
City of Grand Island



Tuesday, November 09, 2010

Council Session Packet

City Council:

Larry Carney
Scott Dugan
John Gericke
Peg Gilbert
Chuck Haase
Robert Meyer
Mitchell Nickerson
Bob Niemann
Kirk Ramsey
Jose Zapata

Mayor:

Margaret Hornady

City Administrator:

Jeff Pederson

City Clerk:

RaNae Edwards

7:00:00 PM
Council Chambers - City Hall
100 East First Street

Call to Order

This is an open meeting of the Grand Island City Council. The City of Grand Island abides by the Open Meetings Act in conducting business. A copy of the Open Meetings Act is displayed in the back of this room as required by state law.

The City Council may vote to go into Closed Session on any agenda item as allowed by state law.

Pledge of Allegiance

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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

MAYOR COMMUNICATION

This is an opportunity for the Mayor to comment on current events, activities, and issues of interest to the community.



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item E1

**Public Hearing on Request from Third City Christian Church for
a Conditional Use Permit for Temporary Parking Extension
Located at 4100 West 13th Street**

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig Lewis, Building Department Director

Meeting: November 9, 2010

Subject: Request of Third City Christian Church for Approval of a Conditional Use Permit for a Temporary Parking Lot at 4100 West 13th Street

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

Presenter(s): Craig Lewis, Building Department Director

Background

This is a request from Third City Christian Church to allow for the approval of a temporary parking lot at 4100 West 13th Street. This request is to facilitate additional parking for the Church during a comprehensive survey and study to identify future growth and space needs. The property is currently zoned R-2, Low Density Residential Zone, that zoning classification allows churches and accessory uses but would require the parking improvements to comply with the code for improved surfaces. Approvals are required as the applicant wishes to provide a 100'x 250' temporary gravel parking lot as an extension to the existing improved lot. The City code does provide for City Council approval of temporary uses, not to exceed two years in undeveloped areas and six months in developed areas.

Discussion

The placement of gravel for a surface as opposed to a permanent hard surface of asphalt or concrete would be allowed by code only as a temporary use approved by the City Council.

The request for two years will allow for the Church to complete a study and survey of the congregation to identify future growth and facilities needs.

Two conditions suggested to be placed upon this request are 1). A landscape buffer included within the required 25' front yard setback along the south boundary adjacent to 13th Street needs to be provided to comply with setback requirements of the City code.

2). the responsibility of controlling any dust created from the lot needs to be addressed by the applicants during any dry months throughout the duration of the use.

Alternatives

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

1. Approve the request for a conditional use permit finding that the proposed application is and will continue to be in conformance with the purpose of the zoning regulations.
2. Disapprove or /Deny the request finding that the proposed application does not conform to the purpose of the zoning regulations.
3. Approve the request with additional or revised conditions and a finding of fact.
4. Refer the matter to a special committee for a determination of a finding of fact.

Recommendation

City Administration recommends that the Council approve the request with the conditions identified finding that the proposed use and application promotes the health, safety, and general welfare of the community, protects property against blight and depreciation, and is generally harmonious with the surrounding neighborhood.

Sample Motion

Move to approve the request for a conditional use permit to allow a temporary parking lot with a gravel surface for a two year period, including staff recommended conditions, finding that the application conforms with the purpose of the zoning regulations.



Non-Refundable Fee: \$200.00

Return by: _____

Council Action on: _____

Conditional Use Permit Application

pc: Building, Legal, Utilities
Planning, Public Works

1. The specific use/construction requested is: Temporary Parking Extension
2. The owner(s) of the described property is/are: Third City Christian Church
3. The legal description of the property is: Lot 1 Grand West Subdivision
4. The address of the property is: 4100 W. 13TH ST
5. The zoning classification of the property is: R2
6. Existing improvements on the property is: Church building, garage and Lot
7. The duration of the proposed use is: 2 years
8. Plans for construction of permanent facility is: Permanent paving once site plan is completed
9. The character of the immediate neighborhood is: Agricultural / Residential
10. There is hereby **attached** a list of the names and addresses of all property owners within 200' of the property upon which the Conditional Use Permit is requested.
11. Explanation of request: We have a limited need for over flow parking during a two hour period on Sunday mornings, as well as need for over flow parking on a couple of days during the year. Though we have a very basic site plan, we will be adding permanent parking as soon as possible.

I/We do hereby certify that the above statements are true and correct and this application is signed as an acknowledgement of that fact.

10/22/2010
Date

Third City Christian Church
Owners(s)

308-384-5038
Phone Number

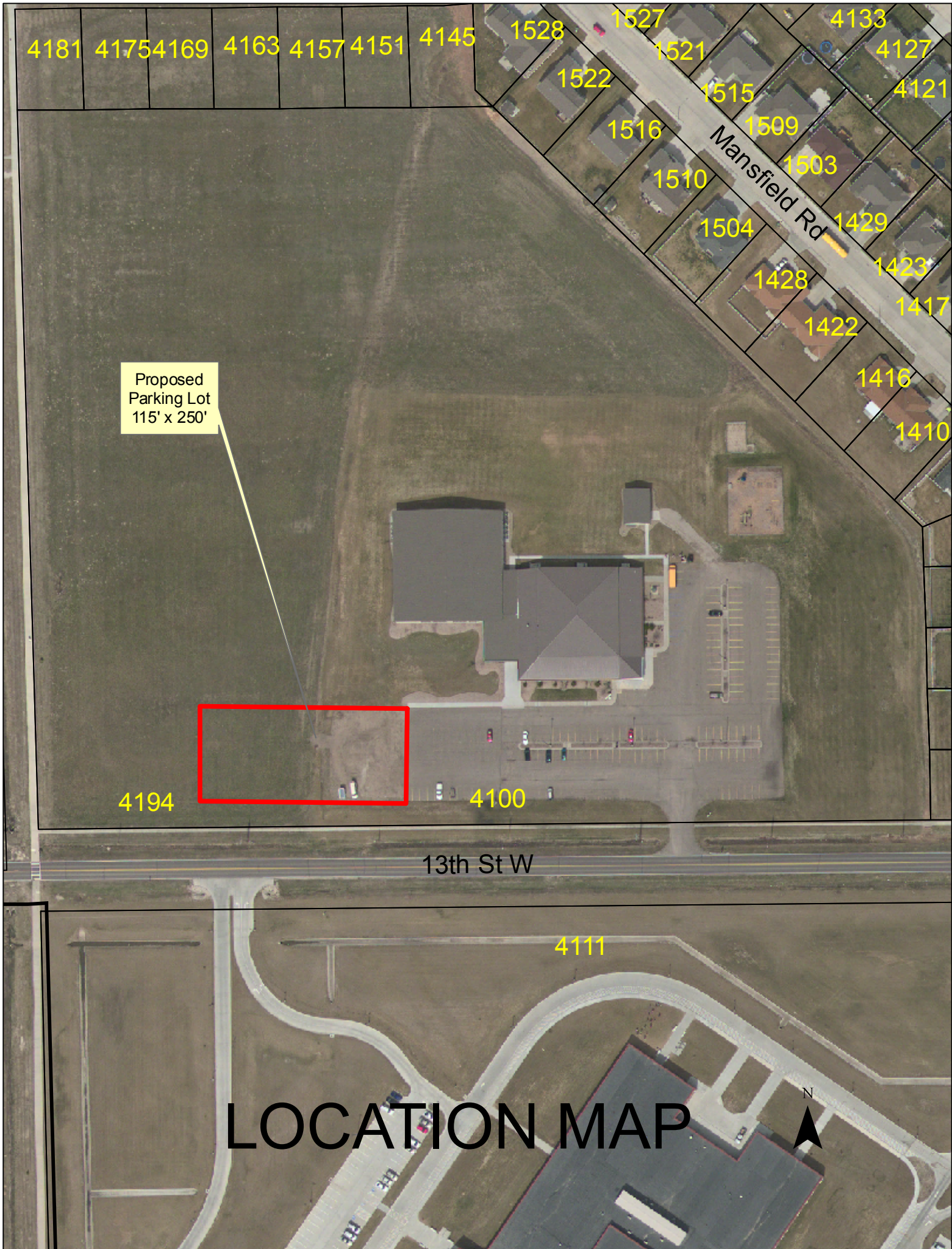
4100 W. 13TH Street
Address

Grand Island
City

NE
State

68503
Zip

Please Note: Delays May Occur if Application is Incomplete or Inaccurate.



Proposed
Parking Lot
115' x 250'

13th St W

Mansfield Rd

LOCATION MAP





City of Grand Island

Tuesday, November 09, 2010

Council Session

Item E2

**Public Hearing Concerning Acquisition of Utility Easement -
Riverside Lodge, 404 Woodland Drive - Jan Thayer**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: November 9, 2010

Subject: Acquisition of Utility Easement – Riverside Lodge
404 Woodland Drive –Janice Thayer

Item #'s: E-2 & G-5

Presenter(s): Gary R. Mader, Utilities Director

Background

Riverside Country Club is making a major expansion to their Clubhouse. The existing 6" water service line that is providing fire protection and potable water for the existing building does not provide sufficient flow capability for fire protection to the new building addition.

The relatively remote location of the country club made access for additional connections to the municipal water system difficult. Access to the north was restricted by the Wood River and private ownership of most properties adjacent to that stream and access to the south, to the public main in Highway 34, would have required a long, expensive run of pipe. Riverside Country Club initiated contact with Riverside Lodge, located just south of the new country club building, to investigate the possibility of obtaining the necessary additional water system connection from that location. However, the Riverside Lodge water system is privately owned and national standards require that fire protection supplies be connected directly to municipal water systems.

Discussion

After discussions with the parties, it is proposed that the Riverside Lodge water system be added to public ownership and control. The lodge water system was required to be designed and built to municipal standards at the time of construction and connection to the municipal water system. The owner of Riverside Lodge, Jan Thayer, is agreeable to turn that system over to the City. With municipal ownership, Riverside Country Club would have access to the public water system for the construction of an additional line to provide fire protection and water service to their new construction.

In order to have legal access for maintenance and operation of the lodge water system, acquisition of easements is necessary. The easements required for municipal ownership of the water lines on the Riverside Lodge property at 404 Woodland Drive are shown on the attached plat.

Alternatives

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

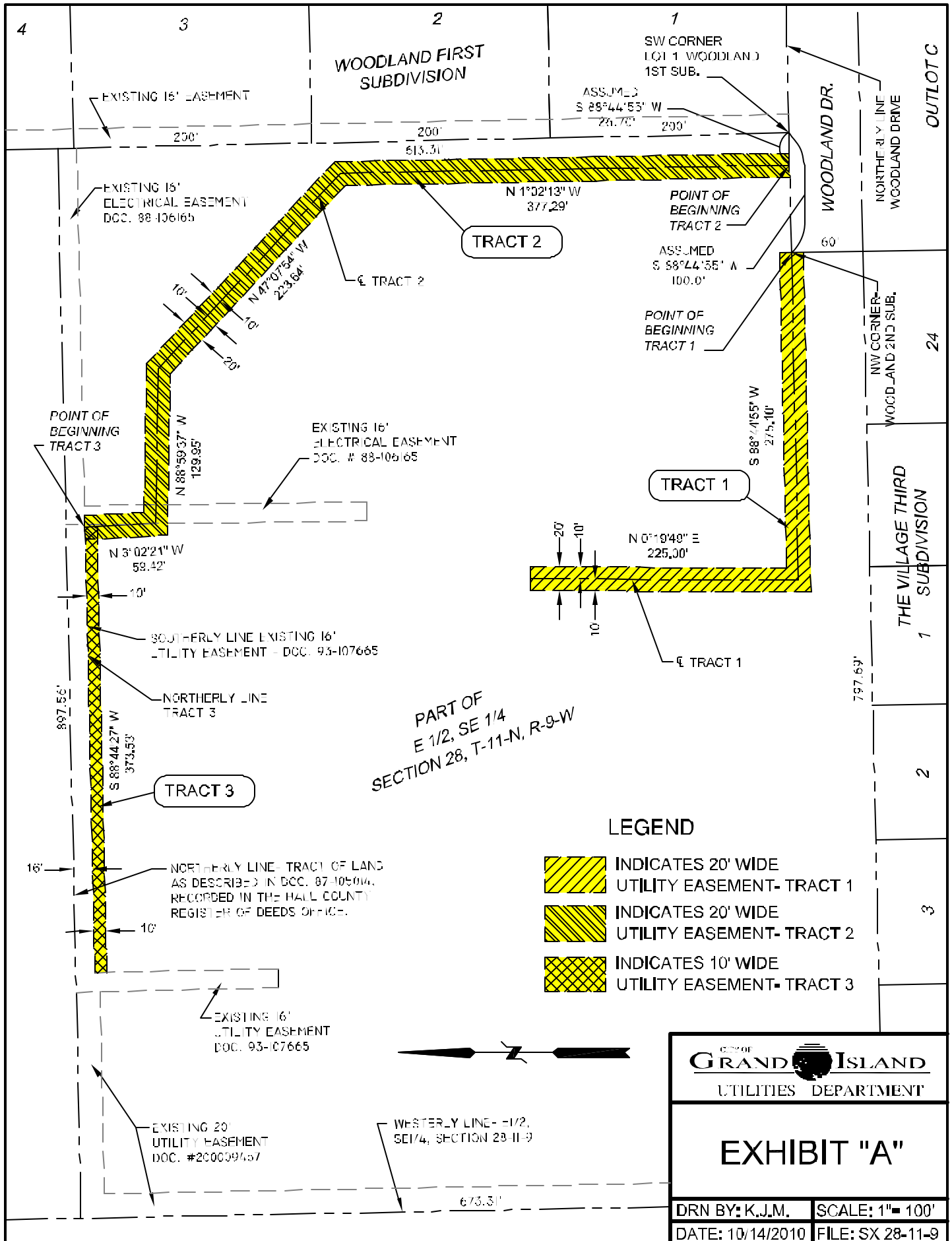
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, November 09, 2010

Council Session

Item E3

**Public Hearing Concerning Acquisition of Utility Easement -
Southwest Corner of Swift Parking Lot at Stuhr and Swift Roads -
Swift Beef Company**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: November 9, 2010

Subject: Acquisition of Utility Easement – Southwest Corner of Swift Parking Lot – Stuhr and Swift Roads – Swift Beef Company

Item #'s: E-3 & G-6

Presenter(s): Gary R. Mader, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Swift Beef Company located at the southwest corner of the Swift parking lot at Stuhr and Swift Roads, in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

JBS Swift is constructing a new parking lot directly north of their plant. The lot will require a new electrical service to provide electrical power to the parking lot lighting. A new pad-mounted transformer along with the associated high voltage cable and conduit will be placed in the requested easement.

Alternatives

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

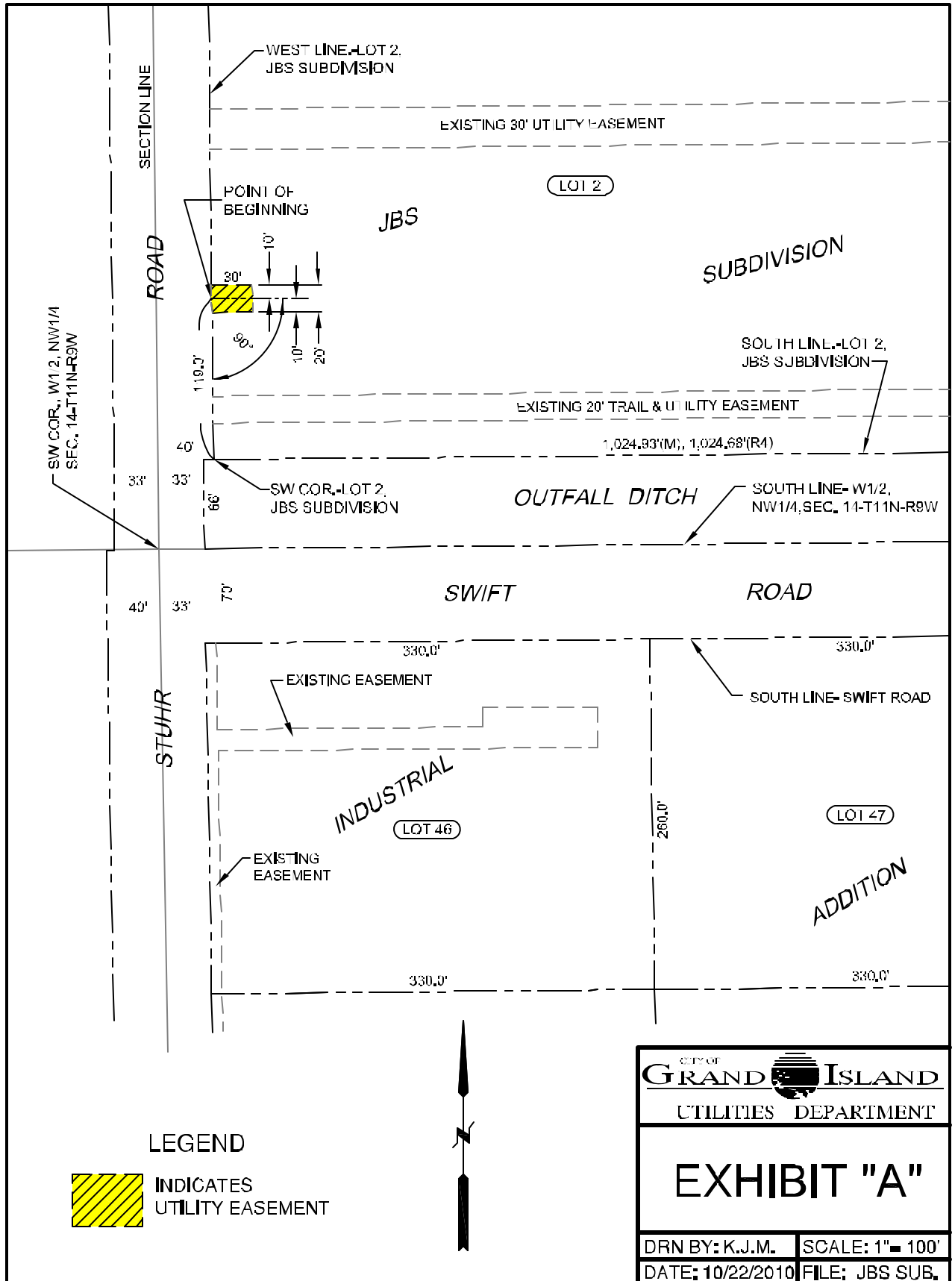
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, November 09, 2010

Council Session

Item E4

Public Hearing Concerning Acquisition of Utility Easement - East Side of Hornady Property, South of the Building and along the South Side of Hornady Property - County of Hall, Nebraska

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: November 9, 2010

Subject: Acquisition of Utility Easement – East Side of Hornady Property, South of the Building – County of Hall

Item #'s: E-4 & G-7

Presenter(s): Gary R. Mader, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Hall County located on the east side of Hornady property, south of the building and along the south side of Hornady property, in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

Hornady Manufacturing is expanding their production facility and will require a new 3,000 amp service. To provide for that service, the Utilities Department needs to acquire an easement on the east and south sides of their property. A new transformer will be placed along with underground primary cable and conduit. The system is designed to provide a loop feed from the northeast property corner south along the east side to the new transformer and continue south, then west to loop into the overhead power line at the southwest corner of the property.

Alternatives

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

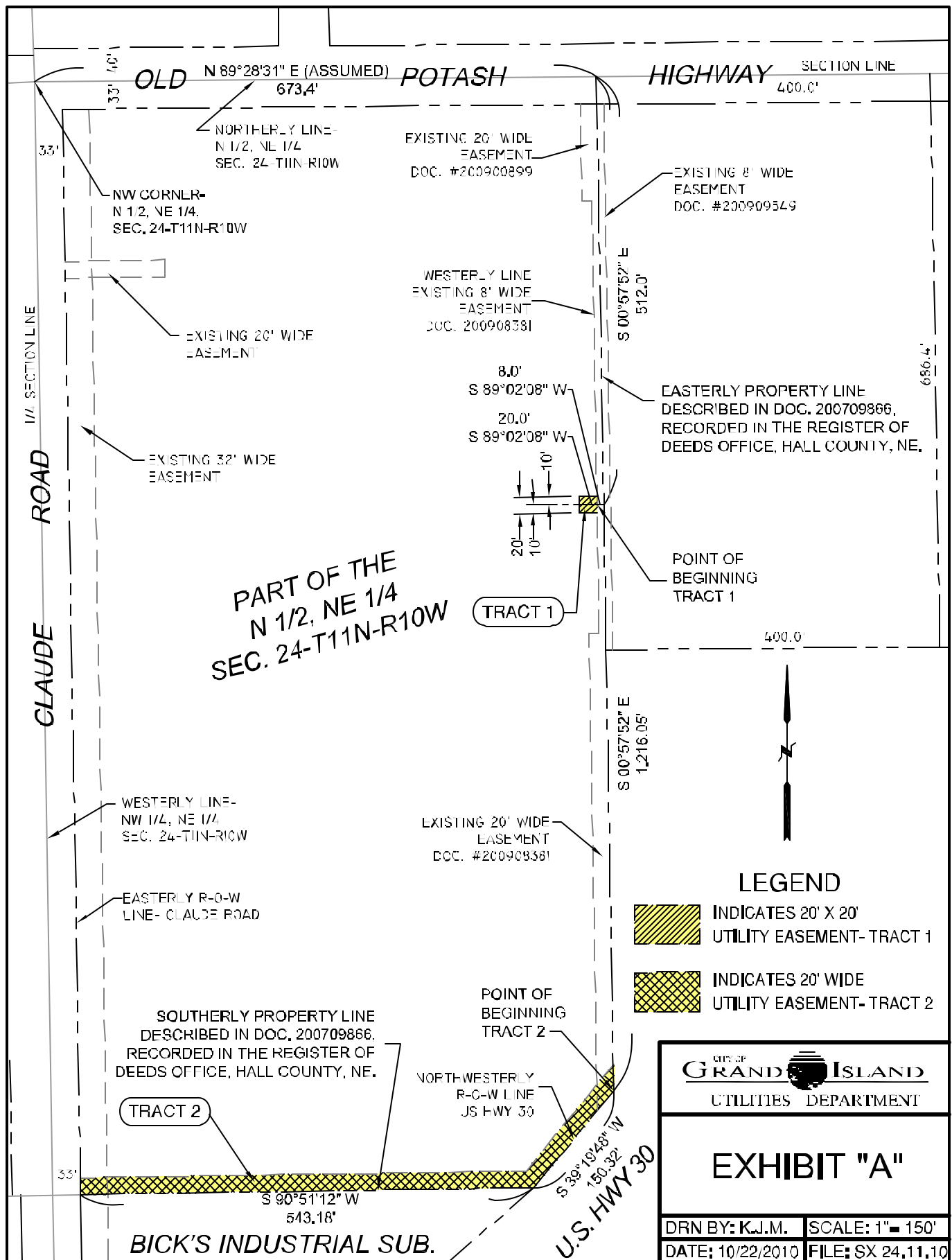
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, November 09, 2010

Council Session

Item G1

Approving Minutes of October 26, 2010 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

October 26 2010

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 26 2010. Notice of the meeting was given in *The Grand Island Independent* on October 20, 2010.

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

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

MAYOR COMMUNICATION: Mayor Hornady introduced Community Youth Council members Alex Wirth and Ashley Bykerk and Board member Darren Sanchez. Mentioned were the following upcoming CYC events: 3rd Annual Create Your Community Art Contest at the Conestoga Mall on November 20 and 21 and Art Wall at the Library during the month of December.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "National Adoption Month" November, 2010. Mayor Hornady proclaimed the month of November 2010 as "National Adoption Month". Marge Creason and Barb Ernst representing the Department of Health and Human Services were present to receive the proclamation.

Recognition of the City of Grand Island for Safety Award. Brenda Sutherland, Human Resources Director stated that Governor Dave Heineman recently presented the City of Grand Island with the GO Safety Award at the annual Great Plains Safety and Wellness Conference in Kearney, Nebraska. The City was recognized for their efforts of its Citywide Safety Committee which resulted in the City's experience rating dropping from 1.15 in 2008/2009 budget year to .94 in the 2009/2010 budget year which have a direct impact on insurance premiums paid by the City. Ms. Sutherland introduced those present representing the City's Safety Committee.

PUBLIC HEARINGS:

Public Hearing on Request from Casey's Retail Company dba Casey's General Store #2903, 3428 West Capital Avenue for a Class "B" Liquor License. RaNae Edwards, City Clerk reported that an application for a Class "B" Liquor License had been received from Casey's Retail Company dba Casey's General Store #2903, 3428 West Capital Avenue. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on October 4, 2010; notice to the general public of date, time, and place of hearing published on October 16 2010; notice to the applicant of date, time, and place of

hearing mailed on October 4, 2010; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing for a 2010 Economic Development – Community Development Block Grant for Infrastructure. Chad Nabity, Regional Planning Director reported that a Community Development Block Grant had been prepared for \$935,000 for infrastructure improvements at the Platte Valley Industrial Park East. This grant would fund City water and sanitary sewer installation to enhance the Industrial Park for further development. Staff recommended approval. Marlan Ferguson, 2808 Apache Road spoke in support. No further public testimony was heard.

Public Hearing for a 2010 Tourism Development – Community Development Block Grant. Chad Nabity, Regional Planning Director reported that a Community Development Block Grant had been prepared for \$110,000 for renovations at the Grand Theatre. The grant would fund Façade and Lobby renovations to enhance tourism at the theatre. The Grand Theatre would contribute matching funds of \$250,000 to the project. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located between Airport Road and Abbott Road, and East of North Road (Leon Stanczyk). Gary Mader, Utilities Director reported that acquisition of a utility easement located between Airport and Abbott Roads and between North and Webb Roads was needed in order for construction a 115 kV transmission interconnection to the north of the City. The negotiated price of the easement was \$3,230.00. Staff recommended approval. No public testimony was heard.

ORDINANCES:

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

#9277 – Consideration of Amendments to Chapter 40 of the Grand Island City Code Relative to Storm Water Management

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

Steve Riehle, Public Works Director reported that the Nebraska Department of Environmental Quality (NDEQ) required the City to adopt a Storm Water Management Plan (SWMP). These changes would amend the current section of the Grand Island City Code Chapter 40. Terry Brown and Scott Sekutera presented a PowerPoint explaining the Storm Water Regulations.

Discussion was held regarding cost to developers and who would monitor these projects. Steve Riehle mentioned the DEQ permits required on larger projects. Also mentioned was this Ordinance does not affect the 2 mile zoning jurisdiction.

Motion by Gilbert, second by Meyer to approve Ordinance #9277.

City Clerk: Ordinance #9277 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 #9277 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9277 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-5 was removed for further discussion. Motion by Zapata, second by Nickerson to approve the Consent Agenda excluding item G-5. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of October 12, 2010 City Council Regular Meeting.

Approving Re-Appointment of Scott Ericksen to the Regional Planning Commission.

Approving Request from John Foss, 1425 West 112th Street, Kearney, Nebraska for Liquor Manager Designation for Whiskey Creek Wood Fire Grill, 1016 Diers Avenue.

#2010-292 – Approving 2010 Economic Development – Community Development Block Grant Project for Infrastructure.

#2010-294 – Approving Community Oriented Police (COPS) Hiring Grant.

#2010-295 – Approving Change Order Number 1 for Sanitary Sewer Manhole Rehabilitation Project 2010-MH REHAB-1 for the Wastewater Treatment Plant with Midlands Contracting, inc. of Kearney, Nebraska for an Increase of \$9,360.00 and a Revised Contract Amount of \$196,228.25.

#2010-296 – Approving Contract for Snow Removal Operations for the 2010-2011 Winter Season at the Law Enforcement Center and Downtown Parking Lots for the following amounts: Trucks for Hauling Snow - \$40.00 per load; Tractor Loader w/Box Blade - \$120.00 per hour; Skid Steer Loader - \$110.00 per hour and Tractor with Pull Blade - \$200.00 per hour.

#2010-297 – Approving Acquisition of Utility Easement Located between Airport Road and Abbott Road, and East of North Road (Leon Stanczyk).

#2010-298 – Approving Pipeline Crossing Agreement with the Union Pacific Railroad – Cedar Street at the Union Pacific Railroad for Water Main Project 2009-W-1 in an Amount of \$7,100.00.

#2010-299 – Approving Certificate of Final Completion for Installation of Artificial Turf at the Fieldhouse with All Sports Enterprises, inc. from Exton, Pennsylvania.

#2010-300 – Approving Grant Agreement with Baseball Tomorrow for Baseball Equipment at the Fieldhouse.

#2010-301 – Approving Contract for Long Term Disability Insurance with CIGNA Group Insurance from December 1, 2010 through November 30, 2013.

#2010-302 – Approving Amendment to Library Personnel FTE Budget Allocation.

#2010-303 – Approving Certificate of Final Completion with Galvan Construction, Inc. of Grand Island, Nebraska and Scheduling the Board of Equalization for Sidewalk District No. 1, 2007 for November 23, 2010.

#2010-304 – Approving Certificate of Final Complete for Sod at the Veterans Athletic Field Complex with Tilley Sprinkler Systems of Grand Island, Nebraska.

#2010-293 – Approving 2010 Tourism Development – Community Development Block Grant Project for the Grand Theatre. Chad Nabity, Regional Planning Director reported this grant would be used for renovations at the Grand Theatre. The grant was for \$110,000 and the total project was \$850,000.

Motion by Haase, second by Dugan to approve Resolution #2010-293. Upon roll call vote, all voted aye. Motion adopted.

REQUEST S AND REFERRALS:

Consideration of Approving Request from Brett Klanecky, 310 Cody Road, St. Libory, Nebraska for Liquor Manager Designation for Pizza Hut, 1608 South Locust Street. City Clerk RaNae Edwards reported that an application had been received from Brett Klanecky, 310 Cody Road, St. Libory, Nebraska for Liquor Manager Designation for Pizza Hut, 1608 South Locust Street. The Police Department recommendation was denial based on recent alcohol related convictions, failing to disclose other convictions and barely being of the legal drinking age.

Andy Baack, attorney for the applicant spoke in support of approving the request. Brett Klanecky spoke of bad decisions during college. He mentioned he had completed a state approved alcohol server/seller training program. Police Chief Steve Lamken stated the decision rested with the Council.

Motion by Meyer, second by Gericke to deny the request from Brett Klanecky, 310 Cody Road, St. Libory, Nebraska for Liquor Manager designation for Pizza Hut, 1608 South Locust Street based on the Police Department recommendations of recent alcohol related convictions, failing to disclose other convictions and barely being of the legal drinking age. Upon roll call vote, Councilmember's Meyer and Niemann voted aye. Councilmember's Gilbert, Haase, Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke voted no. Motion failed.

Motion by Gilbert, second by Gericke to approve the request from Brett Klanecky, 310 Code Road, St. Libory, Nebraska for Liquor Manager designation for Pizza Hut, 1608 South Locust Street. Upon roll call vote, Councilmember's Gilbert, Haase, Carney, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember's Meyer, Niemann, and Dugan voted no. Motion adopted.

RESOLUTIONS:

#2010-305 – Approving Request from Casey’s Retail Company dba Casey’s General Store #2903, 3428 West Capital Avenue for a Class “B” Liquor License and Liquor Manager designation for Tina Krings, 1009 Milan Drive #7, Norfolk, Nebraska. This item related to the aforementioned Public Hearing.

Motion by Ramsey, second by Zapata to approve Resolution #2010-305 contingent upon final inspections and Ms. Krings completing a state approved alcohol server/seller program. Upon roll call vote, all voted aye. Motion adopted.

#2010-306 – Approving Resolution in Support of Amendment No. 1. Mayor Hornady reported that Amendment No. 1, if approved at the General Election on November 2, 2010, would allow the Legislature to grant municipalities more flexibility in funding sources for LB 840 plans to fund local economic or industrial projects and programs.

Discussion was held regarding the Legislature needing to change the state statutes. Cash reserves were mentioned. City Attorney Dale Shotkoski commented on the sources of funding. Utilities funds for LB 840 projects were discussed. Utilities Director Gary Mader stated using funds from the Utilities Department would be an additional expense to the department and may require a rate increase.

City Administrator Jeff Pederson stated current LB 840 funds were paid from the General Fund, if approved this would broaden the funding sources. Marlan Ferguson, EDC President explained the current LB 840 plan was voted by the people of Grand Island and approved by the City Council. The dollar amount in the plan couldn’t be changed unless by a vote of the people.

Motion by Nickerson, second by Zapata to approve Resolution #2010-306. Upon roll call vote, Councilmember’s Niemann, Gilbert, Dugan, Ramsey, Zapata, and Nickerson voted aye. Councilmember’s Haase, Carney, and Gericke voted no. Councilmember Meyer abstained. Motion adopted.

#2010-307 – Approving Interlocal Agreement with Nebraska First Class Cities for L200 Federal Transportation Funding. Steve Riehle, Public Works Director reported that the Nebraska Department of Roads (NDOR) had allocated approximately \$900,000 of annual federal transportation funds (L200 funding category) to the City of Grand Island. The Federal Highway Administration (FHWA) had advised the NDOR that federal transportation funds had to be obligated to a project before the federal fiscal year ended on September 30th of each year. Approving the Interlocal Agreement with other Nebraska first class Cities would allow for unused funds to be allocated for subsequent years.

Discussion was held regarding the Interlocal Agreement and how it would affect other First Class Cities. Competition between cities and projects was mentioned. City Attorney Dale Shotkoski commented on the duration and termination in the agreement.

Motion by Gilbert, second by Ramsey to approve Resolution #2010-307. Upon roll call vote, all voted aye. Motion adopted.

#2010-284 – Approving Acquisition of a Portion of South Locust Street between the Grand Island City Limits and the Northernmost Terminus of the Exit Ramps to the Interstate 80 Interchange (County of Hall, Nebraska). Steve Riehle, Public Works Director reported that this item was postponed from the October 12, 2010 City Council meeting for further information. Mr. Riehle explained the 1992 Interlocal Agreement between the City of Grand Island, Hall County, the Nebraska Department of Roads and the Federal Highway Administration obligations for the new Locust Street I-80 Interchange and 4-lane roadway. Staff recommended approval and if denied could jeopardize future projects and federal transportation funds.

Discussion was held regarding City spending funds to develop a road in the County.

Motion by Dugan, second by Carney to approve Resolution #2010-284. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Nickerson to approve the Claims for the period of October 13, 2010 through October 26, 2010, for a total amount of \$4,225,959.80. Unanimously approved.

Motion by Dugan, second by Nickerson to approve the Claims for the Period of October 13, 2010 through October 26, 2010 for the Veterans Athletic Field Complex for a total amount of \$13,404.77. Unanimously approved.

Motion by Dugan, second by Nickerson to approve the Claims for the Period of September 29, 2010 through October 26, 2010 for the State Fair Recreation Building for a total amount of \$212,080.00. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:50 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item G2

#2010-308 - Approving Special City Council Meeting for December 28, 2010

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: November 9, 2010

Subject: Approving Addition of City Council Meeting on December 28, 2010

Item #'s: G-2

Presenter(s): RaNae Edwards, City Clerk

Background

On October 13, 2009 the City Council approved Resolution #2009-241 setting the City Council Regular Meeting schedule for 2010. Any changes to this schedule need to be approved by the City Council.

Discussion

The City Council meetings scheduled for December 2010 are scheduled to be held on the 7th and 21st. The first City Council meeting scheduled for 2011 is January 11th. This is three weeks between meetings where no claims can be paid. City Staff recommends the City Council meet in regular session on Tuesday, December 28, 2010 at 5:30 p.m. for the purpose of paying claims.

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 Regular City Council meeting on Tuesday, December 28, 2010 at 5:30 p.m.

Sample Motion

Move to approve the addition of December 28, 2010 City Council Regular meeting beginning at 5:30 p.m.

RESOLUTION 2010-308

WHEREAS, on October 13, 2009, by Resolution 2009-241, the City Council approved the meeting dates for city council meetings for calendar year 2010; and

WHEREAS, due to length of time from the last meeting scheduled in December 2010 and the first meeting scheduled in 2011, it is necessary to schedule a regular city council meeting on December 28, 2010 at 5:30 p.m.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that an additional regular City Council meeting be scheduled for Tuesday, December 28, 2010 at 5:30 p.m.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 9, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 4, 2010	☐ City Attorney



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item G3

**#2010-309 - Approving Final Plat and Subdivision Agreement for
ASMC Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: November 9, 2010

Subject: ASMC Subdivision – Final Plat

Item #'s: G-3

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

Background

This property is located north of Abbott Rd., and west of Engleman Rd., this final plat proposes to create 1 lot on a tract of land comprising a part of the Southeast Quarter (SE1/4), of Section Twenty Seven (27), Township Twelve (12) North, Range Ten (10) West of the 6th P.M. in the 2 mile jurisdiction of Grand Island in Hall County, Nebraska, said tract containing 5.194 acres.

Discussion

The revised final plat for ASMC Subdivision was considered on Consent Agenda by the Regional Planning Commission at the November 3, 2010 meeting. A motion was made by Eriksen and seconded by Reynolds to approve the plat as presented. A roll call vote was taken and the motion passed with 7 members present (O'Neill, Ruge, Reynolds, Eriksen, Bredthauer, Connelly, Snodgrass) voting in favor no member present abstaining.

Alternatives

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

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

Recommendation

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

Sample Motion

Move to approve as recommended.



ASMC Final Plat Summary

Developer/Owner

Audrey Rauert
4450 North Engleman Rd
Grand Island NE 68803

To create 1 lot along Engleman Rd., and north of Abbott Rd., within the 2 mile jurisdiction of the City of Grand Island, in Hall County, Nebraska.

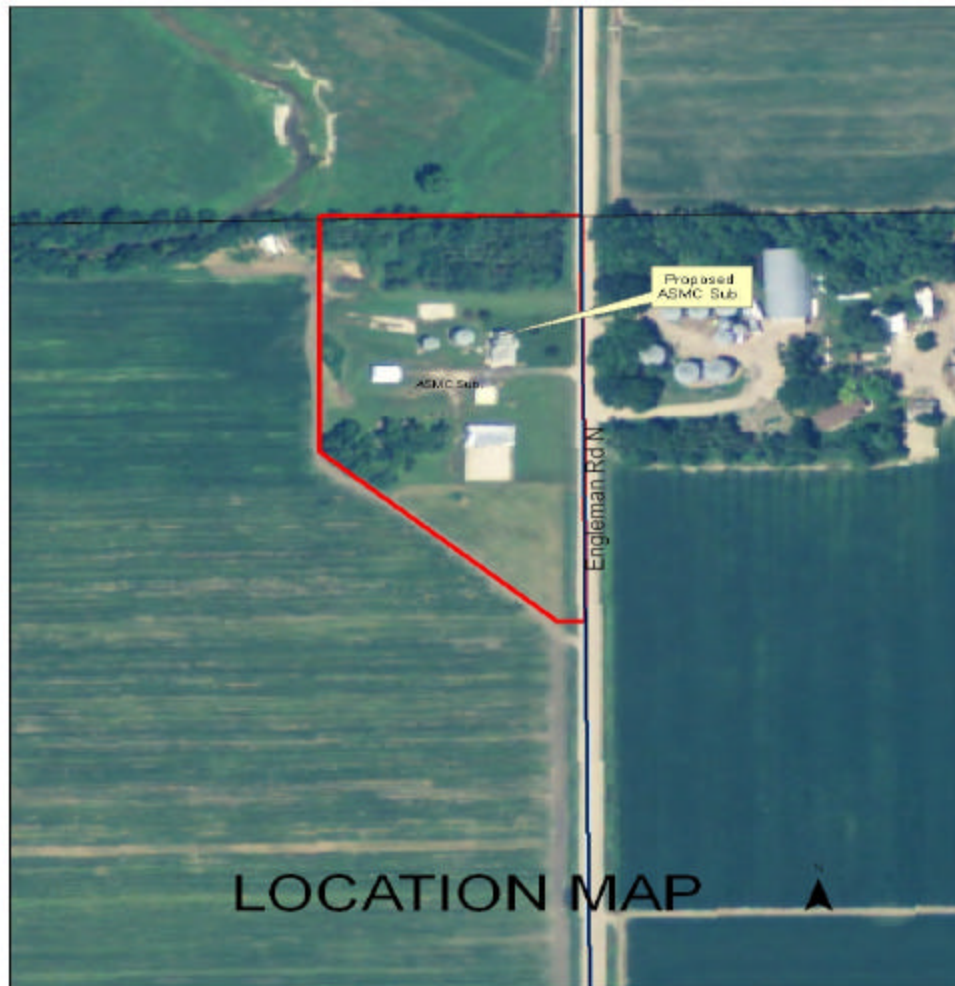
Size: 5.194 acres

Zoning: AG-2 Secondary Agricultural Zone

Road Access: County Roads

Water Public: City water is not available

Sewer Public: City sewer is not available



RESOLUTION 2010-309

WHEREAS, Audrey Rauert, an unmarried widow, being the Owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "ASMC SUBDIVISION", to be laid out into 1 lot, a tract of land comprising a part of the Southeast Quarter (SE1/4) of Section Twenty Seven (27), Township Twelve (12) North, Range Ten (10) West of the 6th P.M., in the 2 mile jurisdiction of the City of Grand Island, Hall County Nebraska, under the name of ASMC SUBDIVISION, 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 ASMC 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 9, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 4, 2010	☐ City Attorney



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item G4

**#2010-310 - Approving Final Plat and Subdivision Agreement for
Panowicz Subdivision**

Staff Contact: Chad Nabitv

Council Agenda Memo

From: Regional Planning Commission

Meeting: November 9, 2010

Subject: Panowicz Subdivision – Final Plat

Item #'s: G-4

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

Background

This property is located north of Capital Ave. and west of Webb Rd., this final plat proposes to create 2 lots on a tract of land Part of the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) of Section One (1), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in the city of Grand Island in Hall County, Nebraska, said tract containing .9997 acres.

Discussion

The revised final plat for Panowicz Subdivision was considered on Consent Agenda by the Regional Planning Commission at the November 3, 2010 meeting. A motion was made by Eriksen and seconded by Reynolds to approve the plat as presented. A roll call vote was taken and the motion passed with 7 members present (O'Neill, Ruge, Eriksen, Reynolds, Bredthauer, Connelly, Snodgrass) voting in favor no member present abstaining.

Alternatives

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

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

Recommendation

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

Sample Motion

Move to approve as recommended.



Panowicz Final Plat Summary

Developer/Owner

John A. and Sarita A. Panowicz

2728 N Webb Rd.

Grand Island NE 68803

To create 2 lots along Webb Rd. and north of Capital Ave. in the City of Grand Island, in Hall County, Nebraska.

Size: .9997 acres

Zoning: R1 – Suburban Residential Zone

Road Access: City Roads

Water Public: City water is available

Sewer Public: City sewer is available



RESOLUTION 2010-310

WHEREAS, John A. and Sarita A. Panowicz, husband and wife, being the owners of the land described hereon, have caused same to be surveyed, subdivided, platted and designated as "PANOWICZ SUBDIVISION", to be laid out into 2 lots, Part of the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) of Section One (1), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., in the City of Grand Island, Hall County Nebraska, under the name of PANOWICZ SUBDIVISION, 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 PANOWICZ 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 9, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 4, 2010	☐ City Attorney



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item G5

**#2010-311 - Approving Acquisition of Utility Easement - Riverside
Lodge, 404 Woodland Drive - Jan Thayer**

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

Staff Contact: Gary R. Mader

RESOLUTION 2010-311

WHEREAS, a public utility easement is required by the City of Grand Island, from Janice M. Thayer, to survey, construct, inspect, maintain, repair, replace, relocate, extend, remove, and operate thereon, public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on November 9, 2010, for the purpose of discussing the proposed acquisition of an easement located in the City of Grand, Hall County, Nebraska; and more particularly described as follows:

TRACT 1

The centerline of a twenty (20.0) foot wide utility easement and right-of-way tract being more particularly described as follows:

Commencing at the southwest corner of Lot One (1), Woodland First Subdivision; thence westerly along the northerly right-of-way line of Woodland Drive on an assumed bearing of S88°44'55"W, a distance of one hundred (100.0) feet to the northwest corner of Woodland Second Subdivision, being the ACTUAL Point of Beginning of Tract 1; thence continuing S88°44'55"W along the westerly extension of the northerly right-of-way line of said Woodland Drive, a distance of two hundred seventy five and ten hundredths (275.10) feet; thence N0°19'49"E, a distance of two hundred twenty five (225.0) feet.

TRACT 2

The centerline of a twenty (20.0) foot wide utility easement and right-of-way tract being more particularly described as follows:

Commencing at the southwest corner of Lot One (1), Woodland First Subdivision; thence westerly along the northerly right-of-way line of Woodland Drive on an assumed bearing of S88°44'55"W, a distance of twenty six and seventy hundredths (26.70) feet to the ACTUAL Point of Beginning of Tract 2; thence N01°02'13"W, a distance of three hundred seventy seven and twenty nine hundredths (377.29) feet; thence N47°07'54"W, a distance of two hundred twenty three and sixty four hundredths (223.64) feet; thence N88°59'37"W, a distance of one hundred twenty nine and ninety five hundredths (129.95) feet; thence N03°02'21"W, a distance of fifty nine and forty two hundredths (59.42) feet to a point sixteen (16.0) feet south of the northerly line of the tract of land described in Document 87-105014 recorded in the Hall County Register of Deeds Office.

TRACT 3

The northerly line of a ten (10.0) foot wide utility easement and right-of-way tract being more particularly described as follows:

Commencing at the southwest corner of Lot One (1), Woodland First Subdivision; thence westerly along the northerly right-of-way line of Woodland Drive on an assumed bearing of

S88°44'55"W, a distance of twenty six and seventy hundredths (26.70) feet; thence N01°02'13"W, a distance of three hundred seventy seven and twenty nine hundredths (377.29) feet; thence N47°07'54"W, a distance of two hundred twenty three and sixty four hundredths (223.64) feet; thence N88°59'37"W, a distance of one hundred twenty nine and ninety five hundredths (129.95) feet; thence N03°02'21"W, a distance of fifty nine and forty two hundredths (59.42) feet to a point sixteen (16.0) feet south of the northerly line of the tract of land described in Document 87-105014 recorded in the Hall County Register of Deeds Office, being the ACTUAL Point of Beginning of Tract 3; thence S88°44'27"W parallel with the northerly line of the tract of land described in Document 87-105014, and being contiguous with the southerly line of a sixteen (16.0) foot wide easement described in Document 93-107665 recorded in the Hall County Register of Deeds Office, a distance of three hundred seventy three and fifty three hundredths (373.53) feet.

The above-described easement and right-of-way containing a combined total of 0.68 acres, more or less, as shown on the plat dated 10/14/2010, marked Exhibit "A", attached hereto and incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Janice M. Thayer on the above-described tract of land.

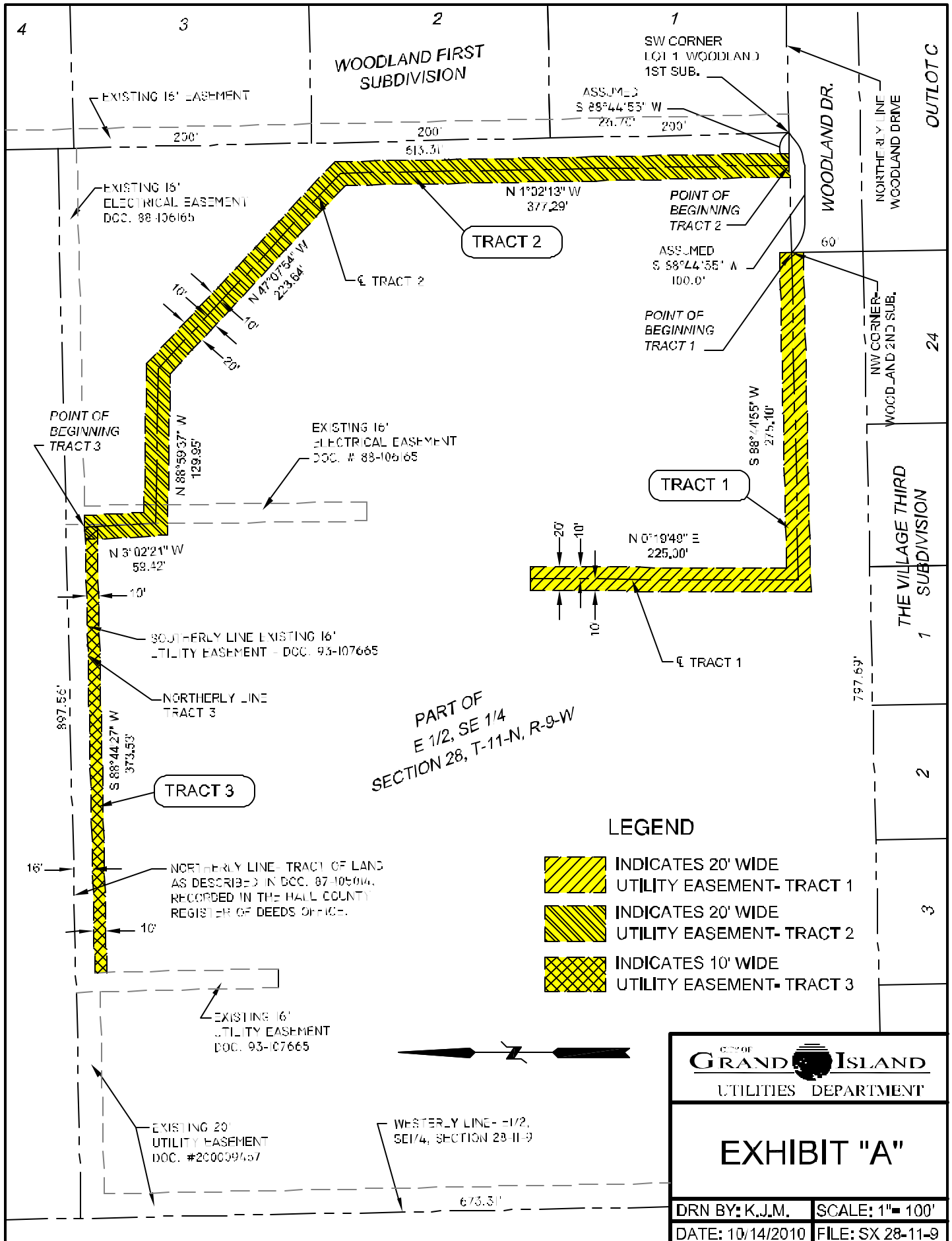
- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 9, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk





City of Grand Island

Tuesday, November 09, 2010

Council Session

Item G6

#2010-312 - Approving Acquisition of Utility Easement - Southwest Corner of Swift Parking Lot at Stuhr and Swift Roads - Swift Beef Company

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

Staff Contact: Gary R. Mader

RESOLUTION 2010-312

WHEREAS, a public utility easement is required by the City of Grand Island, from Swift Beef Company, to survey, construct, inspect, maintain, repair, replace, relocate, extend, remove, and operate thereon, public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on November 9, 2010, for the purpose of discussing the proposed acquisition of an easement located in the City of Grand, Hall County, Nebraska; and more particularly described as follows:

The centerline of a twenty (20.0) foot wide utility easement and right-of-way being more particularly described as follows:

Commencing at the southwest corner of Lot Two (2), JBS Subdivision; thence northerly along the westerly line of said Lot Two (2), a distance of one hundred nineteen (119.0) feet to the ACTUAL Point of Beginning; thence easterly perpendicular to the westerly line of said Lot Two (2), a distance of thirty (30.0) feet.

The above-described easement and right-of-way containing a total of 600 square feet, more or less, as shown on the plat dated 10/22/2010, marked Exhibit "A" attached hereto and incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Swift Beef Company, on the above-described tract of land.

- - -

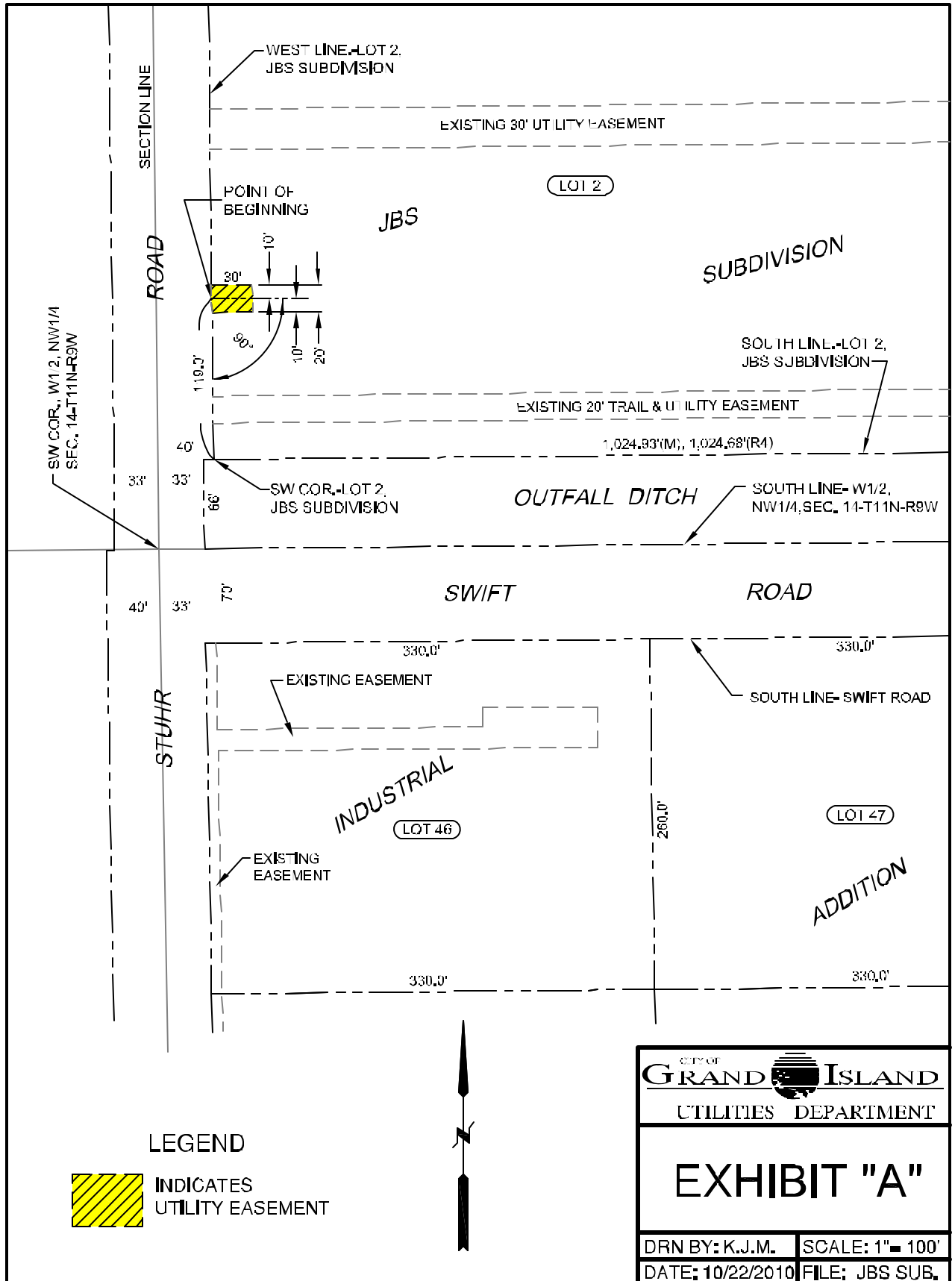
Adopted by the City Council of the City of Grand Island, Nebraska, November 9, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 4, 2010	☐ City Attorney





City of Grand Island

Tuesday, November 09, 2010

Council Session

Item G7

#2010-313 - Approving Acquisition of Utility Easement - East Side of Hornady Property, South of the Building and along the South Side of Hornady Property - County of Hall, Nebraska

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

Staff Contact: Gary R. Mader

RESOLUTION 2010-313

WHEREAS, a public utility easement is required by the City of Grand Island, from The County of Hall, Nebraska, to survey, construct, inspect, maintain, repair, replace, relocate, extend, remove, and operate thereon, public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on November 9, 2010, for the purpose of discussing the proposed acquisition of an easement located in the City of Grand, Hall County, Nebraska; and more particularly described as follows:

TRACT 1

The centerline of a twenty (20.0) foot wide utility easement and right-of-way tract being more particularly described as follows:

Commencing at the northwest corner of the North Half of the Northeast Quarter (N1/2, NE1/4) of Section Twenty Four (24), Township Eleven (11) North, Range Ten (10) West, located in Hall County, Nebraska; thence easterly along the northerly line of the said North Half of the Northeast Quarter (N1/2, NE1/4) of said Section Twenty Four (24), on an assumed bearing of N89°28'31"E, a distance of six hundred seventy three and four tenths (673.4) feet; thence S0°57'52"E along the easterly line of a tract of land described in Document 200709866, recorded in the Register of Deeds Office, Hall County, Nebraska, a distance of five hundred twelve (512.0) feet; thence S89°02'08"W, a distance of eight (8.0) feet to the westerly line of an existing eight (8.0) foot wide easement described in Document 200908381, recorded in the Register of Deeds Office, Hall County, Nebraska, being the ACTUAL Point of Beginning of Tract 1; thence continuing S89°02'08"W, a distance of twenty (20.0) feet.

TRACT 2

The southeasterly and southerly line of a twenty (20.0) foot wide utility easement and right-of-way tract being more particularly described as follows:

Commencing at the northwest corner of the North Half of the Northeast Quarter (N1/2, NE1/4) of Section Twenty Four (24), Township Eleven (11) North, Range Ten (10) West, located in Hall County, Nebraska; thence easterly along the northerly line of the said North Half of the Northeast Quarter (N1/2, NE1/4) of said Section Twenty Four (24), on an assumed bearing of N89°28'31"E, a distance of six hundred seventy three and four tenths (673.4) feet; thence S0°57'52"E along the easterly line of a tract of land described in Document 200709866, recorded in the Register of Deeds Office, Hall County, Nebraska, a distance of one thousand two hundred sixteen and five hundredths (1,216.05) feet to the ACTUAL Point of Beginning of Tract 2; thence S39°19'48"W along a northwesterly right-of-way line of U.S. Highway 30, a distance of one hundred fifty and thirty two hundredths (150.32) feet; thence S90°51'12"W along the southerly

line of a said tract of land described in Document 200709866, recorded in the Register of Deeds Office, Hall County, Nebraska, a distance of five hundred forty three and eighteen hundredths (543.18) feet to a point on the easterly right-of-way line of Claude Road.

The above-described easement and right-of-way containing a combined total of 0.33 acres, more or less, as shown on the plat dated 10/22/2010, marked Exhibit "A", attached hereto and incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from the County of Hall, Nebraska, on the above-described tract of land.

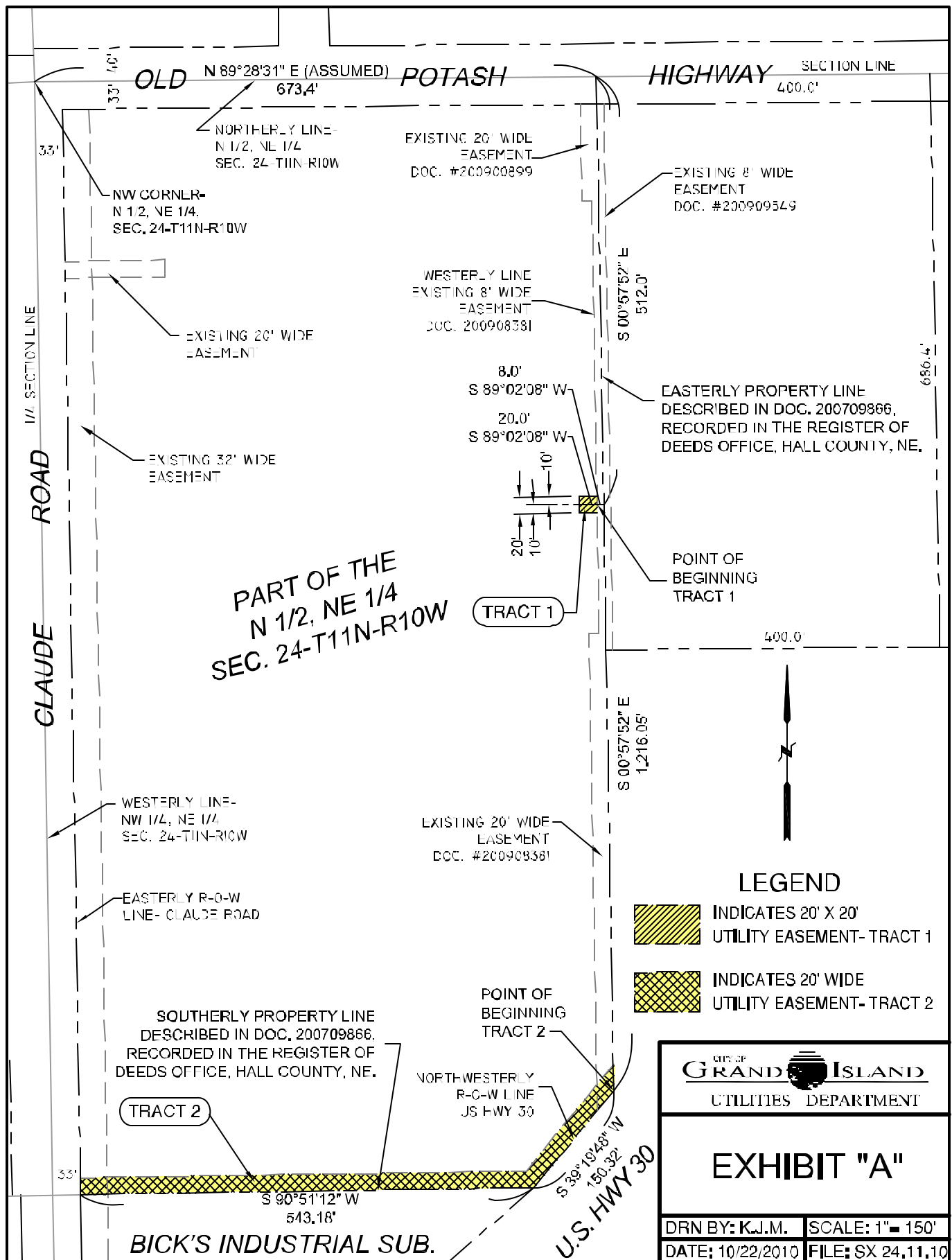
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Adopted by the City Council of the City of Grand Island, Nebraska, November 9, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk





City of Grand Island

Tuesday, November 09, 2010

Council Session

Item G8

#2010-314 - Approving Tree Trimming Contracts for 2011-TT-1

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Gary R. Mader, Utilities Director
Jason Eley, Assistant City Attorney/Purchasing

Meeting: November 9, 2010

Subject: Tree Trimming Contract 2011-TT-1

Item #'s: G-8

Presenter(s): Gary R. Mader, Utilities Director

Background

The Utilities Department has over 600 miles of distribution and transmission electrical lines. Maintaining the proper clearances between the power lines and trees is necessary for the continued safe operation and maintenance of the system. In order to provide these required clearances, the Utilities Department contracts with private firms to help with the tree trimming.

Specifications for Contract 2011-TT-1 were prepared for soliciting bids for tree trimming services throughout the electrical service area. Attached is a drawing showing the areas to be trimmed by outside contractors during 2011.

Discussion

The contract documents provide for trees to be trimmed in 29 areas across the service area. The project was advertised and specifications were sent to twelve potential bidders. The bids were publicly opened at 2:00 p.m. on October 28, 2010, in accordance with City Procurement Codes. Bids were received from three companies and have been reviewed and evaluated.

The project specifications provide that the City may select any or all sections to be awarded in this contract, or the City may award all sections to a single contractor, or award individual sections to multiple contractors, whichever method provides the lowest overall cost. The bids received are tabulated below.

Section	Leetch Tree Service	Asplundh Tree Ex.	Sheffield Tree Ser.	Evaluated Low Bid
	Grand Island, NE	Fairfax, IA	Grand Island, NE	By Section
1	\$7,100.00	\$4,085.00	\$5,200.00	\$4,085.00
2	\$4,350.00	\$3,714.00	-	\$3,714.00
3	\$4,450.00	\$3,714.00	\$3,400.00	\$3,400.00
4	\$8,495.00	\$5,571.00	\$2,800.00	\$2,800.00
5	\$3,750.00	\$3,714.00	-	\$3,714.00
6	\$8,450.00	\$12,998.00		\$8,450.00
7	\$3,125.00	\$3,714.00	\$3,000.00	\$3,000.00
8	\$14,430.00	\$11,141.00	-	\$11,141.00
9	\$16,450.00	\$14,855.00	-	\$14,855.00
10	\$6,625.00	\$7,428.00	\$2,800.00	\$2,800.00
11	\$6,850.00	\$11,141.00	\$3,550.00	\$3,550.00
12	\$7,675.00	\$5,571.00	\$3,650.00	\$3,650.00
13	\$6,425.00	\$9,284.00	\$4,100.00	\$4,100.00
14	\$8,500.00	\$14,855.00	\$7,500.00	\$7,500.00
15	\$7,210.00	\$11,141.00	\$5,700.00	\$5,700.00
16	\$4,150.00	\$3,714.00	\$2,000.00	\$2,000.00
17	\$2,630.00	\$3,714.00	\$1,800.00	\$1,800.00
18	\$6,950.00	\$7,428.00	\$4,500.00	\$4,500.00
19	\$4,150.00	\$3,714.00	-	\$3,714.00
20	\$5,475.00	\$3,714.00	\$1,250.00	\$1,250.00
21	\$5,500.00	\$5,571.00	\$4,000.00	\$4,000.00
22	\$14,450.00	\$14,855.00	-	\$14,450.00
23	\$8,150.00	\$10,399.00	\$6,500.00	\$6,500.00
24	\$4,950.00	\$12,998.00	-	\$4,950.00
25	\$5,300.00	\$7,428.00	\$2,850.00	\$2,850.00
26	\$4,650.00	\$7,799.00	\$5,500.00	\$4,650.00
27	\$5,725.00	\$5,942.00	\$1,800.00	\$1,800.00
28	\$17,250.00	\$10,399.00	\$5,800.00	\$5,800.00
29	\$38,975.00	-	\$15,500.00	\$15,500.00
	\$242,190.00	\$220,601.00	\$93,200.00	\$156,223.00
	\$32,500.00	\$41,223.00	\$82,500.00	

There were no exceptions taken by any of the bidders. All bidders are qualified to do the contract work. All bids were evaluated as in compliance with the specifications.

It is recommended that the 29 sections be awarded in the total amount of \$156,223.00. Although this is slightly over the project estimate of \$150,000.00, it represents a

significant benefit to the Utilities Department to have all sections trimmed. If any one section were eliminated from this year's project, it would need to be done the following year, and would undoubtedly be more expensive at that time due to an additional growing season.

Alternatives

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

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

Recommendation

City Administration recommends that the Council award the Tree Trimming Contract to individual contractors by lowest cost for each section as provided in the specifications in the following manner: Leetch Tree Service of Grand Island, Sections 6, 22, 24, and 26 in the amount of \$32,500.00; Asplundh Tree Experts of Fairfax, Iowa, Sections 1, 2, 5, 8, 9, and 19 in the amount of \$41,233.00; and Sheffield Tree Service of Grand Island, Sections 3, 4, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 23, 25, 27, 28, and 29 in the amount of \$82,500.00, at a total cost for tree trimming contract work of \$156,223.00.

Sample Motion

Move to approve Tree Trimming Contract 2011-TT-1 to Leetch Tree Service, Asplundh Tree Expert Company, and Sheffield Tree Service based upon the lowest bid for each individual section.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Jason Eley, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: October 28, 2010 at 2:00 p.m.

FOR: Tree Trimming Contract 2011-TT-1

DEPARTMENT: Utilities

ESTIMATE: \$150,000.00

FUND/ACCOUNT: 520

PUBLICATION DATE: September 24, 2010

NO. POTENTIAL BIDDERS: 8

SUMMARY

Bidder:	<u>Asplundh Tree Expert Company</u>	<u>Sheffield Tree Service</u>
	Fairfax, IA	Grand Island, NE
Bid Security:	Travelers Casualty & Surety	Western Surety Co.
Exceptions:	None	None
Bid Price:		
Section 1:	\$ 4,085.00	\$ 5,200.00
Section 2:	\$ 3,714.00	--
Section 3:	\$ 3,714.00	\$ 3,400.00
Section 4:	\$ 5,571.00	\$ 2,800.00
Section 5:	\$ 3,714.00	--
Section 6:	\$12,998.00	--
Section 7:	\$ 3,714.00	\$ 3,000.00
Section 8:	\$11,141.00	--
Section 9:	\$14,855.00	--
Section 10:	\$ 7,428.00	\$ 2,800.00
Section 11:	\$11,141.00	\$ 3,550.00
Section 12:	\$ 5,571.00	\$ 3,650.00
Section 13:	\$ 9,284.00	\$ 4,100.00
Section 14:	\$14,855.00	\$ 7,500.00
Section 15:	\$11,141.00	\$ 5,700.00
Section 16:	\$ 3,714.00	\$ 2,000.00

Section 17:	\$ 3,714.00	\$ 1,800.00
Section 18:	\$ 7,428.00	\$ 4,500.00
Section 19:	\$ 3,714.00	--
Section 20:	\$ 3,714.00	\$ 1,250.00
Section 21:	\$ 5,571.00	\$ 4,000.00
Section 22:	\$14,855.00	--
Section 23:	\$10,399.00	\$ 6,500.00
Section 24:	\$12,998.00	--
Section 25:	\$ 7,428.00	\$ 2,850.00
Section 26:	\$ 7,799.00	\$ 5,500.00
Section 27:	\$ 5,942.00	\$ 1,800.00
Section 28:	\$10,399.00	\$ 5,800.00
Section 29:	-	\$15,500.00
 Total All Sections:	 \$220,601.00	 \$93,200.00

Bidder: Leetch Tree Service
Bid Security: Grand Island, NE
Exceptions: Western Surety Co.
None

Bid Price:	
Section 1:	\$ 7,100.00
Section 2:	\$ 4,350.00
Section 3:	\$ 4,450.00
Section 4:	\$ 8,495.00
Section 5:	\$ 3,750.00
Section 6:	\$ 8,450.00
Section 7:	\$ 3,125.00
Section 8:	\$14,430.00
Section 9:	\$16,450.00
Section 10:	\$ 6,625.00
Section 11:	\$ 6,850.00
Section 12:	\$ 7,675.00
Section 13:	\$ 6,425.00
Section 14:	\$ 8,500.00
Section 15:	\$ 7,210.00
Section 16:	\$ 4,150.00
Section 17:	\$ 2,630.00
Section 18:	\$ 6,950.00
Section 19:	\$ 4,150.00
Section 20:	\$ 5,475.00
Section 21:	\$ 5,500.00
Section 22:	\$14,450.00
Section 23:	\$ 8,150.00
Section 24:	\$ 4,950.00
Section 25:	\$ 5,300.00
Section 26:	\$ 4,650.00

Section 27: \$ 5,725.00

Section 28: \$17,250.00

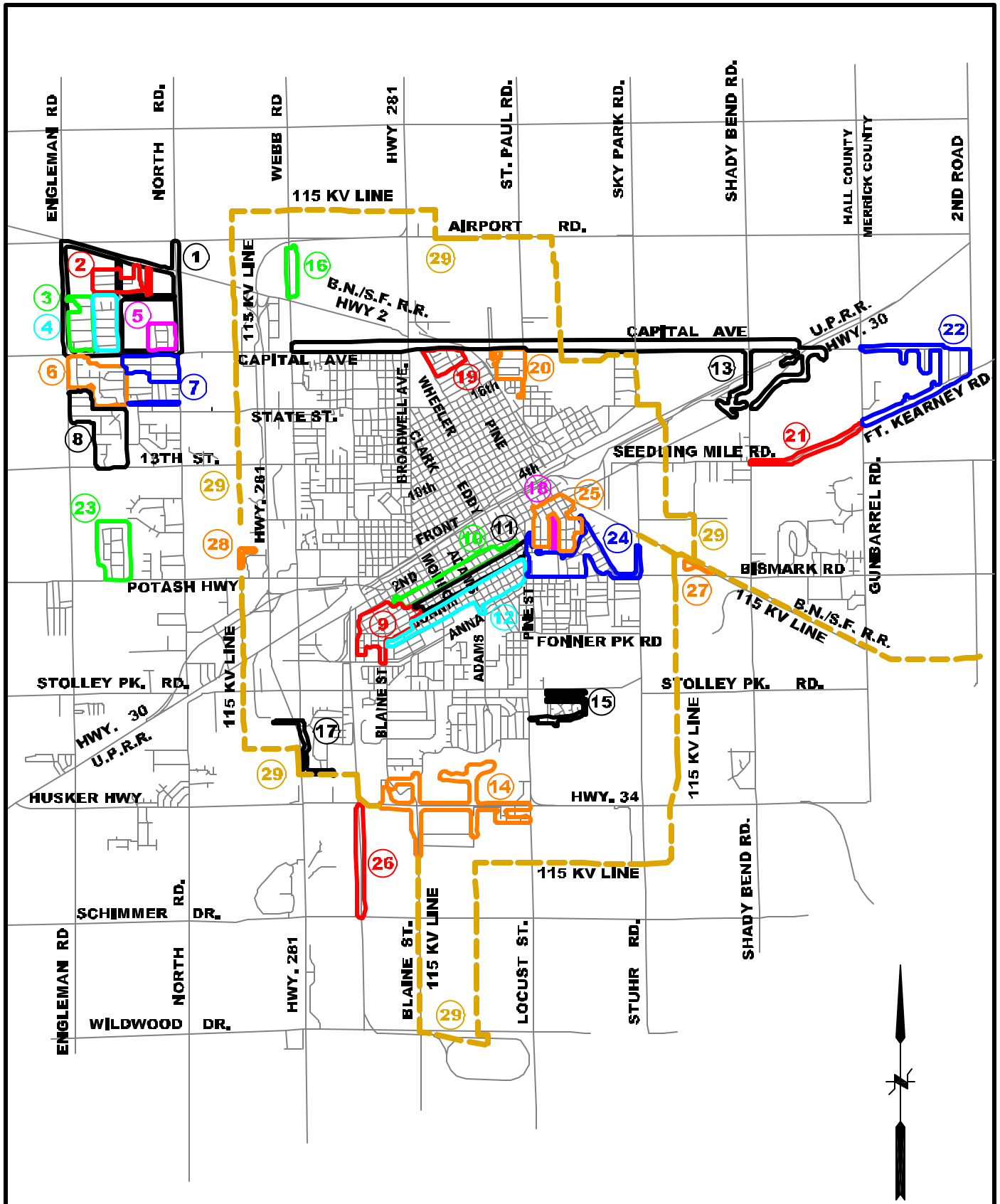
Section 29: \$38,975.00

Total All Sections: \$242,190.00

cc: Gary Mader, Utilities Director
 Dale Shotkoski, City Attorney
 Jeff Pederson, City Administrator
 Tom Barnes, Utilities Eng. Mgr.

Bob Smith, Assist. Utilities Director
Jason Eley, Purchasing Agent
 Pat Gericke, Utilities Admin. Assist.

P1436



RESOLUTION 2010-314

WHEREAS, the City of Grand Island invited sealed bids for Tree Trimming Project 2011-TT-1 for the Utilities Department, according to the plans and specifications on file with the Utilities Department; and

WHEREAS, on October 28, 2010, bids were received, opened and reviewed; and

WHEREAS, the requested work has been divided into 29 sections in order to achieve the best and lowest cost, and to expedite the completion of the work; and

WHEREAS, Leetch Tree Service of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$32,500.00 for Sections 6, 22, 24, and 26 of the contract; and

WHEREAS, Asplundh Tree Experts of Fairfax, Iowa, submitted a bid in accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$41,223.00 for Sections 1, 2, 5, 8, 9, and 19 of the contract; and

WHEREAS, Sheffield Tree Service of Grand Island, Nebraska, submitted a bid in the accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$82,500.00 for Sections 3, 4, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 23, 25, 27, 28, and 29 of the contract; and

WHEREAS, the combined total of the lowest bids for the above listed 29 sections represents the lowest responsible bid for said project.

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

1. The bid of Leetch Tree Service of Grand Island, Nebraska, in the amount of \$32,500.00 for Sections 6, 22, 24, and 26 of the contract is hereby approved as the lowest responsive bid submitted for those sections.

2. The bid of Asplundh Tree Experts of Fairfax, Iowa, in the amount of \$41,223.00 for Sections 1, 2, 5, 8, 9, and 19 of the contract is hereby approved as the lowest responsive bid submitted for this section.

3. The bid of Sheffield Tree Service of Grand Island, Nebraska, in the amount of \$82,500.00 for Sections 3, 4, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 23, 25, 27, 28, and 29 of the contract is hereby approved as the lowest responsive bid submitted for this section.

Approved as to Form	by _____
November 4, 2010	City Attorney

A contract for such project be entered into between the City and such contractors; and that the Mayor is hereby authorized and directed to execute such contract on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 9, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item G9

**#2010-315 - Approving Certificate of Final Completion for
Purchasing and Installation of Athletic Equipment at the
Fieldhouse**

Staff Contact: Steve Paustian

Council Agenda Memo

From: Steve Paustian, Parks and Recreation Director

Meeting: November 9, 2010

Subject: Certificate of Final Completion-Installation of Athletic Equipment

Item #'s: G-9

Presenter(s): Steve Paustian, Parks and Recreation Director

Background

A contract was entered into with Sports Construction Midwest on September 28, 2010 for furnishing and installing basketball goals, divider curtains, netting and protective padding at the City Fieldhouse.

Discussion

All work associated with this contract has been completed and it is appropriate at this time to close out the contract.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the certificate of final completion and make final payment to Sports Construction Midwest in the amount of \$67,985.00.

Sample Motion

Move to close out the contract with Sports Construction Midwest and make final payment in the amount of \$67,985.00 to Sports Construction Midwest.

CERTIFICATE OF FINAL COMPLETION AND ACCEPTANCE

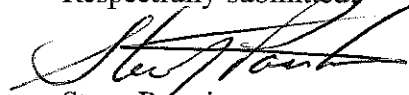
**PURCHASING AND INSTALLATION OF ATHLETIC EQUIPMENT, DIVIDER
CURTAINS AND NETTING
CITY FIELDHOUSE**

**CITY OF GRAND ISLAND, NEBRASKA
NOVEMBER 11, 2010**

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

This is to certify that the Installation and Purchase of Athletic Equipment, Divider Curtains and Netting for the new City Fieldhouse has been fully completed by **Sport Construction Midwest** from Coralville, Iowa under contract dated **September 28, 2010**. All other work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans, and the specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by the Parks and Recreation Director in accordance with the provisions of the terms of the above said contract.

Respectfully submitted,



Steve Paustian
Parks & Recreation Director

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

I hereby recommend that the Certificate of Final Completion and Acceptance be approved and warrants issued from Account No. 40044450-90027 to **Sport Construction Midwest** in the final payment amount of **\$67,985.00**.

Respectfully submitted,

Margaret Hornady
Mayor

RESOLUTION 2010-315

WHEREAS, the Parks and Recreation Director of the City of Grand Island has issued his Certificate of Final Completion for the Purchase and Installation of Athletic Equipment, Divider Curtains and Netting for the new City Fieldhouse, certifying that Sport Construction Midwest from Coralville, Iowa, under contract dated September 28, 2010, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Parks and Recreation Director recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs in the Parks and Recreation Director's recommendation.

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

1. The Parks and Recreation Director's Certificate of Final Completion for Purchase and Installation of Athletic Equipment, Divider Curtains and Netting for the new City Fieldhouse is hereby confirmed.
2. That a warrant be issued from account no. 40044450-90027 in the total amount of \$67,985.00 payable to Sport Construction Midwest for the final amount due the contractor.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 9, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 4, 2010	☐ City Attorney



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item G10

**#2010-316 - Approving Changes and Additions to the 2010/2011
Fee Schedule**

Staff Contact: Steve Paustian

Council Agenda Memo

From: Steve Paustian, Parks and Recreation Director

Meeting: November 9, 2010

Subject: Approving Changes to the 2010-2011 Fee Schedule

Item #'s: G-10

Presenter(s): Steve Paustian, Park and Recreation Director

Background

The City operates the Grand Island Cemetery. Fees are charged for the various services the Cemetery staff provides. The current fee schedule as adopted by Council for fiscal 2010-2011 needs to be modified to accurately reflect the charges recommended by Cemetery staff.

Discussion

These proposed fees are the staff's best effort to provide fair charges for the services rendered. The proposed fees took into consideration fees charged by similar facilities in the area for similar services. Attached are the recommended fee modifications and deletions.

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 recommended fee modifications for the Grand Island Cemetery.

Sample Motion

Move to modify the Cemetery fee schedule to reflect the proposed changes.

CEMETERY DIVISION FEES

Open/Close Grave (per burial) ** oversize vault – add \$150.00	2008	2009	2010	2011	Changes Needed
Urn Vault over 18” x 18” – Add \$50.00					
Adult	450.00	450.00	450.00	500.00	
Child	125.00	125.00	125.00	200.00	
Ashes	100.00	100.00	100.00	150.00	
After 4:00 pm Monday – Saturday Friday / After 12:00 Saturday (must leave gravesite by 4:30) / (must leave gravesite by 12:30)					
Adult	600.00	600.00	600.00	650.00	
Child	175.00	175.00	175.00	200.00	250.00
Ashes	150.00	150.00	150.00	175.00	200.00
Sunday & Holiday Open/Close per burial					
Adult	750.00	750.00	750.00	900.00	
Child	300.00	300.00	300.00	375.00	
Ashes	250.00	250.00	250.00	325.00	
Disinterment					
Adult	750.00	750.00	750.00	800.00	
Child	250.00	250.00	250.00	300.00	
Cremation	250.00	250.00	250.00	300.00	
Tent/Equipment Use for Service (each use)	200.00	250.00	250.00	375.00	0.00
Burial Space					
One	450.00	450.00	450.00	475.00	500.00
Two	900.00	900.00	900.00	1000.00	
One-Half Lot (4 or 5 spaces)	1800.00	1800.00	1800.00	2000.00	
Full Lot (8 or 10 spaces)	3600.00	3600.00	3600.00	4000.00	
Babyland	100.00	100.00	100.00	125.00	
Cremation Space – Section J			200.00	225.00	
Transfer Deed (each new deed)	25.00	25.00	25.00	50.00	35.00
House Rental—3168 Stolley Park Rd/per month	160.00	170.00	180.00	0.00	

Council Agenda Memo

From: Steve Paustian, Parks and Recreation Director

Meeting: November 9, 2010

Subject: Approving Changes and Additions to the 2010-2011 Fee Schedule

Item #'s: G-10

Presenter(s): Steve Paustian, Parks and Recreation Director

Background

The City has constructed and owns the building referred to as the Community Fieldhouse on the State Fair Complex located at Fonner Park. Council determined that an indoor recreational facility would be an appropriate use of the facility. To this end Park and Recreation Department staff developed and provided an operational plan for Council review and acceptance at a meeting this past spring. In order to implement this plan a fee structure has been developed and is being brought forward for Council approval.

Discussion

The following fees are proposed for the use of the Community Fieldhouse. These fees were developed after receiving input from various user groups and by studying the fee structures of facilities and activities that are similar in nature in Grand Island, Hastings, Omaha and Lincoln. These proposed fees are the staff's best effort to balance cost recovery with accessibility by the citizenry. These fees will be subject to change as we gain experience in the operation. Additional fees will also be established as additional activities are offered.

Admission & Rental Prices:

	Drop-In	City League Families "Game-Night" Discount
Children under 2	FREE	FREE
Children (2-4)	\$2.00	\$1.00
Youth (5-18) & Seniors (55 & over)	\$3.00	\$2.00
Adults	\$5.00	\$4.00
(use of entire facility as long as area not been previously reserved.)		

	Rental (Hourly)	City League Team Practice Discount (Hourly)
Full Turf Field	\$110.00	\$100.00
Half Turf Field	\$60.00	\$55.00
Basketball Court	\$30.00	\$25.00
Volleyball Court	\$20.00	\$15.00
Batting Cages:		
15 minutes	\$10.00	N/A
Hour	\$35.00	\$30.00 (each additional hour)
Multi Use Discount:		
For every 10 hours you rent an area you get the 11th hour free.		
League Fees:		
Youth Soccer	\$50.00 per person	
Per team Leagues	\$190.00 - \$600.00	
Meeting Room	\$15.00 per hour	

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 recommended fees for the Community Fieldhouse.

Sample Motion

Move to approve the recommended fees for the Community Fieldhouse.

	2008	2009	2010	2011
Community Fieldhouse				
Admission & Rental Prices				
Drop In:				
Children under 2				Free
Children (2-4)				2.00
Youth (5-18) & Seniors (55 & over)				3.00
Adults				5.00
City League Families "Game Night" Discount				
Children under 2				Free
Children (2-4)				1.00
Youth (5-18) & Seniors (55 & over)				2.00
Adults				4.00
(use of entire facility as long as area not previously reserved)				
Rental (Hourly)				
Full Turf Field				110.00
Half Turf Field				60.00
Basketball Court				30.00
Volleyball Court				20.00
City League Team Practice Discount (hourly)				
Full Turf Field				100.00
Half Turf Field				55.00
Basketball Court				25.00
Volleyball Court				15.00
Batting Cages Rental				
15 minutes				10.00
Hour				35.00
City League Team Practice Discount				
15 minutes				n/a
Hour				30.00 (each add'l hour)
Multi Use Discount				
For every 10 hours you rent and area, you get the 11th hour free				
League Fees:				
Youth Soccer				50.00 per person
Per Team Leagues				190.00-600.00
Meeting Room				15.00/hr

Preliminary Fieldhouse Budget

Annual Expenses

Wages and Benefits	
Rec. Coordinator	\$30,771
Custodian	\$27,691
Part Time Staff	\$36,894
Benefits/Taxes	\$18,657
Natural Gas	\$15,000
Electrical/Water & Sewer	\$25,000
Insurance	\$5,000
Phone Service	\$900
Office Supplies	\$500
Building Repairs	\$1,500
Equipment Repairs	\$500
Sanitation Service	\$750
Cleaning Supplies	\$500
Program Expenses	\$33,288
Other General Supplies	<u>\$5,000</u>
Total Expenses:	\$201,951

Annual Revenue

Adult Basketball	\$5,280
Adult Volleyball	\$32,500
Soccer	\$35,500
Flag Football	\$12,300
Batting Cages	\$13,500
Daily Fee's	\$29,270
Annual Passes	\$0
Volleyball Rentals	\$1,500
Basketball Court Rent	\$600
Turf Field Rental	\$54,230
Vending Machines	\$3,000
Other Revenue	<u>\$6,000</u>
Total Revenue:	\$193,680

Breaking Down the Numbers

Basketball	\$5,280	(2 adult leagues)
Volleyball	\$32,500	(2 adult leagues and 2 tournaments)
Soccer	\$35,500	(2 youth and adult leagues and 2 tournaments)
Flag Football	\$12,300	(2 adult leagues and 1 tournament)
Other Revenue	\$6,000	(Clinics, Special Events, Sports Camps, etc.)

	<u>Number</u>	<u>Rate</u>	<u>Total</u>	<u>Average per Day</u>
Youth Day Passes	8,090	\$3	\$24,000	35.96 kids
Adult Day Passes	1,000	\$5	\$5,000	4.44 adults
Batting Cage Rental (1 hour)	450	\$30	\$13,500	2.0 <i>one-hour rental</i>
Turf Field Rental (1 hour)	493	\$110	\$54,230	2.19 <i>one-hour rental</i>
Volleyball Ct Rental (1 hour)	75	\$20	\$1,500	0.33 <i>one-hour rental</i>
Basketball Ct Rental (1 hour)	20	\$30	\$600	0.09 <i>one-hour rental</i>

RESOLUTION 2010-316

WHEREAS, it is necessary to modify the 2010/2011 Fee Schedule for the City Cemetery and adopt fees for the operation of the Community Fieldhouse; and

WHEREAS the proposed fee schedule is attached;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the 2010/2011 adopted Fee Schedule be modified and the changes incorporated into the 2010/2011 budget.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 9, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

CEMETERY DIVISION FEES

Open/Close Grave (per burial) ** oversize vault – add \$150.00	2008	2009	2010	2011	Changes Needed
Urn Vault over 18” x 18” – Add \$50.00					
Adult	450.00	450.00	450.00	500.00	
Child	125.00	125.00	125.00	200.00	
Ashes	100.00	100.00	100.00	150.00	
After 4:00 pm Monday – Saturday Friday / After 12:00 Saturday (must leave gravesite by 4:30) / (must leave gravesite by 12:30)					
Adult	600.00	600.00	600.00	650.00	
Child	175.00	175.00	175.00	200.00	250.00
Ashes	150.00	150.00	150.00	175.00	200.00
Sunday & Holiday Open/Close per burial					
Adult	750.00	750.00	750.00	900.00	
Child	300.00	300.00	300.00	375.00	
Ashes	250.00	250.00	250.00	325.00	
Disinterment					
Adult	750.00	750.00	750.00	800.00	
Child	250.00	250.00	250.00	300.00	
Cremation	250.00	250.00	250.00	300.00	
Tent/Equipment Use for Service (each use)	200.00	250.00	250.00	375.00	0.00
Burial Space					
One	450.00	450.00	450.00	475.00	500.00
Two	900.00	900.00	900.00	1000.00	
One-Half Lot (4 or 5 spaces)	1800.00	1800.00	1800.00	2000.00	
Full Lot (8 or 10 spaces)	3600.00	3600.00	3600.00	4000.00	
Babyland	100.00	100.00	100.00	125.00	
Cremation Space – Section J			200.00	225.00	
Transfer Deed (each new deed)	25.00	25.00	25.00	50.00	35.00
House Rental—3168 Stolley Park Rd/per month	160.00	170.00	180.00	0.00	

	2008	2009	2010	2011
Community Fieldhouse				
Admission & Rental Prices				
Drop In:				
Children under 2				Free
Children (2-4)				2.00
Youth (5-18) & Seniors (55 & over)				3.00
Adults				5.00
City League Families "Game Night" Discount				
Children under 2				Free
Children (2-4)				1.00
Youth (5-18) & Seniors (55 & over)				2.00
Adults				4.00
(use of entire facility as long as area not previously reserved)				
Rental (Hourly)				
Full Turf Field				110.00
Half Turf Field				60.00
Basketball Court				30.00
Volleyball Court				20.00
City League Team Practice Discount (hourly)				
Full Turf Field				100.00
Half Turf Field				55.00
Basketball Court				25.00
Volleyball Court				15.00
Batting Cages Rental				
15 minutes				10.00
Hour				35.00
City League Team Practice Discount				
15 minutes				n/a
Hour				30.00 (each add'l hour)
Multi Use Discount				
For every 10 hours you rent and area, you get the 11th hour free				
League Fees:				
Youth Soccer				50.00 per person
Per Team Leagues				190.00-600.00
Meeting Room				15.00/hr



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item G11

**#2010-317 - Approving Certificate of Final Completion and
Scheduling the Board of Equalization for Sidewalk Repair at 2025
N Lafayette Avenue**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: November 9, 2010

Subject: Approving Certificate of Final Completion and
Scheduling the Board of Equalization for Sidewalk
Repair at 2025 N Lafayette Avenue

Item #'s: G-11

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

Background

At the August 24, 2010 meeting the City Council approved Resolution 2010-234, which ordered the sidewalk at 2025 N Lafayette Avenue to be repaired.

Galvan Construction was hired through informal bids to repair the sidewalk adjacent to 2025 N Lafayette Avenue.

Discussion

The repairs to the sidewalk adjacent to 2025 N Lafayette Avenue were completed to the City standards for a cost of \$550.00, which included the rental of a tree root grinder to remove the roots that caused the sidewalk to heave. Total cost of the repairs, including Engineering Services of \$55.00, is \$605.00.

The cost for this project will be assessed to the adjacent property. The payments are spread over seven (7) years at 7% simple interest. The first payment of principle only at 1/7th of the assessment is due 10 days after filing of the ordinance that levies the cost as approved at the Board of Equalization. The City has had multiple correspondences with the property owner and will send a reminder letter advising them that the BOE is scheduled for January 11, 2011; the first payment will be due shortly after.

Alternatives

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

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

Recommendation

Public Works Administration recommends that the Council approve the Certificate of Final Completion for sidewalk repairs adjacent to 2025 N Lafayette Avenue and set the Board of Equalization date of January 11, 2011.

Sample Motion

Move to approve the Certificate of Final Completion and Set the Board of Equalization for sidewalk repairs adjacent to 2025 N Lafayette Avenue.

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

Sidewalk Repairs at 2025 N Lafayette Avenue
CITY OF GRAND ISLAND, NEBRASKA
November 9, 2010

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

This is to certify that sidewalk repairs at 2025 N Lafayette Avenue have been fully completed by Galvan Construction, Inc. of Grand Island, Nebraska. The work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans and specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by me as City Engineer/Public Works Director in accordance with the provisions of Section 16-650 R.R.S., 1943.

Sidewalk Repairs at 2025 N Lafayette Avenue

<u>No.</u>	<u>Description</u>	<u>Lump Sum Price</u>	<u>Total Cost</u>
1.	4" PCC Sidewalk	\$550.00	\$550.00

TOTAL CONSTRUCTION COST – SIDEWALK REPAIRS AT 2025 N LAFAYETTE AVENUE	\$550.00
--	-----------------

LESS AMOUNT PREVIOUSLY PAID CONTRACTOR	\$ 0.00
---	----------------

BALANCE DUE CONTRACTOR THIS FINAL PAYMENT	\$550.00
--	-----------------

Engineering Costs	\$ 55.00
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TOTAL COST OF SIDEWALK REPAIRS AT 2025 N LAFAYETTE AVENUE	\$605.00
--	-----------------

Amount Assessable to Property Owner	\$605.00
-------------------------------------	----------

Respectfully submitted,

Steven P. Riehle, P.E.
Public Works Director

I hereby recommend that the Engineer's Certificate of Final Completion for sidewalk repairs at 2025 N Lafayette Avenue be approved and that the costs of City Engineering be credited to Account No. 10033001.74516 from Account No. 40033535.90072 in the amount of \$55.00.

I further recommend that the City Council sit as a Board of Equalization on January 11, 2010 to determine benefits and levy special assessments.

Respectfully submitted,

Margaret Hornady
Mayor

RESOLUTION 2010-317

WHEREAS, the City Engineer/Public Works Director of the City of Grand Island has issued a Certificate of Final Completion for sidewalk repairs at 2025 N Lafayette Avenue, certifying that Galvan Construction, Inc. of Grand Island, Nebraska, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the City Engineer/Public Works Director recommends the acceptance of the certificate of final completion for sidewalk repairs at 2025 N Lafayette Avenue; and

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

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

1. The City Engineer/Public Works Director's Certificate of Final Completion for sidewalk repairs at 2025 N Lafayette Avenue, is hereby confirmed.
2. The costs of City Engineering be credited to Account No. 10033001.74516 from Account No. 40033535.90072 in the amount of \$55.00.
3. The City Council will sit as a Board of Equalization on January 11, 2011 to determine benefits and set assessments for sidewalk repairs at 2025 N Lafayette Avenue.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 9, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item G12

**#2010-318 - Approving Certificate of Final Completion and
Scheduling the Board of Equalization for Sidewalk Repair at 503 E
Yund Street**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: November 9, 2010

Subject: Approving Certificate of Final Completion and
Scheduling the Board of Equalization for Sidewalk
Repair at 503 E Yund Street

Item #'s: G-12

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

Background

At the August 24, 2010 meeting the City Council approved Resolution 2010-233, which ordered the sidewalk at 503 E Yund Street to be repaired.

Galvan Construction was hired through informal bids to repair the sidewalk adjacent to 503 E Yund Street.

Discussion

The repairs to the sidewalk adjacent to 503 E Yund Street were completed to the City standards for a cost of \$2,002.00. Total cost of the repairs, including Engineering Services of \$200.20, is \$2,202.20.

The cost for this project will be assessed to the adjacent property. The payments are spread over seven (7) years at 7% simple interest. The first payment of principle only at 1/7th of the assessment is due 10 days after filing of the ordinance that levies the costs as approved at the Board of Equalization. The City has had multiple correspondences with the property owner and will send a reminder letter advising them that the BOE is scheduled for January 11, 2011; the first payment will be due shortly after.

Alternatives

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

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

Recommendation

Public Works Administration recommends that the Council approve the Certificate of Final Completion for sidewalk repairs adjacent to 503 E Yund Street and set the Board of Equalization date of January 11, 2011.

Sample Motion

Move to approve the Certificate of Final Completion and Set the Board of Equalization for sidewalk repairs adjacent to 503 E Yund Street.

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

Sidewalk Repairs at 503 E Yund Street
CITY OF GRAND ISLAND, NEBRASKA
November 9, 2010

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

This is to certify that sidewalk repairs at 503 E Yund Street have been fully completed by Galvan Construction, Inc. of Grand Island, Nebraska. The work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans and specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by me as City Engineer/Public Works Director in accordance with the provisions of Section 16-650 R.R.S., 1943.

Sidewalk Repairs at 503 E Yund Street

<u>No.</u>	<u>Description</u>	<u>Lump Sum Price</u>	<u>Total Cost</u>
1.	4" PCC Sidewalk	\$2,002.00	\$2,002.00
TOTAL CONSTRUCTION COST – SIDEWALK REPAIRS AT 503 E YUND STREET			\$2,002.00
LESS AMOUNT PREVIOUSLY PAID CONTRACTOR			\$ 0.00
BALANCE DUE CONTRACTOR THIS FINAL PAYMENT			\$2,002.00
Engineering Costs			\$ 200.20

TOTAL COST OF SIDEWALK REPAIRS AT 503 E YUND STREET			\$2,202.20
Amount Assessable to Property Owner			\$2,202.20

Respectfully submitted,

Steven P. Riehle, P.E.
Public Works Director

I hereby recommend that the Engineer's Certificate of Final Completion for sidewalk repairs at 503 E Yund Street be approved and that the costs of City Engineering be credited to Account No. 10033001.74516 from Account No. 40033535.90072 in the amount of \$200.20.

I further recommend that the City Council sit as a Board of Equalization on January 11, 2010 to determine benefits and levy special assessments.

Respectfully submitted,

Margaret Hornady
Mayor

RESOLUTION 2010-318

WHEREAS, the City Engineer/Public Works Director of the City of Grand Island has issued a Certificate of Final Completion for sidewalk repairs at 503 E Yund Street, certifying that Galvan Construction, Inc. of Grand Island, Nebraska, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the City Engineer/Public Works Director recommends the acceptance of the certificate of final completion for sidewalk repairs at 503 E Yund Street; and

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

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

1. The City Engineer/Public Works Director's Certificate of Final Completion for sidewalk repairs at 503 E Yund Street, is hereby confirmed.
2. The costs of City Engineering be credited to Account No. 10033001.74516 from Account No. 40033535.90072 in the amount of \$200.20.
3. The City Council will sit as a Board of Equalization on January 11, 2011 to determine benefits and set assessments for sidewalk repairs at 503 E Yund Street.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 9, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item G13

**#2010-319 - Approving Amending the Contract with TASC for the
City Cafeteria Plan**

Staff Contact: Brenda Sutherland

Council Agenda Memo

From: Brenda Sutherland, Human Resources Director

Meeting: November 9, 2010

Subject: Amending the Contract with TASC for the City Cafeteria Plan

Item #'s: G-13

Presenter(s): Brenda Sutherland, Human Resources Director

Background

The City entered into a contract with TASC to provide cafeteria plan service beginning with the 2010 calendar year. That contract specified that the City would pay \$3.50 per participant to provide a cafeteria benefit that would allow employees to set aside pre-tax dollars for eligible medical and dependent care expenses. This cost is paid by the City

Discussion

This year I am recommending that the City Council approve amending the plan to allow the addition of the FlexSystem Claim Card which is a debit card that the employee can use at the pharmacy or participating physician's office. This card would allow the employee's account to pay for the services or products directly without having to go through the process of filing claims and waiting for reimbursement. Adding the debit card will increase the monthly amount to \$4.00 per plan participant, an increase of .50 cents.

Employees who participate in the cafeteria or "flex spending" account set money aside pre-tax. This means that the City does not pay the matching FICA or Medicare contribution that it would have on those dollars. The savings in the match requirement far outweighs the cost of the program by more than a two to one ratio. This is another step toward more efficient utilization of benefits through technology.

In addition, I am recommending the addition of the Non-Employer Sponsored Premium Account. This will allow employees to set aside dollars to be used for non-employer sponsored premiums such as Medicare supplements or privately purchased insurance premiums. There is no fee added for this provision.

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 amend the contract with TASC to add the FlexSystem Claim Card and the Non-Employer Sponsored Premium Account.

Sample Motion

Move to amend the contract with TASC to allow the FlexSystem Claim Card and the Non-Employer Sponsored Premium Account.



November 1, 2010

City of Grand Island
100 E. 1st Street
Grand Island, NE 68801

RE: Flex Client #4102-0676-3328

To Whom It May Concern:

As the City has stated a desire to offer the FlexSystem Claim Card to the participating employees of the Flexible Spending Plan, TASC agrees to the following:

The card will be offered to the City at the fee of .50 cents per participating employee per month. This fee will be in effect for a minimum of two (2) years beginning with the January 1, 2011 plan renewal.

In addition, the City may elect the 106 Non-Employer Sponsored Premium account to the plan document by choosing the provision at renewal time. There is no fee to add this provision.

Jeff Taylor
Regional Sales DirectorIowa/ Nebraska
2302 International Lane
Madison, WI53704-3140
800 422-4661, EXT. 4343

J.J. Green, CLU
TASC Wholesale Provider
2121 N. Webb Rd. #309\
Grand Island NE 68803
308-384-8700

RESOLUTION 2010-319

WHEREAS, the City of Grand Island provides a Section 125 Cafeteria Plan for its employees; and

WHEREAS, TASC of Madison Wisconsin is the third party administrator who administers the plan; and

WHEREAS, a recommendation to amend the plan to add a FlexSystem Claim Card at a cost of .50 cents per plan participant, per month; and

WHEREAS, this fee will be in effect for a minimum of two (2) years beginning with the January 1, 2011 plan renewal; and

WHEREAS, the plan will also be amended to add the Non-Employer Sponsored Premium account at no additional cost.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Section 125 Cafeteria Plan administered by TASC, of Madison Wisconsin be amended to add the FlexSystem Claim Card for an additional fee of .50 cents per plan participant per month and add the Non-Employer Sponsored Premium account at no additional cost.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 9, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 4, 2010	☐ City Attorney



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item G14

#2010-320 - Approving Agreement with Saint Francis Medical Center

Staff Contact: Russ Blackburn; Troy Hughes

Council Agenda Memo

From: EMS Division Chief Russ Blackburn
Meeting: November 9, 2010
Subject: Agreement with Saint Francis Medical Center
Item #'s: G-14
Presenter(s): EMS Division Chief Russ Blackburn

Background

Airway management is the most important skill of an Emergency Medical Technician, and is used on a daily basis. Without an open airway a human being will be clinically dead in a matter of minutes, and brain dead 6 minutes after that. Intubation is the gold standard of airway control in patients that cannot protect their own airway. If performed improperly however it can cause the death of a patient.

Discussion

This agreement with Saint Francis Medical Center allows our Paramedics to verify their intubation skills in a clinical atmosphere, while being watched over by an anesthesiologist. These skills are required to maintain State and National Licenses.

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 agreement.

Sample Motion

Move to approve this agreement with Saint Francis Medical Center.

AGREEMENT

ADVANCED EMS TRAINING EXPERIENCE

THIS AGREEMENT made this ____th day of _____ by and between the City of Grand Island, a municipal corporation; hereinafter referred to as “the **City**,” and Saint Francis Medical Center; hereinafter referred to as “**Agency**.”

WHEREAS, the parties of the Agreement wish to provide adequate instruction as well as Operating Room intubation experience and observation for the paramedics of Grand Island Fire Department ; and

WHEREAS, the **Agency** maintains facilities suitable for said instruction and experience.

NOW THEREFORE BE IT RESOLVED that this Agreement is entered into under the following conditions:

General Conditions:

- (1) This agreement does not contemplate the payment of any fees or remuneration by either party to the other.
- (2) **The City** paramedics shall not be deemed employees of the **Agency** and are not eligible for compensation or benefits. There shall be no monetary consideration paid by the **City** or to the **Agency** for the services of said paramedics or instructors.
- (3) The assigned personnel of the **Agency** and the Administration of the Fire Department shall cooperate in providing a sound educational environment for effective patient care. Such persons may confer at such times as may be mutually agreed upon to evaluate the education program.
- (4) The **Agency** shall schedule and arrange for times when students shall be present and the number of students present in such a manner so as not to interfere with the day-to-day operation of the **Agency**.
- (5) Neither the **City** nor the **Agency** shall discriminate against any employee, applicant or student for employment or registration in its course of study because of race, color, religion, sex, national origin, handicap, special disabled veterans status or Vietnam era veterans status. Both parties agree to comply with the Educational Rights and Privacy Act of 1974, as amended governing the privacy of student records.

- (6) Paramedics shall be subject to the **Agency** policies and to the same obligations to maintain confidentiality of the **Agency** patient records as applies to the **Agency** staff. A determination that a student has violated the confidentiality requirements of the **Agency** will be grounds for immediate termination of their service at the **Agency**.
- (7) The **City** reserves the right and discretion to withdraw those paramedics whose work or conduct may have a detrimental effect on the program or whose program and achievement, in the opinion of the **City**, do not justify their continuance in the program. The **Agency** reserves the right to prohibit a student from training at the **Agency** whose conduct may have detrimental effect on patients or who does not adhere to existing rules and regulations of the **Agency**, and to all reasonable rules and regulation of the **Agency**.

Responsibilities of the City:

- (1) The **City** shall use proper administrative procedure in planning for observation and/or Operating Room training experience. The **Agency** will have the right to refuse the EMS Division Chief's participation in the training, and the **Agency** will have this right of rejection without cause.
- (2) The **City** shall adhere to existing rules and regulations of the **Agency** and to insure that its paramedics at all times adhere to those rules and regulations.
- (3) The **City** shall contact the **Agency** at least one (1) day prior to the arrival of students in order to properly plan for their training.
- (4) The **City** shall provide requested demographic, academic and health information, including proof of basic life support certification (CPR), current immunizations and/or testing for measles, mumps, rubella, skin test for tuberculosis (proof of negative chest x-ray when indicated) and Hepatitis B (or a signed waiver) for all paramedics scheduled for Operating Room training experience with the **Agency**.
- (5) The **City** shall provide proof of Bloodborne Pathogen and Infection Control training within the past twelve (12) months for all students scheduled for field training experience with the **Agency**. If a blood/body fluid exposure occurs to a student while caring for a patient, the **City** is responsible for the follow-upon procedures for the paramedics defined by state/federal OSHA regulations.
- (6) The **City** or its paramedics shall provide necessary textbooks and classroom supplies, if needed, in conjunction with the Operating Room

training internship practice. The **Agency** assumes no responsibility for any loss or theft of personal belongings of the **City** or the paramedics enrolled in the **City's** training program.

- (7) The **City** will keep the **Agency** informed of changes in policy which may affect the students training at the **Agency**.

Responsibilities of the Agency:

- (1) The **Agency** shall provide training appropriate for learning experience by the paramedics. Both parties will agree upon those patient care activities in which students may participate during the Operating Room experience.
- (2) The **Agency** will provide on-site supervision of the paramedic and has the right to determine the level of participation in such patient care activities.
- (3) The **Agency** will provide orientation for the **City** staff so as to enable the **City** staff to coordinate their inner-classroom instruction.
- (4) The **Agency** shall provide emergency health care to students for any accident or illness occurring on the **Agency's** premises at the cost of the student. The **Agency** requires that a report be filed immediately with the **Agency** and **The City** if the student has an accident or becomes ill while receiving training.
- (5) The **Agency** shall permit **The City** paramedics connected with the education program to use, at their own expense, the cafeteria and/or dining facilities available to **Agency** employees.
- (6) The **Agency** will keep the **City** faculty informed of changes in policy, which affect faculty and student.
- (7) **Agency** shall, at that **Agency's** sole cost and expense, procure, keep and maintain throughout the term of this Agreement, insurance coverage in the minimum amounts of: One Million Dollars (\$1,000,000) per occurrence and One Million Dollars (\$1,000,000) annual aggregate for commercial general and automobile liability; One Million Dollars (\$1,000,000) per occurrence and Three Million Dollars (\$3,000,000) annual aggregate for professional liability or the professional liability coverage required under the Nebraska Hospital-Medical Liability Act, Revised Statutes of Nebraska Section 44-2801 et seq. or any successor statute (the "Act"), and qualification under the Act with participation in the Excess Liability Fund thereunder; and applicable state statutory limits for workers compensation. In addition to the coverage's specifically listed herein,

Agency shall maintain any other usual and customary policies of insurance applicable to its respective lines of business. By requiring insurance herein, neither party represents that coverage and limits will necessarily be adequate to protect the other party.

Termination of Agreement:

This Agreement shall commence upon execution by both parties, and shall continue indefinitely until terminated by either party upon sixty (60) days advance written notice to the other. In the event that either party reasonably determines, based on the advice of legal counsel or otherwise, that the continuation of the Agreement will subject a party to liability for violation of federal or state law, then either party may terminate this Agreement immediately upon written notice to the other.

Miscellaneous Provisions:

- (1) Neither party shall be liable under any contracts or obligations of the other, except as otherwise provided pursuant to the Agreement or for any act or omission of the other party or its officers, employees or agents, and both parties agree to indemnify and hold the other harmless from any and all losses, damages, costs and expenses (including reasonable attorney's fees) that are caused or arise out of their own omission, fault, negligence or other misconduct by their employees, independent contractors or volunteers in connection with the Agreement.
- (2) This Agreement may not be assigned or transferred by either party without written consent of the other.

IN WITNESS WHEREOF, under the authority of their governing bodies, the parties have hereto set their hands and seals on this _____ day of _____, 2010.

CITY OF GRAND ISLAND, NEBRASKA
A Municipal Corporation

By: _____
_____(Name)
_____(Title)

Saint Francis Medical Center

By: _____
_____(Name)
_____(Title)

Attest: _____

RESOLUTION 2010-320

WHEREAS, Grand Island Fire Department provides Advanced Life Support services, and is required by our Medical Director, and State licensing and National credentialing requirements, to verify those advanced skills.

WHEREAS, Saint Francis Medical Center agrees to provide such skills verification and oversight to the paramedics of the Grand Island Fire Department

WHEREAS, such 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 Agreement by and between Saint Francis Medical Center and the City of Grand Island Fire Department to provide clinical observation of verification of Advanced Airway skills are hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 9, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item H1

**Approving Request from Third City Christian Church for a
Conditional Use Permit for Temporary Parking Extension Located
at 4100 West 13th Street**

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

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item J1

Approving Payment of Claims for the Period of October 27, 2010 through November 9, 2010

The Claims for the period of October 27, 2010 through November 9, 2010 for a total amount of \$2,627,683.33. A MOTION is in order.

Staff Contact: Mary Lou Brown



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item J2

**Approving Payment of Claims for the Period of October 27, 2010
through November 9, 2010 for the Veterans Athletic Field Complex**

*The Claims for the Veterans Athletic Field Complex for the period of October 27, 2010
through November 9, 2010 for the following requisition.*

#29 \$103,732.94

A MOTION is in order.

Staff Contact: Mary Lou Brown

FORM OF REQUISITION

REQUISITION NO. 29

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

<i>Payee</i>	<i>Address</i>	<i>Amount To Be Paid</i>	<i>Cost of Issuance or Project Description</i>
Diamond Engineering Co	PO Box 1327 Grand Island, NE 68802	\$36,657.49	Paving improvements for Sec A & B
Diamond Engineering Co	PO Box 1327 Grand Island, NE 68802	\$5,430.60	Paving improvements for Sec C
Diamond Engineering Co	PO Box 1327 Grand Island, NE 68802	\$8,395.85	Utility improvements
Tilley Systems Inc	Sprinkler 3809 Westgate Road Grand Island, NE 68803	\$6,620.00	Grade prep and fine grade in preparation for sod
Tilley Systems Inc	Sprinkler 3809 Westgate Road Grand Island, NE 68803	\$46,629.00	Purchase and installation of sod

The undersigned hereby certifies that:

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

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

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

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

Executed this 29 day of October,
2010.

CITY OF GRAND ISLAND,
NEBRASKA, as Owner

By Mary Jane Brown
Owner Representative

Schedule of Bills

Vendor		Invoice		PO #	WO#	Check #	Amount
Org	Object	Name/Number	Description				
40044450	90027	PARKS & RECREATION	MISCELLANEOUS PARK PROJECTS				
1	8505	SIGNATURE FENCING & FLOORING	PICKET FENCE PANEL	23558		159868	2,364.15
1	8420	SPORTS IMPORTS	VOLLEYBALL SETS FOR FIELDHOUSE	23132		159873	19,991.60
90122		ATHLETIC COMPLEX					
1	154	DIAMOND ENGINEERING CO	PAVING IMPROVEMENT VETS FIELD SEC A & B	22117		159670	36,657.49
1	154	DIAMOND ENGINEERING CO	PAVING IMPROVEMENTS SEC. "C"	22118		159670	5,430.60
1	154	DIAMOND ENGINEERING CO	UTILITY IMPROVEMENT VETS FIELD	22116		159670	8,395.85
1	396	TILLEY SPRINKLER SYSTEMS INC	GRADE PREPARATION	23578		159882	6,620.00
1	396	TILLEY SPRINKLER SYSTEMS INC	INSTALLATION OF SOD	23704		159882	46,629.00

40044450 Org Total 126,088.69

0.*

36,657.49 +
5,430.60 +
8,395.85 +
6,620.00 +
46,629.00 +

005

103,732.94*

COPY



CONTRACTOR:
DIAMOND ENGINEERING CO.
P.O. BOX 1327
GRAND ISLAND, NE 68802

CITY OF GRAND ISLAND, NEBRASKA

PAYMENT NO.

4

DATE:

10/19/2010

PAVING IMPROVEMENTS VETERANS ATHLETIC FIELD

Item No.	Description	Price Bid	Plan Quantities	Total Cost	Quantities Placed	Total Amount Completed	Amt. Paid Prev. Est.	Total Due This Est.
1	BID SECTION A	\$ -		\$ -		\$ -		\$ -
2	6" Concrete Pavement w/Integral Curb	\$ 23.20	12660.00 s.y.	\$ 293,712.00	12715.00 s.y.	\$ 294,988.00	\$ 264,340.80	\$ 30,647.20
3	6" Concrete Sidewalk	\$ 24.30	414.00 s.y.	\$ 10,060.20	414.00 s.y.	\$ 10,060.20	\$ 9,054.18	\$ 1,006.02
4	Detectable Warning Plate	\$ 120.00	8.00 e.a.	\$ 960.00	8.00 e.a.	\$ 960.00		\$ 960.00
5	Earthwork	\$ 1,335.00	1.00 l.s.	\$ 1,335.00	0.99 l.s.	\$ 1,321.65	\$ 1,201.50	\$ 120.15
6		\$ -		\$ -		\$ -		\$ -
7	BID SECTION B	\$ -		\$ -		\$ -		\$ -
8	6" Concrete Pavement w/Integral Curb	\$ 23.15	2504.00 s.y.	\$ 57,967.60	2504.00 s.y.	\$ 57,967.60	\$ 52,170.84	\$ 5,796.76
9	Earthwork	\$ 630.00	1.00 l.s.	\$ 630.00	0.99 l.s.	\$ 623.70	\$ 567.00	\$ 56.70
10		\$ -	l.f.	\$ -	l.f.	\$ -		\$ -
11	Contract Modification	\$ 24.30	2400.00 l.f.	\$ 58,320.00	0 l.f.	\$ -		\$ -
12		\$ -	s.f.	\$ -	s.f.	\$ -		\$ -
13		\$ -	s.f.	\$ -	s.f.	\$ -		\$ -
14		\$ -	s.y.	\$ -	s.y.	\$ -		\$ -
15		\$ -	s.y.	\$ -	s.y.	\$ -		\$ -
16		\$ -	s.y.	\$ -	s.y.	\$ -		\$ -
17		\$ -	l.f.	\$ -	l.f.	\$ -		\$ -
18		\$ -	l.f.	\$ -	l.f.	\$ -		\$ -
19		\$ -	l.f.	\$ -	l.f.	\$ -		\$ -
20		\$ -	ea.	\$ -	ea.	\$ -		\$ -
21		\$ -	ea.	\$ -	ea.	\$ -		\$ -
22		\$ -	l.s.	\$ -	l.s.	\$ -		\$ -
23		\$ -	ea.	\$ -	ea.	\$ -		\$ -
TOTAL PROJECT COST:				\$ 422,984.80		\$ 365,921.15	\$ 327,334.32	\$ 38,586.83
							Munis 5% retainage	\$ (1,929.34)
							Total Due	\$ 36,657.49

DIAMOND ENGINEERING CO.

CITY OF GRAND ISLAND

Signed

James A. Hinder

Date

Oct 19th 2010

Signed

Steve [Signature]

Date

10-19-10

Voucher #

Partial Payment

PO #	22117
Vendor #	154
Invoice #	PMI 4-10/19/10 AZB
Description	Paving Improvements Sections A+B
Approved by	<i>[Signature]</i>
Date	10-19-10
Org-obj#	40044450-90122
Amount	36,657.49



CONTRACTOR:
DIAMOND ENGINEERING CO.
P.O. BOX 1327
GRAND ISLAND, NE 68802

CITY OF GRAND ISLAND, NEBRASKA
PAVING IMPROVEMENTS VETERANS ATHLETIC FIELD

PAYMENT NO. 4
DATE: 10/19/2010

Item No.	Description	Price Bid	Plan Quantities	Total Cost	Quantities Placed	Total Amount Completed	Amt. Paid Prev. Est.	Total Due This Est.
1	BID SECTION C	\$ -		\$ -		\$ -		\$ -
2	6" Concrete Pavement w/Integral Curb	\$ 23.15	2445.00 s.y.	\$ 56,601.75	2445.00 s.y.	\$ 56,601.75	\$ 50,941.58	\$ 5,660.17
3	Earthwork	\$ 625.00	1.00 s.y.	\$ 625.00	0.99 s.y.	\$ 618.75	\$ 562.50	\$ 56.25
4		\$ -	0.00 e.a.	\$ -	e.a.	\$ -		\$ -
5		\$ -	0.00 l.s.	\$ -	l.s.	\$ -		\$ -
6		\$ -		\$ -		\$ -		\$ -
7		\$ -		\$ -		\$ -		\$ -
TOTAL PROJECT COST:				\$ 57,226.75		\$ 57,220.50	\$ 51,504.08	\$ 5,716.42
							Munis 5% retainage	\$ (285.82)
							Total Due	\$ 5,430.60

DIAMOND ENGINEERING CO.

CITY OF GRAND ISLAND

Signed *James H. Hinder* Date *Oct 19th 2010*

Signed *[Signature]* Date *10-19-10*

Partial Payment

Voucher #

PO #	22118
Vendor #	154
Invoice #	10/19/10 PDM 4
Description	Paving Improvement Section C
Approved by	<i>[Signature]</i> Date 10-19-10
Org-obj#	Amount

40044450 - 90122

5,430.60

BID SECTION G - ELECTRICAL CONDUIT								
1	4" P.V.C. Conduit	\$ 6.00	1389 l.f.	\$ 8,334.00	1035.00 l.f.	\$ 6,210.00	\$ 6,210.00	\$ -
2	2" P.V.C. Conduit	\$ 1.76	1353 l.f.	\$ 2,381.28	655.00 l.f.	\$ 1,152.80	\$ 1,152.80	\$ -
	(CO #1 dated 2/9/2010 increased from 403 l.f. to 1353 l.f. for a difference of 950 l.f.)							
3	Type 1 Pull Box	\$ 560.00	9 e.a.	\$ 5,040.00	e.a.	\$ -	\$ -	\$ -
	(CO #1 dated 2/9/2010 increased from 4 e.a. to 9 e.a. for a difference of 5 e.a.)							
TOTAL PROJECT COST:				\$ 212,665.60		\$ 198,833.25	\$ 189,995.51	\$ 8,837.74
5% Retainage								\$ (441.89)
TOTAL DUE THIS PAYMENT								\$ 8,395.85
DIAMOND ENGINEERING CO.				CITY OF GRAND ISLAND				
Signed <i>James H. Harden</i> Date <i>Oct 19th 2010</i>				Signed <i>Scott A. Smith</i> Date <i>10-19-10</i>				

Partial Payment

Voucher #

PO #	32116
Vendor #	154
Invoice #	8-10/18/10
Description	Utility Improvements
Approved by	<i>[Signature]</i> Date 10-19-10
Org-obj#	Amount

40044450-90122

8,395.85



CONTRACTOR:
DIAMOND ENGINEERING CO.
P.O. BOX 1327
GRAND ISLAND, NE 68802

CITY OF GRAND ISLAND, NEBRASKA

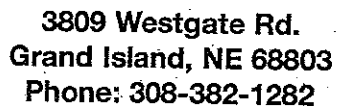
PAYMENT NO.
DATE:

8
10/18/2010

UTILITY IMPROVEMENTS VETERANS ATHLETIC FIELD

GRAND ISLAND, NE 68802									
Item			Plan		Quantities		Total Amount	Amt. Paid	Total Due
No.	Description	Price Bid	Quantities		Total Cost	Placed	Completed	Prev. Est.	This Est.
BID SECTION D - STORM SEWER									
					\$ -		\$ -		\$ -
1	Type D Modified Curb Inlet	\$ 1,605.00	1 e.a.		\$ 1,605.00	1.00 e.a.	\$ 1,605.00	\$ -	\$ 1,605.00
2	Area Inlet	\$ 1,445.00	3 e.a.		\$ 4,335.00	3.00 e.a.	\$ 4,335.00	\$ 4,335.00	\$ -
3	24" Reinforced Concrete Flared End Section	\$ 695.00	1 e.a.		\$ 695.00	1.00 e.a.	\$ 695.00	\$ 695.00	\$ -
4	15" Reinforced Concrete Storm Sewer Pipe	\$ 27.00	254 l.f.		\$ 6,858.00	250.40 l.f.	\$ 6,760.80	\$ 6,750.00	\$ 10.80
5	18" Reinforced Concrete Storm Sewer Pipe	\$ 33.30	550 l.f.		\$ 18,315.00	543.95 l.f.	\$ 18,113.54	\$ 17,982.00	\$ 131.54
6	24" Reinforced Concrete Storm Sewer Pipe	\$ 47.35	100 l.f.		\$ 4,735.00	106.00 l.f.	\$ 5,019.10	\$ 4,735.00	\$ 284.10
7	Silt Fence	\$ 4.35	192 l.f.		\$ 835.20	192.00 l.f.	\$ 835.20		\$ 835.20
8	Erosion Control Blanket	\$ 9.65	40 s.y.		\$ 386.00	40.00 s.y.	\$ 386.00	\$ 386.00	\$ -
BID SECTION E - WATER MAIN									
1	12" D.I. Water Main (CO #2 dated 3/23/2010 increased from 432 l.f. to 654 l.f. for a difference of 222 l.f.)	\$ 30.30	654 l.f.		\$ 19,816.20	600.00 l.f.	\$ 18,180.00	\$ 18,180.00	\$ -
1a	10" D.I. Water Main (CO #2 dated 3/23/2010 add on)	\$ 36.75	8 l.f.		\$ 294.00	8.00 l.f.	\$ 294.00	\$ 294.00	\$ -
2	8" D.I. Water Main (CO #2 dated 3/23/2010 decreased from 941 l.f. to 826 l.f. for a difference of 115 l.f.)	\$ 21.20	826 l.f.		\$ 17,511.20	800.00 l.f.	\$ 16,960.00	\$ 16,960.00	\$ -
3	6" D.I. Water Main (CO #2 dated 3/23/2010 decreased from 29 l.f. to 17 l.f. for a difference of 12 l.f.)	\$ 18.00	17 l.f.		\$ 306.00	17.00 l.f.	\$ 306.00	\$ 306.00	\$ -
4	Jack and Bore 18" Steel Casing (CO #2 dated 3/23/2010 decreased from 40 l.f. to 0 l.f. for a difference of 40 l.f.)	\$ 255.83	0 l.f.		\$ -	l.f.	\$ -		\$ -
4a	Jack and Bore 24" Steel Casing (CO #2 dated 3/23/2010 add on)	\$ 420.22	40 l.f.		\$ 16,808.80	40 l.f.	\$ 16,808.80	\$ 16,808.80	\$ -
5	12" Tapping Saddle and Valve w/box (CO #2 dated 3/23/2010 decreased from 4640 ea to 0 for a difference of 4640.00 ea)	\$ 4,640.00	0 e.a.		\$ -	e.a.	\$ -		\$ -
5a	10" x 10" MJ Tee (CO #2 dated 3/23/2010 add on)	\$ 1,523.12	1 e.a.		\$ 1,523.12	1 e.a.	\$ 1,523.12	\$ 1,523.12	\$ -
5b	10" x 12" MJ Reducer (CO #2 dated 3/23/2010 add on)	\$ 332.79	1 e.a.		\$ 332.79	1 e.a.	\$ 332.79	\$ 332.79	\$ -
5c	10" Sleeve Coupling (CO #2 dated 3/23/2010 add on)	\$ 556.26	2 e.a.		\$ 1,112.52	2 e.a.	\$ 1,112.52	\$ 1,112.52	\$ -
6	12"x8" M.J. Tee	\$ 384.25	1 e.a.		\$ 384.25	1.00 e.a.	\$ 384.25	\$ 384.25	\$ -
7	12"x6" M.J. Tee	\$ 353.50	1 e.a.		\$ 353.50	1.00 e.a.	\$ 353.50	\$ 353.50	\$ -
7a	12" Retainer Gland (CO #2 dated 3/23/2010 add on)	\$ 195.98	8 e.a.		\$ 1,567.84	8 e.a.	\$ 1,567.84	\$ 1,567.84	\$ -
8	12" M.J. Cap	\$ 287.15	1 e.a.		\$ 287.15	1.00 e.a.	\$ 287.15	\$ 287.15	\$ -

Date: 10-19-10

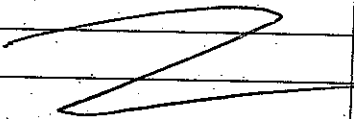


**2634 Hwy 30 E.
Kearney, NE 68847
Phone: 308-234-1811**

City of Grand Island
P.O. Box 1968
Grand Island, Ne 68802-1968

Provide 1/2 day
sod at the
Vet's complex
Fields per the
contract : \$46,629⁰⁰

Thank you,
Brian



PO #	23704
Vendor #	396
Invoice #	10-19-10
Description	Sod. Installation
Approved by	Date 10-20-10
Org-obj#	Amount
40044450-90122	46629.00



100 E 1st St * PO Box 1968 * Grand Island NE 68802-1968
(308) 385-5444 Ext 193

Purchase Order

Fiscal Year 2011

Page 1 of 1

THIS NUMBER MUST APPEAR ON ALL INVOICES,
PACKAGES AND SHIPPING PAPERS.

Purchase
Order #

23704-00

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PARKS ADMINISTRATION
100 E 1ST ST
PO BOX 1968
GRAND ISLAND, NE 68802
308-385-5444 EXT 290
308-385-5488 FAX

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TILLEY SPRINKLER SYSTEMS INC
3809 WESTGATE RD
GRAND ISLAND NE 68803

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PARKS ADMINISTRATION
100 E 1ST ST
PO BOX 1968
GRAND ISLAND, NE 68802
308-385-5444 EXT 290
308-385-5488 FAX

Federal Tax ID #47-6006205 State Tax ID # 21-0244767

Vendor Phone Number		Vendor Fax Number	Requisition Number		Delivery Reference	
		(308) 384-1491	23382			
Date Ordered	Vendor Number	Entered By	Requested By		Department/Location	
10/19/2010	396	pattib	Patti Buettner		PARKS & RECREATION	
Item#	Description/Part No.		Qty	UOM	Unit Price	Extended Price
-	INSTALLATION AND PURCHASE OF SOD FOR THE VETERANS ATHLETIC FIELD COMPLEX AS PER BID. 40044450 - 90122 \$46,629.00		1.0	JOB	\$46,629.000	\$46,629.00
	40044450 - 90122 \$46,629.00					

The City of Grand Island is an Affirmative Action/Equal Opportunity Employer

PO Total

\$46,629.00

STATEMENT

Date: 10-19-10

3809 Westgate Rd.
Grand Island, NE 68803
Phone: 308-382-1282

2634 Hwy 30 E.
Kearney, NE 68847
Phone: 308-234-1811

City of Grand IslandP.O. Box 1968Grand Island, Ne 68802-1968

RE: PO # 23578-00

Fine grade-sod
prep at Vets
Complex :

\$6,620.00

Thanks Again,

Brian

PO #	23578
Vendor #	396
Invoice #	10-19-10
Description	Fine Grade Preparation
Approved by	[Signature]
Org-obj#	40044450-90122
Date	10-20-10
Amount	6,620.00



100 E 1st St * PO Box 1968 * Grand Island NE 68802-1968
(308) 385-5444 Ext 193

Purchase Order

Fiscal Year 2011

Page 1 of 1

THIS NUMBER MUST APPEAR ON ALL INVOICES,
PACKAGES AND SHIPPING PAPERS.

Purchase
Order #

23578-00

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PARKS ADMINISTRATION
100 E 1ST ST
PO BOX 1968
GRAND ISLAND, NE 68802
308-385-5444 EXT 290
308-385-5488 FAX

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TILLEY SPRINKLER SYSTEMS INC
3809 WESTGATE RD
GRAND ISLAND NE 68803

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PARKS ADMINISTRATION
100 E 1ST ST
PO BOX 1968
GRAND ISLAND, NE 68802
308-385-5444 EXT 290
308-385-5488 FAX

Federal Tax ID #47-6006205 State Tax ID # 21-0244767

Vendor Phone Number		Vendor Fax Number	Requisition Number	Delivery Reference		
		(308) 384-1491	19			
Date Ordered	Vendor Number	Entered By	Requested By		Department/Location	
10/04/2010	396	pattib	Patti Buettner		PARKS & RECREATION	
Item#	Description/Part No.		Qty	UOM	Unit Price	Extended Price
-	LABOR, MATERIAL AND EQUIPMENT FOR GRADE PREPARATION AND FINE GRADING FOR INSTALLATION OF SOD		1.0	JOB	\$7,000.000	\$7,000.00
	40044450 - 90122					\$7,000.00
	40044450 - 90122					\$7,000.00

The City of Grand Island is an Affirmative Action/Equal Opportunity Employer

PO Total

6,620.00
\$7,000.00



City of Grand Island

Tuesday, November 09, 2010

Council Session

Item J3

Approving Payment of Claims for the Period of October 27, 2010 through November 9, 2010 for the State Fair Recreation Building

The Claims for the Period of October 27, 2010 through November 9, 2010 for the State Fair Recreational Building for the following requisition:

#33 \$137,655.00

A MOTION is in order.

Staff Contact: Mary Lou Brown

Exhibit A to Escrow Agreement
(FORM OF PAYMENT REQUEST)

Payment Request No. 033

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

<i>Payee</i>	<i>Address</i>	<i>Amount To Be Paid</i>	<i>Cost of Issuance or Project Description</i>
Sampson Construction Co., Inc.	3730 So. 14 th St Lincoln, NE 68502	\$137,655.00	Completion of final construction

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

1. All of the provisions of the Lease and the Escrow Agreement are incorporated herein by reference and capitalized terms used herein and not defined shall have the meanings assigned to them in the Loan Agreement and the Escrow Agreement.
2. The payments to be made to the payees set forth above are for costs of construction and/or acquisition of the Project (as defined in the Escrow Agreement) described above, or reimbursement to Lessee therefor, and the payments have not been the basis for a prior request which has been paid. Any amounts to be reimbursed to the Lessee are for advances made by the Lessee from its own funds not earlier than May 1, 2009.
3. All of Lessee's representations, covenants and warranties contained in the Lease and the Certificate with Respect to Tax Matters (the "Tax Certificate") were true and accurate in all material respects as of the date made, and remain true and accurate in all material respects as of the date of this Payment Request, and the Lessee has fully and satisfactorily performed all of its covenants, representations and obligations to date required under the Lease, the Escrow Agreement and the Tax Certificate. No Default Event has occurred under the Lease.
4. The Lessee understands that the Lessor is relying on the certifications herein with regard to and in connection with approving the disbursement requested hereby.

5. Please indicate if this Payment Request relates to the final disbursement from the Escrow Fund: Yes X No.

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

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

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

7. Lessee attaches hereto the following items:

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

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

LESSEE:

THE CITY OF GRAND
ISLAND, NEBRASKA

By: Mary Jo Berman
Title: Finance Director
Date: 10/20/10

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

Bradley T. Bell
Authorized Officer

Attachments: 1. Invoices/Certificates for Payment
2. Insurance Certificate (if not previously provided)



ARCHITECTURE
ENGINEERING
INTERIOR DESIGN

Principals:

JON P. DALTON, PE
MATTHEW C. METCALF, AIA
WADE W. STANGE, AIA
MICHAEL A. WACHAL, PE

Associate Principal:

MICHAEL D. MARSH, AIA

Senior Associates:

J. EDWARD BUKACEK, AIA
RONALD G. HACKETT, AIA
DAN L. HEMSATH
BRYCE G. JOHNSON, MS PE
JAMES K. LUEDKE, PE
RENEE M. SHEIL
GREGORY T. SMITH, AIA
LEROY P. SVATORA, AIA

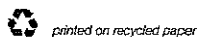
Lincoln:

211 NORTH 14TH STREET
LINCOLN, NEBRASKA 68508
PHONE: (402) 476-9700
FAX: (402) 476-9722

Other Locations:

OMAHA, NEBRASKA
VERMILLION, SOUTH DAKOTA

www.davisdesign.com



October 8, 2010

Nebraska State Fair Park
Attn: Joseph McDermott
P.O. Box 81223
Lincoln, NE 68501

**RE: State Fair Park – Fonner Park
Exhibition Building 3
Grand Island, Nebraska
Davis Design Project 08-0192**

Joseph,

Enclosed is Sampson Construction Co., Inc.'s. Application and Certification for Payment No.14 dated October 4, 2010.

Based upon our on-site observations, the work has progressed to the point indicated and to the best of our knowledge; the quality of the work is in accordance with the contract documents. Therefore, we recommend that payment be made to Sampson Construction Co., Inc. in the amount of \$137,655.00.

Please retain the "Owner" copy for your files and forward the "Contractor" copy together with your payment to Sampson Construction Co., Inc.

Please call me at our Lincoln office if you have any questions or concerns regarding this application for payment.

Sincerely,

DAVIS DESIGN

Chad Vogel
Construction Administrator

Enclosure

cc: Chad Vogel, Construction Administrator Files - Davis Design, Inc.
Leroy Savarta, Project Architect - Davis Design, Inc.
Nate Kastens, Project Manager – Sampson Construction Co., Inc.
Craig Gies, Executive Team – Sampson Construction Co., Inc.
Jon Thomas – Village Development

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

PAGES

PAGE ONE OF

TO OWNER: Nebraska State Fair Board
P.O. Box 1387

Grand Island, NE 68802

FROM CONTRACTOR:

Sampson Construction Co., Inc.
3730 So. 14th St.
Lincoln, NE 68502

CONTRACT FOR: General

PROJECT: Nebraska State Fair Park

Fonner Park - Grand Island, Nebraska

Exhibition Building 3

VIA: Chad Vogel

Davis Design, Inc.

211 North 14th Street

Lincoln, NE 68508

APPLICATION NO

14

PERIOD TO:

9/30/2010

PROJECT NOS:

09028

CONTRACT DATE: 7/10/09

Distribution to:

☐ OWNER

☐ ARCHITECT

☐ CONTRACTOR

☐

☐

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Sampson Construction Co., Inc.

By:

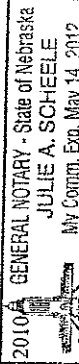
Date:

State of: Nebraska County of: Lancaster

Subscribed and sworn to before me this 4th day of October 2010

Notary Public: Julie A. Scheele

My Commission expires: 5-14-2012



1. ORIGINAL CONTRACT SUM \$ 3,972,000.00
2. Net change by Change Orders \$ 637,534.00
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 4,609,534.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 4,609,534.00

5. RETAINAGE:

a. % of Completed Work (Column D + E on G703) 100,000.00

b. % of Stored Material (Column F on G703) \$

Total Retainage (Lines 5a + 5b or

Total in Column 1 of G703)

6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total) \$ 100,000.00
\$ 4,509,534.00

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)

8. CURRENT PAYMENT DUE \$ 4,371,879.00

9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 137,655.00
\$ 100,000.00

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated. the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 137,655.00

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT: Davis Design, Inc.

By:

Date:

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$629,978.00	
Total approved this Month #7	\$7,556.00	
TOTALS	\$637,534.00	\$0.00
NET CHANGES by Change Order	\$637,534.00	

CONTINUATION SHEET

AIA DOCUMENT G703

PAGE OF PAGES

14

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing

Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO:

APPLICATION DATE: 10/4/2010

PERIOD TO: 9/30/2010

09028

ARCHITECT'S PROJECT NO: ARCHITECTS PROJECT NO: 09028

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D	E	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G + C)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	WORK COMPLETED THIS PERIOD					
EXHIBITION BUILDING #3									
1	FOUNDATIONS	220,000	220,000			220,000	100%		
2	SLABS	245,000	245,000			245,000	100%		
3	PRECAST	60,000	60,000			60,000	100%		
4	MASONRY	380,000	380,000			380,000	100%		
5	STEEL	75,000	75,000			75,000	100%		
6	CARPENTRY	45,000	45,000			45,000	100%		
7	SEALANTS	15,000	15,000			15,000	100%		
8	HM/DOORS/HARDWARE	125,000	125,000			125,000	100%		
9	ALUMINUM & GLASS	140,000	140,000			140,000	100%		
10	OVERHEAD DOORS	15,000	15,000			15,000	100%		
11	METAL STUDS/DRYWALL	65,000	65,000			65,000	100%		
12	ACT	18,000	18,000			18,000	100%		
13	PAINTING	52,000	52,000			52,000	100%		
14	FLOOR SEALER	24,000	24,000			24,000	100%		
15	SPECIALTIES	34,000	34,000			34,000	100%		
16	METAL BUILDING-MATERIAL	610,000	610,000			610,000	100%		
17	METAL BUILDING-INSULATION	85,000	85,000			85,000	100%		
18	METAL BUILDING-ERECTION	340,000	340,000			340,000	100%		
19	FIRE SPRINKLER	130,000	130,000			130,000	100%		
20	HVAC	290,000	290,000			290,000	100%		
21	PIPING	300,000	300,000			300,000	100%		
22	ELECTRICAL	399,000	399,000			399,000	100%		
23	PAYMENT & PERFORMANCE BOND	25,000	25,000			25,000	100%		
24	GENERAL CONDITIONS	280,000	280,000			280,000	100%		
25	CHANGE ORDER #1	342,893	342,893			342,893	100%		
26	CHANGE ORDER #2	239,337	239,337			239,337	100%		
27	CHANGE ORDER #3	4,313	4,313			4,313	100%		
28	CHANGE ORDER #4	28,372	28,372			28,372	100%		
29	CHANGE ORDER #5	3,666	3,666			3,666	100%		
30	CHANGE ORDER #6	11,397	11,397			11,397	100%		
31	CHANGE ORDER #7	7,556		7,556		7,556	100%		
GRAND TOTALS		4,609,534	4,601,978	7,556		4,609,534	100%		100,000



Interchange Corporate Center
450 Plymouth Road, Suite 400
Plymouth Meeting, PA. 19462-1644
Ph. (610) 832-8240

CONSENT OF SURETY REDUCTION IN OR PARTIAL RELEASE OF RETAINAGE

To: Nebraska State Fair Board

P O Box 81223

Lincoln, NE 68501

RE: Nebraska State Fair Park Fanner Park Exhibition Building 3

Obligee: Nebraska State Fair Board

Principal:

Sampson Construction Co., Inc.

Project Number: _____

Contract For: Exhibition Building 3

Contract Date: July 10, 2009

In accordance with the provisions of the contract between the Obligee and the Principal described above, LIBERTY MUTUAL INSURANCE COMPANY, a Massachusetts stock insurance company, as surety (the "Surety"), on bond number 012-015-051 (the "Bond") of the Principal, hereby consents to the reduction in or partial release of retainage to the Principal as follows:

Reduction in Retainage from 5% to \$100,000.00

The Surety agrees that such reduction in or partial release of retainage to the Principal shall not relieve the Surety of any of its obligations to Obligee as set forth in the Bond.

IN WITNESS WHEREOF, the Surety has set its hand and seal this 29th day of September, 20 10.

LIBERTY MUTUAL INSURANCE COMPANY
(Surety)

By:

Edith Sue Stromberg
Attorney-in-Fact
Edith Sue Stromberg

(Seal)

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint **KEVIN D. MCCARVILLE, CAROL A. DORN, ROHN P. LOYD, EDITH SUE STROMBERG, ALL OF THE CITY OF LINCOLN, STATE OF NEBRASKA**

each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding **EIGHTY MILLION AND 00/100** DOLLARS (\$ **80,000,000.00**) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 9th day of September 2009

LIBERTY MUTUAL INSURANCE COMPANY

By Garnet W. Elliott
Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 9th day of September, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2013
Member, Pennsylvania Association of Notaries

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 29th day of September, 2010.



By David M. Carey
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.