



City of Grand Island

Tuesday, August 25, 2009

Council Session

Item G12

#2009-197 - Approving Release Form For Repairs Made to Solid Waste Division Transfer Station Door

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: August 25, 2009

Subject: Approving Release Form for Repairs Made to Solid Waste Division Transfer Station Door

Item #'s: G-12

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

Background

On June 27th, 2009 at approximately 10:30 a.m., a Central Waste Disposal rear-load garbage truck was unloading inside the City's transfer station building. As the driver proceeded to exit the building, the tail section of the truck struck door #4 and the surrounding frame of the building. Solid Waste Division personnel contacted Central Waste Disposal management to discuss the situation. Central Waste Disposal agreed to procure and pay for the services and materials necessary to restore the door and frame to the original condition. On August 4th, 2009, all of the necessary repairs were completed and approved by Solid Waste Division staff.

Discussion

Waste Connections of Nebraska, Inc., d/b/a Central Waste Disposal, a Delaware Corporation, requests that the attached release form be signed by the City of Grand Island now that satisfactory repairs have been made.

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 release form be signed as presented.

Sample Motion

Move to approve the signing of the release form.

RELEASE

The, City of Grand Island, for, and in consideration and acknowledgement of the payment of repair of damage, does hereby fully release and forever discharge Waste Connections of Nebraska, Inc., d/b/a Central Waste Disposal, a Delaware Corporation, and their employees, representatives and agents, from any and all claims, demands, liens, agreements, contracts, covenants, actions, suit, and causes of any kind arising from property damage suffered on or about June 29th, 2009, including all injuries, damages, losses and expenses, financial loss of any kind, liquidated damages, mental distress and anguish, attorneys fees and litigation costs. This Release shall be binding on the City of Grand Island, its assigns, and successors however enumerated.

(Signature)

Margaret Hornady, Mayor
(Printed Name)

(Date)

RESOLUTION 2009-197

WHEREAS, on June 27, 2009 a Central Waste Disposal rear-load garbage truck struck door #4 and the surrounding frame of the building, causing extensive damage; and

WHEREAS, Central Waste Disposal management was contacted immediately by Solid Waste Division personnel; and

WHEREAS, Central Waste Disposal agreed to procure and pay for the services and materials necessary to restore the door and frame to the original condition; and

WHEREAS, on August 4, 2009 all of the necessary repairs were completed and approved by Solid Waste Division personnel.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, the Mayor is hereby authorized, and directed, to sign the release form provided by Central Waste Disposal for said damages and repairs on behalf of the City Of Grand Island.

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Adopted by the City Council of the City of Grand Island, Nebraska, August 25, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ☐ _____
August 21, 2009 ☐ City Attorney