove invasive vegetation that is currently invading and choking out the river channels. Mechanical means could be disking, mowing and/or shredding using a variety of machines including posi-tracks, tractors, dozers, challengers and klear-ways. Only vegetation on and within the high-banks of the active channel will be removed.

By removing this vegetation water conveyance will be restored and flooding potential will be reduced. Some of this invasive vegetation could re-grow in the next year or two. Future grants or other monies may be used to do a follow-up treatment.

Approval is hereby requested to enter upon City of Grand Island property to perform invasive plant control and river restoration.

## **AGREEMENT**

PVWMA agrees that if granted a permission to do said work, the following stipulations shall govern:

1. This application shall have been approved prior to PVWMA beginning any operations as requested herein.
2. PVWMA agrees to indemnify and hold harmless the City of Grand Island, its officers and employees from all liability, judgment, costs, expenses, and claims growing out of damages, or alleged damages of any nature whatsoever to any person, property, or third party arising out of the performance or non-performance of said work.
3. This permit shall be subject to any laws now in effect, any laws which may be hereafter enacted, and all applicable rules and regulations of local, state, and federal agencies.
4. PVWMA agrees to give the City of Grand Island Utilities Department 48 hours notice of intention to start operations. Notification shall be given to the City Utilities Director, whose address is 100 East First Street, Grand Island, Nebraska, and whose telephone number is 385-5444 extension 280.
5. PVWMA shall carry on the work as required and authorized by this agreement with serious regard to the safety of the public, adjacent property owners, and volunteers or employees of the PVWMA.
6. PVWMA acknowledges that all personnel involved in this project are directed by the PVWMA and that PVWMA accepts full responsibility for any injuries or damages sustained by or caused by such personnel. The PVWMA acknowledges that they or their employees, agents, and assigns are in no way considered to be employees of the City of Grand Island.
7. PVWMA agrees to conduct their activities in a manner so as to not unreasonably interfere with the City of Grand Island or its lessees' use of the property.
8. Nothing herein shall obligate the PVWMA to expend any funds for the purpose of removing or controlling invasive plant species or re-vegetating City property. Any such expenditure shall be at the sole discretion of the PVWMA and shall be subject to sufficient appropriations and authorizations. Expenditure decisions by the PVWMA are final, binding and not subject to judicial review.
9. Any changes in work scope must be approved, in writing, by the City of Grand Island Utilities Director prior to implementation.
10. No herbicides will be used and all removal of vegetation will be by mechanical means. The agency or company entering upon City property will comply with the City's requirements for liability insurance, property damage insurance, and workers' compensation coverage. Fueling of equipment will not take place on City property and auxiliary fuel tanks will not be brought upon City property so as to minimize the risk of a chemical spill on the City's well field.

The City of Grand Island reserves the right to terminate this agreement at the sole judgment of the City.

This Agreement shall remain in force from July 1, 2008 to June 30, 2009.

**Platte Valley Weed Management Area:**

By: \_\_\_\_\_  
Dick Kincaid, Chairman

Date: \_\_\_\_\_

CITY OF GRAND ISLAND, NEBRASKA

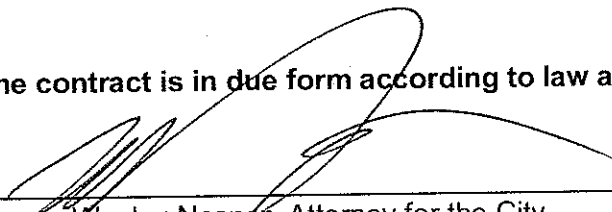
By: \_\_\_\_\_  
Margaret Hornady, Mayor

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
RaNae Edwards, City Clerk

Date: \_\_\_\_\_

The contract is in due form according to law and hereby approved.

  
\_\_\_\_\_  
Wesley Nesper, Attorney for the City

Date: 8.14.08

RESOLUTION 2008-234

WHEREAS, Phragmites Australis is an aggressive invasive plant species; and

WHEREAS on April 15, 2008, the Nebraska Department of Agriculture Director designated Phragmites Australis as a noxious weed; and

WHEREAS the Platte River channel adjacent to the Grand Island Municipal Wellfield is over grown by this and other noxious weeds; and

WHEREAS the Platte Valley Weed Management Area (PVWMA) provides removal of invasive and noxious weed species in the central Platte River drainage area; and

WHEREAS PVWMA wishes to access City owned property to remove Phragmites Australis and other noxious weeds on City property; and

WHEREAS, the **Agreement to Allow Project for Invasive Plant Control and River Restoration** between the Platte Valley Weed Management Area and the City of Grand Island is at no cost to the City; and

WHEREAS, it is in the best interests of the City to participate in this service; and

WHEREAS, the proposed agreement has been reviewed and approved by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the **Agreement to Allow Project for Invasive Plant Control and River Restoration** is hereby approved, and the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

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Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

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Margaret Hornady, Mayor

Attest:

Approved as to Form	☐ _____
August 21, 2008	☐ City Attorney

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RaNae Edwards, City Clerk



# **City of Grand Island**

**Tuesday, August 26, 2008**

**Council Session**

## **Item G21**

**#2008-235 - Approving One (1) 500W Analog UHF Television  
Transmitter with Installation**

**Staff Contact: Wendy Meyer-Jerke**

# **Council Agenda Memo**

**From:** Jeremy Watson, Audio\Video Technician

**Council Meeting:** August 26, 2008

**Subject:** Award Bid for GITV 500 Watt Analog UHF Transmitter with Installation

**Item #'s:** G-21

**Presenter(s)-** Wendy Meyer-Jerke, Public Information Officer  
Jeremy Watson, Audio\Video Technician

## **Background**

Grand Island Television has been operational since 1994. For the last 14 years, UHF Channel 56 has been broadcast over-the-air to viewers who do not have cable television using an analog signal. During this time, the transmitter has undergone several repairs with a continuing degradation of signal strength and broadcast quality. Signal strength for Channel 56 is currently operating at less than 20 percent.

## **Discussion**

The implementation of a new transmitter will serve to replace the existing unit, restore the signal strength, and allow GITV the capability with future hardware upgrades to become digitally compliant by the end of February 2009 as mandated by the FCC. This contract will provide a highly qualified team of transmitter technicians to serve as GITV's technical representatives in installation, training, and maintenance.

The bid price also includes, travel, installation, and freight. A two year warranty on parts and labor is included. A bid was issued and a response was received from the following bidder:

Bidder  
LARCAN USA

Bid Price  
\$ 36,550.00

Department staff reviewed the bid for compliance with the City's specifications. The bid from LARCAN USA is compliant with those specifications.

### **Alternatives**

It appears that the Council has the following alternatives concerning the purchase of the 500 watt transmitter. The Council may:

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

### **Recommendation**

City Administration recommends that the bid from LARCAN USA be accepted and expenditure of funds authorized by resolution.

### **Sample Motion**

Move to accept the bid from LARCAN USA and authorize expenditure of funds by resolution.



*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:** August 18, 2008 at 11:00 a.m.

**FOR:** One (1) 500W Analog UHF Television Transmitter w/Installation

**DEPARTMENT:** GITV

**ESTIMATE:** \$36,000.00

**FUND/ACCOUNT:** 10044601-85615

**PUBLICATION DATE:** August 3, 2008

**NO. POTENTIAL BIDDERS:** 3

**SUMMARY**

**Bidder:** LARCAN USA, Inc.  
Lafayette, CO

**Bid Security:** \$1,828.00

**Exceptions:** None

**Bid Price:** \$36,550.00

cc: Wendy Meyer-Jerke, PIO  
Dale Shotkoski, City Attorney  
Jeff Pederson, City Administrator

Jeremy Watson, Audio/Visual Tech.  
Wes Nespor, Assist. City Attorney

**P1271**

RESOLUTION 2008-235

WHEREAS, the City of Grand Island invited sealed bids for a 500 Watt Analog UHF Transmitter with Installation for Grand Island Television, according to plans and specifications on file with the City Clerk; and

WHEREAS, the transmitter provides the signal for UHF Channel 56;

WHEREAS, the implementation of a new transmitter will serve to replace the existing unit, restore the signal strength, and allow GITV the capability with future hardware upgrades to become digitally compliant by the end of February 2009 as mandated by the FCC.

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

WHEREAS, LARCAN USA, of Lafayette, Colorado, 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 \$36,550; and

WHEREAS, the bid of \$36,550 exceeds the estimate of \$36,000 by \$550.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of LARCAN USA in the amount of \$36,550 for a 500 Watt Transmitter with installation is hereby approved as the lowest responsible bid.

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Adopted by the City Council of the City of Grand Island, Nebraska, August 26, 2008.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 22, 2008	☐ City Attorney



# City of Grand Island

Tuesday, August 26, 2008

Council Session

## Item H1

**Consideration of Request from Hooker Brothers Construction Co.  
for a Conditional Use Permit to Stockpile Recyclable Concrete and  
Asphalt Located at 3016 North Webb Road**

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

Staff Contact: Craig Lewis



# **City of Grand Island**

**Tuesday, August 26, 2008**

**Council Session**

## **Item H2**

**Consideration of Adding Storm Management System along Stolley  
Park Road to the FY 2008/2009 Budget**

**Staff Contact: Jeff Pederson**

# **Council Agenda Memo**

**From:** Steven P. Riehle, Public Works Directore  
**Meeting:** August 26, 2008  
**Subject:** Brentwood Lake Storm Sewer Outlet  
**Item #'s:** H-1  
**Presenter(s):** Steven P. Riehle, Public Works Director

## **Background**

Discussion on this item was postponed from the August 20, 2008 Council meeting to the August 26, 2008 Council meeting.

### **Brentwood Lake**

The lake was pumped as a gravel pit along the Warm Slough in southwest Grand Island. Residential housing with concrete curb and gutter streets and storm sewer was built around the lake. The lake also functions as a wet detention cell for the area.

### **1978 Storm Drainage Improvement Plan**

Consulting engineers McGaughy, Marshall & McMillan prepared a storm drainage plan for the Stolley Park Road outfall & drainage system and the southwest outfall & drainage system. The plan provided for the outlet from Brentwood Lake to go south along the power plant railroad spur towards the community college and then east to the Wood River. The project to build the outlet towards the Wood River is in the last year of the 1 & 6 year Street Improvement Plan.

### **1980's Project**

There was no outlet for the Brentwood Lake or the ditch along the power plant railroad tracks when the lake was built. The 1983 Stolley Park Road widening project included construction of an outlet for Brentwood Lake by installing a 24" diameter culvert that drains into the Stolley Park Road storm drainage system. The culvert was intended to provide an outlet for the Brentwood Lake until the above project was built.

### **Stolley Park Storm Drainage System**

The storm drain pipe from the wet detention cell by the bike trail up to Blaine Street is a 24" diameter concrete pipe. The storm drain pipe east of Blaine Street is a 36" diameter concrete pipe past the dry cell at Blaine Street.

### **June 8, 2008 Storm**

After the June 8<sup>th</sup> rainfall event, the level in the 36" storm drain pipe east of Blaine Street was down and the 24" storm drain pipe west of Blaine Street was running full. An irrigation type of pump was installed into a manhole on Stolley Park Road south of the wet cell to pump storm water to the 36" pipe at Blaine Street. The irrigation well helped lower the storm water level in Brentwood Lake and the wet detention cell along Stolley Park Road.

## **Discussion**

### **Engineering**

Sufficient funds are in the proposed 2009 Streets Division budget to do an engineering study of the Stolley Park Road storm drainage system.

### **Construction**

Two possible projects have been discussed.

1. Construction of a second 24" diameter storm drain pipe along Stolley Park Road west of Blaine Street. The construction cost is estimated at \$250,000.
2. Construction of an outfall ditch and storm drain pipes south from Brentwood Lake and then east toward the Wood River. The cost for the project in the 1 & 6 year Street Improvement Program was listed as \$425,000.00. The project estimate would need updated as the route for the project that was used to generate the cost estimate is no longer desirable as it would drain through the existing wet detention cell along Stagecoach Road east of Blaine Street.

## **Conclusion**

This item is presented to the City Council to allow for any questions to be answered and to create a greater understanding of the issue at hand.



# City of Grand Island

Tuesday, August 26, 2008

Council Session

## Item J2

### **Approving Payment of Claims for the Period of August 13, 2008 through August 26, 2008**

*The Claims for the period of August 13, 2008 through August 26, 2008 for a total amount of \$5,524,652.81. A MOTION is in order.*

Staff Contact: David Springer