
City of Grand Island



Tuesday, November 10, 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 - Father Robert Lewis, St. Stephen's Episcopal Church, 422 West 2nd Street

Pledge of Allegiance

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item E-1

Public Hearing on Request from 2nd Street Stop, Inc. dba Pam's 1 Stop C Store and Value Inn Motel, 2105 West 2nd Street for a Class "D" 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: November 10, 2015

Subject: Public Hearing on Request from 2nd Street Stop, Inc. dba Pam's 1 Stop C Store and Value Inn Motel, 2105 West 2nd Street for a Class "D" 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

2nd Street Stop, Inc. dba Pam's 1 Stop C Store and Value Inn Motel, 2105 West 2nd Street has submitted an application for a Class "D" Liquor License. A Class "D" Liquor License allows for the sale of alcohol off sale inside the corporate limits of the city.

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

Also submitted with the application was a request from Pamela Ehlers, 2170 N. Monitor Road 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 2nd Street Stop, Inc. dba Pam's 1 Stop C Store and Value Inn Motel, 2105 West 2nd Street for a Class "D" Liquor License contingent upon final inspections and Manager Designation for Pamela Ehlers, 2170 N. Monitor Road contingent upon completion of a state approved alcohol server/seller training program.

11/03/15
15:30

Grand Island Police Department
LAW INCIDENT TABLE

Page: 450
1

```

City : Grand Island
Occurred after : 08:00:00 10/21/2015
Occurred before : 08:00:00 10/21/2015
When reported : 08:00:00 10/21/2015
Date disposition declared : 10/30/2015
Incident number : L15102864
Primary incident number :
Incident nature : Liquor Lic Inv Liquor Lic Inv
Incident address : 2105 2nd St W
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 : 3212
Long-term call ID :
Clearance Code : CL CL Case Closed
Judicial Status :

```

=====

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	43794	10/29/15	Ehlers, Pamela L	Owner/Manager
NM	204068	10/29/15	Pam's C Store,	Business Involved

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT07	LT07 Convenience Store	

IMAGE CODES FOR INCIDENT:

Seq	Imag	Image code for a users description field
1	DOC	DOCUMENT mobile report

LAW INCIDENT NARRATIVE:

11/03/15
15:30

Grand Island Police Department
LAW INCIDENT TABLE

Page: 450
2

Liquor License Investigation

Pamela Ehlers is applying for a Class D Liquor License for Pam's 1 Stop C Store and Vaule Inn Motel. She is also applying to be the liquor manager.

cw
~~----- (lwmain13463910292015)~~

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	13:58:09 10/29/2015

11/03/15
15:30

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 3

318

Grand Island Police Department
Supplemental Report

Date, Time: Thu Oct 29 13:58:20 CDT 2015
Reporting Officer: Vitera
Unit- CID

Pamela Ehlers is applying for a Class D (beer, wine, distilled spirits off sale only) Retail Corporate Liquor License for Pam's 1 Stop C Store and Value Inn Motel. Pamela is also applying to be the liquor manager. No other people are listed on the application. According to Pamela's application, she has lived in Grand Island since at least 2002, and she currently has a liquor license at Pam's Pub & Grub located at 2848 S. Locust in Grand Island. According to the Nebraska Liquor Control Commission's (NLCC) web site, Pam's Pub & Grub has had a liquor license for almost eight years, and there are no violations listed.

On this application, Pamela disclosed a disturbing the peace conviction from 2002 along with six traffic convictions. I searched Pamela through Spillman and NCJIS. Spillman shows some of the disclosed traffic convictions along with an arrest for 3rd degree assault in 2002 and an arrest for theft in 2007. Pamela also has several contacts in Spillman for code violations on three different pieces of property that she apparently owns in Grand Island. It looks like she was fairly responsive and compliant in addressing and rectifying the code violations which consisted of either tall grass and weeds and/or an accumulation of litter. According to NCJIS, Pamela's assault arrest was plead down to the disturbing the peace conviction that she disclosed. I did not see in NCJIS where the theft arrest ever resulted in a conviction. I didn't find any undisclosed convictions in NCJIS.

I checked Pamela for arrest warrants along with the status of her driver's license and found that she doesn't have any outstanding warrants, and she has a valid driver's license. I also checked her through an paid online law enforcement-only database and didn't find anything shocking or detrimental to the application. I did a general Internet search and found a public face book page for Pamela which consisted mostly of what appeared to be photographs of grandchildren, dogs, and nature photographs.

I called Pamela on 11/2/15 and set up a meeting with her and NSP Investigator Fiala for 1400 hours. Investigator Fiala started the meeting by asking Pamela about the number of full and part time employees, whether she's going to have gambling and tobacco sales, and what kind of training her employees will receive. I didn't really have many questions for Pamela. Investigator Fiala and I just expressed our concerns with the location of the liquor license and the amount of problems and crime that have taken place in the immediate vicinity in the recent past. Pamela assured us that first and foremost, any employee selling to a minor will be immediately terminated. She also said that she has upgraded the camera system in and around the convenience store and motel. Pamela emphasized her desire and commitment to cooperate with the police department to prevent and respond to problems with her convenience store and motel.

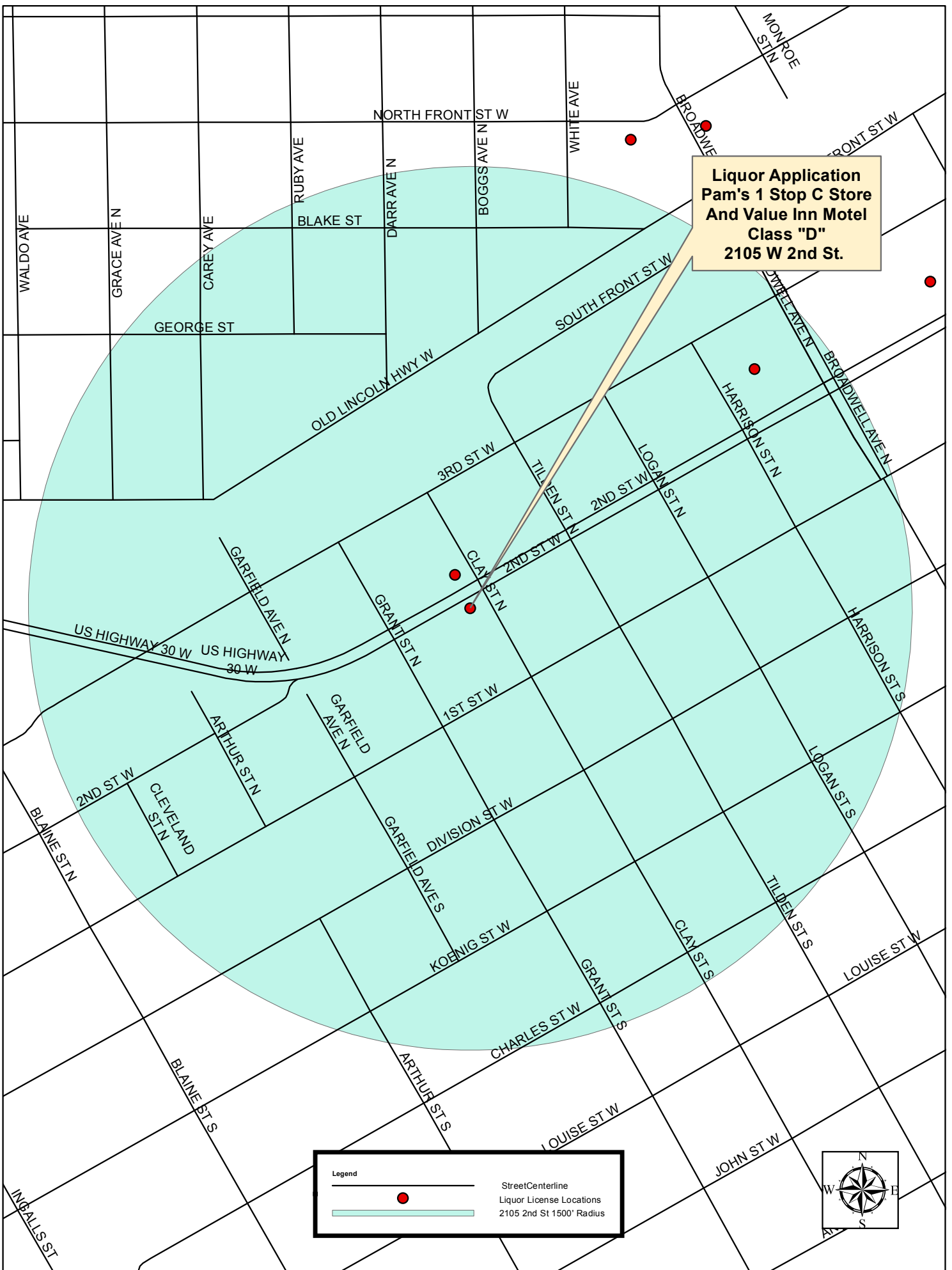
In summary, I didn't see anything in Pamela's application that would preclude her from receiving a liquor license. She is a current liquor license holder at a Pam's Pub & Grub and has had a liquor license there for eight years with no violations. Add in her pledged level of cooperation with law enforcement, the

11/03/15
15:30

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 4

Grand Island Police Department has no objection to Pam's 1 Stop C Store and Value Inn Motel receiving a liquor license or to Pamela Ehlers becoming the liquor manager.





City of Grand Island

Tuesday, November 10, 2015

Council Session

Item E-2

Public Hearing on Request from The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3rd Street for an Addition to their Class “IK-086925” 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: November 10, 2015

Subject: Public Hearing on Request from The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3rd Street for an Addition to Class “IK-086925” Liquor License

Presenter(s): RaNae Edwards, City Clerk

Background

The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3rd Street has submitted an application for an addition to their Class “IK-086925” Liquor License. The request includes the addition on the liquor license to extend the existing patio by 22’.

Discussion

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, and Health Departments.

Currently their license covers the outdoor area of 7’ x 19’. They are requesting to extend their license to cover the outdoor area of 7’ x 41’. Staff is recommending approval contingent upon final inspections.

Alternatives

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

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

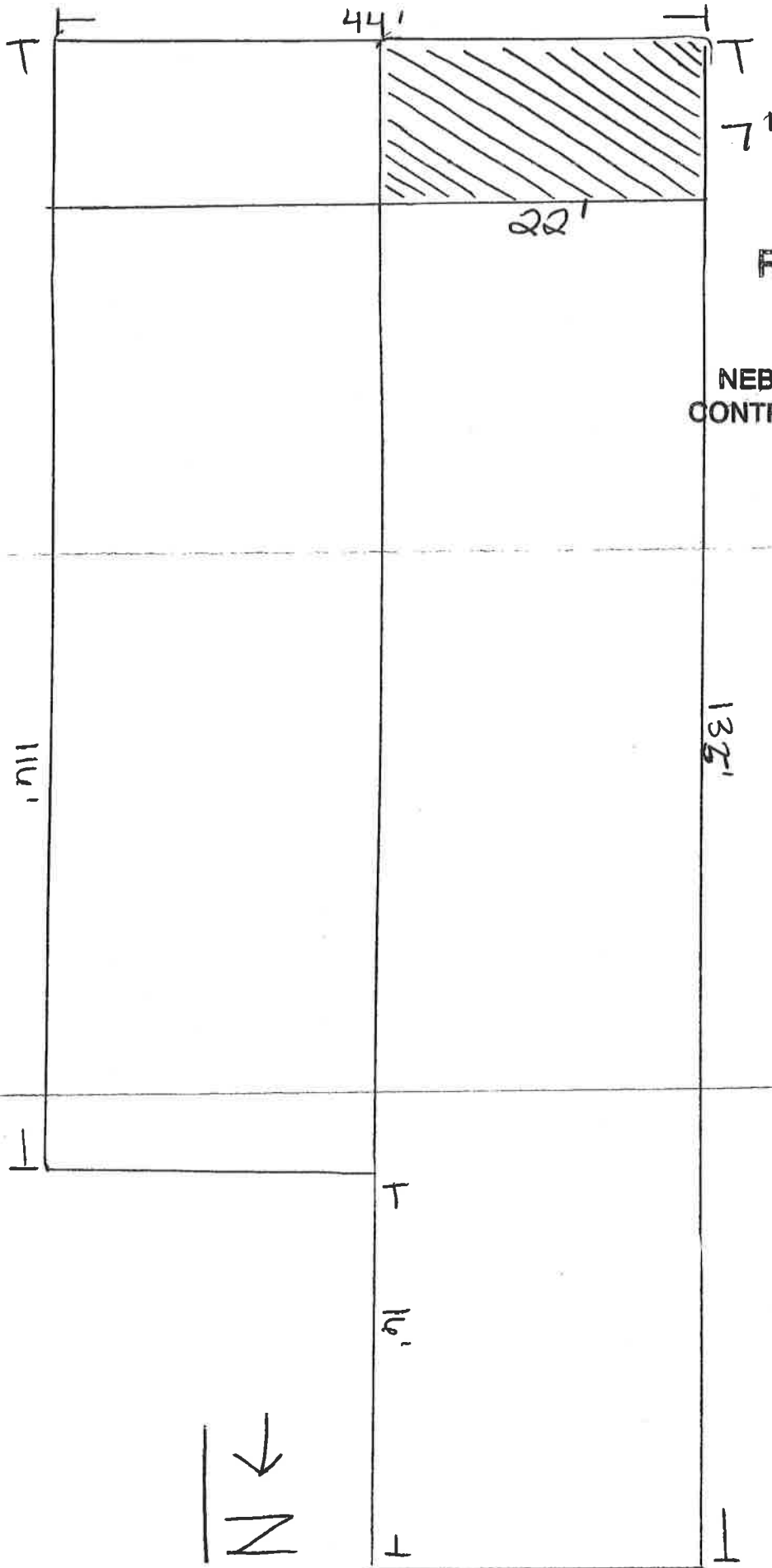
Recommendation

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

Sample Motion

Move to approve the application for an addition to The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3rd Street Liquor License "IK-086925" for the outdoor area of approximately 7' x 41' contingent upon final inspections.

LICENSED
 CURRENTLY UNLICENSED



RECEIVED
 OCT 26 2015
**NEBRASKA LIQUOR
 CONTROL COMMISSION**





City of Grand Island

Tuesday, November 10, 2015

Council Session

Item F-1

#9564 - Consideration of Creation of Sanitary Sewer District No. 537T, Extension of Sanitary Sewer to Serve Lot 1 & Lot 2, TLST Spiels Sub. & Part of the North 10 Acres of the West 1/2 of the Northwest Quarter (W1/2NW1/4) All In Section Ten (10), Township Eleven (11) North, Range(9) West

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

Council Agenda Memo

From: Marvin Strong PE, Wastewater Plant Engineer

Meeting: November 10, 2015

Subject: Consideration of Creation of Sanitary Sewer District No. 537T, Extension of Sanitary Sewer to Serve Lot One (1) And Lot Two (2), TLST Spiels Subdivision And Part Of The North Ten (10) Acres Of The West Half Of The Northwest Quarter (W1/2NW1/4) All In Section Ten (10), Township Eleven (11) North, Range Nine (9) West

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

Background

Council action is needed to create a sanitary sewer tap district. The boundary was developed by Public Works staff in order to encompass the area served by the new sewer extension. Please refer to attached proposed Sanitary Sewer District 537T; Exhibit "A" Sketch.

Discussion

The North Interceptor, Phase II construction provided opportunity for sanitary sewer district creation to area homeowners. Area homeowners approached the Public Works Department in request to develop sanitary sewer in their area. The Engineering Firm, Olsson Associates, developed plans to serve the residential area with an 8-inch service line, and coincide with the North Interceptor construction. Sewer will be available once a larger portion of the North Interceptor Phase II trunk main project is closed in the spring of 2016. It will be anticipated thirteen (13) customers shall be served within the district boundary. If the district is created the sanitary sewer cost would be assessed to the properties through a sanitary sewer tap district.

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 creation of Sanitary Sewer District 537T.

Sample Motion

Move to approve the creation of Sanitary Sewer District 537T.

ORDINANCE NO. 9564

An ordinance creating Sanitary Sewer District No. 537T of the City of Grand Island, Nebraska; defining the boundaries thereof; providing for the laying of sanitary sewer mains in said district; providing for plans and specifications and securing bids; providing for the connection fee for connecting to such sanitary sewer; providing for certification to the Register of Deeds of the connection fee; and providing for publication and the effective date of this ordinance.

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

SECTION 1. Sanitary Sewer District No. 537T is hereby created for the construction of:

An eight (8.0) inch gravity Sanitary Sewer Main and appurtenances thereto within Lot One (1) And Lot Two (2), TLST Spiehs Subdivision And Part Of The North Ten (10) Acres Of The West Half Of The Northwest Quarter (W1/2NW1/4) All In Section Ten (10), Township Eleven (11) North, Range Nine (9) West.

all in the City of Grand Island, Hall County, Nebraska.

SECTION 2. The boundaries of such sanitary sewer district shall be as follows:

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney

ORDINANCE NO. 9564 (Cont.)

A TRACT OF LAND CONSISTING OF LOT ONE (1) AND LOT TWO (2), TLST SPIEHS SUBDIVISION AND PART OF THE NORTH TEN (10) ACRES OF THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) ALL IN SECTION TEN (10), TOWNSHIP ELEVEN (11) NORTH, RANGE NINE (9) WEST OF THE 6TH P.M., IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4), BEING THE ACTUAL POINT OF BEGINNING, RUNNING THENCE EAST PARALLEL TO THE SOUTH LINE OF THE NORTH TEN (10) ACRES OF THE NORTHWEST QUARTER (W1/2NW1/4) OF SAID SECTION TEN (10), ONE THOUSAND ONE HUNDRED EIGHTY NINE FEET AND FIFTY FIVE HUNDREDTHS (1,189.55); RUNNING THENCE SOUTH PARALLEL TO THE WEST LINE OF THE NORTH TEN (10) ACRES OF THE NORTHWEST QUARTER (W1/2NW1/4) OF SAID SECTION TEN (10), THREE HUNDRED THIRTY FEET AND EIGHTY FOUR HUNDREDTHS (330.84); RUNNING THENCE EAST PARALLEL TO THE NORTH LINE OF THE NORTH TEN (10) ACRES OF THE NORTHWEST QUARTER (W1/2NW1/4) OF SAID SECTION TEN (10), ONE HUNDRED TWENTY EIGHT FEET AND TWENTY EIGHT HUNDREDTHS (128.28); RUNNING THENCE SOUTH PARALLEL TO THE WEST LINE OF THE NORTHWEST QUARTER (W1/2NW1/4) OF SAID SECTION TEN (10), ONE HUNDRED SIXTY FIVE FEET AND FIFTY FIVE HUNDREDTHS (165.50), SAID POINT BEING THE SOUTHEAST (SE) CORNER OF LOT ONE (1) TLST SPIEHS SUBDIVISION; RUNNING THENCE WEST PARALLEL TO THE SOUTH LINE OF THE NORTH TEN (10) ACRES OF THE NORTHWEST QUARTER (W1/2NW1/4) OF SAID SECTION TEN (10), ONE THOUSAND THREE HUNDRED SIXTEEN FEET AND SIXTY HUNDREDTHS (1,316.60); RUNNING THENCE NORTH PARALLEL TO THE EAST LINE OF THE LOT ONE (1) TLST SPIEHS SUBDIVISION FIFTEEN FEET AND TWENTY HUNDREDTHS (15.20); RUNNING THENCE EAST PARALLEL TO THE SOUTH LINE OF THE NORTH TEN (10) ACRES OF THE NORTHWEST QUARTER (W1/2NW1/4) OF SAID SECTION TEN (10), ONE HUNDRED THIRTY THREE FEET AND SIXTY TWO HUNDREDTHS (133.62), SAID POINT BEING THE SOUTHEAST (SE) CORNER OF PART LOT ONE (1) NORWOOD SUBDIVISION; RUNNING THENCE NORTH PARALLEL TO THE EAST LINE OF THE LOT ONE (1) TLST SPIEHS SUBDIVISION SEVENTY ONE FEET AND EIGHTY FOUR HUNDREDTHS (71.84); RUNNING THENCE WEST PARALLEL TO THE SOUTH LINE OF THE NORTH TEN (10) ACRES OF THE NORTHWEST QUARTER (W1/2NW1/4) OF SAID SECTION TEN (10), ONE HUNDRED THIRTY THREE FEET AND SEVENTY HUNDREDTHS (133.70); RUNNING THENCE NORTH PARALLEL TO THE EAST LINE OF THE NORTH TEN (10) ACRES OF THE NORTHWEST QUARTER (W1/2NW1/4) OF SAID SECTION TEN (10), FOUR HUNDRED NINE FEET AND SEVENTY EIGHT HUNDREDTHS (409.78); TO ACTUAL POINT OF BEGINNING.

SECTION 3. Said improvement shall be made in accordance with plans and specifications prepared by the Engineer for the City who shall estimate the costs thereof, and submit the same to the City Council, and thereafter, bids for the construction of such sanitary sewer shall be taken and contracts entered into in the manner provided by law.

ORDINANCE NO. 9564 (Cont.)

SECTION 4. The cost of construction of such sanitary sewer main connection district shall be reported to the City Council, and the Council, sitting as a Board of Equalization, shall determine benefits to abutting property by reason of such improvement pursuant to Section 16-6,103, R.R.S. 1943. The special benefits shall not be levied as special assessments but shall be certified by resolution of the City Council to the Hall County Register of Deeds. A connection fee in the amount of the special benefit accruing to each property in the district shall be paid to the City of Grand Island at such time as such property becomes connected to the sanitary sewer main in such district. No property thus benefited by sanitary sewer main improvements shall be connected to the sanitary sewer main until the connection fee is paid.

SECTION 5. This ordinance shall be in force and take effect from and after its passage, approval and publication, without the plat, as provided by law.

SECTION 6. This ordinance, with the plat, is hereby directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

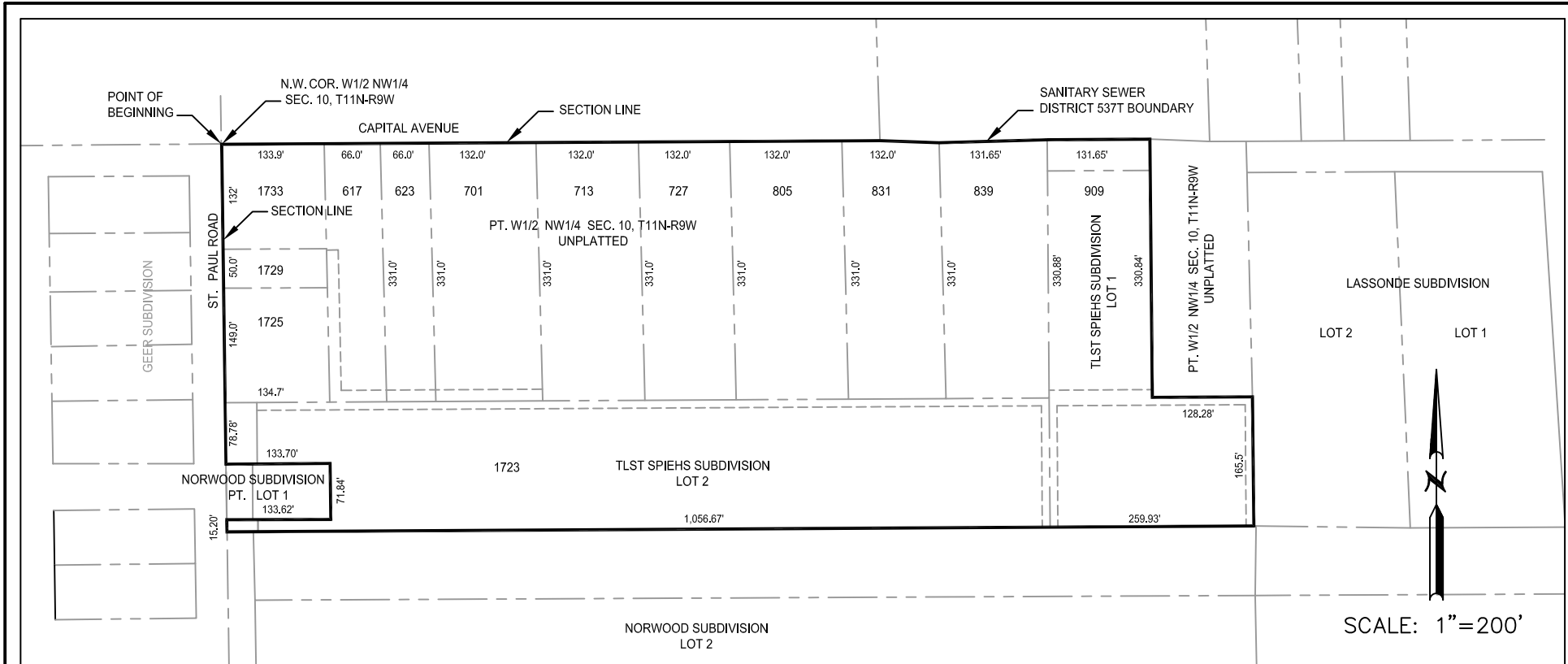
SECTION 7. After passage, approval and publication of this ordinance, notice of the creation of said district shall be published in the Grand Island Independent, a legal newspaper published and of general circulation in said City, as provided by law.

Enacted: November 10, 2015

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk



A Sanitary Sewer Tap District comprising of Lot One (1) and Lot Two (2), TLST Spiehs Subdivision and part of the North Ten (10) Acres of the West Half of the Northwest Quarter (W1/2NW1/4) all in Section Ten (10), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., in the City of Grand Island, Hall County, Nebraska and more particularly described as follows:

Beginning at the Northwest corner of said West Half of the Northwest Quarter (W1/2NW1/4), being the ACTUAL Point of Beginning, running thence East parallel to the South line of the North Ten (10) Acres of the Northwest Quarter (W1/2NW1/4) of said Section Ten (10), One Thousand One Hundred Eighty Nine Feet and Fifty Five Hundredths (1,189.55); running thence South parallel to the West line of the North Ten (10) Acres of the Northwest Quarter (W1/2NW1/4) of said Section Ten (10), Three Hundred Thirty Feet and Eighty Four Hundredths (330.84); running thence East parallel to the North line of the North Ten (10) Acres of the Northwest Quarter (W1/2NW1/4) of said Section Ten (10), One Hundred Twenty Eight Feet and Twenty Eight Hundredths (128.28); running thence South parallel to the West line of the Northwest Quarter (W1/2NW1/4) of said Section Ten (10), One Hundred Sixty Five Feet and Fifty Five Hundredths (165.50), said point being the Southeast (SE) Corner of Lot One (1) TLST Spiehs Subdivision; running thence West parallel to the South line of the North Ten (10) Acres of the Northwest Quarter (W1/2NW1/4) of said Section Ten (10), One Thousand Three Hundred Sixteen Feet and Sixty Hundredths (1,316.60); running thence North parallel to the East line of the Lot One (1) TLST Spiehs Subdivision Fifteen Feet and Twenty Hundredths (15.20); running thence East parallel to the South line of the North Ten (10) Acres of the Northwest Quarter (W1/2NW1/4) of said Section Ten (10), One Hundred Thirty Three Feet and Sixty Two Hundredths (133.62), said point being the Southeast (SE) Corner of Part Lot One (1) Norwood Subdivision; running thence North parallel to the East line of the Lot One (1) TLST Spiehs Subdivision Seventy One Feet and Eighty Four Hundredths (71.84); running thence West parallel to the South line of the North Ten (10) Acres of the Northwest Quarter (W1/2NW1/4) of said Section Ten (10), One Hundred Thirty Three Feet and Seventy Hundredths (133.70); running thence North parallel to the East line of the North Ten (10) Acres of the Northwest Quarter (W1/2NW1/4) of said Section Ten (10), Four Hundred Nine Feet and Seventy Eight Hundredths (409.78); to ACTUAL Point of Beginning.



SANITARY SEWER TAP DISTRICT 537T
EXHIBIT "Δ"



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item F-2

#9565 - Consideration of Vacation of a Portion of Washington Street (between 4th Street and North Front Street)

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: November 10, 2015

Subject: Consideration of Vacation of a Portion of Washington Street; Between 4th Street and North Front Street

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

Background

Council action is required for vacation of a public street through the passing of an ordinance. The Grand Island Utility Department has requested that the majority of Washington Street, between 4th Street and North Front Street, be vacated.

Discussion

The Grand Island Utility Department recently acquired the property addressed as 374 N Washington Street, which is just west of the Line Department facility. The request is to vacate a portion of Washington Street between 4th Street and North Front Street. A sketch is attached to detail the proposed vacation. The southwest end of Washington Street will not be vacated with this request so as to allow access for the property owner of 1204 & 1206 W North Front Street.

A sixteen (16) foot easement will be retained to allow utility access, as sanitary sewer currently runs east and west through the middle of this block.

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 vacation of Washington Street; between 4th Street and North Front Street as requested.

Sample Motion

Move to approve the ordinance.

• THIS SPACE RESERVED FOR REGISTER OF DEEDS •

ORDINANCE NO. 9565

An ordinance to vacate a portion of an existing right of way and to provide for filing this ordinance in the office of the Register of Deeds of Hall County; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. That a portion of an existing right of way of Washington Street, more particularly described as follows:

Beginning at the Northwest corner of Lot Three (3), Service Center Subdivision located in the City of Grand Island, Hall County, Nebraska; thence southerly, along the westerly line of said Lot Three (3), a distance of one hundred thirty two (132.0) feet to a particular corner of said Lot Three (3); thence easterly along a particular East/West line of said Lot Three (3), a distance of (40.0) feet to a particular corner of said Lot Three (3), thence southerly along the westerly line of said Lot Three (3), a distance of one hundred forty eight (148.0) feet to the Southwest corner of said Lot Three (3), said point also being on the northerly right-of-way line of North Front Street; thence westerly along the northerly right-of-way line of North Front Street, a distance of forty (40.0) feet; thence northerly, parallel with the easterly line of Lot Eight (8), Block Three (3), Arnold & Abbott's Addition to the City of Grand Island, a distance of seventy four (74.0) feet; thence westerly and parallel with the northerly right-of-way of said North Front Street, a distance of forty (40.0) feet to a point on the easterly line of said Lot Eight (8), Block Three (3); thence northerly along the easterly line of said Lot Eight (8), Block Three (3), and Lot One (1), Block Three (3) Arnold & Abbott's Addition to the City of Grand Island, a distance of two hundred six (206.0) feet to the Northeast corner of said Lot One (1), Block Three (3), said point also being on the southerly right-of-way line of Fourth Street; thence easterly along the southerly right-of-way line of said Fourth Street, a distance of forty (40.0) feet to the Northwest corner of said Lot Three (3), Service Center Subdivision, being the said Point of Beginning; provided and conditioned that the City of Grand Island hereby reserves a sixteen (16.0) foot wide perpetual public utility easement, in, over, underneath, and through the vacated area, and all rights necessary and appurtenant thereto, as shown on the plat dated 10/21/2015, marked Exhibit "A" attached hereto and incorporated herein by reference.

Approved as to Form ✕ _____
November 6, 2015 ✕ City Attorney

ORDINANCE NO. 9565 (Cont.)

SECTION 2. The title to the property vacated by Section 1 of this Ordinance shall revert to the abutting properties.

SECTION 3. The City shall retain a sixteen (16) foot wide easement through the vacated portion to line up with the existing easement through this area, more particularly described as follows:

Commencing at the Northwest corner of Lot Three (3), Service Center Subdivision located in the City of Grand Island, Hall County, Nebraska; thence southerly, along the westerly line of said Lot Three (3), a distance of one hundred thirty two (132.0) feet to a particular corner of said Lot Three (3) being the ACTUAL Point of Beginning; thence easterly along a particular East/West line of said Lot Three (3), a distance of forty (40.0) feet to a particular corner of said Lot Three (3), thence southerly along the westerly line of said Lot Three (3), a distance of sixteen (16.0) feet; thence westerly and parallel with the northerly right-of-way line of North Front Street, a distance of eighty (80.0) feet to a point on the easterly line of Lot Eight (8), Block Three (3), Arnold & Abbott's Addition to the City of Grand Island; thence northerly along the easterly line of said Lot Eight (8), Block Three (3), and Lot One (1), Block Three (3), Arnold & Abbott's Addition to the City of Grand Island, a distance of sixteen (16.0) feet; thence easterly and parallel to the northerly right-of-way line of said North Front Street, a distance of forty (40.0) feet to a particular corner of said Lot Three (3), Service Center Subdivision being the said Point of Beginning.

SECTION 4. This ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

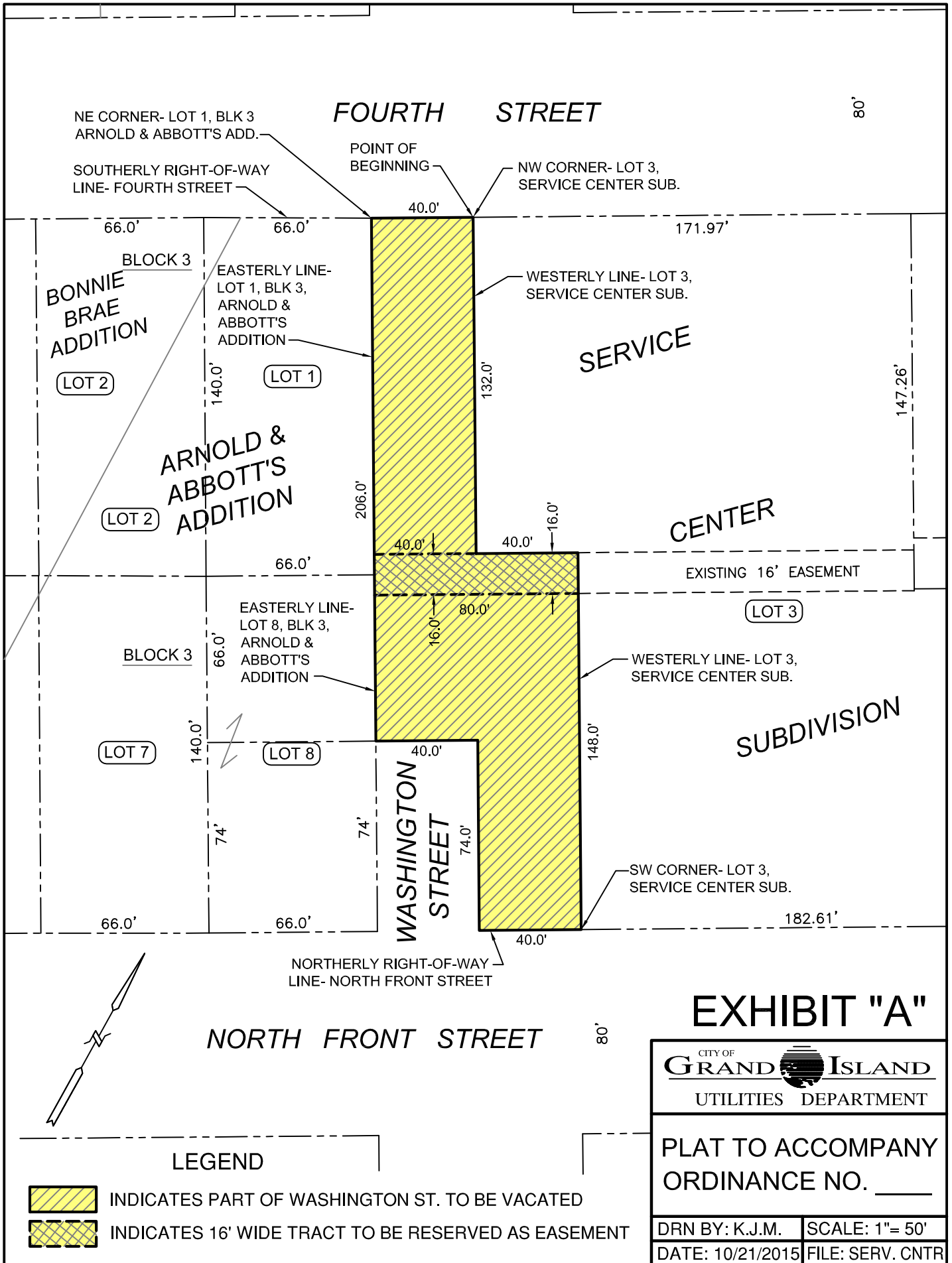
SECTION 5. This ordinance shall be in force and take effect from and after its passage and publication, without the plate, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk





City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-1

Approving Minutes of October 27, 2015 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
October 27, 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 October 27, 2015. Notice of the meeting was given in *The Grand Island Independent* on October 21, 2015.

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

Mayor Jensen introduced Community Youth Council member Natalie Stapleton.

INVOCATION was given by Pastor Dan Bremer, Grace Lutheran Church, 545 East Memorial Drive followed by the PLEDGE OF ALLEGIANCE.

BOARD OF EQUALIZATION: Motion by Hehnke, second by Paulick to adjourn to the Board of Equalization. Motion adopted.

#2015-BE-11 - Consideration of Determining Benefits and Levy Special Assessments for Water Service Box Lowering for 219 East Charles Street. Public Works Director John Collins reported that there was a need to lower the water service box at 219 East Charles Street at a cost of \$750.00 to be assessed to the property owner. Staff recommended approval of the connection fee.

Motion by Donaldson, second by Stelk to approve Resolution #2015-BE-11. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Donaldson, second by Hehnke to return to Regular Session. Motion adopted.

PUBLIC HEARINGS:

Public Hearing on Request from Hooker Brothers Construction Company for a Renewal of Conditional Use Permit for a Sand and Gravel Operation located at 501 Gunbarrel Road. Building Department Director Craig Lewis reported that a request for the renewal of a Conditional Use Permit from Hooker Brothers Construction Company for a sand and gravel operation had been received. Staff recommended approval with the following conditions:

1). USE: The proposed uses are limited to those listed in the application, sand and gravel pumping processing, storage, stocking piling, distribution, and sales, both wholesale and retail. Retail sale may also include the sale of black dirt, river rock, and similar landscaping materials.

The storage, recycling, or processing of other aggregate materials, such as asphalt or concrete is not allowable unless specifically listed, nor are the operation of concrete or asphalt batch plants.

2). CLOSURE: A drawing of the proposed development of the property after the closing of the sand and gravel operation has been provided along with the initial application.

3). PRIMARY CONDITIONS: (a). The permit shall be granted for a period not to exceed 10 years with the possibility of renewal for an additional time at the end of the 10 year period.

(b). Pumping of product shall not be allowed within 150 feet of any public road right of way and protected by a 6 foot earthen berm during pumping. The finished width of developable property adjacent to the public right of way shall be 300 feet at the time of termination of the operation. A setback of 100 feet from any adjacent property line shall be maintained between the pumping operations.

(c). Pumping and other activities (including lighting) at the site shall be limited to daylight hours (15) minutes before sunrise and (15) minutes after sunset Mondays through Saturdays. No pumping or other processing activities shall be permitted on Sundays or from fifteen minutes after sunset to fifteen minutes before sunrise. Two exceptions to this condition shall be in the months of March, April, October, and November activities may operate from 6:00a.m. to 10:00p.m. to allow for winter condition. The second exception shall be that trucking of the product shall be allowed on Sundays from 7:00 a.m. to 12:00 noon to allow for contracted sales.

(d). Any internal combustion pump motors utilized shall be equipped with a functioning "hospital grade muffler" designed to reduce exhaust noise by 32 to 40 decibels.

(e). Materials and equipment shall not be stored on the property within any easements or the regulated floodway as determined by the Federal Emergency Management Agency or its successor and the entity with jurisdiction and authority to enforce floodplain regulations. No product, material or equipment shall be stored within any easement or in such a manor that it would violate any safety provisions of the National Electric Safety Code.

(f). All dead trees, rubbish, and debris, if any must be cleared from the real estate as soon as practical and such real estate must, at all times, be kept in a clean and neat condition.

(g). No trash, rubbish, debris, dead trees, lumber, bricks, refuse or junk material of any nature whatsoever shall be dumped, placed or located upon such real estate.

(h). Applicant shall not use the real estate in any way so as to create or result in an unreasonable hazard or nuisance to adjacent land owners or to the general public.

(i). Applicant shall maintain any and all drainage ditches that may be located upon the real property.

(j). Applicant shall not permit the hauling of sand and gravel from the premises and over and across any public highway or road unless said sand and gravel is complete dry and free from water or is hauled in trucks which are designed and equipped so as to prevent water from leaking onto the traveled portion of the roadbed.

(k). All water accumulated upon the premises by virtue of such mining and pumping operations shall be retained upon the premises and shall not flow upon or encroach upon any adjacent land. Only surface waters that have historically flowed from the premises shall be permitted to leave the same through historical natural drainage ways.

(l). Applicant shall begin the mining operation within a period of 18 months from the issuance of this permit or if the applicant fail to begin operations within the 18 months the permit shall be considered null and void and subject to reapplication and rehearing. Additionally if at anytime during the life of the permit issued the operation shall cease for a period of a continuous 18 months the permit shall become void and a renewal shall be obtained before becoming once again operational. Staff recommended approval. Randy Stueven, 233 S. Gunbarrel Road

requested further regulations and conditions. Kerry McGrath, 3211 Ponca Circle representing Hooker Brothers spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement located at 3840 and 3860 S. Locust Street (Hooker Brothers). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 3840 and 3860 S. Locust Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The property used for a sand and gravel operation located at 3840 and 3860 S. Locust Street was being redeveloped for residential homes. In order to serve the area being developed by Hooker Brothers Sand and Gravel, Inc., the Utilities Department needed to acquire an easement along the north side of their property for operation, maintenance, and access of underground primary power lines, pad-mounted transformers, termination equipment, and related infrastructure. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement located at 1212 Allen Drive (JoEL Investment Group, LLC). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 1212 Allen Drive was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The new Raising Cane's Restaurant was being constructed at the corner of 13th Street and Allen Drive. In order to serve the new business and the lot to the south, the Utilities Department needed to acquire an easement for operation, maintenance, and access of underground primary power lines, pad-mounted transformer, termination equipment, and related infrastructure. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement located at 1230 Allen Drive (JoEL Investment Group, LLC). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 1230 Allen Drive was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The new Raising Cane's Restaurant was being constructed at the corner of 13th Street and Allen Drive. In order to serve the new business, the Utilities Department needed to acquire an easement for operation, maintenance, and access of underground primary power lines, pad-mounted transformer, termination equipment, and related infrastructure. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement located at 2036 Brentwood Blvd. (Five Points Bank). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 2036 Brentwood Blvd. was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. Five Points Bank was currently constructing a new building at 2036 Brentwood Boulevard for their data processing use. In order to provide the power supply to the building, the Utilities Department needed to acquire an easement relative to the property owned by Five Points Bank. The easement would be located on part of Lot Two, Brentwood Seventh Subdivision, just south of the Stolley Park Road and the Brentwood Boulevard intersection. Staff recommended approval. No public testimony was heard.

ORDINANCES:

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

#9561 - Approving Final Bond for Webb Road Street Improvement District No. 1260 and Westgate Road Paving District No. 1261

#9562 - Consideration of Assessments for Water Service Box Lowering for 219 East Charles Street

#9563 - Consideration of Amendments to Chapter 22 of the Grand Island City Code Relative to Snow Emergency Routes

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.

#9561 - Approving Final Bond for Webb Road Street Improvement District No. 1260 and Westgate Road Paving District No. 1261

Interim Finance Director William Clingman reported that based on the payments made for District No. 1260 and 1261, intersection costs and issuance fees of the new bonds, bond financing of \$1,231,000 was needed to pay off the Bond Anticipation Notes that come due on November 15, 2015. The assessment balances would be paid over the next 9 years.

Motion by Donaldson, second by Minton to approve Ordinance #9561.

City Clerk: Ordinance #9561 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 #9561 on second and final reading. All those in favor of the passage of this ordinance on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9561 is declared to be lawfully adopted upon publication as required by law.

#9562 - Consideration of Assessments for Water Service Box Lowering for 219 East Charles Street

Motion by Minton, second by Hehnke to approve Ordinance #9562.

City Clerk: Ordinance #9562 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 #9562 on second and final reading. All those in favor of the passage of this ordinance on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9562 is declared to be lawfully adopted upon publication as required by law.

#9563 - Consideration of Amendments to Chapter 22 of the Grand Island City Code Relative to Snow Emergency Routes

Public Works Director John Collins reported that it had been brought to Staff's attention that Chapter 22; Section 113 of City Code wasn't updated when Ordinance No. 9087 was passed by City Council on November 14, 2006, thus leaving Ordinance No. 9204, approved on February 10, 2009 incorrect. The proposed corrections to Chapter 22; Section 113 of the City Code have been drafted for City Council consideration.

Motion by Paulick, second by Jones to approve Ordinance #9562.

City Clerk: Ordinance #9562 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 #9562 on second and final reading. All those in favor of the passage of this ordinance on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9562 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of October 13, 2015 City Council Regular Meeting.

Approving Appointments of Derek Apfel and John Hoggatt to the Regional Planning Commission.

Approving Request from Aloha' Investments, LLC dba Afternooners, 3773 Sky Park Road for a Reconstruction to their Class "C-95177" Liquor License.

#2015-284 - Approving Acquisition of Utility Easement - 3840 and 3860 S. Locust Street - Hooker Brothers.

#2015-285 - Approving Acquisition of Utility Easement - 1212 Allen Drive - JoEL Investment Group, LLC.

#2015-286 - Approving Acquisition of Utility Easement - 1230 Allen Drive - JoEL Investment Group, LLC.

#2015-287 - Approving Acquisition of Utility Easement - 2036 Brentwood Blvd. - Five Points Bank.

#2015-288 - Approving Bid Awards for Tree Trimming Project 2016-TT-1 with Leetch Tree Service of Grand Island, NE in an Amount of \$69,400.00 for Section 2, 3, 6, 7, 8, 11, and 12; Sheffield Tree Service of Grand Island, NE for an Amount of \$16,000.00 for Section 9 and 10; and B & E Tree Service, Inc. of Grand Island, NE in an Amount of \$63,000.00 for Sections 1, 5, and 16.

#2015-289 - Approving Bid Award for Burdick Station Unit #3 Distributed Control System with ABB, Inc. of Wickliffe, OH in an Amount of \$596,977.00.

#2015-290 - Approving Compliance Consulting Agreement with Volkmann Consulting.

#2015-291 - Approving Bid Award for the Law Enforcement Center & Downtown Parking Lot Snow Removal Operations for the 2015/2016 Winter Season with Rick's Lawn Care, Inc. of Grand Island, NE for the following amounts: Trucks for Hauling Snow - \$70.00 per load; Tractor Loader with Box Blade - \$225.00 per hour; Skid Steer Loader - \$175.00 per hour; and Tractor with Pull Blade - \$185.00 per hour.

#2015-292 - Approving Contract for Medical Director for the Grand Island Fire Department with Dr. Michael McGahan of Grand Island, NE in an Amount of \$23,000.00 per year for 5 years.

#2015-293 - Approving Purchase of New Portable Radios for the Grand Island Fire Department with Platte Valley Communication of Grand Island, NE in an Amount of \$31,111.25.

#2015-294 - Approving Purchase of Opticom Traffic Signal Controllers with Mid America Signal of Kansas City, KS in an Amount of \$9,471.00.

#2015-295 - Approving Change Order No. 1 - Sterling Park Site Development – 2015 with The Diamond Engineering Co. of Grand Island, NE for a Decrease of \$4,172.00 and a Revised Contract Amount of \$88,514.63.

#2015-296 - Approving Change Order No. 1 - Sterling Park Site Development - 2015 - Phase Two of Concrete Trail Construction with The Diamond Engineering Co. of Grand Island, NE for an Increase of \$1,150.00 and a Revised Contract Amount of \$49,257.00.

REQUESTS AND REFERRALS:

Consideration of Request from Hooker Brothers Construction Company for a Renewal of Conditional Use Permit for a Sand and Gravel Operation located at 501 Gunbarrel Road. This item relates to the aforementioned Public Hearing.

Motion by Stelk, second by Minton to approve the request from Hooker Brothers Construction Company for a renewal of their Conditional Use Permit for a Sand and Gravel Operation located at 501 Gunbarrel Road with the conditions as presented.

Discussion was held regarding future stipulations and regulations. Reviewed were photos of the gravel site including the sand pile. Mr. Lewis commented on past complaints of the sight. Mr. Sivick stated the Council could pull the permit if conditions were not met. Jeff Hooker commented on the decibel readings at the plant.

Motion by Donaldson, second by Haase to amend the motion that both sides along with the Building Department study the conditions and come back by May 2016 with recommendations. Upon roll vote, Councilmembers Paulick, Steele, Donaldson, Hehnke, Haase, Jones, and Stelk voted aye. Councilmembers Minton, Fitzke, and Nickerson voted no. Motion adopted.

Upon roll call of the main motion, Councilmembers Steele, Minton, Fitzke, Donaldson, Hehnke, Haase, Jones, Stelk, and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

RESOLUTIONS:

#2015-297 - Consideration of Approving a New Olympic Bunker Trap Range Venue at the Heartland Public Shooting Park. Parks and Recreation Director Todd McCoy reported that the Grand Island Skeet and Sporting Clays Club, Inc. recently approached the City with the idea of adding a new Olympic Bunker Trap venue at HPSP. GI Skeet and Sporting Clays Club proposed to raise all the funds necessary to build the estimated \$270,000.00 improvement. Upon completion of the project the City would be responsible for maintaining the improvement and servicing the equipment and operational expenses such as electrical for the bunker trap as it does the other venues at HPSP.

Comments were made concerning the increase in FTE's in the future.

Motion by Minton, second by Paulick to approve Resolution #2015-297. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Hehnke, second by Donaldson to approve the Claims for the period of October 24, 2015 through October 27, 2015, for a total amount of \$6,600,084.58. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:26 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-2

**Approving Liquor Manager Designation for Dennis Jakob, 4419
Calvin Drive for Platt Duetsche, 1315 West Anna Street**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: November 10, 2015

Subject: Request from Dennis Jakob, 4419 Calvin Drive for Liquor Manager Designation with Platt Duetsche, 1315 West Anna Street

Presenter(s): RaNae Edwards, City Clerk

Background

Dennis Jakob, 4419 Calvin Drive has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with Platt Duetsche, 1315 West Anna Street.

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

Discussion

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

Alternatives

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

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

Recommendation

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

Sample Motion

Move to approve the request from Dennis Jakob, 4419 Calvin Drive for Liquor Manager Designation in conjunction with the Class "C-001472" Liquor License for Platt Duetsche, 1315 West Anna Street with the stipulation that Mr. Jakob complete a state approved alcohol server/seller training program.

10/22/15
15:07

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 1

City : Grand Island
 Occurred after : 08:00:00 10/19/2015
 Occurred before : 08:00:00 10/19/2015
 When reported : 08:00:00 10/19/2015
 Date disposition declared : 10/20/2015
 Incident number : L15101822
 Primary incident number :
 Incident nature : Liquor Lic Inv Liquor Lic Inv
 Incident address : 1315 Anna 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 : O Officer Report
 Agency code : GIPD GIPD Grand Island Police Dept
 Responsible officer : Vitera D
 Offense as Taken :
 Offense as Observed : AOFF AOFF Alcohol Offense
 Disposition : ACT Active
 Misc. number : RaNae
 Geobase address ID : 13680
 Long-term call ID :
 Clearance Code : CL CL Case Closed
 Judicial Status :

=====

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	78828	10/20/15	Platt Duetsche Society,	Business
Involved				
NM	158589	10/20/15	Jakob, Dennis H	Proposed
Manager				
NM	204812	10/20/15	Jakob, Janis P	Dennis' Spouse

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:

Dennis Jakob is applying to be the liquor manager at the Platt-Duetsche.
~~----- (lwmain09564810192015)~~

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	13:42:07 10/21/2015

Grand Island Police Department
Supplemental Report

Date, Time: Wed Oct 21 13:42:19 CDT 2015
Reporting Officer: Vitera
Unit- CID

I received a copy of a liquor manager application from Dennis Jakob for the Platt-Duetsche. According to the application, Dennis and his wife Janis have lived in Grand Island since 1978. Janis signed a Spousal Affidavit of Non-Participation form. Neither Dennis nor Janis disclosed any criminal convictions.

I found Dennis in Spillman, and he didn't have any potential convictions listed. Janis did not have a Spillman entry. I also checked each of them through NCJIS. Janis doesn't have any convictions listed in NCJIS. Dennis has a DUI conviction from 1976, and auto theft charge from 1971 which has no disposition, a stop sign violation from 1998, and a conviction for unlawfully entering a park without a permit in June of this year.

I checked Dennis and Janis for warrants and driving status. Neither one has any outstanding arrest warrants, and each one has a valid driver's license. I also asked the 911 Center to run a criminal history check on Dennis in an attempt to find out the disposition of the auto theft charge from 1971. They were able to locate the charge, but it still didn't show a disposition. However, the overall criminal history record does not show Dennis to be a convicted felon.

On 10/21/15, I called Dennis and asked him about his liquor manager application. I asked him about the question which asks about convictions where he had checked the "No" box. Dennis said he thought the question

only pertained to felonies. I read the question on the application to him where it elaborates what a charge means. I then went over the convictions I found. He acknowledged all of them and explained the auto theft charge to me. It was his recollection that he paid \$600 to repair the vehicle that he wasn't supposed to have because he ended up crashing it. He said he wasn't convicted of a theft, but may have been convicted of "destruction of property" in order for him to pay restitution. In any event, Dennis didn't believe he was ever convicted of a felony.

I also checked Dennis and Janis through a paid law enforcement-only data base and didn't find anything detrimental to the application.

Considering that Janis has no criminal record and signed a Spousal Affidavit of Non-Participation form, and Dennis' most serious charges occurred back in the 1970's and don't preclude him from becoming a liquor manager; the Grand Island Police Department has no objection to Dennis becoming the liquor manager at the Platt-Duetsche.



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-3

Approving Liquor Manager Designation for Scott Kemery, 4156 Vermont Avenue for Godfather's Pizza, 1916 South Locust Street

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: November 10, 2015

Subject: Request from Scott Kemery, 4156 Vermont Avenue for Liquor Manager Designation with Godfather's Pizza, 1916 South Locust Street

Presenter(s): RaNae Edwards, City Clerk

Background

Scott Kemery, 4156 Vermont Avenue has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with Godfather's Pizza, 1916 South Locust Street.

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

Discussion

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

Alternatives

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

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

Recommendation

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

Sample Motion

Move to approve the request from Scott Kemery, 4156 Vermont Avenue for Liquor Manager Designation in conjunction with the Class "A-12626" Liquor License for Godfather's Pizza, 1916 South Locust Street with the stipulation that Mr. Kemery complete a state approved alcohol server/seller training program.

10/29/15
13:44

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 1

```

City : Grand Island
Occurred after : **:**:** **/**/****
Occurred before : **:**:** **/**/****
When reported : 13:11:00 10/21/2015
Date disposition declared : **/**/****
Incident number : L15102284
Primary incident number :
Incident nature : Liquor Lic Inv Liquor Lic Inv
Incident address : 1916 Locust St S
State abbreviation : NE
ZIP Code : 68801
Contact or caller :
Complainant name number :
Area location code : PCID Police - CID
Received by : Vitera D
How received :
Agency code : GIPD GIPD Grand Island Police Dept
Responsible officer : Vitera D
Offense as Taken :
Offense as Observed :
Disposition :
Misc. number : RaNae
Geobase address ID :
Long-term call ID :
Clearance Code : CL CL Case Closed
Judicial Status :

```

=====

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	53418	10/23/15	Godfathers Pizza,	Business
Involved				
NM	170426	10/23/15	Kemery, Scott B	Proposed
Manager				
NM	171728	10/23/15	Kemery, Rhonda K	Scott's Spouse

LAW INCIDENT CIRCUMSTANCES:

```

Se Circu Circumstance code      Miscellaneous
-- -----
1  LT21  LT21 Restaurant

```

LAW INCIDENT NARRATIVE:

```

**----- (lwmain14184710232015)**
Scott Kemery is applying to be the liquor manager at Godfather's.
~~----- (lwmain14184710232015)~~

```

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	10:19:23 10/29/2015

Grand Island Police Department
Supplemental Report

Date, Time: Thu Oct 29 10:19:34 CDT 2015
Reporting Officer: Vitera
Unit- CID

I received a liquor manager application from Scott Kemery for Godfather's Pizza. According to the application, Scott and his wife Rhonda have lived in Nebraska since at least 1998 and have lived in Grand Island since 2012. Rhonda signed a Spousal Affidavit of Non-Participation form. Scott listed Pizza Hut as a past employer between 2010 and 2014 and said that he has been approved for a "liquor license" in Grand Island, Minden, and McCook. He has worked for Godfather's since 2014.

On the liquor manager application where it asks the applicant to disclose criminal convictions, Scott disclosed a "serving a minor" conviction from 1995. I checked Scott and Rhonda through Spillman and NCJIS. Scott has a few entries in Spillman, but nothing that would indicate anything criminal. One of his Spillman entries involves him applying to be the liquor manager for Pizza Hut in 2011. Rhonda's only entries in Spillman are due to the liquor license applications of her husband. Scott has a couple of undisclosed traffic convictions in NCJIS, and Rhonda has one undisclosed traffic conviction.

Scott and Rhonda each have a valid license and no outstanding warrants for their arrest. I also checked Scott and Rhonda through a paid law enforcement-only database and didn't find anything detrimental to the application.

From a law enforcement perspective, the only potential issue with the application that I can find is that Scott has been convicted of serving a minor alcohol. Nebraska State statute 53-131.01 reads in part...

(1) The application for a new license shall be submitted upon such forms as the commission may prescribe. Such forms shall contain, (d) a

statement that the applicant is a citizen of the United States, that the applicant and the spouse of the applicant are not less than twenty-one years of age, and that such applicant has never been convicted of or pleaded guilty to a felony or been adjudged guilty of violating the laws governing the sale of alcoholic liquor or the law for the prevention of gambling in the State of Nebraska, except that a manager for a corporation applying for a license shall qualify with all provisions of this subdivision as though the manager were the applicant, except that the provisions of this subdivision shall not apply to the spouse of a manager-applicant.

Scott's conviction for serving/selling alcohol to a minor seems to violate this statute. I consulted with NSP Liquor Investigator Dan Fiala about this matter. He eventually was able to speak to Hobert Rupe who is the Executive Director of the Nebraska Liquor Control Commission (NLCC). Rupe told Fiala that it's his opinion that as long as Scott Kemery disclosed his conviction for selling alcohol to a minor, it shouldn't preclude him from being a liquor manager because that's not the intent of the law.

Based upon Rupe's opinion, Kemery having been a liquor manager before, and no other serious or recent convictions, the Grand Island Police Department has no objection to Scott Kemery becoming the liquor manager at Godfather's Pizza.



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-4

#2015-298 - Approving City Council Meeting Schedule for 2016

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk
Meeting: November 10, 2015
Subject: City Council Meeting Schedule for 2016
Presenter(s): RaNae Edwards, City Clerk

Background

Grand Island City Code Chapter 2 specifies that Regular Meetings of the City Council shall be held in the Council Chambers of City Hall on the second and fourth Tuesdays of each month beginning at 7:00 p.m. City Council approved Ordinance No. 9009 on September 27, 2005 amending Chapter 2 of the Grand Island City Code allowing Study Sessions to be held at the discretion of the City Council.

Discussion

The City Clerk has prepared the proposed 2016 meeting schedule. This provides for the first City Council meeting to be a Regular Meeting on Tuesday, January 12, 2016. See attached proposed meeting dates.

Alternatives

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

1. Move to approve the 2016 meeting schedule as presented
2. Refer the issue to a Committee
3. Modify the 2016 meeting schedule to meet the wishes of the Council

Recommendation

City Administration recommends that the Council approve the proposed 2016 City Council meeting schedule.

Sample Motion

Move to approve the 2016 City Council meeting schedule as proposed.

PROPOSED

2016

CITY COUNCIL MEETING DATES

Tuesday, January 12, 2016

Tuesday, July 12, 2016

Tuesday, January 26, 2016

Tuesday, July 26, 2016

Tuesday, February 9, 2016

Tuesday, August 9, 2016

Tuesday, February 23, 2016

Tuesday, August 23, 2016

Tuesday, March 8, 2016

Tuesday, September 13, 2016

Tuesday, March 22, 2016

Tuesday, September 27, 2016

Tuesday, April 12, 2016

Tuesday, October 11, 2016

Tuesday, April 26, 2016

Tuesday, October 25, 2016

Tuesday, May 10, 2016

Wednesday, November 8 2016

Tuesday, May 24, 2016

Tuesday, November 22, 2016

Tuesday, June 14, 2016

Tuesday, December 13, 2016

Tuesday, June 28, 2016

Tuesday, December 27, 2016

RESOLUTION 2015-298

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA that the City Council of the City of Grand Island, Nebraska will meet in the Council Chambers, 100 East First Street at 7:00 p.m. on the below-mentioned dates:

2016 City Council Meetings:

Tuesday, January 12, 2016	Tuesday, July 12, 2016
Tuesday, January 26, 2016	Tuesday, July 26, 2016
Tuesday, February 9, 2016	Tuesday, August 9, 2016
Tuesday, February 23, 2016	Tuesday, August 23, 2016
Tuesday, March 8, 2016	Tuesday, September 13, 2016
Tuesday, March 22, 2016	Tuesday, September 27, 2016
Tuesday, April 12, 2016	Tuesday, October 11, 2016
Tuesday, April 26, 2016	Tuesday, October 25, 2016
Tuesday, May 10, 2016	Tuesday, November 8, 2016
Tuesday, May 24, 2016	Tuesday, November 22, 2016
Tuesday, June 14, 2016	Tuesday, December 13, 2016
Tuesday, June 28, 2016	Tuesday, December 27, 2016

- - -

Adopted by the City Council of the City of Grand Island, Nebraska on November 10, 2015.

—

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ✕ _____
November 6, 2015 ✕ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-5

#2015-299 - Approving Final Plat and Subdivision Agreement for Landell Second Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: November 10, 2015
Subject: Landell Second Subdivision – Final Plat
Presenter(s): Chad Nability, AICP, Regional Planning Director

Background

This property is located north of East Capital Avenue and south of US Highway 30 in the 2 mile extraterritorial jurisdiction of the City of Grand Island, in Hall County, Nebraska consisting of (1 Lot) and 4.00 acres.

Discussion

The plat for Landell Subdivision was considered by the Regional Planning Commission at the November 4, 2015 meeting.

A motion was made by Haskins and seconded by Monter to approve the plat as presented.

A roll call vote was taken and the motion passed with 12 members present and voting in favor (O'Neill, Ruge, Connick, Sears, Maurer, Apfel, Robb, Huisman, Haskins, Monter, Kjar and Hoggatt) and no members abstaining.

Alternatives

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

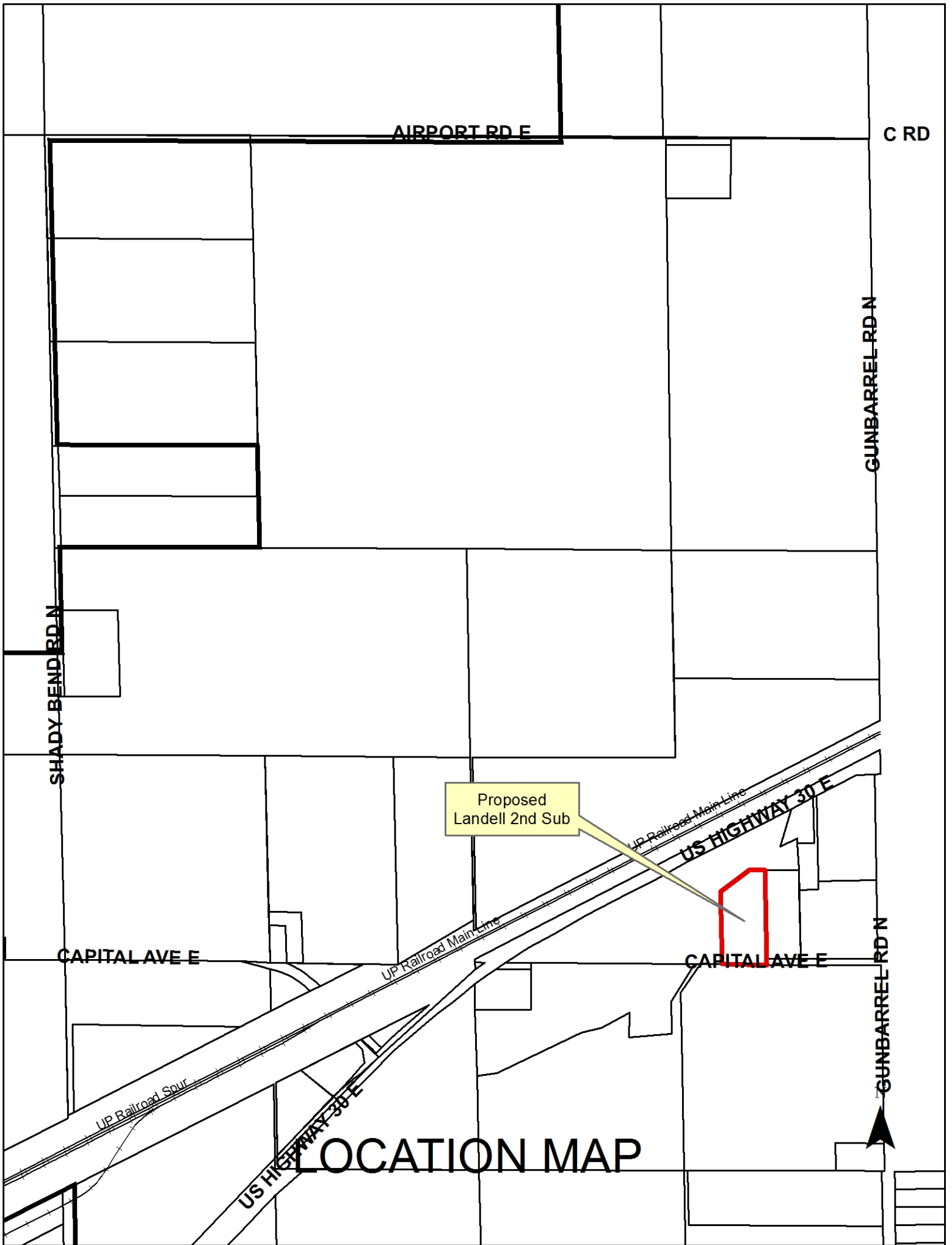
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve as recommended.



Developer/Owner

Richard Landell
12079 S McGuire Rd
Shelton NE 68876

To create 1 lot located north of E Capital Ave and south of E US Highway 30 in the 2 mile extra territorial jurisdiction of the City of Grand Island, in Hall County, Nebraska.

Size: 4.0 acres

Zoning: M2 – Heavy Manufacturing

Road Access: City Roads

Water Public: City water is available.

Sewer Public: City sewer is not available.



October 21, 2016

Dear Members of the Board:

RE: Final Plat – Landell Second Subdivision.

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Landell Second Subdivision, located in the 2 mile extra territorial jurisdiction of the City of Grand Island, in Hall County Nebraska.

This final plat proposes to create 1 lot, on a tract of land comprising a part of South Half of the Southeast Quarter (S1/2 SE1/4) Section One (1), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., in Hall County, Nebraska, said tract containing 4.00 acres.

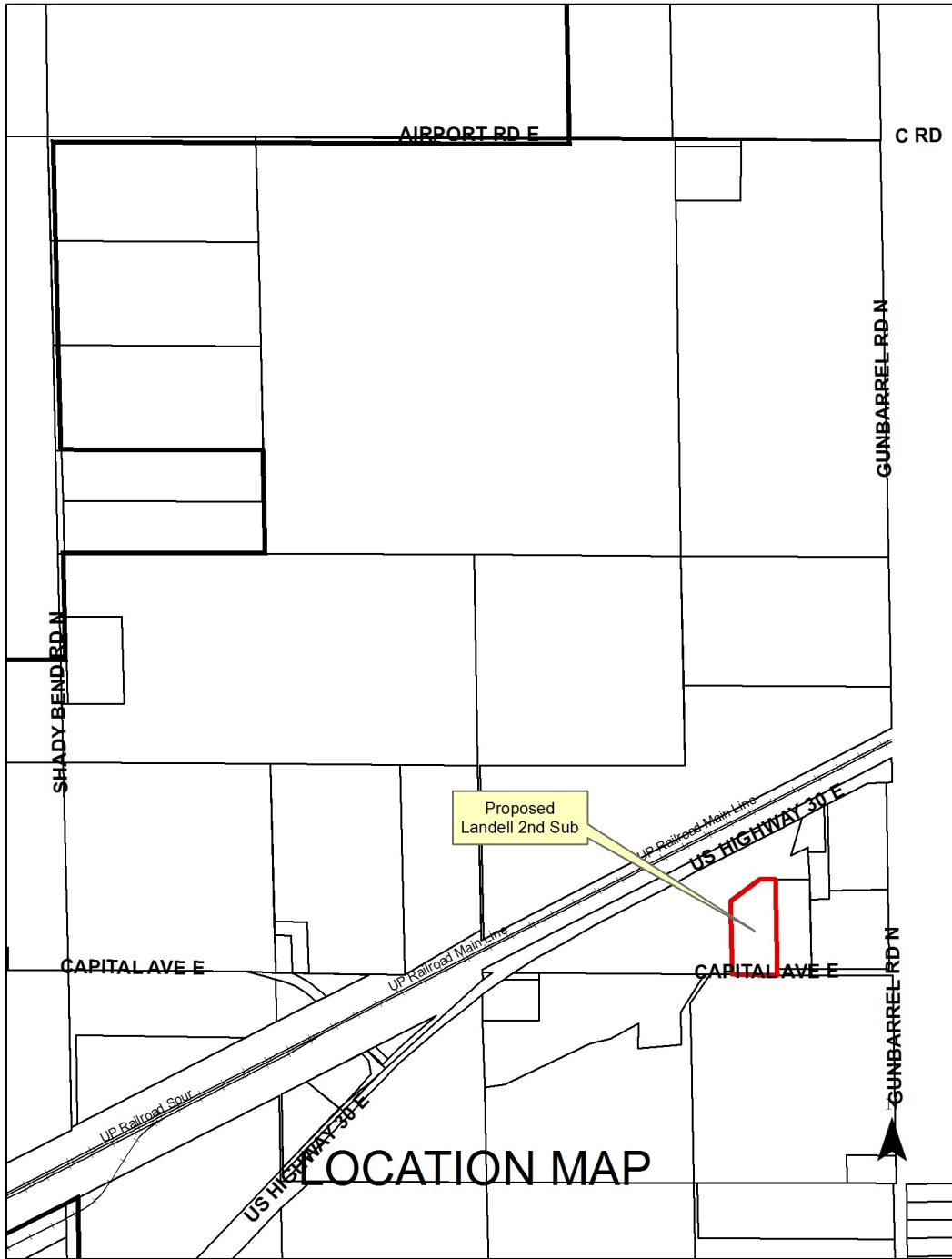
You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on November 4, 2015 in the Council Chambers located in Grand Island's City Hall.

Sincerely,

Chad Nabity, AICP
Planning Director

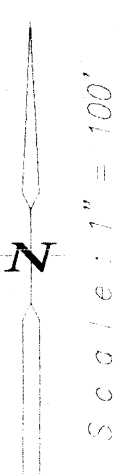
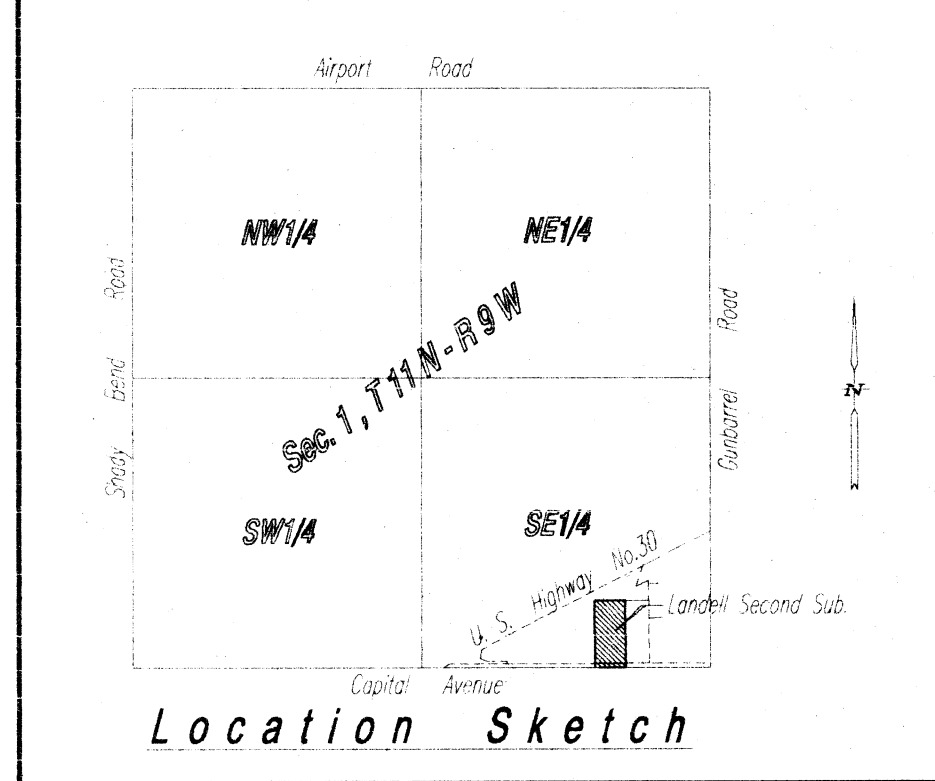
Cc: County Clerk
County Attorney
County Public Works
County Zoning
City Clerk
City Attorney
City Public Works
City Building Department
City Utilities
Manager of Postal Operations
Rockwell & Associates

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

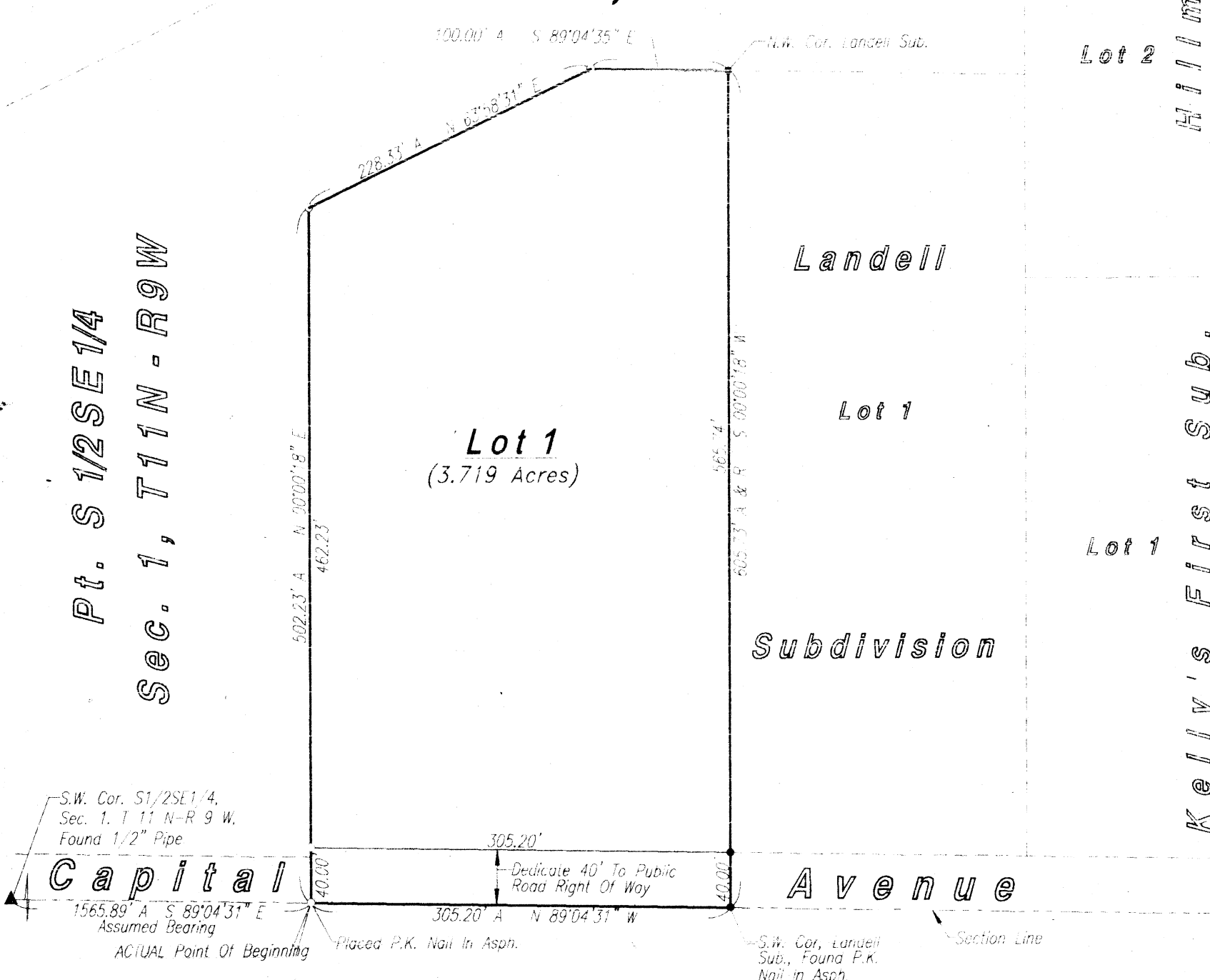


LEGEND

- - 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



U.S. Highway No. 30
 Pt. S 1/2SE1/4
 Sec. 1, T11N - R9W



Legal Description

A tract of land comprising a part of the South Half of the Southeast Quarter (S1/2SE1/4), Section One (1), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, more particularly described as follows:
 beginning at the southwest corner of said South Half of the Southeast Quarter (S1/2SE1/4); thence running easterly on the south line of said South Half of the Southeast Quarter (S1/2SE1/4), on an Assumed Bearing of S89°04'31"E, a distance of One Thousand Five Hundred Sixty Five and Eighty Nine hundredths (1565.89) feet, to the ACTUAL Point of Beginning; thence running N00°00'18"E, a distance of Five Hundred Two and Twenty Three hundredths (502.23) feet; thence running N63°58'31"E, a distance of Two Hundred Twenty Eight and Thirty Three hundredths (228.33) feet; thence running S89°04'35"E, a distance of One Hundred (100.00) feet, to the northwest corner of Lot One (1), Landell Subdivision; thence running S00°00'18"W, on the west line of Landell Subdivision, a distance of Six hundred Five and Seventy Three hundredths (605.73) feet, to the southwest corner of Landell Subdivision and to a point on the south line of said South Half of the Southeast Quarter (S1/2SE1/4); thence running N89°04'31"W, on the south line of said South Half of the Southeast Quarter (S1/2SE1/4), a distance of Three Hundred Five and Twenty Hundredths (305.20) feet, to the ACTUAL Point of Beginning and containing 4.000 acres more or less.

Dedication

KNOW ALL MEN BY THESE PRESENTS, that RICHARD LANDELL and KIM LANDELL, husband and wife, being the owners of the land described hereon, have caused same to be surveyed, subdivided, platted and designated as 'LANDELL SECOND SUBDIVISION', Hall County, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the road right of way as shown thereon to the public for their use forever and the easements, if any, as shown thereon for the location, construction and maintenance of public service utilities forever, 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 owners and proprietors.
 IN WITNESS WHEREOF, we have affixed our signatures hereto at Grand Island, Nebraska, this _____ day of _____, 2015.

Surveyor's Certificate

I hereby certify that on October 12, 2015, I completed an accurate survey of 'LANDELL SECOND SUBDIVISION', Hall County, 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.

(Seal) _____
 Deryl D. Sorgenfrei, Reg. Land Surveyor No. 578

Approvals

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

Chairman _____ Date _____

Approved and accepted by the City of Grand Island, Nebraska, this _____ day of _____, 2015.

(Seal) Mayor _____ City Clerk _____

Approved and accepted by the Hall County Board of Supervisors, this _____ day of _____, 2015.

(Seal) Chairman Of The Board _____ County Clerk _____

**LANDELL SECOND SUBDIVISION
 HALL COUNTY, NEBRASKA**

RESOLUTION 2015-299

WHEREAS, Richard Landell and Kim Landell, husband and wife, being the said owners of the land described in the legal description hereon, have filed an application for approval of the final plat of Landell Second Subdivision, a tract of land comprising a part of the South Half of the Southeast Quarter (S1/2 SE1/4) Section One (1), Township Eleven (11) North, Range Nine (9), 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 LANDELL SECOND 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, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-6

#2015-300 - Approving Safety Glass Contract for Utilities, Public Works and Parks Employees for 2016 - 2017

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director
John Collins, Public Works Director
Todd McCoy, Parks Director
Stacy Nonhoff, Asst. City Attorney

Meeting: November 10, 2015

Subject: Award of Safety Glass Contract for the Parks & Recreation, Public Works and Utilities Departments for 2016 - 2017

Presenter(s): Timothy Luchsinger, Utilities Director

Background

As part of personal protective equipment furnished by the City to its employees, the City periodically enters into an agreement with a local provider for safety glasses for those employees needing corrective lenses. Costs for eyewear prescriptions and options other than the base selection are at the expense of the employee. Requests for quotes were solicited in accordance with City Procurement Policies for safety glass services for the Utilities, Public Works, and Parks & Recreation Departments for 2016 and 2017.

Discussion

Documents were mailed to five vendors, and advertised in the Grand Island Independent. The following quotations were received.

Shopko Eyecare Center, Grand Island, Nebraska
Eyecare Professionals/Grand Island Optical, Grand Island, Nebraska
Heartland Optical of Lincoln, Nebraska, the supplier for Pearl Vision Center of Grand Island, Nebraska

The responses were reviewed and based on variety of selection and competitive pricing, it was determined that Pearl Vision Center of Grand Island offered the best overall proposal. Heartland Optical of Lincoln, Nebraska dispenses safety glasses through Pearl Vision Center at 1437 N. Webb Road in Grand Island. The specifications required an on-site location in the City of Grand Island to allow easy access for employees.

Pearle Vision Center has furnished safety glasses for City employees in the past, and their performance and product met expectations.

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 two year contract for Safety Glasses for the Utilities, Public Works, and Parks and Recreation Departments, to Heartland Optical of Lincoln, Nebraska, dispensing from Pearle Vision Center, of Grand Island, Nebraska.

Sample Motion

Move to approve the two year contract (2016 & 2017) for Safety Glasses to Heartland Optical of Lincoln Nebraska, dispensing from Pearle Vision Center of Grand Island, Nebraska.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

**QUOTE REQUEST
FOR
SAFETY GLASSES AND SERVICE**

RFP DUE DATE: October 13, 2015 at 4:00 p.m.
DEPARTMENT: Utilities, Public Works & Parks & Recreation
PUBLICATION DATE: September 17, 2015
NO. POTENTIAL BIDDERS: 6

SUMMARY OF PROPOSALS RECEIVED

Heartland Optical
Lincoln, NE

Eyecare Professionals/Grand Island Optical
Grand Island, NE

Shopko Eyecare
Grand Island, NE

cc: Tim Luchsinger, Utilities Director
Marlan Ferguson, City Administrator
Stacy Nonhof, Purchasing Agent
Catrina Delosh, PW Admin. Assist.

Pat Gericke, Utilities Admin. Assist.
John Collins, Public Works Director
Todd McCoy, Parks & Rec. Director
Patti Buettner, Parks Admin. Assist.

P1840

Contract Agreement

This AGREEMENT made and entered into by and between Heartland Optical, of 1012 N. 27th Street, Lincoln, Nebraska, dispensing from Pearle Vision Center, 1437 N. Webb Road, Grand Island, Nebraska, hereinafter called "Supplier", and the CITY OF GRAND ISLAND, NEBRASKA, hereinafter called the City.

WITNESSETH:

THAT, WHEREAS, in accordance with law, the City has caused contract documents to be prepared and an advertisement calling for quotes to be published for furnishing SAFETY GLASSES; and

WHEREAS, the City, in the manner prescribed by law, has reviewed, examined, and canvassed the quotes submitted, and has determined the aforesaid Heartland Optical, to be the lowest responsive and responsible Safety Glass vendor, and has duly awarded them a contract therefore, for the sum or sums named in their quote, a copy thereof being attached to and made a part of this contract;

NOW, THEREFORE, in consideration of the compensation to be paid to Heartland Optical, and of the mutual agreements herein contained, the parties have agreed and hereby agree, the City for itself and its successors, and Heartland Optical for itself, and its successor, as follows:

ARTICLE I. That the following documents shall comprise the Contract, and shall together be referred to as the "Agreement" or the Contract Documents";

1. This Contract Agreement.
2. The City of Grand Island's Specification for Safety Glasses.
3. Heartland Optical's quote signed and dated October 9, 2015.

In the event of any conflict between the terms of the Contract Documents, the provisions of the document first listed shall prevail.

ARTICLE II. That Heartland Optical, dispensing through Pearle Vision Center, shall: (a) furnish all materials (frames and lenses); (b) provide and perform all necessary labor; and (c) in a good and substantial and workmanlike manner and in accordance with the requirements, stipulations, provisions, and conditions of the contract documents as listed in the attached General Specifications, said document forming the contract and being as fully a part thereof as if repeated verbatim herein, perform, execute, and complete all work included in and covered by the City's official award of this contract to Heartland Optical, such award being based on the acceptance by the City of Grand Island's quote;

ARTICLE III. That the City shall pay Heartland Optical for the performance of the work embraced in this contract and Heartland Optical will accept as full compensation therefore the amount(s) as stated in the Specification Document for all services, materials, and work covered by and included in the contract award and designated in the foregoing Article II; payments thereof to be made in cash or its equivalent in a timely manner.

ARTICLE IV. Heartland Optical, hereby agrees to act as agent for the City in purchasing materials and supplies for the City for Safety Glasses. The City shall be obligated to the vendor of the materials and supplies for the purchase price, but Heartland Optical, shall handle all payments hereunder on behalf of the City. The vendor shall make demand or claim for payment of the purchase price from the City by submitting an invoice to:

The City of Grand Island
Utilities Administration
PO Box 1968
Grand Island, NE 68802-1968

All invoices shall bear Heartland Optical's name as agent for the City. This paragraph will apply only to these materials and supplies actually incorporated into and become a part of the finished product, SAFETY GLASSES.

ARTICLE V. The contract shall go into effect **January 1, 2016**, and remain into effect until **December 31, 2017**.

ARTICLE VI. Heartland Optical/Pearle Vision Center, agrees to comply with all applicable State fair labor standards in the execution of this contract as required by Section 73-102, R.R.S. 1943. They further agree to comply with the provisions of Section 48-657, R.R.S., 1943, pertaining to contributions to the Unemployment Compensation Fund of the State of Nebraska. During the performance of this contract, Heartland Optical/Pearle Vision Center agrees not to discriminate in hiring or any other employment practice on the basis of race, color, religion, sex, national origin, age or disability. Heartland Optical/Pearle Vision Center agrees to comply with all applicable Local, State and Federal rules and regulations, and agrees to maintain a drug-free workplace policy and will provide a copy of the policy to the City upon request.

GRATUITIES and KICKBACKS

City Code states that it is unethical for any person to offer, give, or agree to give any City employee or former City employee, or for any City employee or former City employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or

application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefore. It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement of the award of a subcontract or order.

HEARTLAND OPTICAL

By _____ Date _____

Title: _____

CITY OF GRAND ISLAND, NEBRASKA

By _____ Date _____
Jeremy L. Jensen, Mayor

Attest: _____
RaNae Edwards, City Clerk

The contract is due form according to law and hereby approved.

_____ Date _____
Attorney for the City

RESOLUTION 2015-300

WHEREAS, the City of Grand Island invited quotes for Safety Glasses and Service for the Utilities, Public Works and Parks and Recreation Departments, according to the City's Request for Quotes on file with the Utilities Administration Office; and

WHEREAS, quotes were due on October 13, 2015; and

WHEREAS, Heartland Optical of Lincoln, Nebraska, dispensing safety glasses for Pearle Vision Center of Grand Island, Nebraska, submitted a quote in accordance with the terms of the advertisement for quotes and all other statutory requirements contained therein.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the quote of Heartland Optical of Lincoln, Nebraska, dispensing for Pearle Vision Center of Grand Island, Nebraska, for safety glasses and service for the Utilities, Public Works and Parks and Recreation Departments for the years 2016 and 2017 for the amounts set out in its quote is hereby approved as the most responsive quote received.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☒ _____
November 6, 2015	☒ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-7

#2015-301 - Approving Engineering Services for Elevated Water Storage Tower

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

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

Meeting Date: November 10, 2015

Subject: Phase I - Elevated Water Storage Tower Engineering Services

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

Background

The Utilities Department will periodically retain the services of a consultant to review the City's water system for deficiencies and to assist in planning future requirements. The water system must meet certain operational standards to be suitable both for human consumption and for fire protection. These operational standards include analyzing chemical and microbiological components of the water, and hydraulic testing of the system for flow and pressure characteristics. The consultant also projects future system demands and recommends improvements for pumping and distribution components of the system, as well as water sources.

The latest study completed earlier this year by HDR, resulted in a 20 year Master Plan for the water system. Based on this Master Plan, areas of deficiency were noted, as well as a general timetable for completing corrective actions. Some of the projects from the Master Plan recommendations include: distribution system main replacement program, addition of elevated storage, addition of system zones, and modifications to the pumping stations.

The current distribution system pressure is maintained by three pumping stations, one on the west side of town, and two centrally located. Grand Island has a relative flat topography that allows for single zone system.

It was recommended to add elevated storage (water tower) on the west side of Grand Island to increase system storage and stabilize pressures, boost fire flow availability, and allow for some emergency storage without pumping. The elevated storage construction will be a phased over two years with procurement of the land, procurement of the elevated storage tank, development of the site and installation of the water supply line, and the final phase of construction of the tower.

Discussion

Specifications for engineering services for the project, Elevated Water Storage Tower, were advertised and issued for proposals in accordance with the City Purchasing Code. Responses were received from the following firms:

Bidder	Bid Price
Olsson Associates, Grand Island, NE	\$25,220.00
HDR, Omaha, NE	\$24,842.00

The proposals were reviewed by plant engineering staff for factors such as cost, experience, and qualifications. Based on an evaluation of these factors, the Utilities Department recommends that the engineering services contract for Elevated Water Storage System Engineering be awarded to HDR, of Omaha, Nebraska.

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 Phase I – Elevated Storage Water System Engineering to HDR, with the not-to-exceed cost of \$24,842.00.

Sample Motion

Move to approve award of the contract for Phase I – Elevated Storage Water Storage System to HDR of Omaha, Nebraska, with a not-to-exceed cost of \$24,842.00.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL
FOR
ENGINEERING SERVICES FOR STUDY ELEVATED WATER STORAGE TOWER**

RFP DUE DATE: October 13, 2015 at 4:15 p.m.
DEPARTMENT: Utilities
PUBLICATION DATE: September 25, 2015
NO. POTENTIAL BIDDERS: 6

SUMMARY OF PROPOSALS RECEIVED

HDR
Omaha, NE

Olsson Associates
Lincoln, NE

cc: Tim Luchsinger, Utilities Director
Marlan Ferguson, City Administrator
Stacy Nonhof, Purchasing Agent
Lynn Mayhew, Assist. Utilities Director

Pat Gericke, Utilities Admin. Assist.
William Clingman, Interim Finance Director
Karen Nagel, Utilities Secretary

P1845

RESOLUTION 2015-301

WHEREAS, the City of Grand Island invited a proposal for Engineering Services for Elevated Water Storage Tower according to plans and specifications on file with the Utilities Department; and

WHEREAS, on October 13, 2015, proposals were received, opened and reviewed; and

WHEREAS, HDR of Omaha, Nebraska, submitted a proposal in accordance with the terms of the advertisement, plans and specifications and all other statutory requirements contained therein, such proposal being a not-to-exceed cost of \$24,842.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of HDR of Omaha, Nebraska, in the amount not to exceed \$24,842.00, for Engineering Services for Elevated Water Storage Tower, is hereby approved as the lowest responsible proposal.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-8

#2015-302 - Approving Amendment No. 2 & 3 to Agreement for Engineering Consulting Services Related to Faidley Avenue Paving Improvements; Project No. 2014-P-1

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: November 10, 2015

Subject: Approving Amendment No. 2 & 3 to Agreement for Engineering Consulting Services Related to Faidley Avenue Paving Improvements; Project No. 2014-P-1

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

Background

All agreements must be approved by the City Council.

On March 11, 2014, by Resolution No. 2014-49 the City entered into an agreement with Alfred Benesch & Company of Lincoln, Nebraska for engineering design services for Faidley Avenue Paving Improvements; Project No. 2014-P-1, in the amount of \$60,885.81.

On September 23, 2014, by Resolution No. 2014-298, Amendment No. 1 was approved to include construction phase services for such paving project, as well as Faidley Avenue Water Improvements; Project No. 2014-W-14, in the amount of \$126,967.84 for a revised agreement amount of \$187,853.65.

Discussion

The original agreement with Alfred Benesch & Company is now being supplemented to allow for additional construction phase services.

Amendment No. 2, in the amount of \$4,920.90, addresses additional excavation along the Moores Creek cleanout south to approximately West Old Potash Highway.

Amendment No. 3, in the amount of \$5,704.43, covers design changes to the storm and water plans, as well as construction staking for such work.

The increase in cost for both Amendment No. 2 & 3 is a total of \$10,625.33, for a revised agreement of \$198,478.98.

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 a resolution authorizing the Mayor to sign Amendment No. 2 & 3 to the Agreement with Alfred Benesch & Company of Lincoln, Nebraska in the amount of \$4,920.90 & \$5,704.43, respectively, for Faidley Avenue Paving Improvements; Project No. 2014-P-1 and Faidley Avenue Water Improvements; Project No. 2014-W-14.

Sample Motion

Move to approve the resolution.

RESOLUTION 2015-302

WHEREAS, on March 11, 2014, by Resolution No. 2014-49 the Grand Island City Council approved entering into an agreement with Alfred Benesch & Company of Lincoln, Nebraska in the amount of \$60,885.81 for engineering consulting services for Faidley Avenue Paving Improvements; Project No. 2014-P-1; and

WHEREAS, on September 23, 2014, by Resolution No. 2014-298, Amendment No. 1 was approved to include construction phase services for such paving project, as well as Faidley Avenue Water Improvements; Project No. 2014-W-14, in the amount of \$126,967.84 for a revised agreement amount of \$187,853.65; and

WHEREAS, the original agreement is being amended to include additional excavation work along the Moore Creek cleanout south to approximately West Old Potash Highway in Amendment No. 2 for an amount of \$4,920.90; and

WHEREAS, the original agreement is being further amended to include design changes to the storm and water plans, as well as construction staking for such work in Amendment No. 3 for an amount of \$5,704.43; and

WHEREAS, such amendments in the total amount of \$10,625.33, equate to a revised agreement amount of \$198,478.98; and

WHEREAS, Amendment No. 2 & 3 to the original agreement with Alfred Benesch & Company of Lincoln, Nebraska are required to proceed with this project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Amendment No. 2 & 3 with Alfred Benesch & Company for engineering consulting services related to Faidley Avenue Paving Improvements; Project No. 2014-P-1 and Faidley Avenue Water Improvements; Project No. 2014-W-14 are hereby approved.

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

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-9

#2015-303 - Approving Change Order No. 2 for the 2015 Asphalt Resurfacing Project No. 2015-AC-1

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: November 10, 2015

Subject: Approving Change Order No. 2 for the 2015 Asphalt Resurfacing Project No. 2015-AC-1

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

Background

The City Council awarded the bid, in the amount of \$955,830.76, for the 2015 Asphalt Resurfacing Project No. 2015-AC-1, to J.I.L. Asphalt Paving Co. of Grand Island, Nebraska on June 9, 2015 via Resolution No. 2015-146.

On October 13, 2015, by Resolution No. 2015-277, City Council approved a time extension from October 15, 2015 to November 15, 2015 for the 2015 Asphalt Resurfacing Project with no change in the contract amount.

Any changes to the contract require council approval.

Discussion

The reasons for the initial time extension included inclement weather and scheduling conflicts with events. At this point in the year Public Works staff has determined it in the best interest of the project to stop any further work from taking place to uphold the integrity of the roadway until next spring, with a final completion date of June 30, 2016.

There will not be any contract amount increase with this change order.

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 extending the completion date to June 30, 2016, as noted in Change Order No. 2.

Sample Motion

Move to approve the resolution.



CONTRACT TIME EXTENSION No. 2

PROJECT: 2015 Asphalt Resurfacing Project No. 2015-AC-1

CONTRACTOR: J.I.L. Asphalt Paving Co.

AMOUNT OF ORIGINAL CONTRACT: \$955,830.76

CONTRACT DATE: June 9, 2015

Notice to Proceed Date -----	July 1, 2015
Original Completion Date -----	October 15, 2015
Change Order No. 1 Revised Completion Date -----	November 15, 2015
Change Order No. 2 Revised Completion Date -----	June 30, 2016

The Above Change Order Accepted:

J.I.L. Asphalt Paving Co.
Contractor

By _____ **Date** _____

Approval Recommended:

By _____ **Date** _____
John Collins PE, Public Works Director/City Engineer

Approved for the City of Grand Island, Nebraska

By _____ **Date** _____
Mayor

Attest _____
City Clerk

RESOLUTION 2015-303

WHEREAS, on June 9, 2015, by Resolution No. 2015-146, the City Council of the City of Grand Island approved the bid of J.I.L. Asphalt Paving Co. of Grand Island, Nebraska in the amount of \$955,830.76 for the 2015 Asphalt Resurfacing Project, known as Project No. 2015-AC-1; and

WHEREAS, on October 13, 2015, by Resolution No. 2015-277, City Council approved a time extension from October 15, 2015 to November 15, 2015 for such project; and

WHEREAS, Public Works staff has determined it in the best interest of the project to stop any further work from taking place to uphold the integrity of the roadway until next spring; and

WHEREAS, an extension from November 15, 2015 to June 30, 2016 is necessary in order to complete the project; and

WHEREAS, there will not be any contract amount increase with such time extension; and

WEREAS, the Public Works Department supports such contract extension.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 2 between the City of Grand Island and J.I.L. Asphalt Paving Co. of Grand Island, Nebraska to provide the requested time extension for the 2015 Asphalt Resurfacing Project No. 2015-AC-1.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-10

**#2015-304 - Approving Purchase of a Six (6) Truck-Mounted,
Reversible Snow Plows for the Streets Division of the Public Works
Department**

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

Council Agenda Memo

From: Shannon Callahan, Street Superintendent

Meeting: November 10, 2015

Subject: Approving Purchase of a Six (6) Truck-Mounted, Reversible Snow Plows for the Streets Division of the Public Works Department

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

Background

The Streets Division currently has six one-way snow plows that are each approximately 20 years old. These plows are mounted on the front of the dump trucks and used to clear snow from snow emergency routes and residential areas.

A one-way snow plow is mounted on the truck at a fixed angle and pushes snow only one way, but a reversible snow plow can push snow in either direction (right or left) via in-cab controls. Upgrading to a reversible plow gives the operator more control of where the snow is pushed with the ability to change the angle of the plow from either side or straight forward. The increased control will result in a higher quality of snow removal and the large trucks will be more usable in areas with obstacles like medians.

Discussion

Funds for the purchase of six (6) truck-mounted reversible snow plows was approved in the 2015-2016 budget.

To meet competitive bidding requirements, an advertisement for bids was published on October 8, 2015 and mailed to five (5) potential bidders. Five (5) bids were received and opened on October 27, 2015; a bid summary detail is attached.

Public Works staff is recommending the purchase of Six (6) Truck-Mounted, Reversible Snow Plows from Northern Truck Equipment Corp. of Sioux Falls, South Dakota for a purchase price of \$40,920.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the purchase of Six (6) Truck-Mounted, Reversible Snow Plows from Northern Truck Equipment Corp. of Sioux Falls, SD for a purchase price of \$40,920.

Sample Motion

Move to approve the purchase of Six (6) Truck-Mounted, Reversible Snow Plows from Northern Truck Equipment Corp. of Sioux Falls, SD for a purchase price of \$40,920.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: October 27, 2015 at 2:00 p.m.
FOR: Truck Mounted, Reversible Snow Plows 2015
DEPARTMENT: Public Works
ESTIMATE: \$78,000.00
FUND/ACCOUNT: 10033501-85615
PUBLICATION DATE: October 8, 2015
NO. POTENTIAL BIDDERS: 4

SUMMARY

Bidder:	<u>Northern Truck Equipment Corp.</u> Sioux Falls, SD	<u>LCL Truck Equipment, Inc.</u> Hastings, NE
Bid Security:	Hudson Insurance Co.	Cashier's Check
Exceptions:	Noted	Noted
Make:	Universal	Henke
Bid Price:	\$40,920.00	\$45,504.00
Bidder:	<u>Matt Friend Truck Equipment</u> Hastings, NE	<u>Nebraska Environmental Products</u> Lincoln, NE
Bid Security:	Cashier's Check	Travelers Casualty & Surety Co.
Exceptions:	None	None
Make:	Monroe	Wausau
Bid Price:	\$41,862.00	\$54,354.00
Bidder:	<u>Palfleet Truck Equipment</u> Council Bluffs, IA	
Bid Security:	Westchester Fire Ins. Co.	
Exceptions:	Noted	
Make:	Henke	
Bid Price:	\$50,910.00	

cc: John Collins, Public Works Director
Marlan Ferguson, City Administrator
Stacy Nonhof, Purchasing Agent

Catrina DeLosh, PW Admin. Assist.
William Clingman, Interim Finance Director
Shannon Callahan, Street Supt.

P1847

**CITY OF GRAND ISLAND
 BID SUMMARY DETAIL
 FOR
 Truck-Mounted Reversible Snow Plows 2015**

Bidder	Northern Truck Equipment	Matt Friend Truck Equipment	LCL Truck Equipment	Palfleet Truck Equipment	Nebraska Environmental Products
Make	Universal	Monroe	Henke	Henke	Wasau
Model	CST-11-40P	MT 41R11-13CT & 00060822I Plow & Hitab	41 R11IS, ECT	41 R11ISP, ECT	AT 4211
Year	2016	2015	2016 or current build model	2015	2015
Manufacturer's Warranty	1 Year	1 Year	12 months	1 year, if registered online 2 years	1 year
Delivery Date	75-95 Days	90-110 days	120 days	60-90 days	60-90 days
Unit Price	\$6,820	\$6,977	\$7,584	\$8,485	\$9,059
Extended Price	\$40,920	\$41,862	\$45,504	\$50,910	\$54,354
Exceptions	Cutting edge is 5/8"x8"; Reversing cylinders are 4"x10"x2" (exceeds specifications); Power unit does not come with battery cable and hdraulic hoses - length not known plows are not installed	none	Price on bid form is based on a quantity of 4 to 6 units at \$7,584 each. Less than four units will change the price to \$8,310.00 each	Units will be direct shipped to Grand Island Streets Dept. No labor in pricing/set up, Freight is included.	none
Meet Specifications	YES	YES	YES	YES	YES

RESOLUTION 2015-304

WHEREAS, bids for Six (6) Truck-Mounted, Reversible Snow Plows was advertised on October 8, 2015 for the Grand Island Streets Division; and

WHEREAS, five (5) bids were received and opened on October 27, 2015; and

WHEREAS, Northern Truck Equipment Corp. of Sioux Falls, South Dakota submitted a bid in accordance with the terms of the Advertisement for Bids and specifications and all other statutory requirements contained therein, such bid being in the amount of \$40,920; and

WHEREAS, the bid submitted by Northern Truck Equipment Corp. is fair and reasonable for such item(s).

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that a purchase order and subsequent payment in the amount of \$40,920 for the purchase of Six (6) Truck-Mounted, Reversible Snow Plows from Northern Truck Equipment Corp. of Sioux Falls, South Dakota is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-11

#2015-305 - Approving Bid Award for Two (2) 2016 Solid Waste Transfer Trailers for the Solid Waste Division of the Public Works Department

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

Council Agenda Memo

From: Jeff Wattier, Solid Waste Superintendent

Meeting: November 10, 2015

Subject: Approving Bid Award for Two (2) 2016 Solid Waste Transfer Trailers for the Solid Waste Division of the Public Works Department

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

Background

On October 21, 2015 the Solid Waste Division of the Public Works Department advertised for bids for two (2) 2016 Solid Waste Transfer Trailers.

Discussion

Two (2) bids were received and opened on November 4, 2015. The Solid Waste Division of the Public Works Department and the Purchasing Division of the Attorney's office reviewed the bids that were received. The transfer trailers bid by Wilkens Industries of Morris, MN meet all of the specifications. These transfer trailers are front-line pieces of equipment that are utilized on a daily basis for hauling solid waste from the transfer station to the landfill for disposal.

These trailers will replace the 2012 model transfer trailer that is being traded with this purchase. The 2012 model year transfer trailer that is being traded is in need of major repairs to the hydraulic walking floor, which would cost thousands of dollars to repair/replace/upgrade.

<i>BIDDER</i>	<i>BASE PRICE</i>	<i>TRADE-IN</i>	<i>NET COST</i>
Northern Truck Equipment of Sioux Falls, SD	\$146,346	\$10,000	\$136,346
Wilkens Industries of Morris, MN	\$151,170	\$18,956	\$132,214

Funds were budgeted for Fiscal Year 2015/2016 and are available in Account No. 50530040-85625. A picture of the trailer to be traded in is below.



Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the purchase of two (2) 2016 Solid Waste Transfer Trailers from Wilkens Industries of Morris, MN for the net cost of \$132,214.

Sample Motion

Move to approve the resolution.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: November 4, 2015 at 2:30 p.m.
FOR: (2) 2016 Solid Waste Transfer Trailers
DEPARTMENT: Public Works
ESTIMATE: \$154,000.00
FUND/ACCOUNT: 50530040-85625
PUBLICATION DATE: October 21, 2015
NO. POTENTIAL BIDDERS: 9

SUMMARY

Bidder:	<u>Wilkens Industries, Inc.</u> Morris, MN	<u>Northern Truck Equipment Corp.</u> Sioux Falls, SD
Bid Security:	Cashier's Check	Hudson Insurance Co.
Exceptions:	None	Noted
Bid Price:	\$151,170.00	\$146,346.00
Trade-In:	\$ 18,956.00	\$ 10,000.00
Warranty:	<u>-0-</u>	<u>-0-</u>
Total Bid:	\$132,214.00	\$136,346.00
Delivery Date:	150 – 180 days from order	140 – 170 days

cc: John Collins, Public Works Director
Marlan Ferguson, City Administrator
Stacy Nonhof, Purchasing Agent

Catrina DeLosh, PW Admin. Assist.
William Clingman, Interim Finance Director
Jeff Wattier, Solid Waste Supt.

P1850

RESOLUTION 2015-305

WHEREAS, the City of Grand Island invited sealed bids for two (2) 2016 Solid Waste Transfer Trailers for the Solid Waste Division of the Public Works Department, according to specifications on file with the Public Works Department; and

WHEREAS, on November 4, 2015 bids were received, opened and reviewed; and

WHEREAS, Wilkens Industries of Morris, Minnesota submitted a bid in accordance with the terms of the advertisement of bids and specifications and all other statutory requirements contained therein, such bid being in the net amount of \$132,214.00; and

WHEREAS, Wilkens Industries's bid is fair and reasonable for such item.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Wilkens Industries of Morris, Minnesota in the net amount of \$132,214.00 for two (2) 2016 Solid Waste Transfer Trailers is hereby approved as the lowest responsive and responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-12

#2015-306 - Approving Bid Award for One (1) 2016 35,000 Pound Four Wheel Drive Front End Loader for the Solid Waste Division of the Public Works Department

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

Council Agenda Memo

From: Jeff Wattier, Solid Waste Superintendent

Meeting: November 10, 2015

Subject: Approving Bid Award for One (1) 2016 35,000 Pound Four Wheel Drive Front End Loader for the Solid Waste Division of the Public Works Department

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

Background

On October 21, 2015 the Solid Waste Division of the Public Works Department advertised for bids for one (1) 2016 35,000 Pound Four Wheel Drive Front End Loader.

Discussion

One (1) bid was received and opened on November 4, 2015. The Solid Waste Division of the Public Works Department and the Purchasing Division of the Attorney's Office have reviewed the bid that was received. The bid by NMC of Doniphan, NE meets all of the specifications. This loader is a front-line piece of equipment that is utilized on a daily basis at the transfer station. Funds were budgeted for Fiscal Year 2015/2016 and are available in Account No. 50530040-85615. A summary of the bid is shown below.

<i>BIDDER</i>	<i>BASE PRICE</i>	<i>REPURCHASING AGREEMENT</i>	<i>Net Cost of Ownership</i>
NMC of Doniphan, NE	\$236,623	4 years/4,250 hours = \$115,000	\$121,623

This machine will simply replace the 2012 model loader that is being sold back to NMC in the amount of \$118,000. This is the amount guaranteed by NMC from the purchase of the machine back in 2012 from the total cost of ownership bid process that we typically use to evaluate the most favorable bid when purchasing equipment. A picture of the machine that we are selling back to NMC is shown below.



Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the purchase of one (1) 2016 35,000 Pound Four Wheel Drive Front End Loader from NMC of Doniphan, NE in the amount of \$236,623 with a guaranteed repurchase agreement of \$115,000.

Sample Motion

Move to approve the resolution.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: November 4, 2015 at 2:15 p.m.
FOR: (1) 2016 35,000 lb 4-Wheel Drive Front End Loader
DEPARTMENT: Public Works
ESTIMATE: \$122,000.00
FUND/ACCOUNT: 50530040-85615
PUBLICATION DATE: October 21, 2015
NO. POTENTIAL BIDDERS: 3

SUMMARY

Bidder: NMC, Inc.
Doniphan, NE
Bid Security: Travelers Casualty & Surety Co.
Exceptions: None

Bid Price: \$236,623.00
Trade-In: \$118,000.00

Repurchasing Agreement:
1 yr or 1,000 hrs. \$149,000.00
2 yrs or 2,000 hrs. \$135,000.00
3 yrs or 3,000 hrs. \$125,000.00
4 yrs or 4,250 hrs. \$115,000.00

Delivery Date: 12 to 15 weeks

cc: John Collins, Public Works Director
Marlan Ferguson, City Administrator
Stacy Nonhof, Purchasing Agent

Catrina DeLosh, PW Admin. Assist.
William Clingman, Interim Finance Director
Jeff Wattier, Solid Waste Supt.

P1849

RESOLUTION 2015-306

WHEREAS, the City of Grand Island invited sealed bids for one (1) 2016 35,000 Pound Four Wheel Drive Front End Loader for the Solid Waste Division of the Public Works Department, according to specifications on file with the Public Works Department; and

WHEREAS, on November 4, 2015 bids were received, opened and reviewed; and

WHEREAS, NMC of Doniphan, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and specifications and all other statutory requirements contained therein, such bid being in the amount of \$236,623.00; and

WHEREAS, the bid from NMC is considered fair and reasonable for such item; and

WHEREAS, NMC guaranteed a repurchase price of \$115,000, as part of their bid, in four (4) years with no more than 4,250 hours for such piece of equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of NMC of Doniphan, Nebraska in the amount of \$236,623.00 for one (1) 2016 35,000 Pound Four Wheel Drive Front End Loader is hereby approved as the lowest responsive and responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-13

#2015-307 - Approving Change Order No. 1 for 3rd Street and Wheeler Avenue Intersection Improvements; Paving Project No. 2015-P-2

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: November 10, 2015

Subject: Approving Change Order No. 1 for 3rd Street and Wheeler Avenue Intersection Improvements; Paving Project No. 2015-P-2

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

Background

The Diamond Engineering Co. of Grand Island, Nebraska was awarded a \$169,662.70 contract by the City Council on May 12, 2015, via Resolution No. 2015-128, for 3rd Street and Wheeler Avenue Intersection Improvements; Paving Project No. 2015-P-2.

This project is for the improvement of the Downtown 3rd Street and Wheeler Avenue intersection and involves adding bump-outs to make for a more pedestrian friendly feel, as well as installation of storm sewer for improved drainage.

Discussion

Public Works Administration is requesting Change Order No. 1 for 3rd Street and Wheeler Avenue Intersection Improvements; Paving Project No. 2015-P-2 to further address drainage issues and install insulation and a water proofing membrane to the inlet due to the water main being at a higher elevation than expected, this will ensure it doesn't freeze. This change order will also provide credit for a break in one new storm sewer line that the City handled and the contractor not meeting the project completion date of September 11, 2015. Project was finished on September 18, 2015 and with the City giving the contractor an extra day to complete the additional drainage issues and deducting two (2) weekend days the liquidated damages charged to the contractor equate to 4 days.

The estimated cost for such change order is detailed below.

Item No.	Description	Price Bid	Quantity	Total
CO1-1	Install Drain Inside Park	\$ 4,472.00	1.00 LS	\$ 4,472.00
CO1-2	Styrofoam & Water Stop in inlet	\$ 625.00	1.00 LS	\$ 625.00
CO1-3	Storm Break Fix (by City)	\$ (2,300.00)	1.00 LS	\$ (2,300.00)
CO1-4	Liquidated Damages	\$ (1,000.00)	4.00 DAY	\$ (4,000.00)

Change Order No. 1 Total \$ (1,203.00)

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve Change Order No. 1 for 3rd Street and Wheeler Avenue Intersection Improvements; Paving Project No. 2015-P-2.

Sample Motion

Move to approve the resolution.

PROJECT: 3rd Street & Wheeler Avenue Intersection Improvements; Paving Project No. 2015-P-2

CONTRACTOR: The Diamond Engineering Company

CONTRACT DATE: May 26, 2015

This change order will address the following on the 3rd Street and Wheeler Avenue Intersection Improvements; Paving Project No. 2015-P-2

Item No.	Description	Price Bid	Quantity	Total
CO1-1	Install Drain Inside Park	\$ 4,472.00	1.00 LS	\$ 4,472.00
CO1-2	Styrofoam & Water Stop in inlet	\$ 625.00	1.00 LS	\$ 625.00
CO1-3	Storm Break Fix (by City)	\$ (2,300.00)	1.00 LS	\$ (2,300.00)
CO1-4	Liquidated Damages	\$ (1,000.00)	4.00 DAY	\$ (4,000.00)

The changes result in the following adjustment to the Contract Amount:

Contract Price Prior to This Change Order\$169,662.70
 Net Increase/Decrease Resulting from this Change Order\$ (1,203.00)
 Revised Contract Price Including this Change Order\$168,459.70

Approval Recommended:

By _____
 John Collins PE, Public Works Director

Date _____

The Above Change Order Accepted:

_____ The Diamond Engineering Company
 Contractor

By _____

Date _____

Approved for the City of Grand Island:

By _____
 Jeremy L. Jensen, Mayor

Attest: _____
 RaNae Edwards, City Clerk

Date _____

RESOLUTION 2015-307

WHEREAS, on May 12, 2015, by Resolution 2015-128, the City of Grand Island awarded The Diamond Engineering Co. of Grand Island, Nebraska the bid in the amount of \$169,662.70 for 3rd Street and Wheeler Avenue Intersection Improvements; Paving Project No. 2015-P-2; and

WHEREAS, it has been determined that modifications to the work to be performed by The Diamond Engineering Co. are necessary; and

WHEREAS, such modifications have been incorporated into Change Order No. 1; and

WHEREAS, the result of such modifications will decrease the contract amount by \$1,203.00 for a revised contract price of \$168,459.70.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 1 between the City of Grand Island and The Diamond Engineering Co. of Grand Island, Nebraska to provide the modifications.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-14

#2015-308 - Approving Change Order No. 2 for Faidley Avenue Paving Improvements; Project No. 2014-P-1 & Faidley Avenue Water Improvements; Project No. 2014-W-14

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: November 10, 2015

Subject: Approving Change Order No. 2 for Faidley Avenue Paving Improvements; Project No. 2014-P-1 & Faidley Avenue Water Improvements; Project No. 2014-W-14

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

Background

The Diamond Engineering Co. of Grand Island, Nebraska was awarded a \$925,292.70 contract by the City Council on September 23, 2014, via Resolution No. 2014-297, for Faidley Avenue Paving Improvements; Project No. 2014-P-1 and Faidley Avenue Water Improvements; Project No. 2014-W-14.

On February 24, 2015, via Resolution No. 2015-54, City Council approved Change Order No. 1, which allowed for grading to remedy poor drainage of Moores Creek from Old Potash Highway to the proposed Faidley Avenue, correction of a concrete outfall structure which drains into Moore's Creek that was not found during the survey for the project, modifications to storm sewer connections to existing structures and allowed for a sleeve that was needed to account for misshaped pipe that was encountered during the water main lowering. Such change order increased the contract by \$49,028.57, for a revised contract amount of \$974,321.27.

This project will extend paving to join the two (2) existing segments of Faidley Avenue, between North Road and Irongate Avenue.

Any changes to the contract require council approval.

Discussion

Several factors have delayed completion of the project; including inclement weather and scheduling conflicts with other projects the contractor is responsible for; therefore Public Works Engineering is recommending the final completion date for this project be changed from August 1, 2015 to April 29, 2016.

There will not be any contract amount increase with this change order.

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 extending the completion date to April 29, 2016, as noted in Change Order No. 2.

Sample Motion

Move to approve the resolution.



CONTRACT TIME EXTENSION

PROJECT: Faidley Avenue Paving Improvements; Project No. 2014-P-1 and Faidley Avenue Water Improvements; Project No. 2014-W-14

CONTRACTOR: The Diamond Engineering Company

AMOUNT OF ORIGINAL CONTRACT: \$925,292.70

CHANGE ORDER NO. 2 CONTRACT INCREASE: \$49,028.57

REVISED CONTRACT: \$974,321.27

CONTRACT DATE: September 23, 2014

Notice to Proceed Date ----- September 29, 2014

Original Completion Date ----- August 1, 2015

Revised Completion Date ----- April 29, 2016

The Above Change Order Accepted:

The Diamond Engineering Co.

By _____ **Date** _____

Approval Recommended:

By _____ Date _____
John Collins PE, Public Works Director/City Engineer

Approved for the City of Grand Island, Nebraska

By _____ **Date** _____
Mayor

Attest _____
City Clerk

RESOLUTION 2015-308

WHEREAS, on September 23, 2014, by Resolution 2014-297, the City Council of the City of Grand Island approved the bid of The Diamond Engineering Co. of Grand Island, Nebraska in the amount of \$925,292.70 for Faidley Avenue Paving Improvements; Project No. 2014-P-1 and Faidley Avenue Water Improvements; Project No. 2014-W-14; and

WHEREAS, City Council approved Change Order No. 1, via Resolution No. 2015-54, to address drainage issues with Moores Creek and modifications to storm sewer connections; and

WHEREAS, the completion of such project has been delayed due to several factors; and

WHEREAS, an extension from August 1, 2015 to April 29, 2016 is requested in order to complete the project; and

WHEREAS, there will not be any contract amount increase with such time extension; and

WEREAS, the Public Works Department supports such contract extension.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 2 between the City of Grand Island and The Diamond Engineering Co. of Grand Island, Nebraska to provide the requested time extension for the Faidley Avenue Paving Improvements; Project No. 2014-P-1 and Faidley Avenue Water Improvements; Project No. 2014-W-14.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☒ _____
November 6, 2015	☒ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-15

#2015-309 - Approving Restricted Parking in Front of 234 East 3rd Street

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

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: November 10, 2015

Subject: Approving Restricted Parking in Front of 234 East 3rd Street

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

Background

Council action is required to restrict parking on any public street.

The Public Works Department received a request from Brad Dobesh, G.I. YMCA Facility Director, to designate a 200' stretch on the north side of 3rd Street as a No Parking zone for the center's daycare center. Mr. Dobesh stated in his request letter that the intent is to use the area as a secondary/alternative daycare entrance/exit for member and children safety as well as to alleviate the traffic "bottle neck" experienced in the north parking lot.

Discussion

During review of this request it was determined restricted parking would be more beneficial to the daycare and fulfill Mr. Dobesh's request. It is recommended by Public Works Engineering staff that the space in front of 234 East 3rd Street be signed as 15 minute parking Monday through Friday; between the hours of 7:00am and 5:30pm. This will allow use of the area by the daycare, as well as use of the parking spaces for the downtown area in the evenings and weekends.

A sketch of the desired restricted parking area is attached for reference.

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 restricting parking in front of 234 East 3rd Street.

Sample Motion

Move to approve the resolution.

October 22, 2015

STREET “NO PARKING” DESIGNATION

The Grand Island YMCA is requesting the “No Parking” designation on the North side of 3rd St. between Kimball and Sycamore Streets be extended an additional 200’ west to accommodate the dropping off and pick up of children for our daycare facility.

We currently only have a north parking lot drop off and pick up area for our daycare. We are also going to incorporate the existing South door as a secondary/alternative daycare entrance/exit for member and children safety as well as to alleviate the traffic ‘bottle neck’ we experience in our North parking lot in the mornings and evenings as the daycare parents drop off and pick up.

The Grand Generation Center currently has the “NO PARKING” designation encompassing the entire South frontage of their building for pick up and drop off with their vans.

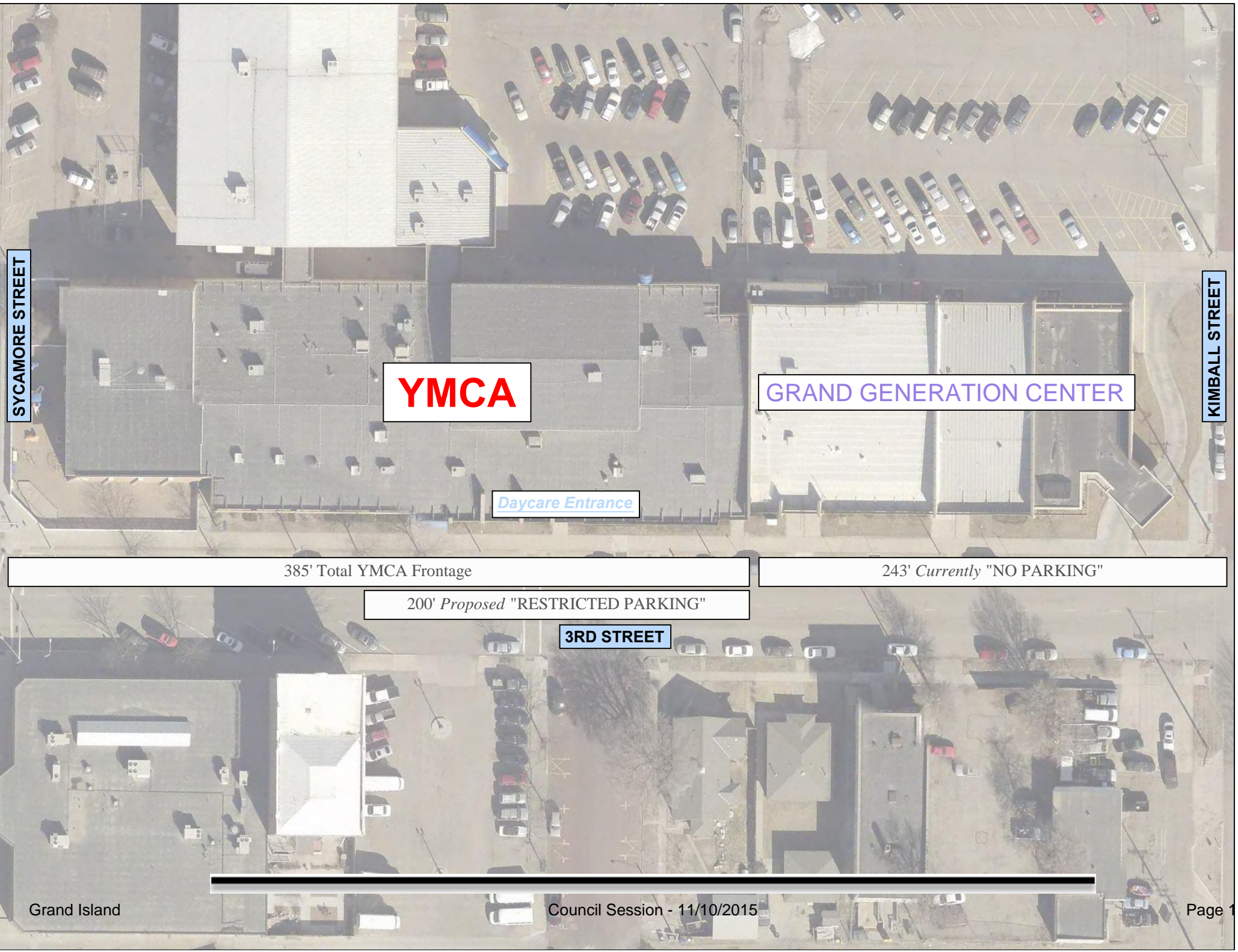
We have 60 children (infants-4 year olds) that are enrolled in our Daycare Program Monday-Friday 7:00 A.M. – 5:30 P.M. The current North lot is also shared with our other members for parking while working out.

Thank you for the consideration of the designation,



Brad L. Dobesh

G.I. YMCA Facility Director



SYCAMORE STREET

KIMBALL STREET

YMCA

GRAND GENERATION CENTER

Daycare Entrance

385' Total YMCA Frontage

243' Currently "NO PARKING"

200' Proposed "RESTRICTED PARKING"

3RD STREET

RESOLUTION 2015-309

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, the Public Works Department is requesting that 200' on the north side of 3rd Street, in front of 234 East 3rd Street, be designated as restricted parking; and

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

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

1. Restricted parking, consisting of 200' on the north side of 3rd Street, in front of 234 East 3rd Street, Monday through Friday; 7:00am to 5:30pm, is hereby designated; and
2. The City's Street Division of the Public Works Department shall erect and maintain the signs necessary to effect the above regulation.

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-16

#2015-310 – Approving Change Order No. 1 for GITV Control Center HD Upgrade (Phase III)

Staff Contact: Wendy Meyer, Public Information Officer

Council Agenda Memo

From: Jeremy Watson – Grand Island Television Manager
Meeting: November 10, 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 Resolution #2015-204 on July 28, 2015 for \$100,000 for this project. Additional funds were budgeted in 2015-16 budget to complete this project in the amount of \$63,350.00.

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 resolution as submitted, by AVI Systems, Omaha, NE.

Sample Motion

Move to approve the resolution.

PROJECT: Grand Island television (GITV) High Definition (HD) Upgrade

CONTRACTOR: AVI Systems

CONTRACT DATE: July 28, 2015

The changes result in the following adjustment to the Contract Amount:

Contract Price Prior to This Change Order	\$100,000.00
Net Increase Resulting from this Change Order.....	\$ 63,350.00
Revised Contract Price Including this Change Order	\$163,350.00

Approval Recommended:

By _____
Wendy Meyer, Public Information Officer

Date _____

The Above Change Order Accepted:

AVI Systems
Contractor

By _____

Date _____

Approved for the City of Grand Island:

By _____
Jeremy L. Jensen, Mayor

Attest: _____
RaNae Edwards, City Clerk

Date _____

RESOLUTION 2015-310

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 awarded a contract on June 28, 2015 in an amount of \$100,000.00 and

WHEREAS, in order to complete the project Change Order No. 1 is needed for an increase of \$63,350.00 and a revised contract price of \$163,350.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Change Order No. 1 in the amount of \$63,350.00 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, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-17

#2015-311 - Approving Renewal of the South Central Area Law Enforcement Services (SCALES) Interlocal Agreement

Staff Contact: Steven Lamken

Council Agenda Memo

From: Steven Lamken, Police Chief

Meeting: November 10, 2015

Subject: Renewal of the South Central Area Law Enforcement Services, SCALES, Interlocal Agreement

Presenter(s): Steven Lamken, Police Chief

Background

The Grand Island Police Department has been a member of the South Central Area Law Enforcement Services, SCALES, Compact for over a decade. SCALES was formed to provide for local law enforcement agencies from the Tri County area to share law enforcement resources and jointly sponsor specialized training for member agencies. The Police Department has benefited from membership in SCALES. The interlocal agreement expires August 1, 2016 and we are requesting to continue to participate in SCALES. All member agencies pay \$1000 annually for SCALES membership.

Discussion

SCALES is an interlocal compact of Tri County area law enforcement agencies who have joined together to share law enforcement resources when needed and to jointly provide specialized training for members of compact agencies. The Grand Island Police Department has called upon SCALES to provide support in the past for in-custody death investigations and events such as the President's visit to Grand Island. In turn, our department has provided support to other agencies in the compact for investigations and special operations.

SCALES agency investigators meet periodically to share information and intelligence on criminal activity in the area. These meetings create stronger working relationships among agencies in addition to sharing information and intelligence.

SCALES also pools the membership fees and brings quality specialized training classes into the SCALES area each year. This maximizes the effectiveness of our funds. A recent example is that the Department had several officers attend a two day interview and interrogation class that SCALES brought to Kearney. The cost of sending one officer out of state to a similar class would have cost as much as our annual SCALES membership fee. The specialized training made available is a valuable bonus to membership.

SCALES is a proven cooperative agreement among thirteen regional Police and Sheriff's agencies that benefits all members. The Police Department is requesting the Council approve the renewal of the interlocal agreement so that the Mayor can sign it when it is routed to our department.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the renewal of the South Central Area Law Enforcement Services, SCALES, Interlocal Agreement.

Sample Motion

Move to approve the renewal of the South Central Area Law Enforcement Services, SCALES, Interlocal Agreement.

**INTERLOCAL AGREEMENT FOR COOPERATIVE LAW ENFORCEMENT
SERVICES
BY AND AMONG
THE COUNTIES OF ADAMS, BUFFALO, DAWSON, PHELPS, MERRICK AND
HALL, THE CITIES OF GRAND ISLAND, HASTINGS, KEARNEY, HOLDREGE,
LEXINGTON, AURORA, AND COZAD**

THIS AGREEMENT is made and entered into this ___ day of _____ 2016, by and between the Counties of Adams, Buffalo, Dawson, Phelps, Merrick, and Hall and the Cities of Grand Island, Hastings, Kearney, Holdrege, Lexington, Aurora, and Cozad, all being a bodies politic and corporate and political subdivisions of the state of Nebraska, hereinafter referred to collectively as the "Parties" and individually as a "Party." WITNESSETH:

WHEREAS, the Parties desire to form an alliance among law enforcement agencies of the Parties known as **SCALES** (*South Central Area Law Enforcement Services*) to: promote cooperation among such agencies to combat crime in the most effective manner possible; provide for joint acquisition of equipment and materials; and allow for cooperative sharing and utilization of investigative resources; and

WHEREAS, the Interlocal Cooperation Act, Neb. Rev. Stat. §13-801, et seq. provides that units of local government of the State of Nebraska and Nebraska state agencies may enter into agreement for the joint and cooperative exercise of powers, privileges, or authority capable of being exercised by either agency; and

WHEREAS, Neb. Rev. Stat. §13-801 provides that any one or more public agencies may contract with any one or more public agencies to perform any governmental service, activity, or other undertaking which each public agency entering into the contract is authorized by law to perform; and

WHEREAS, Counties and the Cities are public agencies as defined by Neb. Rev. Stat. §13-801; and

WHEREAS, Neb. Rev. Stat. §29-215 authorizes municipalities and counties to enter into contracts with any other municipality or county for law enforcement services or joint law enforcement services."

NOW, THEREFORE, the parties mutually covenant and agree as follows:

- 1) **Term.** This agreement shall have a term of five (5) years commencing August 1, 2016. Said agreement shall automatically renew for no more than five successive terms of one year each unless written notice of the non-renewal is provided by the non-renewing party to the other parties not less than 60 days prior to the expiration of the then current term.

- 2) **Termination.** This agreement may be terminated at any time, with or without cause, upon the mutual consent of a majority of the member Parties.
- 3) **Withdrawal.** Any Party may withdraw from this agreement at any time, with or without cause, upon providing to the non-withdrawing Parties a written notice of such withdrawal given not less than sixty (60) days prior to the effective date of the withdrawal.
- 4) **Governance.** The activities of the cooperative undertaking shall be governed by a board comprised of the Sheriff or Chief of Police from each of the Parties, hereinafter referred to as the "Board." The Board shall meet not less than two times each calendar year. The Board shall select as officers a chairperson and a secretary who shall serve terms of one year. A quorum of not less than a majority of the Board shall be required to take action. All questions before the Board shall be determined by majority vote of the members present. The Board may adopt such by-laws and rules of procedure as deemed appropriate by the Board.
- 5) **Cooperative Powers and Authority.** Each Party's Chief of Police or Sheriff may supply manpower and other resources, when available, upon the request of a Party to assist with any law enforcement activities including, but not limited to:
 - a) the investigation or prevention of any crime;
 - b) the service and execution of any search warrant, and
 - c) making of any arrest.
- 6) **Law Enforcement Powers.** Any sheriff, deputy sheriff, marshal, deputy marshal, police officer or peace officer employed by any Party shall have the power and authority to enforce the laws of the State of Nebraska and to perform the functions of his or her office anywhere within the geographic territory of any Party when acting or participating in a cooperative investigation or cooperative law enforcement activity at the request of any Party's Sheriff or Chief of Police or an authorized designee of any such Sheriff or Chief of Police.
- 7) **Claims and Indemnity.** At all times while acting or participating in a cooperative investigation or cooperative law enforcement activity, any such participating sheriff, deputy sheriff, marshal, deputy marshal, police officer or peace officer shall remain the employee of the Party supplying such officer. Each Party shall provide liability insurance and indemnification for its own personnel as provided in Neb.Rev.Stat. §13-1802.
- 8) **Modification.** This Agreement may be modified by written agreement of the Parties.
- 9) **No Separate Entity.** There shall be no separate legal entity created through this interlocal cooperation agreement. Said agreement shall be jointly administered by the Board as provided in section 4, above.

10) **Property.** Any property acquired or made available by any party to this agreement for the purposes of this agreement shall remain the property of the party acquiring or making such property available and shall be disposed of such party as provided by law, regulation, or ordinance governing the same.

- a) Any property acquired jointly shall, upon termination, be equitably distributed among the Parties based upon the Parties' financial contributions toward the purchase and maintenance of any such property. In the event any Party withdraws from this agreement, an equitable distribution of the jointly held property, or the fair market value thereof, shall be made to the withdrawing party based upon the withdrawing Party's financial contributions toward the purchase and maintenance of any such jointly held property.
- b) Any property to be purchased and jointly held by the Parties shall be purchased pursuant to the purchasing rules or statutes applicable to the Party making the purchase on behalf of the Parties.
- c) Any surplus or unusable jointly held property shall be disposed pursuant to the rules or statutes applicable to the Party making such disposition on behalf of the Parties. The proceeds of any sale or disposition of jointly held property shall be equitably distributed among the Parties based upon the Parties' financial contributions toward the purchase and maintenance of any such property.
- d) An inventory of all property jointly held and a report on the disposition of any joint property sold, transferred or disposed of during the prior twelve months shall be provided to the City or County Clerk of each Party on or prior to April 1 of each year.

11) **Finances.** This agreement shall be financed by funds available to the parties hereto.

12) **Provision of Assistance.** Pursuant to the Interlocal Cooperation Act, any party to this agreement, in the party's sole discretion, may appropriate funds and may sell, lease, give, or otherwise provide assistance, including personnel and services, as may be within the party's legal power to furnish.

13) **Additional Agreements.**

- a) The provisions of this agreement shall not be construed to impose an obligation on any Party to this agreement to respond to a request for assistance. At any time assistance is requested, the Party so requested may, for any reason, deem it advisable not to respond and may so inform the requesting party.
- b) This agreement shall become effective for each party when that party by ordinance, motion or resolution adopts and approves this agreement and authorizes the proper official to execute this agreement.
- c) Additional cities or counties may become parties to this agreement upon acceptance and execution of this agreement, and upon approval by the governing bodies of the Parties already a party to this agreement.

RESOLUTION 2015-311

WHEREAS, the Grand Island Police Department has been a member of the South Central Area Law Enforcement Services, SCALES, Interlocal for several years; and

WHEREAS, Membership in SCALES provides for the sharing of resources, the exchange of information and specialized training opportunities for officers; and

WHEREAS, the SCALES Interlocal Agreement needs to be renewed by August 1, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, Move to approve the renewal of the South Central Area Law Enforcement Services, SCALES, Interlocal Agreement and have the Mayor sign the Interlocal Agreement at a later date when circulated to the City.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-18

#2015-312 - Approving Contract for Library Voice Communications System

Staff Contact: Steve Fosselman, Library Director

Council Agenda Memo

From: Steve Fosselman, Library Director

Meeting: November 10, 2015

Subject: Approving Contract for Library Voice Communications System

Presenter(s): Andrew Duey, City of Grand Island Network Consultant
- Duey's Computer Service, Inc.

Background

On September 2, 2015 the City of Grand Island issued a request for proposals to replace the 22 year old telephone system installed at Grand Island Public Library in 1993. The proposal called for a hybrid system to take advantage of the library's current phone wiring structure while allowing for the introduction of IP phones and other innovations. Authority for replacement of the phone system is budgeted at \$20,000 in the library's 2015-2016 10044301.85620 capital outlay line item.

Discussion

Instead of seeking quotes, the process was conducted as a Request for Proposals which necessitates City Council approval. Five proposals were received on September 22, 2015 and evaluated by Steve Fosselman, Library Director; Nancy Broich, Library Secretary; Becky Otte, Library Assistant II, Brenda Halm, Library Assistant I and Andrew Duey, City of Grand Island Network Consultant. Proposals were evaluated based on service, maintenance, and training (30%); system performance including ease of use (25%); implementation plan including completion date (10%); future flexibility (10%); and price - purchase and maintenance (25%).

Two vendors were invited to provide a "live" demonstration of a working telephone system using the proposed equipment for the library committee members to assess and examine in terms of ease of use and adaptability for library operations. The Toshiba system offered by Americom Communications Corporation of Lincoln, Nebraska was most highly-rated rated by library staff and negotiations commenced with this firm. A final price of \$14,774.00 was determined.

While all systems have similar features, current and future capacity for growth, and the ability to serve as hybrid digital/IP systems including smartphone apps, the recommended

system meets or exceeds other proposals in a number of critical areas in terms of ease of use and adaptability for library operations:

- Digital phones with a minimum of four-line backlit LCD display with 12 fixed and 20 programmable buttons, very easy for staff to view and use with the large number of frequently-needed library extensions
- Seven year warranty on Toshiba parts, five year warranty on software support/upgrade service and voice mail server parts, and one year warranty on labor
- Voicemail storage capacity of 4,000 hours
- Three hour service response time for major outages
- Vender has been installing phone systems for over 34 years with five technicians certified on this system

To allow for additional convenience and functionality, we negotiated upgrades for six of the digital phones for office desk use. These phones feature nine-line large-screen backlit LCD with 20 programmable button LCD key labels and full duplex speakerphones. Two IP phones (gigabit) have also been added to the proposal, for use in situations requiring telephone access but lacking phone jacks. Each IP phone features nine-line large-screen backlit LCD with 20 programmable button LCD key labels and full duplex speakerphone.

Alternatives

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

1. Move to approve the contract with Americom Communications Corporation in the amount of \$14,774.00
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 Library Voice Communication System contract with Americom Communications Corporation for \$14,774.00.

Sample Motion

Move to Approve the Library Voice Communications System contract with Americom Communications Corporation for \$14,774.00.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL
FOR
VOICE COMMUNICATIONS SYSTEM AT CITY OF GRAND ISLAND LIBRARY**

RFP DUE DATE: September 22, 2015 at 4:00 p.m.
DEPARTMENT: Library
PUBLICATION DATE: September 2, 2015
NO. POTENTIAL BIDDERS: 4

SUMMARY OF PROPOSALS RECEIVED

Windstream Communications
Charlotte, NC

Business Telecommunication Systems
Grand Island, NE

Cisco Systems, Inc.
Omaha, NE

Telephone Systems
Grand Island, NE

Americom Communications Corporation
Lincoln, NE

cc: Steve Fosselman, Library Director
William Clingman, Interim Finance Director

Marlan Ferguson, City Administrator
Stacy Nonhof, Purchasing Agent

P1836



Americom Communications Corporation
P.O. Box 84546
Lincoln, NE 68501
Phone: (402) 489-9700
Fax: (402) 489-9771

Prepared especially for
Grand Island Library

On Tuesday, November 03, 2015

Prepared by Trevor M. Kinnett

Trevor@americom.biz

(877) 489-9700 x 212

Proposal: 17678
Created: 11/03/2015
Printed: 11/3/2015

Quantity Description

1 CIX100 Voice Mail Large System Flexible Package

Each assembly includes:

Quantity Description

- 1 CIX/CTX100 base cabinet with power supply
- 1 CIX/CTX100 expansion cabinet w/ power supply
- 1 CIX100 common control processor unit
- 1 1 GB Secure Digital Media Card
- 2 Batterycharger subassembly for CIX, CTX100
- 2 Reserve power cable-charger to batteries

1 Remote maintenance modem

1 4 circuit CO card w/ caller ID

1 4 circuit CO card w/ caller ID

2 16 circuit digital station interface unit

1 8 circuit standard interface unit w/o MW

1 EP App Server w/ MIPU

Each assembly includes:

Quantity Description

- 1 16-channel IP Interface Unit
- 10.00 IPedge Call Manager standard license, single user
- 1 IPedge Recovery DVD-B
- 1 IPedge server w/ AC adapter
- 4.00 IPedge Messaging Advanced User License
- 4.00 IP endpoint license for strata CIX
- 1.00 ACD server license for strata CIX/CTX systems
- 1.00 IPedge EP Messaging base license
- 1.00 IPedge EP Platform license

6 20 button full duplex digital speakerphone w/ large backlight LCD

18 20 button digital speakerphone w/ backlight LCD

2 20 button add on module - 5000 series

2 20 button IP speakerphone w/ backlit display & bundle

2 Power adapter for IP5000 series

20.00 IPedge Messaging Advanced User License

4.00 IP endpoint license for strata CIX

- 4 4 port CO line/station license for Strata CIX systems
- 1 Battery Back-up - Heavy Duty
- 1 UPS, 1100VA/770W, w/ 6 outlets
- Miscellaneous materials

Installation Labor

5-YEAR TOSHIBA MANUFACTURER WARRANTY ON SERVER

7-YEAR TOSHIBA MANUFACTURER WARRANTY ON PHONES & CIX SYSTEM

Software support & upgrade service - 5 years

Your Price:	\$14,774.00
Total:	\$14,774.00

Prices are firm until 12/3/2015 Terms: Due on Receipt

Quoted by: Trevor M. Kinnett, Trevor@americom.biz

Date: 11/3/2015

SCOPE OF WORK:

Americom proposes to install a new Toshiba CIX100 system with voice mail.

INCLUDED:

- 32 digital station ports
- 16 IP station ports
- 8 analog station ports
- 8 CO lines with caller id
- Advanced automated attendant
- [30] advanced voice mail boxes
- Unified Messaging (voice mail to email)
- Call record to voice mail and email
- Smart phone app
- [18] twenty-button digital speakerphones with 4-line backlit LCD
- [6] twenty-button digital full duplex speakerphones with 9-line backlit LCD
- [2] twenty-button digital consoles
- [2] twenty-button IP speakerphones with 9-line LCD (gigabit)
- 5 years of SUS
- 5 year warranty on server
- 7 year warranty on all new phones and CIX system

ADDITIONAL ITEMS:

- Americom will provide a 1 year labor warranty on all parts
- Americom will provide factory certified technicians for installation, maintenance and service
- Dispatching:
 - Major outage is defined as not being able to make or receive incoming or outgoing calls. Americom guarantees 24/7 support with a three hour response time from notification.
 - Minor outage is defined as issues with less than 25% of the system's users. Americom guarantees response within 48 hours of being notified.
- Americom will maintain complete inventory of parts for a complete system replacement. In the event the parts are not available they will be overnighted from the manufacturer.
- Unit prices quoted in the RFP for additional components purchased after the contract signing shall remain in effect for two years following system cutover and acceptance, include installation, and covered under the contracted warranties.

P.O. Box 84546 Lincoln, NE (402) 489-9700 service@americom.biz

-While warranties remain in effect, Americom shall conduct a comprehensive annual preventative maintenance visit to check and clean all critical components of the telecommunications system upon customers request. Standard hourly charges and trip charges will apply.

-Americom shall supply all pertinent software upgrades at no additional charge while under warranty. Standard hourly and trip charges will apply.

-After the expiration of the warranty period on labor, Americom's labor rates shall remain at the following levels until all warranties have expired. Hourly rates are not charged for travel time, a standard trip charge is assessed instead.

- \$85.00/hour Hourly Labor Rate (Business Day)
- \$127.50/hour Hourly Labor Rate (Overtime)
- \$170.00/hour Hourly Labor Rate (Weekend/Holiday)
- \$85.00/hour Hourly Labor rate for programming on site
- \$25.00/20 min. Rate billed every 20 minutes for remote programming
- \$65.00 One-time flat rate for trip charges

-Once all warranties have expired, Americom shall charge for needed hardware and software and provide Grand Island Library with dispatch labor rates not to exceed 10% per year.

Accepted by: _____

Date: _____

The customer is responsible for any and all sales and/or use tax that may be due for this order. A down payment of 50% of the total with sales tax is due upon signing this contract. The balance is due upon completion. All equipment is considered the property of Americom until payment has been received in full.

RESOLUTION 2015-312

WHEREAS, the City of Grand Island invited proposals to replace the existing voice communication system within the Library; and

WHEREAS, proposals were received, reviewed and evaluated in accordance with the established criteria in the RFP; and

WHEREAS, Americom Communications Corporation of Lincoln, Nebraska submitted a proposal to replace the current system for \$14,774.00; and

WHEREAS, the proposed system includes a seven year warranty on Toshiba parts, a five year warranty on software support and upgrade service and voice mail server parts, and a one year warranty on labor; and

WHEREAS, the proposed agreement has been reviewed and approved by the City Attorney's office.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal from Americom Communications Corporation of Lincoln, Nebraska in the amount of \$14,774.00 is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item G-19

**#2105-313 - Approving Contract Extension Request for
Comprehensive Revitalization Community Development Block
Grants**

Staff Contact: Charley Falmlen

Council Agenda Memo

From: Charley Falmlen, Community Development

Meeting: November 10, 2015

Subject: Approving Contract Extension Request for
Comprehensive Revitalization Community Development
Block Grants

Presenter(s): Charley Falmlen, Community Development Specialist

Background

The Nebraska Department of Economic Development (NDED) developed a Comprehensive Revitalization program to utilize Community Development Block Grant (CDBG) funds in non-entitlement communities. This program allocates grant funds over a multi-year period to meet locally identified needs that are CDBG eligible. Since 2013, The City of Grand Island has received \$740,000 in Comprehensive Revitalization Funds. The funds have been allocated to the funding category of “Streets” and intended for use along 4th and 5th Street to address curb reconstruction and ADA accessibility. Since the original application for funding, one extension has already been granted, with an end date of November 29, 2015.

Discussion

The improvements to 4th and 5th Street are well underway. Design has been completed and the bid process has taken place. The first portion of the construction contract has been completed. But the contractor who was awarded the bid has requested to be removed from the work obligations, due to his inability to meet the parameters of the contract. For this reason the second and third portion of this project will be sent to re-bid. Since “construction season” is nearing its end, we would like to file an extension that would allow the incoming contractor adequate time to finish the project with the necessary attention and detail.

The City anticipates this project being completed by mid-summer 2015, as it will be considered a priority by the contractor due to the timeline

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

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the extension request.

Sample Motion

Move to approve the contract extension request for Comprehensive Revitalization Community Revitalization Block Grants and authorize the Mayor to sign all appropriate documents.

CDBG CONTRACT AMENDMENT REQUEST FORM

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

CDBG Grant # 13-CR-002 CDBG Grantee City of Grand Island

DED Program Representative Jenny Mason

Person Completing this form Name Charley Falmlen

Contact Number 308-389-0179

Email charleyf@grand-island.com

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

Extension of Contract End Date

Original Contract End Date 11/05/2014

Current Contract End Date including any previously approved extensions 11/29/2015

Proposed Contract End Date 09/29/2016

Required Attachments

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

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

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

Decrease in proposed accomplishments

Original Proposed Accomplishments _____ Current Proposed Accomplishments _____

Required Attachments

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

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

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

Amendment to Housing Program Guidelines

Required Attachments

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

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

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

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

Budget Amendment

Original Contract Budget Approved

Activity Name	Activity Number	CDBG Funds	Other Funds	Total Funds
Total				

Proposed Budget After Amendment

Activity Name	Activity Number	CDBG Funds	Other Funds	Total Funds
Total				

- Attachment 1: Letter from the Chief Elected Official including:
1. Certification that the local governing body has approved the budget amendment;
 2. Identification and reasons for the proposed budget amendment; including
 - a. Changes to the nature of the project requiring the amendment;
 - b. Steps being taken to avoid any future amendment requests for the same reasons.
 3. If additional local matching funds are required as a result of this amendment, certification that such funds are available.
 4. If the amendment includes a new activity, certification that the activity meets the national objective.
- Attachment 2: Minutes from the public hearing held on the proposed amendment (required if reallocating more than 10% of the total original grant amount).
- Attachment 3: If the budget amendment will affect major milestones, a revised implementation schedule showing when major milestones will be completed for each activity.
- Attachment 4: Certification of re-evaluation of the environmental assessment (this form is included in the CDBG Administration Manual Chapter 6: Environmental Review).

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

CDBG CONTRACT AMENDMENT REQUEST FORM

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

CDBG Grant # 13-CR-102 CDBG Grantee City of Grand Island

DED Program Representative Jenny Mason

Person Completing this form Name Charley Falmlen

Contact Number 308-389-0179

Email charleyf@grand-island.com

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

Extension of Contract End Date

Original Contract End Date 01/09/2014

Current Contract End Date including any previously approved extensions 11/29/2015

Proposed Contract End Date 09/29/2016

Required Attachments

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

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

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

Decrease in proposed accomplishments

Original Proposed Accomplishments _____ Current Proposed Accomplishments _____

Required Attachments

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

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

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

Amendment to Housing Program Guidelines

Required Attachments

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

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

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

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

Budget Amendment

Original Contract Budget Approved

Activity Name	Activity Number	CDBG Funds	Other Funds	Total Funds
Total				

Proposed Budget After Amendment

Activity Name	Activity Number	CDBG Funds	Other Funds	Total Funds
Total				

- Attachment 1: Letter from the Chief Elected Official including:
1. Certification that the local governing body has approved the budget amendment;
 2. Identification and reasons for the proposed budget amendment; including
 - a. Changes to the nature of the project requiring the amendment;
 - b. Steps being taken to avoid any future amendment requests for the same reasons.
 3. If additional local matching funds are required as a result of this amendment, certification that such funds are available.
 4. If the amendment includes a new activity, certification that the activity meets the national objective.
- Attachment 2: Minutes from the public hearing held on the proposed amendment (required if reallocating more than 10% of the total original grant amount).
- Attachment 3: If the budget amendment will affect major milestones, a revised implementation schedule showing when major milestones will be completed for each activity.
- Attachment 4: Certification of re-evaluation of the environmental assessment (this form is included in the CDBG Administration Manual Chapter 6: Environmental Review).

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

CDBG CONTRACT AMENDMENT REQUEST FORM

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

CDBG Grant # 13-CR-102 CDBG Grantee City of Grand Island

DED Program Representative Jenny Mason

Person Completing this form Name Charley Falmlen

Contact Number 308-389-0179

Email charleyf@grand-island.com

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

Extension of Contract End Date

Original Contract End Date 08/29/2015

Current Contract End Date including any previously approved extensions 11/29/2015

Proposed Contract End Date 09/29/2016

Required Attachments

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

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

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

Decrease in proposed accomplishments

Original Proposed Accomplishments _____ Current Proposed Accomplishments _____

Required Attachments

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

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

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

Amendment to Housing Program Guidelines

Required Attachments

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

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

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

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

Budget Amendment

Original Contract Budget Approved

Activity Name	Activity Number	CDBG Funds	Other Funds	Total Funds
Total				

Proposed Budget After Amendment

Activity Name	Activity Number	CDBG Funds	Other Funds	Total Funds
Total				

- Attachment 1: Letter from the Chief Elected Official including:
1. Certification that the local governing body has approved the budget amendment;
 2. Identification and reasons for the proposed budget amendment; including
 - a. Changes to the nature of the project requiring the amendment;
 - b. Steps being taken to avoid any future amendment requests for the same reasons.
 3. If additional local matching funds are required as a result of this amendment, certification that such funds are available.
 4. If the amendment includes a new activity, certification that the activity meets the national objective.
- Attachment 2: Minutes from the public hearing held on the proposed amendment (required if reallocating more than 10% of the total original grant amount).
- Attachment 3: If the budget amendment will affect major milestones, a revised implementation schedule showing when major milestones will be completed for each activity.
- Attachment 4: Certification of re-evaluation of the environmental assessment (this form is included in the CDBG Administration Manual Chapter 6: Environmental Review).

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

RESOLUTION 2015-313

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

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

WHEREAS, 3 grants were awarded in the amount of \$720,000 for the purposes of Comprehensive Revitalization; and

WHEREAS, the City is requesting an extension of the contract deadline with the State of Nebraska; and

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

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item I-1

#2015-314 - Consideration of Request from 2nd Street Stop, Inc. dba Pam's 1 Stop C Store and Value Inn Motel, 2105 West 2nd Street for a Class "D" Liquor License and Liquor Manager Designation for Pamela Ehlers, 2170 N. Monitor Road

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

Staff Contact: RaNae Edwards

RESOLUTION 2015-314

WHEREAS, an application was filed by 2nd Street Stop, Inc. doing business as Pam's 1 Stop C Store and Value Inn Motel, 2105 West 2nd Street for a Class "D" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on October 31, 2015; such publication cost being \$16.77; and

WHEREAS, a public hearing was held on November 10, 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 Pamela Ehlers, 2170 N. Monitor Road as liquor manager of such business.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ✕ _____
November 6, 2015 ✕ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item I-2

#2015-315 - Consideration of Request from The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3rd Street for an Addition to their Class “IK-086925” Liquor License

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

Staff Contact: RaNae Edwards

RESOLUTION 2015-315

WHEREAS, an application was filed by The Chocolate Bar, Inc. doing business as The Chocolate Bar, 116 West 3rd Street for an addition to their Class "IK-086925" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on October 31, 2015; such publication cost being \$17.26; and

WHEREAS, a public hearing was held on November 10, 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: _____

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ✕ _____
November 6, 2015 ✕ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item I-3

**#2015-316 - Consideration of Appointment of Daniel Brotzman as
City Attorney**

Staff Contact: Mayor Jeremy Jensen

Council Agenda Memo

From: Mayor Jeremy Jensen
Meeting: November 10, 2015
Subject: Appointment of Daniel Brotzman as City Attorney
Presenter(s): Mayor Jeremy Jensen

Background

The search for a new City Attorney began in December of 2014. During this time, Robert Sivick has continued to serve as the City Attorney during the search. The recruitment process was conducted by the City's Human Resources Department. The selection process included involvement from various Department Directors, two City Council members, a legal department member and the City Administrator.

Under Neb. Rev. Stat., §16-308 and Grand Island City Code, §2-30, the office of City Attorney, for the City of Grand Island, Nebraska, is an appointed position. The position is appointed by the Mayor and approved by the Council and serves through the Mayor's term.

Discussion

I am pleased to present Daniel Brotzman as my choice for appointment to the City Attorney position.

Brotzman currently resides in Englewood, Colo., and has been employed as the city attorney for the City of Englewood since 1995. In this position, Brotzman was responsible for the daily operations of the municipal law office including handling litigation and claims, drafting ordinances, supervising outside counsel, and facilitating collective bargaining negotiations with local union personnel. During his career at Englewood, Brotzman also provided counsel to city officials and staff on land use, legislation, risk management, personnel, environmental regulations, litigation, and finance taxation.

Prior to this position, Brotzman was the assistant city attorney for the City of Englewood where he was the lead trial attorney for the prosecution of municipal ordinance violations.

Brotzman also worked as an attorney at DeWitt and Brotzman representing individuals and small business clients in a wide range of legal matters.

Brotzman earned a Bachelor of Arts in business administration from the University of Denver in Colorado. Furthermore, he earned his Juris Doctorate from Creighton University School of Law in Omaha.

Brotzman is a member of the Colorado Bar Association, International Municipal Bar Association, American Bar Association, and Municipal Advisory Board to the Attorney General of Colorado. He is a board member for the Center for Education in Law and Democracy and serves as president of Denver Cherry Creek Rotary Club and Foundation.

Pending City Council approval Brotzman's employment will commence in January 4, 2016. His starting salary will be at step fifteen of the City Attorney pay scale which is \$124,489.13 annually. As City Attorney he will supervise the legal department staff.

Mr. Brotzman will bring a career worth of knowledge and experience to the position. Furthermore he will be a great addition to our leadership team.

Finally, I would also like to express my appreciation to Robert Sivick for continuing to represent the City Of Grand Island as the City Attorney during the candidate search.

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

I recommend the approval of Daniel Brotzman as the City Attorney.

Sample Motion

Move to approve Daniel Brotzman as the City Attorney.

RESOLUTION 2015-316

WHEREAS, under Neb. Rev. Stat., §16-308, the office of City Attorney, for the City of Grand Island, Nebraska, is an appointed position; and

WHEREAS, under Grand Island City Code, §2-30, the office of City Attorney, for the City of Grand Island, Nebraska, is an appointed position; and

WHEREAS, the Mayor, with the approval of the City Council, may appoint the position of City Attorney; and

WHEREAS, this position appointed by the Mayor and confirmed by the City Council shall hold the position to which they may be appointed until the end of the Mayor's term of office; and

WHEREAS, Daniel Brotzman has accepted the offer and is prepared to start work on January 4, 2016 at Step 15 of the City Attorney salary table of \$124,489.13.

WHEREAS, this position appointed by the Mayor may be removed at any time by the Mayor with approval of a majority of the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Daniel Brotzman is hereby duly appointed the City Attorney for the City of Grand Island, Nebraska, until the end of the Mayor's term of office.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 10, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 6, 2015	☐ City Attorney



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item J-1

Approving Payment of Claims for the Period of October 28, 2015 through November 10, 2015

The Claims for the period of October 28, 2015 through November 10, 2015 for a total amount of \$3,435,710.02. A MOTION is in order.

Staff Contact: William Clingman