
City of Grand Island



Tuesday, July 28, 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 - Reverend Trudy Kenyon-Anderson, First Faith United Methodist Church, 4190 West Capital Avenue

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, July 28, 2015

Council Session

Item E-1

**Public Hearing on Request from McKenney's Pub, LLC dba,
McKinney's Irish Pub, 123 West 3rd Street for a Class "I" Liquor
License**

Council action will take place under Resolutions item I-1.

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: July 28, 2015

Subject: Public Hearing on Request from McKenney's Pub, LLC
dba McKinney's Irish Pub, 123 West 3rd Street for a
Class "I" Liquor License

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

McKenney's Pub, LLC dba McKinney's Irish Pub, 123 West 3rd Street has submitted an application for a Class "I" Liquor License. A Class "I" Liquor License allows for the sale of alcohol on 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 Joel Schossow, 5970 Gunnison Court, Lincoln, NE 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 McKenney's Pub, LLC dba McKinney's Irish Pub, 123 West 3rd Street for a Class "I" Liquor License contingent upon final inspections and Manager Designation for Joel Schossow, 5970 Gunnison Court, Lincoln, NE contingent upon completion of a state approved alcohol server/seller training program.

07/20/15
15:16

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 1

City : Grand Island
Occurred after : **:**:** **/**/****
Occurred before : **:**:** **/**/****
When reported : 14:30:00 06/26/2015
Date disposition declared : 06/29/2015
Incident number : L15062501
Primary incident number :
Incident nature : Liquor Lic Inv Liquor Lic Inv
Incident address : 123 3rd St W
State abbreviation : NE
ZIP Code : 68801
Contact or caller :
Complainant name number :
Area location code : PCID Police - CID
Received by : Vitera D
How received :
Agency code : GIPD GIPD Grand Island Police Dept
Responsible officer : Vitera D
Offense as Taken :
Offense as Observed :
Disposition : ACT Active
Misc. number : RaNae
Geobase address ID : 11223
Long-term call ID :
Clearance Code : CL CL Case Closed
Judicial Status :
=====

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	202199	07/15/15	Schossow, Joel W	Owner/Manager
NM	202200	07/15/15	Schossow, Heather R	Joel's Spouse
NM	202208	07/15/15	McKinney's Irish Pub,	Business

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT03	LT03 Bar/Night Club	

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

McKenney's Irish Pub is applying for a Class I (beer, wine, distilled spirits, on sale only) LLC Retail Liquor License, and Joel Schossow is applying to be the liquor manager.

Grand Island Police Department
Supplemental Report

Date, Time: Wed Jul 15 09:15:17 CDT 2015
Reporting Officer: Vitera
Unit- CID

Joel Schossow is applying for a Class I (beer, wine, distilled spirits, on sale only) LLC Retail Liquor License for McKinney's Irish Pub located at 123 W. 3rd Street. He is also applying to be the liquor manager. While perusing the application, I found that Joel disclosed a driving during suspension charge from 1994, and he attached a sheet with traffic violations which included five convictions for speeding, a seatbelt violation, and a negligent driving conviction. Joel is not borrowing any money to establish and/or operate the business, and he has a McKinney's Irish Pub in Lincoln along with a couple of banquet halls. He has lived in Lincoln since at least 2005 and is married to Heather Schossow. Heather signed a Spousal Affidavit of Non-Participation form.

Due to the number of liquor license investigations I have had to investigate recently, I didn't have a chance to review Joel's application and do a background investigation prior to meeting with him on 7/13/15. Nebraska State Patrol Investigator Dan Fiala and I met with Joel at the proposed location at 0900. Joel said he plans on being open seven days a week and serving lunch and dinner. He said he's not currently planning on any entertainment because the building isn't big enough. At least in the early stages of the business, Joel guessed he will be at the pub five or six days a week even though he will continue to live in Lincoln. When asked why he chose to open a business in Grand Island, Joel said he grew up in Grand Island and graduated from Northwest High School. When asked about the name of the business, Joel said it comes from his wife's side of the family. At the end of the meeting, I gave Joel a business card and told him I would be in touch if I had any concerns.

Back at the office, I checked Joel and Heather through Spillman and NCJIS. Neither one of them had an entry in Spillman. I didn't find any undisclosed convictions for Joel in NCJIS, and Heather only had one undisclosed speeding conviction.

I checked Joel and Heather through a paid law enforcement-only database. Joel shows a couple of state tax liens in Kansas which were each paid with the exception of \$41.50 in court costs. The person I spoke with in Kansas said that they had some issues with the notification process on their end,

and they didn't expect Joel to know that he still owes some court costs. Joel also has a state tax lien in Nebraska. According to an individual I spoke with at the Nebraska Department of Revenue, Joel owes the State \$26,274 for failing to pay sales and lodging taxes from his hotel that went bankrupt.

I called Joel on 7/16/15 and told him about the court costs. I provided him with a telephone number to help him clear this matter up. I also asked Joel about the Nebraska tax lien. Joel confirmed that issue was from the bankrupt hotel and said he had negotiated a settlement with the case officer from the Nebraska Department of Revenue. I was able to confirm that the name of the case officer that Joel provided does indeed work for the Nebraska Department of Revenue. I called him and am waiting for return call. Joel also had a civil suit against him in 2010 and 2014. The suit in 2010 was cleared by the bankruptcy. The suit in 2014 shows active, however, Joel said that it has been taken care of. It was an automobile accident where he was not at fault. Heather had a judgment against her in 2010 which has been satisfied.

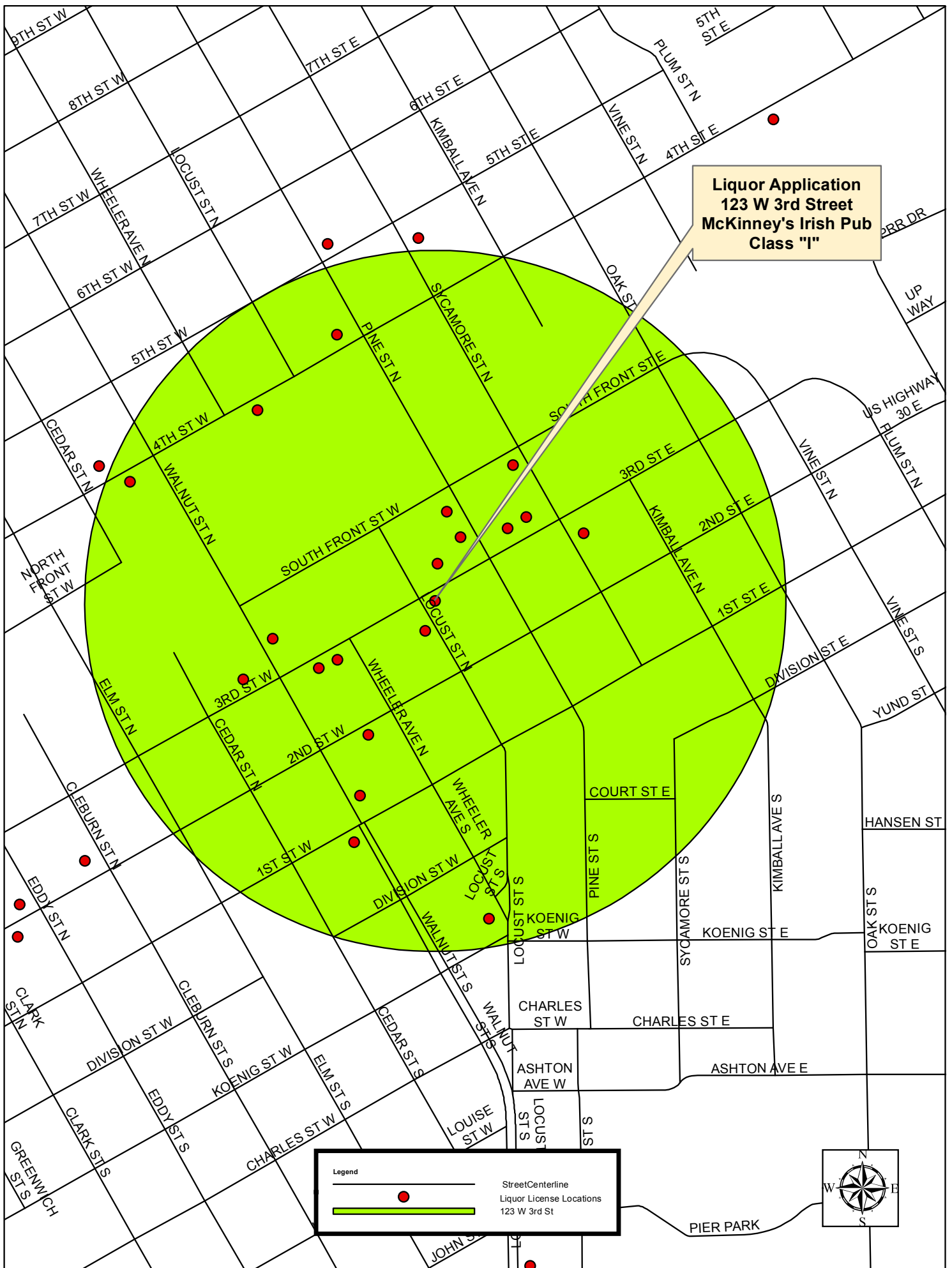
Joel and Heather don't have any outstanding arrest warrants, and they each have a valid Nebraska driver's license. I did a general Internet search and found that Heather has a couple of social media accounts with numerous photographs of what appear to be family and friends. I didn't find anything on Joel or Heather that would be damaging to the application.

Later in the day on 7/16/15, I heard back from the case officer with the Nebraska Department of Revenue. He advised that he has been trying to reach an agreement with Joel for about four years. He said there is no settlement in place. He went on to say that if Joel gets a liquor license for McKinney's Irish Pub in Grand Island, the Nebraska Department of Revenue has the ability to not issue him a sales tax permit which would basically nullify the liquor license and shut the business down.

I called Joel back on 7/17/15 and told him what the revenue agent had told me. Joel said that he initially had offered to pay his share at a reduced rate. When that wasn't acceptable to the revenue agent, he offered to pay \$1,000 per month until his half of the debt is paid off. Joel had a business partner in the hotel business who is responsible for paying the other half. According to Joel, as far as he's concerned, the ball is in the State's court.

I spoke to the revenue agent again on 7/20/15 and was told that he and Joel have been playing phone tag. They still don't have an agreement in place. The agent said he would keep me informed but didn't expect to have an agreement in place prior to my deadline for this report.

In conclusion, other than Joel's debt issue with the State of Nebraska, the rest of his application appears to be in order. If the council doesn't consider Joel's current financial issue with the State of Nebraska reason to deny the liquor license, the Grand Island Police Department has no objection to McKinney's Irish Pub receiving a liquor license or to Joel Schossow being the liquor manager.





City of Grand Island

Tuesday, July 28, 2015

Council Session

Item E-2

**Public Hearing on Request from Shopko Stores Operating Co.,
LLC dba, Shopko #38, 2208 North Webb Road for a Class “B”
Liquor License**

Council action will take place under Resolutions item I-2.

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: July 28, 2015

Subject: Public Hearing on Request from Shopko Stores
Operating Co., LLC dba Shopko #38, 2208 North Webb
Road for a Class “B” Liquor License

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

Shopko Stores Operating Co., LLC dba Shopko #38, 2208 North Webb Road has submitted an application for a Class “B” Liquor License. A Class “B” Liquor License allows for the sale of beer off sale only 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 James Larson, 17212 U Street, Omaha, NE for a Liquor Manager Designation. Mr. Larson has completed a state approved alcohol server/seller training program.

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 Shopko Stores Operating Co., LLC dba Shopko #38, 2208 North Webb Road for a Class "B" Liquor License contingent upon final inspections and Liquor Manager Designation for James Larson, 17212 U Street, Omaha, NE.

07/21/15
15:25

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 1

City : Grand Island
Occurred after : **:**:** **/**/****
Occurred before : **:**:** **/**/****
When reported : 14:25:00 06/26/2015
Date disposition declared : 06/29/2015
Incident number : L15062499
Primary incident number :
Incident nature : Liquor Lic Inv Liquor Lic Inv
Incident address : 2208 Webb Rd N
State abbreviation : NE
ZIP Code : 68803
Contact or caller :
Complainant name number :
Area location code : PCID Police - CID
Received by : Vitera D
How received :
Agency code : GIPD GIPD Grand Island Police Dept
Responsible officer : Vitera D
Offense as Taken :
Offense as Observed :
Disposition : ACT Active
Misc. number : RaNae
Geobase address ID : 4605
Long-term call ID :
Clearance Code : CL CL Case Closed
Judicial Status :
=====

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	202335	07/21/15	McMahon, Peter K	CEO
NM	202336	07/21/15	Steinhorst, Russell L	SVP/CFO
NM	202337	07/21/15	Vandenhouten, Peter G	SVP/Secretary
NM	202338	07/21/15	Gibson, Gary L	VP/Treasurer
NM	202339	07/21/15	Larson, James	Manager
NM	202340	07/21/15	Larson, Mary Jo A	James' Wife
NM	13956	06/26/15	Shopko,	Busines

Involved

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT08	LT08 Deptmnt/Discount Store	

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

Shopko is applying for a Class B (beer, off sale only) LLC retail liquor license, and James Larson is applying to be the liquor manager.

ap

~~----- (lwmain14244906262015)~~

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	13:16:06 07/21/2015

Grand Island Police Department
Supplemental Report

Date, Time: Tue Jul 21 13:16:18 CDT 2015
Reporting Officer: Vitera
Unit- CID

Shopko is applying for a Class B (beer off sale only) liquor license, and James Larson is applying to be the liquor manager. The Grand Island Shopko hasn't sold alcohol as long as I can remember. This is a new application. Peter K. McMahon (CEO), Russell L. Steinhorst (SVP/CFO), Peter G. Vandenhouten , and Gary Gibson (VP- Treasurer) are listed as the applicants. If married, their spouses each signed an Affidavit of Non-Participation form.

With the exception of the manager and his wife, all of the applicants live in Wisconsin. None of them were in Spillman or NCJIS. I am unable to run national criminal history checks on liquor license applications. From the information I received, it appears that Shopko has 144 liquor

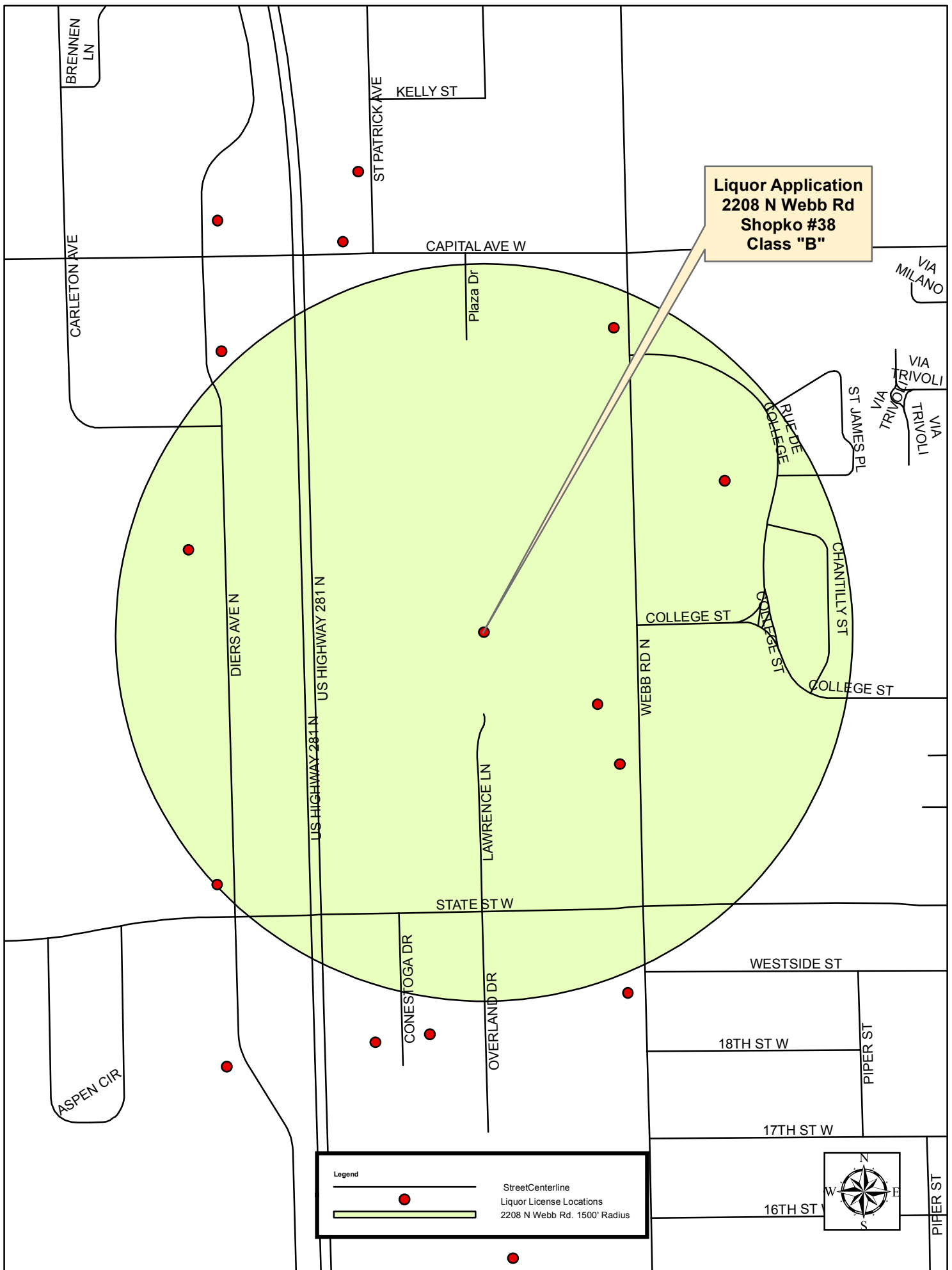
licenses in thirteen states including Nebraska. Since Shopko has numerous liquor licenses already, I can't imagine that the criminal history reports generated from the applicants' fingerprints would contain any information that would preclude Shopko in Grand Island from receiving a liquor license. If there is an issue, it should be caught at the State level.

James Larson (Liquor Manager) and his wife (Mary Jo Larson) have lived in Omaha since at least 1998. Neither one of them were in Spillman. They are both in NCJIS. James didn't disclose any convictions on his application. He has a couple of traffic convictions. Mary Jo doesn't have any convictions in Nebraska.

I checked Shopko through the NLCC's web site and found that James Larson is listed as the liquor manager for seventeen Shopko stores in Nebraska. According to Nebraska State Statute 53-103.18, "Manager means a person appointed by a corporation or limited liability company to oversee the daily operation of the business licensed in Nebraska. A manager shall meet all the requirements of the Nebraska Liquor Control Act as though he or she were the applicant, including residency and citizenship."

Question three on the Manager Application asks the applicant if he "...intend(s) to supervise, in person, the management of the business?" James checked the "Yes" box. Between the state statute definition of a manager saying he needs to "oversee the DAILY operation" of the business and the applicant saying he's going to do it in person, I believe it's impossible for James to be a liquor manager at seventeen Shopko stores. However, I've been told that having one liquor manager for larger companies and corporations with numerous stores is kind of the trend now, and there doesn't seem to be any opposition from the NLCC.

As long as all the applicants' national criminal history checks through their fingerprint submissions comes back okay, and there are no liquor-related problems or only minor problems at Shopko in Grand Island, the Grand Island Police Department has no objection to Shopko getting a Class B Liquor License or to James Larson being the liquor manager.





City of Grand Island

Tuesday, July 28, 2015

Council Session

Item E-3

Public Hearing on Acquisition of Utility Easement - 168 E. Capital Avenue - Leetch & Stryker

Council action will take place under Consent Agenda item G-8.

Staff Contact: Tim Luchsinger, Utilities Director

Council Agenda Memo

From: Tim Luchsinger, Utilities Director

Meeting: July 28, 2015

Subject: Acquisition of Utility Easement – 168 East Capital Avenue – Leetch and Stryker

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 Joel A. Leetch and Janet Stryker, located through a part of the Northwest Quarter of the Northeast Quarter (NW ¼, NE ¼) Section Seven (7), Township Eleven (11) North, Range Eight (8), West of the 6th P.M., Merrick County, Nebraska (168 East Capital Avenue), in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

The Grand Island Electric Service Area extends into Merrick County. The owners of the above referenced property are in the process of constructing a new residence and out-building for their commercial business. In order to serve their property, the Utilities Department needs to acquire an easement for operation, maintenance, and access of primary underground power lines, a pad-mount transformer, and related electrical appurtenances.

Alternatives

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

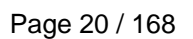
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

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, July 28, 2015

Council Session

Item E-4

Public Hearing on Declaration of Intent to Use the Remainder of Clean Water State Revolving Fund (CWSRF) Loan Proceeds for Sanitary Sewer Collection System Improvements

Council action will take place under Resolutions item I-6.

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

Council Agenda Memo

From: Marvin Strong PE, Wastewater Plant Engineer

Meeting: July 28, 2015

Subject: Declaration of Intent to Use the Remainder of Clean Water State Revolving Fund (CWSRF) Loan Proceeds for Sanitary Sewer Collection System Improvements

Presenter(s): Marvin Strong P.E., Wastewater Plant Engineer
Anna White, Black & Veatch

Background

Public Works staff has updated a Six (6) Year Wastewater Capital Improvement Plan for the City of Grand Island based on the following:

- The comprehensive plan in CH2M Hill's "Wastewater Collection and Treatment Systems Comprehensive Plan Update"
- Black and Veatch's "Wastewater Treatment Plant and Collection System Improvements – Draft Technical Memorandum #2 Hydraulic Model Validation and Analysis"
- Wastewater Projects intended to accommodate growth

Examples of current Wastewater Projects and those included in the updated 6 Year Wastewater Capital Improvement Plan are:

- Plant – Headworks
- Airport Interlocal Agreement
- Sanitary Sewer Collection System Rehabilitation
 - North Interceptor Phase II
 - Abandon lift stations 2,8,10,13,15, and 19
 - Abandon lift station(s) #4 and #14
 - Lift Station #20 Forcemain rehabilitation
- Growth
 - Wildwood Industrial Subdivision (District 528)
 - 281 Sanitary Sewer Improvements (District 530T)
 - Sanitary Improvement District (SID#2) at I-80
 - Husker Highway
 - Westwood Park Residential Subdivision

Public Works representatives met with Nebraska Department of Environmental Quality (NDEQ) representatives in December 2013 and explored the possibility of obtaining a loan from the Clean Water State Revolving Loan Fund Program (CWSRF) administered by the NDEQ in lieu of Revenue Bonds to pay for the remaining wastewater projects. The NDEQ subsequently approved up to \$40,000,000 in CWSRF funds at 2 ¼% -2 1/2% interest rate for distribution over multiple years. Projects classified as “Green” receive a ¼% lower interest rate.

Discussion

After tonight’s public hearing and NDEQ’s 30 day comment period, it is expected that an ordinance will be presented to the City Council on September 8, 2015 to give formal approval to including Westwood Park Residential Subdivision and Lift Station #20 Forcemain rehabilitation in the remainder of the SRF Loan. With the above mentioned interest rates this will be within the constraints of the rate study approved last year.

Of the approved loan contracts, in the amount of \$35,000,000, the City has received a total of \$7,110,083 in reimbursements thus far.

To date the City currently has received \$34,021,034 in bond proceeds, and has expended \$31,025,444.88 (including interest).

Alternatives

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 adopt the resolution to include Westwood Park Residential Subdivision and Lift Station #20 Forcemain rehabilitation in the remainder of the Clean Water State Revolving Loan Fund Program administered by the Nebraska Department of Environmental Quality.

Sample Motion

Move to approve the resolution.



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item E-5

Public Hearing on Acquisition of Public Utility Easements- South of Capital Avenue, East of North Road, North of Sterling Estates Fourth Subdivision (Niedfelt Property Management Preferred, LLC)

Council action will take place under Consent Agenda item G-11.

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: July 28, 2015

Subject: Public Hearing on Acquisition of Public Utility Easements- South of Capital Avenue, East of North Road, North of Sterling Estates Fourth Subdivision (Niedfelt Property Management Preferred, LLC)

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

Background

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council. Additional public utility easements are needed within the Sterling Estates Subdivision area. These easements will allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easements.

Discussion

To allow for further development of the Sterling Estates Subdivision area the developer has requested easements, in addition to those originally dedicated. Three (3) of the six (6) requested easements are on property owned by the City of Grand Island. The new easements are detailed on the attached exhibits.

Alternatives

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

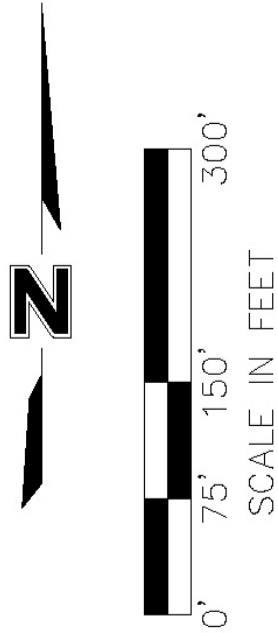
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

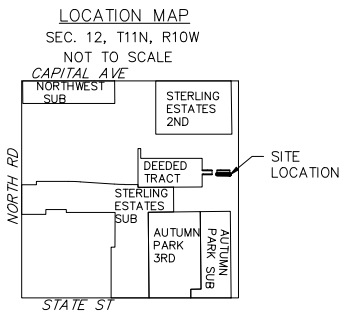
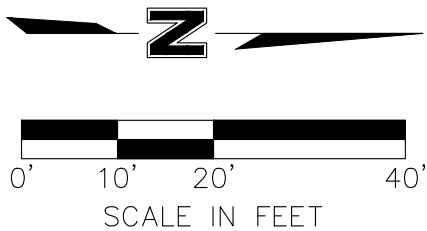
Recommendation

City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the utility easements.

Sample Motion

Move to approve the acquisition of the utility easements.





LEGEND

- SECTION CORNER
- SECTION LINE
- DEEDED LINE
- RIGHT OF WAY LINE
- TRACT AREA
- MEASURED DISTANCE
- DEEDED DISTANCE

TRACT A
1584 SQ.FT.
0.04 ACRES

DEEDED CITY OF GRAND
ISLAND TRACT OF LAND
(INSTRUMENT NO.
0200905078
DATED 6/24/2009)

LEGAL DESCRIPTION

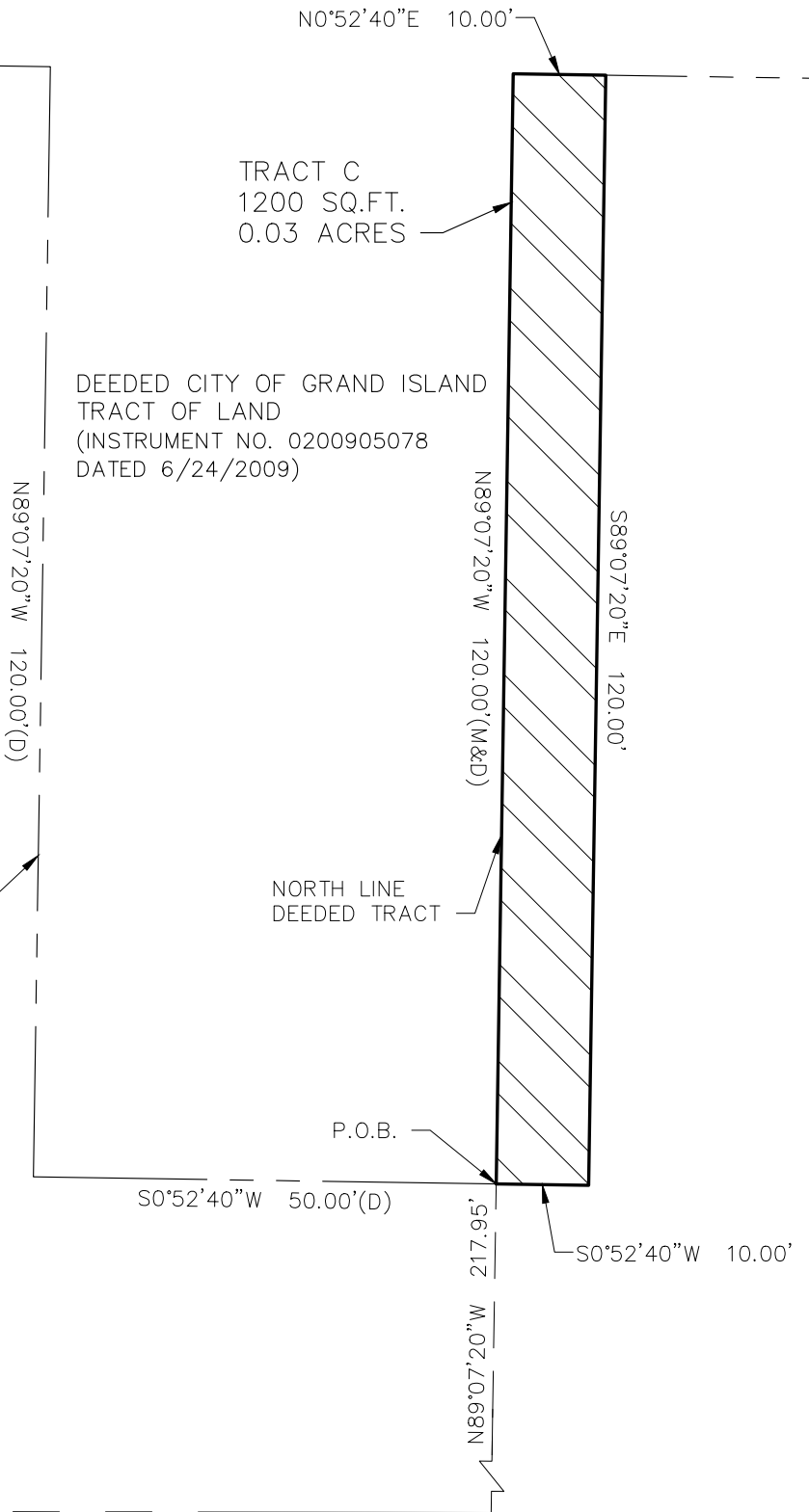
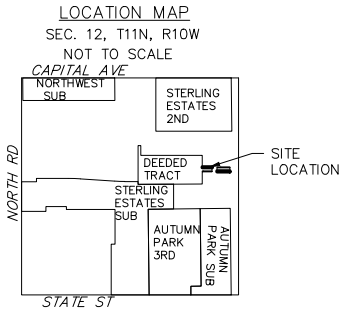
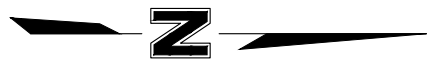
A TRACT OF LAND IN PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°07'58"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 90.03 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE WEST LINE OF CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY (R.O.W.); THENCE N00°15'38"E, ALONG SAID WEST LINE, A DISTANCE OF 1504.28 FEET TO THE POINT OF BEGINNING; THENCE N89°07'20"W FOR A DISTANCE OF 158.48 FEET; THENCE N00°52'40"E A DISTANCE OF 10.00 FEET; THENCE S89°07'20"E A DISTANCE OF 158.38 FEET TO A POINT ON SAID WEST LINE OF THE DRAINAGE RIGHT-OF-WAY; THENCE S00°15'38"W, ALONG SAID WEST LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 1584 SQUARE FEET OR 0.04 ACRES MORE OR LESS.

DWC: F:\projects\014-1966\SRV\Final_Plat\EXHIBITS\0131214-CITY EAST_SR.dwg
DATE: Mar 16, 2015 4:06pm
USER: lwheeler
XREFS: MASTERXREF_ROW

PROJECT NO: 2013-1214	STERLING ESTATES FOURTH SUBDIVISION		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				A
DATE: 07/09/13				

DWC: F:\projects\014-1966\SRV\Final_Plat\EXHIBITS\0131214-NEIDFELT WEST_SR.dwg
DATE: Mar 16, 2015 4:17pm
USER: lwheeler
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LEGEND

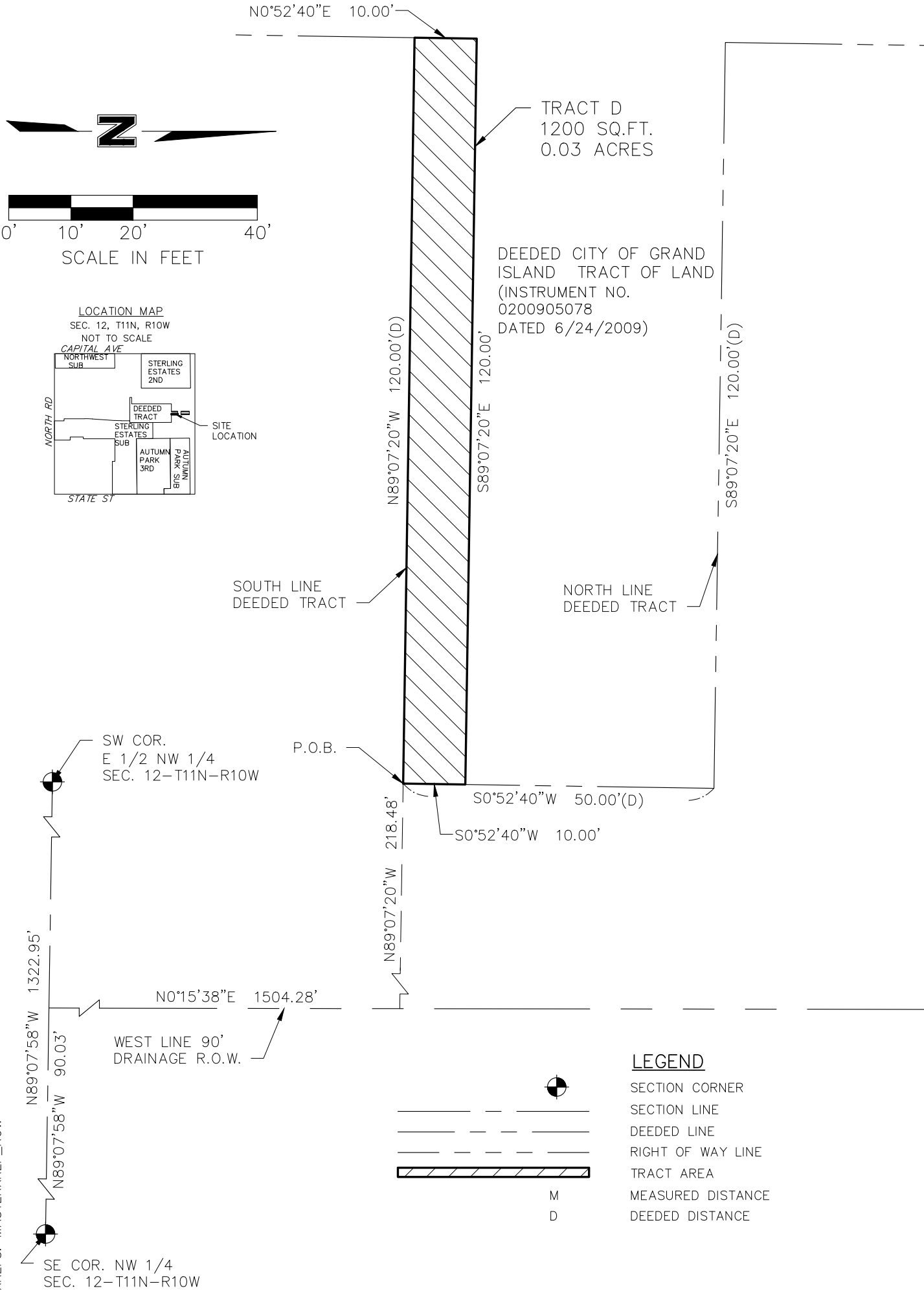
- SECTION CORNER
- SECTION LINE
- DEEDED LINE
- RIGHT OF WAY LINE
- TRACT AREA
- MEASURED DISTANCE
- DEEDED DISTANCE

LEGAL DESCRIPTION

A TRACT OF LAND IN PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°07'58"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 90.03 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE WEST LINE OF CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY (R.O.W.); THENCE N00°15'38"E, ALONG SAID WEST LINE, A DISTANCE OF 1554.28 FEET; THENCE N89°07'20"W A DISTANCE OF 217.95 FEET TO THE POINT OF BEGINNING; THENCE N89°07'20"W FOR A DISTANCE OF 120.00 FEET; THENCE N00°52'40"E A DISTANCE OF 10.00 FEET; THENCE S89°07'20"E A DISTANCE OF 120.00 FEET; THENCE S00°52'20"W A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 1200 SQUARE FEET OR 0.03 ACRES MORE OR LESS.

PROJECT NO: 2013-1214	STERLING ESTATES FOURTH SUBDIVISION		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				C
DATE: 07/09/13				

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DATE: Mar 16, 2015 4:12pm XREFS: MASTERXREF_ROW

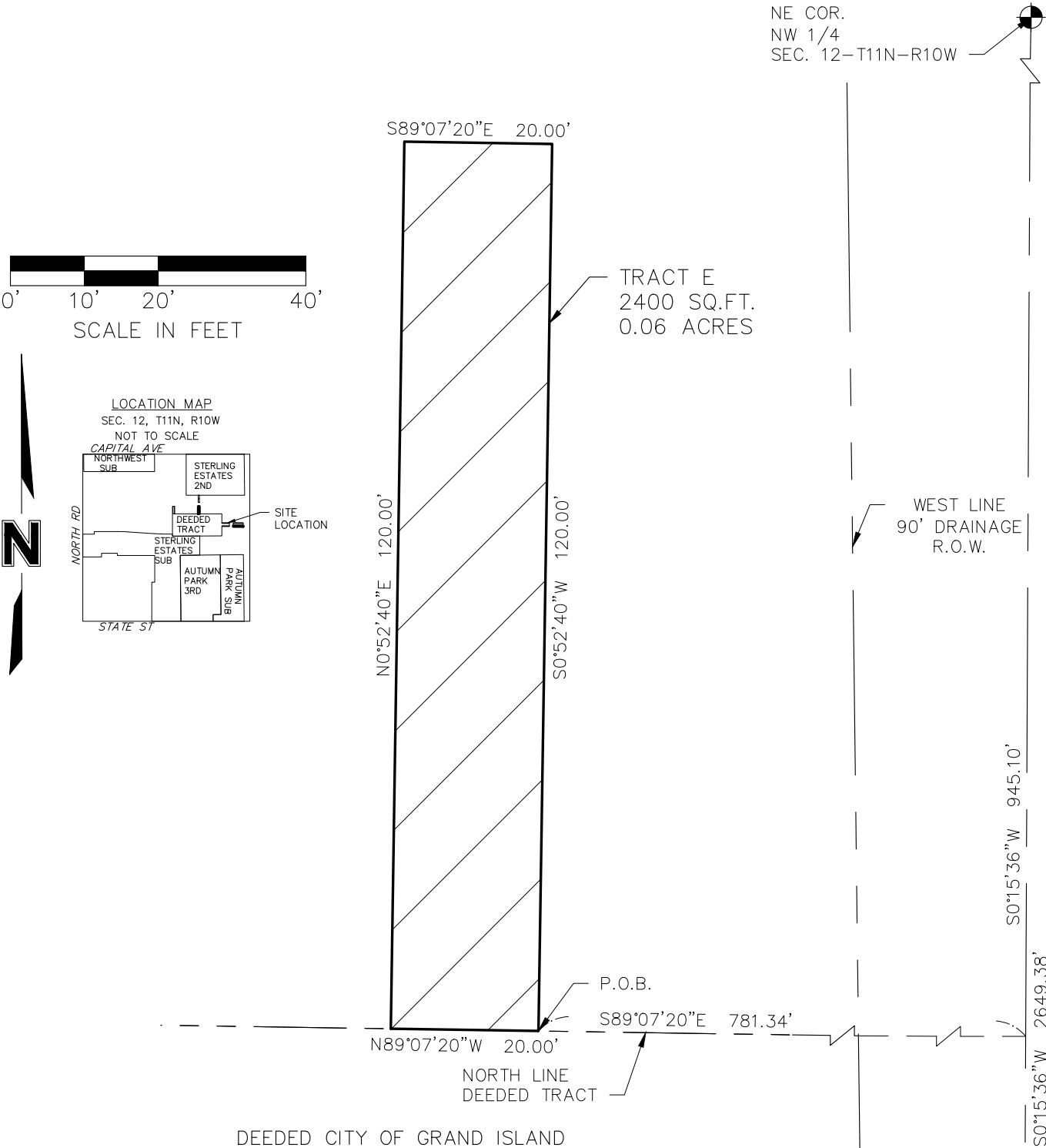


LEGAL DESCRIPTION

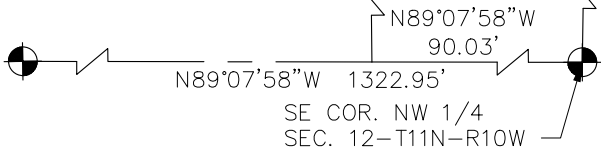
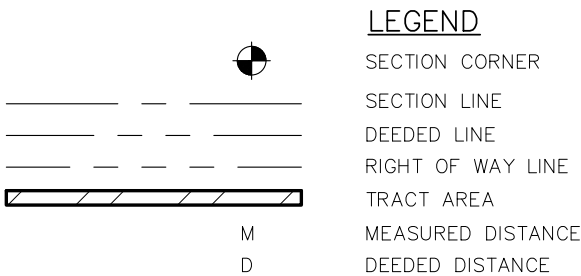
A TRACT OF LAND IN PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°07'58\"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 90.03 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE WEST LINE OF CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY (R.O.W.); THENCE N00°15'38\"E, ALONG SAID WEST LINE, A DISTANCE OF 1504.28 FEET; THENCE N89°07'20\"W A DISTANCE OF 218.48 FEET TO THE POINT OF BEGINNING; THENCE N89°07'20\"W FOR A DISTANCE OF 120.00 FEET; THENCE N00°52'40\"E A DISTANCE OF 10.00 FEET; THENCE S89°07'20\"E A DISTANCE OF 120.00 FEET; THENCE S00°52'20\"W A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 1200 SQUARE FEET OR 0.03 ACRES MORE OR LESS.

PROJECT NO: 2013-1214	STERLING ESTATES FOURTH SUBDIVISION		201 East 2nd Street P.O. Box 1072 Grand Island, NE 68802-1072 TEL 308.384.8750 FAX 308.384.8752	EXHIBIT
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DATE: 07/09/13				

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DEEDED CITY OF GRAND ISLAND
TRACT OF LAND
(INSTRUMENT NO. 0200905078
DATED 6/24/2009)



LEGAL DESCRIPTION

A TRACT OF LAND IN PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF S00°15'36"W, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 945.10 FEET; THENCE N89°07'20"W A DISTANCE OF 781.34 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°07'20"W FOR A DISTANCE OF 20.00 FEET; THENCE N00°52'40"E A DISTANCE OF 120.00 FEET; THENCE S89°07'20"E A DISTANCE OF 20.00 FEET; THENCE S00°52'40"W A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 2400 SQUARE FEET OR 0.06 ACRES MORE OR LESS.

PROJECT NO: 2014-1966	STERLING ESTATES FOURTH SUBDIVISION		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				E
DATE: 03/02/2015				



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item F-1

#9544 – Consideration of Annexation of Property being Platted as Stauffer Subdivision located at the Northwest Corner of Wildwood Drive and U.S. Highway 281 (Third Reading)

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: July 28, 2015

Subject: An Ordinance to include Stauffer Subdivision as an Addition to the City of Grand Island, Nebraska and the Adjoining Right-of -Way

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

The Mitchell H. Stauffer Revocable Trust as the owners of the property, submitted Stauffer 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 June 10, 2015.

The Grand Island City Council considered and approved Ordinance #9544 on first reading at their meeting on June 23, 2015. The same ordinance was approved on July 14th on second reading.

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.

No new residences or businesses will be added to the City as a result of this annexation. The existing business on the site was annexed by the City in 2002. This is an extension of the annexation to include all of the property in Stauffer Subdivision.

Alternatives

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

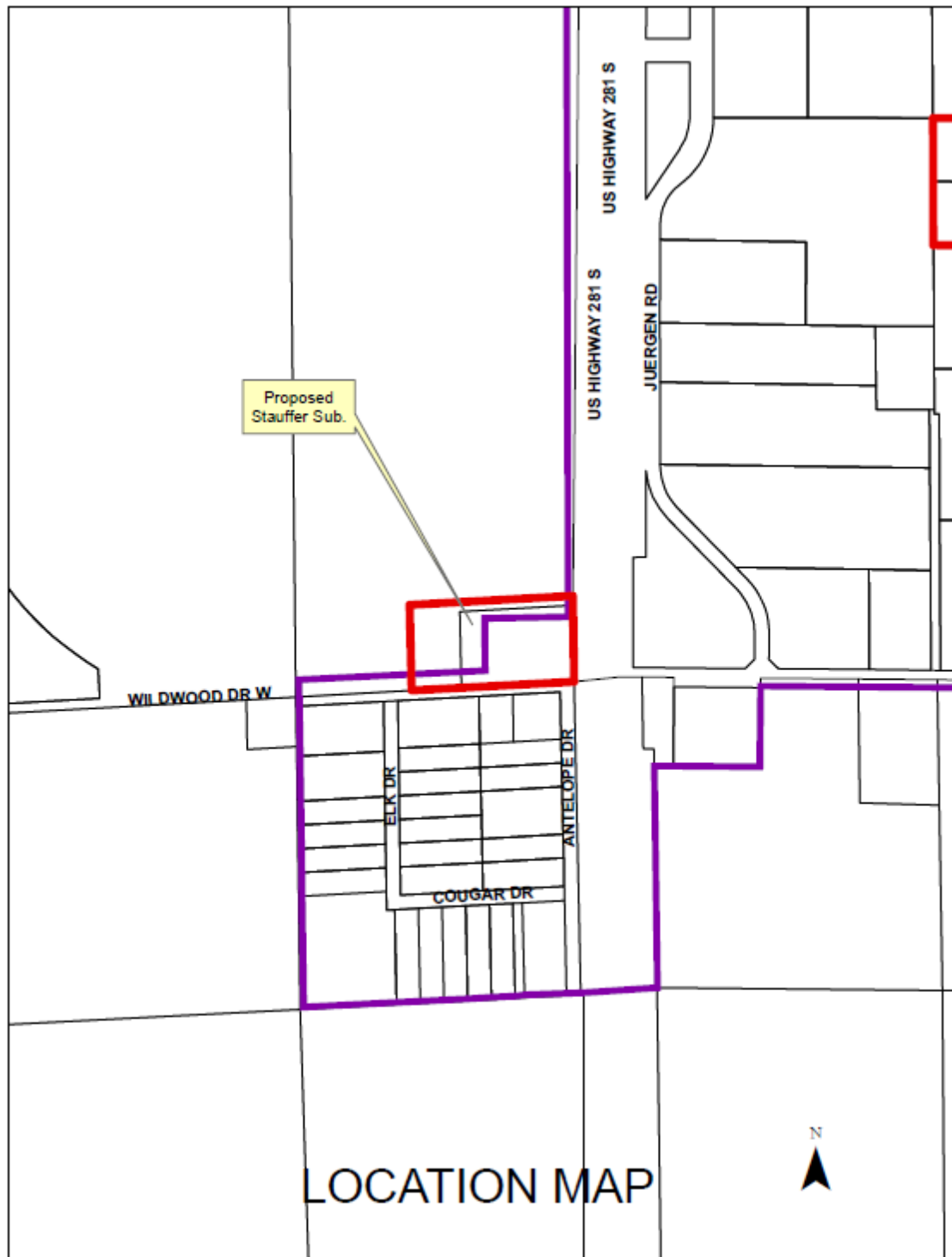
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council pass the annexation ordinance.

Sample Motion

Move to approve the annexation ordinance on third and final reading.



* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9544

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 Stauffer Subdivision and the adjoining Right-of-Way for Wildwood Road 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, Mitchell H. Stauffer Revocable Trust, as owner of the property submitted a plat of Stauffer 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

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

Approved as to Form	<input type="checkbox"/>	_____
July 24, 2015	<input type="checkbox"/>	City Attorney

ORDINANCE NO. 9544 (Cont.)

WHEREAS, a portion of this property was annexed by Grand Island City Council in 2002 and this annexation conforms to the new property lines created as a result of this subdivision; and

WHEREAS, on June 23, 2015 the City Council of the City of Grand Island considered such additional annexation on first reading: The same ordinance was approved on July 14, 2015 on second 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. 9544 (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. 9544 (Cont.)

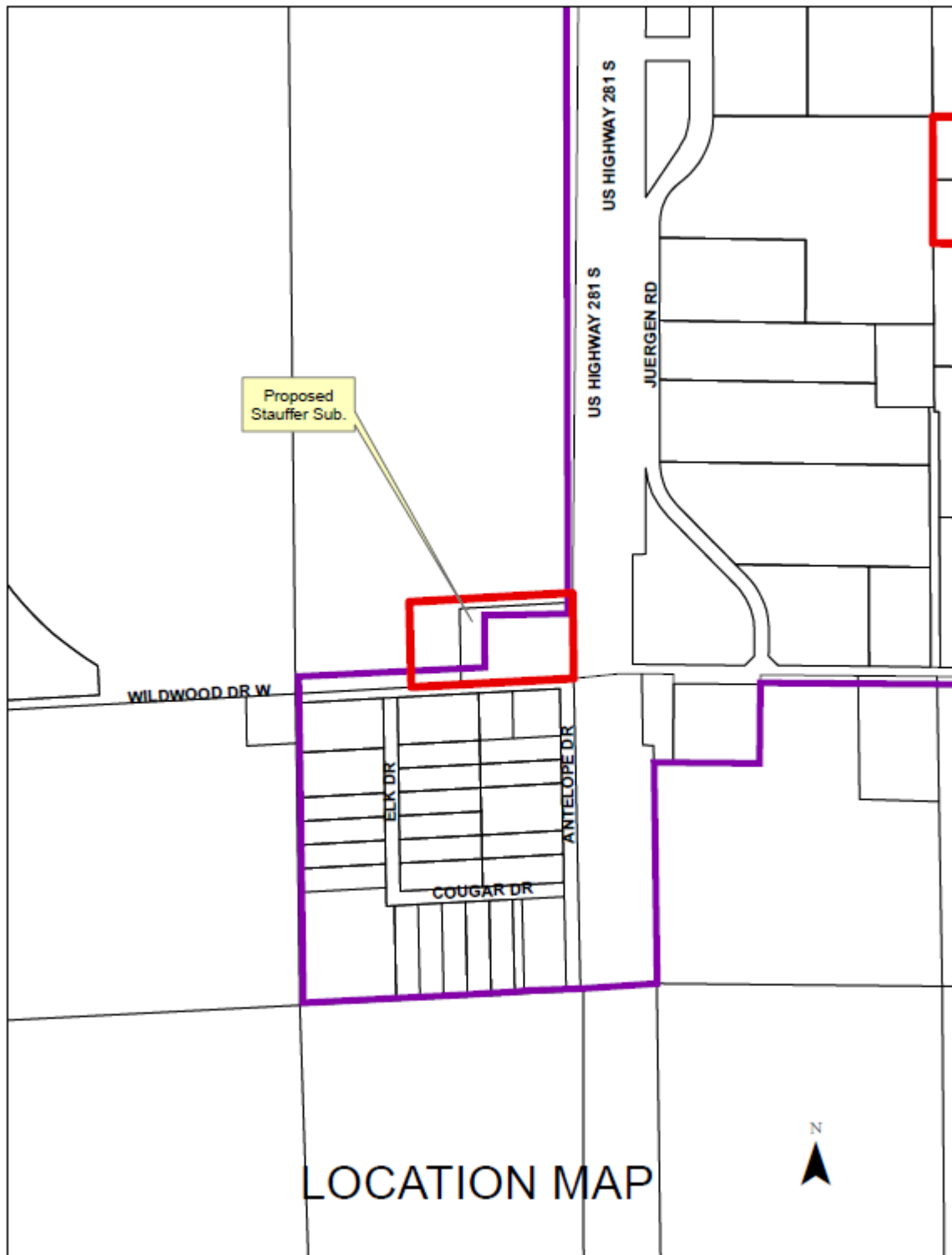
Enacted: July 28, 2015

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

ORDINANCE NO. 9544 (Cont.)



ORDINANCE NO. 9544 (Cont.)

Exhibit "A"

A tract of land comprising a part of the East Half of the Southeast Quarter (E1/2SE1/4), of Section One (1), Township Ten (10) North, Range Ten (10) West of the 6th. P.M., in Hall County, Nebraska, more particularly described as follows:

Beginning at the southeast corner of said East Half of the Southeast Quarter (E1/2SE1/4); thence running westerly on the south line of said East Half of the Southeast Quarter (E1/2SE1/4), on an Assumed Bearing of S87°53'32"W, a distance of Two Hundred Seventeen and Twenty Eight Hundredths (217.28) feet, to a point on the westerly right of way line of U.S. Highway No. 281 and to the ACTUAL Point of Beginning; thence continuing S87°53'32"W, on the south line of said East Half of the Southeast Quarter (E1/2SE1/4), a distance of Six Hundred Eighty Five and Ninety Eight Hundredths (685.98) feet; thence running N00°56'57"E, a distance of Three Hundred Sixty and Six Hundredths (360.06) feet; thence running N87°53'32"E, a distance of Six Hundred Eighty Five and Ninety Seven Hundredths (685.97) feet, to a point on the westerly right of way line of U.S. Highway No. 281; thence running S00°56'54"W, on the westerly right of way line of U.S. Highway No. 281, a distance of Three Hundred Sixty and Six Hundredths (360.06) feet, to the ACTUAL Point of Beginning and containing 5.662 acres more or less.



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-1

Approving Minutes of July 13, 2015 City Council Joint Health Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF JOINT HEALTH SPECIAL MEETING

July 13, 2015

Pursuant to due call and notice thereof, a Special Joint Meeting of the City Council of the City of Grand Island, Nebraska, the Hall County Board of Supervisors, the Hamilton County Board of Commissioners, the Merrick County Board of Commissioners, and the Central District Health Department was conducted at the Grand Island Public Library, 211 North Washington Street, Grand Island, Nebraska on July 13, 2015. Notice of the meeting was given in the *Grand Island Independent* on July 7, 2015.

Central District Health Department (CDHD) Board President Mike Bowman called the meeting to order at 6:00 p.m. The following Health Board members were present: Jane Richardson (Hall Co. Supervisor), Mike Bowman and Roger Wiegert (Merrick Co. Supervisor), Jeremy Jones (Grand Island City Council), Shelly Graham (Hamilton Co. Commissioner) and Steve Kunzman. The following Hall County Supervisors were present: Gary Quandt, Pam Lancaster, Daniel Purdy, Stephen Schuppan, and Hall County Clerk Marla Conley. The following Grand Island City Councilmembers were present: Linna Dee Donaldson, Mitch Nickerson, Chuck Haase, Mark Stelk, and City Clerk RaNae Edwards. Health Department employees: Teresa Anderson, Ryan King, Jeremy Collinson, Cindy Valdez, Trevor Stryker, Jordan Leasure, Jonna Mangeit, and Amy Houser.

Year in Review. Central District Health Department (CDHD) Executive Director Teresa Anderson welcomed those attending and gave an overview of the CDHD. Mentioned were grants the CDHD had received this year. VetSET Coordinators Trevor Stryker and Jordan Leasure explained the VetSET grant for veterans. Outreach and number of veterans participating in the program were discussed. Mr. Stryker and Mr. Leasure covered 13 counties in Nebraska.

Assistant Health Director Ryan King explained the 1422 Grant. This grant was based on chronic disease and had two parts geared toward environmental and working with clinics. CDHD was one of six health departments to receive this four year grant.

Education Educator Amy Houser talked about nutrition relating to vending machines. Hall County, the City of Grand Island, and CHI Health (St. Francis) were included in this study. Two areas of physical activity included trails and exercise at work. Mentioned was walkability in the community.

Health Nurse Jonna Mangeit commented on the 1422 Grant relating to electronic medical records. Working with pharmacies and diabetics for lower income people were a part of this grant. This first year was a planning year of the four year grant. CDHD would branch out to Hamilton and Merrick counties.

Environmental Health Supervisor Jeremy Collinson commented on mosquitos and the higher numbers found this year than last year. Spraying had taken place and would continue due to the

number of mosquitos. The first West Nile case in Nebraska this year had been recorded in Grand Island.

Fiscal Overview. Teresa Anderson gave an overview of the 2015-2016 budget which was approved by the Health Board. Revenue sources were presented with the City/County portion at 8% of total revenue. Expenses were reviewed with the majority of the expenses going toward the 1422, CHAMP, H3C, and TriDistrict VetSET grants.

Ms. Anderson stated they were starting down the path for accreditation. She also stated they were working a lot with refugees.

ADJOURNMENT: The meeting was adjourned at 6:50 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-2

Approving Minutes of July 14, 2015 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

July 14, 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 July 14, 2015. Notice of the meeting was given in *The Grand Island Independent* on July 8, 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, Roger Steele, and Mike Paulick. Councilmembers Michelle Fitzke and Vaughn Minton 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.

INVOCATION was given by Pastor Keegan Crosby, Berean Bible Church, 4116 West Capital Avenue followed by the PLEDGE OF ALLEGIANCE.

Mayor Jensen introduced Community Youth Council member Adan Redwine and board member Randy See.

PUBLIC HEARINGS:

Public Hearing on Request from GNS Corporation dba Git 'N Split, 3320 Langenheder Street for Class "D" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "D" Liquor License had been received from GNS Corporation dba Git 'N Split, 3320 Langenheder Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on June 15, 2015; notice to the general public of date, time, and place of hearing published on July 4, 2015; notice to the applicant of date, time, and place of hearing mailed on June 15, 2015; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Request from YZ GYZ, LLC dba The Filling Station, 217 E. Stolley Park Road, Suite N for Class "C" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "C" Liquor License had been received from YZ GYZ, LLC dba The Filling Station, 217 E. Stolley Park Road, Suite N. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on June 14, 2015; notice to the general public of date, time, and place of hearing published on July 4, 2015; notice to the applicant of date, time, and place of hearing mailed on June 24, 2015; along with Chapter 4 of the City Code. Staff recommended denial based on the Police Department report and not qualifying under Nebraska State Statute 53-124 and 53-132. Ralph Bradley, 132 Ponderosa, attorney for the applicant spoke in support. No further public testimony was heard.

Public Hearing on Request from Blender, LLC – Rick Johnson on behalf of Zella, LLC – Farhan Khan for a Conditional Use Permit for a Senior Living Facility located South of the Intersection of State Street and Ebony Lane. Building Department Director Craig Lewis reported that Blender, LLC – Rick Johnson has submitted an application for a Conditional Use Permit for the construction of a senior living center at 1920 Sagewood Avenue with the expectation that upon approval Zella LLC would become the owners and construction the facility. Proposed is to construct a 93 unit two story senior living center with the potential for an additional 70 units in the future. Staff recommended approval. Ron Grabowski, 1621 Summerfield Avenue spoke of concerns regarding drainage. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 3041 N. Shady Bend Road – Asche. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 3041 N. Shady Bend Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used for a new primary underground electric cable, pad-mount transformer, and related appurtenances to serve a new residential acreage at this location. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 5976 & 5700 S. Locust - Lilienthal. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 5976 and 5700 South Locust Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be for primary underground power lines to serve the residence at 5976 South Locust Street, and livestock facilities at 5700 South Locust Street. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - South of Capital Avenue, West of Hwy. 281, North of Sterling Estates 3rd Subdivision - Niedfelt Property Management. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located south of Capital Avenue, west of Hwy. 281, and north of Sterling Estates 3rd Subdivision was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used for a primary underground power line to feed a new Verizon Cell Tower. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 218 & 222 S. Plum Street - Burtle Heating & Air Conditioning, Inc. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 218 & 222 S. Plum Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used for extension of utility lines between the Sterling Estates 4th Subdivision and the Sterling Estates 6th Subdivision developments. The area would allow for installation of water mains, sanitary sewer lines, and drainage infrastructure. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 4160 Old Potash Highway - Hall County School District #2. Utilities Director Tim Luchsinger reported that acquisition of a utility

easement located at 4160 Old Potash Highway was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used for new electrical gear and high voltage power lines to Shoemaker Elementary School. The proposed easement would provide the Utilities Department with rights for operation, maintenance, and access for primary underground power lines, a pad-mount transformer, and related appurtenances. Staff recommended approval. No public testimony was heard.

Public Hearing on Contract Amendment for Community Development Block Grant 12-DTR-104. Community Development Specialist Charley Falmlen reported that staff would like to move \$60,000 from Storm Sewers and \$7,000 from Code Enforcement to Public Facilities, and \$7,200 from Architectural Barriers to Public Facilities where it could be used to support the continued progress of Kaufmann Cummings Plaza. Matching funds would remain the same for each source. Also requested was to move \$8,000 from Commercial Rehabilitation to Public Facilities which was unused from The Chocolate Bar grant. Staff recommended approval. No public testimony was heard.

ORDINANCES:

#9544 - Consideration of Annexation of Property being Platted as Stauffer Subdivision located at the Northwest Corner of Wildwood Drive and U.S. Highway 281 (Second Reading)

Regional Planning Director Chad Nabity reported that all property subdivided adjacent to the Corporate Limits of the City of Grand Island shall be annexed into the City at the time of the subdivision approval. The Mitchell H. Stauffer Revocable Trust, as owners of the property, submitted Stauffer Subdivision as an addition to the City. Annexation ordinances must be read at three separate meetings. This is the second of three readings.

Motion by Paulick, second by Steele to approve Ordinance #9544 on second reading. Upon roll call vote, all voted aye. Motion adopted.

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

#9545 - Consideration of Vacation of a Utility Easement Located in Luzenac Third Subdivision (Central Nebraska Transload, LLC)

#9546 - Consideration of Creation of Street Improvement District No. 1262; Sterling Estates 4th Subdivision - Ebony Lane

#9547 – Consideration of Amending Chapter 20 of the Grand Island City Code Relative to E-Cigarettes

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 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.

#9545 - Consideration of Vacation of a Utility Easement Located in Luzenac Third Subdivision (Central Nebraska Transload, LLC)

Public Works Director John Collins reported that Central Nebraska Transload, LLC, requested to vacate a dedicated easement within Lot Two (2) of Luzenac Third Subdivision. There were no utilities currently within this easement that would be affected by this vacation. Staff recommended approval.

Motion by Donaldson, second by Hehnke to approve Ordinance #9545.

City Clerk: Ordinance #9545 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 #9545 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 final passage, Ordinance #9545 is declared to be lawfully adopted upon publication as required by law.

#9546 - Consideration of Creation of Street Improvement District No. 1262; Sterling Estates 4th Subdivision - Ebony Lane

Public Works Director John Collins reported that the City and Developer have been in contact regarding this street improvement district since last year, therefore expenses were planned in the 2014/2015 Capital Improvement Program budget. Several adjustments had been made to this subdivision plat, which had delayed this paving district and required the budgeted funds to be moved to FY 2015/2016. This public/private partnership would allow for development of the area, which consisted of a City park with parking, as well as meeting the developer needs. This project was currently estimated at \$250,000.00 and would be assessed to the subdivision developer.

Motion by Haase, second by Jones to approve Ordinance #9546.

City Clerk: Ordinance #9546 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 #9546 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 final passage, Ordinance #9546 is declared to be lawfully adopted upon publication as required by law.

#9547 – Consideration of Amending Chapter 20 of the Grand Island City Code Relative to E-Cigarettes

Assistant City Attorney Stacy Nonhof reported that in order to try to protect the health of the youth of Grand Island, an Ordinance banning all vapor products for anyone under the age of 18 was needed. Banning all vapor products for people under the age of 18 would make enforcement of City Ordinance consistent.

Motion by Hehnke, second by Stelk to approve Ordinance #9547.

City Clerk: Ordinance #9547 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 #9547 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 final passage, Ordinance #9547 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-9 (Resolution #2015-173) and G-10 (Resolution #2015-174) were pulled from the agenda at the request of the Public Works Department. Consent Agenda items G-12 (Resolution #2015-176) and G-14 (Resolution #2015-178) were pulled for further discussion. Motion by Stelk, second by Hehnke to approve the Consent Agenda excluding items G-9, G-10, G-14 and G-14. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of June 23, 2015 City Council Regular Meeting.

#2015-166 - Approving Acquisition of Utility Easement - 3041 N. Shady Bend Road – Asche.

#2015-167 - Approving Acquisition of Utility Easement - 5976 & 5700 S. Locust Street – Lilienthal.

#2015-168 - Approving Acquisition of Utility Easement - South of Capital Avenue, West of Hwy. 281, North of Sterling Estates 3rd Subdivision - Niedfelt Property Management.

#2015-169 - Approving Acquisition of Utility Easement - 4160 Old Potash Highway - Hall County School District #2.

#2015-170 - Approving Purchase of Bucket Truck (replacement) for the Line Division (Unit 1551) of the Utilities Department from National Joint Powers Alliance Buying Group (NJPA) in an Amount of \$183,262.00.

#2015-171 - Approving Interlocal Agreement with Hall County for Ambulance Service.

#2015-172 - Approving Police Department Three Year Victims Of Crime Act Grant Application.

#2015-173 - Approving Time Extension for South Blaine Street Bridge Replacements; Project No. 2014-B-1. This item was pulled from the agenda at the request of the Public Works Department.

#2015-174 - Approving Compensation Increase for Relocation of Fence and Sidewalk at the Nebraska Veterans Home Anderson Building for the North Interceptor Phase II Sanitary Sewer Project. This item was pulled from the agenda at the request of the Public Works Department.

#2015-175 - Approving Agreement with NDOR for the Grand Island Area Metropolitan Planning Organization (GIAMPO) for the 2016 Fiscal Year Transportation Planning Program.

#2015-176 - Approving Interlocal Cooperative Agreement with Hall County for Use of County Roads to Reroute Commercial Truck Traffic to Airport Road. Councilmember Paulick thanked those that worked on getting this accomplished in such a short time.

Motion by Paulick, second by Hehnke to approve Resolution #2015-176. Upon roll call vote, all voted aye. Motion adopted.

#2015-177 - Approving Request from the Multicultural Coalition of Grand Island for Permission to Use City Streets and State Highway for the Third Annual Multicultural Day of the Dead Festival.

#2015-178 - Approving Award of Proposal for Asset Management Implementation Assistance for the Grand Island Wastewater Division with Black & Veatch Corporation of Kansas City, MO in an Amount not-to-exceed \$367,700.00. Public Works Director John Collins and Wastewater Treatment Plant (WWTP) Superintendent Marvin Strong explained the value of an Asset Management Implementation Assistance. This would allow the WWTP to be proactive instead of reactive.

Motion by Nickerson, second by Paulick to approve Resolution #2015-178. Upon roll call vote, all voted aye. Motion adopted.

#2015-179 - Approving Certificate of Final Completion for Westgate Road Paving District No. 1261; North Road to Copper Road with The Diamond Engineering Company of Grand Island, NE.

#2015-180 - Approving Contract Amendment for Community Development Block Grant 12-DTR-104.

#2015-181 - Approving Final Plat and Subdivision Agreement for Sandy Beach Third Subdivision. It was noted that John C. Hoffman, owner, had submitted the Final Plat and Subdivision Agreement for Sandy Beach Third Subdivision for the purpose of moving property line between two lots.

#2015-182 - Approving Final Plat and Subdivision Agreement for Starlite Subdivision. It was noted that Blender, LLC – Rick Johnson, owner had submitted the Final Plat and Subdivision Agreement for Starlite Subdivision for the purpose of creating 2 lots located south of State Street and west of US Hwy 281 consisting of 19.75 acres.

#2015-183 - Approving Final Plat and Subdivision Agreement for Vanosdall Second Subdivision. It was noted that Wayne Vanosdall Sanitation Service, Inc., owner, had submitted the Final Plat and Subdivision Agreement for Vanosdall Second Subdivision for the purpose of creating 3 lots located east of Locust Street and north of US Highway 34 consisting of 28.2659 acres.

REQUESTS AND REFERRALS:

Consideration of Approving Request from Blender, LLC – Rick Johnson on behalf of Zella, LLC – Farhan Khan for a Conditional Use Permit for a Senior Living Facility located South of the Intersection of State Street and Ebony Lane. This item relates to the aforementioned Public Hearing. Discussion was held regarding drainage. Mr. Lewis stated with the approval of Starlite Subdivision there was a drainage plan in place. Nate Underwood representing Zella, LLC answered questions concerning the project. He stated this facility would be private pay, they would accept Medicaid, and there was no age limit.

Motion by Paulick, second by Hehnke to approve. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2015-184 - Consideration of Request from GNS Corporation dba Git 'N Split, 3320 Langenheder Street for Class "D" Liquor License and Liquor Manager Designation for Jess Vetrovsky, 200 So. Lasall Street, Beatrice, NE. This item relates to the aforementioned Public Hearing.

Motion by Donaldson, second by Jones to approve Resolution #2015-184. Upon roll call vote, all voted aye. Motion adopted.

#2015-185 - Consideration of Request from YZ GYZ, LLC dba The Filling Station, 217 E. Stolley Park Road, Suite N for Class "C" Liquor License and Liquor Manager Designation for Shauna Forbes, 1314 Marshall Street, Wood River, NE. This item relates to the aforementioned Public Hearing. Tyson Juhl, part owner commented on the changes in the business and stated he would follow the rules. Shauna Forbes answered questions regarding being a liquor manager. Fire Division Chief Fred Hotz explained the fire inspections that had not been completed.

Motion by Paulick, second by Nickerson to approve Resolution #2015-185 with the stipulation there be no violations for 1 year. Upon roll call vote, Councilmembers Paulick, Steele, Hehnke, Haase, Stelk, and Nickerson voted aye. Councilmembers Donaldson and Jones voted no. Motion adopted.

#2015-186 - Consideration of Approving the 2015-2016 Fee Schedule. Interim Finance Director William Clingman reviewed the 2015-2016 Fee Schedule changes. The following changes were mentioned:

- Administration-Increase Blight Study Adoption fee
- Emergency Management-Elimination of 2 fees and addition of a new fee
- Parks Department- fee changes for Cemetery, Heartland Public Shoot Park and Aquatics
- Public Works – Elimination of 8 fees in the Streets Division
- Wastewater Treatment Plant-increase of various fees

Discussion was held and questions answered regarding alarm monitoring reports, headstone flagging, private pool rental, Family Archery fee, and golf fees.

Motion by Haase, second by Hehnke to approve Resolution #2015-186. Upon roll call vote, all voted aye. Motion adopted.

#2015-187 - Consideration of Approving External Search Firm Services for Finance Director Position. Human Resources Director Aaron Schmid reported that Administration was seeking approval to utilize the services of external search firms to fill the Finance Director position. This position had been vacant since December 10, 2014 and efforts had been taken internally to fill the position. Despite those efforts and associated costs, the applicant response had been low and not produced a finalist candidate. A fee of not to exceed 30% of the candidate's estimated first years annual compensation of \$24,578.45 to \$36,841.74 would be paid to the search firm. Should a candidate leave, through no fault of the City within 90 calendar days of initial employment, the search firm would agree to locate and present additional candidates of comparable qualifications at no additional charge.

Discussion was held regarding qualifications, experience, education, and managerial/leadership qualities. Comments were made concerning eliminating some duties from this position.

Motion by Stelk, second by Paulick to approve Resolution #2015-187. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Donaldson, second by Paulick to approve the Claims for the period of June 24, 2015 through July 14, 2015, for a total amount of \$5,273,296.78. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:33 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-3

Approving Minutes of July 21, 2015 City Council Special (Budget) Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL SPECIAL (BUDGET) MEETING

July 21, 2015

Pursuant to due call and notice thereof, a Special (Budget) 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 July 21, 2015. Notice of the meeting was given in the *Grand Island Independent* on July 16, 2015.

Mayor Jeremy L. Jensen called the meeting to order at 7:00 p.m. The following Councilmembers were present: Mitch Nickerson, Jeremy Jones, Chuck Haase, Linna Dee Donaldson, Michelle Fitzke, Roger Steele, and Mike Paulick. Councilmembers Mark Stelk, Julie Hehnke, and Vaughn Minton 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 member Rebecca Peterson and board member Danna Burchess.

INVOCATION was given by Community Youth Council member Rebecca Peterson followed by the PLEDGE OF ALLEGIANCE.

SPECIAL ITEMS:

2015-16 Budget Planning Schedule: City Administrator Marlan Ferguson presented the 2015-2016 budget schedule. The 2015-2016 proposed budget would commence at the regular City Council meeting on August 11, 2015 with the Public Hearing. The Fee Schedule was approved at the July 14, 2015 meeting and the Full Time Equivalents (FTE) the Capital Improvement Fund (CIP) and the Socrata "Openspending" Website to be reviewed at this meeting. Interim Finance Director William Clingman gave a demonstration on the expense side of the Socrata website.

The following proposed schedule was presented:

July 14, 2015	Council meeting: Fee Schedule
July 21, 2015	Special meeting/Study Session: FTE, CIP, Socrata
July 28, 2015	Council meeting: Approve BID budgets, assessments and set Board of Equalization
August 11, 2015	Council meeting: Public Hearing on City and CRA budgets, Health Insurance Contract, Salary Ordinance
August 17, 2015	Council Budget Session: General Fund Summary, Revenue/Expenditures Analysis, Operating Cash Analysis, and General Fund Departments Review
August 18, 2015	Council Budget Session: Continuation of General Fund Department Review and Enterprise Funds
August 24, 2015	Utilities and other Department Review
August 25, 2015	Council meeting followed by Budget session if needed

September 8, 2015 Council meeting: Approval of 2015-2016 budget, 1% Increase to the Restricted Lid Limit, setting the Mill Levy
September 20, 2015 Budget must be received by Nebraska Department of Revenue by this date

2016 Proposed Budget Presentation: Full Time Equivalent Positions (FTE): Mr. Ferguson stated the Library and Fire Department were asking for more FTEs than the Administration was recommending. Interim Finance Director William Clingman gave the following summary of costs by fund:

General - 100	\$525,115
Enhanced 911 - 215	\$ 6,572
PSC Wireless - 216	(\$20,270)
Community Youth - 229	(\$15,283)
VOCA Grant - 260	\$ 42,323
Utilities - 520	\$102,465
WWTP - 530	\$ 9,765

These figures do not include proposed FTEs from the Fire Department.

Mr. Clingman stated the Finance Department was requesting 1 FTE for a cashier to start June 1, 2016 contingent upon the Utilities Customer Service Center opening on or around that date. The cost impact to the Finance Department for 2016 was \$12,838.

The Public Information Officer/Community Youth Council was requesting the 100% consolidation of the cost to the General Fund effective October 1, 2015 with no FTE increase. The Public Information cost impact to the General Fund would be \$14,124 and a decrease of \$15,283 to the Community Youth Council (229 Fund). Discussion was held concerning the 229 Fund which was a grant fund.

Building Department Director Craig Lewis was requesting the reclassification of the Maintenance Worker I and Maintenance Worker II positions to a single Building Maintenance Worker position effective October 1, 2015. There would be no FTE increase and a cost impact of \$3,216 to the department. Discussion was held regarding the level of expertise between the two job classifications.

Emergency Management Director John Rosenlund was requesting 1 FTE as a new swing shift dispatcher to start January 1, 2016 with a \$43,081 increase to the General Fund. Also requested was shifting the allocation between the 215 and 216 Funds resulting in an increase of \$6,572 to Enhanced 911 and a decrease of \$20,270 to the PSC Wireless Fund.

Parks & Recreation Director Todd McCoy was requesting 1 FTE for a Recreation Coordinator to start November 1, 2015 and to transfer a Maintenance Worker from the Fieldhouse/Island Oasis to Parks Operations effective October 1, 2015. Also requested was a part-time Seasonal Greenhouse Worker. The total FTE change would be 1.20. Discussion was held regarding the Fieldhouse hours of operation. Mr. McCoy answered questions regarding an Officer Manager at the Heartland Public Shooting Park. He stated due to budget constraints he did not ask for that position in this year's budget but would in the future.

Police Chief Steve Lamken requested 1 FTE for an Evidence Technician to start May 1, 2016; 1 FTE as a Police Records Clerk to start August 1, 2016; and 1 FTE as a Victim Witness Advocate

to start January 1, 2016. This would be an increase of \$41,277 to the Police Department and \$42,323 to the VOCA Grant Fund 260. Discussion was held regarding the VOCA Grant. Chief Lamken stated we have had a VOCA grant for well over a decade.

Street Superintendent Shannon Callahan reported the Streets Division has requested 2 FTEs as Equipment Operators to start October 1, 2015 with an increase of \$169,922 to the Streets Department. Discussion was held regarding contract work. Ms. Callahan stated some projects needed to be done in-house such as weed spraying, drainage work, and snow/ice control. Street sweeping was mentioned.

Wastewater Treatment Plant Superintendent Marvin Strong stated they were requesting an increase of .25 FTE as a Maintenance Seasonal Worker to start May 1, 2016 with an increase of \$9,765 to this department.

Utilities Director Tim Luchsinger requested 1 FTE for a System Technician to start October 1, 2015 with an increase of \$102,465 to the Electric Utility Fund. Questions were answered regarding the type of support that was needed. Mr. Luchsinger stated with the implementation of a new management software, which included additional mobile electronic devices to the utility distribution, an additional System Technician was needed.

Library Director Steve Fosselman requested 1 FTE for an Assistant Library Director to start October 1, 2015. Also requested was to reclassify 1 Library Assistant I to an Assistant II, move 2 part-time Library Assistant 1's to full-time, and increase seasonal worker and Library Page hours. The net increase of 2.4444 FTEs would impact the Library Department by \$170,570. Council commented on the outstanding job the Library had done. Mr. Fosselman answered questions regarding the National Standard for libraries, certification, and extended hours at the library.

Human Resources Director Aaron Schmid stated FTE proposals for secretary and administrative assistant positions throughout the City would be postponed for approximately 60 days to further review, analyze and understand proposals.

Fire Chief Corey Schmidt gave a background on the EMS services and the need for a third ambulance. He was requesting 3 FTEs as Firefighter/EMTs for an increase of \$223,191 and 3 FTEs as Firefighter/Paramedics for an increase of \$239,835. Reviewed was EMS background, changes in Grand Island, call volume, National Standards, response capability, Fire and EMS coverage, call trending, overlapping calls, and benefits of hiring additional staff. Mr. Schmidt answered questions regarding the number of ambulances (7) and when recalls of personnel happen. Discussion was held regarding the number of calls with regards to big events in the City. Chief Schmidt stated the additional FTEs if approved would be based out of Station 4.

Presentation of 400 Capital Improvement Projects for Fiscal Year 2015/2016: Public Works Director John Collins reviewed the 2015 Capital Projects in progress. \$2.7 million was supposed to come over from last year but did not so several projects were delayed. Reviewed were the completed projects and the delayed or cancelled projects.

Mr. McCoy commented on the Ryder Tennis Court facility upgrade. Phil Maltzahn, 1 Ponderosa Drive and Ron Bender, 1434 Howard Place representing the Tennis Association spoke in support

and explained the need for the new courts. Discussion was held concerning the cost of the entire project. The current courts could not be used because they were in such bad shape.

The following Proposed Capital Projects for 2016 were presented:

- ADA – 4th Street & 5th Street CDBG Project - \$400,000
- Adams Street Paving District - \$2,250,000
- Blaine Bridge Replacement w/Culverts - \$495,000
- Capital Avenue; Webb Road to Broadwell Avenue (includes trail) - \$950,000
- Faidley & Diers Traffic Signal - \$136,500
- North Road at 13th Street Intersection Improvements - \$750,000
- Pavement Condition Survey - \$140,000
- Sterling Estates Paving District - \$300,000
- Stolley Park Road Restriping/Rehabilitation - \$420,000
- Swift Road Paving District No. 1263 - \$2,500,000
- South Front Street Over Sycamore Underpass Rehabilitation - \$80,000
- Waugh/Broadwell Relocation - \$100,000
- Eagle Scout Detention Cell – North of Eagle Scout Lake - \$75,000
- Moores Creek Drain Extension – (Old Potash Hwy to Edna Dr) - \$50,000
- Northwest Flood Control Project - \$900,000
- Fieldhouse Turf Replacement - \$275,000
- Miscellaneous Park Projects - \$195,000
- Ryder Tennis Court Facility Upgrade - \$280,093
- Sterling Park Phase 2 - \$150,000
- Alternate 911 Emergency Center - \$200,000
- Final Phase of GITV – HD Implementation - \$80,000

The total Capital Project requests were \$10,726,593. Discussion was held concerning the funding from Sales Tax that was dedicated to the Capital Improvement Projects. Mr. Clingman stated he would get the information to Council. Grand Generation projects were mentioned. Mr. Lewis stated everything was going very well. Roofing, restrooms, replacing valves, lights, etc. were being done.

Mr. Ferguson stated this was the beginning of the budget process. The information presented here would be plugged into the budget for further action by Council.

ADJOURNMENT: The meeting was adjourned at 9:14 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-4

Approving Appointments of Todd Enck, Marv Webb, Brad Kissler, and Justin Oseka to the Building Code Advisory Board

Mayor Jensen has submitted the appointments of Todd Enck, Marv Webb, Brad Kissler, and Justin Oseka to the Building Code Advisory board. The appointments would become effective August 1, 2015 upon approval by the City Council and would expire on August 1, 2017.

Staff Contact: Mayor Jeremy Jensen

DATE: July 17, 2015

TO: Mayor Jensen

FROM: Craig A. Lewis, Building Department Director *CA*

RE: Appointments to the Building Code Advisory Board

The following people have expressed their willingness to serve on the Building Code Advisory Board.

Todd Enck, Contractor	T.C. Enck Construction 511 Fleetwood Cir Grand Island NE 68803	08/01/15 - 08/01/17
Marv Webb, Architect	Webb & Company Architects 387 N Walnut St Grand Island NE 68801	08/01/15 - 08/01/17
Brad Kissler, Architect	Cannon Moss Brygger Architects 208 N Pine St Ste 301 Grand Island NE 68801	08/01/15 - 08/01/17
Justin Oseka, Contractor	Oseka Construction 3825 Farmstead Rd Grand Island NE 68801	08/01/15 - 08/01/17

These individuals will complete a seven-member board of knowledgeable professionals empowered to rule on appeals of orders, decisions, or determinations made by the Building Department relative to the application and interpretation of the building code. The Board of Appeals shall have no authority relative to interpretation of administrative provisions of the code, nor shall the Board be empowered to waive requirements of the building code.

I would request your appointment and the Councils' approval of these qualified individuals as I feel they have and will continue to provide a valuable service to the city.



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-5

Approving Appointments of Al Avery, Mike Nolan, Glen Murray, John Schultz, Karen Bredthauer, and Deb Trosper to the Zoning Board of Adjustment

Mayor Jensen has submitted the appointments of Al Avery, Mike Nolan, Glen Murray, John Schultz, Karen Bredthauer, and Deb Trosper to the Zoning Board of Adjustment. The appointments would become effective September 1, 2015 upon approval by the City Council and would expire on August 31, 2018.

Staff Contact: Mayor Jeremy Jensen

DATE: July 17, 2015
TO: Mayor Jensen
FROM: Craig A. Lewis, Building Department Director *CA*
RE: Appointments to the Zoning Board of Adjustment

The following people have expressed their willingness to serve on the Zoning Board of Adjustment for a three year term from September 1, 2015 to August 31, 2018.

Al Avery
3125 N Webb Rd
Grand Island NE 68803

Mike Nolan
1450 S Gunbarrel Rd
Grand Island, NE 68801

Glen Murray
PO Box 452
Grand Island NE 68802

John Schultz
2321 W Oklahoma Ave
Grand Island NE 68803

Deb Trosper
1722 Idlewood Ln
Grand Island NE 68801

I would request your appointment and the Councils' approval of these qualified individuals as I feel they have and will continue to provide a valuable service to the city.



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-6

Approving Liquor Manager Designation for Renee Snider, 11920 W. Beam Hill Road, Denton, NE for Walgreen's #3467, 1515 West 2nd Street and Walgreen's #12538, 1230 N. Webb Road

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: July 28, 2015

Subject: Request from Renee Snider, 11920 W. Beam Hill Road, Denton, NE for Liquor Manager Designation with Walgreen's #3467, 1515 West 2nd Street and Walgreen's #12538, 1230 N. Webb Road

Presenter(s): RaNae Edwards, City Clerk

Background

Renee Snider, 11920 W. Beam Hill Road, Denton, NE has submitted applications with the City Clerk's Office for a Liquor Manager Designation in conjunction with Walgreen's #3467, 1515 West 2nd Street and Walgreen's #12538, 1230 N. Webb Road.

These applications have been reviewed by the Police Department and City Clerk's Office.

Discussion

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

Ms. Snider has completed a state approved alcohol server/seller training program.

Alternatives

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

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

Recommendation

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

Sample Motion

Move to approve the request from Rene Snider, 11920 W. Beam Hill Road, Denton, NE for Liquor Manager Designation in conjunction with the Class “D-88629” Liquor License for Walgreen’s #3467, 1515 West 2nd Street and the Class “D-88630” Liquor License for Walgreen’s #12538, 1230 N. Webb Raod.

07/21/15
10:57

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 1

City : Grand Island
Occurred after : **:**:** **/**/****
Occurred before : **:**:** **/**/****
When reported : 13:30:00 07/10/2015
Date disposition declared : 07/13/2015
Incident number : L15070990
Primary incident number :
Incident nature : Liquor Lic Inv Liquor Lic Inv
Incident address : 1515 2nd St W
State abbreviation : NE
ZIP Code : 68801
Contact or caller :
Complainant name number :
Area location code : PCID Police - CID
Received by : Vitera D
How received :
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 : 2924
Long-term call ID :
Clearance Code : CL CL Case Closed
Judicial Status :
=====

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	202257	07/17/15	Snider, Renee	Manager
NM	202258	07/17/15	Snider, Brandon	Renee's
Husband				
NM	50937	07/10/15	Walgreens,	Business
Involved				
NM	155460	07/10/15	Walgreens,	Business
Involved				

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT03	LT03 Bar/Night Club	

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 liquor manager's application from Renee Snider for Walgreens on 2nd Street and Walgreens on North Webb.

ap

~~----- (lwmain13260207102015)~~

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	14:17:25 07/17/2015

Grand Island Police Department
Supplemental Report

Date, Time: Fri Jul 17 14:17:36 CDT 2015
Reporting Officer: Vitera
Unit- CID

Renee Snider is applying to be the liquor manager at both Walgreens in Grand Island. Renee was born in Nebraska and has lived in either Lincoln or Denton since at least 1998. She is married to Brandon Snider who has lived in either Lincoln, Denton, or Omaha since at least 2005. Renee disclosed three DUI convictions, a driving during suspension, and a minor in possession conviction. Brandon didn't disclose any convictions, but he also signed a Spousal Affidavit on Non-Participation form.

I checked Spillman and NCJIS for Renee and Brandon. Neither one of them had an entry in Spillman. Renee didn't have any undisclosed convictions listed in NCJIS. Brandon failed to disclose three DUI convictions from the late 90's, 2 speeding convictions, unlawful plate registration, possession of drug paraphernalia, possession of marijuana less than an ounce, and a CDL violation. All of Renee's convictions were between 1993 and 2003. None of Renee's convictions would preclude her from being a

liquor manager. Renee and Brandon each have a valid Nebraska driver's license, and neither one of them have any outstanding arrest warrants.

I checked Walgreens through the NLCC's web site and found that Renee is applying to be the liquor manager at fifty Walgreens in Nebraska from Scottsbluff to Omaha. According to Nebraska State Statute 53-103.18, Manager means a person appointed by a corporation or limited liability company to oversee the daily operation of the business licensed in Nebraska. A manager shall meet all the requirements of the Nebraska Liquor Control Act as though he or she were the applicant, including residency and citizenship."

Question three on the Manager Application asks the applicant if she "...intend(s) to supervise, in person, the management of the business?" Between the state statute definition of a manager saying she needs to "oversee the DAILY operation" of the business and the application saying she needs to do it in person, I believe it's impossible for Renee to be a manager at fifty Walgreens stores. However, I've been told that having one manager for larger companies and corporations with numerous stores is kind of the trend now, and there appears to be support from some State law enforcement officials and no opposition from the NLCC.

As long as there are no liquor-related problems or even only minor problems at the Walgreens stores in Grand Island, the Grand Island Police Department has no objection to Renee Snider being the liquor manager at both stores.



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-7

#2015-188 - Approving Final Plat and Subdivision Agreement for Stauffer Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: July 28, 2015
Subject: Stauffer Subdivision – Final Plat
Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

This property is located west of US Hwy 281 and north of Wildwood Drive, in the City of Grand Island, in Hall County, Nebraska. Consisting of (1 Lot) and 5.662 acres.

Discussion

The plat for Stauffer Subdivision was considered by the Regional Planning Commission at the June 10, 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 9 members present and voting in favor (O'Neill, Ruge, Connick, Sears, Maurer, Huisman, Heckman, Haskins and Bredthauer) and no members abstaining.

Alternatives

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

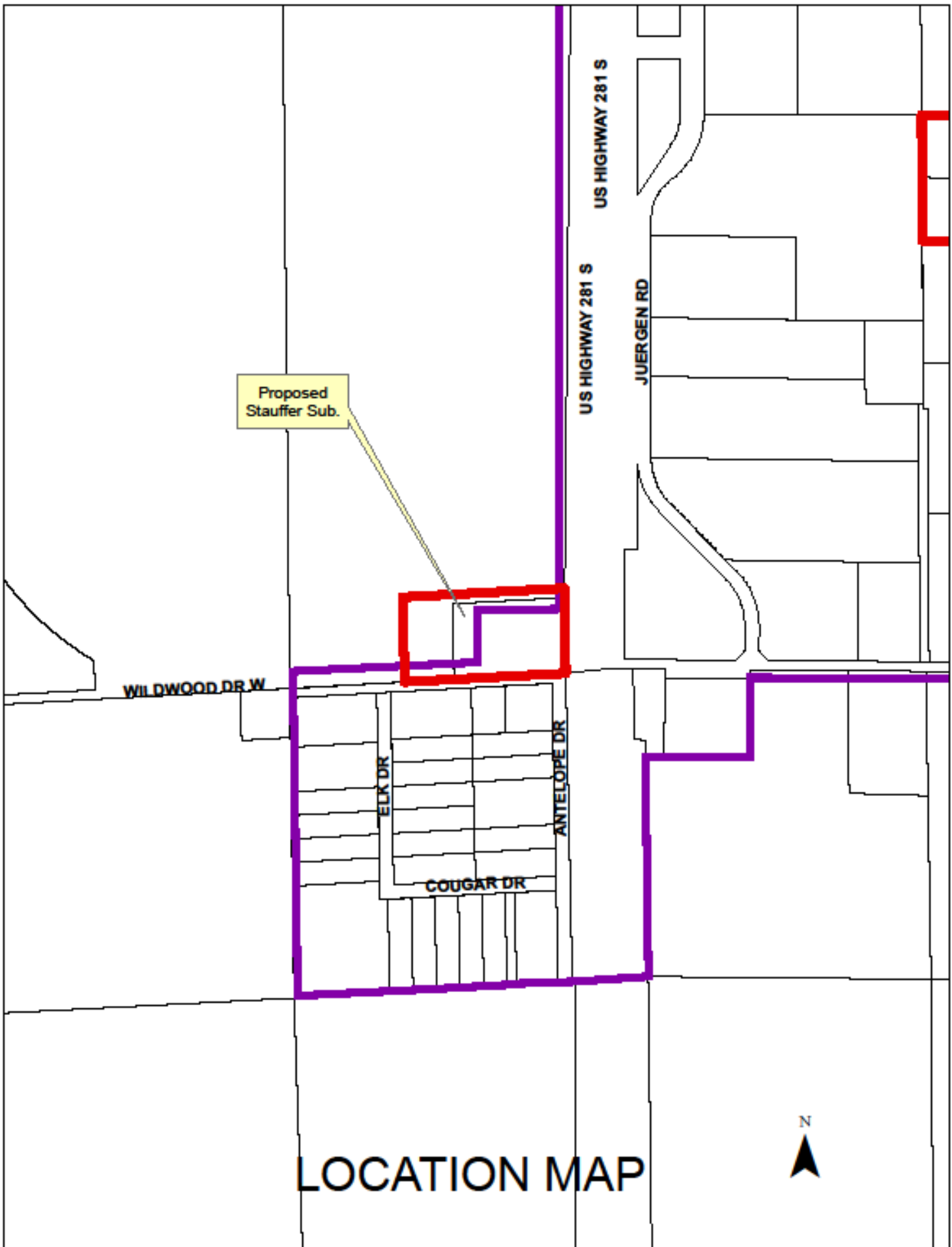
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve as recommended.



**Mitchell H. Stauffer Revocable Trust, Robin Stauffer, Successor Trustee
Developer/Owner**

Mitchell H. Stauffer Revocable Trust, Robin Stauffer, Successor Trustee
2304 Cumming Street
Fremont NE 68025

To create 1 lot located west of US Hwy 281 and north of Wildwood Drive, in the City of Grand Island, in Hall County, Nebraska.

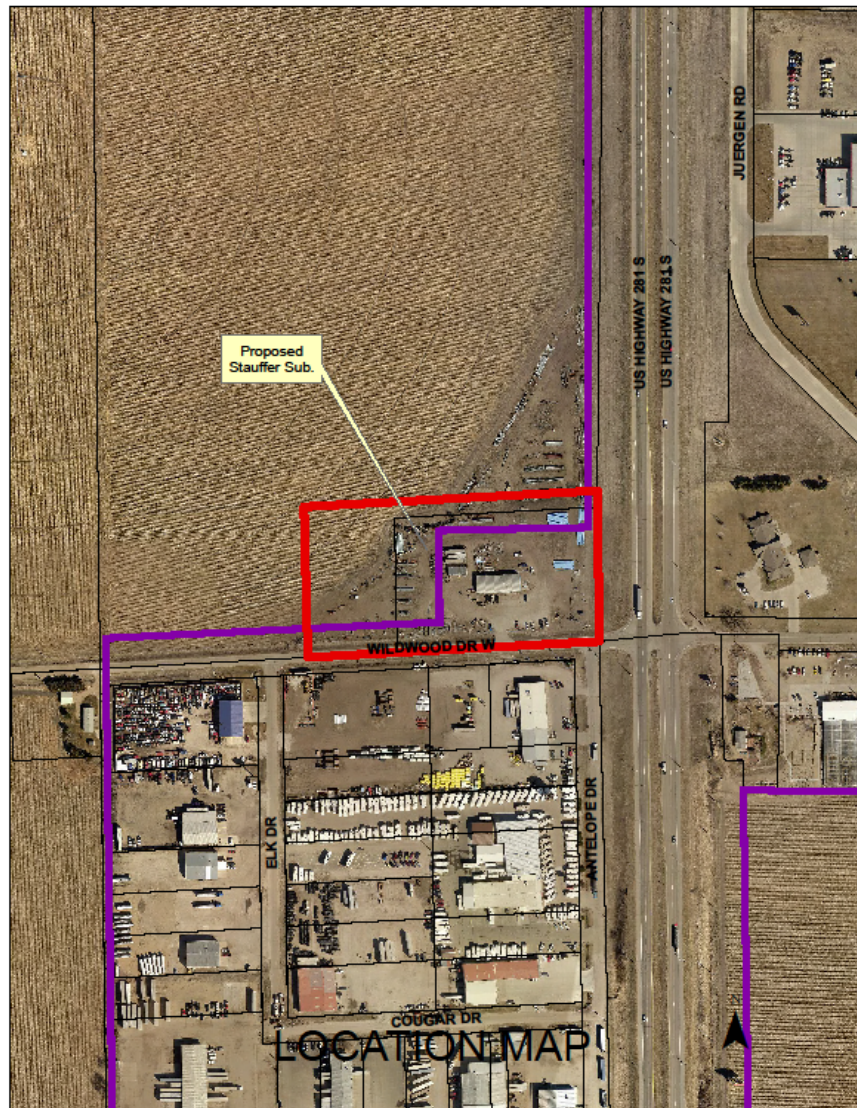
Size: 5.662 acres

Zoning: B2 – General Business Zone

Road Access: City Roads

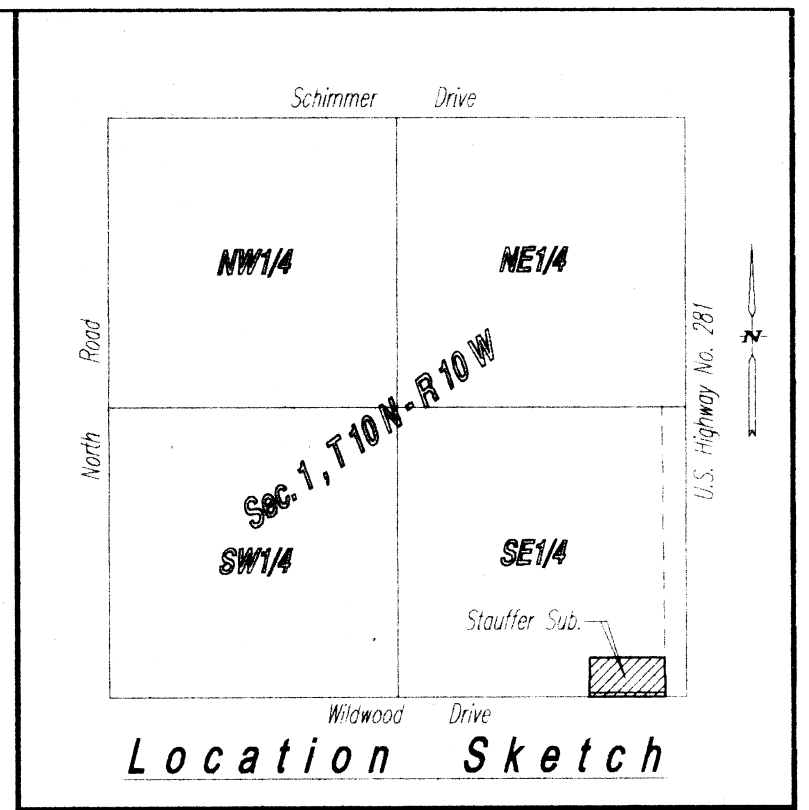
Water Public: City water is available.

Sewer Public: City sewer is available.



•-Indicates 1/2" Iron Pipe Found Unless Otherwise Noted
 ○-Indicates 1/2" Iron Pipe w/Survey Cap Placed Unless Otherwise Noted
 A-Indicates ACTUAL Distance
 R-Indicates RECORDED Distance

E1/2SE1/4, Sec. 1, T10N - R10W
Unplatted



A tract of land comprising a part of the East Half of the Southeast Quarter (E1/2SE1/4), of Section One (1), Township Ten (10) North, Range Ten (10) West of the 6th. P.M., in Hall County, Nebraska, more particularly described as follows:

7.28' A. S. 87°53'32" W.
Assumed Bearing
S.E. Cor. E1/2SE1/4
Sec. 1, T10N-R10W,
Found Survey Marker

Beginning at the southeast corner of said East Half of the Southeast Quarter (E1/2SE1/4); thence running westerly on the south line of said East Half of the Southeast Quarter (E1/2SE1/4), on an Assumed Bearing of S87°53'32"W, a distance of Two Hundred Seventeen and Twenty Eight Hundredths (217.28) feet, to a point on the westerly right of way line of U.S. Highway No. 281 and to the ACTUAL Point of Beginning; thence continuing S87°53'32"W, on the south line of said East Half of the Southeast Quarter (E1/2SE1/4), a distance of Six Hundred Eighty Five and Ninety Eight Hundredths (685.98) feet; thence running N00°56'57"E, a distance of Three Hundred Sixty and Six Hundredths (360.06) feet; thence running N87°53'32"E, a distance of Six Hundred Eighty Five and Ninety Seven Hundredths (685.97) feet, to a point on the westerly right of way line of U.S. Highway No. 281; thence running S00°56'54"W, on the westerly right of way line of U.S. Highway No. 281, a distance of Three Hundred Sixth and Six Hundredths (360.06) feet, to the ACTUAL Point of Beginning and containing 5.662 acres more or less.

I hereby certify that on May 4, 2015, I completed an accurate survey of 'STAUFFER SUBDIVISION', An Addition to the City of Grand Island, Nebraska, as shown on the accompanying plat thereof; that the lots, blocks, streets, avenues, alleys, parks, commons and other grounds as contained in said subdivision as shown on the accompanying plat thereof are well and accurately staked off and marked; that iron markers were placed at all lot corners; that the dimensions of each lot are as shown on the plat; that each lot bears its own number; and that said survey was made with reference to known and recorded monuments.

Deryl D. Sorgenfrei, Reg. Land Surveyor No. 578

*Submitted to and approved by the Regional Planning Commission of Hall County,
Grand Island, Wood River and the Villages of Alda, Cairo and Doniphan, Nebraska.*

Date _____

City Clerk

KNOW ALL MEN BY THESE PRESENTS, that the MITCHELL H. STAUFFER REVOCABLE TRUST, DATED OCTOBER 5, 2009, being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as 'STAUFFER SUBDIVISION' An Addition to the City of Grand Island, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the easements, if any, as shown thereon for the location, construction and maintenance of public service utilities, together with the right of ingress and egress thereto, and hereby prohibiting the planting of trees, bushes and shrubs, or placing other obstructions upon, over, along or underneath the surface of such easements; and that the foregoing subdivision as more particularly described in the description hereon as appears on this plat is made with the free consent and in accordance with the desires of the undersigned owner and proprietor.

IN WITNESS WHEREOF, I have affixed my signature hereto, at Grand Island, Nebraska, this _____ day of _____, 2015.

Mitchell H. Stauffer Revocable Trust, Dated October 5, 2009

Robin Stauffer, Successor Trustee

State Of Nebraska ss
County Of Hall

On the _____ day of _____, 2015, before me, _____
a Notary Public within and for said County, personally appeared ROBIN STAUFFER,
Successor Trustee of the MITCHELL H. STAUFFERT REVOCABLE TRUST, DATED OCTOBER
5, 2009, and to me personally known to be the identical person whose signature
is affixed hereto, and that he did acknowledge the execution thereof to be his
voluntary act and deed and the voluntary act and deed of said Trust.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Grand Island, Nebraska, on the date last above written.
My commission expires _____.

Notary Public

(Seal)

STAUFFER SUBDIVISION
AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA

RESOLUTION 2015-188

WHEREAS, Mitchell H Stauffer Revocable Trust, Dated October 5, 2009, being the said owner of the land described in the legal description hereon, have filed an application for approval of the final plat of Stauffer Subdivision, a tract of land comprising a part of the East Half of the Southeast Quarter (E1/2 SE1/4) of Section One (1), Township Ten (10) North Range Ten (10), West of the 6th P.M. in 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 STAUFFER 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, July 28, 2015.

Jeremy Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 24, 2015	☐ City Attorney



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-8

#2015-189 - Approving Acquisition of Utility Easement - 168 E. Capital Avenue - Leetch & Stryker

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

Staff Contact: Tim Luchsinger, Utilities Director

RESOLUTION 2015-189

WHEREAS, a public utility easement is required by the City of Grand Island from Joel A. Leetch and Janet Stryker, 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 July 28, 2015 for the purpose of discussing the proposed acquisition of a utility easement on a tract of land located in Merrick County, Nebraska; and more particularly described as follows:

Commencing at the Northwest corner of Schwarz Subdivision, Merrick County, Nebraska; thence southerly along the westerly line of said Schwarz Subdivision on an assumed bearing of S0°59'06"E, a distance of five hundred thirty three (533.0) feet to the Southwest corner of Lot Five (5), Block One (1), said Schwarz Subdivision; thence N89°21'37"W along the centerline of an existing twenty (20.0) foot wide utility easement described in Book PP, Page 244, recorded in the Merrick County, Nebraska, Register of Deeds Office, a distance of two hundred twenty five and five tenths (225.5) feet to the ACTUAL Point of Beginning; thence S0°13'45"E, a distance of ninety eight (98.0) feet to a point of termination.

The above-described easement and right-of-way containing 0.045 acres, more or less, as shown on the plat dated 7/8/2015, 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 Joel A. Leetch and Janet Stryker, on the above-described tract of land.

- - -

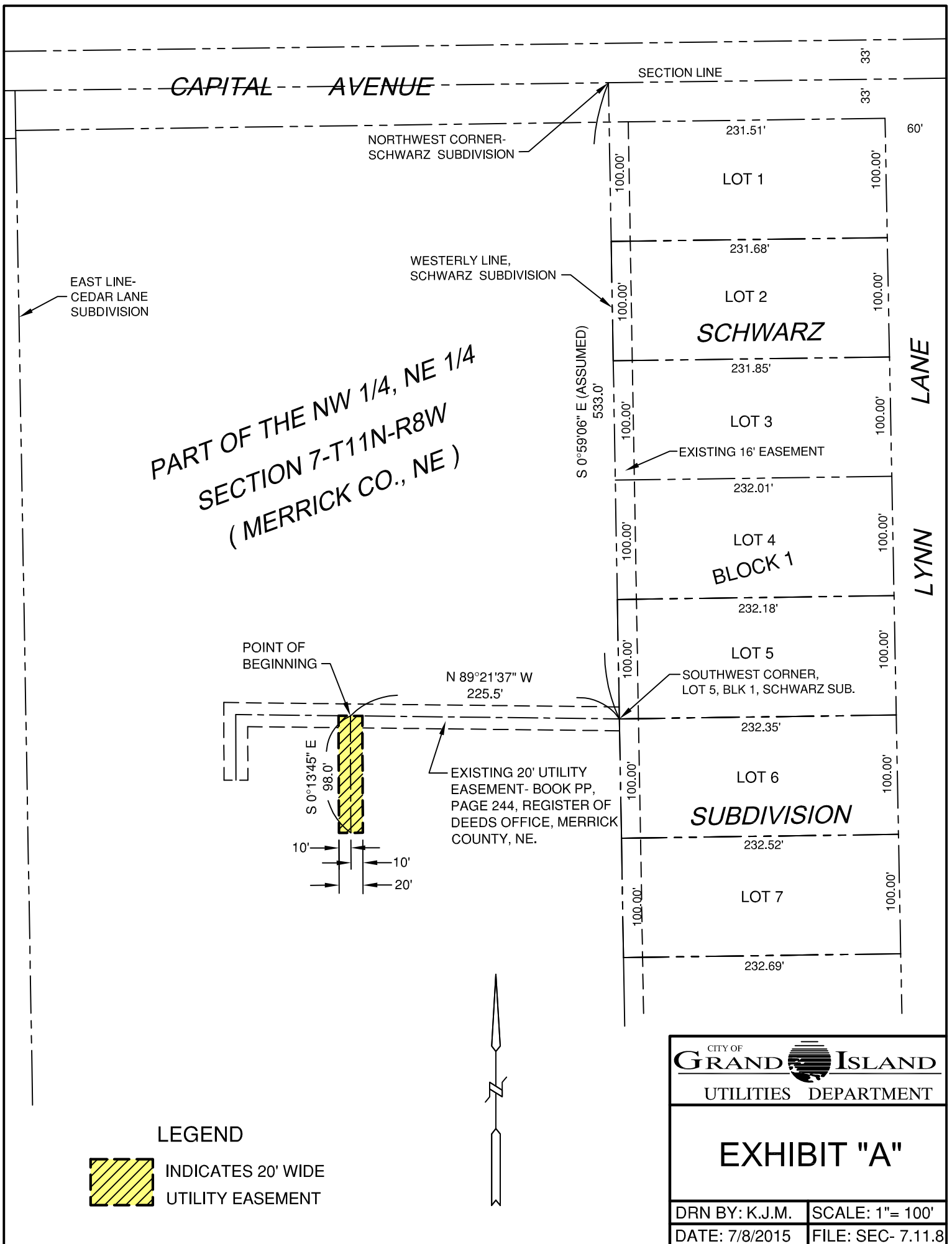
Adopted by the City Council of the City of Grand Island, Nebraska July 28, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 24, 2015	☐ City Attorney





City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-9

**#2015-190 - Approving Bid Award - Burdick Pumping Station
Motor Control Center**

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Timothy G. Luchsinger, Utilities Director
Stacy Nonhof, Assistant City Attorney

Meeting Date: July 28, 2015

Subject: Burdick Pumping Station Motor Control Center

Presenter(s): Timothy G. Luchsinger, Utilities Director

Background

The Burdick Pumping Station, located in the Burdick Power Station, was built in 1963 as part of water system improvements made to maintain system water pressures throughout the water system. The Burdick Pumping Station is one of three pumping stations in Grand Island. This station has three high pressure pumps, two of which are electrically driven and the third is a back-up diesel engine driven pump.

The electrical switchgear has been operated continuously for the last 52 years. The Motor Control Center is obsolete and does not meet current safety and electrical codes, therefore, replacement Motor Control Center equipment was included in the current water Enterprise fund budget, with installation to occur in the winter when water demand is lower.

Discussion

The specifications for the Burdick Pumping Station Motor Control Center were advertised and issued for bid in accordance with the City Purchasing Code. Bids were publicly opened on July 16, 2015. The engineer's estimate for this project was \$75,000.00.

Bidder	Option #1 Bid Price	Option #2 Bid Price
Kriz-Davis Co. Grand Island, NE	\$45,697.91	\$52,756.96

The bids were reviewed by Department engineering staff. Two options were quoted, with Option #2 to include soft starts. Soft starts create less wear on the mechanical parts of the pump and extend the equipment life. This is a smarter use of electrical power, having less in-rush current and lower demand on the electrical system. The exceptions noted state

requirements to meet the September delivery date and the motor control center to be one sided vs. two sided, are acceptable. It is otherwise compliant with specifications and less than the engineer's estimate.

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 Council award the Contract for the Burdick Pumping Station Motor Control Center to Kriz-Davis Company of Grand Island, Nebraska, as the low responsive bidder, with the bid on the Option #2 in the amount of \$52,756.96.

Sample Motion

Move to approve the bid in the amount of \$52,756.96 from Kriz-Davis Company for the Burdick Pumping Station Motor Control Center.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: July 16, 2015 at 2:00 p.m.
FOR: Burdick Pumping Station Motor Control Center
DEPARTMENT: Utilities
ESTIMATE: \$75,000.00
FUND/ACCOUNT: 520
PUBLICATION DATE: July 2, 2015
NO. POTENTIAL BIDDERS: 2

SUMMARY

Bidder:	<u>Kriz-Davis Co.</u>	
	Grand Island, NE	
Bid Security:	Cincinnati Insurance Co.	
Exceptions:	Noted	
Bid Price:		Option:
Material:	\$42,708.33	\$49,305.56
Labor:	N/A	N/A
Sales Tax:	<u>\$ 2,989.58</u>	<u>\$ 3,451.39</u>
Total Bid:	\$45,697.91	\$52,756.96

cc: Tim Luchsinger, Utilities Director
Marlan Ferguson, City Administrator
Stacy Nonhof, Purchasing Agent

Pat Gericke, Utilities Admin. Assist.
William Clingman, Interim Finance Director
Lynn Mayhew, Utilities Director PGS

P1824

RESOLUTION 2015-190

WHEREAS, the City of Grand Island invited sealed bids for Burdick Pumping Station Motor Control Center, according to plans and specifications on file with the Utilities Department; and

WHEREAS, on July 16, 2015, bids were received, opened and reviewed; and

WHEREAS, Kriz-Davis Company of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$52,759.96; and

WHEREAS, the bid of Kriz Davis Company is less than the estimate for the Burdick Pumping Station Motor Control Center.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Kriz-Davis Company, in the amount of \$52,756.96, for the Burdick Pumping Station Motor Control Center, is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 2015 .

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 24, 2015	☐ City Attorney



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-10

#2015-191 - Approving Sale of Residual (No. 6) Fuel Oil

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Timothy G. Luchsinger, Utilities Director
Stacy Nonhof, Asst. City Attorney

Meeting: July 28, 2015

Subject: Sale of Residual (No. 6) Fuel Oil

Presenter(s): Timothy G. Luchsinger, Utilities Director

Background

The City electric generating facilities include the Platte Generating Station and Burdick Station. Platte is a coal-fueled steam turbine generator rated at 100 megawatts. It is the City's base-loaded generating facility, operating over 8,000 hours per year. The generating capacity at the Burdick Station consists of three steam turbine generators (92 megawatts total) and three combustion turbine generators (81 megawatts total). These units use natural gas as their primary fuel, and because of their fuel cost being higher than coal, they are used as peaking units during high load demand periods, about 400 to 500 hours per year. Additionally, because of their quick start characteristics (less than 15 minutes), the combustion turbines are used instead of the steam turbine units, which were originally designed as base load units in the 1950's and 1960's.

As a contingency for times when the natural gas supply could be interrupted, both types of units at Burdick can use fuel oil as a backup fuel source. The combustion turbines utilize distillate (No. 2) fuel oil, which is similar to diesel, while the older steam units utilize residual (No. 6) fuel oil, which is a byproduct of the oil refining process. No. 6 fuel oil is usually less expensive than No. 2 fuel oil, but requires heating for handling and combustion and is better suited for base-load units.

With the addition of 33 megawatts of coal-fueled generation from the City's participation in the Nebraska City Unit 2 starting this year, and an additional 15 megawatts in the Whelan 2 project at Hastings in 2011, the mission of the older steam units at Burdick will be more of a standby role for disruptions of electric system operations. This role is better suited for the quick start abilities of the combustion turbines.

As a result, the need for the inventory of the No. 6 fuel oil is minimized. The use of the No. 6 oil requires a steam unit to be fired on natural gas for two to three days to heat the oil for use, which is not timely in an emergency. Burdick Station currently has about 672,000 gallons of No. 6 fuel oil in storage. As a means of funding for expanding the No.

2 fuel oil inventory for use in the combustion turbines as a contingency fuel source, bids for the sale of 672,000 gallons of No. 6 fuel oil were solicited by plant staff.

Discussion

The specifications for the Residual (No. 6) Fuel Oil were advertised and issued for bid in accordance with the City Purchasing Code. Specifications were sent to three potential bidders. A bid was received from Rex Payne, Conjopa Oil, LLC, of Ashley, Ohio.

<u>Bidder</u>	<u>Bid Price</u>	<u>Total Estimated Bid</u>
Conjopa Oil, LLC	\$0.0125 per pound	\$68,880.00

The bid was reviewed by plant engineering staff and is compliant with the specifications.

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 sale of Residual (No. 6) Fuel Oil to Conjopa Oil, LLC, of Ashley, Ohio, as the high responsive bidder, with the bid price of \$0.0125 per net pound.

Sample Motion

Move to approve award of the bid of \$0.0125 per net pound from Conjopa Oil, LLC, for the sale of Residual (No. 6) Fuel Oil.

RESOLUTION 2015-191

WHEREAS, the City of Grand Island invited sealed bids for the Sale of Residual (No. 6) Fuel Oil, according to plans and specifications on file with the Utilities Department; and

WHEREAS, on May 27, 2015, bids were received, opened and reviewed; and

WHEREAS, Conjopa Oil, LLC, 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 \$0.0125 per net pound.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Conjopa Oil, LLC, in the amount of \$0.0125 per new pound, for the sale of Residual (No. 6) Fuel Oil, is hereby approved as the high responsive bidder.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
July 24, 2015	▣ City Attorney



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-11

**#2015-192 - Approving Acquisition of Public Utility Easements-
South of Capital Avenue, East of North Road, North of Sterling
Estates Fourth Subdivision (Niedfelt Property Management
Preferred, LLC)**

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

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

RESOLUTION 2015-192

WHEREAS, public utility easements are required for further development of the Sterling Estates Subdivision area; particularly described as follows:

CITY OF GRAND ISLAND- TRACT A

A TRACT OF LAND 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., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°07'58"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 90.03 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE WEST LINE OF CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY (R.O.W.); THENCE N00°15'38"E, ALONG SAID WEST LINE, A DISTANCE OF 1504.28 FEET TO THE POINT OF BEGINNING; THENCE N89°07'20"W FOR A DISTANCE OF 158.48 FEET; THENCE N00°52'40"E A DISTANCE OF 10.00 FEET; THENCE S89°07'20"E A DISTANCE OF 158.38 FEET TO A POINT ON SAID WEST LINE OF THE DRAINAGE RIGHT-OF-WAY; THENCE S00°15'38"W, ALONG SAID WEST LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 1584 SQUARE FEET OR 0.04 ACRES MORE OR LESS.

NIEDFELT PROPERTY MANAGEMENT PREFERRED, LLC – TRACT B

A TRACT OF LAND 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., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°07'58"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 90.03 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE WEST LINE OF CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY (R.O.W.); THENCE N00°15'38"E, ALONG SAID WEST LINE, A DISTANCE OF 1554.28 FEET TO THE POINT OF BEGINNING; THENCE N89°07'20"W FOR A DISTANCE OF 157.95 FEET; THENCE N00°52'40"E A DISTANCE OF 10.00 FEET; THENCE S89°07'20"E A DISTANCE OF 157.84 FEET TO A POINT ON SAID WEST LINE OF THE DRAINAGE RIGHT-OF-WAY; THENCE S00°15'38"W, ALONG SAID WEST LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 1579 SQUARE FEET OR 0.04 ACRES MORE OR LESS.

NIEDFELT PROPERTY MANAGEMENT PREFERRED, LLC – TRACT C

A TRACT OF LAND 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., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°07'58"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 90.03 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE WEST LINE OF CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY (R.O.W.); THENCE N00°15'38"E, ALONG SAID WEST LINE, A DISTANCE OF 1554.28 FEET; THENCE N89°07'20"W A DISTANCE OF 217.95 FEET TO THE POINT OF BEGINNING; THENCE N89°07'20"W FOR A DISTANCE OF 120.00 FEET; THENCE N00°52'40"E A DISTANCE OF 10.00 FEET; THENCE S89°07'20"E A DISTANCE OF 120.00 FEET; THENCE S00°52'20"W A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 1200 SQUARE FEET OR 0.03 ACRES MORE OR LESS.

Approved as to Form	<input type="checkbox"/>
July 24, 2015	<input type="checkbox"/> City Attorney

CITY OF GRAND ISLAND – TRACT D

A TRACT OF LAND 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., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°07'58"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 90.03 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE WEST LINE OF CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY (R.O.W.); THENCE N00°15'38"E, ALONG SAID WEST LINE, A DISTANCE OF 1504.28 FEET; THENCE N89°07'20"W A DISTANCE OF 218.48 FEET TO THE POINT OF BEGINNING; THENCE N89°07'20"W FOR A DISTANCE OF 120.00 FEET; THENCE N00°52'40"E A DISTANCE OF 10.00 FEET; THENCE S89°07'20"E A DISTANCE OF 120.00 FEET; THENCE S00°52'20"W A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 1200 SQUARE FEET OR 0.03 ACRES MORE OR LESS.

CITY OF GRAND ISLAND – TRACT E

A TRACT OF LAND 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., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF S00°15'36"W, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 945.10 FEET; THENCE N89°07'20"W A DISTANCE OF 781.34 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°07'20"W FOR A DISTANCE OF 20.00 FEET; THENCE N00°52'40"E A DISTANCE OF 120.00 FEET; THENCE S89°07'20"E A DISTANCE OF 20.00 FEET; THENCE S00°52'40"W A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 2400 SQUARE FEET OR 0.06 ACRES MORE OR LESS.

NIEDFELT PROPERTY MANAGEMENT PREFERRED, LLC – TRACT G

A TRACT OF LAND 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., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF S00°15'36"W, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 945.10 FEET; THENCE N89°07'20"W A DISTANCE OF 1175.87 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°07'20"W FOR A DISTANCE OF 25.47 FEET; THENCE N00°52'40"E A DISTANCE OF 120.00 FEET; THENCE S89°07'20"E A DISTANCE OF 25.47 FEET; THENCE S00°52'40"W A DISTANCE OF 120.0 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 3056 SQUARE FEET OR 0.07 ACRES MORE OR LESS.

WHEREAS, an Agreement for the public utility easements 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 easements on the above described tracts of land.

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

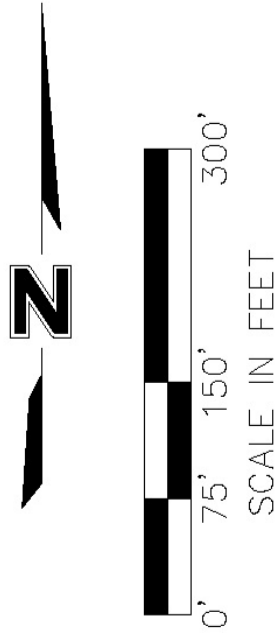
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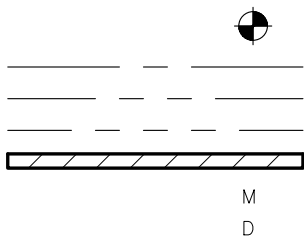
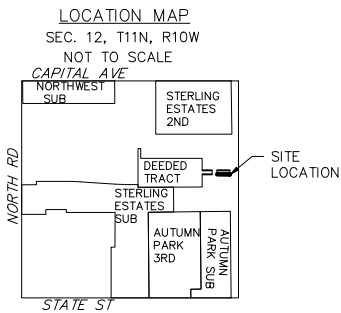
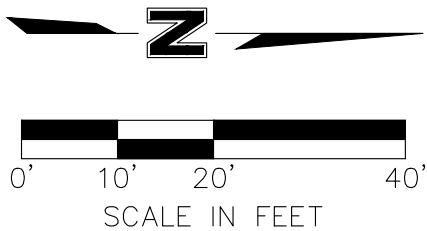
Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 2015

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk





LEGEND
SECTION CORNER
SECTION LINE
DEEDED LINE
RIGHT OF WAY LINE
TRACT AREA
MEASURED DISTANCE
DEEDED DISTANCE

TRACT A
1584 SQ.FT.
0.04 ACRES

DEEDED CITY OF GRAND
ISLAND TRACT OF LAND
(INSTRUMENT NO.
0200905078
DATED 6/24/2009)

SOUTH LINE
DEEDED TRACT

NORTH LINE
DEEDED TRACT

SW COR.
E 1/2 NW 1/4
SEC. 12-T11N-R10W

SE COR. NW 1/4
SEC. 12-T11N-R10W

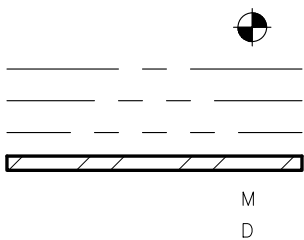
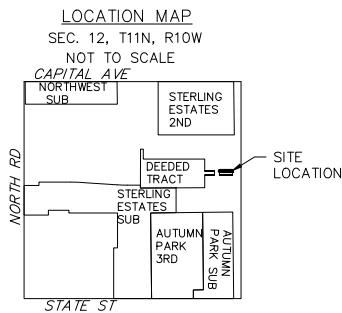
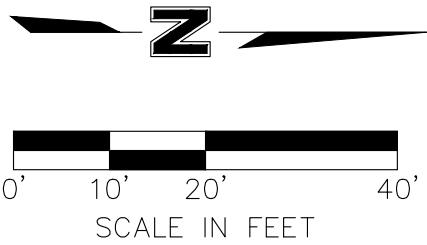
LEGAL DESCRIPTION

A TRACT OF LAND IN PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°07'58"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 90.03 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE WEST LINE OF CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY (R.O.W.); THENCE N00°15'38"E, ALONG SAID WEST LINE, A DISTANCE OF 1504.28 FEET TO THE POINT OF BEGINNING; THENCE N89°07'20"W FOR A DISTANCE OF 158.48 FEET; THENCE N00°52'40"E A DISTANCE OF 10.00 FEET; THENCE S89°07'20"E A DISTANCE OF 158.38 FEET TO A POINT ON SAID WEST LINE OF THE DRAINAGE RIGHT-OF-WAY; THENCE S00°15'38"W, ALONG SAID WEST LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 1584 SQUARE FEET OR 0.04 ACRES MORE OR LESS.

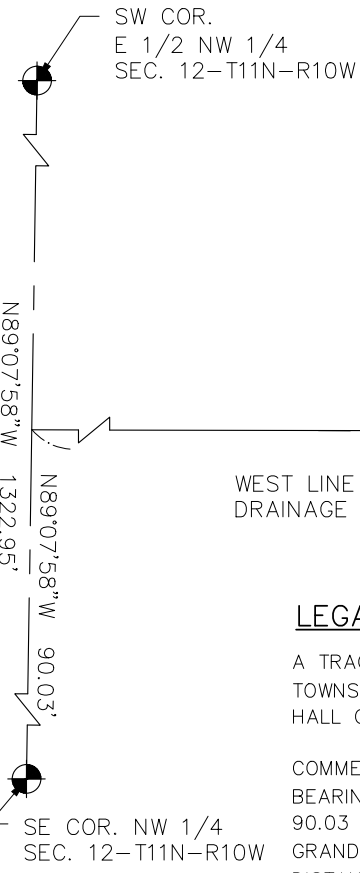
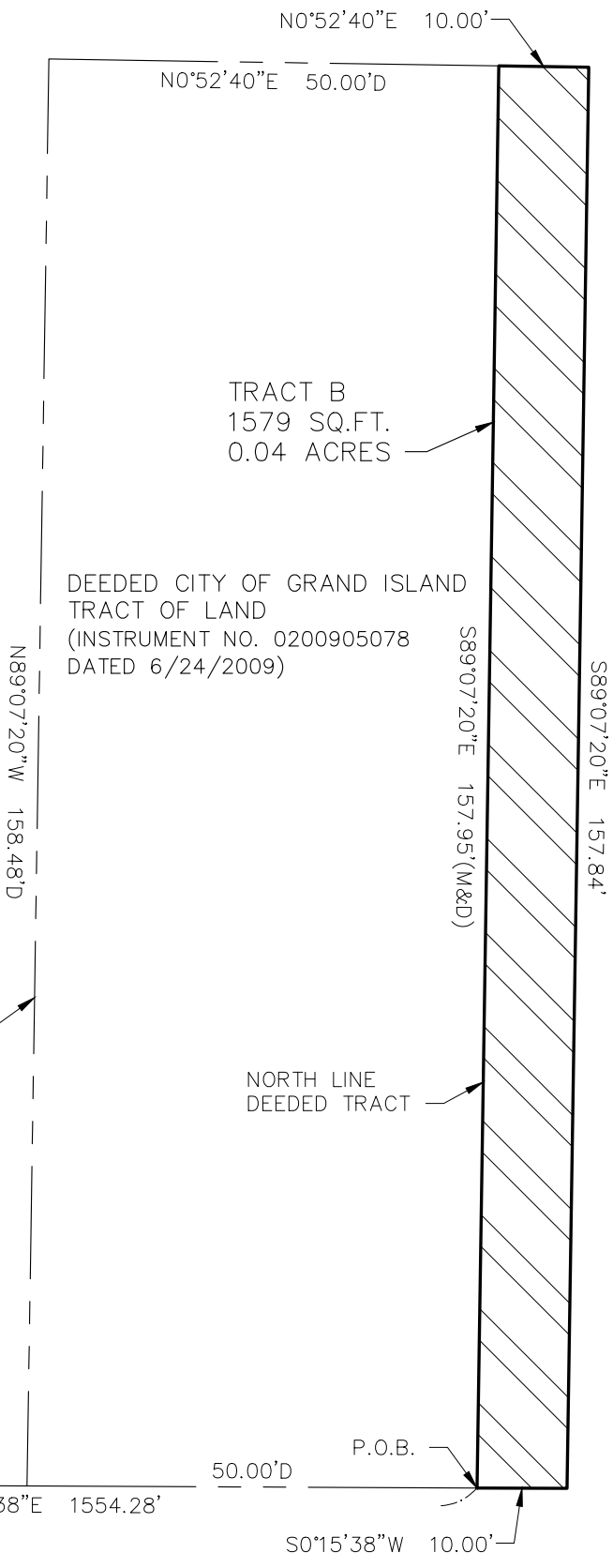
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USER: lwheeler
XREFS: MASTERXREF_ROW

PROJECT NO: 2013-1214	STERLING ESTATES FOURTH SUBDIVISION		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				A
DATE: 07/09/13				



LEGEND

- SECTION CORNER
- SECTION LINE
- DEEDED LINE
- RIGHT OF WAY LINE
- TRACT AREA
- MEASURED DISTANCE
- DEEDED DISTANCE



LEGAL DESCRIPTION

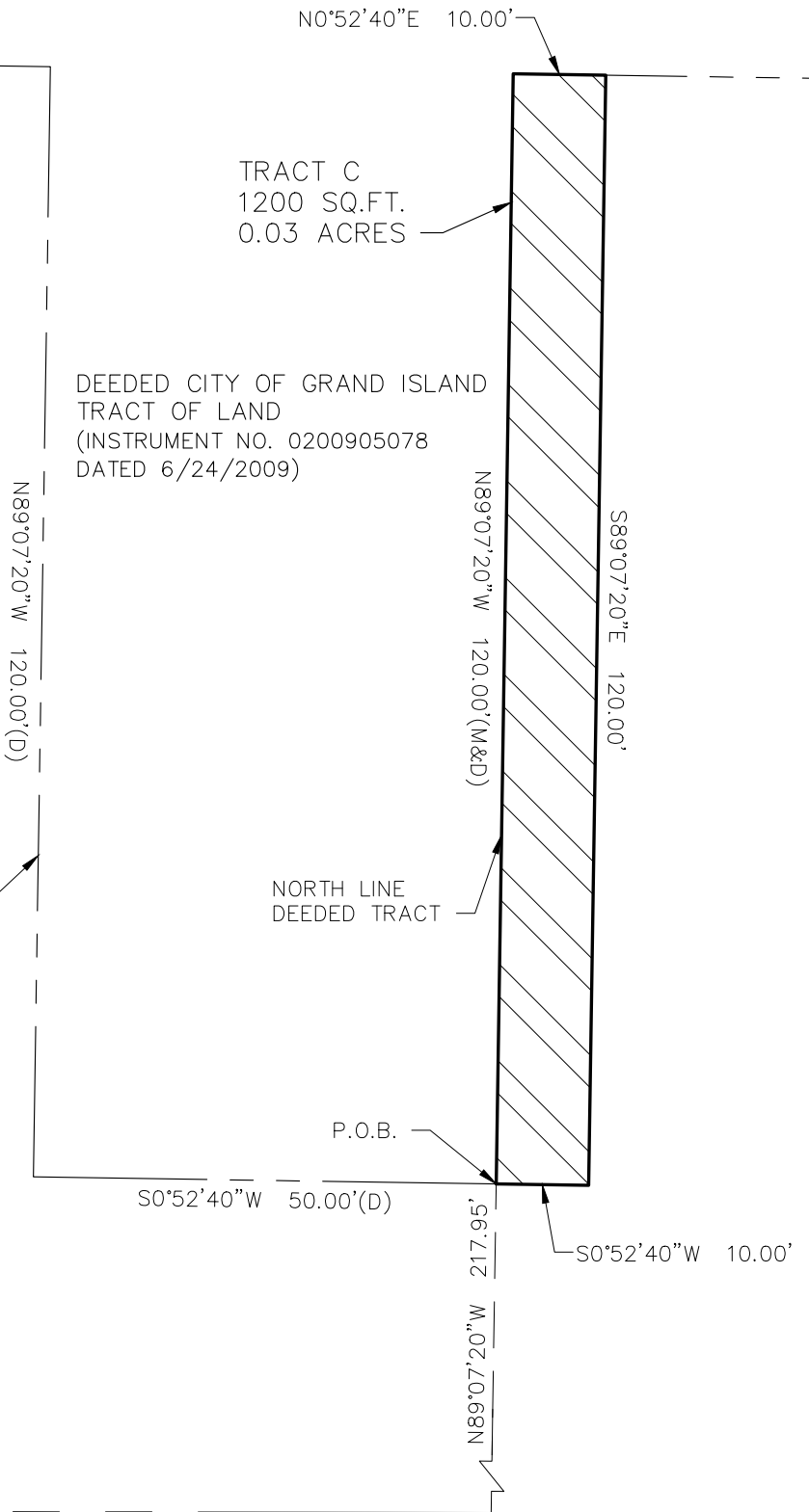
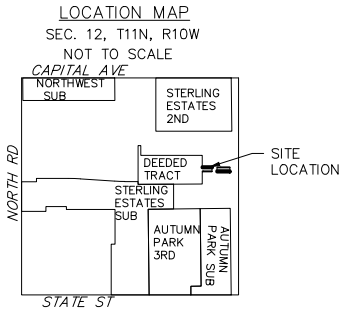
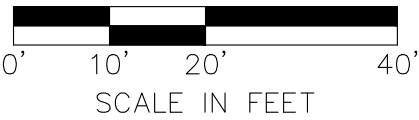
A TRACT OF LAND IN PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°07'58"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 90.03 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE WEST LINE OF CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY (R.O.W.); THENCE N00°15'38"E, ALONG SAID WEST LINE, A DISTANCE OF 1554.28 FEET TO THE POINT OF BEGINNING; THENCE N89°07'20"W FOR A DISTANCE OF 157.95 FEET; THENCE N00°52'40"E A DISTANCE OF 10.00 FEET; THENCE S89°07'20"E A DISTANCE OF 157.84 FEET TO A POINT ON SAID WEST LINE OF THE DRAINAGE RIGHT-OF-WAY; THENCE S00°15'38"W, ALONG SAID WEST LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 1579 SQUARE FEET OR 0.04 ACRES MORE OR LESS.

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PROJECT NO: 2013-1214	STERLING ESTATES FOURTH SUBDIVISION		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				B
DATE: 07/09/13				

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DATE: Mar 16, 2015 4:17pm
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LEGEND

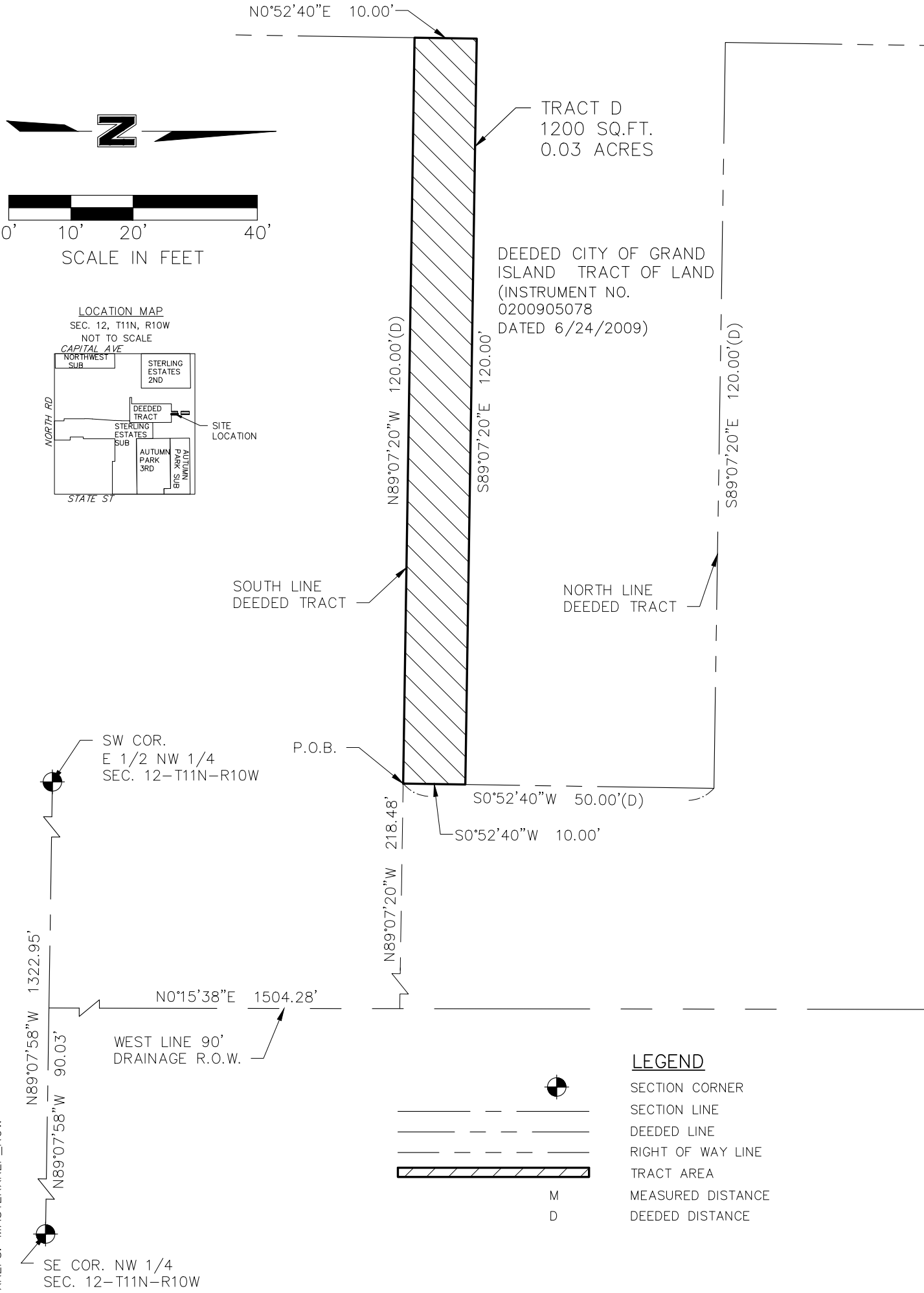
- SECTION CORNER
- SECTION LINE
- DEEDED LINE
- RIGHT OF WAY LINE
- TRACT AREA
- MEASURED DISTANCE
- DEEDED DISTANCE

LEGAL DESCRIPTION

A TRACT OF LAND IN PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°07'58"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 90.03 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE WEST LINE OF CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY (R.O.W.); THENCE N00°15'38"E, ALONG SAID WEST LINE, A DISTANCE OF 1554.28 FEET; THENCE N89°07'20"W A DISTANCE OF 217.95 FEET TO THE POINT OF BEGINNING; THENCE N89°07'20"W FOR A DISTANCE OF 120.00 FEET; THENCE N00°52'40"E A DISTANCE OF 10.00 FEET; THENCE S89°07'20"E A DISTANCE OF 120.00 FEET; THENCE S00°52'20"W A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 1200 SQUARE FEET OR 0.03 ACRES MORE OR LESS.

PROJECT NO: 2013-1214	STERLING ESTATES FOURTH SUBDIVISION		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				C
DATE: 07/09/13				

DWC: F:\projects\014-1966\SRV\Final_Plat\EXHIBITS\0131214-CITY WEST_SR.dwg USER: lwheeler
DATE: Mar 16, 2015 4:12pm XREFS: MASTERXREF_ROW

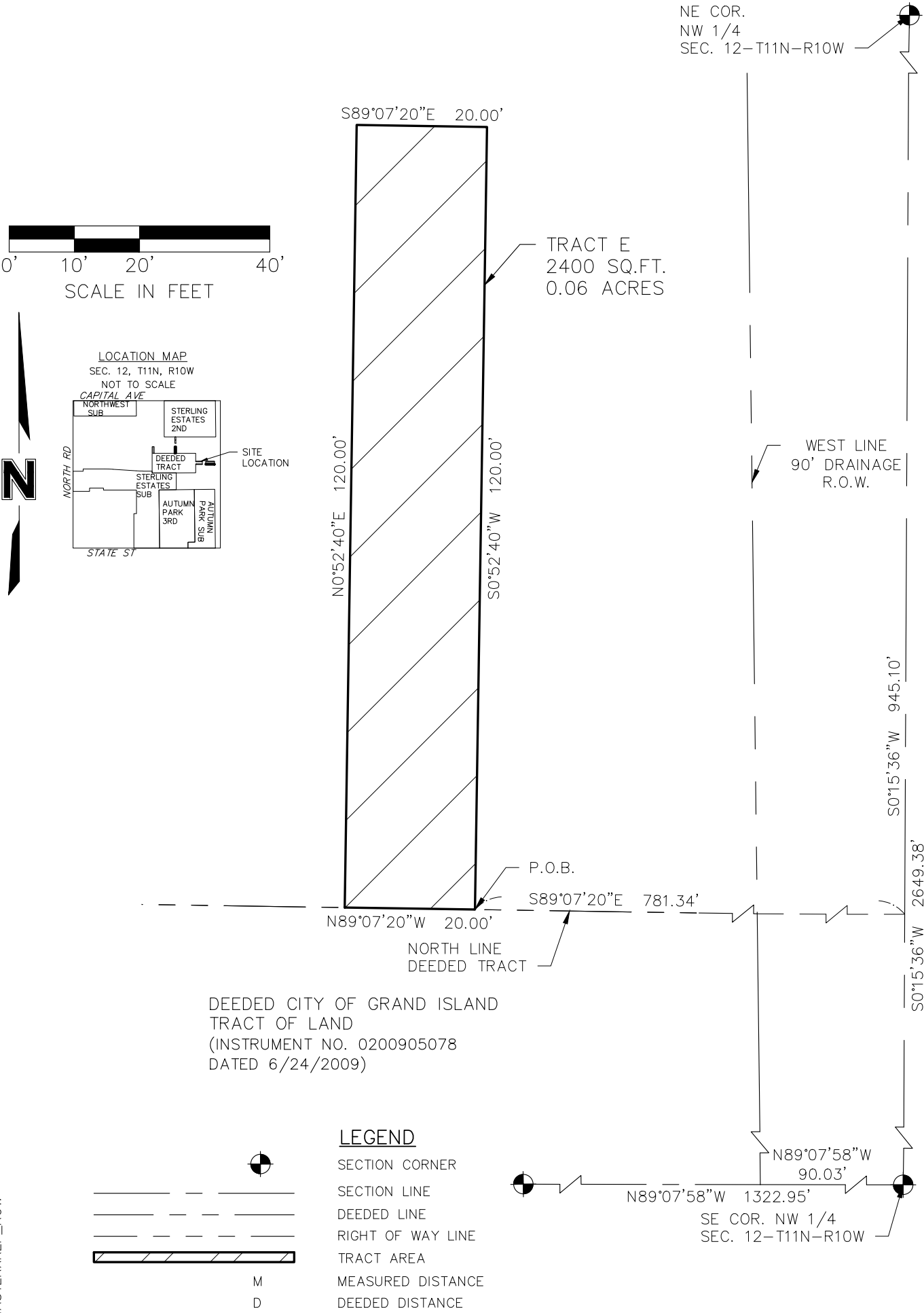


LEGAL DESCRIPTION

A TRACT OF LAND IN PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF N89°07'58\"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 90.03 FEET TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE WEST LINE OF CITY OF GRAND ISLAND DRAINAGE RIGHT-OF-WAY (R.O.W.); THENCE N00°15'38\"E, ALONG SAID WEST LINE, A DISTANCE OF 1504.28 FEET; THENCE N89°07'20\"W A DISTANCE OF 218.48 FEET TO THE POINT OF BEGINNING; THENCE N89°07'20\"W FOR A DISTANCE OF 120.00 FEET; THENCE N00°52'40\"E A DISTANCE OF 10.00 FEET; THENCE S89°07'20\"E A DISTANCE OF 120.00 FEET; THENCE S00°52'20\"W A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 1200 SQUARE FEET OR 0.03 ACRES MORE OR LESS.

PROJECT NO: 2013-1214	STERLING ESTATES FOURTH SUBDIVISION		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				D
DATE: 07/09/13				

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DATE: Mar 16, 2015 4:11pm XREFS: MASTERXREF_ROW



LEGAL DESCRIPTION

A TRACT OF LAND IN PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF S00°15'36"W, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 945.10 FEET; THENCE N89°07'20"W A DISTANCE OF 781.34 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°07'20"W FOR A DISTANCE OF 20.00 FEET; THENCE N00°52'40"E A DISTANCE OF 120.00 FEET; THENCE S89°07'20"E A DISTANCE OF 20.00 FEET; THENCE S00°52'40"W A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 2400 SQUARE FEET OR 0.06 ACRES MORE OR LESS.

PROJECT NO: 2014-1966	STERLING ESTATES FOURTH SUBDIVISION		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				E
DATE: 03/02/2015				



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-12

#2015-193 - Approving Certificate of Final Completion for Claude Road Drainage Improvement Project No. 2013-D-2

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: July 28, 2015

Subject: Approving Certificate of Final Completion for Claude Road Drainage Improvement Project No. 2013-D-2

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

Background

The City Council awarded the bid for Claude Road Drainage Improvement Project No. 2013-D-2 to The Diamond Engineering Company of Grand Island, Nebraska on June 10, 2014, in the amount of \$55,818.10. Work on the project commenced August 11, 2014 with final completion July 1, 2015.

This project removed and replaced existing culverts that had been damaged under Claude Road and several driveways, as well as ditch grading which improved the drainage along Claude Road.

Discussion

The project was completed in accordance with the terms, conditions and stipulations of the contract, plans and specifications. Construction work was completed at a total cost of \$53,098.70, which is an underrun of \$2,719.40. Additional project costs are shown below.

ADDITIONAL DISTRICT COSTS

The Grand Island Independent	Advertising	\$	117.32
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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 approve the Certificate of Final Completion for Claude Road Drainage Improvement Project No. 2013-D-2.

Sample Motion

Move to approve the Certificate of Final Completion for Claude Road Drainage Improvement Project No. 2013-D-2.

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

Claude Road Drainage Improvement Project No. 2013-D-2
CITY OF GRAND ISLAND, NEBRASKA
July 28, 2015

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

This is to certify that Claude Road Drainage Improvement Project No. 2013-D-2 has been fully completed by The Diamond Engineering Company of Grand Island, Nebraska under the contract dated June 10, 2014. The work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans and specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provisions of Section 16-650 R.R.S., 1943.

Claude Road Drainage Improvement Project No. 2013-D-2

		Quantities			Total Amount
	Description	Placed	Unit	Price Bid	Completed
	<u>Bid Section A</u>				
1	EARTHWORK	1.00	L.S.	\$ 5,735.00	\$ 5,735.00
2	SEEDING UNIMPROVED AREAS	1.00	AC.	\$ 4,070.00	\$ 4,070.00
3	REMOVE ASPHALT PAVING	104.00	S.Y.	\$ 16.20	\$ 1,684.80
4	P.C. CONCRETE PAVING	104.00	S.Y.	\$ 87.50	\$ 9,100.00
5	3" GRAVEL SURFACING	273.00	S.Y.	\$ 6.50	\$ 1,774.50
6	TRAFFIC CONTROL	1.00	L.S.	\$ 3,715.00	\$ 3,715.00
7	MOBILIZATION/DEMOBILIZATION	1.00	L.S.	\$ 925.00	\$ 925.00
8	18" R.C. STORM SEWER PIPE	224.00	L.F.	\$ 73.10	\$ 16,374.40
9	18" R.C. FLARED END SECTION	8.00	EA.	\$ 915.00	\$ 7,320.00
10	SEDIMENT AND EROSION CONTROL	1.00	L.S.	\$ 2,400.00	\$ 2,400.00

THE DIAMOND ENGINEERING COMPANY =

\$ 53,098.70

ADDITIONAL DISTRICT COSTS

The Grand Island Independent	Advertising	\$ 117.32
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Subtotal Additional District Costs = \$

117.32

Total Costs - \$53,216.02

I hereby recommend that the Engineer's Certificate of Final Completion for Claude Road Drainage Improvement Project no. 2013-D-2 be approved.

John Collins, PE - City Engineer/Public Works Director

Jeremy L. Jensen – Mayor

RESOLUTION 2015-193

WHEREAS, the City Engineer/Public Works Director for the City Of Grand Island has issued a Certificate of Completion for Claude Road Drainage Improvement Project No. 2013-D-2, certifying that The Diamond Engineering Company of Grand Island, Nebraska, under contract, has completed the paving project; and

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Certificate of Final Completion for Claude Road Drainage Improvement Project No. 2013-D-2, in the amount of \$53,098.70 is hereby confirmed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 24, 2015	☐ City Attorney



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-13

**#2015-194 - Approving Certificate of Final Completion for
Westgate Drainage Improvements; District No. 2013-D-4**

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: July 28, 2015

Subject: Approving Certificate of Final Completion for Westgate Drainage Improvements; District No. 2013-D-4

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

Background

Drainage Improvement District No. 2013-D-4 was created by City Council on October 22, 2013. Legal notice of the creation of the District was published in the Grand Island Independent on October 28, 2013. A notification letter of the district creation was mailed to all affected property owners.

This District is made up of the north half of Gold Road east to Claude Road and is shown on the attached exhibit. The project consisted of running a pipe along Gold Road and outletting to the drainage ditch to drain property within the district boundary which did not previously drain.

The City Council awarded the bid for construction of the Westgate Drainage Improvements; District No. 2013-D-4 to The Diamond Engineering Company of Grand Island, Nebraska on September 9, 2014, in the amount of \$146,349.15. Work on the project commenced March 26, 2015 with final completion July 1, 2015.

Discussion

The project was completed in accordance with the terms, conditions and stipulations of the contract, plans and specifications. Construction work was completed at a total cost of \$150,052.74, which is an overrun of \$3,703.59. Additional project costs are shown below.

ADDITIONAL DISTRICT COSTS

Olsson Associates	Engineering	\$	30,545.00
The Grand Island Independent	Advertising	\$	89.58
Hall County Register of Deeds	Filing Fees	\$	28.00

Total project costs equate to \$180,715.32, of which all or a portion of will be assessed to the affected property owners at the Board of Equalization on August 25, 2015.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the Certificate of Final Completion for Westgate Drainage Improvements; District No. 2013-D-4 and set the Board of Equalization date of August 25, 2015.

Sample Motion

Move to approve the Certificate of Final Completion for Westgate Drainage Improvements; District No. 2013-D-4 and set the Board of Equalization date of August 25, 2015.

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

Westgate Drainage Improvements; District No. 2013-D-4
CITY OF GRAND ISLAND, NEBRASKA
July 28, 2015

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

This is to certify that Westgate Drainage Improvements; District No. 2013-D-4 has been fully completed by The Diamond Engineering Company of Grand Island, Nebraska under the contract dated September 9, 2014. The work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans and specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provisions of Section 16-650 R.R.S., 1943.

Westgate Drainage Improvements; District No. 2013-D-4

		Quantities			Total Amount
	Description	Placed	Unit	Price Bid	Completed
	<u>Base Bid Section</u>				
1	48" DIA. RC STORM SEWER PIPE	0.00	LF	\$ 190.55	\$ 0.00
2	30" DIA. RC STORM SEWER PIPE	198.00	LF	\$ 83.35	\$ 16,503.30
3	24" DIA. RC STORM SEWER PIPE	877.00	LF	\$ 69.25	\$ 60,732.25
4	18" DIA. RC STORM SEWER PIPE	40.00	LF	\$ 55.75	\$ 2,230.00
5	48" FES	0.00	EA	\$ 2,182.00	\$ 0.00
6	24" FES	1.00	EA	\$ 916.30	\$ 916.30
7	18" FES	2.00	EA	\$ 756.35	\$ 1,512.70
8	INLET STRUCTURE	6.00	EA	\$ 4,442.45	\$ 26,654.70
9	MANHOLE STRUCTURE	2.00	EA	\$ 3106.65	\$ 6,213.30
10	REMOVE AND REPLACE GRAVEL DRIVEWAY	31.36	TN	\$ 35.80	\$ 1,122.69
11	REMOVE CONCRETE AND REPLACE WITH 47B HIGH EARLY CONCRETE	31.00	SY	\$ 81.45	\$ 2,524.95
12	REMOVE ASPHALT & REPLACE WITH 6" CONCRETE	107.00	SY	\$ 59.55	\$ 6,371.85
13	REMOVE AND REPLACE SECURITY FENCE	60.00	LF	\$ 25.40	\$ 1,524.00
14	REMOVE AND REPLACE LETDOWN STRUCTURE	2.00	EA	\$ 712.85	\$ 1,425.70
15	BUILD SILT FENCE	495.00	LF	\$ 7.60	\$ 3,762.00
16	SEEDING	2715.00	SY	\$ 1.70	\$ 4,615.50
17	EARTHWORK (CUT)	170.00	CY	\$ 9.40	\$ 1,598.00
18	EARTHWORK (FILL)	175.00	CY	\$ 20.40	\$ 3,570.00
19	REMOVE CULVERT	335.00	LF	\$ 7.30	\$ 2,445.50
20	REMOVE TREE	2.00	EA	\$ 865.00	\$ 1,730.00
					\$ 145,452.74

	<u>Change Order No. 1</u>				
CO1 -1	30" FLARED END SECTON	1.00	LS	\$ 1,500.00	\$ 1,500.00
CO1 -2	NEW WATER SERVICE	1.00	LS	\$ 3,100.00	\$ 3,100.00
					<i>\$4,600.00</i>

THE DIAMOND ENGINEERING COMPANY =

\$ 150,052.74

ADDITIONAL DISTRICT COSTS

Olsson Associates	Engineering	\$ 30,545.00
The Grand Island Independent	Advertising	\$ 89.58
Hall County Register of Deeds	Filing Fees	\$ 28.00

Subtotal Additional District Costs = \$ 30,662.58

Total Costs - \$180,715.32

I hereby recommend that the Engineer's Certificate of Final Completion for Westgate Drainage Improvements; District No. 2013-D-4 be approved.

John Collins, PE - City Engineer/Public Works Director

Jeremy L. Jensen – Mayor

RESOLUTION 2015-194

WHEREAS, the City Engineer/Public Works Director for the City Of Grand Island has issued a Certificate of Completion for Westgate Drainage Improvements; District No. 2013-D-4, certifying that The Diamond Engineering Company of Grand Island, Nebraska, under contract, has completed the paving project; and

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

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

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

1. The Certificate of Final Completion for Westgate Drainage Improvements; District No. 2013-D-4, in the amount of \$150,052.74 is hereby confirmed.
2. The City Council will sit as a Board of Equalization on August 25, 2015 to determine benefits and set assessments for Westgate Drainage Improvements; District No. 2013-D-4.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 24, 2015	☐ City Attorney



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-14

#2015-195 - Approving Designating Portions of the East Side of Custer Avenue, North of Faidley Avenue, as No Parking

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: July 28, 2015

Subject: Approving Designating Portions of the East Side of Custer Avenue, North of Faidley Avenue, as No Parking

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

Background

Council action is required to designate No Parking on any public street.

A request was submitted by a concerned citizen to eliminate parking further north of the shared driveway to the Grand Island Clinic and Internal Medical Associates on the east side of Custer Avenue. When cars are parked in this section of Custer Avenue it is difficult to see southbound traffic coming from the north side of this area, making a left turn out of this driveway dangerous.

Discussion

The Public Works Department reviewed traffic flows and safety in this area and recommends parking on the east side of Custer Avenue be removed adjacent to 727 - 729 North Custer Avenue, as noted on the attached sketch. Parking is prohibited both north and south of this area currently. Removing such parking will provide for safer left turns out of the shared driveway from the Grand Island Clinic and Internal Medical Associates.

Alternatives

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

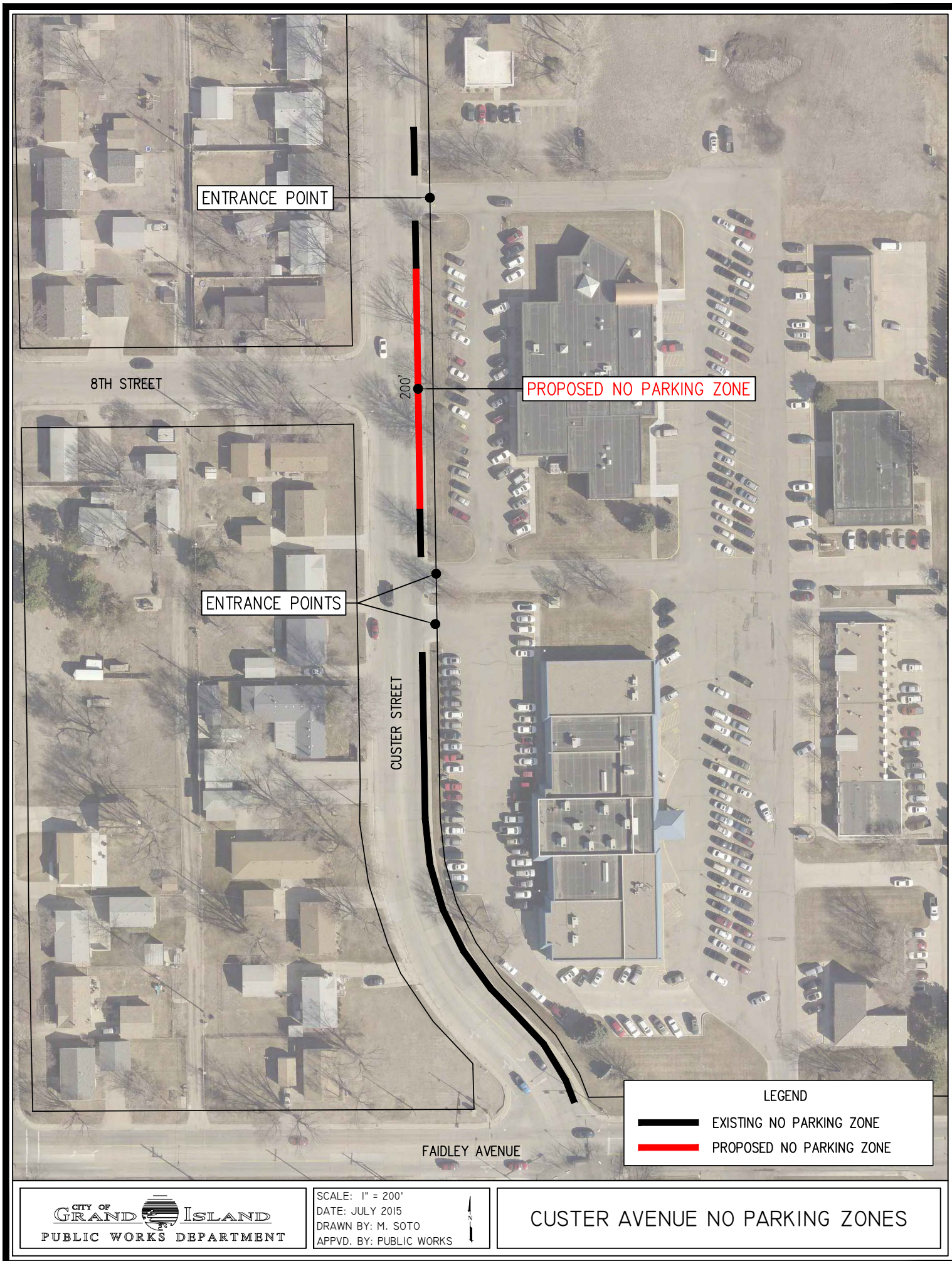
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the resolution designating a portion of the east side of Custer Avenue, north of Faidley Avenue, as No Parking.

Sample Motion

Move to approve the resolution.



RESOLUTION 2015-195

WHEREAS, the City Council, by authority of §22-77 of the Grand Island City Code, may by resolution, entirely prohibit or fix a time limit for the parking and stopping of vehicles in or on any public street, public property, or portion thereof; and

WHEREAS, due to safety issues, the Public Works Department is requesting No Parking be allowed along the east side of Custer Avenue adjacent to 727 – 729 North Custer Avenue; and

WHEREAS, it is recommended that such restricted parking request be approved.

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

1. A No Parking Zone is hereby designated along the east side of Custer Avenue adjacent to 727 – 729 North Custer Avenue.
2. The City's Street Division of the Public Works Department shall erect and maintain the signs and pavement markings as necessary to effect the above regulation.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 24, 2015	☐ City Attorney



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-15

**#2015-196 - Approving Bid Award for Sterling Park Site
Development – 2015**

Staff Contact: Todd McCoy

Council Agenda Memo

From: Todd McCoy, Parks and Recreation Director

Meeting: July 28, 2015

Subject: Bid Award for Sterling Park Site Development - 2015 for Sterling Estates Park

Presenter(s): Todd McCoy, Parks and Recreation Director

Background

In 2008 the City of Grand Island purchased a 6.8 acre parcel of land located within the Sterling Estates development site in the northwestern area of Grand Island for designation for a future park.

The park is estimated to be completed in four phases of development over the course of four years. This phase of the development is to construct a concrete sidewalk and concrete trail.

Discussion

On July 11, 2015 the bid was advertised for the Sterling Park Site Development - 2015. One firm responded to the bid.

Diamond Engineering Co., Grand Island, Nebraska	\$92,686.63
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Staff recommends awarding the bid to Diamond Engineering Co. for the Sterling Park Site Development – 2015 for the Sterling Estates Park development site. The project will be funded by the Sterling Estates Park Development Capital Account 40044450-90029.

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 bid to Diamond Engineering Co. from Grand Island, Nebraska for Sterling Park Site Development – 2015 for the Sterling Estates Park development site.

Sample Motion

Move to approve the bid from Diamond Engineering Co. for Sterling Park Site Development – 2015 at Sterling Estates Park for a total of \$92,686.63.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: July 21, 2015 at 2:00 p.m.
FOR: Sterling Park Site Development - 2015
DEPARTMENT: Parks & Recreation
ESTIMATE: \$130,000.00
FUND/ACCOUNT: 40044450-90029
PUBLICATION DATE: July 11, 2015
NO. POTENTIAL BIDDERS: 7

SUMMARY

Bidder: Diamond Engineering Co.
Grand Island, NE
Exceptions: None0
Bid Price: \$92,686.63
Alternate "A": \$44,840.84

cc: Todd McCoy, Parks & Recreation Director
Marlan Ferguson, City Administrator
Stacy Nonhof, Purchasing Agent

Patti Buettner, Parks Admin. Assist.
William Clingman, Interim Finance Director

P1825

RESOLUTION 2015-196

WHEREAS, the City of Grand Island invited sealed bids for the Sterling Park Site Development - 2015, according to plans and specifications on file with the Parks and Recreation Department; and

WHEREAS, on July 21, 2015, one (1) bid was received, opened and reviewed; and

WHEREAS, Diamond Engineering Co., from Grand Island, Nebraska submitted a bid in accordance with the terms of the advertisement of bids, plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$92,686.63.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Diamond Engineering Co. from Grand Island, Nebraska in the amount of \$92,686.63 for the Sterling Park Site Development - 2015 is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
July 24, 2015	▣ City Attorney



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item G-16

**#2015-197 - Approving Bid Award for Sterling Estates Park
Furnishing & Installation of Irrigation System**

Staff Contact: Todd McCoy

Council Agenda Memo

From: Todd McCoy, Parks and Recreation Director

Meeting: July 28, 2015

Subject: Bid Award for Furnishing and Installation of Irrigation System for Sterling Estates Park

Presenter(s): Todd McCoy, Parks and Recreation Director

Background

In 2008 the City of Grand Island purchased a 6.8 acre parcel of land located within the Sterling Estates development site in the northwestern area of Grand Island for designation for a future park.

The park is estimated to be completed in four phases of development over the course of four years.

Discussion

On July 11, 2015 the bid was advertised for the Furnishing and Installation of Irrigation System. Two firms responded to the bid.

Tilley Sprinklers & Landscaping, Grand Island, Nebraska	\$33,337.00
Precision Sprinklers, Hastings, Nebraska	\$40,000.00

Staff recommends awarding the bid to Tilley Sprinklers & Landscaping to provide the Furnishing and Installation of Irrigation System to the Sterling Estates Park development site. The project will be funded by the Sterling Estates Park Development Capital Account 40044450-90029.

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 bid to Tilley Sprinklers & Landscaping from Grand Island, Nebraska to provide the Furnishing and Installation of Irrigation System for the Sterling Estates Park development site.

Sample Motion

Move to approve the bid from Tilley Sprinklers & Landscaping to Furnish and Install Irrigation System at Sterling Estates Park for a total of \$33,337.00.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: July 21, 2015 at 2:15 p.m.
FOR: Sterling Estates Park Furnishing & Installation of Irrigation System
DEPARTMENT: Parks & Recreation
ESTIMATE: \$70,000.00
FUND/ACCOUNT: 40044450-90029
PUBLICATION DATE: July 11, 2015
NO. POTENTIAL BIDDERS: 5

SUMMARY

Bidder:	<u>Tilley Sprinklers & Landscaping</u> Grand Island, NE	<u>Precision Sprinklers</u> Hastings, NE
Exceptions:	None	None
Bid Price:	\$33,337.00	\$40,000.00

cc: Todd McCoy, Parks & Recreation Director
Marlan Ferguson, City Administrator
Stacy Nonhof, Purchasing Agent

Patti Buettner, Parks Admin. Assist.
William Clingman, Interim Finance Director

P1826

RESOLUTION 2015-197

WHEREAS, the City of Grand Island invited sealed bids for the Furnishing & Installation of Irrigation System at Sterling Estates Park, according to plans and specifications on file with the Parks and Recreation Department; and

WHEREAS, on July 21, 2015, two (2) bids were received, opened and reviewed; and

WHEREAS, Tilley Sprinklers & Landscaping from Grand Island, Nebraska submitted a bid in accordance with the terms of the advertisement of bids, plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$33,337.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Tilley Sprinklers & Landscaping from Grand Island, Nebraska in the amount of \$33,337.00 for Furnishing & Installation of Irrigation System at Sterling Estates Park is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 24, 2015	☐ City Attorney



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item I-1

#2015-198 - Consideration of Request from McKenney's Pub, LLC dba, McKinney's Irish Pub, 123 West 3rd Street for a Class "I" Liquor License and Liquor Manager Designation for Joel Schossow, 5970 Gunnison Court, Lincoln, NE

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

Staff Contact: RaNae Edwards

RESOLUTION 2015-198

WHEREAS, an application was filed by McKenney's Pub, LLC doing business as McKinney's Irish Pub, 123 West 3rd Street for a Class "I" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on July 18, 2015; such publication cost being \$16.77; and

WHEREAS, a public hearing was held on July 28, 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 Joel Schossow, 5970 Gunnison Court, Lincoln, NE 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, July 28, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 24, 2015	☐ City Attorney



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item I-2

#2015-199 - Consideration of Request from Shopko Stores Operating Co., LLC dba, Shopko #38, 2208 North Webb Road for a Class “B” Liquor License and Liquor Manager Designation for James Larson, 17212 U Street, Omaha, NE

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

Staff Contact: RaNae Edwards

RESOLUTION 2015-199

WHEREAS, an application was filed by Shopko Stores Operating Co., LLC doing business as Shopko #38, 2208 North Webb Road for a Class "B" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on July 18, 2015; such publication cost being \$16.77; and

WHEREAS, a public hearing was held on July 28, 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 James Larson, 17212 U Street, Omaha, NE as liquor manager of such business.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 24, 2015	☐ City Attorney



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item I-3

#2015-200 - Consideration of Approving FY 2015-2016 Annual Budget for Downtown Business Improvement District 2013 and setting Date for Board of Equalization

Staff Contact: William Clingman, Interim Finance Director

Council Agenda Memo

From: William Clingman, Interim Finance Director

Meeting: July 28, 2015

Subject: Approving FY 2015-2016 Annual Budget for Downtown Business Improvement District 2013 and setting Date for Board of Equalization

Presenter(s): William Clingman, Interim Finance Director

Background

On August 13, 2013, the City Council adopted Ordinance #9435 creating Downtown Business Improvement District 2013. The creating ordinance established the purpose of the District, described the boundaries, and established that real property in the area would be subject to a special assessment to support the purposes of the District. The creating Ordinance requires that a proposed budget for the District be approved by the BID Board and forwarded to the City Council for consideration. On July 2, 2015 the Downtown BID Board met and approved the 2015-2016 budget which provides for special assessments in the amount of \$95,481.

Discussion

In this district, assessments are paid by property owners based on the valuation of land and real property in the district as of January 1 of the current year. No personal property is figured into the assessment. Owners are billed for the assessment on October 1 of each fiscal year. The total taxable value for the district as of January 1, 2014 was \$31,564,935 which for budgeted assessments of \$95,481 gives a levy of .302491 per \$100 of real property. Downtown Beautification, Retention and Recruitment, and Maintenance are the areas of proposed work to be performed by the BID. The appropriations for 2015-2016 also include a City fee of \$4,600 for accounting services. A copy of the proposed 2015-2016 budget is attached for review.

Alternatives

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

1. Approve the 2015-2016 Budget for the Downtown BID 2013 and set the date for the Board of Equalization.
2. Modify the budget and/or reschedule the Board of Equalization.

Recommendation

City Administration recommends that the Council approve the 2015-2016 Budget for the Downtown BID 2013 and set the date of September 8, 2015 for the Board of Equalization. Notice of the Hearing and proposed assessments will be published according to State Statutes.

Sample Motion

Move to approve the 2015-2016 Budget for the Downtown BID 2013 and set the date of September 8, 2015 for the Board of Equalization.

Created for 5 years through 09/30/2018

**Downtown BID
FY 2013-2018**

		2012	2013	2014	2015	2015	2016
		Actuals	Actuals	Actuals	Budget	Projected	Budget
REVENUE	94011414						
Account							
74140 Special Assessments		88,433	87,501	88,229	92,700	92,700	95,481
74736 Donations & Contribution		19,500	-	3,975			12,500
74795 Other Revenue		47,597	8,750	30,000	85,000	85,000	75,000
74787 Interest		62	64	27	50	50	50
TOTAL REVENUE		155,592	96,316	122,232	177,750	177,750	183,031
APPROPRIATIONS							
Account							
85105 Salaries		-	30,100	34,400	33,250	33,250	36,000
85115 FICA		-	2,379	2,782	2,800	2,800	3,000
85165 Unemployment State of NE		-	218	0	460	460	500
85207 Events		-	-	-	-	-	9,650
85213 Contract Services		71,726	24,678	14,155	16,000	16,000	16,000
85245 Printing & Binding Services		1,457	345	565	700	700	3,500
85249 Snow & Ice Removal		231	570	510	600	600	600
85290 Other Professional Services		26,098	2,822	4,752	5,000	5,000	10,400
85305 Utility Services		1,798	1,760	1,551	2,000	2,000	2,000
85325 Repairs & Maint.		3,444	1,222	1,487	1,000	1,000	1,000
85340 Office Rent		-	-	-	-	-	5,400
85413 Postage		610	711	474	800	800	800
85416 Advertising		2,870	4,014	17,821	7,850	7,850	7,850
85419 Legal Notices		1,965	4,010	1,901	2,200	2,200	2,000
85422 Dues & Subscriptions		3,450	1,000	4,100	3,250	3,250	2,350
85428 Travel & Training		150	2,023	45	700	700	500
85490 Other Expenditures		1,107	695	52,634	100,000	100,000	75,000
85505 Office Supplies		161	533	170	300	300	6,500
85560 Trees & Shrubs		3,816	19,264	5,369	7,800	7,800	2,000
85561 Mowing, Fertilizing, Planters		-	13,342	2,335	8,500	8,500	9,000
85590 Other General Supplies		647	996	1,344	750	750	1,400
85608 Land Improvements		21,262	-	-	-	-	-
TOTAL OPERATING EXPENSE		140,793	110,680	146,395	193,960	193,960	195,450
ANNUAL EXCESS/(LOSS)		14,800	(14,364)	(24,163)	(16,210)	(16,210)	(12,419)

RESOLUTION 2015-200

WHEREAS, the City Council has considered the proposed budget of the Downtown Business Improvement District 2013 for the fiscal year 2015-2016; and

WHEREAS, the City has received the assessed values of the individual properties within the Downtown Business Improvement District 2015 as shown in the office of the Hall County Assessor in effect on the first day of January, 2015.

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

1. The budget for the Downtown Business Improvement District 2013 is hereby considered.
2. A proposed assessment schedule shall be prepared.
3. A hearing before the City Council sitting as a Board of Equalization on the proposed assessments shall be held on September 8, 2015 at 7:00 p.m. in the City Council chambers of City Hall 100 East First Street, Grand Island NE.
4. Notice of hearing shall be published once each week for three consecutive weeks in accordance with the Business Improvement District Act.
5. Notice of hearing shall be mailed to all property owners of the Downtown Business Improvement District 2013 by U.S. Mail, postage prepaid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	by _____
July 24, 2015	City Attorney



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item I-4

#2015-201 - Consideration of Approving FY 2015-2016 Annual Budget for Fonner Park Business Improvement District from Stolley Park Road to Fonner Park Road, and setting Date for Board of Equalization

Staff Contact: William Clingman, Interim Finance Director

Council Agenda Memo

From: William Clingman, Interim Finance Director

Meeting: July 28, 2015

Subject: Approving FY 2015-2016 Annual Budget for Fonner Park Business Improvement District from Stolley Park Road to Fonner Park Road, and setting Date for Board of Equalization

Presenter(s): William Clingman, Interim Finance Director

Background

On August 13, 2013 the City Council adopted Ordinance #9437 creating Fonner Park Business Improvement District (BID) 2013 from Stolley Park Road to Fonner Park Road. The ordinance established the purpose of the District, described the boundaries, and established that real property in the area would be subject to a special assessment to support the purposes of the District. The creating Ordinance requires that a proposed budget for the District be approved by the BID Board and forwarded to the City Council for consideration. On July 23, 2015 the Fonner Park BID 2013 Board met and approved the 2015-2016 Budget which provides for special assessments in the amount of \$8.00 per front footage for a total of \$39,592 for the 4,949 front footage.

Discussion

The majority of the appropriations in the proposed budget of \$59,725 are for the upkeep of sprinkler systems, maintenance of green spaces, and snow removal along their portion of the South Locust corridor. The appropriations for 2015-2016 also include a City fee of \$1,200 for accounting services. A copy of the proposed 2015-2016 budget is attached for review.

Alternatives

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

1. Move to approve the 2015-2016 Budget for Fonner Park BID 2013 and set the date for the Board of Equalization.
2. Modify the budget and/or reschedule the Board of Equalization.

Recommendation

City Administration recommends that the Council approve the 2015-2016 Budget for the Fonner Park BID 2013 and set the date of September 8, 2015 for the Board of Equalization. Notice of the Hearing and proposed assessments will be published according to State Statutes.

Sample Motion

Move to approve the 2015-2016 Budget for the Fonner Park BID 2013 and set the date of September 8, 2015 for the Board of Equalization.

Fonner Park BID

Budgeted Revenue through 09/30/2016

	2015	2016
	Budget	Budget
ASSESSMENT PER FRONT FOOTAGE	\$8.00	\$8.00
Front Footage	4,949	4,949
	\$39,592	\$39,592
REVENUE 94011413		
Account		
Planned Carry Over from 2014/2015		\$20,000
74140 Special Assessments	39,592	\$39,592
74787 Interest Revenue		
74795 Other Revenue	642	\$134
TOTAL REVENUE	40,234	\$59,726
APPROPRIATIONS		
Account		
85213 Contract Services	28,000	29,000
85245 Printing & Binding Services	100	100
85249 Snow & Ice Removal	1,500	2,500
85305 Utility Services	5,000	5,000
85319 Repair & Maint - Land Improve.	2,000	15,000
85413 Postage	250	250
85416 Advertising		
85419 Legal Notices	500	500
85490 Other Expenditures	1,750	1,675
85505 Office Supplies	100	100
85560 Trees and Shrubs	900	5,500
85590 Other General Supplies		100
TOTAL OPERATING EXPENSE	40,100	59,725
ANNUAL EXCESS/(LOSS)	134	1

RESOLUTION 2015-201

WHEREAS, the City Council has considered the proposed budget of the Fonner Park Business Improvement District 2013 for the fiscal year 2015-2016; and

WHEREAS, the City has received the assessed values of the individual properties within Fonner Park Business Improvement District 2013 as shown in the office of the Hall County Assessor in effect on the first day of January, 2015.

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

1. The budget for Fonner Park Business Improvement District 2013 is hereby considered.
2. A proposed assessment schedule shall be prepared.
3. A hearing before the City Council sitting as a Board of Equalization on the proposed assessments shall be held on September 8, 2015 at 7:00 p.m. in the City Council chambers of City Hall 100 East First Street, Grand Island NE.
4. Notice of hearing shall be published once each week for three consecutive weeks in accordance with the Fonner Park Business Improvement District 2013.
5. Notice of hearing shall be mailed to all property owners of the Fonner Park Business Improvement District 2013 by U.S. Mail, postage prepaid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 24, 2015	☐ City Attorney



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item I-5

#2015-202 - Consideration of Approving FY 2015-2016 Annual Budget for the South Locust Business Improvement District 2013 from Stolley Park Road to Highway 34, and setting Date for Board of Equalization

Staff Contact: William Clingman, Interim Finance Director

Council Agenda Memo

From: William Clingman, Interim Finance Director

Meeting: July 28, 2015

Subject: Approving FY 2015-2016 Annual Budget for the South Locust Business Improvement District 2013 from Stolley Park Road to Highway 34, and setting Date for Board of Equalization

Presenter(s): William Clingman, Interim Finance Director

Background

On August 13, 2013 the City Council adopted Ordinance #9438 creating the South Locust Business Improvement District (BID) 2013, South Locust Street from Stolley Park Road to Highway 34. The creating ordinance establishes the purpose of the District, describes the boundaries, and establishes that real property in the area would be subject to a special assessment to support the purposes of the District. The creating Ordinance requires that a proposed budget for the District be approved by the BID Board and forwarded to the City Council for consideration. On July 22, 2015 the South Locust BID 2013 Board met and approved the 2015-2016 Budget which provides for special assessments in the amount of \$7.25 per front footage for a total of \$71,152 for the 9,814 front footage.

Discussion

The majority of the proposed appropriations budget of \$84,650 is to be used for the maintenance of frontage areas along the South Locust Street portion of their district. The appropriations for 2015-2016 also include a City fee of \$1,800 for accounting services. A copy of the proposed 2015-2016 budget is attached for review.

Alternatives

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

1. Approve the 2015-2016 Budget for the South Locust BID 2013 and set the date for the Board of Equalization.
2. Modify the budget and/or reschedule the Board of Equalization.

Recommendation

City Administration recommends that the Council approve the 2015-2016 Budget for the South Locust BID 2013 and set the date of September 8, 2015 for the Board of Equalization. Notice of the Hearing and proposed assessments will be published according to State Statutes.

Sample Motion

Move to approve the 2015-2016 Budget for the South Locust BID 2013 and set the date of September 8, 2015 for the Board of Equalization.

South Locust BID
Created for 3 years through 09/30/2016
Budgeted Revenue Thru 09/30/2016

	2015 Budget	2015 Projected	2016 Budget
Front Footage	9,814		9,814
	\$7.15		\$7.25
Budgeted Revenue	\$ 70,170	\$ 68,000	\$ 71,152
REVENUE 94011412			
Account			
Planned Carry Over			\$13,500
74140 Special Assessments	\$70,170		\$71,152
74787 Interest Revenue	\$0		\$0
74795 Other Revenue	\$0		\$0
TOTAL REVENUE	\$70,170	\$68,000	\$84,652
APPROPRIATIONS			
Account			
85213 Contract Services	\$37,000	\$37,000	\$38,000
85245 Printing & Binding Services			
85249 Snow & Ice Removal	\$2,000	\$4,150	\$2,000
85290 Other Professional & Tech.			
85305 Utility Services	\$7,000	\$5,000	\$7,000
85319 Repair & Maint - Land Improv	\$18,680	\$8,000	\$30,150
85325 Repair & Maint - M & E			
85390 Other Property Services			
85413 Postage	\$250	\$250	\$250
85416 Advertising			
85419 Legal Notices	\$750	\$100	\$750
85490 Other Expenditures	\$1,500	\$0	\$1,000
85505 Office Supplies			
85560 Trees & Shrubs	\$2,000	\$0	\$4,000
85590 Other General Supplies			
85608 Land Improvements	\$1,500	\$0	\$1,500
TOTAL OPERATING EXPENSE	\$70,680	\$54,500	\$84,650
ANNUAL EXCESS/(LOSS)	(510)		2

RESOLUTION 2015-202

WHEREAS, the City Council has considered the proposed budget of the South Locust Business Improvement District 2013 for the fiscal year 2015-2016; and

WHEREAS, the City has received the assessed values of the individual properties within the South Locust Business Improvement District 2013 as shown in the office of the Hall County Assessor in effect on the first day of January, 2015.

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

1. The budget for South Locust Business Improvement District 2013 is hereby considered.
2. A proposed assessment schedule shall be prepared.
3. A hearing before the City Council sitting as a Board of Equalization on the proposed assessments shall be held on September 8, 2015 at 7:00 p.m. in the City Council chambers of City Hall 100 East First Street, Grand Island NE.
4. Notice of hearing shall be published once each week for three consecutive weeks in accordance with the Business Improvement District Act.
5. Notice of hearing shall be mailed to all property owners of South Locust Business Improvement District 2013 by U.S. Mail, postage prepaid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
July 24, 2015	▣ City Attorney



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item I-6

#2015-203 - Consideration of Approving Intent to Use the Remainder of Clean Water State Revolving Fund (CWSRF) Loan Proceeds for Sanitary Sewer Collection System Improvements

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

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

RESOLUTION 2015-203

WHEREAS, the City Council adopted Resolution No. 2013-150 on May 14, 2013, which declared the City's official intent to issue bonds in a maximum principal amount of \$60,000,000 to finance Sanitary Sewer Collection System and Wastewater Treatment Plant Improvements; and

WHEREAS, on June 10, 2014 by Resolution No. 2014-162 City Council modified the official intent made in Resolution No. 2013-150 with respect to the principal amount of debt expected to be issued to a maximum amount of \$74,275,000, which debt is expected to include up to \$40,000,000 in principal amount of loan funds from the Clean Water State Revolving Loan Fund program administered by the Nebraska Department of Environmental Quality; and

WHEREAS, the Mayor and City Council of the City of Grand Island hereby find and determine that it is necessary and appropriate to modify the official intent made in Resolution No. 2013-150 further, to include Westwood Park Residential Subdivision and Lift Station No. 20 Forcemain rehabilitation in the remainder of the Clean Water State Revolving Loan Fund Program administered by the Nebraska Department of Environmental Quality; and

WHEREAS, this Resolution shall stand as a statement of the City's official intent under Regulation Section 1.150-2 of the regulations of the United States Treasury and shall modify and not be in addition to the statement made in Resolution No.'s 2013-150 nor 2014-162, and for such purposes the following information is hereby given:

1. A general functional description of the projects for which expenditures may be made and reimbursement from debt proceeds provided is as follows:
 - Sanitary Sewer Collection System and Wastewater Treatment Plant Improvements
 - Westwood Park Residential Subdivision and Lift Station No. 20 Forcemain rehabilitation.
2. The maximum principal amount of debt expected to be issued for such projects is \$74,275,000, which debt is expected to include up to \$40,000,000 in principal amount of loan funds from the Clean Water State Revolving Loan Fund program administered by the Nebraska Department of Environmental Quality.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the declaration of intent to issue debt to reimburse expenses resulting from the Wastewater Capital Improvements is hereby approved.

- - -

Approved as to Form	by _____
July 24, 2015	City Attorney

Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item I-7

#2015-204 - Consideration of Approving GITV High Definition Studio Upgrade

Staff Contact: Jeremy Watson

Council Agenda Memo

From: Jeremy Watson – Grand Island Television Manager

Meeting: July 28, 2015

Subject: GITV Control Center HD Upgrade (Phase III)

Presenter(s): Wendy Meyer – Public Information Officer

Background

Throughout the last two years Grand Island Television (GITV) has undergone strategic phases to bring its programming from analog to a digital platform, as well as transitioning from standard definition to high definition (HD) programming.

Phase one was the purchase of two HD studio/field production cameras giving GITV the ability to produce in HD. Phase two was a capital improvement project bringing the over-the-air signal compliant with Federal Communications Commission (FCC) regulations, which now broadcasts a digital over-the-air signal on channel 50.1.

Discussion

GITV is now ready for phase three of this transition which includes a full television control center HD upgrade. This phase will require a comprehensive engineering plan, a detailed equipment list, along with eventual implementation services and scheduling.

In the request for qualifications process, GITV received one submission, AVI Systems, Omaha, NE. GITV has worked with AVI Systems over the last 10 years on numerous projects and would again recommend their business to lead the engineering and hardware purchasing of the phase three GITV HD upgrade project.

City Council approved budgeting authority for this project during the 2014-15 budget process of approximately \$100,000.00.

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 this contract as submitted, by AVI Systems, Omaha, NE.

Sample Motion

Move to approve the resolution.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

**REQUEST FOR QUALIFICATIONS
FOR
GITV HIGH DEFINITION STUDIO UPGRADE**

RFP DUE DATE: May 14, 2015 at 4:15 p.m.

DEPARTMENT: GITV

PUBLICATION DATE: May 6, 2015

NO. POTENTIAL BIDDERS: 3

SUMMARY OF PROPOSALS RECEIVED

AVI Systems
Omaha, NE

cc: Marlan Ferguson, City Administrator
Stacy Nonhof, Purchasing Agent
Wendy Meyer, PIO

William Clingman, Interim Finance Director
Jeremy Watson, GITV Technician

P1818



5055 South 111th Street
Omaha, NE 68137
Phone: (402) 593-6500
Fax: (402) 593-8500

Retail Sales Agreement

Proposal Number: 02-024-002696.5

Bill To		Ship To	Project Location
Attn: Accounts Payable City of Grand Island 100 East 1st Street Grand Island, NE 68801 Phone: (308) 385-5444x310 Email: jeremyW@grand-island.com Customer Number: 633		Attn: Kevin Wagner AVI Systems 5055 South 111th Street Omaha, NE 68137 Phone: (402) 593-6500 Email:	Attn: Jeremy Watson City of Grand Island 100 East 1st Street Grand Island, NE 68801 Phone: (308) 385-5444x310 Email: jeremyW@grand-island.com
Date: July 21, 2015	OE#:	Sales Rep: Guy Sauer - 24	
Customer PO#:	Terms: Net 30	Ship Via: Ground	Freight Terms: Prepaid and Add
Project #:	Project Manager:	Eng Approved By:	
Comments: Full HD Upgrade - Master Control – Part 1.			

Products and Services Summary

Equipment Contract	\$60,882.00
Integration Contract	\$38,830.00
Pro Support Contract	Currently Covered
Freight	\$288.00
Tax	See Terms
Grand Total	\$100,000.00

The prices quoted reflect a discount for a cash payment (i.e., check, wire transfer) made by Customer in full within Net 30 days of each invoice. Discount only applies to new items included on the invoice, and only applies if the balance on the invoice is paid in full. All returned equipment is subject to a restocking charge.

Invoicing

AVI uses progress billing, and invoices for equipment allocated to the contract when it is received by AVI. Unless otherwise specified, all items quoted (goods and services) as well as applicable out of pocket expenses (permits, licenses, shipping, etc.) are invoiced in detail (including applicable sales taxes due for each category of invoiced items) on a monthly basis, with payment in full required within Net 30 days of the date of the invoice. Customer is to make payments to the following "Remit to" address:

AVI Systems
NW8393 PO Box 1450
Minneapolis, MN 55485-8393.

Full payment is due before any support coverage or prepaid block begins. Overdue balances are subject to a finance charge of 1.5% per month, or interest at the highest rate permitted by applicable law. In the event AVI must pursue collection of unpaid invoices, Customer agrees to pay all of AVI's costs of collection, including its attorneys' fees.

Taxes and Delivery

Unless stated otherwise in the "Products and Services Summary" above, AVI will add and include all applicable taxes, permit fees, license fees, and delivery charges to the amount of each invoice. Taxes will be calculated according to the state law(s) in which the product(s) and/or service(s) are provided. Customer should provide a valid tax exemption certificate for any tax exemption(s) claimed, otherwise AVI shall invoice for and collect all applicable taxes in accordance with state law(s).

Agreement of Quotation and Contract Formation

Customer hereby accepts the above quote for goods and/or services from AVI. When duly executed and returned to AVI, AVI's Credit Department will check Customer's credit and approve the terms. After approval by AVI's Credit Department and signature by AVI, this Retail Sales Agreement will, together with the AVI General Terms & Conditions which are attached form a binding agreement between Customer and AVI. (This Retail Sales Agreement and the AVI General Terms & Conditions are referred to collectively as the "Agreement"). Should AVI's Credit Department determine at any point prior to AVI commencing work that Customer's credit is not adequate, or should it otherwise disapprove of the commercial terms, AVI reserves the right to terminate the Agreement without cause and without penalty to AVI.

AGREED AND ACCEPTED BY:

Customer:	AVI Systems, Inc
Signature:	Signature:

Printed Name:	Printed Name:
Date:	Date:

Products and Services Detail

Cameras

<u>Line #</u>	<u>Model #</u>	<u>Type</u>	<u>Mfg</u>	<u>Description</u>	<u>Qty</u>	<u>List</u>	<u>Discounted</u>	<u>Extended</u>
1	999-6125-000W	Equ	VADDIO	WallVIEW PRO HE120 - White	4	\$9,995.00	\$9,392.00	\$37,568.00
					Cameras Subtotal			\$37,568.00

Production Switcher

<u>Line #</u>	<u>Model #</u>	<u>Type</u>	<u>Mfg</u>	<u>Description</u>	<u>Qty</u>	<u>List</u>	<u>Discounted</u>	<u>Extended</u>
2	Granite	Equ	BroadcastPix	3RU Granite Switcher and 2RU Granite Server, with redundant power on both. Switcher has 11 HD/SD SDI inputs, 2 channel clips, 2 channels animations, and 4 channels graphics. Outputs 6 HD/SD SDI, 2 DVI, and provides 4 output types, including: program, preview, clean feed, PowerAuxA and B, and (on 2M/E models) M/E outputs. 6 Keyers. 6 DVEs for PiP (4 on 2M/E). 500GB Clip store holds up to 60 hours of H.264, ProRes and DNxHD clips. Harris GS CG. Fluent-View monitoring is customizable on 2 monitors with inputs, file libraries, keys, 4 outputs, clocks and touch-screen enabled. Fluent Macros automate effects with switcher and file recalls. Virtual Sets with easy set creation, except on 2M/E systems. Network file-based workflow with Fluent Watchfolders. 3 panel licenses for physical and SoftPanels. Device control of AJA recorders, Blackmagic HyperDeck Studios and ViewCast streamers. Minimal constant system delay. V4.0 software with ClearKey chromakeyer. Ships with keyboard, mouse, and owners manual. Monitors not included. All new systems shipping prior to the release of Version 4 will receive a free upgrade.	1	\$25,800.00	\$23,314.00	\$23,314.00
					Production Switcher Subtotal			\$23,314.00

Implementation

<u>Line #</u>	<u>Model #</u>	<u>Type</u>	<u>Mfg</u>	<u>Description</u>	<u>Qty</u>	<u>List</u>	<u>Discounted</u>	<u>Extended</u>
3	AVICBLCON	Int	AVI TECH SERV	Cable / Connectors	1	-	\$4,433.00	\$4,433.00
4	AVIMATRLS	Int	AVI TECH SERV	Materials & Hardware	1	-	\$712.00	\$712.00
5	AVIONSITE	Int	AVI TECH SERV	Onsite Integration	1	-	\$17,069.00	\$17,069.00
6	AVISWCONFIG	Int	AVI TECH SERV	Software Configuration	1	-	\$2,530.00	\$2,530.00
7	AVIPROJMGMT	Int	AVI TECH SERV	Project Management	1	-	\$1,530.00	\$1,530.00
8	AVITRAIN	Int	AVI TECH SERV	Training	1	-	\$824.00	\$824.00
					Implementation Subtotal			\$27,098.00

Design/Engineering

<u>Line #</u>	<u>Model #</u>	<u>Type</u>	<u>Mfg</u>	<u>Description</u>	<u>Qty</u>	<u>List</u>	<u>Discounted</u>	<u>Extended</u>
9	AVIENG	Int	AVI TECH SERV	Engineering / CAD	1	-	\$11,732.00	\$11,732.00
Design/Engineering Subtotal								\$11,732.00
Products and Services/Freight (\$288) Total								\$100,000.00

Services to be Provided

Integration Services Scope of Work

City of Grand Island would like to update their Master Control area to HD infrastructure.

AVI Systems will provide and install four new HD PTZ cameras, 16x16 HD-SDI router, and 16 input HD-SDI production switcher. New HD-SDI monitors will be installed to monitor cameras and production switcher Preview and Program outputs. Two Dual 8" HD-SDI rack mount monitors and two 17" HD-SDI monitors will be provided and installed.

There are a number of composite video sources and destinations to account for, which will require HD-SDI to composite, and composite to HD-SDI converters.

An Engineering Agreement is included in this proposal to design the conversion from analog standard definition system to HD system.

NOTE - After engineering is completed, a complete equipment list will be generated. There may be additional equipment needed after engineering is completed.

Streaming Solution

Customer would like to ability to have Council members view lectern presentations on their laptops.

AVI Systems will provide a streaming appliance in the Master Control area. The streaming appliance will be fed from the HD-SDI router.

Council members will view content by accessing the stream from the streaming appliance.

Customer would also like AVI Systems to install network connections at 16 Council member locations. The closet network closet is just behind the Media Room.

A single gang wall plate with network connector will be installed at the 16 Council member locations.

NOTE - this contract does not make up the complete system for the scope of work detailed above.

A contract amendment will be required to add the additional equipment and labor to complete the designed system.

Integration Services Responsibilities

Integration Scope of Work/Responsibilities

AVI Systems, Inc will provide services/work for the project as described above in the Scope of Work or per the attached separate Scope of Work document detailing the scope of work to be performed.

AVI Systems, Inc Responsibilities

- Provide equipment, materials and service items per the contract products and services detail.
- Provide systems equipment integration and supervisory responsibility of the equipment integration.
- Provide systems configuration, checkout and testing.
- Provide project timeline schedules.
- Provide necessary information, as requested, to the owner or other parties involved with this project to insure that proper AC electrical power and cableways and/or conduits are provided to properly integrate the equipment within the facilities.
- Provide manufacturer supplied equipment documentation.
- Provide final documentation and "as built" system drawings (CAD) - if purchased.
- Provide system training following integration to the designated project leader or team.

Customer Responsibilities

- Provide for the construction or modification of the facilities for soundproofing, lighting, electrical, HVAC, structural support of equipment, and decorating as appropriate. Includes installation of ceiling mounted projection screen.
- Provide for the ordering, provisioning, installation, wiring and verification of any Data Network (LAN, WAN, T1, ISDN, etc.) and Telephone Line (Analog or Digital) equipment and services prior to on-site integration.
- Provide all necessary cableways and/or conduits required to facilitate AV systems wiring.
- Provide all necessary conduit, wiring and devices for technical power to the AV systems equipment.
- Provide reasonable accesses of AVI Systems, Inc personnel to the facilities during periods of integration, testing and training, including off hours and weekends.
- Provide a secure area to house all integration materials and equipment.
- Provide a project leader who will be available for consultation and meetings.
- Provide timely review and approval of all documentation (Technical Reports, Drawings, Contracts, etc.).

AVI Systems General Terms and Conditions of Sale

The following General Terms & Conditions of Sale (the "T&Cs") in combination with a signed Retail Sales Agreement constitute a binding contract (the "Agreement") between AVI Systems, Inc. ("AVI") and the entity identified on page one of the Retail Sales Agreement (the "Customer"). Any terms and conditions set forth in any correspondence, purchase order or Internet based form from Customer to AVI which purport to constitute terms and conditions which are in addition to those set forth in this Agreement or which attempt to establish conflicting terms and conditions to those set forth in this Agreement are expressly rejected by AVI unless the same has been manually countersigned in wet ink by an Officer of AVI.

1. Changes In The Scope of Work – Where a Scope of Work is included with this Agreement, costs resulting from changes in the scope of this project by the Customer, including any additional requirements or restrictions placed on AVI by the Customer or its representatives, will be added to the contract price. When AVI becomes aware of the nature and impact of the change, a Contract Change Order will be submitted for review and approval by the Customer before work continues. Where applicable, changes in the configuration of the Equipment described herein shall be made in writing by submission of a Change Order document.

2. Ownership and Use of Documents and Electronic Data – Where applicable, drawings, specifications, other documents, and electronic data furnished by AVI for the associated project under this Agreement are instruments of the services provided. AVI shall retain all common law, statutory and other reserved rights, including any copyright in these instruments. These instruments of service are furnished for use solely with respect to the associated project under this Agreement. The Customer shall be permitted to retain copies of any drawings, specifications, other documents, and electronic data furnished by AVI for information and reference in connection with the associated project and for no other purpose.

3. Proprietary Protection of Programs – Where applicable this Agreement does not cause any transfer of title, or intellectual rights, in control systems programs, or any materials produced in connection therewith, including any source code. Any applications or programs supplied by AVI are provided, and are authorized for installation, execution, and use only in machine-readable object code form. This Agreement is expressly limited to the use of the programs by the Customer for the equipment in connection with the associated project. Customer agrees that it will not seek to reverse-engineer any program to obtain source codes, and that it will not disclose the programs source codes or configuration files to any third party, without the written consent of AVI. The programs, source codes and configuration files, together with AVI's know-how and integration and configuration techniques, furnished hereunder are proprietary to AVI, and were developed at its private expense. If Customer is a branch of the United States government, for purposes of this Agreement any software furnished by AVI hereunder shall be deemed "restricted computer software", and any data, including installation and systems configuration information, shall be deemed "limited rights data", as those terms are defined in FAR 52.227-14 of the Code of Federal regulations.

4. Shipping and Taxes – The prices shown are F.O.B. manufacturer's plant. The Customer, in accordance with AVI's current shipping and billing practices, will pay all destination charges. In addition to the prices on this Agreement, the Customer agrees to pay amounts equal to any sales tax invoiced by AVI, or (where applicable) any use or personal property taxes resulting from this Agreement or any activities hereunder. Customer will defend and indemnify AVI for any claims for all unpaid taxes or for any sales tax exemption claimed by Customer.

5. Title – Where applicable, title to the Equipment passes to the Customer on the earlier of: (a) the date of shipment from AVI to Customer, or (b) the date on which AVI transmits its invoice to Customer.

6. Security Interest – In addition to any mechanics' lien rights, the Customer, for value received, hereby grants to AVI a security interest under the Minnesota commercial code together with the a security interest under the law(s) of the state(s) in which work is performed or equipment is delivered. This security interest shall extend to all Equipment, plus any additions and replacements of such Equipment, and all accessories, parts and connecting Equipment now or hereafter affixed thereto. This security interest will be satisfied by payment in full unless otherwise provided for in an installment payment agreement. The security interest shall be security for all sums owed by Customer under this Agreement. A copy of this Agreement may be filed as a financing statement with the appropriate authority at any time after signature of the Customer. Such filing does not constitute acceptance of this Agreement by AVI.

7. Risk of Loss or Damage – Notwithstanding Customer's payment of the purchase price for Equipment, all risk of loss or damage shall transfer from AVI to Customer upon transfer of Title to Customer. Customer shall be responsible for securing insurance on Equipment from this point forward.

8. Receiving/Integration – Unless the Agreement expressly includes integration services by AVI, the Customer agrees to furnish all services required for receiving, unpacking and placing Equipment in the desired location along with integration. Packaging materials shall be the property of the Customer.

9. Equipment Warranties – To the extent AVI receives any warranties from a manufacturer on Equipment, it will pass them through to Customer to the full extent permitted by the terms of each warranty. Factory warranties vary by manufacturer, and no additional warranties are expressed or implied.

10. General Warranties – Each Party represents and warrants to the other that: (i) it has full right, power and authority to enter into and fully perform its obligations under this Agreement, including without limitation the right to bind any party it purports to bind to this Agreement; (ii) the execution, delivery and performance of this Agreement by that Party does not conflict with any other agreement to which it is a Party or by which it is bound, and (iii) it will comply with all applicable laws in its discharge of its obligations under this Agreement. AVI warrants, for a period of 90 days from substantial completion, the systems integration to be free from defects in material and workmanship. CUSTOMER WARRANTS THAT IT HAS NOT RELIED ON ANY INFORMATION OR REPRESENTATION PROVIDED BY OR ON BEHALF OF AVI WHICH IS NOT EXPRESSLY INCLUDED IN THESE GENERAL TERMS AND CONDITIONS OR THE RETAIL SALES AGREEMENT. EXCEPT AS EXPRESSLY SET FORTH HEREIN, AVI DISCLAIMS ANY EXPRESS OR IMPLIED WARRANTIES WITH REGARD TO THE MATERIALS AND SERVICES PROVIDED BY AVI, INCLUDING WITHOUT LIMITATION MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, NON INFRINGEMENT AND TITLE.

11. Indemnification – Customer shall defend, indemnify and hold harmless AVI against all damages, claims, liabilities, losses and other expenses, including without limitation reasonable attorneys' fees and costs, whether or not a lawsuit or other proceeding is filed, that arise out of from (a) from any negligent act or omission of Customer, its agents, or subcontractors, (b) Customer's failure to fully conform to all laws, ordinances, rules and regulations which affect the Agreement, or (c) Customer's breach of this Agreement. If Customer fails to promptly indemnify and defend such claims and/or pay AVI's expenses, as provided above, AVI shall have the right to defend itself, and in that case, Customer shall reimburse AVI for all of its reasonable attorneys' fees, costs and damages incurred in settling or defending such claims within thirty (30) days of each of AVI's written requests. AVI shall indemnify and hold harmless Customer against all damages, claims, liabilities, losses

and other expenses, including without limitation reasonable attorneys' fees and costs, whether or not a lawsuit or other proceeding is filed, to the extent that the same is finally determined to be the result of (a) any grossly negligent act or omission of AVI, its agents, or subcontractors, (b) AVI's failure to fully conform to any material law, ordinance, rule or regulation which affects the Agreement, or (c) AVI's material breach of this Agreement.

12. Remedies – Upon default as provided herein, AVI shall have all the rights and remedies of a secured party under the Minnesota commercial code and under any other applicable laws. Any requirements of reasonable notice by AVI to Customer, or to any guarantors or sureties of Customer shall be met if such notice is mailed, postage prepaid, to the address of the party to be notified shown on the first page of this Agreement (or to such other mailing address as that party later furnishes in writing to AVI) at least ten calendar days before the time of the event or contemplated action by AVI set forth in said notice. The rights and remedies herein conferred upon AVI, shall be cumulative and not alternative and shall be in addition to and not in substitution of or in derogation of rights and remedies conferred by the Minnesota commercial code and other applicable laws.

13. Limitation of Remedies for Equipment – AVI's entire liability and the Customer's exclusive remedy shall be as follows: In all situations involving performance or nonperformance of Equipment furnished under this Agreement, the Customer's remedy is the adjustment or repair of the Equipment or replacement of its parts by AVI, or, at AVI option, replacement of the Equipment.

14. Limitation on Liability – The total liability of a AVI under this Agreement for any cause shall not exceed (either for any single loss or all losses in the aggregate) the net amount actually paid by Customer to AVI under this Agreement during the twelve (12) month period prior to the date on which AVI's liability for the first such loss first arose.

15. No Consequential Damages – AVI SHALL NOT HAVE ANY LIABILITY TO CUSTOMER OR TO ANY OTHER PERSON OR ORGANIZATION FOR ANY INDIRECT, INCIDENTAL, CONSEQUENTIAL, EXEMPLARY, PUNITIVE OR SPECIAL DAMAGES OF ANY DESCRIPTION (INCLUDING WITHOUT LIMITATION LOST PROFITS OR LOSS OR INTERRUPTION OF BUSINESS), WHETHER BASED ON CONTRACT, NEGLIGENCE, TORT, OR ANY OTHER LEGAL THEORY, REGARDLESS OF WHETHER ADVISED OF THE POSSIBILITY OF SUCH DAMAGES AND IRRESPECTIVE OF THE NUMBER OR NATURE OF CLAIMS.

16. Acceleration of Obligations and Default – Payment in full for all "Equipment," which is defined as all goods identified in the section of the Agreement with the same title, as well for any and all other amounts due to AVI shall be due within the terms of the Agreement. Upon the occurrence of any event of default by Customer, AVI may, at its option, with or without notice, declare the whole unpaid balance of any obligation secured by this Agreement immediately due and payable and may declare Customer to be in default under this Agreement.

17. Choice of Law and Venue – This Agreement shall be governed by the laws of the State of Minnesota in the United States of America without reference to or use of any conflicts of laws provisions therein. For the purpose of resolving conflicts related to or arising out of this Agreement, the Parties expressly agree that venue shall be in the State of Minnesota in the United States of America only, and, in addition, the Parties hereby consent to the exclusive jurisdiction of the federal and state courts located in Hennepin County, Minnesota in the United States of America. The Parties specifically disclaim application (i) of the United Nations Convention on the International Sale of Goods, 1980, and (ii) of Article 2 of the Uniform Commercial Code as codified. In the event AVI must take action to enforce its rights under the Agreement, the court shall award AVI the attorney's fees it incurred to enforce its rights under this Agreement.

18. General – Headings are for reference purposes only and shall not affect the meaning or interpretation of this Agreement. The Parties acknowledge and agree that this Agreement has been negotiated by the Parties and that each had the opportunity to consult with its respective counsel, and shall be interpreted fairly in accordance with its terms and without any strict construction in favor of or against either Party based on draftsmanship of the Agreement. This Agreement is not assignable by Customer without the prior written consent of AVI. Any attempt to assign any of the rights, duties, or obligations of this Agreement without such consent is void. AVI reserves the right to assign this Agreement to other parties in order to fulfill all warranties and obligations expressed herein, or upon the sale of all or substantially all of AVI's assets or business. This Agreement can only be modified by a written agreement duly signed by persons authorized to sign agreements on behalf of the Customer and of AVI, and variance from the terms and conditions of the Agreement in any order or other written notification from the Customer will be of no effect. If any provision or provisions of this Agreement shall be held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. AVI is not responsible for any delay in, or failure to, fulfill its obligations under this Agreement due to causes such as natural disaster, war, emergency conditions, labor strike, acts of terrorism, the substantial inoperability of the Internet, the inability to obtain supplies, or any other reason or any other cause or condition beyond AVI's reasonable control. Except as agreed herein, AVI is not obliged to provide any services hereunder for Equipment located outside the United States or Puerto Rico. Scheduled completion dates are subject to change based on material shortages caused by shortages in cable and materials that are industry wide.

City of Grand Island HD Upgrade



Guy Sauer
avisystems.com

HD Upgrade Project

Phase 1	Studio Cameras (completed)
Phase 2	Broadcast System (completed)
Phase 3	Master Control Center and Council Chambers



avisystems.com

Master Control Center

Current System

- Analog Cameras
- Standard Definition Resolution
- Analog Cabling
- Analog Switching & Routing

New HD System

- Digital Cameras
- High Definition (HD) Resolution
- HD Cabling
- HD Switching & Routing



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Master Control Center

Benefits of HD Upgrade

- Improved Image Quality
- Higher Resolution
- Format Supported by Manufacturers
- Compatible with Current Content Created in HD Format



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Council Chambers

Current System

- Stand Definition Projector
- Stand Definition Resolution
- Analog Cabling

New HD System

- Two HD LED Displays
(West wall & East wall – above windows)
- High Definition Resolution
- HD Cabling
- Touch Screen Computer at Lectern
- Stream Meetings



avisystems.com

Council Chambers

Benefits of HD Upgrade

- Improved Image Quality
- Improved Readability and Sight Lines
- Higher Resolution
- Format Supported by Manufacturers
- Compatible with Current Content Created in HD Format
- Compatible with New Computers with HD Connections



avisystems.com

HD Upgrade – Timing

Note – Doing Master Control Center and Council Chambers upgrades at the same time will save costs.

If Master Control Center is upgraded, and Council Chambers is delayed, interface equipment will be needed to convert HD content from Master Control Center to display properly on the standard definition system in the Council Chambers.

Once the Council Chambers is upgraded to HD, the interface equipment will no longer be needed.



avisystems.com

HD Upgrade

Master Control Center	\$138,854 (\$100,000 considered tonight)
Council Chambers	\$24,496



avisystems.com

RESOLUTION 2015-204

WHEREAS, the City of Grand Island invited responses to a Request for Qualifications for Engineering and Implementation Services for GITV Master Control High Definition Upgrade Transition; and

WHEREAS, on May 14, 2015, submittals were received, opened and reviewed for capabilities to implement and the ability to timely provide schematic drawings and cost estimate for this transition; and

WHEREAS, AVI Systems, was found to hold the most applicable qualifications and has submitted a contract for said services to be met and not to exceed \$100,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the submitted contract to render engineering and hardware purchasing in the successful transition of GITV to High Definition Programming is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 24, 2015	☐ City Attorney



City of Grand Island

Tuesday, July 28, 2015

Council Session

Item J-1

Approving Payment of Claims for the Period of July 15, 2015 through July 28, 2015

The Claims for the period of July 15, 2015 through July 28, 2015 for a total amount of \$4,643,787.87. A MOTION is in order.

Staff Contact: William Clingman