

Tuesday, September 22, 2009

Council Session Packet

City Council:

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Larry Carney Scott Dugan John Gericke Peg Gilbert Chuck 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

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.



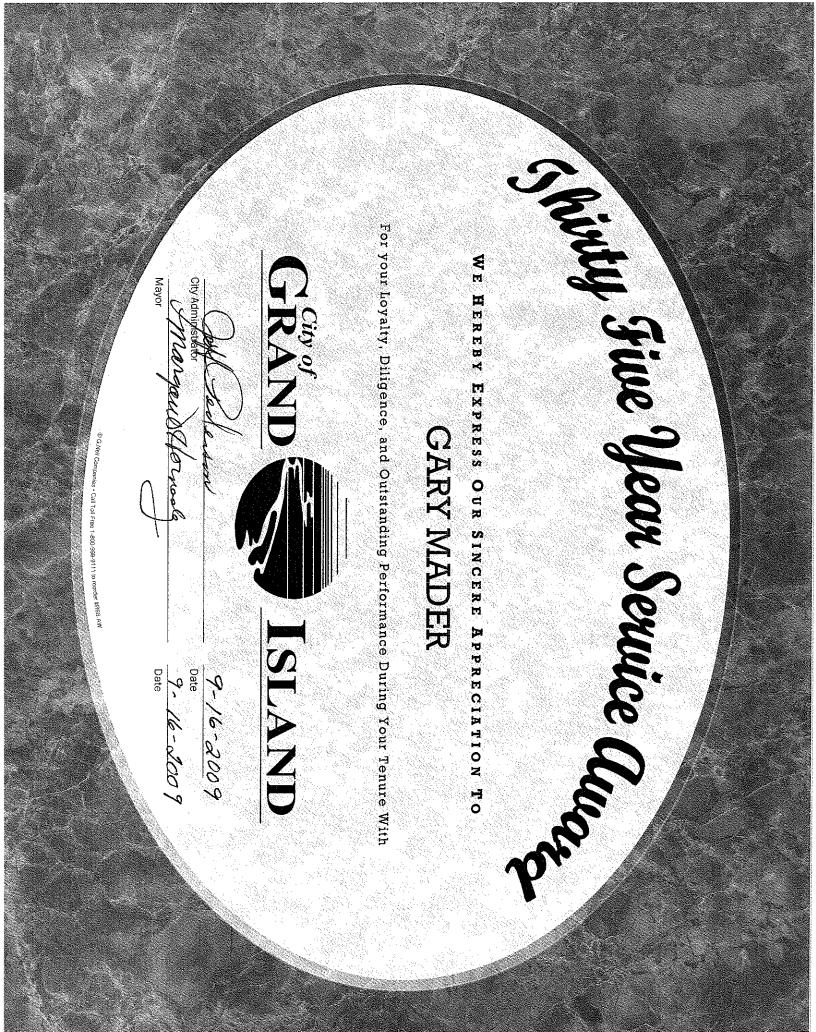
Tuesday, September 22, 2009 Council Session

Item C1

Recognition of Gary Mader, Utilities Department Director for 35 Years of Service with the City of Grand Island

The Mayor and City Council will recognize Gary Mader, Utilities Department Director for 35 Years of Service with the City of Grand Island. Mr. Mader was hired on August 1, 1974 as a Utilities Engineer I and was promoted to Utilities Engineer-Mechanic on February 1, 1975. That position was reclassified to Engineer III on January 30, 1978. He was then promoted to his current position of Utilities Director on May 5, 1986. We Congratulate Mr. Mader for his dedication and service to the City of Grand Island.

Staff Contact: Mayor Hornady





Tuesday, September 22, 2009 Council Session

Item C2

Proclamation "Public Power Week" October 4-10, 2009

Since 1907, the City of Grand Island Utilities Department has provided low-cost, safe and reliable electricity to the community of Grand Island. This community-owned, locally controlled, not-for-profit electric utility serves our community in a dependable and trustworthy way. The Mayor would like to recognize the City of Grand Island Utilities Department for the contributions they make to our community by proclaiming October 4-10, 2009 as ''Public Power Week''. See attached PROCLAMATION.

Staff Contact: Mayor Hornady

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

PROCLAMATION

WHEREAS,

we, the citizens of Grand Island, place high value on local control over community services and therefore have chosen to operate a community-owned, locally controlled, not-for-profit electric utility and, as consumers and owners of our electric utility, have a direct say in utility operations and policies; and

WHEREAS,

Grand Island provides our homes, businesses, farms, social service, and local government agencies with reliable, efficient, and cost-effective electricity employing sound business practices designed to ensure the best possible service at not-forprofit rates; and

WHEREAS,

the City of Grand Island Utilities Department, is a valuable community asset that contributes substantially to the well-being of local citizens through energy efficiency, customer service, environmental protection, economic development, and safety awareness; and

WHEREAS,

the City of Grand Island Utilities Department, is a dependable and trustworthy institution whose local operation provides many consumer protections and continues to make our community a better place in which to live and work, as well as contributes to protecting the global environment; and

WHEREAS,

the City of Grand Island Utilities Department will continue to work to bring low-cost, safe, reliable electricity service to community homes and businesses just as it has since 1907, the year when the utility first began to serve the citizens of Grand Island; and

WHEREAS,

the week of October 4-10, 2009 is designated the 23rd annual Public Power Week in order to honor the City of Grand Island Utilities Department for its contributions to the community and to make its consumer-owners, policy makers, and employees more aware of its contributions to their well-being and how it makes their lives powerful.



NOW, THEREFORE, I, Margaret Hornady, Mayor of the City of Grand Island, Nebraska, do hereby proclaim the week of October 4-10, 2009 as

"PUBLIC POWER WEEK"

in the City of Grand Island, and encourage that our community join with more than 2,000 other public power systems in the United States in this celebration of public power and recognition that the City of Grand Island Utilities Department is good for consumers, business, the community, and the nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Grand Island to be affixed this twenty-second day of September in the year of our Lord Two Thousand and Nine.

Mangan X 4 9 cm -Margaret Hornady, Mayor

Attest:

nn. RaNae Edwards, City Clerk





Tuesday, September 22, 2009 Council Session

Item C3

Proclamation ''Community Planning Month'' October 2009

Community planning helps manage the constant change that affects all municipalities. The month of October is designated as National Community Planning Month throughout the United States and its territories. Mayor Hornady has proclaimed the month of October as "Community Planning Month" in the City of Grand Island and recognizes the contributions made by many professional planners here in the city and county. See attached PROCLAMATION.

Staff Contact: Mayor Hornady

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

PROCLAMATION

WHEREAS,

change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS,

community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS,

community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS,

the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS,

the month of October is designated as National Community Planning Month throughout the United States of America and its territories; and

WHEREAS,

The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the State of Nebraska, County of Hall, Cities of Wood River and Grand Island, and Villages of Alda, Cairo and Doniphan; and

WHEREAS,

we recognize the valuable contributions made by professional community and regional planners of the Hall County Regional Planning Department and extend our heartfelt thanks for the continued commitment to public service by these professionals.



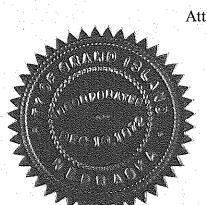
NOW, THEREFORE, I, Margaret Hornady, Mayor of the City of Grand Island, Nebraska, do hereby proclaim the month of October, 2009 as

"COMMUNITY PLANNING MONTH"

in the jurisdiction of the Hall County Regional Planning Commission in conjunction with the celebration of National Community Planning Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Grand Island to be affixed this twenty-second day of October in the year of our Lord Two Thousand and Nine.

Margan Hornob Margaret Hornady, Mayor



Attest:

EQuart RaNae Edwards, City Clerk



Tuesday, September 22, 2009 Council Session

Item E1

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

Staff Contact: Dale Shotkoski

Council Agenda Memo

From:	Dale M. Shotkoski, City Attorney
Meeting:	September 22, 2009
Subject:	Public Hearing Concerning the Semi-Annual Report by the Citizen's Review Committee on the Economic Development Program Plan
Item #'s:	E-1 & G-4
Presenter(s):	Dale M. Shotkoski, City Attorney Dehn Renter, Chairman, Citizen's Advisory Review Committee

Background

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

Discussion

The Citizens Advisory Review Committee has been conducting regular meetings during the last six months as required by the City Code and the Nebraska Statutes. The committee looks forward to receiving and reviewing meritorious applications for consideration in the future. The committee received the semi-annual report from the Economic Development Corporation at its meeting of September 9, 2009, and voted to forward it on to the City Council for its review and acceptance.

<u>Alternatives</u>

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

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

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

Recommendation

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

Sample Motion

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



Tuesday, September 22, 2009 Council Session

Item E2

Public Hearing for Program Income Reuse Funds Guidelines for Housing

Staff Contact: Joni Kuzma

Council Agenda Memo

From:	Joni Kuzma, Community Development
Meeting:	September 22, 2009
Subject:	Approving Program Income Reuse Plan Guidelines for Housing
Item #'s:	E-2 & G-5
Presenter(s):	Joni Kuzma, Community Development Administrator

Background

The Nebraska Department of Economic Development allows local governments to retain program income from the Housing Category on eligible Community Development Block Grant activities that rehabilitate or support housing. The current City of Grand Island Program Income Reuse Plan was adopted by Council on January 8, 1996. Since that time many of the Department of Economic Development reuse guidelines have been modified. The proposed Reuse Plan has been updated to reflect compliance with Department guidelines.

Discussion

Program Income Reuse Funds are administered by the Community Development Division for activities that rehabilitate or support housing located within Community Development Block Grant (CDBG) project area boundaries. Program Income generally means gross income received by the City through the repayment of housing rehabilitation loans, first-time homebuyer subsidy loans, sale of property, other miscellaneous receipts or from a sub-recipient of the City that was generated from the use of CDBG funds. Funds received from deferred payment/forgivable loans or grants are maintained in an interest bearing account. Reuse Funds may be expended only for projects that meet identified National Objective(s) primarily benefiting low-and-moderate income persons.

Community Development provides program and fiscal management of Reuse Funds, meets semi-annual reporting requirements of the Department of Economic Development, and incorporates changes made by the Department. A public hearing is required to amend the Reuse Plan. A public hearing notice was published in the Grand Island Independent on Saturday, September 12, 2009.

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 Program Income Reuse Plan.

Sample Motion

Move to approve the Program Income Reuse Plan.



Tuesday, September 22, 2009 Council Session

Item F1

#9239 - Consideration of Approving Salary Ordinance

Staff Contact: Brenda Sutherland

Council Agenda Memo

From:	Brenda Sutherland, Human Resources Director
Meeting:	September 22, 2009
Subject:	Salary Ordinance
Item #'s:	F-1
Presenter(s):	Brenda Sutherland, Human Resources Director

Background

The City of Grand Island conducts salary surveys to identify comparable wages for its employees. It has been three years since the last survey for the non-union employee group. The City Council recently passed a budget that specified 3.5% as the budget authority that was to be used to implement the results of the current salary survey.

Discussion

The cities that were used in the array were: Ames, Iowa, Council Bluffs, Iowa, Fremont, Hastings, Kearney, and North Platte, Nebraska, and Salina Kansas. The Council gave direction to use a more balanced array and in doing so there are three cities that are larger and four that are smaller. Ames and Salina have been used in the City's array for several years. Council Bluffs has been added this year as it was added by the CIR in the IAFF case. This survey produced wages at both ends of the spectrum meaning that some positions saw a great deal of movement while other positions were frozen. While there will be some major movement in some salary tables, the highest adjustment that an employee will experience at implementation is 7.8% and the lowest is 0%.

The salary range will be adjusted per the survey results. Employees will not move backwards in their current hourly wage, however, they could move backwards in step placement. Should an employee move into lower steps in the new range they will be placed in the next closest step that gives them at least a 2% increase. This means that an employee may go backwards in their placement on the scale but will receive an initial increase in October and then will be eligible for step movement at their evaluation date. This type of implementation allows the City to remain compliant with State of Nebraska comparability statutes while controlling the pace of salary increases to fall within the 3.5% budget authority that was approved by Council for the new Fiscal Year.

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 Salary Ordinance #9239.

Sample Motion

Move to approve Salary Ordinance #9239.

ORDINANCE NO. 9239

An ordinance to amend Ordinance 9231 known as the Salary Ordinance which lists the currently occupied classifications of officers and employees of the City of Grand Island, Nebraska and established the ranges of compensation of such officers and employees; to move the non-union and IBEW Information Technology positions listed below to the new IBEW-Service/Clerical group; to amend the job classifications of Maintenance Worker I — Golf and Maintenance Worker II — Golf to Maintenance Worker — Golf; to amend the salary ranges of the non-union_employees; to separate the full time Solid Waste Division Clerk from the part time Solid Waste Division Clerk; covered under the AFSCME labor agreement; IBEW Utilities and IBEW Finance labor agreements; the IBEW WWTP labor agreement; the FOP labor agreement; and the IAFF labor agreement; and to repeal those portions of Ordinance No. 9231 and any parts of other ordinances in conflict herewith; to provide for severability; to provide for the effective date thereof; and to provide for publication of this ordinance in pamphlet form.

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

SECTION 1. The currently occupied classifications of officers and general employees of the City of Grand Island, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classifications, and the number of hours and work period which certain officers and general employees shall work prior to overtime eligibility are as follows:

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Accountant	1617.06/2276.10	Exempt
	1728.80/2437.60	
Accounting Technician – Solid Waste	1093.44/1538.67	40 hrs/week
	1200.00/1577.60	

Approved as to Form ¤ ______ September 18, 2009September 18, 2009September 15

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Assistant to the City Administrator	1539.07/2166.77	Exempt
	1681.60/2367.20	
Assistant Utility Director – Administration	3005.32/4229.13	Exempt
	3262.40/4592.00	
Assistant Utility Director – PGS & PCC	3255.46/4581.33	Exempt
	3532.80/4974.40	
Attorney	2150.91/3026.67	Exempt
	2151.20/3319.20	
Biosolids Technician	1329.96/1872.14	40 hrs/week
	<u>1363.21/1918.94</u>	
Building Department Director	2452.05/3449.03	Exempt
	2520.00/3585.60	
Cemetery Superintendent	1464.95/2062.42	Exempt
City Administrator	3967.46/5583.39	Exempt
	4310.48/6065.29	
City Attorney	2864.86/4032.02	Exempt
	2978.40/4192.00	
City Clerk	1646.54/2317.09	Exempt
	1799.20/2532.80	
Civil Engineering Manager – Public Works	2182.24/3071.80	Exempt
Engineering	2289.60/3283.20	
Civil Engineering Manager – Utility PCC	2400.12/3379.05	Exempt
	2560.00/3655.20	
Collection System Supervisor	1510.07/2125.10	40 hrs/week
	1727.20/2455.20	
Community Service Officer	887.58/1248.55	40 hrs/week
	968.00/1316.00	
Custodian – Library, Police	887.08/1251.81	40 hrs/week
Electric Distribution Superintendent	2403.77/3381.86	Exempt
	2500.00/3426.40	
Electric Distribution Supervisor	2030.77/2856.54	40 hrs/week
	2111.20/2895.20	

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Electric Underground Superintendent	2140.60/3011.97	Exempt
	2226.40/3052.00	
Electrical Engineer I	1963.80/2764.73	Exempt
	2026.40/2796.80	
Electrical Engineer II	2276.15/3203.71	Exempt
	2350.40/3240.80	
Emergency Management Deputy Director	1580.85/2224.51	Exempt
	1708.80/2336.80	
Emergency Management Director	2249.86/3165.80	Exempt
	2432.00/3324.80	
EMS Division Chief	1990.58/2800.84	Exempt
	2289.17/3220.97	
Engineering Technician - WWTP	1418.74/1996.13	40 hrs/week
	1509.60/2132.80	
Engineering Technician Supervisor	1621.62/2282.65	Exempt
	1687.20/2442.40	
Equipment Operator - Solid Waste	1209.74/1703.66	40 hrs/week
Finance Director	2855.05/4017.67	Exempt
Fire Chief	2601.25/3659.41	Exempt
	2724.00/3860.00	
Fire Operations Division Chief	2142.56/3014.68	Exempt
	2399.66/3376.44	
Fire Prevention Division Chief	1990.58/2800.84	Exempt
	2110.02/2968.89	
Fire Training Division Chief	1990.58/2800.84	Exempt
	2110.02/2968.89	
Fleet Services Superintendent	1630.56/2295.9 4	Exempt
	1930.40/2727.20	
Fleet Services Supervisor	1358.58/1911.85	40 hrs/week
	1536.80/2140.80	
Golf Course Superintendent	1824.72/2567.68	Exempt
	1824.80/2633.60	

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Grounds Management Crew Chief - Cemetery	1368.25/1925.50	40 hrs/week
Grounds Management Crew Chief – Parks	1409.29/1983.25	40 hrs/week
Human Resources Director	2509.86/3530.34	Exempt
	2576.80/3671.20	
Human Resources Specialist	1300.87/1830.21	40 hrs/week
	1380.00/2028.00	
Information Technology Manager	2316.32/3259.09	Exempt
Information Technology Supervisor	1943.36/2734.93	Exempt
	2032.00/3123.20	
Legal Secretary	1142.42/1609.57	40 hrs/week
	1517.60/2040.80	
Librarian I	1281.11/1801.98	Exempt
	1325.60/1844.00	
Librarian II	1409.41/1982.94	Exempt
	1468.00/2068.00	
Library Assistant I	893.83/1257.38	40 hrs/week
	928.80/1278.40	
Library Assistant II	985.94/1387.29	40 hrs/week
	1023.20/1410.40	
Library Assistant Director	1671.62/2352.10	Exempt
	1672.00/2383.20	
Library Clerk	749.19/1055.59	40 hrs/week
	765.60/1062.40	
Library Director	2262.37/3184.54	Exempt
Library Page	580.93/817.68	40 hrs/week
	594.40/822.40	
Library Secretary	999.09/1405.37	40 hrs/week
	<u>1111.20/1579.20</u>	
Maintenance Worker – Golf	1115.40/1573.00	40 hrs/week
Manager of Engineering Services	2239.98/3151.48	Exempt
	2466.40/3540.00	
Meter Reader Supervisor	1402.93/1975.75	Exempt

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Office Manager – Police Department	1195.90/1683.25	40 hrs/week
	1215.20/1683.25	
Parking Monitor	594.59/837.60	40 hrs/week
	648.80/881.60	
Parks and Recreation Director	2558.81/3599.05	Exempt
Parks Superintendent	1707.12/2401.41	Exempt
	1788.00/2528.80	
Payroll Specialist	1275.36/1794.32	40 hrs/week
Planning Director	2537.18/3569.42	Exempt
Police Captain	1979.75/2785.60	Exempt
	2142.40/3013.60	
Police Chief	2724.39/3834.86	Exempt
	2724.00/3860.00	
Police Records Clerk - Part Time	935.60/1317.32	40 hrs/week
	992.00/1380.80	
Power Plant Maintenance Supervisor	2244.07/3156.59	Exempt
Power Plant Operations Supervisor	2335.70/3286.31	Exempt
	2336.00/3363.20	
Power Plant Superintendent – Burdick	2558.46/3600.21	Exempt
Power Plant Superintendent – PGS	2949.50/4148.57	Exempt
Public Information Officer	1470.54/2068.91	Exempt
	1606.40/2260.80	
Public Works Director	2866.03/4033.13	Exempt
Receptionist	961.79/1353.34	40 hrs/week
	992.00/1435.20	
Recreation Superintendent	1618.55/2276.68	Exempt
	1674.40/2402.40	
Regulatory and Environmental Specialist	2213.05/3112.95	Exempt
Senior Accountant	1826.15/2568.93	Exempt
	2105.60/2931.20	
Senior Communications Specialist/EMD	1198.64/1685.98	40 hrs/week
	<u>1296.00/1771.20</u>	

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Senior Electrical Engineer	2492.06/3506.35	Exempt
	2572.00/3546.40	
Senior Equipment Operator, Solid Waste	1270.24/1787.37	40 hrs/week
Senior Utility Secretary	1002.03/1413.19	40 hrs/week
	<u>1146.00/1636.40</u>	
Shooting Range Superintendent	1618.55/2276.68	Exempt
	1674.40/2402.40	
Solid Waste Division Clerk - Full Time	898.54/1264.12	40 hrs/week
	1143.20/1531.20	
Solid Waste Division Clerk - Part Time	898.54/1264.12	40 hrs/week
	1017.89/1390.40	
Solid Waste Superintendent	1838.29/2586.82	Exempt
Street Superintendent	1758.89/2477.35	Exempt
	1880.00/2736.80	
Street Supervisor	1396.18/1963.59	40 hrs/week
	1478.40/2100.80	
Turf Management Specialist	1415.21/1991.14	40 hrs/week
	1640.00/2321.60	
Utility Director	3896.36/5481.07	Exempt
	4157.60/5957.60	
Utility Production Engineer	2630.29/3701.68	Exempt
Utility Services Manager	2059.48/2898.16	Exempt
	2140.00/2978.40	
Utility Warehouse Supervisor	1601.66/2252.73	40 hrs/week
	1745.60/2438.40	
Victim Assistance Unit Coordinator	935.60/1317.32	40 hrs/week
	1004.00/1413.60	
Wastewater Engineering/Operations Superintendent	2051.64/2887.97	Exempt
	2052.00/2903.20	
Wastewater Plant Chief Operator	1310.87/1845.26	40 hrs/week
	1516.00/2136.80	
Wastewater Plant Maintenance Supervisor	1516.01/2133.58	40 hrs/week

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
	1832.80/2468.00	
Wastewater Plant Process Supervisor	1572.10/2213.43	40 hrs/week
	1900.00/2561.60	
Water Superintendent	1937.68 <mark>/2725.61</mark>	Exempt
	<u>/2736.80</u>	
Water Supervisor	1652.15/2326.74	40 hrs/week
	1672.80/2410.40	
Worker / Seasonal	580.00/1600.00	Exempt
Worker / Temporary	580.00/1600.00	40 hrs/week

SECTION 2 The currently occupied classifications of employees of the City of Grand Island included under the AFSCME labor agreement, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classifications, and the number of hours and work period which certain such employees included under the AFSCME labor agreement shall work prior to overtime eligibility are as follows:

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Equipment Operator – Streets	1110.06/1561.01	40 hrs/week
Fleet Services Attendant/Clerk	1009.13/1423.30	40 hrs/week
Fleet Services Inventory Specialist	1106.90/1557.86	40 hrs/week
Fleet Services Mechanic	1266.28/1780.94	40 hrs/week
Horticulturist	1172.08/1651.40	40 hrs/week
Maintenance Worker - Cemetery	1101.64/1550.50	40 hrs/week
Maintenance Worker – Parks	1094.29/1541.04	40 hrs/week
Maintenance Worker – Streets	1071.16/1507.39	40 hrs/week
Senior Equipment Operator – Streets	1216.22/1712.39	40 hrs/week
Senior Maintenance Worker – Parks	1216.22/1712.39	40 hrs/week
Senior Maintenance Worker – Streets	1216.22/1712.39	40 hrs/week
Traffic Signal Technician	1216.22/1712.39	40 hrs/week

SECTION 3. The currently occupied classifications of employees of the City of Grand Island included under the IBEW labor agreements, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classifications, and the number of hours and work period which certain such employees included under the IBEW labor agreements shall work prior to overtime eligibility are as follows:

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Accounting Clerk	1112.01/1471.52	40 hrs/week
Cashier	1020.64/1390.80	40 hrs/week
Custodian	1191.81/1407.37	40 hrs/week
Electric Distribution Crew Chief	2176.99/2768.73	40 hrs/week
Electric Underground Crew Chief	2176.99/2768.73	40 hrs/week
Engineering Technician I	1371.90/1962.94	40 hrs/week
Engineering Technician II	1695.94/2325.37	40 hrs/week
GIS Coordinator	1744.86/2448.39	40 hrs/week
Instrument Technician	2046.35/2703.39	40 hrs/week
Lineworker Apprentice	1327.03/1945.84	40 hrs/week
Lineworker First Class	2011.47/2378.99	40 hrs/week
Materials Handler	1656.26/2220.18	40 hrs/week
Meter Reader	1193.34/1556.14	40 hrs/week
Meter Technician	1604.44/1982.93	40 hrs/week
Power Dispatcher I	2009.25/2793.64	40 hrs/week
Power Dispatcher II	2110.34/2933.73	40 hrs/week
Power Plant Maintenance Mechanic	1901.96/2368.30	40 hrs/week
Power Plant Operator	2246.90/2617.25	40 hrs/week
Senior Accounting Clerk	1249.93/1637.30	40 hrs/week
Senior Engineering Technician	2145.83/2626.02	40 hrs/week
Senior Materiak Handler	1907.02/2487.45	40 hrs/week
Senior Meter Reader	1413.33/1677.46	40 hrs/week
Senior Power Dispatcher	2441.20/3350.01	40 hrs/week
Senior Power Plant Operator	2215.32/2839.98	40 hrs/week
Senior Substation Technician	2608.37/2703.39	40 hrs/week

Classification	Bi-Weekly Pay Range	Overtime
	Min/Max	Eligibility
Senior Water Maintenance Worker	1549.75/2040.66	40 hrs/week
Substation Technician	2414.66/2510.52	40 hrs/week
Systems Technician	2128.00/2703.39	40 hrs/week
Tree Trim Crew Chief	1906.27/2367.31	40 hrs/week
Utilities Electrician	1910.30/2510.52	40 hrs/week
Utility Technician	1865.79/2624.50	40 hrs/week
Utility Warehouse Clerk	1378.64/1700.91	40 hrs/week
Water Maintenance Worker	1291.18/1785.58	40 hrs/week
Wireworker I	1450.53/2051.04	40 hrs/week

SECTION 4. The currently occupied classifications of employees of the City of Grand Island included under the FOP labor agreement, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classifications, and the number of hours and work period which certain such employees included under the FOP labor agreement shall work prior to overtime eligibility are as follows:

2011.47/2378.99

40 hrs/week

	Bi-Weekly Pay Range Min/Max
Classification	
Police Officer	1376.13/1923.74
Police Sergeant	1722.37/2360.04

Wireworker II

OVERTIME ELIGIBILITY

The City has reserved its right to the utilization of the 207(k) FLSA exemption and will implement this as the hours of work effective the first full pay period following the execution of the labor agreement. The pay period for purposes of calculating overtime shall consist of a fourteen (14) day cycle that runs concurrent with the City's current payroll cycle. For purposes of calculating eligibility for overtime, "hours worked" shall include actual hours worked,

vacation, personal leave and holiday hours. Employees shall be eligible for overtime when they exceed their hours scheduled for work in the fourteen (14) day pay cycle with a minimum of eighty (80) hours. There shall also be established for each employee in the bargaining unit a Training and Special Events bank of fifty (50) hours per individual per contract year. Each employee may be scheduled for training or special event duty with a minimum of seven (7) days notice prior to the commencement of the pay period and the training and special events bank hours may be added to the eighty (80) hour, two (2) week pay period up to eighty-six (86) hours and these hours shall not be eligible for overtime. Training and special events hours worked in excess of eighty-six (86) hours in a two week pay period will be eligible for overtime, but will not be subtracted from the training and special events bank. All work completed after eighty (80) hours in a pay period that is performed for work that is funded by grants from parties outside or other than the City of Grand Island, shall be paid overtime for the time worked after eighty (80) hours, if the time is funded at overtime rates by the grant. Any such grant hours are not deducted from the training and special events bank.

SECTION 5. The currently occupied classifications of employees of the City of Grand Island included under the IAFF labor agreement, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classifications, and the number of hours and work period which certain such employees included under the IAFF labor agreement shall work prior to overtime eligibility are as follows:

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Fire Captain	1800.44/2496.42	212 hrs/28 days
Firefighter / EMT	1337.63/1941.19	212 hrs/28 days
Firefighter / Paramedic	1493.45/2109.24	212 hrs/28 days

SECTION 6. The currently occupied classifications of the employees of the City of Grand Island included under the IBEW-WWTP labor agreement, and the ranges of compensation salary and wages, excluding shift differential as provided by contract, to be paid for such classifications, and the number of hours and work period which certain such employees included under the IBEW-WWTP labor agreement shall work prior to overtime eligibility are as follows:

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Accounting Technician – WWTP	1104.57/1554.23	40 hrs/week
Equipment Operator – WWTP	1254.02/1764.54	40 hrs/week
Maintenance Mechanic I	1254.02/1764.54	40 hrs/week
Maintenance Mechanic II	1404.09/1975.70	40 hrs/week
Maintenance Worker - WWTP	1254.02/1764.54	40 hrs/week
Senior Equipment Operator – WWTP	1355.49/1907.30	40 hrs/week
Wastewater Clerk	943.56/1327.67	40 hrs/week
Wastewater Plant Laboratory Technician	1331.18/1873.11	40 hrs/week
Wastewater Plant Operator I	1121.57/1578.17	40 hrs/week
Wastewater Plant Operator II	1254.02/1764.54	40 hrs/week

SECTION 7. The currently occupied classifications of the employees of the City of Grand Island included under the IBEW-Service/Clerical group are as follows:

Classification	Bi-Weekly Pay Range Min/Max	Overtime Eligibility
Accounting Technician – Streets	1093.44/1538.67	40 hrs/week
Administrative Assistant	1180.58/1662.19	40 hrs/week
Audio Video Technician	1115.35/1569.42	40 hrs/week
Building Inspector	1415.47/1991.53	40 hrs/week
Building Secretary	999.09/1405.37	40 hrs/week
Community Development Administrator	1245.34/1752.33	Exempt
Communic ation Specialist/EMD	1030.93/1454.21	40 hrs/week
Computer Operator	1434.40/1885.62	40 hrs/week

Computer Programmer	1703.42/2285.98	40 hrs/week
Computer Technician	1477.44/1942.22	40 hrs/week
Custodian – Police, Full Time	887.08/1251.81	40 hrs/week
Electrical Inspector	1415.47/1991.53	40 hrs/week
Emergency Management Coordinator	991.57/1394.84	40 hrs/week
Engineering Technician – Public Works	1418.74/1996.13	40 hrs/week
Evidence Technician	887.58/1248.55	40 hrs/week
Finance Secretary	999.09/1405.37	40 hrs/week
GIS Specialist	1681.79/2359.90	40 hrs/week
Maintenance Worker I – Building, Library	1028.34/1446.75	40 hrs/week
Maintenance Worker II – Building, Library, Police	1082.92/1527.18	40 hrs/week
Parks and Recreation Secretary	999.09/1405.37	40 hrs/week
Planning Secretary	999.09/1405.37	40 hrs/week
Planning Technician	1521.35/2140.47	40/hrs/week
Plans Examiner	1415.47/1991.53	40 hrs/week
Plumbing Inspector	1415.47/1991.53	40 hrs/week
Police Records Clerk – Full Time	935.60/1317.32	40 hrs/week
Purchasing Technician	1071.93/1507.82	40 hrs/week
Shooting Range Operator	1368.25/1925.50	40 hrs/week
Stormwater Technician	1418.74/1996.13	40 hrs/week
Utility Secretary	999.09/1405.37	40 hrs/week

SECTION 8. The classification of employees included under labor agreements with the City of Grand Island, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classification, and the number of hours and work period which certain such employees shall work prior to overtime eligibility are as stated above. All employees covered by the IAFF labor agreement shall be paid a clothing and uniform allowance in addition to regular salary in the amount of \$484.00 per year, divided into twenty-four (24) pay periods. All employees of the FOP labor agreement shall be paid a clothing and uniform allowance in addition to regular salary of \$25.00 per pay period. If any such

employee covered by the IAFF or FOP labor agreements shall resign, or his or her employment be terminated for any reason whatsoever, the clothing allowance shall be paid on a prorata basis, but no allowance shall be made for a fraction of a month.

Non-union employees and employees covered by the FOP labor agreement, the IBEW Utilities and Finance labor agreements, may receive an annual stipend not to exceed \$1,000 for bilingual pay.

Employees covered by the AFSCME labor agreement shall be granted a meal allowance of \$4.50 if they are required to work two (2) hours overtime consecutively with their normal working hours during an emergency situation, and if such overtime would normally interfere with and disrupt the employee's normal meal schedule. Employees covered by the IBEW - Utilities and IBEW – Finance labor agreements shall be allowed a meal allowance for actual cost, or up to \$7.00 per meal, if they are required to work two (2) hours overtime consecutively with their normal working hours and if such overtime would normally interfere with and disrupt the employee's normal meal schedule. Direct supervisors of employees who are covered by labor agreements which allow overtime meal allowance shall be entitled to the same meal allowance benefit.

Utilities Department personnel in the IBEW bargaining unit and the classifications of Meter Reader Supervisor, Power Plant Superintendent, Power Plant Supervisor, Electric Distribution Superintendent, Electric Distribution Supervisor, Water Supervisor, Electric Underground Superintendent, and Engineering Technician Supervisor shall be eligible to participate in a voluntary uniform program providing an allowance up to \$18.00 per month When protective clothing is required for Utilities Department and Wastewater Treatment Plant personnel covered by the IBEW labor agreement and employees covered by the

AFSCME labor agreement, except the Fleet Services Division of the Public Works Department, the City shall pay 60% of the cost of providing and cleaning said clothing and the employees 40% of said cost. Full-time Fleet Services personnel shall receive a uniform allowance of \$12 biweekly. Public Works Department personnel in the job classifications Fleet Services Supervisor, Fleet Services Superintendent, and Fleet Services Mechanic shall receive a tool allowance of \$10 biweekly.

SECTION 9. Employees shall be compensated for unused medical leave as follows:

(A) For all non-union employees the City will include in the second paycheck in January of each year, payment for an employee's unused medical leave in excess of 960 hours accrued in the preceding calendar year. The compensation will be based on 50% of the accumulated hours above 960 at the employee's current pay rate at the time of such compensation.

(B) All employees covered in the IBEW Utilities and IBEW Finance labor agreements shall be paid for forty-seven percent (47%) of their accumulated medical leave at the time of their retirement, early retirement, or death, not to exceed four hundred eighty-eight and one third hours (calculated at 47% x 1039 hours = 488.33 hours), the rate of compensation to be based on the employee's salary at the time of retirement or death. Employees covered in the IAFF labor agreement shall have a contribution to a VEBA made on their behalf in lieu of payment for thirty-eight percent (38%) of their accumulated medical leave at the time of their retirement, not to exceed five hundred ninety-eight and eighty-eight

- 14 -

hundredths hours (calculated at $38\% \times 1.576$ hours = 598.88 hours). The amount of contribution will be based upon the employee's salary at the time of retirement. Employees covered by the IBEW Wastewater labor agreement shall be paid 37.5% of their accumulated medical leave at the time of retirement or death, based on the employee's salary at the time of retirement not to exceed three hundred ninety-nine hours (calculated at 37.5% x 1064 hours = 399 hours). Nonunion employees shall have a contribution to a VEBA made on their behalf in lieu of payment for one-half of their accumulated medical leave at the time of their retirement. The amount of contribution will be based upon the employee's salary at the time of retirement. All employees covered by the AFSCME labor agreement shall be paid forty-five (45%) of their accumulated medical leave bank at the time of their retirement, based on the employee's salary at the time of retirement not to exceed four hundred seventy-eight and eighty hundredths hours (calculated at $45\% \times 1064$ hours = 478.80 hours). All employees covered under the FOP labor agreement shall be paid thirty-seven and one-half percent (37.5%)of their accumulated medical leave bank at the time of their retirement, not to exceed four hundred five hours (calculated at $37.5\% \times 1,080$ hours = 405 hrs.), based on the employee's salary at the time of retirement. If death occurs while in the line of duty, employees covered under the FOP labor agreement shall be paid fifty percent (50%) of their accumulated medical leave bank at the time of their death, not to exceed five hundred forty hours (50% x 1,080 hours = 540 hrs.), based on the employee's salary at the time of their death.

(C) The City Administrator and department heads shall have a contribution made to their VEBA for one-half of their accumulated medical leave, not to exceed 30 days of pay, upon their resignation, the rate of compensation to be based upon the salary at the time of termination. Compensation for unused medical leave at retirement shall be as provided for non-union employees.

(D) The death of an employee shall be treated the same as retirement, and payment shall be made to the employee's beneficiary or estate for one-half of all unused medical leave for non-union employees and as defined in labor agreements for all other employees.

SECTION 10. The City Administrator shall receive a vehicle allowance of Five Hundred Dollars (\$500.00) per month in lieu of mileage allowance, divided into two equal payments of Two Hundred Fifty Dollars (\$250.00).

SECTION 11. 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 12. The salary adjustments identified herein shall be effective on the date of passage and publication in pamphlet form in one issue of the Grand Island Independent as provided by law the first full pay period in October, 2009.

SECTION 13. Those portions of Ordinance No. 9132 and all other parts of ordinances in conflict herewith be, and the same are, hereby repealed.

Enacted:

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, September 22, 2009 Council Session

Item F2

#9240 - Consideration of Amendment to Ordinance No. 9232; Vacation of a Portion of the Public Alley located in Rollins Second Subdivision

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From:	Steven P. Riehle, Public Works Director
Meeting:	September 22, 2009
Subject:	Consideration of Amendment to Ordinance No. 9232; Vacation of a Portion of the Public Alley located in Rollins Second Subdivision
Item #'s:	F-2
Presenter(s):	Steven P. Riehle, Public Works Director

Background

On September 8, 2009 the City Council approved Ordinance No. 9232, which vacated the public alley between Lot One (1), Block Nine (9) and Lot Ten (10), Block Nine (9) in Rollins Addition.

Discussion

Ordinance No. 9232 incorrectly listed the description for the alley vacation, due to the area being resubdivided. The accurate description for the alley vacation is a portion of the public alley between Lot One (1) and Lot Two (2), Block Nine (9) Rollins Addition and Lot Two (2) in Rollins Second Subdivision.

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

Public Works Administration recommends that the Council approve an ordinance to vacate the alley with the correct legal description.

Sample Motion

Move to approve Ordinance No. 9240.

• THIS SPACE RESERVED FOR REGISTER OF DEEDS •

ORDINANCE NO. 9240

An ordinance to vacate a portion of the public alley between Lot One (1) and Lot Two (2), Block Nine (9) Rollins Addition and Lot Two (2) in Rollins Second Subdivision to Grand Island, Hall County, Nebraska and to provide for filing this ordinance in the office of the Register of Deeds of Hall County; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. That a portion of the public alley located between Lot One (1) and

Lot Two (2) in Block Nine (9) in Rollins Addition and Lot Two (2) in Rollins Second

Subdivision to Grand Island, Hall County, Nebraska is hereby vacated and more particularly

described as follows:

COMMENCING THE SOUTHWEST CORNER OF LOT 2 OF SAID BLOCK 9, SAID POINT ALSO BEING ON THE NORTH LINE OF SAID ALLEY RIGHT OF WAY (R.O.W.); THENCE ON AN ASSUMED BEARING OF N61°34'32"E ALONG SAID NORTH ALLEY R.O.W. LINE A DISTANCE OF 46.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N61°34'32"E ALONG SAID NORTH ALLEY R.O.W. LINE A DISTANCE OF 59.55 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF SAID BLOCK 9, SAID POINT

> Approved as to Form ¤ _____ September 17, 2009 ¤ City Attorney

ORDINANCE NO. 9240 (Cont.)

ALSO BEING THE POINT OF INTERSECTION OF SAID NORTH ALLEY R.O.W. LINE AND THE WEST R.O.W. LINE OF EDDY STREET; THENCE S28°12'23"E A DISTANCE OF 16.15 FEET TO THE NORTHEAST CORNER OF LOT 2 OF ROLLINS SECOND SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF SAID WEST R.O.W. LINE OF EDDY STREET AND THE SOUTH LINE OF SAID ALLEY R.O.W.; THENCE S61°35'21"W ALONG SAID SOUTH ALLEY R.O.W. LINE A DISTANCE OF 59.49 FEET; THENCE N28°25'28"W A DISTANCE OF 16.13 FEET TO THE POINT OF BEGINNING. SAID PUBLIC ALLEY R.O.W. CONTAINS 961 SQUARE FEET OR 0.02 ACRES MORE OR LESS.

A public utility easement shall be retained in the area where the alley is vacated. Such public

alley to be vacated is shown and more particularly described on Exhibit A attached hereto.

SECTION 2. The title to the property vacated by Section 1 of this Ordinance

shall revert to the abutting properties.

SECTION 3. This Ordinance is directed to be filed in the office of the Register of

Deeds of Hall County, Nebraska.

SECTION 4. This ordinance shall be in force and take effect from and after its

passage and publication, without the plat, within fifteen days in one issue of the Grand Island

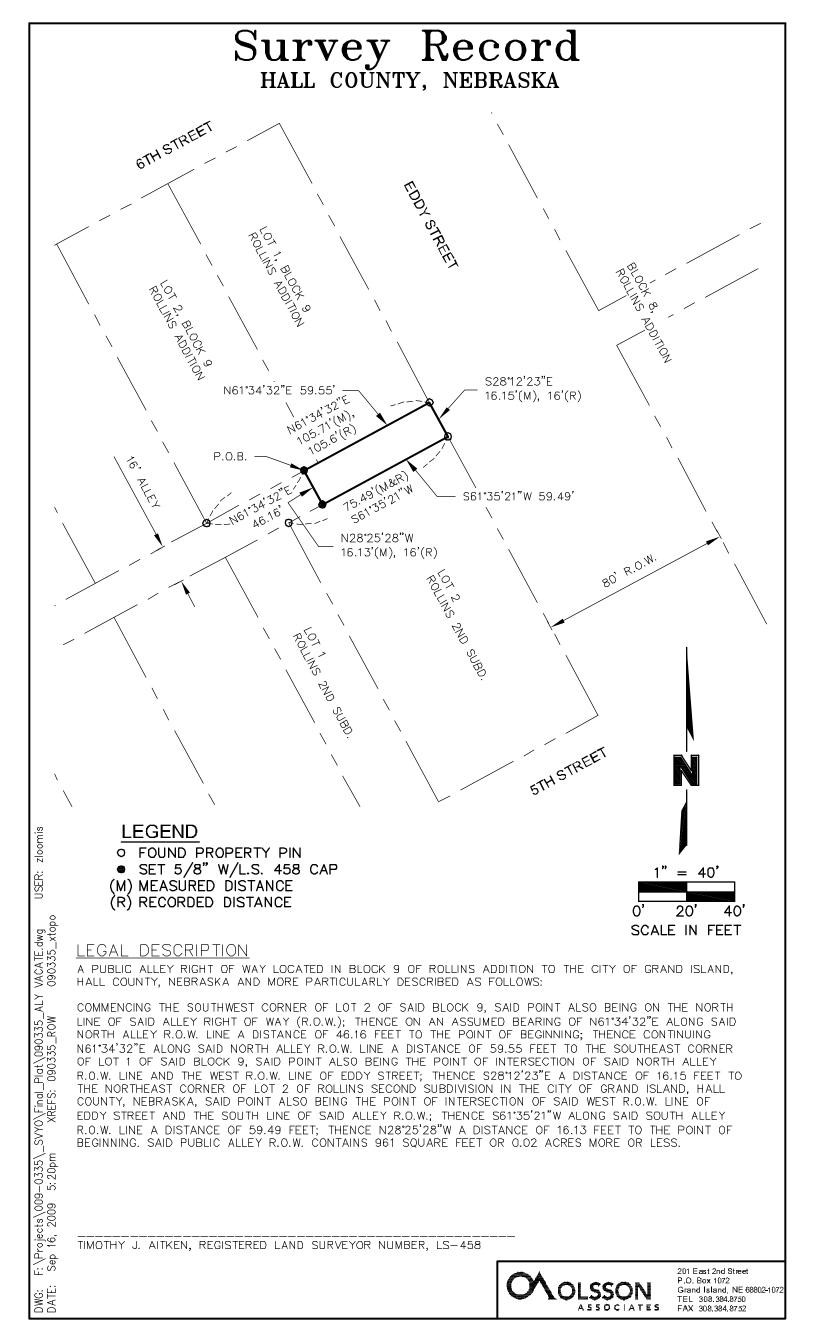
Independent as provided by law.

Enacted: September 22, 2009

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk





City of Grand Island

Tuesday, September 22, 2009 Council Session

Item G1

Approving Minutes of September 8, 2009 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING September 8, 2009

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 8, 2009. Notice of the meeting was given in *The Grand Island Independent* on September 2, 2009.

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

INVOCATION was given by Mayor Hornady followed by the **PLEDGE OF ALLEGIANCE**.

<u>MAYOR COMMUNICATION</u>: Mayor Hornady introduced Community Youth Council members Lauren Cantrell and Danielle Jim along with Board Member Jared Stockwell.

PRESENTATIONS AND PROCLAMATIONS:

<u>Recognition of Michael Peterson, Fleet Services with the Public Works Department for 25 Years of</u> <u>Service with the City of Grand Island.</u> The Mayor and City Council recognized Michael Peterson, Fleet Inventory Specialist with the Public Works Department for 25 years of service with the City of Grand Island. Michael Peterson was present.

<u>Presentation from Central District Health Department Regarding H1N1 Update.</u> Teresa Anderson, Executive Director of the Central District Health Department updated the Council on the H1N1 Flu. Presented were recommended action steps under the current flu conditions.

<u>ADJOURN TO BOARD OF EQUALIZATION</u>: Motion by Meyer, second by Nickerson, carried unanimously to adjourn to the Board of Equalization.

<u>#2009-BE-3 – Consideration of Determining Benefits for Business Improvement District #4, South</u> <u>Locust Street from Stolley Park Road to Fonner Park Road.</u> Mary Lou Brown, Finance Director reported that the City Council in its' capacity as the Board of Equalization was required to determine the benefits for BID #4. Special assessments were for the amount of \$26,233.69.

<u>#2009-BE-4 – Consideration of Determining Benefits for Business Improvement District #6, Second</u> <u>Street.</u> Mary Lou Brown, Finance Director reported that the City Council in its' capacity as the Board of Equalization was required to determine the benefits for BID #6. Special assessments were for the amount of \$39,293.84.

<u>#2009-BE-5 – Consideration of Determining Benefits for Business Improvement District #7, South</u> <u>Locust Street from Stolley Park Road to Highway 34.</u> Mary Lou Brown, Finance Director reported that the City Council in its' capacity as the Board of Equalization was required to determine the benefits for BID #7. Special assessments were for the amount of \$46,615.31. Motion by Nickerson, second by Ramsey to approve Resolutions #2009-BE-3, #2009-BE-4, and #2009-BE-5. Upon roll call vote, all voted aye. Motion adopted.

<u>#2009-BE-6 – Consideration of Determining Benefits for Business Improvement District #8,</u> <u>Downtown.</u> Mary Lou Brown, Finance Director reported that the City Council in its' capacity as the Board of Equalization was required to determine the benefits for BID #8. Special assessments were for the amount of \$89,410.19. Presented were three Resolutions with a 0%, 70% and 100% assessment for owner occupied residents.

Discussion was held on residents paying any assessment. Bruce Eberle, 3219 Hiawatha Place commented on how the assessment was arrived at for BID #8. Wendy Alexander, 123 North Locust, Apt. 805 and Lynn Buckley, 123 North Locust, Apt. 1103 spoke in opposition.

Motion by Gilbert, second by Ramsey to approve Resolution #2009-BE-6 (B). Upon roll call vote, Councilmember's Gilbert, Dugan, Ramsey, Zapata, and Nickerson voted aye. Councilmember's Meyer, Niemann, Carney, and Gericke voted no. Mayor Hornady voted aye to make the sixth deciding vote. Motion adopted.

<u>RETURN TO REGULAR SESSION:</u> Motion by Meyer, second by Ramsey carried unanimously to return to Regular Session.

PUBLIC HEARINGS:

<u>Public Hearing on Request from Olsson Associates for a Conditional Use Permit for a Soil Vapor</u> <u>Extraction Trailer Located at 373 North Vine Street.</u> Craig Lewis, Building Department Director reported that Olsson Associates had submitted an application for an extension of a current conditional use permit located at 373 North Vine Street. Staff recommended approval No public testimony was heard.

<u>Public Hearing on Acquisition of Utility Easement Located at 441 Pheasant Drive (Roy R.</u> <u>Rathgeber).</u> Gary Mader, Utilities Director reported that a utility easement was needed at 441 Pheasant 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 cable and a padmounted transformer to a new home being constructed on the lot. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Alley Right of Way Located at 518 North Eddy Street in Lot 9, <u>Block 10 of Rollins Addition (Bank of Doniphan)</u>. Steve Riehle, Public Works Director reported that the Bank of Doniphan was dedicating a 16 feet wide alley to create an "L" shaped alley between 5th and 6th Streets from Clark Street to Eddy Street to replace the one being vacated by Ordinance #9230. Staff recommended approval. No public testimony was heard.

<u>Public Hearing on General Property, Parking District #2 (Ramp) and Community Development</u> <u>Authority Tax Request.</u> Mary Lou Brown, 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 \$6,406,867, Parking District No. 2 at \$8,000, and the Community Redevelopment Authority property tax at \$425,000. Staff recommended approval. No public testimony was heard. <u>Public Hearing on Establishing the Rates for the General Occupation Tax for Downtown Parking</u> <u>District No. 1.</u> Mary Lou Brown, Finance Director reported that this was the annual Council action to establish the occupation tax for Downtown Improvement and Parking District No. 1. FY 2009-2010 occupation tax factor was \$.1588 per square foot and would provide taxes of \$40,000. Staff recommended approval. No 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:

#9231 – Consideration of Approving Salary Ordinance
#9232 – Consideration of Vacation of East 52.8 Feet of Alley Between 5th and 6th Street, from Clark Street to Eddy Street in Block 9 of Robbins Addition (Bank of Doniphan at 518 North Eddy Street)
#9233 – Consideration of Approving FY 2009-2010 Annual Single City Budget, The Annual Appropriations Bill Including Addendum #1
#9234 – Consideration of Amendments to Chapter 13 of the Grand Island City Code Relative to Occupation Tax for Downtown Improvement and Parking District No. 1
#9235 – Consideration of Assessments for Business Improvement District #4, South Locust Street from Stolley park Road to Fonner Park Road
#9236 – Consideration of Assessments for Business Improvement District #6, Second Street
#9237 – Consideration of Assessments for Business Improvement District #7, South Locust from Stolley Park Road to Highway 34
#9238 – Consideration of Assessments for Business Improvement District #8, Downtown

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.

Brenda Sutherland, Human Resources Director reported that Ordinance #9231 was the salary ordinance setting the wages for the upcoming fiscal year. Explained was the non-union increase of 3% and the salary survey.

Motion by Carney, second by Nickerson to approve Ordinance #9231.

Discussion was held concerning the 3% versus 4.5%. The 3% would be an across the board raise for non-union employees. Jeff Pederson, City Administrator commented on the salary survey and recommended the survey should be implemented if Council voted on the 3.5%. He mentioned that the non-union salaries could be pulled from this ordinance and be brought back to Council at the next meeting.

Motion by Meyer, second by Nickerson to table this vote until after the vote was taken on the budget. Upon roll call vote, Councilmember's Meyer, Niemann, Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember Gilbert voted no. Motion adopted.

#9232 – Consideration of Vacation of East 52.8 Feet of Alley Between 5^{th} and 6^{th} Street, from Clark Street to Eddy Street in Block 9 of Robbins Addition (Bank of Doniphan at 518 North Eddy Street)

Steve Riehle, Public Works Director reported that Ordinance #9232 would vacate a public alley at 518 North Eddy Street. Discussion was held on the drive thru at the bank and parking.

Motion by Carney, second by Dugan to approve Ordinance #9232.

City Clerk: Ordinance #9232 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 #9232 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 #9232 is declared to be lawfully adopted upon publication as required by law.

#9233 – Consideration of Approving FY 2009-2010 Annual Single City Budget, The Annual Appropriations Bill Including Addendum #1

Mary Lou Brown, Finance Director reported Ordinance #9233 related to the aforementioned Public Hearing.

Motion by Ramsey, second by Zapata to approve Ordinance #9233.

Discussion was held regarding the non-union employee salaries.

Motion by Carney, second by Gericke to amend Ordinance #9233 to reflect a reduction of non-union salaries from 4.5% to 3.5%.

Discussion was held regarding the salary survey, cost-of-living, implementation process, and nonunion employees covered by the CIR. Jeff Pederson, City Administrator mentioned the comparability between positions regarding the salary survey. Health insurance was recommended by Administration to increase from 15% to 16% across the board. Brenda Sutherland, Human Resources Director explained the insurance coverage and the process of salary surveys being done every three years. She mentioned the Department Director's hadn't been done for four years.

Upon roll call vote of the amendment, Councilmember's Meyer, Carney, Dugan, and Gericke voted aye. Councilmember's Niemann, Gilbert, Ramsey, Zapata, and Nickerson voted no. Motion failed.

City Clerk: Ordinance #9233 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, Zapata, and Nickerson voted aye. Councilmember's Councilmember's Meyer, Gilbert, Carney, Dugan and Gericke voted no. Motion failed.

Discussion was held regarding deleting money in the budget for the Hike/Bike Trails, Heartland Shooting Park, and Lincoln Pool. Reduction in force was mentioned.

Council recessed at 9:10 p.m. and reconvened at 9:25 p.m.

Motion by Gericke, second by Dugan to approve Ordinance #9233 with the addition of 3.5% for non-union employees.

Motion by Meyer, second by Nickerson to have the number of speeches each councilmember can speak be removed. Upon roll call vote, all voted aye. Motion adopted.

Motion by Niemann, second by Meyer to amend the budget by adjusting the following by eliminating:

- Street Sweeper \$168,000.00
- Hike/Bike Trail \$200,000.00
- Lincoln Pool <u>\$ 68,000.00</u>
- Total \$436,000.00

Comments were made that these items would only come back next year. Reduction in the cash reserves were discussed.

Upon roll call vote, councilmember's Meyer, Niemann, Gilbert, Carney, and Zapata voted aye. Councilmember's Dugan, Ramsey, Nickerson, and Gericke voted no. Mayor Hornady voted no. Motion failed.

Motion by Gilbert, second by Nickerson to eliminate over-time in non-emergency departments.

Discussion was held on emergency situation such as snow removal and waste water emergencies such as we had last year.

Upon roll call vote, Councilmember Gilbert voted aye. Councilmember's Meyer, Niemann, Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke voted no. Motion failed.

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

City Clerk: Ordinance #9233 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 Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember's Meyer, Niemann, and Gilbert voted no. Motion adopted.

City Clerk: Ordinance #9233 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 Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember's Meyer, Niemann, and Gilbert voted no. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9233 is declared to be lawfully adopted upon publication as required by law.

#9234 – Consideration of Amendments to Chapter 13 of the Grand Island City Code Relative to Occupation Tax for Downtown Improvement and Parking District No. 1

#9235 – Consideration of Assessments for Business Improvement District #4, South Locust Street from Stolley park Road to Fonner Park Road

#9236 – Consideration of Assessments for Business Improvement District #6, Second Street
#9237 – Consideration of Assessments for Business Improvement District #7, South Locust from Stolley Park Road to Highway 34

#9238 – Consideration of Assessments for Business Improvement District #8, Downtown

Mary Lou Brown, Finance Director reported Ordinances #9234, #9235, #9236, #9237 and #9238 related to the aforementioned Public Hearing and Board of Equalization.

Motion by Meyer, second by Zapata to approve Ordinances #9234, #9235, #9236, #9237 and #9238.

City Clerk: Ordinances #9234, #9235, #9236, #9237 and #9238 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. Councilmember's Meyer and Gilbert voted no on Ordinance #9239. Motion adopted.

City Clerk: Ordinance #9234, #9235, #9236, #9237 and #9238 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. Councilmember's Meyer and Gilbert voted no on Ordinance #9239. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9234, #9235, #9236, #9237 and #9238 are declared to be lawfully adopted upon publication as required by law.

<u>CONSENT AGENDA</u>: Consent Agenda items G-17 and G-19 were removed for further discussion. Motion by Zapata, second by Nickerson to approve the Consent Agenda excluding G-17 and G-19. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of August 25, 2009 City Council Regular Meeting.

<u>#2009-207 – Approving Final Plat and Subdivision Agreement for Country Club Third Subdivision.</u> It was noted that Ramiro and Barbara Faz, owners had submitted the Final Plat and Subdivision Agreement for Country Club Third Subdivision for the purpose of creating 2 lots on a tract of land all of Lot One, Country Club 2^{nd} Subdivision comprising of approximately .813 acres.

<u>#2009-208 – Approving Final Plat and Subdivision Agreement for J.H. Harders Third Subdivision.</u> It was noted that Marie H. Harder Estate, owners had submitted the Final Plat and Subdivision Agreement for J.H. Harders Third Subdivision for the purpose of creating 2 lots on a tract of land north of Capital Avenue and west of St. Paul Road comprising of approximately 10.5148 acres. Councilmember Gilbert voted no.

#2009-209 – Approving Acquisition of Utility Easement Located at 441 Pheasant Drive (Roy R. Rathgeber).

#2009-210 – Approving Bid Award for Burdick Station GT1 Generator Rotor Inspection and Testing with TurboCare Generator Services, Inc. of Farmington, New Mexico in an Amount of \$75,627.38.

#2009-211 – Approving Bid Award for Burdick Station Controls Computer Upgrade with Metso Automation of Landsdale, Pennsylvania in an Amount of \$224,167.00.

#2009-212 – Approving Supplemental Agreement Number 1 with the Nebraska Department of Roads for Repairs to a Portion of US Highway 34/US Highway 281.

#2009-213 – Approving Time Extension of October 15, 2009 to the Contract with Galvan Construction, Inc. of Grand Island, Nebraska for Construction of Handicap Ramp Project No. 2009-1. #2009-214 – Approving Amendment #3 to the Consulting Services Agreement for Major Permit Modification at the Solid Waste Landfill with Aquaterra Environmental Solutions, Inc. of Omaha, Nebraska in an Amount not to exceed \$28,800.00.

#2009-215 – Approving Award of Proposal for Engineering Consulting Services for the Central Community College to Wood River Drainage Project with Olsson Associates of Grand Island, Nebraska in an Amount of Actual Costs with a Maximum of \$51,900.00.

<u>#2009-216 – Approving Acquisition of Alley Right of Way Located at 518 North Eddy Street in Lot</u> 9, Block 10 of Rollins Addition (Bank of Doniphan).

#2009-217 – Approving Change Order Number 3 for Capital Avenue Widening, Street Improvement District #1256 with The Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$88,735.01 and a Revised Contract Amount of \$3,851,360.44.

#2009-218 – Approving Bid Award for Surface Prep and Painting of Island Oasis Water Park with Jameson Painting of Minden, Nebraska in an Amount of \$58,974.00.

#2009-219 – Approving Bid Award for Furnishing & Installation of Well at the Veterans Athletic Field Complex with Nunnenkamp Well Co., Inc. of Grand Island, Nebraska in an Amount of \$29,890.00.

#2009-220 – Approving Bid Award for Furnishing & Installation of Irrigation System at the Veterans Athletic Field Complex with Nature's Helper of Omaha, Nebraska in an Amount of \$123,750.00.

#2009-221 – Approving Bid Award for Grading Improvements for the Veterans Athletic Field Complex with Slepicka Construction of Dorchester, Nebraska in an Amount of \$83,526.25.

#2009-223 – Approving Authorizing Park and Recreation Department Staff to Apply for Trail Grant.

#2009-225 – Approving Annual Agreement for Financial Software Licensing and Support with Tyler Technologies, Inc., MUNIS Division of Falmouth, Maine in an Amount of \$114,357.50.

#2009-222 – Approving Agreement with the Nebraska Game and Parks Commission for Enhancement of Hunter Education at the Heartland Public Shooting Park. Steve Paustian, Parks and Recreation Director reported that the Nebraska Game and Parks Commission had developed a program where the Commission would provide two boxes of ammunition to each successful participant in the hunter education program firing a shotgun. This agreement would hold harmless the Game and Parks Commission.

Motion by Gilbert, second by Dugan to approve Resolution #2009-222. Upon roll call vote, all voted aye. Motion adopted.

#2009-224 – Approving First Amendment to Lease Agreement with Fonner Park Exposition and Events Center, Inc., Hall County Livestock Improvement Association, City of grand Island, and the Nebraska State Fair Board. Councilmember Dugan stated he would pull any item from the Consent Agenda that dealt with the Nebraska State Fair in order for the City to be transparent.

Motion by Dugan, second by Meyer to approve Resolution #2009-224. Upon roll call vote, all voted aye. Motion adopted.

ORDINANCE:

#9231 – Consideration of Approving Salary Ordinance

Motion by Dugan, second by Meyer to approve Ordinance #9231 for all unions and pull out the nonunion portion and bring back to Council on September 22, 2009.

Lewis Kent, 624 Meves Avenue spoke in support of the unions.

Upon roll call vote, all voted aye. Motion adopted.

REQUEST S AND REFERRALS:

Consideration of Request from Olsson Associates for a Conditional Use Permit for a Vapor Extraction Trailer Located at 373 North Vine Street. This item related to the aforementioned Public Hearing.

Motion by Nickerson, second by Zapata to approve the request from Olsson Associates for a Conditional Use Permit for a vapor extraction trailer located at 373 North Vine Street. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2009-226 – 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 Ramsey, second by Zapata to approve Resolution #2009-226. Upon roll call vote, Councilmember's Meyer, Niemann, Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember Gilbert voted no. Motion adopted.

<u>#2009-227 – Consideration of Approving 1% Increase to the Lid Limit.</u> Mary Lou Brown, 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 #2009-227. Upon roll call vote, Councilmember's Meyer, Niemann, Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember Gilbert voted no. Motion adopted.

<u>#2009-228 – Consideration Directing Property Owner to repair Sidewalk at 216 South Oak Street.</u> Steve Riehle, Public Works Director reported that the City had the authority to direct the repair and replacement of sidewalks by owners of the abutting property. The sidewalk at 216 South Oak Street was in need of repair and/or replacement. Discussion was held on the ability for the property owner to pay for the repair of the sidewalk.

Motion by Meyer, second by Ramsey to approve Resolution #2009-228. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Gericke to approve the Claims for the period of August 26, 2009 through September 8, 2009, for a total amount of \$3,941,872.65. Unanimously approved.

Motion by Dugan, second by Gericke to approve the Claims for the Period of July 29, 2009 through September 8, 2009 for the Veterans Athletic Field Complex for a total amount of \$1,573.68. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 10:30 p.m.

RaNae Edwards City Clerk



City of Grand Island

Tuesday, September 22, 2009 Council Session

Item G2

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 22, 2009
Subject:	Approving Garbage and Refuse Haulers Permits
Item #'s:	G-2
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 2009/2010:
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 2009/2010.

Sample Motion

Move to approve the renewal for garbage/refuse permits for 2009/2010.



Idei a.	ntification of Applicant: Individual or Firm Identification	
	Business Name	Waste Connections of Nebraska dba
	Business Address	147 E. Roberts Grand Island, NE 6880
	Business Telephone	(308) 382-0726
	Miscellaneous Information:	
r i	Public Complaint Telephone (Sec. 1	(308) 382 - 0726
	Name Used on Vehicles (Sec. 17-18	
lesi	dency Certification:	Weste Connections
	Individual Applicant – Re	Name and Home Address of Individual:
• -	Partnership or Corporatio	n of Hall County Name and Address of Resident Partner/Officer:
	X Non-resident Individual o	r Corporation Name and Home Address of Appointed Resident Agent:
		Michael Mulhall 1711 E capital #4
		brand Island, NE 6880)

9•4·2009 Date

Michael Mm

Signature of Applicant

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If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE-POLICY LIMIT	
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1 Type of License Required: Garbage Haulers License (entitles licensee to collect and transport both garbage and refuse) Refuse Haulers License (entitles licensee to haul only refuse) **Identification of Applicant:** 2 Individual or Firm Identification a. LTSC, DBA Clark Brothers Santation 3080 W Jack **Business** Name **Business** Address 308/384-2570 **Business** Telephone b. Miscellaneous Information: 384-2570 Clark Pros. Santation Public Complaint Telephone (Sec. 17-19) Name Used on Vehicles (Sec. 17-18) * 3 **Residency Certification:** Individual Applicant – Resident of Hall County Name and Home Address of Individual: b. _____ Partnership or Corporation of Hall County Name and Address of Resident Partner/Officer: Non-resident Individual or Corporation Name and Home Address of Appointed Resident Agent: V List of Vehicles (Section 17-18) on dea AB Ins. Certificate **Required Documents to be Furnished:** 3 a. Certificate of Insurance (Section 17-21) Should have on file V Performance Bond - Garbage Haulers Only (Section 17-22) Continue in Gand License Fee: Garbage - \$225.00. Between \$75.00 (Section 17-12) b. c. License Fee: Garbage - \$225.00; Refuse - \$75.00 (Section 17-15) d. Appointment of Resident Agent, if applicable (Section 17-16) e. Lequipment Inspection/Certificate from Health Department (Section 17-18) f.

Signature of Applicant

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If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - POLICY LIMIT	s 500000
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© ACORD CORPORATION 1

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Type of License Required: 1

X Garbage Haulers License (entitles licensee to collect and transport both garbage and refuse)

Refuse Haulers License (entitles licensee to haul only refuse)

Identification of Applicant: 2

Individual or Firm Identification a.

Business Name

Business Address

Business Telephone

Miscellaneous Information: h.

Public Complaint Telephone (Sec. 17-19)

Name Used on Vehicles (Sec. 17-18)

Residency Certification: 3

Individual Applicant – Resident of Hall County

Name and Home Address of Individual:

b. _____ Partnership or Corporation of Hall County Name and Address of Resident Partner/Officer:

c. Non-resident Individual or Corporation Name and Home Address of Appointed Resident Agent:

Mid-Nebreska Disposal, Inc. 308382-7053 3080 W 2nd

<u>382-7053</u> Mid-Nebraska Dispose (Jac.

3 **Required Documents to be Furnished:**

- <u>ed Documents to be Furnished:</u> <u>V</u> List of Vehicles (Section 17-18) ON Health Dept. Cert, of Inspectron Certificate of Insurance (Section 17-21) Should have an file Performance Bond Garbage Haulers Only (Section 17-22) Ours is a continueing band b. c.
 - License Fee: Garbage \$225.00; Refuse \$75.00 (Section 17-15)
 - Appointment of Resident Agent, if applicable (Section 17-16)
- e. Equipment Inspection/Certificate from Health Department (Section 17-18)

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Signature of Applicant

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1	Type of License Required: a. Garbage Haulers License (entitles licensee to collect and transport both garbage and refuse) b. \checkmark Refuse Haulers License (entitles licensee to haul only refuse)
2	Identification of Applicant: a. Individual or Firm Identification
	Business Name FULL CIRCLE, INC.
	Business Address 4331 JUERGEN RD GRAND ISLAND, NE. 68801
	Business Telephone $308 - 3.84 - 4418$
	b. Miscellaneous Information:
	* Public Complaint Telephone (Sec. 17-19) $308 - 384 - 4418$
	 * Public Complaint Telephone (Sec. 17-19) * Name Used on Vehicles (Sec. 17-18) * Full CERCLE, INC.
3	Residency Certification: a. Individual Applicant – Resident of Hall County Name and Home, Address of Individual:
	b Partnership or Corporation of Hall County Name and Address of Resident Partner/Officer: MIKE LILIENTHAL 5700 S. LOCUST ST.
	c Non-resident Individual or Corporation Name and Home Address of Appointed Resident Agent:
_	

3 <u>Required Documents to be Furnished:</u>

- a. ____ List of Vehicles (Section 17-18)
- b. Certificate of Insurance (Section 17-21)
- c. _____ Performance Bond Garbage Haulers Only (Section 17-22)
- d. License Fee: Garbage \$225.00; Refuse \$75.00 (Section 17-15)
- e. Appointment of Resident Agent, if applicable (Section 17-16)
- f. Equipment Inspection/Certificate from Health Department (Section 17-18)

9/2/09 Date

Signature of Applicant

ACORD	CERTIFICATE OF LIABILITY INSURAN	CE
7.4		

DATE (MM/DD/YYYY) 09-02-09

PRODUCER		THIS CERTIFICATE IS ISSUED AS A MATTER OF ONLY AND CONFERS NO RIGHTS UPON THE	
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PO Box 122	8		
Grand Islan	d NE 68802	INSURERS AFFORDING COVERAGE	NAIC #
INSURED	Full Circle Inc	INSURER A: EMC Insurance Co	
	4331 Juergen Rd	INSURER B:	
		INSURER C:	
	Grand Island NE 68801	INSURER D;	
		INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

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City of Grand Island Attn: RaNae Edwards - City Clerk PO Box 1968 Grand Island, NE 68802	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.
	AUTHORIZED REPRESENTATIVE <lb></lb>
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1 Type of License Required:

Garbage Haulers License (entitles licensee to collect and transport both garbage and refuse) Refuse Haulers License (entitles licensee to haul only refuse)

308) 384-1690

Identification of Applicant: 2

Individual or Firm Identification a.

Business Name

Business Address

Business Telephone

- Miscellaneous Information: b.
- Public Complaint Telephone (Sec. 17-19) *
- Name Used on Vehicles (Sec. 17-18)

Residency Certification: 3

Individual Applicant - Resident of Hall County

Name and Home Address of Individual:

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d.

n of Hall County (3.7. ME 6880) Name and Address of Resident Partner/Officer: Partnership or Corporation of Hall County

Our 1516 5 Gunbard Vd 17. NEGGOI

O'Neil Transportation and Levipout, U.C. 1870 W. Old Brash Highway 14rad Island, NE 65 540

(308) 380-6032

Traspatito

Non-resident Individual or Corporation Name and Home Address of Appointed Resident Agent:

Required Documents to be Furnished: 3

- List of Vehicles (Section 17-18)
- Certificate of Insurance (Section 17-21)
- b. Performance Bond - Garbage Haulers Only (Section 17-22) c.
 - License Fee: Garbage \$225.00; Refuse \$75.00 (Section 17-15)
 - Appointment of Resident Agent, if applicable (Section 17-16) NA
- e. Equipment Inspection/Certificate from Health Department (Section 17-18) f.

Date

Signature of Applicant

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		25 (2009/01)			© 1988-2009 AC	ORD CORPORATION.	All rights reserved.		

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<u>nu</u> a.	entification of Applicant: Individual or Firm Identification	
	Business Name	Scott's HAUTINg
	Business Address	3130 Westside Gr AND ISIA 384-2606
	Business Telephone	394-2606
b.	Miscellaneous Information:	
*	Public Complaint Telephone (Sec. 17-	19) 308-384-7606
*	Name Used on Vehicles (Sec. 17-18)	19) <u>308-384-7606</u> Scott's HAUITVI
<u>Res</u> a.	sidency Certification: t∕ Individual Applicant – Resi N	dent of Hall County ame and Home Address of Individual:
b.	Partnership or Corporation of	411eV Scott 3230 westside $M.$ 7 Ne. of Hall County ame and Address of Resident Partner/Officer:
c.	Non-resident Individual or C	Corporation ame and Home Address of Appointed Resident Agent:

a. List of Vehicles (Section 17-18)

Type of License Required:

1

- b. ____ Certificate of Insurance (Section 17-21)
- c. Performance Bond Garbage Haulers Only (Section 17-22)
- d. _____ License Fee: Garbage \$225.00; Refuse \$75.00 (Section 17-15)
- e. _____ Appointment of Resident Agent, if applicable (Section 17-16)
- f. ____ Equipment Inspection/Certificate from Health Department (Section 17-18)

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Signature of Applicant

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City of Grand Island

Tuesday, September 22, 2009 Council Session

Item G3

Approving Request from Bobby L. Washington, 214 North Custer for Liquor Manager Designation for Pizza Hut, 1608 South Locust Street

Staff Contact: RaNae Edwards

Council Agenda Memo

From:	RaNae Edwards, City Clerk
Meeting:	September 22, 2009
Subject:	Request from Bobby L. Washington, 214 North Custer Street for Liquor Manager Designation for Pizza Hut, 1608 South Locust Street
Item #'s:	G-3
Presenter(s):	RaNae Edwards, City Clerk

Background

Bobby L. Washington, 214 North Custer Street has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "C-31060" Liquor License for Pizza Hut, 1608 South Locust Street.

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 Bobby L. Washington, 214 North Custer Street for Liquor Manager Designation in conjunction with the Class "C-31060" Liquor License for Pizza Hut, 1608 South Locust Street with the stipulation that Mr. Washington complete a state approved alcohol server/seller training program.

09/09/09 14:25	Grand Island Police Dept. LAW INCIDENT TABLE	Page:	450 1
City Occurred after Occurred before When reported Date disposition declare Incident number Primary incident number Incident address State abbreviation ZIP Code Contact or caller Complainant name number Area location code Received by How received Agency code Responsible officer Offense as Taken Offense as Observed Disposition Misc. number Geobase address ID Long-term call ID Clearance Code Judicial Status	: Grand Island : 12:26:55 09/02/2009 : 12:26:55 09/02/2009 : 12:26:55 09/02/2009	Investigat	
		= = = = =	= =

INVOLVEMENTS:

PxRecord #DateDescriptionRelationshipNM88843 09/09/09Washington, Bobby LLiquor ManagerNM98211 09/09/09Pizza Hut,Business Involved

LAW INCIDENT NARRATIVE:

I received a copy of a liquor manager application for Bobby Washington for Pizza Hut.

LAW INCIDENT RESPONDERS DETAIL:

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

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name		Date	
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09/09/09 14:25

Grand Island Police Dept. LAW INCIDENT TABLE

Page:

Grand Island Police Department Supplemental Report

I checked Bobby through Spillman and located the DUI incident that he disclosed on his application. No other violations were found in Spillman. I also checked Bobby through NCJIS. I found the DUI incident from 2005 which also included information that Bobby was guilty of an open container violation and MIP. Bobby also had an undisclosed open container violation from 2004.

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 undisclosed open container violation would fall under state law as would the other two convictions that he failed to mention with his DUI arrest.

Bobby's failure to disclose his MIP and open container convictions technically makes the application false according to the Nebraska Liquor Control Act (Part II Chapter 2 Section 010.01). The undisclosed conviction 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.

Since Bobby has very little criminal history in the State of Nebraska, the Grand Island Police Department has no objection to him becoming the liquor manager at the Pizza Hut on South Locust.

Date, Time: Wed Sep 09 14:22:22 CDT 2009 Reporting Officer: Vitera Unit #: 865



City of Grand Island

Tuesday, September 22, 2009 Council Session

Item G4

#2009-229 - Approving Semi-Annual Report by the Citizens' Review Committee on the Economic Development Program Plan

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

Staff Contact: Dale Shotkoski

RESOLUTION 2009-229

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

WHEREAS, a public hearing on the report submitted by the Citizens' Advisory Review Committee was held at a regular session of the Grand Island City Council on September 22, 2009; and

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

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 22, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ¤ _____ September 16, 2009 ¤ City Attorney



City of Grand Island

Tuesday, September 22, 2009 Council Session

Item G5

#2009-230 - Approving Program Income Reuse Funds Guidelines for Housing

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

Staff Contact: Joni Kuzma



PROGRAM INCOME REUSE PLAN for COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS

(Housing or other non-economic development income) City of Grand Island, Nebraska

PART I: Type of Plan

Program Income Reuse Funds will be administered locally for activities that rehabilitate or support housing located within Community Development Block Grant (CDBG) project area boundaries at the time funds are expended. Program Income generally means gross income received by the City through the repayment of housing rehabilitation loans, firsttime homebuyer subsidy loans, sale of property, other miscellaneous receipts or from a sub-recipient of the City that was generated from the use of CDBG funds. Receipts generated from program income will be considered to be program income regardless of the number of times it may be reused.

Program Income includes, but is not limited to:

- payments of principal and/or interest on loans made using CDBG funds,
- proceeds from the disposition (by sale or long-term lease) of real property purchased or improved with CDBG funds,
- interest earned on program income pending its disposition,
- interest earned on CDBG funds held in an interest-bearing account.

The City of Grand Island will provide program and fiscal management of Reuse Funds, meet semi-annual reporting requirements of the Department of Economic Development, and incorporate all future changes made by the Department.

PART II: Goals and Objectives of the Plan

Reuse Funds will be expended only for projects that meet identified National Objective(s) primarily benefiting low-and-moderate income persons.

Other Local Objectives include:

1. To rehabilitate housing occupied by a low-to-moderate-income homeowner to improve it to Nebraska Department of Economic Development Rehabilitation Standards,

2. To acquire and demolish blighted structures for redevelopment,

3. To provide down payment assistance or direct subsidy for purchase of a home by a low-to-moderate-income first-time homebuyer,

4. To provide safe, affordable housing options for low-to-moderate-income residents,



5. To update infrastructure needed for safe, affordable housing,

Program Income may be spent prior to a CDBG grant award if the housing activities associated with that grant are eligible uses within the Reuse Plan. The City reserves the option to move program income within current grants as long as it is spent prior to any drawdown of federal funds for that activity. If Reuse Funds exceed the allowable limit as set by the Nebraska Department of Economic Development, the City may return all or a portion of the funds to the Department.

PART III: Elements of the Plan

Eligible Applicants

- 1. Low-to-moderate-income persons
- 2. Middle income persons if specified by the Nebraska Department of Economic Development

Eligible Activities

- 1. Rehabilitation of residential property occupied by the homeowner
- 2. Direct subsidy/first-time homebuyer assistance to expand homeownership among persons of low-to-moderate-income
- 3. Other CDBG activity as allowed by the Department of Economic Development and consistent with National Objectives

Types of Assistance

- 1. Grants, Deferred or Forgivable loans
- 2. Other assistance as allowed by the Department of Economic Development

Guidelines for Assistance

1. Rehabilitation of residential property:

- a. Maximum of \$25,000
- b. 0% interest
- c. Deferred/forgivable loan term of either 5 or 10 years depending on dollar amount of subsidy per unit (HUD guidelines)
- 2. Direct Subsidy/First-time Homebuyer Assistance
 - a. Maximum of \$20,000, or 20% of the purchase price, whichever is less b. 0% interest
 - c. Deferred/forgivable loan term of either 5 or 10 years depending on dollar amount of subsidy per unit (HUD guidelines)

The most current and applicable program guidelines will apply to projects financed with program income.



PART IV: Compliance

Compliance with Department of Housing and Urban Development (HUD), Nebraska Department of Economic Development and Community Development Block Grant regulations will be the duty of local City staff. The Program Income Reuse Plan will be administered with the most current and applicable guidelines and regulations. If a consultant is hired by the City for an individual project, it would be the City's responsibility to ensure consultant/contractor compliance with local, state, and federal regulations.

Local, state, and federal regulations may include but not be limited to: 1) 24 CFR 5, 2) City of Grand Island and Nebraska Department of Economic Development construction standards, 3) Section 2301(d)(2) of HERA, 4) Section 203 (b) Single Family Mortgage Limit, 5) Section 110 of the Housing and Community Development Act of 1974, as amended, 6) Fair Labor Standards Act of 1938, as amended (29 USC 102 et seq), 7) section 3 of the Housing and Urban Development Act of 1968 (12 USC 1701(u), 8) Davis Bacon Act as amended (40 USC 276-a-276-5) and Section 2 of the June 13, 1934 Act, as amended (48 Stat 948.40 USC 276 (c), popularly known as The Copeland Act, and/or 9) the 2003 International Energy Conservation Code.

PART V: Financial Management

Funds received from deferred payment/forgivable loans or grants will be deposited into a separate, interest bearing account by the servicing agent. The City maintains multiple accounts in various financial institutions. These funds will be used prior to drawing down funds for the same housing activities or committed as matching funds for a new grant award. Revenues and expenditures will be monitored and maintained through the City financial management system.

Original Reuse Plan approved by City Council 1-8-1996

The amended Program Income Reuse Plan was adopted by the Grand Island City Council on September 22, 2009 at a regularly scheduled Council meeting. Meeting minutes are on file with the City and available by request.

Resolution #_____

This Program Income Reuse Plan is hereby approved by the Nebraska Department of Economic Development (NEDED) on this _____ day of _____, 2009.



RESOLUTION - 2009-230

WHEREAS, the Nebraska Department of Economic Development allows local governments to retain program income from the Housing Category on eligible Community Development Block Grant activities that rehabilitate or support housing; and

WHEREAS, Program Income Reuse Funds are administered by the Community Development Division for activities that rehabilitate or support housing located within Community Development Block Grant (CDBG) project area boundaries; and

WHEREAS, Nebraska Department of Economic Development periodically updates official program income reuse requirements which necessitate revisions to local guidelines; and

WHEREAS, a public hearing was held on September 22, 2009 to solicit public comment regarding the plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Program Income Reuse Plan for housing activities is adopted and approved and that such revised plan be submitted to the Nebraska Department of Economic Development.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 22, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ¤ _____ September 18, 2009 ¤ City Attorney



City of Grand Island

Tuesday, September 22, 2009 Council Session

Item G6

#2009-231 - Approving Neighborhood Stabilization/Community Development Block Grant Program Guidelines

Staff Contact: Joni Kuzma

Council Agenda Memo

From:	Joni Kuzma, Community Development
Meeting:	September 22, 2009
Subject:	Approving Neighborhood Stabilization Program guidelines
Item #'s:	G-6
Presenter(s):	Joni Kuzma, Community Development Administrator

Background

The City of Grand Island has been awarded a \$993,000 Neighborhood Stabilization Program 1 grant from the Nebraska Department of Economic Development to acquire and demolish six vacant and blighted structures for redevelopment with new housing. These funds were generated from Title III Division B of the Housing and Economic Recovery Act of 2008 that appropriated funds for emergency assistance for the redevelopment of abandoned and foreclosed upon ho mes and residential properties.

The Neighborhood Stabilization Program 1 (NSP 1) grant is new to the Department of Economic Development and is required to meet Department of Housing and Urban Development (HUD) regulations, as well as the regular Community Development Block Grant (CDBG) program regulations. Acquisition/Demolition Guidelines and Direct Subsidy Guidelines for First-Time Homebuyers have been created to meet both HUD and Block Grant requirements. Subordination Guidelines that govern both NSP 1 and CDBG deferred payment, forgivable loan or grant funds have also been updated for approval.

Discussion

Community Development staff, in coordination with the Department of Economic Development, have developed guidelines that regulate the use of Neighborhood Stabilization Program 1 grant funds. The guidelines proposed for approval are

1. NSP 1 Acquisition/Demolition Program Guidelines

2. NSP 1 Direct Subsidy for First-Time Homebuyers Guidelines

3. Subordination Guidelines

The guidelines must be approved by Council prior to submission to the Department of Economic Development for final approval.

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 Neighborhood Stabilization Program 1 and Subordination Guidelines.

Sample Motion

Move to approve the Neighborhood Stabilization Program 1 and Subordination Guidelines.



SUBORDINATION GUIDELINES for City of Grand Island Community Development Block Grant Housing Programs

- 1) Community Development will subordinate within the following conditions:
 - a. Re-financing the original home loan to reduce the amount of interest paid or to reduce the amount of the original monthly payment.
 - b. Re-financing the original home loan for debt consolidation.
 - c. Only one subordination per person for the duration of the program in which they participated.
 - d. Loans must be with a NIFA or an FHA approved lender, unless it is an interest rate reduction loan and the loan amount does not increase. Only then will other consideration be given for another banking institution.
 - e. There may be extenuating circumstances attached to a subordination request. Community Development staff will consider each client on a case by case basis.
 - f. All subordination requests must be submitted to the Community Development Division at least 15 days prior to a regularly scheduled City Council meeting. All subordinations must be approved by the Grand Island City Council before agreements can be signed. If changes are made to the final HUD statement after the 15 day requirement, the document will be rejected and the process will need to start over and be rescheduled for another Council meeting.
 - g. The dollar amount of the loan recorded on the filed Subordination document must not exceed the loan amount submitted to the City on the HUD statement and the City's lien must be secured in full.
- 2) Community Development will not subordinate if the following conditions exist:
 - a. There will not be adequate equity in the housing unit to cover both the new first mortgage and the existing City of Grand Island lien after refinancing is completed.
 - b. Applicant has previously been granted one (1) subordination request during the period of eligibility of the program.
 - c. Other conditions exist that may increase the dollar amount of the original mortgage.



These Community Development Block Grant Subordination guidelines were adopted by the Grand Island City Council on September 22, 2009 at a regularly scheduled Council meeting. Meeting minutes are on file with the City and available by request.

	9-22-09
Margaret Hornady, Mayor	Date

Resolution #_____



NSP 1 ACQUISITION/DEMOLITION PROGRAM GUIDELINES

PURPOSE

It is the main goal of the Neighborhood Stabilization Program 1 (NSP 1) is to assist eligible communities to acquire and/or demolish blighted structures for future redevelopment. The program will prevent the spread of blight and its influence, provide assistance to those of the greatest need, and improve the availability and desirability of future redevelopment, which will increase the attractiveness of existing neighborhoods, and increase local employment. This program will be operated by the City of Grand Island. The Grand Island City Council is responsible for the establishment of the following guidelines.

DEFINITION OF BLIGHTED STRUCTURE

Blighted structures will follow the Nebraska Department of Economic Development (DED) Community Development Block Grant (CDBG) NSP 1 definition. "This definition includes, but is not limited to, "any dwelling, garage, outbuilding, warehouse, commercial building or any other structure or part of a structure, which: because of the effects of fire, wind, flood, or other natural disaster; because of physical deterioration; or, because of demolition, or partial demolition, not carried out to completion within a reasonable period of time. This structure is not habitable as dwelling, or, in the case of a non-dwelling structure, is no longer useful for the purpose for which the non-dwelling structure was intended, and which has been designated by the City as detrimental to the public health or safety in its present condition and use."

1.0 APPLICANT ELIGIBILITY

1.1 General (Conflict of Interest)

No member of the governing body, official, employee, agent or member of their immediate family of the City of Grand island who exercises policy, decision-making functions or responsibilities in connection with the planning and implementation of the NSP program shall directly or indirectly benefit from this program, unless the Nebraska Department of Economic Development (DED) has granted written exception to that member. This prohibition shall continue for <u>one</u> year after an individual's relationship with the City ends. Any other employee, officer, or board member may be eligible, but will be treated no differently in the determination of applications accepted for funding.

2.0 PROPERTY ELIGIBILITY

2.1 Location

The structures to be acquired and/or demolished will be located in the community of Grand Island that are eligible for NSP 1 funds as defined by DED in Exhibit M of the original grant application. The eligible zip code areas are 68801 and 68803.



2.2 Unit Characteristics

Only vacant and blighted units (residential) will be eligible for demolition. A vacant property is defined as property that is not inhabited by any person for any dwelling purpose for at least 90 days.

2.3 Condition

Prior to demolition the unit will need to be determined vacant and blighted by the City building Department or a qualified inspector. The inspector will be required to complete an approved "structure condition survey" form, which will be provided by the City. The City will also review and certify the report. Structure photographs and other information will be reviewed and approved by the Department of Economic Development Community Development Block Grant (DED CDBG) Contract Manager prior to the start of any demolition occurrence. Documentation must be completed to verify that the structure meets the Department of Economic Development NSP1 definition of "blighted structure". This documentation must be certified by the DED CDBG Certified Administrator

2.4 Environmental Review

Agencies requiring compliance with historic designations, floodplains, archeological significance, hazardous material (i.e. lead paint, asbestos), etc. will be consulted prior to acquisition and/or demolition. Any and all required permits will be obtained prior to demolition. A unit determined by such agencies to have unresolvable compliance issues will not be eligible for demolition.

3.0 TYPE OF FINANCIAL ASSISTANCE

3.1 NSP Program

The City will negotiate a purchase price or other means of acquisition with the owner of an eligible property. The purchase price must be below 1% of the fair market price as determined by a third party appraiser. The purchase price may not exceed \$60,000, depending on available grant funds. Properties eligible for purchase and/or demolition will be scored and ranked on a set of predetermined criteria. Following completion of scoring and ranking, the City will purchase and demolish properties until funding is gone.

Potential properties for acquisition may be solicited from interested property owners through public notice (Grand Island Independent, other electronic and print media) and direct mailing. Property owners will have opportunity to submit property information for a period of at least15 days from either the publication or direct contact dates. Each property will be scored on the criteria noted in section 3.3.

A committee comprised of at least one staff member from Community Development Division, Regional Planning, and the Building Departments will review proposals. Property owners will be notified in writing of the City's interest in negotiating for purchase of their property. Properties that do not meet at the scoring criteria of vacancy standards, blighted criteria, 1% below market value purchase price, and redevelopment potential will not be eligible for the program. Property owners of ineligible or non-selected properties will be notified in writing.

The City must acquire properties at a cost at least 1% below the fair market price. Demolition may not begin until the lien holder and property owner provide written permission to the City to demolish. The property title transfer to the City after purchase may serve as written permission.



3.2 Demolition funds

The City will follow City Code Chapter 27 with regard to Procurement in selection of demolition services.

3.3 Scoring Criteria

Property may only be considered for scoring if it meets basic threshold requirements for program eligibility including vacancy and blighted standards may be purchased for 1% less than fair market value, and environmental review does not result in findings.

Scoring Criteria

1. Location of property a. Property not located in Census Tract defined as 51% LMI	5
b. Property located in an area designated as Blighted and Substandard	C
by the City Council	5
c. Housing types in neighborhood are consistent with developers' standard housing design	5
2. Size of lot	
a. Width 1) Smaller than 52.8 square feet	0
2) Between52.8 square feet and 66 square feet	3
3) Equal to 66 square feet	5
4) Greater than 66 square feet	7
b. Area (total lot size)	
1) Smaller 6,969 square feet	0
2) Between 6,969 and 8,712 square feet	3 5
3) Equal to 8,712 square feet	
4) Greater than 8,712 square feet	7
3. Age of Structure	
a. 1990 or later	0
b. 1970 – 1989	3 5
c. 1940 – 1969 d. 1920 en confign	с 7
d. 1939 or earlier	/
4. Quality of infrastructure	
a. Sanitary Sewer	3
b. Water lines	3
c. Street surfacing	
1) gravel	0
2) asphalt 2) fair Partland compart	3
3) fair Portland cement	5 7
4) good Portland cement	/



5. Property tax status
a. Property taxes paid current
b. Property taxes six (6) months delinquent
c. Property taxes twelve (12) months delinquent
d. Property taxes delinquent for greater than twelve (12) months
6. Assessed value
a. Greater than \$80,000
b. \$60,000 to \$79,999
c. \$40,000 to \$59,999
d. Less than \$40,000
7. Property cannot be used for fire training
8. Timeline for acquisition/demolition
a. Property can be under contract 180 days or more
b. Property can be under contract 180 days or less
c. Property can be under contract in 120 days or less
d. Property can be under contract in 60 days or less

TOTAL POSSIBLE POINTS 75

5

In case of a tie, the oldest structure may receive priority. If there is no difference in age of structure, the larger lot size may be given priority. If the tie cannot be broken through differences in scoring criteria, properties may be selected through a lottery process.

4.0 DEMOLITION PROCESS

Upon decision by the City of Grand Island to fund acquisition/demolition projects based upon the priority ranking from the scoring process, the following steps will be taken:

- 1. Property will be inspected
- 2. Third party appraisal conducted
- 3. Required photos and documentation completed and submitted to DED for approval
- 4. Negotiations for purchase price occurred
- 5. Environmental Review conducted
- 6. Contractor for demolition procured
- 7. Proper permits will be obtained
- 8. Property demolished
- 9. Property is inspected

5.0 GRIEVANCE PROCEDURE

In the event that any applicant feels he/she has been unfairly treated or discriminated against during the process of selection for the direct subsidy program, he/she may appeal the decision, specifying the complaint in writing to the Community Development Division for their consideration. A written appeal must be submitted to Community Development staff within 15 calendar days after notification of the decision.

The Community Development Advisory Committee will review the appeal and determine a course of action as appropriate. If needed, the Advisory Committee will make a recommendation to support or overturn the decision of Community Development staff within 45 days of receipt of the written appeal. The decision will be in writing and mailed to the applicant.



If a satisfactory resolution cannot be attained as a result of this meeting, the Advisory Committee may make a recommendation to the Grand Island City Council who can make the final determination for resolution.

6.0 AMENDMENTS TO PROGRAM GUIDELINES

In an ongoing effort to improve the quality of the City of Grand Island NSP Program, the City will accept suggestions from the public, program participants, contractors, program staff, or members of the Grand Island City Council with regard to program guideline amendments. All suggestions received will be taken under consideration by the City. Upon approval of NEDED and adoption by the Grand Island City Council, the amendment will be included in the program guidelines.

7.0 OFFICIAL CONTACT OFFICE

The place of contact for this program shall be the City of Grand Island, City Hall, 100 E. 1st St., Grand Island, Nebraska. Any grievances, suggestions, or requests for information should be directed to this office. This in no way shall be construed to limit other interested parties from distributing information about the program or receiving suggestions for amendments to the program. All grievances shall be directed to the City in writing.

NSP 1 Program Guidelines Approval

These NSP guidelines are hereby approved by action of the Grand Island City Council for the City of Grand Island this 22nd day of September, 2009

	9-22-09
Margaret Hornady, Mayor	Date

Resolution #_____

These NSP 1 guidelines	are hereby approved by	the Nebraska Department	of Economic Development
(NDED) this day of	<u>,2009</u>		

DED Representative

Date





The City of Grand Island provides home ownership opportunities for low-income, firsttime persons through direct subsidy loans to help purchase a home. With NSP 1 funds, the City plans to target low to moderate income first-time homebuyers in eligible zip code areas: 68801 and 68803. The geographical project area is located within the city limits of Grand Island.

The City has received Community Development Block Grant funds from the Nebraska Department of Economic Development through the Neighborhood Stabilization Program (1) to redevelop demolished or vacant properties and provide direct subsidy loans to eligible, qualifying low-to-moderate-income, first-time homebuyers.

Applicant Eligibility

Applicants must be first-time homebuyers to be eligible for the subsidy program. A first time homebuyer is generally defined as a person who has not had ownership interest in their principle residence or other residential property at anytime in the last 3 years. Generally all members of a household over age 18 planning to occupy the house must meet the first-time homebuyer eligibility criteria. However, if a parent plans to live with the applicant, the parent does not have to be a first-time homebuyer.

There are two specific exceptions to the first-time homebuyer criteria.

1) If the principal residence has been lost due to legal action (i.e. divorce where no proceeds were realized) or

2) A family member was required to relocate to maintain employment for the same company.

Applicants owning and occupying a mobile home are eligible for first-time homebuyer status. Eligible clients owning a mobile home will be required to sell the unit. Sale proceeds may be applied to the new home purchase or used to reimburse the direct subsidy program after property obligations are satisfied and if they exceed the asset allowance. An applicant may retain ownership of the mobile home only if rental income (less payment/s due) is counted as personal income. The assessed value of a retained mobile home will be used to determine the applicant asset total.

The Community Development Division will accept applications and qualify persons for the program on a "first-come, first-serve" basis. Applications will be accepted until all slots have been filled with income-qualified and approved persons. Additional applications may be accepted in case an approved applicant cannot achieve program requirements and no longer qualifies for the program. The next available applicant may



then be notified. If more than one application is considered to be equal in approval and acceptance dates, the applicant with the lowest, qualifying household income will be given priority. If income determination does not resolve the tie, the selection of applicant will be based on a lottery.

Applications will be accepted during regular business hours of the Community Development office, Monday through Friday, 8:00 a.m. to 5:00 p.m. Completed applications are kept on file for 6 months from the application date and, unless changes have occurred in the household, generally considered as eligible for the program. All applicants will be notified by letter of approval or denial for the program.

For the NSP 1 program, an applicant must be able to:

- contribute a minimum of \$1000 towards the purchase price,
- secure a first mortgage from a reputable lender,
- attend and complete an approved REACH first-time homebuyer/owner education course or a HUD approved first-time homebuyer course, and
- provide all of the information requested on the Program Checklist.

All applications will be reviewed based on the Fair Housing Act of 1988. Discrimination due to race or color, national origin, religion, sex, age, handicap or familial status will not be allowed.

Geographic Eligibility

The NSP 1 Program will be confined to the target areas of zip codes 68801 and 68803 within the corporate city limits of Grand Island, Nebraska.

Income Eligibility

An applicant may not exceed a household income maximum that is at or below 120% Hall County Area Median Income guidelines, adjusted by family size. Household income is the anticipated gross annual income defined by Section 8 Part 5 Program Annual Income with third party verification and meets the definition of 24 CFR 5.609. Households between 60% and 120% are the target population. Applicants with income less than 60% of median may need to acquire additional assistance from other sources to qualify.

The income of all household members age 18 or older will be counted toward total household income, regardless of relationship to the applicant. Income will be verified and documented by Community Development staff. The most current HUD income guidelines will be used to determine eligibility. Any income issue not explicitly defined in these guidelines shall be subject to the current income guidelines as set by the Nebraska Department of Economic Development.

Applicants must: 1) complete a City of Grand Island application package, which includes but is not limited to basic demographic and personal information, income verifications,



checking/ savings/other accounts information, 2) furnish U.S. Individual Tax returns for the previous three (3) years or applicable data, and 3) provide any other documents requested to determine eligibility. A signed copy of tax returns or official forms generated by the IRS must be submitted. Applicants will be required to sign third party verification for employment and to allow the City access to information about all open accounts. Retirement, pension, etc. information must be supplied by the applicant. It is the responsibility of the applicant to obtain and provide needed documents.

Applicants may choose a preferred financing option for the first mortgage. However, the City reserves the right to refuse program eligibility if the amount of the loan will result in a housing payment burden. For this program, housing payments may be considered a burden if the Principal, Interest, Taxes, and Insurance (PITI) exceed 30% of gross income. An applicant with debt that exceeds 45%, including PITI, will not be eligible for program funds until the debt load is reduced below that percentage.

The amount of direct subsidy, combined with the PITI payment, may or may not be based on the income of all adult persons moving into the home. If an adult member of a household chooses not to be included on the Lenders loan documents and/or the Lenders Deed of Trust, the gross income of all adult members may be considered in the amount of assistance provided. In some cases, families who exclude other adult members of the household from the lender loan and lender deed of trust may not qualify for the program. All adult members (excluding qualifying children and or adult parents) of the household must sign the City of Grand Island Loan Documents and Promissory Note. Households that need someone to co-sign Loan Documents will not be eligible.

Applicant Review Process

Direct Subsidy applications will be available from the Community Development office and accepted during regular business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. Applications will be tracked by date of completion by applicant and date/time accepted by Community Development staff. Completed applications will be kept on file for a period of six (6) months from the application date. Applications will be reviewed by Community Development staff to determine eligibility for the program and approve or deny the application. The Mayor will sign the Deed of Trust. All applicants will be notified in writing of approval or denial for the program.

First Mortgage Eligibility

Receipt of a direct subsidy will be contingent on the ability of the applicant to secure a first mortgage or enter into a program to establish sufficient credit to qualify for a first mortgage. The applicant must obtain a mortgage loan from a lender who agrees to comply with bank regulator guidance for non-traditional mortgages. Applicants will be responsible for the selection of the first mortgage lender. However, the City reserves the right to confirm adherence to federal guidelines, require the applicant to apply for a NIFA loan and/or to contact other lenders.



Allowable Assets

Applicant/s shall not have *liquid assets* exceeding \$10,000.00. "Liquid assets" are defined as checking accounts, certificates of deposits, savings accounts, savings bonds, stocks, and bonds. Liquid assets in excess of \$10,000.00 must be liquidated even if a penalty results and used towards the purchase of the home. This may result in a reduction of assistance.

Liquid assets shall <u>not</u> include (1) individual retirement accounts (IRA'S), retirement, pension, or welfare plan funds governed by provision of the Employment Retirement Income Security Act (ERISA). 20 U.S. St/St 1001, et seq., or Internal Revenue Code, 26 U.S.C. St/St1, et seq.; or (2) other funds held in employment benefit or investment plans where withdrawal of such shall cause the applicant to incur a tax or other penalty. However, interest from these accounts will be counted as income. Pre-paid funeral arrangements will not be considered as an asset.

Conversion of liquid assets to the above described accounts in order to avoid personal contribution to homeownership will be considered "asset dumping". If this occurs, an applicant will not be eligible for the program for at least two years.

Property Eligibility:

The purchase price of property that the City may acquire with NSP 1 funds for demolition and redevelopment must be purchased at a cost of at least 1% less than the fair market value as established by a third party appraisal. New construction must meet or exceed the City of Grand Island and the Nebraska Department of Economic Development construction standards, including the following:

- 2006 Edition of International Building Code and International Residential Code with local amendments (adopted by the City 05/01/08)
- 2006 Edition of Uniform Plumbing Code with local amendments. (adopted 04/24/07)
- 2006 Edition of Uniform Mechanical Code with local amendments. (adopted 04/24/07)
- 2008 Edition of National Electrical Code State with local amendments. (adopted 11/01/08)
- 2003 International Energy Conservation Code

For NSP 1 funds, property definitions shall be as follows:

Blighted structure. Blighted structure includes, but is not limited to, any dwelling, garage, outbuilding, warehouse, commercial building, or any other structure or part of a structure, which: (a) because of the effects of fire, wind, flood or other natural disaster; (b) because of physical deterioration; or, (c) because of demolition, or partial demolition, not carried out to completion within a reasonable period of time; is no longer habitable as a dwelling or, in the case of a non-dwelling structure was intended, and which has been



designated by a State CDBG-recipient unit of local government or non-profit organization as detrimental to the public health or safety in its present condition and use.

Vacant: Properties that are not inhabited by any person for any dwelling purpose for at least 90 days.

Current Market Appraised Value: The current market appraised value means the value of a foreclosed upon home or residential property that is established through an appraisal made in conformity with the appraisal requirement of the URA at 49 CRF 24.103 and completed within prior to 60 days an offer made for the property by a grantee, sub-recipient, or individual homebuyer.

Sale of Home Restriction: (Section 2301(d)(2) of HERA, directs that, if an abandoned or foreclosed-upon home, or residential property is purchased, redeveloped, or otherwise sold to an individual as a primary residence, then such sale shall be in an amount equal to or less than the cost to acquire and redevelop or rehabilitate such home or property up to a decent, safe, and habitable condition.

Property must be located within the designated target area. Under no circumstances will 1) potential homeowners receive assistance or reduced interest rates if the action would result in displacing an existing household or 2) be allowed to purchase a property with owners or tenants currently living in the unit, regardless of the status of rent payments. No person(s) will be displaced as a result of the NSP 1 program. A signed copy of the Residential Anti-Displacement and Relocation Assistance Act has been approved by the Grand Island City Council and is on file with the Nebraska Department of Economic Development.

For the NSP program, the property purchased may only be a newly constructed unit. Property or a portion of property assisted through this program may not be used or retained for any rental purpose. The amount of direct subsidy depends upon the purchase price of the home. The subsidy may not exceed \$20,000.00 or 20% of the purchase price, which ever is the lesser of the two. The purchase price of the home must not exceed the appraised value or Section 203 (b) Single Family Mortgage Limit (\$271,050). *The total monthly mortgage payment will include monthly homeowner's insurance premiums and property tax payments*.

Additional funds may be leveraged by the applicant from other sources such as employer contributions in an employer assisted housing program.

Direct Payment Subsidy

Subsidy will be in the form of direct assistance to the property and will not exceed \$20,000.00, or 20% of the purchase price, which ever is the lesser of the two. If the subsidized property is sold, changes occupancy, is no longer the principal residence of the homeowner, or is in violation of the intended use during the period of affordability, the note will become due upon demand. The property may neither be used as a rental property nor may the occupant rent-out any portion of the home.



The direct payment subsidy from the City of Grand Island will be secured by a second mortgage in the form of a Real Property Mortgage Lien for a period of *10 years*. The Mortgage Lien and a corresponding Promissory Note will be filed as a Public Record and filed with the Hall County Register of Deeds. Failure to abide by NSP 1 program regulations may result in legal action by the City of Grand Island.

The amount owed will decrease as follows:

00 - 12 months	00%
13 – 24 months	10%
25 – 36 months	20%
37 – 48 months	30%
49 – 60 months	40%
61 - 72 months	50%
72 – 84 months	60%
85 – 96 months	70%
96 – 108 months	80%
108 – 120 months	90%
120 - months plus 1 day	100%

The affordability period for homes purchased through Habitat for Humanity is ten (10) years. The homebuyer assumes a 0% interest first mortgage for a period of 20 to 30 years depending on applicant income compared to the purchase price of the home. The purchase price of a Habitat built home is less than fair market value because the cost to build a house for this program creates another level of affordability for very low income homebuyers. The second mortgage begins to be reduced after the 5th year of purchase, reduces 20% annually for five (5) years and is forgiven at the end of ten (10) years. If a property is sold within ten (10) years of purchase, the home must be made available to homebuyers at or below 120% Area Median Income. Resale restrictions will be defined in the Note to Secure the Deed of Trust and the Deed of Trust, which will be filed with Hall County.

NSP 1 direct subsidy loans will be subject to subordination guidelines adopted September 22, 2009 by the Grand Island City Council. (APPENDIX __)

Lease Agreements

Applicants may be required or elect to lease for a period of time prior to obtaining permanent financing. Community Development staff of the City have sole discretion to offer or require a lease. Applicants approved to lease a property will sign a City of Grand Island lease agreement. Rent will be based on the estimated total of the Principal, Interest, Taxes, and Insurance payment required for purchase.

The Housing Development Corporation (HDC) will act as Supervised Account Manager, manage applicant supervised accounts, and help determine appropriate use of the escrowed funds per NSP 1 guidelines. Rent will be paid directly to the Housing Development Corporation. All or a portion of the rent may be escrowed by the HDC in



an interest bearing account and can be used to escrow for homeowner contribution to permanent financing loan, closing costs, debt reduction, or other approved activity. The escrow account will be held in the name of the Housing Development Corporation and the use of the rents will be determined by the City with recommendation from HDC. If the renter/prospective homeowner does not purchase the home, all rents in the escrow account belong to the City.

During the lease agreement, the City of Grand Island may pay the property taxes and homeowners insurance. Tenants will be responsible for utilities, lawn maintenance, and/or snow removal. As outlined in the lease agreement, any modifications to the structure must be submitted in writing as a request to the City of Grand Island and approved in writing by the City prior to undertaking any modification. Pets may be allowed on the premises during the lease period with prior approval from the City of Grand Island. Tenants must provide proof of renters insurance which may be easily converted to homeowners insurance.

The City and/or the Housing Development Corporation will maintain keys to all locks and tenants must agree to allow the City and its partners the right to inspect the home.

Return Applicants

After an applicant has received direct subsidy and/or closing cost assistance, they will not be eligible for funds that are targeted at First Time Home Buyers again unless one of the following occurs:

a) the applicant received no monetary proceeds due to a divorce from the originally subsidized home and the verification of which is stated in the divorce decree, or

b) the unit was destroyed by an Act of God.

Applicant Responsibility

The applicant may select from an inventory of specific homes constructed with NSP 1 funds to purchase with Direct Subsidy. The purchase price to the buyer includes the cost to purchase the home and a realtor/finders fee. An applicant may be required to or elect to lease for a period of time. In that event, the applicant and the City will enter into a lease agreement. (SEE Lease Agreement section) A potential buyer may be asked to provide lawn care and/or snow removal during the lease period.

All applicants must attend a HUD or REACH approved First Time Homebuyer Class to be eligible for the program. A certificate of completion must be achieved prior to closing.

Applicants must maintain loan eligibility throughout the lease period. Applicants must not increase credit card balances, enter into any additional loan agreements, or assume responsibility for other debt loads. This includes co-signing loans for other individuals. If there is a change in the status of the household or loss of a job prior to the loan closing, the applicant must notify the City.



City of Grand Island Responsibility

As reasonable, the City will expedite the purchase of a home once the applicant has made a selection. Application review and income verifications will be completed in a timely manner. The City is a public entity, therefore most documents are considered to be public record. However, personal information about the applicant (social security number, account numbers, etc.) will be confidential and not subject to public record requirements.

The City of Grand Island will follow Procurement Policies as adopted by the Grand Island City Council and set forth in Chapter 27 of City Code.

Realtor and Seller Responsibility

Realtors must contact the City prior to showing homes to an eligible buyer. The City will establish maximum purchase price and review the property for eligibility.

Fair Housing Policy and Affirmative Marketing

The City of Grand Island is an Equal Opportunity Employer, maintains an Affirmative Action Marketing Plan, and adheres to Fair Housing Policy. Fair Housing information will be distributed to all applicants who complete and return the Intake Application Packet. REACH and HUD approved First Time Homebuyer classes teach a legislative component within its curriculum. City staff and/or project partners attend at least one Fair Housing event annually.

The Neighborhood Stabilization Program 1 will adhere to:

- Section 110 of the Housing and Community Development Act of 1974, as amended
- Fair Labor Standards Act of 1938, as amended (29 USC 102 et seq)
- Davis Bacon Act as amended (40 USC 276-a 276 -5) And Section 2 of the June 13 1934 Act, as amended (48 Stat 948.40 USC 276 (c), popularly known as The Copeland Act
- Contract Work Hours and Safety Standards Act (40 USC 327 et seq
- Section 3 of the Housing and Urban Development Act of 1968 (12 USC 1701 (u)

Affirmative Action Measures

- Maintains Fair Housing section in public brochure racks in a high-traffic, public area in Grand Island City Hall
- The City has a Fair Housing Ordinance, which is in compliance with state law
- Distributes Fair Housing information to applicants
- Works with neighborhood associations and non-profit groups to promote affordable housing development for disparate groups
- Promotes Fair Housing through informational promotions on the Grand Island Educational Television scrolling display



- Attend Fair Housing training events
- Contract and partner with agencies to provide translation and/or special needs services
- Review Fair Housing activities annually to determine new distribution methods or reevaluate existing activities
- Community Development offices are handicapped accessible

Grievance Procedures:

In the event that any applicant feels he/she has been unfairly treated or discriminated against during the process of selection for the direct subsidy program, he/she may appeal the decision, specifying the complaint in writing to the Community Development Division for their consideration.

A written appeal must be submitted to Community Development staff within 15 calendar days after the reason for the appeal. The Community Development Advisory Committee will review the appeal and determine a course of action as appropriate. If needed, the Advisory Committee will make a recommendation to support or overturn the decision of Community Development staff within 45 days of receipt of the written appeal. The decision will be in writing and mailed to the applicant.

If a satisfactory resolution cannot be attained as a result of this meeting, the Advisory Committee may make a recommendation to the Grand Island City Council who can make the final determination for resolution.

General (Conflict of Interest):

No member of the governing body, official, employee, agent or member of their immediate family of the City of Grand island who exercises policy, decision-making functions or responsibilities in connection with the planning and implementation of the NSP program shall directly or indirectly benefit from this program, unless the Nebraska Department of Economic Development (NDED) has granted written exception to that member. This prohibition shall continue for <u>one</u> year after an individual's relationship with the City ends. Any other employee, officer, or board member may be eligible, but will be treated no differently in the determination of applications accepted for funding.

<u>Reuse of funds generated a sale of the property during the affordability period with</u> recapture provisions for NSP 1 grant #09-3N-11:

If a homeowner sells a property purchased with NSP 1 Direct Subsidy funds or homeownership changes for other reasons, the remaining balance will be due and payable to the City of Grand Island. The funds will be placed in an interest bearing account managed by the City. Property assisted for purchase through the Housing Development Corporation and the City of Grand Island will adhere to NSP recapture provisions.



Reuse funds may be used for allowable Community Development Block Grant activities and will be administered according to the City of Grand Island Reuse Plan, NSP 1 eligible activities until February 16, 2013. Thereafter, CDBG income limits and CDBG eligible activities will apply when applicable. The activity funded with reuse funds will follow current program guidelines as eligible uses until February 16, 2013. After February 16, 2013, funds must be used for CDBG-eligible housing activities. Reuse funds may be packaged with existing program funds; however, the most restrictive requirements apply.

Any amendment to the Reuse Plan must be approved by the Grand Island City Council and submitted to DED for final approval.

Reuse of Program Income

All program income the City of Grand Island received from the NSP 1 program will be placed into an interest bearing account and may be used for allowable NSP 1 activities until February 16, 2013 and, thereafter, for Community Development Block Grant activities. Reuse funds will be administered according to the City of Grand Island Reuse Plan, CDBG income limits and as applicable, NSP eligible activities or CDBG eligible housing activities, including allowable administrative fees, when applicable. The activity funded with reuse funds will follow current program guidelines. Reuse funds may be packaged with existing program funds; however, the most restrictive requirements apply.

Any amendment to the Reuse Plan must be approved by the Grand Island City Council and submitted to DED for final approval.

Process for Amending Program Guidelines:

In an ongoing effort to improve the quality of the City of Grand Island NSP 1 program, the City may accept suggestions to amend the guidelines from the public, program participants, other agencies, or partners. All proposals for amendments or changes will be considered and must be submitted in writing to Community Development staff and Advisory Committee. The Advisory Committee may forward the suggestions to the Grand Island City Council for approval.

Any guideline changes must be formally adopted by the City Council and submitted to the Nebraska Department of Economic Development for final approval. The guideline amendment(s) will only become effective following DED approval.



The Neighborhood Stabilization Program 1 guidelines were adopted by the Grand Island City Council on September 22, 2009 at a regularly scheduled Council meeting. Meeting minutes are on file with the City and available by request.

Margaret Hornady, Mayor	<u>9/22/09</u> Date
Resolution #	
These NSP 1 guidelines are hereby approve Economic Development (NEDED) on this	
DED Representative Name and Title	DATE
Acknowledgement of receipt of Direct Subs	idy Guidelines by homebuyer(s):
BUYER	DATE
BUYER	DATE



NSP 1 Direct Subsidy Guidelines

RESOLUTION 2009-231

WHEREAS, the City of Grand Island has been awarded a \$993,000 Neighborhood Stabilization Program 1 (NSP 1) grant from the Nebraska Department of Economic Development to acquire and demolish six vacant and blighted structures for redevelopment with new housing; and

WHEREAS, NSP 1 Acquisition/Demolition Guidelines and NSP 1 Direct Subsidy Guidelines for First-Time Homebuyers have been drafted for the Community Development Neighborhood Stabilization Program to meet both Department of Housing and Urban Development and Community Development Block Grant (CDBG) requirements; and

WHEREAS, Subordination Guidelines that govern both NSP 1 and CDBG deferred payment, forgivable loan or grant funds have also been updated for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the NSP 1 Acquisition/Demolition Program Guidelines, the NSP 1 Direct Subsidy for First-Time Homebuyers Guidelines, and NSP 1/CDBG Subordination Guidelines are adopted and approved and that such guidelines be submitted to the Nebraska Department of Economic Development.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 22, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ¤ _____ September 18, 2009 ¤ City Attorney



City of Grand Island

Tuesday, September 22, 2009 Council Session

Item G7

#2009-232 - Approving Bid Award for Bottom and Fly Ash Structures Painting - Platte Generating Station

Staff Contact: Gary R. Mader

Council Agenda Memo

From:	Gary R. Mader, Utilities Director Wesley Nespor, Asst. City Attorney/Purchasing
Meeting:	September 22, 2009
Subject:	Bottom and Fly Ash Structures Painting
Item #'s:	G-7
Presenter(s):	Gary R. Mader, Utilities Director

Background

The Platte Generating Station utilizes specialized elevated tanks in its bottom and fly ash collection systems operation. The bottom and fly ash structures were built when the Platte Generating Station was originally constructed over 25 years ago. The tanks were coated with specialized painting systems to prevent corrosion of the shells and support structures. Inspections of the tanks indicate the chemical properties of the fly ash have caused the paint to peel and the base metal to rust. The exposed steel is in need of protection to extend the life of these structures. Plant staff developed specifications for repainting of the tanks.

Discussion

The specifications for the Bottom and Fly Ash Structures Painting were advertised and issued for bid in accordance with the City Purchasing Code. Bids were publicly opened on September 1, 2009. Specifications were sent to 24 potential bidders and responses were received as listed below. The engineer's estimate for this project was \$260,000.00.

	Original	Adjusted
Bidder	Bid Price	Bid Price
F & H Companies, Inc., Wichita, KS	\$ 115,395.00	\$117,446.00
W.S. Bunch Company, Omaha, NE	\$ 205,377.00	
Mongan Painting Co., Inc., Cherokee, IA	\$ 207,422.00	
Techno Coatings, Inc., Anaheim, CA	\$ 247,720.00	
TMI Coatings, St. Paul, MN	\$ 320,640.00	
Lindner Painting, Inc., Lincoln, NE	\$ 584,344.00	

The bids were reviewed by Utility Engineering staff. F & H Companies has proposed paint application with brushes and rollers rather than being sprayed. This exception has been evaluated, and is an acceptable substitution. F & H Companies did not show sales tax in their bid submission. Therefore, a 7.0% material tax figure was added to the bid price for evaluation purposes. Plant engineering staff checked three references of the low bidder. All were positive in their evaluation of the contractor's work. The low compliant bid is from F & H Companies and is less than the engineer's estimate.

<u>Alternatives</u>

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

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

Recommendation

City Administration recommends that the Council award the Contract for Bottom and Fly Ash Structures Painting to F & H Companies of Wichita, KS, as the low responsive bidder, with a contract price of \$117,446.00.

Sample Motion

Move to approve award of the contract for Bottom and Fly Ash Structures Painting in the amount of \$117,446.00 to F & H Companies.

Purchasing Division of Legal Department INTEROFFICE MEMORANDUM



Wes Nespor, Purchasing Agent

Working Together for a Better Tomorrow, Today

BID OPENING

BID OPENING DATE:	September 1, 2009 at 11:00 a.m.
FOR:	Bottom and Fly Ash Structures Painting
DEPARTMENT:	Utilities
ESTIMATE:	\$260,000.00
FUND/ACCOUNT:	520
PUBLICATION DATE:	July 31, 2009
NO. POTENTIAL BIDDERS:	24

SUMMARY

Bidder:	<u>Techno Coatings, Inc.</u> Anaheim, CA	<u>W.S. Bunch Company</u> Omaha, NE
Bid Security:	Fidelity & Deposit Co.	United Fire & Casualty Co.
Exceptions:	Noted	None
Bid Price:		
Material:	\$38,109.00	\$22,877.00

Material:	\$38,109.00	\$22,877.00
Labor:	207,690.00	180,773.00
Sales Tax:	1,921.00	1,727.00
Total:	\$247,720.00	\$205,377.00

Bidder:	<u>Mongan Painting Co., Inc.</u> Cherokee, IA	<u>F & H Companies, Inc.</u> Wichita, KS
Bid Security:	Merchants Bonding Co.	\$6,000.00
Exceptions:	None	Noted
Bid Price:		
Material:	\$50,932.00	\$29,306.00
Labor:	152,925.00	86,089.00
Sales Tax:	3,565.00	<u> </u>
Total:	\$207,422.00	\$115,395.00

Bidder:	TMI Coatings	Lindner Painting, Inc.
	St. Paul, MN	Lincoln, NE
Bid Security:	North American Specialty Ins. Co.	Merchants Bonding Co.
Exceptions:	None	None
Bid Price:		
Material:	\$32,000.00	\$79,200.00
Labor:	286,400.00	499,600.00

2,240.00

\$320,640.00

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

Sales Tax:

Total:

Bob Smith, Assist. Utilities Director Wes Nespor, Purchasing Agent Pat Gericke, Utilities Admin. Assist.

5,544.00

\$584,344.00

P1358

WHEREAS, the City Electric Department invited sealed bids for Bottom and Fly Ash Structures Painting at the Platte Generating Station; and

WHEREAS, on September 1, 2009, bids were received, opened and reviewed; and

WHEREAS, F & H Companies of Wichita, Kansas, 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 \$117,446.00; and

WHEREAS, the bid of F & H Companies of Wichita, Kansas is less than the estimate for Bottom and Fly Ash Structures Painting at the Platte Generating Station.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of F & H Companies of Wichita, Kansas, in the amount of \$117,446.00 for Bottom and Fly Ash Structures Painting at Platte Generating Station is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 22, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ¤ _____ September 16, 2009 ¤ City Attorney



Tuesday, September 22, 2009 Council Session

Item G8

#2009-233 - Approving Bid Award for Natural Gas Supply to Burdick Station

Staff Contact: Gary R. Mader

From:	Gary R. Mader, Utilities Director Wesley Nespor, Asst. City Attorney/Purchasing
Meeting:	September 22, 2009
Subject:	Award of Natural Gas Supply Contract between the City of Grand Island and Seminole Energy Services
Item #'s:	G-8
Presenter(s):	Gary R. Mader, Utilities Director

Background

The Burdick Station power plant generating units are fueled by either fuel oil or natural gas. The current natural gas supply contract for the Burdick Station Power Plant expires on September 30, 2009. Therefore, bids for continued service were solicited for continued supply. The Burdick Station generators are most often used to meet summer peak electric demand, but can also be used other times of the year to meet emergency conditions. Because of the current soft market conditions and down economy, natural gas prices are down and transport capacity is more available than it has been for several years. Therefore, the term of this bid solicitation was extended to two years, expiring on September 30, 2011.

Discussion

The specifications for Natural Gas Supply were advertised and published in accordance with the City Procurement Code and bid documents were sent to five potential bidders. The bids were publicly opened at 11:00 a.m. on September 10, 2009. Two bids were received as tabulated below.

Seminole Energy Services, Denver, CO
ONEOK Energy Marketing, Tulsa, OK

The Bids were evaluated for contract compliance and delivered cost at the Burdick Station Power Plant. Since the natural gas usage is for emergency and peaking needs, the actual amount of gas used under the contract is not known at the time of award. The contract includes provisions to provide primary firm transport availability through the contract term, with the gas commodity price determined at the time of use based on price indices as published daily in an industry publication, Gas Daily Price Guide. Bid evaluation is based on historic average usages.

Both bidders submitted bids compliant with the contract specifications. Utilities department staff conducted bid evaluations as described above. The lowest evaluated bid was received from Seminole Energy Services.

Alternatives

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

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

Recommendation

City Administration recommends that the Council award the Natural Gas Supply Contract to Seminole Energy Services of Denver, CO.

Sample Motion

Move to approve to award the Natural Gas Supply Contract to Seminole Energy Services.

Purchasing Division of Legal Department INTEROFFICE MEMORANDUM



Wes Nespor, Purchasing Agent

Working Together for a Better Tomorrow, Today

BID OPENING

BID OPENING DATE:	September 10, 2009 at 11:00 a.m.
FOR:	Natural Gas Supply to Burdick Power Station
DEPARTMENT:	Utilities

FUND/ACCOUNT: 520

PUBLICATION DATE:August 17, 2009

NO. POTENTIAL BIDDERS: 4

Gary Mader, Utilities Director

Dale Shotkoski, City Attorney

Jeff Pederson, City Administrator

Tim Luchsinger, Assist. Utilities Director

SUMMARY

Bidder:

cc:

Seminole Energy Services Holdrege, NE <u>Oneok Energy Marketing & Trading</u> Grand Island, NE

Bob Smith, Assist. Utilities Director Wes Nespor, Purchasing Agent Pat Gericke, Utilities Admin. Assist.

P1360

WHEREAS, the City Electric Department invited sealed bids for Natural Gas Supply Agreement through September 2011 to the Burdick Station Power Plant, according to the contract specifications on file at the Utilities Department office; and

WHEREAS, it was stipulated that bid prices and/or final award prices would not be publicly disclosed; and

WHEREAS, on September 10, 2009, bids were received, opened and reviewed; and

WHEREAS, Seminole Energy Services, with sales offices in Denver, CO, submitted bids in accordance with the terms of the advertisement of bids and the contract specifications and all other statutory requirements contained therein; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Seminole Energy Services, for the Natural Gas Supply Agreement through September 30, 2011, is approved as the lowest responsive bid submitted.

BE IT FURTHER RESOLVED, that an agreement between the City and such contractor be entered into for such project; 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 22, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	¤	
September 16, 2009	¤	City Attorney



Tuesday, September 22, 2009 Council Session

Item G9

#2009-234 - Approving Termination of Contract for Mercury Monitor Emissions with Sick Maihak

Staff Contact: Gary R. Mader

From:	Gary R. Mader, Utilities Director Wesley Nespor, Asst. City Attorney/Purchasing
Meeting:	September 22, 2009
Subject:	Contract Termination – PGS Mercury Continuous Emissions Monitor
Item #'s:	G-9
Presenter (s):	Gary R. Mader, Utilities Director

Background

As part of environmental regulatory requirements, the Platte Generating Station was mandated by the federal Clean Air Mercury Rule (CAMR) to have a mercury emissions monitor in service by January 1, 2009. In September 2006, Black & Veatch (B & V) of Kansas City was awarded a contract for the engineering for procurement and installation of the mercury monitor. B & V developed specifications and bids were solicited for the required monitor. The contract for the purchase of the mercury emissions monitoring equipment was awarded at the March 27, 2007 City Council meeting to Sick Maihak of Bloomington, MN for \$149,900.

Discussion

Since the installation of the mercury emissions monitoring equipment, the mercury monitoring regulations have been suspended. Also, the installed mercury emissions monitoring equipment is not fully functional with the terms of the specifications, over two years after contract award. Therefore, Utilities Department staff and representatives from Sick Maihak, Inc., have met to discuss the project. The parties mutually agree that cancellation is an appropriate course of action at this time.

The original contract includes specific provisions for mutually agreed contract cancellation. There have been no payments to Sick Maihak. The Utilities Department recommends terminating the Platte Generating Station Mercury Continuous Emissions Monitor contract pursuant to Article GC.15 of the original contract. The proposed contract cancelation document was prepared by the engineering consultant for this

project, Black and Veatch, and is attached. The full contract is available in the office of the City Clerk or the Utilities Department.

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 authorize termination of the Contract for the PGS Mercury Continuous Emissions Monitoring with Sick Maihak, Inc., with no further liability with respect to claims for reimbursement from Sick Maihak, Inc.

Sample Motion

Move to approve termination of the contract with Sick Maihak, Inc., for the PGS Mercury Continuous Emissions Monitor.

WHEREAS, in 2008, the federally issued Clean Air Mercury Rule (CAMR) required the installation of Mercury monitors to measure power plant mercury emissions; and

WHEREAS, the City of Grand Island, Utilities Department awarded the bid for the purchase of the required mercury monitor at the March 27, 2007 City Council meeting to Sick Maihak of Bloomington, Minnesota for \$149,000; and

WHEREAS, in March of 2008, the Federal District of Columbia Circuit Court of Appeals vacated the CAMR, voiding the previously promulgated regulatory action; and

WHEREAS, the installed mercury monitoring equipment is not fully functional within the terms of the specifications; and

WHEREAS, the City has not made any payments to Sick Maihak to date, and will not be receiving any further billing; and

WHEREAS, no replacement regulation has been developed; and

WHEREAS; Utilities Department staff, representatives from Black & Veatch and representatives from Sick Maihak, Inc., met to discuss methods to cancel the project, and mutually agreed that cancellation is an appropriate course of action pursuant to Article GC.15 of the original contract.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized to, on behalf of the City, to terminate the contract with Sick Maihak, Inc., for the purchase of mercury emissions monitoring equipment, with no further liability with respect to claims for reimbursement from Sick Maihak.

Adopted by the City Council of the City of Grand Island, Nebraska, September 22, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	¤	
September 16, 2009	¤	City Attorney



Tuesday, September 22, 2009 Council Session

Item G10

#2009-235 - Approving Negotiated Bid Amount of Metso Automation for the Burdick Controls Computer Upgrade - 2009

Staff Contact: Gary R. Mader; Wesley Nespor

From:	Gary R. Mader, Utilities Director Wesley Nespor, Asst. City Attorney/Purchasing
Meeting:	September 22, 2009
Subject:	Burdick Controls Computer Upgrade - 2009
Item #'s:	G-10
Presenter(s):	Gary R. Mader, Utilities Director

Background

In 1997, the burner management controls for Burdick Units 1 and 2 and the plant controls for Unit 3 were replaced with a digital control system. This digital control system included personal computers as the operator interfaces. These personal computers utilize Windows 95 as their operating systems. Windows 95 is an obsolete operating system and replacement of a failed workstation is no longer supported. To allow further use of this system, the workstations must be upgraded to Windows XP operating systems and the computers, software and graphics that interface with the control system must be replaced. Specifications to provide the engineering, components, and field service personnel were drafted by plant engineering staff and issued for bid.

Discussion

The specifications for the Burdick Controls Computer Upgrade were advertised and issued for bid in accordance with the City Purchasing Code. Bids were publicly opened on August 25, 2009. The engineer's estimate for this project was \$200,500.00.

Bidder	Bid Price
Metso Automation	\$ 224,167.00

Since only one bid was received, Council approval was given at the September 8th, 2009 Council meeting to enter into negotiations with Metso to negotiate with the contractor for contract reductions. Negotiations resulted in revising two specific areas of the bid, replacement computer costs and contractor on-site service time. The contractor has agreed to allow the computers to be purchased directly from a third party supplier by the City of Grand Island, and billing separately for actual service time expenses incurred by Metso during the installation of the system.

The revised contract price from Metso, excluding the computers and on-site service expenses is \$195,265. Department staff estimates that the direct computer purchase by the City will cost \$9,365, and that on-site service costs can be limited to \$4,080. Adding those costs to the revised contract price would bring the total project cost to \$208,710, a savings of \$15,457 over the original bid of \$224,167.

Alternatives

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

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

Recommendation

City Administration recommends that the Council award the Contract for Burdick Controls Computer Upgrade to Metso Automation of Lansdale, Pennsylvania, as the sole source, at a revised contract price of \$195,265.00.

Sample Motion

Move to approve award of the contract in the amount of \$195,265.00 to Metso Automation for the Burdick Controls Computer Upgrade.

Purchasing Division of Legal Department INTEROFFICE MEMORANDUM



Wes Nespor, Purchasing Agent

Working Together for a Better Tomorrow, Today

BID OPENING

BID OPENING DATE:	August 25, 2009 at 11:00 a.m.
FOR:	Burdick Controls Computer Upgrade - 2009
DEPARTMENT:	Utilities
ESTIMATE:	\$200,500.00
FUND/ACCOUNT:	520
PUBLICATION DATE:	July 31, 2009
NO. POTENTIAL BIDDERS:	1

SUMMARY

Bidder:	Metso Automation, Power
	Lansdale, PA
Bid Security:	The Insurance Company of the State of Pennsylvania
Exceptions:	None

Bid Price:	
Material:	\$40,038.00
Labor:	184,129.00
Sales Tax:	None
Total Bid:	\$224,167.00

cc: Gary Mader, Utilities Director Dale Shotkoski, City Attorney Jeff Pederson, City Administrator Lynn Mayhew, Utility Engineer Bob Smith, Assist. Utilities Director Wes Nespor, Purchasing Agent Pat Gericke, Utilities Admin. Assist. Karen Nagel, Utilities Secretary

WHEREAS, the City Electric Department invited sealed bids for Burdick Controls Computer Upgrade; and

WHEREAS, on August 25, 2009, bids were received, opened and reviewed; and

WHEREAS, Metso Automation of Lansdale, Pennsylvania, submitted the only 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 \$224,167.00 and

WHEREAS, negotiations with Metso Automation resulted in revising two specific areas of the bid, replacement computer costs and contractor on-site service time; and

WHEREAS, the revised contract price from Metso Automation, excluding the computers and on-site service expenses is \$195,265; and

WHEREAS, Metso Automation is the original supplier of the control system, and the sole source for providing the control system upgrade, short of replacing the entire system.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the revised bid of Metso Automation of Lansdale, Pennsylvania, is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 22, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	¤	
September 17, 2009	¤	City Attorney



Tuesday, September 22, 2009 Council Session

Item G11

#2009-236 - Approving Demolition and Disposal of Concrete for the Anaerobic Digestion Site at the Waste Water Treatment Plant

Staff Contact: Steven P. Riehle, Public Works Director

From:	Steven P. Riehle, Public Works Director
Meeting:	September 22, 2009
Subject:	Approving Bid Award for Demolition and Disposal of Concrete for the Anaerobic Digestion Site at the Waste Water Treatment Plant
Item #'s:	G-11
Presenter (s):	Steven P. Riehle, Public Works Director

Background

On August 26, 2009 an Advertisement to Bidders for Demolition and Disposal of Concrete for the Anaerobic Digestion Site was published in the Grand Island Daily Independent.

Discussion

Bids were received and opened at City Hall and the following 6 bidders responded:

Bidder	Exceptions	Bid Price
Hooker Brothers Construction Co.	None	\$31,500.00
Dobesh Land Leveling	None	\$45,640.00
O'Neill Transportation & Equip.	None	\$65,000.00
Anderson Excavating Co.	None	\$132,613.00
Judds Bros. Construction Co.	None	\$133,125.00
MWE Services	None	\$220,400.00

Hooker Brothers Construction Co. 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.

Alternatives

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

- 1. Move to approve a resolution authorizing the Mayor to approve and execute the contract with Hooker Brothers Construction Co. of Grand Island, Nebraska on behalf of the City of Grand Island.
- 2. Refer the issue to a Committee.
- 3. Postpone the issue to future date.
- 4. Take no action on the issue.

Recommendation

Public Works Administration recommends that the Council approve the bid award to Hooker Brothers Construction Co. of Grand Island, Nebraska in the amount of \$31,500.00.

Sample Motion

Move to approve the bid award.

Purchasing Division of Legal Department INTEROFFICE MEMORANDUM



Wes Nespor, Purchasing Agent

Working Together for a Better Tomorrow, Today

BID OPENING

Demolition & Disposal of Concrete for Anaerobic Digestion Site

ptember 9, 2009 at 11:00 a.m.

FOR:

DEPARTMENT:

Public Works

6

ESTIMATE: \$100,000.00

FUND/ACCOUNT: 5300054-85213-53045

- PUBLICATION DATE:August 26, 2009
- NO. POTENTIAL BIDDERS:

SUMMARY

Bidder:	Dobesh Land Leveling	MWE Services			
	Grand Island, NE	Lincoln, NE			
Exceptions:	None	None			
Bid Price:	\$45,640.00	\$220,400.00			

Bidder:	Anderson Excavating Co.	Hooker Brothers Construction Co.
	Omaha, NE	Grand Island, NE
Exceptions:	None	None
Bid Price:	\$132,613.00	\$31,500.00

Bidder:	Judds Bros. Construction Co.	O'Neill Transportation & Equip.
	Lincoln, NE	Grand Island, NE
Exceptions:	None	None
Bid Price:	\$133,125.00	\$65,000.00

cc: Steve Riehle, Public Works Director Dale Shotkoski, City Attorney Jeff Pederson, City Administrator Catrina DeLosh, PW Admin. Assist. Wes Nespor, Purchasing Agent John Henderson, WWTP Sup.

P1364

WHEREAS, an Advertisement to Bidders for Demolition and Disposal of Concrete for the Anaerobic Digestion Site was published in the Grand Island Daily Independent on August 26, 2009; and

WHEREAS, the City of Grand Island invited sealed bids according to plans and specifications on file with the City Clerk; and

WHEREAS, on September 9, 2009, bids were received, opened and reviewed; and

WHEREAS, Hooker Brothers Construction Co., 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 \$31,500.00; and

WHEREAS, the sum of the low bids for project is below the estimate of such project; and

WHEREAS, such Bid is reasonable and acceptable.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Hooker Brothers Construction Co. of Grand Island, in the amount of \$31,500.00 for Demolition and Disposal of Concrete for Anaerobic Digestion Site is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 22, 2009.

Attest:

Margaret Hornady, Mayor

RaNae Edwards, City Clerk

Approved as to Form	¤	
September 17, 2009	¤	City Attorney



Tuesday, September 22, 2009 Council Session

Item G12

#2009-237 - Approving Amendment to Resolution 2009-217; Change Order Number 3 for Capital Avenue Widening, Street Improvement District Number 1256

Staff Contact: Steven P. Riehle, Public Works Director

From:	Steven P. Riehle, Public Works Director
Meeting:	September 22, 2009
Subject:	Approving Amendment to Resolution 2009-217; Change Order Number 3 for Capital Avenue Widening, Street Improvement District Number 1256
Item #'s:	G-12
Presenter(s):	Steven P. Riehle, Public Works Director

Background

On September 8, 2009 the City Council passed Resolution 2009-217 approving Change Order Number 3 for the Capital Avenue widening project.

Discussion

Resolution 2009-217 incorrectly listed the change order value at \$88,735.01. The actual total for Change Order Number 3 for the Capital Avenue widening project is \$141,330.31.

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

Public Works Administration recommends that the Council approve the update to Resolution 2009-217 to reflect the correct amount of \$141,330.31 for Change Order Number 3 for the Capital Avenue widening project.

Sample Motion

Move to approve the update to Resolution 2009-217.

WHEREAS, on May 13, 2008, by Resolution 2008-122, the City Council of the City of Grand Island awarded The Diamond Engineering Company of Grand Island, Nebraska, the bid in the amount of \$3,379,328.25 for Street Improvement District 1256 for the widening of Capital Avenue from the Moores Creek Drainway to Webb Road; and

WHEREAS, on August 12, 2008, by Resolution 2008-206, the City of Grand Island approved Change Order Number 1 which resolved conflicts with new and existing sanitary sewer infrastructure in preparation for a future sanitary sewer lift station and increased the contract price by \$351,219.24; and

WHEREAS, on March 10, 2009, by Resolution 2009-48, the City of Grand Island approved Change Order Number 2 which provided for additional work due to the relocation of a fire hydrant, the lowering of the Grand Island Mall water main, storm sewer modifications, sanitary sewer force main tie-in restraints, existing power line clearance requirements and sanitary sewer manhole concrete inverts and increased the contract price by \$32,077.94; and

WHEREAS, on September 8, 2009, by Resolution 2009-217, the City of Grand Island approved Change Order Number 3; and

WHEREAS, Resolution 2009-217, had an incorrect dollar amount of \$88,735.00 for Change Order Number 3; and

WHEREAS, the correct dollar amount for Change Order Number 3 is \$141,330.31; and

WHEREAS, the result of Change Order Number 3 will increase the contract amount by \$141,330.31 for a revised contract price of \$3,903,955.74; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order Number 3 between the City of Grand Island and The Diamond Engineering Company of Grand Island, Nebraska on Street Improvement District 1256.

BE IT FURTHER RESOLVED, that Resolution No. 2009-217 is rescinded.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 22, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	¤
September 17, 2009	¤ City Attorney



Tuesday, September 22, 2009 Council Session

Item G13

#2009-238 - Approving Amendment to the One & Six Year Street Improvement Plan

Staff Contact: Steven P. Riehle, Public Works Director

From:	Steven P. Riehle, Public Works Director
Meeting:	September 22, 2009
Subject:	Approving Amendment to the One & Six Year Street Improvement Plan
Item #'s:	G-13
Presenter(s):	Steven P. Riehle, Public Works Director

Background

On February 10, 2009 the City Council approved the 2009-2014 One & Six Year Street Improvement Plan. The plan was submitted to the State of Nebraska Board of Classifications and Standards on February 18, 2009. Changes to the plan during the year must be submitted to the State of Nebraska Board of Classifications and Standards.

Discussion

The concrete base course underneath the asphalt surfacing on 1st Street, from Clark Street to Eddy Street is failing. The stresses on the roadway are significant because of the braking force of trucks approaching the Eddy Street traffic signal.

The existing surface has always been hard to maintain in an acceptable condition because of the high volume of trucks on US Highway 30. Rather than perform temporary repairs with concrete patching and replacing the asphalt surface, Public Works Administration is recommending that the entire 37' wide street be replaced with 10" thick concrete pavement from just east of Clark Street up to the west curb line of Eddy Street. The concrete surface will have an estimated life of over 35 years and will perform much better then the existing surfacing.

Public Works has plans and specifications prepared for the project to replace 1st Street. The bids for the project will be opened in October 2009 with council consideration for award of the contract at the October 13, 2009 council meeting. The funds for the work will come from the existing concrete pavement repair budget.

Alternatives

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

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

Recommendation

Public Works Administration recommends that the Council approve the amendment to the One & Six Year Street Improvement Plan.

Sample Motion

Move to approve the amendment.

Board of Public Roads Classifications and Standards Form 10 Notification of Revision of One-Year Plan

County:			City		ron	d Isla	and		Vi	llage:			
Reason for Revision:				Ċ	and								
Upgrading from a at 37 feet wide.	asphalt	resurfa	acing a	as mainte	enan	ce w	ork to	re	placem	ent v	with	10" concr	ete pavement
Location Description:													
1 st Street from Cla	ark Stre	et to E	Eddy S	treet									
Existing Surface Type a					halt, c	oncre	te, culve	rt, c	or bridge)				
asphalt surfacing	on a co	oncrete	e base	course									
Average Daily Traffic:						Cla	ssificatio	n T	Vne. (As s	hown	on Fi	Inctional Class	ification Man)
2008 =		2028	. =			Cia	ssincatio		••••			rterial	incation map)
			, 	PROPOS	SED	IMPR	OVEME	ENT		intege			
Design Standard Numbe	er:		Surf	acing		Thio	ckness:				V	Vidth:	
Urban Major Ar	_		Ouri	acing				10) inch			37	' feet
Grading		Concre				•	ht of W	-			Lig	hting	
Aggregate	\boxtimes c	urb &	Gutter	ſ		Utili	ty Adju	ust	ments				
Armor Coat		Praina	ge Stru	ictures		Fen	cing						
Asphalt	- E	rosior	n Conti		\boxtimes	Side	ewalks						
Bridge to Rema	ain in Pl	ace	Roadwa	y Width:			Length	:				Туре:	
New Bridge Roadwa		dway Width:			Length:			Туре:					
Box Cul	ulvert Span:				Rise: Length			Length:	: Туре:				
Culvert			Diamete	eter: Length:				Туре:					
Bridges and Culverts Sized			ed		Yes	\boxtimes	N/A			Hydı	rauli	c Analysis	Pending
Other Construction Feat The street also se		a hia	hwav a	and carrie	es ea	astbo	ound L	JS	Highwa	v 30	tra	ffic	
		, a ng								.,			
There will be 8.5 southernmost lan provide clearance	ne will b	e 13	feet wi	ide includ	ding	the	curb.						
The new 10" thick portland cement concrete roadway will be constructed to NDOR standards with													
dowel bars place	a tor Ioa	ia tran	sier at	the trans	svers	se co	ontract	lor	n joints.				
	* CC		•	CITY		ST.	ATE		FEDER	A1		OTHER	TOTAL
ESTIMATED COST				CIT	,	51		,		AL	,		TOTAL
(in Thousands) ★ OPTIONAL				77									77
Project Length: (Neares	t Tenth, St	ate Unit	of Measu	ıre)	1	Proj	ject No.						1
	0	.1								M3	310-	570	
Signature:				Title:							-	ate:	
				Public	Wor	ks D	irector	r/C	ity Engi	neer	1	Septemb	er 22, 2009

WHEREAS, on February 10, 2009 the City of Grand Island City Council approved the 2009-2014 One & Six Year Street Improvement Plan; and

WHEREAS, the City of Grand Island Public Works Director has presented a revision to the plan providing for concrete replacement of 1st Street between Clark Street and Eddy Street; and

WHEREAS, said revision to the plan for year 2010 is adopted as proposed, with, Project M310-570 being added to the plan; and

WHEREAS, the said Council deems it in the best interest of the City to adopt said plan as presented, with the above mentioned revision.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the 2010 Street Improvement Plan for the City Of Grand Island be and hereby is adopted and approved as revised.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 22, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ¤ _____ September 17, 2009 ¤ City Attorney



Tuesday, September 22, 2009 Council Session

Item G14

#2009-239 - Approving Purchase Agreement for SelfCheck Machine Self Pay Components with SirsiDynix

Staff Contact: Steve Fosselman

From:	Steve Fosselman, Library Director			
Meeting:	September 22, 2009			
Subject:	Approving Purchase Agreement for SelfCheck Machine Self Pay Components with SirsiDynix			
Item #'s:	G-14			
Presenter(s):	Steve Fosselman, Library Director			

Background

Through previous City Council approval, the Grand Island Public Library has been contracting with SirsiDynix (formerly Dynix) since 1993 on a variety of automation system needs, including installation of hardware and software to operate the automated circulation of items. Since that initial contract, our library has periodically received City Council approval for various 3M system components such as SelfCheck machines certified and configured to work with the SirsiDynix software.

Discussion

Timely automation system enhancements to our library's SelfCheck capabilities are necessary to continue improving our efficiency through effective use of technology. At this time our SelfCheck machines constitute 60-65% of our checkouts. Through field hardware/software upgrades of these machines, even greater efficiency can be gained by allowing self-payment of fines and fees. Many desired self-service transactions are currently redirected to our staffed service desks because of the need to make payments. By adding bill/coin and debit/credit payment options to SelfCheck machines in each of the three major areas of the library, patrons can perform this routine task without staff intervention which frees up employees' time to assist patrons in other ways. We anticipate that ease of payment in this fashion will also result in increased revenues.

Purchase of these components in the amount of \$26,508 through SirsiDynix assures they are certified and configured to work with the SirsiDynix software, and provides consistent analysis of potential future transportability of these and previously-installed components to an open source integrated library system being analyzed through the library's Council-approved affiliation with the Pioneer Library Consortium. Because

these components are directly linked to SirsiDynix's database server, purchasing through SirsiDynix assures the library of consistent maintenance service regardless of the source of the problem, and discounts have been negotiated with SirsiDynix based on previous purchases.

This is a budgeted expense in the library's account 10044301-85620, which has a current balance of \$35,000 for automation enhancements.

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 this Purchase Agreement in the amount of \$26,508 for SelfCheck Machine Self Pay Components with SirsiDynix.

Sample Motion

Move to approve this Purchase Agreement in the amount of \$26,508 for SelfCheck Machine Self Pay Components with SirsiDynix.

SirsiDynix

PROFESSIONAL SERVICES AGREEMENT

This Agreement is entered into between Sirsi Corporation dba SirsiDynix ("SirsiDynix") and the customer listed in the signature block below ("Customer"). The above parties agree to the following.

1. SERVICES.

1.1 Statement of Work. SirsiDynix will perform the mutually agreed upon services for Customer described in one or more quote or statement of work ("**SOW**") as the parties may agree to in writing from time to time. Each SOW, once executed by the authorized representatives of the parties, shall become a part of the Agreement. Except as expressly stated elsewhere in this Agreement, in the event of a conflict between the terms of this Agreement and the terms of a SOW, the terms of this Agreement shall prevail.

"Quote" means Quote #_GIPL 3M FinesFees 91509, and/or the document executed by the parties specifically referencing this Schedule, which contains Customer's order specific information, including description of Software and Maintenance ordered, License Metrics and associated fees and payment terms.

1.2 Change Orders. Either Party may propose a change order to add to, reduce or change the work ordered in the SOW. Each change order shall specify the change(s) to the services or deliverables, and the effect, if any, on the time of performance and on the fees owed to SirsiDynix, due to the change. Once executed by both parties, a change order shall become a part of the SOW.

1.3 Estimated Costs. Unless otherwise expressly stated in the applicable Quote or SOW, Professional Services shall be provided on a time and materials ("T&M") basis at SirsiDynix's T&M rates in effect at the time the Professional Services are performed. On a T&M engagement, if an estimated total amount is stated in the applicable SOW, that amount is solely a good faith estimate for Customer's budgeting and SirsiDynix's resource scheduling purposes and not a guarantee that the work will be completed for that amount.

1.4 Delays/Costs Overruns. In the event of any delay in Customer's performance of any of the obligations set forth herein or any other delays caused by Customer, the milestones, fees and date(s) set forth in the Quote shall be adjusted on a T&M basis as reasonably necessary to account for such delays, and the adjustment shall be made by change order in accordance with the provisions above.

2. PROJECT MANAGEMENT.

2.1 Responsibility. SirsiDynix shall be responsible for securing, managing, scheduling, coordinating and supervising SirsiDynix personnel, including its subcontractors, in performing the Services.

2.2 Cooperation. Customer shall provide SirsiDynix with good faith cooperation and access to such information, facilities, personnel and equipment as may be reasonably required by SirsiDynix in order to provide the Services, including, but not limited to, providing security access, information, and software interfaces to Customer's applications, and Customer personnel, as may be reasonably requested by SirsiDynix from time to time. Customer acknowledges and agrees that SirsiDynix performance is dependent upon the timely and effective satisfaction of Customer's responsibilities hereunder and timely decisions and approvals of Customer in connection with the Services.

SirsiDynix shall be entitled to rely on all decisions and approvals of Customer.

2.3 Subcontractors. SirsiDynix may subcontract or delegate any work under any SOW to any third party without Customer's prior written consent, <u>provided however</u> that SirsiDynix shall remain responsible for the performance, acts and omissions of any such subcontractors.

2.4 Customer Data. Customer's data must be provided to SirsiDynix in a format approved by SirsiDynix or additional charges will apply.

2.5 Remote Access. For installation of the System, Customer shall ensure that SirsiDynix's assigned technical personnel are able to access the System remotely. Customer shall be responsible for providing access through any security measures it deems necessary. SirsiDynix alone shall decide whether access to the System is sufficient for installation purposes. "System" means the total complement of hardware and Software furnished and maintained by SirsiDynix.

The Authorization for Data Release form attached hereto may set forth additional details regarding SirsiDynix's access to and use of Customer's personnel, facilities and equipment.

3. LICENSE AND OWNERSHIP.

3.1 Ownership. All intellectual property rights including all copies thereof in any SirsiDynix products and the results of the services including (without limitation) all deliverables and all Intellectual Property embodied herein shall, subject to Section 3.2 below, vest solely and absolutely in SirsiDynix or its licensors.

3.2 Limited License. SirsiDynix grants Customer, upon full payment of the applicable fees and charges, a personal, nontransferable, nonexclusive, irrevocable license to use the deliverables solely for its own internal business needs.

4. TERMINATION.

Where the non-breaching Party has a right to terminate this Agreement, the non-breaching Party may, at its discretion, either terminate this Agreement, or the applicable SOW.

Upon termination for any reason, all work products, including all drafts and works in progress of deliverables shall be delivered to Customer. Upon SirsiDynix's receipt of a notice of termination, SirsiDynix shall cease and shall cause any agent or subcontractor to cease all work under, the applicable SOW and minimize any additional costs or reimbursable expenses unless otherwise directed in writing by Customer. Except as may be expressly set forth in the applicable SOW, after such termination, Customer shall pay SirsiDynix fees for services performed to the date of termination on a time and materials basis together with any expenses reasonably incurred in connection therewith. The parties obligations under this section and Section 3 of this Agreement shall survive any termination of this Agreement.

File:

SirsiDynix Confidential

Page 1 of 2

The Effective Date of this Agreement shall be _____

IN WITNESS WHEREOF, the parties have caused this Professional Services Agreement to be executed by their duly authorized representatives as identified below.

.....

Edith Abbott Memorial Library

SirsiDynix

Authorizing Signature	
Name	
Address	
Title	
Date	

 Authorizing Signature

 Name

 Address

 Title

 Date

SirsiDynix Confidential

	SirsiDynix 3M and Island Public GIPL 3M FinesFees 91509 2 9/15/2009	David Tuttle, MLS Senior Marketing Consultant : RFID & Self Check Office : 800-288-8020 x5410 Direct: 801-492-3920 Cell : 801-691-8318 Email : david.tuttle@sirsidynix.com			
Exipres				- and	
Prices incl	ude product, installation and first 15 mo. support an	nd maintenar	nce.	SirsiDynix	
Qty	Description	Unit Price	Extended Price	Annual Maint	Unit Maint
<mark>3M</mark> - R	FID				
	8410 Self-Check Options				
	 Fines & Fees Payment <u>BASIC&FLEXIBLE</u> Field Upgrade Includes software,card swipe,coin/bill acceptor. Annual subscription fee of \$995 required after year 1. NOTE: Card Cash & Coin Payment. 	8,766.00	26,298.00	2,985.00	995.00
	Total Price		26,298.00		
			·		
	Shipping		210.00		
	Grand Total		26,508.00		
	Estimated Annual Maintenance Contract After Year 1		2,985.00		
	All information contained within this document is confidential and may not be shared with anyone outside of the institution to which it has been issued. Failure to comply will result in nulification of this quotation and all pricing listed therein.				

RESOLUTION 2009-239

WHEREAS, the Grand Island Public Library has contracted with SirsiDynix (formerly Dynix) since 1993 on a variety of automation system needs, including installation of hardware and software to operate the automated circulation of items; and

WHEREAS, timely automation system enhancements to the library's SelfCheck capabilities are necessary to continue improving library efficiency through effective use of technology; and

WHEREAS, through field hardware/software upgrades of these machines, even greater efficiency can be gained by allowing self-payment of fines and fees, which frees up employees' time to assist patrons in other ways.

WHEREAS, purchasing of these automation system enhancements through SirsiDynix is recommended to assure consistent maintenance with SirsiDynix equipment that is directly linked to the SirsiDynix database server, and provides consistent analysis of potential future transportability of these and previously-installed components to an open source integrated library system being analyzed through the library's Council-approved affiliation with the Pioneer Library Consortium.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of SelfCheck Machine Self Pay Components at the Grand Island Public Library from SirsiDynix (formerly Dynix) in the amount of \$26,508.00 is hereby approved; and the Mayor is hereby authorized and directed to execute such Purchase Agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on September 22, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ¤ _____ September 17, 2009 ¤ City Attorney



Tuesday, September 22, 2009 Council Session

Item H1

Consideration of Request from Jeanie Bartz to Amend the Park Plan for Kingswood Estates Mobile Park Located at 2323 Bellwood Drive

Staff Contact: Craig Lewis

Council Agenda Memo

From:	Craig A. Lewis, Building Department Director
Meeting:	September 22, 2009
Subject:	Request of Jeanie Bartz, Property Manager for Kingswood Estates to Amend the Park Plan for Kingswood Estates Mobile Park Located at 2323 Bellwood Drive
Item #'s:	H-1
Presenter(s):	Craig Lewis, Building Department Director

Background

This is a request to modify the park plan for Kingswood Estates Mobile Home Park, to allow for the conversion of ten existing manufactured home sites into recreational vehicle sites. This park has been in existence for a number of years and is requesting City Council approval to modify the park to include 10 recreational vehicle sites. The proposal is to convert 10 existing manufactured home sites into recreational vehicle spaces.

Section 21-6 of the Grand Island City Code provides that parks may have spaces for recreational vehicles provided that such spaces are identified on the park plan and that such spaces do not exceed twenty percent of the total number of spaces provided in the park. Any revisions, modifications, or additions to the park plan must be reviewed and approved by the City Council.

Discussion

This request is to modify ten existing manufactured home sites, lot numbers 17, 20, 22, 23, 118, 119, 125, 126, 130, & 131. The modification would allow for recreational vehicles to be placed on the sites. The City Code allows for not more than 20 % for the spaces in the park to be recreational vehicle sites, with the total spaces provided at 213 and 20% of that number being 42 the proposal would comply with the maximum number allowed in the code.

The City Code section 21-18 allowing recreational vehicle sites requires a minimum of 1,500 square feet of space for each recreational vehicle site, a minimum site width of 30',

a setback between vehicles of 12', a setback to the site boundary of 5', and one hard surfaced vehicle parking pad of 180 square feet for a passenger vehicle.

Utility services to these proposed sites will be provided with 5 centrally located meters billed to the Park. The existing water, sewer and electrical services to the proposed sites will need to be modified to accommodate the new use.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the request to allow the recreational vehicle sites proposed within the existing park.

Sample Motion

Move to approve the request to modify the park plan as presented for Kingswood Estates Mobile Home Park with the condition that required improvements be completed within 180 days.

FROM THE DESK OF JEANIE BARTZ KINGSWOOD ESTATES/WEST PARK PLAZA 2323 BELLWOOD DRIVE OFFICE 308-384-0358

September 1, 2009

Craig Lewis 100 East 1st Grand Island, Ne 68801

Hi Craig,

I am contacting you because I would like to re-visit the idea of putting some RV sites in here at Kingswood Estates. With the State Fair coming here next Summer, the horse races and the Heartland Event Center, it seems that RV sites at this location would be productive for the Community as well as for Colorado RealEstate & Investments.

I am enclosing a map with 10 sites circled that I think we could begin with. The sites are: 17, 20,22,23,118,119,125,126,130 and 131.

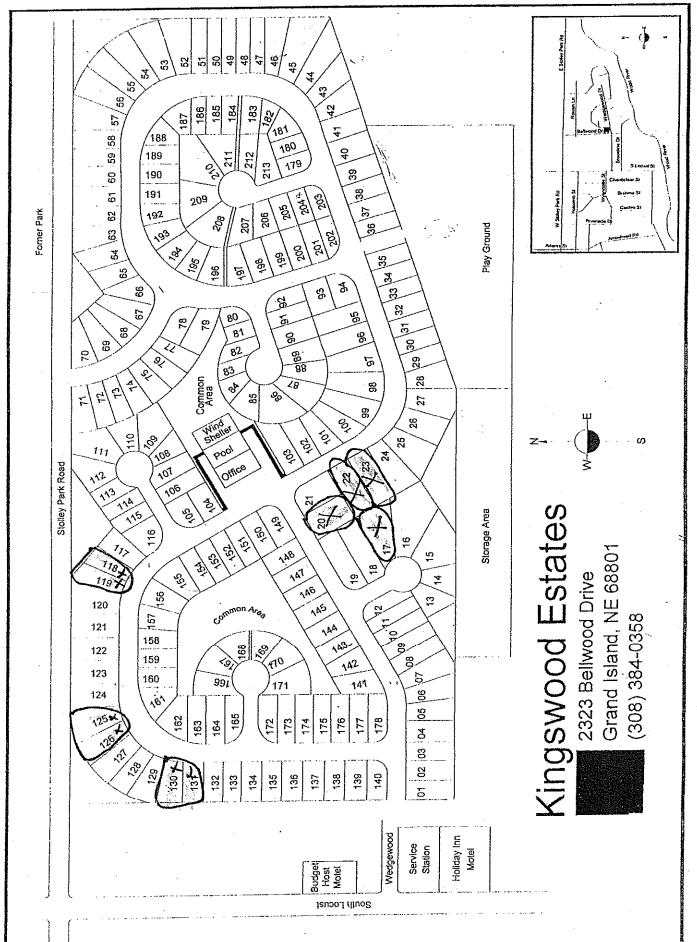
I have contacted Don at Heartland Electric concerning changes at the pedestal to accommodate the RV's and it appears it would not involve a lot. I would like you to call him and visit with him to make sure the changes would meet your standards. His phone number is: 308-379-74719

If at all possible I'd like to present this to the City Council this month so we can get going on this project.

Thanks for your consideration and help!

Jeanie Bartz

Property Manager Kingswood Estates/West Park Plaza





Tuesday, September 22, 2009 Council Session

Item I1

#2009-240 - Consideration of Approving Funding of Economic Development Request

Staff Contact: Marlan Ferguson - EDC President

Council Agenda Memo

From:	Mary Lou Brown, Finance Director
Meeting:	September 22, 2009
Subject:	Approving Economic Development Funding Request
Item #'s:	I-1
Presenter(s):	Mary Lou Brown, 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 Down	town 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:	x Corporation Partnership Proprietor Other
3.	Business Type:	Startup x Existing Business BuyoutSpec Building Other
4.	Project Location:	x 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)

Product or Ser	vices Provided:	Economic growth, job creation, expansion of the tax
base, and sup	port for current busine	sses.
Project Descrip	otion: Operating	g overhead to include salaries and benefits, occupacy
	AAAAA AAAA AA AA AA AA AA AA AA AA AA A	t, and community publicity. To offset cost associated
		, real estate taxes, maintenance, advertising, special
	city, debt service pay	
Project Timeta	ble: October 1	, 2009 thru Sepember 30, 2010
Employment In	formation:	
Current numbe	r of employees	2 (full-time equivalent)
Proposed num	ber of employees	N/A (full-time equivalent)
What is the ave	erage hourly wage for	all employees? <u>N/A</u>
Number of new	jobs to be created	N/A (full-time equivalent)
What would be	the average hourly wa	age for new jobs? <u>N/A</u>
Number of jobs	to be retained, if any	N/A (full-time equivalent)
Please descsril	oe all benefits which th	ne business provides to employees: N/A

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9. Financing/Incentives Requested: <u>The request for \$350,000 funding from LB-840 funds is</u> for the fiscal year beginning October 1, 2009 thru Sepember 30, 2010. Application being <u>made is to continue Economic Development within Hall County under state statue 13-315</u> 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).

Marlan Ferguson By:

President

Title

Date: 08/13/2009

Date Referred	Date Referred to Grand Island Area Economic Development Corp. Executive Committee:						8/13/2009
Approved:	x	Disapproved:				Date: _	08/13/2009
Comments:							
Signature of C			Ke	A Coen, Cha		u	,
Date Referred	I to Citizen's Revie	w Committee:	9/	9/2009			
Approved:	<u> </u>	Disapproved:				Date: _	09/09/2009
Comments:							
Signature of C	Chairman:	<u>Albert He</u> u	The second second	Dehn Rente	er		
Date Referred	I to City Council:	9/22/09					
Approved:	<u></u>	Disapproved:				Date: _	09/22/2009
Comments:							
- Signature of M	layor:			Margaret Horn	ady		

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Page 4

RESOLUTION 2009-240

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 22, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ¤ _____ September 16, 2009 ¤ City Attorney



Tuesday, September 22, 2009 Council Session

Item J1

Approving Payment of Claims for the Period of September 9, 2009 through September 22, 2009

The Claims for the period of September 9, 2009 through September 22, 2009 for a total amount of \$4,442,570.48. A MOTION is in order.

Staff Contact: Mary Lou Brown



Tuesday, September 22, 2009 Council Session

Item J2

Approving Payment of Claims for the Period of September 9, 2009 through September 22, 2009 for Veterans Athletic Field Complex

The Claims for the Veterans Athletic Field Complex for the period of September 9, 2009 through September 22, 2009 for the following requisitions.

#3 \$2,100.00

A MOTION is in order.

Staff Contact: Mary Lou Brown

FORM OF REQUISITION

REQUISITION NO. 3

Wells Fargo Bank, National Association, as Escrow Agent ("Agent") under the Escrow Agreement, dated as of June 29, 2009 (the "Agreement"), between the City of Grand Island, NE as Owner ("Owner"), and Agent is hereby requested to disburse from the Escrow Fund created by the Agreement to the person, firm or corporation designated below as Payee the sum set forth below such designation, in payment of the cost of the Project or portion thereof constructed, equipped or installed

1111 Lincoln Mall PO Box 84608 Lincoln, NE 68501-4608

Address

Cost of Issuance or Project **Description**

Olsson Associates

Pavee

The undersigned hereby certifies that:

(a) The amount requested for payment is for payment or reimbursement for a cost or costs of said Project, has not formed the basis of a previous request for payment and is now due and owing;

\$2,100.00

A bill or bills or other evidence of each obligation of Lessee is **(b)** attached herewith; and

Owner will indemnify and hold Agent harmless from and against (c) all claims, losses and damages, including legal fees and expenses that may be incurred in connection with the disbursement requested hereby.

Be Paid

Amount To

Geotechnical /drilling services

In the event that the Payee named on this Requisition is a person, firm or corporation to which reimbursement is due for payment previously paid by such person, firm or corporation for the cost of the Project or portion thereof, written evidence of such prior payment and the amount thereof is also attached to this Requisition.

Executed this <u>22</u> day of <u>leptember</u> 20<u>09</u>

CITY OF GRAND ISLAND, NEBRASKA, as Owner

By Owner Representative

	Amount	750.00 2,100.00					
Page 69	Check#	00	2,850.00	·			
	<u>PO#</u> WO#	20924	40044450 Org Total				
	<u>Invoice</u>	563942-WF 132580					
<u>Schedule of Bills</u>	Description	DS-VETS HOME E I Account set up fee at wells fargo soil bores and lab analysis					
Council Meeting September 08, 2009 Vendor	i <u>ect</u> Name/Nur PARKS &	90122 SOCCER/BBALL FIELDS-VETS HOME 1 36 CITY OF GRAND ISLAND FINANCE I account set up fee at wells fargo 1 190 OLSSON ASSOCIATES INC soll bores and lab analysis					

Invoice



1111 Lincoln Mall PO Box 84608 Lincoln, NE 68501-4608 Tel 402.474.6311, Fax 402.474.5160

September 2, 2009 Invoice No: 132580

Steve Paustian Parks and Recreation Director City of Grand Island NE 100 E First St PO Box 1968 Grand Island, NE 68802-1968

OA Project No. 009-1423 GI Phase 1 Sports Complex Professional services rendered through August 8, 2009

Phase 300 Geotechnical Investigations

PO#20924

Services this period includes geotechnical/drilling services.

Fee

		Percent	Billed	Previous	Current
Billing Phase	Fee	Complete	To Date	Billing	Billing
Geotech/Drilling	3,350.00	62.69	2,100.00	0.00	2,100.00
Subtotal	3,350.00		2,100.00	0.00	2,100.00
	Subto	tal			2,100.00

Vanchard

00.00
L

AMOUNT DUE THIS INVOICE \$2,100.00

Authorized By: Terry Brown

Partial Payment

Y WAXWARWE ??		-	
20 #	20924	n an	
Vendor#	190		1997 - 1997 - 1999 - 1999 - 1999
hivoice#	132580		-
Description	Soil Bores +	Lab Analysis	•
Approved by	The Design of the Association of	9/3/09	h hais er Tir his an krammer
Org-obj#		[- trotest	17.22 (a.a.b);
4004445	50-90122	2,100.00	



Tuesday, September 22, 2009 Council Session

Item J3

Approving Payment of Claims for the Period of August 12, 2009 through September 22, 2009 for the State Fair Recreation Building

The Claims for the Recreational Building for the following requisitions.

#3 \$4,000.00

A MOTION is in order. Staff Contact: Mary Lou Brown

Exhibit A to Escrow Agreement

(FORM OF PAYMENT REQUEST)

Payment Request No. ___003___

The City of Grand Island, Nebraska, as lessee (the "Lessee") under that Lease-Purchase Agreement dated as of July 1, 2009 (the "Lease") between Lessee and Wells Fargo Brokerage Services, LLC, (the "Lessor"), hereby requests Wells Fargo Bank, National Association, as escrow agent (the "Escrow Agent") under the Escrow Agreement dated as of July 1, 2009 (the "Escrow Agreement") among the Escrow Agent, the Lessor and the Lessee, to make payment from the Escrow Fund (as defined in the Escrow Agreement) to the following party or parties, at the addresses set forth below:

Payee

Hendricksen Appraisal Company 3312 West Capital Avenue, Suite I Grand Island, NE

Address

Amount To Be Paid

\$4,000.00

Cost of Issuance or Project Description

Real Property Appraisal Services for the State Fair Pavilion

In connection therewith, the undersigned officer of the Lessee hereby certifies as follows:

1. All of the provisions of the Lease and the Escrow Agreement are incorporated herein by reference and capitalized terms used herein and not defined shall have the meanings assigned to them in the Loan Agreement and the Escrow Agreement.

2. The payments to be made to the payees set forth above are for costs of construction and/or acquisition of the Project (as defined in the Escrow Agreement) described above, or reimbursement to Lessee therefor, and the payments have not been the basis for a prior request which has been paid. Any amounts to be reimbursed to the Lessee are for advances made by the Lessee from its own funds not earlier than May 1, 2009.

3. All of Lessee's representations, covenants and warranties contained in the Lease and the Certificate with Respect to Tax Matters (the "Tax Certificate") were true and accurate in all material respects as of the date made, and remain true and accurate in all material respects as of the date of this Payment Request, and the Lessee has fully and satisfactorily performed all of its covenants, representations and obligations to date required under the Lease, the Escrow Agreement and the Tax Certificate. No Default Event has occurred under the Lease.

4. The Lessee understands that the Lessor is relying on the certifications herein with regard to and in connection with approving the disbursement requested hereby.

5. Please indicate if this Payment Request relates to the final disbursement from the Escrow Fund: __Yes_X_No.

If this Payment Request relates to the final disbursement from the Escrow Fund, the Lessee and the Lessor hereby instruct Escrow Agent to disburse to Lessor the remaining moneys held in the Escrow Fund to be applied to make a partial prepayment on the Rental Payments as set forth in the Lease.

6. Please indicate if this Payment Request reimburses Lessee for any payment or payments previously made by Lessee: Yes X No.

If this Payment Request requests such a reimbursement, the payment or payments for any obligations originally paid by Lessee, for federal income tax purposes, was after May 1, 2009.

7. Lessee attaches hereto the following items:

(a) invoices and/or bills of sale and/or contractor's payment certifications relating to the Project and, if such invoices have been paid by Lessee, evidence of payment thereof;

(b) an *insurance certificate* showing coverages as required by the Lease if such insurance certificate has not been previously provided by Lessee to the Lessor.

LESSEE:

THE CITY OF GRAND ISLAND, NEBRASKA

By: Title: Date: stember

REQUEST APPROVED BY WELLS FARGO BANK, NATIONAL ASSOCAITION (Grand Island Branch, as assignee)

2.

Authorized Officer

Attachments: 1.

Invoices/Certificates for Payment Insurance Certificate (if not previously provided)

HENDRICKSEN APPRAISAL COMPANY

REAL PROPERTY APPRAISAL PROFESSIONALS SPECIALIZING IN • Commercial • Industrial • Unique & Special Use • Development Land • Real Estate Investments •

INVOICE

Payable within ten business days of invoice date.

Federal Employee Identification Number: 26-0186945

(Please contact me if Form W-9 is required)

Date: September 8, 2009

To: Mr. Jeff Pederson Grand Island City Administrator 100 East 1st Street Grand Island, NE 68801

Real Property Appraisal Services State Fair Pavilion

\$4,000.00

Thanks for the opportunity to be of service and if you have any questions or need additional information, do not hesitate to give me a call.

Thanks again.

Sincerely

Robin Hendricksen Nebraska GC: 920625

Thanks, Jeff.



Tuesday, September 22, 2009 Council Session

Item X1

Update Concerning IBEW Union Negotiations

The City Council may vote to go into Executive Session as required by State law to discuss IBEW Union negotiations.

Staff Contact: Dale Shotkoski