
City of Grand Island



Tuesday, April 14, 2015
Council Session Packet

City Council:

Linna Dee Donaldson
Michelle Fitzke
Chuck Haase
Julie Hehnke
Jeremy Jones
Vaughn Minton
Mitchell Nickerson
Mike Paulick
Roger Steele
Mark Stelk

Mayor:

Jeremy L. Jensen

City Administrator:

Marlan Ferguson

City Clerk:

RaNae Edwards

7:00 PM
Council Chambers - City Hall
100 East 1st 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 - Bishop Jared Noorlander, Church of Jesus Christ of Latter-day Saints, 212 West 22nd Street

Pledge of Allegiance

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item C-1

Recognition of Grand Island Central Catholic/Grand Island Senior High Matt Novinski - State Champion Swimming – 100 Yard Backstroke and Coach Brian Jensen

The Mayor and City Council will recognize Matt Novinski from Grand Island Central Catholic - Islander Swim Team and his Coach Brian Jensen for the State Championship in Swimming - 100 Meter Backstroke. Matt won the state championship title in the 100-yard backstroke on Saturday, February 28, 2015 during the NSAA State Swimming and Diving Championships at the Bob Devaney Sports Center in Lincoln. He also broke the state record.

Coach Brian Jensen was given the coaches association's boys coach of the year award following the conclusion of the meet.

Congratulations Matt and Coach Jensen on a job well done.

Staff Contact: Mayor Jeremy Jensen



Certificate of Recognition

Awarded to

“Matt Novinski”

Grand Island Central Catholic – Islander Swim Team
State Championship in Swimming – 100 Meter Backstroke.




Mayor Jeremy L. Jensen


City Clerk RaNae Edwards



Certificate of Recognition

Awarded to

“Coach Brian Jensen”

Islander Swim Team Coach
Coaches Association’s Boys Coach of the Year.




Mayor Jeremy L. Jensen


City Clerk RaNaë Edwards



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item C-2

Recognition of Grand Island Senior High Billy Thompson and Edgar Silva - Class "A" State Wrestling Champions and Coach Joey Morrison

The Mayor and City Council will recognize Grand Island Senior High students Billy Thompson and Edgar Silva for the Class "A" State Wrestling Championships on February 21, 2015 in Omaha, along with their Coach Joey Morrison.

Billy Thompson won the Class "A" 170 lb State Championship with all four matches by pin. Billy was unbeaten against Nebraska opponents this year and tied the senior single season pin record. He is a four-time state qualifier and two-time state medalist for the Islanders.

Edgar Silva won the Class "A" 195 lb State Championship. He was unbeaten against Nebraska competition this season. Edgar is a three-time state qualifier, three-time medalist, and a two time-finalist.

Congratulations Billy, Edgar and Coach Morrison on a job well done.

Staff Contact: Mayor Jeremy Jensen



Certificate of Recognition

Awarded to

“Billy Thompson”

Grand Island Senior High School Wrestling
State Championship Class “A” 170 lb.




Mayor Jeremy L. Jensen


City Clerk RaNae Edwards



Certificate of Recognition

Awarded to

“Edgar Silva”

Grand Island Senior High School Wrestling
State Championship Class “A” 195 lb.


Mayor Jeremy L. Jensen




City Clerk RaNae Edwards



Certificate of Recognition

Awarded to

“Coach Joey Morrison”

Grand Island Senior High School Wrestling Coach
State Championship Class “A” Wrestling.


Mayor Jeremy L. Jensen




City Clerk RaNae Edwards



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item C-3

Recognition of Grand Island Central Catholic High School Girls Dance Team State Championship in Hip Hop Dance and Jazz Dance

The Mayor and City Council will recognize the following Grand Island Central Catholic Dance Team members and their coach for the State Championship in Hip Hop Dance and Jazz Dance: Regan Dimmitt, Kennedy Martinez, Megan Wardyn, Jenny Sindt, Emily Harders, Ali Nowicki, Brynn Sealock and Coach Erin Neuhaus.

The Grand Island Central Catholic dance team performed at the Nebraska State Cheer & Dance Competition at the Heartland Events Center on February 21, 2015. They competed in two categories in class C1-jazz and hip hop. They won the state title in both of these categories and were the all-class high score in hip hop. This talented group of young women practice 3 times a week during the summer and also attend a summer dance camp at UNL. They also practice and perform throughout the year at football, volleyball and basketball games. Their hard work and dedication really shines through at state.

Congratulations on a job well done.

Staff Contact: Mayor Jeremy Jensen



Certificate of Recognition

Awarded to

“Regan Dimmitt”

Grand Island Central Catholic Girls Dance Team
State Championship in Class C-1 Hip Hop and Jazz Dance


Mayor Jeremy L. Jensen




City Clerk RaNaë Edwards



Certificate of Recognition

Awarded to

“Kennedy Martinez”

Grand Island Central Catholic Girls Dance Team
State Championship in Class C-1 Hip Hop and Jazz Dance


Mayor Jeremy L. Jensen




City Clerk RaNae Edwards



Certificate of Recognition

Awarded to

“Megan Wardyn”

Grand Island Central Catholic Girls Dance Team
State Championship in Class C-1 Hip Hop and Jazz Dance




Mayor Jeremy L. Jensen


City Clerk RaNae Edwards



Certificate of Recognition

Awarded to

“Jenny Sindt”

Grand Island Central Catholic Girls Dance Team
State Championship in Class C-1 Hip Hop and Jazz Dance


Mayor Jeremy D. Jensen




City Clerk RaNaë Edwards



Certificate of Recognition

Awarded to

“Emily Harders”

Grand Island Central Catholic Girls Dance Team
State Championship in Class C-1 Hip Hop and Jazz Dance


Mayor Jeremy L. Jensen




City Clerk RaNaë Edwards

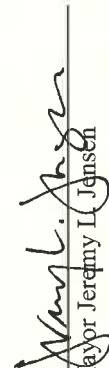


Certificate of Recognition

Awarded to

“Ali Nowicki”

Grand Island Central Catholic Girls Dance Team
State Championship in Class C-1 Hip Hop and Jazz Dance


Mayor Jeremy L. Jensen




City Clerk RaNaee Edwards



Certificate of Recognition

Awarded to

“Brynn Sealock”

Grand Island Central Catholic Girls Dance Team
State Championship in Class C-1 Hip Hop and Jazz Dance


Mayor Jeremy U. Jensen




City Clerk RaNae Edwards



Certificate of Recognition

Awarded to

“Coach Erin Neuhaus”

Grand Island Central Catholic Girls Dance Team
State Championship in Class C-1 Hip Hop and Jazz Dance


Mayor Jeremy L. Jensen




City Clerk RaNae Edwards



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item C-4

Presentation by the Nebraska State Fair

Executive Director Joseph McDermott will give an update of the Nebraska State Fair.

Staff Contact: Mayor Jeremy Jensen



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item E-1

**Public Hearing on Request from Jarhead, Inc. dba Texas T-Bone,
1201 South Locust Street for a Class “C” Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: April 14, 2015

Subject: Public Hearing on Request from Jarhead, Inc. dba Texas T-Bone, 1201 South Locust Street for a Class “C” Liquor License

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

Presenter(s): RaNae Edwards, City Clerk

Background

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

Declared Legislative Intent

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

Discussion

Jarhead, Inc. dba Texas T-Bone, 1201 South Locust Street has submitted an application for a Class “C” Liquor License. A Class “C” Liquor License allows for the sale of alcohol on and off sale inside the corporate limits of the city.

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

Also submitted with the application was a request from Jesus Lopez-Ramirez, 328 South Plum Street for a Liquor Manager Designation.

Alternatives

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

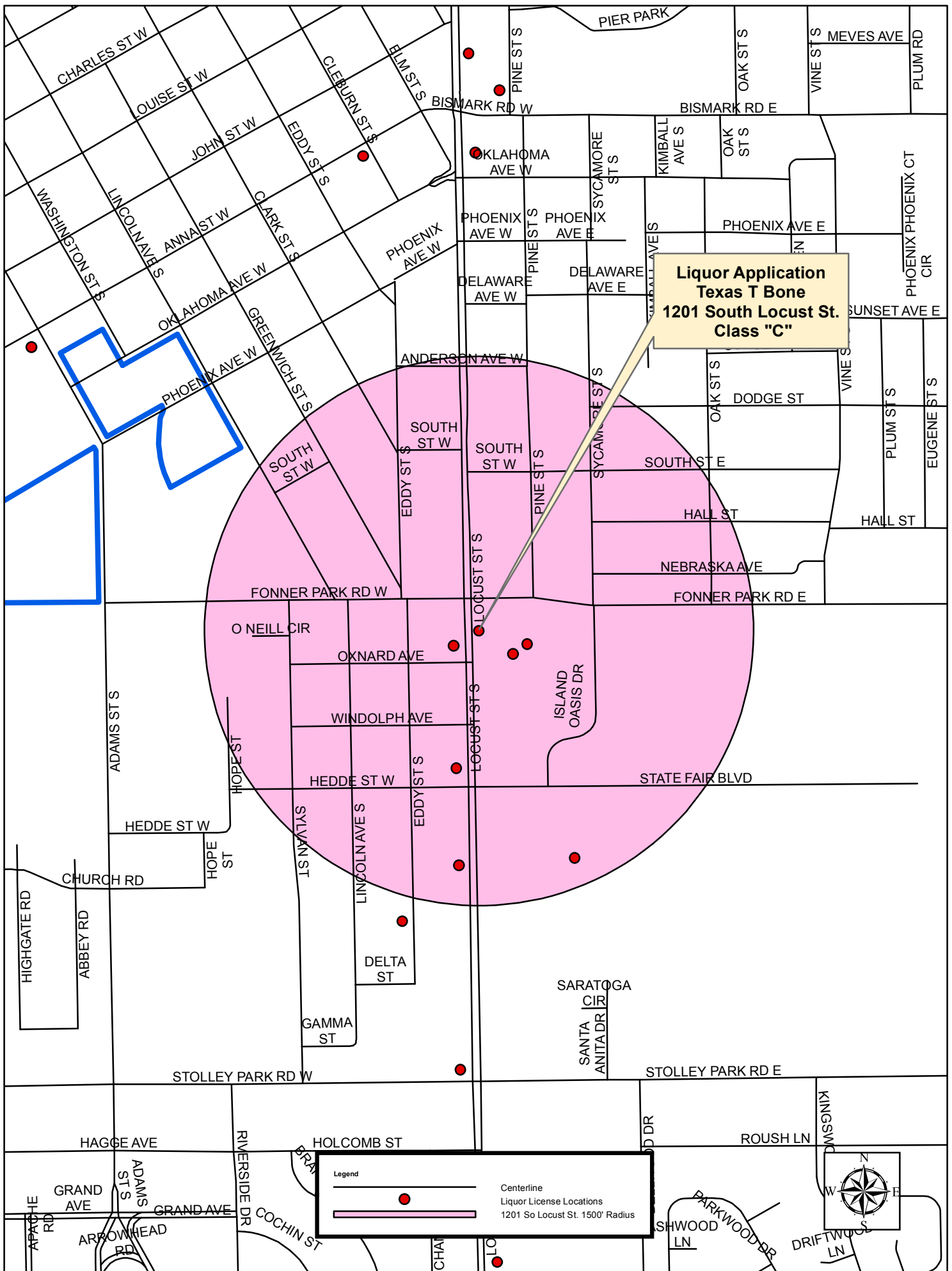
1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

Recommendation

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

Sample Motion

Move to approve the application for Jarhead, Inc. dba Texas T-Bone, 1201 South Locust Street for a Class "C" Liquor License contingent upon final inspections and Manager Designation for Jesus Lopez-Ramirez, 328 South Plum Street contingent upon completion of a state approved alcohol server/seller training program.



04/09/15
10:56

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 1

City : Grand Island
Occurred after : 09:00:00 03/23/2015
Occurred before : 09:00:00 03/23/2015
When reported : 09:00:00 03/23/2015
Date disposition declared : 03/24/2015
Incident number : L15032221
Primary incident number :
Incident nature : Liquor Lic Inv Liquor Lic Inv
Incident address : 1201 Locust St S
State abbreviation : NE
ZIP Code : 68801
Contact or caller :
Complainant name number :
Area location code : PCID Police - CID
Received by : Vitera D
How received : O Officer Report
Agency code : GIPD GIPD Grand Island Police Dept
Responsible officer : Vitera D
Offense as Taken :
Offense as Observed : AOFF AOFF Alcohol Offense
Disposition : ACT Active
Misc. number : RaNae
Geobase address ID :
Long-term call ID :
Clearance Code : CL CL Case Closed
Judicial Status :
=====

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	24877	03/23/15	Chamness, Peggy I	Mentioned
NM	39716	03/23/15	Lopez-Ramirez, Jesus A	Owner/Manager
NM	67875	03/23/15	Chamness, Anthony Bennett	Mentioned
NM	69972	03/23/15	Texas T-Bone,	Business
Involved				
NM	185161	03/23/15	Lopez, Abbigal L	Jesus' Wife

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT21	LT21 Restaurant	

IMAGE CODES FOR INCIDENT:

Seq	Imag	Image code for a users description field
1	DOC	DOCUMENT Mobile Report

LAW INCIDENT NARRATIVE:

Liquor License Investigation

Grand Island Police Department

I Received a Copy of a New Class C (beer, wine, distilled spirits, on and off sale) Retail Corporate Liquor License and Manager Application from Jesus Lopez-Ramirez for Texas T-Bone.

LAW INCIDENT OFFENSES DETAIL:

Se	Offe	Offense code	Arson Dama
1	AOFF	AOFF Alcohol Offense	0.00

LAW INCIDENT RESPONDERS DETAIL:

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

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	13:26:36 03/24/2015

Grand Island Police Department Supplemental Report

Date, Time: Tue Mar 24 13:26:49 CDT 2015
Reporting Officer: Vitera
Unit- CID

I received a copy of a new Class C Retail Corporate Liquor License for Texas T-Bone from Jesus Lopez-Ramirez. Texas T-Bone already had a liquor license. It appears that Antheny "Bennett" Chamness has reached a deal with Jesus Lopez-Ramirez to buy into the corporation and manage the restaurant. According to the application, Bennett and his wife Peggy own 80% of the corporation, and Jesus and his wife Abigal own 20%. From searching liquor licenses on the Nebraska Liquor Control Commission's (NLCC) Web site, it also appears that Bennett Chamness is opening and managing a Texas T-Bone in Lincoln.

I searched up Jesus in Spillman and found that he had a few miscellaneous contacts where he was listed as a victim, witness, or reporting party. I also found where he was arrested for DUI in 2003. He then had quite a few contacts in 2009 while he was "managing" a bar on 3rd Street called Senor Lucky's. His girlfriend (now his wife-Abbigal Meyer) owned the bar. My investigation into that liquor license is dated 6/5/09. On the original application, Abbigal was listed as the manager. The liquor license was issued on 7/16/09, and it was cancelled on 5/9/10 for not operating

continuously for thirty days or not operating for sixty total days during the license year. According to City Clerk RaNae Edwards, the bar ceased to operate sometime in January 2010 which means the bar was only open for about six months.

While Jesus was "managing" the bar, the police department responded to some fairly serious incidents. On 9/20/09, an assault victim received a disfiguring cut to the face after being hit with a beer bottle. On 11/23/09, Jesus was cited at Senor Lucky's for selling alcohol to a minor who was listed in Spillman as a gang member. Law enforcement then had contact with Jesus at Senor Lucky's on the night of 12/11 and the morning of 12/12/09 for two separate incidents. A third incident on 12/12/09 originated in Senor Lucky's and spilled out onto the street where two gang members were arrested for obstruction and resisting arrest. One of the other incidents consisted of Jesus reporting that a customer held a gun to his face while he was telling the customer to leave. While investigating that, officers observed several minors leaving the bar after 9:00 PM who were not accompanied by a parent. Jesus was referred for prosecution on that charge.

I checked Jesus through NCJIS and found that he was convicted in Nebraska of the following charges: DDS on 1/11/96, speeding on 2/4/98, expired in-transit on 5/29/98, hunting or fishing without a license on 8/21/00, stop sign violation on 9/18/00, DUI on 8/25/03, allowing an unlicensed driver to drive on 1/6/05, and speeding on 2/8/09. Jesus only disclosed on the application that he was convicted of DUI.

I also checked on Bennett and Peggy Chamness through Spillman and NCJIS. Bennett has some entries in Spillman but nothing to indicate any criminal activity on his part. Bennett has no convictions listed in NCJIS. Peggy has a citation listed in Spillman. The speeding incident in Spillman was located as a conviction in NCJIS. She also has one additional speeding conviction listed in NCJIS. Abbigal Lopez has no information in Spillman indicating any criminal activity on her part and no convictions listed in NCJIS.

I checked all the applicants through a paid law enforcement-only data base and didn't find anything on Bennett, Peggy, and Abbigal that would be considered detrimental to the application. However, I found that Jesus had five civil judgments against him in Hall County: 1) 6/16/00- General Collections was seeking \$42. 2) 4/12/11- Capital One was seeking \$993. 3) 11/4/11- Credit Management was seeking \$751. 4) 1/4/12- Credit Management was seeking \$4,082. 5) 2/4/12- Portfolio Recovery Associates was seeking \$1,050. I called the Hall County Court and found that all judgments have been paid in full.

On 4/3/15, NSP Investigator Dan Fiala and I met with Bennett and Peggy Chamness and Jesus "Ray" Lopez-Ramirez. Investigator Fiala went over a checklist of questions, and then I asked Ray about his management experience at Senor Lucky's and his failure to disclose all of his criminal convictions. As far as Senor Lucky's is concerned, Ray said he hired security, and the problems slowed way down after that. I pointed out to him that some of the contacts the police department had with his customers turned out the customers were documented gang members. Ray said

he grew up on the east side of town and a lot of his friends and acquaintances were gang members, but he didn't do some of the negative things associated with gang members. Bennett then vouched for Ray and said that Ray has been working for him off and on since he was sixteen years old. Bennett said that Ray has a good work ethic. I told Ray that he must have been able to somewhat separate himself from the gangs since his criminal record is fairly clean.

Ray plead ignorance on not disclosing all of his criminal convictions. I read the question on the application to him where it asked for his criminal convictions. It is very clear and unambiguous. When specifically asked about his DDS conviction, Ray's response was that he didn't know how his license could be suspended when he never had a license in the first place. He said he was in the Country illegally at the time and couldn't get a driver's license.

Bennett went on to say that he runs a respectable business, and he has wording in his agreement with Ray buying into the corporation that allows Bennett to sever his financial relationship with Ray if Ray isn't conducting business accordingly. Bennett also pointed out some information on his food and drink menu that says they have a four drink maximum per person per visit.

All in all, Jesus "Ray" Lopez-Ramirez has been working and/or managing at Texas T-Bone for several years, and there have been very few problems which required assistance from law enforcement personnel. Antheny "Bennett" Chamness and Peggy Chamness have also been involved with Texas T-Bone since its inception and seem to run a very good business. With continued involvement and oversight by the Chamness', the Grand Island Police Department has no objection to the new liquor license or to Ray Lopez-Ramirez becoming the liquor manager.



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item E-2

Public Hearing on Adoption of Amendments to Chapter 36 of the Grand Island City Code Relative to Zoning Regulations

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: April 14, 2015

Subject: Amendments to Chapter 36 (Zoning) Changed to §36-8 (F) §36-8 (G), Definitions, and §36-43 Zoning Districts and Appendix A Zoning Matrix

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

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

Background

Concerning proposed amendments to Chapter 36 of the Grand Island City Code (Zoning) in the following area: §36-8 (F) and §36-8 (G) Definition and §36-43 – Zoning Districts and Appendix A Zoning Matrix. (C-13-2015All)

PROPOSAL:

During the past several months the planning commission has been discussing potential changes to the zoning regulations pertaining to Group Homes within Hall County. The changes were proposed in response to a complaint filed by the Nebraska Equal Opportunity commission against the City of Grand Island and Hall County. The NEOC has reviewed the proposed changes and indicated that they feel these changes as proposed would address their concerns.

Based on prior discussion of this matter and the review by the NEOC the Planning Commission is being asked to consider and make a recommendation to Grand Island, Wood River, Alda, Doniphan, Cairo and Hall County regarding the attached proposed changes.

Changes not associated with Group Homes include changing Guest Room to Guest Building and specifying within the text of Grand Island Zoning Ordinance that the extraterritorial jurisdiction is two miles from the City Limits as shown on the approved zoning map.

OVERVIEW:

Changes to the Definition of Family

Current Definition:

Family shall mean a household head and one or more persons related to the head by blood, marriage or adoption living together in a single dwelling unit.

Proposed Definition:

Group Home shall mean a household head and one or more persons related to the head by blood, marriage, adoption, guardianship or duly authorized custodial relationship living together in a single dwelling, or no more than five (5) unrelated persons living together in a single dwelling.

Addition of a Definition of Group Home with classifications based on size

Group Home shall include both Group Care Home and Group Home for the Disabled. Group homes shall be classified by size as follows:

Group Home (Small) shall mean a home designed to accommodate no more than 5 persons and shall be allowed in all zoning districts that permit dwelling units in the same manner as other dwelling units. These homes shall be built to no less than an R3 residential standard as defined by the International Building Code.

Group Home (Medium) shall mean a facility designed to house between 6 and 16 persons and shall require a conditional use permit in the LLR, R1, R2, R3 and R4 Districts and permitted in the RO, B1, B2, B3 and M3 zoning districts. These facilities shall be built to no less than an R4 residential standard as defined by the International Building Code.

Group Home (Large) shall mean a facility designed to house more than 16 persons and shall be permitted in the RO, B1, B2, B3, and M3 zoning districts. These facilities shall be built to an Institutional standard as defined by the International Building Code

No Change to the following definitions:

Group Care Home shall mean a home which is operated under the auspices of an organization which is responsible for providing social services, administration, direction, and control for the home which is designed to provide twenty-four hour care for individuals in a residential setting.

Group Home for the Disabled shall mean a dwelling with resident staff shared by four or more handicapped persons who live together as a single housekeeping unit and in a long term, family-like environment in which staff persons provide care, education,

and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential. As used herein, the term "disabled" shall mean having:

(A) A physical or mental impairment that substantially limits one or more of such person's major life activities so that such person is incapable of living independently;

(B) A record of having such an impairment; or

(C) Being regarded as having such impairment.

Handicap shall not include current, illegal use of or addiction to a controlled substance as defined in state statutes.

Current Definition:

~~**Guest Room** shall mean a room which is designed to be occupied by one (1) or more guests for sleeping purposes, having no kitchen facilities, not including dormitories.~~

Guest Building shall mean an accessory building which is designed to be occupied by one (1) or more guests for sleeping purposes, having no kitchen facilities, not including dormitories.

Proposed Changes to §36-43

36-43. Zoning Districts

In order to regulate and restrict the height, location, size and type of buildings, structures and uses allowed on land in the City and the area within ~~one mile~~ **two miles** of the corporate boundaries, the City is hereby divided into zoning districts.

Proposed changes to the Zoning Matrix. The Zoning Matrix is an appendix to Chapter 36 that gives detailed information about which uses are permitted in each zoning district. The following changes as attached are proposed with the changes to the zoning definitions detailed above.

Discussion

At the regular meeting of the Regional Planning Commission, held April 1, 2015 the above item was considered following a public hearing.

O'Neill opened the Public Hearing.

Nabity review the changes Chapter 36 Concerning proposed amendments to Chapter 36 of the Grand Island City Code (Zoning) in the following area: §36-8 (F) and §36-8 (G) Definition and §36-43 – Zoning Districts and Appendix A Zoning Matrix.

O'Neill closed the Public Hearing.

A motion was made by Haskins and seconded by Robb to approve the rezone as presented.

A roll call vote was taken and the motion passed with 10 members present and 10 voting in favor (O'Neill, Connick, Huisman, Bredthauer, Ruge, Maurer, Robb, Heckman, Haskins, and Kjar) and no one abstaining.

The memo sent to the planning commission with staff recommendation is attached for review by Council.

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 a future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the proposed changes as recommended.

Sample Motion

Move to approve the proposed changes to Chapter 36 as recommended and shown in Ordinance No. 9534.

GRAND ISLAND LAND USE MATRIX

Addendum "A"

Chapter 36

Grand Island City Code

Land Use Categories	AG-1	AG-2	AG-SC	AG-SE	AG-SI	SRC	TA	LLR	R-1	R-2	R-3	R-4	RO	RD	B-1	B-2	AC	B-3	CD	TD	ME	M-1	M-2	M-3
B																								
Boarding & rooming houses											C	P	P		P	P		P						P
C																								
Convents								P	P	P	P	P	P	P	P	P	P							
D																								
Day care centers							C	C	C	C	C	P	P	C	P	P	P	P	P				C	P
Dude ranches	C	C					C																	
Dwelling, elderly								P																
Dwelling, in nonresidential structure																								
Dwelling, mobile home not on permanent foundation																								
Dwelling, mobile home on permanent foundation																								
Dwelling, multi-family								P	P	P	P	P	P	P	P	P	P	P						P
Dwelling, single-family	P	P					P	P	P	P	P	P	P	P	P	P	P	P						P
Dwelling, seasonal																								
Dwelling, two-family								P	P	P	P	P	P	P	P	P	P	P						P
E																								
Fraternity & sorority houses												P	P	C	P	P	P	P						
G																								
Group care home								C	C	C	C	P	P	C		P	P	P						
Group Home-(Small)								P	P	P	P	P	P	P	P	P	P	P						P
Group Home-(Medium)									C	C	C	C	P	P	C	P	P	P						P
Group Home-(Large)													P	P	C	P	P	P						P
H																								
Hotels, tourist courts, & motels																P	P	P	P	P		C	C	P
M																								
Mobile home parks																								
Manufactured homes on permanent foundation	P	P					P	P	P	P	P	P	P	P	P	P	P	P						P
N																								
Nursing, convalescent & rest home services											C	C	P	C	P	P	P	P	C					
O																								
Orphanages										C	C	P	P		P	P		P						
P																								
Private Prisons					C																		C	
R																								
Rectories								P	P	P	P	P	P	P	P	P	P							
Religious camps & retreats	C	C				C	C	C																
Resorts (general)	C	C					C	C								P	P	P					C	
Rest, nursing, & convalescent home services											C	C	P	C	P	P	P	P	C					
Retirement homes											C	C	P	C	P	P	P	P	C					
Rooming & boarding houses											C	P	P	C	P	P	P	P						P
S																								
Sorority & fraternity houses												P	P	C	P	P	P	P						

P = Permitted Use

C = Conditional Use

1 of 21



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item E-3

Public Hearing on Adoption of the Grand Island Zoning Map

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: April 14, 2015

Subject: Re-adoption City of Grand Island Zoning Map (C-10-2015GI)

Item #'s: E-3 & G-17

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

Background

Concerning the re-adoption of the City of Grand Island Zoning Map, as produced using the Hall County Geographic Information System as the official zoning map for the City of Grand Island.

Discussion

At the regular meeting of the Regional Planning Commission, held April 1, 2015, the above item was considered following a public hearing.

On February 14, 2012 the Grand Island City Council approved using a map produced from the Hall County GIS as the official zoning map for the City of Grand Island based on the 2004 Comprehensive Plan for the City of Grand Island with all changes to the map as approved through January 31, 2012. As a matter of course, the City of Grand Island occasionally re-adopts the zoning map incorporating all changes since the last re-adoption of the entire map along with other changes as recommended by staff and the Hall County Regional Planning Commission. This will allow a newly revised and adopted copy of the map to be printed for official use by Council, staff and the general public. This hearing is being held for that purpose. This map will also serve to give notice to all parties, that the Grand Island City limits and 2 mile extraterritorial jurisdiction is as shown on the map.

Following some discussion a motion was made by Ruge and seconded by Huismann, to recommend the approval of the above Re-adoption of the Zoning Map for the City of Grand Island as presented. The motion carried with 9 members present and 9 voting in favor (Maurer, Huismann, Heckman, Bredthauer, O'Neill, Ruge, Kjar, Haskins and Connick) and no member present abstaining.

BACKGROUND:

The following chart shows the changes that have been approved by the Regional Planning Commission and the Grand Island City Council since January 31, 2012 including proposed changes through March 31, 2015.

Id	ORD	Change	Legal	Case	File date
1	9515	CD to CD Amended	2228 N Webb Rd	C-01-2015GI	1/13/2015
2	9517	M1 to M2	4413 US Hwy 30 & 4430 Capital Ave	C-02-2015GI	1/27/2015
3	9518	TA to B2	SW ¼ of the SW ¼ of 29-11-09	C-04-2015GI	1/27/2015
4	9462	R1 to RD	309 Shady Bend Circle	C-28-2013GI	12/3/2013
5	9452	CD to CD Revised	2012 N Webb Rd	C-22-2013GI	9/24/2013
6	9430	RD TO RD Revised	3721 W Capital Ave	C-13-2013GI	5/28/2013
7	9425	LLR to B2	3536 S Locust St	C-10-2013GI	4/23/2013
8	9423	R1 to R2	W ½ NE 22-11-9	C-09-2013GI	3/26/2013
9	9403	R2 to RD	2430, 2522 Stolley Park & 2433, 2425 Del Mar Ave	C-27-2012GI	10/9/2012
10	9394	RO to RD	3721 W Capital	C-24-2012GI	8/28/2012
11	9388	LLR to R1	4223 Shanna Ave	C-17-2012GI	6/26/2012
12	9383	R1 to R2	Woodland Park 13th	C-15-2012GI	5/22/2012
13	9382	R1 to R2	Woodland Park 12 th	C-14-2012GI	5/22/2012
14	9338	RD to R4	1115, 1116 Cedar Ridge Ct	C-06-2012Gi	10/25/2011
15	9528	CD to CD Amended	3412 W State St	C-07-2015GI	3/24/2015
16	9529	RD & R1 to RD	3721 W Capital Ave	C-08-2015GI	3/24/2015

The changes shown on this chart are represented on the new version of the Grand Island Zoning map. A map delineating the location of these changes is attached.

ANNEXATIONS

The following areas approved for annexation by the Grand Island City Council between January 31, 2012 and March 31, 2015. See Attached Map

Id	Ordinance	Legal	Effective Date
1	9363	Pt. NW 1/4, Sec. 33-11-09	4/3/2012
2	9444	Pt. of Sec. 21-11-09	10/15/2013

No changes to the Grand Island Extraterritorial Jurisdiction were made due to these annexations.

Alternatives

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

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date

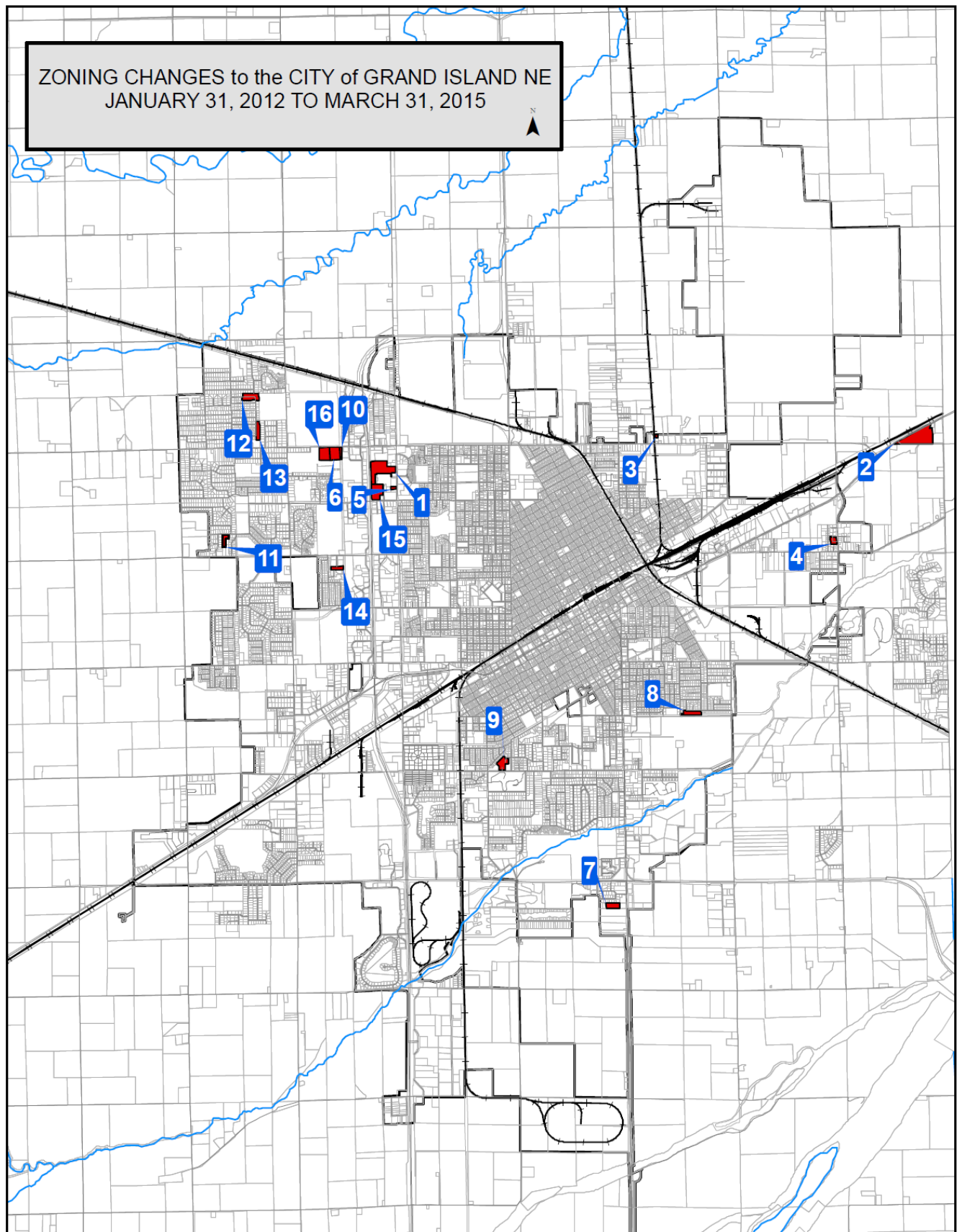
4. Take no action on the issue

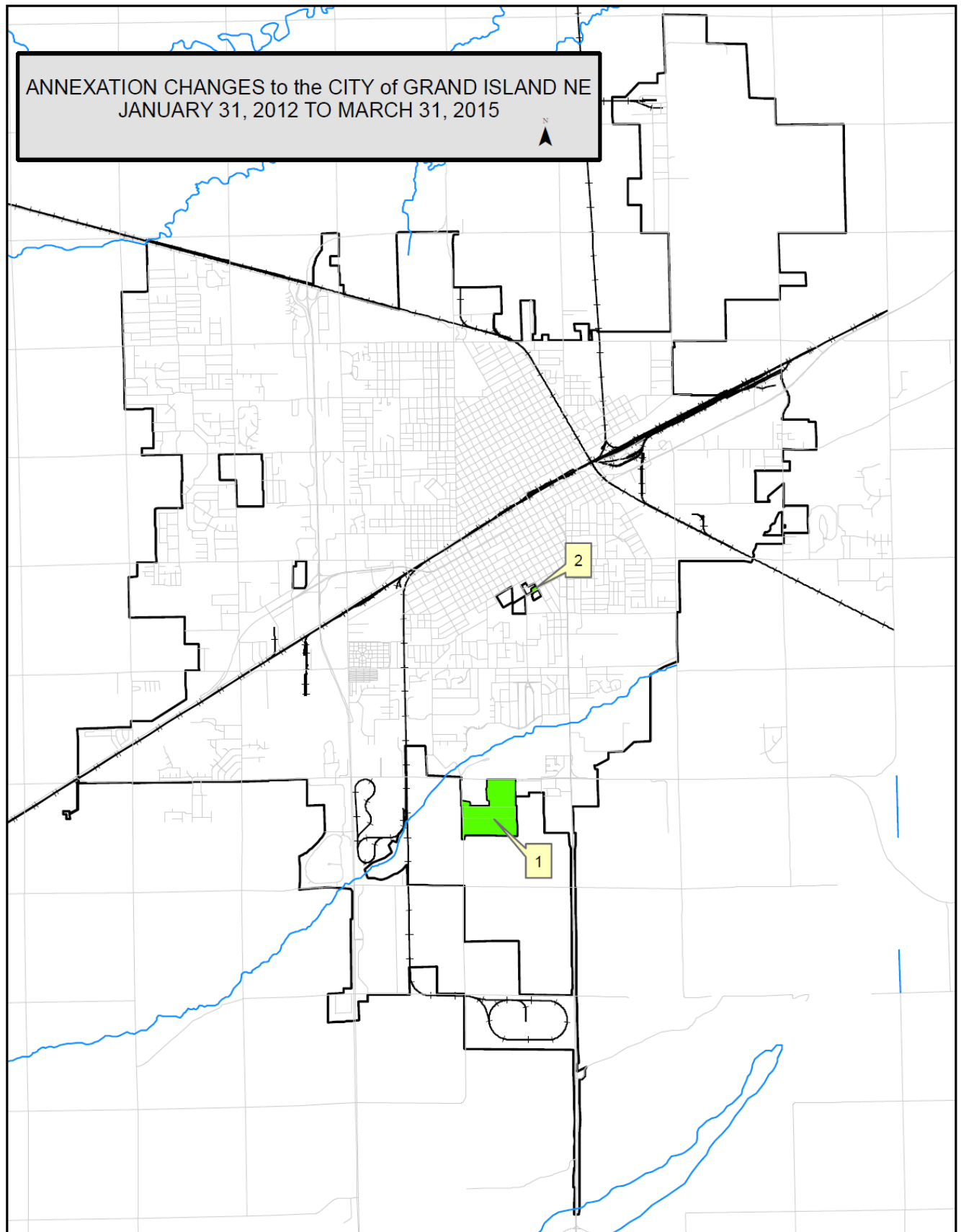
Recommendation

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

Sample Motion

Move to approve as recommended.







City of Grand Island

Tuesday, April 14, 2015

Council Session

Item E-4

**Public Hearing on Request to Rezone Property Located at 4311
West 13th Street from TA Transitional Agriculture and LLR
Large Lot Residential (Niedfelt Property Management, LLC)**

Staff Contact: Craig Lewis

Council Agenda Memo

From: Regional Planning Commission

Meeting: April 14, 2015

Subject: Rezone Properties from TA Transitional Agriculture to LLR – Large Lot Residential Zone

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

Presenter(s): Craig Lewis, Building Department Director

Background

A request to change the zoning for a tract of land in the N ½ of the NW ¼ of the NW ¼ of Section 14 Township 11 north, Range 10 west of the 6th PM in Hall County, Nebraska from TA – Transitional Agriculture Zone to LLR – Large Lot Residential Zone. The subject property is located west of Westridge Middle School on the south side of 13th Street.

Discussion

At the regular meeting of the Regional Planning Commission, held April 1, 2015 the above item was considered following a public hearing.

O'Neill opened the Public Hearing.

Lewis explained the rezone request.

O'Neill closed the Public Hearing.

A motion was made by Ruge and seconded by Bredthauer to approve the rezone as presented.

A roll call vote was taken and the motion passed with 10 members present and 10 voting in favor (O'Neill, Connick, Huisman, Bredthauer, Ruge, Maurer, Robb, Heckman, Haskins, and Kjar) and no one abstaining.

The memo sent to the planning commission with staff recommendation is attached for review by Council.

Alternatives

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

1. Approve the rezoning request as presented
2. Modify the rezoning request to meet the wishes of the Council
3. Postpone the issue

Recommendation

City Administration recommends that the Council approve the proposed changes as recommended.

Sample Motion

Move to approve the ordinance and rezoning as presented.

March 17, 2015

Dear Members of the Board:

RE: Rezoning – A request to rezone the properties from TA Transitional Agriculture to LLR Large Lot Residential Zone in the City of Grand Island, 2 mile extraterritorial zoning jurisdiction, in Hall County, Nebraska. Property is located at 4311 W 13th St, Grand Island.

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a rezone request to the Grand Island Zoning Map from TA Transitional Agriculture to Large Lot Residential Zone. As shown on the enclosed map.

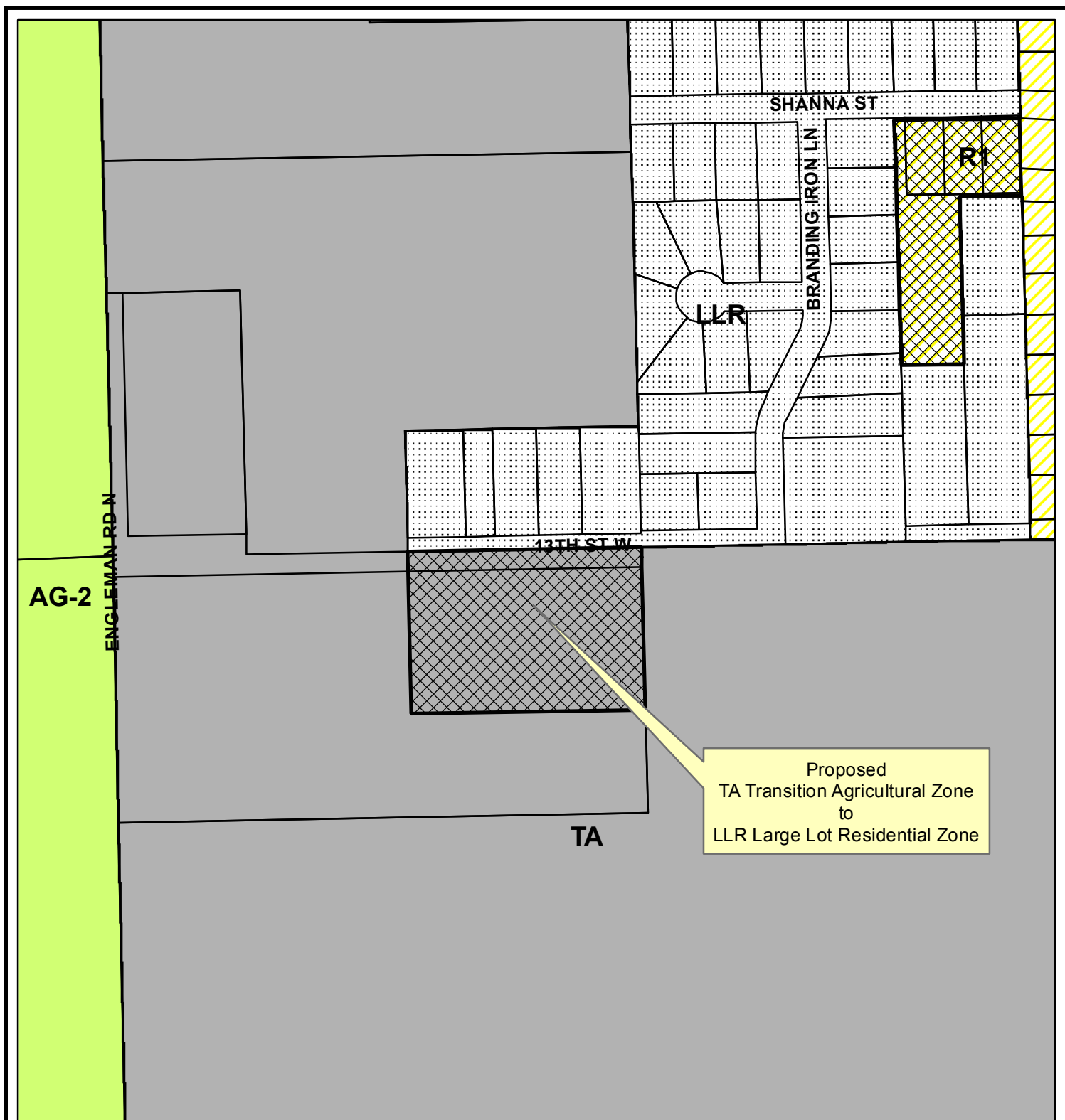
You are hereby notified that the Regional Planning Commission will consider this zoning change at the next meeting that will be held at 6:00 p.m. on April 1, 2015 in the Council Chambers located in Grand Island's City Hall.

Sincerely,

Craig Lewis
Building Director



cc: City Clerk
City Attorney
City Public Works
City Building Department
City Utilities

This letter was sent to the following School Districts 1R, 2, 3, 19, 82, 83, 100, 126.



Requested Zoning



-  From TA : Transitional Agricultural Zone
-  to LLR : Large Lot Residential Zone

Scale : NONE
C-11-2015GI





City of Grand Island

Tuesday, April 14, 2015

Council Session

Item E-5

**Public Hearing on Annexation of Property Proposed for Platting as
GI Acres Subdivision Located at 4311 West 13th Street**

Staff Contact: Craig Lewis

Council Agenda Memo

From: Regional Planning Commission

Meeting: April 14, 2015

Subject: An Ordinance to include GI Acres Subdivision as an Addition to the City of Grand Island, Nebraska and the adjoining right-of -way

Item #'s: E-5 & F-5

Presenter(s): Craig Lewis, Building Director

Background

The Annexation Component of the Grand Island Comprehensive Development Plan as adopted by the Grand Island City Council on July 13, 2004 sets as the policy of Grand Island that any and all property subdivided adjacent to the Corporate Limit of the City of Grand Island be annexed into the City at the time of subdivision approval.

Niedfelt Property Management LLC as the owners of the property, submitted GI Acres Subdivision as an Addition to the City of Grand Island. The Hall County Regional Planning Commission recommended approval of the subdivision at their meeting on April 1, 2015.

Discussion

Staff has prepared an ordinance in accordance with the requirements of Nebraska Revised Statute §16-117. Annexation ordinances must be read on three separate occasions. This is the first reading of the ordinance. This ordinance includes exhibits showing the property to be considered for annexation and the legal descriptions of that property.

Annexation of this property will not result in the extension of the Grand Island Zoning Jurisdiction.

One existing residence would be added to the City as a result of this annexation.

Alternatives

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

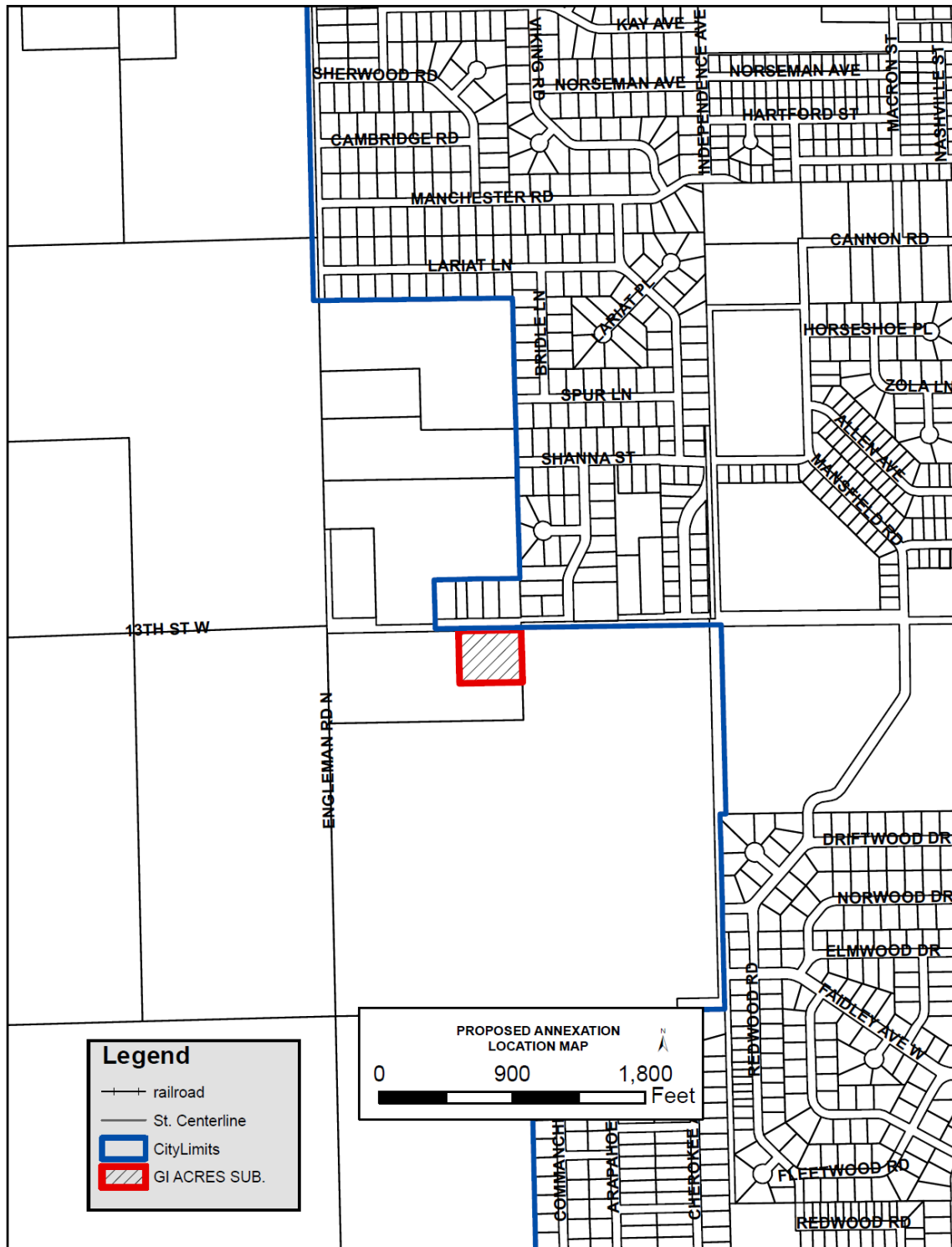
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council pass the annexation ordinance.

Sample Motion

Move to approve the annexation ordinance on first reading.





City of Grand Island

Tuesday, April 14, 2015

Council Session

Item E-6

**Public Hearing on Acquisition of Public Utility Easement for Hall
County Sanitary Sewer District 2 (SID 2) [Wilkinson Development,
Inc.]**

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: April 14, 2015

Subject: Public Hearing on Acquisition of Public Utility Easement
for Hall County Sanitary Sewer District 2 (SID 2)
[Wilkinson Development, Inc.]

Item #'s: E-6 & G-8

Presenter(s): John Collins PE, Public Works Director

Background

At the January 4, 2011 Study Session the City Council was informed of an interest of businesses along US Highway 281 near the Interstate 80 interchange to extend City sanitary sewer to serve their property.

On January 11, 2011 City Council approved Mayor Vavricek to sign a “Letter of Intent” to the Nebraska Department of Environmental Quality declaring the City’s willingness to negotiate a public/private project with these businesses to extend City sanitary sewer south along US Highway 281.

The May 17, 2011 Study Session provided an update to the City Council regarding several meetings that were conducted between the City and the interested parties.

On September 27, 2011 City Council approved Sanitary Sewer District No. 528 in the Wildwood Subdivision. This district provided support for the sanitary sewer extension south along US Highway 281 to Interstate 80.

The sanitary sewer extension south along US Highway 281 to Interstate 80 will help to foster growth of the City towards the interstate and provide for future development.

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing and approval by the City Council. Public utility easements are needed in the SID 2 project to accommodate public utilities. The easements will allow for construction, operation, maintenance, extension, repair, replacement and removal of public utilities within the easements.

This project is funded by the State Revolving Funds (SRF) Project # is C317867.

Discussion

A permanent easement is needed in this project area. All documents have been signed and returned by the property owner. Authorization of the document is contingent upon City Council approval. Following is a summary of the payment, totaling \$1,200.00, for the property.

Owner	Legal	Total
Wilkinson Development, Inc.	A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION TWENTY (20), TOWNSHIP TEN (10) NORTH, RANGE NINE (9) WEST OF THE 6 TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N00°47'14"E, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 382.46 FEET; THENCE N84°42'02"E A DISTANCE OF 123.31 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 AND THE SOUTHWEST CORNER OF A TRACT OF LAND RECORDED IN INSTRUMENT NO. 201202379, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N05°17'57"W, ALONG THE WEST LINE OF SAID TRACT OF LAND, A DISTANCE OF 22.91 FEET; THENCE N87°14'30"E A DISTANCE OF 25.02 FEET; THENCE S05°17'57"E A DISTANCE OF 21.80 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT OF LAND; THENCE S84°42'02"W, ALONG SAID SOUTH LINE OF A TRACT OF LAND, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING. SAID UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 559 SQUARE FEET OR 0.01 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 11 ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.	\$1,200.00
TOTAL		\$1,200.00

Alternatives

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

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

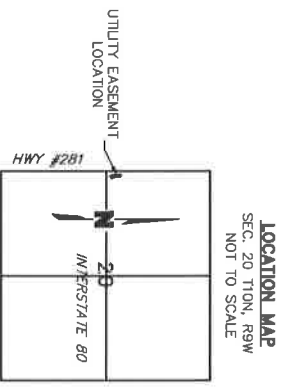
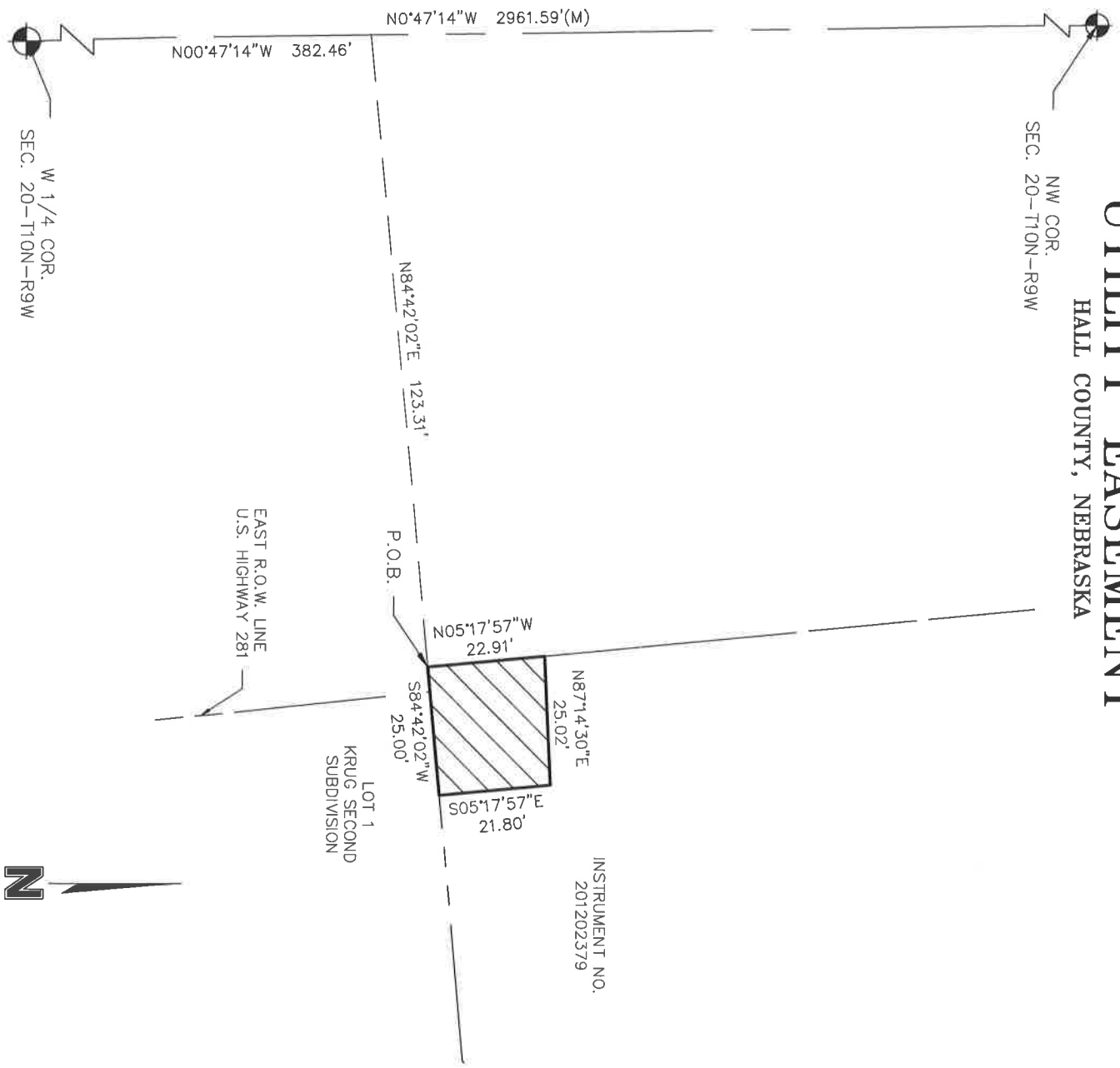
Recommendation

City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the Permanent Easements in the amount of \$1,200.00.

Sample Motion

Move to approve the acquisition of the easement.

UTILITY EASEMENT
HALL COUNTY, NEBRASKA



- LEGEND**
- SECTION CORNER
 - SECTION LINE
 - PROPERTY LINE
 - HIGHWAY RIGHT-OF-WAY LINE
 - UTILITY EASEMENT AREA

UTILITY EASEMENT DESCRIPTION

A UTILITY EASEMENT LOCATED IN PART OF THE NORTHWEST QUARTER OF SECTION TWENTY (20), TOWNSHIP TEN (10) NORTH, RANGE NINE (9) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N00°47'14"E, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 382.46 FEET; THENCE N84°42'02"E A DISTANCE OF 123.31 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 AND THE SOUTHWEST CORNER OF A TRACT OF LAND RECORDED IN INSTRUMENT NO. 201202379, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N05°17'57"W, ALONG THE WEST LINE OF SAID TRACT OF LAND, A DISTANCE OF 22.91 FEET; THENCE N87°14'30"E A DISTANCE OF 25.02 FEET; THENCE S05°17'57"E A DISTANCE OF 21.80 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT OF LAND; THENCE S84°42'02"W, ALONG SAID SOUTH LINE OF A TRACT OF LAND, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING. SAID UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 559 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

DWG: F:\projects\012-1867\SVYO\Easements\012-1867_Sewer Easement_Wilkinson.dwg		USER: lwheeler	
DATE: Aug 11, 2014 11:15am		0110941_FP Hwy Motels	
XREFS: 121867_pbase		0121867_xbase_SID Sewer	
PROJECT NO:	2012-1867		
DRAWN BY:	LJW		
DATE:	07/08/2014		
U.S. HIGHWAY 281			
UTILITY EASEMENTS			
OLSSON ASSOCIATES			
201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750 FAX 308.384.8752			
EXHIBIT			
11			



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item E-7

Public Hearing on Acquisition of Utility Easement - 235 Roberts Street - Glause

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Tim Luchsinger, Utilities Director

Meeting: April 14, 2015

Subject: Acquisition of Utility Easement – 235 Roberts Street - Glause

Item #'s: E-7 & G-14

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Steve and Beckie Glause, located through a part of Lot Two (2) and Lot Three (3), Rains First Addition to the City of Grand Island, Hall County, Nebraska (235 Roberts Street) in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

An overhead power line has existed into the property for at least thirty years without benefit of an easement. The property has changed owners and probable uses. The new owners want to keep the power line where it is currently, and will sign the easement.

Alternatives

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

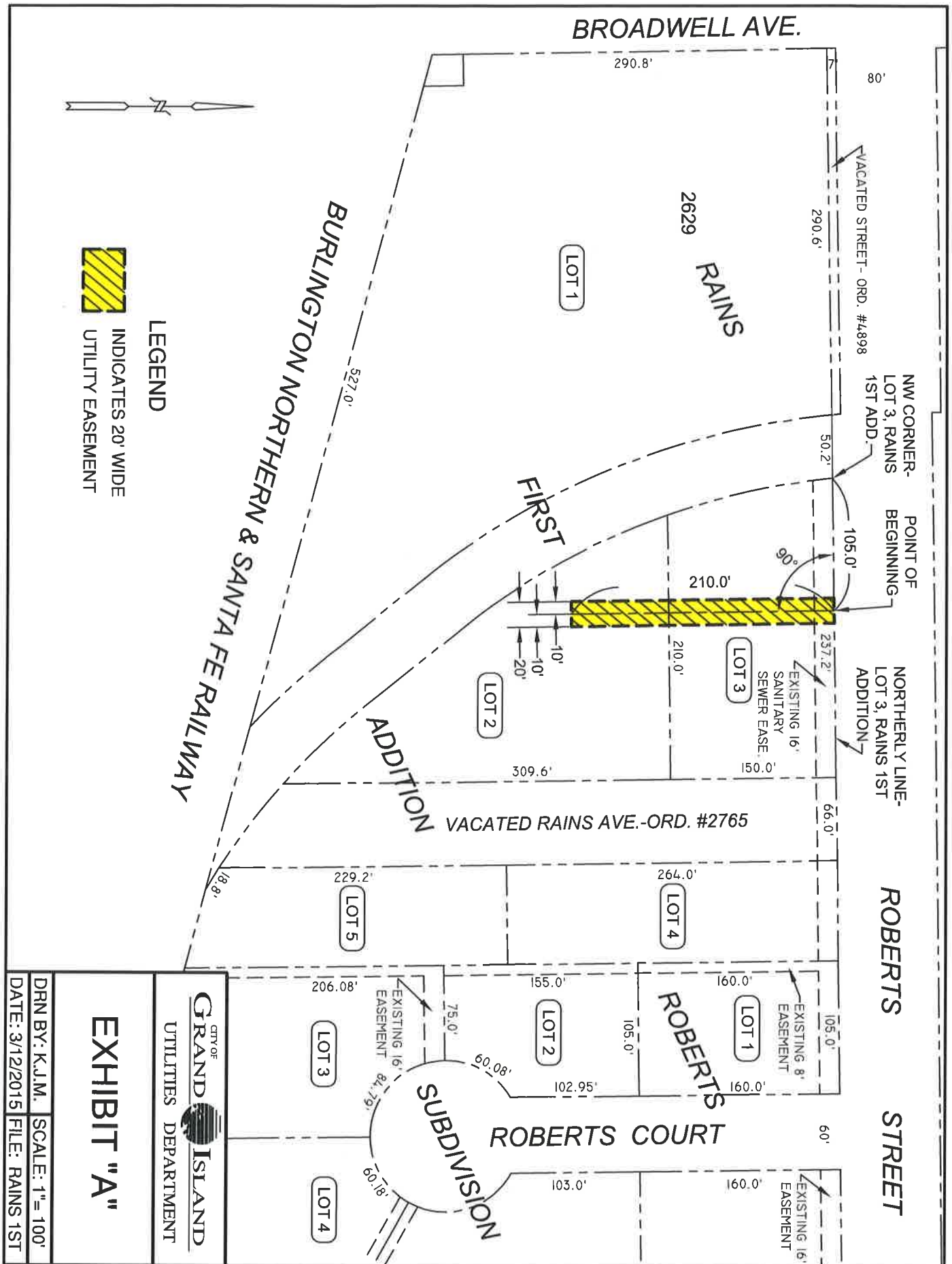
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, April 14, 2015

Council Session

Item F-1

**#9532 - Consideration of Vacation of Utility Easement at 235
Roberts Street - Glause**

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director

Meeting: April 14, 2015

Subject: Ordinance #9532 – Vacation of Utility Easement – Part of Lots Four & Five, Rains First Addition to the City of Grand Island - 235 Roberts

Item #'s: F-1

Presenter(s): Timothy Luchsinger, Utilities Director

Background

There is an existing twelve foot wide easement that was dedicated for utility usage across the southerly six (6.0) feet of Lot Four (4), and the northerly six (6.0) feet of Lot Five (5), Rains First Addition to the City of Grand Island, Hall County, Nebraska.

Discussion

There has not been any utility infrastructure built in the easement and none is contemplated in the future. The owner of the property has requested the vacation of the easement so a building can be constructed on the two lots, as the easement will prevent the full usage of the two lots.

Alternatives

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

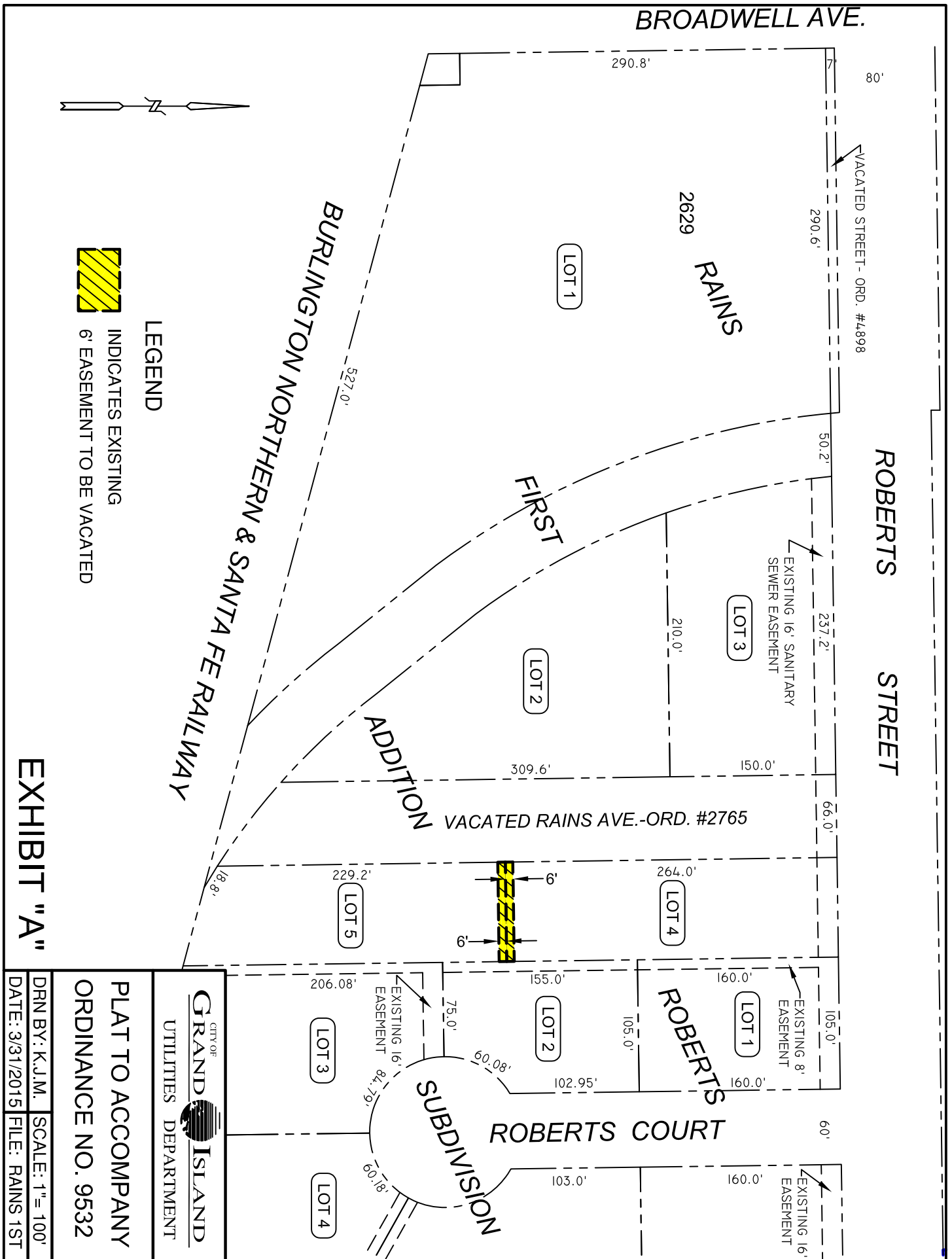
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve Ordinance #9532, and that the above described easement be vacated.

Sample Motion

Move to approve Ordinance #9532, and vacate the utility easement on part of Lots Four (4) and Five (5), Rains First Addition to the City of Grand Island, Hall County, Nebraska.



THIS SPACE RESERVED FOR REGISTER OF DEEDS

ORDINANCE No. 9532

An ordinance to vacate an easement located within Lot Four (4) and Lot Five (5), Rains First Addition in the City of Grand Island, Hall County, Nebraska, and to provide for filing this ordinance in the office of the Register of Deeds of Hall County, Nebraska; and to provide for the 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 the easement and right-of-way to be vacated being more particularly described as follows:

The southerly six (6.0) feet of Lot Four (4), and the northerly six (6.0) feet of Lot Five (5), Rains First Addition to the City of Grand Island, Hall County, Nebraska.

Such easement to be vacated as shown and 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.

Approved as to Form	□ _____
April 13, 2015	□ City Attorney

ORDINANCE No. 9532 (con't)

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 approval, and publication, without plat, within fifteen days, in one issue of the Grand Island Independent as by law provided.

Enacted: April 14, 2015

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item F-2

#9533 - Consideration of Revision of Chapter 35 of the Grand Island City Code Relative to Water

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director
Craig Lewis, Building Department Director
Robert Sivick, City Attorney

Meeting: April 14, 2015

Subject: Ordinance #9533 – Consideration of Revisions to
Chapter 35 of the City Code - Water

Item #'s: F-2

Presenter(s): Timothy Luchsinger, Utilities Director

Background

In review of Chapter 35, Water, of the City Code for recent required revisions, City staff came across inaccuracies due to changes over time, and opted to conduct substantial edits that reflect current terminologies and organizational structure currently in place in the City. Examples of this include capitalization of references to City, Council, and Mayor, change of position classification from Director of Utilities Operations to Utilities Director, and the creation of a Building Department to issue permits and conduct inspections previously done within the Public Works Department.

Discussion

In addition to the nomenclature previously indicated changes to Chapter 35, Water include the following.

- Addition of specifications for 2 inch service pipes.
- Requirement of density specifications for refilling excavations.
- Including maintenance of privately owned hydrants by the owner.
- Providing for estimates of consumption for billing when meter readings are not available.
- Reference to plumbing codes and permit fees for private water mains.
- Replacement of references to City requirements with national plumbing codes for backflow device definitions and standards.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve Ordinance #9533 relative to revisions of the City Code, Chapter 35 - Water.

Sample Motion

Move to approve Ordinance #9533 relative to revisions of the City Code Chapter 35 - Water.

ORDINANCE NO. 9533

An ordinance to revise Chapter 35 of the Grand Island City Code; and 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 Chapter 35 of the Grand Island City Code shall be modified to read as follows:

CHAPTER 35 WATER

Article I. In General

§35-1. ~~Utilities Director of Utilities Operations~~; Authority

The authority and powers vested in the ~~Director of Utilities Operations~~ Utilities Director by this ~~C~~chapter shall, in all cases, be subject to review by the ~~M~~mayor and ~~C~~ity Council.

§35-2. Reports to be Submitted

It shall be the duty of the ~~Director of Utilities Operations~~ Utilities Director to report to the ~~C~~city ~~c~~council monthly a particular account of the affairs of the water ~~department operations~~ for the preceding month, together with all suggestions and recommendations as deemed proper. The ~~D~~director shall also make and submit a statement at the beginning of each fiscal year for the whole of the preceding year.

§35-3. Application for Water Service

Every person desiring a supply of water from the ~~C~~city water system shall make application therefore to the ~~Director of Utilities Operations~~ Utilities Director upon forms furnished for such purpose.

§35-4. Water Service; Order Required

Water will not be supplied into any ~~house or service pipe location~~ except upon the order of the Utilities Director ~~of Utilities Operations~~, and plumbers are prohibited from turning the water into any service pipe except on the order of the Utilities Director ~~of Utilities Operations~~; provided, that this rule shall not be construed to prevent licensed plumbers from admitting water to test pipes, but for that purpose only. The ~~Director of Utilities Operations~~ Utilities Director shall not order water to be supplied into any ~~house or service pipe location~~, whether new or existing construction, until the water system to be served has been inspected and approved by the Grand Island Building Department ~~of Public Works~~.

When water has been turned off from any consumer, the consumer shall not turn it on or permit it to be turned on without the written consent of the Utilities Director ~~of Utilities Operations~~.

§35-5. Service Pipes; Specifications; Laying

Either copper or ductile iron ~~service~~ pipe may be used at the option of the consumer. ~~Such Copper~~ service

ORDINANCE NO. 9533 (Cont.)

pipe shall be at least one-eighth inch larger in diameter than the tap through which it is supplied. All pipeing shall sustain a pressure of not less than two hundred pounds per square inch (200 psi).

All service pipes shall be laid under the surface of the ground with no less than five feet of earth cover, and in all cases shall be so protected as to prevent rupture by freezing.

In all cases, water service pipes, ~~one and one-half~~two inch or smaller in diameter, shall be of copper pipe between the water main and water meter. ~~Service~~All service pipe laid between the water main and the curb stop at the property line shall be built of continuous construction without joints, unions, or splices, however two inch pipe may be installed with soldered joints. All piping shall meet the following specifications:

Specifications for Copper Pipe:

Copper pipe shall be Type K, cold drawn to size and of the proper bending temper and shall be made from phosphorized copper completely deoxidized and have a purity of at least ninety-nine and nine-tenths percent copper.

Copper pipe shall have the following dimensions:

Nominal Size in Inches	Wall Thickness In Inches	Pounds/ Lineal Foot	Outside Diameter In Inches
3/4	.065	.641	.875
1	.065	.839	1.125
1 ¼	.065	1.04	1.375
1 ½	.072	1.36	1.625
<u>2</u>	<u>.083</u>	<u>2.06</u>	<u>2.125</u>

In all cases, service pipes larger than two inches ~~or larger~~ in diameter which are laid between the water main in the street and the valve at the property line shall be of ~~class 52~~pressure class 350 ductile iron, either mechanical joint or slip joint pipe. This shall be built and laid to withstand a pressure of 200 psi and shall conform to the standard specifications as recommended by the American Water Works Association for ductile iron pipe.

§35-6. Service Pipes; Tapping

No person shall be permitted to make or have made any taps or connection with any water service pipe between the water meter and the water mains.

§35-7. Service Pipes; Cost and Installation

The Ceity shall furnish and install ~~the two inch and smaller~~ water service pipe from the water main in the street to within six inches of the property line, at the expense of the consumer, and such service pipe shall include the corporation stop, pipe, curb stop, and stop box, and such installation shall include all labor of excavating and laying the same. The cost of the same shall be paid in advance to the Utilities Department before any work is done. In the event any expense is incurred by the Ceity which exceeds the amount so paid, such additional expense shall be paid by the person responsible therefor before water is supplied to such consumer. All costs for furnishing and installing service piping larger than two inches shall be by the consumer.

§35-8. Excavations In Paved Streets

Whenever it shall be necessary to cut into, excavate in, or remove any portion of the paving in any street in the Ceity to serve any lot with water, or to repair or relay any service pipe connecting any water main with any lot, the consent of the ~~Director of Utilities Operations~~Utilities Director shall be first secured and the paving shall be restored to its former condition. The expense of cutting into, removing, and restoring the pavement shall be paid in advance by the owner of the lot to the Utilities Department. The work of removing and restoring any street pavement for any such purpose shall be by or under the supervision, control, and direction of the Ppublic Wworks Ddirector and in accordance with the provisions of this Code and any other specifications of the City regulating paving.

§35-9. Refilling Excavations

After service pipes are laid, in refilling the opening, the earth shall be laid in layers of not more than nine inches in depth and each layer thoroughly tamped and settled with water. Density tests shall be conducted for each vertical lift of compacted material placed conducted by an independent testing laboratory to certify compaction of at

least 95% of maximum density within the public right-of-way and submitted to the City before acceptance of the project. The streets, sidewalks, and pavements shall be restored to as good condition as before the excavation, and all dirt, stones or rubbish shall be removed immediately after completing the work. Should an excavation in any street, alley, or highway be left open or unfinished for the space of twenty-four hours, or should such work be improperly done or should any rubbish not be removed, the ~~Director of Utilities Operations~~ Utilities Director shall have the right to finish or correct the work, and the expense incurred shall be charged to and paid by the person responsible for such work, and shall be paid before water is supplied.

§35-10. Curb Stops; Stop Boxes

Unless otherwise permitted, curb stops shall be placed in the service pipe within six inches of the property line and protected by a valve box reaching from the top of the curb stop to the surface of the ground, of suitable size to admit a valve key for turning on and off the stop, and with a cast iron cover, having the letter "W" marked thereon, visible and even with the pavement, sidewalk or top of the ground. The valve box shall be kept closed and in good repair by the water consumer. In case a consumer refuses to keep the valve box in good condition, the Utilities Department shall put the same in good order, at the expense of the owner of the premises.

§35-11. Tapping Mains or Distributing Pipes

No person except by direction of the ~~Director of Utilities Operations~~ Utilities Director will be permitted, under any circumstances, to tap the water mains or distributing pipes, or install corporation stops or appurtenances thereon. All pipes shall, in all cases, be tapped at the two o'clock position or at level, and not in any case nearer than fifteen inches of either end of the pipe, nor nearer than two feet to any other tap.

§35-12. Repairs and Maintenance

All persons taking city water shall keep the service pipes, curb stops, meters, valves, valve boxes, and other apparatus in good working order and repair, and protect the same from frost at their own risk and expense. Leaking service pipes, curb stops, corporation stops, valves, and other water service appurtenances shall be repaired in a timely manner by the consumer at the consumer's expense. Equipment not in good working order shall be replaced or repaired by the consumer at the consumer's expense. The Utilities Department shall have the right to operate the curb stops and/or valves at any time deemed necessary by the Utilities Director ~~of Utilities Operations~~. The City shall not be responsible for any damage to or damage caused by failure of the customer's service pipe, corporation stops, curb stops, valves, or any other appurtenances of the water service, unless caused by gross negligence or intentional acts by the City or its employees or agents.

§35-13. Exposure of Water Pipes to Frost

No person shall dig up or uncover so as to expose to the frost, any water pipe of the City, except under the direction of the Utilities Director ~~of Utilities Operations~~.

§35-14. Public Fire Hydrants

All hydrants erected in the City for the purpose of extinguishing fire are hereby declared to be public hydrants. It shall be unlawful for anyone but authorized persons to obstruct a public hydrant, open any of such hydrants, attempt to draw water from the same, or in any manner interfere with the same. For purposes of this section, authorized persons shall mean members of the Fire Department, and then only for the use and purpose of the Fire Department, or persons specially authorized by the City or the Utilities Director ~~of Utilities Operations~~, and then only in the exercise of the authority delegated by the City or Utilities Director ~~of Utilities Operations~~. Maintenance of hydrants not located in public right-of-way or easements shall be the responsibility of the property owner.

§35-15. House Boilers

All house boilers shall be constructed with one or more air holes near the top of the inlet pipe, and shall be sufficiently strong to bear the pressure of the atmosphere under the vacuum, and shall have an approved backflow preventer between the service pipe and the boiler. The valves and other appurtenances shall be sufficiently strong to bear the pressure of water in the mains.

§35-16. Use of Water for Construction Purposes

The ~~Director of Utilities Operations~~ Utilities Director shall have the authority to issue permits for the use

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of water for building and construction purposes. The regular charge shall be paid as though the water was taken by regular customer service.

§35-17. City May Suspend Use of Water

The City reserves the right to suspend the use of water for fountains, or for sprinkling yards, lawns and gardens or for any other purpose whenever in the opinion of the Ceity Ceouncil the public exigency may require it.

§35-18. Right of City to Shut Off Water

The Ceity may shut off the water supply at any time, from any or all premises, to repair the plant, pumps or mains, to make extensions or connections, or for violations of this chapter or failure to pay water charges, or for any other purpose that may be deemed necessary by the Utilities Director-of-Utilities Operations, any permit granted to the contrary notwithstanding, and no claim for damages shall be made against the Ceity or the Director-of-Utilities Operations-Utilities Director on account of any such shutoff or on account of a failure of the water supply from any cause.

§35-19. Injuring Waterworks Property

No person shall willfully or carelessly break, damage or deface, interfere with, or disturb any equipment, apparatus, fixtures, attachments or appurtenances of the water works of the City, or any public or private hydrant, valve, meter, water supply or service pipe, or any part thereof, or commit any act tending to obstruct or impair the intended use of any of the above mentioned properties.

§35-20. Notice When Premises Vacated

If any consumer of Ceity water shall move from the premises for which water is being supplied by the City, or if such premises shall be destroyed by fire, such consumer shall notify the Director-of-Utilities Operations-Utilities Director thereof, who shall cause the water to be shut off from such premises.

§35-21. Right of Entry to Examine Fixtures, Etc.

All consumers of Ceity water shall permit the Utilities Director-of-Utilities Operations, or person designated by the Director, during reasonable daytime hours, to enter their premises or buildings for the purpose of testing any meter, or to examine the pipes, meters or other fixtures.

§35-22. Report of Leakage; Violations

It shall be the duty of the police of the Ceity to report to the Director-of-Utilities Operations-Utilities Director all cases of leakage and of violations of this Cehapter or any other ordinances relating to the water works of the Ceity that may be brought to their notice, and they shall enforce the observance of all such provisions, so far as they have that authority to do so.

§35-23. Contract for Water; Violations

All the rules, regulations and provisions of this Cehapter shall be considered a part of the contract with every person who is supplied with water through the waterworks system of the Ceity, and every such person, by taking water, shall be considered and held to consent to be bound thereby, and when any of them are violated, or such others as the Ceity or Director-of-Utilities Operations-Utilities Director may adopt, the water shall be cut off from the building or place of such violation, and the water shall not be turned on again except by order of the Director-of-Utilities Operations-Utilities Director and on payment of the expenses of shutting off and turning on the same, and upon such other terms as the Director-of-Utilities Operations-Utilities Director shall determine; provided, there is a satisfactory understanding with the offending party that no further cause for complaint shall arise.

Article II. Meters and Rates

§35-24. Meter; Generally

All water meters used in connection with the waterworks system of the ~~Ceity~~ shall be of standard manufacture, approved by the ~~Director of Utilities Operations~~Utilities Director, and put in place or removed by the ~~Director of Utilities Operations~~Utilities Director or some other employee of the ~~Ceity~~ designated for that purpose. The cost of such meters and the placing or removing or the keeping of the same in good order and repair shall be at the expense of the consumer. All work, repairs, and removals of such meters shall be done under the supervision and direction of the ~~Director of Utilities Operations~~Utilities Director, and in such case the owner or consumer shall pay to the City the actual cost for such repairs, and, upon failing to do so, the ~~Director of Utilities Operations~~Utilities Director may cause the water to be cut off from such premises.

§35-25. Meters; Access

The owner or tenant of any premises served with ~~Ceity~~ water shall provide ready and convenient access to the water meter located on such premises so that it may be easily examined and read by the ~~Director of Utilities Operations~~Utilities Director or any person designated by the ~~Ddirector~~ to perform such functions. If a meter reading is not available, the City may determine an estimated consumption based on historical consumption for billing purposes until a meter reading is available.

§35-26. Water to be Furnished at Meter Rates

All water furnished through the waterworks system of the City shall be furnished at meter rates.

§35-27. Charges When Meter Out of Order

Should any water meter get out of order or repair and fail to register properly, the consumer will be charged at the average monthly consumption, as shown by the meter when in order, for six months previous, or fraction thereof, if the same has not been used that long.

§35-28. Billing; Nonpayment; When Bills Due

All money due the ~~Ceity~~ for water furnished will become due and payable upon billing by the City.

It shall be the duty of the ~~Director of Utilities Operations~~Utilities Director, on all water accounts remaining unpaid thirty days after the bill for the same is rendered, or within such thirty day period, if in the ~~Ddirector's~~ discretion the circumstances warrant, to shut off the supply of water to such consumer and the same shall remain shut off until the account is paid in full, together with the cost of turning the same off and on. Bills for water furnished shall be rendered by the ~~Director of Utilities Operations~~Utilities Director monthly or quarterly, and shall designate the number of cubic feet of water registered at the date of the bill and shall subtract therefrom the number of cubic feet of water registered at the date of last settlement, and compute the amount due for the difference in dollars and cents, in accordance with the rates fixed by this article or by resolution of the ~~Ceity~~ Council. All officers of the ~~water-Utilities D~~epartment are positively prohibited from allowing credit to any-one.

§35-29. Minimum Rates

The minimum rates as set forth in this article shall be uniform and apply in all cases where water is furnished within or without the ~~Ceity~~ as the case may be, and such minimum rate shall be credited to the account of each consumer, or the person to be charged, until the amount paid as a minimum rate shall be exhausted by water charges as aforesaid. The charges for water furnished at the rates set forth in this article shall be collected by the ~~Director of Utilities Operations~~Utilities Director as provided by this article. If the amount of water consumed monthly is not sufficient to exhaust the minimum rate as herein below provided and charged by the ~~Ceity~~, such consumer or person to be charged shall not be entitled to any return or credit for any portion of such minimum rate. The minimum rate shall be charged for each dwelling unit which is directly or indirectly connected to the ~~Ceity~~ water system. For the purposes of this article, a dwelling unit shall mean one or more rooms and a single kitchen designed as a unit for occupancy by one family for living and sleeping purposes, and shall include a manufactured home. If more than one dwelling unit is served from a single water meter as in the case of apartments and manufactured home courts, a percentage of the minimum rate shall be charged against each unit, depending on the number of dwelling units per water meter as follows:

2-5 dwelling units..... 65%

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6-10 dwelling units.....	60%
11-20 dwelling units.....	55%
21 and over dwelling units.....	50%

The above charges shall be computed upon the yearly average of the number of dwelling units occupied.

§35-30. Schedule of Rates

SCHEDULE OF RATES WITHIN CITY

The rate to be charged for water furnished within the corporate limits of the City shall be as follows:

Monthly Billings	
Cubic feet per month	Rate per 100 cubic feet
First 500.....	\$1.496
Next 500.....	0.700
Next 500.....	0.692
Next 2,500.....	0.767
Next 6,000.....	0.713
Next 90,000.....	0.654
Next 100,000.....	0.574
Over 200,000.....	0.535
Monthly Minimum (500 cu.ft.).....	7.480*

SCHEDULE OF RATES OUTSIDE CITY

The rate to be charged for water furnished outside and beyond the corporate limits of the City shall be as follows:

Monthly Billings	
Cubic feet per month	Rate per 100 cubic feet
First 500.....	\$1.496
Next 500.....	0.840
Next 500.....	0.830
Next 2,500.....	0.920
Next 6,000.....	0.856
Next 90,000.....	0.785
Next 100,000.....	0.689
Over 200,000.....	0.642
Monthly Minimum (500 cu.ft.).....	7.480*

*Plus a customer charge of \$0.35 per month for unfunded federal mandates for the Clean Water Act and the City's backflow program, in addition to the regular rates charged for water furnished to the customer.

Amended by Ordinance No. 8935, effective 10-01-2004
Amended by Ordinance No. 8987, effective 07-27-2005
Amended by Ordinance No. 9181, effective 10-01-2008
Amended by Ordinance No. 9371, effective 04-01-2012
Amended by Ordinance No. 9393, effective 08-02-2012

In addition to consumption, a monthly fee would be charged according to the meter size supplying water to the property:

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Meter Size	Monthly Fee
<= 1"	\$2.50
1 ½"	\$8.00
2"	\$22.50
3"	\$40.00
4"	\$55.00
6"	\$225.00
8"	\$1,250.00
10"	\$4,000.00

Amended by Ordinance No. 9371(A), effective 04-01-2012

§35-31. Reserved

§35-32. Sprinkler Systems

Owners of all private fire sprinkler systems connected to City water mains shall pay the City an annual fee in accordance with the City of Grand Island Fee Schedule.

§35-33. Water Charges To Be A Lien

All water and meter rates shall be charged to and collected from the owner of the premises served and the same shall be a lien on such premises and real estate where used, and may be collected by the city at any time after the same becomes due by civil action in the courts. The ~~Director of Utilities Operations~~ Utilities Director may report the names of owners of any premises served with water that are delinquent in the payment of their water bills or charges, showing the amount due from each delinquent, together with a description of the property upon, or for which the water has been supplied, and thereupon the City Council shall, by resolution, direct the City Clerk to file with the City Treasurer a certified copy of such report and resolution, directing that the amount assessed against the different premises, as shown by such report, be placed upon the assessment rolls and tax books of the City for collection as other taxes.

Article III. Mains Constructed By Private Parties

§35-34. Water Mains; Department Standards

The design and construction of all water mains connected, either directly or indirectly, by private persons or entities, to the existing City water system shall meet all standards and specifications established by ~~the Grand Island Department of Public Works and~~ the Grand Island Utilities Department and/or plumbing codes as adopted by the City of Grand Island.

§35-35. Plans Signed by Engineer

All water main construction plans and specifications shall bear the signature and seal of a registered professional engineer who has prepared them.

§35-36. Review and Approval of Plans

All water main construction plans and specifications shall be reviewed and approved by the Grand Island ~~Director of Utilities Operations~~ Director, the Fire Department, and Department of Public Works. Prior to commencement of construction, the private person or entity constructing the water main, shall obtain a construction permit and pay a permit fee from the ~~public works director~~ Building Department Director after the water main construction plans and specifications have been approved as set forth above and before any water main construction work has commenced.

§35-37. Cost to Review Plans

The Building Department ~~of Public Works~~ may charge to review plans submitted by persons or entities proposing to construct water mains in the planning area. The charge shall be the rate per hour established and published from time to time by the ~~Department of Public Works~~ City Fee Schedule.

§35-38. Workmanship and Materials

All workmanship and materials shall comply fully with the requirements of the approved plans and specifications. If at any time within one year after the date of the final inspection any defect shall appear which in the opinion of the ~~Director of Utilities Operations~~ Utilities Director ~~or the Public Works Building Department~~ Director ~~Director~~ is due to inferior materials or workmanship, the property owner shall do whatever is necessary to remedy the defect at no cost to the City of Grand Island. ~~Either~~ ~~Either~~ Director will notify the property owner in writing of the defects and repairs to be made. If the party notified fails to commence repairs within ten days, the Utilities ~~Department of Public Works~~ may cause the defects to be remedied and charge the costs and expense involved to the property owner. The contractor surety shall not be relieved until the defects or repairs are corrected and approved and a written release is furnished to the surety by the requesting department.

§35-39. Water Main Inspection and Approval

The Utilities ~~Department of Utilities Operations or the Department of Public Works~~ shall investigate and approve or reject the laying of all water mains. The City shall have the right to enter property containing water mains at all reasonable hours for inspection and investigation purposes.

§35-40. Commencement of Service

Before any water main which is constructed by a private person or entity and connected to the City water system will be accepted and service commenced, the following requirements must be met:

(A) The water mains must pass all pressure tests required by ~~either the~~ Utilities Department ~~Department of Utilities Operations or Department of Public Works.~~

(B) The water mains must pass all water quality tests required by the City of Grand Island or any state or federal agency.

(C) The registered professional engineer must inspect and approve the water main and issue a certificate of completion attesting that the water mains were constructed in accordance with the water main construction plans and specifications.

(D) The Public Works ~~Director~~ must accept the engineer's certificate of completion.

§35-41. Service Pipes

Private persons or entities may furnish and install water service pipes to within six inches of private property lines; provided, only the Utilities Department will be permitted to tap the water mains or distribution pipes or install corporation stops or appurtenances as required.

Article IV. Temporary Service And Abandonment

§35-42. Temporary Connections

No person may connect any temporary service pipe to the city water mains or distribution lines without the approval of the ~~Director of Utilities Operations~~ Utilities Director. Persons wishing to make a temporary service pipe connection shall file a written request for such connection with the Grand Island Utilities ~~Director of Utilities Operations~~, specifying the connection desired to be made, giving the number of feet of service pipe required, a diagram of the premises and equipment to be served, and an estimate as to the duration of the temporary service pipe connection. The Director may, at his or her discretion, approve the temporary service pipe connection which shall be done at the expense of the applicant and under the supervision of the Director. Such temporary service pipe shall at all times be under the absolute control and supervision of the ~~City~~ Utilities Department and Department of Public Works, and the City reserves the right to disconnect the temporary service pipe at any time there is reasonable cause to believe the applicant is failing to comply with the terms and conditions of the temporary connection permit or is jeopardizing either the City water system or the quality of water in the premises or equipment being served. The temporary service pipe permit shall expire at the earliest of either the applicant's estimated time of duration or the connection of the premises or equipment to an approved permanent service line. The applicant may obtain an extension of time on the temporary service pipe permit for good cause shown to the Director.

§35-43. Abandonment of Service Pipes

All persons abandoning any water service pipe shall have a licensed plumber turn off the line at the water main tap and shall cut and crimp the service pipe as close as possible to, not to exceed one foot from, the tap. The

~~City~~ Utilities Department shall be notified whenever a service pipe is abandoned and shall be permitted to inspect and approve all work done in connection with such abandonment. Any person failing to abandon a service pipe in compliance with this section shall be guilty of a violation of the Grand Island City Code and shall pay the ~~City~~ Utilities Department for the costs of properly shutting off, closing or crimping any abandoned service pipe and shall be liable for any damages to municipal property caused by the improperly abandoned service pipe. The ~~Director of Utilities Operations~~ Utilities Director may approve alternate means of closing and abandoning service pipes upon request if the foregoing procedure is impractical.

Article V. Backflow Prevention

§35-44. Definitions

Definitions of terms as stated ~~in this paragraph and~~ in the Uniform Plumbing Code, as adopted by the City of Grand Island, are hereby adopted for the purposes of this Article.

~~(A) Air Gap~~ The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptor.

~~(B) Atmospheric Vacuum Breaker~~ A device which prevents back siphonage by creating an atmospheric vent when there is a negative pressure in a water system, and not subject to static line pressure.

~~(C) Auxiliary Water Supply~~ Any water supply system on or available to the premises other than the City's approved public potable water supply system.

~~(D) Backflow~~ The reversal of designed flow in a potable water system.

~~(E) Backflow Preventer~~ An assembly or means that prohibits the backflow of water into the potable water supply.

~~(F) Backpressure~~ A pressure, higher than the supply pressure, caused by a pump, elevated tank, air/stream pressure, or any other means, which may cause backflow.

~~(G) Back siphonage~~ Backflow caused by negative or reduced pressure in the supply piping.

~~(H) Cross connection~~ Any arrangement whereby contamination or pollution due to backflow, backpressure, or back siphonage can occur.

~~(I) Double Check Valved Assembly~~ An assembly of two (2) independently operating spring loaded check valves with tightly closing shut off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve.

~~(J) Pressure Vacuum Breaker~~ A device containing one or two independently operated spring loaded check valves and an independently operated spring loaded air inlet valve located on the discharge side of the check or checks. Device includes tightly closing shut off valves on each side of the check valve and properly located test cocks for the testing of the check valve(s), which is designed to be subject to static line pressure.

~~(K) Reduced Pressure Principle Backflow Preventer~~ An assembly consisting of two independently operating approved check valves with an automatically operating differential relief valve located between the two check valves, tightly closing shut off valves on each side of the check valves, plus properly located test cocks for the testing of the check valves and the relief valve.

~~(L) Residential Dual Check~~ An assembly of two spring loaded, independently operating check valves. Generally employed immediately downstream of the water meter to act as a containment device.

~~(M) Water Service Line~~ The water conveying piping, valves, fittings, and other appurtenances, including the water meter, which allow the movement of water to or from the water distribution system main.

§35-45. Backflow Prevention

In order to provide protection and prevent the potential of pollutants and contaminants from entering the public water system, backflow protection devices shall be required on all water service lines installed, replaced, or repaired after March 1, 1993. Backflow protection shall be in accordance with §35-47 and as approved by the Utilities Director in cooperation with the Building Department Director.

§35-46. Backflow Protection for Existing Facilities

The Utilities Director, in cooperation with the Building Department Director, shall conduct, or cause to be conducted, inspections as required to determine the backflow protection requirements of facilities connected to the City water system, such protection shall be in conformance with adopted plumbing codes, at the time of enactment

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of this Code Section, and shall require the completion of appropriate backflow protection measures at these existing facilities in accordance with the following schedule:

_____ (A) To be completed no later than December 31, 1994:

- _____ 1. Hospitals
- _____ 2. Dental clinics
- _____ 3. Medical clinics
- _____ 4. Health clinics
- _____ 5. Laboratories
- _____ 6. Mortuaries
- _____ 7. Nursing homes
- _____ 8. Convalescent homes
- _____ 9. Pharmaceutical plants
- _____ 10. Cosmetic plants
- _____ 11. Radioactive materials plants
- _____ 12. Veterinary establishments
- _____ 13. All City owned facilities

_____ 14. Premises where, because of security requirements or other prohibitions, restrictions, or other existing conditions it is impossible or impractical to make a complete cross connection premises survey.

_____ -

_____ (B) To be completed no later than December 31, 1995:

- _____ 1. Automotive service stations
- _____ 2. Car washes
- _____ 3. Chemical processing plants
- _____ 4. Chemical storage plants
- _____ 5. Film laboratories
- _____ 6. Film development facilities
- _____ 7. Laundries
- _____ 8. Dry cleaning facilities
- _____ 9. Packing facilities
- _____ 10. Petroleum processing plants
- _____ 11. Petroleum storage plants
- _____ 12. Rendering plants

_____ (C) To be completed no later than December 31, 1996:

- _____ 1. Fire suppression systems
- _____ 2. Premises utilizing boilers or water cooling systems
- _____ 3. Premises utilizing water recirculating systems and pumps
- _____ 4. Beauty salons
- _____ 5. Barber shops
- _____ 6. Swimming pools with connections to customer service pipes
- _____ 7. Feed yards
- _____ 8. Stock yards
- _____ 9. Kennels
- _____ 10. Pet grooming salons

_____ (D) To be completed no later than December 31, 1997:

- _____ 1. Sand and gravel plants
- _____ 2. Yard sprinkling or irrigation systems
- _____ 3. Food processing plants
- _____ 4. Beverage processing plants
- _____ 5. Machine tool plants
- _____ 6. Dye and metal processing plants
- _____ 7. Metal plating plants
- _____ 8. Multi storied buildings greater than 3 stories in height
- _____ 9. Paper product plants
- _____ 10. Schools
- _____ 11. Multiple dwelling units served by one water service pipe

_____ (E) To be completed no later than December 31, 1998:

~~1. All non residential facilities not included in A through D.~~
~~Upon notification by the Utilities Director or Building Department Director in accordance with §35-50, the owner of an affected facility shall have 180 days to complete the required backflow protection measures. If the customer fails to complete protection measures, including submittal of initial certification test results to the Utility Department, within 180 days, the water service line shall be shut off.~~

§35-47. Evaluation of Hazard and Backflow Protection Requirements

Evaluation of hazard shall be in accordance with ~~Table 1~~ the adopted plumbing code for commonly encountered equipment, fixtures, facilities, and their use. For a more complete list, refer to the *Manual of Cross-Connection Control, Eighth Edition*, published by the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California, which is incorporated by reference as a part of this section.
~~Determination of required backflow devices and methods shall be in accordance with Table 2.~~

TABLE 1

~~Direct or Indirect Potable Water Connections~~
~~Cross connections Rated by Degree of Hazard for Commonly Encountered Equipment, Fixtures, Facilities, and Their Use~~

	Hazard	
	High	Low
I. Subject to Back Pressure	-	-
A. Pumps, tanks & lines handling:	-	-
1. Sewage	X	-
2. Toxic substances	X	-
3. Nontoxic substances	-	X
B. Water connection to steam and steam boiler:	-	-
1. Boiler or steam connection to toxic substances	X	-
2. Boiler or steam connection to nontoxic substances (boiler blowoff through air gap)	-	X
II. Not Subject to Back Pressure	-	-
A. Sewer connected water line (not subject to waste stoppages)	X	-
B. Low inlets to receptacles containing:	-	-
1. Toxic substances	X	-
2. Nontoxic substances	-	X
C. Coils or jackets used as heat exchangers in compressors in lines carrying:	-	-
1. Sewage	X	-
2. Toxic substances	X	-
3. Nontoxic substances	-	X
D. Flush valve toilets or urinals	X	-
E. Toilet, urinal tanks and approved bathtubs	-	X
F. Bidets, sitz tanks, or spa, therapy and roman pools not otherwise isolated by design or backflow protectors	X	-
G. Trough urinals	-	X
H. Valved outlets or fixtures with hose attachments that may constitute a cross connection to:	-	-
1. Toxic substances	X	-
2. Nontoxic substances	-	X
I. Aspirators that may constitute a cross connection to:	-	-
1. Toxic substances	X	-
2. Nontoxic substances	-	X
III. Other Equipment and Facilities Subject to a Variety of Backflow Conditions	-	-
A. Lawn sprinkling systems that may constitute a cross connection to:	-	-
1. Toxic substances including lawn chemicals	X	-
2. Nontoxic substances	-	X
B. Fire suppression systems employing toxic chemicals	X	-

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C. Soft drink dispenser or bar carbonators	X	-
D. Radiological, photographic, dental, medical, biological or chemical laboratories or facilities	X	-
E. Swimming pools	X	-
F. Tank truck loading station	X	-

-

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TABLE 2

Permitted Backflow Assemblies, Devices, and Methods

-

Assembly, Device or Method ¹	Degree of Hazard				Installation ^{2,3,4,6}
	Low		High		
	Back siphonage	Back pressure	Back siphonage	Back pressure	
Air Gap	X	X	X	X	Shall be a minimum of 1 inch but not less than 2 times the diameter of the effective spout opening when not affected by side walls, and 8 times the diameter of the effective opening when affected by side walls. Side walls will be assumed to not affect air gaps when they are spaced horizontally a distance greater than 4 times the effective opening from the spout opening.
Atmospheric Vacuum Breaker	X	-	X	-	Upright position. No valves downstream. Minimum of 6 inches or listed distance above all downstream piping & flood level rim of receptor ⁵ :
Double Check Valve Assembly	X	X	-	-	Horizontal unless otherwise listed. Requires 1 foot below & sufficient side & head room for testing & maintenance with a maximum of 5 feet above the ground, work floor, or a permanently installed working platform with stairs or ladder affixed. Does not discharge water.
Pressure Vacuum Breaker Assembly	X	-	X	-	Upright position. May have valves downstream. Minimum of 12 inches above all downstream piping & flood level rim of receptor. May discharge water.
Reduced Pressure Principle Backflow Prevention Assembly	X	X	X	X	Same as Double Check Valve Assembly above except may discharge water & wherever installed, provision for draining away at least 2 times the rated gallons per minute of the device shall be made.
Dual Check Valves	X	X	-	-	Residential services only & where high hazards are not known to exist on the premises. Properly protected lawn sprinkling systems are assumed to be low hazard for this purpose. Dual checks are not subject to annual inspection unless so stipulated by the manufacturer. Otherwise,

					reasonable inspection periods will be assumed to be every 6 years.
--	--	--	--	--	--

Table Footnotes:

- ~~1. For description of assemblies and devices, refer to the *Manual of Cross-Connection Control*, published by the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California, Eighth Edition and *American Water Works Manual, M 14, Second Edition*. Backflow preventers described herein and in the guidelines as "assemblies" must be installed as assemblies keeping the shut off valves intact.~~
- ~~2. Previous approval by the public water supply system is required for use of a pit or vault (normally prohibited due to possible flooding) or for parallel and bypass installations (normally prohibited without special design considerations and proper cross-connection controls).~~
- ~~3. Backflow preventers shall not be located in any area containing fumes that are toxic, poisonous or corrosive; nor in any area in which they could be damaged by freezing, or by excessively high temperatures or pressures, vibration, physical impact or structural stress; nor knowingly be allowed to conduct highly corrosive or sandy waters without a special testing and maintenance program to assure proper and safe operation.~~
- ~~4. Refer to general and specific installation requirements as stated in the *Manual of Cross-Connection Control, Eighth Edition*, for conditions or situations not otherwise covered in these regulations.~~
- ~~5. Atmospheric vacuum breakers shall not be subjected to operating pressure for more than 12 hours in any 24 hour period. Hose bibb vacuum breakers are permitted for some uses described in the manual for *Cross-Connection Control, Eighth Edition*. Garden hose bibbs shall be protected with approved, non-removable or integral, frost proof, self-draining, anti-siphoning vacuum breakers.~~
- ~~6. Fire protection systems as a minimum shall be equipped with backflow prevention devices as described in *AWWA Manual M 14, Second Edition*. Backflow preventers under this regulation and connected to fire protection systems shall be considered part of those systems. As such, they shall not be installed, moved, removed, replaced, shut off or in any way altered unless in strict compliance with the rules and regulations promulgated by the State Fire Marshal, and shall be tested and repaired only by authorized fire protection system certified testers. The backflow protection device shall be Underwriters Laboratory listed.~~

§35-48. Device Certification

Backflow preventers required by this Article shall have been tested and approved or listed for the intended use by one of the following organizations:

- (A) Foundation for Cross-Connection Control and Hydrologic Research, University of Southern California, University Park, Los Angeles, California 90089.
- (B) American National Standards Institute, 1430 Broadway, New York, New York 10018.
- (C) Underwriters Laboratories, Inc., 333 Pfingsten Road, Northbrook, Illinois 60062.
- (D) National Sanitation Foundation, 2355 West Stadium Boulevard, P. O. Box 1468, Ann Arbor, Michigan 48106.
- (E) International Association of Plumbing and Mechanical Officials, 5032 Alhambra Avenue, Los Angeles, California 90032.

§35-49. Backflow Inspections

The Building Department or Utilities Department may inspect any premise to determine what level of protection will be necessary to protect the public health and safety.

In order to inspect a premise, the inspecting department shall give notice to the customer, setting forth a proposed date and time at least ten (10) working days in advance. If the customer cannot make the premises available for inspection on that date and time, the customer shall contact the Department to arrange another date and time for inspection. If the Department and the customer cannot agree on a date and time for inspection within 30 days of the initial notice, the water service line shall be shut off.

All inspections shall be made during normal working hours.

§35-50. Backflow Prevention; Order Authority

The Utilities Director or Building Department Director shall have the authority to issue any order consistent with the provisions of this ordinance in order to protect the public health and safety. Any order of either department shall be in writing and shall clearly state the nature of the order, compliance requirements and set a

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reasonable date by which compliance must be met. All orders will be mailed to the customer certified mail, return receipt requested.

§35-51. Appeal of Backflow Prevention Order

The customer shall have the right to appeal any order issued in accordance with §35-50 to the Plumbing Board. This appeal shall be done in accordance with the provisions of Chapter 26, *Plumbing*, of the Grand Island City Code.

§35-52. Backflow Preventer; Installation, Maintenance, and Testing

The cost of the installation, maintenance, and testing of backflow preventers in accordance with this Article shall be paid by the customer. All backflow prevention devices shall be installed in accordance with all manufacturers' instructions and guidelines, in a manner that the device shall be accessible for inspection and testing, and in accordance with §35-47. A reduced pressure principle backflow preventer shall not be installed in a pit or other location which may be subject to flooding.

§35-53. Customers Responsibility

Backflow prevention devices shall be maintained in good working condition by the customer.

(A) The customer shall be responsible to cause all backflow, backpressure or back-siphonage protection devices equipped with test ports to be tested as often as required by the Utilities Director, but at least upon initial installation, when repaired, and once each year. All tests shall be done by a Backflow Preventer Test and Repair Technician, Grade VI Water Supply Operator, certified by the State of Nebraska Department of Health. Test results shall be forwarded to the Utilities Director on standard reporting forms. The test report shall be signed by the certified tester, attesting to proper backflow preventer operation. Devices equipped with test ports and installed on lawn sprinkling systems which are supplied with water from a service line equipped with a backflow, backpressure or back siphonage detection device shall be tested upon initial installation, replacement of integral parts, and every fifth year thereafter.

(B) Public water supply system consumers are required to assess and report potential backflow hazards on their premises and take any steps necessary for protection of public health and safety as often as reasonably requested by the Utilities Director and which shall be no less often than every five years.

§35-54. Backflow Prevention; Penal Provision; Violation; Penalty

Any person who violates any of the prohibitions or provisions of this ordinance, or who modifies plumbing or backflow preventers so as to defeat the protection against backflow, shall be deemed guilty of a misdemeanor. A new violation shall be deemed to have been committed each day of such failure to comply.

§35-55. Reserved

§35-56. Reserved

§35-57. Reserved

§35-58. Reserved

§35-59. Reserved

Article VI. Groundwater Control Area No. 1

§35-60. Purpose

The United States Environmental Protection Agency issued a Record of Decision (ROD) for the Cleburn Street Well Superfund Site on June 7, 1996, which identified three sources of subsurface soil and groundwater contamination. These sources included the former One Hour Martinizing facility, Liberty Cleaners and Shirt Launderers, and Ideal Cleaners. The former Nebraska Solvent Company was identified as a possible fourth contamination source subject to subsequent evaluation and testing. The ROD described selected remedies for the three source areas, an element of which required the City of Grand Island to enact and enforce institutional control ordinances designating a Groundwater Control Area No. 1 in which groundwater use would be restricted to prevent human exposure and consumption of potentially contaminated groundwater, requiring registration of existing wells and requiring approval and registration of new wells. The institutional control ordinances are to remain in full force

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and effect until the groundwater contamination identified in the ROD is reduced to a level making the groundwater safe to be used as a source of drinking water pursuant to 42 USC §300g, et seq., the Safe Drinking Water Act, or its successor legislation.

§35-61. Definitions

As used in this Article, the following terms mean:

Groundwater means water pumped from a well located within the Groundwater Control Area No. 1 described in Section 35-62.

Groundwater Contamination means the chemicals of concern (COC) described in the United States Environmental Protection Agency Record of Decision (ROD) for the Cleburn Street Well Superfund Site dated June 7, 1996, which was received and accepted by the Mayor and City Council pursuant to Resolution 98-28.

Groundwater Control Area No. 1 means a defined area within the corporate limits of the City of Grand Island subject to the institutional controls provided in this Article which are intended to prohibit human consumption of potentially contaminated groundwater from wells.

Well means a hole or shaft sunk into the earth in order to obtain water from a natural subterranean supply or aquifer.

The definitions found in Neb. Rev. Stat., Chapter 46 - Irrigation and Regulation of Water are adopted by reference, except where such definitions are in conflict with those provided in this section above.

§35-62. Groundwater Control Area Boundaries

The outer boundaries of the Groundwater Control Area No. 1 are described as follows: Commencing at the southeasterly corner of the intersection of 9th Street and Adams Street; thence running northeasterly along the south boundary of 9th Street to the southwesterly corner of the intersection of 9th Street and Sycamore Street; thence running southeasterly along the west boundary of Sycamore Street to the northwesterly corner of the intersection of Sycamore Street and 1st Street; thence running southwesterly along the north boundary of 1st Street to the northwesterly corner of the intersection of 1st Street and Locust Street; thence running southerly along the west boundary of Locust Street to the intersection of Locust Street and Division Street; thence running southwesterly along the north boundary of Division Street to the northeasterly corner of the intersection of Division Street and Adams Street; thence running northwesterly along the east boundary of Adams Street to the point of beginning.

§35-63. Duration of Institutional Control Ordinance

(A) This Article shall remain in full force and effect for an initial term of twenty-five (25) years from the effective date following approval and adoption by the Mayor and City Council.

(B) The term of this Article may be extended by the Mayor and City Council if at the end of the initial term there remains groundwater contamination identified in the ROD described in Section 35-60 making the groundwater unsafe to be used as a source of drinking water pursuant to the Safe Drinking Water Act or its successor legislation.

(C) In the event the City of Grand Island is notified during the initial term by the Environmental Protection Agency that groundwater contamination within the Groundwater Control Area No. 1 has been reduced to a level making the groundwater safe to be used as a source of drinking water pursuant to the Safe Drinking Water Act or its successor legislation, the Mayor and City Council may proceed to repeal this Article forthwith.

§35-64. Prohibited Groundwater Uses

(A) Groundwater pumped from wells within the Groundwater Control Area No. 1 shall not be used for any human consumption including drinking water, cooking, washing or other household uses. Because groundwater from wells within the groundwater control area may be contaminated and present a hazard to the health, safety and welfare of persons exposed to said water, any known human consumption of groundwater from wells within the Groundwater Control Area No. 1 is a violation of this Article and is declared a public nuisance subject to abatement as provided hereafter.

(B) This Article shall not apply to uses of groundwater pumped from wells within the Groundwater Control Area No. 1 which do not involve human consumption, including, but not limited to, non-contact cooling water for industrial, commercial or residential uses and watering of vegetation other than gardens, plants and trees producing food for human consumption.

§35-65. Well Registration

(A) All wells for which drilling has commenced or existing within the Groundwater Control Area No. 1 as

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of the effective date of this Article shall be registered with the Building Department by the person owning the real estate on which the well is located. There shall be no fee for registering an existing well.

(B) No person shall drill or install a well within the Groundwater Control Area No. 1 prior to applying for and obtaining a well permit from the Building Department. There shall be a nonrefundable fee in accordance with the City of Grand Island Fee Schedule paid to the Building Department contemporaneously with making an application for a well permit.

§35-66. Existing Well Registration, Information Required

The following information shall be submitted to the Building Department in connection with registering a well in existence as of the effective date of this Article:

- (A) The name and address of the person owning the real estate on which the well is located.
- (B) The address and legal description of the property on which the well is located.
- (C) The address of all properties being served by groundwater pumped from the well.
- (D) A description of the uses of the water pumped from the well, including specifically whether such groundwater is used for human consumption including, but not limited to drinking, cooking, washing, or other household uses.
- (E) Whether City water is available to the property currently served by the well.
- (F) The depth of the well, if known.
- (G) A diagram showing the location of the well.

§35-67. New Well Registration, Application for Well Permit

The following information shall be submitted to the Building Department in connection with applying for a well permit for a new well in the Groundwater Control Area No. 1:

- (A) The name and address of the person owning the real estate on which the proposed well is to be located.
- (B) The address and legal description of the property on which the proposed well is to be located.
- (C) The address of all properties to be served by groundwater pumped from the proposed well.
- (D) A description of the uses to be made of water pumped from the proposed well, including a certification that said groundwater will not be used for human consumption, including but not limited to drinking, cooking, washing, or other household uses.
- (E) Whether City water is available to the property to be served by the proposed well.
- (F) The depth of the proposed well.
- (G) A diagram showing the location of the proposed well.

§35-68. Violations of Institutional Control Ordinance, Abatement of Public Nuisance

Whenever the Building Department Director, or his/her designee has inspected any well within the Groundwater Control Area No. 1 and determined that groundwater pumped from the well is being used in violation of this Article, he/she shall send a written notice to the owner of record or owner's duly authorized agent, or person in possession, charge or control, or to the occupant by ordinary first-class mail and by certified mail, return receipt requested, notifying the addressee of the violation. The written notice shall contain the following information:

- (A) The street address and a legal description sufficient for identification of the premises on which the well is located.
- (B) A brief and concise description of the acts or circumstances constituting a violation of this Article.
- (C) A brief and concise description of the corrective action required to be taken to render the well and groundwater uses in compliance with this code.
- (D) A brief and concise statement advising the addressee that if the well and groundwater uses are not brought into compliance with this Article within the time specified, that the Building Department Director, or his/her designee may order electrical power to the well disconnected and may request the City Attorney, with the consent of the Mayor, to file an action to abate the public nuisance and charge the costs thereof against the real estate, the owner of record and the addressee.

§35-69. Procedure for Abatement of Public Nuisance

If the addressee of the written notice described in Section 35-68 fails to abate said nuisance within the time specified, the City of Grand Island, at the written request of the Building Department Director, or his/her designee directed to the City Attorney, and with the consent of the Mayor, may proceed to abate said public

nuisance pursuant to Section 20-15 of the Grand Island City Code, and charge the costs thereof against the real estate on which the well is located and the addressee of the written notice.

In the event the use of the groundwater in violation of this Article might cause irreparable harm or poses a threat to public health, safety or welfare, or the health, safety or welfare of the persons using the groundwater, the written notice to abate pursuant to Section 20-15 shall not be required as a condition precedent to commencing a legal action to obtain abatement of the nuisance. The City of Grand Island, with the consent of the Mayor, may immediately file an action requesting such temporary and permanent orders as are appropriate to expeditiously and permanently abate said public nuisances and protect the public health, safety or welfare or the health, safety or welfare of persons using the groundwater in violation of this Article.

§36-70. Reserved

§36-71. Reserved

§36-72. Reserved

§36-73. Reserved

Article VII. Groundwater Control Area No. 2

§35-74. Purpose

The U.S. Army, in consultation with the U.S. Environmental Protection Agency (USEPA), and the Nebraska Department of Environmental Quality (NDEQ), issued a Record of Decision and Record of Decision Amendment (collectively ROD) for the former Cornhusker Army Ammunition Plant (CHAAP) which identified soil and groundwater contamination consisting of explosives above the USEPA Health Advisory Levels. The revised proposed plan for OU1 ROD Amendment identifies the Preferred Remedial Alternative for remediating groundwater at Operable Unit One (OU1) of CHAAP and provides the rationale for the OU1 ROD Amendment. The preferred remedial alternatives include remedies for the on-post and off-post groundwater plume containing explosives. The on-post explosives plume will be treated to remedial action objectives using existing extraction and treatment technologies. The On-Post Plume Institutional Controls will include land use restrictions, enforcement of the Hall County Reuse Plan for agricultural and industrial zoning on CHAAP and prohibiting water supply well drilling in the plume area. The Health Advisory Level in effect as of March 1, 2001, is 2ug/l (microgram per liter) or 2 ppb (parts per billion).

Pending natural attenuation obtaining the remedial action objectives of the ROD, the U.S. Army has requested that the City of Grand Island enact and enforce an ordinance instituting Off-Post Plume Institutional Controls by designating a groundwater control area in which groundwater use would be restricted to prevent human exposure and consumption of potentially contaminated groundwater, requiring registration of existing wells, prohibiting installation of new wells supplying water for human consumption in the plume area, and requiring approval and registration of new wells. The Institutional Control Ordinance is to remain in full force and effect until the explosive contamination identified in the ROD is attenuated to less than USEPA Health Advisory Levels.

§35-75. Definitions

As used in this Article, the following terms mean:

Groundwater means water pumped from a well located within Groundwater Control Area No. 2 described in Section 35-72.

Groundwater Contamination means the explosives described in the U.S. Army Record of Decision and Record of Decision Amendment (ROD) for the former Cornhusker Army Ammunition Plant (CHAAP).

Groundwater Control Area No. 2 means a defined area within the corporate limits and zoning jurisdiction of the City of Grand Island subject to the Off-Post Plume Institutional Controls provided in this Article.

Off-Post Plume Institutional Controls means the provisions of this Article which are intended to prohibit human consumption of potentially contaminated groundwater from wells and contamination of otherwise uncontaminated water-bearing zones located within Groundwater Control Area No. 2.

Well means a hole or shaft sunk into the earth in order to obtain water from a natural subterranean supply or aquifer.

The definitions found in Neb. Rev. Stat., Chapter 46 - Irrigation and Regulation of Water are adopted by reference, except where such definitions are in conflict with those provided in this section above.

§35-76. Groundwater Control Area No. 2 Boundaries

The boundaries of Groundwater Control Area No. 2 shall be maintained in the Hall County – City of Grand Island Cooperative Geographic Information System (GIS) using information supplied by the U.S. Army and modified in accordance with periodic monitoring data prepared by the U.S. Army and reviewed by the USEPA and NDEQ.

§35-77. Duration of Institutional Control Ordinance

(A) This Article shall remain in full force and effect for so long as there remains groundwater contamination identified in the ROD described in §35-70 making the groundwater unsafe to be used as a source of drinking water because of explosives contamination above the USEPA Health Advisory Levels then in effect.

(B) When the City of Grand Island is notified by the U.S. Army or the USEPA that groundwater contamination within Groundwater Control Area No. 2 has been reduced to a level below the USEPA Health Advisory Levels, the Mayor and City Council may proceed to repeal this Article forthwith.

§35-78. Prohibited Groundwater Uses

(A) Groundwater pumped from wells within Groundwater Control Area No. 2 shall not be used for any human consumption including drinking water, cooking, washing or other household uses. Because groundwater from wells within the groundwater control area may be contaminated and present a hazard to the health, safety, and welfare of persons exposed to said water, any known human consumption of groundwater from wells within Groundwater Control Area No. 2 is a violation of this Article and is declared a public nuisance subject to abatement as provided hereafter.

(B) This Article shall not apply to uses of groundwater pumped from wells within Groundwater Control Area No. 2 which do not involve human consumption, including, but not limited to, non-contact cooling water for industrial, commercial or residential uses and watering of vegetation other than gardens, plants, and trees producing food for human consumption.

§35-79. Well Registration

(A) All wells for which drilling has commenced or existing within Groundwater Control Area No. 2 as of the effective date of this Article shall be registered with the Building Department by the person owning the real estate on which the well is located. There shall be no fee for registering an existing well.

(B) No person may drill or install a well within Groundwater Control Area No. 2 prior to applying for and obtaining a well permit from the Building Department. There shall be a nonrefundable fee in accordance with the City of Grand Island Fee Schedule paid to the Building Department contemporaneously with making an application for a well permit.

(C) No person may drill or install a well within Groundwater Control Area No. 2 which penetrates two or more water-bearing zones unless water-tight casings are installed which conform to the regulations governing water well construction, pump installation, and water well decommissioning standards of the Nebraska Department of Health and Human Services, Regulation and Licensure Division (178 NAC 12, Section 003.11D - Contaminated Water-Bearing Zones).

§35-80. Existing Well Registration, Information Required

The following information shall be submitted to the Building Department in connection with registering a well in existence as of the effective date of this Article:

(A) The name and address of the person owning the real estate on which the well is located.

(B) The address and legal description of the property on which the well is located.

(C) The address of all properties being served by groundwater pumped from the well.

(D) A description of the uses of the water pumped from the well, including specifically whether such groundwater is used for human consumption including, but not limited to drinking water, cooking, washing, or other household uses.

(E) Whether City water is available to the property currently served by the well.

(F) The depth of the well, if known.

(G) A diagram showing the location of the well.

§35-81. New Well Registration, Application for Well Permit

The following information shall be submitted to the Building Department in connection with applying for a well permit for a new well in the Groundwater Control Area No 2:

- (A) The name and address of the person owning the real estate on which the proposed well is to be located.
- (B) The address and legal description of the property on which the proposed well is to be located.
- (C) The address of all properties to be served by groundwater pumped from the proposed well.
- (D) A description of the uses to be made of water pumped from the proposed well, including a certification that said groundwater will not be used for human consumption, including but not limited to drinking water, cooking, washing, or other household uses.
- (E) Whether City water is available to the property to be served by the proposed well.
- (F) The depth of the proposed well.
- (G) A diagram showing the location of the proposed well.

Following installation of any new, permitted well in Groundwater Control Area No. 2, a copy of the well boring logs shall be filed with the Building Department and made a part of the records for the real estate on which the well is located.

§35-82. Violations of Institutional Control Ordinance, Abatement of Public Nuisance

Whenever the Building Department Director, or his/her designee has inspected any well within the Groundwater Control Area No. 2 and determined that groundwater pumped from the well is being used in violation of this Article, the Director shall send a written notice to the owner of record or owner's duly authorized agent, or person in possession, charge or control, or to the occupant by ordinary first-class mail and by certified mail, return receipt requested, notifying the addressee of the violation. The written notice shall contain the following information:

- (A) The street address and a legal description sufficient for identification of the premises on which the well is located.
- (B) A brief and concise description of the acts or circumstances constituting a violation of this Article.
- (C) A brief and concise description of the corrective action required to be taken to render the well and groundwater uses in compliance with this code.
- (D) A brief and concise statement advising the addressee that if the well and groundwater uses are not brought into compliance with this Article within the time specified, that the Building Department Director, or his/her designee may order electrical power to the well disconnected and may request the City Attorney, with the consent of the Mayor, to file an action to abate the public nuisance and charge the costs thereof against the real estate, the owner of record and the addressee.

§35-83. Procedure for Abatement of Public Nuisance

If the addressee of the written notice described in Section 35-78 fails to abate said nuisance within the time specified, the City of Grand Island, at the written request of the Building Department Director, or his/her designee directed to the City Attorney, and with the consent of the Mayor, may proceed to abate said public nuisance pursuant to Section 20-15 of the Grand Island City Code, and charge the costs thereof against the real estate on which the well is located and the addressee of the written notice.

In the event the use of the groundwater in violation of this Article might cause irreparable harm or poses a threat to public health, safety or welfare, or the health, safety or welfare of the persons using the groundwater, the written notice from the City Attorney to abate pursuant to Section 20-15 shall not be required as a condition precedent to commencing a legal action to obtain abatement of the nuisance. The City of Grand Island, with the consent of the Mayor, may immediately file an action requesting such temporary and permanent orders as are appropriate to expeditiously and permanently abate said public nuisances and protect the public health, safety or welfare or the health, safety or welfare of persons using the groundwater in violation of this Article.

Article VIII. Groundwater Control Area No. 3

§35-84. Purpose

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(A) The Parkview Well Superfund Site ("Site") is located in the southwestern portion of the city of Grand Island in Hall County, Nebraska. The Site consists of two areas of groundwater contamination and associated source areas which resulted from the historical mismanagement of industrial solvents.

(B) The United States Environmental Protection Agency (EPA) has issued an Interim Record of Decision dated September 26, 2006 ("Interim ROD"), and a Record of Decision dated September 30, 2007 ("Final ROD"), and an Explanation of Significant Differences for the Site. The RODs identified two contaminant source areas. A contaminant source area located at a facility at 3304 Engleman Road South has resulted in contamination in the groundwater which trends to the east. This groundwater contamination is referred to in the RODs as the Southern Plume. A contaminant source area located at a facility at 3445 West Stolley Park Road has resulted in groundwater contamination which trends to the east. This groundwater contamination is referred to in the RODs as the Northern Plume.

(C) The RODs presented the selected remedies for the source areas and the plumes. A component of the selected remedies in the Interim ROD is the enactment by the City of Grand Island of an institutional control ordinance designating a Groundwater Control Area through which groundwater use would be restricted to prevent human exposure and consumption of contaminated groundwater and prohibit the installation of new wells supplying water for human consumption in the plume areas. This institutional control ordinance is to remain in full force and effect until the groundwater contamination identified in the RODs is reduced to a level making the groundwater safe to be used as a source of drinking water pursuant to the Safe Drinking Water Act, 42 U.S.C. §§ 300f – 300j-26, or its successor legislation.

Added by Ordinance No. 9310, effective 08-30-2011

§35-85. Definitions

As used in this Article, the following terms mean:

City means the City of Grand Island, Nebraska.

Domestic use means human consumption and any use of groundwater for human health and sanitation including, but not limited to, drinking, cooking, washing, bathing, showering, and other similar household uses.

EPA means the United States Environmental Protection Agency, and any successor departments or agencies of the United States. Submissions to be made to EPA hereunder shall be sent to: U.S. Environmental Protection Agency, 901 North 5th Street, Kansas City, Kansas 66101, and shall reference the "Parkview Well Superfund Site."

Groundwater means water pumped from a well located within the Groundwater Control Area No. 3 described in § 35-86.

Groundwater contamination means the chemicals of concern described in the RODs for the Parkview Well Superfund Site.

Groundwater Control Area No. 3 means a defined area within the corporate limits of the City of Grand Island subject to the institutional controls provided for in this Article which are intended to prohibit human exposures to contaminated groundwater from wells.

NDEQ means the Nebraska Department of Environmental Quality, and any successor departments of agencies of the State of Nebraska.

NDNR means the Nebraska Department of Natural Resources, and any successor departments of agencies of the State of Nebraska.

RODs mean those Records of Decision, and Explanation of Significant Differences described in § 35-84 above, as well as any subsequent Records of Decision, Record of Decision Amendments, and/or Explanation of Significant Differences, issued by EPA pertaining to the Site.

Well means a hole or shaft sunk into the earth in order to obtain water from a natural subterranean supply or aquifer.

The definitions found in Neb. Rev. Stat., Chapter 46 - Irrigation and Regulation of Water - are adopted herein by reference, except where such definitions are in conflict with those provided herein.

Added by Ordinance No. 9310, effective 08-30-2011

§35-86. Groundwater Control Area Boundaries

The boundaries of Groundwater Control Area No. 3 are described as follows and are shown on the attached map: Commencing at the southeasterly corner of the intersection of County Road 27/State Highway 34 and New

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State Highway 30; thence running easterly along the north boundary of State Highway 34 to the southwesterly corner of the intersection of Garland Street; thence running northerly and then easterly along the west boundary of Garland Street to the northwesterly corner of the intersection of Garland Street and South Blaine Street; thence running northerly along the west boundary of South Blaine Street to the northwesterly corner of the intersection of South Blaine Street and Stagecoach Road; thence running easterly along the north boundary of Stagecoach Road to the intersection of Stagecoach Road and Stagecoach Road; thence running predominately northeasterly along the north boundary of Stagecoach Road to the northwesterly corner of the intersection of Stagecoach Road and South August Street; thence running northerly along the west boundary of South August Street to the southwesterly corner of the intersection of South August Street and West Stolley Park Road; thence running westerly along the south boundary of West Stolley Park Road to the southwesterly corner of the intersection of West Stolley Park Road and Old State Highway 30; thence running southwesterly along the south boundary of Old State Highway 30, merging with New State Highway 30 and continuing southeasterly along the south boundary of New State Highway 30 to the point of beginning. A map of the boundaries of Groundwater Control Area No. 3 shall be maintained in the City's Geographical Information System MapSifter (or any successor application, if any) using information provided by EPA.

Added by Ordinance No. 9310, effective 08-30-2011

§35-87. Duration of Institutional Control Ordinance

(A) This Article shall remain in full force and effect as long as there remains groundwater contaminated at levels that exceed the residential use cleanup levels provided for in the RODs making the groundwater unsafe to be used as a source of drinking water pursuant to the Safe Drinking Water Act or its successor legislation.

(B) Following EPA notifying the City that the groundwater contamination within the roundwater Control Area No. 3 has been reduced to a level making the groundwater safe to be used as a source of drinking water pursuant to the Safe Drinking Water Act, or its successor legislation, the City's Mayor and City Council may proceed to repeal this Article forthwith.

Added by Ordinance No. 9310, effective 08-30-2011

§35-88. Prohibited Groundwater Uses

(A) Groundwater pumped from wells within Groundwater Control Area No. 3 shall not be used for any domestic use which may result in human exposures. Such uses include drinking, food preparation, washing, bathing, showering, and other household uses which result in human exposures to contaminated groundwater. Because groundwater from wells within Groundwater Control Area No. 3 may be contaminated and presents a hazard to the health, safety, and welfare of persons exposed to such water, any human consumption or prohibited use of groundwater from wells within Groundwater Control Area No. 3 is a violation of this Article and is declared to be a public nuisance subject to abatement as provided in §35-91 of this Article.

(B) No new well with a design capacity of more than 50 gallons per minute (gpm) may be drilled or installed in Groundwater Control Area No. 3 unless and until the party proposing the well installation has demonstrated, by a hydrogeological study performed by a competent environmental consulting firm, that the operation of the well will not cause the movement of the groundwater contamination or adversely affect the remedial action provided for in the RODs for the Site. Any such hydrological study shall be submitted to EPA for review and approval prior to well installation.

(C) This Section on Prohibited Groundwater Uses shall not prohibit uses of groundwater pumped from wells within Groundwater Control Area No. 3 which do not result in human exposure to contaminated groundwater, including, but not limited to, groundwater monitoring wells, EPA or NDNR remediation wells, wells that produce 50 gpm or less for dewatering purposes, wells used for non-contact cooling water for industrial, commercial or residential uses, or wells used for watering vegetation not used for human consumption. Discharges from dewatering wells must be appropriately handled and disposed of in accordance with applicable City, State and Federal laws including National Pollution Discharge Elimination System permits under the Clean Water Act.

Added by Ordinance No. 9310, effective 08-30-2011

§35-89. Well Installation

(A) No person shall drill or install a well with a design capacity of more than 50 gallons per minute within Groundwater Control Area No. 3 prior to applying for and obtaining a well permit from the Central Platte Natural Resource District.

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(B) No person may install a well within Groundwater Control Area No. 3 which penetrates two or more water-bearing zones unless water-tight casings are installed which conform to the regulations governing water well construction, pump installation, and water well decommissioning standards of the Nebraska Department of Health and Human Services, Regulation and Licensure Division (178 NAC 12, Section 003.11D - Contaminated Water-Bearing Zones).

Added by Ordinance No. 9310, effective 08-30-2011

§35-90. New Well Registration, Application for Well Permit

The following information shall be submitted to the City's Building Department prior to drilling a new well in Groundwater Control Area No. 3:

- (1) A copy of the well permit obtained from the Central Platte Natural Resources District.
- (2) The address and legal description of the property on which the proposed well is to be located.
- (3) The address of all properties to be served by groundwater pumped from the proposed well.
- (4) A description of the uses to be made of water pumped from the proposed well; including a certification that such groundwater will not be used for domestic use which may result in human exposures.
- (5) Whether City water is available to the property to be served by the proposed well.
- (6) The depth of the proposed well and pump intake.
- (7) A diagram showing the location of the proposed well.
- (8) An application for any dewatering well will include a plan for the appropriate handling and disposal of the discharge water in accordance with applicable City, State and Federal laws including NPDES permits.
- (9) A statement as to whether the design capacity of the proposed well exceeds 50 gpm. If the design capacity of the well exceeds 50 gpm, the owner of the well shall demonstrate, by a hydrogeological study performed by a competent environmental consulting firm in accordance with § 35-88(B) of this Article, that the operation of the well will not cause the movement of the groundwater contamination or adversely affect the remedial action provided for in the RODs for the Site.

Added by Ordinance No. 9310, effective 08-30-2011

§35-91. Violations of Institutional Control Ordinance; Abatement of Public Nuisance

Whenever the City's Building Department Director, or his/her designee, has inspected any well within Groundwater Control Area No. 3 and determined that such well is being operated, or that the groundwater pumped from the well is being used, in violation of this Article, he/she will send a written notice to the owner of record of the real property where the well is located, or the owner's agent, or the occupant of the property, by certified mail, return receipt requested, notifying such party of the violation. The written notice will contain the following:

- (1) The street address and/or a legal description sufficient for identification of the property where the well is located.
- (2) A description of the acts or circumstances constituting a violation of this Article.
- (3) A description of the corrective action required to be taken to render the well and groundwater uses in compliance with this Article .
- (4) A statement advising the addressee that if the well and groundwater uses are not brought into compliance with this Article within the time specified, the City's Building Department Director, or his/her designee, may order electrical power to the well disconnected and may request the City Attorney, with the consent of the City's Mayor, to file an action to charge the costs thereof against the real estate, the owner of record and the addressee. The charge shall constitute a lien against said property.

Added by Ordinance No. 9310, effective 08-30-2011

§35-92. Procedure for Abatement of Public Nuisance

(A) If the addressee of the notice described in § 35-91 of this Article fails to abate said nuisance within the time specified, the City of Grand Island, at the written request of the City's Building Department Director, or his/her designee, directed to the City Attorney, and with the consent of the Mayor, may abate said public nuisance pursuant

ORDINANCE NO. 9533 (Cont.)

to § 20-15 of the Grand Island City Code, and charge the costs thereof against the real estate on which the well is located and the addressee of the notice.

(B) If the City, in its sole discretion, determines that the use of the groundwater in violation of this Article might cause irreparable harm or poses a threat to public health, safety or welfare, or the health, safety or welfare of the persons using the groundwater, the written notice to abate pursuant to § 20-15 of the Grand Island City Code shall not be required as a condition precedent to commencing a legal action to obtain abatement of the nuisance. The City, with the consent of the Mayor, may immediately file an action requesting such temporary and permanent orders as are appropriate to expeditiously and permanently abate such public nuisances and protect the public health, safety or welfare or the health, safety or welfare of persons using the groundwater in violation of this Article.

Added by Ordinance No. 9310, effective 08-30-2011

Article IX. Groundwater Control Area No. 4

§ 35-93. Purpose

(A) The Nebraska Solvents Company Site ("Site") is located in the eastern portion of the City of Grand Island in Hall County, Nebraska, and in a portion of western Merrick County. The Site consists of one area of groundwater contamination and an associated source area which resulted from the historical mismanagement of industrial solvents.

(B) The Nebraska Department of Environmental Quality (NDEQ) approved on March 21, 2011 a Remedial Action Plan (RAP) dated February 1, 2010. The RAP identified one contaminant source area located at a facility at 1200 Highway 30 East that has resulted in contamination in the groundwater which trend to the east and then northeast.

(C) The RAP presented the selected remedies for the source area and the plume. A component of the selected remedies in the approved RAP is the enactment by the City of Grand Island of an institutional control ordinance designating a Groundwater Control Area through which groundwater use would be restricted to prevent human exposure and consumption of contaminated groundwater and prohibit the installation of new wells supplying water for human consumption in the plume area. This institutional control ordinance is to remain in full force and effect until the groundwater contamination identified in the RAP is reduced to a level making the groundwater safe to be used as a source of drinking water pursuant to the Safe Drinking Water Act, 42 U.S.C. §§ 300f –300j-26, or its successor legislation.

Added by Ordinance No. 9370, effective 04-03-2012

§35-94. Definitions

As used in this Article, the following terms mean:

City means the City of Grand Island, Nebraska.

Domestic use means human consumption and any use of groundwater for human health and sanitation including, but not limited to, drinking, cooking, washing, bathing, showering, and other similar household uses.

EPA means the United States Environmental Protection Agency.

Groundwater contamination means the chemicals of interest described in the RAP for the Site.

Groundwater Control Area No. 4 means a defined area within the jurisdictional limits of the City of Grand Island subject to the institutional controls provided for in this Article which are intended to prohibit human exposures to contaminated groundwater from wells.

NDEQ means the Nebraska Department of Environmental Quality, and any successor departments of agencies of the State of Nebraska.

NDNR means the Nebraska Department of Natural Resources, and any successor departments of agencies of the State of Nebraska.

RAP means the Remedial action Plan submitted to NDEQ and approved March 22, 2011.

Well means a hole or shaft sunk into the earth in order to obtain water from a natural subterranean supply or aquifer.

The definitions found in Neb. Rev. Stat., Chapter 46 – Irrigation and Regulation of Water – are adopted herein by reference, except where such definitions are in conflict with those provided herein.

Added by Ordinance No. 9370, effective 04-03-2012

§35-95. Groundwater Control Area Boundaries

The boundaries of Groundwater Control Area No. 4 are described as follows and are shown on the attached map. Commencing 135 feet to the west of the intersection of Museum Drive and East Seedling Mile Road; thence running westerly to the western lease boundary of the 1200 Highway 30 East Site; thence running southerly to the intersection of the lease boundary and Highway 30 East; thence running east-southeasterly to the intersection of Stuhr Road and an extension of East Gregory Street; thence running easterly along Gregory Street to Shady Bend Road, thence running east-northeasterly to East Seedling Mile Road; thence following East Seedling Mile Road to the intersection with Gunbarrel Road; thence southerly to the Wood River; thence east-northeasterly along a path 350 feet south of and parallel to Fort Kearney Road to the intersection with a southerly extension of Beck Road; thence running northerly along Beck Road to the farm access road 2,270 feet south of Highway 30 East, thence running westerly for 1,000 feet; thence running southwesterly along a path 1,130 feet south of and parallel to Highway 30 East to the point of beginning. A map of the boundaries of Groundwater Control Area No. 4 shall be maintained in the City's Geographical Information System Mapsifter (or any successor application, if any).

Added by Ordinance No. 9370, effective 04-03-2012

§35-96. Duration of Institutional Control Ordinance

(A) This Article shall remain in full force and effect as long as there remains groundwater contaminated at levels that exceed the residential use cleanup levels provided for in the RAP making the groundwater unsafe to be used as a source of drinking water pursuant to the Safe Drinking Water Act of its successor legislation.

(B) Following NDEQ notifying the City that the groundwater contamination within the Groundwater Control Area No. 4 has been reduced to a level making the groundwater safe to be used as a source of drinking water pursuant to the Safe Drinking Water Act, or its successor legislation, the City's Mayor and City Council may proceed to repeal this Article forthwith.

Added by Ordinance No. 9370, effective 04-03-2012

§35-97. Duration of Institutional Control Ordinance

(A) This Article shall remain in full force and effect as long as there remains groundwater contaminated at levels that exceed the residential use cleanup levels provided for in the RAP making the groundwater unsafe to be used as a source of drinking water pursuant to the Safe Drinking Water Act or its successor legislation.

(B) Following NDEQ notifying the City that the groundwater contamination within the Groundwater Control Area No. 4 has been reduced to a level making the groundwater safe to be used as a source of drinking water pursuant to the Safe Drinking Water Act, or its successor legislation, the City's Mayor and City Council may proceed to repeal this Article forthwith.

Added by Ordinance No. 9370, effective 04-03-2012

§35-98. Prohibited Groundwater Uses

(A) Groundwater pumped from wells within Groundwater Control Area No. 4 shall not be used for any domestic use which may result in human exposures. Such uses include drinking, food preparation, washing, bathing, showering, and other household uses which result in human exposures to contaminated groundwater. Because groundwater from wells within Groundwater Control Area No. 4 may be contaminated and presents a hazard to the health, safety, and welfare of persons exposed to such water, any human consumption or prohibited use of groundwater from wells within Groundwater Control Area No. 4 is a violation of this Article and is declared to be a public nuisance subject to abatement as provided in §§35-101 to 35-102 of this Article.

(B) No new well with a design capacity of more than 50 gallons per minute (gpm) may be drilled or installed in Groundwater Control Area No. 4 unless and until the party proposing the well installation has demonstrated, by a hydrogeological study performed by a competent environmental consulting firm, that the operation of the well will not cause the movement of the groundwater contamination or adversely affect the remedial action provided for in the RAP for the Site. Any such hydrological study shall be submitted to NDEQ for review and approval prior to well installation.

(C) This Section on Prohibited Groundwater Uses shall not prohibit uses of groundwater pumped from wells within Groundwater Control Area No. 4 which do not result in human exposure to contaminated groundwater, including, but not limited to, groundwater monitoring wells, EPA, NDNR, or NDEQ remediation wells, wells that produce 50 gpm or less for dewatering purposes, for non-contact cooling water for industrial, commercial, or residential uses, or wells used for irrigation. Discharges from dewatering wells must be appropriately handled and

ORDINANCE NO. 9533 (Cont.)

disposed of in accordance with applicable City, State and Federal laws including National Pollution Discharge Elimination System permits under the Clean Water Act.

Added by Ordinance No. 9370, effective 04-03-2012

§35-99. Well Installation

(A) No person shall drill or install a well with a design capacity of more than 50 gallons per minute within Groundwater Control Area No. 4 prior to applying for and obtaining a well permit from the Central Platte Natural Resources District.

(B) No person may install a well within Groundwater Control Area No. 4 which penetrates two or more water-bearing zones unless water-tight casings are installed which conform to the regulations governing water well construction, pump installation, and water well decommissioning standards of the Nebraska Department of Health and Human Services, Regulation and Licensure Division (178 NAC 12, Section 003.11D – Contaminated Water-Bearing Zones).

Added by Ordinance No. 9370, effective 04-03-2012

§35-100. New Well Registration, Application for Well Permit

The following information shall be submitted to the City's Building Department prior to drilling a new well in groundwater Control Area No. 4:

- (1) A copy of the well permit obtained from the Central Platte Natural Resources District.
- (2) The address and legal description of the property on which the proposed well is to be located.
- (3) The address of all properties to be served by groundwater pumped from the proposed well.
- (4) A description of the uses to be made of water pumped from the proposed well, if any; including a certification that such groundwater will not be used for domestic use which may result in human exposures.
- (5) Whether City water is available to the property to be served by the proposed well.
- (6) The depth of the proposed well and pump intake.
- (7) A diagram showing the location of the proposed well.
- (8) An application for any dewatering well will include a plan for the appropriate handling and disposal of the discharge water in accordance with applicable City, State and Federal laws including NPDES permits.
- (9) A statement as to whether the design capacity of the proposed well exceeds 50 gpm. If the design capacity of the well exceeds 50 gpm, the owner of the well shall demonstrate, by a hydrogeological study performed by a competent environmental consulting firm in accordance with §35-98(B) of this Article, that the operation of the well will not cause the movement of the groundwater contamination or adversely affect the remedial action provided for in the RAP for the Site.

Added by Ordinance No. 9370, effective 04-03-2012

§35-101. Violations of Institutional Control Ordinance; Abatement of Public Nuisance

Whenever the City's Building Department Director, or his/her designee, has inspected any well within Groundwater Control Area No. 4 and determined that such well is being operated, or that the groundwater pumped from the well is being used, in violation of this Article, he/she will send a written notice to the owner of record of the real property where the well is located, or the owner's agent, or the occupant of the property, by certified mail, return receipt requested, notifying such party of the violation. The written notice will contain the following:

- (1) The street address and/or a legal description sufficient for identification of the property where the well is located.
- (2) A description of the acts or circumstances constituting a violation of this Article.
- (3) A description of the corrective action required to be taken to render the well and groundwater uses in compliance with this Article.
- (4) A statement advising the addressee that if the well and groundwater uses are not brought into compliance with this Article within the time specified, the City's Building Department Director, or his/her designee, may order electrical power to the well disconnected and may request the City Attorney, with the consent of the City's Mayor, to file an action to charge the costs thereof against the real estate, the owner of record and the addressee. The charge shall constitute a lien against said property.

Added by Ordinance No. 9370, effective 04-03-2012

§35-102. Procedure for Abatement of Public Nuisance

ORDINANCE NO. 9533 (Cont.)

(A) If the addressee of the notice described in §35-101 of this Article fails to abate said nuisance within the time specified, the City of Grand Island, at the written request of the City's Building Department Director, or his/her designee, directed to the City Attorney, and with the consent of the Mayor, may abate said public nuisance pursuant to §20-15 of the Grand Island City Code, and charge the costs thereof against the real estate on which the well is located and the addressee of the notice.

(B) If the City, in its sole discretion, determines that the use of the groundwater in violation of this Article might cause irreparable harm or poses a threat to public health, safety or welfare, or the health, safety or welfare of the persons using the groundwater, the written notice to abate pursuant to §20-15 of the Grand Island City Code shall not be required as a condition precedent to commencing a legal action to obtain abatement of the nuisance. The City, with the consent of the Mayor, may immediately file an action requesting such temporary and permanent orders as are appropriate to expeditiously and permanently abate such public nuisances and protect the public health, safety or welfare of the health, safety or welfare of persons using the groundwater in violation of this Article.

Added by Ordinance No. 9370, effective 04-03-2012

SECTION 2. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen (15) days in one issue of the Grand Island Independent as provided by law.

Enacted: April 14, 2015

Jeremy L. Jensen

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item F-3

#9534 – Consideration of Adoption of Amendments to Chapter 36 of the Grand Island City Code Relative to Zoning Regulations

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

Staff Contact: Chad Nabity

ORDINANCE NO. 9534

An ordinance to amend Chapter 36 of the Grand Island City Code specifically, to add Section 36-8 (F) Changing the Definition of Family, Section 36-8 (G) Adding Definitions for Group Home and Guest Building and Deleting Guest Room, Section 36-43 Zoning Districts specifying within the text a 2 mile extraterritorial zoning jurisdiction and readoption of Appendix A the Zoning Matrix with changes as approved by the Planning Commission and City Council and 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. Section 36-08 (F) of the Grand Island City Code is hereby amended to read as follows:

(F)

Facade shall mean the exterior wall of a building exposed to public view from the building's exterior.

Factory shall mean a structure or plant within which something is made or manufactured from raw or partly wrought materials into forms suitable for use.

~~**Family** shall mean a household head and one or more persons related to the head by blood, marriage or adoption living together in a single dwelling unit.~~

~~**Family** shall mean a household head and one or more persons related to the head by blood, marriage, adoption, guardianship or duly authorized custodial relationship living together in a single dwelling, or no more than 5 unrelated persons living together in a single dwelling~~

Family Child Care Home I shall mean a child care operation in the provider's place of residence which serves between four (4) and eight (8) children at any one time. A Family Child Care Home I provider may be approved to serve no more than two (2) additional school-age children during non-school hours. In addition to these regulations, a Child Care Home shall meet requirements of the State of Nebraska.

Family Child Care Home II shall mean a child care operation either in the provider's place of residence or a site other than the residence, serving twelve (12) or fewer children at any one time. In addition to these regulations, a Child Care Home shall meet requirements of the State of Nebraska.

Farm shall mean an area containing at least twenty (20) acres or more which is used for growing of the usual farm products such as vegetables, fruit, and grain, and the storage on the area, as well as for the raising thereon of the usual farm poultry and farm animals. The term farming includes the operating of such area for one or more of the above uses with the necessary accessory uses for treating or storing the produce and the feeding of livestock as hereinafter prescribed; provided such accessory uses do not include the feeding of garbage or offal to swine or other animals.

Farming shall mean the planting, cultivating, harvesting and storage of grains, hay or plants commonly grown in Nebraska with the necessary accessory uses for treating or storing the produce and the feeding of livestock as prescribed hereunder, provided such accessory uses do not include the feeding of garbage or offal to swine or other animals.

Farmstead In contrast to a farmstead dwelling, a tract of land of not less than 1 acre and not more than 20 acres, upon which a farm dwelling and other outbuildings and barns existed as of August 1, 2004, and was used for single-family resident purposes.

Approved as to Form	<input type="checkbox"/>	_____
April 13, 2015	<input type="checkbox"/>	City Attorney

ORDINANCE NO. 9534 (Cont.)

Feed Lot shall mean the confinement of horses, sheep, pigs, and other food animals in buildings, lots, pens, pools or ponds which normally are not used for raising crops or for grazing animals.

Fence shall mean a structure serving as an enclosure, barrier or boundary.

(A) **Fence, Open** shall mean a fence, including gates, which has, for each one foot (1') wide segment extending over the entire length and height of fence, fifty percent (50%) or more of the surface area in open spaces which affords direct views through the fence.

(B) **Fence, Solid** shall mean any fence that does not qualify as an open fence.

Flood see definition in §36-128 of this chapter.

Flood Plain see definition in §36-128 of this chapter.

Floodway see definition in §36-128 of this chapter.

Floor Area whenever the term "floor area" is used in this chapter as a basis for requiring off-street parking for any structure, it shall be assumed that, unless otherwise stated, said floor area applies not only to the ground floor area but also to any additional stories of said structure. All horizontal dimensions shall be taken from the exterior faces of walls.

Food Sales shall mean establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.

Frontage shall mean that portion of a parcel of property which abuts a dedicated public street or highway.

SECTION 2. Section 36-08 (G) of the Grand Island City Code is hereby

amended to read as follows:

(G)

Garage, Private shall mean a detached accessory building or a portion of a main building on the same lot as a dwelling for the housing of vehicles of the occupants of the dwelling, including carports.

Garage, Public shall mean any garage other than a private garage.

Garage, Repair shall mean a building designed and used for the storage, care, repair, or refinishing of motor vehicles including both minor and major mechanical overhauling, paint, and body work as a commercial business (Also, see Service Station).

Garbage shall mean any waste food material of an animal or vegetable nature, including that which may be used for the fattening of livestock.

Gated Communities shall mean residential areas that restrict access to normally public spaces. These are subdivisions of usually high-end houses. The type of gates can range from elaborate guard houses to simple electronic arms.

Grade shall mean the average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, the ground level shall be measured at the sidewalk.

Grand Island Fee Schedule shall mean the fee schedule adopted and maintained by the City of Grand Island, which establishes the required fees to be collected for various City services.

Graphic element shall mean a letter, illustration, symbol, figure, insignia, or other device employed to express and illustrate a message or part thereof.

Greenhouse shall mean a building or premises used for growing plants, preparation of floral arrangements for off-site delivery to customers, cold storage of flowers or dry storage of materials used for agricultural or horticultural purposes.

Greenway shall mean a parcel or parcels of land, together with the improvements thereon, dedicated as an easement for access and/or recreation; usually a strip of land set aside for a walkway, bicycle trail, bridal path, or other similar access-way.

Ground Cover shall mean plant material used in landscaping which remains less than twelve (12) inches in height at maturity. (Also, see Landscaping.)

Ground Water shall mean water occurring beneath the surface of the ground that fills available openings in the rock or soil materials such that they may be considered saturated.

ORDINANCE NO. 9534 (Cont.)

Group Care Home shall mean a home which is operated under the auspices of an organization which is responsible for providing social services, administration, direction, and control for the home which is designed to provide twenty-four hour care for individuals in a residential setting.

Group Home shall include both Group Care Home and Group Home for the Disabled. Group homes shall be classified by size as follows:

Group Home (Small) shall mean a home designed to accommodate no more than 5 persons and shall be allowed in all zoning districts that permit dwelling units in the same manner as other dwelling units. These homes shall be built to no less than an R3 residential standard as defined by the International Building Code.

Group Home (Medium) shall mean a facility designed to house between 6 and 16 persons and shall require a conditional use permit in the LLR, R1, R2, R3 and R4 Districts and permitted in the RO, B1, B2, B3 and M3 zoning districts. These facilities shall be built to no less than an R4 residential standard as defined by the International Building Code.

Group Home (Large) shall mean a facility designed to house more than 16 persons and shall be permitted in the RO, B1, B2, B3, and M3 zoning districts. These facilities shall be built to an Institutional standard as defined by the International Building Code.

Group Home for the Disabled shall mean a dwelling with resident staff shared by four or more handicapped persons who live together as a single housekeeping unit and in a long term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential. As used herein, the term "disabled" shall mean having:

- (A) A physical or mental impairment that substantially limits one or more of such person's major life activities so that such person is incapable of living independently;
- (B) A record of having such an impairment; or
- (C) Being regarded as having such impairment.

Handicap shall not include current, illegal use of or addiction to a controlled substance as defined in state statutes.

Group Housing shall mean two or more separate buildings on a lot, each containing one or more dwelling units.

~~**Guest Room** shall mean a room which is designed to be occupied by one (1) or more guest for sleeping purposes, having no kitchen facilities, not including dormitories.~~

~~**Guest Building** shall mean an accessory building which is designed to be occupied by one (1) or more guest for sleeping purposes, having no kitchen facilities, not including dormitories.~~

SECTION 3. Section 36-43 Zoning Districts of the Grand Island City Code is hereby amended to read as follows:

36-43. Zoning Districts

In order to regulate and restrict the height, location, size and type of buildings, structures and uses allowed on land in the City and the area within ~~one~~ two miles of the corporate boundaries, the City is hereby divided into zoning districts.

SECTION 4. Appendix A "Zoning Matrix" of the Grand Island City Code is hereby amended to read as attached:

ORDINANCE NO. 9534 (Cont.)

SECTION 5. Sections 36-8 (F), 36-8 (G), 36-43 and Appendix A as existing prior to this amendment, and any ordinances or parts of ordinances in conflict herewith, are repealed.

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

SECTION 4. That this ordinance shall be in force and take effect May 1, 2015.

Enacted: April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

GRAND ISLAND LAND USE MATRIX

Addendum "A"

Chapter 36

Grand Island City Code

Land Use Categories	AG-1	AG-2	AG-SC	AG-SE	AG-SI	SRC	TA	LLR	R-1	R-2	R-3	R-4	RO	RM	RD	B-1	B-2	AC	B-3	CD	TD	ME	M-1	M-2	M-3
A																									
Abrasive, asbestos, & miscellaneous non-metallic mineral products - manufacturing					P																	C		P	
Abstracting services													P			P	P	P	P	P		P	P	P	P
Accounting & bookkeeping services													P			P	P	P	P	P		P	P	P	P
Accounting, computing & office machines - manufacturing																							P	P	P
Advertising displays & signs - manufacturing																						C	P	P	P
Advertising services, direct mail													P				P	P	P	P		P	P	P	P
Advertising services, general													P			P	P	P	P	P		P	P	P	P
Agricultural, business and personal credit services including credit union													P			P	P	P	P	P		P	P	P	P
Agricultural chemicals & fertilizers - manufacturing	C	C			P																			C	
Agricultural chemical & fertilizers - wholesale	C	C			P												C							P	
Agricultural fertilizers, hazardous & non hazardous - retail																P	P	P		P			P	P	
Agricultural operations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Air conditioning, heating & plumbing contracting services																P	P	P					P	P	P
Air conditioning, refrigerated equipment & supplies - wholesale					P																	P	P	P	P
Aircraft & accessories - retail					P																			P	
Aircraft storage & equipment maintenance																								P	
Airports & flying fields																								P	
Alcoholic beverages, beer & wine - wholesale					P																	P	P	P	P
Alteration, pressing & garment repair services																P	P	P	P	P				P	P
Ambulance services																	P	P					P	P	P
Ammunition manufacturing & complete assembly of guided missiles & space vehicles					P																	P		P	
Ammunition, small arms - manufacturing					P																	P		P	
Amphitheaters																C				C				C	
Amusement, athletic & sporting goods & toys - manufacturing					P																	P	P	P	P
Animal & marine fats & oils including grease & tallow, rendering - manufacturing					C																			C	
Animal hospital services	C	C					C	C								P	P	P		P			P	P	P
Antiques - retail																P	P	P	P	P	P		P	P	P
Apiary farms & processing	P	P	P	P	P		P																		
Apparel & accessories - manufacturing					P																	P	P	P	P
Apparel & accessories - retail																P	P	P	P	P	P		P	P	P
Apparel & accessories - wholesale					P													P					P	P	P
Apparel belts - manufacturing																									P
Apparel findings & related products - manufacturing					P																			P	P

P = Permitted Use

C = Conditional Use

1 of 21

GRAND ISLAND LAND USE MATRIX

Addendum "A"

Chapter 36

Grand Island City Code

	AG-1	AG-2	AG-SC	AG-SE	AG-SI	SRC	TA	LLR	R-1	R-2	R-3	R-4	RO	RM	RD	B-1	B-2	AC	B-3	CD	TD	ME	M-1	M-2	M-3
Appliances (household) - manufacturing					P																	P		P	P
Appliances (household) - retail																P	P	P	P	P				P	P
Appliances (electrical), television phonographs, tape players, radio sets - wholesale					P																	P	P	P	P
Appliance repair services																P	P	P	P	P			P	P	P
Aquariums						P														P	P				
Arboretums & botanical gardens						P														P					
Architectural, engineering & planning - professional services					P								P			P	P	P	P	P		P	P	P	P
Arenas & fieldhouses	C					C											C							C	
Armateur rewinding services																	C							P	P
Armed forces reserve center																	C							P	
Art galleries, publicly owned						P											P			P	P				P
Artists - painters, sculptors, composers, & authors	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P
Asbestos, abrasive & miscellaneous non-metallic mineral products - manufacturing					P																	C		P	
Asphalt felts & coating - manufacturing					P																			P	
Asphalt mixing plants	C	C			C																			C	
Athletic, amusement & sporting goods & toys - manufacturing					P																	P	P	P	P
Athletic field or playfield	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	P
Auditing, accounting & bookkeeping services													P			P	P	P	P	P			P	P	P
Auditoriums, public						P										P	P	P	P	P			P	P	P
Automatic temperature controls - manufacturing					P																	P	P	P	P
Automobile & other motor vehicle & equipment - manufacturing					P																		P	P	
Automobile & other motor vehicle repair services																P	P	P	C		P			P	P
Automobile & other motor vehicles - retail																	P	P	C					P	P
Automobile & other motor vehicles - wholesale																								C	
Automobile & truck rental services																	P	P						P	P
Automobile equipment - wholesale																	P							P	P
Automobile parts & supplies - retail																P	P	P	P	P	P			P	P
Automobile wash services																P	P	P	C	P	P		P	P	P

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B																									
Bags except textile bags - manufacturing					P																			P	P
Bait shops																P	P	P	P	P	P			P	P
Bakeries non-manufacturing - retail																P	P	P	P	P				P	P
Banking services													P			P	P	P	P	P	P			P	P
Barber services													P			P	P	P	P	P	P			P	P
Batch Plants - temporary	C	C			P												C					C		P	
Beauty services													P			P	P	P	P	P	P			P	P
Bed and breakfast residence								C	C	C	C	C	P			P	P	P							P
Beer, wine & alcoholic beverages - wholesale																	P					P	P	P	P
Bicycles - retail																P	P	P	P	P			P	P	P
Biological products - manufacturing					P																	C		P	
Blacksmith & welding services																								P	P
Blankbooks, loose leaf binders & devices-manuf. of					P																	P		P	P
Blast furnaces, steel works & rolling of ferrous metals					C																			C	
Blueprinting & photocopying services																P	P	P	P	P				P	P
Boarding & rooming houses											C	P	P			P	P		P						P
Boat building & repair services					P																	P		P	P
Boat sales, service and rentals																	P	P						P	P
Boat building & repair, fiberglass					P																	P		P	P
Bookbinding & misc. related work - manufacturing					P																	P		P	P
Bookkeeping, auditing & accounting services													P			P	P	P	P	P			P	P	P
Books, magazines & newspapers distributing - wholesale					P												P	P	P			P		P	P
Books - publishing & printing					P												P					P	P	P	P
Books - retail																P	P	P	P	P				P	P
Boot & shoe cut stock & findings - manufacturing					P																	P		P	P
Botanical gardens & arboretums						P									P					P					
Bottled gas - retail																P	P	P	P	P	P			P	
Bottling & canning soft drinks & carbonated waters					P																	P		P	P
Bowling alleys																P	P	P	C	P				P	P
Boxes and paperboard containers - manufacturing					P																	P		P	
Brandy, brandy spirits & wine - manufacturing	C	C	C	C	P		C																	P	P
Brick & structural clay tile manufacturing					P																	P		P	
Brooms & brushes - manufacturing					P																	P		P	P
Building construction - general contracting services																								P	P
Building materials - retail																	P	P		P				P	P
Building materials & lumber - wholesale																	P			P				P	P
Building paper & building board - manufacturing					P																	P		P	
Bulk petroleum stations & terminals - wholesale					C																			C	
Bus garaging & equipment maintenance																									P
Business & management consulting services													P			P	P	P	P	P				P	P
Business offices not elsewhere listed													P			P	P	P	P	P				P	P

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Business associations																									
Business forms - manufacturing																									
Butter - manufacturing					P												P					P		P	P
C																									
Cabinet making - manufacturing					P																	P		P	P
Cable TV maintenance yard																	C							P	P
Cameras & photographic supplies - retail																P	P	P	P	P	P			P	P
Camp grounds, general	C	C				P	C										C				C			C	
Camp grounds, group	C	C				P	C										C				C			C	
Candy & other confectionery products - manufacturing					P																	P		P	P
Candy, nut, & confectionery - retail																P	P	P	P	P				P	P
Canes, parasols & umbrellas - manufacturing					P																	P		P	P
Canning & preserving of fruits, vegetables & seafood's - manufacturing					P																			P	
Canvas products - manufacturing					P																	P		P	
Carbon black - manufacturing					C																			C	
Cardboard, paperboard & die-cut paper - manufacturing					P																	P		P	
Carpentry & wood flooring services																	P	P	P	P	P			P	P
Carpet & rug cleaning & repair service													P			P	P	P	P	P			P	P	P
Carpet & rug - manufacturing					P																	P		P	P
Cement (hydraulic) - manufacturing					C																			P	
Cemeteries							P	P																P	
Ceramic wall & floor tile - manufacturing					P																	P		P	P
Cereal preparations - manufacturing					P																	P		P	P
Charitable & welfare services													P			P	P	P	P	P				P	P
Cheese (natural & processed) - manufacturing					P																			P	P
Chemicals & fertilizers -mining																									
Chemicals, agricultural, nonhazardous, wholesale	C	C			C																	C	C	C	
Chemicals, industrial, nonhazardous, wholesale					C																		C	C	
Chemicals, industrial organic & inorganic - manufacturing					C																	C		C	
Chiropractors, optometrists, & other similar health services													P			P	P	P	P	P				P	P
Churches , synagogues & temples	C	C					C	P	P	P	P	P	P		P	P	P	P	P	P					P
Cigarettes & cigars - manufacturing					P																	P		P	P
Civic, social & fraternal associations													C			P	P	P	P	P				P	P
Civil Defense & related activities																									P
Clay, ceramic & refractory minerals - mining	C	C	C	C	C		C																	C	
Clay refractories - manufacturing					P																			P	
Clock, watch & jewelry repair services																P	P	P	P	P				P	P
Clocks, watches, clockwork operated devices & parts - manufacturing					P																	P		P	P

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Commercial & industrial machinery, equipment & supplies - wholesale																	P					P		P	P
Commodity & securities brokers, dealers & exchanges & services													P			P	P	P	P	P				P	P
Communication equipment - manufacturing					P																	P		P	P
Composting plants					C																				
Concrete brick & block - manufacturing					P																			P	
Concrete products - manufacturing					P																			P	
Concrete, ready-mix plants					P																			P	
Concrete construction & paving services					P																			P	
Confectionery, nut & candy - retail																P	P	P	P	P				P	P
Confectionery - wholesale					P																	P	P	P	P
Construction & lumber materials - wholesale																	P			P		P		P	P
Construction, mining, & materials handling machinery & equipment - manufacturing					P																	P		P	
Construction equipment - retail																		P				P		P	
Construction services - temporary					C								C			C	C	C	C	C	C	C	C	C	C
Convalescent,, nursing & rest home services											C	C	P		P	P	P	P	P	P					
Convents								P	P	P	P	P	P	P	P	P	P	P	P	P					
Convenience store															P	P	P	P	P	P	P			P	P
Cosmetics, perfumes, & other toiletries - manufacturing					P																	P		P	P
Cottage services																									
Country club							P	P	P	P	P	P	P		P	P	P	P		P					
Crating & packing services					P																	P		P	P
Credit reporting, adjustment & collection services													P			P	P	P	P	P			P	P	P
Credit unions & agricultural, business & personal credit services													P			P	P	P	P	P			P	P	P
Crematory, funeral & mortuary services													P			P	P	P	P	P				P	
Curtains, draperies & upholstery - retail																P	P	P	P	P				P	P
Cut stone & stone products - manufacturing					P																	P		P	
D																									
Dairy products - retail																P	P	P	P	P				P	P
Dairy products - wholesale					P												P							P	P
Day care centers							C	C	C	C	C	P	P	C	C	P	P	P	P	P				C	P
Dental equipment & supplies - manufacturing					P																	P		P	P
Dental laboratory services					P											P	P	P	P	P		P	P	P	P
Dental services													P			P	P	P	P	P				P	P
Department stores - retail																P	P	P	P	P				P	P
Detective & protective services													P			P	P	P	P	P			P	P	P
Diaper services																							P	P	P
Direct mail advertising services																P	P	P	P	P			P	P	P
Direct selling organizations - retail																P	P	P	P	P				P	P
Discount & variety stores - retail																P	P	P	P	P				P	P

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Disinfecting & exterminating services																	P	P	P					P	P
Disposal site - commercial construction	C	C			C																			C	
Disposal site - hazardous waste					C																			C	
Disposal site - nuclear waste					C																				
Distilling, rectifying, & blending liquors					P																			P	
Dormitories, college								P	P	P	P	P	P	P	P	P	P								
Draperies, curtains & upholstery - retail																P	P	P	P	P				P	P
Drawing, rolling & extrusion of non-ferrous metals - manufacturing					P																			P	
Drug & proprietary - retail													P			P	P	P	P	P				P	P
Drugs, drug proprietaries, & druggist sundries - wholesale																							P	P	P
Dry cleaning & laundering pickup services																							P	P	P
Dry cleaning & laundering, self service																P	P	P	P	P				P	P
Dry cleaning, laundering & dyeing services, except rugs																P	P	P	P	P			P	P	P
Dry goods & general merchandise - retail																P	P	P	P	P				P	P
Dry goods & notions - wholesale																	P		P				P	P	P
Dude ranches	C	C					C																		
Duplicating, mailing, & stenographic services																P	P	P	P	P				P	P
Dwelling, in nonresidential structure																									
Dwelling, mobile home not on permanent foundation														P											
Dwelling, mobile home on permanent foundation														P											
Dwelling, multi-family								P	P	P	P	P	P		P	P	P	P	P						P
Dwelling, single-family	P	P					P	P	P	P	P	P	P	P	P	P	P	P	P						P
Dwelling, seasonal																									
Dwelling, two-family								P	P	P	P	P	P	P	P	P	P	P	P						P
Dyeing & finishing of textiles					P																	P		P	P
Dyeing, dry cleaning & laundry services, except rugs																P	P	P	P	P				P	P
E																									
Earthenware, table & kitchen articles - manufacturing					P																	P		P	P
Educational & scientific research services					P																	P	P	P	P
Egg & poultry - retail																	P							P	
Electrical apparatus & equipment, wiring supplies, & construction materials - wholesale																	P							P	P
Electrical contractor services																	P						P	P	P
Electrical appliances, phonographs, televisions, tape players & radio sets - wholesale																	P							P	P
Electrical industrial apparatus - manufacturing					P																	P		P	P
Electrical repair services, except radio & television																P	P	P	P	P				P	P
Electrical supplies - retail																	P		P					P	P
Electrical transmission & distribution equipment - manufacturing					P																	P		P	P
Electric generation plants	C	C	C	C	C																			C	

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Electric utility maintenance yard																								P	P
Electricity regulating substations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric lighting & wiring equipment - manufacturing					P																	P		P	P
Electrometallurgical products & processing - manufacturing					P																			P	
Electronic components & accessories - manufacturing					P																	P		P	P
Electronic parts & equipment - wholesale					P																			P	P
Electrotyping and stereotyping					P																			P	P
Employment services													P			P	P	P	P	P				P	P
Engineering, planning architectural professional services													P			P	P	P	P	P		P	P	P	P
Engineering, laboratory, & scientific & research instruments & associated equipment - manufactured					P																	P		P	P
Engines & turbines - manufacturing					P																	P		P	
Envelope - manufacturing					P																	P		P	P
Equipment & supplies for service establishments - wholesale					P												P					P	P	P	P
Equipment rental & leasing services																	P					P		P	P
Ethanol plants & mills	C	C			C																			C	
Exhibition halls																	P	P	P	P				P	P
Explosives - manufacturing					C																	C		C	
Exterminating																	P	P					P	P	P
Extracts & flavoring syrups - manufacturing					P																	P		P	P
Extrusion, drawing, & rolling of non-ferrous metals - manufacturing					P																	P		P	
F																									
Fabricated structural metal products - manufacturing					P																	P		P	
Fabricated wire products - manufacturing					P																	P		P	
Fairgrounds	C	C		P													P							P	
Farm machinery & equipment - retail																	P					P		P	
Farm machinery & equipment - manufacturing					P																	P		P	
Farm machinery & equipment - wholesale																						P	P	P	
Farm products warehousing & storage excluding stockyards - nonhazardous																	P					P	P	P	P
Farm supplies - retail																	P							P	P
Farms & ranches - livestock	P	P	P	P	P		P																		
Farms, commercial forestry	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Farms, grain crops	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Farms, hay & alfalfa	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Farms, fiber crops	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Farms, fruits, nuts or vegetables	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Farms, nursery stock	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

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Feeding operation - confined	C	C	C	C	C		C																		
Feed preparation for animals & fowls					P																			P	
Feeds, grains & hay - retail					P												P							P	
Felt goods - manufacturing					P																			P	
Fertilizers, agricultural hazardous - retail																								P	
Fertilizers, agricultural nonhazardous - retail																	P							P	
Fertilizers & chemicals - mining	C	C	C	C	C																				
Fieldhouses & arenas						P											C							C	
Fire protection & related activities																	P					P	P	P	
Fish & seafood's - retail																P	P	P	P	P				P	P
Fish & seafood's - wholesale																	P							P	P
Fish farms	P	P	P	P			P																		
Fish hatcheries	P	P	P	P			P																		
Fishing & hunting clubs	P	P	P	P		P	P																		
Flat glass - manufacturing					P																	P		P	
Floor covering - retail																	P	P	P	P				P	P
Florists - retail																P	P	P	P	P				P	P
Flour & other grain mill products - manufacturing					P																	P		P	P
Flour blending & preparing - manufacturing					P																	P		P	P
Food lockers & storage services																P	P	P	P	P			P	P	P
Foundries, iron & steel - manufacturing					P																			P	
Foundries, nonferrous metals - manufacturing					P																	P		P	
Fraternal, civic & social associations													C			P	P	P	P	P				P	P
Fraternity & sorority houses												P	P		C	P	P	P	P						
Freight forwarding services					P																		P	P	P
Frozen desserts & ice cream - manufacturing					P																			P	P
Fruits & vegetables (fresh) - wholesale					P												P						P	P	P
Fruits & vegetables - retail																P	P	P	P	P				P	P
Fuel, except fuel oil & bottled gas - retail																P	P	P	P	P	P			P	P
Fuel oil - retail																	P						P	P	
Funeral, mortuary & crematory services													P			P	P	P	P	P				P	
Fur dressing & dyeing - manufacturing					P																	P		P	P
Fur goods - manufacturing					P																	P		P	P
Fur repair & storage services																	P	P	P	P			P	P	P
Furniture & home furnishings - wholesale																	P					P	P	P	P
Furniture (household) - manufacturing					P																	P		P	P
Furniture - retail																	P	P	P	P				P	P
Furniture repair & reupholstery services																P	P	P	P	P				P	P
Furries & fur apparel - retail																	P	P	P	P				P	P
Furs (raw), hides & skins - wholesale					P																			P	
G																									
Garden supplies & landscape nursery - retail																	P	P	P	P				P	P
Garment repair, alteration & pressing services																P	P	P	P	P				P	P

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Gas & petroleum (crude) drilling	C	C	C	C	C																				
Gas & petroleum (crude) field services				C	P																			P	
Gasoline service stations - retail																P	P	P	P	P				P	P
Gas pressure control stations																									
Gas & ethanol production plants					C																				
Gas storage & distribution points																									
Gas utility maintenance yard																								P	
Gelatin & glue - manufacturing					C																			C	
General contracting & building construction services					P																			P	P
General stores - retail																P	P	P	P	P				P	P
Gifts, novelties & souvenirs - retail																P	P	P	P	P	P			P	P
Glass & glassware, pressed or blown - manufacturing					P																	P		P	
Glass containers - manufacturing					P																	P		P	
Glass, flat - manufacturing					P																	P		P	
Glass, paint & wallpaper - retail																P	P	P	P	P				P	P
Glue & gelatin - manufacturing					C																			C	
Go-cart tracks						C	C														C			C	
Golf courses, public							P	P	P	P	P	P	P	P	P										
Golf driving ranges																		P	P					P	
Gravel & sand quarrying	C	C	C	C	C	C	C	C														C	C	C	
Grain - wholesale					P																	P		P	P
Grains, feeds & hay - retail																	P	P	P	P				P	
Grain mill products & flour - manufacturing					P																			P	
Greases & lubricating oils - manufacturing					P																			P	P
Green houses	P	P	P	P	P		P	C									P	P		P				P	P
Greeting card - manufacturing					P																	P		P	P
Grist milling services					P																	P		P	P
Groceries - retail																P	P	P	P	P					P
Groceries - wholesale					P													P						P	P
Group care home																									
Group Home-(Small)								P	P	P	P	P	P	P	P	P	P	P	P						P
Group Home-(Medium)								C	C	C	C	C	P		P	C	P	P	P						P
Group Home-(Large)													P		P	C	P	P	P						P
Gum and wood chemicals - manufacturing					C																			C	
Guns, howitzers, mortars & re. equipment - manufacturing					C																			C	
Gymnasiums & athletic clubs																	P	P		P					P
Gypsum products - manufacturing					P																	P		P	
H																									
Handbags & other personal leather goods - manufacturing					P																	P		P	P
Hardware - retail																P	P	P	P	P				P	P
Hardware - wholesale					P												P							P	P

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Hardwood dimension & flooring - manufacturing					P																	P		P	P
Harvesting services	P	P	P	P			P																		
Hats, caps, & millinery - manufacturing					P																	P		P	P
Hay, grains & feeds - retail																	P							P	
Health resorts													C				P	P	P		P		C	C	P
Health & exercise spas																P	P	P	P	P	P			P	P
Hearing aids, optical goods, orthopedic appliances & other similar devices - retail													P			P	P	P	P	P				P	P
Heating, air conditioning & plumbing contracting services																	P						P	P	P
Heating & plumbing equipment & supplies - retail																	P		P	P				P	P
Heating apparatus (except electrical) and plumbing fixtures - manufacturing					P																	P	P	P	P
Heliport pads																								P	
Hides, skins, & raw furs - wholesale					P																			P	
Hobby supplies - retail																P	P	P	P	P				P	P
Holding & investment services													P			P	P	P	P	P			P	P	P
Hospital services													P				P	P	P	P	P				
Hotels, tourist courts, & motels																	P	P	P	P	P		C	C	P
House Furnishings, textile (except curtains & draperies) - manufacturing					P																	P		P	P
Household appliances - retail																	P	P	P	P				P	P
Hunting & fishing clubs						P																			
I																									
Ice cream & frozen desserts - manufacturing					P																	P	P	P	P
Ice - manufacturing					P																	P	P	P	P
Ice - retail																P	P	P	P	P	P	P	P	P	P
Ice skating rinks, indoor						P											P			P				P	P
Industrial laundry & linen supply services					P																		P	P	P
Industrial leather belting & packing - manufacturing					P																	P		P	P
Industrial & commercial machinery, equipment & supplies - wholesale					P																	P	P	P	P
Industrial machinery equipment - manufacturing					P																	P	P	P	P
Industrial waste disposal					C																			C	
Instruments for mechanical measuring & controlling except automatic temperature controls - manufacturing					P																	P	P	P	P
Insurance agents & brokers services													P			P	P	P	P	P				P	P
Insurance carriers													P			P	P	P	P	P				P	P
Internet service													P			P	P	P	P	P		P	P	P	P
Investment & holding services													P			P	P	P	P	P				P	P
J																									
Janitorial services																	P		P					P	P

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Jewelry & precious metals - manufacturing					P																	P	P	P	P
Jewelry - retail																	P	P	P	P	P			P	P
Jewelry, watch & clock repair services																	P	P	P	P	P			P	P
K																									
Kennels-commercial																								P	
Kennels-private																								P	
Knit goods - manufacturing					P																	P	P	P	P
Kennels-animal shelter non-commercial																							P	P	
L																									
Labor unions & similar labor organizations													P				P	P	P	P			P	P	P
Lace goods - manufacturing					P																	P	P	P	P
Lamp shades - manufacturing					P																	P	P	P	P
Landscape contracting services					P												P			P				P	
Landscape nursery & garden supplies - retail																P	P	P	P	P				P	
Lapidary work																P	P	P	P	P				P	P
Laundering & dry cleaning pickup service																							P	P	P
Laundering & dry cleaning, self-service																P	P	P	P	P				P	P
Laundering, dry cleaning & dyeing services, except rugs																P	P	P	P	P				P	P
Lawn care - services																	P	P					P	P	P
Leather & fleece lined clothing - manufacturing					P																	P	P	P	P
Leather gloves & mittens - manufacturing					P																	P	P	P	P
Leather tanning & finishing - manufacturing					C																			C	
Legal services													P			P	P	P	P	P				P	P
Libraries								P	P	P	P	P	P	P	P	P	P	P	P	P					
Lime products - manufacturing					C																			C	
Linen supply & industrial laundry services					P																		P	P	P
Linoleum, asphalt-felt-base, and other hard surface floor cover - manufacturing					P																			P	
Liquid petroleum gas - wholesale					P																			P	
Liquor - retail																P	P	P	P	P				P	P
Livestock feeding operations	C	C	C	C	C		C																		
Livestock-wholesale																								C	
Locksmith services																P	P	P	P	P				P	P
Lubricating oils & greases - manufacturing					P																			C	
Luggage - manufacturing					P																	P	P	P	P
Lumber & building materials - wholesale																	P							P	P
Lumber yards - retail																	P	P	P	P				P	P
M																									
Machine shop - manufacturing					P																	P	P	P	P
Magazines & newspapers - retail																P	P	P	P	P		P	P	P	P
Magazines, books, & newspapers distributing - wholesale																		P	P			P	P	P	P

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Mail order houses - retail																								P	P
Mailing, duplicating, & stenographic services																	P	P	P	P				P	P
Malt liquors - manufacturing					P																			P	
Management & business consulting services													P			P	P	P	P	P				P	P
Masonry, stonework, tile setting & plastering services																	P	P	P	P				P	P
Massage services																	P	P	P	P	P			P	P
Matches - manufacturing					C																			C	
Mausoleums																									
Meat & meat packing products - wholesale																	P		P					P	
Meat packing - manufacturing					C																			C	
Meats - retail																P	P	P	P	P				P	P
Medical & surgical instruments & apparatus - manufacturing					P																	P	P	P	P
Medical clinics, out-patient services													P			P	P	P	P	P				P	P
Medical laboratory services																	P					P	P	P	P
Medical chemicals - manufacturing					C																			C	
Metal cans - manufacturing					P																	P		P	
Metal coating, engraving, and allied services - manufacturing					P																	P		P	
Metal mining services																								P	
Metal ore mining	C	C	C																					C	
Metal products, fabricated structural - manufacturing					P																	P	P	P	
Metals & minerals, except petroleum products & scrap - wholesale					P																	P		P	
Metals, nonferrous, rolling, drawing, & extrusion - manufacturing					P																	P		P	
Metal stamping - manufacturing					P																	P		P	
Metal working machinery & equipment - manufacturing					P																	P		P	P
Millwork - manufacturing					P																	P	P	P	P
Milk processing, fluid only																								P	
Miniature golf																	P	P	P	P	P			P	
Mining	C	C	C				C	C															C	C	
Mobile home parks														P											
Mobile homes - manufacturing					P																	P	P	P	
Mobile homes not on permanent foundation														P											
Manufactured homes on permanent foundation	P	P					P	P	P	P	P	P	P	P	P	P	P	P	P						P
Mobile homes & accessories - retail																	P							P	
Monasteries								P	P	P	P	P	P	P	P	P	P	P							
Monuments - retail																P	P							P	P
Mortician's goods - manufacturing					P																	P	P	P	P
Motels, hotels, & tourist courts																	P	P	P	P	P		C	C	P
Motion picture distribution services					P													P				P	P	P	P
Motion picture production studios					P													P				P	P	P	P
Motorcycle & bicycle sales, rental & service																	P	P	P	P	P			P	P

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Motor freight garaging & equipment maintenance					P																			P	P
Motor freight terminals																					P		P	P	
Mortuary, funeral & crematory services													P			P	P	P	P	P				P	
Museums						P	C						P			P	P	P	P	P	P			P	P
Musical instruments & supplies - retail																P	P	P	P	P				P	P
Musical instruments & parts - manufacturing																					P	P	P	P	
N																									
Newspaper & magazines - retail																P	P	P	P	P				P	P
Newspapers, books & magazines distribution - wholesale																	P		P		P	P	P	P	
Newspapers publishing & printing																	P		P		P	P	P	P	
News syndicate services													P				P	P	P	P	P	P	P	P	
Nonmetallic mining, except fuel - services					P												P							P	
Noodles, macaroni, spaghetti & vermicelli - manufacturing					P																	P	P	P	P
Notions, dry goods - wholesale					P												P					P	P	P	P
Novelties, gifts & souvenirs - reail																P	P	P	P	P	P			P	P
Nursery stock farms	P	P	P	P	P		P	P	P	P	P	P	P			P	P	P	P	P	P	P	P	P	P
Nursing, convalescent & rest home services											C	C	P		C	P	P	P	P	C					
Nuts, bolts, screws, rivets, & washers, & screw machine products - manufacturing					P																	P	P	P	P
O																									
Office & store fixtures, partitions, shelving, & lockers - manufacturing					P																	P	P	P	P
Office, computing & accounting machines - manufacturing					P																	P	P	P	P
Office furniture - manufacturing					P																	P	P	P	P
Oilcloth, plastic fabric & vinyl products - manufacturing					C																				C
Ophthalmic goods - manufacturing					P																	P	P	P	P
Optical goods, hearing aids, orthopedic appliances & other similar devices - retail													P			P	P	P	P	P				P	P
Optical instruments & lenses - manufacturing					P																	P	P	P	P
Optometrists, chiropractors & other similar health services													P			P	P	P	P	P				P	P
Ornamental iron works - manufacturing					P																	P	P	P	P
Orphanages										C	C	P	P			P	P		P						
Orthopedic, prosthetic & surgical appliances & supplies - manufacturing					P																	P	P	P	P
Outdoor advertising services																P					P			P	P
P																									
Packing & crating services					P																	P		P	P
Padding & upholstery filling - manufacturing					P																	P	P	P	

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Paint, glass, & wallpaper - retail																P	P	P	P	P				P	P
Painting & paper hanging services																	P	P	P					P	P
Paints, varnishes, lacquers, enamels, and allied products - manufactured					C																			C	
Paper & paper products - wholesale					P												P					P	P	P	P
Paperbound containers & boxes - manufacturing					P																	P	P	P	
Paperboard - manufacturing					P																	P	P	P	
Paper coating & glazing - manufacturing					P																	P	P	P	
Paper, except building paper - manufacturing					P																	P	P	P	
Paper hanging & painting services																	P	P	P					P	P
Parasols, umbrellas & canes - manufacturing					P																				P
Parks, public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Partitions, shelving, lockers & office & store fixtures - manufacturing					P																	P	P	P	P
Paunch manure - application, incorporation, stockpiling, disposal	C		C	C	C																				
Periodicals, publishing & printing					P												P		P			P	P	P	P
Petroleum bulk stations & terminal - wholesale					C																			C	
Petroleum pipeline R/W	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Petroleum pressure control stations																									
Petroleum (crude) & gas field services					P																			P	
Petroleum (crude) & natural gas drilling	C	C	C		C																			C	
Petroleum refining					C																			C	
Pets & pet grooming - retail																P	P	P	P	P				P	P
Pharmaceutical preparations - manufacturing					P												P	P	P	P	P			P	P
Photocopying & blue printing services																	P	P	P	P				P	P
Photoengraving																		P	P					P	P
Photofinishing services																P	P	P	P	P				P	P
Photographic equipment & supplies - manufacturing					P																	P	P	P	P
Photographic studios & services																P	P	P	P	P				P	P
Photographic supplies & cameras - retail																P	P	P	P	P	P			P	P
Physicians' services													P			P	P	P	P	P				P	P
Planetarium																	P	P		P	P	P		P	P
Planing mills, general - manufacturing					P																	P	P	P	P
Planning, architectural & engineering professional services													P			P	P	P	P	P			P	P	P
Plastering, masonry, stone work & tile setting services																	P	P	P	P				P	P
Plastic fabric, vinyl products & oilcloth - manufacturing					P																	P	P	P	
Plastic materials & synthetic resins, synthetic rubber, synthetic & other manmad materials - manufacturing					C																			C	
Plastic products - manufacturing					P																			P	
Playfields & athletic fields	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	P
Playgrounds						P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P
Play lot or tot lot						P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P

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Pleating, decorative & novelty stitching & tucking for the trade - manufacturing					P																	P	P	P	P
Plumbing & heating equipment & supplies - retail																	P		P	P				P	P
Plumbing fixtures & heating apparatus (except electrical) - manufacturing					P																	P	P	P	P
Plumbing, heating, & air conditioning contracting services																	P						P	P	P
Plywood & veneer - manufacturing					P																	P	P	P	
Porcelain electrical supplies - manufacturing					P																	P	P	P	P
Pottery - manufacturing					P																	P	P	P	P
Poultry & eggs - retail																		P		P				P	
Poultry & poultry products - wholesale																		P					P	P	
Poultry & small game dressing & packing					P												C							P	
Poultry hatchery services				P	P																			P	
Prefabricating wooden buildings & structural members - manufacturing																						P	P	P	P
Preserving & canning of fruits, vegetables & seafood's - manufacturing					P																	P	P	P	
Pressed & molded pulp goods - manufacturing					P																	P	P	P	
Pressing, alteration & garment repair services																P	P	P	P	P				P	P
Primary smelting & refining of nonferrous metals - manufacturing					C																			C	
Printing ink - manufacturing					P																			P	P
Printing, commercial																	P	P	P	P		P	P	P	P
Printing & publishing of books					P																	P	P	P	P
Printing & publishing of newspapers					P												P		P			P	P	P	P
Printing & publishing of periodicals					P												P		P			P	P	P	P
Private Prisons					C																			C	
Private clubs							C	C								P	P	P	P	P				P	P
Processing waste & recovering fibers & flock - manufacturing					C																			C	
Professional equipment & supplies - wholesale																	P	P	P	P		P	P	P	P
Professional membership organizations													P			P	P	P	P	P			P	P	P
Professional offices not elsewhere listed													P			P	P	P	P	P			P	P	P
Pulp - manufacturing					P																	P	P	P	
Q																									
Quarrying, gravel, sand & dirt	C	C	C	C	C	C	C	C								C	C	C	C	C	C	C	C	C	
Quarrying, stone	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
R																									
Race tracks & courses - animals																	P							P	
Race tracks & courses - vehicle	C			C		C																		C	

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Radioactive materials processing & storage - manufacturing					C																			C	
Radioactive waste materials disposal					C																				
Radio broadcasting studios													P			P	P	P	P	P			P	P	P
Radios, television, phonographs, recorders & tape players - manufacturing					P																P	P	P	P	
Radios, televisions, phonographs, recorders, & tape players repair services																P	P	P	P	P				P	P
Radios, televisions, phonographs, recorders & tape players - retail																P	P	P	P	P					P
Radio transmitting stations & towers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Railroad equipment & maintenance yard					P																			P	
Railroad - equipment - manufacturing					P																			P	
Railroad freight terminals					P														P					P	P
Railroad passenger terminals					P														P					P	
Railroad right-of-way	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Railroad switching yards					P																			P	P
Raincoats & other waterproof outer garments - manufacturing					P																	P	P	P	P
Real estate agents, brokers & management services													P			P	P	P	P	P				P	P
Reclaiming rubber					C																			C	
Recreational vehicles & equipment - manufacturing					P																	P	P	P	P
Recreational vehicles & equipment - retail					P												P			P				P	
Recreation centers						P							P			P	P	P	P	P				P	P
Rectories								P	P	P	P	P	P	P	P	P	P	P							
Recycling center					C																			C	C
Refining & smelting (primary) of nonferrous metals					C																			C	
Refining of petroleum																								C	
Refrigerated warehousing (except food lockers)					P												P		P			P	P	P	P
Refuse incineration					C																			C	
Religious camps & retreats	C	C				C	C	C																	
Research, development & testing services					P																	P	P	P	P
Resorts (general)	C	C					C	C										P	P	P				C	
Rest, nursing, & convalescent home services											C	C	P		C	P	P	P	P	C					
Restaurants																P	P	P	P	P	P			P	P
Restaurants, drive-in																P	P	P	P	P	P			P	P
Retirement homes											C	C	P		C	P	P	P	P	C					
Reupholstery & furniture repair services					P												P	P	P	P			P	P	
Rice milling					P																			P	
Riding stables & academies	C	C				C	C	C													C			C	
Roadside stands offering agricultural products for sale on the premises	P	P	P	P	P	P	P	P																	
Roller skating rinks - indoor																P	P	P	P	P				P	P

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Rolling, drawing, & extrusion of nonferrous metals - manufacturing					P																	P	P	P	
Rolling of ferrous metals, blast furnaces & steel works					C																	C	C	C	
Roofing & sheet metal contracting services					P												P						P	P	P
Rooming & boarding houses											C	P	P		C	P	P	P	P						P
Rubber footwear - manufacturing					P																	P	P	P	
Rug & carpet cleaning & repair services																P	P	P	P	P				P	P
Rug & carpet - manufacturing					P																	P	P	P	
S																									
Salvage yard																								C	C
Sand & gravel quarrying	C	C	C	C	C	C	C	C														C	C	C	
Sanitary landfill					C																			C	
Sanitary paper products - manufacturing					P																			P	
Sausages & other prepared meat products - manufacturing																	P						P	P	
Savings & loan associations													P			P	P	P	P	P	P			P	P
Sawmills, general - manufacturing	C				P																			P	
Schools, art													P				P	P	P	P					P
Schools, barber													P				P	P	P	P					P
Schools, beauty													P				P	P	P	P					P
Schools, business													P				P	P	P	P					P
Schools, colleges													P				P	P	P	P					P
Schools, computer													P				P	P	P	P					P
Schools, correspondence													P				P	P	P	P					P
Schools, dancing													P				P	P	P	P					P
Schools, day care												P	P		C		P	P	P	P		C	C	C	P
Schools, driving													P				P	P	P	P					P
Schools, junior college													P				P	P	P	P					P
Schools, music													P				P	P	P	P					P
Schools, nursery												P	P		C		P	P	P	P					P
Schools, pre-primary	C	C					C	C	C	C	C	P	P		P	P	P	P	P	P					P
Schools, primary	P	P					P	P	P	P	P	P	P	P	P	P	P	P	P	P					P
Schools, professional												P	P				P	P	P	P					P
Schools, secondary							P	P	P	P	P	P	P	P	P	P	P	P	P	P					P
Schools, stenographic													P				P	P	P	P					P
Schools, technical													P				P	P	P	P					P
Schools, trade																	P	P	P	P				P	P
Schools, universities													P				P	P	P	P					P
Schools, vocational																	P	P	P	P				P	P
Scientific & educational research services																	P	P	P	P		P	P	P	P
Scrap & waste materials, nonmetallic - wholesale					C																			C	
Screw machine products & bolts, nuts, screws, rivets, & washers - manufacturing					P																	P	P	P	P

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Secondary smelting & refining of nonferrous metals - manufacturing					C																			C	
Second hand merchandise - retail																P	P	P	P	P				P	P
Seed treating	P				P																			P	
Seed and feed sales																	P	P	P	P				P	
Sewage sludge drying beds					C																			P	
Sewage treatment facilities																						C	C	P	
Shades & venetian blinds - manufacturing					P																	P	P	P	P
Sheet metal & roofing contracting services																	P						P	P	P
Shelving, partitions, lockers, & office & store fixture - manufacturing					P																	P	P	P	p
Shoe repair, shoe shining, & hat cleaning services																P	P	P	P	P	P			P	P
Shoes - manufacturing					P																	P	P	P	P
Shoes - retail																P	P	P	P	P					P
Shoes - wholesale					P												P	P	P			P	P	P	P
Shortening, table oils, margarine, & other edible fats & oils - manufacturing					P																	P	P	P	
Signs & advertising displays - manufacturing					P																		P	P	P
Silverware & plated ware - manufacturing					P																		P	P	P
Skeet & trap shooting ranges	C	C				P	C																	C	
Sludge, municipal waste - application, incorporation, stockpiling, disposal	C	C	C	C	C	C	C																	C	
Smelting & refining (primary) of nonferrous metals					C																			C	
Smelting & refining (secondary) of nonferrous metals					C																			C	
Soaps & detergents (except specialty cleaners) - manufacturing					P																		P	P	
Social, civic & fraternal associations								C					P		C	P	P	P	P	P	P		P	P	P
Social correctional, treatment & counseling services					P								P		C		P	P	P	P	P			P	P
Solid waste transfer stations	C	C			C		C																	C	
Sorority & fraternity houses												P	P		C	P	P	P	P						
Souvenirs, gifts, novelties - retail																P	P	P	P	P	P			P	P
Soybean oil milling					P																	P	P	P	
Sporting, toys, amusement & athletic goods - manufacturing					P																	P	P	P	p
Sporting goods - retail																P	P	P	P	P					P
Stadiums																	C			C		C		P	
Stationery - retail																P	P	P	P	P				P	P
Steel pipe & tubes - manufacturing					P																	P	P	P	
Steel wire drawing, steel nails & spikes - manufacturing					P																	P	P	P	
Steel works, blast furnaces & the rolling of ferrous metals					C																			C	
Stenographic, duplicating, & mailing services																	P	P	P	P				P	P
Stock yards	C	C	C	C	C		C																	C	
Stone products & cut stone - manufacturing					P																	P	P	P	

P = Permitted Use

C = Conditional Use

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GRAND ISLAND LAND USE MATRIX

Addendum "A"

Chapter 36

Grand Island City Code

	AG-1	AG-2	AG-SC	AG-SE	AG-SI	SRC	TA	LLR	R-1	R-2	R-3	R-4	RO	RM	RD	B-1	B-2	AC	B-3	CD	TD	ME	M-1	M-2	M-3
Stone - quarrying	C	C	C	C	C		C															C	C	C	
Stone work, masonry, title setting, & plastering services																	P	P	P	P				P	P
Storage - mini																	P	P	P	P			P	P	P
Storage & warehousing of nonhazardous products					P												P	P	P			P	P	P	P
Storage & warehousing of hazardous products					C																	C	C	C	
Storage & warehousing of household goods					P												P	P	P			P	P	P	P
Store & office fixtures, lockers, partitions & shelving - manufacturing					P																	P	P	P	p
Sugar refining - manufacturing					C																				C
Surgical & medical instruments & apparatus - manufacturing					P																	P	P	P	p
Swimming clubs																	P	P	P	P				P	
Synagogues, churches, & temples	C	C					C	P	P	P	P	P	P	P	P	P	P	P	P	P					P
Synthetic, resins, synthetic rubber, plastic materials, synthetic & other manmade fibers (except glass) - manufacturing					C																		C	C	
T																									
Tailoring (custom)																	P	P	P	P	P			P	P
Taverns																	P	P	P	P	P			P	P
Taxicab dispatch																	P	P	P				P	P	P
Taxicab garaging & maintenance																		P	P					P	P
Telegraph communications													P				P	P	P	P	P			P	P
Telephone business office													P				P	P	P	P	P			P	P
Telephone exchange stations																	P		P				P	P	P
Telephone maintenance yard																	P		P					P	P
Telephone relay towers (microwave)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Television broadcasting studios																	P	P	P	P				P	P
Television, radios, phonographs, recorders & tape players - manufacturing					P																	P	P	P	p
Television, radios, phonographs, recorders & tape players repair services																	P	P	P	P	P			P	p
Television, radios, phonographs, recorders, & tape players - retail																	P	P	P	P	P			P	p
Television transmitting stations & relay towers	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Temples, churches, & synagogues	C	C					C	P	P	P	P	P	P	P	P	P	P	P	P	P					P
Tennis clubs						P											P	P						P	
Textile bags - manufacturing					P																	P	P	P	
Testing, research, & development services					P																	P	P	P	P
Theaters, legitimate																	P	P	P	P	P			P	P
Theaters, motion picture, indoor																	P	P	P	P	P			P	P
Theaters, motion picture, outdoor							C										P							P	P
Threads & yarns - manufacturing					P																	P	P	P	
Tile setting, masonry, plastering & stone work services																	P	P	P	P				P	P

P = Permitted Use

C = Conditional Use

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GRAND ISLAND LAND USE MATRIX

Addendum "A"

Chapter 36

Grand Island City Code

	AG-1	AG-2	AG-SC	AG-SE	AG-SI	SRC	TA	LLR	R-1	R-2	R-3	R-4	RO	RM	RD	B-1	B-2	AC	B-3	CD	TD	ME	M-1	M-2	M-3
Tire cord & fabric - manufacturing					P																	P	P	P	
Tire & inner tubes - manufacturing					C																	C	C	C	
Tires & inner tubes - wholesale					P												P	P	P	P		P	P	P	
Title abstracting services													P			P	P	P	P	P				P	P
Tobacco & tobacco products - wholesale																	P		P			P	P	P	P
Tobacco & snuff - manufacturing					P																	P	P	P	
Tobacco leaf - wholesale					P																		P	P	
Tobacco stemming & redrying					C																				C
Tot lot or play lot						P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P
Tourist courts, hotels, & motels																	P	P	P	P	P		C	C	P
Toys, amusement, sporting & athletic goods - manufacturing					P																	P	P	P	P
Transportation equipment and supplies (except motor vehicles)																									P
Trap & skeet shooting ranges	C	C				P	C																		C
Travel arranging services													P			P	P	P	P	P	P			P	P
Truck & automobile rental services																	P	P	P	P	P			P	P
Truck wash services					P																P	P	P	P	P
Turbines & engines - manufacturing					P																	P	P	P	P
U																									
Utility substations, pumping station, water reservoir & telephone exchange	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Upholstery, draperies, & curtains - retail																	P	P	P	P				P	P
Upholstery filling & padding - manufacturing					P																	P	P	P	P
V																									
Variety & discount stores - retail																P	P	P	P	P				P	P
Vegetable oil milling (except cottonseed & soybean)					P																	P	P	P	
Veneer & plywood - manufacturing					P																	P	P	P	
Vending machine operations - retail																	P	P	P	P			P	P	P
Venetian blinds & shades - manufacturing					P																	P	P	P	P
Veterinarian services	C	C			C		C	C					P			P	P	P	P	P				P	P
Vinyl products, plastic fabric & oilcloth - manufacturing					P																	P	P	P	
Vitreous china plumbing fixtures, china, earthenware fillings & bathroom accessories - manufacturing					P																	P	P	P	P
Vitreous china, table & kitchen articles - manufacturing					P																	P	P	P	P
W																									
Wallpaper - manufacturing					P																	P	P	P	P
Wallpaper, paint & glass - retail																P	P	P	P	P				P	P
Warehousing & storage of hazardous products					C																	C	C	C	
Warehousing & storage of nonhazardous products					P																	P	P	P	P
Warehousing & storage of household goods					P												P		P	P		P	P	P	P

P = Permitted Use

C = Conditional Use

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GRAND ISLAND LAND USE MATRIX

Addendum "A"

Chapter 36

Grand Island City Code

	AG-1	AG-2	AG-SC	AG-SE	AG-SI	SRC	TA	LLR	R-1	R-2	R-3	R-4	RO	RM	RD	B-1	B-2	AC	B-3	CD	TD	ME	M-1	M-2	M-3
Watch, clock, & jewelry repair services																P	P	P	P	P				P	P
Watches, clocks, clock work operated devices & parts - manufacturing					P																	P	P	P	P
Water well drilling services					P												P					P	P	P	P
Welding & blacksmith services					P												P							P	P
Welfare & charitable services													P			P	P	P	P	P				P	P
Wet corn milling					P																	P	P	P	
Wind energy installation		C																				C	C	C	
Wine, beer, & alcoholic beverages - wholesale					P												P		P			P	P	P	P
Wine, brandy, & brandy spirits - manufacturing					P																	P	P	P	
Wire products (fabricated) - manufacturing					P																	P	P	P	
Wooden containers - manufacturing					P																	P	P	P	
Wool preserving - manufacturing																									
Wool & mohair - wholesale					P												P		P			P	P	P	P
Worm farms	P	P	P	P	P		P	P																	
Y																									
Yarn & threads - manufacturing					P																	P	P	P	
Z																									
Zoos						P															P	P			

P = Permitted Use

C = Conditional Use

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PIERCE COUNTY LAND USE MATRIX

Land Use Categories										
	AG-1	AG-2	AG-SC	AG-SE	AG-SI	SRC	TA	LLR	R-1	R-2
Hotels, tourist courts, & motels										
Health resorts										
Health & exercise spas										
Fitness Center										
Gymnasiums & athletic clubs										
Arenas & fieldhouses	C					C				
Recreation centers						P				
Athletic field or playfield	C	C	C	C	C	P	P	P	P	P
Auditoriums, public						P				
Fieldhouses & arenas	C					C				
Playfields & athletic fields	C	C	C	C	C	P	P	P	P	P
Playgrounds						P	P	P	P	P
Play lot or tot lot						P	P	P	P	P
Resorts (general)	C	C					C	C		
Riding stables & academies	C	C				C	C	C		
Swimming clubs										
Tennis clubs						P				
Tot lot or play lot						P	P	P	P	P

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P = Permitted Use C = Conditional Use

PIERCE COUNTY LAND USE MATRIX

R-3	R-4	RO	RM	RD	B-1	B-2	AC	B-3	CD	TD	ME	M-1	M-2	M-3	
		C				P	P	P	P	P		C	C	P	
		P			P	P	P	P	P	P		C	C	P	
		P			P	P	P	P	P	P			P	P	
		P			P	P	P	P	P	P			P	P	
						P	P		P					P	
						C							C		
		P			P	P	P	P	P				P	P	
P	P	P	P	P	P	P	P	P	P	P	C	P	P	P	
					P	P	P	P	P			P	P	P	
						C							C		
P	P	P	P	P	P	P	P	P	P	P	C	P	P	P	
P	P	P	P	P	P	P	P	P	P	P				P	
P	P	P	P	P	P	P	P	P	P	P				P	
						P	P	P	P	P			C		
										C			C		
						P	P	P	P				P		
						P	P						P		
P	P	P	P	P	P	P	P	P	P	P				P	

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P = Permitted Use C = Conditional Use



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item F-4

#9535 – Consideration of Request to Rezone Property Located at 4311 West 13th Street from TA Transitional Agriculture and LLR Large Lot Residential (Niedfelt Property Management, LLC)

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

Staff Contact: Craig Lewis

ORDINANCE NO. 9535

An ordinance rezoning a certain tract of land within the zoning jurisdiction of the City of Grand Island; changing the land use classification of a tract of land comprising a part of the N ½ of the NW ¼ of the NW ¼ of Section 14 Township 11 north, Range 10 west of the 6th PM in Hall County, Nebraska, from TA Transitional Agriculture Zone and LLR Large Lot Residential; directing the such zoning change and classification be shown on the Official Zoning Map of the City of Grand Island; amending the provisions of Section 36-44; and providing for publication and an effective date of this ordinance.

WHEREAS, the Regional Planning Commission on April 1, 2015, held a public hearing and made a recommendation on the proposed zoning of such area; and

WHEREAS, notice as required by Section 19-923, R.R.S. 1943, has been given to the Boards of Education of the school districts in Hall County, Nebraska; and

WHEREAS, after public hearing on April 14, 2015, the City Council found and determined the change in zoning be approved and made.

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

SECTION 1. The following tract of land is hereby rezoned, reclassified and changed from TA Transitional Agriculture Zone to LLR Large Lot Residential Zone:

A tract of land comprised of the east 582 feet of the north 405 feet of N ½ of the NW ¼ of the NW ¼ of Section 14 Township 11 north, Range 10 west of the 6th PM in Hall County, Nebraska

SECTION 2. That the Official Zoning Map of the City of Grand Island, Nebraska, as established by Section 36-51 of the Grand Island City Code be, and the same is, hereby ordered to be changed, amended, and completed in accordance with this ordinance.

Approved as to Form	by _____
October 18, 2006	City Attorney

ORDINANCE NO. 9535 (Cont.)

SECTION 3. That this ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: April 14, 2015

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item F-5

#9536 – Consideration of Annexation of Property Proposed for Platting as GI Acres Subdivision Located at 4311 West 13th Street (First Reading)

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

Staff Contact: Craig Lewis

* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9536

An ordinance to extend the boundaries and include within the corporate limits of, and to annex into the City of Grand Island, Nebraska, a tract of land comprised of GI Acres Subdivision and the adjoining Right-Of-Way for 13th Street in Hall County, Nebraska as more particularly described hereinafter and as shown on Exhibit “A” attached hereto; to provide service benefits thereto; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, after Niedfelt Property Management LLC, as owner of the property submitted a plat of GI Acres Subdivision an Addition to the City of Grand Island for approval; and

WHEREAS, the Annexation Component of the Comprehensive Development Plan for the City of Grand Island requires that owners of property proposed for subdivision adjacent to the Corporate Limits submit such subdivisions as additions to the City; and

Approved as to Form	<input type="checkbox"/>	_____
April 13, 2015	<input type="checkbox"/>	City Attorney

ORDINANCE NO. 9536 (Cont.)

WHEREAS, according to NRSS §16-177 the City of Grand Island can upon petition of the property owner(s) of property contiguous and adjacent to the City Limits annex said property by ordinance; and

WHEREAS, on April 14, 2015 the City Council of the City of Grand Island approved such annexation on first reading and on April 28, 2015 approved such annexation on second reading and on May 12, 2015 approved such annexation on third and final reading.

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

SECTION 1. It is hereby found and determined that:

(A) The above-described tracts of land are urban or suburban in character, and that the subject properties are contiguous or adjacent to the corporate limits of said City.

(B) The subject lands will receive the material benefits and advantages currently provided to land within the City's corporate limits including, but not limited to police, fire, emergency services, street maintenance, and utilities services upon annexation to the City of Grand Island, Nebraska, and that City electric, water and sanitary sewer service is available, or will be made available, as provided by law.

(C) The various zoning classifications of the land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed and that this annexation does not extend the extraterritorial zoning jurisdiction.

(D) There is unity of interest in the use of the said tract of land, lots, tracts, highways and streets (lands) with the use of land in the City, and the community convenience and welfare and in the interests of the said City will be enhanced through incorporating the subject land within the corporate limits of the City of Grand Island.

ORDINANCE NO. 9536 (Cont.)

SECTION 2. The boundaries of the City of Grand Island, Nebraska, be and are hereby extended to include within the corporate limits of the said City the contiguous and adjacent tract of land located within the boundaries described above.

SECTION 3. The subject tract of land is hereby annexed to the City of Grand Island, Hall County, Nebraska, and said land and the persons thereon shall thereafter be subject to all rules, regulations, ordinances, taxes and all other burdens and benefits of other persons and territory included within the City of Grand Island, Nebraska.

SECTION 4. The owners of the land so brought within the corporate limits of the City of Grand Island, Nebraska, are hereby compelled to continue with the streets, alleys, easements, and public rights-of-way that are presently platted and laid out in and through said real estate in conformity with and continuous with the streets, alleys, easements and public rights-of-way of the City.

SECTION 5. That a certified copy of this Ordinance shall be recorded in the office of the Register of Deeds of Hall County, Nebraska and indexed against the tracts of land.

SECTION 6. Upon taking effect of this Ordinance, the services of said City shall be furnished to the lands and persons thereon as provided by law, in accordance with the Plan for Extension of City Services adopted herein.

SECTION 7. That all ordinances and resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 8. This ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet form, as provided by law.

ORDINANCE NO. 9536 (Cont.)

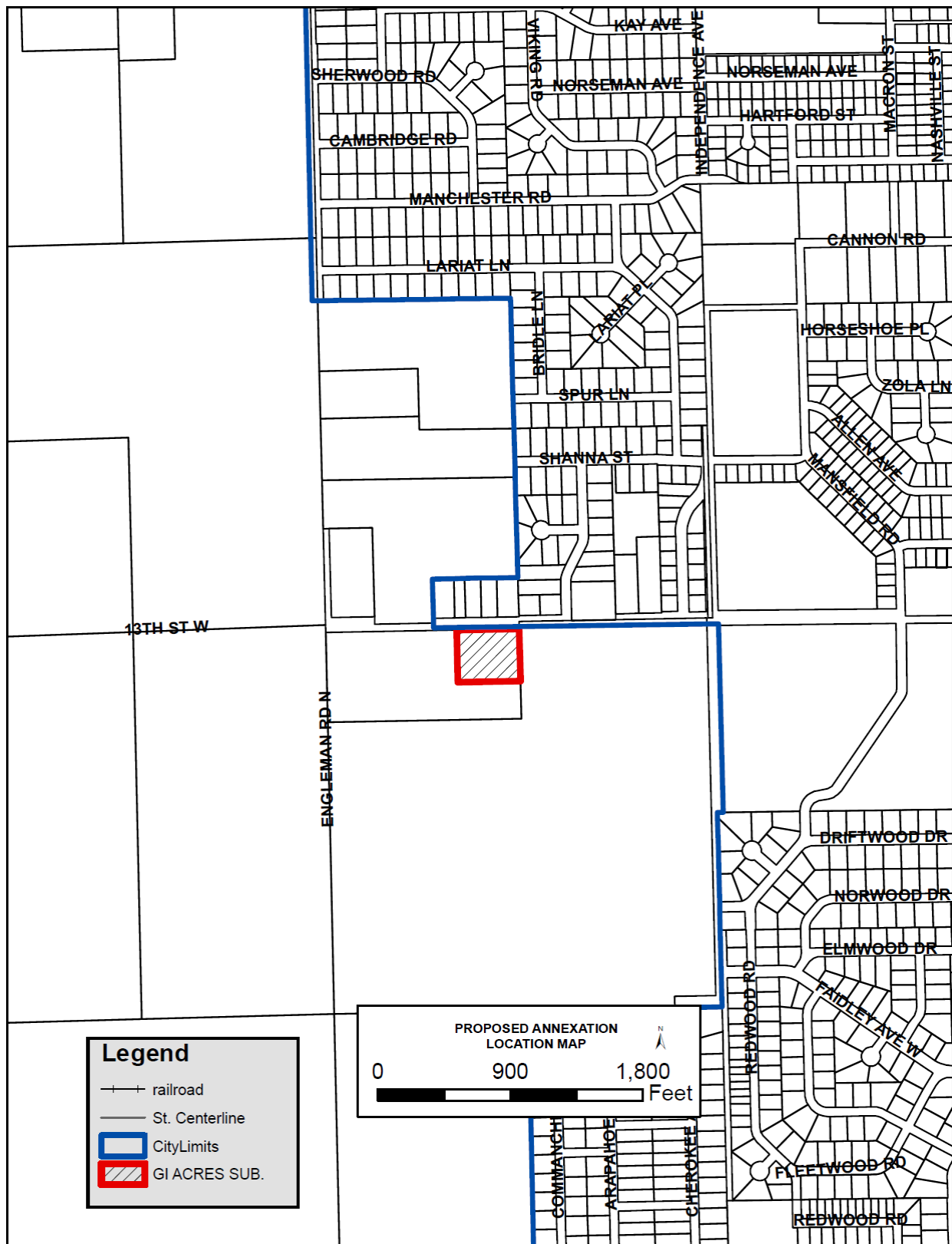
Enacted: April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

ORDINANCE NO. 9536 (Cont.)





City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-1

Approving Minutes of March 24, 2015 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

March 24, 2015

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 March 24, 2015. Notice of the meeting was given in *The Grand Island Independent* on March 18, 2015.

Mayor Jeremy L. Jensen called the meeting to order at 7:00 p.m. The following City Council members were present: Mitch Nickerson, Mark Stelk, Jeremy Jones, Chuck Haase, Julie Hehnke, Linna Dee Donaldson, Michelle Fitzke, Vaughn Minton, Roger Steele, and Mike Paulick. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, Interim Finance Director William Clingman, City Attorney Robert Sivick, and Public Works Director John Collins.

INVOCATION was given by Pastor Michael Reiners, Peace Lutheran Church, 1710 N. North Road followed by the PLEDGE OF ALLEGIANCE.

Mayor Jensen introduced Community Youth Council members Diana Molina and Mari Paramo.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Robert Holmes, Computer Programmer with the Finance Department for 45 Years of Service with the City of Grand Island. Mayor Jensen and the City Council recognized Robert Holmes, Computer Programmer with the Finance Department for 45 years of service with the City of Grand Island. Mr. Holmes was present for the recognition.

PUBLIC HEARINGS:

Public Hearing on Request to Rezone Property Located at 3721 West Capital Avenue from RD Residential Development and R1 Suburban Residential to RD Residential Development (SB Communities, LLC). Regional Planning Director Chad Nabity reported that an application had been received to rezone 15.10 acres south of Capital Avenue and west of the Moore's Creek Drainway. The developer had built five 30 unit three story apartment buildings on the east end of the site and would build an additional five 30 unit buildings. They were requesting to change the configuration and add one 60 unit building by adding property to the west side. Staff recommended approval. No public testimony was heard.

Public Hearing on Request to Rezone Property Located North of State Street and East of US Highway 281 from CD Commercial Development to Amended CD Commercial Development (EIG Grand Island, LLC). Regional Planning Director Chad Nabity reported that a request to change zoning for property located at 3416, 3420, 3430 and 3436 West State Street had been received to allow 1 additional building at the south end of the property. Staff recommended approval. No public testimony was heard.

Public Hearing on Amendment to the Redevelopment Plan for CRA Area 2 for Site Specific Redevelopment Plan Located at 1616 S. Eddy Street. Regional Planning Director Chad Nabity reported that TC Enck Builders, Inc. had submitted a property amendment to the redevelopment plan that would provide for site acquisition, necessary clearance, utility extensions and planning activities and the subsequent construction of a duplex housing unit at 1616 South Eddy Street. Staff recommended approval. No public testimony was heard.

ORDINANCES:

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

#9526 - Consideration of Vacation of Utility Easements Located in Sterling Estates Second Subdivision (SB Communities, LLC)

#9527 - Consideration of Creation of Street Improvement District No. 1262; Sterling Estates 4th Subdivision – Norseman Avenue, Sunrise Avenue, Monarch Avenue & Ebony Lane

#9528 - Consideration of Request to Rezone Property Located at 3721 West Capital Avenue from RD Residential Development and R1 Suburban Residential to RD Residential Development (SB Communities, LLC)

#9529 - Consideration of Request to Rezone Property Located North of State Street and East of US Highway 281 from CD Commercial Development to Amended CD Commercial Development (EIG Grand Island, LLC)

#9530 – Consideration of Amending Chapter 29 of the Grand Island City Code Relative to Food Manager Permits

#9531 – Consideration of Amending Chapter 5 of the Grand Island City Code Relative to Animal Auctions

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 and second reading and then upon final passage and call for a roll call vote on each reading and then upon final passage.” Councilmember Nickerson seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

#9526 - Consideration of Vacation of Utility Easements Located in Sterling Estates Second Subdivision (SB Communities, LLC)

Public Works Director John Collins reported that the developer of Sterling Estates Second Subdivision requested the vacation of dedicated easements for this area. No utilities were currently within these easements. Staff recommended approval.

Motion by Paulick, second by Hehnke to approve Ordinance #9526.

City Clerk: Ordinance #9526 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 #9526 on second and final reading. All those in favor of the passage of this ordinance on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9526 is declared to be lawfully adopted upon publication as required by law.

#9527 - Consideration of Creation of Street Improvement District No. 1262; Sterling Estates 4th Subdivision – Norseman Avenue, Sunrise Avenue, Monarch Avenue & Ebony Lane

Public Works Director John Collins reported that the City and developer had been in contact regarding this street improvement district since last year with funding in the 2014/2015 Capital Improvement Program budget. The public/private partnership would allow for the development which would include a City park with parking. Staff recommended approval.

Motion by Donaldson, second by Fitzke to approve Ordinance #9527.

City Clerk: Ordinance #9527 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 #9527 on second and final reading. All those in favor of the passage of this ordinance on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9527 is declared to be lawfully adopted upon publication as required by law.

#9528 - Consideration of Request to Rezone Property Located at 3721 West Capital Avenue from RD Residential Development and R1 Suburban Residential to RD Residential Development (SB Communities, LLC)

#9529 - Consideration of Request to Rezone Property Located North of State Street and East of US Highway 281 from CD Commercial Development to Amended CD Commercial Development (EIG Grand Island, LLC)

These items related to the aforementioned Public Hearings. Staff recommended approval.

Motion by Haase, second by Stelk to approve Ordinances #9528 and #9529.

Discussion was held on Ordinance #9529 regarding traffic/speed limits on Capital Avenue and sidewalks. Mr. Collins stated sidewalks would be included in this area. Studies were being done on traffic and speed zones.

City Clerk: Ordinances #9528 and #9529 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #9528 and #9529 on second and final reading. All those in favor of the passage of these ordinances on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinances #9528 and #9529 are declared to be lawfully adopted upon publication as required by law.

#9530 – Consideration of Amending Chapter 29 of the Grand Island City Code Relative to Food Manager Permits

Assistant City Attorney Stacy Nonhof reported that a Certified Food Manager permit was being requested by the Central District Health Department. Two definitions, Potentially Hazardous Food and State Fair Permit, would be added to Chapter 29 of the Grand Island City Code. Staff recommended approval.

Motion by Paulick, second by Stelk to deny Ordinance #9530.

Paul Wicht, 1708 Jerry Drive spoke in opposition. Matt Ripp, 2707 South Locust Street spoke in a neutral position, and Jeremy Collinson from the Central Nebraska Health Department spoke in support.

Discussion was held regarding whom would need a permit, volunteers, fund raisers, etc. Comments were made by Council to take this issue to a Study Session.

Motion by Paulick, second by Stelk to postpone action on Ordinance #9530 until the April 28, 2015 City Council meeting. Upon roll call vote, all voted aye. Motion adopted.

#9531 – Consideration of Amending Chapter 5 of the Grand Island City Code Relative to Animal Auctions

Assistant City Attorney Stacy Nonhof reported that changes to Chapter 5 of the Grand Island City Code would prohibit the auctioning of dogs and cats and exempt the State Fair and post-secondary educational institutions from the provisions of Chapter 5. Staff recommended approval.

Motion by Donaldson, second by Hehnke to approve Ordinance #9531.

Douglas Jensen, 2704 North Webb Road spoke in support. Mayor Jensen spoke in opposition. Discussion was held regarding Section 5-7.2 concerning animal auctions. Laurie Dethlof with the Central Nebraska Humane Society spoke of the problems with auctioning animals. She stated ownership was critical.

Motion by Haase, second by Jones to amend the Ordinance and strike section 5-7.2. Upon roll call vote, Councilmembers Paulick, Minton, Fitzke, Haase, Jones, Stelk, and Nickerson voted aye. Councilmembers Steele, Donaldson, and Hehnke voted no. Motion adopted.

City Clerk: Ordinance #9531 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Minton, Fitzke, Haase, Jones, Stelk, and Nickerson voted aye. Councilmembers Paulick, Steele, Donaldson, and Hehnke voted no. Motion adopted.

City Clerk: Ordinance #9531 on second and final reading. All those in favor of the passage of this ordinance on second and final reading, answer roll call vote. Upon roll call vote, Councilmembers Minton, Fitzke, Haase, Jones, Stelk, and Nickerson voted aye. Councilmembers Paulick, Steele, Donaldson, and Hehnke voted no. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9531 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of March 10, 2015 City Council Regular Meeting.

Approving Minutes of March 17, 2015 City Council Study Session.

#2015-71 - Approving Preliminary and Final Plat and Subdivision Agreement for Sterling Estates 6th Subdivision. It was noted that SB Communities, owner, had submitted the Preliminary and Final Plat and Subdivision Agreement for Sterling Estates 6th Subdivision for the purpose of creating 1 lot located south of Capital Avenue and west of US Highway 281, containing 7.58 acres.

#2015-72 - Approving Temporary Construction Easement for Hall County Sanitary Sewer District 2 (SID 2) [Dale L. Bockmann] in an Amount of \$200.00.

#2015-73 - Approving Amendment No. 1 to Agreement for Engineering Consulting Services Related to Westgate Road Paving District No. 1261; North Road to Copper Road with Olsson Associates of Grand Island, NE in an Amount of \$15,500.00 and a Revised Agreement Amount of \$87,370.00.

#2015-74 - Approving Change Order No. 2 for North Interceptor Phase II; Project No. 2013-S-4 with S.J. Louis Construction, Inc. of Rockville, MN for a Deduction of \$210,003.48 and a Revised Contract Amount of \$21,269,534.02.

#2015-75 - Approving Change Order No. 2 for Sanitary Sewer District No. 528 and No. 530T with Van Kirk Brothers Contracting of Sutton, NE for a Net Credit of \$47,507.46 and a Revised Contract Amount of \$3,326,611.24.

#2015-76 - Approving Nebraska H2O Construction/Post Construction Stormwater Management Program Development; Phase 2 – Felsburg, Holt & Ullevig of Omaha, NE

#2015-77 - Approving Request from the YMCA for Permission to Use City Streets, Hike/Bike Trail, and State Highway for the 2015 State Fair Marathon/Half Marathon/Marathon Relay/5K Race/Kids 1 Mile.

#2015-78 - Approving Award of Proposal for Consulting Services for Geospatial Data Collection of Grand Island's Public Stormwater Conveyance System – 2015 with EA Engineering, Science, and Technology, Inc. of Lincoln, NE in an Amount of \$60,000.00.

#2015-79 - Approving Purchase of a 2015 Truck for the Water Department per State Bid with Anderson Auto Group of Lincoln, NE in an Amount of \$58,488.00.

#2015-80 - Approving Execution of a Confidentiality and Non-Disclosure Agreement regarding Wind Energy with Invenergy Wind Development LLC.

#2015-81 - Approving Bid Award for Heartland Public Shooting Park Entry Road Rehabilitation/Replacement with J.I.L. Asphalt Paving Co., of Grand Island, NE in an Amount of \$205,144.70.

#2015-82 - Approving Grant Application to United States Tennis Association for Ryder Park Tennis Courts.

RESOLUTIONS:

#2015-83 - Consideration of Approving Letter of Support for Essential Air Service (EAS) to the Department of Transportation (DOT). City Administrator Marlan Ferguson introduced Mike Olson, Executive Director of the Hall County Airport Authority. Mr. Olson reported that every two years the Department of Transportation (DOT) asks for proposals from air carriers for the various EAS communities for the continuation of air service. One proposal from American Airlines was submitted. The Hall County Airport Authority recommended American Airlines to the DOT for air service and requested the Mayor send a letter of support to the DOT.

Motion by Haase, second by Paulick to approve Resolution #2015-83. Upon roll call vote, all voted aye. Motion adopted.

#2015-84 - Consideration of Amendment to the Redevelopment Plan for CRA Area 2 for Site Specific Redevelopment Plan Located at 1616 S. Eddy Street. This item related to the aforementioned Public Hearing. Councilmember Steele commented on language in the contract that he felt was problematic. Councilmember Haase stated he did not agree with Tax Increment Financing for apartments. Todd Enk, 4133 Fleetwood Road spoke in support.

Motion by Stelk, second by Fitzke to approve Resolution #2015-84. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Donaldson, second by Hehnke to approve the Claims for the period of March 11, 2015 through March 24, 2015, for a total amount of \$4,759,809.89. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:42 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-2

**Approving Minutes of March 28, 2015 City Council Study Session
(Retreat)**

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL SPECIAL STUDY SESSION (RETREAT)

March 28, 2015

Pursuant to due call and notice thereof, a Special Study Session (Retreat) of the City Council of the City of Grand Island, Nebraska was conducted at the Nebraska State Fair Building Board Room, 501 East Fonner Park Road, Grand Island, Nebraska on March 28, 2015. Notice of the meeting was given in the *Grand Island Independent* on March 20, 2015.

Mayor Jeremy L. Jensen called the meeting to order at 8:30 a.m. The following Councilmembers were present: Mitch Nickerson, Linna Dee Donaldson, Chuck Haase, Jeremy Jones, Mark Stelk, Mike Paulick, Roger Steele, Michelle Fitzke and Julie Hehnke. Councilmember Vaughn Minton was absent. The following City staff were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, City Attorney Robert Sivick, Public Works Director John Collins, Interim Finance Director William Clingman, Utility Director Tim Luchsinger, Parks & Recreation Director Todd McCoy, Regional Planning Director Chad Nabity, Building Department Director Craig Lewis, Emergency Management Director Jon Rosenlund, Library Director Steve Fosselman, Fire Chief Cory Schmidt, Police Chief Steve Lamken, Public Information Officer Wendy Meyer-Jerke and Assistant to the City Administrator Nicki Stoltenberg.

WELCOME AND OVERVIEW OF RETREAT:

Mayor Jensen welcomed and introduced everyone. He introduced Joseph McDermott with the Nebraska State Fair who thanked and welcomed everyone to the Nebraska Building.

OPENING COMMENTS:

City Administrator Marlan Ferguson welcomed everyone and thanked Mr. McDermott for allowing this meeting to be held at the Nebraska Building. Introduced was Bill Podraza who gave a PowerPoint presentation on team building.

TEAM BUILDING/COMMUNICATIONS:

Mr. Podraza gave a brief history of his background. He explained the forms of government in the Nebraska communities. Mentioned were the differences between Mayor/City Council versus City Manager. Reviewed were first impressions, delegation, elected vs appointed. The following reasons were given as to why a City could not be run like a business: C.I.R., open meetings act, profit sharing, no alcohol out of city dollars, accepting gifts, no preferential customers, Dillon Rules (enabling legislation), etc. The following instances were given where you could run the city like a business: electric utility, water utility, sanitary sewer utility, sanitation utility, and serving constituents like customers.

Reviewed were the rules of Councils: policy forming (sets the rules); ordinances and resolutions: advisory (suggests action); combination of the above. Councils needed to have a vision, a clear

view of their mission, values, strategy, personal objectives, and a sense of trust among the group. Trust was about keeping promises, no hidden agendas, keep working when things get tough, respect each other, understand others realities and appreciate differences, look out for each other's interest, support each other under fire, and measuring performance the same way.

The responsibilities of Council were to attend meetings regularly, keep in mind why we exist, show personal interest, think for yourself (express your opinions), work on communication skills, promote teamwork, stir up listless members, do your homework, be a peace maker, keep your sense of humor (develop one), give credit where due, prevent meetings from bogging down, show respect to other board members and staff, don't dodge thankless jobs, encourage not discourage, walk the talk, support decisions of group, and be aware of conflict in interests.

Council responsibilities were to lead, legislate, make known goals and objectives for year(s), be the confidant of the executive, counsel with the executive, be spokesperson for the organization, be enthusiastic, keep executive informed of their status with the Council, and support the professional growth of the executive.

Mr. Podraza covered conflict prevention guides and strategy. Council made comments regarding what they do well. Mentioned were open discussion, communication, respecting others, bringing forth what the citizens want, agree to disagree, and doing well representing the constituents.

Covered was what the Council could do better. Mentioned were doing more long range planning, unified message in where the community is going, team building with Council and community, engage the public more, work on image building, trust, be more open minded, not be afraid of controversy, include diversity, and value opinions of the constituents.

FOOD/BEVERAGE TAX:

City Administrator Marlan Ferguson reported that being proactive he would clarify the current expiration date, history, sunset, and timeline in going forward with the food and beverage occupation tax. Reviewed was the history of the August 19, 2014 Council meeting with discussion regarding the food & beverage tax and expiration date, no action was taken at that time. Mentioned was the tax would end with the lease purchase agreement on July 1, 2017, not December 31, 2015 as stated in the August 19, 2014 meeting. He stated there would be no benefit in paying off the lease purchase early. He stated several changes had been made over the years.

Discussion was held regarding LB 745 that stated new or an increase over (\$700,000) to the occupation tax would have to go to a vote to the people. Specific language would have to be put in the ballot language with regards to where the money would be used. The tax would sunset when the debt had been paid. In 2014 the City paid \$350,223 for the Nebraska State Fair Support & Improvement Fund.

The average annual collection was \$1,410,019. The recommendation was to go to a vote of the people at the General Election on November 8, 2016. There would be almost \$1,000,000 in excess cash after the debt payment. The following communities tax rate were mentioned: Grand

Island – 1.5%, Kearney – 1%, Lincoln – 2% (included alcohol), Norfolk – 2% (included alcohol), and Omaha – 2.5% (included alcohol). Discussion was held regarding a tax on alcohol. Mr. Ferguson asked for feedback on what the Council wanted to do. Comments were made regarding the confusion of the sales tax versus the food and beverage tax.

Comments were made regarding moving ahead with the vote at the General Election in 2016 and not paying off the debt early. Also recommended was to include the alcohol tax. It was mentioned there was a lot of work that needed to be done at the ball field at Eagle Scout Park and that the extra money could be used for that. Interim Finance Director William Clingman stated the \$1.6 million had been expended. Parks & Recreation Director Todd McCoy stated the total came to \$1.9 million towards the 4 ball fields and soccer fields.

Discussed were projects the continued food and beverage tax could be used for. Mentioned were: Eagle Scout Park ball fields, Fieldhouse, Island Oasis, Shooting Park, cemetery expansion, and marketing the State Fair. Comments were made regarding selling this to the public. It was stated that this was a fair tax and would not increase property tax. Quality of life issues to bring people into Grand Island were mentioned.

City Attorney Robert Sivick explained what the original food and beverage tax was for and how long it would be in effect. Discussion was held regarding the excess of tax and what it could be used for. He stated part of the money would be used for the lottery match.

Mr. Ferguson commented on marketing the food and beverage tax. He stated we needed to be specific with projects, debt service, etc. Mayor Jensen stated we would be looking at this further.

GROW GRAND ISLAND/GRANDER VISION:

Mayor Jensen commented on where we were going as a community. His priority was to combine the two studies Grow Grand Island and the Grander Vision which had been done. Assistant to the City Administrator Nicki Stoltenberg presented a PowerPoint presentation on Grow Grand Island/Grander Vision.

Representation from the Council was Mitch Nickerson and Linna Dee Donaldson. Reviewed was the background of Grow Grand Island which included collaborative, cooperative, and effective partnerships with existing businesses, entrepreneurs, image, workforce, and community assets. Background for the Grander Vision included live, work, play, learn, and unite with all communities in Hall County.

Grow Grand Island; a Grander Vision for the Heartland was created by combining the two studies. The goals for 2020 were: job creation, elevate standards of living, talent attraction & retention, improve educational attainment, increase volunteerism & community engagement, and help existing businesses grow.

Presented was an implementation schedule for 2015, 2016, the grid, and potential partners. Explained was the grid which included the projects of both Grow Grand Island and Grander

Visioning, potential partners, when it would start, and the cost. Currently they have over 50 people who have committed to working on committees.

WORKING LUNCH:

The following Hall County Supervisors were present: Pam Lancaster, Gary Quandt, Jane Richardson, Douglas Lanfer, and County Clerk Marla Conley.

Alternative 911 Location: Emergency Management Director Jon Rosenlund explained the current 911 situation and what a 911 dispatcher does. Presented were pictures of the current 911 center. The alternate 911 Center was located in a very small closet in Fire Station #1. The site was chosen due to its location, but with the small room mobilizing this equipment takes 30-45 minutes. Equipment differs from the main center (radios, phones, etc.), and is difficult to test and exercise regularly.

The following benefits of a true 911 alternate were: maintain our obligation for continuity of operations, provide geo-diverse 911 system for redundancy, provide full capabilities for 911 functions – radio, telephone, teletype, alarm monitoring and weather warnings, allow for expanded capacity in a disaster, and overcome the lack of “mutual aid” in 911.

One option to avoid these problems was to establish a new main 911 center and install an alternate 911 in City Hall. He suggested a new main facility be designed for a call capacity that would good through 2050 with an estimated population of 80,000.

Another option would be to build a new or renovate an alternate 911 location and continue the main 911 center in City Hall. This design would be for an estimated population of 60,000.

The following ideas were presented as to where a new 911 center could be located: either a stand-alone structure, addition to current City Building, adjacent to current City Building, or other areas likely to become City property. Other considerations were approximately 1 mile from City Hall, avoid flood plain, and connected to or near City managed fiber.

The final option was to remain with the current alternate 911 location which could not be upgraded and was not sufficient in an actual event.

Costs of equipment were estimated at \$600,000. The next step was to issue a Request for Proposal (RFP) for architectural design, including options for various locations and types of facility, receive recommendations from Interlocal committee, and forward recommendation to City Council.

Mr. Rosenlund stated the current situation was unacceptable and any solution would require serious investment. Most costs for equipment were static, regardless of the option. A majority of the construction/renovation costs were likely similar, regardless of the option chosen. Architectural drawings and price estimates would help guide the future plans.

Mr. Rosenlund answered questions regarding equipment changes in the future and changes regarding phone systems, etc. Mr. Ferguson stated we needed to look at branching out to other communities. Mayor Jensen commented on the need of a new alternate 911 center and the importance of that in case of an emergency.

Interlocal Agreements: City Administrator Marlan Ferguson commented on the Ambulance Service Interlocal with Hall County. It was to expire in 2015. He stated he would get with the Fire Chief to work that out.

UTILITY BILLING/BUDGET:

Interim Finance Director William Clingman gave a PowerPoint presentation on the new utility billing system. He mentioned there would be no fees for any type of payment. This would be open to the public on Tuesday, March 31, 2015. Utility Director Tim Luchsinger stated a lot of people pay on-line and we were getting up to speed with the electronic era.

Presented was a PowerPoint regarding the budget which was on the Grand Island web-site by a company named Socrata.

DISCUSS NEW COUNCIL LAPTOPS/TABLETS:

Mr. Ferguson explained the Council Chamber upgrade. The current drop down screen in the Council Chambers would be changed to an 80" HD flat screen. The other screen in the Council Chambers would be replaced with a 70" HD flat screen. The new laptops would be HD accessible. The recommendation was to purchase Dell surface laptops for Council that would be smaller than the current ones. The i-pad was not compatible with our system.

Discussion was held regarding the availability for printing items off the new laptop. The work in the chamber would happen within the next 60 days and the laptops would be ordered soon.

FUTURE STUDY SESSION TOPICS:

Mr. Ferguson asked the Council what future Study Session topics they would like to see. Mentioned were the Food and Beverage Tax, 2015/2016 Budget, and looking into a Bi-Annual Budget vs Annual Budget.

Upcoming Study Sessions would be Cemetery, Stolley Park Road, Tax Increment Financing, Food Manager Permits, and Bees.

ADJOURNMENT: The meeting was adjourned at 2:00 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-3

Approving Minutes of April 7, 2015 City Council Study Session

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

April 7, 2015

Pursuant to due call and notice thereof, a Study Session of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on April 7, 2015. Notice of the meeting was given in the *Grand Island Independent* on April 1, 2015.

Mayor Jeremy L. Jensen called the meeting to order at 7:00 p.m. The following Councilmembers were present: Mitch Nickerson, Mark Stelk, Jeremy Jones, Chuck Haase, Linna Dee Donaldson, Michelle Fitzke, Vaughn Minton, and Roger Steele. Councilmembers Julie Hehnke and Mike Paulick were absent. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, Interim Finance Director William Clingman, City Attorney Robert Sivick, and Public Works Director John Collins.

Mayor Jensen introduced Community Youth Council members Abigail Richling and Hannah Sugita.

INVOCATION was given by Community Youth Council member Abigail Richling followed by the PLEDGE OF ALLEGIANCE.

SPECIAL ITEMS:

Discussion Regarding Dog Park Development. Parks and Recreation Director Todd McCoy stated that dog parks were popular in the nation and Nebraska. Last year \$50,000 was budgeted to create a dog park. A dog park planning committee had been created and recommended L.E. Ray Lake as a good fit for a dog park. There were bathrooms, parking, electricity and other amenities. A small dog area would include 1/3 acre which would be fenced and an all dog area included 3 acres all on the lake. Amenities could be added such as a dog waste station, double gated fence area, possible showers, trees, benches and picnic tables at a nominal cost. He stated the dog park could be built this summer and open this fall.

Discussion was held regarding ticks. Mr. McCoy stated they could address that with minor cleaning and signage. Questions were answered concerning the startup costs of the park. He stated \$20,000 would be for fencing and the other costs would come from the \$50,000 budgeted for 2014/2015. Ongoing expenses would be the time park employees took to mow and clean up. Five sights had been studied. Liability was mentioned. Mr. McCoy stated from talking to other towns they had not seen a higher risk. City Attorney Robert Sivick stated he didn't see any higher risk at the dog park than at any other park facility. Rules had been created by the dog park planning committee concerning dangerous dogs.

Human Society Executive Director Laurie Dethlof spoke in support.

Presentation of Cemetery Expansion Options Study. Mr. McCoy introduced Matt Carlile and Ben Sandell representing Confluence of Des Moines, Iowa who explained the study.

It was reported that the Grand Island Cemetery was nearing its capacity and a new location was needed. A study was completed to create a master plan to serve as a 50 year development guide to future expansion of the cemetery. After examining a variety of different properties and locations the following four options were given for the cemetery's future needs:

Option 1 – Webb Road Sport Fields – this location is west of the current cemetery and the current maintenance facilities could be used. Minimal earth work would need to be done because the land was relatively flat and the ball fields would be moved to the Veterans Athletic Field Complex. The land was owned by the City and was purchased with funds from the Cemetery Trust Fund for future expansion of the cemetery. There would be very little cost to retrofit the irrigation system.

Challenges for this area were the existing sports fields were heavily used and well maintained and would have to be demolished and moved. Other items mentioned were retrofitting the irrigation system, noise from Highway 281 and the railroad tracks, and no trees. If this area was not used as a cemetery the City would have to reimburse the Cemetery Trust Funds in the amount of \$345,000. Development costs for this area were estimated at \$642,500. This site was limited to future expansion. It was estimated that this location would last 42 years before future expansion was needed.

Option 2 – Westlawn Memorial Cemetery – this location was currently a functioning cemetery down the road from the current Grand Island Cemetery with maintenance facilities. There were approximately 10,000 plots available with possible future expansion.

Challenges were trees and landscaping, burial markers needed to be reset, irrigation issues, interior roads were asphalt or gravel paths, entrance would need to be reworked, and windbreak vegetation along the railroad tracks would need to be addressed. This area was limited to future expansion by the railroad R.O.W. Traffic and dust issues could be a problem with the large manufacturing facility located to the southeast. It was estimated that this location would last 25 years before future expansion was needed. This site would need to be purchased which could cost approximately \$1.4 million along with additional equipment (\$651,000) and two employees.

Option 3 – Undeveloped urban land – this land was located within the Grand Island City limits. Due to its proximity to the industrial development it could be the most expensive per acre. Maintenance equipment, facilities, irrigation, water lines, and landscaping would need to be purchased. It was estimated that this location would last 73 years before future expansion was needed. The land could be purchased and developed for an estimated \$2.4 million.

Option 4 – Rural property – this land would be located outside of the city a couple of miles. It had established windbreaks and mature trees, with some sheds and barns that could be used as maintenance facilities. A new water service may be required, but it does have a small pond on site which might be used to supplement the irrigation supply. It also had plenty of room for

expansion. It was estimated that this location would last 73 years before future expansion was needed. The rural land could be purchased and developed for an estimated cost of \$2.3 million.

Dan Naranjo, 1328 Hagge Avenue spoke of concerns at Westlawn Cemetery regarding trust funds for opening and closing graves and mausoleums.

Bill Dugan, 3826 Stolley Park Road representing Westlawn Cemetery stated the records regarding the trust funds; pre-paid burials, etc. were in order. He stated last year sales were \$219,000; expenses were less than the City Cemetery due to fewer employees. Net income last year was \$47,000.

Dr. Jay Stewart, 3785 West Stolley Park Road stated he owned property next to Westlawn Cemetery and was willing to sell for further expansion of the cemetery.

Paul Wicht, 1708 Jerry Drive spoke of other cemeteries in and around the City that had not been kept up.

Discussion was held regarding the timeline to create any of the four options which would come in the next phase of the project in the Master Plan. Currently the City had 5 employees at the City Cemetery. Two full time employees would be needed to take on the Westlawn Cemetery. Perpetual care/trust fund was discussed.

Cemetery Superintendent Mark Sands answered questions regarding complaints because of dust due to the manufacturing and gravel road north of the cemetery. He answered questions concerning paving the roads in the cemetery. Comments were made concerning phasing the Webb Road option allowing the ball fields to continue for a time. Mr. Carlile and Mr. Sandell commented on the importance of creating a Master Plan.

Presentation on Stolley Park Road Configuration. Public Works Director John Collins reported that there may be Federal funding available for this project.

Matt Reif representing Olsson Associates presented their recommendation. A thorough analysis of this route indicated that the best configuration was a combination of 3, 4 and 5 lanes. A 3 lane section was proposed from St. Joe Trail crossing, east of Brentwood Boulevard, to South Locust Street consisting of one through lane in each direction and a center shared left turn lane. Also recommended was a bicycle lane where the 3 lane section would be created. They proposed a 4 lane section from Webb Road to 1500' east of Webb Road and a 5 lane section 1500' east of Webb Road to the St. Joe Trail.

Deputy Public Works Director Terry Brown commented on new federal funding (90%) for this project with 3 and 4 lane roads along with bike lanes. The project was scheduled to start this year but may have to be delayed to see if we were granted the federal funding.

Paul Wicht, 1708 Jerry Drive spoke in opposition of 3 lanes.

Discussion was held regarding the school traffic areas at Stolley Park Road, Barr Middle School, and the new Starr Elementary School to be built. Mr. Collins stated they had been working with the schools to handle the number of cars expected in these areas. Comments were made regarding pedestrian signals, timing of the project, and bicycle lanes. Mr. Collins stated they were studying intersections to see if they qualified for stop lights. Truck traffic on Stolley Park Road was mentioned.

ADJOURNMENT: The meeting was adjourned at 9:36 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-4

Approving Appointment of Ryan Hand to the Downtown Business Improvement District 2013 Board

Mayor Jensen has submitted the appointment of Ryan Hand to the Downtown Business Improvement District 2013 board to replace Amos Anson who resigned. The appointment would become effective immediately upon approval by the City Council and would expire on September 30, 2018.

Staff Contact: Mayor Jeremy Jensen



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-5

#2015-85 - Approving Final Plat and Subdivision Agreement for Sterling Estates 4th Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: April 14, 2015

Subject: Sterling Estates 4th Sub – Final Plat

Item #'s: G-5

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

Background

This property is located south of Capital Ave and west of US Hwy 281, in the City of Grand Island, in Hall County, Nebraska. Consisting of (47 Lots including 3 Outlots) and 22.65 acres.

Discussion

The plat for Sterling Estates 4th Subdivision Plat was considered by the Regional Planning Commission at the April 1, 2015 meeting.

A motion was made by Ruge and seconded by Bredthauer to approve the plat as presented.

A roll call vote was taken and the motion passed with 10 members present and voting in favor (O'Neill, Maurer, Connick, Kjar, Robb, Ruge, Huisman, Heckman, Haskins and Bredthauer) and no one voting against.

Alternatives

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

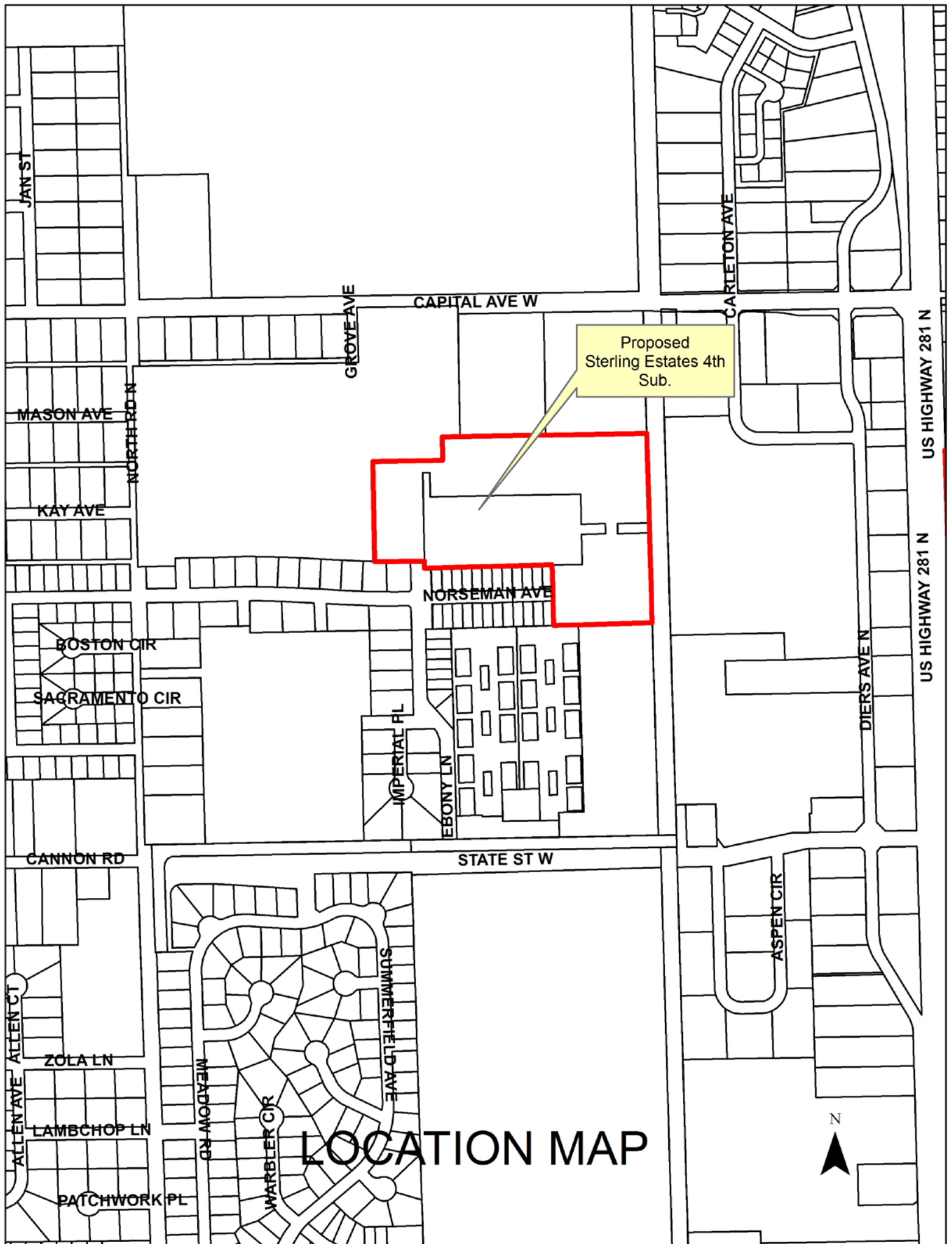
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the final plat as presented.

Sample Motion

Move to approve as recommended.



**Niedfelt Property Management Preferred LLC
Developer/Owner**

Niedfelt Property Management Preferred LLC
John Niedfelt
PO Box 1445
Grand Island NE 68802

To create 47 lots located south of Capital and west of US Hwy 281, in the City of Grand Island, in Hall County, Nebraska.

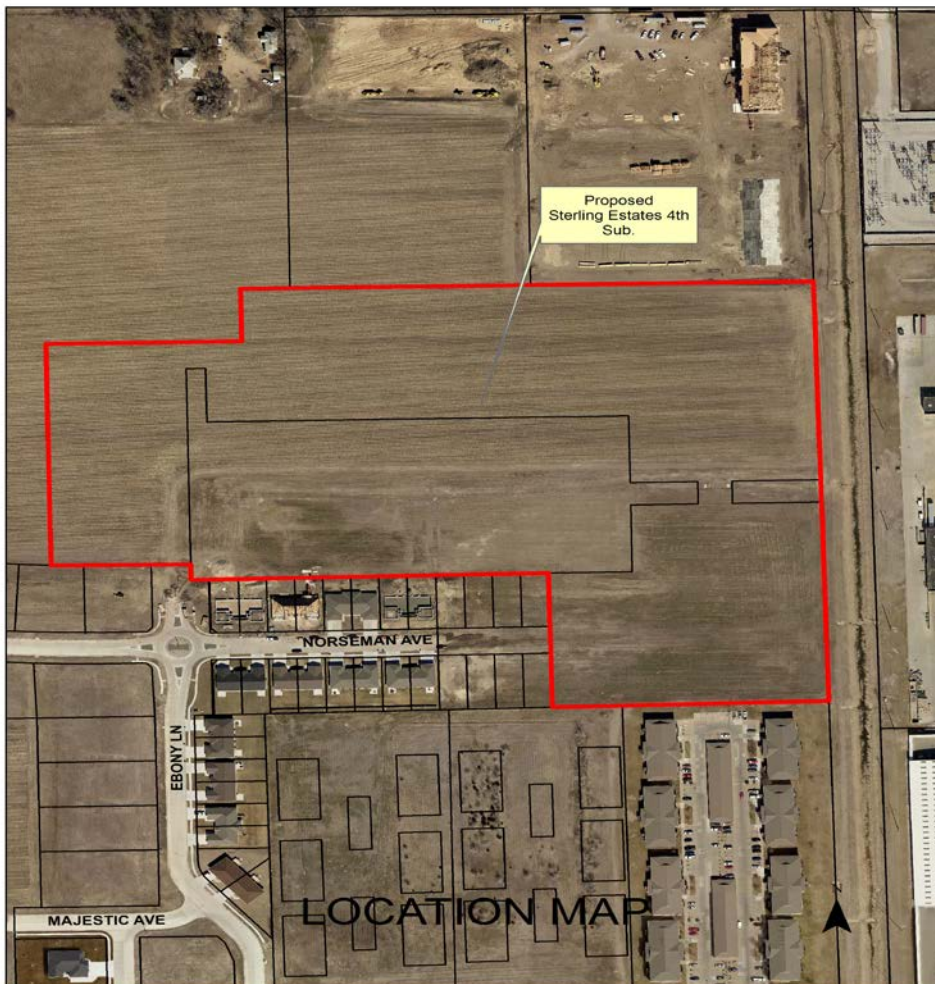
Size: 22.65 acres

Zoning: R4 – High Density Residential Zone

Road Access: City roads will be available

Water Public: City water will be available

Sewer Public: City sewer is available.



February 18, 2015

Dear Members of the Board:

RE: Final Plat – Sterling Estates 4th Subdivision – Final Plat.

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Sterling Estates 4th Subdivision, located in the City of Grand Island, in Hall County Nebraska.

This final plat proposes to create 34 lots, on a tract of land located in part of the Northwest Quarter (NW ¼) of Section Twelve (12), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in the City of Grand Island, Hall County, Nebraska, said tract containing 22.65 acres.

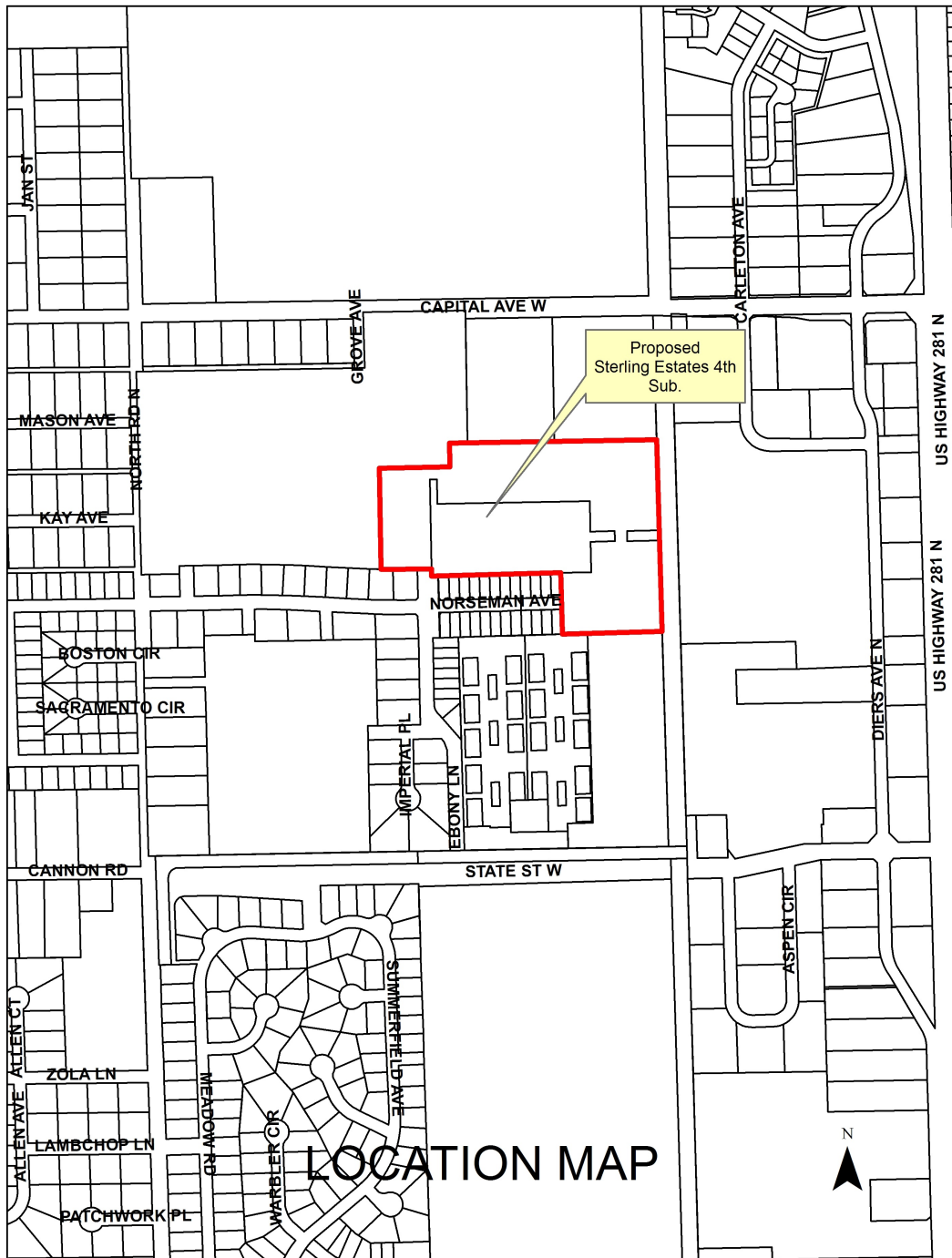
You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on March 4, 2015 in the Council Chambers located in Grand Island's City Hall.

Sincerely,

Chad Nabity, AICP
Planning Director

Cc: City Clerk
City Attorney
City Public Works
City Building Department
City Utilities
Manager of Postal Operations
Olsson Associates

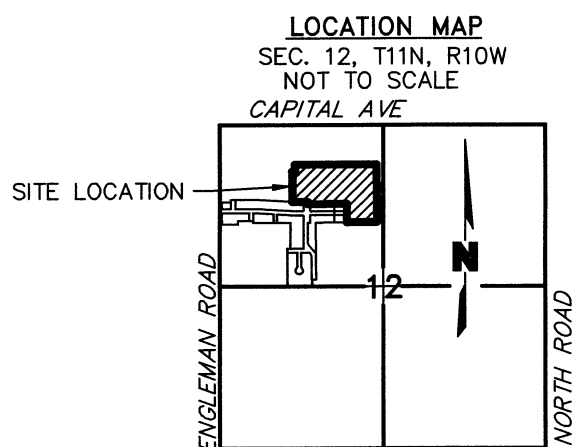
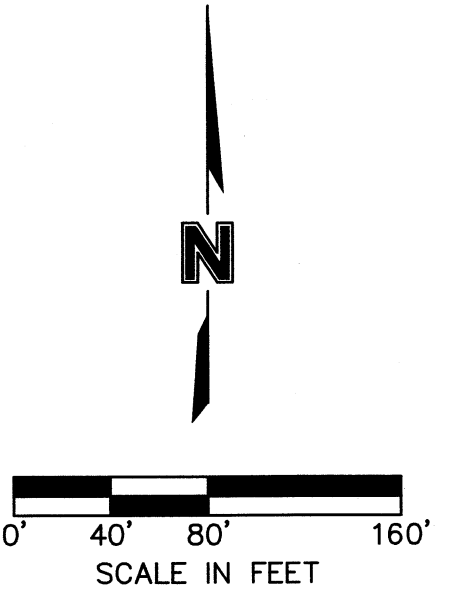
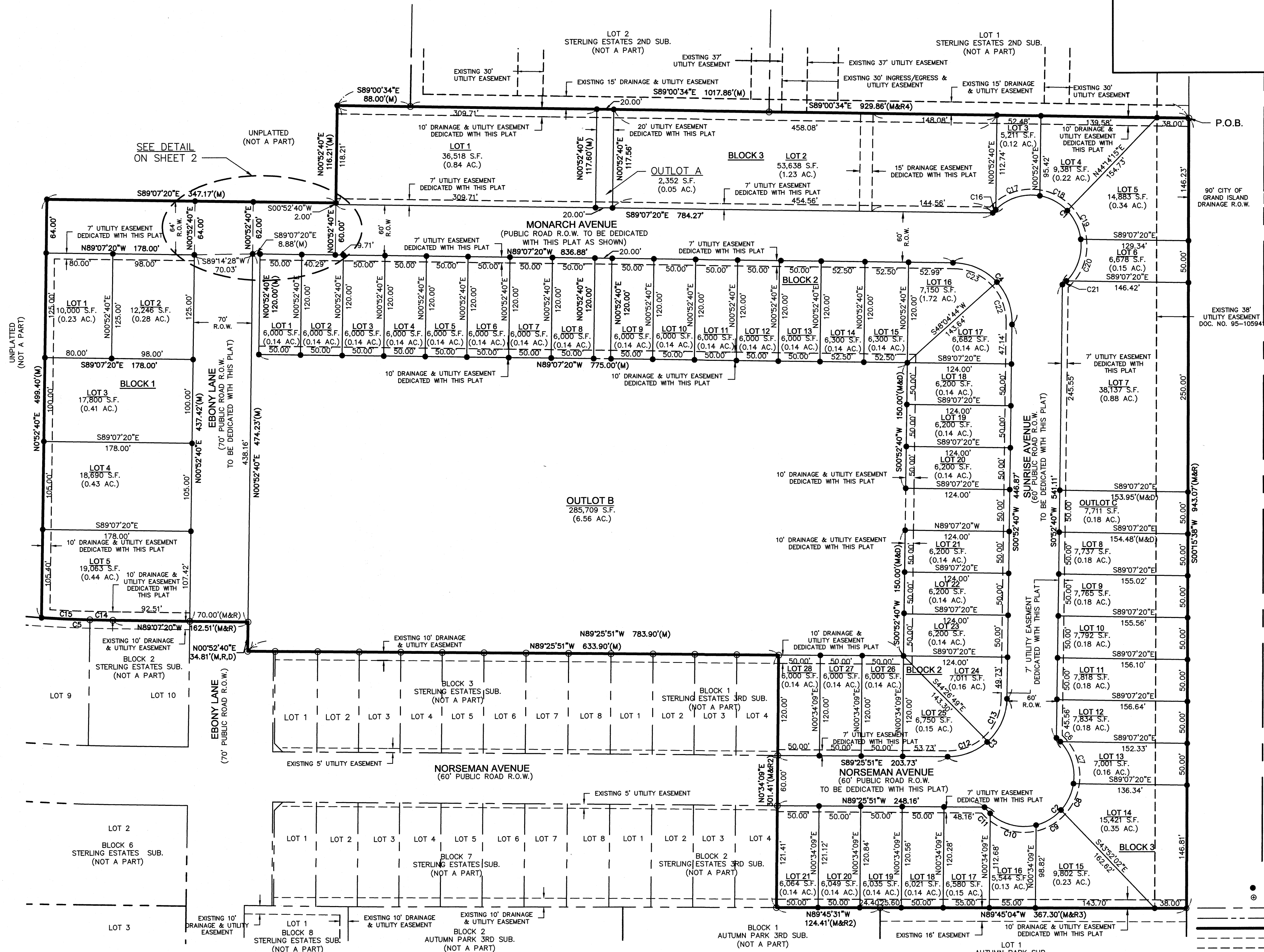
This letter was sent to the following School Districts 1R, 2, 3, 19, 82, 83, 100, 126.



STERLING ESTATES FOURTH SUBDIVISION

IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

FINAL PLAT



- LEGEND**
- SET CORNER (5/8"x24" REBAR W/CAP)
 - FOUND CORNER (5/8" REBAR W/CAP)
 - SECTION LINE
 - EXISTING PROPERTY LINE
 - PROPOSED PROPERTY LINE
 - EXISTING EASEMENT LINE
 - EASEMENT LINE TO BE DEDICATED WITH THIS PLAT
 - MEASURED DISTANCE
 - R RECORDED DISTANCE STERLING ESTATES SUB.
 - R2 RECORDED DISTANCE STERLING ESTATES THIRD SUB.
 - R3 RECORDED DISTANCE AUTUMN PARK SUB.
 - R4 RECORDED DISTANCE STERLING ESTATES SECOND SUB.
 - D RECORDED DISTANCE DOC. NO. 0200905078

OWNERS: NIEFELT PROPERTY MANAGEMENT PREFERRED LLC./ CITY OF GRAND ISLAND
SUBDIVIDER: NIEFELT PROPERTY MANAGEMENT PREFERRED LLC./ CITY OF GRAND ISLAND
SURVEYOR: OLSSON ASSOCIATES
ENGINEER: OLSSON ASSOCIATES
NUMBER OF LOTS: 57

SHEET 1 OF 2

OLSSON
ASSOCIATES

201 East 2nd Street
P.O. Box 1072
Grand Island, NE 68802-1072
TEL 308.384.8750
FAX 308.384.8752

PROJECT NO. 2014-1966
NIEFELT SURVEY
FB

DWG: F:\projects\014-1966\SRV\Final_Plat\Sterling Estates 4th Sub_rev3.dwg
DATE: Mar 23, 2015 2:52pm
USER: lwheeler
XREFS: 014-1966_ROW

RESOLUTION 2015-85

WHEREAS Niedfelt Property Management Preferred LLC, A Nebraska Limited Liability Company, being the owners of the land described hereon, have caused same to be surveyed, subdivided, platted and designated as “STERLING ESTATES FOURTH SUBDIVISION”, to be laid out into 47 Lots including 3 Outlots, on a Tract of Land Located in Part of the Northwest Quarter (NW1/4) of Section Twelve (12), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., in the City of Grand Island, Hall County, Nebraska, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Boards of Education of the various school districts in Grand Island, Hall County, Nebraska, as required by Section 19-923, R.R.S. 1943; and

WHEREAS, a form of subdivision agreement has been agreed to between the owner of the property and the City of Grand Island.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the form of subdivision agreement hereinbefore described is hereby approved, and the Mayor is hereby authorized to execute such agreement on behalf of the City of Grand Island.

BE IT FURTHER RESOLVED that the final plat of STERLING ESTATES FOURTH SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 13, 2015	☐ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-6

**#2015-86 - Approving Statewide Arboretum Grant Re-Application
for Trees at Kaufmann Cummings Plaza**

Staff Contact: Charley Falmlen

Council Agenda Memo

From: Charley Falmlen, Community Development

Meeting: April 14, 2015

Subject: Approving Statewide Arboretum Grant Re-Application for Trees at Kaufmann Cummings Plaza

Item #'s: G-6

Presenter(s): Charley Falmlen, Community Development

Background

In 2011, The City of Grand Island was one of eight Nebraska communities that was selected to receive a \$55,000 Greener Nebraska Towns Program grant. In March 2011, the City applied for a Greener Nebraska Towns Initiative grant that enabled Grand Island to create short and long-range greenscape goals and a green community education plan. A planning committee, comprised of city staff and community representatives, was formed to identify potential community greenscape needs, collect information for the grant and create a comprehensive list of potential project partners if the grant was awarded. The grant funded the Bioinfiltration Garden located at the Grand Island Public Library and allowed the City of do multiple tree plantings throughout the community. The City was unable to make use of 100% of the funds allocated for tree planting before the grant deadline, and therefore returned a portion of grant funds to the Statewide Arboretum. The Arboretum representative encouraged the City of Grand Island to re-apply for the returned funds, when a program was in place to plant additional trees.

A potential project for re-distribution for the Statewide Arboretum funds is in motion. The City of Grand Island has a Community Development Block Grant (CDBG) in partnership with the Downtown Business Improvement District that is being used to re-design and update Kaufmann Cummings Plaza. The CDBG does not cover the costs of asthetic updates such as trees and shrubs. Therefore the Community Development Division would like to re-approach the Statewide Arboretum about making use of the returned funds from the original 2011 Arboretum grant, and using said funds toward purchase of trees, land preperation and tree planting fees, all within Kaufmann Cummings Plaza.

Discussion

In addition to many other landscaping details, the tree planting at Kaufmann Cummings Plaza will include the planting of 6 Serviceberry, 1 Kentucky Coffeetree, and 7 Regal Prince Oak trees within the KC Plaza. Grant funds require a 1:1 match from the community. The total landscaping project cost is estimated to be \$17,000, and the City of Grand Island will be requesting \$8,500 from the funds returned to the Statewide Arboretum. The remaining \$8,500 in matching funds will be provided by the Downtown Business Improvement District, as they are a partner in this CDBG project and responsible for a portion of matching funds.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the Statewide Arboretum Grant Re-Application.

Sample Motion

Move to approve the Statewide Arboretum Grant Re-Application.

RESOLUTION 2015-86

WHEREAS, the City of Grand Island, Nebraska, was one of eight Nebraska communities that has been selected to receive a Greener Nebraska Towns Program grant; and

WHEREAS, the \$55,000 grant enabled the City of Grand Island to intensively plant trees, implement and create a bioinfiltration garden and conduct public outreach and education activities; and

WHEREAS, the City of Grand Island returned a portion of the grant funds, with the potential for future use; and

WHEREAS, the City of Grand Island will re-apply to make use of the returned funds for landscaping needs at Kaufmann Cummings Plaza.

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

1. The City of Grand Island, Nebraska is hereby authorized to accept the Statewide Arboretum Grant Re-Application; and
2. The Mayor is hereby authorized and directed to execute the Grant Application and other documentation on behalf of the City of Grand Island for such grant process.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 13, 2015	☐ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-7

**#2015-87 - Approving Extension Request for Community
Development Block Grant 12-DTR-104**

Staff Contact: Charley Falmlen

Council Agenda Memo

From: Charley Falmlen, Community Development

Meeting: April 14, 2015

Subject: Approving Extension Request for Community Development Block Grant 12-DTR-104

Item #'s: G-7

Presenter(s): Charley Falmlen, Community Development Specialist

Background

In June 2013 the State of Nebraska Department of Economic Development awarded a \$350,000 Community Development Block Grant to the City of Grand Island for Downtown Revitalization. The grant contract end date is currently June 12, 2015.

The improvements to Kaufmann Cummings Plaza are well underway. However, they are behind schedule since the original grant application took place. The City of Grand Island discovered that additional work needed to be done to the sewer portion of the Downtown Revitalization project. For this reason, there was a delay in the design of the project, as a project review was conducted and additional funding secured by the City of Grand Island.

Additionally, the Commercial Rehabilitation portion of funds, which were reserved for the boutique hotel that was in the process of being developed, has since lost its lead developer. The Downtown Business Improvement District (BID) chose to open a grant funding cycle to all entities in the District to make use of the funds for Commercial Rehab projects. The BID has reviewed applications and approved funding for two downtown businesses, and construction for each project is scheduled to start in late spring/early summer.

Discussion

Community Development is requesting Council approval for an extension request that would establish a contract end date of April 1, 2016.

All projects discussed above are subject to Davis-Bacon wage requirements and verifications. For this reason, we have allotted a large amount of time for project wrap up, dispersal of last contractor paychecks, and final reporting.

The Department of Economic Development requires Council approval of an extension request in the form of a resolution.

Alternatives

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

1. Move to approve the extension request
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 extension request.

Sample Motion

Move to approve the extension request for Community Revitalization Block Grant 12-DTR-104 and authorize the Mayor to sign all appropriate documents.

CDBG CONTRACT AMENDMENT REQUEST FORM

This form must be completed and submitted to the Nebraska Department of Economic Development when making a contract amendment request. All attachments identified under the applicable amendment type must be submitted along with this form.

CDBG Grant # 12-DTR-104 CDBG Grantee City of Grand Island

DED Program Representative Brian Gaskill

Person Completing this form Name Charley Falmlen

Contact Number 308-389-0179

Email charleyf@grand-island.com

Complete the sections for each type of amendment requested and submit this form, along with the required attachments, to the Department.

✳ Extension of Contract End Date

Original Contract End Date Friday, June 12, 2015

Current Contract End Date including any previously approved extensions Friday, June 12, 2015

Proposed Contract End Date Friday, April 01, 2016

Required Attachments

Attachment 1: A letter from the Chief Elected Official stating the following:

1. Certification that the local governing body has approved the extension;
2. Identification and reasons for the proposed amendment; including
 - a. Changes to the nature of the project requiring the amendment;
 - b. Steps being taken to avoid any future amendment requests for the same reasons.
3. If additional local matching funds are required as a result of this extension, certification that such funds are available.

Attachment 2: A revised implementation schedule showing when major milestones will be completed for each activity.

● Decrease in proposed accomplishments

Original Proposed Accomplishments _____ Current Proposed Accomplishments _____

Required Attachments

Attachment 1: A letter from the Chief Elected Official stating the following:

1. Certification that the local governing body has approved the decrease in proposed accomplishments;
2. Identification and reasons for the proposed amendment; including
 - a. Changes to the nature of the project requiring the amendment;
 - b. Steps being taken to avoid any future amendment requests for the same reasons.
3. If additional local matching funds are required as a result of this decrease, certification that such funds are available.

Attachment 2: A revised implementation schedule showing when major milestones will be completed for each activity.

● Amendment to Housing Program Guidelines

Required Attachments

Attachment 1: Letter from the Chief Elected Official stating the following:

1. Certification that the local governing body has approved the amendment to the housing program guidelines;
2. Identification and reasons for the proposed amendment;
3. If additional local matching funds are required as a result of this amendment, certification that such funds are available.

Attachment 2: If the housing program guidelines amendment will affect major milestones, a revised implementation schedule showing when major milestones will be completed for each activity.

Attachment 3: A complete copy of the proposed revised housing program guidelines.

● **Budget Amendment**

Original Contract Budget Approved

Activity Name	Activity Number	CDBG Funds	Other Funds	Total Funds
Total				

Proposed Budget After Amendment

Activity Name	Activity Number	CDBG Funds	Other Funds	Total Funds
Total				

Attachment 1: Letter from the Chief Elected Official including:

1. Certification that the local governing body has approved the budget amendment;
2. Identification and reasons for the proposed budget amendment; including
 - a. Changes to the nature of the project requiring the amendment;
 - b. Steps being taken to avoid any future amendment requests for the same reasons.
3. If additional local matching funds are required as a result of this amendment, certification that such funds are available.
4. If the amendment includes a new activity, certification that the activity meets the national objective.

Attachment 2: Minutes from the public hearing held on the proposed amendment (required if reallocating more than 10% of the total original grant amount).

Attachment 3: If the budget amendment will affect major milestones, a revised implementation schedule showing when major milestones will be completed for each activity.

Attachment 4: Certification of re-evaluation of the environmental assessment (this form is included in the CDBG Administration Manual Chapter 6: Environmental Review).

DED Use Only	
Date amendment request received	
Date amendment approved/denied	

RESOLUTION 2015-87

WHEREAS, the City of Grand Island, Nebraska, is an eligible unit of a general local government authorized to receive Community Development Block Grant (CDBG) contract amendment through the Nebraska Department of Economic Development; and

WHEREAS, the Nebraska Department of Economic Development offers a CDBG Economic Development Grant for activities that meet the CDBG national objective of benefiting low-to-moderate income persons; and

WHEREAS, a grant was awarded for improvements in the Downtown Business Improvement District for the amount of \$350,000.00; and

WHEREAS, the City is requesting an extension of the 12-DTR-104 deadline; and

WHEREAS, the Nebraska Department of Economic Development presently requires certification of approval of the local governing body.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island, Nebraska is hereby authorized to apply for a contract extension with the Nebraska Department of Economic Development for the Downtown Revitalization Grant and the Mayor is hereby authorized and directed to execute such proceedings on behalf of the City of Grand Island for such grant programs.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 13, 2015	☐ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-8

#2015-88 - Approving Acquisition of Public Utility Easement for Hall County Sanitary Sewer District 2 (SID 2) [Wilkinson Development, Inc.]

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

Staff Contact: John Collins, P.E. - Public Works Director

RESOLUTION 2015-88

WHEREAS, a public utility easement is required by the City of Grand Island, from an affected property owner for the Hall County Sanitary Sewer District 2 (SID 2), described as follows:

Owner	Legal	Total
Wilkinson Development, Inc.	<p>A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION TWENTY (20), TOWNSHIP TEN (10) NORTH, RANGE NINE (9) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N00°47'14"E, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 382.46 FEET; THENCE N84°42'02"E A DISTANCE OF 123.31 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 AND THE SOUTHWEST CORNER OF A TRACT OF LAND RECORDED IN INSTRUMENT NO. 201202379, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N05°17'57"W, ALONG THE WEST LINE OF SAID TRACT OF LAND, A DISTANCE OF 22.91 FEET; THENCE N87°14'30"E A DISTANCE OF 25.02 FEET; THENCE S05°17'57"E A DISTANCE OF 21.80 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT OF LAND; THENCE S84°42'02"W, ALONG SAID SOUTH LINE OF A TRACT OF LAND, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING. SAID UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 559 SQUARE FEET OR 0.01 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 11 ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.</p>	\$1,200.00
TOTAL		\$1,200.00

WHEREAS, an agreement for the public utility easement has been reviewed and approved by the City Legal Department.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to enter into the agreement for the public utility easement on the above described tract of land, in the total amount of \$1,200.00.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ☐ _____
April 13, 2015 ☐ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-9

#2015-89 - Approving Temporary Construction Easement for Hall County Sanitary Sewer District 2 (SID 2) [Wilkinson Development, Inc./Bosselman Oil, Inc./Pragya, Inc./Sinha]

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: April 14, 2015

Subject: Approving Temporary Construction Easement for Hall County Sanitary Sewer District 2 (SID 2) [Wilkinson Development, Inc./Bosselman Oil, Inc./Pragya, Inc./Sinha]

Item #'s: G-9

Presenter(s): John Collins PE, Public Works Director

Background

At the January 4, 2011 Study Session the City Council was informed of an interest of businesses along US Highway 281 near the Interstate 80 interchange to extend City sanitary sewer to serve their property.

On January 11, 2011 City Council approved Mayor Vavricek to sign a “Letter of Intent” to the Nebraska Department of Environmental Quality declaring the City’s willingness to negotiate a public/private project with these businesses to extend City sanitary sewer south along US Highway 281.

The May 17, 2011 Study Session provided an update to the City Council regarding several meetings that were conducted between the City and the interested parties.

On September 27, 2011 City Council approved Sanitary Sewer District No. 528 in the Wildwood Subdivision. This district provided support for the sanitary sewer extension south along US Highway 281 to Interstate 80.

The sanitary sewer extension south along US Highway 281 to Interstate 80 will help to foster growth of the City towards the interstate and provide for future development.

Discussion

Temporary easements are necessary from property owners for construction of Hall County Sanitary Sewer Improvement District 2 (SID 2) to be completed, which must be approved by City Council. A sketch of each temporary construction easement area is attached for reference.

This project is funded by the State Revolving Funds (SRF) Project # is C317867.

All documents have been signed and returned by the property owners. Authorization of the documents is contingent upon City Council approval. Following is a summary of the payments, totaling \$6,690.00 for the temporary construction easements.

Owner	Legal	Total
Wilkinson Development, Inc.	LOCATED IN PART OF THE NORTHWEST QUARTER OF SECTION TWENTY (20), TOWNSHIP TEN (10) NORTH, RANGE NINE (9) WEST OF THE 6 TH P.M., HALL COUNTY NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N00°47'14"E, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 382.46 FEET; THENCE N84°42'02"E A DISTANCE OF 148.31 FEET TO A POINT ON THE SOUTH LINE OF A TRACT OF LAND RECORDED IN INSTRUMENT NO. 201202379, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N05°17'57"W, A DISTANCE OF 21.80 FEET; THENCE S87°14'30"W A DISTANCE OF 25.02 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281; THENCE N05°17'57"W, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 10.01 FEET; THENCE N87°14'30"E A DISTANCE OF 40.04 FEET; THENCE S05°18'18"E A DISTANCE OF 31.14 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT OF LAND; THENCE S84°42'03"W, ALONG SAID SOUTH LINE OF A TRACT OF LAND, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING. SAID UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 722 SQUARE FEET OR 0.02 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 11A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.	\$620.00
Bosselman Oil, Inc.	TEMPORARY ACCESS EASEMENT NO. 1- LOCATED IN PART OF THE EAST HALF (E ½) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE TEN (10) WEST OF THE 6 TH P.M., AND A PART OF NEBMO SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF; THENCE ON AN ASSUMED BEARING OF S00°47'14"E, ALONG THE EAST LINE OF SAID EAST HALF, A DISTANCE OF 1765.77 FEET; THENCE S88°27'18"W A DISTANCE OF 112.23 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 AND THE NORTHEAST CORNER OF TRACT THREE (3) OF INSTRUMENT NO. 90-104283, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA; THENCE S71°34'44"W, ALONG THE NORTH LINE OF SAID TRACT THREE (3), A DISTANCE OF 26.18 FEET TO THE POINT OF BEGINNING; THENCE S01°09'32"E A DISTANCE OF 408.54 FEET; THENCE S88°50'28"W A DISTANCE OF 10.00 FEET; THENCE S01°09'32"E A DISTANCE OF 34.63 FEET; THENCE S88°50'28"W A DISTANCE OF 20.00 FEET; THENCE N01°09'32"W A DISTANCE OF 52.01 FEET; THENCE N88°50'28"E A DISTANCE OF 15.00 FEET; THENCE N01°09'32"W A DISTANCE OF 386.50 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT THREE (3); THENCE N71°34'44"E, ALONG SAID NORTH LINE OF TRACT THREE (3), A DISTANCE OF 15.71 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 7,046 SQUARE FEET OR 0.16 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 5A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.	\$2,550.00

	<p><u>TEMPORARY ACCESS EASEMENT NO. 2-</u> LOCATED IN PART OF NEBMO SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF NEBMO SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N01°09'32"W, ALONG THE EAST LINE FO SAID NEBMO SUBDIVISION, A DISTANCE OF 60.00 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PLATTE STREET AND THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY 281; THENCE S88°46'46"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING; THENCE S88°46'46"W, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET; THENCE N01°09'32"W A DISTANCE OF 30.23 FEET; THENCE N88°50'28"E A DISTANCE OF 20.00 FEET; THENCE S01°09'32"E A DISTANCE OF 30.21 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 604 SQUARE FEET OR 0.01 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 5B ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.</p> <p><u>TEMPORARY ACCESS EASEMENT NO. 3-</u> LOCATED IN PART OF THE EAST HALF (E ½) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF NEBMO SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S00°46'46"E, ALONG THE SOUTH LINE NEBMO SUBDIVISION, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING; THENCE S01°09'32"E A DISTANCE OF 192.13 FEET; THENCE S20°05'30"W A DISTANCE OF 280.15 FEET; THENCE S40°01'38"W A DISTANCE OF 167.74 FEET; THENCE S50°17'14"W A DISTANCE OF 177.79 FEET TO A POINT ON THE WEST LINE OF TRACT THREE (3) OF INSTRUMENT NO. 90-104283, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA; THENCE N01°13'16"W, ON SAID WEST LINE OF SAID TRACT THREE (3), A DISTANCE OF 19.16 FEET; THENCE N50°17'14"E A DISTANCE OF 164.52 FEET; THENCE N40°01'38"E A DISTANCE OF 163.76 FEET; THENCE N20°05'30"E A DISTANCE OF 302.29 FEET; THENCE N01°09'32"W A DISTANCE OF 163.59 FEET TO A POINT ON THE SOUTH LINE OF NEBMO SUBDIVISION; THENCE S88°46'46"W, ALONG SAID SOUTH LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 10,311 SQUARE FEET OR 0.24 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 6A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.</p>	
Pragya, Inc.	<p>LOCATED IN PART OF LOT ONE (1), KRUG SECOND SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT ONE (1), KRUG SECOND SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N84°42'03"E, ALONG A NORTHERLY LINE OF SAID LOT ONE (1), A DISTANCE OF 20.10 FEET TO THE POINT OF BEGINNING; THENCE N84°42'03"E, ALONG THE NORTHERLY LINE OF SAID LOT ONE (1), A DISTANCE OF 15.00 FEET; THENCE S06°01'38"E, PARALLEL TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281, A DISTANCE OF 195.40 FEET; THENCE S46°05'32"E A DISTANCE OF 29.02 FEET; THENCE S31°56'59"W A DISTANCE OF 47.20 FEET TO A POINT ON SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 80; THENCE N58°03'01"W, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET; THENCE N31°56'59"E A DISTANCE OF 39.10 FEET; THENCE N46°05'32"W A DISTANCE OF 32.33 FEET; THENCE N06°01'38"W, PARALLEL WITH SAID EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281, A DISTANCE OF 193.29 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY</p>	\$2,930.00

	EASEMENT CONTAINS A CALCULATED AREA OF 3,653 SQUARE FEET OR 0.08 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 10A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.	
Deepak & Suhita Sinha	LOCATED IN PART OF LOT TWO (2), HIGHWAY MOTEL SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT TWO (2), HIGHWAY MOTELS SUBDIVISION, SAID POINT BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF N00°08'07"W, ALONG THE WEST LINE OF SAID LOT TWO (2), HIGHWAY MOTELS SUBDIVISION, A DISTANCE OF 629.40 FEET; THENCE N00°08'07"W, CONTINUING ALONG THE WEST LINE OF LOT TWO (2), A DISTANCE OF 22.31 FEET; THENCE N90°00'00"E A DISTANCE OF 24.99 FEET; THENCE N00°00'23"E A DISTANCE OF 90.51 FEET; THENCE N90°00'00"W A DISTANCE OF 24.79 FEET TO A POINT ON THE WEST LINE OF SAID LOT TWO (2); THENCE N00°08'07"E, ALONG SAID WEST LINE OF LOT TWO (2), A DISTANCE OF 10.00 FEET; THENCE N90°00'00"E A DISTANCE OF 33.70 FEET; THENCE S13°07'22"E A DISTANCE OF 64.90 FEET; THENCE S00°40'52"E A DISTANCE OF 58.25 FEET; THENCE S88°25'12"W A DISTANCE OF 49.44 FEET TO THE POINT OF BEGINNING. SAID UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 3,235 SQUARE FEET OR 0.07 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 9A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.	\$590.00

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the Temporary Construction Easement Agreement between the City of Grand Island, Public Works Department and the affected property owner for Hall County Sanitary Sewer Improvement District 2 (SID 2).

Sample Motion

Move to approve the temporary construction easement.

RESOLUTION 2015-89

WHEREAS, temporary construction easements are required by the City of Grand Island, from Wilkinson Development, Inc./Bosselman Oil, Inc./Pragya, Inc./Deepak & Suhita Sinha, in the Hall County Sanitary Sewer District 2 (SID 2) project area:

Owner	Legal	Total
Wilkinson Development, Inc.	<p>LOCATED IN PART OF THE NORTHWEST QUARTER OF SECTION TWENTY (20), TOWNSHIP TEN (10) NORTH, RANGE NINE (9) WEST OF THE 6TH P.M., HALL COUNTY NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N00°47'14"E, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 382.46 FEET; THENCE N84°42'02"E A DISTANCE OF 148.31 FEET TO A POINT ON THE SOUTH LINE OF A TRACT OF LAND RECORDED IN INSTRUMENT NO. 201202379, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N05°17'57"W, A DISTANCE OF 21.80 FEET; THENCE S87°14'30"W A DISTANCE OF 25.02 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281; THENCE N05°17'57"W, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 10.01 FEET; THENCE N87°14'30"E A DISTANCE OF 40.04 FEET; THENCE S05°18'18"E A DISTANCE OF 31.14 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT OF LAND; THENCE S84°42'03"W, ALONG SAID SOUTH LINE OF A TRACT OF LAND, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING. SAID UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 722 SQUARE FEET OR 0.02 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 11A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.</p>	\$620.00
Bosselman Oil, Inc.	<p><u>TEMPORARY ACCESS EASEMENT NO. 1-</u></p> <p>LOCATED IN PART OF THE EAST HALF (E ½) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., AND A PART OF NEBMO SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF; THENCE ON AN ASSUMED BEARING OF S00°47'14"E, ALONG THE EAST LINE OF SAID EAST HALF, A DISTANCE OF 1765.77 FEET; THENCE S88°27'18"W A DISTANCE OF 112.23 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 AND THE NORTHEAST CORNER OF TRACT THREE (3) OF INSTRUMENT NO. 90-104283, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA; THENCE S71°34'44"W, ALONG THE NORTH LINE OF SAID TRACT THREE (3), A DISTANCE OF 26.18 FEET TO THE POINT OF BEGINNING; THENCE S01°09'32"E A DISTANCE OF 408.54 FEET; THENCE S88°50'28"W A DISTANCE OF 10.00 FEET; THENCE S01°09'32"E A DISTANCE OF 34.63 FEET; THENCE S88°50'28"W A DISTANCE OF 20.00 FEET; THENCE N01°09'32"W A DISTANCE OF 52.01 FEET; THENCE N88°50'28"E A DISTANCE OF 15.00 FEET; THENCE N01°09'32"W A DISTANCE OF 386.50 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT THREE (3); THENCE N71°34'44"E, ALONG SAID NORTH LINE OF TRACT THREE (3), A DISTANCE OF 15.71 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 7,046 SQUARE FEET OR 0.16 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 5A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.</p> <p><u>TEMPORARY ACCESS EASEMENT NO. 2-</u></p> <p>LOCATED IN PART OF NEBMO SUBDIVISION, HALL COUNTY, NEBRASKA,</p>	\$2,550.00

Approved as to Form ☐ _____
 April 13, 2015 ☐ City Attorney

	<p>AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF NEBMO SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N01°09'32"W, ALONG THE EAST LINE FO SAID NEBMO SUBDIVISION, A DISTANCE OF 60.00 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PLATTE STREET AND THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY 281; THENCE S88°46'46"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING; THENCE S88°46'46"W, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET; THENCE N01°09'32"W A DISTANCE OF 30.23 FEET; THENCE N88°50'28"E A DISTANCE OF 20.00 FEET; THENCE S01°09'32"E A DISTANCE OF 30.21 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 604 SQUARE FEET OR 0.01 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 5B ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.</p> <p>TEMPORARY ACCESS EASEMENT NO. 3- LOCATED IN PART OF THE EAST HALF (E ½) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF NEBMO SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S00°46'46"E, ALONG THE SOUTH LINE NEBMO SUBDIVISION, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING; THENCE S01°09'32"E A DISTANCE OF 192.13 FEET; THENCE S20°05'30"W A DISTANCE OF 280.15 FEET; THENCE S40°01'38"W A DISTANCE OF 167.74 FEET; THENCE S50°17'14"W A DISTANCE OF 177.79 FEET TO A POINT ON THE WEST LINE OF TRACT THREE (3) OF INSTRUMENT NO. 90-104283, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA; THENCE N01°13'16"W, ON SAID WEST LINE OF SAID TRACT THREE (3), A DISTANCE OF 19.16 FEET; THENCE N50°17'14"E A DISTANCE OF 164.52 FEET; THENCE N40°01'38"E A DISTANCE OF 163.76 FEET; THENCE N20°05'30"E A DISTANCE OF 302.29 FEET; THENCE N01°09'32"W A DISTANCE OF 163.59 FEET TO A POINT ON THE SOUTH LINE OF NEBMO SUBDIVISION; THENCE S88°46'46"W, ALONG SAID SOUTH LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 10,311 SQUARE FEET OR 0.24 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 6A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.</p>	
Pragya, Inc.	<p>LOCATED IN PART OF LOT ONE (1), KRUG SECOND SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT ONE (1), KRUG SECOND SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N84°42'03"E, ALONG A NORTHERLY LINE OF SAID LOT ONE (1), A DISTANCE OF 20.10 FEET TO THE POINT OF BEGINNING; THENCE N84°42'03"E, ALONG THE NORTHERLY LINE OF SAID LOT ONE (1), A DISTANCE OF 15.00 FEET; THENCE S06°01'38"E, PARALLEL TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281, A DISTANCE OF 195.40 FEET; THENCE S46°05'32"E A DISTANCE OF 29.02 FEET; THENCE S31°56'59"W A DISTANCE OF 47.20 FEET TO A POINT ON SAID NORTHEASTERLY RIGHT- OF-WAY LINE OF INTERSTATE 80; THENCE N58°03'01"W, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET; THENCE N31°56'59"E A DISTANCE OF 39.10 FEET; THENCE N46°05'32"W A DISTANCE OF 32.33 FEET; THENCE N06°01'38"W, PARALLEL WITH SAID EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281, A DISTANCE OF 193.29 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 3,653 SQUARE FEET OR 0.08 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 10A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.</p>	\$2,930.00

Deepak & Suhita Sinha	<p>LOCATED IN PART OF LOT TWO (2), HIGHWAY MOTEL SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE SOUTHWEST CORNER OF LOT TWO (2), HIGHWAY MOTELS SUBDIVISION, SAID POINT BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF N00°08'07"W, ALONG THE WEST LINE OF SAID LOT TWO (2), HIGHWAY MOTELS SUBDIVISION, A DISTANCE OF 629.40 FEET; THENCE N00°08'07"W, CONTINUING ALONG THE WEST LINE OF LOT TWO (2), A DISTANCE OF 22.31 FEET; THENCE N90°00'00"E A DISTANCE OF 24.99 FEET; THENCE N00°00'23"E A DISTANCE OF 90.51 FEET; THENCE N90°00'00"W A DISTANCE OF 24.79 FEET TO A POINT ON THE WEST LINE OF SAID LOT TWO (2); THENCE N00°08'07"E, ALONG SAID WEST LINE OF LOT TWO (2), A DISTANCE OF 10.00 FEET; THENCE N90°00'00"E A DISTANCE OF 33.70 FEET; THENCE S13°07'22"E A DISTANCE OF 64.90 FEET; THENCE S00°40'52"E A DISTANCE OF 58.25 FEET; THENCE S88°25'12"W A DISTANCE OF 49.44 FEET TO THE POINT OF BEGINNING. SAID UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 3,235 SQRUE FEET OR 0.07 ACRES MORE OR LESS, AS SHOWN ON THE TRACT DRAWING DATED 07/08/14, MARKED EXHIBIT 9A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.</p>	\$590.00
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TOTAL = \$6,690.00

WHEREAS, Agreements for the Temporary Construction easements have been reviewed and approved by the City Legal Department.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to enter into the Agreements for the Temporary Construction easements on the above described tracts of land.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

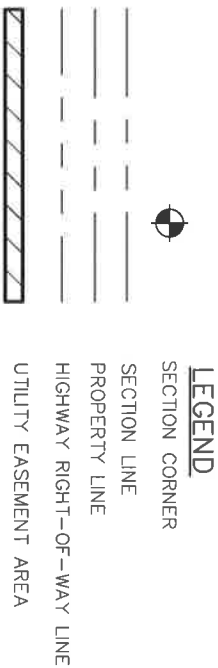
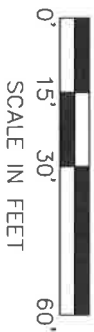
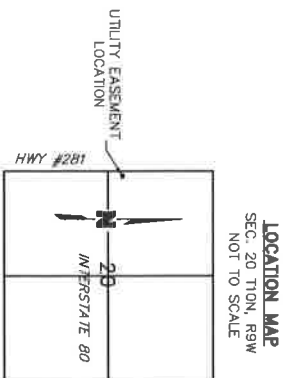
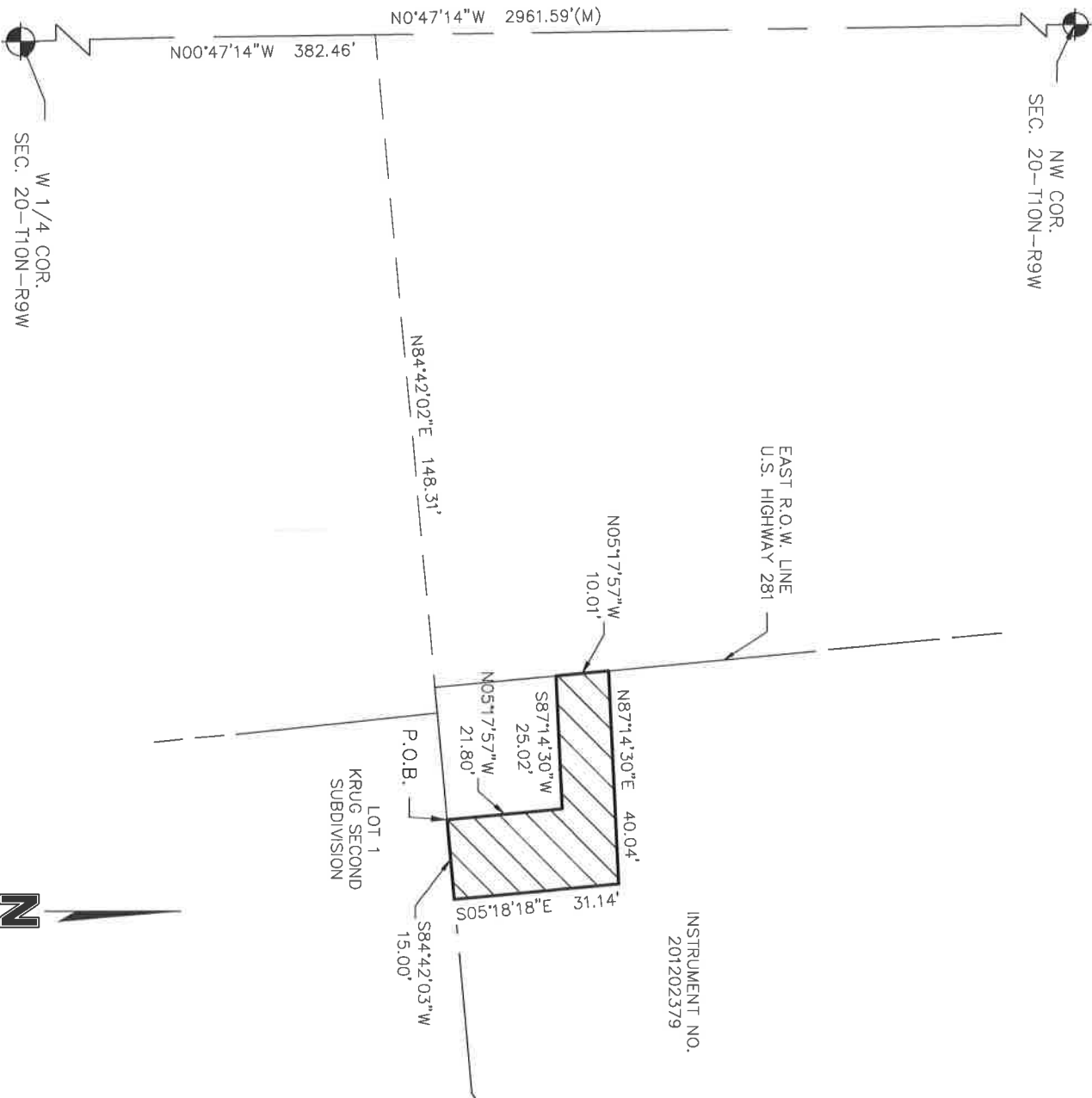
Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

TEMPORARY UTILITY EASEMENT

HALL COUNTY, NEBRASKA



TEMPORARY UTILITY EASEMENT DESCRIPTION

A TEMPORARY UTILITY EASEMENT LOCATED IN PART OF THE NORTHWEST QUARTER OF SECTION TWENTY (20), TOWNSHIP TEN (10) NORTH, RANGE NINE (9) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N00°47'14\"/>

PROJECT NO:	2012-1867	U.S. HIGHWAY 281		EXHIBIT
DRAWN BY:	LJW	UTILITY EASEMENTS		11A
DATE:	07/08/2014			

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TEMPORARY UTILITY EASEMENT

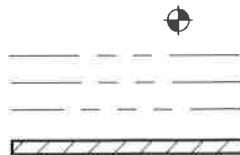
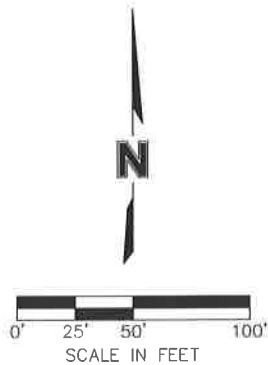
HALL COUNTY, NEBRASKA

TEMPORARY UTILITY EASEMENT DESCRIPTION

A TEMPORARY UTILITY EASEMENT LOCATED IN PART OF THE EAST HALF (E1/2) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., AND A PART OF NEBMO SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF; THENCE ON AN ASSUMED BEARING OF S00°47'14"E, ALONG THE EAST LINE OF SAID EAST HALF, A DISTANCE OF 1765.77 FEET; THENCE S88°27'18"W A DISTANCE OF 112.23 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281 AND THE NORTHEAST CORNER OF TRACT THREE OF INSTRUMENT NO. 90-104283, HALL COUNTY REGISTER OF DEEDS, GRAND ISLAND, NEBRASKA; THENCE S71°34'44"W, ALONG THE NORTH LINE OF SAID TRACT THREE, A DISTANCE OF 26.18 FEET TO THE POINT OF BEGINNING; THENCE S01°09'32"E A DISTANCE OF 408.54 FEET; THENCE S88°50'28"W A DISTANCE OF 10.00 FEET; THENCE S01°09'32"E A DISTANCE OF 34.63 FEET; THENCE S88°50'28"W A DISTANCE OF 20.00 FEET; THENCE N01°09'32"W A DISTANCE OF 52.01 FEET; THENCE N88°50'28"E A DISTANCE OF 15.00 FEET; THENCE N01°09'32"W A DISTANCE OF 386.50 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT THREE; THENCE N71°34'44"E, ALONG SAID NORTH LINE OF TRACT TRACT THREE, A DISTANCE OF 15.71 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 7,046 SQUARE FEET OR 0.16 ACRES MORE OR LESS.

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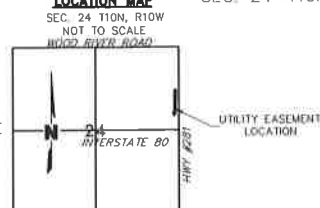
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LEGEND

SECTION CORNER
 SECTION LINE
 PROPERTY LINE
 HIGHWAY RIGHT-OF-WAY LINE
 UTILITY EASEMENT AREA

LOCATION MAP



PROJECT NO: 2012-1867
 DRAWN BY: LJW
 DATE: 07/08/2014

**U.S. HIGHWAY 281
 UTILITY EASEMENTS**

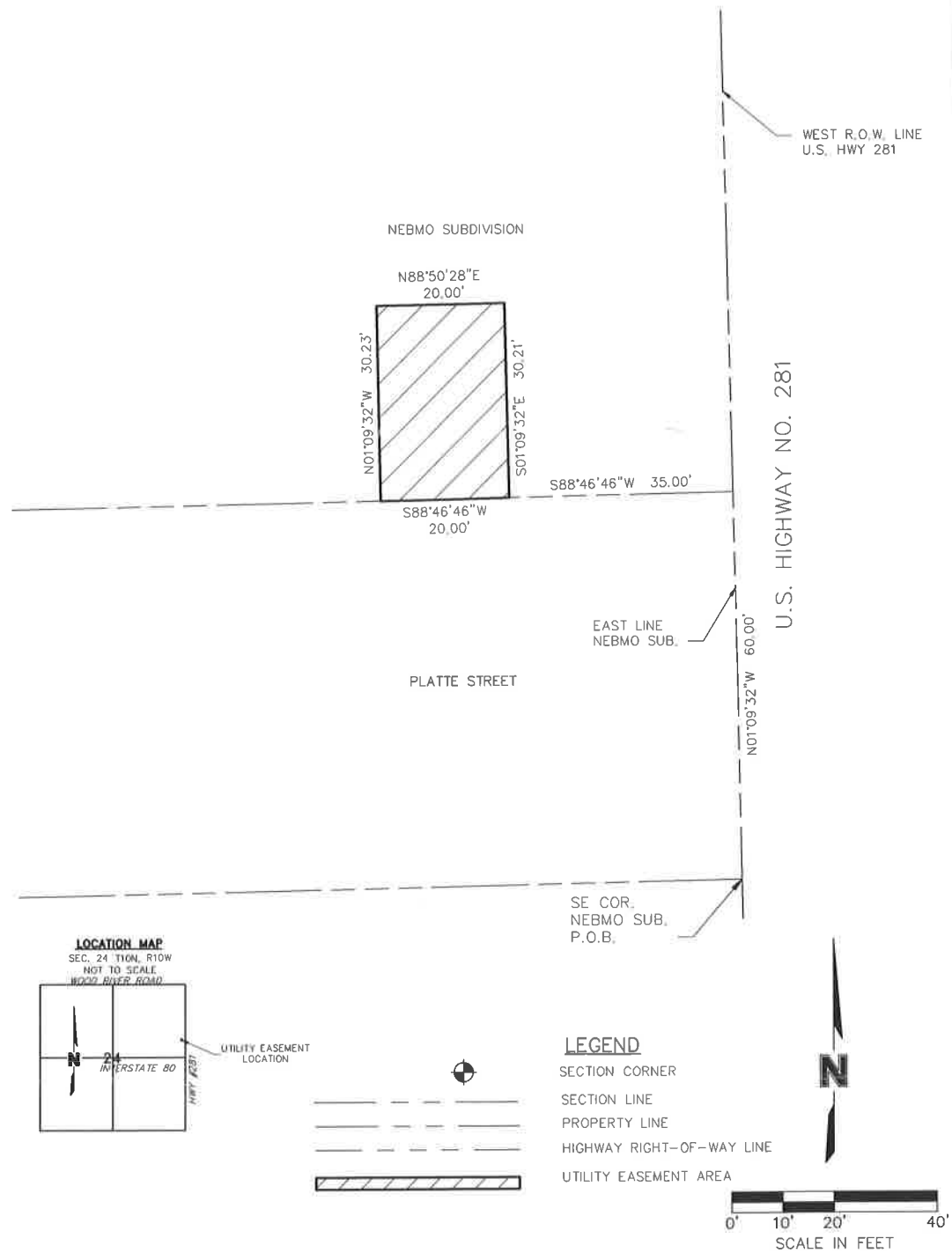
MOLSSON ASSOCIATES

201 East 2nd Street
 P.O. Box 1072
 Grand Island, NE 68802-1072
 TEL 308.384.8750
 FAX 308.384.8752

EXHIBIT
5A

TEMPORARY UTILITY EASEMENT

HALL COUNTY, NEBRASKA



TEMPORARY UTILITY EASEMENT DESCRIPTION

A TEMPORARY UTILITY EASEMENT LOCATED IN PART OF NEBMO SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF NEBMO SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N01°09'32"W, ALONG THE EAST LINE OF SAID NEBMO SUBDIVISION, A DISTANCE OF 60.00 FEET THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PLATTE STREET AND THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY 281; THENCE S88°46'46"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING; THENCE S88°46'46"W, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET; THENCE N01°09'32"W A DISTANCE OF 30.23 FEET; THENCE N88°50'28"E A DISTANCE OF 20.00 FEET; THENCE S01°09'32"E A DISTANCE OF 30.21 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 604 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

PROJECT NO: 2012-1867
DRAWN BY: LJW
DATE: 07/08/2014

**U.S. HIGHWAY 281
UTILITY EASEMENTS**

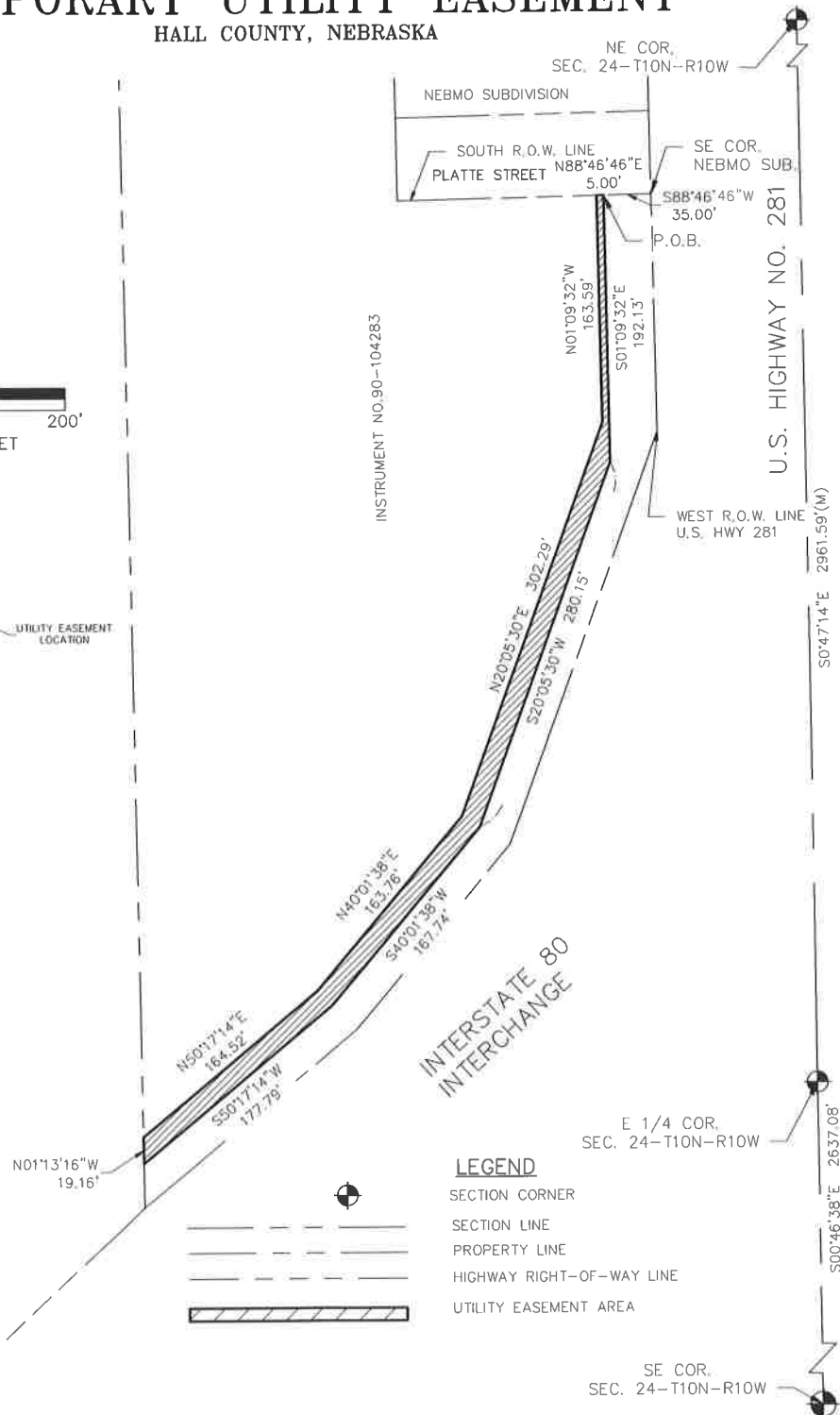
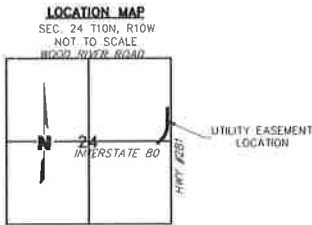
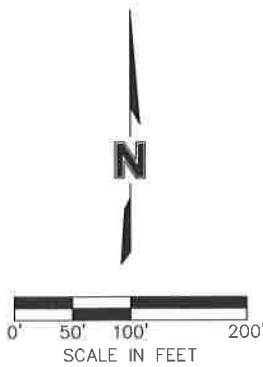
MOLSSON ASSOCIATES

201 East 2nd Street
P.O. Box 1072
Grand Island, NE 68802-1072
TEL 308.384.8750
FAX 308.384.8752

EXHIBIT
5B

TEMPORARY UTILITY EASEMENT

HALL COUNTY, NEBRASKA



TEMPORARY UTILITY EASEMENT DESCRIPTION

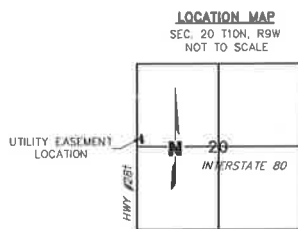
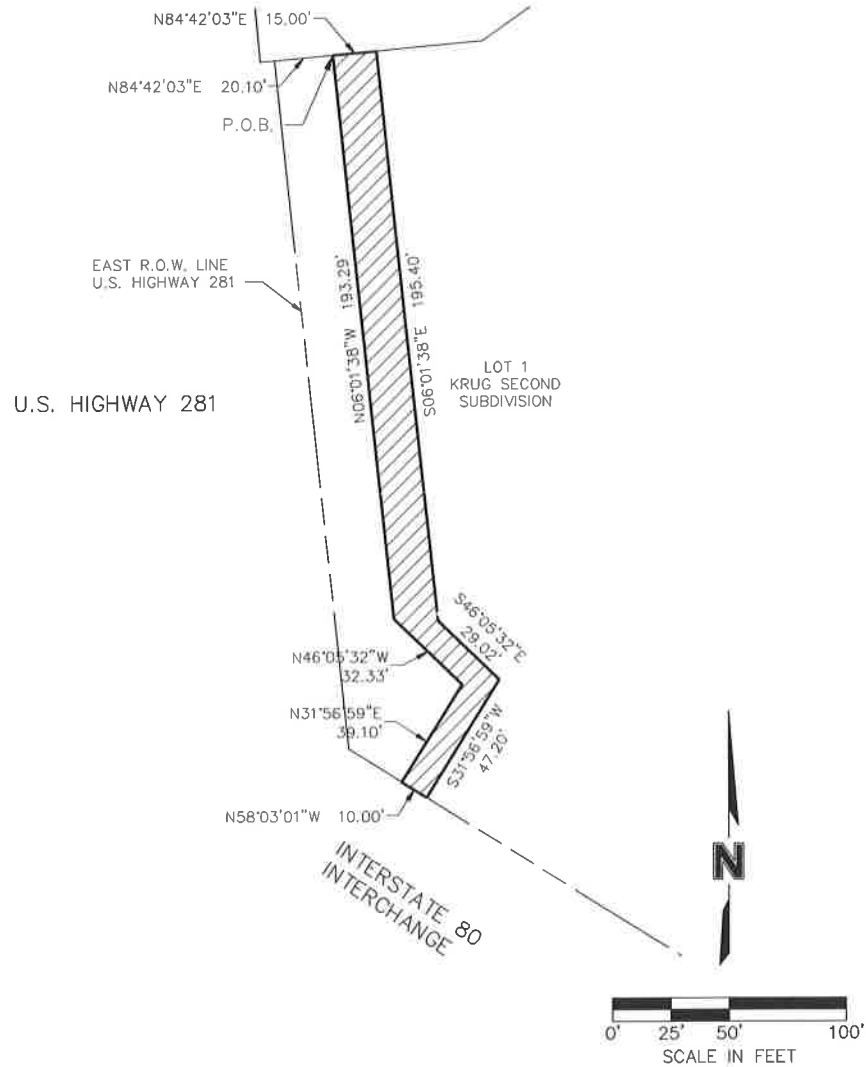
A TEMPORARY UTILITY EASEMENT LOCATED IN PART OF THE EAST HALF (E1/2) OF SECTION TWENTY-FOUR (24), TOWNSHIP TEN (10) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF NEBMO SUBDIVISION; THENCE ON AN ASSUMED BEARING OF S00°46'46"E, ALONG THE SOUTH LINE OF NEBMO SUBDIVISION, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING; THENCE S01°09'32"E A DISTANCE OF 192.13 FEET; THENCE S20°05'30"W A DISTANCE OF 280.15 FEET; THENCE S40°01'38"W A DISTANCE OF 167.74 FEET; THENCE N40°01'38"E A DISTANCE OF 163.76 FEET; THENCE N50°17'14"E A DISTANCE OF 164.52 FEET; THENCE N01°13'16"W, ON SAID WEST LINE OF SAID TRACT THREE, A DISTANCE OF 19.16 FEET; THENCE N20°05'30"E A DISTANCE OF 302.29 FEET; THENCE N01°09'32"W A DISTANCE OF 163.59 FEET TO A POINT ON THE SOUTH LINE OF NEBMO SUBDIVISION; THENCE S88°46'46"W, ALONG SAID SOUTH LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 10,311 SQUARE FEET OR 0.24 ACRES MORE OR LESS.

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PROJECT NO: 2012-1867	U.S. HIGHWAY 281 UTILITY EASEMENTS		201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8760 FAX 308.384.8762	EXHIBIT
DRAWN BY: LJW				6A
DATE: 07/08/2014				

TEMPORARY UTILITY EASEMENT

HALL COUNTY, NEBRASKA



LEGEND

PROPERTY LINE
HIGHWAY RIGHT-OF-WAY LINE
UTILITY EASEMENT AREA

TEMPORARY UTILITY EASEMENT DESCRIPTION

A TEMPORARY UTILITY EASEMENT LOCATED IN PART OF THE LOT 1, KRUG SECOND SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF LOT 1, KRUG SECOND SUBDIVISION; THENCE ON AN ASSUMED BEARING OF N84°42'03"E, ALONG A NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 20.10 FEET TO THE POINT OF BEGINNING; THENCE N84°42'03"E, ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 15.00 FEET; THENCE S06°01'38"E, PARALLEL TO THE EAST RIGHT OF WAY LINE OF U.S. HIGHWAY 281, A DISTANCE OF 195.40 FEET; THENCE S46°05'32"E A DISTANCE OF 29.02 FEET; THENCE S31°56'59"W A DISTANCE OF 47.20 FEET TO A POINT ON SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 80; THENCE N58°03'01"W, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET; THENCE N31°56'59"E A DISTANCE OF 39.10 FEET; THENCE N46°05'32"W A DISTANCE OF 32.33 FEET; THENCE N06°01'38"W, PARALLEL WITH SAID EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 281, A DISTANCE OF 193.29 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY UTILITY EASEMENT CONTAINS A CALCULATED AREA OF 3,653 SQUARE FEET OR 0.08 ACRES MORE OR LESS.

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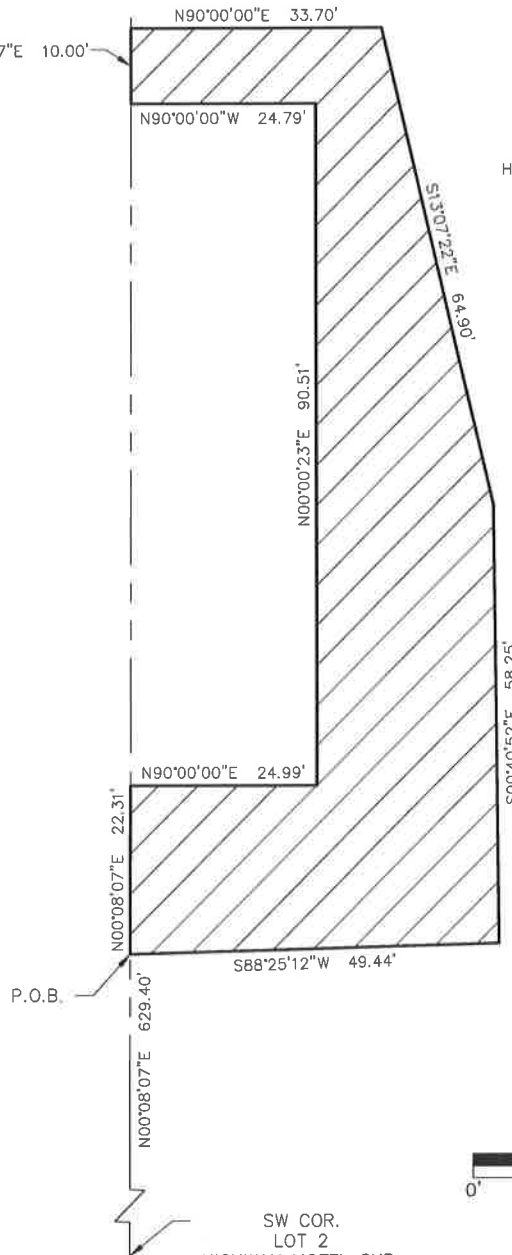
PROJECT NO: 2012-1867	U.S. HIGHWAY 281 UTILITY EASEMENTS		201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750 FAX 308.384.8752	EXHIBIT
DRAWN BY: LJW				
DATE: 07/08/2014				10A

TEMPORARY UTILITY EASEMENT

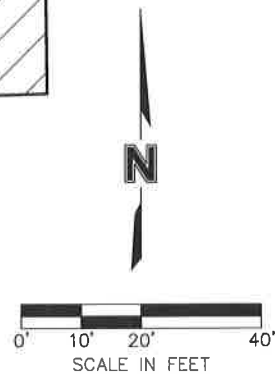
HALL COUNTY, NEBRASKA

INSTRUMENT NO. 0200011169

USER: |wheeler
 0110941_FP Hwy Motels
 0121867_xbase_SID Sewer
 0121867_highway motel.dwg
 PROJECT NO: 2012-1867
 DATE: Aug 11, 2014 11:07am
 DWG: F:\projects\012-1867\SVY0\Easements\TEMP EASEMENTS\012-1867_Sewer Easement_highway motel.dwg
 XREFS: 121867_pbase



LOT 2
HIGHWAY MOTEL SUBDIVISION



SW COR.
LOT 2
HIGHWAY MOTEL SUB.

LEGEND

— — — — — PROPERTY LINE
 UTILITY EASEMENT AREA

TEMPORARY UTILITY EASEMENT DESCRIPTION

A TEMPORARY UTILITY EASEMENT LOCATED IN PART OF LOT 2, HIGHWAY MOTEL SUBDIVISION, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHWEST CORNER OF LOT 2, HIGHWAY MOTELS SUBDIVISION, SAID POINT BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF N00°08'07\"/>

PROJECT NO: 2012-1867	U.S. HIGHWAY 281 UTILITY EASEMENTS		201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL: 308.384.8750 FAX: 308.384.8752	EXHIBIT
DRAWN BY: LJW				9A
DATE: 07/08/2014				



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-10

**#2015-90 - Approving Award of Proposal for Polymer for
Primary/Final Clarifier Sludge**

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Marvin Strong PE, Wastewater Treatment Plant Engineer

Meeting: April 14, 2015

Subject: Approving Award of Proposal for Polymer for Primary/Final Clarifier Sludge

Item #'s: G-10

Presenter(s): John Collins PE, Public Works Director

Background

A Request for Proposals (RFP) to supply polymer for the primary/final clarifier sludge was advertised in the Grand Island Independent on August 11, 2014. The RFP was also sent to three (3) potential proposers by the Wastewater Division of the Public Works Department.

Three (3) proposals were received and opened on September 30, 2014. All three (3) responding suppliers confirmed they would honor their proposal past the ninety (90) days from proposal due date and were selected to provide polymer and conduct onsite testing at the Wastewater Treatment Plant (WWTP).

- Consolidated Water Solutions of Omaha, Nebraska
- Polydyne, Inc. of Riceboro, Georgia
- Chemtreat Virginia of Glen Allen, Virginia

Discussion

Proposals were evaluated and ranked based upon the following criteria, using the weight percentages assigned to each element.

- Vendor experience with product – 25%
- Delivery time – 15%
- Jar testing performance report (jar testing done within previous 12 months is acceptable – 30%
- Performance; Cost per dry ton – 30%

The evaluation team consisted of the WWTP Operations Engineer and Biosolids Technician. WWTP staff is in mutual agreement that the polymer selection and optimal

performance setup have been achieved by Consolidated Water Solutions of Omaha, Nebraska. The polymer supplied and tested by Consolidated Water Solutions is the most cost effective in terms of Operator handling time and polymer expense per dry ton cake produced and is also more stable. Different dewatering conditions can be handled by using one product with this polymer.

The polymer supplied and tested from Chemtreat Virginia of Glen Allen, Virginia is the least cost effective, as the expense of the polymer per tons of dry sludge generated is the highest among all the polymers that were tested. Polydyne, Inc. of Riceboro, Georgia supplied polymer to be tested which wasn't able to handle different dewatering conditions by using one product, which complicates operations. In addition the performance of the product is not stable and consistent as observed during the test period.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the award of the proposal to Consolidated Water Solutions of Omaha, Nebraska.

Sample Motion

Move to approve the award.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL
FOR
POLYMER FOR PRIMARY/FINAL CLARIFIER SLUDGE**

RFP DUE DATE: September 30, 2014 at 4:00 p.m.

DEPARTMENT: Public Works

PUBLICATION DATE: August 9, 2014

NO. POTENTIAL BIDDERS: 3

SUMMARY OF PROPOSALS RECEIVED

Consolidated Water Solutions
Omaha, NE

Polydyne, Inc.
Riceboro, GA

ChemTreat Virginia
Glen Allen, VA

cc: John Collins, Public Works Director
Mary Lou Brown, City Administrator
Stacy Nonhoff, Purchasing Agent

Catrina DeLosh, PW Admin. Assist.
Jaye Monter, Finance Director
Scott Sekutera, Storm Water Technician

P1762

RESOLUTION 2015-90

WHEREAS, on August 11, 2014 a Request for Proposals (RFP) was advertised in the Grand Island Independent to supply polymer for the primary/final clarifier sludge; and

WHEREAS, on September 30, 2014 three (3) proposals were received and opened; and

WHEREAS, all three (3) responding suppliers confirmed they would honor their proposal past the ninety (90) days from proposal due date and were selected to provide polymer and conduct onsite testing at the Wastewater Treatment Plant (WWTP), and

WHEREAS, after extensive testing required to compare the product Consolidated Water Solutions of Omaha, Nebraska has shown the best value in testing of their polymer in the Belt Filter Press facility based on cost per ton of solids processed; and

WHEREAS, Consolidated Water Solutions will honor the price of \$1.48 per pound from April 15, 2015 through April 14, 2016, with the possibility of a 5% increase in each of Year 2 and Year 3.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the supply of a manufactured polymer from Consolidated Water Solutions of Omaha, Nebraska, in the amount of \$1.48 per pound from April 15, 2015 through April 14, 2016 for supply and services in Sludge Dewatering Polymer for the Belt Filter Press process is hereby approved as the manufactured liquid polymer proposed for the best value per ton of solids processed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 13, 2015	☐ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-11

#2015-91 - Approving Amendment No. 1 to Agreement For Engineering & Consulting Services for Step 7 Detailed Site Assessment at the Former Grand Island Disposal Area

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Jeff Wattier, Solid Waste Superintendent

Meeting: April 14, 2015

Subject: Approving Amendment #1 to Agreement for Engineering & Consulting Services for Step 7 Detailed Site Assessment at the Former Grand Island Disposal Area

Item #'s: G-11

Presenter(s): John Collins PE, Public Works Director

Background

The City of Grand Island leased approximately 47.5 acres of private land located in Southeast Hall County from July 1966 through February 1984 to operate a landfill disposal facility to accept municipal waste in accordance with State rules and regulations. Following a local complaint to the Nebraska Department of Environmental Quality (NDEQ) in 2007 regarding groundwater in the vicinity of the closed landfill, the NDEQ conducted a preliminary assessment and site investigation. Groundwater sampling conducted during the site investigation detected four (4) volatile organic compounds (VOC) along the East property boundary at concentrations greater than their respective maximum contaminant levels (MCL). The NDEQ then hired a consulting firm to perform a Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Site Investigation, which was submitted to the NDEQ on October 25, 2010.

On October 16, 2013, the City of Grand Island received a letter from the NDEQ requiring the City to perform a Step 7 Detailed Site Assessment (DSA) for this property pursuant to Nebraska revised statutes, Title 118 – Groundwater Quality Standards and Use Classification. The purpose of the Step 7 DSA is to collect sufficient information to confirm whether or not the source of the contaminants is the former Grand Island Disposal Area. The City submitted a work plan for the Step 7 DSA to the NDEQ on March 10, 2014. This work plan was subsequently approved by the NDEQ on March 31, 2014.

On May 27, 2014 the City of Grand Island entered into an agreement for Engineering & Consulting Services with G.N. Kuhn Engineering, LLC for services related to the Step 7

Detailed Site Assessment at the former Grand Island disposal area. The original agreement was approved at a cost of \$79,950.

Any amendments to the agreement must be approved by the City Council.

Discussion

G.N. Kuhn Engineering, LLC commenced field work and sampling activities for this project on June 18, 2014 and submitted the Step 7 Detailed Site Assessment report to the NDEQ on January 26, 2015. Based on the report submitted, the NDEQ is requiring that additional groundwater sampling be conducted at the site over the next three quarters of the year in order to better understand the seasonal groundwater directional flow and to obtain additional data points from the samples. G.N. Kuhn Engineering, LLC has agreed to perform these additional services requested by the NDEQ for a maximum amount of \$11,450.

Alternatives

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

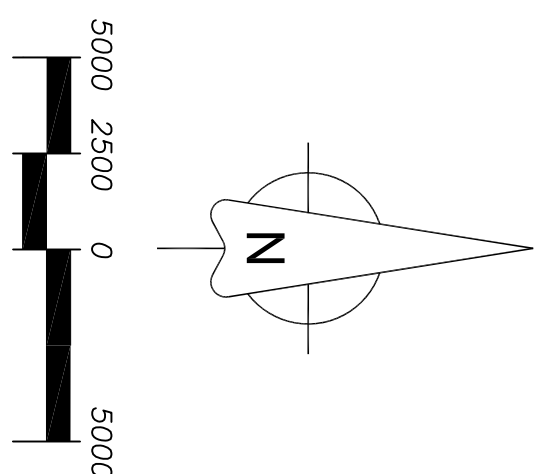
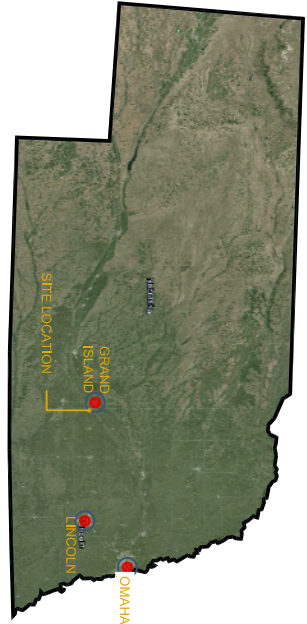
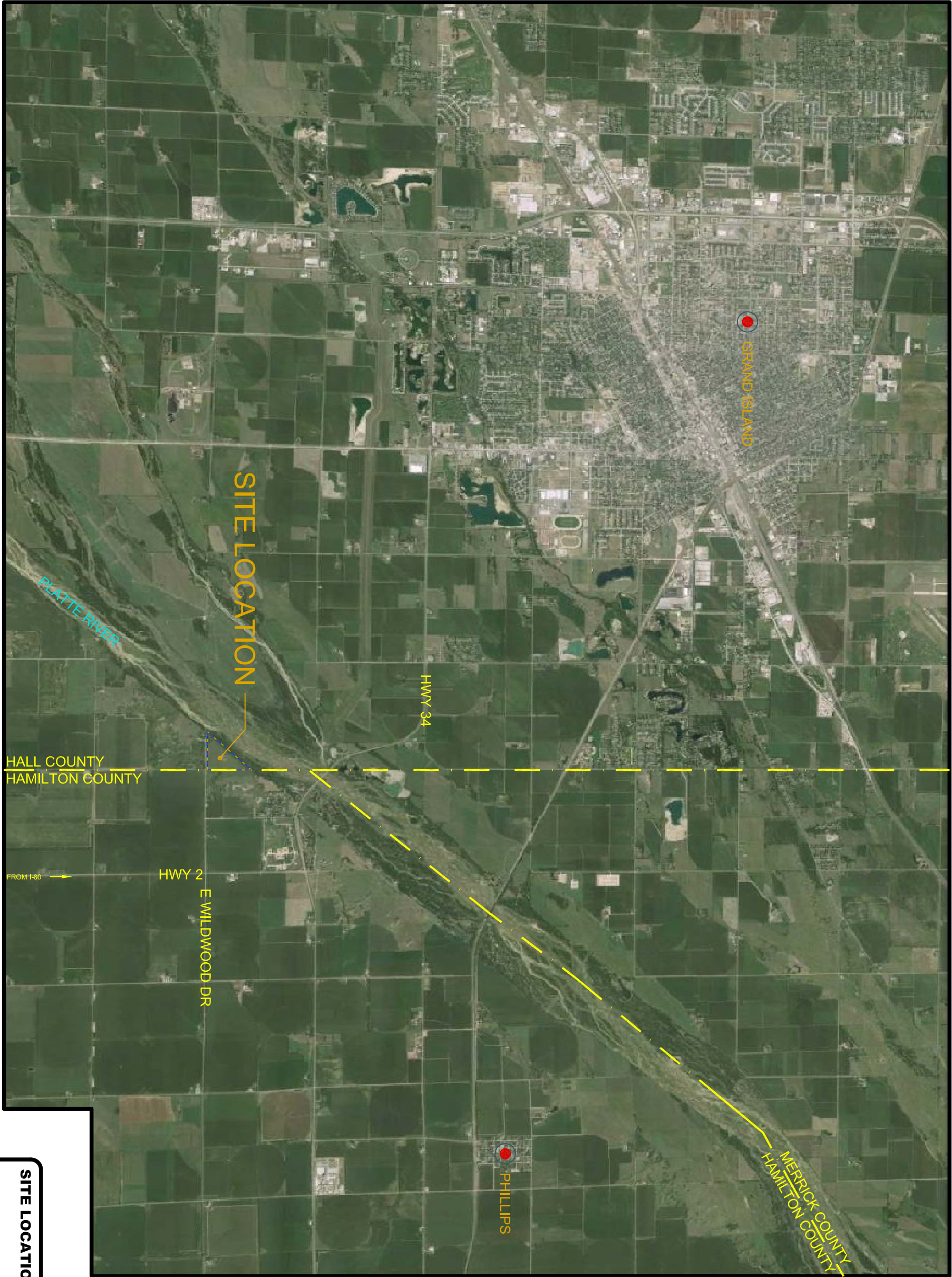
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

Public Works Administration recommends that the Council approve Amendment No. 1 to the original agreement with G.N. Kuhn Engineering, LLC of Omaha, Nebraska for services related to the Step 7 Detailed Site Assessment at the former Grand Island disposal area with work being performed at actual costs with a maximum amount of \$11,450.

Sample Motion

Move to approve Amendment No. 1 with G.N. Kuhn Engineering, LLC.



SITE LOCATION MAP

STEP 7 DETAILED SITE ASSESSMENT

GRAND ISLAND DISPOSAL AREA


PHILLIPS, NEBRASKA

DATE:
DECEMBER 2013


FIGURE:
1

LEGEND


MW01

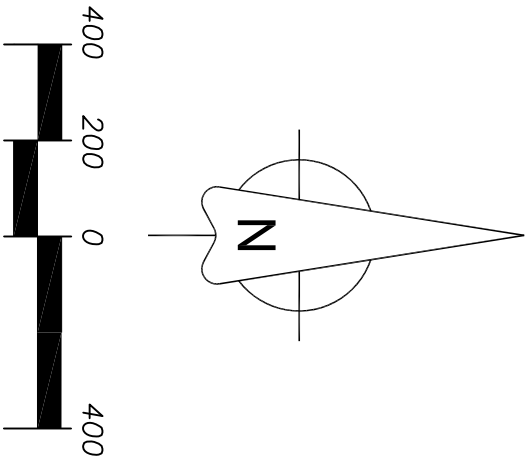
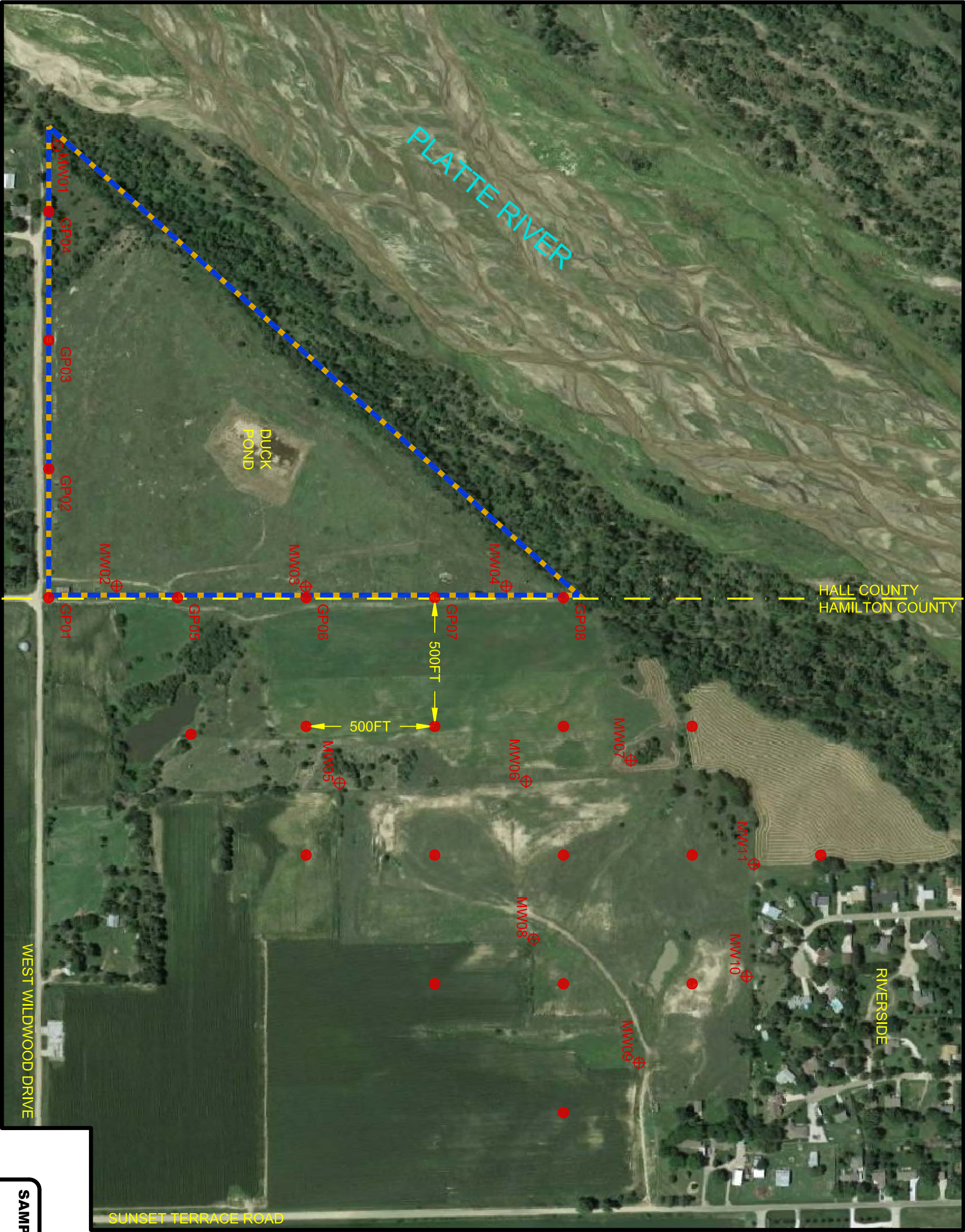

GP01


 APPROX. SITE BOUNDARY


 COUNTY LIMITS

NOTES:

- 1) DIRECT PUSH SAMPLE AND GROUND WATER MONITORING WELL LOCATIONS ARE APPROXIMATE AND MAY BE RELOCATED DURING FIELD ACTIVITIES BY ON-SITE PERSONNEL.
- 2) SAMPLING ACTIVITIES SHALL BEGIN FROM THE PROPERTY BOUNDARY (SUSPECTED SOURCE) AND SHALL PROCEED AWAY FROM THE SITE IN THE GENERAL DIRECTION OF THE ANTICIPATED NORTHEAST GROUND WATER FLOW DIRECTION.
- 3) MONITORING WELL LOCATIONS WILL BE LOCATED IN THE FIELD BASED ON THE RESULTS OF THE DIRECT PUSH SAMPLING ACTIVITIES. FURTHER, MONITORING WELL LOCATIONS WILL BE LOCATED AWAY FROM HIGH TRAFIC AREAS BASED ON NORMAL SITE ACTIVITIES TO MINIMIZE FUTURE OBSTRUCTION TO THE PROPERTY.



SAMPLING LOCATION MAP

STEP 7 DETAILED SITE ASSESSMENT

GRAND ISLAND DISPOSAL AREA

PHILLIPS, NEBRASKA

DATE:

DECEMBER 2013

FIGURE:

2

RESOLUTION 2015-91

WHEREAS, the City Of Grand Island invited proposals for engineering & consulting services related to Step 7 Detailed Site Assessment at the Former Grand Island Disposal Area, according to the Request Proposals on file with the Solid Waste Division of the Public Works Department; and

WHEREAS, on May 27, 2014 by Resolution No. 2014-135 City Council approved award of the proposal for such services to G.N. Kuhn Engineering, LLC of Omaha, Nebraska in the amount of \$79,950.00; and

WHEREAS, it is necessary to amend the original agreement to include additional groundwater sampling the Nebraska Department of Environmental Quality (NDEQ) is requiring at the site over the next three (3) quarters of the year; and

WHEREAS, such groundwater sampling will allow for better understanding of the seasonal groundwater directional flow and to obtain additional data points from the samples; and

WHEREAS, G.N. Kuhn Engineering, LLC has agreed to perform these additional services requested by the NDEQ for a maximum amount of \$11,450.00, resulting in a revised agreement cost of \$91,400.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Amendment No. 1 to the original agreement with G.N. Kuhn Engineering, LLC, of Omaha, Nebraska for engineering & consulting services for Step 7 Detailed Site Assessment at the Former Grand Island Disposal Area is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such Amendment No. 1 on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
May 27, 2014	▣ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-12

#2015-92 - Approving Amendment No. 10 to the Agreement for Professional Engineering Services entitled "Wastewater Treatment Plant and Collection System Rehabilitation" with Black & Veatch

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: September 9, 2014

Subject: Approving Amendment No. 10 to the Agreement for Professional Engineering Services entitled "Wastewater Treatment Plant and Collection System Rehabilitation" with Black & Veatch

Item #'s: G-12

Presenter(s): John Collins PE, Public Works Director

Background

On October 11, 2011 City Council approved, by Resolution No. 2011-307 in the amount of \$1,121,160.00, the initial agreement with Black & Veatch for project management, collection system master planning and conceptual designs for the Northeast Interceptor sewer, Collection System rehabilitation and Wastewater Treatment rehabilitation. As presented to council, all final design and construction services necessary for this project would be added as an amendment to the initial agreement so that only essential services will be contracted.

On April 24, 2012 City Council approved, by Resolution No. 2012-111 Amendment No. 1, in the amount of \$1,910,075.00, to this agreement in continued design effort to finalize design and prepare bidding documents. Bidding documents in Amendment No. 1 included; Lift Station No. 7 Improvements, 4th to 5th Eddy to Vine, Northeast Interceptor Phase 1A, and 1B, South and West Collection System rehabilitation, and Wastewater Treatment Rehabilitation.

On August 28, 2012 City Council approved, by Resolution No. 2012-229 Amendment No. 2, in the amount of \$53,000.00, to this agreement. This amendment added Community Development Block Grant (CDBG) guideline provisions, as well as provided for construction engineering services for the Lift Station No. 7 Improvements and 4th Street to 5th Street; Eddy Street to Vine Street rehabilitation.

On November 13, 2012 City Council approved, by Resolution No. 2012-329 Amendment No. 3, in the amount of \$265,754.00, to this agreement. This amendment added construction engineering services and resident inspection during construction for the 5th

Street Sanitary Sewer Improvements, as well as for the South & West Sewer Interceptor Improvements with the consulting firm Black & Veatch of Kansas City, Missouri.

On February 12, 2013 City Council approved, by Resolution No. 2013-34 Amendment No. 4 in the amount of \$30,000 to this agreement. This amendment updated the Report on Revenue Requirements, Cost of Service and Rates for Wastewater completed in March 2011.

On February 12, 2013 City Council approved, by Resolution No. 2013-35 for Amendment No. 5 in the amount of \$451,896 to this agreement. This amendment provides preliminary design engineering services in Phase II of the North Interceptor Sewer planning, and final bidding documents for Phase II-B North Interceptor Sewer.

On May 14, 2013 City Council approved, by Resolution No. 2013-148 for Amendment No. 6 in the amount of \$719,617 to this agreement. This amendment allowed fee compensation for engineering services that were not specifically identified in the original design agreement; Consulting Engineering Construction Phase Services, and Resident Inspection During Construction for Phase I; North Interceptor Sewer Construction.

On May 14, 2013 City Council approved, by Resolution No. 2013-149 for Amendment No. 7 in the amount of \$1,878,450 to this agreement. This amendment provides for Consulting Engineering Construction Phase Services, Resident Inspection During Construction, and Integration Services for Headworks Improvements Construction with the consulting firm Black & Veatch of Kansas City, Missouri.

On December 17, 2013 City Council approved, by Resolution No. 2013-400 for Amendment No. 8 in the amount of \$904,524.00 to this agreement. This amendment allowed Final Design Phase Services for North Interceptor Phase 2A & 2C (Broadwell Avenue to 7th/Sky Park Road & Lift Station No. 19 to Webb Road), as well as Bidding Phase Services for all 3 phases of the North Interceptor (Broadwell Avenue to 7th/Sky Park Road, Webb Road to Broadwell Avenue, and Lift Station No. 19 to Webb Road). Bidding Phase Services originally included in Amendment No. 5 for the North Interceptor were deleted and combined in this amendment.

On September 9, 2014 City Council approved, by Resolution No. 2014-278 for Amendment No. 9 in the amount of \$1,846,639.00 to this agreement. This amendment allowed for construction phase services and resident observation services during construction on North Interceptor 2.

Discussion

With the approval of Amendment No. 10 to the Agreement for Professional Engineering Services entitled "Wastewater Treatment Plant and Collection System Rehabilitation", which City staff in conjunction with consulting engineer; Black & Veatch, and sub-consultant; Olsson Associates recommend; will allow for an update to the Wastewater Financial Plan.

The cost increase for Amendment No. 10 is \$46,000.00, resulting in a revised agreement of \$9,227,115.00.

Alternatives

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

1. Move to.
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 by resolution the authorization to execute the Amendment No. 10 with Black & Veatch of Kansas City, Missouri for Professional Engineering Services entitled "Wastewater Treatment Plant and Collection System Rehabilitation".

Sample Motion

Move to approve the resolution.

RESOLUTION 2015-92

WHEREAS, on October 11, 2012 Grand Island City Council, by Resolution No. 2011-307, approved the consulting agreement with Black & Veatch of Kansas City, Missouri; for project management, collection system master planning and conceptual designs for the Northeast Interceptor sewer, Collection System rehabilitation and Wastewater Treatment rehabilitation in the amount of \$1,121,160.00; and

WHEREAS, on April 24, 2012 Grand Island City Council, by Resolution No. 2012-111, approved Amendment No. 1 allowed for the continuation of the design effort to final design and bidding, in the amount of \$1,910,075.00; and

WHEREAS, on August 28, 2012 Grand Island City Council, by Resolution No. 2012-229, approved Amendment No. 2 to add CDBG guideline provisions, and provided for construction engineering services for the Lift Station No. 7 Improvements and 4th Street to 5th Street; Eddy Street to Vine Street rehabilitation, in the amount of \$53,000; and

WHEREAS, on November 13, 2012 Grand Island City Council, by Resolution No. 2012-329, approved Amendment No. 3 allowed for construction engineering services and resident inspection during construction for the 5th Street Sanitary Sewer Improvements, as well as for the South & West Sewer Interceptor Improvements with the consulting firm Black & Veatch of Kansas City, Missouri, in the amount of \$265,754.00; and

WHEREAS, on February 12, 2013 Grand Island City Council, by Resolution No. 2013-34, approved Amendment No. 4 allowed for the review to the “Report on Revenue Requirements, Cost of Service and Rates for Wastewater”, in the amount of \$30,000; and

WHEREAS, on February 12, 2013 Grand Island City Council, by Resolution No. 2013-35, approved Amendment No. 5 allowed preliminary design engineering services in Phase II of the North Interceptor Sewer planning, and final bidding documents for Phase II-B North Interceptor Sewer with the consulting firm Black & Veatch of Kansas City, Missouri in the amount of \$451,896; and

WHEREAS, on May 14, 2013 Grand Island City Council, by Resolution No. 2013-2013-148, approved Amendment No. 6 allowed fee compensation in engineering services that were not specifically identified in the original design agreement; Consulting Engineering Construction Phase Services, and Resident Inspection During Construction for Phase I; North Interceptor Sewer Construction, in the amount of \$719,617.00; and

WHEREAS, on May 14, 2013 Grand Island City Council, by Resolution No. 2013-149, approved Amendment No. 7, which provides for Consulting Engineering Construction Phase Services, Resident Inspection During Construction and Integration Services for Headworks Improvements Construction with the consulting firm Black & Veatch of Kansas City, in the amount of \$1,878,450.00; and

Approved as to Form	by _____
May 14, 2013	City Attorney

WHEREAS, on December 17, 2013 Grand Island City Council, by Resolution No. 2013-400, approved Amendment No. 8, which allowed Final Design Phase Services for North Interceptor Phase 2A & 2C (Broadwell Avenue to 7th/Sky Park Road & Lift Station No. 19 to Webb Road), as well as Bidding Phase Services for all 3 phases of the North Interceptor (Broadwell Avenue to 7th/Sky Park Road, Webb Road to Broadwell Avenue, and Lift Station No. 19 to Webb Road). Bidding Phase Services originally included in Amendment No. 5 for the North Interceptor were deleted and combined in this amendment

WHEREAS, on September 9, 2014 City Council approved, by Resolution No. 2014-278 for Amendment No. 9 in the amount of \$1,846,639.00 to this agreement. This amendment allowed for construction phase services and resident observation services during construction on North Interceptor 2; and

WHEREAS, Amendment No. 10 will allow for an update to the Wastewater Financial Plan; and

WHEREAS, the agreement cost increase for Amendment No. 10 is \$46,000.00, resulting in a revised agreement cost of \$9,227,115.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that such Amendment No. 10 to the agreement with Black & Veatch of Kansas City, Missouri is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such Amendment No. 10 on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-13

#2015-93 - Approving Bid Award for Handicap Ramp Project No. 2015-HC-1

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: April 14, 2015

Subject: Approving Bid Award for Handicap Ramp Project No. 2015-HC-1

Item #'s: G-13

Presenter(s): John Collins PE, Public Works Director

Background

On March 23, 2015 the Engineering Division of the Public Works Department advertised for bids for the construction of handicap ramps at various intersections in the City. The City is required to have a planned schedule for upgrading public sidewalk ramps to conform to American with Disabilities Act (ADA) standards. The current schedule and budget will bring the City into compliance in approximately 22 years.

Reconstruction of ramps is also required in conjunction with street resurfacing activities. Last year sites near elementary schools were selected to remain on scheduled, as the prior year's resurfacing locations did not require reconstruction of sidewalk ramps. Public sidewalk ramps will be reconstructed at the following locations this year:

SECTION A - Oak Street

- **Section #A1.** Oak Street & Koenig Street
- **Section #A2.** Oak Street & Hansen Street
- **Section #A3.** Oak Street & Yund Street
- **Section #A4.** Oak Street & Division Street

SECTION B – State Street

- **Section #B1.** State Street & Lafayette Avenue
- **Section #B2.** State Street & Grand Island Avenue
- **Section #B3.** State Street & Huston Avenue

SECTION C – Lincoln Street

- **Section #C1.** Lincoln Avenue & Division Street
- **Section #C2.** Lincoln Avenue & 1st Street
- **Section #C3.** Lincoln Avenue & North Front Street
- **Section #C4.** Lincoln Avenue & 4th Street

SECTION D – Koenig Street

- **Section #D1.** Koenig Street & Washington Street
- **Section #D2.** Koenig Street & Adams Street
- **Section #D3.** Koenig Street & Jefferson Street
- **Section #D4.** Koenig Street & Madison Street
- **Section #D5.** Koenig Street & Monroe Street

SECTION E – Gates School

- **Section #E1.** Louise Street & Ingalls Street
- **Section #E2.** Louise Street & Curtis Street
- **Section #E3.** John Street & Garland Street

SECTION F – 10th Street

- **Section #F1.** 10th Street & Washington Street

SECTION G – 13th Street

- **Section #G1.** 13th Street & Ruby Avenue
- **Section #G2.** 13th Street & Custer Avenue
- **Section #G3.** 13th Street & Sherman Place
- **Section #G4.** 13th Street & Newell School Crossing

The attached map shows the locations for this year's work.

Discussion

Two (2) bids were received and opened on April 2, 2015. The Engineering Division of the Public Works Department and the Public Works Department and the Purchasing Division of the City's Attorney's Office have reviewed the bids that were received. A summary of the bids is shown below.

<i>BIDDER</i>	<i>EXCEPTIONS</i>	<i>BID PRICE</i>
The Diamond Engineering Co. of Grand Island, NE	Noted	\$197,706.81
Galvan Construction, Inc. of Grand Island, NE	None	\$210,623.50

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the bid award to the low compliant bidder, The Diamond Engineering Co. of Grand Island, Nebraska in the amount of \$197,706.81.

Sample Motion

Move to approve the bid award.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: April 2, 2015 at 2:15 p.m.
FOR: Handicap Ramp Project 2015-HC-1
DEPARTMENT: Public Works
ESTIMATE: \$280,000.00
FUND/ACCOUNT: 10033503-85318 & 10033506-85351
PUBLICATION DATE: March 21, 2015
NO. POTENTIAL BIDDERS: 13

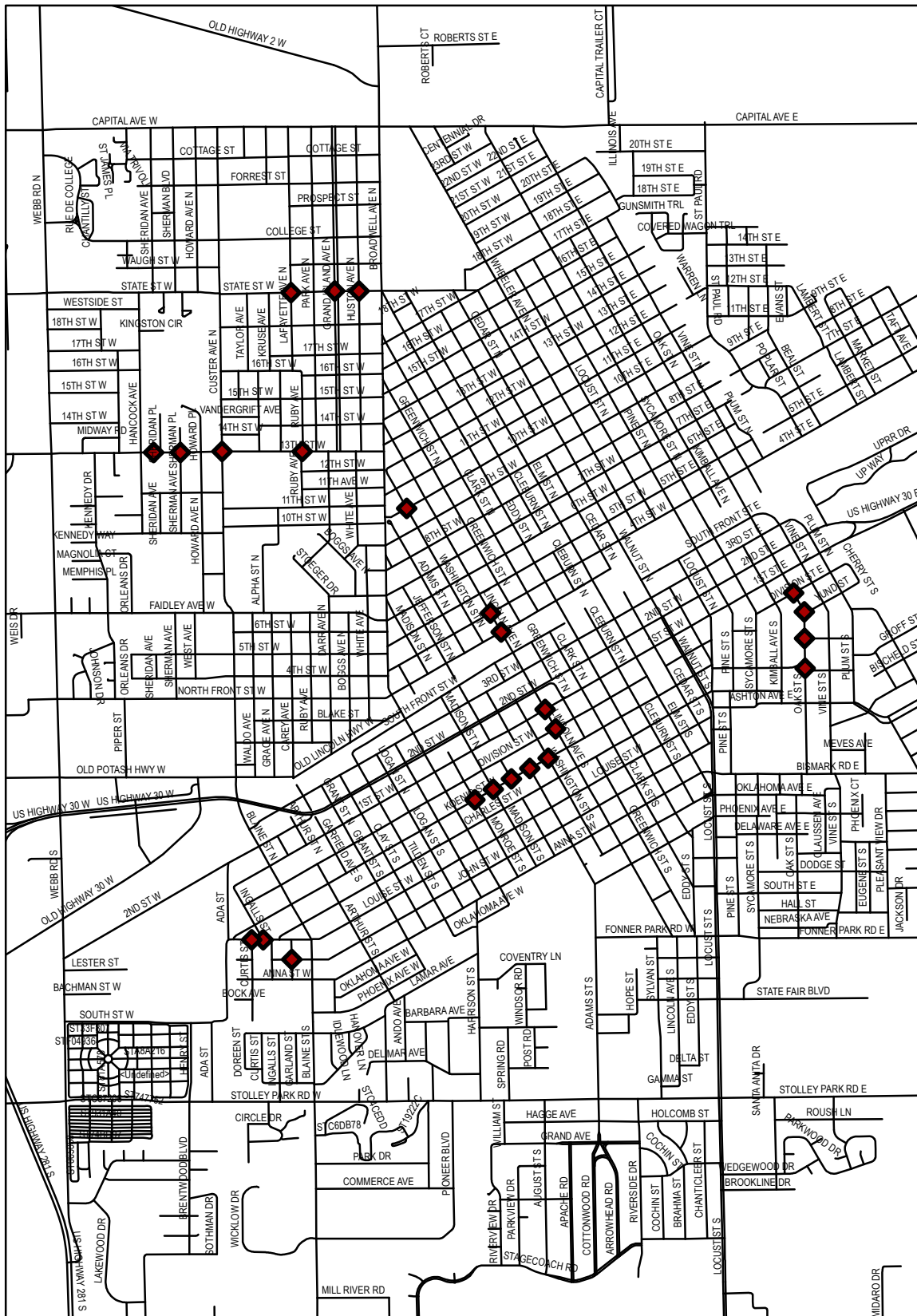
SUMMARY

Bidder:	<u>Galvan Construction, Inc.</u> Grand Island, NE	<u>Diamond Engineering Co.</u> Grand Island, NE
Bid Security:	Cashier's Check	Universal Surety Co.
Exceptions:	None	Noted
Bid Price:		
Section A:	\$ 30,937.00	\$ 28,559.20
Section B:	\$ 34,035.00	\$ 32,429.74
Section C:	\$ 41,345.00	\$ 38,530.06
Section D:	\$ 39,552.00	\$ 36,580.64
Section E:	\$ 17,041.00	\$ 15,962.13
Section F:	\$ 11,017.00	\$ 10,806.20
Section G:	<u>\$ 36,697.00</u>	<u>\$ 34,838.84</u>
Grand Total Bid:	\$210,624.00	\$197,706.81

cc: John Collins, Public Works Director
Marlan Ferguson, City Administrator
Terry Brown, Project Manager

Catrina DeLosh, PW Admin. Assist.
Stacy Nonhof, Purchasing Agent

P1809



- Proposed for 2015**
Proposed ADA Curb Ramps
Location
- ◆ Ruby & 13th
 - ◆ Sherman Pl & 13th
 - ◆ Adams & Koenig
 - ◆ Curtis & Louise
 - ◆ Custer & 13th
 - ◆ Garland & John
 - ◆ Grand Island Ave & State
 - ◆ Huston & State
 - ◆ Ingalls & Louise
 - ◆ Jefferson & Koenig
 - ◆ Lafayette & State
 - ◆ Lincoln & 1st
 - ◆ Lincoln & 4th
 - ◆ Lincoln & Division
 - ◆ Lincoln & N. Front
 - ◆ Madison & Koenig
 - ◆ Monroe & Koenig
 - ◆ Newell School X-ing on 13th
 - ◆ Oak & Division
 - ◆ Oak & Hansen
 - ◆ Oak & Koenig
 - ◆ Oak & Yund
 - ◆ Washington & 10th
 - ◆ Washington & Koenig



	DATE: 03-09-2015	<p>Proposed ADA Curb Ramp Locations For 2015</p>	<p>PLAN 1 / 1</p>
	DRAWN BY: MWL		
	APPVD. BY:		
	SCALE NONE		

RESOLUTION 2015-93

WHEREAS, the City of Grand Island invited sealed bids for Handicap Ramp Project 2015-HC-1, according to plans and specifications on file with the Public Works Department; and

WHEREAS, on April 2, 2015 bids were received, opened, and reviewed; and

WHEREAS, The Diamond Engineering 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 \$197,706.81; and

WHEREAS, The Diamond Engineering Co.'s bid is less than the estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of The Diamond Engineering Co. of Grand Island, Nebraska in the amount of \$197,706.81 for Handicap Ramp Project 2015-HC-1 is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 13, 2015	☐ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-14

#2015-94 - Approving Acquisition of Utility Easement - 235 Roberts Street - Glause

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

Staff Contact: Tim Luchsinger, Stacy Nonhof

RESOLUTION 2015-94

WHEREAS, a public utility easement is required by the City of Grand Island from Steve and Beckie Glause, to survey, construct, inspect, maintain, repair, replace, relocate, extend, remove, and operate thereon, public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on April 14, 2015 for the purpose of discussing the proposed acquisition of a twenty foot wide easement located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

Commencing at the northwest corner of Lot Three (3), Rains First Addition to the City of Grand Island, Hall County, Nebraska; thence easterly along the northerly line of said Lot Three (3), a distance of one hundred five (105.0) feet to the POINT OF BEGINNING; thence southerly, perpendicular to the northerly line of said Lot Three (3), a distance of two hundred ten (210.0) feet to the point of termination.

The above-described easement and right-of-way tract containing 0.096 acres, more or less, shown on the plat dated 3/12/2015, marked Exhibit "A" attached hereto and incorporated herein by reference.

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

- - -

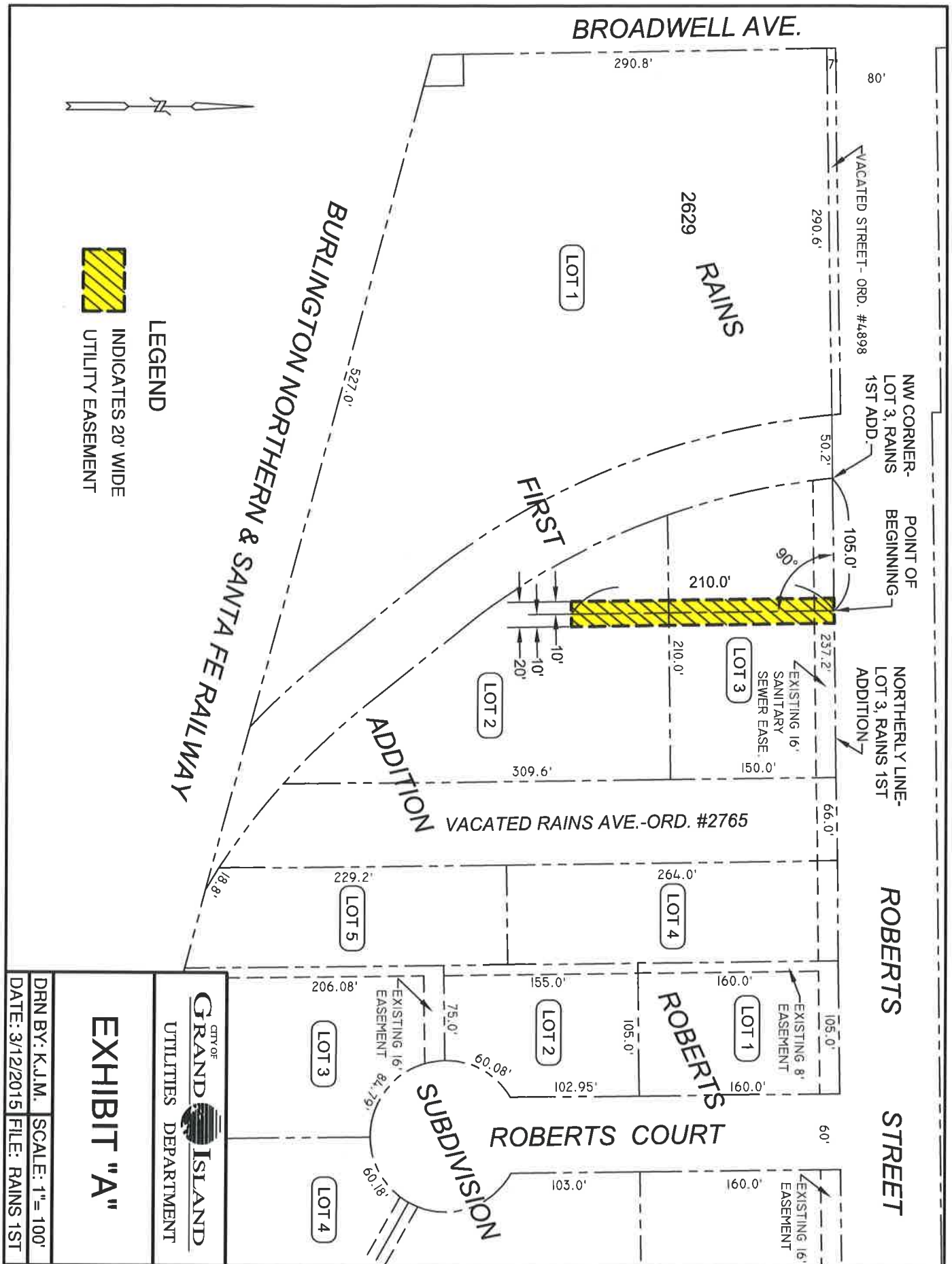
Adopted by the City Council of the City of Grand Island, Nebraska April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 13, 2015	☐ City Attorney





City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-15

**#2015-95 - Approving Change Order No. 1 with ABB, Inc. -
Voltage Regulator Upgrades at Platte Generating Station**

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Timothy G. Luchsinger, Utilities Director
Stacy Nonhof, Assistant City Attorney

Meeting Date: April 14, 2015

Subject: Change Order #1 - Voltage Regulator Upgrades –
Spring Outage 2015 at Platte Generating Station

Item #'s: G-15

Presenter(s): Timothy G. Luchsinger, Utilities Director

Background

The Platte Generating Station utilizes an exciter that provides the DC excitation power necessary to induce a magnetic field on the generator's rotor; which in turn induces a voltage on the generator's stator coils to produce power. The exciter is, by design, the voltage regulator for the generator and is critical to plant operation. The existing exciter is powered by 30+ year old transformers and the manufacturer no longer guarantees readily available service or parts for the existing system, which creates a reliability issue.

The specification to replace the existing exciter and transformers was issued for bid and awarded to ABB, Inc., at the Council Meeting on August 12, 2014, in the amount of \$544,236.00.

Discussion

As a part of the original bid, ABB provided pricing for recommended spare parts. Upon completion of for the new equipment training, plant staff and the contractor evaluated the spare parts list and determined what spare parts were required due to availability and lead times, which results in an additional cost of \$20,318.23 to the contract.

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 approval of Change Order #1 to the Voltage Regulator Upgrades - Spring Outage 2015 contract with ABB, Inc., in the amount of \$20,318.23, for a final contract cost of \$564,554.23.

Sample Motion

Move to approve contract Change Order #1 to the Voltage Regulator Upgrades - Spring Outage 2015 contract with ABB, Inc., in the amount of \$20,318.23 for a final contract amount of \$564,554.23.

Change Order #1

TO: ABB Inc.
10300 Henri-Bourassa Ouest/West
Saint-Laurent, QC, Canada, H4S 1N6

PROJECT: Voltage Regulator Upgrade

You are hereby directed to make the following change in your contract:

1 Additional payment per the attached spreadsheet.

ADD: \$20,318.23

The original Contract Sum	<u>\$544,236.00</u>
Previous Change Order Amounts	<u>\$ -</u>
The Contract Sum is increased by this Change Order	<u>\$ 20,318.23</u>
The Contract Sum is decreased by this Change Order	<u>\$</u>
The total modified Contract Sum to date	<u>\$ 564,554.23</u>

Approval and acceptance of this Change Order acknowledges understanding and agreement that the cost and time adjustments included represent the complete values arising out of and/or incidental to the work described therein.

APPROVED: CITY OF GRAND ISLAND

By: _____

Date _____

Attest: _____

Approved as to Form, City Attorney

ACCEPTED: ABB Inc.

By: _____

Date _____

Contract: Voltage Regulator Upgrade

\$544,236.00

Comments:

Spare parts were not decided upon at the time that the initial bid was accepted.

<u>Change Order Request</u>	<u>Description</u>	<u>Amount</u>
001-Material	Crowbar Firing Board	\$ 2,317.00
002	Combined Input/output Board	\$ 3,540.00
003	Overvoltage Protection	\$ 5,141.00
004	Fuses for Uns7905b V5150 Converter	\$ 75.00
005	SCR (Thyristor)	\$ 735.00
006	Gate driver interface	\$ 431.00
007	Measuring Board	\$ 2,504.00
008	ECT hardware dongle	\$ 3,705.00
009	Input coupling unit	\$ 541.00
010	Per Quotation - Recommended Spare Parts	
011		
012		
013		
014		
015		
016	Total (final) w/out tax	\$ 18,989.00
017	Tax	\$ 1,329.23
018		
019		
020		
	Total	\$ 20,318.23

RESOLUTION 2015-95

WHEREAS, ABB, Inc., of St. Laurent, Quebec, Canada, was awarded the contract for Voltage Regulator Upgrade at Platte Generating Station, at the August 12, 2014 City Council meeting; and

WHEARAS, ABB recommends having spare parts on hand due to availability and lead time; and

WHEREAS, upon completion of training, plant staff and the contractor evaluated the spare parts list and determined what spare parts are necessary to keep onsite; and

WHEREAS, having the spare parts on hand is reasonable and necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Change Order #1 with ABB, Inc., of St. Laurent, Quebec, Canada, resulting in an additional cost of \$20,318.23, for a final contract price of \$564,554.23, is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 13, 2015	☐ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-16

**#2015-96 - Approving Bid Award for Water Main District 467T -
Engleman Road from Old Potash Highway, South 1/2 Mile**

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director
Stacy Nonhof, Assistant City Attorney

Meeting: April 14, 2015

Subject: Water Main District 467T – Engleman Road – South of Old Potash Highway

Item #'s: G-16

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Water Main District 467T is part of the Utilities Department's Master Plan, and will be the first phase towards completing the westerly loop of the water system. The project will extend a 20 inch diameter water main along Engleman Road from Old Potash Highway, south ½ mile, with the completion of the loop south to Stolley Park Road at a future time. The project will provide increased capacity and fire protection for the growing development in the western part of the City.

Discussion

Specifications were advertised in accordance with City Procurement Codes. Six plan service firms and seven construction companies received copies of the bid documents and plans. Four bids were received and publicly opened at 2:00 p.m. on April 2, 2015.

The bids have been reviewed and evaluated. An exception has been noted by Van Kirk Brothers Contracting regarding the release of bid information. The exception did not affect awarding the contract. Tabulated below is the Evaluated Bid Price from each of the bidders.

Bidder	Bid Security	Exceptions	Evaluated Bid Price	Completion
General Excavating Lincoln, NE	Universal Surety Co.	None	\$399,293.10	360 days
Van Kirk Bros Contracting Sutton, NE	Universal Surety Co.	None	\$350,670.20	240 days
Diamond Engineering Co. Grand Island NE	Universal Surety Co.	None	\$309,354.49	9/30/2015

Judds Bros. Construction Co. Lincoln NE	Merchants Bond Inc.	National	None	\$299,498.90	120 days
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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 Water Main District 467T to the low responsive bidder, Judds Bros. Construction Company in the amount of \$299,498.90. This is less than the project estimate of \$310,000.00.

Sample Motion

Move to approve the contract for Water Main District 467T in the amount of \$299,498.90, to Judds Brothers Construction Company of Lincoln, Nebraska.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: April 2, 2015 at 2:00 p.m.
FOR: Water Main District 467T
DEPARTMENT: Utilities
ESTIMATE: \$310,000.00
FUND/ACCOUNT: 525
PUBLICATION DATE: March 17, 2015
NO. POTENTIAL BIDDERS: 7

SUMMARY

Bidder:	<u>General Excavating</u> Lincoln, NE	<u>Van Kirk Bros. Contracting</u> Sutton, NE
Bid Security:	Universal Surety Co.	Universal Surety Co.
Exceptions:	None	Noted
Bid Price:	\$399,293.10	\$350,670.20

Bidder:	<u>Diamond Engineering Co.</u> Grand Island, NE	<u>Judds Brothers Construction Co.</u> Lincoln, NE
Bid Security:	Universal Surety Co.	Merchants National Bond, Inc.
Exceptions:	None	None
Bid Price:	\$309,354.49	\$299,498.90

cc: Tim Luchsinger, Utilities Director
Marlan Ferguson, City Administrator
Stacy Nonhof, Purchasing Agent
Lynn Mayhew, Assist. Utilities Director Phelps Control

Bob Smith, Assist. Utilities Director
William Clingman, Interim Finance Director
Pat Gericke, Utilities Admin Assist.

P1808

LOCATION MAP

13TH ST

ENGLEMAN RD

NORTH RD

FAIBLEY AVE

OLD POTASH HWY

STOLLEY PARK RD

UNION PACIFIC RAILROAD R.O.W.

US HIGHWAY 30

US HIGHWAY 261

WEBB RD

13TH ST

FAIBLEY AVE

WEBB RD

US HIGHWAY 261

US HIGHWAY 30

OLD HIGHWAY 30

PROJECT AREA

RESOLUTION 2015-96

WHEREAS, the City of Grand Island invited sealed bids for construction of Water Main District 467T – Engleman Road from Old Potash Highway, south ½ mile, according to plans and specifications on file with the Utilities Department; and

WHEREAS, on April 2, 2015, bids were received, opened and reviewed; and

WHEREAS, Judds Brothers Construction Company of Lincoln, 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 \$ 299,498.90; and

WHEREAS, the bid of Judds Brothers Construction Company is less than the estimate for construction of Water Main District 467T.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Judds Brothers Construction Company, in the amount of \$ 299,498.90, for construction of Water Main District 467T, is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 13, 2015	☐ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-17

#2015-97 - Approving Adoption of the Grand Island Zoning Map

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

Staff Contact: Chad Nabity

RESOLUTION 2015-97

WHEREAS, the Mayor and City Council of the City of Grand Island are committed to the orderly plan necessary to accommodate future growth and transportation needs; and

WHEREAS, on July 13, 2004, by Resolution 2004-154, the City of Grand Island approved and adopted the Official Zoning Map as prepared by the firm of JEO Consulting, Inc. of Wahoo, Nebraska; and

WHEREAS, on February, 14 2012, by Resolution 2012-27, the City Council approved the use of a map produced from the Hall County GIS as the official zoning map for the City of Grand Island based on the 2004 comprehensive plan of JEO consulting, Inc.; and

WHEREAS, numerous changes and amendments to the Plan, the municipal limit and the zoning map have been approved since the last re-adoption of the official zoning map; and

WHEREAS, on April 1, 2015, the Regional Planning Commission held a public hearing on such issue, and recommended approval of such updated map; and

WHEREAS, on April 14, 2015 the Grand Island City Council held a public hearing on such issue.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island hereby approves and adopts the Official Zoning Map incorporating changes made since its re-adoption in 2012 as presented and discussed with the public hearing.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 13, 2015	☐ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-18

#2015-98 - Approving Neighborhood Stabilization Program Re-Use Funds Development Agreement with Habitat for Humanity

Staff Contact: Charley Falmlen

Council Agenda Memo

From: Charley Falmlen, Community Development

Meeting: April 14, 2015

Subject: Approving Neighborhood Stabilization Program Re-Use Funds Development Agreement with Habitat for Humanity

Item #'s: G-18

Presenter(s): Charley Falmlen, Community Development

Background

In October 2009, the City of Grand Island was awarded a \$993,000 Neighborhood Stabilization Program (NSP) grant from the Nebraska Department of Economic Development. In December 2009, the City of Grand Island entered into a Development Agreement with Habitat for Humanity (a non –profit housing developer) regarding using NSP Funds on qualifying Habitat for Humanity projects. The grant enabled the city to purchase and demolish at least six (6) vacant, blighted structures and redevelop the lots into six (6) new homes.

Discussion

The original NSP grant has been completed, and a NSP Re-Use Fund has been created to make use of funds that the City of Grand Island has re-captured as part of the original NSP Grant funding process. The proposed new Development Agreement would allow the City of Grand Island to continue to partner with Habitat for Humanity on NSP qualifying projects by making use of NSP Re-Use funds.

The original Housing Developer Agreement from December 2009 did include permission for the Community Development Division to issue funds to Habitat for Humanity from the NSP Re-Use fund. However, the scope and nature of the projects outlined in the original Agreement has changed, which is why the Community Development Division is seeking a new Development Agreement. Under the new agreement, the City of Grand Island will not be purchasing properties and donating them to Habitat or creating liens on said properties. Instead the City of Grand Island will issue funds to Habitat for Humanity to be used for property acquisition, among other qualifying activities including

demolishing and construction costs – all of which are qualifying activities under the NSP Re-Use Guidelines established at the conception of this project.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approves Neighborhood Stabilization Program Re-Use Funds Development Agreement with Habitat for Humanity and authorizes Mayor to sign all related documents.

Sample Motion

Move to approve Neighborhood Stabilization Program Re-Use Funds Development Agreement with Habitat for Humanity

**DEVELOPMENT AGREEMENT
NEIGHBORHOOD STABILIZATION PROGRAM RE-USE FUND
CITY OF GRAND ISLAND, NEBRASKA AND
GRAND ISLAND AREA HABITAT FOR HUMANITY, INC.**

THIS AGREEMENT is approved as of this 14th day of April, 2015, by and between the CITY OF GRAND ISLAND, NEBRASKA, located at 100 East First Street, Grand Island, Nebraska 68801, hereinafter referred to as the “City,” and GRAND ISLAND AREA HABITAT FOR HUMANITY, INC., whose principal office is located at 502 W. 2nd Street, Grand Island, NE, hereinafter referred to as the “Developer” or “Habitat.”

IT IS AGREED by and between the parties as follows:

I. PERIOD OF PERFORMANCE

The activities described in this Agreement are to begin no later than July 31, 2014, and shall be completed no later than October 1, 2015. All eligible activities are limited to the above time period, with the exception of eligible activities specifically approved by the City. This Agreement shall remain in full force and effect with respect to the Developer until such time the Property has been conveyed to a qualified homebuyer under the terms and conditions of this Agreement.

II. ACQUISITION, PRE-DEVELOPMENT AND CONSTRUCTION REQUIREMENTS

A. Acquisition. Habitat will acquire properties for demolition in accordance with all applicable City and Neighborhood Stabilization Program requirements. If Habitat owns a qualifying property, the City may elect to provide demolition assistance. In that event, Habitat will comply with the terms of the NSP grant and NDED contract with respect to construction of improvements and sale to a qualified buyer.

B. Compliance with Applicable Codes. The Developer shall comply with all applicable codes and pay all applicable fees during the period of time it owns the Property.

C. Property Standards. At the time of initial occupancy by a qualified buyer, the Property shall comply with all applicable codes and ordinances; City Housing Minimum Housing Standards; applicable federal, state and local laws, regulations and requirements; and program terms and conditions of the attached NSP grant and NDED contract number 093N11.

D. Oversight of Redevelopment. The Developer shall be responsible for ensuring that all redevelopment work is carried out in accordance with all applicable laws, codes, rules, regulations, standards and ordinances.

E. Completion of Redevelopment. The Developer shall commence work no later than six months (6) after demolition of the Property and complete the redevelopment of the Property no later than October 1, 2015, unless otherwise agreed to in writing by the City.

III. OCCUPANCY AND BUYER ELIGIBILITY REQUIREMENTS

A. Income Eligibility. At the time of sale or lease of the Property, the Buyer shall meet program eligibility requirements.

B. Minimum Sale Price. The minimum sale price shall be consistent with the terms and conditions of the NSP grant and NDED contract.

C. Closing on Sale of the Property. The Developer shall provide the City written notice of the closing on the sale of the Property. A developer fee of \$4,000 will be disbursed to Habitat after closing on the sale of the Property to an income eligible buyer and the submission of all required reports and documentation determined necessary by the City.

IV. MISCELLANEOUS PROVISIONS

A. This agreement contemplates one or more projects funded through the Nebraska Department of Economic Development Neighborhood Stabilization Program. Other developers may be used by the City and the number of projects in which HABITAT will participate is not guaranteed nor is HABITAT the exclusive developer under this program.

B. This agreement will automatically renew for projects financed by reuse funds from the original projects contemplated by this Agreement unless notice is received from either party to terminate the agreement. Notwithstanding such automatic renewal, nothing in this agreement shall obligate the City or the Developer to participate in future projects with each other or to prevent the City from engaging any other person or entity as a developer for future projects.

Effective this 14th day of April, 2015

Jeremy L. Jensen, Mayor
CITY OF GRAND ISLAND

Dana Jelinek, Executive Director
GRAND ISLAND AREA HABITAT FOR HUMANITY, INC.

R E S O L U T I O N 2015-98

WHEREAS, the City of Grand Island, Nebraska was awarded a \$993,000 Neighborhood Stabilization Program (NSP) grant from the Nebraska Department of Economic Development; and

WHEREAS, after the grant's initial completion, a NSP Re-Use Fund was created for use of recaptured funds from the original grant; and

WHEREAS, Habitat for Humanity is a nonprofit housing developer partnering on the grant and are eligible to make use of the NSP Re-Use Fund; and

WHEREAS, the City must enter into a Development Agreement with each organization to move forward with construction of new housing.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that The City of Grand Island, Nebraska is hereby authorized to enter into a Development Agreement with Habitat for Humanity and the Mayor is hereby authorized and directed to execute such contracts.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
April 13, 2015	▣ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-19

**#2015-99 - Approving Change Order No. 2 for Headworks
Improvement Project No. WWTP-2013-1**

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Jue Zhao PE, PhD; Wastewater Operations Engineer

Meeting: April 14, 2015

Subject: Approving Change Order No. 2 for Headworks Improvement Project No. WWTP-2013-1

Item #: G-19

Presenter(s): John Collins PE, Public Works Director

Background

Public Works Staff in conjunction with the design engineer, Black & Veatch of Kansas City, Missouri have worked on the Headworks Improvement, Project WWTP-2013-1 to construct a new wastewater pumping station, flow measurement, and grit removal systems at the Wastewater Treatment Plant.

Garney Companies, Inc. of Gardner, Kansas was awarded a \$16,993,000.00 contract by the City Council on May 14, 2013 for construction of Headworks Improvements; Project No. WWTP-2013-1 at the Wastewater Treatment Plant. The City rejected a bid alternative of \$75,000.00 for Plant Interceptor Piping (FRPM), which adjusted the contract amount to \$16,918,000.00.

On August 12, 2013, by Resolution No. 2014-213, City Council approved Change Order No. 1 for a decrease in the original contract amount of \$24,745.00 and addressed:

- Addition of bagging attachments for the screenings washer/compactor units
- Change to fiberglass reinforced plastic manholes for sanitary sewer lines
- Discharge piping modifications for the former sludge injection holding tank
- Engine-generator platform and stairs
- Underground power for existing facilities on the west side of the site
- Surge protection for adjustable frequency drives
- Additional coating of the wet wells at the Raw Wastewater Pump Station
- Deletion of a sanitary sewer manhole for Building #3
- Unit price item adjustments for excavation work

Discussion

An additional change order is necessary to proceed with the construction of the Headworks Improvements; Project No. WWTP-2013-1. Change Order No. 2 covers the deletion of coatings for the lower portion of the wet wells and screen channels at the Raw Wastewater Pump Station, changes to the JBS Meter and Sampler Building, deletion of non-potable well motor protection for high temperature, addition of a casing for future ferric chloride lines to the aeration basins, credit for concrete aggregate savings, and unit price item adjustments for excavation work and non-potable well construction, anodized aluminum copings for buildings, addition of on-line conductivity and total suspended solids analyzers for raw wastewater, additional underground non potable water lines, drain line for existing raw wastewater pump station, and Contract Time adjustments for weather delays.

The modifications to this project will result in a contract decrease of \$42,498.00, resulting in a revised contract amount of \$16,850,757.00.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve Change Order No. 2 for Headworks Improvements; Project No. WWTP-2013-1.

Sample Motion

Move to approve the resolution.

R E S O L U T I O N 2015-99

WHEREAS, on May 14, 2013, by Resolution 2013-146, the City of Grand Island awarded Garney Companies, Inc. of Gardner, Kansas the bid in the amount of \$16,993,000.00 for construction of Headworks Improvements; Project No. WWTP-2013-1; and

WHEREAS, the City rejected a bid alternative of \$75,000.00 for Plant Interceptor Piping (FRPM), which adjusted the contract amount to \$16,918,000.00; and

WHEREAS, on August 12, 2013, by Resolution No. 2013, City Council approved Change Order No. 1 for a decrease in the original contract amount of \$24,745.00, for a revised contract amount of \$16,893,255.00; and

WHEREAS, it has been determined that modifications are necessary to proceed with such construction, which have been incorporated into Change Order No. 2; and

WHEREAS, the result of such modifications will decrease the contract amount by \$42,498.00 for a revised contract price of \$16,850,757.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 2 between the City of Grand Island and Garney Companies, Inc. of Gardner, Kansas to provide the modifications.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 13, 2015	☐ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-20

#2015-100 - Approving Dog Park Location at L. E. Ray Lake

Staff Contact: Todd McCoy

Council Agenda Memo

From: Todd McCoy, Parks and Recreation Director

Meeting: April 14, 2015

Subject: Approval to Develop a Dog Park at L.E. Ray Park

Item #'s: G-20

Presenter(s): Todd McCoy, Parks and Recreation Director

Background

Off-leash areas otherwise known as “dog parks” have become very popular, not only in Nebraska communities, but across the United States. North Platte, Kearney, Hastings and Lincoln are just a few area communities that enjoy successful dog parks.

The City earmarked \$50,000 in the 2014-15 budget to develop a dog park. A planning committee was formed to recommend a location, amenities, and rules for the new dog park.

Discussion

It is recommended that the dog park be located inside L.E. Ray Park utilizing the existing gravel area immediately west of the restrooms for parking. The space immediately east of the restrooms is to be fenced as to provide separated areas for small and large dogs. The fencing and lake will serve as a barrier to separate the off-leash area from the rest of the park.

Amenities planned will include pet waste stations, seating areas, signage, drinking water, etc. Like other park facilities and activities, the Parks and Recreation Department will post established rules for the dog park.



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 City Council approve the development of a dog park at L.E. Ray Park.

Sample Motion

Move to approve the development of a dog park at L.E. Ray Park.

RESOLUTION 2015-100

WHEREAS, on April 7, 2015 during the City Council Study Session, a discussion was held on the development of a Dog Park area; and

WHEREAS, it was recommended that the Dog Park be located inside L.E. Ray Park; and

WHEREAS, the space immediately east of the restrooms will be fenced off as to provide a separate area for small and large dogs.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the development of a Dog Park inside L.E. Ray Park is hereby accepted.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 13, 2015	☐ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-21

**#2015-101 – Approving Rental of Commercial Space Contract with
St. Francis Medical Center**

Staff Contact: Cory Schmidt, Fire Chief

Council Agenda Memo

From: Russ Blackburn, GIFD EMS Division Chief

Meeting: April 14, 2015

Subject: Rental of Commercial Space Contract with Saint Francis Medical Center

Item #'s: G-21

Presenter(s): Russ Blackburn, GIFD EMS Division Chief

Background

In an effort to institute a more efficient and expedient medical supply inventory system for the Grand Island Fire Department the City Council approved in the 2014-2015 capital budget the purchase of a U-Cap-It machine. A vending machine to dispense medical supplies and medication to be located at the local hospital so ambulances could restock at the hospital and not have to return to the station before being able to restock used supplies.

Discussion

Saint Francis Medical Center has agreed to allow GIFD to place the U-Cap-It machine at the hospital. Federal regulations state that a hospital cannot use any enticement to get transporting ambulances to bring patients to their facilities. As such allowing us to place the U-Cap-It in their hospital could be interrupted as an enticement. The solution is to charge the Fire Department a rental fee for the use of their commercial space. The contract the Council is asked to approve tonight is that contract; saying we can rent space at SFMC for our U-Cap-It machine for a year one fee of \$231.00, year two fee of \$235.62, and a year three fee of \$240.24.

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 contract.

Sample Motion

Move to approve the rental contract between the Grand Island Fire Department and Saint Francis Medical Center.

RESOLUTION 2015-101

WHEREAS, Grand Island Fire Department would like to locate the U-Cap-It machine at Saint Francis Medical Center; and

WHEREAS, to comply with Federal Regulations Grand Island Fire Department must pay rent for the space; and

WHEREAS, this contract has been reviewed and approved by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, to approve the rental contract between the Grand Island Fire Department and Saint Francis Medical Center.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
April 13, 2015	▣ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item G-22

**#2015-102 – Approving Contract with Twin Rivers Urgent Care
for Medical Testing**

Staff Contact: Cory Schmidt, Fire Chief

Council Agenda Memo

From: Russ Blackburn, GIFD EMS Division Chief

Meeting: April 14, 2015

Subject: Contract with Twin Rivers Urgent Care for Medical Testing

Item #'s: G-22

Presenter(s): Russ Blackburn, GIFD EMS Division Chief

Background

The International Associations of Firefighter's contract with the City outlines that the members of the department will, upon employment, be given the series of Hepatitis B vaccine and have a Hepatitis C status baseline test done. Hepatitis B is a series of three shots at the end of which the person is tested to see if they have developed immunity to Hep. B; this test is called a Titer test. If not the person takes the series of three shots again

Discussion

After requesting bids for service and evaluating the three bids received for the testing needed. Twin River Urgent Care was the lowest bid for required services. They will contract \$11.50 per Hep. B Titer test and \$23.00 per Hep. C test. Bring the projected contract total to \$908.50 for current employees. As new employees are hired they will also have to have the same tests so actual charges will also increase.

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 contract.

Sample Motion

Move to approve the medical testing contract between the Grand Island Fire Department and Twin River Urgent Care.

AGREEMENT FOR MEDICAL SERVICES

THIS AGREEMENT is entered into by and between GRAND ISLAND EMERGENCY MEDICAL SERVICES, a division of the City of Grand Island, Nebraska, hereinafter referred to as the CLIENT, and TWIN RIVERS URGENT CARE, LLC, a medical clinic with offices located in Grand Island, Nebraska, hereinafter referred to as the CONSULTANT.

ARTICLE I – SCOPE OF WORK

The CONSULTANT shall provide current licensed providers, nurses, and certified medical assistants/technicians to perform the medical services identified in, but not limited to, the list found in ARTICLE III of this Agreement. The services may be provided at the CONSULTANT'S facility, or other mutually agreed upon locations.

The CONSULTANT shall obtain CLIENT written approval prior to performing any additional or out-of-scope work. These additional services shall be reflected in an Amendment to this Agreement.

ARTICLE II – SCHEDULE

The services described herein shall begin on approximately April 7, 2015, and shall be completed by approximately December 31, 2015.

The specific schedule for the services required shall be determined by the CLIENT and shall be mutually agreed upon by the Parties. The CLIENT has provided the CONSULTANT, a list of the CLIENT employees requiring services.

In the event it appear the CONSULTANT will be unable to meet and/or support the above schedule or any portion thereof, the CONSULTANT shall promptly notify the CLIENT of such in writing and the CLIENT shall take appropriate action as necessary.

ARTICLE III – COMPENSATION, INVOICING, AND TERMS OF PAYMENT

A. Compensation

The total estimated cost of this Agreement is \$ 908.50, based on the following rates:

<u>TYPE OF MEDICAL SERVICE</u>	<u>COST EACH</u>
25 Hepatitis B Titer tests	\$ 11.50
27 Hepatitis C tests as a baseline	\$ 23.00

The CONSULTANT shall be compensated only for the actual medical procedures performed at the direction of the CLIENT.

All rates specified herein shall remain in effect for the duration of this Agreement unless a price adjustment is mutually agreed upon by both parties.

B. Invoicing

The CONSULTANT shall invoice the CLIENT monthly, for tests completed during the month. Invoices shall clearly reference the employee name and test administered. All invoices shall be sent to:

Russ Blackburn
Division Chief of Emergency Medical Services
Grand Island Fire Department
100 East First St
Grand Island, NE 68801

C. Terms of Payment

Monthly invoices received by the CLIENT in accordance with paragraph B above shall be paid no later than thirty (30) calendar days after receipt.

In the event the CLIENT takes exception to any invoiced item(s), the CLIENT may withhold payment of said item(s). In such a case, the CLIENT shall promptly notify the CONSULTANT explaining the item(s) questioned, the reason for the exception, and what information or documentation the CLIENT requires before payment will be made.

ARTICLE IV – TERMINATION

The CLIENT shall have the right to terminate, with or without cause, all or any portion of the services performed by the CONSULTANT and to cancel this Agreement with thirty (30) days written notice to the CONSULTANT.

In the event of termination by the CLIENT without cause (for the convenience of the CLIENT), the CONSULTANT shall be compensated by the CLIENT, in accordance with the terms of this Agreement, for all work completed prior to termination but for which compensation has not been made; all work done in accordance with the CLIENT's termination instructions; and any reasonable costs and expenses directly and reasonably incurred by the CONSULTANT in preparation for the administration of these tests, including any cost for supplies ordered to conduct the specified tests.

ARTICLE V – DATA AND DOCUMENTS

The CLIENT shall own and have complete and unrestricted right henceforth and forever in the conduct of its operations to use all original data, reports, studies, and all other original documents, whether in hard copy or magnetic media form, which the CONSULTANT prepares pursuant to this Agreement. The CONSULTANT shall have the right to retain copies of such documents for the CONSULTANT'S records and use, but in no event shall disclosure of these materials be made to any third party without the prior written approval of the CLIENT.

ARTICLE VI – CLIENT INFORMATION

All CLIENT information made available to the CONSULTANT by the CLIENT shall be used by the CONSULTANT only to assist the CONSULTANT in performing services under this Agreement. CLIENT information shall include data, documents, records, or other information furnished hereunder.

ARTICLE VII – HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

The CONSULTANT must comply with provisions of the Privacy Rules of the Health Insurance Portability and Accountability Act (HIPAA) applicable to services that are to be provided under this Agreement.

The CONSULTANT agrees to implement all necessary safeguards to prevent the use or disclosure of the Protected Health Information (PHI) that is acquired or disclosed as part of the services it provides under this Agreement that would constitute a violation of Privacy Rules requirements and to mitigate, to the extent practical, any potential business pattern, practiced, or effects that would violate Privacy Rule requirements should that be identified.

ARTICLE VIII – ENTIRE AGREEMENT

The terms and conditions contained in this Agreement shall exclusively govern all dealings between the CLIENT and the CONSULTANT with regard to the work scope describe herein. Any additional or different terms contained in any other document or communication shall be of no effect and not binding upon the CLIENT or the CONSULTANT unless reduced to writing and incorporated herein by amendment.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers as of the day and year first above mentioned.

TWIN RIVERS URGENT CARE, LLC

GRAND ISLAND EMERGENCY MEDICAL
SERVICES

By:  4-7-15
Date

By: _____
Date

Title:  _____

Title: _____

RESOLUTION 2015-102

WHEREAS, Grand Island Fire Department to meet requirements of the contract with the International Association of Firefighters; and

WHEREAS, Twin Rivers Urgent Care was the lowest bidder to supply the required services; and

WHEREAS, this contract has been reviewed and approved by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, to approve the medical testing contract between the Grand Island Fire Department and Twin River Urgent Care.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 13, 2015	☐ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item H-1

**Consideration of Forwarding Blighted and Substandard Area #17 -
Husker Highway Redevelopment Study to the Hall County
Regional Planning Commission**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP

Meeting: April 14, 2015

Subject: Proposed Blighted and Substandard Area #17 (Husker Highway Redevelopment Area)

Item #'s: H-1

Presenter(s): Chad Nabity, Director Grand Island CRA

Background

Enclosed you will find a copy of a Substandard and Blight Study as prepared for Chief Industries by Hanna:Keelan Associates P.C. This study is for approximately 116.5 acres of property in southwest Grand Island west of U.S. Highway 281 south of Husker Highway. The study as prepared and submitted indicates that this property could be considered substandard and blighted. The full study is attached for your review and consideration.

Chief Industries has submitted this study for the review and consideration of the Grand Island City Council as permitted by Nebraska law. This is a blight and substandard study for an area that Chief Industries intends to develop if the area can be declared blighted and substandard. The decision on whether to declare an area substandard and blighted is entirely within the jurisdiction of the City Council with a recommendation from the Planning Commission.

The question before Council will be whether to send the Study to the Planning Commission for their review and feedback. If the item is not sent to the Planning Commission the Council cannot declare the area substandard and blighted. Planning Commission will meet on May 6 and would have a recommendation ready following that meeting.

Once an area has been declared substandard and blighted the CRA can accept redevelopment proposals for the area that might or might not include an application for Tax Increment Financing. Should this be approved you can anticipate that Chief Industries will submit an application for TIF to assist with the costs associated with fully developing this property.

Discussion

The action item tonight relate to the Study for proposed CRA Area No. 17 in southwest Grand Island as shown below. The study was prepared for 116.5 acres, of all of which are in the Grand Island City Limits

EXISTING LAND USE MAP

**HUSKER HIGHWAY REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA**



LEGEND

- VACANT
 FARMSTEAD RESIDENTIAL
 REDEVELOPMENT AREA BOUNDARY

HANNA:KEELAN ASSOCIATES, P.C.
COMMUNITY PLANNING & RESEARCH

***Lincoln, Nebraska* 402.464.5383 ***

ILLUSTRATION 2

Grand Island, Nebraska
Blight & Substandard Determination Study
Husker Highway Redevelopment Area

Robert Sivick, City Attorney has reviewed the Nebraska Statutes and case law pertaining to the declaration of property as blighted and substandard. His comments on this application are as follows:

The statutory procedures for accomplishing blight relief include the following steps: (1) the identification of a community redevelopment area consisting of portions of a city declared to be substandard or blighted in accordance with statutory definitions and in need of redevelopment, (2) the formulation of a redevelopment plan for such area or a redevelopment project within such area, and (3) the implementation of the redevelopment plan through various means including acquisition, sale, leasing, and contracting for redevelopment. Nebraska Revised State Statutes (NRSS) 18-2103, 18-2107, and 18-2109.

Under this statutory scheme, the governing body shall afford maximum opportunity consistent with the sound needs of the city as a whole to the rehabilitation or redevelopment of the community redevelopment area by private enterprise. A private development project would be eligible for tax increment financing only if it is included within an area which has previously been declared blighted or substandard and is in furtherance of an existing redevelopment plan for that area. The declaration of property as blighted or substandard is not simply a formality which must be met in order to assist a private developer with tax increment financing; it is the recognition of a specific public purpose which justifies the expenditure of public funds for redevelopment. See *Monarch Chemical Works, Inc. v. City of Omaha*, 203 Neb. 33, 277 N.W.2d 423 (1979), *Fitzke v. Hastings*, 255 NEB 46 (1998)

At this point, Council is only considering point 1 of Mr. Sivick's opinion. According to NRSS §18-2109, it is clear that the Planning Commission must have the opportunity to review the Blight Study prior to Council declaring the property substandard and blighted. If Council wishes to consider a declaration of substandard and blight, State Statute requires that the question of whether an area is substandard and blighted is submitted to the Planning Commission for its review and recommendation.

The Planning Commission recommendation should be done at the first available opportunity, as the Planning Commission has 30 days to respond to Council's request for a recommendation.

Blighted Area of the Community

The city of Grand Island, as a City of the First Class, is permitted to designate an area of up to 35% of the municipal limits as blighted and substandard. As of April 8, 2015, 18.57% of the City has been declared blighted and substandard. Area 17 would add

another 0.61% bringing the total area declared to 19.18%. The CRA commissioned a study of the Veteran's Home property (Proposed Area 16) that covered 530 acres and would if approved add 2.77% to the total declared blighted and substandard. If both areas were to be approved and there are no changes in the city limits or areas declared blighted and substandard 21.95% of the city would be declared blighted and substandard.

It does not appear that the declaration of Area 17 would significantly impact the City's ability to declare other areas substandard and blighted.

Alternatives

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

1. Move to forward the Study to the Planning Commission for their recommendation.
2. Move to not forward the Study to the Planning Commission for their recommendation
3. Refer the issue to a Committee
4. Postpone the issue to future date
5. Take no action on the issue

Recommendation

City Administration recommends that the Council Move to forward the Study to the Planning Commission if Council wishes to consider the use of Tax Increment Financing as a redevelopment tool for this property.

Sample Motion

Move to adopt resolution to forward the Study to the Planning Commission for their review and recommendation.

April 9, 2015

Grand Island Council Members
City Hall
100 E. First Street
Grand Island, NE. 68801



Dear City Council Members,

On behalf of Chief Industries, Inc. (Chief), I am requesting support and approval for the Blight & Substandard Determination Study for the Husker Highway Redevelopment Area. This study has been prepared by Hanna-Keelan Associates, P.C., a Nebraska-based community planning and research firm. It concludes that existing Blight and Substandard Factors are present and that public intervention is appropriate or necessary to assist in the development of this property.

In declaring this area both blighted and substandard, it will allow Chief to begin recruiting and planning for a mixed-use development that will help define Grand Island in the decades to come. The utilization of Tax Increment Financing (TIF) will be vital in the development of this property. As the study indicates, the need for extensive roadwork, utilities, and grade work makes it cost prohibitive to develop without the assist of the public funding via the TIF funds. In addition, there is considerable site work and demolition of aged structures that will be necessary to develop this area.

These parcels have been under-utilized for decades and the designation of being in a blighted and substandard area will be the first step in trying to move this area forward. Once this area is developed, it can be a prominent show-case for our community and help facilitate the development of properties further south on Highway 281.

Chief originated in Grand Island over 60 years ago and with your support, we would like to continue our investment in the community. Your support of this study and your Blighted and Substandard declaration of this property will certainly be appreciated.

Please contact me if you have any questions or concerns.

Sincerely,


Roger Bullington, P.E.
VP of Development and Construction
Chief Industries, Inc.

GRAND ISLAND, NEBRASKA HUSKER HIGHWAY REDEVELOPMENT AREA.



BLIGHT & SUBSTANDARD DETERMINATION STUDY & GENERAL REDEVELOPMENT PLAN

Prepared By:

**HANNA:KEELAN ASSOCIATES, P.C.
COMMUNITY PLANNING & RESEARCH**

COMPREHENSIVE PLANS & ZONING * HOUSING STUDIES *
DOWNTOWN, NEIGHBORHOOD & REDEVELOPMENT PLANNING *
CONSULTANTS FOR AFFORDABLE HOUSING DEVELOPMENTS*

Lincoln, Nebraska 402.464.5383 *

MARCH, 2015

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HANNA:KEELAN ASSOCIATES, P.C. COMMUNITY PLANNING & RESEARCH

*COMPREHENSIVE PLANS & ZONING * HOUSING STUDIES *
DOWNTOWN, NEIGHBORHOOD & REDEVELOPMENT PLANNING *
CONSULTANTS FOR AFFORDABLE HOUSING DEVELOPMENTS**

**Lincoln, Nebraska* 402.464.5383 **

** Becky Hanna, Tim Keelan, Lonnie Dickson, AICP & Keith Carl **

Grand Island, Nebraska
Blight & Substandard Determination Study
Husker Highway Redevelopment Area

ii

BLIGHT & SUBSTANDARD DETERMINATION STUDY

EXECUTIVE SUMMARY

Purpose of Study/Conclusion

The purpose of this **Blight and Substandard Determination Study** is to apply the criteria set forth in the **Nebraska Community Development Law**, Section 18-2103, to the designated **Husker Highway Redevelopment Area** in Grand Island, Nebraska. The results of this **Study** will assist the City in declaring the **Husker Highway Redevelopment Area** as both **blighted and substandard**.

Location

The **Husker Highway Redevelopment Area** shall include all real property that is within the following boundary description, as follows:

- Ewoldt Subdivision: entire subdivision, including Lots 1-10 and Outlots A, B and C.
- Ponderosa Village Subdivision: Block 0, Lots 1-4.

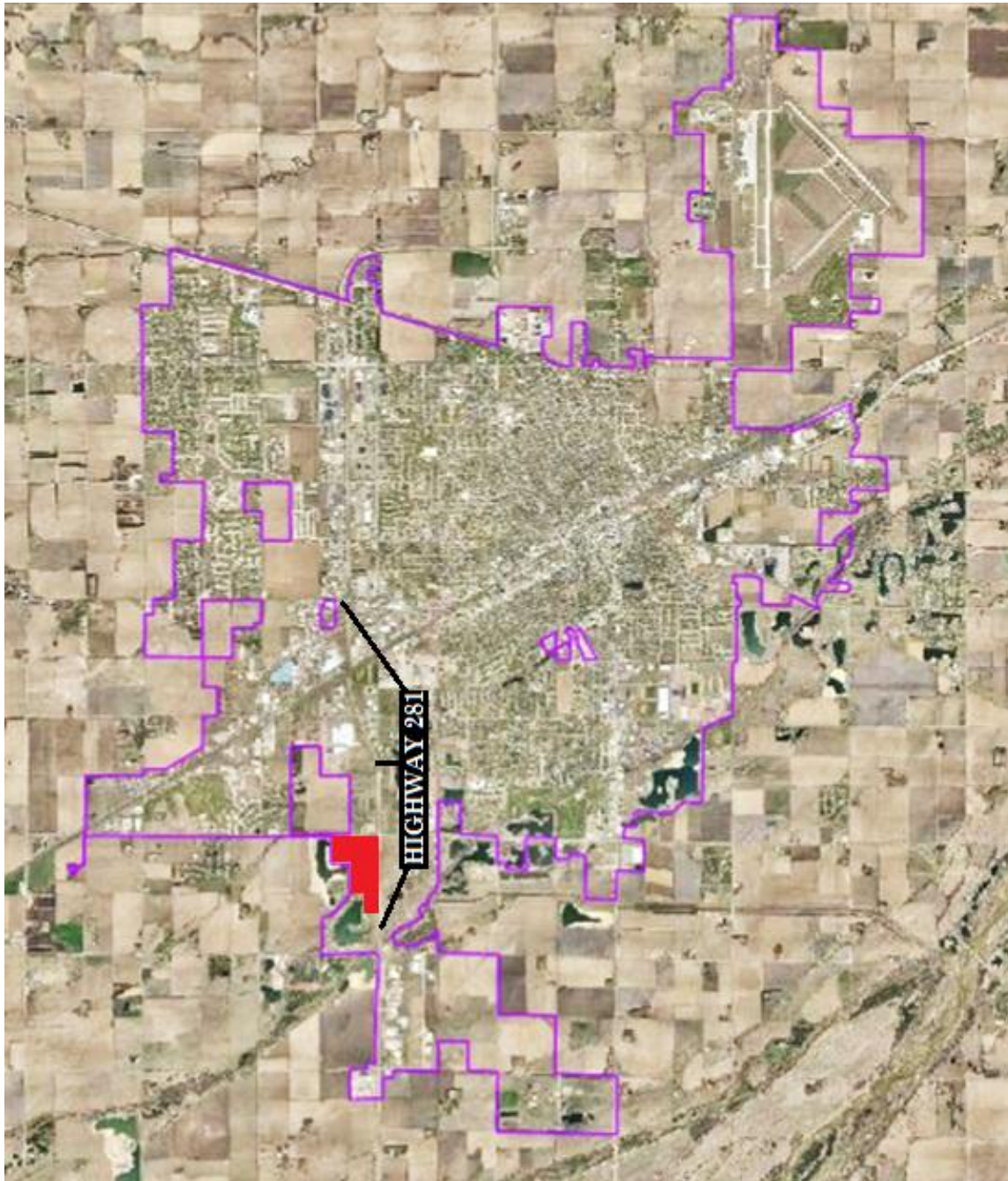
Generally, the **Husker Highway Redevelopment Area** is described as follows: Beginning at the intersection of the extended west line of the Ewoldt Subdivision, or Outlot A and the north line of Husker Highway, thence east along said north line to its intersection with the east line of Section 36, Township 11 North, Range 10 West, thence south along said east line to its intersection with the extended south line of Lot 4 of Ponderosa Village Subdivision, thence west along said extended south line to its intersection with the west line of said Lot 4, thence north along said west line and continuing north along the west line of Lot 3 of said Subdivision to its intersection with northeast line of said Lot 3, thence northeast approximately 34.45 feet to its intersection with the west line of James Road, thence northwest along said west line to its intersection with the south line of Rae Road, thence west along said south line to its intersection with the extended west line of the Ewoldt Subdivision, or west line of Outlot A of same said subdivision, thence north along said extended west line across Rae Road and continuing north approximately 1,261 feet along the west line of said Outlot A to its intersection with a second south line of Outlot A, thence west approximately 827 feet along said second south line to its intersection with the west line Outlot A of the Ewoldt Subdivision, thence north along said west line to its intersection with the south line of Husker Highway, thence continuing north along an extended line of the west line of Outlot A across Husker Highway and intersecting with the north line of Husker Highway, also known as the Point of Beginning.

Illustration 1, “Context Map,” identifies the location of the **Husker Highway Redevelopment Area** in relation to the City of Grand Island. The entire **Area** is within the Corporate Limits of Grand Island. The primary streets and roads within the **Redevelopment Area** include Highway 281, Husker Highway and Rae Road.

Grand Island, Nebraska
Blight & Substandard Determination Study
Husker Highway Redevelopment Area

CONTEXT MAP

HUSKER HIGHWAY REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA



Legend

-  Redevelopment Area
-  Corporate Limit Line

HANNA:KEELAN ASSOCIATES, P.C.
COMMUNITY PLANNING & RESEARCH

* Lincoln, Nebraska * 402.464.5383 *

ILLUSTRATION 1

Grand Island, Nebraska
Blight & Substandard Determination Study
Husker Highway Redevelopment Area

This **blight and substandard evaluation** included a detailed exterior structural survey of 11 structures, a parcel-by-parcel field inventory, conversations with City of Grand Island staff and a review of available reports, documents and information from the City Website containing information which could substantiate the existence of **blight and substandard conditions**.

SUBSTANDARD AREA

As set forth in the Nebraska legislation, a **substandard area** shall mean one in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the presence of the following factors:

1. Dilapidated/deterioration;
2. Age or obsolescence;
3. Inadequate provision for ventilation, light, air, sanitation or open spaces;
4.
 - (a) High density of population and overcrowding; or
 - (b) The existence of conditions which endanger life or property by fire and other causes; or
 - (c) Any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals or welfare.

BLIGHTED AREA

As set forth in the Section 18-2103 (11) Nebraska Revised Statutes (Cumulative Supplement 1994), a **blighted area** shall mean "an area, which by reason of the presence of the following factors:

1. A substantial number of deteriorated or deteriorating structures;
2. The advanced age and associated condition of structures;
3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
4. Insanitary or unsafe conditions due to the age, small diameter of water mains;
5. Deterioration of site or other improvements due to nearly 40 percent of the parcels having overall site conditions rated as "fair";
6. Diversity of ownership;
7. Tax or special assessment delinquency exceeding the fair value of the land;
8. Defective or unusual conditions of title;

Grand Island, Nebraska
Blight & Substandard Determination Study
Husker Highway Redevelopment Area

9. Improper subdivision or obsolete platting;
10. The existence of conditions which endanger life or property by fire or other causes;
11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability; and
12. Is detrimental to the public health, safety, morals or welfare in its present condition and use; and in which there is at least one or more of the following conditions exists;
 1. Unemployment in the study or designated blighted area is at least one hundred twenty percent of the state or national average;
 2. The average age of the residential or commercial units in the area is at least 40 years;
 3. More than half of the plotted and subdivided property in an area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;
 4. The per capita income of the study or designated blighted area is lower than the average per capita income of the City or Village in which the area is designated; or
 5. The area has had either stable or decreasing population based on the last two decennial censuses."

While it may be concluded the mere presence of a majority of the stated **Factors** may be sufficient to make a finding of **blight and substandard**, this evaluation was made on the basis that existing **Blight and Substandard Factors** must be present to an extent which would lead reasonable persons to conclude public intervention is appropriate or necessary to assist with any development or redevelopment activities. Secondly, the distribution of **Blight and Substandard Factors** throughout the **Husker Highway Redevelopment Area** must be reasonably distributed so basically good areas are not arbitrarily found to be blighted simply because of proximity to areas which are **blighted and substandard**.

On the basis of this approach, the Husker Highway Redevelopment Area is found to be eligible as "blighted" and "substandard", within the definition set forth in the legislation. Specifically:

SUBSTANDARD FACTORS

Of the **Four Substandard Factors**, set forth in the **Nebraska Community Development Law**, **three Factors** have a strong presence, while **one Factor** has a reasonable presence in the **Husker Highway Redevelopment Area**. The **Substandard Factors** present are reasonably distributed throughout the **Area**.

**TABLE 1
SUBSTANDARD FACTORS
HUSKER HIGHWAY REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA**

1.	Dilapidated/deterioration.	■
2.	Age or obsolescence.	■
3.	Inadequate provision for ventilation, light, air, sanitation or open spaces.	■
4.	Existence of conditions which endanger life or property by fire and other causes.	■

Strong Presence of Factor ■
Reasonable Presence of Factor ■
No Presence of Factor ○

Source: Hanna:Keelan Associates, P.C., 2015

Strong Presence of Factor -

The results of the field survey identified all 11 structures in the **Husker Highway Redevelopment Area** as ***Deteriorating or Dilapidated***. This **Factor** is a **strong presence** throughout the **Area**.

Based on the results of a parcel-by-parcel field survey analysis, approximately 10, or 91 percent of the 11 total buildings are ***40+ years of age*** (built prior to 1975). The **Factor of Age or Obsolescence** is a **strong presence** throughout the **Husker Highway Redevelopment Area**.

The field analysis determined that the **Substandard Factor *Existence of Conditions Which Endanger Life or Property*** by fire and other causes is a **strong presence** throughout the **Husker Highway Redevelopment Area**. The primary contributing elements include the existence of wood frame buildings with wooden structural elements that are dilapidated. Additionally, the presence of privately owned and abandoned water wells, septic tanks and leach fields are a potential risk to health, safety and welfare of adjacent properties.

Reasonable Presence of Factor -

The conditions which result in ***Inadequate Provision for Ventilation, Light, Air, Sanitation or Open Space*** are a **reasonable presence** and distributed throughout the **Husker Highway Redevelopment Area**. The presence of a privately owned, abandoned farmstead that utilized septic tanks and leach fields is a potential risk to public health, safety and welfare.

The prevailing substandard conditions, evident in buildings and the public infrastructure, as determined by the field survey, include:

1. Aging structures;
2. Dilapidated/deteriorated structures;
3. Privately owned access roads that are deteriorated, dirt surfaced, in poor condition and become impassible during periods of inclement weather;
3. “Fair” to “Poor” overall site conditions;
4. Wood frame buildings with wood structural elements in dilapidated condition are potential fire hazards;
5. Average age of residential structures being in excess of 40+ years of age; and

BLIGHT FACTORS

Of the **12 Blight Factors** set forth in the **Nebraska Community Development Law**, **nine** have a strong presence in the **Husker Highway Redevelopment Area**. The **Factors** “diversity of ownership” and “tax or special assessment excluding the fair value of land” were of little or no presence of Factor. “Defective or unusual condition of title,” was not reviewed. All **Blight Factors** are reasonably distributed throughout the **Redevelopment Area**.

TABLE 2
BLIGHT FACTORS
HUSKER HIGHWAY REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA

1.	A substantial number of deteriorated or dilapidated structures.	☑
2.	Existence of defective or inadequate street layout.	☑
3.	Faulty lot layout in relation to size, adequacy, accessibility or usefulness.	☑
4.	Insanitary or unsafe conditions.	☑
5.	Deterioration of site or other improvements.	☑
6.	Diversity of Ownership.	○
7.	Tax or special assessment delinquency exceeding the fair value of land.	○
8.	Defective or unusual condition of title.	NR
9.	Improper subdivision or obsolete platting.	☑
10.	The existence of conditions which endanger life or property by fire or other causes.	☑
11.	Other environmental and blighting factors.	☑
12.	One of the other five conditions.	☑

Strong Presence of Factor	☑
Reasonable Presence of Factor	▣
Little or No Presence of Factor	○
NR = Not Reviewed	NR

Source: Hanna:Keelan Associates, P.C., 2015

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Strong Presence of Factor –

Deteriorated or Dilapidated Structures are a **strong presence** in the **Husker Highway Redevelopment Area**. All 11 structures within the **Area** were documented as being in a “deteriorating-major” or “dilapidated” condition.

Defective or Inadequate Street Layout is a **strong presence** in the **Husker Highway Redevelopment Area**, due to the **Area** being only accessible via a long privately owned gravel surfaced access road/driveway that runs along the west side of Highway 281. The lack of available roads within the **Redevelopment Area** is a detriment to future development opportunities.

Faulty Lot Layout exists to a **strong presence** throughout the **Husker Highway Redevelopment Area**. Conditions contributing to the presence of this **Factor** include a subdivision platted for commercial development that never occurred, leaving individual platted lots with no access to municipal infrastructure.

Insanitary or Unsafe Conditions are a **strong presence** throughout the entire **Husker Highway Redevelopment Area**. Conditions contributing to this **Factor** include abandoned, privately-owned water wells, septic tanks and leach fields associated with a former farmstead and the lack of available municipal infrastructure throughout the **Redevelopment Area**.

Deterioration of Site or Other Improvements is a **strong presence** throughout the **Area**. Of the total two parcels examined, one had “poor” overall site conditions.

Improper Subdivision or Obsolete Platting is a **strong presence** throughout the **Husker Highway Redevelopment Area**. Lot sizes throughout the **Redevelopment Area** are not supportive of today’s residential or commercial development requirements.

The ***“Existence of conditions which endanger life or property by fire or other causes”*** is a **strong presence** throughout the **Redevelopment Area**. The lack of municipal water mains and fire hydrants threatens existing structures and properties throughout the **Area**.

A **strong presence** of ***“Other environmental and blighting factors,”*** is represented by the dilapidated and abandoned farm house and associated agricultural outbuildings. These factors are indicative of conditions related to the functional and economic obsolescence of the former farmstead. This land use no longer functions as a viable farming operation. Surrounding properties are also transitioning to urbanized uses, rather than agricultural.

One of the other five conditions involving the “average age of residential or commercial units in the area is at least 40 years” has a **strong presence**, as the existing farmstead is estimated to have been constructed circa 1905, or approximately 110 years of age.

Conclusion

It is the conclusion of the Consultant that the number, degree and distribution of **Blight and Substandard Factors**, as documented in this **Executive Summary**, are beyond remedy and control solely by regulatory processes in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided in the **Nebraska Community Development Law**. It is also the opinion of the Consultant, that the findings of this **Blight and Substandard Determination Study** warrant designating the **Husker Highway Redevelopment Area** as "substandard" and "blighted."

The conclusions presented in this **Study**, are those of the Consultant engaged to examine whether conditions of **blight and substandard** exist. The local governing body should review this **Study** and, if satisfied with the summary of findings contained herein, may adopt a resolution making a **finding of blight and substandard** and this **Study** a part of the public record.

BASIS FOR REDEVELOPMENT

For a project in Grand Island to be eligible for redevelopment under the **Nebraska Community Development Law**, the subject area or areas must first qualify as both a “**substandard**” and “**blighted**” area, within the definition set forth in the **Nebraska Community Development Law**. This **Study** has been undertaken to determine whether conditions exist which would warrant designation of the **Husker Highway Redevelopment Area** as a “**blighted and substandard area**” in accordance with provisions of the law.

As set forth in Section 18-2103 (10) Neb. Rev. Stat. (Cumulative Supplement 1994), a **substandard area** shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the following:

1. Dilapidation/deterioration;
2. Age or obsolescence;
3. Inadequate provision for ventilation, light, air, sanitation or open spaces;
4.
 - (a) High density of population and overcrowding; or
 - (b) The existence of conditions which endanger life or property by fire and other causes; or
 - (c) Any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals or welfare.

As set forth in the Nebraska legislation, a **blighted area** shall mean an area, which by reason of the presence of:

1. A substantial number of deteriorated or deteriorating structures;
2. Existence of defective or inadequate street layout;
3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness;
4. Insanitary or unsafe conditions;
5. Deterioration of site or other improvements;
6. Diversity of ownership;
7. Tax or special assessment delinquency exceeding the fair value of the land;
8. Defective or unusual conditions of title;

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9. Improper subdivision or obsolete platting;
10. The existence of conditions which endanger life or property by fire or other causes;
11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability;
12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
 1. Unemployment in the designated blighted area is at least one hundred twenty percent of the state or national average;
 2. The average age of the residential or commercial units in the area is at least 40 years;
 3. More than half of the plotted and subdivided property in the area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;
 4. The per capita income of the designated blighted area is lower than the average per capita income of the City or Village in which the area is designated; or
 5. The area has had either stable or decreasing population based on the last two decennial censuses.

The Consultant for this **Blight and Substandard Determination Study** was guided by the premise that the finding of **blight and substandard** must be defensible and sufficient. Evidence of the presence of the previously listed **Factors** should exist so members of the City Council of Grand Island (local governing body), acting as reasonable and prudent persons, could conclude public intervention is necessary or appropriate. Therefore, each factor was evaluated in the context of the extent of its presence and the collective impact of all **Factors** found to be present.

Also, these deficiencies should be reasonably distributed throughout the **Husker Highway Redevelopment Area**. Such a "reasonable distribution of deficiencies test" would preclude localities from taking concentrated **areas of blight and substandard conditions** and expanding the areas arbitrarily into non-blighted/ substandard areas for planning or other reasons. The only exception which should be made to this rule is where projects must be brought to a logical boundary to accommodate new development and ensure accessibility, but even in this instance, the conclusion of such areas should be minimal and related to an area otherwise meeting the reasonable distribution of deficiencies test.

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THE STUDY AREA

The purpose of this **Study** is to determine whether all or part of the **Husker Highway Redevelopment Area** in Grand Island, Nebraska, qualifies as a **blighted and substandard area**, within the definition set forth in the **Nebraska Community Development Law**, Section 18-2103.

The **Husker Highway Redevelopment Area** shall include all real property that is within the following boundary description, as follows:

- Ewoldt Subdivision: entire subdivision, including Lots 1-10 and Outlots A, B and C.
- Ponderosa Village Subdivision: Block 0, Lots 1-4.

Generally, the **Husker Highway Redevelopment Area** is described as follows: Beginning at the intersection of the extended west line of the Ewoldt Subdivision, or Outlot A and the north line of Husker Highway, thence east along said north line to its intersection with the east line of Section 36, Township 11 North, Range 10 West, thence south along said east line to its intersection with the extended south line of Lot 4 of Ponderosa Village Subdivision, thence west along said extended south line to its intersection with the west line of said Lot 4, thence north along said west line and continuing north along the west line of Lot 3 of said Subdivision to its intersection with northeast line of said Lot 3, thence northeast approximately 34.45 feet to its intersection with the west line of James Road, thence northwest along said west line to its intersection with the south line of Rae Road, thence west along said south line to its intersection with the extended west line of the Ewoldt Subdivision, or west line of Outlot A of same said subdivision, thence north along said extended west line across Rae Road and continuing north approximately 1,261 feet along the west line of said Outlot A to its intersection with a second south line of Outlot A, thence west approximately 827 feet along said second south line to its intersection with the west line Outlot A of the Ewoldt Subdivision, thence north along said west line to its intersection with the south line of Husker Highway, thence continuing north along an extended line of the west line of Outlot A across Husker Highway and intersecting with the north line of Husker Highway, also known as the Point of Beginning.

Illustration 1, “Context Map,” identifies the location of the **Husker Highway Redevelopment Area** in relation to the City of Grand Island. The entire **Area** is located within the Corporate Limits of Grand Island. The primary streets and roads within the **Redevelopment Area** include Highway 281, Husker Highway and Rae Road.

Major land uses in the **Husker Highway Redevelopment Area** consist, primarily, of vacant agricultural land, including farmstead residential. These land uses are highlighted in **Illustration 2**. The **Redevelopment Area** contains an estimated 116.5 acres, of which 19.8 acres, or approximately 17 percent of the **Area** has been developed.

The major roadways within and bordering the **Husker Highway Redevelopment Area** are Husker Highway to the north and Highway 281 along the eastern perimeter of the **Redevelopment Area**. Rae Road separates the Ewoldt and Ponderosa Village Subdivisions.

Table 3 identifies the estimated **existing land uses** within the **Redevelopment Area**, in terms of number of acres and percentage of total for all existing land uses.

TABLE 3
EXISTING LAND USES
HUSKER HIGHWAY REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA

<u>Land Use</u>	<u>Acres</u>	<u>Percent</u>
Vacant/Agriculture	96.7	83.0%
Farmstead Residential	4.8	4.1%
<u>Streets / Highways</u>	<u>15.0</u>	<u>12.9%</u>
Total Acreage	116.5	100.0%

Source: Hanna:Keelan Associates, P.C., 2015.

Illustration 3 identifies the existing **Zoning Classifications** within the **Husker Highway Redevelopment Area**, north of Rae Road, as a “**TA - Transitional Agricultural District**.” Two additional zoning districts exist for land south of Rae Road, including a “**B2 – General Business District**” for lots 2 through 4 of the Ponderosa Village Subdivision, and a “**RD – Residential Development District**” for Lot 1. Zoning activities throughout the **Husker Highway Redevelopment Area** are controlled by the City of Grand Island.

EXISTING LAND USE MAP

HUSKER HIGHWAY REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA



LEGEND

- VACANT
- FARMSTEAD RESIDENTIAL
- REDEVELOPMENT AREA BOUNDARY

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COMMUNITY PLANNING & RESEARCH

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ILLUSTRATION 2

Grand Island, Nebraska
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EXISTING ZONING MAP

HUSKER HIGHWAY REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA



LEGEND

TA - TRADITIONAL AGRICULTURAL DISTRICT
B2 - GENERAL BUSINESS DISTRICT
RD - RESIDENTIAL DEVELOPMENT DISTRICT
— REDEVELOPMENT AREA BOUNDARY

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ILLUSTRATION 3

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THE RESEARCH APPROACH

The **blight and substandard determination research approach** implemented for the **Husker Highway Redevelopment Area** included an area-wide assessment (100 percent sample) of all of the Blight and Substandard Factors identified in the **Nebraska Community Development Law**, with the exception of **defective or unusual condition of title**. All **Factors** were investigated on an area-wide basis.

Structural Survey Process

The rating of building conditions is a critical step in determining the eligibility of an area for redevelopment. It is important that the system for classifying buildings be based on established evaluation standards and criteria and that it result in an accurate and consistent description of existing conditions.

A structural condition survey was conducted in January, 2015. A total of **11 structures** received exterior inspections. These structures were examined to document structural deficiencies in individual buildings and to identify related environmental deficiencies in the **Husker Highway Redevelopment Area**. The “Structural Condition Survey Form” utilized in this process is provided in the **Appendix**.

Parcel-by-Parcel Field Survey

A parcel-by-parcel field survey was also conducted in January, 2015, with each subdivision being surveyed as a single parcel. A total of **two parcels**, containing 17 total lots, were inspected for existing and adjacent land uses, overall site conditions, existence of debris, parking conditions and street, sidewalk and alley surface conditions. The Condition Survey Form is included in the **Appendix**, as well as the results of the Survey.

Research on Property Ownership and Financial Assessment of Properties

Public records, including municipal and county offices, involving all parcels in the **Husker Highway Redevelopment Area** were analyzed to determine the number of property owners within the **Area**.

An examination of public records was conducted to determine if tax delinquencies existed for properties in the **Husker Highway Redevelopment Area**. The valuation, tax amount and any delinquent amount was examined for each of the properties.

ELIGIBILITY SURVEY AND ANALYSIS FINDINGS

An analysis was made of each of the **Blight and Substandard Factors** listed in the Nebraska legislation to determine whether each or any were present in the **Husker Highway Redevelopment Area** and, if so, to what extent and in what locations. The following represents a summary evaluation of each **Blight and Substandard Factor** presented in the order of listing in the law.

SUBSTANDARD FACTORS

(1) Dilapidation/Deterioration of Structures

The rating of building conditions is a critical step in determining the eligibility of a substandard area for redevelopment. The system for classifying buildings must be based on established evaluation standards and criteria and result in an accurate and consistent description of existing conditions.

This section summarizes the process used for assessing building conditions in the **Husker Highway Redevelopment Area**, the standards and criteria used for evaluation and the findings as to the existence of dilapidation/deterioration of structures.

The building condition analysis was based on an exterior inspection of all **11 existing structures**, within the **Husker Highway Redevelopment Area**, to note structural deficiencies in individual buildings and to identify related environmental deficiencies for individual sites or parcels within the **Area**.

1. Structures/Building Systems Evaluation.

During the on-site field analysis, each component of a structure/building was examined to determine whether it was in sound condition or has minor, major, or critical defects. Structures/building systems examined included the following three types, **one Primary** and **two Secondary**.

Structural Systems (Primary Components). These include the basic elements of any structure/building: roof structure, wall foundation, and basement foundation.

(Secondary Components)

Building Systems. These components include: roof surface condition, chimney, gutters/down spouts, and exterior wall surface.

Architectural Systems. These are components generally added to the structural systems and are necessary parts of the structure/building, including exterior paint, doors, windows, porches, steps, and fire escape, and driveways and site conditions.

The evaluation of each individual parcel of land included the review and evaluation of: adjacent land use, street surface type, street conditions, sidewalk conditions, parking, railroad track/right-of-way composition, existence of debris, existence of vagrants, and overall site condition, and the documentation of age and type of structure/building.

2. Criteria for Rating Components for Structural, Building and Architectural Systems.

The components for the previously identified Systems were individually rated utilizing the following criteria.

Sound. Component that contained no defects, is adequately maintained, and requires no treatment outside of normal ongoing maintenance.

Minor Defect. Component that contains minor defects (loose or missing material or holes and cracks over a limited area). These can be corrected through the course of normal maintenance. The correction of such defects may be accomplished by the owner or occupants, such as pointing masonry joints over a limited area or replacement of less complicated systems. Minor defects are considered in rating a structure /building as deteriorating/dilapidated.

Major Defect. Components that contained major defects over a widespread area and would be difficult to correct through normal maintenance. Structures/buildings having major defects would require replacement or rebuilding of systems by people skilled in the building trades.

Critical Defect. Components that contained critical defects (bowing, sagging, or settling to any or all exterior systems causing the structure to be out-of-plumb or broken, loose or missing material and deterioration over a widespread area) so extensive the cost of repairs would be excessive in relation to the value returned on the investment.

3. **Final Structure/Building Rating.**

After completion of the **Exterior Rating** of each structure/building, each individual structure/building was placed in one of four categories, based on the combination of defects found with Components contained in Structural, Building and Architectural Systems. Each final rating is described below:

Sound. Defined as structures/buildings that can be kept in a standard condition with normal maintenance. Structures/buildings, so classified, **have less than six points.**

Deteriorating-Minor. Defined as structures / buildings classified as deficient--requiring minor repairs--**having between six and 10 points.**

Deteriorating-Major. Defined as structures/buildings classified as deficient--requiring major repairs-- **having between 11 and 20 points.**

Dilapidated. Defined as structurally substandard structures / buildings containing defects that are so serious and so extensive that it may be most economical to raze the structure/building. Structures/buildings classified as dilapidated will **have at least 21 points.**

An individual ***Exterior Rating Form*** is completed for each structure/building. The results of the ***Exterior Rating*** of all structures/buildings are presented in a ***Table format.***

Primary Components	Secondary Components
One Critical = 11 pts.	One Critical = 6 pts.
Major Deteriorating = 6 pts.	Major Deteriorating = 3 pts.
Minor = 2 pts.	Minor = 1 pt.

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Major deficient buildings are considered to be the same as deteriorating buildings as referenced in the Nebraska legislation; substandard buildings are the same as dilapidated buildings. The word "building" and "structure" are presumed to be interchangeable.

4. Field Survey Conclusions.

The conditions of the total **11 buildings** within the **Husker Highway Redevelopment Area** were determined based on the finding of the exterior survey. These surveys indicated the following:

- None (0) of the structures were classified as structurally **sound**;
- None (0) of the structures were classified as **deteriorating** with **minor** defects.
- One (1) structure was classified as **deteriorating** with **major** defects; and
- Ten (10) structures were classified as **dilapidated**.

The results of the exterior structural survey identified the condition of structures throughout the **Husker Highway Redevelopment Area**. All of the 11 total structures were either deteriorating with major defects or dilapidated to a substandard condition.

Conclusion.

The results of the structural condition survey indicate deteriorating structures having a strong presence throughout the **Husker Highway Redevelopment Area**. Table 4 identifies the results of the structural rating process per building type.

TABLE 4
EXTERIOR SURVEY FINDINGS
HUSKER HIGHWAY REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA

<u>Exterior Structural Rating</u>						
<u>Activity</u>	<u>Sound</u>	<u>Deteriorating (Minor)</u>	<u>Deteriorating (Major)</u>	<u>Dilapidated</u>	<u>Number of Structures</u>	<u>Deteriorating and/ or Dilapidated</u>
Residential	0	0	0	1	1	1
<u>Other</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>9</u>	<u>10</u>	<u>10</u>
Total	0	0	1	10	11	11
Percent	0%	0%	9.1%	90.9%	100.0%	100.0%

Source: Hanna:Keelan Associates, P.C., 2015.

(2) Age of Obsolescence.

As per the results of the field survey and by confirmation from Hall County Assessor's Office property records, an estimated 10 (90.9 percent) of the total 11 structures in the **Area** are 40+ years of age, or built prior to 1975. Additionally, the existing farmstead is estimated to have been constructed circa 1905, or approximately 110 years of age.

Conclusion.

The age and obsolescence of the structures is a strong presence throughout the Husker Highway Redevelopment Area.

(3) **Inadequate Provision for Ventilation, Light, Air, Sanitation or Open Spaces.**

The results from the exterior structural survey, along with other field data, provided the basis for the identification of insanitary and unsafe conditions in the **Husker Highway Redevelopment Area**. **Factors** contributing to insanitary and unsafe conditions are discussed below.

As per the results of the field survey, all 11 total structures in the **Husker Highway Redevelopment Area** were rated as either “deteriorating-major” or “dilapidated”. When not adequately maintained or upgraded to present-day occupancy standards, buildings in these conditions pose safety and sanitary problems. Wood frame buildings with wooden structural elements were found to be deteriorating or dilapidated and in need of demolition.

Site features in the **Redevelopment Area**, such as privately owned access road/driveway and adjacent open storm water drainage ditches, were also rated as being deteriorated. **One of the total two parcels was identified as having “poor” overall site conditions.**

The City of Grand Island’s Public Works Staff stated that the municipal water and sewer mains located at the perimeter of the **Husker Highway Redevelopment Area**, were constructed in 1992. Water mains are located within the Right-of-Ways of Husker Highway and Highway 281 and are 20” diameter. Sanitary sewer mains are 27” in diameter along Highway 281, and 36” diameter along Husker Highway. These utility mains are trunk mains that distribute water and collect sanitary sewage from several subdivisions in southwestern Grand Island and are planned to be extended to service properties near the Interstate 80 Corridor, in the near future. An 8” water main and 10” sewer main travel through Lot 1 of Ponderosa Village Subdivision, connecting the Ponderosa residential development to the main trunk lines along Highway 281. These utility mains exceed engineering standards utilized by the City of Grand Island. Although modern utility mains are readily available to properties within the **Redevelopment Area**, none of the interior lots are presently connected by service lines to public utilities.

Conclusion

The inadequate provision for ventilation, light, air, sanitation or open spaces in the Husker Highway Redevelopment Area is of a reasonable presence to constitute a Substandard Factor.

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4) **The Existence of Conditions Which Endanger Life or Property by Fire and Other Causes.**

1. **Building Elements that are Combustible.**

Wood-framed buildings with wooden structural elements are located in the **Husker Highway Redevelopment Area**. An abandoned farmstead house and farm buildings have been vacant for an extended length of time and are dilapidated. None of the buildings are capable of being adaptively reused and should be demolished. **All 11 buildings have been determined to be in either a “deteriorating-major” or “dilapidated” condition.**

2. **Lack of Adequate Utilities.**

The City of Grand Island’s Public Works Staff stated that the municipal water and sewer mains located at the perimeter of the **Husker Highway Redevelopment Area**, were constructed in 1992. Water mains are located within the Right-of-Ways of Husker Highway and Highway 281 and are 20” diameter. Sanitary sewer mains are 27” in diameter along Highway 281, and 36” diameter along Husker Highway. These utility mains are trunk mains that distribute water and collect sanitary sewage from several subdivisions in southwestern Grand Island and are planned to be extended to service properties near the Interstate 80 Corridor, in the near future. An 8” water main and 10” sewer main travel through Lot 1 of Ponderosa Village Subdivision, connecting the Ponderosa residential development to the main trunk lines along Highway 281. These utility mains exceed engineering standards utilized by the City of Grand Island. Although modern utility mains are readily available to properties within the **Redevelopment Area**, none of the interior lots are presently connected by service lines to public utilities.

Specific data relating to the **Husker Highway Redevelopment Area** is discussed in the following paragraphs.

A total of 10 (91 percent) of the total 11 structures in the **Husker Highway Redevelopment Area** were built prior to 1975, thus 40+ years of age. The existing farmstead is estimated to have been constructed circa 1905, or approximately 110 years of age. Wood frame buildings include a farmstead house and associated agricultural outbuildings, all of which are deteriorated or dilapidated, and are in need of demolition.

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Overall site conditions at properties throughout the **Husker Highway Redevelopment Area** were generally found to be in “poor” condition. **The field survey determined that one of the two total parcels was found to be in “poor” condition.** Generally, conditions combining for this determination included the evaluation of the general condition of structures, overall site conditions and adjacent right-of-way conditions.

Conclusion.

The conditions which endanger life or property by fire and other causes are a strong presence throughout the Husker Highway Redevelopment Area.



BLIGHT FACTORS

(1) Dilapidation/Deterioration of Structures.

The rating of building conditions is a critical step in determining the eligibility of a substandard area for redevelopment. The system for classifying buildings must be based on established evaluation standards and criteria and result in an accurate and consistent description of existing conditions.

This section summarizes the process used for assessing building conditions in the **Husker Highway Redevelopment Area**, the standards and criteria used for evaluation and the findings as to the existence of dilapidation/deterioration of structures.

The building condition analysis was based on an exterior inspection of all **11 existing structures**, within the **Husker Highway Redevelopment Area**, to note structural deficiencies in individual buildings and to identify related environmental deficiencies for individual sites or parcels within the **Area**.

1. Structures/Building Systems Evaluation.

During the on-site field analysis, each component of a structure/building was examined to determine whether it was in sound condition or has minor, major, or critical defects. Structures/building systems to be examined will include the following three types, **one Primary** and **two Secondary**.

Structural Systems (Primary Components). These include the basic elements of any structure/building: roof structure, wall foundation, and basement foundation.

(Secondary Components)

Building Systems. These components include: roof surface condition, chimney, gutters/down spouts, and exterior wall surface.

Architectural Systems. These are components generally added to the structural systems and are necessary parts of the structure/building, including exterior paint, doors, windows, porches, steps, and fire escape, and driveways and site conditions.

The evaluation of each individual parcel of land includes the review and evaluation of: adjacent land use, street surface type, street conditions, sidewalk conditions, parking, railroad track/right-of-way composition, existence of debris, existence of vagrants, and overall site condition, and the documentation of age and type of structure/building.

2. Criteria for Rating Components for Structural, Building and Architectural Systems.

The components for the previously identified Systems, are individually rated utilizing the following criteria.

Sound. Component that contained no defects, is adequately maintained, and requires no treatment outside of normal ongoing maintenance.

Minor Defect. Component that contained minor defects (loose or missing material or holes and cracks over a limited area) which often can be corrected through the course of normal maintenance. The correction of such defects may be accomplished by the owner or occupants, such as pointing masonry joints over a limited area or replacement of less complicated systems. Minor defects are considered in rating a structure/building as deteriorating/dilapidated.

Major Defect. Components that contained major defects over a widespread area and would be difficult to correct through normal maintenance. Structures/buildings having major defects would require replacement or rebuilding of systems by people skilled in the building trades.

Critical Defect. Components that contained critical defects (bowing, sagging, or settling to any or all exterior systems causing the structure to be out-of-plumb or broken, loose or missing material and deterioration over a widespread area) so extensive the cost of repairs would be excessive in relation to the value returned on the investment.

3. Final Structure/Building Rating.

After completion of the **Exterior Rating** of each structure/building, each individual structure/building was placed in one of four categories, based on the combination of defects found with Components contained in Structural, Building and Architectural Systems. Each final rating is described below:

Sound. Defined as structures/buildings that can be kept in a standard condition with normal maintenance. Structures/buildings, so classified, **have less than six points.**

Deteriorating-Minor. Defined as structures/buildings classified as deficient--requiring minor repairs--**having between six and 10 points.**

Deteriorating-Major. Defined as structures/buildings classified as deficient--requiring major repairs-- **having between 11 and 20 points.**

Dilapidated. Defined as structurally substandard structures/buildings containing defects that are so serious and so extensive that it may be most economical to raze the structure/building. Structures/buildings classified as dilapidated will **have at least 21 points.**

An individual ***Exterior Rating Form*** is completed for each structure/building. The results of the ***Exterior Rating*** of all structures/buildings are presented in a ***Table format.***

Primary Components	Secondary Components
One Critical = 11 pts.	One Critical = 6 pts.
Major Deteriorating = 6 pts.	Major Deteriorating = 3 pts.
Minor = 2 pts.	Minor = 1 pt.

Major deficient buildings are considered to be the same as deteriorating buildings as referenced in the Nebraska legislation; substandard buildings are the same as dilapidated buildings. The word "building" and "structure" are presumed to be interchangeable.

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4. Field Survey Conclusions.

The conditions of the total **11 buildings** within the **Husker Highway Redevelopment Area** were determined based on the finding of the exterior survey. These surveys indicated the following:

- None (0) of the structures were classified as structurally **sound**;
- None (0) of the structures were classified as **deteriorating** with **minor** defects.
- One (1) structure was classified as **deteriorating** with **major** defects; and
- Ten (10) structures were classified as **substandard**.

The results of the exterior structural survey identified the condition of structures throughout the **Husker Highway Redevelopment Area**. Of the 11 total structures, all were either deteriorating or dilapidated to a substandard condition.



Conclusion.

The results of the structural condition survey indicate deteriorating structures have a strong presence throughout the Husker Highway Redevelopment Area. Table 5 identifies the results of the structural rating process per building type.

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**TABLE 5
EXTERIOR SURVEY FINDINGS
HUSKER HIGHWAY REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA**

Exterior Structural Rating

<u>Activity</u>	<u>Sound</u>	<u>Deteriorating (Minor)</u>	<u>Deteriorating (Major)</u>	<u>Dilapidated</u>	<u>Number of Structures</u>	<u>Deteriorating and/ or Dilapidated</u>
Residential	0	0	0	1	1	1
Other	<u>0</u>	<u>0</u>	<u>1</u>	<u>9</u>	<u>10</u>	<u>10</u>
Total	0	0	1	10	11	11
Percent	0%	0%	9.1%	90.9%	100.0%	100.0%

Source: Hanna:Keelan Associates, P.C., 2015.



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(2) Existence of Defective or Inadequate Street Layout.

The **Husker Highway Redevelopment Area** consists of land platted for local streets, but are not currently paved. The Highway 281 Corridor is situated at the eastern boundary of the **Redevelopment Area**, while Husker Highway is located across the northern boundary. Rae Road separates the Ewoldt and Ponderosa Village Subdivisions. Major problem conditions that contribute to the **Factor** of existence of defective or inadequate street layout are discussed below.

1. Poor Condition Frontage and Access Streets.

A privately owned access road, or driveway leading to the abandoned farmstead house and buildings is a dirt surfaced road with two tire lanes on either side of a grass center strip. The completion of the four-lane Highway 281 Corridor, several years ago, relocated the farmstead driveway from the Highway to Rae Road. This access road to the abandoned farmstead is in substandard condition, lacks a sufficient road base and has inadequate storm water drainage ditches. During inclement weather conditions, this property would become inaccessible by motor vehicles.



Conclusion.

The existence of defective or inadequate street layout in the Husker Highway Redevelopment Area is a strong presence and constitutes a Blight Factor.

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3) **Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness.**

Building use and condition surveys, the review of property ownership and subdivision records and field surveys resulted in the identification of conditions associated with faulty lot layout in relation to size, adequacy and accessibility, or usefulness of land within the **Husker Highway Redevelopment Area**. The problem conditions include:

1. **Inadequate Lot Size and Adequacy Issues.**

The entire **Husker Highway Redevelopment Area** is identified as the Ewoldt Subdivision, which was platted in April, 2006, and Lots 1 through 4 of the Ponderosa Village Subdivision, platted in December, 2011. **Each subdivision was surveyed as one parcel.** The Ewoldt Subdivision includes 10 individual lots, located along the two Highway Corridors and ranging in size from approximately one to two acres. Three additional “outlots” are also located along the perimeter of the **Area**, while a fourth, Outlot “A,” is identified as being nearly 65 acres in area and encompasses the abandoned farmstead. The four lots of Ponderosa Village Subdivision range in size from 0.31 acres to 1.53 Acres and includes a right-of-way for the unpaved, James Road.

2. **Accessibility or Usefulness.**

Access to individual properties and public facilities are limited within the **Husker Highway Redevelopment Area**. Although highly visible from Highway 281 and Husker Highway, the **Redevelopment Area** is only accessible from Rae Road. A secondary farm field access is located at the south side of Husker Highway, in the northwest corner of the **Redevelopment Area**.

A concrete surfaced trail is located directly east of Highway 281, but no sidewalks exist adjacent the **Redevelopment Area**. Residents of Ponderosa Lake Estates, located southwest of the **Redevelopment Area**, must cross the four-lane highway at Rae Road, which is not a signalized intersection, to access the trail. The intersection of Husker Highway and Highway 281 is a fully signalized intersection, but no sidewalks exist along the east or north perimeters of the **Redevelopment Area**.

Conclusion.

Faulty lot layout in relation to size, adequacy and usefulness is a strong presence throughout the Husker Highway Redevelopment Area.

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(4) Insanitary and Unsafe Conditions.

The results of the area-wide field survey, along with information retained from City Officials, provided the basis for the identification of insanitary and unsafe conditions within the **Husker Highway Redevelopment Area**.

1. Age and Associated Condition of Structures.

The analysis of the 11 structures in the **Husker Highway Redevelopment Area** concluded that 10 (91 percent) are 40+ years of age, built prior to 1975. Additionally, the existing farmstead is estimated to have been constructed circa 1905, or approximately 110 years of age. The advanced age of the abandoned farmstead buildings has resulted in dilapidated structures that are potentially dangerous to adjacent property, vagrants/trespassers and are detrimental to future development.

2. Lack of Adequate Utilities.

The City of Grand Island's Public Works Staff stated that the municipal water and sewer mains located at the perimeter of the **Husker Highway Redevelopment Area**, were constructed in 1992. Water mains are located within the Right-of-Ways of Husker Highway and Highway 281 and are 20" diameter. Sanitary sewer mains are 27" in diameter along Highway 281, and 36" diameter along Husker Highway. These utility mains are trunk mains that distribute water and collect sanitary sewage from several subdivisions in southwestern Grand Island and are planned to be extended to service properties near the Interstate 80 Corridor, in the near future. An 8" water main and 10" sewer main travel through Lot 1 of Ponderosa Village Subdivision, connecting the Ponderosa residential development to the main trunk lines along Highway 281. These utility mains exceed engineering standards utilized by the City of Grand Island. Although modern utility mains are readily available to properties within the **Redevelopment Area**, none of the interior lots are presently connected by service lines to public utilities.

Conclusion.

Insanitary and unsafe conditions are a strong presence throughout the Husker Highway Redevelopment Area.

(5) **Deterioration of Site or Other Improvements.**

Field observations were conducted to determine the condition of site or other improvements within the **Husker Highway Redevelopment Area**, including arterial and local streets, storm water drainage ditches, traffic control devices and off-street parking. The **Appendix** documents the present condition of these site features. The primary problems in the **Husker Highway Redevelopment Area** are age, debris and inadequate public improvements.

One of the total two parcels within the **Husker Highway Redevelopment Area** received an overall site condition rating of “poor.” Conditions that lead to these findings included:

1. The abandoned farmstead house and associated buildings are accessed by a long dirt surfaced access road, or driveway. The access road connects to Rae Road and was observed to be in poor condition, lacking an adequate road base and associated storm water drainage ditches. As a result, this access road can become impassable during inclement weather. Ponding water in the areas lacking adequate storm water drainage systems can attract mosquitoes and other pests. A large swale is located along the southern border of the **Redevelopment Area**, to control heavy rain and flooding issues.
2. A concrete surfaced trail exists along the east side of Highway 281, but no sidewalks exist at the east or north sides of the **Redevelopment Area**. Pedestrians in the residential subdivision southwest of the **Redevelopment Area** could cross Highway 281 at its intersection with Rae Road, but no traffic control devices exist at this location. The intersection of Highway 281 and Husker Highway is fully signalized, but no sidewalks exist along the eastern perimeter of the **Redevelopment Area** to accommodate pedestrian access to this intersection.

Conclusion.

Deterioration of site improvements is a strong presence in the Husker Highway Redevelopment Area.

(6) **Diversity of Ownership.**

Only one individual partnership or corporation owns all property within the **Husker Highway Redevelopment Area**. Publicly owned lands and local street rights-of-way are located at the perimeter of the **Husker Highway Redevelopment Area**.

The necessity to acquire numerous lots is typically a hindrance to redevelopment. However, in the case of the **Husker Highway Redevelopment Area**, there is only one owner of record.

Conclusion.

The factor “diversity of ownership” is of no presence throughout the **Husker Highway Redevelopment Area**.



(7) **Tax or Special Assessment Delinquency Exceeding the Fair Value of the Land.**

A thorough examination of public records was conducted to determine the status of taxation of properties located in the **Husker Highway Redevelopment Area**. It should be noted, real estate is taxed at approximately 98 percent of fair value, rendering it almost impossible for a tax to exceed value in a steady real estate market. If a badly dilapidated property was assessed (or valued) too high, the public protest system is designed to give the owner appropriate relief and tax adjustment.

1. **Real Estate Taxes.**

Public records were examined for the purposes of determining if delinquent taxes were currently outstanding on parcels within the **Husker Highway Redevelopment Area**. The records indicated that **neither** of the two parcels were classified as delinquent by the Hall County Treasurer's Office.

2. **Real Estate Taxes.**

The tax values within the **Husker Highway Redevelopment Area** generally appeared to be equal to or greater than the market value of the properties. The total estimated appraised valuation within the **Husker Highway Redevelopment Area** is **\$636,916**.

3. **Tax Exempt.**

No properties within the **Husker Highway Redevelopment Area** were identified by the Hall County Assessor and Treasurer's Offices as having full or partial exemption from property taxes.

Conclusion.

Taxes or special assessments delinquency were of no presence throughout the Husker Highway Redevelopment Area.

(8) Defective or Unusual Condition of Title.

Whenever land is sold, mortgaged, or both, a title insurance policy is typically issued, at which time any title defects are corrected. Once title insurance has been written, all other titles in the same subdivision or addition will only have to be checked for the period of time subsequent to the creation of the addition or subdivision, as everything previous is the same and any defects will already have been corrected. Thus, the only possibility for title problems are from improper filings, since platting on properties that have not been mortgaged or sold is very small.

Conclusion.

Examination of public records does not provide any basis for identifying any defective or unusual conditions of title. Such few conditions as may exist would contribute to neither any existing problems nor to difficulty in acquisition or redevelopment and are therefore not found to exist at a level large enough to constitute a Blight Factor in the Husker Highway Redevelopment Area.



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(9) Improper Subdivision or Obsolete Platting.

An in-depth analysis of the subdivision conditions in the **Husker Highway Redevelopment Area** revealed that improper subdivision and obsolete platting is prevalent throughout the **Area**. The two parcels contain a total of 17 lots varying in size and shape. The Ewoldt Subdivision was platted in 2006 and contains 10 individual lots ranging in area from one to two acres. The lots in the Ewoldt Subdivision are located along the perimeter of the **Redevelopment Area**, fronting on both Husker Highway and Highway 281. Additionally, three “outlots” are located between these small individual lots, while a large, approximately 65 acre outlot, encompasses the remaining portion of the Ewoldt Subdivision. The Ponderosa Village Subdivision was platted in December, 2011 and contains four individual lots ranging from 0.31 acres to 1.53 acres.

A former farmstead has become economically obsolescent due to the property being bound by Highways on the north and east and encroached upon by a lake front subdivision directly southwest of the **Redevelopment Area**. The former farmstead has been annexed into the Corporate Limits of the City of Grand Island and is no longer viable for agricultural crop production. Several one to two acre individual lots were platted along the northern and eastern boundaries of the **Area**. A single parcel identified as a 65 acre “Outlot” occupies the remaining portion of the **Husker Highway Redevelopment Area**. The underlying parcel boundaries have not facilitated the development of this subdivision.

Although the **Husker Highway Redevelopment Area** is platted as an entire subdivision, it has not attracted any development, to date. In order for the redevelopment of this **Area** to occur, it is assumed that the current platted subdivision will need to be vacated and replatted to support future development endeavors.

Conclusion.

A strong presence of improper subdivision or obsolete platting exists throughout the Husker Highway Redevelopment Area.

10) **The Existence of Conditions Which Endanger Life or Property by Fire and Other Causes.**

1. **Building Elements that are Combustible.**

Wood-framed buildings with wooden structural elements are located in the **Husker Highway Redevelopment Area**. An abandoned farmstead house and farm buildings have been vacant for an extended length of time and are dilapidated. None of the buildings are capable of being adaptively reused and should be demolished. **All 11 buildings have been determined to be in either a “deteriorating-major” or “dilapidated” condition.**

2. **Lack of Adequate Utilities.**

The City of Grand Island’s Public Works Staff stated that the municipal water and sewer mains located at the perimeter of the **Husker Highway Redevelopment Area**, were constructed in 1992. Water mains are located within the Right-of-Ways of Husker Highway and Highway 281 and are 20” diameter. Sanitary sewer mains are 27” in diameter along Highway 281, and 36” diameter along Husker Highway. These utility mains are trunk mains that distribute water and collect sanitary sewage from several subdivisions in southwestern Grand Island and are planned to be extended to service properties near the Interstate 80 Corridor, in the near future. An 8” water main and 10” sewer main travel through Lot 1 of Ponderosa Village Subdivision, connecting the Ponderosa residential development to the main trunk lines along Highway 281. These utility mains exceed engineering standards utilized by the City of Grand Island. Although modern utility mains are readily available to properties within the **Redevelopment Area**, none of the interior lots are presently connected by service lines to public utilities.

Specific data relating to the **Husker Highway Redevelopment Area** is discussed in the following paragraphs.

A total of 10 (91 percent) of the total 11 structures in the **Husker Highway Redevelopment Area** were built prior to 1975, thus 40+ years of age. The existing farmstead is estimated to have been constructed circa 1905, or approximately 110 years of age. Wood frame buildings are located within the farmstead the **Redevelopment Area**, all of which are deteriorated or dilapidated, and are in need of demolition.

Overall site conditions at properties throughout the **Husker Highway Redevelopment Area** were generally found to be in “poor” condition. **The field survey determined that one of the total two parcels was found to be in “poor” condition.** Generally, conditions combining for this determination included the evaluation of the general condition of structures, overall site conditions and adjacent right-of-way conditions.

Conclusion.

The conditions which endanger life or property by fire and other causes are a strong presence throughout the Husker Highway Redevelopment Area.



View of the abandoned farmstead from the private access road or driveway, looking towards the west/southwest.

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(11) Other Environmental and Blighting Factors.

The **Nebraska Community Development Law** includes in its statement of purpose an additional criterion for identifying blight, viz., "economically or socially undesirable land uses." Conditions which are considered to be economically and/or socially undesirable include: (a) incompatible uses or mixed-use relationships, (b) economic obsolescence, and c) functional obsolescence. For purpose of this analysis, functional obsolescence relates to the physical utility of a structure and economic obsolescence relates to a property's ability to compete in the market place. These two definitions are interrelated and complement each other.

The farmstead at the **Redevelopment Area** is not, on its own, economically viable for agricultural production. The annexation and incorporation of the **Redevelopment Area** into the City of Grand Island fundamentally changed the highest and best use of this property to urbanized development(s). Proximity of the farmstead to two- and four-lane highways, primary or "trunk" water and sanitary sewer mains and to residential and commercial development has rendered agricultural production at this former farmstead a functionally obsolete use.

Although publically owned infrastructure improvements have occurred adjacent the **Husker Highway Redevelopment Area**, additional efforts are needed. Numerous problems or obstacles exist for comprehensive redevelopment efforts by the private sector; problems that only public financial assistance can remedy. These include removal of substantially dilapidated structures and socially undesirable land uses, the extension of publicly owned water and sewer systems that are necessary to support modern development and the need for extending hard surfaced frontage and access roads into the **Redevelopment Area**.

Conclusion.

Other Environmental and Blighting Factors are a strong presence throughout the Husker Highway Redevelopment Area, containing functionally and economically obsolete farmstead and associated agricultural production lands of insufficient size to remain independently viable.

(12) Additional Blighting Conditions.

According to the definition set forth in the **Nebraska Community Development Law**, Section 18-2102, in order for an area to be determined "blighted" it must (1) meet the eleven criteria by reason of presence and (2) contain at least one of the five conditions identified below:

1. Unemployment in the designated blighted and substandard area is at least one hundred twenty percent of the state or national average;
2. The average age of the residential or commercial units in the area is at least forty years;
3. More than half of the plotted and subdivided property in the area is unimproved land that has been within the City for forty years and has remained unimproved during that time;
4. The per capita income of the designated blighted and substandard area is lower than the average per capita income of the Village or City in which the area is designated; or
5. The area has had either stable or decreasing population based on the last two decennial censuses.

One of the aforementioned criteria is prevalent throughout the designated blighted areas.

The average age of the residential or commercial units in the area is at least forty (40) years.

The existing farmstead is estimated to have been constructed circa 1905, and are approximately 110 years of age. A total of 10, or 91 percent of the total 11 structures throughout the **Husker Highway Redevelopment Area** are at least 40+ years of age.

Conclusion.

The criteria of average age of residential units is over 40 years of age as one of five additional blighting conditions is a strong presence throughout the Husker Highway Redevelopment Area.

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DETERMINATION OF REDEVELOPMENT AREA ELIGIBILITY

The **Husker Highway Redevelopment Area** meets the requirements of the **Nebraska Community Development Law** for designation as both a "**Blighted and Substandard Area**." There is at least a reasonable distribution of all **Four Factors** that constitute the **Area** as substandard. Of the 12 possible Factors that can constitute an **Area blighted**, **nine** have a strong presence in the **Husker Highway Redevelopment Area**. **Factors** present in each of the criteria are identified below.

Substandard Factors

1. Dilapidated/deterioration.
2. Age or obsolescence.
3. Inadequate provision for ventilation, light, air, sanitation or open spaces.
4. Existence of conditions which endanger life or property by fire and other causes.

Blight Factors

1. A substantial number of deteriorated or deteriorating structures.
2. Existence of defective or inadequate street layout.
3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness.
4. Insanitary or unsafe conditions.
5. Deterioration of site or other improvements.
6. Improper subdivision or obsolete platting.
7. The existence of conditions which endanger life or property by fire or other causes.
8. Other environmental and blighting factors.
9. One of the other five conditions.

Although all of the previously listed **Factors** are at least reasonably present throughout the **Husker Highway Redevelopment Area**, the conclusion is that the average age of the structures, insanitary and unsafe conditions, deterioration of site or other improvements and the existence of conditions which endanger life or property by fire or other causes are a sufficient basis for designation of the **Husker Highway Redevelopment Area** as **blighted** and **substandard**.

The extent of **Blight and Substandard Factors** in the **Husker Highway Redevelopment Area**, addressed in this document, is presented in **Tables 1 and 2**, located on **Pages 5 and 7** respectively. The eligibility findings indicate that the **Husker Highway Redevelopment Area** is in need of revitalization and strengthening to ensure it will contribute to the physical, economic and social well-being of the City of Grand Island and support any value added developments. Indications are that the **Area**, on the whole, has not been subject to comprehensive, sufficient growth and development through investment by the private sector nor would the areas be reasonably anticipated to be developed without public action or public intervention.

**Structural/Site Conditions
Survey Form**

Parcel # _____
Address: _____

Section I:

1. Type of Units: ____ SF ____ MF ____ Mixed Use ____ Duplex ____ No. of Units
2. Units: _____ Under construction/rehab _____ For Sale _____ Both
3. Vacant Units: _____ Inhabitable _____ Uninhabitable
4. Vacant Parcel: _____ Developable _____ Undevelopable
5. Non-residential Use: _____ Commercial _____ Industrial ____ Public
Other/Specify: _____

Section II: Structural Components

	Primary Components	(Critical) Dilapidated	(Major) Deteriorating	Minor	None	Sound
1	Roof					
2	Wall Foundation					
3	Foundation					
____ Concrete ____ Stone ____ Rolled Asphalt ____ Brick ____ Other						
	Secondary Components	(Critical) Dilapidated	(Major) Deteriorating	Minor	None	Sound
4	Roof					
____ Asphalt Shingles ____ Rolled Asphalt ____ Cedar ____ Combination ____ Other						
5	Chimney					
6	Gutters, Downspouts					
7	Wall Surface					
____ Frame ____ Masonry ____ Siding ____ Combination ____ Stucco ____ Other						
8	Paint					
9	Doors					
10	Windows					
11	Porches, Steps, Fire Escape					
12	Driveways, Side Condition					

Final Rating:

____ Sound ____ Deficient-Minor ____ Deteriorating ____ Dilapidated
Built Within: ____ 1 year ____ 1-5 years ____ 5-10 years
 ____ 10-20 years ____ 20-40 years ____ 40-100 years ____ 100+ years

Section III: Revitalization Area

1. Adjacent Land Usage: _____
2. Street Surface Type: _____
3. Street Condition: ____ E ____ G ____ F ____ P
4. Sidewalk Condition: ____ N ____ E ____ G ____ F ____ P
5. Parking (Off-Street): ____ N ____ # of Spaces _____
Surface
6. Railroad Track/Right-of Way Composition: ____ N ____ E ____ G ____ F ____ P
7. Existence of Debris: ____ MA ____ MI ____ N
8. Existence of Vagrants: ____ MA ____ MI ____ N
9. Overall Site Condition: ____ E ____ G ____ F ____ P

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HUSKER HIGHWAY REDEVELOPMENT AREA

	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
AGE OF STRUCTURE							
1-5 Years	0	0.0%	0	0	0	N/A	0
5-10 Years	0	0.0%	0	0	0	N/A	0
10-20 Years	0	0.0%	0	0	0	N/A	0
20-40 Years	1	9.1%	0	0	0	N/A	1
40-100 Years	10	90.9%	1	0	0	N/A	9
100+ Years	0	0.0%	0	0	0	N/A	0
TOTAL	11	100.0%	1	0	0	N/A	10

FINAL STRUCTURAL RATING

Sound	0	0.0%	0	0	0	N/A	0
Deteriorating-Minor	0	0.0%	0	0	0	N/A	0
Deteriorating-Major	1	9.1%	0	0	0	N/A	1
Dilapidated	10	90.9%	1	0	0	N/A	9
TOTAL	11	100.0%	1	0	0	N/A	10

STREET CONDITION

None	11	9.1%	1	0	0	0	10
Excellent	0	0.0%	0	0	0	0	0
Good	0	18.2%	0	0	0	0	0
Fair	0	72.7%	0	0	0	0	0
Poor	0	0.0%	0	0	0	0	0
TOTAL	11	100.0%	1	0	0	0	10

SIDEWALK CONDITION

None	2	100.0%	1	0	0	0	1
Excellent	0	0.0%	0	0	0	0	0
Good	0	0.0%	0	0	0	0	0
Fair	0	0.0%	0	0	0	0	0
Poor	0	0.0%	0	0	0	0	0
TOTAL	2	100.0%	1	0	0	0	1

DEBRIS

None	1	50.0%	1	0	0	0	0
Major	0	0.0%	0	0	0	0	0
Minor	1	50.0%	0	0	0	0	1
TOTAL	2	100.0%	1	0	0	1	10

OVERALL SITE CONDITION

Excellent	0	0.0%	0	0	0	0	0
Good	0	0.0%	0	0	0	0	0
Fair	1	50.0%	0	0	0	1	0
Poor	1	50.0%	1	0	0	0	0
TOTAL	2	100.0%	1	0	0	1	0

PARKING SPACES

Ranges	0-300	0.0%	1-2	1-300	0-0	N/A	1-50
None	2	100.0%	1	0	0	1	0
Hard Surfaced	0	0.0%	0	0	0	0	0
Unimproved	0	0.0%	0	0	0	0	0
TOTAL	2	100.0%	1	0	0	1	0

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HUSKER HIGHWAY REDEVELOPMENT AREA

	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
DOORS							
None	0	0.0%	0	0	0	N/A	0
Sound	0	0.0%	0	0	0	N/A	0
Minor	0	0.0%	0	0	0	N/A	0
Substandard	6	54.5%	0	0	0	N/A	6
Critical	5	45.5%	1	0	0	N/A	4
TOTAL	11	100.0%	1	0	0	N/A	10

WINDOWS							
None	1	9.1%	0	0	0	N/A	1
Sound	0	0.0%	0	0	0	N/A	0
Minor	0	0.0%	0	0	0	N/A	0
Substandard	4	36.4%	0	0	0	N/A	4
Critical	6	54.5%	1	0	0	N/A	5
TOTAL	11	100.0%	1	0	0	N/A	10

STREET TYPE							
None	2	100.0%	1	0	0	1	0
Concrete	0	0.0%	0	0	0	0	0
Asphalt	0	0.0%	0	0	0	0	0
Gravel	0	0.0%	0	0	0	0	0
Dirt	0	0.0%	0	0	0	0	0
Brick	0	0.0%	0	0	0	0	0
TOTAL	2	100.0%	1	0	0	1	0

PORCHES...							
None	1	9.1%	0	0	0	N/A	1
Sound	0	0.0%	0	0	0	N/A	0
Minor	0	0.0%	0	0	0	N/A	0
Substandard	6	54.5%	0	0	0	N/A	6
Critical	4	36.4%	1	0	0	N/A	3
TOTAL	11	100.0%	1	0	0	N/A	10

PAINT							
None	1	9.1%	0	0	0	N/A	1
Sound	0	0.0%	0	0	0	N/A	0
Minor	0	0.0%	0	0	0	N/A	0
Substandard	6	54.5%	0	0	0	N/A	6
Critical	4	36.4%	1	0	0	N/A	3
TOTAL	11	100.0%	1	0	0	N/A	10

DRIVEWAY							
None	0	0.0%	0	0	0	N/A	0
Sound	0	0.0%	0	0	0	N/A	0
Minor	0	0.0%	0	0	0	N/A	0
Substandard	6	60.0%	0	0	0	N/A	6
Critical	4	40.0%	1	0	0	N/A	3
TOTAL	10	100.0%	1	0	0	N/A	9

HUSKER HIGHWAY REDEVELOPMENT AREA

TOTAL PERCENT RESIDENTIAL COMMERCIAL INDUSTRIAL VACANT OTHER

ROOF STRUCTURE

None	0	0%	0	0	0	N/A	0
Sound	0	0%	0	0	0	N/A	0
Minor	0	0%	0	0	0	N/A	0
Substandard	7	64%	1	0	0	N/A	6
Critical	4	36%	0	0	0	N/A	4
TOTAL	11	100%	1	0	0	N/A	10

WALL FOUNDATION

None	0	0%	0	0	0	N/A	0
Sound	0	0%	0	0	0	N/A	0
Minor	1	9%	0	0	0	N/A	1
Substandard	6	55%	1	0	0	N/A	5
Critical	4	36%	0	0	0	N/A	4
TOTAL	11	100%	1	0	0	N/A	10

FOUNDATION

None	0	0%	0	0	0	N/A	0
Sound	1	9%	0	0	0	N/A	1
Minor	0	0%	0	0	0	N/A	0
Substandard	7	64%	1	0	0	N/A	6
Critical	3	27%	0	0	0	N/A	3
TOTAL	11	100%	1	0	0	N/A	10

FOUNDATION TYPE

Concrete	1	9%	0	0	0	N/A	1
Stone	10	91%	1	0	0	N/A	9
Rolled Asphalt	0	0%	0	0	0	N/A	0
Brick	0	0%	0	0	0	N/A	0
Other/None	0	0%	0	0	0	N/A	0
TOTAL	11	100%	1	0	0	N/A	10

ROOF SURFACE

None	1	9%	1	0	0	N/A	0
Sound	0	0%	0	0	0	N/A	0
Minor	1	9%	0	0	0	N/A	1
Substandard	4	36%	0	0	0	N/A	4
Critical	5	45%	0	0	0	N/A	5
TOTAL	11	100%	1	0	0	N/A	10

ROOF TYPE

Asphalt Shingles	0	0%	0	0	0	N/A	0
Rolled Asphalt	0	0%	0	0	0	N/A	0
Cedar	9	82%	1	0	0	N/A	8
Combination	1	9%	0	0	0	N/A	1
Other	1	9%	0	0	0	N/A	1
TOTAL	11	100%	1	0	0	N/A	10

Grand Island, Nebraska
Blight & Substandard Determination Study
Husker Highway Redevelopment Area

HUSKER HIGHWAY REDEVELOPMENT AREA

TOTAL PERCENT RESIDENTIAL COMMERCIAL INDUSTRIAL VACANT OTHER

CHIMNEY

None	10	91%	0	0	0	N/A	10
Sound	0	0%	0	0	0	N/A	0
Minor	0	0%	0	0	0	N/A	0
Substandard	1	9%	1	0	0	N/A	0
Critical	0	0%	0	0	0	N/A	0
TOTAL	11	100%	1	0	0	N/A	10

GUTTER, DOWNSPOUTS

None	10	91%	1	0	0	N/A	9
Sound	0	0%	0	0	0	N/A	0
Minor	0	0%	0	0	0	N/A	0
Substandard	0	0%	0	0	0	N/A	0
Critical	1	9%	0	0	0	N/A	1
TOTAL	11	100%	1	0	0	N/A	10

WALL SURFACE

None	0	0%	0	0	0	N/A	0
Sound	1	9%	0	0	0	N/A	1
Minor	1	9%	0	0	0	N/A	1
Substandard	3	27%	1	0	0	N/A	2
Critical	6	55%	0	0	0	N/A	6
TOTAL	11	100%	1	0	0	N/A	10

WALL SURFACE TYPE

Frame	8	73%	0	0	0	N/A	8
Masonry	0	0%	0	0	0	N/A	0
Siding	0	0%	0	0	0	N/A	0
Combination	0	0%	0	0	0	N/A	0
Stucco	0	0%	0	0	0	N/A	0
Other	3	27%	1	0	0	N/A	2
TOTAL	11	100%	1	0	0	N/A	10

PARKING SURFACE

None	6	55%	0	0	0	N/A	6
Concrete	0	0%	0	0	0	N/A	0
Asphalt	0	0%	0	0	0	N/A	0
Gravel	1	9%	1	0	0	N/A	0
Dirt	4	36%	0	0	0	N/A	4
Brick	0	0%	0	0	0	N/A	0
TOTAL	11	100%	1	0	0	N/A	10

PARKING SPACES

None	6	55%	0	0	0	N/A	6
1 to 2	5	45%	1	0	0	N/A	4
3 to 5	0	0%	0	0	0	N/A	0
6 to 10	0	0%	0	0	0	N/A	0
11 to 20	0	0%	0	0	0	N/A	0
21 or More	0	0%	0	0	0	N/A	0
TOTAL	11	100%	1	0	0	N/A	10

GENERAL REDEVELOPMENT PLAN

Purpose of Plan/Conclusion

The purpose of this **General Redevelopment Plan** is to serve as a guide for implementation of redevelopment activities within the **Husker Highway Redevelopment Area**, in the City of Grand Island, Nebraska. Redevelopment activities associated with the **Nebraska Community Development Law**, State Statutes 18-2101 through 18-2154, should be utilized to promote the general welfare and enhance the tax base, as well as promote economic and social well being of the Community.

A **General Redevelopment Plan** must contain the general planning elements required by Nebraska State Revised Statutes, Section 18-2111 re-issue 1991 items (1) through (6). A description of these items is as follows:

- (1) The boundaries of the redevelopment project area with a map showing the existing uses and condition of the real property therein; (2) a land-use plan showing proposed uses of the area; (3) information showing the standards of population densities, land coverage and building intensities in the area after redevelopment; (4) a statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances; (5) a site plan of the area; and (6) a statement as to the kind and number of additional public facilities or utilities which will be required to support the new land uses in the area after redevelopment.

Furthermore, the **General Redevelopment Plan** must further address the items required under Section 18-2113, "Plan; considerations", which the Grand Island Community Redevelopment Authority (CRA) must consider prior to recommending a redevelopment plan to the Planning Commission and City Council for adoption. These "considerations" are defined as follows:

"...whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for

Grand Island, Nebraska
General Redevelopment Plan
Husker Highway Redevelopment Area

traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewage, and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations, or conditions of blight."

Conclusion

The **General Redevelopment Plan** applies to the **Husker Highway Redevelopment Area** in Grand Island, Nebraska, which consists of the **blight and substandard determination area**. **Illustration 1** delineates the geography of the **Husker Highway Redevelopment Area**.

The portion of the City included in the **Husker Highway Redevelopment Area** equals an estimated 116.5 total acres and includes the Ewoldt and Ponderosa Village Subdivisions.

The **Husker Highway Redevelopment Area** is located within the Corporate Limits of the City of Grand Island, Hall County, Nebraska. **Illustration 1** identifies the **Husker Highway Redevelopment Area**, in relation to the City. The **Redevelopment Area** abuts the right-of-ways of Husker Highway and Highway 281.

The planning process for the **Husker Highway Redevelopment Area** has resulted in a listing of general planning and implementation recommendations. As discussed in the **Blight & Substandard Determination Study**, there are several existing land uses and properties in substandard condition that are nonconforming in nature, detrimental to the health, safety and general welfare of the Community and generally obsolete in respect to the development and living environment norms of today's Nebraska communities, including the City of Grand Island.

There are also multiple development and redevelopment opportunities in the Husker Highway Redevelopment Area, capable of improving the overall quality of life and economic standard of Grand Island and increase the City's real estate and sales tax base.

Planning and Implementation Recommendations

To eliminate these conditions and enhance private development activities within the **Husker Highway Redevelopment Area**, the City of Grand Island will need to consider the following general planning and redevelopment actions:

- Create an “**Economic Development Initiative**” for job creation in the **Husker Highway Redevelopment Area** that concentrates on the use of Tax Increment Financing for the development of new businesses. The **Area** is in need of additional retail, lodging and restaurant developments.
- Establish a “**Public Utilities and Infrastructure Initiative**” that concentrates on the use of Tax Increment Financing for the extension of all necessary utility and infrastructure systems in order to make the **Husker Highway Redevelopment Area**, viable for future development.
- Devise a Plan to address the lack of sidewalks within and adjacent to the **Redevelopment Area**. This includes developing safe pedestrian routes across the Highway 281 Corridor, connecting to the existing hiker/biker trail east of the four-lane Highway 281 Corridor.
- Encourage removal of *substantially* dilapidated and substandard structures within the **Husker Highway Redevelopment Area** to prepare for future development;
- Combine both public and private funding sources with Tax Increment Financing to purchase and demolish dilapidated residential and agricultural buildings that are not cost-effective to be rehabilitated;

Implementation

Both a time-line and budget should be developed for the implementation of the Redevelopment Plan. Each of these processes should be designed in conformance with the resources and time available to the City. A reasonable time-line to complete the redevelopment activities identified in the Plan would be seven to 10 years.

Various funding sources exist for the preparation and implementation of a capital improvement budget designed to meet the funding needs of proposed redevelopment activities.

These include local and federal funds commonly utilized to finance street improvement funds, i.e. LB840, Community Development Block Grants, Special Assessments, General Obligation Bonds and Tax Increment Financing (TIF). The use of TIF for redevelopment projects in the **Husker Highway Redevelopment Area** is deemed to be an essential and integral element of the **Redevelopment Area**. The use of TIF in connection with such projects is contemplated by the Plan and such designation and use of TIF will not constitute a substantial modification to the Plan.

The City agrees, when approving the **General Redevelopment Plan**, to the utilization of TIF for appropriate redevelopment projects and agrees to pledge the taxes generated from a redevelopment project for such purposes in accordance with the Act. Any redevelopment program receiving TIF is subject to a Cost Benefit Analysis. TIF, as a source of public financing, ultimately impacts taxing authorities in the City of Grand Island and Hall County. Proposed redevelopment projects using TIF must meet the Cost Benefit Analysis and the "But for" test. Accordingly, "But for TIF" a redevelopment project could not be fully executed and constructed in the Community.

1. Future Land Use Patterns

The existing land use patterns within the **Husker Highway Redevelopment Area** were depicted and described in detail in the **Blight and Substandard Determination Study**. In general, the **Redevelopment Area** consists of an abandoned farmstead and vacant/agricultural land use types. The field survey identified properties and structures in “deteriorating-major” and “dilapidated” condition, as well as vacant lands that have remained undeveloped in spite of available utilities at the perimeter of the **Area**.

Illustration 4, the **Future Land Use Map** for the **Husker Highway Redevelopment Area**, represents an effort to encourage land uses that reflect nearby developed properties. Commercial uses are recommended throughout the **Redevelopment Area** to support future retail/office businesses with frontage on the highway corridor. The portion of the **Redevelopment Area** located to the west of the platted, but undeveloped James Road, is recommended to be designated for future commercial uses in support of a regional shopping center location.

2. Future Zoning Districts.

The recommended **Future Zoning Map** for the **Husker Highway Redevelopment Area** is identified in **Illustration 5**. The **Future Zoning Map** is generally in conformance with the Comprehensive Plan of Grand Island and specifically with the **Future Land Use Map, Illustration 4**. The entire **Redevelopment Area** is recommended to be designated as “CD - Commercial Development District” in accordance with the Zoning Regulations of the City of Grand Island. This is a Planned Unit Development district for commercial uses that allows more than one primary use or building on an individual lot.

FUTURE LAND USE MAP

HUSKER HIGHWAY REDEVELOPMENT AREA

GRAND ISLAND, NEBRASKA



LEGEND

- COMMERCIAL
- REDEVELOPMENT AREA BOUNDARY

HANNA:KEELAN ASSOCIATES, P.C.
COMMUNITY PLANNING & RESEARCH

***Lincoln, Nebraska* 402.464.5383 ***

ILLUSTRATION 4

Grand Island, Nebraska
 General Redevelopment Plan
 Husker Highway Redevelopment Area

FUTURE ZONING MAP

HUSKER HIGHWAY REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA



LEGEND

- CD - COMMERCIAL DEVELOPMENT DISTRICT
- ZONING DISTRICT BOUNDARY
- REDEVELOPMENT AREA BOUNDARY

HANNA:KEELAN ASSOCIATES, P.C.
COMMUNITY PLANNING & RESEARCH

Lincoln, Nebraska 402.464.5383 *

ILLUSTRATION 5

Grand Island, Nebraska
General Redevelopment Plan
Husker Highway Redevelopment Area

3. Recommended Public Improvements

The primary purpose for a **General Redevelopment Plan**, accompanied with the preceding **Blight and Substandard Determination Study**, is to allow for the use of public financing in a specific area. This public financing is planned and implemented to serve as a “first step” for public improvements and encourage private development within the **Husker Highway Redevelopment Area**. The most common form of public improvements occur with infrastructure, specifically streets, water, sanitary sewer and storm sewer systems, sidewalks, open space and recreational uses. The primary infrastructure concerns in the **Husker Highway Redevelopment Area** are the need to extend all utility and infrastructure systems in order to make the **Area** viable for future development opportunities.

The lack of street systems within the **Husker Highway Redevelopment Area** will require an extension of all appropriate public and private access and frontage roads to make the **Area** attractive for development. A planned program of sidewalk paving, curb and gutter, and street paving/resurfacing projects should be established in the **Redevelopment Area**, in conjunction with the Grand Island One- and Six-Year Street Plan.

Private water wells and septic systems and leach fields formerly associated with the abandoned farmstead will need to be decommissioned and removed along with the dilapidated buildings to support redevelopment efforts throughout the **Husker Highway Redevelopment Area**.

Redevelopment finance tools, such as Tax Increment Financing, will provide incentives to facilitate development. Tax Increment Financing can serve as a valuable source of additional monies to defer the cost of the development of all necessary utilities and infrastructural systems within the **Husker Highway Redevelopment Area**. The Community Development Block Program is one example of a State and Federal program to assist in financing development activities in a designated blighted and substandard area.

Conclusions

Redevelopment activities, in the **Husker Highway Redevelopment Area**, should serve local residents, as well as highway travelers. The redevelopment efforts within the **Area** will foster an appreciation for its image, character and uniqueness in Grand Island.

A successful **General Redevelopment Plan**, for the **Husker Highway Redevelopment Area**, should guide redevelopment and development opportunities, while securing the viability of this **Area** as a combined residential neighborhood and commercial service area. New construction should not imitate, but be compatible by similar materials, colors and heights exhibited by existing structures within, and adjacent to the **Husker Highway Redevelopment Area**.

The Community Redevelopment Authority (CRA) and the City of Grand Island should seek funding sources to create a revolving loan and/or grant program for the rehabilitation and improvement of buildings and public uses in the **Husker Highway Redevelopment Area**. The demolition of existing buildings will enhance the visual appearance of the **Area**, making it more attractive for future development. Prior to transportation network improvements, the City and the CRA should develop a plan to accommodate efficient infrastructure development and improvements.

The following identifies estimated costs for the improvement of various infrastructure features in the Husker Highway Redevelopment Area.

Normal Street Replacement

Costs are dependent on street width and thickness of pavement or overlay. Concrete paving of 6" thick with integral curbs costs an estimated \$45 per square yard. Asphalt overlay has a cost of \$3 per square yard, per inch of thickness of asphalt overlay.

The cost to construct a 6" thick, 30' wide concrete street is \$150 per linear foot. The cost to construct a 6" thick, 60' wide concrete street is \$300 per linear foot.

The cost to construct a 2" thick, 30' wide asphalt overlay is \$20 per linear foot. The cost to construct a 2" thick, 60' wide asphalt overlay is \$40 per linear foot.

Ramped Curb Cuts

\$1,250 each

Sanitary Sewer

\$50 to \$60 per linear foot

Water Valves

\$750 each

Fire Hydrants

\$2,500 each

Overlay of Parking Lots

Asphalt overlay costs \$3 per square yard per inch of thickness of asphalt overlay. Therefore the cost of a 2" overlay of a 150 x 150 foot parking lot is \$15,000.

Paved Alleys

The cost for paved alleys is dependent on alley width and pavement thickness. A 6" thick concrete alley would cost \$45 per square yard.

The cost of a 6" thick, 16 foot wide concrete alley is \$80 per linear foot.

The cost of a 6" thick, 20 foot wide concrete alley is \$100 per linear foot.

Storm Sewers

The cost of Storm Sewers is dependent upon the size of the storm sewer pipe and on the number of inlets required. A breakdown of approximate unit prices is as follows:

15" RCP costs \$22 per linear foot
18" RCP costs \$26 per linear foot
24" RCP costs \$35 per linear foot
30" RCP costs \$44 per linear foot
36" RCP costs \$52 per linear foot
42" RCP costs \$61 per linear foot
48" RCP costs \$70 per linear foot

Inlets cost an estimated \$2,500 each. Therefore, assuming 470 linear feet of 30" storm sewer and four inlets per block, a block of storm sewer would cost \$30,680.

Public and Private Foundations

This **General Redevelopment Plan** addresses numerous community and economic development activities for the **Husker Highway Redevelopment Area** in Grand Island, Nebraska. The major components of this **Redevelopment Plan** will be accomplished as individual projects, however, a comprehensive redevelopment effort is recommended. Just as the redevelopment efforts should be tied together, so should the funding sources to ensure a complete project. The use of state and federal monies, local equity and tax incentives coupled with private funding sources, can be combined for a realistic and feasible funding package. The following provides a summary listing of the types of funding to assist in implementing this **General Redevelopment Plan**. Each selected redevelopment project should be accompanied with a detailed budget of both sources and uses of various funds.

Building Improvement District
Tax Increment Financing
LB 840 or LB 1240
Historic Preservation Tax Credits
Low Income Housing Tax Credits
Sales Tax
Community Development Block Grants - Re-Use Funds
Local Lender Financing
Owner Equity
Small Business Association-Micro Loans
Community Assistance Act
Donations and Contributions
Intermodal Surface Transportation Efficiency Act

Grand Island, Nebraska
General Redevelopment Plan
Husker Highway Redevelopment Area

Private Foundations

American Express Foundation
Kellogg Corporate Giving Program
Marietta Philanthropic Trust
Monroe Auto Equipment Company Foundation
Norwest Foundation
Piper, Jaffray & Hopwood Corporate Giving
Target Stores Corporate Giving
Pitney Bowes Corporate Contributions
Burlington Northern Santa Fe Foundation
US West Foundation
Woods Charitable Fund, Inc.
Abel Foundation
ConAgra Charitable Fund, Inc.
Frank M. and Alice M. Farr Trust
Hazel R. Keene Trust
IBP Foundation, Inc.
Mid-Nebraska Community Foundations, Inc.
Northwestern Bell Foundation
Omaha World-Herald Foundation
Peter Kiewit and Sons Inc. Foundation
Thomas D. Buckley Trust
Valmont Foundation
Quivey-Bay State Foundation

REDEVELOPMENT PLAN AMENDMENTS

PROJECT NAME / LOCATION AND COST

RESOLUTION

1. _____ \$ _____	_____
2. _____ \$ _____	_____
3. _____ \$ _____	_____
4. _____ \$ _____	_____
5. _____ \$ _____	_____
6. _____ \$ _____	_____
7. _____ \$ _____	_____
8. _____ \$ _____	_____
9. _____ \$ _____	_____
10. _____ \$ _____	_____



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item I-1

#2015-103 - Consideration of Request from Jarhead, Inc. dba Texas T-Bone, 1201 South Locust Street for a Class “C” Liquor License and Liquor Manager Designation for Jesus Lopez-Ramirez, 328 South Plum Street

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

Staff Contact: RaNae Edwards

RESOLUTION 2015-103

WHEREAS, an application was filed by Jarhead, Inc. doing business as Texas T-Bone, 1201 South Locust Street for a Class "C" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on April 4, 2015; such publication cost being \$16.77; and

WHEREAS, a public hearing was held on April 14, 2015 for the purpose of discussing such liquor license application.

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

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

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

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

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

_____ The City of Grand Island hereby recommends approval of Jesus Lopez-Ramirez, 328 South Plum Street as liquor manager of such business contingent upon completing a state approved alcohol server/seller program.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 13, 2015	☐ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item I-2

#2015-104 - Consideration of Appointment of Aaron Schmid as Human Resources Director

Staff Contact: Mayor Jeremy Jensen

Council Agenda Memo

From: Mayor Jeremy Jensen

Meeting: April 14, 2015

Subject: Hiring Aaron Schmid as Human Resources Director

Item #'s: I-2

Presenter(s): Marlan Ferguson, City Administrator

Background

Grand Island City Code Section 2-31 states with regard to the Human Resources Director “shall be hired by the Mayor with the approval of the City Council.” Mayor Jensen and City staff, advertised, interviewed and selected Aaron Schmid as the next Human Resources Director. Mr. Schmid has accepted the offer and is prepared to start work on April 27, 2015.

Discussion

As Mayor I am asking for approval to hire Aaron Schmid for the position of Human Resources Director. He met all of the qualifications and was an outstanding candidate. He will start at Step 9 of the Human Resources Director salary table which is \$89,225.73 annually.

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 hiring of Aaron Schmid as the Human Resources Director.

Sample Motion

Move to approve hiring Aaron Schmid as the Human Resources Director.

RESOLUTION 2015-104

WHEREAS, under City Code Section 2-31, the position of the Human Resources Director for the City of Grand Island, Nebraska, is hired by the Mayor with the approval of the City Council; and

WHEREAS, the Mayor has selected Aaron Schmid to be appointed as Human Resources Director; and

WHEREAS, Mr. Schmid has accepted the offer and is prepared to start work on April 27, 2015 at Step 9 of the Human Resources Director salary table of \$89,225.73.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Aaron Schmid is hereby duly appointed the Human Resources Director for the City of Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
April 13, 2015	☐ City Attorney



City of Grand Island

Tuesday, April 14, 2015

Council Session

Item J-1

Approving Payment of Claims for the Period of March 25, 2015 through April 14, 2015

The Claims for the period of March 25, 2015 through April 14, 2015 for a total amount of \$4,235,580.83. A MOTION is in order.

Staff Contact: William Clingman