
City of Grand Island



Tuesday, September 23, 2008

Council Session Packet

City Council:

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

Mayor:

Margaret Hornady

City Administrator:

Jeff Pederson

City Clerk:

RaNae Edwards

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

Call to Order

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

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

Invocation - Pastor Gary Schulte, Evangelical Free Church, 2609 South Blaine Street

Pledge of Allegiance

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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

MAYOR COMMUNICATION

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



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item D1

#2008-BE-3 - Consideration of Determining Benefits for Business Improvement District #4, South Locust Street from Stolley Park Road to Fonner Park Road

Staff Contact: Wes Nespor

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: September 23, 2008

Subject: Determining Benefits for Business Improvement District No. 4, South Locust Street from Stolley Park Road to Fonner Park Road and Approving the Assessments

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

Presenter(s): Dave Springer, Finance Director

Background

In July, 2002, the City Council adopted Ordinance No. 8751 creating Business Improvement District No. 4, South Locust Street, Stolley Park Road to Fonner Park Road. The 2008-2009 Budget, as approved by Council on August 26, 2008, 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 City Council, in its' capacity as the Board of Equalization, is required to determine the benefits of the District and take action on the assessments as provided for in the associated Ordinance.

Alternatives

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

1. Approve the benefits for the District and related assessments.
2. Deny the benefits and assessments.

Recommendation

City Administration recommends that the Council approve the benefits of Business Improvement District No. 4 and related assessments.

Sample Motion

Board of Equalization: Move to approve the benefits accruing to Business Improvement District No. 4 as presented.

Ordinance: Move to approve the assessments as provided for in the related Ordinance.

RESOLUTION 2008-BE-3

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Business Improvement District No. 4, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$24,748.75; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Business Improvement District No. 4, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Michael J. & Mandy Westerby	Part of Lot 1, Janisch Subdivision	599.80
Niels C. McDermott	Lot 1 (except E 10), Brownell Subdivision	249.90
Wiltgen Corp. II	Lot 5, Kirkpatrick Subdivision	352.75
Wiltgen Corp. II	Lot 6, Kirkpatrick Subdivision	347.45
Giomaha LLC	Part of Lot 1 (except City), Labelindo Second Subdivision	1,397.90
James Scott Zana, Trustee	Part of Lot 1, R & R Subdivision	703.60
Fontenelle Oil Co. #210	E½S½ of Block 9 (except City), Pleasant Home Subdivision	701.90
Locust Street LLC	Block 16 (except City), Pleasant Home Subdivision	1,397.75
M & W Investment Co.	Part of Lots 1 & 2, Roepke Subdivision	771.70
M & W Investment Co.	Part of Lot 1, Roepke Second Subdivision	227.50
Edwards Building Corp.	Lot 1 (except City), Fonner Subdivision	749.70
Grand Island Associates, LLC	Lot 1, Fonner Fourth Subdivision	2,449.75
5500 L Street Properties Co.	Lot 5 (except City), Fonner Second Subdivision	999.30
5500 L Street Properties Co.	Lot 6 (except City), Fonner Second Subdivision	2,000.75
Three Circle Irrigation Inc.	Part of Lot 1 & Part of Lot 3, Fonner Third Subdivision	1,699.15
Edwards Building Corp.	Replatted part of Lot 3, Fonner Third Subdivision	700.00
Kenneth W. & Rosemary Staab	Part of the SE¼SE¼ of 21-11-9 (except City)	259.90
GIPH Restaurants LLC	Part of SE¼SE¼ of 21-11-9 (except City)	675.45
Michael J. & Carey M. Reilly	Lot 1, JNW Subdivision	770.00
Edwards Building Corp.	Lot 1, JNW Second Subdivision	829.15
Sax Pizza of America, Inc.	Lot 2 (except City), Sax's Subdivision	540.45
Cindy Braddy	Part of SE¼SE¼ of 21-11-9 (except City)	676.35

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Arec 7, LLC	Part of SE $\frac{1}{4}$ SE $\frac{1}{4}$ of 21-11-9 (except City)	999.90
Sax Pizza of America, Inc.	Lot 1 (except City), Sax's Subdivision	623.45
Michael O. Toukan	Lot 3, Goodwill Fifth Subdivision	592.70
Michael O. Toukan	Lot 2, Goodwill Fifth Subdivision	328.50
Hall County Livestock Improvement Association	Part of SW $\frac{1}{4}$ SW $\frac{1}{4}$ & Part NW $\frac{1}{4}$ SW $\frac{1}{4}$ (except city) of 22-11-9	1,657.20
Byco Real Estate LLC.	Part of Lot 2, R & R Subdivision	696.75
Preferred Enterprises LLC	Part of Lot 2 (except City), Fonner Fourth Subdivision	750.05
TOTAL		24,748.75

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Adopted by the City Council of the City of Grand Island, Nebraska, on September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item D2

**#2008-BE-4 - Consideration of Determining Benefits for Business
Improvement District #6, Second Street**

Staff Contact: Wes Nespor

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: September 23, 2008

Subject: Determining Benefits for Business Improvement District No. 6, Second Street and Approving the Assessments

Item #'s: D-2 & F-2

Presenter(s): Dave Springer, Finance Director

Background

On August 26, 2008, the City Council adopted Resolution 2008-220, creating Business Improvement District No. 6, Second Street. The 2008-2009 Budget, as approved by Council on August 26, 2008, 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 City Council, in its' capacity as the Board of Equalization, is required to determine the benefits of the District and take action on the assessments as provided for in the associated Ordinance.

Alternatives

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

1. Approve the benefits for the District and related assessments.
2. Deny the benefits and assessments.

Recommendation

City Administration recommends that the Council approve the benefits of Business Improvement District No. 6 and related assessments.

Sample Motion

Board of Equalization: Move to approve the benefits accruing to Business Improvement District No. 6 as presented.

Ordinance: Move to approve the assessments as provided for in the related Ordinance.

ROBERT WAGNER
ATTORNEY AT LAW
P.O. BOX 22702
LINCOLN, NEBRASKA 68542
(402) 477-4005



September 9, 2008

Grand Island City Council
100 East 1st street
Grand Island, Nebraska 68801

RE: Improvement District #6

I am the Trustee of the Woodward Family Trust and a Power of Attorney for Margaret G. Woodward the joint owners of property on the south side of Second Street and west of Grant Street.

I oppose the inclusion of the property in the district and the amount of the assessment for the following reasons:

The project provides that the improvement district will add pavers next to the curb without adding any grass, trees, shrubs or sprinkler system. The initial assessment to our property is within a few dollars of the total annual assessment on the property for all taxing authorities in Hall County. It will also be a continuing assessment on the property to fund other sections of the Improvement District with no continuing benefit to the property.

In addition to the limited value to the property as it relates to its cost, there is a question as to whether the improvements and assessments on the property are in keeping with the Business Improvement Act. There are no real landscaping, physical improvements for decoration or security purposes, or plantings. The assessment is not fairly and equitably assessed based upon the special benefits to the property.

I respectfully request that you do not adopt the business improvement district as proposed or that you modify the assessment to reflect the actual benefits to the properties included in the district.

Robert Wagner, Trustee
Woodward Family Trust

cc: Legal
Finance
9-17-08

RESOLUTION 2008-BE-4

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Business Improvement District No. 6, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$42,865.56; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Business Improvement District No. 6, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Millennium Management Group	Lot 5 (except State), Block 18, Arnold & Abbott's Addition	400.38
J.J.A. Holdings LLC	Lots 6, 7 & 8 (except State), Block 18, Arnold & Abbott's Addition	1,187.76
JBWS Property Group, LLC	Lot 2 (except State ROW), Block 20 (CO MP Railroad Addition), Arnold & Abbott's Addition	398.04
GIPH Restaurants, LLC	E 60' of Lot 3 (except state ROW), Block 20, Arnold & Abbott's Addition (Comp. Fr. Lot 4 County Subdivision 16-11-9)	357.12
GIPH Restaurants, LLC	W 6' of Lot 3, all of Lot 4 (except State ROW), Block 20, Arnold & Abbott's Addition (Comp. Fr Lot 4 County Subdivision 16-11-9)	436.38
1203 Partnership	Lot 1 (except State ROW) & all Lot 2, Block 3, Arnold Place	791.04
Apfel-Butler-Geddes Funeral Home, Inc.	Lots 3 & 4 (except state), all Lot 5, & W1/3 Lot 6, Block 4, Arnold Place	792.60
Brian J. & Lori A. McMahon	Part of Lot 6 & Part W½ of Lot 7, Block 10, Baker's Addition	486.90
David H. & Marilyn E. Watkins, Trustees Watkins Family Trust	Part E½ Lot 7, Block 10, Baker's Addition	150.66
David H. & Marilyn E. Watkins, Trustees Watkins Family Trust	Part of Lot 8, Block 10, Baker's Addition	315.36
David H. & Marilyn E. Watkins, Trustees Watkins Family Trust	Part of Lot 9, Block 10, Baker's Addition	308.88
Andy A. Hogeland	N 128.84' of Lot 10, Block 10, Baker's Addition	325.20
RSI, Inc.	Lots 1, 2, 3, 4, 5, 8, 9 & 10 & E½ of Lot 7 (except State), Block 11, Baker's Addition	1,099.86
Elm Real Estate LC	Lot 6 & W½ of Lot 7 (except State), Block 11, Baker's	483.84

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	Addition	
Victoria Land Partners LP	Lots 5, 6, 7, 8 & 9 (except State), Block 12, Baker's Addition	1,584.78
Meme Saycocie	N 90.5' of Lot 1 (except State). Block 14, Baker's Addition	324.24
Tina M. Royle	Lot 2 (except State), Block 14, Baker's Addition	311.82
Kelly Samson & Brandy K. Wright	Lot 3 (except State), Block 14, Baker's Addition	311.46
J & B Rentals, LLC	Lot 4 (except State), Block 14, Baker's Addition	308.88
Rebecca R. Shuman	N½ of Lot 5 (except State), Block 14, Baker's Addition	325.20
Sinclair Marketing, Inc.	Lots 1, 2 & 3, Block 15, Baker's Addition	945.90
Robert V. & Bonnie Clark	Lot 4 (except State), Block 15, Baker's Addition	308.88
Daffodil, LLC	Lot 5 (except State), Block 15, Baker's Addition	325.20
Daffodil, LLC	Lots 1, 2, 3, 4 & 5 (except City), Block 16, Baker's Addition	1,580.52
Robert M. Wagner, Trustee Woodward Family Trust	Lots 1 & 2, Block 17, Baker's Addition	634.62
Robert M. Wagner, Trustee Woodward Family Trust	Lot 3, Block 17, Baker's Addition	311.82
Michael & Ralisa Leaman	Lots 4 & 5, Block 17, Baker's Addition	634.98
Cleo E. Albright	W 20' of Lot 6 & all Lot 5 (except State ROW), Block 10, Kernohan & Decker's Addition	521.16
Fontenelle Oil Co. #114	Lots 7 & 8 & E 46' of Lot 6 (except State ROW), Block 10, Kernohan & Decker's Addition (Comp. Part Lots 7 & 8, Block 4, Spaulding & Gregg's)	1,062.78
Grand Island Properties, Brian Rourke	N½ of Lot 1, Lots 2, 3, 4, 5, 6 & 7, Part Vac Alley & Part Vac Street (except S 10' to City), Block 11, Kernohan & Decker's Addition	1,422.72
John D. & Sallie S. Folsom	Lot 8 (except ROW), Block 11, Kernohan & Decker's Addition	395.04
Grand Island Properties, Brian Rourke	Block 12 & W 40' of Vac Monroe Street (except City & State), Kernohan & Decker's Addition	1,826.88
Nasan, LLC	Lots 1, 2, 3 & 4 & Part Lots 5, 6 & 7 & Part Vac Alley, Block 13, Kernohan & Decker's Addition	1,184.82
Five Points Bank	Part Lot 8 & Part Vac Alley, Block 13, Kernohan & Decker's Addition	396.90
Merleen Johnson, Trustee Robert J. Johnson Trust	W 26' of Lot 7 & E 33' of Lot 6 (except State), Block 14, Kernohan & Decker's Addition	354.00
Real Estate Group of G.I., Inc.	W 33' of Lot 6, Block 14 (except State) (Comp. Block 41, Packer & Barr's Second Addition)	200.64
Merleen Johnson, Trustee Robert J. Johnson Trust	Lot 8 & E 40' of Lot 7 (except State ROW), Block 14, Kernohan & Decker's Addition	630.84

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First Federal Savings & Loan Association of Lincoln	Fr Lots 1, 2, 3 & 4 (except State ROW), Block 15, and Vac Alley (Comp. Charles Wasmer's Add. Fr Lots 2 thru 4 & Lots 6 thru 10, Block 2 & Vac David H. & Marilyn E. Watkins, Trustees Watkins Family Trust Alley)	1,578.42
Autozone Development Corp.	Lot 1 (except ROW), Autozone Subdivision	958.02
Video Kingdom of Grand Island, Inc.	Lot 2 (except State ROW), Autozone Subdivision	625.98
Walgreen Co.	Lots 1 & 2 & # 10' of Lot 3 & Part Vac Street (except State), Block 17, Kernohan & Decker's Addition	1,092.00
Walgreen Co.	Lot 4 (except City) & W 56' of Lot 3 (except State), Block 17, Kernohan & Decker's Addition	735.96
Nebraska District Council of Assemblies of God	Part of E2/3 of Lot 1, Block 18, Kernohan & Decker's Addition	260.94
Nebraska District Council of Assemblies of God	Part of W1/3 of Lot 1 & E1/3 of Lot 2, Block 18, Kernohan & Decker's Addition	264.00
Walgreen Co.	W2/3 Lot 2; all Lots 3 & 4; & Part Vac Street (except State), Block 18, Kernohan & Decker's Addition	1,296.00
Randy L. Evans	Fr Lots 3 & 4 (except State ROW), Block 19 (Comp. Block 7 Spaulding & Gregg's Add. & Comp. Block 19, Palmer's Subd.)	793.26
Real Estate Group of G.I., Inc.	Lot 5, Block 51 (except State) (Comp. Block 14 Kernohan & Decker's Add.)	394.44
David L. & Frances F. Schaffer	Lot 5, Block 114, Railroad Addition	400.38
Mary Story	Lot 6, Block 114, Railroad Addition	394.68
Bonna Barton Wanek	Lot 8, Block 114, Railroad Addition	395.16
High Road, LLC	Lot 1, Block 115, Railroad Addition	395.16
Rafael B. & Rita Orozco	Lot 2, Block 115, Railroad Addition	397.44
Rafael & Rita C. Orozco	Lot 3, Block 115, Railroad Addition	395.16
Raile Properties, LLC	Lot 4, Block 115, Railroad Addition	392.22
Raile Properties, LLC	Lots 1 & 2, Block 117, Railroad Addition	792.60
Harlan R. Puncoschar, Trustee of HRP Rev. Trust	E½ of Lot 3, Block 117, Railroad Addition	192.54
Joy M. & Marietta Beazley	W½ of Lot 3, Block 117, Railroad Addition	202.62
Robert K. & Steven G. Durham	Lot 4, Block 117, Railroad Addition	394.50
Overland National Bank	Lot 5 (except State) & all Lots 6, 7 & 8, Block 118, Railroad Addition	1,587.36
JBWS Property Group, LLC	Lot 1, Block 120, Railroad Addition	331.32
Degen Co. Partnership	Lots 5, 6 & 7 (except State ROW), Block 3, Spaulding & Gregg's Addition	1,187.76
Nall, Inc.	Lot 8 (except State ROW), Block 3, Spaulding & Gregg's Addition	400.38

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Larry W. Coffey	Lots 3 & 4 (except State ROW), Block 5, Spaulding & Gregg's Addition (Comp. Arnold Place),	794.10
McDonalds Corp.	Lots 1, 2, 3 & 4, Block 6 (except State ROW), Spaulding & Gregg's Addition	1,585.20
Randy L. & Cynthia S. Evans	Lots 1 & 2 (except State ROW), Block 7, Spaulding & Gregg's Addition	791.94
Bonna Barton Wanek	S 88' of Lot 7, Block 114, Railroad Addition	397.92
TOTAL		42,865.56

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Adopted by the City Council of the City of Grand Island, Nebraska, on September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item D3

#2008-BE-5 - Consideration of Determining Benefits for Business Improvement District #7, South Locust from Stolley Park Road to Highway 34

Staff Contact: Wes Nespor

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: September 23, 2008

Subject: Determining Benefits for Business Improvement District No. 7, South Locust Street, Hwy 34 to Stolley Park Road and Approving the Assessments

Item #'s: D-3 & F-3

Presenter(s): Dave Springer, Finance Director

Background

On August 26, 2008, the City Council adopted Ordinance No. 9189, creating Business Improvement District No.7, South Locust Street, Hwy 34 to Stolley Park Road. The 2008-2009 Budget, as approved by Council on August 26, 2008, 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 City Council, in its' capacity as the Board of Equalization, is required to determine the benefits of the District and take action on the assessments as provided for in the associated Ordinance.

Alternatives

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

1. Approve the benefits of the District and related assessments.
2. Deny the benefits and assessments.

Recommendation

City Administration recommends that the Council approve the benefits of Business Improvement District No. 7 and related assessments.

Sample Motion

Board of Equalization: Move to approve the benefits accruing to Business Improvement District No. 7 as presented.

Ordinance: Move to approve the assessments as provided for in the related Ordinance.

RESOLUTION 2008-BE-5

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Business Improvement District No. 7, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$45,030.94; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Business Improvement District No. 7, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Jerry L. & Janet C. Loney	W 273' of Lot 1 (except City), Burch Subdivision	643.06
Larry W. Coffey	W 125' of Lots 2, 3 & 4 (except City), Burch Subdivision	826.29
Michael S. & Sandra S. Williams	Lot 5 (except City), Burch Subdivision	549.51
Michael S. & Sandra S. Williams	Lot 1 (except City), Burch Second Subdivision	644.90
The Eating Establishment	Lot 1 (except City), Runza Subdivision	710.81
Bradley L. Shanahan Teresa K. Brooks	E 100' of Lot 12, & E 100' of Lot 13, (except City) Holcomb's Highway Homes Subdivision	918.00
Robert D. Hancock & Charles L. Hancock	Lot 14 (except City), Holcomb's Highway Homes Subdivision	502.88
Ryan & Darcy Hansen	Lot 15 (except City), Holcomb's Highway Homes Subdivision	497.74
Dianna D. Duering	Lot 1, Bartz Subdivision	500.31
Gary & Linda Shovlain	Lot 3, Shovlain Second Subdivision	713.15
Calvin J. & Donna Wratten	S 52' of Lot 19 & N 1' of Lot 20, Holcomb's Highway Homes Subdivision	240.19
Video Kingdom of Grand Island, Inc.	S 108' of Lot 20 (except City), Holcomb's Highway Homes Subdivision	500.40
Kershner Properties, LLC	N 60' of Lot 22 (except City), Holcomb's Highway Homes Subdivision	271.91
Charles A. Douthit	Lot 21 (except City), Holcomb's Highway Homes Subdivision	500.40
Da-ly Properties, LLC	S 98' of Lot 23 & N 12' of Lot 24, (except City) Holcomb's Highway Homes Subdivision	504.90
Kershner Properties, LLC	S 49' feet of Lot 22 & N 11' of Lot 23 (except City), Holcomb's Highway Homes Subdivision	275.40

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Llamas Enterprises Partnership & Alina Hernandez	S 97' of Lot 24, Lot 25, & N 38' of Lot 26, (except City) Holcomb's Highway Homes Subdivision	1,119.68
Marion D. Larsen Rev. Trust	N 79' of Lot 27 & S 71' of Lot 26, (except City) Holcomb's Highway Homes Subdivision	688.78
McCloud Super 8 Motel Inc.	Part of Lot 25 (except City), Matthews Subdivision	1,135.93
William E. & Sandra L. Lawrey	Lot 1 (except City), Garrison Subdivision	1,037.94
Nebraska Mil-Nic, a/k/a Cedar Street Investment Co.	Lot 2, Mil-Nic Second Subdivision	1,255.82
Paulsen and Sons Inc.	Lots 1 & 28 (except City), Lots 2, 3, 26 & 27, Roush's Pleasantville Terrace Subdivision	918.28
Gary E. Shovlain	Lot 2, Shovlain Second Subdivision	550.89
Rex E. & Jonadyne A. Carpenter	Lot 1 [200' x 400'] (except City), Woodland First Subdivision	915.34
Rex E. & Jonadyne A. Carpenter	Lot 2 [200' x 400'] (except City), Woodland First Subdivision	918.18
Equitable Federal Savings Bank of Grand Island	Lot 3 (except City), Woodland First Subdivision	918.28
Danny K. Oberg	Lot 4 (except City), Woodland First Subdivision	913.59
Darryl Wilhelmi	Lot 5 (except City), Woodland First Subdivision	918.28
Richard S. Rasmussen, Jr., Jack E. & Joanne L. Rasmussen, June E. & William Blackburn	N 50' of E 260' of Lot 6 (except City), Woodland First Subdivision	228.81
Pamela Ehlers	S 126' of E 260' of Lot 6 (except City), Woodland First Subdivision	581.23
Alpha Corporation	E 260' of Lot 8 (except City), Woodland First Subdivision	961.38
Stratford Plaza, L.L.C.	Lot 11 (except City), Woodland Second Subdivision	2,492.92
Bosselman Inc.	Lot 8, Woodland Second Subdivision	685.47
Bennett Properties Inc.	Lot 9, Woodland Second Subdivision	688.64
Laub-Otto, LLC	Lot 10, Woodland Second Subdivision	729.31
Richard S. Rasmussen, Jr., Jack E. & Joanne L. Rasmussen, June E. & William G. Blackburn	Lot 1 except N 25' of E 260' (except City), Woodland Third Subdivision	343.88
Dale & Kathleen Arp	N 25' of E 260' of Lot 1 & all of Lot 2, (except City) Woodland Third Subdivision	573.43
McDermott & Miller, PC	Lot 1 (except City), Woodridge South Subdivision	1,159.07
Marion D. Larsen Rev. Trust	Lot 2 (except City), Woodridge South Subdivision	498.84
Southeast Crossings LLC	Part of Lot 1 MLD (except City) of 27-11-9	455.37
Milton Motels LLC	Part of N½SW¼SW¼ of 27-11-9	2,313.45
Platte Valley State Bank & Trust	Lot 1, Equestrian Meadows Subdivision	818.03

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Company		
Chlonate LLC	Part of Lot 1 (except City), Desert Rose Subdivision	1,963.74
Theodore J. Robb	Part of NW¼SW¼ (except City) of 27-11-9	1,542.29
MIK, LLC	Part of NW¼SW¼ of 27-11-9 and part of Lot 4 Island (except City)	1,418.22
Community Redevelopment Authority	Part of Lot 1 MLD of 27-11-9	670.87
John L. & Beth A. French	Lot 1 (except City), Knox Subdivision	641.82
All Faiths Funeral Home LLC	Part of NW¼NW¼SW¼ of 27-11-9	1,101.60
Pharmacy Properties LLC	Lot 2, Equestrian Meadows Subdivision	665.50
Ronald J. & Lori D. Willis	Part of NE¼NE¼ (except City) of 28-11-9	459.00
Mason D. Robb & Theodore J. Robb	Lot 2 (except City), Knox Third Subdivision	606.06
Ted Robb	Lot 3 (except City), Knox Third Subdivision	353.71
O'Reilly Automotive, Inc.	Lot 2 (except City), Runza Subdivision	714.39
Mason D. Robb & Theodore J. Robb	Lot 1 (except City), Knox Third Subdivision	707.55
MA Faulkner Trust	Lot 3, Equestrian Meadows Subdivision	845.39
Wayne Vanosdall Sanitation	Part of N½SW¼SW¼ of 27-11-9	720.13
TOTAL		45,030.94

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Adopted by the City Council of the City of Grand Island, Nebraska, on September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item D4

#2008-BE-6 - Consideration of Determining Benefits for Business Improvement District #8, Downtown

Staff Contact: Wes Nespor

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: September 23, 2008

Subject: Determining Benefits for Business Improvement District No. 8, Downtown, and Approving the Assessments

Item #'s: D-4 & F-4

Presenter(s): Dave Springer, Finance Director

Background

On August 26, the City Council adopted Ordinance No. 9180, creating Business Improvement District No. 8, Downtown. The 2008-2009 Budget, as approved by Council on August 26, 2008, provides for special assessments on land and real property in the District as of January 1, 2008 in the amount of \$.295599 per \$100 of real property. The total taxable value of \$ 29,326,665 provides for assessments of \$86,689.

Discussion

The City Council, in its' capacity as the Board of Equalization, is required to determine the benefits of the District and take action on the assessments as provided for in the associated Ordinance.

Alternatives

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

1. Approve the benefits for the District and related assessments.
2. Deny the benefits and assessments.

Recommendation

City Administration recommends that the Council approve the benefits of Business Improvement District No. 8 and related assessments.

Sample Motion

Board of Equalization: Move to approve the benefits accruing to Business Improvement District No. 8 as presented.

Ordinance: Move to approve the assessments as provided for in the related Ordinance.

RESOLUTION 2008-BE-6

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Business Improvement District No. 8, after due notice having been given according to law, that we find and adjudge:

1. The benefits accruing to the real estate in such Business Improvement District No. 8 is the total sum of \$86,689.36; and

2. According to the assessed value of the respective lots, tracts, and real estate within such Business Improvement District, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Kinder Morgan Interstate Gas Transmission	Centrally Assessed	23.17
Northwestern Corporation	Centrally Assessed	511.92
Windstream Nebraska, Inc.	Centrally Assessed	0.00
Qwest Corporation	Centrally Assessed	2,622.31
A T & T Communications	Centrally Assessed	58.59
NPCR, Inc., d/b/a Sprint-Nextel	Centrally Assessed	32.23
IPCS Wireless, Inc.	Centrally Assessed	0.00
George Jay Jorgensen Beckby	N 100.5' E2/3 Lot 1, Block 54, Original Town	288.99
George Jay Jorgensen Beckby	S 31.9' E2/3 Lot 1, Block 54, Original Town	69.41
Wing Properties Inc.	W1/3 Lot 1, Block 54, Original Town	23.00
R. Dennis & Patricia A. Norris, Trustees	Lot 2, Block 54, Original Town	559.76
John W. & Teresa A. Wayne	N1/2 W2/3 Lot 6, N1/2 Lot 5, Block 54, Original Town	460.68
Gus G. Katrouzos	S 60' W1/3 Lot 5, Block 54, Original Town	84.53
Gus G. Katrouzos	S 60' W 16' E2/3 Lot 5, Block 54, Original Town	68.97
Nickie J. Kallos, Jr.	E 28' S1/2 Lot 5; N 6' W 38' S1/2 Lot 5, Block 54, Original Town	156.29
Nickie J. Kallos, Jr.	W 22' S1/2 Lot 6; Block 54, Original Town	168.79
R. Dennis & Patricia A. Norris, Trustees	E 22' W 44' S1/2 Lot 6; E 22' Lot 6, Block 54, Original Town	383.42
R. Dennis & Patricia A. Norris, Trustees	W1/3 Lot 7, Block 54, Original Town	307.96
R. Dennis & Patricia A. Norris, Trustees	C1/3 Lot 7, Block 54, Original Town	299.81
Wing Properties Inc.	E1/3 Lot 7, Lot 8 (except City), Block 54, Original Town	693.13
Nathan Detroit, Inc.	N1/2 Lot 1, Block 55, Original Town	478.33
Nathan Detroit, Inc.	N 44' S1/2 Lot 1, Block 55, Original Town	319.43

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Virginia Irvine	S 22' Lot 1, Block 55, Original Town	98.38
Russell L. Hoetfelker	S1/2 W1/2 Lot 3; S1/2 Lot 4, Block 55, Original Town	368.98
Downtown Center LLC	N 67.5' Lot 5, Block 55, Original Town	49.99
Matthew E. & Janelle A. Armstrong	N 20' S 64.5' Lot 5, Block 55, Original Town	115.79
Erives Enterprises LLC	S 44.5' Lot 5, Block 55, Original Town	217.72
Famos Construction, Inc.	W2/3 Lot 6, Block 55, Original Town	187.49
Arthur V. & Jeanene Campos	E1/3 Lot 6, Block 55, Original Town	142.20
Prairie Winds Art Center, Inc.	W1/3 Lot 7, Block 55, Original Town	222.28
Terrence R. Merchen	E2/3 Lot 7, Block 55, Original Town	308.50
T.W. Ziller Properties LLC	W1/3 Lot 8, Block 55, Original Town	94.38
T.W. Ziller Properties LLC	C1/3 Lot 8, Block 55, Original Town	98.38
T.W. Ziller Properties LLC	E1/3 Lot 8, Block 55, Original Town	441.19
Downtown Center LLC	N 68' Lot 1; Lot 2; E1/2 Lot 3, Block 56, Original Town	167.97
Downtown Center LLC	N 22' S 42', W 6' S 20', Lot 1, Block 56, Original Town	15.06
Downtown Center LLC	N 22' S 64' Lot 1, Block 56, Original Town	13.91
Downtown Center LLC	S 20' E 60' Lot 1, Block 56, Original Town	11.50
Carl & Susan A. Mayhew	W1/3 Lot 5, Block 56, Original Town	255.06
R & B Capital Enterprises LLC	E2/3 Lot 5, Block 56, Original Town	443.01
Helen E. & James A. Pohl	Lot 6, Block 56, Original Town	320.46
Duane A. & Dee Ann Johnson	Lot 7, Block 56, Original Town	364.95
Downtown Center LLC	Lot 8, Block 56, Original Town	1,720.95
J & B Rentals LLC	Lot 1, Ziller Subdivision	585.06
JEO Building Company	Lot 7, Block 57, Original Town	865.36
Overland Building Corp.	Lot 8, Block 57, Original Town	1,132.44
FirsTier Bank National Assoc.	Lots 1 & 2, Block 58, Original Town	324.50
FirsTier Bank National Assoc.	N1/2 Lot 3; N1/2 Lot 4, Block 58, Original Town	113.88
FirsTier Bank National Assoc.	Lot 5; W 22' Lot 6, Block 58, Original Town	1,556.69
FirsTier Bank National Assoc.	S1/2 Lot 3; S1/2 Lot 4, Block 58, Original Town	120.90
Darrell & Joyce Albers	Lot 1, Jensen Subdivision	151.13
M SQ Designs, Inc.	W1/3 Lot 7, Block 58, Original Town	233.70
James K. Keeshan	C1/3 Lot 7, Block 58, Original Town	141.31
Jesus G. & Victoria Galvan	Lot 1, Prensa Latina Subdivision	100.52
Eliseo & Jessica Calderon	Lot 2, Prensa Latina Subdivision	101.47
Mark D. Stelk	Lot 4, Prensa Latina Subdivision	314.59
Margoth Carpio & Brenda Eugenia Panameno	Lot 3, Prensa Latina Subdivision	173.19
Mead Bldg. Centers of G.I.	N 102.5' Lot 1; Lot 2, Block 59, Original Town	367.63
H & H Land Co.	S 29.5' Lot 1, Block 59, Original Town	18.66

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Mead Bldg. Centers of G.I.	Lot 3; S 99' Lot 4, Block 59, Original Town	164.54
Mead Bldg. Centers of G.I.	N 33' Lot 4, Block 59, Original Town	168.49
Masonic Templecraft Assoc. of G.I.	Lot 5, Block 59, Original Town	251.74
Chanh Ty Ngo & My T Nguyen	E 23' W 46' Lot 6, Block 59, Original Town	179.77
Larry C. & Mary Ann Gerdes	W 23' Lot 6, Block 59, Original Town	178.83
Doax Investment Co.	E 20' Lot 6; W1/2 Lot 7, Block 59, Original Town	17.74
H & H Land Company	W 22' E1/2 Lot 7, Block 59, Original Town	176.64
H & H Land Company	E 11' Lot 7; Lot 8, Block 59, Original Town	508.62
CKP LLC	Lots 1 & 2, Block 60, Original Town	491.46
CKP LLC	Lot 3, Block 60, Original Town	116.42
Business Properties of Nebraska LLC	Lot 4, Block 60, Original Town	215.43
618 W 3 rd Street LLC	Lots 5 & 6, Block 60, Original Town	719.69
Doax Investment Co.	Lots 7 & 8, Block 60, Original Town	553.79
Daniel H. Eakes and Ronald L. Eakes, Trustees	Lots 1 & 2, Block 61, Original Town	773.55
Daniel H. Eakes and Ronald L. Eakes, Trustees	Lots 3 & 4, Block 61, Original Town	708.05
Tri-City Properties LLC	Lot 5, Block 61, Original Town	688.77
Jack L. Hansen	Lots 6, 7 & 8, Block 61, Original Town	791.42
Richard H. & Arlene M. Baasch	S 44' Lot 1, Block 62, Original Town	190.51
Cedar Street Properties LLC	N 88' Lot 1, Block 62, Original Town	502.60
Cedar Street Properties LLC	Lot 2, Block 62, Original Town	285.22
Alan D. Zwink	N 66' W 9' Lot 3; N 66' Lot 4, Block 62, Original Town	152.01
Vincent A. Moreno & Darren M. Moreno	S1/2 W 50' Lot 5, Block 62, Original Town	84.26
D & D Investments	N1/2 W 50' Lot 5, Block 62	235.21
Vogel Enterprises, Ltd.	E 16' Lot 5; W1/2 Lot 6, Block 62, Original Town	61.82
Vogel Enterprises, Ltd.	E1/2 Lot 6; W1/2 Lot 7, Block 62, Original Town	370.03
Old Sears Development, Inc.	Lots 1 & 2, Block 63, Original Town	1,118.20
Old Sears Development, Inc.	E2/3 Lot 3, Block 63, Original Town	358.58
Marlyn J. Miller	W1/3 Lot 3; E1/3 Lot 4, Block 63, Original Town	259.75
Monte C. & Sheri S. Hack	S 88' Lot 8, Block 63, Original Town	392.48
Maude E. Walters & Michael L. Walters	E1/3 Lot 1, Block 64, Original Town	386.10
Craig C. Hand	C1/3 Lot 1, Block 64, Original Town	148.67
Cosrec Enterprises	W1/3 Lot 1, Block 64, Original Town	190.76
Glade Inc.	E 44' Lot 2, Block 64, Original Town	266.78
Ivan P. & Sharon L. Walsh	W1/3 Lot 2, Block 64, Original Town	202.92
Double S Properties LLC	E1/3 Lot 3, Block 64, Original Town	185.42
Donald D. & Marilyn J. Mehring	W2/3 Lot 3, Block 64, Original Town	165.23

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Galen E. & Tamera M. Gerdes	Lot 4, Block 64, Original Town	876.39
Vicki L. Kissler	N 22' Lot 8, Block 64, Original Town	177.98
Terry N. & Susan M. Taylor	S1/2 N1/3 Lot 8, Block 64, Original Town	174.08
Laverne & Donna R. Shehein	N 44' S 88' Lot 8, Block 64, Original Town	181.26
Wayne E. & Ardith C. May	Lot 1, Block 65, Original Town	213.77
Thomas L. & Lois E. Nielsen	E1/3 Lot 2, Block 65, Original Town	163.77
Constance K. Swanson	C1/3 Lot 2, Block 65, Original Town	154.38
Archway Partnership	W1/3 Lot 2, Block 65, Original Town	242.46
Bartenbach Real Estate, LLC	E1/3 Lot 3, Block 65, Original Town	159.97
Janelle L. Brown	W1/3 Lot 3, Block 65, Original Town	140.21
Allen & Linda Hoffer	E1/3 Lot 4, Block 65, Original Town	282.81
Harriet K. Lambrecht	W2/3 Lot 4, Block 65, Original Town	176.56
J & B Rentals LLC	S 44' N1/2 Lot 5, Block 65, Original Town	229.37
Terry N. & Susan M. Taylor	N 22' Lot 5, Block 65, Original Town	134.16
JO Enterprises Inc.	S1/2 Lot 5, Block 65, Original Town	285.42
Steven L. & Barbara J. Fuller	W1/3 Lot 6, Block 65, Original Town	87.45
Scott B. & Sheri L. Arnold	E2/3 Lot 6, Block 65, Original Town	167.44
T. W. Ziller Properties LLC	W1/2 Lot 7, Block 65, Original Town	217.08
C & S Group LLC	N 55' E1/2 Lot 7; N 55' Lot 8, Block 65, Original Town	49.68
C & S Group LLC	Pt W 18.9' E1/2 Lot 7; N 29.9' E 14.1' Lot 7; W 29' C 22' E1/2 Lot 7, N 29.9' S 55' Lot 8 except N6' S31.1' E40' Lot 8, Block 65, Original Town	171.55
David J. Parmley	C 22' E 4' Lot 7; C 22' Lot 8, Block 65, Original Town	275.88
C & S Group LLC	S 25.1' Lot 8; N 6' of S 31.1' of E 40' Lot 8; and S 25.1' of E14.1' of Lot 7, Block 65, Original Town	221.45
James J. Berglund	Lots 1 & 2, Block 66, Original Town	1,202.09
Bonnie G. Koepke	S1/3 W1/3 Lot 3 (Except 17.5'), C1/3 Lot 3, Block 66, Original Town	251.16
John F. Vipperman, Arthur S. Wetzel	E1/3 Lot 3, Block 66, Original Town	228.60
James G. Duda	N 88' E1/3 Lot 4, Block 66, Original Town	235.05
J. Gary & Patricia M. Vejvoda	N 88' C1/3 Lot 4, Block 66, Original Town	291.75
Ben's Drug Store, Inc.	N 80' W1/3 Lot 4, Block 66, Original Town	117.54
The Retzler Development Group, LLC	Pt W 17.5' S 44' Lot 3; N 8' S 52' W 22', & S 44', Lot 4, Block 66, Original Town	206.32
Bartenbach Real Estate, LLC	Lot 5; W1/3 Lot 6, Block 66, Original Town	518.80
Bartenbach Real Estate, LLC	E2/3 Lot 6; W1/3 Lot 7, Block 66, Original Town	269.91
James E. & Mary Ann Keeshan	E2/3 Lot 7, Block 66, Original Town	274.59
Procon Management Inc.	Lot 8, Block 66, Original Town	3,108.29
Plaza Square Development LLC	S1/2 Block 67, Original Town	1,365.72
Steven P. & Vicki Rasmussen	W2/3 Lot 2, Block 68, Original Town	333.94

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S & V Investments, LLC	Lots 3 & 4, Block 68, Original Town	1,468.22
Plaza Square	Lot 5; W 22' Lot 6, Block 68, Original Town	126.50
Richard J. & Helen K. Strehle & Kimn A. & Gregory W. Peterson	E2/3 Lot 6; W6' Lot 7, Block 68, Original Town	180.45
Richard J. & Helen K. Strehle & Kimn A. & Gregory W. Peterson	E 60' Lot 7, Block 68, Original Town	261.28
Tim C. Plate	Lot 8, Block 68, Original Town	268.34
Wilhelm R. Gulzow	Lot 1, Block 77, Original Town	83.04
Donna M. Douthit	Lot 2, Block 77, Original Town	69.00
Donna M. Douthit	Lots 3 & 4, Block 77, Original Town	1,534.54
Equitable Building & Loan Assn	Lot 1, Block 79, Original Town	351.60
Equitable Building & Loan Assn	Lot 2, Block 79, Original Town	104.96
Equitable Building & Loan Assn	S 44' Lot 3; S 44' Lot 4, Block 79, Original Town	1,368.56
Equitable Building & Loan Assn	N 26' 10.5" Lot 8, Block 79, Original Town	26.94
Equitable Building & Loan Assn	S 17' 1.5" N 44' Lot 8, Block 79, Original Town	15.45
Equitable Building & Loan Assn	S 88' Lot 8, Block 79, Original Town	93.50
Thomas W., Joseph P. & Timothy R. O'Neill	E 22' Lot 4, W 22' of Lot 3, Block 80, Original Town	183.55
Thomas W. Joseph P. & Timothy R. O'Neill	W 44' Lot 4, Block 80, Original Town	132.66
David C. Huston	C1/3 Lot 8, Block 80, Original Town	263.19
Derek L. & Ruth E. Mitchell	S 44' Lot 8, Block 80, Original Town	247.37
Ronald E. & Sharon R. Trampe	W1/3 Lot 2, Block 81, Original Town	157.68
James S. & Precious A. Reed	C1/3 Lot 3, Block 81, Original Town	247.86
Ronald C. & Vada M. Krauss	W1/3 Lot 3, Lot 4, Block 81, Original Town	470.80
Walnut Street Partnership	Lot 5, Block 81, Original Town	442.38
Walnut Street Partnership	Lot 6, Block 81, Original Town	179.74
Wheeler Street Partnership	Lot 7; S2/3 Lot 8, Block 81, Original Town	869.01
Kent A. Schroeder and Donald L. Rathman, Trustees	N1/3 Lot 8, Block 81, Original Town	251.19
Gatehouse Media Nebraska Holdings Inc.	Lot 1, Block 82, Original Town	80.58
Gatehouse Media Nebraska Holdings Inc.	Lot 2, Block 82, Original Town	269.09
Gatehouse Media Nebraska Holdings Inc.	Lot 3, Block 82, Original Town	80.58
Gatehouse Media Nebraska Holdings Inc.	Lot 4, Block 82, Original Town	275.57
Gatehouse Media Nebraska Holdings Inc.	Lots 5, 6, 7 & 8, Block 82, Original Town	2,756.15
Grand Island Hospitality LLC	Lots 1 & 2, Block 83, Original Town	393.56
JOMIDA, Inc.	Lots 3 & 4, Block 83, Original Town	934.38
Eliseo & Jessica Calderon	N 60.35' Lot 5, Block 83, Original Town	168.87
J & B Rentals LLC	S 71.65' Lot 5, Block 83, Original Town	170.32
Tomas Mateo P & Isabel Domingo Agustin	W2/3 Lot 6, Block 83, Original Town	251.91

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Sylvia Perez	E1/3 Lot 6; Lot 7, Block 83, Original Town	288.88
Michael Owen & Sonya Kay Wooden	E 41' N 28' Lot 8, Block 83, Original Town	134.98
Michael Owen & Sonya Kay Wooden	Pt N1/3 S2/3 Lot 8, Block 83, Original Town	196.10
Frances Mae Gatzemeyer	Lot 1, Block 85, Original Town	502.54
Frances Mae Gatzemeyer	Lot 2, Block 85, Original Town	189.05
Contryman & Associates	Lots 3 & 4, Block 85, Original Town	479.83
G.I. Liederkrantz	Lots 1, 2, 3 & 4, Block 87, Original Town	296.13
Enviro-Clean Contractors Inc.	N 60' Fr Lots 1, 2 & 3, Block 89, Original Town	352.67
Gregory D. & Charlene A. Emery	E 51' 8" Lots 1, 2 and 3, Campbell's Subdivision	90.05
David T. & Patricia A. Schroeder	W 75'4" Lots 1, 2 & 3, Campbell's Subdivision	279.69
Hastings Grain Inspection Inc.	Lots 4, 5 & 6; N10' Lot 7, Campbell's Subdivision	167.53
Hastings Grain Inspection Inc.	S 12' Lot 7; Lot 8, Campbell's Subdivision	240.07
Two Brothers Inc.	32' x 127' Lot 9, Campbell's Subdivision	219.72
Edward A. & Jane A. Loeffler	N 14' Lot 3; S 26' Lot 2, Block 1, Hann's Addition	296.99
Stephen R. & Gladis M. Schuller	N 7' Pt Lot 4; S 43' Lot 3, Block 1, Hann's Addition	266.85
Miguel I. Delamora Morfin & Norma Zuniga	E 60' S 50' Lot 4, Block 1, Hann's Addition	225.36
Kathleen A. Campbell	W 67' S 50' Lot 4, Block 1, Hann's Addition	128.08
Marsh Properties LLC	S 5' Lot 2; Lot 3, Block 4, Hann's Second Addition	504.77
Tommy L. Ummel Jr.	Lot 2, Hann's Fifth Subdivision	187.40
Robert J. Mueller	Lot 1, Hann's Fifth Subdivision	121.41
Two Brothers Inc.	W 111' x 118', Block 5, Hann's Third Addition	455.21
Carlos A. Rosales-Monzon	N 52.5' E 91.9', Block 5, Hann's Third Addition	245.70
Larry E. Royle	E 56' W 174', Block 5, Hann's Third Addition	164.16
Linda L. Valenzuela	S 58.5' E 91.9', Block 5, Hann's Third Addition	237.03
Hoos Insurance Agency Inc.	Lot 4, Pt of Vac St, Block 97, Railroad Addition	276.63
Filemon Sanchez	N1/2 Lot 1, Block 98, Railroad Addition	22.50
Filemon Sanchez	S1/2 Lot 1, Block 98, Railroad Addition	291.14
Arvid C. Carlson	Lot 2, Block 98, Railroad Addition	116.21
Carolyn E. Kuehner	W1/2 Lot 3, Block 98, Railroad Addition	160.09
Lee Ann G. & Michael W. Schafer	E1/2 Lot 3, Block 98, Railroad Addition	175.15
Tim C. Plate	N 86' Lot 4, Block 98, Railroad Addition	93.50
Tim C. Plate	S 46' Lot 4, Block 98, Railroad Addition	170.68
Tim C. Plate	Lot 5, Block 98, Railroad Addition	522.01
Tim C. Plate	Lot 6, Block 98, Railroad Addition	232.38
Floriberto Sanchez Benitez	W 52' Lot 7, Block 98, Railroad Addition	211.97
Filemon Sanchez	E 14' Lot 7; Lot 8, Block 98, Railroad Addition	334.03
Lee Ann Vaclavek	Fr. Lot 1 & Fr. Lot 2, Block 105, Railroad Addition	119.79

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Fox Family LLC	Lot 3, Block 105, Railroad Addition	211.98
Lazendorf Holdings Limited Partnership	Lot 4, Block 105, Railroad Addition	380.55
Fox Family LLC	Lot 5; Fr. Lots 6 & 7, (except City), Block 105, Railroad Addition	1,008.55
Contryman & Associates	Lots 1 & 2, Block 106, Railroad Addition	374.35
Clifford Frymire & Larry Royle	Lot 3, Block 106, Railroad Addition	195.89
Guadalupe & Pedro Fernandez	Lot 4, Block 106, Railroad Addition	333.98
The Muffler Shop, Inc.	Lots 1 & 2, Block 107, Railroad Addition	367.99
The Muffler Shop, Inc.	Lots 3 & 4, Block 107, Railroad Addition	182.98
Joseph M. & Lori Jean Brown	S2/3 Lot 5, Block 107, Railroad Addition	340.48
Joseph M. & Lori Jean Brown	N1/2 Lot 5, Block 107, Railroad Addition	150.20
Charles E. & Mary A. Fox	Lot 6, Block 107, Railroad Addition	269.11
Charles E. & Mary A. Fox	Lot 7 (except N 60' E 22' & except E 29.54' S 71.50'), Block 107, Railroad Addition	196.30
David E. Janda, DDS PC	E 29.54' S 71.5' Lot 7 S 72' Lot 8, Block 107, Railroad Addition	316.32
Barbara J. Clinch	N 60' E 22' Lot 7, N 60' Lot 8, Block 107, Railroad Addition	266.20
Richard & Marilyn Fox	Lots 1 & 2, Block 108, Railroad Addition	476.25
Casey & Misti Williams	E 37' Lot 3, Block 108, Railroad Addition	201.44
Douglas Bookkeeping Service Inc.	W 29' Lot 3, Lot 4, Block 108, Railroad Addition	579.42
Donald J. & Janet L. Placke	S 88' Lot 5, Block 108, Railroad Addition	133.57
Donald J. & Janet L. Placke	N44' Lot 5, Block 108, Railroad Addition	77.75
Sam Huston Rev Living Trust	Lot 6, Block 108, Railroad Addition	185.46
Bosselman, Inc.	Lots 7 and 8, Block 108, Railroad Addition	578.54
David A. & Carolyn J. Gilroy	S 61' Lot 1; S 61' Lot 2, Block 109, Railroad Addition	203.61
Gregory T. & Gay L. Austin	N 71' Lot 1; N 71' Lot 2, Block 109, Railroad Addition	128.28
J&B Rentals, LLC	E 59.5' Lot 3, Block 109, Railroad Addition	140.57
J&B Rentals, LLC	W 6.5' Lot 3, E 52'11" Lot 4, Block 109, Railroad Addition	70.05
Roger L & Sharon K. McShannon	E 52'11" Lot 5, Lot 6, Block 109, Railroad Addition	216.19
LPB, LLC	Lots 7 & 8, Block 109, Railroad Addition	673.60
Margo Schager	Lot A, Gilbert's North Subdivision in part of Block 79, Original Town	157.57
Equitable Building & Loan Assn of G.I.	Lot B, Gilberts North Subdivision in part of Block 79, Original Town	164.55
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 102	147.61
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 103	215.38
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 104	529.30
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 201A	467.76

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Devco Investment Corporation	Yancey Condominium 301	101.48
Arvon J. & Luella M. Marcotte	Yancey Condominium 302	73.69
Thomas M. & Nita J. Farr	Yancey Condominium 303	104.82
William L. Zins	Yancey Condominium 304	96.58
Dudley D. & Diana K. Baxter	Yancey Condominium 401	74.90
Artvest III	Yancey Condominium 402	85.44
Artvest III	Yancey Condominium 403	82.04
Michael D. Jones	Yancey Condominium 404	135.67
Artvest III	Yancey Condominium 405	82.44
Troy D. & Celeste K. Johnson	Yancey Condominium 406	116.29
Wyndell F. & Barbara B. Fordham	Yancey Condominium 407	127.68
Eric D. Luce	Yancey Condominium 501	108.20
Artvest III	Yancey Condominium 502	87.82
Dudley D. & Diana K. Baxter	Yancey Condominium 503	82.10
Artvest III	Yancey Condominium 505	82.50
Robert A. Cieloha	Yancey Condominium 506	116.38
Kelvin Paul & Bonnie Diane Davis	Yancey Condominium 507	131.58
Artvest III	Yancey Condominium 601	75.63
Artvest III	Yancey Condominium 602	87.97
Colleen A. O'Neill Matthews	Donald Yancey Condominium 603	117.87
Thomas B. Clyne Rev Trust	Yancey Condominium 604	94.97
Artvest III	Yancey Condominium 605	82.59
Sharon Graves Lind	Yancey Condominium 606	81.69
Charmaine L. Arp	Yancey Condominium 607	123.42
Laura J. Johnson	Yancey Condominium 701	82.70
Artvest III	Yancey Condominium 702	88.09
Richard A. & Margaret A. Johnson	Yancey Condominium 703	82.34
Art N. & Jan L. Burtscher	Yancey Condominium 704	135.97
Michelle R. Rathjen	Yancey Condominium 705	90.84
Clifton J. Long, Sandra A. Thinnies	Yancey Condominium 706	81.46
Donald D. & Linda K. McQuown	Yancey Condominium 707	122.04
Artvest III	Yancey Condominium 801	75.78
Mapes & Co. Partnership	Yancey Condominium 802	88.17
Mapes & Co. Partnership	Yancey Condominium 803	96.40
Judy J. Arnett	Yancey Condominium 804	109.05
Wendy L. Alexander	Yancey Condominium 805	81.34
Jack L. Nelson	Yancey Condominium 806	66.47

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James F. Nissan Rev Trust	Yancey Condominium 901	75.81
Everett A. & Elaine S. Evnen	Yancey Condominium 902	88.23
Everett A. & Elaine S. Evnen	Yancey Condominium 903	96.46
Ann C. Atkins	Yancey Condominium 904	142.21
Tammy L. Dizmang	Yancey Condominium 905	94.59
Sharon Graves Lind	Yancey Condominium 906	144.75
Linda M. Todd	Yancey Condominium 1001	82.88
Dan & Chris Fogland	Yancey Condominium 1002	88.26
Jeremy S. & Jack L. Gillam	Yancey Condominium 1003	96.52
Ruth E. Megard, Trustee	Yancey Condominium 1005	103.16
John Patrick Tooley	Yancey Condominium 1101	83.00
Linda L. Clare Rev Trust	Yancey Condominium 1102	88.35
Lynn A. Buckley	Yancey Condominium 1103	73.91
Frank L. Hoelck Trust	Yancey Condominium 1104	148.19
Elizabeth W. Mayer	Yancey Condominium 1105	103.31
Elizabeth W. Mayer	Yancey Condominium 1106	177.00
Home Federal Savings & Loan Assn	Lot 3, Hann's 4 th Addition	1,817.94
Artvest III	Yancey Condominium 002	9.90
Artvest III	Yancey Condominium 001	25.37
Roxann T. Ellison	W 18.9' E 33' S 25.1' Lot 7, Block 65, Original Town	54.05
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 101	35.69
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 201B	56.53
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 201C	142.30
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 201D	108.54
Home Federal Savings & Loan Assoc. of G.I.	Pt Lots 1, 2, 3, 4 & 7; Lots 5 & 6; Pt Vac Alley, Block 89, Original Town	370.32
Eliseo & Jessica Calderon	Lot 2, Jensen Subdivision	92.53
TOTAL		86,689.36

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on September 23, 2008.

Margaret Hornady, Mayor

Attest:

RESOLUTION 2008-BE-6

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item E1

**Public Hearing on Request from Balz Banquet & Reception Hall,
Inc. dba Balz Banquet & Reception Hall, 213 North Sycamore
Street for a Class “C” Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: September 23, 2008

Subject: Public Hearing on Request from Balz Banquet & Reception Hall, Inc. dba Balz Banquet & Reception Hall, 213 North Sycamore Street for a Class “C” Liquor License

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

Presenter(s): RaNae Edwards, City Clerk

Background

Section 4-2 of the Grand Island City Code declares the intent of the City Council regarding liquor licenses and the sale of alcohol.

Declared Legislative Intent

It is hereby declared to be the intent and purpose of the city council in adopting and administering the provisions of this chapter:

- (A) To express the community sentiment that the control of availability of alcoholic liquor to the public in general and to minors in particular promotes the public health, safety, and welfare;
- (B) To encourage temperance in the consumption of alcoholic liquor by sound and careful control and regulation of the sale and distribution thereof; and
- (C) To ensure that the number of retail outlets and the manner in which they are operated is such that they can be adequately policed by local law enforcement agencies so that the abuse of alcohol and the occurrence of alcohol-related crimes and offenses is kept to a minimum.

Discussion

Balz Banquet & Reception Hall, Inc. dba Balz Banquet & Reception hall, 213 North Sycamore Street has submitted an application for a Class “C” Liquor License. A Class “C” Liquor License allows for the sale of alcohol on and off sale inside the corporate limits of the city.

This application would cover the south portion of the 1st floor and kitchen area, approximately 93' x 134' of what is known as the Eagles building. The Eagles Fraternal Order #378 would retain their current license for the basement area. Council action will take place under the Consent Agenda for a deletion of the 1st floor area from the Eagles liquor license.

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

Also included with the application was a request from James K. Jeffries, 40 Kuester Lake for a Liquor Manager designation.

Alternatives

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

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

Recommendation

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

Sample Motion

Move to approve the application of Balz Banquet & Reception Hall, Inc. dba Balz Banquet & Reception Hall, 213 North Sycamore Street for a Class "C" Liquor License contingent upon final inspections and the request from James K. Jeffries, 40 Kuester Lake for a Liquor Manager designation, contingent upon Mr. Jeffries completing a state approved alcohol server/seller training program.



INTEROFFICE
MEMORANDUM
Police Department

*Working Together for a
Better Tomorrow. Today.*

DATE: September 10, 2008

TO: RaNae Edwards, City Clerk

FROM: Dave Vitera, Sergeant, Police Department

RE: Application for Class "C" Liquor License – Balz Banquet & Reception Hall, Inc. dba Balz Banquet & Reception Hall; Application for Liquor Manager – James Jeffries

A liquor license application for Balz Banquet and Reception Hall and a copy of a liquor manager application for James Jeffries. Jeffrey Richardson is listed as the President of the corporation, and his wife Jane Richardson. Jane signed a "Spousal Affidavit of Non Participation."

I checked Spillman and NCJIS for all four subjects. None of them had an undisclosed violation in Spillman. Through NCJIS, I learned that Jeffrey had two undisclosed speeding violation convictions. James had one undisclosed speeding violation conviction.

On the application, it clearly asks "Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law, a violation of a local law, ordinance, or resolution." The "No" box was checked.

Jeffrey and James' failure to disclose their traffic convictions technically makes the application false according to the Nebraska Liquor Control Act (Part II Chapter 2 Section 010.01). The traffic convictions would fall under state law or local ordinance. Either way, the convictions are either an infraction or a misdemeanor that does not rise to the level of a Class I Misdemeanor in a specified crime under Nebraska State Statute Chapter 28 that would automatically nullify the liquor license.

The applicants should be cautioned about reading and filling out the application completely, but the Grand Island Police Department has no objection to the issuance of a liquor license for the Balz Banquet and Reception Hall and no objection to James Jeffries becoming the liquor manager.

DV/rkk *Dave Vitera*



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item E2

**Public Hearing on Request from Viaero Wireless for Conditional
Use Permit for Wireless Telecommunication Tower Located in the
600 Block on Stuhr Road, North of Bismark Road**

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig A. Lewis, Building Department Director

Meeting: September 23, 2008

Subject: Request from Chris Riha representing Viaero Wireless for Approval of a Conditional Use Permit to Construct a Telecommunication Tower at 595 S. Stuhr Road

Item #'s: E-2 & H-1

Presenter(s): Craig Lewis, Building Department Director

Background

This is a request to allow for the construction of a 90 foot lattice telecommunication tower at 595 S. Stuhr Road to facilitate their cellular service area. The property is currently zoned M-2, heavy manufacturing. The Grand Island Zoning Code requires that all telecommunication towers receive the approval of City Council in the form of a conditional use permit prior to construction.

The intent of the tower and telecommunication facilities and antenna regulations are to protect residential areas and land uses from the potential adverse impact of the installation of towers and antennas through careful design, siting, and camouflaging, to promote and encourage shared use/collocation of towers, and to ensure that towers and antennas are compatible with the surrounding land uses.

Discussion

The City code specifies eight items to be submitted with the application for a tower development permit, all of those items have been submitted, with the exception of;

1). the engineering of the tower and foundation design, and, 2). a building permit application for the proposed tower. It appears reasonable to delay the submittal of these two items until after the City Council has approved the location. At the time of a request for a building permit then the engineering for the construction needs to be submitted before a building permit would be issued.

Information attesting to a diligent effort to collocate with any towers within a one mile radius has been submitted by the applicant. There were two towers identified within the

one mile radius of the proposed site, one was the existing tower at City Hall and the other is a small tower at 636 S Shady Bend Road, neither tower would facilitate the applicants proposed needs.

There were two deficiencies noted in the application, one was the proposed tower height of 90' would require a setback of 45' and the proposed site to be obtained was only 94.5' in width. The tower height at the proposed site would be limited to 85' requiring a setback from adjacent property line of 40', which the proposed site could accommodate. The second issue was that code requires landscaping along Stuhr Road and the applicant has acknowledged the requirement and will include installation along with the development of the site.

An additional requirement to the development of this site will be the subdivision of this property as an independent lot. That subdivision will need to proceed through Regional Planning and later City Council approval.

Alternatives

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

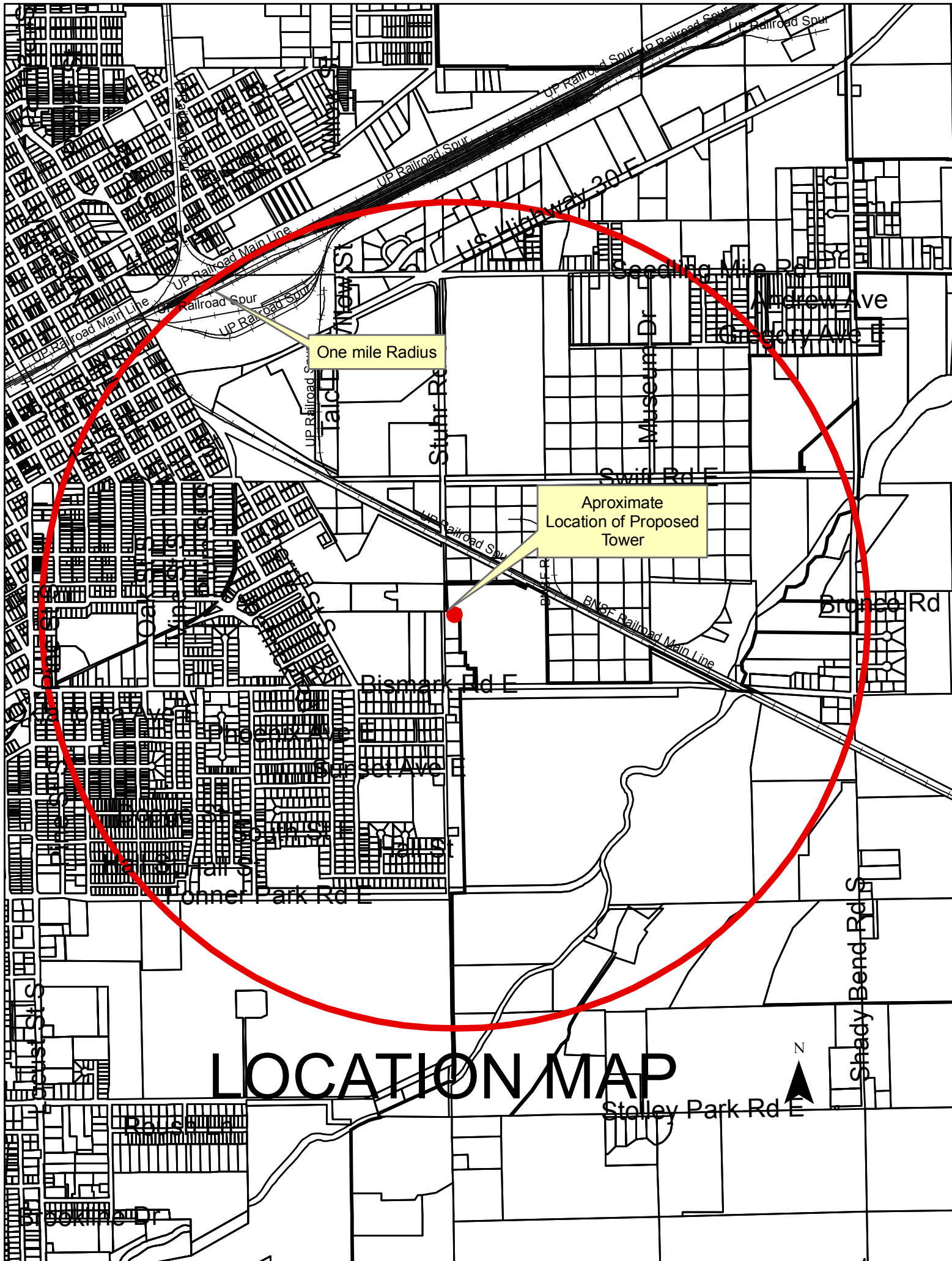
1. Approve the conditional use permit finding that the proposed use is a listed conditional use in the zoning code and that it will not be detrimental to public health, safety, and the general welfare of the community.
2. Disapprove or Deny the conditional use permit, finding that the proposal does not conform to the purpose of the zoning regulations.
3. Modify the conditional use 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 issue.

Recommendation

City Staff recommends that the Council approve the request for a conditional use permit to construct this telecommunication tower, finding that the request does promote 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 request for a conditional use permit as specified in the staff recommendation published in the Council packet and presented at the City Council meeting and finding that the application will conform with the purpose of the zoning regulations.







City of Grand Island

Tuesday, September 23, 2008

Council Session

Item E3

**Public Hearing on Request from USCOC Nebraska/Kansas LLC
for Conditional Use Permit for Construction of a 150'
Communication Tower and Equipment Shelter Located North of
Bismark Road and West of 2nd Road in Merrick County within
the Two Mile Zoning Juris**

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig A. Lewis, Building Department Director

Meeting: September 23, 2008

Subject: Request of Jesse Hernandez, representing USCOC Nebraska/Kansas LLC for Approval of a Conditional Use Permit to Construct a Telecommunication Tower at 440 2nd Road, Merrick, County

Item #'s: E-3 & H-2

Presenter(s): Craig Lewis, Building Department Director

Background

This is a request to allow for the construction of a 150 foot monopole telecommunication tower at 440 2nd Road, Merrick County to facilitate their cellular service area. The property is currently zoned AG-2 Secondary Agricultural. The Grand Island Zoning Code requires that all telecommunication towers receive the approval of City Council in the form of a conditional use permit prior to construction.

The intent of the tower and telecommunication facilities and antenna regulations are to protect residential areas and land uses from the potential adverse impact of the installation of towers and antennas through careful design, siting, and camouflaging, to promote and encourage shared use/collocation of towers, and to ensure that towers and antennas are compatible with the surrounding land uses.

Discussion

The City code specifies eight items to be submitted with the application for a tower development permit, all of those items have been submitted, with the exception of;

1). the engineering of the tower and foundation design, and, 2). a building permit application for the proposed tower. It appears reasonable to delay the submittal of these two items until after the City Council has approved the location. At the time of a request for a building permit then the engineering for the construction needs to be submitted before a building permit would be issued.

Information attesting to a diligent effort to collocate with any tower within a one mile radius has been submitted by the applicant. There were two tower locations noted within the one mile radius, one was approved by the City Council at 329 S. Gunbarrel Road on July 27, 2005, that tower was never constructed and the permit for construction was canceled on January 18, 2007. The second is a small tower on Bismark Road that does not meet the needs of the applicant.

The location of this proposal does not appear to create any negative impact on the neighboring properties.

Section 36-177 addresses landscaping for tower sites and states that all tracts on which towers are located shall be subject to landscape requirements of the City code but as this property is in an agricultural zone landscaping does not appear appropriate.

Alternatives

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

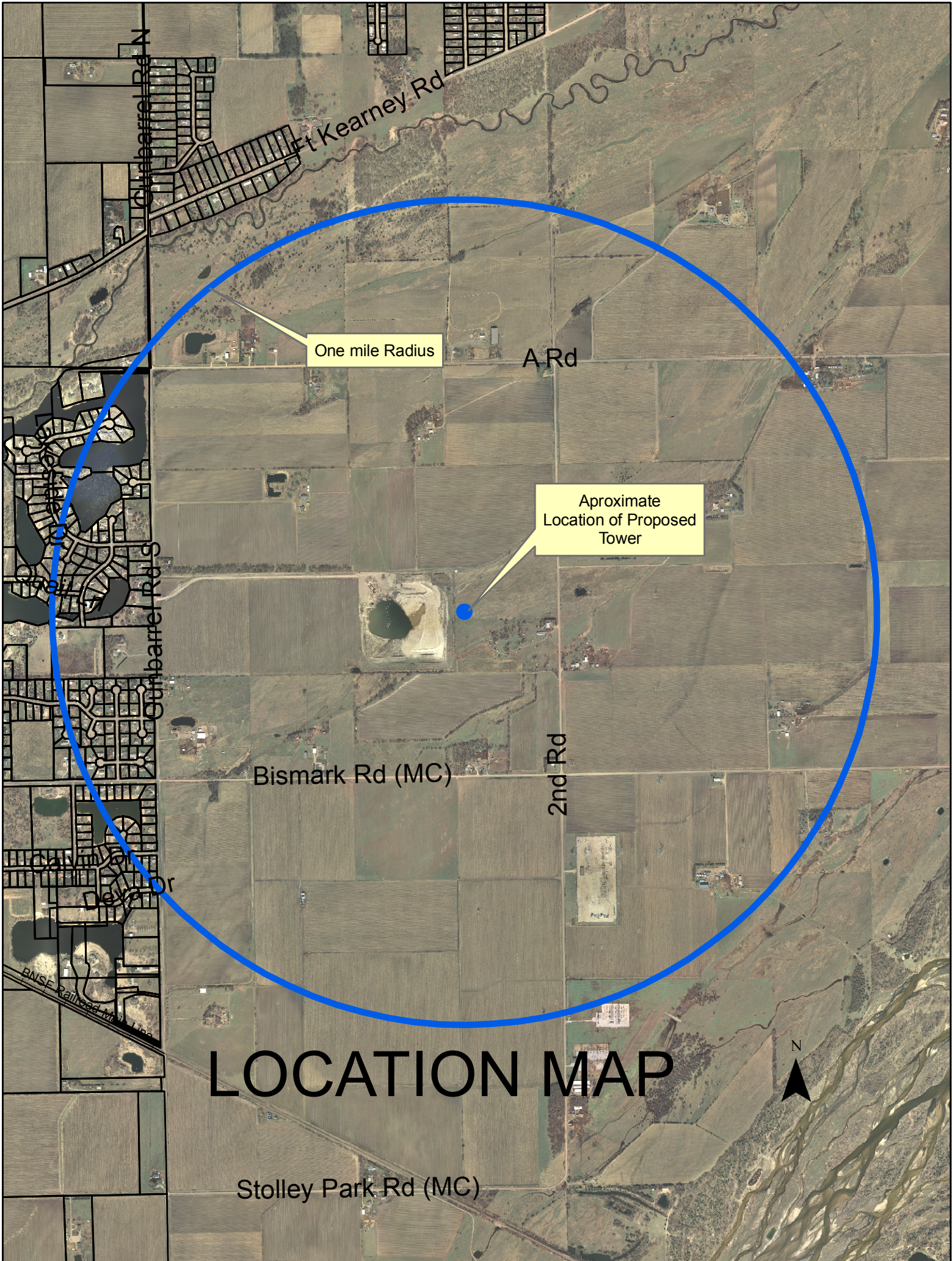
1. Approve the request for a conditional use permit finding that the proposed use is a listed conditional use in the zoning code and that it will not be detrimental to public health, safety, and the general welfare of the community.
2. Disapprove or Deny the conditional use permit, finding that the proposal does not conform to the purpose of the zoning regulations.
3. Modify the conditional use 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 issue.

Recommendation

City Staff recommends that the Council approve the request for a conditional use permit to construct this telecommunication tower, finding that the request does promote 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 City Council meeting and finding that the application will conform with the purpose of the zoning regulations.



One mile Radius

A Rd

Aproximate
Location of Proposed
Tower

Bismark Rd (MC)

2nd Rd

LOCATION MAP

N

Stolley Park Rd (MC)

Gunbarrel Rd N

Gunbarrel Rd S

Calmar Ave
Deva Dr

BNSF Railroad



SHIVE HATTERY

Cedar Rapids, IA • Iowa City, IA • Des Moines, IA
Moline, IL • Bloomington, IL • Chicago, IL

808762-0

Grand Island
West Elevation - After
New 150' Monopole and Drive



U.S. Cellular

855520



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item E4

Public Hearing on Acquisition of Approximately 6.8 Acres of Real Estate for Future Park Development Located Immediately North of the 3700 Block of Norseman Avenue (Niedfelt Property Management, LLC)

Staff Contact: Steve Paustian

Council Agenda Memo

From: Steve Paustian, Parks and Recreation Director

Meeting: September 23, 2008

Subject: Acquisition of Real Estate from Niedfelt Property Management LLC for Future Park Development

Item #'s: E-4 & G-8

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

Background

The Park and Recreation Department has an obligation to the citizens of Grand Island to provide quality and accessible parks for their use. Over the years the City has provided Parks for its citizens throughout the community. With the population growth to the west of Highway 281 it has become time to serve these new residents with accessible park land as well. In 1996 a Park and Recreation Master Plan was developed, in this plan was a discussion regarding the need for the development of new parks as new areas of the City developed (see attachments).

Discussion

The Park and Recreation Department has been searching for land for Park development west of the Hwy 281 corridor for several years. Niedfelt Property Management LLC has started a housing development called Sterling Estates west of Hwy 281 and between Capital and State Streets. Within this development, plans have been made for the development of a neighborhood Park. This approximately 6.8 acre parcel is located in an area that is identified by the Park Master Plan as a desired location for a neighborhood park. The Park will also provide access to a hike/bike trail that is currently competing for grant funding, to be constructed just east of the subdivision (see subdivision drawing). The negotiated price for the land in question is \$13,000.00 per acre. This amount is consistent with recent real estate sales of neighboring properties. The price also includes the earthwork necessary to develop the park. Actual development of the Park will take several years as funds will need to be budgeted to develop it. Park development should take place as the subdivision develops around it.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the purchase of land from Niedfelt Property Management LLC.

Sample Motion

Move to enter into a purchase agreement with Niedfelt Property LLC for the purchase of land for future Park development.

THE DISTRIBUTION OF PARKS SERVICE AREAS

Having determined that the amount of park acreage is generally adequate, at least for current needs, the second question is, "Are the parks located so as to be accessible to each neighborhood and the population in general?"

By superimposing a service radius of each park type we can see whether portions of the City fall outside the resulting coverage areas.* As can be seen from the following maps, the Community Parks provide reasonably good coverage of the developed portions of the City. With regard to Neighborhood Parks, the distribution is not as complete — there are areas of overlap and other areas with low accessibility to Neighborhood parks.

School playgrounds often serve as neighborhood parks, too, insofar as play equipment and play fields or open turf are available to the public. In Grand Island, the school facilities have not been designed with neighborhood functions in mind, and therefore in some cases the facilities are not of comparable quality to that of the City's parks. Nevertheless, in many areas school grounds are the only available resource for neighborhood park facilities.

Similarly, many detention cells fulfill at least the playground and open turf functions of neighborhood parks. Since they have fewer facilities, and serve a younger age, people will not walk as far to use them and they are presumed to have a smaller service area. Nevertheless, they do serve a *partial* neighborhood park function.

A second neighborhood map is included that illustrates the neighborhood park coverage that would result if school facilities and detention cell mini-parks are included.

Therefore, even though today's population is reasonably well-served with park *acreage*, to provide parks *convenient* to all neighborhoods and meet the needs of future growth will require creative use of all of the City's resources, including:

- Utilization and upgrading of the many small, City-owned parcels (including detention cells) scattered throughout the community
- Capture all possible land through land dedication as new developments are subdivided
- Cooperative improvement of public school lands
- Where possible, and when other remedies are not available, purchase vacant land for parks

*Since District Parks serve the whole City, the service areas have not been mapped.

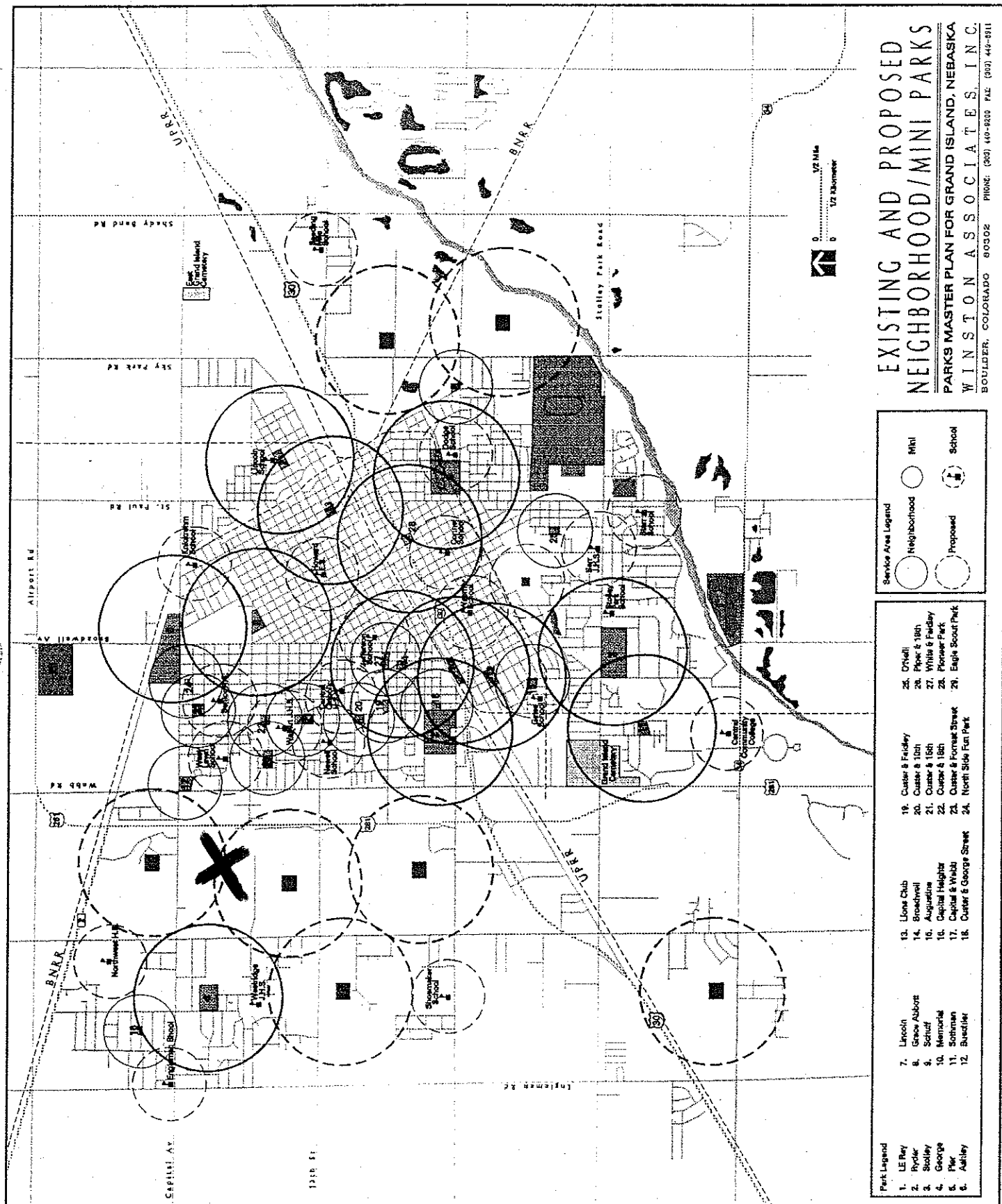


Figure 83: Map of Existing and Proposed Neighborhood/Mini Parks

X - PROPOSED PURCHASE

Trail Constructed
By City Completion
Dated December 2008

New Park/Subdivision
Development

Trail to be
Constructed with
This Grant Funding

Existing
State St./ Shoemaker Trail



REAL ESTATE PURCHASE AGREEMENT

This Real Estate Purchase Agreement is made by and between Niedfelt Property Management, LLC, as Seller, and the City of Grand Island, as Buyer.

The Property to be purchased is a tract of land of approximately 6.8 acres located in Center Township in Hall County and described as;
A portion of the Northwest Quarter (NW ¼) of Section 12, Township 11 North, Range 10 West in Hall County, NE, described as:

Outlot "A" Future Park; a strip of Block 9 between Lots 20 & 21; and a strip between Block 8 Lot 26 & Block 10 Lot 26
(See attached preliminary plat)

1. Buyer agrees to pay **Thirteen thousand dollars and no cents (\$13,000.00) per acre**, on the following terms: Balance to be paid in full with certified funds **at closing**.

2. The above price to include the following personal property: **None**

3. In the event any contingency to this contract has not been eliminated or satisfied within the time limits and pursuant to the provisions hereof, Buyer may elect to waive the specific contingency by written notice of such waiver to Seller. In the event Buyer does not waive the contingency, the contract resulting from Seller's acceptance hereof shall be deemed null and void and the earnest money deposit shall be returned to Buyer.

4. This document constitutes an offer to sell the Property. In the event this offer is not accepted by Buyers on or before _____ at **5:00 o'clock p.m.**, this offer shall be deemed revoked and the deposit shall be refunded to Buyer. In the event this offer is accepted, this contract shall close on _____, or earlier date by mutual agreement. Closing of the sale may be handled by an escrow agent to achieve an insured Closing. Closing costs charged by the escrow agent for an Insured Closing shall be paid **50/50 by Seller and Buyer**.

5. Seller shall deliver to Buyer at closing, a Warranty Deed conveying marketable title warranting the Property to be free and clear of all liens, mortgages, encumbrances, and other restrictions, except for covenants and easements of record, current real estate taxes not yet due and payable, and the following encumbrances: **Liens, easements and restrictions of record**.

Seller shall deliver to Buyer at closing, a Bill of Sale warranting all personal property to be free and clear of mortgages, security interest, agreements, liens, encumbrances, and charges of any kind except the following: **None**.

6. As soon as reasonably possible following the acceptance of this offer, Seller shall furnish to Buyer a preliminary title commitment covering the Property. Buyer shall have 10 days after receipt of said preliminary title commitment within which to notify Seller, in writing of Buyer's disapproval of any exceptions shown in the preliminary title commitment. In event of such disapproval, Seller shall have until closing to cure any disapproved exceptions from the policy of title insurance to be issued in favor of Buyer. In the event Seller is unable to remove any disapproved exception this agreement may be terminated in writing at Buyer's option. If terminated by Buyer, all monies or deposits paid by Buyer shall be refunded and there shall be no further obligation of either party. The failure of Buyer to disapprove title within the above time limits shall be deemed an approval of the quality of title reflected in the preliminary title commitment with exceptions.

7. Seller shall provide Buyer with a standard coverage owner's policy of title insurance for each parcel conveyed, insuring title to the Property to Buyer in the amount of the selling price, less the value allocated to personal property. Cost of said title insurance to be paid **50/50 by Seller and Buyer**.

8. Possession of the Property shall be delivered to Buyer **on Closing**, subject to the following leases and tenancies: **None**.

9. Real estate taxes for calendar year 2008 which are due in April 2009 and August 2009 shall be paid by the Buyer and the Seller on a prorated basis based on the number of days before and after the closing date in the calendar year..

10. The risk of loss to the Property shall remain with Seller to and including the date of closing.

11. If Seller defaults under this agreement, Buyer shall be entitled to such remedies as Buyer may have at law or equity including the right to specific performance. If Buyer defaults under this agreement, Seller shall have the right to cancel this agreement.

12. Buyer acknowledges that he/she has inspected the subject property and has relied solely upon his/her own judgment. Buyer and Seller each acknowledge that this agreement, when signed, becomes a **LEGALLY BINDING CONTRACT**.

13. If any provision of this agreement is declared void or unenforceable, such provisions shall be deemed severed from this agreement, which shall otherwise remain in full force and effect. This agreement may be executed in any number of counterparts; all such counterparts shall be deemed to constitute one in the same instrument and each of said counterparts shall be deemed an original hereof.

14. This agreement shall be binding on and inure to the benefit of the parties hereto and their respective successors in interest and assigns, but in no event shall any party be relieved of its obligations hereunder by assignment to another party without the express written consent of the other party.

15. Time is of the essence of this agreement and each and every provision hereof. Any extension of time granted for the performance of any duty hereunder shall not be considered an extension of time for the performance of any other duty under this agreement. The failure of any party to exercise any right arising out of a breach of this agreement shall not be deemed a waiver of any right with respect to a subsequent or a different breach or the continuance of any existing breach. This agreement represents the entire agreement of the parties with respect to the subject matter hereof and all prior agreements are revoked and superseded by this agreement. No representations, warranties, inducements, or oral agreements have been made by any of the parties except as expressly set forth herein or in other contemporaneous written agreements. This agreement may not be changed, modified, or rescinded except in writing, signed by all parties hereto and any attempt at oral modification of the agreement shall be void and of no effect. Buyer acknowledges that this agreement is not binding until accepted by Seller. Upon execution by Seller, this agreement shall become a binding contract.

16. All notices and other communications given hereunder shall be in writing and shall be delivered personally or sent by registered mail, addressed to Buyer or Seller as below. The undersigned Seller accepts and agrees to sell the Property on the above terms and conditions. The undersigned acknowledges receipt of a copy of this agreement.

17. It is acknowledged and accepted by the Buyer that the subject property is located within the **Central Platte Natural Resources District** and may be subject to water pumping restrictions and certified irrigated acres.

18. Additional: **A) All owned oil, gas, and mineral rights pass to Buyer**

19. Other Provisions: Buyer is responsible for prorate share of sewer connection fees which transfers to buyer with the property.
The price per acre established in this agreement is a discounted price.

_____ Buyer	_____ Date	_____ Seller: Niedfelt Property Mgmt. LLC	_____ Date
----------------	---------------	--	---------------

_____ Buyer	_____ Date
----------------	---------------

_____ Address	_____ Address
------------------	------------------

_____ City	_____ State	_____ Zip	_____ City	_____ State	_____ Zip
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_____ Phone	_____ Phone
----------------	----------------

RECEIPT OF DEPOSIT Received from _____ the sum of _____ dollars (\$ _____) to
apply to the purchase of the property, or as otherwise provided herein.

Earnest Deposit Holder: _____

By: _____
Date _____



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item E5

**Public Hearing Concerning Acquisition of Utility Easement - 1812
Mansfield Road - Engleman Elementary School - School Dist. of
Grand Island**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: September 23, 2008

Subject: Acquisition of Utility Easement – 1812 Mansfield Road
– Engleman Elementary School – School District of
Grand Island

Item #'s: E-5 & G-11

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

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of the School District of Grand Island, located at the new Engleman Elementary School, 1812 Mansfield Road (previously the Westridge Middle School), in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair public utilities and appurtenances, including water mains and fire hydrants.

Discussion

This easement will be used to place water main and a fire hydrant on school property by the Grand Island School District. After completion of all required testing, the School District will turn the system over to the City of Grand Island to maintain as part of the total water system. The easement allows legal access by the Utilities Department.

Alternatives

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

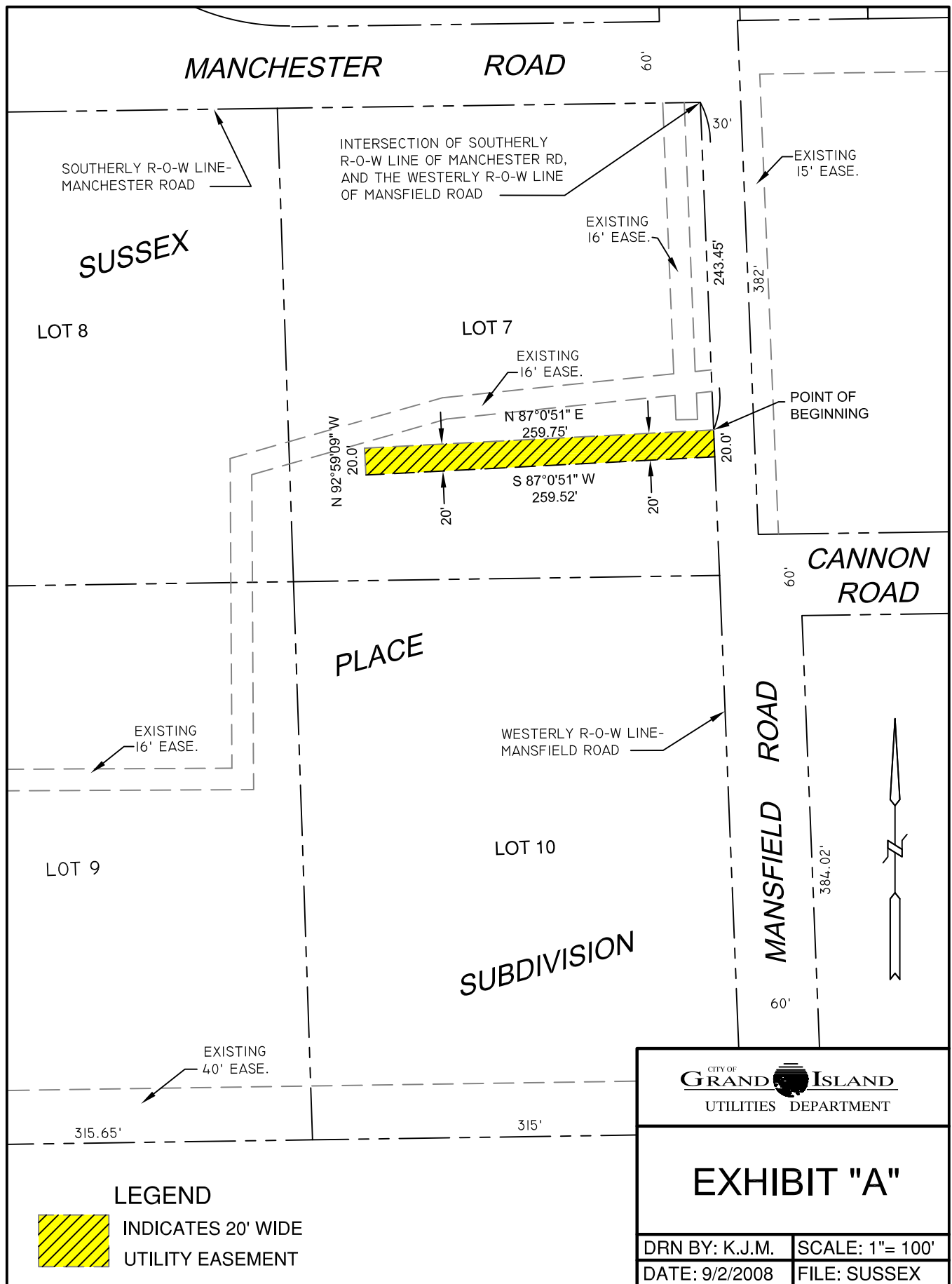
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, September 23, 2008

Council Session

Item E6

**Public Hearing Concerning Acquisition of Utility Easement - 1116
W. Oklahoma - Lot One, Preisendorf Subdivision - O'Neill**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: September 23, 2008

Subject: Acquisition of Utility Easement –1116 West Oklahoma Avenue – Lot 1 Preisendorf Subdivision – Thomas and Jill O'Neill

Item #'s: E-6 & G-12

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

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Thomas and Jill O'Neill located behind 1116 West Oklahoma Avenue (Lot 1, Preisendorf Subdivision), in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

This easement will be used to place underground electrical cable and a pad-mounted transformer on the lot line between 1104 and 1116 West Oklahoma Avenue. The transformer will provide three phase electric service to both properties. The total easement, of which this acquisition is half, will be 25 ft. by 20 ft.

Alternatives

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

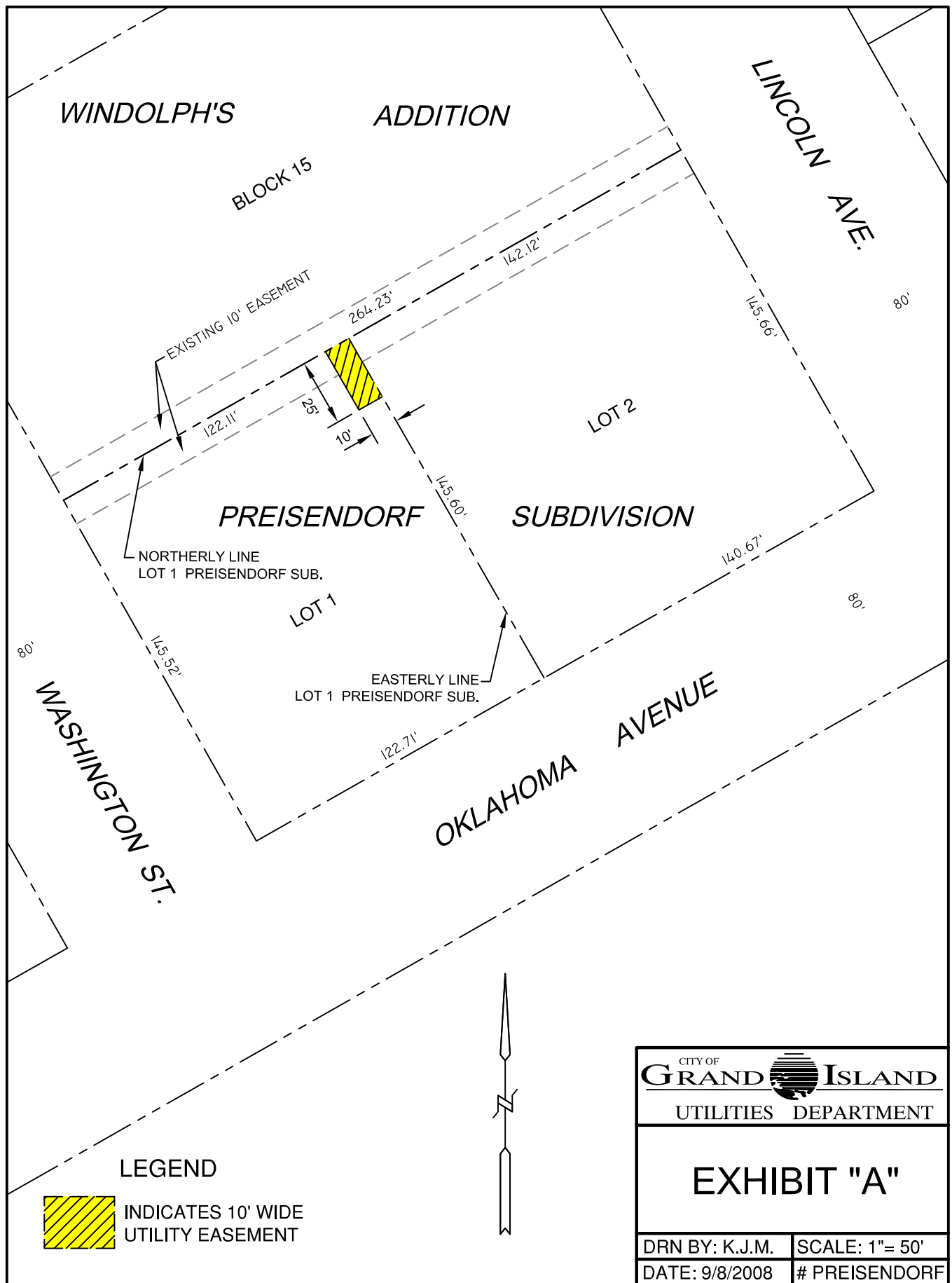
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve acquisition of the Utility Easement.



<p>CITY OF GRAND ISLAND UTILITIES DEPARTMENT</p>	
<p>EXHIBIT "A"</p>	
DRN BY: K.J.M.	SCALE: 1" = 50'
DATE: 9/8/2008	# PREISENDORF



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item E7

**Public Hearing Concerning Acquisition of Utility Easement - 1104
W. Oklahoma - Lot Two, Preisendorf Subdivision - O'Neill**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: September 23, 2008

Subject: Acquisition of Utility Easement – 1104 West Oklahoma Avenue – Lot 2 Preisendorf Subdivision – Thomas and Jill O'Neill

Item #'s: E-7 & G-13

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

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Thomas and Jill O'Neill located behind 1104 West Oklahoma Avenue (Lot 2, Preisendorf Subdivision), in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

This easement will be used to place underground electrical cable and a pad-mounted transformer on the lot line between 1104 and 1116 West Oklahoma Avenue. The transformer will provide three phase electric service to both properties. The total easement, of which this acquisition is half, will be 25 ft. by 20 ft.

Alternatives

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

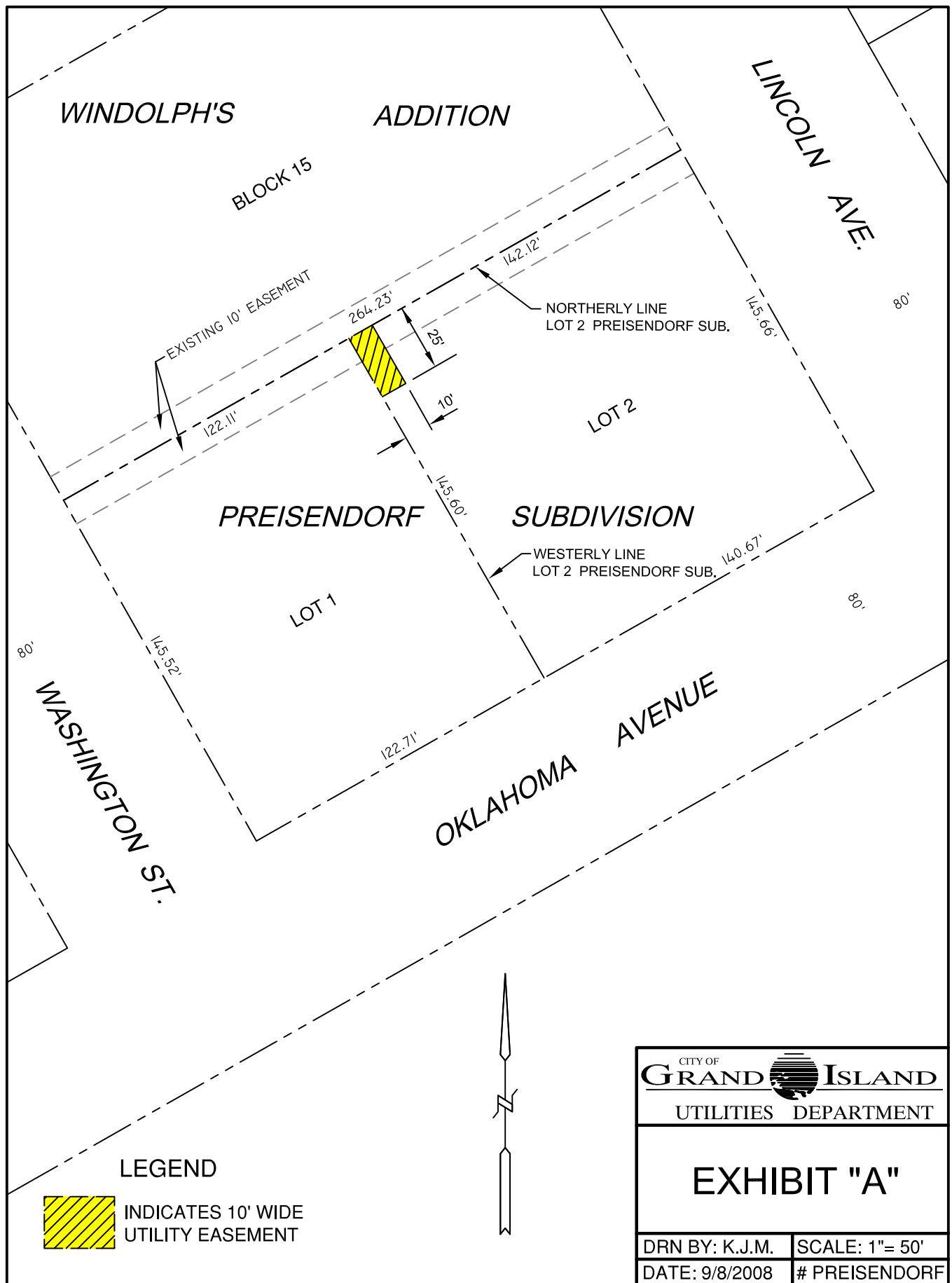
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve acquisition of the Utility Easement.



<p>CITY OF GRAND ISLAND UTILITIES DEPARTMENT</p>	
<p>EXHIBIT "A"</p>	
DRN BY: K.J.M.	SCALE: 1" = 50'
DATE: 9/8/2008	# PREISENDORF



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item F1

**#9190 - Consideration of Assessments for Business Improvement
District #4, South Locust Street from Stolley Park Road to Fonner
Park Road**

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

Staff Contact: David Springer

ORDINANCE NO. 9190

An ordinance to assess and levy a special tax to pay the 2008-2009 revenue year cost of Business Improvement District No. 4 of the City of Grand Island, Nebraska; to provide for the collection of such special tax; to repeal any provisions of the Grand Island City Code, ordinances, or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts, and parcels of land, specially benefited, for the purpose of paying the 2008-2009 revenue year cost of Business Improvement District No. 4 of the City of Grand Island, as adjudged by the Council of the City, sitting as a Board of Equalization, to the extent of benefits accruing thereto by reason of such Business Improvement District, after due notice having been given thereof as provided by law; and a special tax for such 2008-2009 revenue year cost is hereby levied at one time upon such lots, tracts and lands as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Michael J. & Mandy Westerby	Part of Lot 1, Janisch Subdivision	599.80
Niels C. McDermott	Lot 1 (except E 10'), Brownell Subdivision	249.90
Wiltgen Corp. II	Lot 5, Kirkpatrick Subdivision	352.75
Wiltgen Corp. II	Lot 6, Kirkpatrick Subdivision	347.45
Giomaha LLC	Part of Lot 1 (except City), Labelindo Second Subdivision	1,397.90
James Scott Zana, Trustee	Part of Lot 1, R & R Subdivision	703.60
Fontenelle Oil Co. #210	E½S½ of Block 9 (except City), Pleasant Home Subdivision	701.90
Locust Street LLC	Block 16 (except City), Pleasant Home Subdivision	1,397.75
M & W Investment Co.	Part of Lots 1 & 2, Roepke Subdivision	771.70
M & W Investment Co.	Part of Lot 1, Roepke Second Subdivision	227.50

ORDINANCE NO. 9190 (Cont.)

Edwards Building Corp.	Lot 1 (except City), Fonner Subdivision	749.70
Grand Island Associates, LLC	Lot 1, Fonner Fourth Subdivision	2,449.75
5500 L Street Properties Co.	Lot 5 (except City), Fonner Second Subdivision	999.30
5500 L Street Properties Co.	Lot 6 (except City), Fonner Second Subdivision	2,000.75
Three Circle Irrigation Inc.	Part of Lot 1 & Part of Lot 3, Fonner Third Subdivision	1,699.15
Edwards Building Corp.	Replatted part of Lot 3, Fonner Third Subdivision	700.00
Kenneth W. & Rosemary Staab	Part of the SE¼SE¼ of 21-11-9 (except City)	259.90
GIPH Restaurants LLC	Part of SE¼SE¼ of 21-11-9 (except City)	675.45
Michael J. & Carey M. Reilly	Lot 1, JNW Subdivision	770.00
Edwards Building Corp.	Lot 1, JNW Second Subdivision	829.15
Sax Pizza of America, Inc.	Lot 2 (except City), Sax's Subdivision	540.45
Cindy Braddy	Part of SE¼SE¼ of 21-11-9 (except City)	676.35
Arec 7, LLC	Part of SE¼SE¼ of 21-11-9 (except City)	999.90
Sax Pizza of America, Inc.	Lot 1 (except City), Sax's Subdivision	623.45
Michael O. Toukan	Lot 3, Goodwill Fifth Subdivision	592.70
Michael O. Toukan	Lot 2, Goodwill Fifth Subdivision	328.50
Hall County Livestock Improvement Association	Part of SW¼SW¼ & Part NW¼SW¼ (except city) of 22-11-9	1,657.20
Byco Real Estate LLC.	Part of Lot 2, R & R Subdivision	696.75
Preferred Enterprises LLC	Part of Lot 2 (except City), Fonner Fourth Subdivision	750.05
TOTAL		24,748.75

SECTION 2. The special tax shall become delinquent in fifty (50) days from date of this levy; the entire amount so assessed and levied against each lot or tract may be paid within fifty (50) days from the date of this levy without interest and the lien of special tax thereby satisfied and released. After the same shall become delinquent, interest at the rate of fourteen percent (14%) per annum shall be paid thereon.

SECTION 3. The city treasurer of the City of Grand Island, Nebraska, is hereby directed to collect the amount of said taxes herein set forth as provided by law.

SECTION 4. Such special assessments shall be paid into a fund to be designated as the "Business Improvement District No. 4".

ORDINANCE NO. 9190 (Cont.)

SECTION 5. Any provision of the Grand Island City Code, any ordinance, or part of an ordinance in conflict herewith is hereby repealed.

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

Enacted: September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item F2

**#9191 - Consideration of Assessments for Business Improvement
District #6, Second Street**

This item relates to the aforementioned Board of Equalization Item D-2.

Staff Contact: David Springer

ORDINANCE NO. 9191

An ordinance to assess and levy a special tax to pay the 2008-2009 revenue year cost of Business Improvement District No. 6 of the City of Grand Island, Nebraska; to provide for the collection of such special tax; to repeal any provisions of the Grand Island City Code, ordinances, or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts, and parcels of land, specially benefited, for the purpose of paying the 2008-2009 revenue year cost of Business Improvement District No. 6 of the City of Grand Island, as adjudged by the Council of the City, sitting as a Board of Equalization, to the extent of benefits accruing thereto by reason of such Business Improvement District, after due notice having been given thereof as provided by law; and a special tax for such 2008-2009 revenue year cost is hereby levied at one time upon such lots, tracts and lands as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Millennium Management Group	Lot 5 (except State), Block 18, Arnold & Abbott's Addition	400.38
J.J.A. Holdings LLC	Lots 6, 7 & 8 (except State), Block 18, Arnold & Abbott's Addition	1,187.76
JBWS Property Group, LLC	Lot 2 (except State ROW), Block 20 (CO MP Railroad Addition), Arnold & Abbott's Addition	398.04
GIPH Restaurants, LLC	E 60' of Lot 3 (except state ROW), Block 20, Arnold & Abbott's Addition (Comp. Fr. Lot 4 County Subdivision 16-11-9)	357.12
GIPH Restaurants, LLC	W 6' of Lot 3, all of Lot 4 (except State ROW), Block 20, Arnold & Abbott's Addition (Comp. Fr Lot 4 County Subdivision 16-11-9)	436.38
1203 Partnership	Lot 1 (except State ROW) & all Lot 2, Block 3, Arnold Place	791.04

ORDINANCE NO. 9191 (Cont.)

Apfel-Butler-Geddes Funeral Home, Inc.	Lots 3 & 4 (except state), all Lot 5, & W1/3 Lot 6, Block 4, Arnold Place	792.60
Brian J. & Lori A. McMahon	Part of Lot 6 & Part W½ of Lot 7, Block 10, Baker's Addition	486.90
David H. & Marilyn E. Watkins, Trustees Watkins Family Trust	Part E½ Lot 7, Block 10, Baker's Addition	150.66
David H. & Marilyn E. Watkins, Trustees Watkins Family Trust	Part of Lot 8, Block 10, Baker's Addition	315.36
David H. & Marilyn E. Watkins, Trustees Watkins Family Trust	Part of Lot 9, Block 10, Baker's Addition	308.88
Andy A. Hogeland	N 128.84' of Lot 10, Block 10, Baker's Addition	325.20
RSI, Inc.	Lots 1, 2, 3, 4, 5, 8, 9 & 10 & E½ of Lot 7 (except State), Block 11, Baker's Addition	1,099.86
Elm Real Estate LC	Lot 6 & W½ of Lot 7 (except State), Block 11, Baker's Addition	483.84
Victoria Land Partners LP	Lots 5, 6, 7, 8 & 9 (except State), Block 12, Baker's Addition	1,584.78
Meme Saycocie	N 90.5' of Lot 1 (except State). Block 14, Baker's Addition	324.24
Tina M. Royle	Lot 2 (except State), Block 14, Baker's Addition	311.82
Kelly Samson & Brandy K. Wright	Lot 3 (except State), Block 14, Baker's Addition	311.46
J & B Rentals, LLC	Lot 4 (except State), Block 14, Baker's Addition	308.88
Rebecca R. Shuman	N½ of Lot 5 (except State), Block 14, Baker's Addition	325.20
Sinclair Marketing, Inc.	Lots 1, 2 & 3, Block 15, Baker's Addition	945.90
Robert V. & Bonnie Clark	Lot 4 (except State), Block 15, Baker's Addition	308.88
Daffodil, LLC	Lot 5 (except State), Block 15, Baker's Addition	325.20
Daffodil, LLC	Lots 1, 2, 3, 4 & 5 (except City), Block 16, Baker's Addition	1,580.52
Robert M. Wagner, Trustee Woodward Family Trust	Lots 1 & 2, Block 17, Baker's Addition	634.62
Robert M. Wagner, Trustee Woodward Family Trust	Lot 3, Block 17, Baker's Addition	311.82
Michael & Ralisa Leaman	Lots 4 & 5, Block 17, Baker's Addition	634.98
Cleo E. Albright	W 20' of Lot 6 & all Lot 5 (except State ROW), Block 10, Kernohan & Decker's Addition	521.16
Fontenelle Oil Co. #114	Lots 7 & 8 & E 46' of Lot 6 (except State ROW), Block 10, Kernohan & Decker's Addition (Comp. Part Lots 7 & 8, Block 4, Spaulding & Gregg's)	1,062.78
Grand Island Properties, Brian Rourke	N½ of Lot 1, Lots 2, 3, 4, 5, 6 & 7, Part Vac Alley & Part Vac Street (except S 10' to City), Block 11, Kernohan & Decker's Addition	1,422.72

ORDINANCE NO. 9191 (Cont.)

John D. & Sallie S. Folsom	Lot 8 (except ROW), Block 11, Kernohan & Decker's Addition	395.04
Grand Island Properties, Brian Rourke	Block 12 & W 40' of Vac Monroe Street (except City & State), Kernohan & Decker's Addition	1,826.88
Nasan, LLC	Lots 1, 2, 3 & 4 & Part Lots 5, 6 & 7 & Part Vac Alley, Block 13, Kernohan & Decker's Addition	1,184.82
Five Points Bank	Part Lot 8 & Part Vac Alley, Block 13, Kernohan & Decker's Addition	396.90
Merleen Johnson, Trustee Robert J. Johnson Trust	W 26' of Lot 7 & E 33' of Lot 6 (except State), Block 14, Kernohan & Decker's Addition	354.00
Real Estate Group of G.I., Inc.	W 33' of Lot 6, Block 14 (except State) (Comp. Block 41, Packer & Barr's Second Addition)	200.64
Merleen Johnson, Trustee Robert J. Johnson Trust	Lot 8 & E 40' of Lot 7 (except State ROW), Block 14, Kernohan & Decker's Addition	630.84
First Federal Savings & Loan Association of Lincoln	Fr Lots 1, 2, 3 & 4 (except State ROW), Block 15, and Vac Alley (Comp. Charles Wasmer's Add. Fr Lots 2 thru 4 & Lots 6 thru 10, Block 2 & Vac David H. & Marilyn E. Watkins, Trustees Watkins Family Trust Alley)	1,578.42
Autozone Development Corp.	Lot 1 (except ROW), Autozone Subdivision	958.02
Video Kingdom of Grand Island, Inc.	Lot 2 (except State ROW), Autozone Subdivision	625.98
Walgreen Co.	Lots 1 & 2 & # 10' of Lot 3 & Part Vac Street (except State), Block 17, Kernohan & Decker's Addition	1,092.00
Walgreen Co.	Lot 4 (except City) & W 56' of Lot 3 (except State), Block 17, Kernohan & Decker's Addition	735.96
Nebraska District Council of Assemblies of God	Part of E2/3 of Lot 1, Block 18, Kernohan & Decker's Addition	260.94
Nebraska District Council of Assemblies of God	Part of W1/3 of Lot 1 & E1/3 of Lot 2, Block 18, Kernohan & Decker's Addition	264.00
Walgreen Co.	W2/3 Lot 2; all Lots 3 & 4; & Part Vac Street (except State), Block 18, Kernohan & Decker's Addition	1,296.00
Randy L. Evans	Fr Lots 3 & 4 (except State ROW), Block 19 (Comp. Block 7 Spaulding & Gregg's Add. & Comp. Block 19, Palmer's Subd.)	793.26
Real Estate Group of G.I., Inc.	Lot 5, Block 51 (except State) (Comp. Block 14 Kernohan & Decker's Add.)	394.44
David L. & Frances F. Schaffer	Lot 5, Block 114, Railroad Addition	400.38
Mary Story	Lot 6, Block 114, Railroad Addition	394.68
Bonna Barton Wanek	Lot 8, Block 114, Railroad Addition	395.16
High Road, LLC	Lot 1, Block 115, Railroad Addition	395.16
Rafael B. & Rita Orozco	Lot 2, Block 115, Railroad Addition	397.44
Rafael & Rita C. Orozco	Lot 3, Block 115, Railroad Addition	395.16

ORDINANCE NO. 9191 (Cont.)

Raile Properties, LLC	Lot 4, Block 115, Railroad Addition	392.22
Raile Properties, LLC	Lots 1 & 2, Block 117, Railroad Addition	792.60
Harlan R. Puncochar, Trustee of HRP Rev. Trust	E½ of Lot 3, Block 117, Railroad Addition	192.54
Joy M. & Marietta Beazley	W½ of Lot 3, Block 117, Railroad Addition	202.62
Robert K. & Steven G. Durham	Lot 4, Block 117, Railroad Addition	394.50
Overland National Bank	Lot 5 (except State) & all Lots 6, 7 & 8, Block 118, Railroad Addition	1,587.36
JBWS Property Group, LLC	Lot 1, Block 120, Railroad Addition	331.32
Degen Co. Partnership	Lots 5, 6 & 7 (except State ROW), Block 3, Spaulding & Gregg's Addition	1,187.76
Nall, Inc.	Lot 8 (except State ROW), Block 3, Spaulding & Gregg's Addition	400.38
Larry W. Coffey	Lots 3 & 4 (except State ROW), Block 5, Spaulding & Gregg's Addition (Comp. Arnold Place),	794.10
McDonalds Corp.	Lots 1, 2, 3 & 4, Block 6 (except State ROW), Spaulding & Gregg's Addition	1,585.20
Randy L. & Cynthia S. Evans	Lots 1 & 2 (except State ROW), Block 7, Spaulding & Gregg's Addition	791.94
Bonna Barton Wanek	S 88' of Lot 7, Block 114, Railroad Addition	397.92
TOTAL		42,865.56

SECTION 2. The special tax shall become delinquent in fifty (50) days from date of this levy; the entire amount so assessed and levied against each lot or tract may be paid within fifty (50) days from the date of this levy without interest and the lien of special tax thereby satisfied and released. After the same shall become delinquent, interest at the rate of fourteen percent (14%) per annum shall be paid thereon.

SECTION 3. The city treasurer of the City of Grand Island, Nebraska, is hereby directed to collect the amount of said taxes herein set forth as provided by law.

SECTION 4. Such special assessments shall be paid into a fund to be designated as the "Business Improvement District No. 6".

ORDINANCE NO. 9191 (Cont.)

SECTION 5. Any provision of the Grand Island City Code, any ordinance, or part of an ordinance in conflict herewith is hereby repealed.

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

Enacted: September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item F3

**#9192 - Consideration of Assessments for Business Improvement
District #7, South Locust from Stolley Park Road to Highway 34**

This item relates to the aforementioned Board of Equalization Item D-3.

Staff Contact: David Springer

ORDINANCE NO. 9192

An ordinance to assess and levy a special tax to pay the 2008-2009 revenue year cost of Business Improvement District No. 7 of the City of Grand Island, Nebraska; to provide for the collection of such special tax; to repeal any provisions of the Grand Island City Code, ordinances, or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts, and parcels of land, specially benefited, for the purpose of paying the 2008-2009 revenue year cost of Business Improvement District No. 7 of the City of Grand Island, as adjudged by the Council of the City, sitting as a Board of Equalization, to the extent of benefits accruing thereto by reason of such Business Improvement District, after due notice having been given thereof as provided by law; and a special tax for such 2008-2009 revenue year cost is hereby levied at one time upon such lots, tracts and lands as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Jerry L. & Janet C. Loney	W 273' of Lot 1 (except City), Burch Subdivision	643.06
Larry W. Coffey	W 125' of Lots 2, 3 & 4 (except City), Burch Subdivision	826.29
Michael S. & Sandra S. Williams	Lot 5 (except City), Burch Subdivision	549.51
Michael S. & Sandra S. Williams	Lot 1 (except City), Burch Second Subdivision	644.90
The Eating Establishment	Lot 1 (except City), Runza Subdivision	710.81
Bradley L. Shanahan Teresa K. Brooks	E 100' of Lot 12, & E 100' of Lot 13, (except City) Holcomb's Highway Homes Subdivision	918.00
Robert D. Hancock & Charles L. Hancock	Lot 14 (except City), Holcomb's Highway Homes Subdivision	502.88
Ryan & Darcy Hansen	Lot 15 (except City), Holcomb's Highway Homes Subdivision	497.74

ORDINANCE NO. 9192 (Cont.)

Dianna D. Duering	Lot 1, Bartz Subdivision	500.31
Gary & Linda Shovlain	Lot 3, Shovlain Second Subdivision	713.15
Calvin J. & Donna Wratten	S 52' of Lot 19 & N 1' of Lot 20, Holcomb's Highway Homes Subdivision	240.19
Video Kingdom of Grand Island, Inc.	S 108' of Lot 20 (except City), Holcomb's Highway Homes Subdivision	500.40
Kershner Properties, LLC	N 60' of Lot 22 (except City), Holcomb's Highway Homes Subdivision	271.91
Charles A. Douthit	Lot 21 (except City), Holcomb's Highway Homes Subdivision	500.40
Da-ly Properties, LLC	S 98' of Lot 23 & N 12' of Lot 24, (except City) Holcomb's Highway Homes Subdivision	504.90
Kershner Properties, LLC	S 49' feet of Lot 22 & N 11' of Lot 23 (except City), Holcomb's Highway Homes Subdivision	275.40
Llamas Enterprises Partnership & Alina Hernandez	S 97' of Lot 24, Lot 25, & N 38' of Lot 26, (except City) Holcomb's Highway Homes Subdivision	1,119.68
Marion D. Larsen Rev. Trust	N 79' of Lot 27 & S 71' of Lot 26, (except City) Holcomb's Highway Homes Subdivision	688.78
McCloud Super 8 Motel Inc.	Part of Lot 25 (except City), Matthews Subdivision	1,135.93
William E. & Sandra L. Lawrey	Lot 1 (except City), Garrison Subdivision	1,037.94
Nebraska Mil-Nic, a/k/a Cedar Street Investment Co.	Lot 2, Mil-Nic Second Subdivision	1,255.82
Paulsen and Sons Inc.	Lots 1 & 28 (except City), Lots 2, 3, 26 & 27, Roush's Pleasantville Terrace Subdivision	918.28
Gary E. Shovlain	Lot 2, Shovlain Second Subdivision	550.89
Rex E. & Jonadyne A. Carpenter	Lot 1 [200' x 400'] (except City), Woodland First Subdivision	915.34
Rex E. & Jonadyne A. Carpenter	Lot 2 [200' x 400'] (except City), Woodland First Subdivision	918.18
Equitable Federal Savings Bank of Grand Island	Lot 3 (except City), Woodland First Subdivision	918.28
Danny K. Oberg	Lot 4 (except City), Woodland First Subdivision	913.59
Darryl Wilhelmi	Lot 5 (except City), Woodland First Subdivision	918.28
Richard S. Rasmussen, Jr., Jack E. & Joanne L. Rasmussen, June E. & William Blackburn	N 50' of E 260' of Lot 6 (except City), Woodland First Subdivision	228.81
Pamela Ehlers	S 126' of E 260' of Lot 6 (except City), Woodland First Subdivision	581.23
Alpha Corporation	E 260' of Lot 8 (except City), Woodland First Subdivision	961.38
Stratford Plaza, L.L.C.	Lot 11 (except City), Woodland Second Subdivision	2,492.92

ORDINANCE NO. 9192 (Cont.)

Bosselman Inc.	Lot 8, Woodland Second Subdivision	685.47
Bennett Properties Inc.	Lot 9, Woodland Second Subdivision	688.64
Laub-Otto, LLC	Lot 10, Woodland Second Subdivision	729.31
Richard S. Rasmussen, Jr., Jack E. & Joanne L. Rasmussen, June E. & William G. Blackburn	Lot 1 except N 25' of E 260' (except City), Woodland Third Subdivision	343.88
Dale & Kathleen Arp	N 25' of E 260' of Lot 1 & all of Lot 2, (except City) Woodland Third Subdivision	573.43
McDermott & Miller, PC	Lot 1 (except City), Woodridge South Subdivision	1,159.07
Marion D. Larsen Rev. Trust	Lot 2 (except City), Woodridge South Subdivision	498.84
Southeast Crossings LLC	Part of Lot 1 MLD (except City) of 27-11-9	455.37
Milton Motels LLC	Part of N½SW¼SW¼ of 27-11-9	2,313.45
Platte Valley State Bank & Trust Company	Lot 1, Equestrian Meadows Subdivision	818.03
Chlonate LLC	Part of Lot 1 (except City), Desert Rose Subdivision	1,963.74
Theodore J. Robb	Part of NW¼SW¼ (except City) of 27-11-9	1,542.29
MIK, LLC	Part of NW¼SW¼ of 27-11-9 and part of Lot 4 Island (except City)	1,418.22
Community Redevelopment Authority	Part of Lot 1 MLD of 27-11-9	670.87
John L. & Beth A. French	Lot 1 (except City), Knox Subdivision	641.82
All Faiths Funeral Home LLC	Part of NW¼NW¼SW¼ of 27-11-9	1,101.60
Pharmacy Properties LLC	Lot 2, Equestrian Meadows Subdivision	665.50
Ronald J. & Lori D. Willis	Part of NE¼NE¼ (except City) of 28-11-9	459.00
Mason D. Robb & Theodore J. Robb	Lot 2 (except City), Knox Third Subdivision	606.06
Ted Robb	Lot 3 (except City), Knox Third Subdivision	353.71
O'Reilly Automotive, Inc.	Lot 2 (except City), Runza Subdivision	714.39
Mason D. Robb & Theodore J. Robb	Lot 1 (except City), Knox Third Subdivision	707.55
MA Faulkner Trust	Lot 3, Equestrian Meadows Subdivision	845.39
Wayne Vanosdall Sanitation	Part of N½SW¼SW¼ of 27-11-9	720.13
TOTAL		45,030.94

SECTION 2. The special tax shall become delinquent in fifty (50) days from date of this levy; the entire amount so assessed and levied against each lot or tract may be paid within fifty (50) days from the date of this levy without interest and the lien of special tax thereby

ORDINANCE NO. 9192 (Cont.)

satisfied and released. After the same shall become delinquent, interest at the rate of fourteen percent (14%) per annum shall be paid thereon.

SECTION 3. The city treasurer of the City of Grand Island, Nebraska, is hereby directed to collect the amount of said taxes herein set forth as provided by law.

SECTION 4. Such special assessments shall be paid into a fund to be designated as the "Business Improvement District No. 7".

SECTION 5. Any provision of the Grand Island City Code, any ordinance, or part of an ordinance in conflict herewith is hereby repealed.

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

Enacted: September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item F4

#9193 - Consideration of Assessments for Business Improvement District #8, Downtown

This item relates to the aforementioned Board of Equalization Item D-4.

Staff Contact: David Springer

ORDINANCE NO. 9193

An ordinance to assess and levy a special tax to pay the 2008-2009 revenue year cost of Business Improvement District No. 8 of the City of Grand Island, Nebraska; to provide for the collection of such special tax; to repeal any provisions of the Grand Island City Code, ordinances, or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts, and parcels of land, specially benefited, for the purpose of paying the 2008-2009 revenue year cost of Business Improvement District No. 8 of the City of Grand Island, as adjudged by the Council of the City, sitting as a Board of Equalization, to the extent of benefits accruing thereto by reason of such Business Improvement District, after due notice having been given thereof as provided by law; and a special tax for such 2008-2009 revenue year cost is hereby levied at one time upon such lots, tracts and lands as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Kinder Morgan Interstate Gas Transmission	Centrally Assessed	23.17
Northwestern Corporation	Centrally Assessed	511.92
Windstream Nebraska, Inc.	Centrally Assessed	0.00
Qwest Corporation	Centrally Assessed	2,622.31
A T & T Communications	Centrally Assessed	58.59
NPCR, Inc., d/b/a Sprint-Nextel	Centrally Assessed	32.23
IPCS Wireless, Inc.	Centrally Assessed	0.00
George Jay Jorgensen Beckby	N 100.5' E2/3 Lot 1, Block 54, Original Town	288.99
George Jay Jorgensen Beckby	S 31.9' E2/3 Lot 1, Block 54, Original Town	69.41
Wing Properties Inc.	W1/3 Lot 1, Block 54, Original Town	23.00

ORDINANCE NO. 9193 (Cont.)

R. Dennis & Patricia A. Norris, Trustees	Lot 2, Block 54, Original Town	559.76
John W. & Teresa A. Wayne	N1/2 W2/3 Lot 6, N1/2 Lot 5, Block 54, Original Town	460.68
Gus G. Katrouzos	S 60' W1/3 Lot 5, Block 54, Original Town	84.53
Gus G. Katrouzos	S 60' W 16' E2/3 Lot 5, Block 54, Original Town	68.97
Nickie J. Kallos, Jr.	E 28' S1/2 Lot 5; N 6' W 38' S1/2 Lot 5, Block 54, Original Town	156.29
Nickie J. Kallos, Jr.	W 22' S1/2 Lot 6; Block 54, Original Town	168.79
R. Dennis & Patricia A. Norris, Trustees	E 22' W 44' S1/2 Lot 6; E 22' Lot 6, Block 54, Original Town	383.42
R. Dennis & Patricia A. Norris, Trustees	W1/3 Lot 7, Block 54, Original Town	307.96
R. Dennis & Patricia A. Norris, Trustees	C1/3 Lot 7, Block 54, Original Town	299.81
Wing Properties Inc.	E1/3 Lot 7, Lot 8 (except City), Block 54, Original Town	693.13
Nathan Detroit, Inc.	N1/2 Lot 1, Block 55, Original Town	478.33
Nathan Detroit, Inc.	N 44' S1/2 Lot 1, Block 55, Original Town	319.43
Virginia Irvine	S 22' Lot 1, Block 55, Original Town	98.38
Russell L. Hoetfelker	S1/2 W1/2 Lot 3; S1/2 Lot 4, Block 55, Original Town	368.98
Downtown Center LLC	N 67.5' Lot 5, Block 55, Original Town	49.99
Matthew E. & Janelle A. Armstrong	N 20' S 64.5' Lot 5, Block 55, Original Town	115.79
Erives Enterprises LLC	S 44.5' Lot 5, Block 55, Original Town	217.72
Famos Construction, Inc.	W2/3 Lot 6, Block 55, Original Town	187.49
Arthur V. & Jeanene Campos	E1/3 Lot 6, Block 55, Original Town	142.20
Prairie Winds Art Center, Inc.	W1/3 Lot 7, Block 55, Original Town	222.28
Terrence R. Merchen	E2/3 Lot 7, Block 55, Original Town	308.50
T.W. Ziller Properties LLC	W1/3 Lot 8, Block 55, Original Town	94.38
T.W. Ziller Properties LLC	C1/3 Lot 8, Block 55, Original Town	98.38
T.W. Ziller Properties LLC	E1/3 Lot 8, Block 55, Original Town	441.19
Downtown Center LLC	N 68' Lot 1; Lot 2; E1/2 Lot 3, Block 56, Original Town	167.97
Downtown Center LLC	N 22' S 42', W 6' S 20', Lot 1, Block 56, Original Town	15.06
Downtown Center LLC	N 22' S 64' Lot 1, Block 56, Original Town	13.91
Downtown Center LLC	S 20' E 60' Lot 1, Block 56, Original Town	11.50
Carl & Susan A. Mayhew	W1/3 Lot 5, Block 56, Original Town	255.06
R & B Capital Enterprises LLC	E2/3 Lot 5, Block 56, Original Town	443.01
Helen E. & James A. Pohl	Lot 6, Block 56, Original Town	320.46

ORDINANCE NO. 9193 (Cont.)

Duane A. & Dee Ann Johnson	Lot 7, Block 56, Original Town	364.95
Downtown Center LLC	Lot 8, Block 56, Original Town	1,720.95
J & B Rentals LLC	Lot 1, Ziller Subdivision	585.06
JEO Building Company	Lot 7, Block 57, Original Town	865.36
Overland Building Corp.	Lot 8, Block 57, Original Town	1,132.44
FirsTier Bank National Assoc.	Lots 1 & 2, Block 58, Original Town	324.50
FirsTier Bank National Assoc.	N1/2 Lot 3; N1/2 Lot 4, Block 58, Original Town	113.88
FirsTier Bank National Assoc.	Lot 5; W 22' Lot 6, Block 58, Original Town	1,556.69
FirsTier Bank National Assoc.	S1/2 Lot 3; S1/2 Lot 4, Block 58, Original Town	120.90
Darrell & Joyce Albers	Lot 1, Jensen Subdivision	151.13
M SQ Designs, Inc.	W1/3 Lot 7, Block 58, Original Town	233.70
James K. Keeshan	C1/3 Lot 7, Block 58, Original Town	141.31
Jesus G. & Victoria Galvan	Lot 1, Prensa Latina Subdivision	100.52
Eliseo & Jessica Calderon	Lot 2, Prensa Latina Subdivision	101.47
Mark D. Stelk	Lot 4, Prensa Latina Subdivision	314.59
Margoth Carpio & Brenda Eugenia Panameno	Lot 3, Prensa Latina Subdivision	173.19
Mead Bldg. Centers of G.I.	N 102.5' Lot 1; Lot 2, Block 59, Original Town	367.63
H & H Land Co.	S 29.5' Lot 1, Block 59, Original Town	18.66
Mead Bldg. Centers of G.I.	Lot 3; S 99' Lot 4, Block 59, Original Town	164.54
Mead Bldg. Centers of G.I.	N 33' Lot 4, Block 59, Original Town	168.49
Masonic Templecraft Assoc. of G.I.	Lot 5, Block 59, Original Town	251.74
Chanh Ty Ngo & My T Nguyen	E 23' W 46' Lot 6, Block 59, Original Town	179.77
Larry C. & Mary Ann Ge rdes	W 23' Lot 6, Block 59, Original Town	178.83
Doax Investment Co.	E 20' Lot 6; W1/2 Lot 7, Block 59, Original Town	17.74
H & H Land Company	W 22' E1/2 Lot 7, Block 59, Original Town	176.64
H & H Land Company	E 11' Lot 7; Lot 8, Block 59, Original Town	508.62
CKP LLC	Lots 1 & 2, Block 60, Original Town	491.46
CKP LLC	Lot 3, Block 60, Original Town	116.42
Business Properties of Nebraska LLC	Lot 4, Block 60, Original Town	215.43
618 W 3 rd Street LLC	Lots 5 & 6, Block 60, Original Town	719.69
Doax Investment Co.	Lots 7 & 8, Block 60, Original Town	553.79
Daniel H. Eakes and Ronald L. Eakes, Trustees	Lots 1 & 2, Block 61, Original Town	773.55
Daniel H. Eakes and Ronald L. Eakes, Trustees	Lots 3 & 4, Block 61, Original Town	708.05

ORDINANCE NO. 9193 (Cont.)

Tri-City Properties LLC	Lot 5, Block 61, Original Town	688.77
Jack L. Hansen	Lots 6, 7 & 8, Block 61, Original Town	791.42
Richard H. & Arlene M. Baasch	S 44' Lot 1, Block 62, Original Town	190.51
Cedar Street Properties LLC	N 88' Lot 1, Block 62, Original Town	502.60
Cedar Street Properties LLC	Lot 2, Block 62, Original Town	285.22
Alan D. Zwink	N 66' W 9' Lot 3; N 66' Lot 4, Block 62, Original Town	152.01
Vincent A. Moreno & Darren M. Moreno	S1/2 W 50' Lot 5, Block 62, Original Town	84.26
D & D Investments	N1/2 W 50' Lot 5, Block 62	235.21
Vogel Enterprises, Ltd.	E 16' Lot 5; W1/2 Lot 6, Block 62, Original Town	61.82
Vogel Enterprises, Ltd.	E1/2 Lot 6; W1/2 Lot 7, Block 62, Original Town	370.03
Old Sears Development, Inc.	Lots 1 & 2, Block 63, Original Town	1,118.20
Old Sears Development, Inc.	E2/3 Lot 3, Block 63, Original Town	358.58
Marlyn J. Miller	W1/3 Lot 3; E1/3 Lot 4, Block 63, Original Town	259.75
Monte C. & Sheri S. Hack	S 88' Lot 8, Block 63, Original Town	392.48
Maude E. Walters & Michael L. Walters	E1/3 Lot 1, Block 64, Original Town	386.10
Craig C. Hand	C1/3 Lot 1, Block 64, Original Town	148.67
Cosrec Enterprises	W1/3 Lot 1, Block 64, Original Town	190.76
Glade Inc.	E 44' Lot 2, Block 64, Original Town	266.78
Ivan P. & Sharon L. Walsh	W1/3 Lot 2, Block 64, Original Town	202.92
Double S Properties LLC	E1/3 Lot 3, Block 64, Original Town	185.42
Donald D. & Marilyn J. Mehring	W2/3 Lot 3, Block 64, Original Town	165.23
Galen E. & Tamera M. Gerdes	Lot 4, Block 64, Original Town	876.39
Vicki L. Kissler	N 22' Lot 8, Block 64, Original Town	177.98
Terry N. & Susan M. Taylor	S1/2 N1/3 Lot 8, Block 64, Original Town	174.08
Laverne & Donna R. Shehein	N 44' S 88' Lot 8, Block 64, Original Town	181.26
Wayne E. & Ardith C. May	Lot 1, Block 65, Original Town	213.77
Thomas L. & Lois E. Nielsen	E1/3 Lot 2, Block 65, Original Town	163.77
Constance K. Swanson	C1/3 Lot 2, Block 65, Original Town	154.38
Archway Partnership	W1/3 Lot 2, Block 65, Original Town	242.46
Bartenbach Real Estate, LLC	E1/3 Lot 3, Block 65, Original Town	159.97
Janelle L. Brown	W1/3 Lot 3, Block 65, Original Town	140.21
Allen & Linda Hoffer	E1/3 Lot 4, Block 65, Original Town	282.81
Harriet K. Lambrecht	W2/3 Lot 4, Block 65, Original Town	176.56
J & B Rentals LLC	S 44' N1/2 Lot 5, Block 65, Original Town	229.37
Terry N. & Susan M. Taylor	N 22' Lot 5, Block 65, Original Town	134.16

ORDINANCE NO. 9193 (Cont.)

JO Enterprises Inc.	S1/2 Lot 5, Block 65, Original Town	285.42
Steven L. & Barbara J. Fuller	W1/3 Lot 6, Block 65, Original Town	87.45
Scott B. & Sheri L. Arnold	E2/3 Lot 6, Block 65, Original Town	167.44
T. W. Ziller Properties LLC	W1/2 Lot 7, Block 65, Original Town	217.08
C & S Group LLC	N 55' E1/2 Lot 7; N 55' Lot 8, Block 65, Original Town	49.68
C & S Group LLC	Pt W 18.9' E1/2 Lot 7; N 29.9' E 14.1' Lot 7; W 29' C 22' E1/2 Lot 7, N 29.9' S 55' Lot 8 except N6' S31.1' E40' Lot 8, Block 65, Original Town	171.55
David J. Parmley	C 22' E 4' Lot 7; C 22' Lot 8, Block 65, Original Town	275.88
C & S Group LLC	S 25.1' Lot 8; N 6' of S 31.1' of E 40' Lot 8; and S 25.1' of E14.1' of Lot 7, Block 65, Original Town	221.45
James J. Berglund	Lots 1 & 2, Block 66, Original Town	1,202.09
Bonnie G. Koepke	S1/3 W1/3 Lot 3 (Except 17.5'), C1/3 Lot 3, Block 66, Original Town	251.16
John F. Vipperman, Arthur S. Wetzel	E1/3 Lot 3, Block 66, Original Town	228.60
James G. Duda	N 88' E1/3 Lot 4, Block 66, Original Town	235.05
J. Gary & Patricia M. Vejvoda	N 88' C1/3 Lot 4, Block 66, Original Town	291.75
Ben's Drug Store, Inc.	N 80' W1/3 Lot 4, Block 66, Original Town	117.54
The Retzler Development Group, LLC	Pt W 17.5' S 44' Lot 3; N 8' S 52' W 22', & S 44', Lot 4, Block 66, Original Town	206.32
Bartenbach Real Estate, LLC	Lot 5; W1/3 Lot 6, Block 66, Original Town	518.80
Bartenbach Real Estate, LLC	E2/3 Lot 6; W1/3 Lot 7, Block 66, Original Town	269.91
James E. & Mary Ann Keeshan	E2/3 Lot 7, Block 66, Original Town	274.59
Procon Management Inc.	Lot 8, Block 66, Original Town	3,108.29
Plaza Square Development LLC	S1/2 Block 67, Original Town	1,365.72
Steven P. & Vicki Rasmussen	W2/3 Lot 2, Block 68, Original Town	333.94
S & V Investments, LLC	Lots 3 & 4, Block 68, Original Town	1,468.22
Plaza Square	Lot 5; W 22' Lot 6, Block 68, Original Town	126.50
Richard J. & Helen K. Strehle & Kimn A. & Gregory W. Peterson	E2/3 Lot 6; W6' Lot 7, Block 68, Original Town	180.45
Richard J. & Helen K. Strehle & Kimn A. & Gregory W. Peterson	E 60' Lot 7, Block 68, Original Town	261.28
Tim C. Plate	Lot 8, Block 68, Original Town	268.34
Wilhelm R. Gulzow	Lot 1, Block 77, Original Town	83.04
Donna M. Douthit	Lot 2, Block 77, Original Town	69.00
Donna M. Douthit	Lots 3 & 4, Block 77, Original Town	1,534.54
Equitable Building & Loan Assn	Lot 1, Block 79, Original Town	351.60

ORDINANCE NO. 9193 (Cont.)

Equitable Building & Loan Assn	Lot 2, Block 79, Original Town	104.96
Equitable Building & Loan Assn	S 44' Lot 3; S 44' Lot 4, Block 79, Original Town	1,368.56
Equitable Building & Loan Assn	N 26' 10.5" Lot 8, Block 79, Original Town	26.94
Equitable Building & Loan Assn	S 17' 1.5" N 44' Lot 8, Block 79, Original Town	15.45
Equitable Building & Loan Assn	S 88' Lot 8, Block 79, Original Town	93.50
Thomas W., Joseph P. & Timothy R. O'Neill	E 22' Lot 4, W 22' of Lot 3, Block 80, Original Town	183.55
Thomas W. Joseph P. & Timothy R. O'Neill	W 44' Lot 4, Block 80, Original Town	132.66
David C. Huston	C1/3 Lot 8, Block 80, Original Town	263.19
Derek L. & Ruth E. Mitchell	S 44' Lot 8, Block 80, Original Town	247.37
Ronald E. & Sharon R. Trampe	W1/3 Lot 2, Block 81, Original Town	157.68
James S. & Precious A. Reed	C1/3 Lot 3, Block 81, Original Town	247.86
Ronald C. & Vada M. Krauss	W1/3 Lot 3, Lot 4, Block 81, Original Town	470.80
Walnut Street Partnership	Lot 5, Block 81, Original Town	442.38
Walnut Street Partnership	Lot 6, Block 81, Original Town	179.74
Wheeler Street Partnership	Lot 7; S2/3 Lot 8, Block 81, Original Town	869.01
Kent A. Schroeder and Donald L. Rathman, Trustees	N1/3 Lot 8, Block 81, Original Town	251.19
Gatehouse Media Nebraska Holdings Inc.	Lot 1, Block 82, Original Town	80.58
Gatehouse Media Nebraska Holdings Inc.	Lot 2, Block 82, Original Town	269.09
Gatehouse Media Nebraska Holdings Inc.	Lot 3, Block 82, Original Town	80.58
Gatehouse Media Nebraska Holdings Inc.	Lot 4, Block 82, Original Town	275.57
Gatehouse Media Nebraska Holdings Inc.	Lots 5, 6, 7 & 8, Block 82, Original Town	2,756.15
Grand Island Hospitality LLC	Lots 1 & 2, Block 83, Original Town	393.56
JOMIDA, Inc.	Lots 3 & 4, Block 83, Original Town	934.38
Eliseo & Jessica Calderon	N 60.35' Lot 5, Block 83, Original Town	168.87
J & B Rentals LLC	S 71.65' Lot 5, Block 83, Original Town	170.32
Tomas Mateo P & Isabel Domingo Agustin	W2/3 Lot 6, Block 83, Original Town	251.91
Sylvia Perez	E1/3 Lot 6; Lot 7, Block 83, Original Town	288.88
Michael Owen & Sonya Kay Wooden	E 41' N 28' Lot 8, Block 83, Original Town	134.98
Michael Owen & Sonya Kay Wooden	Pt N1/3 S2/3 Lot 8, Block 83, Original Town	196.10
Frances Mae Gatzemeyer	Lot 1, Block 85, Original Town	502.54
Frances Mae Gatzemeyer	Lot 2, Block 85, Original Town	189.05
Contryman & Associates	Lots 3 & 4, Block 85, Original Town	479.83
G.I. Liederkranz	Lots 1, 2, 3 & 4, Block 87, Original Town	296.13

ORDINANCE NO. 9193 (Cont.)

Enviro-Clean Contractors Inc.	N 60' Fr Lots 1, 2 & 3, Block 89, Original Town	352.67
Gregory D. & Charlene A. Emery	E 51' 8" Lots 1, 2 and 3, Campbell's Subdivision	90.05
David T. & Patricia A. Schroeder	W 75'4" Lots 1, 2 & 3, Campbell's Subdivision	279.69
Hastings Grain Inspection Inc.	Lots 4, 5 & 6; N10' Lot 7, Campbell's Subdivision	167.53
Hastings Grain Inspection Inc.	S 12' Lot 7; Lot 8, Campbell's Subdivision	240.07
Two Brothers Inc.	32' x 127' Lot 9, Campbell's Subdivision	219.72
Edward A. & Jane A. Loeffler	N 14' Lot 3; S 26' Lot 2, Block 1, Hann's Addition	296.99
Stephen R. & Gladis M. Schuller	N 7' Pt Lot 4; S 43' Lot 3, Block 1, Hann's Addition	266.85
Miguel I. Delamora Morfin & Norma Zuniga	E 60' S 50' Lot 4, Block 1, Hann's Addition	225.36
Kathleen A. Campbell	W 67' S 50' Lot 4, Block 1, Hann's Addition	128.08
Marsh Properties LLC	S 5' Lot 2; Lot 3, Block 4, Hann's Second Addition	504.77
Tommy L. Ummel Jr.	Lot 2, Hann's Fifth Subdivision	187.40
Robert J. Mueller	Lot 1, Hann's Fifth Subdivision	121.41
Two Brothers Inc.	W 111' x 118', Block 5, Hann's Third Addition	455.21
Carlos A. Rosales-Monzon	N 52.5' E 91.9', Block 5, Hann's Third Addition	245.70
Larry E. Royle	E 56' W 174', Block 5, Hann's Third Addition	164.16
Linda L. Valenzuela	S 58.5' E 91.9', Block 5, Hann's Third Addition	237.03
Hoos Insurance Agency Inc.	Lot 4, Pt of Vac St, Block 97, Railroad Addition	276.63
Filemon Sanchez	N1/2 Lot 1, Block 98, Railroad Addition	22.50
Filemon Sanchez	S1/2 Lot 1, Block 98, Railroad Addition	291.14
Arvid C. Carlson	Lot 2, Block 98, Railroad Addition	116.21
Carolyn E. Kuehner	W1/2 Lot 3, Block 98, Railroad Addition	160.09
Lee Ann G. & Michael W. Schafer	E1/2 Lot 3, Block 98, Railroad Addition	175.15
Tim C. Plate	N 86' Lot 4, Block 98, Railroad Addition	93.50
Tim C. Plate	S 46' Lot 4, Block 98, Railroad Addition	170.68
Tim C. Plate	Lot 5, Block 98, Railroad Addition	522.01
Tim C. Plate	Lot 6, Block 98, Railroad Addition	232.38
Floriberto Sanchez Benitez	W 52' Lot 7, Block 98, Railroad Addition	211.97
Filemon Sanchez	E 14' Lot 7; Lot 8, Block 98, Railroad Addition	334.03
Lee Ann Vaclavek	Fr. Lot 1 & Fr. Lot 2, Block 105, Railroad Addition	119.79
Fox Family LLC	Lot 3, Block 105, Railroad Addition	211.98
Lazendorf Holdings Limited Partnership	Lot 4, Block 105, Railroad Addition	380.55
Fox Family LLC	Lot 5; Fr. Lots 6 & 7, (except City), Block 105, Railroad Addition	1,008.55
Contryman & Associates	Lots 1 & 2, Block 106, Railroad Addition	374.35

ORDINANCE NO. 9193 (Cont.)

Clifford Frymire & Larry Royle	Lot 3, Block 106, Railroad Addition	195.89
Guadalupe & Pedro Fernandez	Lot 4, Block 106, Railroad Addition	333.98
The Muffler Shop, Inc.	Lots 1 & 2, Block 107, Railroad Addition	367.99
The Muffler Shop, Inc.	Lots 3 & 4, Block 107, Railroad Addition	182.98
Joseph M. & Lori Jean Brown	S2/3 Lot 5, Block 107, Railroad Addition	340.48
Joseph M. & Lori Jean Brown	N1/2 Lot 5, Block 107, Railroad Addition	150.20
Charles E. & Mary A. Fox	Lot 6, Block 107, Railroad Addition	269.11
Charles E. & Mary A. Fox	Lot 7 (except N 60' E 22' & except E 29.54' S 71.50'), Block 107, Railroad Addition	196.30
David E. Janda, DDS PC	E 29.54' S 71.5' Lot 7 S 72' Lot 8, Block 107, Railroad Addition	316.32
Barbara J. Clinch	N 60' E 22' Lot 7, N 60' Lot 8, Block 107, Railroad Addition	266.20
Richard & Marilyn Fox	Lots 1 & 2, Block 108, Railroad Addition	476.25
Casey & Misti Williams	E 37' Lot 3, Block 108, Railroad Addition	201.44
Douglas Bookkeeping Service Inc.	W 29' Lot 3, Lot 4, Block 108, Railroad Addition	579.42
Donald J. & Janet L. Placke	S 88' Lot 5, Block 108, Railroad Addition	133.57
Donald J. & Janet L. Placke	N44' Lot 5, Block 108, Railroad Addition	77.75
Sam Huston Rev Living Trust	Lot 6, Block 108, Railroad Addition	185.46
Bosselman, Inc.	Lots 7 and 8, Block 108, Railroad Addition	578.54
David A. & Carolyn J. Gilroy	S 61' Lot 1; S 61' Lot 2, Block 109, Railroad Addition	203.61
Gregory T. & Gay L. Austin	N 71' Lot 1; N 71' Lot 2, Block 109, Railroad Addition	128.28
J&B Rentals, LLC	E 59.5' Lot 3, Block 109, Railroad Addition	140.57
J&B Rentals, LLC	W 6.5' Lot 3, E 52'11" Lot 4, Block 109, Railroad Addition	70.05
Roger L & Sharon K. McShannon	E 52'11" Lot 5, Lot 6, Block 109, Railroad Addition	216.19
LPB, LLC	Lots 7 & 8, Block 109, Railroad Addition	673.60
Margo Schager	Lot A, Gilbert's North Subdivision in part of Block 79, Original Town	157.57
Equitable Building & Loan Assn of G.I.	Lot B, Gilberts North Subdivision in part of Block 79, Original Town	164.55
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 102	147.61
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 103	215.38
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 104	529.30
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 201A	467.76
Devco Investment Corporation	Yancey Condominium 301	101.48
Arvon J. & Luella M. Marcotte	Yancey Condominium 302	73.69

ORDINANCE NO. 9193 (Cont.)

Thomas M. & Nita J. Farr	Yancey Condominium 303	104.82
William L. Zins	Yancey Condominium 304	96.58
Dudley D. & Diana K. Baxter	Yancey Condominium 401	74.90
Artvest III	Yancey Condominium 402	85.44
Artvest III	Yancey Condominium 403	82.04
Michael D. Jones	Yancey Condominium 404	135.67
Artvest III	Yancey Condominium 405	82.44
Troy D. & Celeste K. Johnson	Yancey Condominium 406	116.29
Wyndell F. & Barbara B. Fordham	Yancey Condominium 407	127.68
Eric D. Luce	Yancey Condominium 501	108.20
Artvest III	Yancey Condominium 502	87.82
Dudley D. & Diana K. Baxter	Yancey Condominium 503	82.10
Artvest III	Yancey Condominium 505	82.50
Robert A. Cieloha	Yancey Condominium 506	116.38
Kelvin Paul & Bonnie Diane Davis	Yancey Condominium 507	131.58
Artvest III	Yancey Condominium 601	75.63
Artvest III	Yancey Condominium 602	87.97
Colleen A. O'Neill Matthews	Donald Yancey Condominium 603	117.87
Thomas B. Clyne Rev Trust	Yancey Condominium 604	94.97
Artvest III	Yancey Condominium 605	82.59
Sharon Graves Lind	Yancey Condominium 606	81.69
Charmaine L. Arp	Yancey Condominium 607	123.42
Laura J. Johnson	Yancey Condominium 701	82.70
Artvest III	Yancey Condominium 702	88.09
Richard A. & Margaret A. Johnson	Yancey Condominium 703	82.34
Art N. & Jan L. Burtscher	Yancey Condominium 704	135.97
Michelle R. Rathjen	Yancey Condominium 705	90.84
Clifton J. Long, Sandra A. Thinnes	Yancey Condominium 706	81.46
Donald D. & Linda K. McQuown	Yancey Condominium 707	122.04
Artvest III	Yancey Condominium 801	75.78
Mapes & Co. Partnership	Yancey Condominium 802	88.17
Mapes & Co. Partnership	Yancey Condominium 803	96.40
Judy J. Arnett	Yancey Condominium 804	109.05
Wendy L. Alexander	Yancey Condominium 805	81.34
Jack L. Nelson	Yancey Condominium 806	66.47

ORDINANCE NO. 9193 (Cont.)

James F. Nissan Rev Trust	Yancey Condominium 901	75.81
Everett A. & Elaine S. Evnen	Yancey Condominium 902	88.23
Everett A. & Elaine S. Evnen	Yancey Condominium 903	96.46
Ann C. Atkins	Yancey Condominium 904	142.21
Tammy L. Dizmang	Yancey Condominium 905	94.59
Sharon Graves Lind	Yancey Condominium 906	144.75
Linda M. Todd	Yancey Condominium 1001	82.88
Dan & Chris Fogland	Yancey Condominium 1002	88.26
Jeremy S. & Jack L. Gillam	Yancey Condominium 1003	96.52
Ruth E. Megard, Trustee	Yancey Condominium 1005	103.16
John Patrick Tooley	Yancey Condominium 1101	83.00
Linda L. Clare Rev Trust	Yancey Condominium 1102	88.35
Lynn A. Buckley	Yancey Condominium 1103	73.91
Frank L. Hoelck Trust	Yancey Condominium 1104	148.19
Elizabeth W. Mayer	Yancey Condominium 1105	103.31
Elizabeth W. Mayer	Yancey Condominium 1106	177.00
Home Federal Savings & Loan Assn	Lot 3, Hann's 4 th Addition	1,817.94
Artvest III	Yancey Condominium 002	9.90
Artvest III	Yancey Condominium 001	25.37
Roxann T. Ellison	W 18.9' E 33' S 25.1' Lot 7, Block 65, Original Town	54.05
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 101	35.69
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 201B	56.53
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 201C	142.30
Equitable Building & Loan Assoc of G.I.	Yancey Condominium 201D	108.54
Home Federal Savings & Loan Assoc. of G.I.	Pt Lots 1, 2, 3, 4 & 7; Lots 5 & 6; Pt Vac Alley, Block 89, Original Town	370.32
Eliseo & Jessica Calderon	Lot 2, Jensen Subdivision	92.53
TOTAL		86,689.36

SECTION 2. The special tax shall become delinquent in fifty (50) days from date of this levy; the entire amount so assessed and levied against each lot or tract may be paid within fifty (50) days from the date of this levy without interest and the lien of special tax thereby satisfied and released. After the same shall become delinquent, interest at the rate of fourteen percent (14%) per annum shall be paid thereon.

ORDINANCE NO. 9193 (Cont.)

SECTION 3. The city treasurer of the City of Grand Island, Nebraska, is hereby directed to collect the amount of said taxes herein set forth as provided by law.

SECTION 4. Such special assessments shall be paid into a fund to be designated as the "Downtown Business Improvement District No. 8".

SECTION 5. Any provision of the Grand Island City Code, any ordinance, or part of an ordinance in conflict herewith is hereby repealed.

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

Enacted: September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item F5

#9194 - Consideration of Amendments to Chapter 15 of the Grand Island City Code Relative to Electrical Code Updates

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig A. Lewis, Building Department Director

Meeting: September 23, 2008

Subject: City Code Amendments to Chapter 15, Electricity
Adoptions of the 2008 National Electrical Code

Item #'s: F-5

Presenter(s): Craig Lewis, Building Department Director

Background

This request is for City Council approval to modify the City Code by adopting the 2008 Edition of the National Electric Code. The City has for several decades adopted and enforced electrical codes to safeguard persons and property from the hazards arising from the use of electricity. The 2008 National Electric Code (NEC) is the current edition of the national standard for the installation of electrical wiring systems. Typically the State of Nebraska adopts the current edition of the NEC and requires local inspection programs to adopt and enforce the current regulations as part of the State approval of local programs. Currently the State has not adopted the 2008 NEC, but it is believed by the Board and local inspectors that adoption and enforcement is inevitable.

Discussion

The proposed amendment to Chapter 15 of the Grand Island City code will adopt the current edition of the National Electric Code. The City's electrical board has reviewed the 2008 NEC and recommends approval with the local amendments as outlined in the proposed ordinance. The local amendments basically include some restrictions in the installation of armored cable, refer electrical meter heights to the electric utility department, and require wiring above suspended ceilings to be fastened to the building structure. There are two fairly significant requirements in the 2008 NEC, one is the adoption of tamper proof receptacles, and the other is the inclusion of Arc-Fault Circuit-Interrupter (AFCI) protection. These two additional requirements are alleged to increase the cost of the electrical wiring system in a single family dwelling \$500 to \$1,000. In researching the cost for ourselves it appears that cost may be more in the neighborhood of \$300 dollars. The concept and staged requirements of ARCI protection was introduced in the 1999 NEC, and expanded in the 2002, 2005, and now the 2008 NEC.

Because of the potential increase in the cost to the installation of electrical systems the proposed implementation date is November 1, 2008, giving the construction industry time to include these provisions into their projects.

Alternatives

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

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

Recommendation

The City Electrical Board and City Staff recommends the City Council approve Ordinance No. 9194, adopting the 2008 NEC, with the local amendments identified and begin enforcement on November 1, 2008.

Sample Motion

Move to approve Ordinance No 9194.

ORDINANCE NO. 9194

An ordinance to amend Chapter 15 of the Grand Island City Code; to amend Sections 15-2; 15-3; 15-6; 15-7; and 15-11 pertaining to electricity; to repeal Sections 15-2; 15-3; 15-6; 15-7; and 15-11 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. Sections 15-2; 15-3; 15-6; 15-7; and 15-11 of the Grand Island City Code are hereby amended to read as follows:

§15-2. National Electrical Code Adopted

(A) There is hereby adopted by the City of Grand Island for the purpose of safeguarding persons and buildings from hazards arising from the use of electricity for light, heat, power, radio, signaling, and other purposes, that certain code known as the National Electrical Code, ~~2005~~ 2008 Edition, recommended by the National Fire Protection Association, except as modified by this section.

(B) The National Electrical Code adopted by subsection (A) above is modified by deleting ~~Article 210.12~~ Article 362, ~~Article 320~~, Article 210-52C Subsection 2 and 3, which are not adopted and shall have no force or effect. Articles 320, 330, 334, 348, and 352 are amended by §15-3 of the Grand Island City Code.

(C) One copy of the National Electrical Code, ~~2005~~ 2008 Edition, shall be on file in the city clerk's office for public use and inspection as provided by law.

Amended by Ordinance No. 8990, effective 8-10-2005

§15-3. Amendments to National Electrical Code, ~~2005~~ 2008 Edition

The following sections are adopted as amendments to the same numbered sections of the National Electrical Code, ~~2005~~ 2008 Edition:

Article 320 – Armored cable (type AC)

320.10. Uses permitted. Armored cable may be used for indoor branch circuits when installed with a grounding conductor in the cable with the branch circuit conductors and sized to the overcurrent protective device. Anti short bushings shall be used.

320.12. Uses not permitted. Armored cable shall not be used in hazardous locations, where buried or in direct contact with the earth, concrete, cinder fill or where exposed to chemicals or acids.

Article 330 - Metal-Clad Cable (Type MC)

330.10. Uses Permitted. Metal-clad cable may be used for indoor branch circuit use only when installed with a grounding conductor in the cable with the circuit conductors and sized to the overcurrent protective device. Anti short bushing shall be used.

330.12. Uses Not Permitted. Metal-clad cable shall not be used in hazardous locations where subject to physical damage, buried in direct contact with the earth, concrete, cinder fill, or where exposed to chemicals or acids.

Article 334 – Nonmetallic-Sheathed Cable (Types NM, NMC, and NMS)

334.12. Uses Not Permitted. In any multifamily dwelling or structure exceeding three floors above grade. For the purpose of this article, the floor of a building shall be that floor that has fifty percent (50%) or more of the exterior wall surface area level with or above finished grade. One additional level that is the first level and not designed for human habitation and only for vehicle parking, storage or similar use shall be permitted.

Article 352 - Rigid Nonmetallic Conduit (PVC)

352.10. Uses Permitted

ORDINANCE NO. 9194 (Cont.)

- (A) Where encased in concrete
- (B) Underground installations
- (C) For service entrances on the outside of buildings where not subject to physical damage
- (D) For raceways to feed subpanels
- (E) In wet locations where used with proper connections and fittings
- (F) For physical protection of ground wires

352.12. Uses Not Permitted

- (A) In hazardous (classified) locations (except as provided in National Electrical Code Sections 503.3, 504.20, 514.8)
- (B) For support of fixtures or other equipment
- (C) Where subject to physical damage
- (D) Where subject to ambient temperatures exceeding those for which the conduit is approved
- (E) In alleys or utility easements, the first section of conduit out of the ground
- (F) For branch circuits

Article 348 - Flexible Metal Conduit

348.10. Uses Permitted.

Flexible metal conduit may be used for fish work in old buildings or other places where rigid conduit is impractical to install. ~~A~~ Special permit permission shall be obtained from the electrical inspector before it is used in any installations.

Amended by Ordinance No. 8990, effective 8-10-2005

§15-6. Service Entrances

(A) Each service entrance with 2,000 amperes capacity or less shall be provided with a readily accessible main disconnecting device with appropriate overcurrent protection; provided, each service entrance larger than 2,000 amperes capacity shall comply with the provisions of the National Electric Code. The device shall disconnect all ungrounded conductors from the source of supply in one motion or operation of the hand. For overhead services, said overcurrent protection shall be installed within twenty-five (25) feet from the weatherhead, but within ten (10) feet from where the conductors enter the building. For underground services, said overcurrent protection shall be installed within ten (10) feet from where the conductors enter the building. No service entrance conductors shall be installed within the hollow spaces of a frame wall unless provided with overcurrent protection at their outer end. Attachment devices or insulators for the service drop shall be installed by the electrical contractor on the alley or easement side of the building in such a manner so that the clearances as required by this Code can be maintained by the utility company.

(B) *Manufactured Homes.* Pedestals shall be required for power to manufactured homes on private lots, unless (1) the manufactured home comes with the service equipment factory installed or (2) the manufactured home is secured to a permanent foundation that complies with applicable building codes. This pedestal shall have proper overcurrent protection and provisions for metering. ~~The meter height shall be between 3 1/2 to 6 1/2 feet from grade to the center of the meter.~~

(C) *Provisions for Metering.* Provisions for metering shall be in accordance with standards set out by the Grand Island Utilities Department.

(D) *Electrical Service Panels for Dwellings.* The minimum size of electrical panel that can be installed in a dwelling shall be 20 circuit for 100 amp, 30 circuit for a 150 amp, and 40 circuit for a 200 amp.

(E) *Number of Services.* One electrical service shall be provided for each tract or parcel of land, except upon written request and approval by the Utilities Director and Building Department Director, and/or their respective designee.

(F) *Multiple Occupancy Building.* Each tenant shall have access to their disconnecting means and overcurrent protection. This disconnecting means and overcurrent protection shall not be guarded by locked doors.

Exceptions:

- (1) The disconnecting means and overcurrent protection are located in the tenant space.
- (2) All electrical equipment is located in a common area with access to all tenants.
- (3) Electrical equipment is located outside.

Amended by Ordinance No. 8990, effective 8-10-2005

§15-7. Wiring In Commercial Buildings

(A) Metallic conduit wiring will be required for the installation of all wiring for lights, heat, air conditioning, or power in all commercial buildings. These include, but are not limited to, asylums, hospitals, hotels,

ORDINANCE NO. 9194 (Cont.)

motels, theaters, schools, factories, churches, warehouses, mills, grain elevators, food stores, office buildings, retail sales, stables, garages, meeting halls, buildings of fireproof or mill construction.

(B) All dwelling units located within any commercial type building shall have electrical wiring installed in electrical metallic conduit.

(C) For uses of metal-clad cable (MC), refer to §15-3. For uses of rigid nonmetallic conduit (PVC), refer to §15-3.

(D) wiring above suspended ceilings - all permanent raceways, boxes, cabinets, and fittings shall be securely fastened to the building structure.

Amended by Ordinance No. 8990, effective 8-10-2005

§15-11. Construction of Article Requirements for Electrical Installations

~~In all matters arising under this article which involve the exercise of discretion rather than the mere administration of the provisions of this article, the right to the ultimate decision thereof shall remain in the city council.~~

(A) Aluminum Conductors – aluminum conductors may be used for service entrance and feeders only.

(B) Equipment grounding conductors – an equipment grounding conductor will be required in all conduit systems except for rigid metal conduit systems with threaded hubs, complying or fittings

SECTION 2. Sections 15-2; 15-3; 15-6; 15-7; and 15-11 as existing prior to this amendment, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

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

SECTION 4. That this ordinance shall be in force and take effect from and after its passage and publication, on November 1, 2008.

Enacted: September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G1

Approving Minutes of September 9, 2008 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

September 9, 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 September 9, 2008. Notice of the meeting was given in *The Grand Island Independent* on September 3, 2008.

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

INVOCATION was given by Pastor George Oxford, First Church of the Nazarene, 1022 West 6th Street followed by the PLEDGE OF ALLEGIANCE.

COMMUNICATION: Mayor Hornady introduced Community Youth Council members Sam Schneider and Kayla Harris along with Board Member, Officer Butch Hurst. Also welcomed were several FFA students.

Mayor Hornady mentioned she received a letter of retirement from Fire Chief Jim Rowell effective October 24, 2008.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Preparedness Month" September 2008. Mayor Hornady proclaimed the month of September 2008 as "Preparedness Month". Jon Rosenlund, Emergency Management Director was present to receive the proclamation.

Proclamation "National Alcohol and Drug Addiction Recovery Month" Mayor Hornady proclaimed the month of September 2008 as "National Alcohol and Drug Addiction Recovery Month". Connie Holmes, Executive Director of the Central NE Council on Alcoholism and Addictions, Inc. and Randy See, coordinator of the Grand Island Substance Abuse Prevention Coalition were present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Request from Harold E. & Kathy D. Carmichael, Jr. dba OK Liquor, 305 West Koenig Street for a Class "D" Liquor License. RaNae Edwards, City Clerk reported that an application for a Class "D" Liquor License had been received from Harold E. & Kathy D. Carmichael, Jr., dba OK Liquor, 305 West Koenig Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on August 11, 2008; notice to the general public of date, time, and place of hearing published on August 30, 2008; notice to the applicant of date, time, and place of hearing mailed on August 20, 2008; along with Chapter 4 of the City Code. Staff made no recommendation. Sam Schneider, 405 Rosewood Circle and Lex Ann Roach, 609 South Ceburn Street spoke in

opposition. Bill Kelly, Attorney for OK Liquor spoke in support. No further public testimony was heard.

Public Hearing on Request from Roadhouse Garage, Inc. dba Roadhouse Garage & Grill, 2710 Diers Avenue, Suite B for a Class "C" Liquor License. RaNae Edwards, City Clerk reported that an application for a Class "C" Liquor License had been received from Roadhouse Garage, Inc., dba Roadhouse Garage & Grill, 2710 Diers Avenue, Suite B. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on August 22, 2008; notice to the general public of date, time, and place of hearing published on August 30, 2008; notice to the applicant of date, time, and place of hearing mailed on August 25, 2008; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections and with the restrictions that Sarah Tjaden and Jeff Leo have no involvement in the operation of the business. Simon Jensen, 223 Cottage Street spoke in support. No further public testimony was heard.

Public Hearing Concerning Acquisition of Utility Easement Located at 820 North Webb Road (LBJM, LLC). Gary Mader, Utilities Director reported that a utility easement was needed at 820 North Webb Road 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 electric cable and a pad-mounted transformer to serve a new building. Staff recommended approval. No public testimony was heard.

Public Hearing Concerning Acquisition of Utility Easement Located at 4201 Gold Core Drive (Scannell Properties #106, LLC). Gary Mader, Utilities Director reported that a utility easement was needed at 4201 Gold Core Drive 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 electric cable and a pad-mounted transformer to serve the new Federal Express building. Staff recommended approval. No public testimony was heard.

Public Hearing on Creation of Business Improvement District #6, Second Street. Wes Nespor, Attorney reported the Mayor and Council set preliminary boundaries and appointed an initial Board of Director for Business Improvement District #6. The next step in the process was 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. No public testimony was heard.

Motion by Nickerson, second by Zapata that there were no protests filed for District #6. Upon roll call vote, all voted ayes. Motion adopted.

Public Hearing on Creation of Business Improvement District #7, South Locust from Stolley Park Road to Highway 34. Wes Nespor, Attorney reported the Mayor and Council set preliminary boundaries and appointed an initial Board of Director for Business Improvement District #7. The next step in the process was 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. No public testimony was heard.

Motion by Nickerson, second by Zapata that there were no protests filed for District #7. Upon roll call vote, all voted ayes. Motion adopted.

Public Hearing on General Property, Parking District #2 (Ramp) and Community Redevelopment Authority Tax Request. David Springer, Finance Director reported that state statutes requires the City to conduct a public hearing if the property tax request changes from one year to the next. Property tax request for the general property tax was \$5,711,871, Parking District No. 2 at \$9,000, and the Community Redevelopment Authority property tax at \$475,000. No public testimony was heard.

Public Hearing on Request from Grand Island Public Schools for a Conditional Use Permit for Concrete Parking Lot for Gates Elementary School Located at 2723 West Louise Street. Craig Lewis, Building Department Director reported Grand Island Public Schools had applied for a Conditional Use Permit to allow for the construction of a parking lot for Gates Elementary School located at 2723 West Louise Street. It was recommended council approve the conditional use permit with the condition that landscaping be provided in compliance with Section 36-102 of the Grand Island City Code. No public testimony was heard:

Public Hearing for a Community Development Block Grant/Planning Grant Application for Cornhusker Industrial Park. Joni Kuzma, Community Development Administrator reported the City was eligible to apply for Community Development Block Grant funding to formulate a development plan for the re-use of a 1,700 acre military munitions production facility into a regional industrial center at the Cornhusker Industrial Park (CAAP). The application consists of \$75,000 funding from the Nebraska Department of Economic Development and \$75,000 from the Department of Commerce, Economic Development Agency grant which had been secured. Marlan Ferguson, 2808 Apache Road spoke in support. No further public testimony was heard.

Public Hearing for Ground Lease and Lease Purchase of Building Located on Property Owned by Hall County Livestock Improvement Association (Fonner Park). Jeff Pederson, City Administrator reported action steps were necessary to form a partnership with the community and Fonner Park to make possible the contribution of \$5 million towards the \$8.5 million required to becoming the new host of the Nebraska State Fair. Mr. Pederson stated negotiations had been on-going with Fonner Park for agreements that would permit the construction of a building by the City at Fonner Park. Donald Dunn, Chairman of the Grand Island Chamber of Commerce, Marlan Ferguson, 2808 Apache Road and Jay Vavricek, 2729 Brentwood Blvd. spoke in support. David Plautz, 4063 Manchester Road, Ray Ericson, 656 Joehnck Road, and Lewis Kent, 624 Meves Avenue spoke in opposition. No further public testimony was heard.

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:

- #9181 – Consideration of Water Rate Change for Fiscal Year 2008-2009
- #9182 – Consideration of Amending Chapter 32 of the Grand Island City Code Relative to Size of Address Numbers
- #9183 – Consideration of Creation of Sanitary Sewer District No. 526, Extension of Sanitary Sewer to Serve Grand Island Plaza Subdivision
- #9184 – Consideration of Approving FY 2008-2009 Annual Single City Budget, The Annual Appropriations Bill Including Addendum #1

- #9185 – Consideration of Amendments to Chapter 13 of the Grand Island City Code Relative to Occupation Tax for Downtown Improvement and Parking District No. 1
- #9186 – Consideration of Creating Business Improvement District #6, Second Street
- #9187 – Consideration of Creating Business Improvement District #7, South Locust from Stolley Park Road to Highway 34
- #9188 – Consideration of Sale of Old Fire Station No. 1 Located at 302 South Pine Street
- #9189 – Consideration of Occupation Tax on Food Services, Beverage Places and Restaurants

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 Ramsey second the motion. Upon roll call vote, all voted aye. Motion adopted.

#9181 – Consideration of Water Rate Change for Fiscal Year 2008-2009

Gary Mader, Utilities Director reported costs of materials necessary for the expansion, maintenance and operation of the water system had continued to increase. Ordinance #9181 included a rate increase of 3% in the 2008-2009 Water Department budget to keep pace with increasing costs.

Motion by Carney, second by Nickerson to approve Ordinance #9181.

City Clerk: Ordinance #9181 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9181 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.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9181 is declared to be lawfully adopted upon publication as required by law.

#9182 – Consideration of Amending Chapter 32 of the Grand Island City Code Relative to Size of Address Numbers

#9183 – Consideration of Creation of Sanitary Sewer District No. 526, Extension of Sanitary Sewer to Serve Grand Island Plaza Subdivision

Jim Rowell, Fire Chief reported Ordinance #9182 would amend Chapter 32 of the Grand Island City Code to require all street addresses placed on buildings to be 4 inch letters consistent with IFC regulations.

Ron Underwood, Public Works Engineer reported Ordinance #9183 would create Sanitary Sewer District No. 526 in connection with the Capital Avenue widening project to serve the Grand Island Plaza Subdivision.

Motion by Gilbert, second by Zapata to approve Ordinances #9182 and #9183.

City Clerk: Ordinances #9182 and #9183 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #9182 and #9183 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9182 and #9183 are declared to be lawfully adopted upon publication as required by law.

#9184 – Consideration of Approving FY 2008-2009 Annual Single City Budget, The Annual Appropriations Bill Including Addendum #1

David Spring, Finance Director reported this was the last step in the budget process and that the budget must be submitted to the state by September 20, 2008. Explained were changes to be included that were made to the budget during the budget work sessions. Discussion was held regarding the transfer of Fire Pension monies to the General Fund and the benefits of a \$2 million bond if added to the budget.

Motion by Nickerson, second by Brown to approve Ordinance #9184 as revised by Finance Director David Springer.

Motion by Meyer, second by Gericke to amend the motion to include the \$2 million bond proposal into the FY 2008-2009 Budget. Upon roll call vote, Councilmember's Meyer, Niemann, Ramsey, Carney, Gericke, Nickerson, Zapata and Brown voted aye. Councilmember's Gilbert and Haase voted no. Motion adopted.

City Clerk: Ordinance #9184 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 Niemann, Ramsey, Carney, Gericke, Nickerson, Zapata and Brown voted aye. Councilmember's Meyer, Gilbert and Haase voted no. Motion adopted.

City Clerk: Ordinance #9184 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 Niemann, Ramsey, Carney, Gericke, Nickerson, Zapata and Brown voted aye. Councilmember's Meyer, Gilbert and Haase voted no. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9184 is declared to be lawfully adopted upon publication as required by law.

#9185 – Consideration of Amendments to Chapter 13 of the Grand Island City Code Relative to Occupation Tax for Downtown Improvement and Parking District No. 1

David Springer, Finance Director reported this was the annual Council action to establish the occupation tax for Downtown Improvement and Parking District No. 1. FY 2008-2009 occupation tax factor was \$.1480 per square foot and would provide taxes of \$40,000.

Motion by Zapata, second by Meyer to approve Ordinance #9185.

City Clerk: Ordinance #9185 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9185 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.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9185 is declared to be lawfully adopted upon publication as required by law.

#9186 – Consideration of Creating Business Improvement District #6, Second Street

#9187 – Consideration of Creating Business Improvement District #7, South Locust from Stolley Park Road to Highway 34

Ordinances #9186 and #9187 related to the aforementioned Public Hearings.

Motion by Meyer, second by Gericke to approve Ordinances #9186 and #9187.

City Clerk: Ordinances #9186 and #9187 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #9186 and #9187 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9186 and #9187 are declared to be lawfully adopted upon publication as required by law.

#9188 – Consideration of Sale of Old Fire Station No. 1 Located at 302 South Pine Street

Jim Rowell, Fire Chief reported Ordinance #9188 was for the sale of Old Fire Station No. 1 located at 302 South Pine Street to David C. Hill of Grand Island, Nebraska in the amount of \$70,000. Chief Rowell explained the process of receiving and reviewing the three proposals submitted.

Paul Warshauer, 217 North Locust Street spoke in opposition.

City Clerk: Ordinance #9188 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, Ramsey, Gilbert, Carney, Nickerson, Zapata and Brown voted aye. Councilmember's Gericke and Haase voted no. Motion adopted.

City Clerk: Ordinance #9188 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,

Ramsey, Gilbert, Carney, Nickerson, Zapata and Brown voted aye. Councilmember's Gericke and Haase voted no. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9188 is declared to be lawfully adopted upon publication as required by law.

#9189 – Consideration of Occupation Tax on Food Services, Beverage Places and Restaurants

Jeff Pederson, City Administrator reported Ordinance #9189 would contribute to the requirement of LB 1116 for Grand Island to become the host City for the Nebraska State Fair to raise \$8.5 million. The rate imposed on businesses would be 1.5%.

The following people spoke in support of the State Fair move to Grand Island: Donald Dunn, 72 Ponderosa Drive; Rich Milton, 109 E. Ashton Avenue, Ken Gnadt, 1610 Gretchen, and Jay Vavricek, 2729 Brentwood Blvd. Speaking in opposition was David Plautz, 4063 Manchester Road and Lewis Kent, 624 Meves Avenue.

Motion by Carney, second by Ramsey to approve Ordinance #9189.

Discussion was held concerning the total amount to be raised by the occupation tax. Dale Shotkoski, City Attorney stated an occupation tax was based on food sales. Funds would be put in the general fund and could be earmarked specifically for a building at Fonner Park for the Nebraska State Fair. David Springer, Finance Director stated the amount would be \$5,062,500 with approximately 6½ years to pay off the lease purchase. A sunset provision was discussed.

Motion by Meyer, second by Carney to amend the motion to include the principal amount of \$5,062,500 and sunset when the debt is paid off. Upon roll call vote, all voted aye. Motion adopted.

Discussion was held concerning the Escrow Agreement and process of moving this issue forward. Donald Dunn, 72 Ponderosa Drive commented Council could adopt the Ordinance tonight, but it would not be effective until December 1, 2008.

Motion by Nickerson, second by Gilbert to postpone this issue to Thursday, September 11, 2008 Special Meeting. Upon roll call vote, Councilmember's Gilbert, Gericke, and Nickerson voted aye. Councilmember's Meyer, Niemann, Ramsey, Carney, Zapata, Haase, and Brown voted no. Motion failed.

Upon roll call vote of the main motion with amendment, all voted aye. Motion adopted.

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

Approving Minutes of August 26, 2008 City Council Regular Meeting.

Approving Request from Debra Waterman, 1116 Orange Road for Liquor Manager Designation for the United Veterans Club, 1914 West Capital Avenue.

#2008-236 – Approving Acquisition of Utility Easement Located at 820 North Webb Road (LBJM, LLC).

#2008-237 – Approving Acquisition of Utility Easement Located at 4201 Gold Core Drive (Scannell Properties #106, LLC).

#2008-238 – Approving Bid Award for Burdick Cooling Tower Replacement with Midwest Towers, Inc. from Blue Springs, Missouri in an Amount of \$1,015,050.00.

#2008-239 – Approving Non Disclosure Agreement between the City of Grand Island and Northwestern Energy.

#2008-240 – Approving Change Order No. 1 for Handicap Ramp Project 2008-1 with Galvan Construction, Inc. of Grand Island, Nebraska for an Increase of \$150.00 and a Revised Contract in the Amount of \$31,773.32.

#2008-241 – Approving Certificate of Final Completion for Handicap; Ramp Project No. 2008-1 with Galvan Construction, Inc. of Grand Island, Nebraska.

#2008-242 – Approving Bid Award for Street Improvement Project No. 2008-P-4, Concrete Pavement Repair on the Northbound Lanes of US Highway 281 from Old Potash Highway to Capital Avenue with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$153,620.00.

#2008-243 – Approving Supplemental Agreement #1 to the Agreement with Olsson Associates of Grand Island, Nebraska for Construction Engineering Services on Capital Avenue Widening Project in an Amount not to exceed \$35,000.00.

#2008-244 – Approving Update to Resolution #2008-68; Designating No Parking Zones for Westbound US Highway 30 (2nd Street) Detour.

#2008-245 – Approving Certificate of Final Completion for Law Enforcement Center with Chief Construction Co. of Grand Island, Nebraska.

#2008-246 – Approving Application for 2008 Transportation Enhancement Program Grant.

#2008-247 – Approving Funding of Economic Development Corporation Request for Platte Valley Industrial Park (NWPS Rate Agreement Funds) in the Amount of \$50,648.65.

#2008-248 – Approving Proposal for Property and General Liability Insurance with EMC Insurance Company in an Amount of \$703,851 for 2008-2009 with Subsequent Renewal Options.

#2008-249 – Approving Certificate of Final Completion for New Fire Station No. 1 Construction with Tri Valley Builders, Inc. of Grand Island, Nebraska.

#2008-250 – Approving Community Development Block Grant/Planning Grant Application for Cornhusker Industrial Park.

REQUESTS AND REFERRALS:

Consideration of Request from Grand Island Public Schools for a Conditional Use Permit for Construction of Concrete Parking Lot for Gates Elementary School Located at 2723 West Louise Street. This item related to the aforementioned Public Hearing.

Motion by Nickerson, second by Meyer to approve the request with conditions as presented at the Public Hearing regarding landscaping requirements. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2008-251 – Consideration of Request from Harold E. & Kathy D. Carmichael, Jr. dba OK Liquor, 305 West Koenig Street for a Class “D” Liquor License. This item related to the aforementioned Public Hearing. Discussion was held regarding stipulations that could be included on this license.

Motion by Meyer, second by Gilbert to approve Resolution #2008-251 with the stipulation Mr. Carmichael attend a state approved alcohol server/seller training program and if his business has one violation of sale to a minor the license shall be cancelled. Upon roll call vote, Councilmember’s Meyer, Gilbert, Carney, Nickerson and Brown voted aye. Councilmember’s Niemann, Ramsey, Gericke, Zapata and Haase voted no. Mayor Hornady voted aye to break the tie. Motion adopted.

#2008-252 – Consideration of Request from Roadhouse Garage, Inc. dba Roadhouse Garage & Grill, 2710 Diers Avenue, Suite B for a Class “C” Liquor License and request for Liquor Manager Designation from Simon Jensen, 642 4th Street, Hampton, Nebraska. This item related to the aforementioned Public Hearing.

Motion by Meyer, second by Haase to approve Resolution #2008-252 contingent upon final inspections and with the restrictions that Sarah Tjaden and Jeff Leo have no involvement in the operation of the business. Also approve the request for Liquor Manager designation from Simon Jensen, 642 4th Street, Hampton, Nebraska contingent upon Mr. Jensen completing a state approved alcohol server/seller training program. Upon roll call vote, all voted aye. Motion adopted.

#2008-253 – Consideration of Approving General Property, Parking District #2 (Ramp) and Community Redevelopment Authority Tax Request. This item related to the aforementioned Public Hearing.

Motion by Meyer, second by Nickerson to approve Resolution #2008-253. Upon roll call vote, all voted aye. Motion adopted.

#2008-254 – Consideration of Approving 1% Increase to the Lid Limit. David Springer, Finance Director reported that in 1998 the Nebraska State Legislature passed LB 989 which put a cap on

the amount of restricted revenues a political subdivision could budget for. The restricted revenues that the City of Grand Island included in the budget were Property Taxes, Local Option Sales Tax, Motor Vehicle Tax, Highway Allocation and State Aid. Of those restricted revenues, property tax was the only revenue that the City could control. The increase in restricted funds authority using the 1% additional amount and the population growth (when available) was not an increase in budgeted revenues. It only provided the ability to increase restricted revenues, particularly property tax, in a future year if necessary.

Motion by Meyer, second by Gericke to approve Resolution #2008-254. Upon roll call vote, Councilmember's Meyer, Niemann, Ramsey, Gilbert, Carney, Gericke, Nickerson, Zapata and Brown voted aye. Councilmember Haase voted no. Motion adopted.

#2008-255 – Consideration of Lease Purchase Agreement with Wells Fargo. This item related to the aforementioned Public Hearing.

Motion by Meyer, second by Carney to approve Resolution #2008-255.

Discussion was held concerning the lack of information on the document. David Springer, Finance Director stated the interest rate today was 3.73% but would be the rate on the date the document was signed. Dale Shotkoski, City Attorney explained the remaining missing information would be filled in at the time the document was signed.

Motion by Gilbert, second by Nickerson to postpone Resolution #2008-255 to Thursday, September 11, 2008 Special meeting. Upon roll call vote, Councilmember's Niemann, Gilbert, Carney, Gericke, Nickerson, and Haase voted aye. Councilmember's Meyer, Ramsey, Zapata and Brown voted no. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Brown, second by Haase to approve the Claims for the period of August 27, 2008 through September 9, 2008, for a total amount of \$2,000,438.46. Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 10:10 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G2

Approving Minutes of September 11, 2008 City Council Special Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL SPECIAL MEETING

September 11, 2008

Pursuant to due call and notice thereof, a Special Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street on September 11, 2008. Notice of the meeting was given in the Grand Island Independent on September 7, 2008.

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

Following a moment of silence in remembrance of the lives lost on September 11, 2001 the PLEDGE OF ALLEGIANCE was said.

Larry Toner, 3018 Bighorn Place, member of the Fonner Park Board thanked the City Council and previous councils for decisions made in the past to better the community and on the hard work of everyone involved in bringing the NE State Fair to Grand Island.

MAYOR COMMUNICATION: Mayor Hornady commented on the successful meetings held today with Fonner Park and City staff to negotiate the agreements before the council tonight. Mayor Hronady thanked those involved on the hard work involved in bringing the NE State Fair to Grand Island.

PUBLIC HEARING:

Public Hearing for Ground Lease with Hall County Livestock Improvement Association (Fonner Park). Dale Shotkoski, City Attorney reported this was the ground lease between the City of Grand Island and Hall County Livestock Improvement Association (Fonner Park). The legal description had not been filled in because the exact site at Fonner Park had not been decided. The agreement would be a 40 year lease.

RESOLUTIONS:

#2008-256 – Consideration of Ground Lease with Hall County Livestock Improvement Association (Fonner Park). This related to the aforementioned Public Hearing. Dale Shotkoski, City Attorney reported this lease was for the property on which the building would be located. The term of the lease was for 40 years and would be renewable.

Motion by Meyer, second by Carney to approve Resolution #2008-256. Upon roll call vote, all voted aye. Motion adopted.

#2008-257 – Consideration of Amended and Restated Management Agreement with Heartland Events Center, Inc. Dale Shotkoski, City Attorney reported this management agreement would be for the 50,000 building to be built at Fonner Park. Discussion was held concerning quarterly meetings, recreational uses, separate bookkeeping requirements, naming rights and maintenance which would be supplied by Fonner Park. Discussion was held on the term of the agreement. Mr. Shotkoski stated this was an annual agreement.

Motion by Carney, second by Ramsey to approve Resolution #2008-257. Upon roll call vote, all voted aye. Motion adopted.

#2008-255 – Consideration of Lease Purchase Agreement with Wells Fargo Brokerage Services, LLC. Dale Shotkoski, City Attorney reported this item was carried over from the meeting of September 9, 2008. Mr. Shotkoski stated this was the financing mechanism to build the building.

Jeff Pederson, City Administrator clarified the money from the occupational tax would cover the payments of this lease purchase agreement. Jay Vavricek, 2729 Brentwood Blvd. stated he wanted to make the same clarification Mr. Pederson made.

Motion by Meyer, second by Brown to approve Resolution #2008-255. Upon roll call vote, all voted aye. Motion adopted.

#2008-259 – Consideration of Escrow Agreement with Wells Fargo Brokerage Services, LLC. Dale Shotkoski, City Attorney reported Wells Fargo requested the monies be put in an Escrow account and complied with LB 1116. This was part of the negotiations with Fonner Park.

Motion by Meyer, second by Brown to approve Resolution #2008-259. Upon roll call vote, all voted aye. Motion adopted.

Councilmember Nickerson thanked all those associated with these discussions and the hard work involved to make this a success. Cindy Johnson, 4140 Elmwood Drive, Chamber of Commerce President thanked all those involved and the leadership of those present. Ken Gnadt, 1610 Gretchen commented on the success of Husker Harvest Days and positive comments he heard at Husker Harvest Days in moving the State Fair to Grand Island. Corby Flagle, 3932 Meadow Way Trail, Hall County Ag Society Fair Manager thanked the Council and Mayor and welcomed them onboard.

Mayor Hornady thanked members of Fonner Park, Chamber, City Council and city staff.

ADJOURNMENT: The meeting was adjourned at 7:40 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G3

Approving Re-Appointment of Sue Pirnie to the Community Redevelopment Authority Board

The Mayor has submitted the re-appointment of Sue Pirnie to the Community Redevelopment Authority Board. This appointment would become effective October 1, 2008 upon approval by City Council and would expire on September 30, 2013. Approval is recommended.

Staff Contact: Mayor Hornady



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G4

Approving Garbage Permits for Central Waste Disposal, Clark Brothers Sanitation, Heartland Disposal, Mid-Nebraska Disposal and Refuse Permits for Full Circle, O'Neill Transportation and Equipment, and Scott's Hauling

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk
Meeting: September 23, 2008
Subject: Approving Garbage and Refuse Haulers Permits
Item #'s: G-4
Presenter(s): RaNae Edwards, City Clerk

Background

Grand Island City Code Section 17-15 allows for the Collection, Transportation, and Disposal of Garbage and/or Refuse. These permits are effective October 1 through September 30 of each calendar year.

Discussion

The following businesses have submitted applications for renewal for 2007/2008:

Central Waste Disposal, 147 East Roberts	Garbage
Clark Brothers Sanitation, 3080 West 2 nd Street	Garbage
Heartland Disposal, 2423 W. Old Lincoln Hwy.	Garbage
Mid-Nebraska Disposal, Inc., 3080 West 2 nd Street	Garbage
Full Circle, Inc., 4331 Juergen Road	Refuse
O'Neill Transportation and Equipment, 558 S. Stuhr Rd.	Refuse
Scott's Hauling, 3230 Westside Street	Refuse

All City Code requirements have been met by these businesses.

Alternatives

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

1. Approve the renewal for garbage/refuse permits.
2. Disapprove or deny the renewals.
3. Modify the renewals to meet the wishes of the Council.
4. Table the issue

Recommendation

City Administration recommends that the Council approve the renewals for garbage/refuse permits for 2008/2009.

Sample Motion

Move to approve the renewal for garbage/refuse permits for 2008/2009.



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G5

Approving Request from Scott Schlatter, 3325 Longview Court, Lincoln, Nebraska for Liquor Manager Designation for Hy-Vee Gas #1221, 118 Wilmar Avenue and Hy-Vee Grand Island #1221, 115 Wilmar Avenue

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: September 23, 2008

Subject: Request from Scott Schlatter, 3325 Longview Court, Lincoln, Nebraska for Liquor Manager Designation for Hy-Vee Gas #1221, 118 Wilmar Avenue and Hy-Vee Grand Island #1221, 115 Wilmar Avenue

Item #'s: G-5

Presenter(s): RaNae Edwards, City Clerk

Background

Scott Schlatter, 3325 Longview Court, Lincoln, Nebraska has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "C-79662" Liquor License for Hy-Vee Grand Island #1221, 115 Wilmar Avenue and Class "D-79661" Liquor License for Hy-Vee Gas #1121, 118 Wilmar Avenue.

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

Discussion

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

Alternatives

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

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

Recommendation

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

Sample Motion

Move to approve the request from Scott Schlatter, 3325 Longview Court, Lincoln, Nebraska for Liquor Manager Designation in conjunction with the Class “C-79662” Liquor License for Hy-Vee Grand Island #1221, 115 Wilmar Avenue and Class “D-79661” Liquor License for Hy-Vee Gas #1121, 118 Wilmar Avenue” Liquor License with the stipulation that Mr. Schlatter complete a state approved alcohol server/seller training program.

INTEROFFICE
MEMORANDUM
Police Department



*Working Together for a
Better Tomorrow. Today.*

DATE: September 10, 2008
TO: RaNae Edwards. City Clerk
FROM: Dave Vitera, Sergeant, Police Department
RE: Liquor Manager Designation – Scott Schlatter –
Hy-Vee Gas

An application was received for Scott Schlatter to become the liquor manager at Hy-Vee Gas. Deborah Schlatter is listed as Scott's wife on the application. She signed a "Spousal Affidavit of Non-Participation" form. Scott has lived in Nebraska for about ten of the last 13 years.

I checked Spillman but could not locate Scott or Deborah. I found both of them in NCJIS. Deborah did not have any violations listed. Scott had one traffic contact where he pled guilty to a speeding and seat belt charge in 2005.

On the application it clearly asks "Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law, a violation of a local law, ordinance or resolution." The "No" box was checked.

Scott's failure to disclose his traffic conviction technically makes the application false according to the Nebraska Liquor Control Act (Part II Chapter 2 Section 010.01). The traffic conviction would fall under state law or local ordinance. Either way, the conviction is either an infraction or a misdemeanor that does not rise to the level of a Class I Misdemeanor is an specified crime under Nebraska State Statute Chapter 28 that would automatically nullify the liquor license.

The applicant should be cautioned about reading and filling out the application completely, but the Grand Island Police Department has no objection to Scott Schlatter becoming the liquor manager at Hy-Vee Gas.

DV/rkk *Dave Vitera*



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G6

Approving Request from Eagles Fraternal Order #378 dba Eagles Fraternal Order #378, 213 North Sycamore Street for a Deletion to Class “C-01462” Liquor License

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: September 23, 2008

Subject: Request from Eagles Fraternal Order #378 dba Eagles Fraternal Order #378, 213 North Sycamore Street for a Deletion to Class "C-01462" Liquor License

Item #'s: G-6

Presenter(s): RaNae Edwards, City Clerk

Background

Eagles Fraternal Order #378 dba Eagles Fraternal Order #378, 213 North Sycamore Street has submitted an application for a deletion of the upstairs area approximately 132' x 132' to their Class "C-01462" Liquor License.

Discussion

Eagles Fraternal Order #378 currently holds a liquor license which covers the upstairs and downstairs of the Eagles building located at 213 North Sycamore Street. They are requesting a deletion of the upstairs area approximately 132' x 132'. This area will be covered under a separate license which is before the City Council for approval tonight from Balz Banquet & Reception Hall.

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the City Clerk.

Alternatives

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

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

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

Recommendation

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

Sample Motion

Move to approve the request from Eagles Fraternal Order #378 for a deletion of the upstairs area of approximately 132' x 132' from their Liquor License "C-01462" located at 213 North Sycamore Street.



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G7

#2008-259 - Approving All-Hazard Mitigation Plan for the City of Grand Island

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP

Meeting: September 23, 2008

Subject: Approving All Hazard Mitigation Plan for the City of Grand Island

Item #'s: G-7

Presenter(s): Chad Nabity, AICP

Background

The Hall County Regional Planning Commission was the recipient of a grant from FEMA through the Nebraska Emergency Management Agency to develop hazard mitigation plans for the member communities. We met in March of 2007 to begin the process and this is the result of that and subsequent meetings and work by the Nebraska Department of Natural Resources, the Army Corps of Engineers and Regional Planning and Emergency Management Staff. This grant paid for the entire plan with staff and volunteer time as a permitted community match. An All-Hazards Mitigation Plan adopted by local governing bodies is required by FEMA.

Discussion

This plan identifies activities that the City of Grand Island could fund that would lessen the impact of hazards on the communities. Grand Island has a history of funding mitigation activities. The city is currently participating with the County and Central Platte NRD in developing a flood diversion project in northwest Grand Island along the Prairie, Silver and Moores Creeks. The Wood River Diversion project is one of the most successful mitigation projects in and around the City. Grand Island Utilities' aggressive tree trimming program prevented a great deal of damage during the 2007 ice storms.

FEMA has reviewed the draft and given it preliminary approval. Adoption of this plan does not commit these communities to the projects outlined but it does give these mitigation projects priority should funding become available from FEMA. Without a plan approved by FEMA the communities would not be eligible for funding for mitigation

activities. Mitigation activity money often becomes available in the aftermath of a declared disaster in an attempt to minimize the impacts of future events.

The Regional Planning Commission held a public hearing at their meeting on September 3rd and passed a resolution approving the plan and recommending approval of the plan to the governing bodies.

Alternatives

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

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

Recommendation

It is recommended that the City Council pass the attached resolution, adopting this All-Hazard Mitigation Plan for the City of Grand Island.

Sample Motion

Move to approve the Resolution adopting the All-Hazard Mitigation Plan for the City of Grand Island.

RESOLUTION 2008-259

WHEREAS, a study was prepared by the United States Corps of Engineers, the Nebraska Department of Natural Resources and City Staff for the City of Grand Island, and

WHEREAS, the purpose of the study was to prepare an all-hazards mitigation plan which establishes the framework and also a process to implement and review the plan to reduce hazards as conditions change, and

WHEREAS, a complete mitigation plan shows that a community is addressing its hazards and qualifies the community for mitigation assistance from federal and state agencies, and

WHEREAS, the community has identified mitigation activities that can be engaged in but acknowledges that such activities may be accomplished over time as funding is available

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the All Hazards Mitigation Plan for Grand Island attached as Exhibit A is approved and adopted, and the Mayor is hereby authorized to execute the associated plans on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Exhibit A

Grand Island

	Dam Failure	Drought	Earthquake	Flood	Summer Storm	Land slide	Winter Storm	Tornado /Wind	Wildfire
Probability	Low	Medium	None	High	High	None	High	High	Low
Extent	Limited	Limited	Unknown	Severe	Severe	Zero	Severe	Severe	Limited
Previous Occurrence	No	Yes	No	Yes	Yes	No	Yes	Yes	No

Probability: Based on history, what is the likelihood this type of event will happen again?

- None, Low, Medium, or High

Extent – If this event were to happen, how extensive could the damage be?

- Zero, Limited, Severe, Full, or Unknown

Previous Occurrence: Is there an historic record of this type of hazard in the community?

The above table shows the input provided at the initial public meeting. Due to the geographical proximity, the following hazard types were not considered due to there being no likelihood of occurring in Nebraska: volcanic eruptions, avalanches, hurricanes, tidal surges, and tsunamis.

In the following sections, only the hazard types which have a significant likelihood of occurring or have a reason to potentially occur are listed. These types are: severe weather (summer and winter), tornado, flood, and drought. Although there is a small risk for earthquakes, wildfires, and landslides, the threat and associated risk for these hazards is not high enough and there are no realistic or feasible mitigation actions which can be taken to reduce the level of risk. The National Climatic Data Center lists no records of wildfire for Hall County. Additionally, the citizens did not rank these hazards high enough to warrant detailed discussion in this plan. This may change in future updates.

Disaster History

Flood

On June 20, 1947, Wood River came up and flooded Stolley State Park. Water was over Highway 2 for one mile. Damage was estimated at \$5,000.

On June 10, 1949, \$219,000 was caused by Wood River flooding. Woodland and Riverside golf courses recorded significant damage.

The most extensive flood event to impact Hall County resulted from a long period of excessive rainfall in May and June of 1967. From June 7 to 15, more than 10 inches fell, but the main culprit for the flooding was the 3.2 inches which fell on June 13th. The Wood River crested at six feet (3.5 foot flood stage) and was flowing at 25,000 cubic feet per second. Three people were killed, 1800 buildings were flooded, and 11,000 of the City's 28,600 residents were directly

impacted. Prairie Creek, Silver Creek, and Moores Creek flooded 62 residences and 7 businesses on the north side of the City. Total damage in Grand Island was set at \$6.25 million (\$38.2 million in 2006 dollars). This flood event was a part of the larger Platte River valley flood, which saw total damage at \$49,309,015 – of which \$40.8 million was private damage (\$23 million agricultural damage, \$12 million transportation damage, \$5 million classified as “urban” damage), and \$8.5 million was public damage.

On May 11 and 12, 2005, 7.21 inches of rain fell in a 24-hour period with 7.16 inches of the total falling from 4pm on the 11th to 4am on the 12th. These rainfall totals eclipsed the previous 24-hour rainfall record of 5.88 inches and the previous 12-hour rainfall record of 5.65 inches. Officials from the High Plains Regional Climate Center claimed that this intense rain event was equal to a 100-year storm. An incredible 6.38 inches of rain fell in the six-hour period from 7pm to 1 am. Thirty-six homes were evacuated in Grand Island as flooding was rampant over the west and north part of the city. The city's sewer system handled about 75 million gallons of water, or about 6 times the normal amount during the storm. Many parts of the business and residential districts sustained flood damage as the Prairie, Silver, and Moores Creeks flooded. On the southern end of town, the newly-completed Wood River Diversion project prevented the vast majority of the damage. Without the project, it was estimated that the extent of the 2005 flood would have equaled the 1967 flood.

On July 10, 2006, afternoon and evening thunderstorms produced heavy rains, which caused urban flooding. Property damage was estimated at \$20,000.

On July 29, 2007, thunderstorms produced 5.07 inches of rain in Grand Island. This caused flooding in the northwest part of Grand Island with total property damage set at \$75,000.

On August 22, 2007, flooding on the south side of town washed a car off the road into a ditch. In addition to the heavy rain, 80 mph wind gusts hail, and brief small tornadoes occurred in south central Nebraska. Damage estimate for Grand Island was placed at \$50,000.

As defined by FEMA’s repetitive loss list, there is one repetitive flood loss property with a Grand Island address.

Severe Weather

There have been so many instances of severe weather events impacting Grand Island that only the ones with significant damage or unusual weather phenomena are listed below.

August 5, 1995: 80 mph winds caused \$100,000 in undisclosed property damage. Hail of 2 inches in diameter also caused more than \$1.5 million in property damage.

June 20, 1997: A thunderstorm developed north of Kearney and moved east through Grand Island. Strong winds, over 75 mph, caused property damage in the area set at \$40,000.

July 7, 1997: 1-inch hail along with very heavy rain and high winds caused \$150,000 in damage.

August 21, 1997: 1-inch hail broke windows and damaged numerous cars. Damage: \$100,000.

August 15, 1999: Severe thunderstorms early in the evening left a narrow path of wind damage from south of Kearney to the Grand Island area. Wind gusts of 60 to 80 mph damaged buildings, trees and downed several power lines. In Grand Island, a couple of garages were

damaged; trees uprooted and about 5,000 people were left without electricity for a short time. Total property damage was estimated at \$50,000.

April 22, 2001: a microburst near the mall in Grand Island damaged several trees, signs and knocked over one light post. Damage was estimated at \$10,000.

May 5, 2002: 3-inch hail devastated an area from Doniphan to east of Grand Island. Total property damage was established as \$2 million; however, it is unclear how much of that damage occurred in Grand Island.

June 19, 2002: 70 mph winds tore the roof off the gymnasium at the R-1 school five miles north of Grand Island. Damage estimate: \$16,000.

May 4, 2003: Golf ball sized hail in Grand Island caused \$250,000 in property damage.

May 13, 2003: Severe thunderstorms formed northwest of Grand Island during the afternoon and evening hours. A sign was destroyed, minor tree damage was reported, and some small sheds were damaged. Damage estimate: \$100,000.

April 18, 2004: 60 mph winds broke a light pole at an auto dealership and damaged four vehicles as it fell to the ground. Damage to the vehicles along was estimated at \$14,000.

May 16, 2004: 70 mph winds caused \$30,000 to trees and power infrastructure.

May 21, 2004: Golf ball sized hail in Grand Island caused \$25,000 damage.

May 10, 2005: 70 mph winds near the airport destroyed a construction trailer. Minor damage was reported southeast of town. Damage: \$25,000. 1¾ inch hail caused an additional \$100,000 in property damage.

May 11/12, 2005: In addition to the intense rain and flooding, the severe storms also brought large hail driven by high winds. Officials estimated that 2800 homes and businesses had damage in Grand Island.

June 15, 2006: There were numerous reports of trees down blocking roads and knocking out power. Some of the trees fell on homes. Damage: \$20,000.

June 24, 2006: Penny to golf ball sized hail fell in and around Grand Island, causing \$30,000 in property damage.

Tornado

Grand Island has the unfortunate distinction of having been hit with one of Nebraska's worst tornado outbreaks. The outbreak took place on June 3, 1980, and the twisters devastated entire sections of Grand Island – especially the City's northwest and north central residential areas, as well as the southern business district. Depending on the accounts, between 5 and 15 tornadoes between 7:45pm on the 3rd to 1:30am on the 4th were spotted. The National Climatic Data Center reports 13 tornadoes with four of them rated as F1, three as F2, three as F3, and three as F4. The tornadoes killed five people, injured more than 400, and caused \$300 million in damage. The destruction covered more than 150 city blocks, including losses to 357 homes, 33 mobile homes, 85 apartments, and 49 businesses. This event has been turned into a book and a television movie ("*Night of the Twisters*"), and was studied by a special team of research scientists, including Professor T. Theodore Fujita himself. This tornado outbreak captivated scientists because the storm included both cyclonic and anticyclonic tornadoes.

On August 5, 1995, an F0 tornado came within five miles west of Grand Island.

On August 4, 1996, a severe thunderstorm produced a brief tornado touchdown southwest of Grand Island. Funnel clouds were also observed just south and east of town.

On May 13, 2003, funnel clouds were reported in the Grand Island area, but no tornado was confirmed.

Drought

NCDC reports two drought events since 1950 for Hall County: in 2000 and 2002. Both of these droughts appear to have been agricultural droughts with the most impact to growing crops. Although Grand Island is situated in an area which has been directly impacted by a drought, there are no indications that the City has ever been materially impacted by a drought.

Likelihood of Future Hazard Events

It is certain that Grand Island will be impacted by severe weather – perhaps as often as each year. In these events, it should be expected to witness large hail, high winds, and intense rain in the summer, and large snowfalls, ice, and bitter wind chills in the winter. Although it is certainly possible, it is less likely that Grand Island will be directly impacted by a tornado.

Past Hazard Mitigation Efforts

National Flood Insurance Program

The City of Grand Island participates and is in good standing in the National Flood Insurance Program (NFIP). The initial identification for the floodplain map for Grand Island was completed on April 5, 1974 and the City became eligible for the Emergency Phase of the NFIP on March 14, 1975. Flood Hazard Boundary Map revisions were incorporated onto the map dated September 3, 1976. The boundary map was converted to a Flood Insurance Rate Map on March 2, 1983, which was also the date that Grand Island became eligible for the Regular Phase of the NFIP. New preliminary Hall County countywide floodplain maps were published on August 31, 2007. It is not possible to tell when the preliminary Hall County maps will become effective.

Wood River Diversion

The Wood River Flood Control Project was dedicated in spring of 2004. The 300-foot wide diversion channel diverts excess water from the Wood River and Warm Slough to the east and into the Platte River. This project provides flood control protection for 1500 homes and businesses. The project was tested by the May 11 and 12, 2005, flood event, when 7.21 inches of rain fell in a 24-hour period. From a hydrological standpoint, this event would have resulted in a flood similar to the devastating 1967 flood; however, the Project functioned as designed, and flood damages were minimal for the protected area. The Central Platte Natural Resources District estimated that the \$17 million project paid for itself in this event, less than one year after dedication. The project was sponsored by CPNRD and was funded 42.5% by CPNRD, 35% by City of Grand Island, 11.25% Hall County, and 11.25% Merrick County. The project was constructed by the US Army Corps of Engineers, and the Natural Resources Development Fund (administered by the Nebraska Department of Natural Resources) provided the 60% of the non-federal share of the planning.

Prairie/Silver/Moores Creek Flood Control Project

In May of 2000, the CPNRD and City of Grand Island contracted out to perform a detailed hydrologic analysis of northern and western Grand Island. The analysis also included an evaluation of options for reducing flood damages and to present a preferred alternative. An engineering firm was selected in September of 2005 to provide engineering services for the design and oversight of the flood control project. The flood control project is designed in three phases, expecting to be completed in 2015. Construction of Phase 1 began in January of 2007.

The phases are:

Phase 1 – Silver Creek Low Land Stormwater Detention Cells

The first phase of the project is the construction of four large floodwater detention cells along the Silver Creek channel with a total excavation near 4.5 million cubic yards of earth. The cell design includes the lowering and re-grading of Silver Creek for more than two miles. The detention cells will detain stormwater runoff in excess of the 2-year storm. A 3' x 3' concrete box culvert will be used as the outlet and will release the water from the cells at a rate equal to the 2-year storm. A second 3' x 6' gated box culvert will be used for rapid draw down of the cells. A berm is being placed around the cells, approximately 2 feet above existing ground, to provide sufficient capacity to detain runoff from the 100-year storm with a 1-foot freeboard.

Phase 2 – Basin Divide and Silver/Moores Creek Diversion Channel

A diversion channel that will connect Silver Creek to Moores Creek and a levee that will prevent flood water from flowing from one basin the adjacent basin. The stormwater released from the cells when combined with runoff excess, flows from the Prairie Creek and will cause flooding within the city of Grand Island. This levee will be designed to meet the requirements set forth by FEMA. A diversion channel will be constructed to divert water from Silver Creek to the Moores Creek floodway.

Phase 3 – Upland Dams and Prairie/Silver Creek Channel

A series of upland detention dams and an overflow channel from Prairie Creek to Silver Creek. The exact locations of the detention sites will be finalized in the final design phase of this project. Several sites are available and will be evaluated after geological investigations have been completed. The channel between Prairie and Silver Creek will serve to carry excess flows from Prairie Creek to Silver Creek.

Floodplain Buyouts

The City of Grand Island has acquired and demolished two flood prone properties near the Platte Generating Station.

Prairie Creek Clearing

Although the Prairie Creek Flood Control Project had a local effect, damages could be reduced on Prairie Creek by keeping the channel clear. Projects have been completed from the mouth of Prairie Creek in Merrick County to the Hall-Buffalo county line. Annual maintenance cost to CPNRD is \$10,000.

Moores Creek Flood Control Project

Project sponsors of the feasibility study for the flood control on Moores Creek include CPNRD, the City of Grand Island, Merrick County and Hall County. The three-phase project consisted of channel improvements, construction of three detention/retention and wildlife habitat enhancement cells, and construction of waterways and bridges to enable storm runoff. Annual maintenance cost is estimated at \$20,000.

Emergency Snow Route

Grand Island has instituted emergency snow routes, which allows the City to remove the snow more quickly and efficiently following a significant snow event. This improves public safety since access to medical care is often needed more frequently as a result of the snowfall. The snow removal plan and maps are available in the local telephone book and online at the City's website.

Tree City USA

Grand Island has been a Tree City USA community since 1987. Being a Tree City USA allows a community to reduce its exposure to falling trees and limbs from high wind, tornado, and ice events. Grand Island also offers a cost sharing program for homeowners who purchase the best types of trees for their boulevard areas and yards.

Vulnerability Assessment

According to the Nebraska Department of Property Assessment and Taxation, the total assessed taxable value for Grand Island in 2007 was \$2,215,715,709. Broken out by significant property types, this is:

Residential real property:	\$ 1,326,296,441
Commercial real property:	\$ 665,277,967
Comm/Ind. personal property:	\$ 109,442,265
Industrial real property:	\$ 49,777,940
Public service co. total property:	\$ 42,670,242
Railroad total personal property:	\$ 17,705,107
Agricultural total property:	\$ 4,545,747

The entire structure stock is vulnerable to the severe weather, tornado, and drought hazard. This means that, as of 2007 there is \$2,215,715,709 in at-risk assets for these hazard types.

For the flood assessment, a software program called HAZUS-MH® was used. HAZUS-MH stands for "Hazards U.S. – Multi-Hazard", and uses default census information to estimate the amount of damage from a flood. In so doing, it generates a basic estimation of the number of structures in the study area and the amount of potential damage. The printout result of the flood model is included at the end of the Grand Island report. There are important disclaimers for using this information as it is generated by computer using data that is not improved from the basic census information – these concerns are outlined below after the flood model summary.

As shown in the report, HAZUS calculates:

Number of Buildings in Grand Island:	20,396
Residential Buildings	18,808
Non-Residential Buildings	1,588

General Building Stock Damage

HAZUS estimates that about 140 buildings will be at least moderately damaged by a flood of a magnitude which inundates the modeled floodplain – this is 6.8% of the total number of buildings in the case study. Of the 140 buildings, 13 will be completely destroyed. More detailed damage figures by occupancy and by building type are given in Table 3 and Table 4 in the HAZUS report at the end of the Grand Island section.

Essential facility damage

HAZUS estimates that there are five fire stations, two hospitals, two police stations, and 25 schools in the study region. Of these 34 essential facilities, four schools are estimated to receive at least moderate damage – with two of these schools losing function.

Debris Generation

HAZUS estimates that 4,337 tons of debris will be generated by a flood. Of this amount, “Finishes” (defined as dry wall, insulation, etc) comprised 81% of the total while “Structural” (wood, brick, etc) comprised 6% of the total. If the debris tonnage is converted into an estimated number of truckloads, it will require 173 truckloads (at 25 tons/truck) to remove the debris generated by the flood.

Shelter Requirements

HAZUS estimates that 2,359 households will be displaced by the flood. Of these, 6,158 people will seek temporary shelter in public shelters.

Economic Loss

The total economic loss for the flood is \$76.61 million, which represents 8.72% of the total replacement value of the buildings in the scenario. The building losses are broken into direct building losses and business interruption losses. HAZUS calculates that direct building losses to be \$73.25 million while the remaining \$3.36 million is for business interruption. Of the \$73.25 million on direct building losses, \$20.24 million is for residential and \$44.10 million is for commercial as the two largest categories (see Table 6 of printout).

Corps of Engineers Structural Inventory

In the structural inventory completed by the Corps of Engineers, 1045 properties were found to be located in a regulated floodplain in Grand Island’s extraterritorial zoning jurisdiction. Of these, 88 were in a Zone A, 42 in a floodway, and 915 in Zone AE. The valuation of these 1045 floodplain properties found by the Corps of Engineers is \$94,872,642, or 5.2% of the total valuation of Grand Island and its zoning jurisdiction.

Figure 1 shows the Grand Island census tracts in Hall County which were used in the flood assessment. **Figure 2** shows the floodplain which HAZUS automatically models as a part of its assessment – the darker the shade of blue, the deeper the modeled floodplain.

HAZUS report disclaimers: As shown on HAZUS Figure 2, the Wood River Diversion is not shown as eliminating the floodplain on the south end of town. The above analysis was completed using default data, which uses statistical averages for variables across census tracts.

Also, there are uncertainties inherent in any loss estimation technique. Therefore, there may be a significant difference between modeled results contained in this report and the actual social and economic losses following a flood. More precise results could be completed by inputting user-defined values for the census tracts or the analysis could be run by census blocks, which would reduce – but not eliminate – the estimates used in the model.

Figure 3 shows the critical facilities, as identified by the City. Critical facilities are those structures which will be essential for returning the Village functions to normal after a disaster (“Civic”), are vital for disaster response and sheltering (“Shelter”), and are essential for public health and safety (“Lifeline Utility”). In Grand Island, the 90 critical facilities identified are:

- 52 emergency shelters
- 24 schools
- 5 fire stations
- 2 police stations
- 2 medical facilities
- 1 hospital
- 1 power plant
- 1 treatment plant
- 1 airport
- 1 bus terminal

The Corps of Engineers structural inventory found the following critical facilities in the floodplain:

- Cedar Hollow Public School
- Veterans Administration Medical Center
- Berean Bible Church
- Grand Island Wastewater Treatment Plant
- Grand Island Senior High School
- Seventh Day Adventist Church
- First United Methodist Church
- Community Bible Church
- Church of Christ
- Platte Generation Station

Figure 4 shows the potential ranges of the tornado warning sirens in Grand Island, with the yellow shading being a half-mile from each siren and red one mile from each siren. As shown by the figure, the majority of current development within the Grand Island corporate limits is in the yellow shaded area. It must be recognized, however, that these are outdoor warning sirens which are designed to alert residents who are outside and in close proximity to the sirens. They are not designed to warn persons indoors at-distance, traveling in vehicles, or in noisy environments. In addition, a warning system works best if there are operational redundancies – meaning that it is always safer to have additional sirens in a network in case a siren malfunctions or is destroyed. An additional consideration is that periods during which warning sirens are needed are often noisy in themselves with high wind, intense rain, and hail which all act to reduce peoples’ ability to hear the sirens. It is easier to hear a warning for people who are downwind of the siren.

Figure 5 shows the areas of new development which is most likely to occur in the next five to ten years. New residential development is already taking place in the blue highlighted area with road and sewer infrastructure in place. The vulnerability of all development – existing or future – is the same now and will be the same in the future for severe winter storms, severe summer storms, and tornadoes. The only hazard which is able to be modified by human behavior or activity is flooding. However, since Grand Island is in good standing in the Regular Phase of the National Flood Insurance Program, any future floodplain development will be completed in compliance with the City’s floodplain management ordinance.

Mitigation Alternatives

**GOALS: 1) Reduce or prevent future damage from natural hazard events,
2) Increase public safety**

To address these goals, mitigation alternatives were suggested in the public meeting and prioritized by the Grand Island City Council.

Prioritization

Grand Island prioritized the mitigation alternatives according to the “STAPLE(E)” procedure (Social acceptability, Technical feasibility, Administrative capability of local government, Political acceptability, Legal authority to implement, Economic justification, and Environmental acceptability). In addition, alternatives were prioritized based on the community’s goals and planning objectives.

At its discretion, Grand Island officials may choose to not implement any of the proposed mitigation projects at this time with the realization that future events may change this stance as well as the prioritization of projects. Projects sponsored for implementation will follow a public process.

1) Maintain good standing in the National Flood Insurance Program

Objective 1: Continue to regulate development in floodplain areas and adopt the Hall County floodplain maps when they become effective.

Funding sources and potential cost: No funding needed, no cost.

2) Mitigate repetitive loss properties

Objective 2: Reduce future flood insurance payments and reduce flood losses by mitigating repetitive loss properties through acquisition, elevation, or other techniques. Acquisition should be first priority.

Funding sources and potential cost: FEMA’s mitigation programs – cost will vary by structure and by mitigation technique used.

3) Reduce flood damages

Objective 3: Reduce impacts of flood and stormwater problems

- Action 3.1: Complete a drainage study. Given the extremely flat topography in the area, drainage will always be a problem – especially for intense warm weather rainfall events. A drainage study is needed in Grand Island to help the City make wise land use decisions, to identify where existing drainage infrastructure is weak, and to identify ways to address these weaknesses. A drainage study has the potential to also identify good flood mitigation projects which could be funded using FEMA’s mitigation programs.

Funding sources and potential cost: Central Platte NRD, Community Development Block Grant, City – average cost varies widely on scope and community size

- Action 3.2: The City Council should consider passing a stormwater management ordinance. Such an ordinance would be designed to hold back stormwater on-site from large developments and to reduce erosion. The City of Lincoln has passed a stormwater management ordinance which could be used as a model or guide.

Funding sources and potential cost: Could be implemented using existing City resources.

- Action 3.3: Upgrade culverts which are found to restrict flows from rain events. A drainage study can show which culverts and bridges are undersized and need to be replaced with larger openings. However, a drainage study is not necessary to know there is a problem. A drainageway which drains properly will not have flow impediments which back up water on to adjacent property. However, flow impediments can be placed in the flow path on purpose to direct the flow of water toward a specific area designed to retain excess water during periods of high flows. It must be noted that culvert upgrades may not have a lasting impact if upstream stormwater is not somehow managed.

Funding sources and potential cost: City, NRD, Natural Resources Development Fund. Cost varies greatly by design and scope.

- Action 3.4: Clear ditches to improve channel conveyance capacity to allow flows to move unimpeded to the Platte River.

Funding sources and potential cost: City, CPNRD

- Action 3.5: Create a maintenance plan for the drainage system. If improvements are made to Grand Island’s drainage system, it will be important to protect the “current condition” of the drainage so that it does not revert back to problem areas.

Funding sources and potential cost: City. Cost to create a maintenance plan would be none to little; however, the City may need to devote financial resources toward it.

- Action 3.6: Floodproof any critical facility which is prone to flooding.

Funding sources and potential cost: FEMA’s mitigation programs, cost would vary by scope and design. 25% non-federal match requirement would be needed – most likely from City.

- 4) Identify and designate tornado shelters, publicize the locations of all public tornado shelters to increase public awareness with a sign on the building.

Objective 4: Provide emergency shelter(s) to which students or local residents would evacuate in the event of a tornado warning, especially those who live in vulnerable housing.

- Action 4.1: Study existing public buildings to see if they offer adequate tornado shelter. If buildings are found, they should be identified with proper signage so that citizens know where they can go during a tornado warning.

Funding sources: Unknown

- Action 4.2: Create public shelters by retrofitting or new construction. FEMA has retrofitted schools and constructed all-new shelters in several places in the Midwest.

However, most tornadoes occur in late-afternoon to early evening when a school might be closed for the day. Furthermore, it has been reported that public tornado shelters that are left open to the public are not used properly, with vandalism and use by vagrants as problems. At-risk structure types include mobile homes and slab-on-grade construction which has no basement.

- Action 4.3: Consider constructing tornado shelters for vulnerable construction like manufactured home concentrations.

Funding sources and potential cost: FEMA's Pre-Disaster Mitigation program or Hazard Mitigation Grant Program for construction only– cost varies widely based on scope and design

5) Ensure adequate outdoor severe weather warning coverage

Objective 5: Replace the existing tornado sirens which are outdated.

In Hall County, the warning sirens are owned by the communities. There is no funding assistance available from the County for new sirens; however, if the community purchases a warning siren, Hall County Emergency Management can help coordinate the warning system through the central siren warning system located in Grand Island.

There have been significant advances in warning siren technology since the time that many sirens were erected as a result of the Cold War scare in the 1950s and 60s. The old style of warning siren is manual and operates using at least 110 volts – possibly as much as 220 or 240 volts. In addition, these sirens also have no battery backup since it is not economically feasible to purchase backup systems for manual sirens. In the event that severe weather is approaching, a power outage – which is common in severe weather – means that no warning will be sounded. As a result, there could be higher loss of life since a warning would have alerted people within earshot to seek shelter. Newer sirens operate using 12 volts, which makes battery backup possible – in fact, these sirens typically have a backup system already built in. This means that the only option for having a tornado siren with battery backup is the actual purchase of a new siren.

- Action 5.1: Purchase new tornado sirens to replace the older models.

Funding sources and potential cost: City. Estimated cost: \$25,000 to \$50,000 .

6) Reduce damages caused by downed tree limbs

Objective 6: Reduce the duration or eliminate power outages from severe weather. Overhead power lines are vulnerable to collapse from icing in the cold weather months and from high winds or tree limbs falling on power lines in warm weather months.

- Action 6.1: Initiate a power line burying project.

Funding sources and potential cost: FEMA's Hazard Mitigation Grant Program or Pre-Disaster Mitigation Program could provide up to 75% of the project cost. The remaining cost might be shared with the Public Power District, City, or property owners.

- Action 6.2: Write to the Nebraska Forest Service and request a tree inventory. An inventory is especially helpful in mitigation planning for communities which experience regular tree-related damages. An inventory can identify problem trees and recommend changes to the way a community administer a local tree management program (i.e., through a Tree Board or Park Board). Problematic areas of tree limbs with power lines could be addressed as a priority.

Funding sources and potential cost: Free

7) Ensure adequate severe weather notifications to citizens and critical facilities

Objective 7: Purchasing or education of a weather radio

- Action 7.1: Work with the local cable television company to create a cable television interrupt warning system. Such a system would remove the concern over which television or radio station to turn to for weather information and would be a way to inform the majority of the public of impending severe weather.
- Action 7.2: For public critical facilities, the City should consider purchasing a weather radio to be used in each facility for the rapid dissemination of a severe weather warning.
- Action 7.3: In noisy manufacturing facilities which may not hear tornado sirens, the City could inform the owners of these facilities of the option that they could purchase a weather radio.
- Action 7.4: Encourage critical facilities like senior care facilities and hospitals to develop and practice their own emergency sheltering plans.

Funding sources and potential cost: City of Grand Island, local businesses. Approximate cost about \$30 per radio. Plan development would carry no cost other than staff time.

8) Improve the City's capability to communicate in a post-disaster scenario

Objective 8: Acquire a comprehensive communication system. The current system of cellular telephones depends on having a cell tower network and being able to connect with other emergency responders when cellular traffic will be very high.

- Action 8.1: Assess the types of communication systems that are available, being used by other counties or communities, and which would fit into the budget. Options might include something like a satellite telephone network with handheld units.
- Action 8.2: The City and County could have a Ham radio network on standby in case of communication failure.

Funding sources and potential cost: The most likely funding source for this objective would be Hazard Mitigation Grant Program "set-aside" funds made available to states after a federally-declared disaster. Other funding sources are unknown. Potential cost would vary widely based on system needs, and is therefore also unknown at this time.

9) Prevent or reduce the duration of power outages

Objective 9: Increase the capability for the City's electric infrastructure to withstand severe weather. Whether for public safety or public welfare, having a function electric system has clear benefits in a post-disaster scenario. These actions would be more effective for more rural transmission and distribution lines which have a longer space between poles than in urban areas.

- Action 9.1: Install "T2" line, which prevents ice buildup
- Action 9.2: Periodically in a segment of power line, strengthen a power pole. This will prevent any "cascading" effect of pole failures, which will reduce the time necessary for repairs.
- Action 9.3: Instead of T2 line, automatic disconnects could be installed on the lines at the poles to prevent the weight of the line from pulling down the poles.

Funding sources and potential cost: The most likely funding source for this objective would be Hazard Mitigation Grant Program "set-aside" funds made available to states after a

federally-declared disaster. Other funding sources are unknown. Potential cost would vary widely based on system needs, and is therefore also unknown at this time.

GOAL: 3) Increase Public Education

10) Educate the public about natural hazards, preparedness, and mitigation

Objective 10: Initiate or continue natural hazard awareness and education programs

- Action 10.1: Hall County Emergency Management Agency (HCEMA) will continue its current educational programs. HCEMA also completes annual education programs to grade schools each year, reaching approximately 500 to 600 kids. They discuss severe weather and where to go and what to do if there is a tornado warning.
- Action 10.2: HCEMA also participates in the annual Severe Weather Awareness Week by placing articles in the local paper and airing information on the City's local government television station. Educational outreach programs could be expanded to include all hazards and a severe winter weather preparedness program for the fall.
- Action 10.3: HCEMA also participates during the test warning day by using all of our normal procedures as if there were an actual event, including setting off the warning sirens.
- Action 10.4: The City and HCEMA can make educational materials available to the public in the public library and website. Education would include, but not be limited to, how to protect yourself and your property from tornadoes and severe weather, their potential risks to different disaster types, preparedness procedures for their home, more wind-resistant construction design, and hardier types of trees to plant in areas close to homes, power lines, and streets. Free brochures are available through the National Weather Service and American Red Cross.

Funding sources and potential cost: Funding sources are not applicable, cost is free except for work time.

Implementation

To start implementation, determining which projects should be submitted for funding will be based on a FEMA-approved cost-benefit method. This means that proposed projects would need to be reviewed for cost effectiveness with the assistance of state emergency management or floodplain management personnel. Unless otherwise delegated, the Hall County Regional Planning Director will be the person responsible for project administration of any project selected for implementation. FEMA has the authority to approve or deny mitigation projects applied for under their agency's mitigation programs.

Evaluation

In this plan, several potential mitigation projects are identified; however, it is not designed to have an all-inclusive list of projects. It is designed to be a living document which can be adapted to the landscape as conditions change. This means that this plan should be revised and updated as new projects are identified and prioritized and participating communities. There is a requirement to review and update this plan every five years. To do this, communities will follow the same procedure that Hall County will utilize in its mitigation plan updates, which is detailed starting on page 46 of the County portion of this report. There are also evaluation, update, and revision worksheets which have been included in this plan as **Appendix B** to assist with this process.



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G8

#2008-260 - Approving Acquisition of Approximately 6.8 Acres of Real Estate for Future Park Development Located Immediately North of the 3700 Block of Norseman Avenue (Niedfelt Property Management, LLC)

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

Staff Contact: Steve Paustian

RESOLUTION 2008-260

WHEREAS, the City of Grand Island desires to purchase a tract of land for the construction of a neighborhood park in the Sterling Estates Subdivision; and

WHEREAS, Niedfelt Property LLC, as owners, have accepted the City's offer to purchase said land; and

WHEREAS, Section 19-709, R.R.S. 1943, authorized the City to appropriate private property for use of the City for public facilities; and

WHEREAS, The City Council finds and determines that it is necessary for the public good that the property more particularly described as:

A portion of the Northwest Quarter (NW ¼) of Section 12, Township 11 North, Range 10 West in Hall County, Nebraska, described as:
Outlot "A" Future Park; a strip of Block 9 between Lots 20 & 21; and a strip between Block 8 Lot 26 & Block 10 Lot 26.

be acquired for the construction of a neighborhood park in the Sterling Estates Subdivision; and

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G9

#2008-261 - Approving Agreement with NDEQ to Provide Assistance for Retaining Wall Construction at Sucks Lake

Staff Contact: Steve Paustian

Council Agenda Memo

From: Steve Paustian, Parks and Recreation Director

Meeting: September 23, 2008

Subject: Agreement with NDEQ to Provide Funding Assistance for Retaining Wall Construction at Sucks Lake

Item #'s: G-9

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

Background

The City of Grand Island made several major improvements to the area known as Sucks Lake Park. Improvements included dredging the existing lake, storm drainage improvements, playground equipment installation and the installation of a fishing pier. Much of the funding for these improvements came from grant funding provided by the Nebraska Department of Environmental Quality (NDEQ). Since those initial improvements were made, an erosion issue has developed along the south bank of Sucks Lake.

Discussion

The Park and Recreation Department contacted the NDEQ and requested assistance with the cost associated with the remediation of the erosion problem at Sucks Lake. Funds have been provided to the City by the NDEQ in the amount of \$43,140.00 to assist in the costs associated with the improvements necessary to eliminate the erosion problem. One bid was received to do the work as specified. Greenworks Landscaping & Design of Grand Island provided a bid in the amount of \$68,786.00 to do the required work. The balance of the funds necessary to pay for this improvement, \$25,646.00 will come from existing budgeted funds.

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 funding agreement with the NDEQ to assist in the construction of the retaining wall at Sucks Lake.

Sample Motion

Move to enter into an agreement with NDEQ for assistance in funding the construction of a retaining wall construction at Sucks Lake.

INTER-GOVERNMENTAL AGREEMENT
between the
NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY
and the
CITY OF GRAND ISLAND, NEBRASKA
Regarding the Implementation of the Section 319 Project Entitled

Sucks Lake Remedial Treatment for Shoreline Erosion

THIS INTER-GOVERNMENTAL AGREEMENT is made and entered into by and between the Nebraska Department of Environmental Quality (NDEQ) and City of Grand Island, Nebraska, (Sponsor) in accordance with the Interlocal Cooperation Act, Nebraska Stat. Sec. 13-801 to 13-807 (Reissue 1987) or Nebr. Rev. Stat. Sec. 81-1504 (Supp. 1997) of the Nebraska Environmental Protection Act, whichever is applicable.

WHEREAS, the Sponsor made a request to the NDEQ for Section 319 grant funds, pursuant to the federal Clean Water Act and the Nebraska Nonpoint Source (NPS) Management Program, which have been made available to NDEQ through the Region VII Office of the U.S. Environmental Protection Agency (EPA); and

WHEREAS, these grant funds in an amount up to \$43,140.00 are to be used to implement this Section 319 NPS Project; and

WHEREAS, the Sponsor agrees to contribute at least \$28,760.00 in nonfederal match as cash and/or services in-kind for implementation of project activities; and

WHEREAS, the Sponsor agrees to comply with all provisions of the federal Clean Water Act as amended by the Water Quality Act of 1987, 33 U.S.C. §1251 *et seq.* and intends to use the funds as set out in this Agreement; and

NOW, THEREFORE, the parties do hereby agree to the terms and conditions of this Agreement as follows:

I. TERM OF AGREEMENT

This Agreement will begin on September 15, 2008 and will remain in effect until all identified tasks are completed for this Section 319 Project, unless terminated under §Q of this inter-governmental agreement, but will not remain in effect past September 30, 2009.

II. CONDITIONS OF AGREEMENT

A. General Conditions

1. The Sponsor agrees to complete a detailed Project Implementation Plan (PIP) outlining the project schedule and specific work items to be undertaken during the course of the project. This PIP must be approved by USEPA and NDEQ prior to any reimbursement request from Section 319 grant funds. A Quality Assurance Project Plan (QAPP) must be approved by NDEQ prior to any collection of environmental data and subsequent reimbursement request from Section 319 grant funds for monitoring activities.

2. The Sponsor agrees to submit semi-annual progress reports to the NDEQ by March 30 and September 30 each year for the duration of the project agreement. These reports shall contain the following components:
 - a. Progress to date
 - b. Significant findings or events
 - c. Corrective actions taken to resolve any problems that are encountered
 - d. Activities planned for the next reporting period
3. The Sponsor agrees that if indirect costs are authorized, as specified in the approved PIP, they will be charged at the approved indirect rate.
4. The Sponsor agrees that any contract, inter-governmental agreement, sub-agreement and/or procurement of equipment under this grant must receive NDEQ approval prior to expenditure of funds associated with those transactions. Copies of all sub-agreements and inter-governmental agreements will be provided to the NDEQ.
5. All equipment purchased with Section 319 grant funds must be approved by the NDEQ. Any such purchased equipment shall be retained by the NDEQ upon completion of the project unless otherwise authorized in writing by the NDEQ.
6. The Sponsor agrees that all water quality data collected under this grant shall be provided to the NDEQ.
7. The Sponsor agrees to recognize the contributions and/or involvement of the federal Nonpoint Source Management Program (authorized by Section 319 of the Clean Water Act and administered by EPA and NDEQ) in project publicity, reports, newsletters, and other materials. The Sponsor shall work with the NDEQ to ensure that all necessary peer review requirements are met prior to publication. A minimum of 6 copies of outreach material (printed or other media) produced under this grant shall be provided to the NDEQ unless otherwise specified.
8. The Sponsor agrees to ensure that persons receiving cost-share assistance from Section 319(h) funds shall, where relevant, practice nutrient and pest management on those portions of their operations that fall in the critical area of the project.
9. The Sponsor agrees to maintain all practices or structural Best Management Practices developed or constructed under Section 319, consistent with the operation and maintenance requirements for structures or practices as described in standard engineering design or as identified in the Natural Resources Conservation Service's Field Office Technical Guides or other appropriate federal/state/local standards.
10. A final project report must be submitted to NDEQ within 90 days after completion of project tasks, but no later than the termination date of this agreement.

B. Grant Conditions

The following grant conditions shall be complied with by all recipients of federal grant funds.

1. The Sponsor agrees to comply with all the following provisions, rules and regulations (can be obtained from NDEQ):
 - a. Office of Management and Budget Circulars A-102, A-133, A-87 and 40 CFR Parts 31, 32, and 35.
 - b. Procurement standards of 40 CFR 31.32(g).
 - c. Prohibitive lobbying 18 U.S.C. Section 1913, Section 607(a) of Public Law 96.74, or Section 319 of Public Law 101-121.
 - d. Federal Register, Vol. 53, No. 102, Debarment and Suspension Under EPA, Assistance Loan and Benefit Programs.

- e. Rules governing "Fair Share" of federal funds to Minority Business Enterprises (MBEs), Women-owned Business Enterprises (WBEs), Small Business Enterprises (SBEs), Small Disadvantaged Businesses (SDBs), and Small Business in Rural Areas (SBRAs). Affirmative steps outlined in 40 CFR 30.44, or 40 CFR 33.240, or 40 CFR 35.6580, or Section 129 of Public Law 100-590, whichever is applicable. ("Fair Share" Percentages: Supplies, 5% MBE, 12% WBE; Equipment, 6% MBE, 11% WBE; Services, 5% MBE, 11% WBE; and Construction, 6% MBE, 8% WBE.) The Sponsor agrees to include in its bid specifications, and require all of its prime contractors to include in their bid specifications for subcontracts, a "Fair Share". The Sponsor agrees to document the official grant files with all efforts taken to achieve the "Fair Share" and to report quarterly to NDEQ all "Fair Share" procurement efforts regardless of the size of the sub-agreement.
- f. Section 204 of the Demonstration Cities and Metropolitan Development Act of 1996 as amended (42 USC Section 3334).
- g. Provisions of the American with Disabilities Act.
- h. Hotel and Motel Fire Safety Act of 1990.
- i. EPA Order 1000.25 regulating the use of recycled paper.

C. Statement of Costs

The Sponsor will submit no more often than once per calendar month a properly documented statement of costs for which reimbursement is sought and nonfederal match is claimed pursuant to the terms of this Agreement and the PIP. This statement of costs shall be signed by the Sponsor's authorized representative. For purposes of this agreement, reimbursable costs and nonfederal match claims shall be related to budget items as described in the approved PIP. Documentation of costs shall consist of paid receipts, signed time records, and/or similar verification of expenditures.

D. Disbursements

- 1. All requests for reimbursement of costs incurred by the Sponsor shall be reviewed within ten (10) working days of their receipt by the NDEQ. If costs are deemed ineligible, the Sponsor shall be notified by the NDEQ within ten (10) working days of the receipt of the request. Within forty-five (45) working days after the receipt of a properly documented reimbursement request, the NDEQ shall transmit payment to the Sponsor, the amount of the eligible cost. The NDEQ shall not be held responsible for delays in payment, due to causes beyond its control.
- 2. Payment will be contingent on required semi-annual progress reports and quarterly MBE/WBE reports being current.
- 3. NDEQ shall withhold 10%, but not less than \$10,000, of grant funds pending receipt and approval of the final project report.
- 4. The total amount of payments under this Agreement shall not exceed forty-three thousand one hundred forty dollars (\$43,140.00).
- 5. The Sponsor agrees to contribute at least twenty-eight thousand seven hundred sixty dollars (\$28,760.00) in nonfederal match as cash and/or services in-kind for implementation of project activities.

E. Work Description and Schedule

This project shall complete objectives and work items as described in the PIP. The PIP is hereby incorporated into this document in its entirety.

F. Amendments

This agreement may be amended in writing at any time by mutual agreement of the parties, except insofar as any proposed amendments are in any way contrary to applicable law or requirements of the EPA or NDEQ.

G. Forfeiture, Repayment and Delays in Disbursement of Funds

Violation of any of the conditions of this Agreement by the Sponsor or failure of the Sponsor to complete and maintain the project in the manner described in the PIP, including any amendments thereto which have been properly approved, shall result in the forfeiture of any funds not disbursed. In addition, if for any reason the project is not completed as described in the project PIP, including any amendments thereto that have been or are hereafter approved by the NDEQ, the NDEQ may recover from the Sponsor any or all funds disbursed.

H. Remedies Not Exclusive

The use by either the Sponsor or the NDEQ of any remedy specified herein for the enforcement of this Agreement is not exclusive and shall not deprive the party from using such remedy, or limit the application of any other remedy provided by law.

I. Assignment

No assignment or transfer of this agreement or any part hereof, rights hereunder, or interest herein by the Sponsor shall be valid unless and until it is approved by the NDEQ and made subject to such reasonable terms and conditions as the NDEQ may impose.

J. Waiver of Rights

The Sponsor or NDEQ may from time to time waive any of their rights under this Agreement. However, any waiver of rights with respect to a default of any condition of this Agreement shall not be deemed to be a waiver with respect to any other default.

K. Applicable Rules and Regulations

Both parties shall abide by all applicable rules and regulations of the NDEQ, including any that may be adopted subsequent to the effective date of this Agreement, except those that would invalidate or be inconsistent with the provisions of this Agreement.

L. Inspection of Books, Records and Reports

The duly authorized representative of either party shall have the right to inspect and make copies of any books, records or reports of the other party pertaining to this Agreement or related matters during regular office hours. Each party shall maintain and make available for such inspection accurate records of all its costs, disbursements and receipts with respect to its activities under this Agreement. A single audit is required if \$500,000 or more is provided by the federal funding in any one year period. Verification of completion of the single audit report shall be sent to NDEQ.

M. Independent Contractor

The Sponsor is and shall perform this Agreement as an independent contractor and as such shall have and maintain exclusive control over all of its employees, agents and operations. Neither the Sponsor nor any person employed by the Sponsor shall act,

propose to act or be deemed the NDEQ's agent, representative or employee. The Sponsor assumes full and exclusive responsibility for the payment of all premiums, contributions, payroll taxes and other taxes now or hereafter required by any law or regulation and agrees to comply with all applicable laws, regulations and orders relating to social security, unemployment compensation, OSHA, affirmative action, equal employment opportunity and other laws, regulations and orders of like nature. For any work hereunder subject to the Veterans Readjustment Assistance Act of 1974, or the Rehabilitation Act of 1973, the parties hereto shall comply with all provisions thereof, together with all applicable rules, regulations and orders of the Department of Labor, and the notices required pursuant to 41 CFR 60-1.4, 60-250.4 and 60-741.4 which are hereby incorporated by reference into this Agreement.

N. Nondiscrimination

The Nebraska Fair Employment Practice Act prohibits contractors to the State of Nebraska and their subcontractors from discriminating against any employee, or applicant for employment in the performance of such contracts, with respect to hire, tenure, terms, conditions or privileges of employment because of race, color, religion, sex, disability or national origin. The Sponsor's signature is a guarantee of compliance with the Nebraska Fair Employment Practice Act, and breach of this provision shall be regarded as a material breach of this Agreement. The Sponsor shall insert a similar provision in all subcontracts for services to be covered by any contract resulting from this Agreement.

O. Drug Free Workplace

The Sponsor by executing this Agreement, certifies and assures that it operates a drug free workplace as addressed in the State of Nebraska Drug Free Workplace Policy of July 7, 1989.

P. Publication Rights

All parties shall have publication and reproduction rights for all reports and materials, which are produced as a result of this Agreement.

Q. Termination

This agreement may be terminated in whole or in part in writing by either party in the event of substantial failure by the other party to fulfill its obligations under this Agreement through no fault of the terminating party, provided that no termination may be effected unless the other party is given:

1. Not less than ten (10) calendar days' written notice (delivered by certified mail, return receipt requested) of intent to terminate, and
2. An opportunity for consultation with the terminating party prior to termination.

R. Project Managers

The Project Manager for each party to this agreement shall be as follows. The Project Manager may be changed by any agency upon written notification.

NDEQ Project Manager
Paul Brakhage
Program Specialist
Water Quality Planning Unit
402-471-4224
Paul.Brakhage@nebraska.gov

Sponsor Project Manager
Steve Paustian
Parks and Recreation Director
City of Grand Island
308-385-5444 ext. 290

III. SIGNATORIES TO THE INTER-GOVERNMENTAL AGREEMENT

NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Sig: Thomas R. Lamberson Title: Deputy Director
Print: Thomas R. Lamberson

Date: 9-8-2008

CITY OF GRAND ISLAND, NEBRASKA

Sig: _____ Title: _____
Print: _____

Date: _____ Federal Tax ID Number: _____

W

Section 319 Project Implementation Plan

SUCKS LAKE REMEDIAL TREATMENT FOR SHORELINE EROSION

**Project Sponsor
City of Grand Island**

August 2008

Project Implementation Plan

Project Title: Sucks Lake – Remedial Treatment for Shoreline Erosion

**Project Sponsor: City of Grand Island
100 East 1st Street
Grand Island, NE 68801**

**Project Contact: Steve Paustian, Parks & Recreation Director
(308) 385-5444 ext 290**

Section 319 Funding: \$43,140

Nonfederal Match: \$28,760

Total Project Budget: \$71,900

Introduction

Sucks Lake, located in Grand Island, Nebraska, has been part of the City since the late 1960's. The property was originally owned by Augusta A. Suck. In 1966, Sucks Lake and the surrounding property was given to the City of Grand Island. The lake was first used for storm drainage in 1968 when storm water from a local paving project was diverted into the lake. In 1969 Sucks Lake was connected to Brach's Lake, which is located upstream of Sucks Lake, and the two are connected by storm sewer pipe and an open ditch. Sucks Lake originally consisted of two smaller lakes, but these lakes were connected in 1970 as part of the Nebraska Avenue Outfall drainage project to increase storage capacity.

The watershed draining into Brach's Lake and Sucks Lake consists of approximately 296 acres of which 40 acres are grassy undeveloped areas, 24 acres are parking lots or commercial lots, and 232 acres are residential lots. Of this drainage area, approximately 42 acres drains directly into Sucks Lake, the remaining runoff drains into Brach's Lake before entering Sucks Lake. See Figure 1 for drainage areas. Rainfall in this watershed is the only inflow to Lakes. Sediment yield from this drainage area is not a concern due to the type of drainage areas. However, water quality becomes an issue when dealing with commercial and residential drainage areas.

Sucks Lake and the park area has been a great asset to the residents of Grand Island and surrounding areas. The trail that has been constructed around the lake is used for exercising and is connected to the rest of the City's trail system. The park area near the lake is used for picnicking and other family activities. Sucks Lake has been used for fishing in the past, but poor water quality and the lack of fish in the Lake caused fishing use to decrease.

In 2004, a complete restoration of Sucks Lake was completed by the City of Grand Island. Grant funding for the project was provided through the Community Lake Enhancement And Restoration Program. Activities completed include sediment removal, shoreline stabilization, and a complete fish renovation. Part of the lakes shoreline is now suffering from erosion problems. The area experiencing the most erosion is on a steep bank on the south shore. During the restoration project, the CLEAR team recommended trying to control this erosion with vegetation. Due to the steep slopes, it is evident that vegetative controls will not be adequate treatment. This project will address erosion on the south shore through the installation of hard controls including concrete block and bags.

The restoration project expanded the uses of Sucks Lake to include education by providing an outdoor classroom setting, ice skating, and improved fishing. With the help of the University of Nebraska-Lincoln surface water quality extension program, local schools are now able to monitor water quality and sediment content in Sucks Lake. The students will obtain a better understanding of watershed management concepts and the impacts of nutrients and sediments in runoff. These studies may be included as part of

the schools' curriculum. The detention cell that has been constructed on the east end of Sucks Lake has improved water quality in the Lake, and was also used as an ice skating rink this winter. The Nebraska Game and Parks Commission stocked Sucks Lake with various species of fish including bass, bluegill, trout and channel catfish. This has improved the quality of fish in the Lake and has enabled the park to be used for recreational fishing, educational, and youth fishing tournaments. By addressing the remaining shoreline erosion, degradation to the "finished" lake will be minimized.

Project Goal

The goal of this project is to stabilize 800 linear feet of shoreline on the south side of Sucks Lake.

Project Partners

Project implementation will be the responsibility of the Grand Island Parks and Recreation Department. Funding will be provided through USEPA/NDEQ and the City of Grand Island.

Pollutant Source

This project will focus on shoreline erosion from the south shore of the lake.

Load Reduction

Loading reductions from shoreline treatments have been estimated with the Statistical Tool for the Estimation of Pollutant Loads (STEPL) model (Tetra-Tech, 2003). Stabilization efforts are expected to reduce sediment loads from 102 tons per year to 4 tons per year for a 96 percent reduction.

Management Practices

Shoreline erosion will be addressed by constructing a retaining wall consisting of four rows of concrete block with a cap. Two rows of concrete bags will be placed to protect the tow of the bank. Area of disturbance will be graded and re-seeded to grass.

Information/Education

Educational activities initiated under the CLEAR project are continuing.

Schedule

Target Dates

Develop Bid Package: Completed

Develop Project Implementation Plan: September 2, 2008

Develop Contract with NDEQ: September 15, 2008

Develop Contract with Successful Bidder: September 9, or 23 , 2008

Complete Stabilization Activities: December 15, 2008

Draft and Submit Final Report to NDEQ: April 15, 2009

Milestones

Complete all contracts and pre-construction documents: September 9, 2008

Complete Stabilization Activities: December 15, 2008

Overall Project Completion: April 15, 2009

Evaluation Criteria

The success of the stabilization activities will be evaluated from photo documentation and modeled estimates of sediment loss reductions.

Monitoring

While there will be no monitoring associated with this project, the University of Nebraska-Lincoln will continue to monitor the lake to measure overall improvements associated with the lake restoration project.

Resources

Funding for this project will come from EPA/NDEQ Section 319 funds and City of Grand Island. All project costs will pertain to construction, grading, and seeding. The total cost of this project is \$71,900. Of this amount, Section 319 funding will provide \$43,140 and the City of Grand Island will provide \$28,760.

References

Tetra Tech. 2003. Spreadsheet Tool for the Estimation of Pollutant Load (STEPL), Version 2.2.
Tetra Tech, Inc., Fairfax, Virginia.

RESOLUTION 2008-261

WHEREAS, the City of Grand Island developed Sucks Lake; and

WHEREAS, in 2008, a grant funded by the Department of Environmental Quality was received for the construction of a retaining wall; and

WHEREAS, the amount of the grant is \$43,140.00; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island, Nebraska, is hereby authorized to accept the grant for the retaining wall construction from the Nebraska Department of Environmental Quality.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G10

**#2008-262 - Approving Bid Award for Retaining Wall
Construction at Sucks Lake**

Staff Contact: Steve Paustian

Council Agenda Memo

From: Steve Paustian, Parks and Recreation Director

Meeting: September 23, 2008

Subject: Bid Award Retaining Wall Construction at Sucks Lake

Item #'s: G-10

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

Background

The City of Grand Island made several major improvements to the area known as Sucks Lake Park. Improvements included dredging the existing lake, storm drainage improvements, playground equipment installation and the installation of a fishing pier. Much of the funding for these improvements came from grant funding provided by the Nebraska Department of Environmental Quality (NDEQ). Since those initial improvements were made, an erosion issue has developed along the south bank of Sucks Lake.

Discussion

The Park and Recreation Department contacted the NDEQ and requested assistance with the cost associated with the remediation of the erosion problem at Sucks Lake. Funds have been provided to the City by the NDEQ in the amount of \$43,140.00 to assist in the costs associated with the improvements necessary to eliminate the erosion problem. Bids were opened on September 2, 2008 with one bid received to do the work as specified. Greenworks Landscaping & Design of Grand Island provided a bid in the amount of \$68,786.00 to do the required work. The estimate for this project was \$80,000. The balance of the funds necessary to pay for this improvement, \$25,646.00 are available in Account No. 40044450-90021.

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 Greenworks Landscaping and Design in the amount of \$68,786.00.

Sample Motion

Move to award the bid to Greenworks Landscaping & Design of Grand Island, Nebraska in the amount of \$68,786.00 for retaining wall construction at Sucks Lake.

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: September 2, 2008 at 11:00 a.m.

FOR: Retaining Wall Construction at Sucks Lake

DEPARTMENT: Parks and Recreation

ESTIMATE: \$80,000.00

FUND/ACCOUNT: 40044450-90021

PUBLICATION DATE: August 23, 2008

NO. POTENTIAL BIDDERS: 6

SUMMARY

Bidder: Greenworks Landscaping & Design
Grand Island NE

Bid Security: \$3,440.00

Exceptions: None

Bid Price: \$68,786.00

cc: Steve Paustian, Parks & Recreation Director
Dale Shotkoski, City Attorney
Jeff Pederson, City Administrator

Patti Buettner, Park & Rec. Sec.
Wes Nespor, Assist. City Attorney

P1278

RESOLUTION 2008-262

WHEREAS, the City of Grand Island invited sealed bids for Retaining Wall Construction at Sucks Lake, in accordance with a Request for Bid on file with the Parks and Recreation Department; and

WHEREAS, on September 2, 2008, bids were received, reviewed and evaluated in accordance with established criteria; and

WHEREAS, Greenworks Landscaping & Design from Grand Island, Nebraska, submitted a bid in accordance with the terms of the request for bids and all statutory requirements contained therein and the City Procurement Code, such bid being in the amount of \$68,786.00 for Retaining Wall Construction at Sucks Lake; and

WHEREAS, the Greenworks Landscaping & Design bid is less than the estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Greenworks Landscaping & Design from Grand Island, Nebraska, for Retaining Wall Construction at Sucks Lake in the amount of \$68,786.00 is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G11

**#2008-263 - Approving Acquisition of Utility Easement - 1812
Mansfield Road - Engleman Elementary School - School Dist. of
Grand Island**

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

Staff Contact: Gary R. Mader

RESOLUTION 2008-263

WHEREAS, a public utility easement is required by the City of Grand Island, from the School District of Grand Island, to install, upgrade, maintain and repair public utilities and appurtenances, including water mains and fire hydrants; and;

WHEREAS, a public hearing was held on September 23, 2008, for the purpose of discussing the proposed acquisition of an easement located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

Commencing at the intersection of the southerly right-of-way line of Manchester Road and the westerly right-of-way line of Mansfield Road; thence southerly along the westerly right-of-way line of said Mansfield Road, a distance of two hundred forty three and forty five hundredths (243.45) feet to the ACTUAL Point of Beginning; thence continuing southerly along the westerly right-of-way line of said Mansfield Road, a distance of twenty (20.0) feet; thence westerly S87°00'51"W, a distance of two hundred fifty nine and fifty two hundredths (259.52) feet; thence northerly N92°59'09"W, a distance of twenty (20.0) feet; thence easterly N87°00'51"E, a distance of two hundred fifty nine and seventy five hundredths (259.75) feet to a point on the westerly right-of-way line of said Mansfield Road being the said Point of Beginning.

The above-described easement and right-of-way containing 0.119 acres, more or less, as shown on the plat dated 9/2/2008, marked Exhibit "A", attached hereto and incorporated herein by reference,

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

- - -

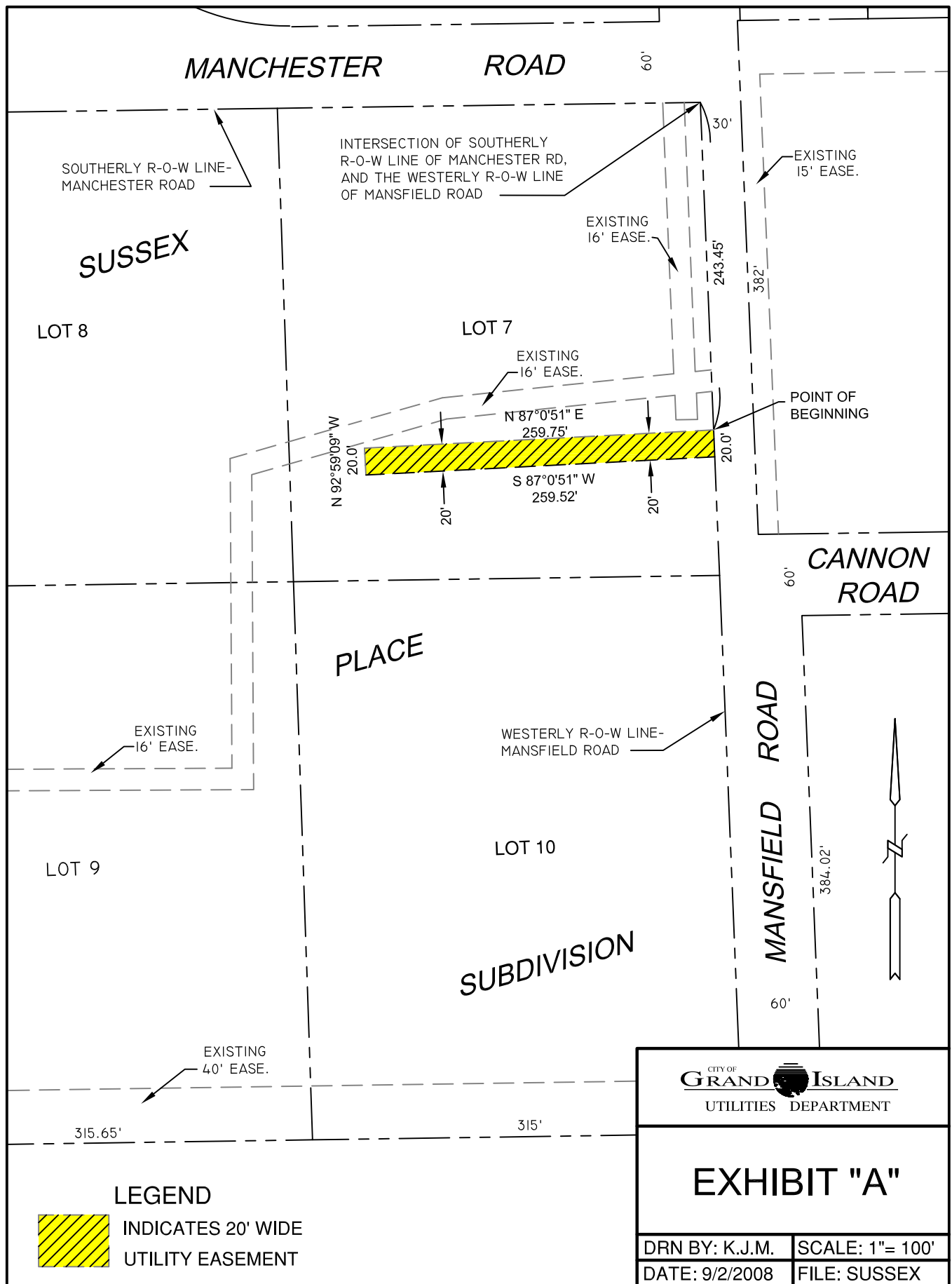
Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

Approved as to Form	☐ _____
September 18, 2008	☐ City Attorney

RaNae Edwards, City Clerk





City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G12

#2008-264 - Approving Acquisition of Utility Easement - 1116 W. Oklahoma - Lot One, Preisendorf Subdivision - O'Neill

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

Staff Contact: Gary R. Mader

RESOLUTION 2008-264

WHEREAS, a public utility easement is required by the City of Grand Island, from Thomas and Jill O'Neill, to install, upgrade, maintain and repair public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on September 23, 2008, for the purpose of discussing the proposed acquisition of an easement located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

The easterly ten (10.0) feet of the northerly twenty five (25.0) feet of Lot One (1) Preisendorf Subdivision.

The above-described easement and right-of-way containing 250.0 square feet, more or less, as shown on the plat dated 9/8/2008, marked Exhibit "A", attached hereto and incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Thomas and Jill O'Neill, on the above-described tract of land.

- - -

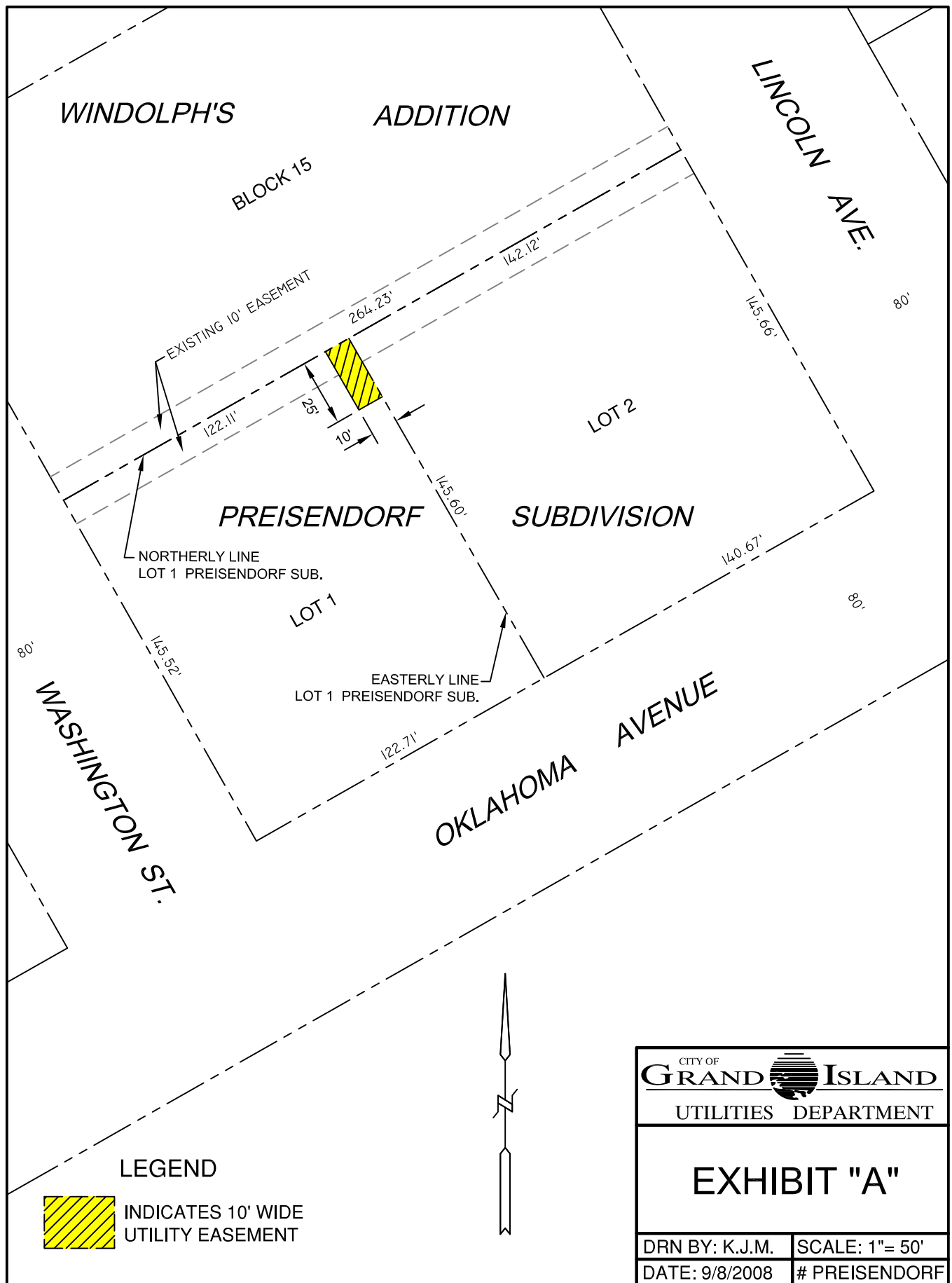
Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 18, 2008	☐ City Attorney



<p>CITY OF GRAND ISLAND UTILITIES DEPARTMENT</p>	
<p>EXHIBIT "A"</p>	
<p>DRN BY: K.J.M.</p>	<p>SCALE: 1" = 50'</p>
<p>DATE: 9/8/2008</p>	<p># PREISENDORF</p>



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G13

**#2008-265 - Approving Acquisition of Utility Easement - 1104 W.
Oklahoma - Lot Two, Preisendorf Subdivision - O'Neill**

This item relates to the aforementioned Public Hearing Item E-8.

Staff Contact: Gary R. Mader

RESOLUTION 2008-265

WHEREAS, a public utility easement is required by the City of Grand Island, from Thomas and Jill O'Neill, to install, upgrade, maintain and repair public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on September 23, 2008, for the purpose of discussing the proposed acquisition of an easement located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

The westerly ten (10.0) feet of the northerly twenty five (25.0) feet of Lot Two (2) Preisendorf Subdivision.

The above-described easement and right-of-way containing 250.0 square feet, more or less, as shown on the plat dated 9/8/2008, marked Exhibit "A", attached hereto and incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Thomas and Jill O'Neill, on the above-described tract of land.

- - -

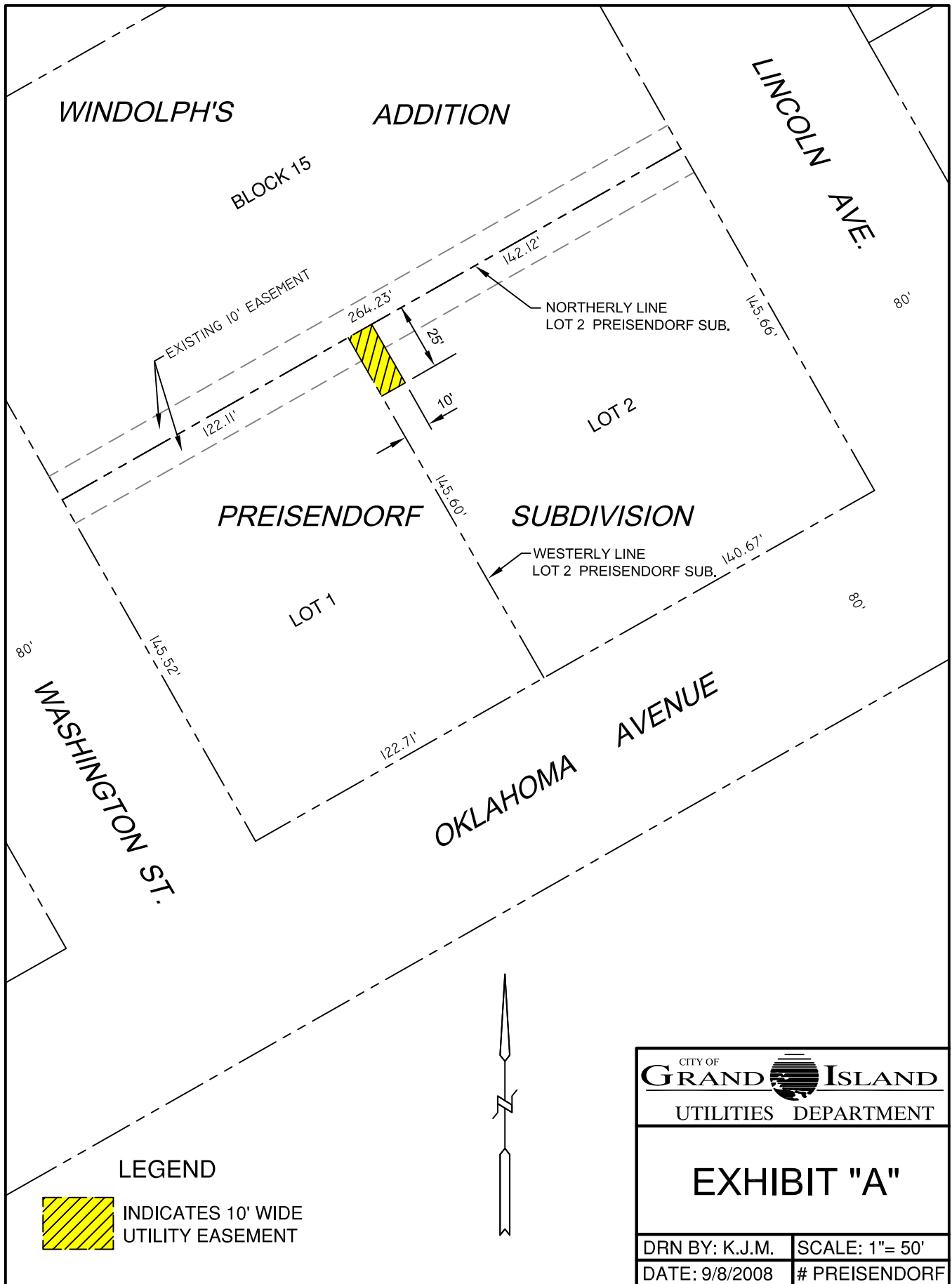
Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 18, 2008	☐ City Attorney



<p>CITY OF GRAND ISLAND UTILITIES DEPARTMENT</p>	
<p>EXHIBIT "A"</p>	
DRN BY: K.J.M.	SCALE: 1" = 50'
DATE: 9/8/2008	# PREISENDORF



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G14

**#2008-266 - Approving Bid Award - 2009 Truck - Complete Unit
with Articulating Aerial Platform & Chassis**

Staff Contact: Gary R. Mader; Wesley Nespor

Council Agenda Memo

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

Meeting: September 23, 2008

Subject: Bid Award – 2009 Truck Complete Unit with
Articulating Aerial Platform & Chassis (Unit #61 –
Utilities Dept)

Item #'s: G-14

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

Background

The Utilities Department budgeted in the 2007-2008 budget, and carried over to the 2008-'09 budget to replace Unit #61, the tree trimming bucket truck in the Electric Line Division. The truck, a 1996 bucket is used daily to maintain line safety clearances across the City. It has over 8,270 hours (equivalent to 124,000 miles @ 15 mph). Specifications were prepared for a replacement vehicle. The old unit is offered in trade.

Discussion

Specifications were written and sent to seven possible bidders as well as advertised according to City Purchasing Code. Bids were publicly opened at the advertised time of 11:00 a.m., September 4, 2008. Bids were received from four bidders. Exceptions were noted from all bidders. All but one of the exceptions were minor and acceptable by the Department's evaluation of the bids.

The "as read" low bidder, Truck Equipment of Urbandale Iowa, took exception to the lift capacity rating of the boom. The specifications require a total lift capacity at the end of the boom of 500 lbs. The bid from Truck Equipment is for a smaller unit, with a lift capacity of only 355 lbs. With personnel, tools, and line construction materials, a boom lift capacity of 355 lbs. is unacceptable. Therefore, the bid from Truck Equipment is deemed non-compliant.

The bids are as follows:

	Base Bid	Trade-in	Total
Truck Equipment of Urbandale, IA	\$134,777.00	\$5,000.00	\$129,777.00
Nebraska Truck Center, Inc. of Grand Island, NE	\$137,205.00	\$6,500.00	\$130,705.00
Terex Utilities of San Antonio, TX	\$138,552.00	\$6,500.00	\$132,052.00
Nebraska Peterbilt of Grand Island, NE	\$140,391.00	\$6,500.00	\$133,891.00

The lowest compliant bid is from Nebraska Truck Center, Inc., of Grand Island, Nebraska, for a total of \$130,705.00, with trade-in of the exiting unit.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the purchase of the 2009 Truck Complete Unit with Articulating Aerial Platform and Chassis from Nebraska Truck Center, Inc., of Grand Island, Nebraska in the amount of \$130,705.00, including trade-in.

Sample Motion

Move to approve the purchase of the 2009 Truck Complete Unit with Articulating Aerial Platform and Chassis from Nebraska Truck Center, Inc., of Grand Island, Nebraska.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: September 4, 2008 at 11:00 a.m.

FOR: 2009 Truck Complete Unit with Articulating Aerial
Platform & Chassis

DEPARTMENT: Utilities

ESTIMATE: \$180,000.00

FUND/ACCOUNT: 520

PUBLICATION DATE: August 14, 2008

NO. POTENTIAL BIDDERS: 7

SUMMARY

Bidder:	<u>Nebraska Truck Center, Inc.</u>	<u>Nebraska Peterbilt</u>
	Grand Island NE	Grand Island NE
Bid Security:	Universal Surety Company	\$6,694.55
Exceptions:	Noted	Noted
Base Bid:	\$137,205.00	\$140,391.00
Trade-In:	<u>6,500.00</u>	<u>6,500.00</u>
Total Cost:	\$130,705.00	\$133,891.00
Bidder:	<u>Terex Utilities</u>	<u>Truck Equipment, Inc.</u>
	San Antonio TX	Des Moines IA
Bid Security:	Westchester Fire Ins. Co.	Merchants Bonding Company
Exceptions:	Noted	Noted
Base Bid:	\$138,552.00	\$134,777.00
Trade-In:	<u>6,500.00</u>	<u>5,000.00</u>
Total Cost:	\$132,052.00	\$129,777.00
Bidder:	<u>Altec Industries, Inc.</u>	<u>Drake-Scruggs Equipment, Inc.</u>
	St. Joseph MO	Springfield, IL
	No Bid	No Bid

RESOLUTION 2008-266

WHEREAS, the City of Grand Island invited sealed bids for a 2009 Truck – Complete Unit with Articulating Aerial Platform and Chassis (Unit #61), according to plans and specifications on file with the Utilities Department ; and

WHEREAS, on September 4, 2008, bids were received, opened and reviewed; and;

WHEREAS, Nebraska Truck Center Inc., of Grand Island, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and specifications and all other statutory requirements contained therein, such bid being in the amount of \$137,205.00, (less trade-in of \$6,500.00) making the final bid amount \$130,705.00; and

WHEREAS, the bid of Nebraska Truck Center's bid is less than the estimate for the 2009 Truck – Complete Unit with Articulating Aerial Platform and Chassis.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Nebraska Truck Center, Inc., of Grand Island, Nebraska in the amount of \$130,705.00, including trade-in, for a 2009 Truck, Complete Unit with Articulating Aerial Platform and Chassis (Unit #61) is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 19, 2008	☐ City Attorney



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G15

**#2008-267 - Approving Bid Award for Storm Drainage Project No.
2008-D-3; Driveway Culvert Replacement at Capital Avenue
Outfall Ditch**

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

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: September 23, 2008

Subject: Approving Bid Award for Storm Drainage Project No. 2008-D-3; Driveway Culvert Replacement at Capital Avenue Outfall Ditch

Item #'s: G-15

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

Background

On August 8, 2008 the Engineering Division of the Public Works Department advertised for bids for the replacement of the driveway culvert at the Capital Avenue outfall ditch.

This driveway culvert is a corrugated metal pipe that has corroded and been patched several times. It continues to allow soil to fall through the holes and has to be filled with rock and soil to maintain use of the driveway by the property owner. Eventually there will be little left of the culvert and it could cave in under the weight of farm equipment or vehicles using the driveway.

Discussion

A base bid and an alternate bid were received from The Diamond Engineering Company and opened on August 21, 2008. The Engineering Division of the Public Works Department and the Purchasing Division of the City Attorney's Office have reviewed both bids that were received. A summary of the bids is shown below.

Bidder	Exceptions	Total Bid
The Diamond Engineering Company of Grand Island, NE	None	\$41,870.56 - Base Bid
The Diamond Engineering Company of Grand Island, NE	None	\$44,230.34 - Alternate Bid

Due to the rapidly increasing oil and steel prices, material pricing information was not available from suppliers to base an engineer's estimate on. The engineer's estimate for

this project was \$29,325.00. A review of the bid prices indicate the bid as submitted is fair and reasonable. It is also recommended the alternate bid of \$44,230.34 be awarded, as this bid allows for the use of a polymer coated culvert, which will extend the life of the culvert considerably.

Funds are available in Account No. 10033506-85213.

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 The Diamond Engineering Company of Grand Island, Nebraska in the amount of \$44,230.34.

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: August 21, 2008 at 11:00 a.m.

FOR: Storm Drainage Project No. 2008-D-3

DEPARTMENT: Public Works

ESTIMATE: \$29,325.00

FUND/ACCOUNT: 10033501-85650

PUBLICATION DATE: August 8, 2008

NO. POTENTIAL BIDDERS: 7

SUMMARY

Bidder: The Diamond Engineering Co.
Grand Island NE

Bid Security: Universal Surety Company

Exceptions: None

Bid Price: \$44,230.34

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

Catrina DeLosh, PW Admin. Assist
Wes Nespor, Assist. City Attorney

P1274

RESOLUTION 2008-267

WHEREAS, the City of Grand Island invited sealed bids for Storm Drainage Project No. 2008-D-3, Driveway culvert replacement at Capital Avenue outfall ditch, according to plans and specifications on file with the Public Works Department; and

WHEREAS, on August 21, 2008 bids were received, opened, and reviewed; and

WHEREAS, The Diamond Engineering Company of Grand Island, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$44,230.34; and

WHEREAS, The Diamond Engineering Company's bid is above the estimate for such project due to increases in oil and steel prices.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of The Diamond Engineering Company of Grand Island, Nebraska in the amount of \$44,230.34 for Storm Drainage Project No. 2008-D-3 is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G16

**#2008-268 - Approving Bid Award for Handicap Ramp Project No.
2008-2**

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

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: September 23, 2008

Subject: Approving Bid Award for Handicap Ramp Project No. 2008-2

Item #'s: G-16

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

Background

On September 5, 2008 the Engineering Division of the Public Works Department advertised for bids for the construction of handicap ramps along the following streets:

- 1st Street from Walnut Street to Cedar Street
- 2nd Street from Walnut Street to Cleburn Street
- 3rd Street from Walnut Street to Eddy Street

The ramps are required in conjunction with street resurfacing in accordance with Federal ADA (Americans with Disabilities Act) regulations.

Discussion

Two (2) bids were received and opened on September 15, 2008. The Engineering Division of the Public Works Department and the Purchasing Division of the City's Attorney's Office have reviewed the bids that were received. A summary of the bids is shown below.

Bidder	Exceptions	Bid Price
Galvan Construction Inc. of Grand Island, NE	None	\$98,787.60
The Diamond Engineering Co. of Grand Island, NE	None	\$118,221.06

The estimate of \$71,616.67 for this project was miscalculated and upon review should have been \$99,053.19. The error in the estimate was on Item No. 8 - Place 4" Walk (\$8,710.0 s.f. x 3.50 = \$30,485.00). The decimal place was inadvertently moved over one digit representing the figure as \$3,048.50.

Funds are available in Account No. 10033503-85318.

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 Galvan Construction Inc. of Grand Island, Nebraska in the amount of \$98,787.60.

Sample Motion

Move to approve the bid award.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

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Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: September 15, 2008 at 11:00 a.m.

FOR: Handicap Ramp Project No. 2008-2

DEPARTMENT: Public Works

ESTIMATE: \$71,616.67

FUND/ACCOUNT: 10033503-85318

PUBLICATION DATE: September 5, 2008

NO. POTENTIAL BIDDERS: 7

SUMMARY

Bidder:	<u>The Diamond Engineering Co.</u> Grand Island	<u>Galvan Construction</u> Grand Island NE
Bid Security:	Universal Surety Company	AMCO Insurance Company
Exceptions:	None	None
Bid Price:	\$118,221.06	\$98,787.56

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

Catrina DeLosh, PW Admin. Assist.
Wes Nespor, Assist. City Attorney

P1281

RESOLUTION 2008-268

WHEREAS, the City of Grand Island invited sealed bids for Handicap Ramp Project Number 2008-2, according to plans and specifications on file with the Public Works Department; and

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

WHEREAS, Galvan Construction Inc. of Grand Island, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$98,787.60; and

WHEREAS, Galvan Construction Inc.'s bid is less than the estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Galvan Construction Inc. of Grand Island, Nebraska in the amount of \$98,787.60 for Handicap Ramp Project No. 2008-2 is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 18, 2008	☐ City Attorney



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G17

#2008-269 - Approving Contract for Medical Services Director for the EMS Division of the Fire Department

Staff Contact: Jim Rowell

Council Agenda Memo

From: Jim Rowell, Fire Chief

Meeting: September 23, 2008

Subject: Medical Services Director for the EMS Division of the Fire Department

Item #'s: G-17

Presenter(s): Jim Rowell, Fire Chief

Background

The City of Grand Island, in an effort to comply with State law and to provide a means to continually monitor, evaluate, and insure a high quality service has requested proposals for a medically supervised program that includes a medical director. The medical director will work with all fire department personnel and coordinate with the EMS Division Chief.

Discussion

The contract will cover the period beginning October 1, 2008 through September 30, 2013. The contract provides for \$13,439.00 for the first year with a three-percent increase each year for the duration of the contract. Continuation of the contract would depend on adequate budget funding and spending authority. Either party may terminate the contract after giving written notice ninety days prior to termination.

This contract is with the Physician Network of Lincoln, Nebraska. The Medical Director will be Doctor Michael J. McGahan, who has already established a good working relationship with the department personnel and the medical community. The Physician Network is the organization that provides emergency room physician for Saint Francis Medical Center. The contract will provide a greater level of quality assurance and allow for continuity between the provision of emergency care and the management of the system.

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 contract.

Sample Motion

Move to approve the medical services director contract with Physician Network of Lincoln, Nebraska in the amount of \$13,439.00 for the first year with a three-percent increase each year for the duration of the contract.



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL
FOR
MEDICAL SERVICES DIRECTOR**

RFP DUE DATE: September 10, 2008 at 4:00 p.m.

DEPARTMENT: Fire

PUBLICATION DATE: August 21, 2008

NO. POTENTIAL BIDDERS: 1

SUMMARY OF PROPOSALS RECEIVED

The Physician Network
Lincoln, NE

cc: Jim Rowell Fire Chief
Jeff Pederson, City Administrator
Dale Shotkoski, City Attorney

Chris Hoffman, Fire Admin. Assist.
David Springer, Finance Director
Wes Nespor, Assist. City Attorney

P1276

MEDICAL DIRECTOR CONTRACT

THIS AGREEMENT ("Agreement") is made and entered into this _____ day of _____, 2008, by and between THE PHYSICIAN NETWORK, A Nebraska nonprofit corporation, ("Network") and THE CITY OF GRAND ISLAND, NEBRASKA, a municipal corporation ("Client").

1. **SERVICES.** Network agrees to perform for Client the medical director services listed in the Duties and Responsibilities as set forth in Exhibit A attached hereto and approved by both Client and Network. Such services are hereafter referred to as "services". Client agrees that Network shall have ready access to Client's staff and resources as necessary to perform the Network's services provided for by this contract.

2. **RATE OF PAYMENT FOR SERVICES.** Client agrees to pay Network for medical director services in the amount of Thirteen Thousand Four Hundred Thirty-Nine Dollars (\$13,439.00) for the first year of service. It is agreed that three percent (3%) increase in the fee will be allowed for each subsequent year of the contract as set forth in the fee schedule attached hereto and incorporated herein by reference.

3. **CONFIDENTIAL INFORMATION.** Each party shall hold in trust for the other party and shall not disclose to any nonparty to the agreement any confidential information of such other party. Confidential information is information which, relates to such other party's quality assurance program. Network further acknowledges that during the performance of this contract, Network may learn about or receive confidential Client information and Network hereby confirms that all such information relating to the Client will be kept confidential by the Network except to the extent that such information is required to be divulged to the Network's clerical or support staff or associates in order to enable Network to perform Network's contract obligations.

4. **TERM.** This agreement shall be effective October 1, 2008 and shall terminate on September 30, 2013.

5. **TERMINATION OF AGREEMENT.** Network's services hereunder can be terminated or cancelled prior to completion of the term of this agreement upon either party providing the other within ninety (90) days written notice. In the event of termination all fees shall be prorated to the actual time served as the Network.

6. **APPLICABLE LAW.** This agreement shall be construed in accordance with the laws of the State of Nebraska.

IN WITNESS WHEREOF the parties have signed and agreed to this "Agreement" as of the day and year first written above.

ATTEST:

CITY OF GRAND ISLAND, NEBRASKA
A Municipal Corporation, Client

City Clerk

Margaret Hornady, Mayor

THE PHYSICIAN NETWORK
A Nebraska nonprofit corporation, Network

Robert J Lanik, President

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

City Attorney

Date

EXHIBIT A

The responsibility of the Network will include, but not be limited to, the following medical director services:

- Chart reviews on a continual basis
- Incident and review investigation
- Statistical review
- Review NARSIS form and paramedic runs
- Protocol committee meetings and annual review of protocols

The medical director will oversee all aspects of the paramedical operation. All paramedics will operate under his/her license and, therefore, must function under protocols developed and approved by the medical director.

The responsibility of the nurse assigned by St. Francis Medical Center will include:

- Daily run reviews on a random selection
- Database building within the hospital new MSN system
- Education
- Chart and NARSIS review
- Work with medical director, EMS Division Chief, and protocol committee
- Implement charting guide with medical director/EMS Division chief input
- Assist in proficiency assessment with medical director

Part of the quality assurance program will be an EMS protocol committee staffed by the medical director and QA nurse. This committee will be made up of physicians, paramedics, and nursing representatives who will meet to review and change paramedic protocols as needed and minimally on an annual basis. Persons interested in EMS will be asked to serve and will be presented to the executive committee for confirmation. This will allow medical staff input into the community EMS operation.

It will be the responsibility of the Grand Island Fire Department to assure and keep documentation on file to verify all personnel meet state required mandates. This includes certification records, continuing education documents and any other records required by the state. The notice could be waived if both parties agree.

FEE SCHEDULE

Year 1 – October 2008 – September 2009	\$13,439.00
Year 2 – October 2009 – September 2010	\$13,842.00
Year 3 – October 2010 – September 2011	\$14,257.00
Year 4 – October 2011 – September 2012	\$14,685.00
Year 5 – October 2012 – September 2013	\$15,126.00

Two equal installments payable in January and September,
upon receipt of Network's notice request for payment.

RESOLUTION 2008-269

WHEREAS, state law requires a Medical Services Director to supervise emergency medical services programs; and

WHEREAS, The Physician Network provides emergency room physicians to Saint Francis Medical Center and has contracted with the City in the past to meet this requirement; and

WHEREAS, the existing contract is scheduled to expire; and

WHEREAS, The Physician Network was the only one to submit a proposal; and

WHEREAS, it is recommended that a new contract be entered into with The Physician Network to provide medical director services as required by state law for the period of October 1, 2008 through September 30, 2013, at a cost of \$13,439.00 for the first year of service and a 3% increase allowed each subsequent year of the contract.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Medical Services Director contract by and between the City and The Physicians Network is hereby approved for the period of October 1, 2008 through September 30, 2013; and the Mayor is hereby authorized and directed to execute such contract on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 18, 2008	☐ City Attorney



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G18

**#2008-270 - Approving Transfer of Funds from Business
Improvement District No. 3 to Business Improvement District No. 7**

Staff Contact: David Springer

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: September 23, 2008

Subject: Approving the Transfer of Funds from Business Improvement District No. 3 to Business Improvement District No. 7

Item #'s: G-18

Presenter(s): Dave Springer, Finance Director

Background

Fiscal 2008 is the final year of the life for Business Improvement District (BID) No. 3, South Locust from Stolley Park Road to Highway 34. Council on August 26, 2008, by Ordinance No. 9189, created BID No. 7 with a five year life, to replace the defunct BID No. 3. At the time the 2008 budget was approved last year, there were a number of delinquent assessments due BID No. 3 for which the City Attorney was seeking collection. Most of these have subsequently been collected, leaving a cash balance at this time higher than anticipated. All known encumbrances and liabilities for BID No. 3 will have been provided for before this fiscal year is closed, leaving a cash balance of \$8,500 - \$9,000.

Discussion

The old BID No. 3 Fund needs to be closed out and any cash balance dispositioned by Council. The new district has the same boundaries as the old one, and while these monies will not be available to the old district, they could be moved to the new BID No. 7 for its use, if council so chooses. The alternative would be to refund the remaining BID No. 3 monies back to the district. This would be costly to effect, as each owner would need to be set up as a payable account.

Alternatives

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

1. Approve the transfer of the remaining cash balance of BID No. 3 to its' new counterpart, BID No. 7.
2. Disperse the funds back to the District.
3. Modify the Resolution to meet the wishes of the Council.

Recommendation

City Administration recommends that the Council approve the transfer of funds from the old to the new BID.

Sample Motion

Move to approve the transfer of remaining funds as of September 30, 2008, from BID No. 3 to BID No. 7.

RESOLUTION 2008-270

WHEREAS, Business Improvement District No.3 was created in March, 1999, by Ordinance No. 8452; and

WHEREAS, such district was created for the purpose of making improvements to the district area; and

WHEREAS, Business Improvement District No. 3 will expire at the end of the 2007-2008 budget year; and

WHEREAS, all improvements associated with such district have been completed; and

WHEREAS, it is anticipated that as of September 30, 2008, a balance of approximately \$9,000 will be remaining from Business Improvement District No. 3 operations; and

WHEREAS, it is recommended that such balance be transferred to Business Improvement District No. 7, which encompasses the same general area as Business Improvement District No. 3.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that all funds remaining in Business Improvement District No. 3 as of September 30, 2008, and any future payments received from Business Improvement District No. 3 assessments shall be transferred to Business Improvement District No. 7.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 19, 2008	☐ City Attorney



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G19

**#2008-271 - Approving Transfer of Funds from Business
Improvement District No. 5 to Business Improvement District No. 8**

Staff Contact: David Springer

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: September 23, 2008

Subject: Approving the Transfer of Funds from Business Improvement District No. 5 to Business Improvement District No. 8

Item #'s: G-19

Presenter(s): Dave Springer, Finance Director

Background

Fiscal 2007-2008 is the final year of the life of the Business Improvement District (BID) No. 5, Downtown. Council on August 26, 2008, by Ordinance No. 9189, created BID No. 8 with a five year life, to replace the defunct BID No. 5. At the time the 2008 budget was approved last year, there were a number of delinquent assessments due BID No. 5 for which the City Attorney was seeking collection. Most of these have subsequently been collected, leaving a cash balance at this time higher than anticipated. All known encumbrances and liabilities for BID No. 5 will have been provided for before this fiscal year is closed, leaving a cash balance of \$7,000 - \$7,500.

Discussion

The old BID No. 5 Fund needs to be closed out and any cash balance dispositioned by Council. The new downtown district has substantially similar boundaries to the old one, and while these monies will not be available to the old district, they could be moved to the new BID No. 8 for it's use, if council so chooses. The alternative would be to refund the remaining BID No. 5 monies back to the district. This would be costly to effect, as each would need to be set up as a payable account.

Alternatives

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

1. Approve the transfer of the cash balance and future collections of BID No. 5 to its' new counterpart, BID No. 8.
2. Disperse the funds back to the District.
3. Modify the Resolution to meet the wishes of the Council.

Recommendation

City Administration recommends that the Council approve the transfer of funds from the old to the new BID.

Sample Motion

Move to approve the transfer of remaining funds as of September 30, 2008 from BID No. 5 to BID No. 8.

RESOLUTION 2008-271

WHEREAS, Business Improvement District No. 5 was created in May, 2003, by Ordinance No. 8812; and

WHEREAS, such district was created for the purpose of making improvements to the downtown area; and

WHEREAS, Business Improvement District No. 5 will expire at the end of the 2007-2008 budget year; and

WHEREAS, all improvements associated with such district have been completed; and

WHEREAS, it is anticipated that as of September 30, 2008, a balance of approximately \$7,500 will be remaining from Business Improvement District No. 5 operations; and

WHEREAS, it is recommended that such balance be transferred to Business Improvement District No. 8, which encompasses the same general area as Business Improvement District No. 5.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that all funds remaining in Business Improvement District No. 5 as of September 30, 2008, and any future payments received from Business Improvement District No. 5 assessments shall be transferred to Business Improvement District No. 8.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 19, 2008	☐ City Attorney



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item G20

#2008-272 - Approving 2008 Victim's Of Crime Act (VOCA) Grant Award

Staff Contact: Steve Lamken

Council Agenda Memo

From: Captain Peter Kortum, Police Department
Meeting: September 23, 2008
Subject: 2008 VOCA Grant Award
Item #'s: G-20
Presenter(s): Steve Lamken, Chief of Police

Background

The Grand Island Police Department has been awarded a 2008 Victim's Of Crime Act (VOCA) Grant in the amount of \$27,907 from the Nebraska Commission on Law Enforcement and Criminal Justice. The city and county share the match (cash and in-kind) for this grant in the amount of \$6,977, which the city share of the cash amount was an expense approved in the 2008-2009 FY Budget. The program period for this grant is from 10-1-08 through 9-30-09.

Discussion

A requirement for acceptance of the grant is that the grant award be signed by the Mayor and the special conditions page be agreed to and signed by the Mayor. The Grand Island Police Department is requesting that the listed grant award be signed for acceptance of the award.

Alternatives

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

1. Approve the award and accept the VOCA grant funds.
2. Send to committee for further discussion.
3. Table for more discussion.
4. Take no action.

Recommendation

City Administration recommends that the Council approve the award and accept the 2008 VOCA grant funding in the amount of \$27,907.

Sample Motion

Move to approve the award and accept the 2008 VOCA grant funding.

**Nebraska Commission
on Law Enforcement
and Criminal Justice**

Grant Award

Subgrantee City of Grand Island	Grant Number 08-VA-225	Date of Award July 25, 2008	CFDA # 16.575
Project Title Grand Island/Hall Co VA Program	Grant Amount Federal \$27,907 Match \$ 6,977 Total \$34,884		

Approved Budget For Project

CATEGORY	FEDERAL SHARE	MATCH SHARE	TOTAL PROJECT COST
Personnel	\$27,907.00	\$6,977.00	\$34,884.00
Consultants/Contracts			
Travel			
Supplies/Operating/Expenses			
Construction/Equipment Rental			
Equipment			
Other			
Total Amount	\$27,907.00	\$6,977.00	\$34,884.00
% Contribution	80%	20%	100%

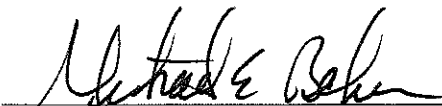
This award is subject to the General and Fiscal Conditions established by the Nebraska Commission on Law Enforcement and Criminal Justice and to the and Criminal Justice and to the special conditions enclosed with this award is indicated below.

The grant period will be from October 1, 2008 to September 30, 2009 except as authorized by the Commission. To be a valid grant, this Grant Award must be signed and returned to the Commission within 30 days of receipt. Subgrantees will retain the Pink copy.

The subgrantee hereby attests and affirms that the required cash match will be designated, appropriated, and expended for the project within the duration of the Grant period.



This award is subject to special conditions (enclosed).


Signature of Executive Director or Representative

Michael E. Behm, Executive Director

Typed Name and Title

9/15/08
Date


Signature of Project Director

Peter Kortum, Captain

Typed Name and Title

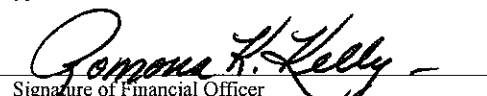
9-18-2008
Date

Signature of Authorized Official
(Mayor, County Board Chairman, Chair of non-profit Board etc.)

Margaret Hornady, Mayor

Typed Name and Title

Date


Signature of Financial Officer
(County Treasurer, City Clerk, etc.)

Romona Kelly, Office Manager

Typed Name and Title

Date

9-18-2008

Subgrant Special Conditions

Distribution:

Original to Commission
One copy to Subgrantee

Subgrantee: City of Grand Island	Subgrant Number: 08-VA-225
	Subgrant Title: Grand Island/Hall Co VA Program

This contract is subject to the standard conditions agreed to in the original application and the signed Certified Assurances. In addition, the subgrantee must comply with the Office of Justice Programs "Financial and Administrative Guide for Grants" (OJP M 7100.1C), Federal Program Guidelines and the Commission on Law Enforcement and Criminal Justice (Crime Commission) Guidelines and the following special conditions:

1. The Commission shall have access to all project related materials for the purposes of audit and examinations. All records shall be retained for five (5) years from the date of the final fiscal report unless an audit is in progress or the findings of a completed audit have not been resolved satisfactorily;
2. Audits – All audits will comply with the Single Audit Act of 1984, as amended. Audits for private non-profit agencies shall comply with Circular A-133;

Agencies and organizations receiving federal funds from various sources totaling \$500,000 or more during their Fiscal Year are required to have an annual audit. Total cost of the audit must be prorated among funding sources. Agencies and organizations receiving federal funds from various sources totaling less than \$500,000 during their Fiscal Year are not required to have an annual audit. However, a complete agency audit complying with the Single Audit Act of 1984, as amended, is highly recommended once every three years for private non-profit agencies receiving funding from the Crime Commission.

One copy of the audit along with the "Letter of Management" and the Findings of the audit are required to be submitted to the Crime Commission, if they are not part of the audit.

3. Accounting Procedures – Awarded applicants shall implement and maintain an accounting system which accurately reflects income received, expenditures, and documentation of expenditures. Each source of income must be accounted for separately and a clear audit trail for each source of funding must be maintained. Matching funds need not be applied at the exact time or in the required proportion to the obligation of Federal funds. However, the full matching share must be obligated by the end of the project period. Accounting records are to be available for monitors and audits;

If at any time an impropriety is found in the accounting or use of any funds received by the subgrantee, the Crime Commission must be notified immediately and informed about how the agency will address the problem.

All subgrantee's receiving payments from the Crime Commission are required to receive payments via the Automated Clearing House (ACH) payment.

4. Acceptance of Grant Award and Special Conditions

– **Grant Award** must be accepted; signed by the subgrantee's authorized official, the director of the project and the fiscal officer; and, returned to the Crime Commission within thirty (30) days from the date the Grant Award is mailed to the subgrantee;

– **Special Conditions** must be accepted, signed by the subgrantee's authorized official, director of the project, and the fiscal officer, and returned to the Crime Commission within thirty (30) days from the date the Special Conditions are mailed to the subgrantee;

SUBGRANT SPECIAL CONDITIONS – Page 2
GRANT #08-VA-225

5. Reporting Requirements

- **Grant Activity Summary Reports** are required **quarterly**. Reports are due by the 15th of the month following the end of each quarter during the grant period;
- **Cash Report/Cash Requests** are required **quarterly**. Reports are due by the 15th of the month following the end of each quarter during the grant period as well as the final "Cash Report" reflecting the total grant expenditures at the end of the grant period.
- **Statistical Reports** are required **quarterly**. Reports are due by the 15th of the month following the end of each quarter. Statistics are to be provided electronically unless the Crime Commission has approved another method to submit statistics.
- **Regardless of the start date of the grant project**, quarterly reports are due for normal quarters as listed below.

Jan. - March	July - Sept.
April - June	Oct. - Dec.

6. Use of Federal Grant Funds

- Federal grant funds will not be used to supplant State, local or any other funds that would otherwise be available. The agency's budget cannot decrease as a result of grant dollars. If an existing employee is assigned to this project and their salary is paid with grant funds, his or her position must be backfilled. The agency's personnel cannot decrease as a result of this grant project;
- No Federal grant funds shall be used for costs existing prior to the grant period;
- No indirect costs shall be allowed. Indirect cost is defined as payment for grant management services, accounting services, grant securing services, or any other costs of an organization that are not readily assignable to a particular project;
- Federal and matching funds are to be used for the purpose stated in the approved grant application. Any changes must be approved by the Nebraska Crime Commission prior to the change taking place;
- Federal funds cannot be used for lobbying. If matching funds are used for lobbying, a disclosure report shall be submitted to the Crime Commission;
- No other Federal funds shall be used to meet the match requirement;
- Crime Commission funding cannot be placed in interest bearing accounts by private non-profit agencies;

6a. Victim Witness Programs - Use of Federal VOCA Funds

- VOCA grant funds **are to be used** to provide direct services to individual crime victims and at no cost to the victim.
- VOCA guidelines define a victim as a person who has suffered physical, sexual, financial, or emotional harm as a result of the commission of a crime. The primary purpose of VOCA grant funds is to support the provision of services to victims. Services are those efforts that respond to the emotional and physical needs of crime victims; assist primary and secondary victims of crime to stabilize their lives after a victimization; assist victims to understand and participate in the criminal justice system; and, provide victims of crime with a measure of safety and security.
- The purpose of a victim witness program is to advocate for victims and provide timely assistance to individual victims of crime. Advocacy should begin within 72 hours or the next business day after the incident for all serious crimes (homicide, sexual assault, assaults) and most crimes against the elderly. Victim Witness Units located in County Attorney offices are to have a process in place to receive law enforcement incident reports for victims of serious crimes and crimes against the elderly so that advocacy can begin within 72 hours or sooner.

SUBGRANT SPECIAL CONDITIONS – Page 3
GRANT #08-VA-225

- VOCA funds are **not** for the purpose of providing services to businesses **unless** an individual or individuals within the business is a victim of a crime.
 - Policies and procedures are required that include when and how victim contact will be made and when and how follow up contact will be made.
 - VOCA funds **cannot be used** for any of the following:
 - ✓ Any activity or expense that is the responsibility of the prosecutor or the law enforcement agency and including any activities directed at prosecuting an offender and/or improving the criminal justice system's effectiveness and efficiency; gathering evidence; witness management and notification (VOCA funds may **only** be used to notify witnesses who are also a victim of the crime); expert testimony at trials; victim witness protection costs and subsequent lodging and meal expenses;
 - ✓ Capital expenditures;
 - ✓ Community education;
 - ✓ Crime prevention activities;
 - ✓ Development of protocols, interagency agreements and other working agreements;
 - ✓ Fund-raising activities;
 - ✓ Indirect organizational costs;
 - ✓ Individual membership dues;
 - ✓ Land acquisition;
 - ✓ Legislative and administrative duties of staff;
 - ✓ Lobbying and administrative advocacy;
 - ✓ Needs assessments, surveys, evaluations or studies;
 - ✓ Perpetrator rehabilitation and counseling or any other activities involving or relating to perpetrators;
 - ✓ Professional services of doctors and lawyers;
 - ✓ Purchasing or leasing vehicles;
 - ✓ Reimbursement to crime victims for expenses incurred as a result of a crime, including property loss;
 - ✓ Relocation expenses for the victim.
 - VOCA funding will be in jeopardy if all victims of serious crimes and most crimes against the elderly are not provided advocacy services in a timely manner and if funds are used for any activities or expenses that are the responsibility of the prosecutor or law enforcement agency.
7. The Subgrantee must insure any required match is met and that match is documented before the end of the project period. Match, both cash or in-kind, must be documented in the agency's accounting system.
 8. The subgrantee Project Director and/or Fiscal Officer or a designated representative shall attend the Grant Management Training sponsored by the Crime Commission, if required. At least one Board member of a Private Non-profit agency receiving grant funds from the Crime Commission shall also attend Grant Management Training.
 9. Any publicity of this project will include an acknowledgement of funding by the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission). A copy of such publicity shall be sent to the Crime Commission. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal or State money, all grantees receiving funds, shall clearly state (1) the percentage of the total cost of the program or project which will be financed with Federal or State money, and (2) the dollar amount of Federal or State funds for the project or program.
 10. The subgrantee agrees that any publication (written, visual or sound, excluding press releases, newsletters and issue analysis) issued by the subgrantee describing programs or projects funded in whole or in part with Federal funds, shall contain the following statement: "This project was supported by Grant #}«Grant_Number»awarded by the Nebraska Crime Commission.

SUBGRANT SPECIAL CONDITIONS – Page 4
GRANT #08-VA-225

Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the Commission.” Two copies of any such publication are to be submitted to the Crime Commission.

11. The Subgrantee assures it and all its contractors will comply with all applicable nondiscrimination requirements as set forth by federal and state laws. No person shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or be denied employment in connection with any activities receiving funds under the Act on the basis of race, color, religion, age, sex, national origin or handicap.

In the event a federal or state court or administrative agency makes a finding of discrimination after a due process hearing the recipient of funds will forward a copy of the finding to the Office of Civil Rights Compliance of the Office of Justice Programs in Washington, D.C. Additionally, a copy of the findings are to also be sent to the Crime Commission. If required, the subgrantee will formulate an Equal Employment Opportunity Program (EEO) in accordance with 28 CFR 42.301 et. seq.

12. The subgrantee must comply with the Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d. Subgrantees receiving Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). Information on the civil right responsibilities, please see <http://www.lep.gov>.

Grantees whose projects, personnel or subgrantees become involved in any litigation, whether civil or criminal, shall immediately notify the Crime Commission and forward a copy of any demand notices, lawsuits, or indictments to the Commission.

13. The subgrantee will address required contingencies to the award as stated on the Summary Comment Sheet. Grant funds will not be released until all contingencies are addressed.
14. If at any time during the grant period the subgrantee is barred from doing business with the Federal Government, the Crime Commission shall be notified by the subgrantee in writing.
15. All agencies who are participants in the awarded project shall establish and maintain a drug free work-place policy.
16. Time sheets must be maintained for grant funded positions and include the signature of the employee and their supervisor. Volunteer positions used as match are to be documented and, to the extent feasible, supported by the same methods used for employees.
17. Private Non-profit Agency Board Responsibilities – Two board members of private non-profit agencies awarded funds shall review, on a quarterly basis, all expenditures for the agency. This review shall include, but is not limited to, checks written for the period, deposits, assurance of a balanced checkbook, review of the entries in the agency's ledgers and review of the income received from funding agencies and donations.
18. Volunteers are to be utilized by the subgrantee throughout the duration of the project. Volunteer services must be documented, and to the extent feasible, by the same methods used by the subgrantee for its paid employees;
19. At no time shall a victim's name, address, phone number or other identifying information be divulged to another individual or agency unless they are part of the criminal justice or health and human services system unless the victim has given prior voluntary written consent for such release of information.
20. Office of Justice Program Financial Guidelines and VOCA Guidelines must be followed for the purchase and property management of computers and/or equipment, including the disposal of computers and/or equipment purchased with VOCA funds. Computers purchased with federal VOCA grant funds must be compatible with the case management program and be able to electronically submit statistics to the Crime Commission. Minimum specifications, as determined by the Crime Commission, are required for any computer purchased with VOCA funds.
21. The subgrantee shall cooperate, coordinate and have the active participation and support of law enforcement and criminal justice agencies within the jurisdiction of the assisting agency and will cooperate and coordinate with any coordinated response efforts;

SUBGRANT SPECIAL CONDITIONS – Page 5
GRANT #08-VA-225

22. Subgrantee must provide services to victims of federal crimes on the same basis as victims of state/local crimes;
23. Subgrantee is required to help victims apply for Crime Victims' Reparations (CVR) benefits, i.e., identifying and notifying crime victims of the availability of compensation, assisting victim with application forms and procedures, obtaining necessary documentation, and/or checking on claim status. Victim is responsible for mailing CVR claims to the Crime Commission but subgrantee may provide the envelope and stamp;
24. Subgrantee is required to provide information to victims about Victim Information and Notification Everyday (VINE), assist victims in registering with the VINE system and promote public awareness about VINE.
25. Subgrantee is required to participate in the victims' assistance case management system when it is operational and provide electronic submission of statistics to the Crime Commission via the software or link determined by the Crime Commission.

I have read the above Special Conditions and understand they are part of the binding Grant Award.

Signature of Authorized Official _____ Date _____
(Mayor, Chair of County Board or City Council, Board Chair of Private Non-profit Agency).
NOTE: The Director of the Agency is NOT considered the authorized official for the signing of these Special Conditions.

Signature of Agency Director _____ Date 9/18/08
Signature of Project Director _____ Date 9-18-2008
Signature of Fiscal Officer Romona K. Kelly Date 9-18-2008

R E S O L U T I O N 2008-272

WHEREAS, the Police Department of the City of Grand Island received notification that it will receive a 2008 Victim's of Crime Act (VOCA) grant in the amount of \$27,907.00 from the Nebraska Commission on Law Enforcement and Criminal Justice; and

WHEREAS, in acceptance of the grant, the City of Grand Island and Hall County share the match for this grant in the amount of \$6,977.00; and

WHEREAS, the City's match of this grant in the amount of \$6,977.00 has been approved for the 2008-2009 fiscal year; and

WHEREAS, the amount awarded is to be used by the Grand Island Police Department in accordance with criteria established by the grant program; and

WHEREAS, the Mayor of the City of Grand Island is required to sign the grant in acceptance of the same.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the grant funds awarded to the Police Department of the City of Grand Island in the amount of \$27,907.00 through the Nebraska Commission on Law Enforcement and Criminal Justice is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ September 19, 2008 <input type="checkbox"/> City Attorney



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item H1

Consideration of Request from Viaero Wireless for Conditional Use Permit for Wireless Telecommunication Tower Located in the 600 Block on Stuhr Road, North of Bismark Road

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

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item H2

Consideration of Request from USCOC Nebraska/Kansas LLC for Conditional Use Permit for Construction of a 150' Communication Tower and Equipment Shelter Located North of Bismark Road and West of 2nd Road in Merrick County within the Two Mile Zoning Juris

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

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item I1

#2008-273 - Consideration of Request from Balz Banquet & Reception Hall, Inc. dba Balz Banquet & Reception Hall, 213 North Sycamore Street for a Class “C” Liquor License and Liquor Manager Designation for James K. Jeffries, 40 Kuester Lake

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

Staff Contact: RaNae Edwards

RESOLUTION 2008-273

WHEREAS, an application was filed by Balz Banquet & Reception Hall, Inc. doing business as Balz Banquet & Reception Hall, 213 North Sycamore Street for a Class "C" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on September 13, 2008; such publication cost being \$15.34; and

WHEREAS, a public hearing was held on September 23, 2008, for the purpose of discussing such liquor license application.

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

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

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

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

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

_____ The City of Grand Island hereby recommends approval of James K. Jeffries, 40 Kuester Lake as liquor manager of such business upon the completion of a state approved alcohol server/seller training program.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 18, 2008	☐ City Attorney



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item I2

**#2008-274 - Consideration of Intent to Annex Property Located at
908 East Capital Avenue, North of Capital Avenue East of St. Paul
Road**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Hall County Regional Planning Department

Meeting: September 23, 2008

Subject: Annexation of Property Located in the SW ¼ Section 3, Township 11, and Range 9 known as 908 East Capital Avenue

Item #'s: I-2

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

Background

A request has been received to consider annexation of property located in the SW1/4, Section 3, Township 11, Range 9, known as 908 East Capital Avenue. City sewer and water are available

Discussion

Nebraska Revised Statute §16-117 provides for the process of annexation. In following the schedule set out when this matter was referred to the Regional Planning Commission for recommendation. The second action in this process for Council is to pass a resolution stating their intent to annex, approve an annexation plan and set public hearing for comment on the annexation request before council.

Alternatives

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

1. Approve the resolution of intent to annex, the attached annexation plan, and set public hearings on annexation for October 28, 2008.
2. Choose not to approve the resolution of intent to annex, the attached annexation plan, and set public hearings on annexation for October 28, 2008.
3. Modify the resolution of intent to annex, the attached annexation plan, and/or the public hearing date.

4. Table the issue

Recommendation

At the September 3rd Meeting of the Hall County Regional Planning Commission a public hearing was held to take comment on this request for annexation and no members of the public presented testimony. A motion was made by Ruge to approve the annexation request and seconded by Miller. A roll call vote was taken and the motion passed with 10 members present (Miller, O'Neill, Ruge, Reynolds, Hayes, Eriksen, Monter, Haskins, Bredthauer, Snodgrass) all voting in favor.

City staff also recommends that the Council approve the resolution of intent to annex, the attached annexation plan, and set public hearings on annexation for October 28, 2008.

Sample Motion

Move to approve the resolution of intent to annex, the attached annexation plan, and set public hearings on annexation requests for October 28, 2008.

ANNEXATION PLAN –August 2008

August 21, 2008

OVERVIEW

Section 16-117 of The Nebraska State Statute allows municipalities of the first class to annex any contiguous or adjacent lands, lots, tracts, streets, or highways that are urban or suburban in character and in such direction as may be deemed proper.

Regulations governing municipal annexation were implemented in order to develop an equitable system for adding to and increasing city boundaries as urban growth occurs. Areas of the community that are urban in nature, and are contiguous to existing boundaries, are appropriate for consideration of annexation.

Annexation of urban areas adjacent to existing city boundaries can be driven by many factors. The following are reasons annexation should be considered:

1. Governing urban areas with the statutorily created urban form of government, municipalities have historically been charged with meeting the needs of the expanded community.
2. Provide municipal services. Municipalities are created to provide the governmental services essential for sound urban development and for the protection of health, safety and well being of residents in areas that are used primarily for residential, industrial, and commercial purposes.
3. Ensure orderly growth pursuant to land use, building, street, sidewalk, sanitary sewer, storm sewer, water, and electrical services.
4. Provide more equitable taxation to existing property owners for the urban services and facilities that non-city residents in proposed annexation areas use on a regular basis such as parks, streets, public infrastructure, emergency services, retail businesses and associated support.
5. Ensure ability to impose and consistently enforce planning processes and policies.
6. Address housing standards and code compliance to positively impact quality of life for residents.
7. Enable residents of urban areas adjacent to city to participate in municipal issues, including elections that either do or will have an impact on their properties.
8. Anticipate and allocate resources for infrastructure improvements.
9. Increase number of street or lane miles while increasing gas tax dollars received from the Nebraska Department of Roads.
10. Provide long term visioning abilities as it relates to growth and provision of services.

Other Factors

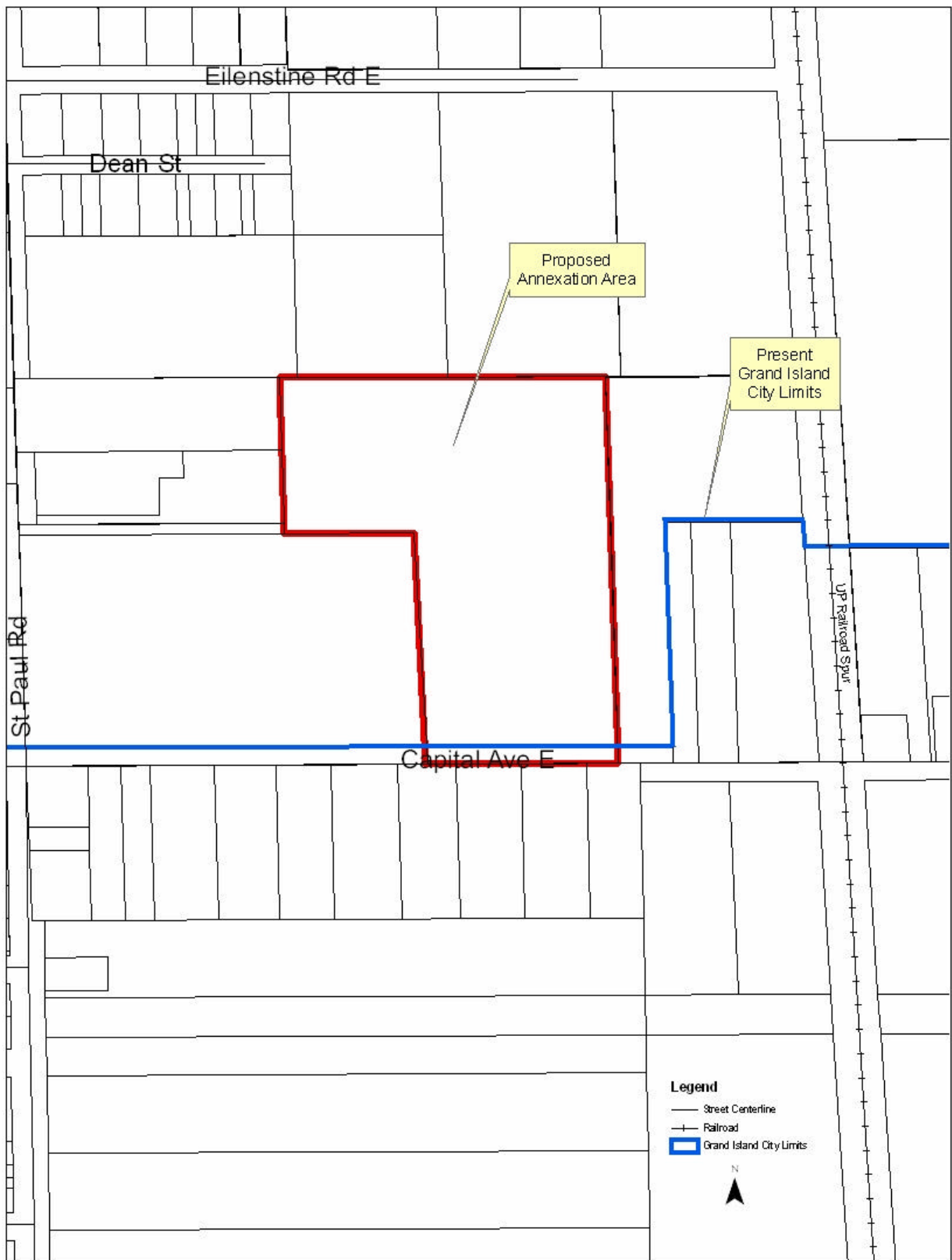
Annexation of adjacent properties can also be considered upon the request of the owner(s) of the property. Bernard H. Borer Jr. of 908 E Capital Avenue has requested that the City annex their property and allow him to connect to city sewer.

A comprehensive inventory of services and facilities, relative to the types and level of services currently being provided as well as the types of level of services anticipated as a result of annexation, has been developed.

The inventory includes general information concerning:

- Existing infrastructure in affected area(s)
- Summary of expenditures to extend existing infrastructure
- Summary of operating expenditures associated with increased services
- Emergency services

The service plan incorporates detailed elements of the inventory. The inventory and resulting service plan should be the basis for discussions concerning each specific area identified for potential annexation. ***It should be noted that the capital improvements to existing infrastructure and extending services will take place over a period of time in order to ensure adequate time for planning, designing, funding and constructing such a sizable number of projects while protecting the financial integrity of the City's enterprise funds. The service plan provides for extending the trunk water and sanitary sewer lines to the annexed area. Individual property owners will be responsible for the cost of extending services through neighborhoods and for connecting their properties to the public systems.***



Capital Avenue Property

This property is located in the northeast area of the community and is north of Capital Avenue the west of the Ord Line and east of the St. Paul Road. The City of Grand Island provides electric services to the area. Sewer and water are both available to this property

INVENTORY OF SERVICES

1. **Police Protection.** The City of Grand Island Police Department will provide protection and law enforcement services in the annexation area. These services include:

- Normal patrols and responses
- Handling of complaints and incident reports
- Investigation of crimes
- Standard speed and traffic enforcement
- Special units such as traffic enforcement, criminal investigations, narcotics, and gang suppression

These services are provided, on a city-wide basis, by over 89.75 employees. The Police Department is staffed at a rate of 1.72 officers per one thousand population. No additional officers will be necessary to maintain this ratio if all proposed area is annexed.

2. **Fire Protection.** The City of Grand Island Fire Department will provide emergency and fire prevention services in the annexation area. These services include:

- Fire suppression and rescue
- Hazardous materials incident response
- Periodic inspections of commercial properties
- Public safety education

These services are provided, on a city-wide basis, by 69 employees operating from four fire stations. The nearest fire station is Station #2 located on Broadwell Street, approximately 2.25 miles from the nearest part of the proposed annexation area.

3. **Emergency Medical Services.** The City of Grand Island is the current provider of local emergency medical services in the city and will provide this service in the annexed area.

- Emergency medical and ambulance services
- Emergency dispatch (provided by the City/County Emergency Management Department)

The City of Grand Island Fire Department provides these services, on a city-wide basis. Fire personnel are emergency medical technicians and 27 are certified paramedics.

4. **Wastewater (Sanitary Sewer).** The City of Grand Island will provide sanitary sewer services in the area through existing sewer lines. No city costs would be anticipated.

5. Maintenance of Roads and Streets. The City of Grand Island, Public Works Department, will maintain public streets over which the City has jurisdiction. These services include:

- Snow and ice removal
- Emergency pavement repair
- Preventative street maintenance
- Asphalt resurfacing
- Ditch and drainage maintenance
- Sign and signal maintenance
- Asphalt resurfacing

Capital Avenue is already maintained by the City of Grand Island

6. Electric Utilities. This Annexation area is currently provided electrical services by the City of Grand Island. The services appear adequate to meet the needs of the area. These services include:

- Electric utility services
- Street lights

7. Water Utilities. The City of Grand Island, Utilities Department, currently maintains the water utilities services for the proposed annexation area. Water service to this area is available.

8. Maintenance of Parks, Playgrounds, and Swimming Pools No impact is anticipated as a result of annexation. Recreation facilities and area amenities, including parks and pools, that are privately owned and operated, or operated and maintained by another governmental entity, will be unaffected by the annexation.

9. Building Regulations. The City of Grand Island, Building Department, will oversee services associated with building regulations, including:

- Commercial Building Plan Review
- Residential Building Plan Review
- Building Permit Inspections and Issuance
- Investigation of complaints relative to Minimum Housing Standards
- Regulation of Manufactured Home Parks
- Investigation of Illegal Business Complaints
- Investigation and Enforcement of Zoning Violations

10. Code Compliance. The City of Grand Island's Legal Department and Code Compliance division will continue to provide the following services associated with enforcing compliance with the City Code:

- Enforcement Proceedings for Liquor and Food Establishment Violations
- Investigation and Enforcement of Complaints Regarding Junked Vehicles and Vehicle Parts, Garbage, Refuse and Litter
- Investigation of Enforcement of Complaints Regarding Weed and Animal Violations
Providing Enforcement Support to Other Departments for City Code and Regulatory Violations

11. Other City Services. All other City Departments with jurisdiction in the area will provide services according to city policies and procedures.

Summary of Impacts	
Police Protection	No Impact
Fire Protection	No Impact
Emergency Medical Services	No Impact
Wastewater	Available
Roads and Streets	No Impact
Electric Service	Already in GI Service Area
Water Service	Available
Parks, Playgrounds and Swimming Pools	No Impact
Building Regulations	Already Subject to GI Regulations
Code Compliance	Already Subject to GI Regulations
Other	No Impact
School District	Already Grand Island District

Financial Impacts of Capital Avenue Property Annexation

Financial Impact	Before Annex	After Annex
Property Valuation	\$83,479	\$83,479
City sales tax now applicable		Yes

Assume \$83,479 Property

2007		Tax Levy	Before Annex	Tax Levy	After Annex
City Levy		0.000000	\$0.00	0.165929	\$138.52
	City Bond	0.000000	\$0.00	0.072390	\$60.43
CRA		0.000000	\$0.00	0.022566	\$18.84
Hall County		0.422886	\$353.02	0.422886	\$353.02
Rural Fire		0.056960	\$47.55		\$0.00
	Fire Bond*	0.012084	\$10.09	0.012084	\$10.09
GIPS School		1.072750	\$895.52	1.072750	\$895.52
	2nd Bond	0.082712	\$69.05	0.082712	\$69.05
	3rd Bond	0.016432	\$13.72	0.016432	\$13.72
	4th Bond	0.038331	\$32.00	0.038331	\$32.00
ESU 10		0.015000	\$12.52	0.015000	\$12.52
CCC		0.080161	\$66.92	0.080161	\$66.92
CPNRD		0.058764	\$49.06	0.058764	\$49.06
Ag Society		0.004643	\$3.88	0.004643	\$3.88
Airport		0.013172	\$11.00	0.013172	\$11.00
	Airport Bond	0.008792	\$7.34	0.008792	\$7.34
Total Combined		1.882687	\$1,571.65	2.086612	\$1,741.88

*previously approved bond will remain with property until paid off

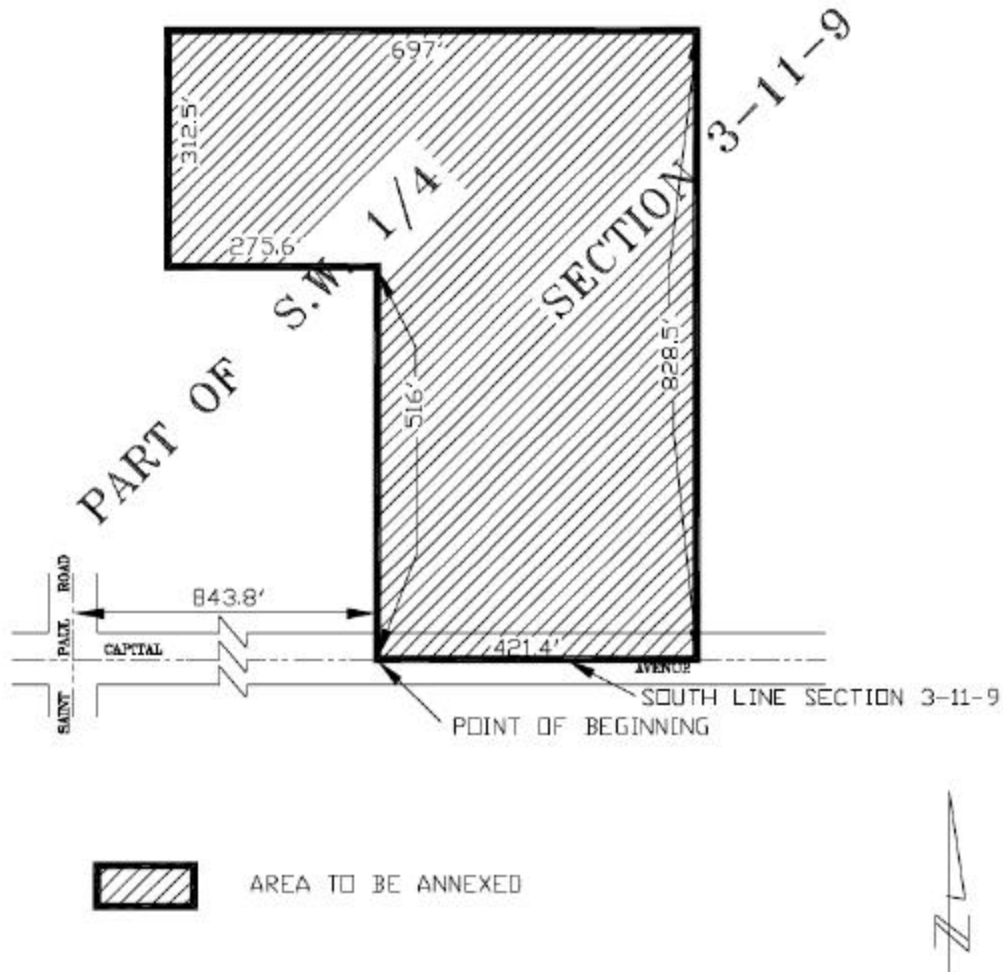


EXHIBIT "A"

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 8/5/08
DRN BY: L.D.C.
SCALE: NONE

PLAT TO ACCOMPANY
ANNEXATION ORDINANCE

RESOLUTION 2008-274

WHEREAS, the City of Grand Island, in accordance with Neb. Rev. Stat. §16-117, et seq., is considering the annexation of the land and a plan for extending city services to the adjacent and contiguous land which is urban or suburban in character and legally described as follows:

Beginning at a point 843.8 feet East of the Southwest Corner of Section Three (3), Township Eleven (11) North, Range Nine (9) West of the 6th P.M.; running thence North on a line parallel with the Section line 516 feet; thence East on a line parallel with the Section line 421.4 feet; thence South parallel with the Section line 516 feet to the South line of said Section; thence West along said Section line 421.4 feet to the place of beginning.

AND

Commencing at a point 452.8 feet West of the center of the Omaha and Republican Valley Railroad now known as the Ord Branch of the Union Pacific Railroad Company, and the Northeast Corner of the North Twelve (12) acres, more or less of the South Thirty Two (32) acres of that part of the Southwest Quarter (SW1/4) of Section Three (3) in Township Eleven (11) North, Range Nine (9), West of the 6th P.M., and lying West of said Railroad; thence running in a Southerly direction 312.5 feet; thence in a Westerly direction 697.0 feet; thence in a Northerly direction 312.5 feet; thence in an Easterly direction 697.0 feet to the place of beginning.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that a plan outlining the city services available to the above-described land and showing or including: (a) the estimated cost impact of providing the services to such land, (b) the method by which the city is financing the extension of services to the land and how services already provided will be maintained, (c) a map drawn to scale clearly delineating the land proposed for annexation, (d) a map showing the current boundaries of the city, (e) a map showing the proposed boundaries of the City after the annexation, and (f) a map showing the general land-use pattern in the land proposed for annexation is hereby adopted and approved and shall be available for inspection during regular business hours in the office of the City Clerk.

BE IT FURTHER RESOLVED, that a public hearing before the Mayor and City Council on the proposed annexation shall be held at 7:00 p.m. on October 28, 2008, or as soon thereafter as the matter may be heard, in the Council Chambers at City Hall, 100 East First Street, Grand Island, Nebraska, to receive testimony from interested persons.

Approved as to Form	<input checked="" type="checkbox"/>	_____
September 19, 2008	<input checked="" type="checkbox"/>	City Attorney

BE IT FURTHER RESOLVED, that the City Clerk be, and hereby is, authorized and directed to publish in the *Grand Island Independent* at least once, not less than ten days preceding the date of the public hearing, a copy of this Resolution and a map drawn to scale delineating the land proposed for annexation.

BE IT FURTHER RESOLVED, that the City Clerk be, and hereby is, authorized and directed to send by first-class mail, a copy of the resolution providing for the public hearing to the school boards of the school districts including the lands proposed for annexation.

- - -

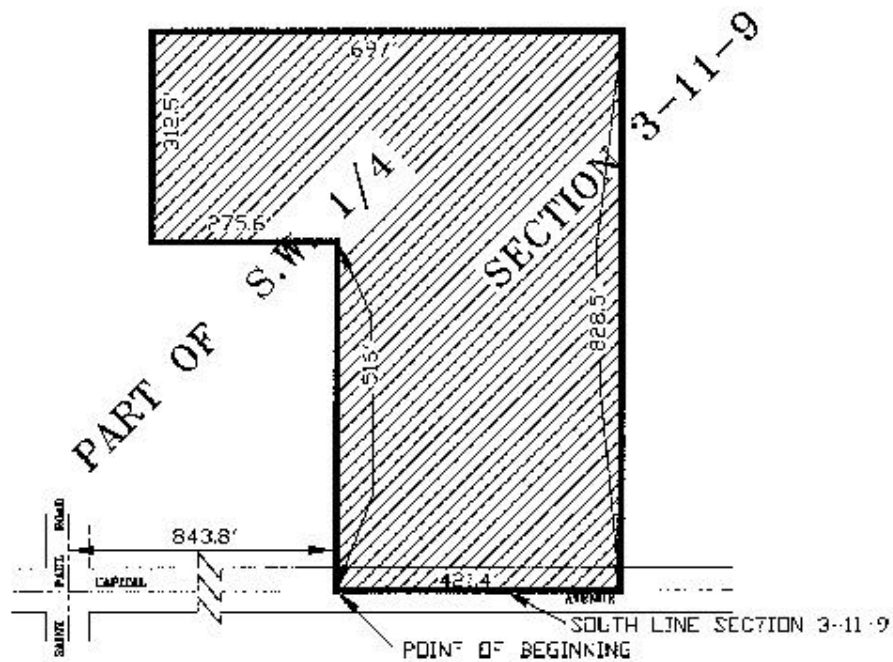
Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

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AREA TO BE ANNEXED

[Handwritten signature]

EXHIBIT "A"

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 8/5/08
DRN BY: L.D.C.
SCALE: NONE

PLAT TO ACCOMPANY
ANNEXATION ORDINANCE



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item I3

#2008-275 - Consideration of Approving Funding of Economic Development Request

Staff Contact: Marlan Ferguson - EDC President

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: September 23, 2008

Subject: Approving Economic Development Funding Request

Item #'s: I-3

Presenter(s): Dave Springer, Finance Director

Background

On July 22, 2003, the City Council approved Ordinance No.8830 adopting an Economic Development Program for the City of Grand Island in conformance with Neb. Rev. Stat. 18-2710. This provides for annual funding of \$750,000 by the City.

Discussion

A request has been received from the Grand Island Area Economic Development Corporation, duly approved by the Citizen's Review Committee for payment of \$350,000. Said funds to be used for operating expenses, community publicity, and promotion.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the request for funds.

Sample Motion

Move to approve the request for funds to allow payment of \$350,000 to the Grand Island Area Economic Development Corporation.



ANNUAL APPLICATION FOR ECONOMIC DEVELOPMENT LB-840 FUNDING

1. Applicant Business Name Grand Island Area Economic Development Corp.
- Address The Downtown Center, 308 North Locust, STE 400, Grand Island, NE 68801
- Telephone (308) 381-7500
- Email Address mferguson@grandisland.org
- Business Contact Person Marlan Ferguson, President
- Telephone (308) 381-7500
2. Business Organization: ☒ Corporation ☐ Partnership
☐ Proprietor ☐ Other
3. Business Type: ☐ Startup ☒ Existing
☐ Business Buyout ☐ Spec Building
☐ Other
4. Project Location: ☒ Within the city limits of Grand Island, Nebraska
☐ Outside the city limits, but within the 2 mile zoning jurisdiction
☐ Outside the zoning jurisdiction of Grand Island in (county) _____

5. Product or Services Provided: Economic growth, job creation, expansion of the tax base, and support for current businesses.

6. Project Description: Operating overhead to include salaries and benefits, occupancy costs, supplies, business recruitment, and community publicity. To offset cost associated with infrastructure including: interest, real estate taxes, maintenance, advertising, special assessments to city, debt service payments, and infrastructure needs study (long range plan).

7. Project Timetable: October 1, 2008 thru September 30, 2009

8. Employment Information:

Current number of employees 2 (full-time equivalent)

Proposed number of employees N/A (full-time equivalent)

What is the average hourly wage for all employees? N/A

Number of new jobs to be created N/A (full-time equivalent)

What would be the average hourly wage for new jobs? N/A

Number of jobs to be retained, if any N/A (full-time equivalent)

Please describe all benefits which the business provides to employees: N/A

9. Financing/Incentives Requested: The request for \$350,000 funding from LB-840 funds is
for the fiscal year beginning October 1, 2008 thru September 30, 2009. Application being
made is to continue Economic Development within Hall County under state statute 13-315
and 18-2721 (LB-840).

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

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

By: Marlan Ferguson
Marlan Ferguson
President
Title

Date: 09/05/2008

GRAND ISLAND AREA ECONOMIC DEVELOPMENT CORP.

Proposed Fiscal Period October 1, 2008 thru September 31, 2009

Community Publicity (to include business retention and recruitment, occupancy, advertising, and operational costs)	64,000
Workforce Training	20,000
Project Costs	62,000
PVIP costs (Real Estate taxes, interest, maintenance)	85,000
Debt Service Payments	50,000
Special Assessments to City	45,000
Project Costs	<u>24,000</u>
TOTAL EXPENSES	\$ 350,000

RESOLUTION 2008-275

WHEREAS, on July 22, 2003, by Ordinance No. 8830, the Grand Island City Council approved and adopted an Economic Development Program for the City of Grand Island prepared in conformity with Neb. Rev. Statute No. 18-2710; and

WHEREAS, such program was amended on August 12, 2003, by Ordinance No. 8832; and

WHEREAS, the program provides for \$750,000 in annual funding to be provided by the City of Grand Island; and

WHEREAS, a request has been made by the Grand Island Area Economic Development Corporation and the Economic Development Program's Citizens Review Committee for the payment of \$350,000 to be used for operating expenses, community publicity and promotion.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that approval is given to forward \$350,000 in City funding to the Grand Island Area Economic Development Corporation in accordance with the Economic Development Program.

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Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 18, 2008	☐ City Attorney



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item J1

Approving Payment of Claims for the Period of September 10, 2008 through September 23, 2008

The Claims for the period of September 10, 2008 through September 23, 2008 for a total amount of \$4,179,068.39. A MOTION is in order.

Staff Contact: David Springer