
City of Grand Island



Tuesday, July 12, 2011

Council Session Packet

City Council:

Larry Carney
Linna Dee Donaldson
Scott Dugan
Randy Gard
John Gericke
Peg Gilbert
Chuck Haase
Mitchell Nickerson
Bob Niemann
Kirk Ramsey

Mayor:

Jay Vavricek

City Administrator:

Mary Lou Brown

City Clerk:

RaNae Edwards

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

Call to Order

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

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

Invocation - Father Jonathan Sorenson, St. Mary's Cathedral Catholic Church, 204 South Cedar Street

Pledge of Allegiance

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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

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, July 12, 2011

Council Session

Item F1

#9299 - Consideration of Creation of Sanitary Sewer District No. 528; Wildwood Subdivision

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Terry Brown, Manager of Engineering Services

Meeting: July 12, 2011

Subject: Consideration of Creation of Sanitary Sewer District No. 528; Wildwood Subdivision

Item #'s: F-1

Presenter(s): John Collins, Public Works Director

Background

Council action is needed to create a sanitary sewer district. The boundary for the proposed district was selected because it includes all properties annexed into the City limits in August 2002 by Ordinance No. 8748. See attached sketch. A petition for sanitary sewer with the above district boundary was circulated in the area and signed by four (4) property owners. Charles Staab spoke in support of extending City sanitary sewer along US Highway 281 to Interstate 80 at the May 17, 2011 Study Session.

Discussion

If the district is created, a notice will be mailed to all affected property owners, a 30-day protest period allowed and an open house meeting held to review the project with property owners. The Public Works Department would recommend that the assessments for the district be spread equally across the lots in the district.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the creation of Sanitary Sewer District No. 528. A ten (10) year assessment period is recommended.

Sample Motion

Move to approve the resolution creating Sanitary Sewer District No. 528.

5.19.11



PETITION FOR CREATION OF SANITARY SEWER DISTRICT

**RETURN TO: PUBLIC WORKS DEPARTMENT
PO BOX 1968
GRAND ISLAND, NE 68802-1968**

We, the undersigned, petition the Mayor and the Council to create a sanitary sewer district to serve our properties.

We hereby expressly consent that the City of Grand Island, for the purpose of surveying and construction of such sanitary sewer main, may pass along and across the immediate area of our property, and we grant the City of Grand Island, insofar as is reasonably necessary, the right to place soil, dirt and sand necessarily excavated in such construction upon the parts of our land abutting upon such construction for and during the period of construction.

We hereby severally waive all claims for damages reasonably resulting from construction of such sanitary sewer main and from damage or destruction to trees or shrubbery.

We petition creation of a sanitary sewer district to serve the following properties and agree that the cost of construction of this district will be assessed against the abutting properties.

<u>NAME</u>	<u>ADDRESS</u>
Chad A. Steub cell # 308-383-8044	
Rich-Sons (Amey) Sps	5112 S. Antelope Dr. G.D.
Jim Connot / Jerry Bauer	
Bauer Built Tire	3334 W. Cougar Dr.
Nate Neff	
C.F. Tractor Inc.	5212 S. Antelope Dr.
Phil Rouse	5018 So Antelope Dr.
Fairbank Eging	

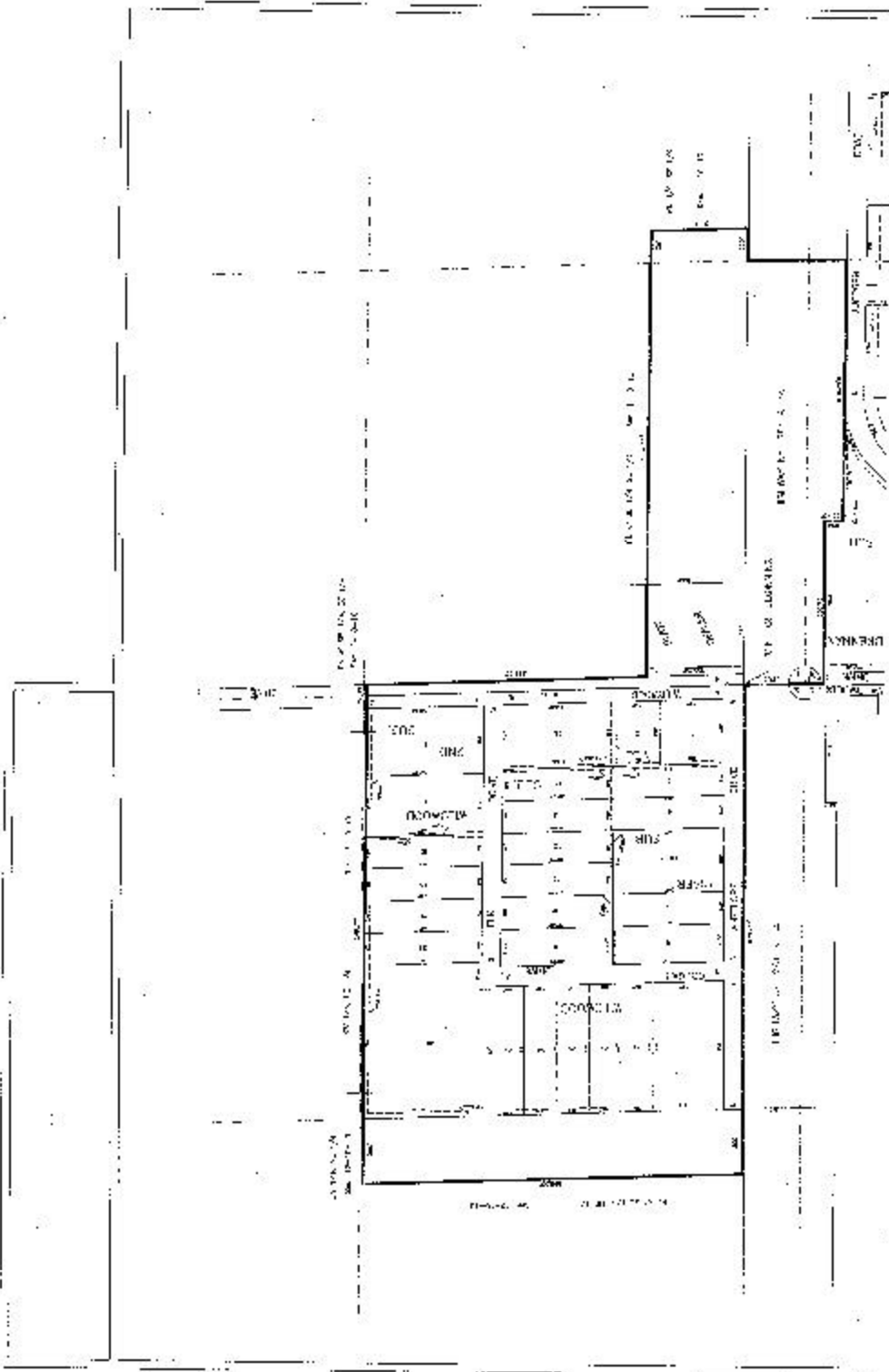
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THE UNIVERSITY OF CHICAGO

DATE: 10/10/2010

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2017-2018 2017-2018 2017-2018



ORDINANCE NO. 9299

An ordinance creating Sanitary Sewer District No. 528 of the City of Grand Island, Nebraska; defining the boundaries thereof; providing for the laying of sanitary sewer mains in said district; providing for plans and specifications and securing bids; providing for the assessment of special taxes for constructing such sewer and collection thereof; and providing for publication and the effective date of this ordinance.

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

SECTION 1. Sanitary Sewer District No. 528 is hereby created for the construction of ten (10.0), twelve (12.0), fifteen (15.0), eighteen (18.0), and twenty-four (24.0) inch sanitary sewer main and appurtenances thereto in along Highway 281 & 34 and Wildwood Drive in Wildwood Subdivision in the City of Grand Island, Hall County, Nebraska.

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

Beginning at the northeast corner of said Wildwood Subdivision, said point also being the intersection of the north line of Section Twelve (12), Township Ten (10), Range Ten (10) and the west right-of-way (R.O.W.) line of U.S. Highway 281 & 34; thence southerly on the west line of said Highway 281 & 34 for a distance of one thousand five hundred twenty and fourteen hundredths (1,520.14) feet; thence westerly on a line two hundred (200.0) feet south of and parallel to the south line of Wildwood Subdivision for a distance of eight hundred ninety eight and thirty three

ORDINANCE NO. 9299 (Cont.)

hundredths (898.33) feet; thence northerly on the west line of Wildwood Subdivision and an extension thereof for a distance of one thousand five hundred forty eight and seventy seven hundredths (1548.77) feet to the north line of Wildwood Drive; thence easterly on the north line of Wildwood Drive for a distance of eight hundred sixty five and six tenths (865.6) feet; thence northerly on a line three hundred (300.0) feet west of and parallel to the west line of U.S. Highway 281 & 34 for a distance of one thousand three hundred eighty seven (1387.0) feet +- to a point one hundred (100.0) feet north of the north line of the Southeast Quarter (SE ¼) of Southeast Quarter (SE ¼), Section One (1), Township Ten (10), Range Ten (10); thence easterly on a line one hundred (100.0) feet north of and parallel to said north line of the Southeast Quarter (SE ¼) of Southeast Quarter (SE ¼), Section One (1), Township Ten (10), Range Ten (10) for a distance of three hundred (300.0) feet to the west line of said U.S. Highway 281 & 34 thence south for a distance of one hundred (100.0) feet; thence easterly on a line perpendicular to the west line of U.S. Highway 281 & 34 to a point on the east line of U.S. Highway 281 & 34; thence southerly on the east line of U.S. Highway 281 & 34 and the westerly line of Brennan Subdivision to the southwest corner of Brennan Subdivision; thence westerly on the south line of Section Five (5), Township Ten (10), Range Nine (9) and Section One (1), Township Ten (10), Range Ten (10) to the point of beginning.

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

SECTION 4. The cost of construction of such sanitary sewer main connection district shall be reported to the City Council, and the Council, sitting as a Board of Equalization, shall determine benefits to abutting property by reason of such improvement pursuant to Section 16-6,103, R.R.S. 1943. The special benefits shall not be levied as special assessments but shall be certified by resolution of the City Council to the Hall County Register of Deeds. A connection fee in the amount of the special benefit accruing to each property in the district shall be paid to the City of Grand Island at such time as such property becomes connected to the sanitary sewer

ORDINANCE NO. 9299 (Cont.)

main in such district. No property thus benefited by sanitary sewer main improvements shall be connected to the sanitary sewer main until the connection fee is paid.

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

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

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

Enacted: July 12, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, July 12, 2011

Council Session

Item G1

Approving Minutes of June 28, 2011 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

June 28, 2011

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 June 28, 2011. Notice of the meeting was given in *The Grand Island Independent* on June 22, 2011.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following City Council members were present: Larry Carney, Chuck Haase, Kirk Ramsey, Peg Gilbert, Mitch Nickerson, Linna Dee Donaldson, Scott Dugan, Randy Gard and John Gericke. Councilmember Bob Niemann was absent. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, City Attorney Robert Sivick, and Public Works Director John Collins.

INVOCATION was given by Pastor Rene Lopez, Iglesia de Dios, 2325 West State Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek introduced Community Youth Council members Samantha Moravec and Kerrigan Anspauch.

Mayor Vavricek gave the semi-annual State of the City address. Mentioned was the “new normal” where it was increasingly difficult to balance the cost of city services with revenue. The City had cut the cost of government by delaying vehicle purchases, refinancing the library addition and law enforcement center, and used employee vacancies for added savings.

Mentioned were the many projects the City currently were pursuing such as: the North East Interceptor sewer system replacement, train noise, City Fieldhouse, Economic Development incentive agreements, Veteran’s Athletic Complex, dewatering, detention cell management, contaminated ground water, annexation, redistricting, Lincoln Pool, among many other projects. (See attached.)

Councilmember President Gilbert gave the State of the Council address. President Gilbert commented on three challenges: 1) open, honest communication, 2) the ability to vote on issues, and 3) knowledge and experience during these difficult economic times. (See attached.)

City Administrator Mary Lou Brown gave an update on the potential sanitary sewer extension along Highway 281, meetings with the NDEQ, feasibility study of the project, and SID tax. Quiet Zone (train horn noise) was currently moving forward. Monthly financial report for June was presented. Strong cash balance with General fund actual receipts tracking with estimated revenues. Sales tax receipts had grown over last year but were expected to come in under budget. Expenses were coming in under budget with personnel costs down and vehicle purchases delayed. Food & beverage occupation tax and gas tax were status quo.

PRESENTATIONS:

Recognition of Lonnie Wilsey, Sr. Materials Handler in the Utilities Department for 35 Years of Service with the City of Grand Island. The Mayor and City Council recognized Lonnie Wilsey for 35 years of service with the City as Sr. Materials Handler with the Utilities Department. Utilities Director Tim Luchsinger commented on Mr. Wilsey commitment to the City. Mr. Wilsey was present for the recognition.

PUBLIC HEARINGS:

Public Hearing on Request from MJR, Inc. dba Bandits, 1016 Diers Avenue, Suite 118 for a Class "C" Liquor License. RaNae Edwards, City Clerk reported that an application for a Class "C" Liquor License had been received from MJR, Inc. dba Bandits, 1016 Diers Avenue, Suite 118. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on June 13, 2011; notice to the general public of date, time, and place of hearing published on June 18, 2011; notice to the applicant of date, time, and place of hearing mailed on June 13, 2011; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Request from Fuji Steak House, Inc. dba Fuji Japanese Steak House, 1004 North Diers Avenue, Suite 200 for a Class "T" Liquor License. RaNae Edwards, City Clerk reported that an application for a Class "T" Liquor License had been received from Fuji Steak House, Inc. dba Fuji Japanese Steak House, 1004 North Diers Avenue, Suite 200. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on May 31, 2011; notice to the general public of date, time, and place of hearing published on June 18, 2011; notice to the applicant of date, time, and place of hearing mailed on May 31, 2011; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Request from Gerardo Gutierrez dba Tacos Las Palmas, 645 South Locust Street, Unit #4 for a Class "C" Liquor License. RaNae Edwards, City Clerk reported that an application for a Class "C" Liquor License had been received from Gerardo Gutierrez dba Tacos Las Palmas, 645 South Locust Street, Unit #4. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on June 6, 2011; notice to the general public of date, time, and place of hearing published on June 18, 2011; notice to the applicant of date, time, and place of hearing mailed on June 6, 2011; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at the Northwest Corner of 611 Willow Street – Willow & 7th Streets (Robert G. Eihusen). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at the northwest corner of 611 Willow Street – Willow & 7th Streets was needed in order to have access to install, upgrade, maintain, and repair appurtenances, including lines and transformers for the purpose of providing a location for water and sewer lines to the proposed Platte Valley Industrial Park East. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located West of Blaine Street, South of Schimmer Drive (Grand Island Economic Development Corp. – Wildwood Trust). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located west of Blaine Street, south of Schimmer Drive was needed in order to have access to install, upgrade, maintain, and repair appurtenances, including lines and transformers for the purpose of providing a location for water and sewer lines to the proposed Platte Valley Industrial Park East. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located North of Wildwood Drive, East of Blaine Street (Thomas & Carlotta Hartman). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located north of Wildwood Drive and east of Blaine Street was needed in order to have access to install, upgrade, maintain, and repair water mains for the purpose of providing a termination point for the water main to be installed in Wildwood Drive as part of the Platte Valley Industrial Park East project. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located North of Wildwood Drive, East of the St. Joseph Branch UPRR Track (Evelyn Blattner). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located north of Wildwood Drive and east of the St. Joseph Branch UPRR Track was needed in order to have access to install, upgrade, maintain, and repair water and sewer lines for the purpose of providing a location for the water and sewer lines to the proposed Platte Valley Industrial Park East project. Staff recommended approval. No public testimony was heard.

CONSENT AGENDA: Consent Agenda item G-2 was removed for further discussion. Motion by Ramsey, second by Nickerson to approve the Consent Agenda excluding item G-2. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of June 14, 2011 City Council Regular Meeting.

#2011-147 – Approving Acquisition of Utility Easement Located at the Northwest Corner of 611 Willow Street – Willow & 7th Streets (Robert G. Eihusen).

#2011-148 – Approving Acquisition of Utility Easement Located West of Blaine Street, South of Schimmer Drive (GI Economic Development Corp. – Wildwood Trust).

#2011-149 – Approving Acquisition of Utility Easement Located North of Wildwood Drive, East of Blaine Street (Thomas & Carlotta Hartman).

#2011-150 – Approving Acquisition of Utility Easement Located North of Wildwood Drive, East of the St. Joseph Branch UPRR Track (Evelyn Blattner).

#2011-151 – Approving Memorandum of Understanding with South Central Economic Development District, Inc.

#2011-152 – Approving Housing Development Corporation Contract Extension for Neighborhood Stabilization.

#2011-153 – Approving Energy Efficiency Agreement for Thermal Imaging Project.

#2011-154 – Approving the Nebraska Department of Health and Human Services Agreement for a 2011-2012 Child Well-Being Grant.

#2011-155 – Approving Award Amendment #2 for Engineering Services for Aeration Basin Improvements at the Wastewater Treatment Plant with Black & Veatch Corporation of Kansas City, Missouri in an Amount of \$35,770.25.

#2011-156 – Approving Authorization for Emergency Sanitary Sewer Repairs on Circle Drive with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$21,135.20.

#2011-157 – Approving Certificate of Final Completion for Installation of Primary Clarifier Mechanism Replacement, Project No. WWTP-2010-2 with Oakview Construction, inc. of Red Oak, Iowa.

Approving Liquor Manager Designation for Hector Hernandez, 610 West 6th Street for Zona Rosa Nightclub, 611 East 4th Street. Comments were made concerning the Police Department background investigation on Hector Hernandez' spouse.

Motion by Gilbert, second by Dugan to deny the request from Hector Hernandez, 610 West 6th Street for Liquor Manager designation for Zona Rosa Nightclub, 611 East 4th Street. Upon roll call vote, Councilmember's Haase, Gilbert, Dugan, and Gericke voted aye. Councilmember's Carney, Ramsey, Nickerson, Donaldson, and Gard voted no. Motion failed.

Police Chief Lamken commented on the investigation and stated the background check did not bring up concerns for the Police Department.

Motion by Nickerson, second by Ramsey to approve the request from Hector Hernandez, 610 West 6th Street for Liquor Manager designation for Zona Rosa Nightclub, 611 East 4th Street. Upon roll call vote, Councilmember's Haase, Carney, Ramsey, Nickerson, Donaldson, Gard, and Gericke voted aye. Councilmember's Gilbert and Dugan voted no. Motion adopted.

RESOLUTIONS:

#2011-158 – Consideration of Request from MJR, Inc. dba Bandits, 1016 Diers Avenue, Suite 118 for a Class "C" Liquor License and Liquor Manager Designation for Tim McMullen, 819 West 12th Street. This item related to the aforementioned Public Hearing.

Motion by Gard, second by Gilbert to approve Resolution #2011-158 contingent upon final inspections and completion of a state approved alcohol server/seller training program. Upon roll call vote, all voted aye. Motion adopted.

#2011-159 – Consideration of Request from Fuji Steak House, Inc. dba Fuji Japanese Steak House, 1004 North Diers Avenue, Suite 200 for a Class "T" Liquor License and Liquor Manager Designation for Tu Gen Yang, 3720 State Street, Apt. 3. This item related to the aforementioned Public Hearing.

Motion by Gilbert, second by Haase to approve Resolution #2011-159 contingent upon final inspections and completion of a state approved alcohol server/seller training program. Upon roll call vote, all voted aye. Motion adopted.

#2011-160 – Consideration of Request from Gerardo Gutierrez dba Tacos Las Palmas, 645 South Locust Street, Unit #4 for a Class ‘C’ Liquor License. This item related to the aforementioned Public Hearing.

Motion by Ramsey, second by Gericke to approve Resolution #2011-160 contingent upon final inspections and completion of a state approved alcohol server/seller training program. Upon roll call vote, all voted aye. Motion adopted.

#2011-162 – Consideration of Approving a Resolution Authorizing the Operation of the City Dewatering Wells. Public Works Director John Collins reported that on December 21, 1998 the City Council approved an agreement with the Central Platte Natural Resources District (CPNRD) for the installation of test wells and monitoring wells for studying the success of the wells at lowering groundwater levels. The agreement was specifically limited to no more than 36 months. In order for the City to continue operating the dewatering wells it needs council approval. Staff recommended continuing the dewatering wells at the following locations:

- 330 Villa Mar Dee Avenue
- 4351 Cambridge Road
- 4255 Nevada Avenue
- 2513 Phoenix Avenue
- 910 Sun Valley Drive

The following people spoke:

- Dan Zabka, 2319 Riverview Drive – wanted City to pay for his dewatering well
- Doug Winder, 4355 Cambridge Road – support
- Francis Sindelar, 2448 W. LaMar Avenue – support
- Roger Lindly, 923 Phoenix Avenue – support
- Gene Knehans, 2515 W. Phoenix Avenue – support
- Lewis Kent, 624 Meves Avenue – support

Motion by Nickerson, second by Gilbert to approve Resolution #2011-162.

Discussion was held regarding costs, replacement of wells, relocation of wells, and easements.

Motion by Dugan, second by Carney to amend the Resolution to add “existing” between repair and dewatering wells; deleting “initially” and adding “the following” between of and facilities to the last paragraph. Upon roll call vote, all voted aye. Motion adopted.

Motion by Carney, second by Gericke to incorporate \$1.00 to the water and sewer bill until those costs were liquidated.

Building Director Craig Lewis commented on a 35¢ charge on the utility bill for the backflow program. Discussion was held on the legality of adding a surcharge of \$1.00 to the utility bill. City Attorney Bob Sivick stated he could not give a definite answer at this time.

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

Upon roll call vote of the main motion, all voted aye. Motion adopted.

#2011-161 – Consideration of Approving Fraternal Order of Police (FOP) No. 24 Labor Agreement. Human Resources Director Brenda Sutherland reported that there were few changes from the current contract. Some of the changes included: tracking personal leave, vacation and medical leave, changing funeral leave to bereavement leave, increase to the amount of medical leave for immediate family members, and increasing the steps from 8 to 9. The first year of the contract would have a 0% increase and a 1.75% salary increase in the second year.

FOP President Jarret Daugherty stated the two year contract was fair to both sides during these difficult economic times.

Motion by Gericke, second by Gilbert to approve Resolution #2011-161. Upon roll call vote, all voted aye. Motion adopted.

#2011-163 – Approving Bid Award for Uranium Removal System Equipment with Water Remediation Technologies of What Ridge, Colorado in an amount of \$8,031,066.90. Utilities Director Tim Luchsinger reported that sealed bids for Uranium Removal System Equipment Procurement were opened on May 5, 2011. Water Remediation Technologies submitted the lowest responsible bid.

Discussion was held regarding bonding the capital cost. It was mentioned that rate increases would cover the operation costs. Anticipated growth to the City was mentioned.

Motion by Gilbert, second by Dugan to approve Resolution #2011-163. Upon roll call vote, all voted aye. Motion adopted.

#2011-164 – Consideration of Selling One-Stop Building Located at 1306 West 3rd Street. Building Department Director Craig Lewis reported the property was purchased in July of 1996 and was currently leased to the State of Nebraska Department of Administrative Services and would expire on June 30, 2011. Staff recommended declaring this property as surplus property and authorize City staff to proceed with a request for proposal to dispose of the property.

Discussion was held regarding the current tenants. Mr. Lewis stated they would have 120 days before they would have to vacate.

Motion by Carney, second by Gard to approve Resolution #2011-164. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Ramsey to approve the Claims for the period of June 15, 2011 through June 28, 2011, for a total amount of \$3,641,541.31. Unanimously approved.

ADJOURN TO EXECUTIVE SESSION: Motion by Gilbert, second by Dugan to adjourn to Executive Session at 9:02 p.m. for the purpose of union negotiation updates for the protection of the public interest. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Gilbert, second by Gard to return to Regular Session at 10:48 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 10:48 p.m.

RaNae Edwards
City Clerk

It's an honor to once again present a State of the City and resume efforts I initiated four years ago to promote open communication to you as Mayor of Grand Island on behalf of our City Council.

First, thank you for all your support, the many kind notes, calls of encouragement, your thoughts and prayers.

I would also like to thank our City Council members for their tireless work. Because of your time and dedication, Grand Island is growing and we're moving forward.

To Councilmember Gericke, welcome back and Councilmember Niemann, who is not with us tonight for health reasons, we hope you recover soon to join us.

We live in a great city with signs of progress, signs of strength, and signs of new beginnings.

So let's take time to remind ourselves of good work accomplished and great effort from so many.

In these tough economic times, the "new normal"...it's a time where it is increasingly difficult to balance the cost of City services with revenue.

It is a different situation from when I served before. Almost every decision today is financially related in one way or the other. Decisions and recommendations are determined by city code, council decisions, Nebraska law, and the wisdom used to survive in business today and common sense.

The past six months we cut the cost of government. We managed taxpayer dollars wisely and lived within our means. We didn't spend money we didn't have. We saved over \$1 million from this year's budget. With council awareness we delayed major vehicle purchases. We used employee vacancies for added savings. Council approved refinancing the library addition and law enforcement center and over the course of the life of the loan saved \$475,000 and we'll capture even more savings when council is brought forward the opportunity to refinance the City's events center debt.

With council's awareness, we strengthened our cash reserve to improve our City's financial health, just like a business would do in lean times to offer citizens a greater sense of security and city financial flexibility. We protected any organization's most vital resource...its employees.

Working together, council leadership set in motion a plan to replace a large section of our City's sewer system to ease concerns of its stability for continued essential service to long-time residents. Once a "north east interceptor" is located, it may prove to serve other customer needs in the future.

On the advice from City staff, council said yes, it makes sense to eventually close Elm Street to make a long standing objective more affordable to help reduce the noise of passing trains near our Downtown business district and enhance our quality of life. Construction is due for completion next year.

Good news too. All parties negotiated in good faith and the council is set to approve a zero percent wage increase for our City's Police Department respecting the wishes of taxpayers to help keep our neighborhoods safe and secure from crime and gangs.

Future city growth - it's important and from all corners of our community we've expanded our local economy.

Supported the Nebraska State Fair and the year round use of its facilities and completed surfacing of the City's fieldhouse floor and saving taxpayers \$35,000 with help from the Edgar Reynolds Foundation.

Awarded two more economic incentive agreements to Case New Holland and Standard Iron as part of the eighth year of success of LB 840 creating 800 jobs and nearly \$3 million worth of job performance incentives.

Kept the door open to extend sewer potentially along the Highway 281 corridor at customer's expense for new economic growth.

And just drive by Five Points and Skagway, see what's possible if reinvestment occurs Downtown or in the former Aurora Coop county industrial tract.

Our City is proud to support family enjoyment with the opening of four lighted ball fields and 16 acres of soccer fields this fall at the Veteran's Athletic Complex near Eagle Scout Lake.

Since December, efforts for broader communication and citizen awareness of pending actions before our council has included: a nine hour long range planning retreat, 14 city council meetings, 18 city council study sessions, issuance of 151 press releases and public service announcements, data from monthly city administrator reports, countless emails, managed a City web site for 24 hour day accessibility and during the course of 32 open public meetings exactly 369 agenda topics were approved by our council.

But...our work is not done yet.

Dewatering plans have been brought to light and now set for discussion in addition to the City's ongoing investments to protect flooding for northwest property owners and help protect southwest neighbors with drainage improvements near Central Community College and the Wood River.

Detention cell management and resolving the migrating plume of contaminated ground water remain and need continued efforts.

Clean neighborhoods, the Citizen Survey said we could do better and I believe we can. One place to start is the road sides along Highway 281 and the mall areas while being sensitive to guests and visitors. It's time to explore creating a business improvement district there to help like we do on other road side areas of pride.

Otherwise, you bet. It's time for a community wide cleanup campaign.

Railroad crossings...sorry, they're still on my list from campaign trail suggestions like the Burlington Northern and Union Pacific tracks on North Broadwell to crossings at Stolley Park and Blaine Street, they are not forgotten to be repaired.

As for future community issues in fairness of City tax payers, they include:

- Consideration of annexation of six Ag land parcels surrounded by City limits;
- Lincoln Park Pool;
- Marketing and rental use of the City fieldhouse;
- A naming rights policy for municipal investments;
- City council ward redistricting, which after second thought does need a committee involvement;
- An economic plan needs to be developed for voter approval with more accountability using the knowledge we have learned;
- A long term plan to deal with our unsustainable City budget, as well as any matter any council suggests.

As for next year's City budget, efforts started in December when we all assumed office. So many efforts and suggestions to stretch a dollar under using guidelines of the City's budget prioritization are impending.

On the heels of cutting a couple of million dollars and 25 full time positions a year ago, a second round of potential job cuts are hoped to be manageable. It's also based on reality, of the need to replace lost revenue. City staff, I and council members alike, will come to you in a series of neighborhood meetings and ask for your participation during several city council budget sessions next month. So help us.

Otherwise let me conclude this State of the City.

I sometimes get the impression with the hectic pace we live and trying to balance a check book at home, we fail to remind ourselves of good things and great things, some of which we take for granted like:

- The ability to see stars at night in the safety of our own backyard;
- Of a granddaughter reading in the City's summer reading program;
- Of splashing and laughter in a wading pool;
- Or stop to think a siren's sound means aid is on the way;
- Or to another, the siren is warning and worry if a loved one will return home safe and sound...ALL based on city of Grand Island services.

It is important to note, that the future of our community is not driven by city government or any one organization. It is driven by energy and sense of community and faith, just as it was when settlers started a new beginning here along the Platte River to live, work, and raise a family.

It's also been said "if you don't know where you're going, you'll end up somewhere."

We need to define a cohesive community vision...a process to set goals for year 2020. The spark of which needs to begin now.

So...Who will take the lead and in what way?

Finally, much appreciation of hard work and effort and dedication needs to be acknowledged.

To the leadership to my left and my right...thank you, we're all in this together; devoting the time we have on this earth to successfully do the job we were elected to do. I'm confident we can. City department directors and our city administrator, you're what makes this city clock tick. Your service is on display front and center each and every day and vital, just as the dedication of 500 others in City operations.

And to the men and women and our neighbors serving in harms way, Afghanistan, Iraq, Kosovo, and around the world, we're there with you and appreciate all veteran service and sacrifice over the generations that has provided us the opportunity to govern ourselves.

To a fellow Islander, U.S. Army Sergeant Matt Hoggatt, wounded in action in Afghanistan, we wish you a speedy recovery. You make us proud and come home soon.

People of Grand Island, there are signs of progress, signs of strength, and signs of new beginnings right here before us.

Let us not lose sight of what a great community is all about and work on the future successfully in the months and years ahead.

Thank you for allowing me the opportunity to speak in service to you.

This concludes the State of The City this 28th day of June, 2011.

Thank you and may God bless.

Respectfully submitted this 28th day of June, 2011.

Jay Vavricek

Mayor of Grand Island

2011 has had positive accomplishments and goals established for the future of Grand Island with what I see is the beginning framework of a new administration.

As Council President I would like to offer 3 challenges/opportunities going forward.

The first part of the framework is open honest communication amongst stakeholders. I don't know an industry that doesn't suffer from difficulties in communication especially when there are new communication styles entered into the mix. I can only use the data from my own profession to support what I am saying:

70-80% of medical mishaps are related to interpersonal communication;

66% of Sentinel Events have incomplete communication as a primary root cause;

75% of adverse events have communication breakdowns as the primary contributing factor;

This area can be a unique challenge between council members as we are not allowed to meet in a majority and e-mail has its restrictions. However, it is imperative to SPEAK UP in the beginning of an issue, at study sessions and for an individual citizen caller. Not all of us will agree on a topic (I hope we don't – this tends to lend to a better process) but we can't allow a difference of opinion to be thought of as conflict but simply an informed, respectful open debate.

Second, the power entrusted to us by the citizens is our ability to vote on the issues. This is a power we need to hold in sacred trust so it is used only to advance or stop issues so the majority vote reflects the best interests of the community.

Third, we are in difficult economic times and it will take the knowledge and experience of the dedicated colleagues whom I have the honor of serving to help with providing the vision. Everyone's background and experiences are valuable and different and I am including citizens, the mayor, staff in encouraging everyone to bring innovative solutions to improve the processes of our city, which most importantly to all of us, is our home. We alone do not have all the answers.

These are what I offer to be essential parts of the new framework... communication, regular meetings where each vote reflects the betterment of our community and increasing involvement of all the stakeholders as decisions are made for the future.

Thank you for the opportunity to share these thoughts and to serve as your Council President.



City of Grand Island

Tuesday, July 12, 2011

Council Session

Item G2

**#2011-165 - Approving Change Order #1 - Water Main Project
2009-W-1 - Cedar Street from South Front Street to North Front
Street**

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Tim Luchsinger, Utilities Director
Jason Eley, Assistant City Attorney/Purchasing

Meeting: July 12, 2011

Subject: Change Order #1 – Water Main Project 2009-W-1

Item #'s: G-2

Presenter(s): Tim Luchsinger, Utilities Director

Background

The project area is located in Cedar Street between South Front Street and North Front Street and crosses under the Union Pacific Railroad. In 2008, the existing 12” main broke within the railroad’s right-of-way. Due to the possibility of another pipeline failure, a contract to replace this section of water main was awarded to Van Kirk Brothers Contracting of Sutton, Nebraska. The work involved the installation of a 24” diameter steel casing under the tracks with a new replacement ductile-iron water main. A location map is attached.

The original contract amount was \$178,172.30 and needs to be modified to reflect changes in the installation of the water line. The change order will decrease the contract amount by \$2,989.24, to \$175,183.06.

Discussion

The contract documents provide for the contractor to be paid on the basis of actual quantities installed at the contract’s unit prices. Due to minor adjustments in actual quantities installed versus estimated quantities for the project, the installation cost of the project would be decreased to the amount of \$176,651.10. Additionally, alternate construction methods and materials were utilized to further decrease the total cost for installing the project. These alternates were not a part of the original contract quantities. By utilizing these procedures, it additionally reduces the contract for a total savings from the original bid of \$2,989.24. A detailed listing of all quantities used on the project is attached.

Alternatives

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

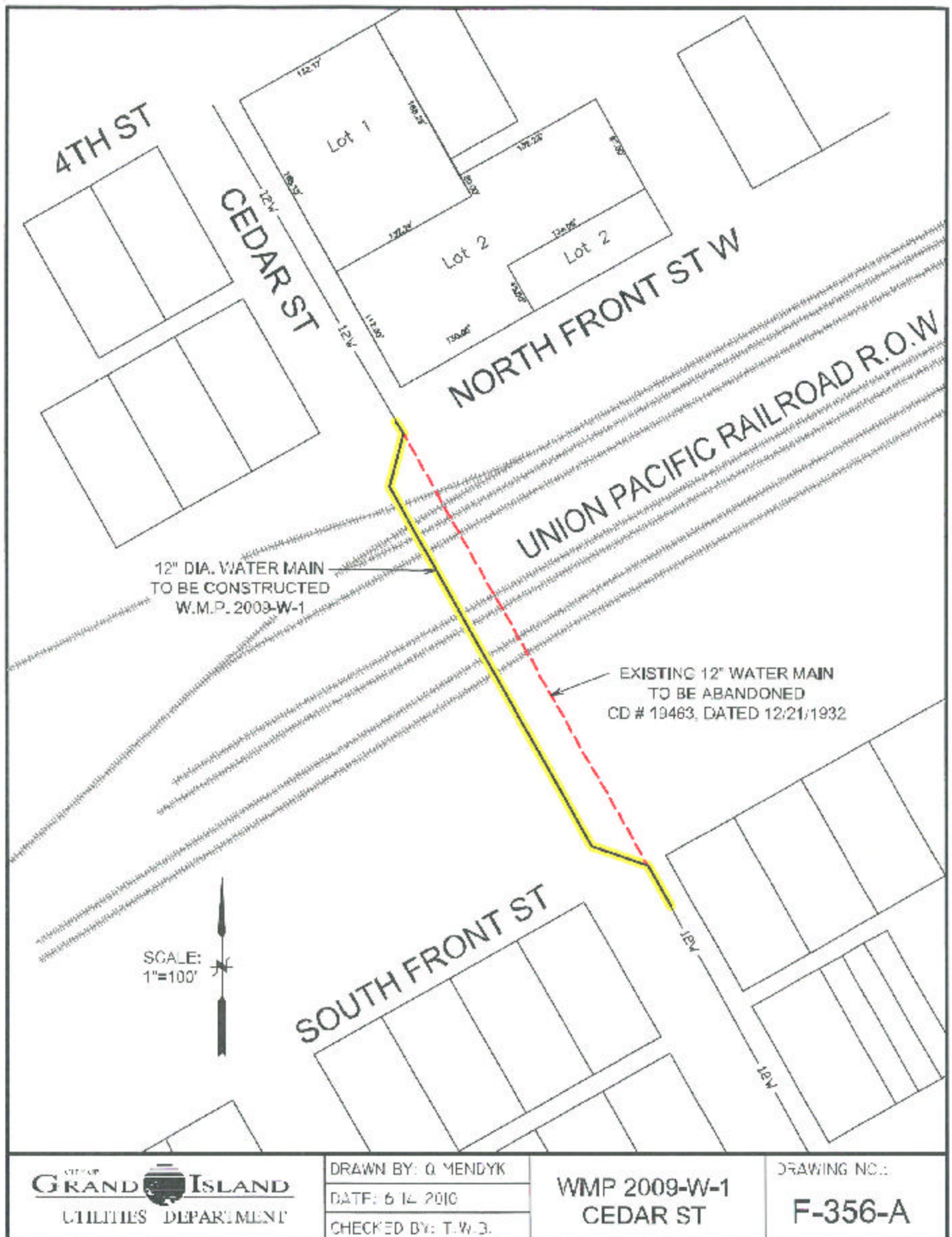
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve Change Order #1 which reduces the contract amount to \$175,183.06 from \$178,172.30.

Sample Motion

Move to approve Change Order #1 for Water Main Project 2009-W-1 with Van Kirk Brothers Contracting to reduce the amount of the contract by \$2,989.24 to the amount of \$175,183.06.

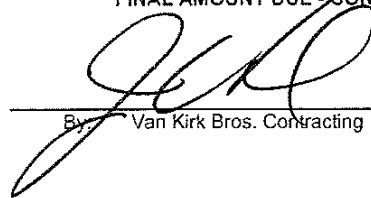


Water Main Project 2009-W-1
Cedar Street and UPRR

Van Kirk Bros. Contracting
1200 W Ash, PO Box 585
Sutton, NE 68979
Phone: 402.773.5250, 402.773.5480 FAX
vkb@mainstaycomm.net

Pay Request: 2 FINAL
Date: 6/20/2011

ITEM	DESCRIPTION	QUANTITY EST.	BID UNIT	Van Kirk Bros Const.		FINAL QUANTITIES		TOTAL AMT
				BID UNIT \$	BID TOTAL \$	PLACED		COMPLETED \$
1.01	24" Dia x 0.500" Steel Casing	395.3	l.f.	\$250.00	98,825.00	395.0	l.f.	\$98,750.00
1.02	24" Cap (MJ)	2.0	ea.	\$985.00	1,970.00	2.0	ea.	\$1,970.00
1.03	24" Retainer Gland	2.0	ea.	\$200.00	400.00	2.0	ea.	\$400.00
1.04	12" D.I. Pipe (RJ)	443.0	l.f.	\$56.00	24,808.00	452.0	l.f.	\$25,312.00
1.05	6" D.I. Pipe (SJ)	19.1	l.f.	\$35.00	668.50	18.3	l.f.	\$640.50
1.06	12"x12"x6" Tee (MJ)	1.0	ea.	\$500.00	500.00	1.0	ea.	\$500.00
1.07	12"x22.5" Ell (MJ)	4.0	ea.	\$400.00	1,600.00	4.0	ea.	\$1,600.00
1.08	12"x8" Reducer (MJ)	2.0	ea.	\$250.00	500.00	2.0	ea.	\$500.00
1.09	12" Retainer Gland	2.0	ea.	\$50.00	100.00	2.0	ea.	\$100.00
1.10	12" RS Gate Valve	2.0	ea.	\$1,800.00	3,600.00	2.0	ea.	\$3,600.00
1.11	Valve Box	2.0	ea.	\$50.00	100.00	3.0	ea.	\$150.00
1.12	Fire Hydrant Assembly	1.0	ea.	\$1,400.00	1,400.00	1.0	ea.	\$1,400.00
1.13	Thrust Block	5.0	ea.	\$110.00	550.00	5.0	ea.	\$550.00
1.14	Bell Block	1.0	ea.	\$125.00	125.00	0.0	ea.	\$0.00
1.15	Pavement Saw Cut	4.0	l.f.	\$8.00	32.00	8.0	l.f.	\$64.00
1.16	Remove Roadway	290.6	s.y.	\$5.00	1,453.00	249.8	s.y.	\$1,249.00
1.17	Replace Roadway	290.6	s.y.	\$65.00	18,889.00	249.8	s.y.	\$16,237.00
1.18	Remove Curb & Gutter	10.8	l.f.	\$5.00	54.00	39.9	l.f.	\$199.50
1.19	Replace Curb & Gutter	10.8	l.f.	\$22.00	237.60	39.9	l.f.	\$877.80
1.20	Remove & Salvage 12"x12"x6" Tee	1.0	ea.	\$200.00	200.00	1.0	ea.	\$200.00
1.21	Remove & Salvage 6" Gate Valve	1.0	ea.	\$150.00	150.00	1.0	ea.	\$150.00
1.22	Remove & Salvage Valve Box	1.0	ea.	\$20.00	20.00	1.0	ea.	\$20.00
1.23	Remove & Salvage Fire Hydrant	1.0	ea.	\$350.00	350.00	1.0	ea.	\$350.00
1.24	Remove & Salvage Manhole Ring & Cover	2.0	ea.	\$150.00	300.00	3.0	ea.	\$450.00
1.25	Remove & Dispose Manhole	2.0	ea.	\$500.00	1,000.00	3.0	ea.	\$1,500.00
1.26	12" HDPE Storm Sewer Pipe	103.9	l.f.	\$28.00	2,909.20	105.0	l.f.	\$2,940.00
1.27	Rebuild Storm Sewer Intake	1.0	ea.	\$1,500.00	1,500.00	1.0	ea.	\$1,500.00
1.28	Construct Storm Sewer Junction Box	2.0	ea.	\$1,500.00	3,000.00	2.0	ea.	\$3,000.00
1.29	6" PVC Conduit	454.0	l.f.	\$7.50	3,405.00	450.0	l.f.	\$3,375.00
1.30	Conduit Casing Spacers	91.0	ea.	\$46.00	4,186.00	84.0	ea.	\$3,864.00
1.31	6" PVC Cap	2.0	ea.	\$50.00	100.00	2.0	ea.	\$100.00
1.32	6"x45"x48" Radius Ell (GRC) w/ Adapter	1.0	ea.	\$152.00	152.00	1.0	ea.	\$152.00
1.33	8 mil Polywrap	463.0	lf	\$1.00	463.00	470.3	lf	\$470.30
1.34	Fill Sand	9.5	cy.	\$300.00	2,850.00	9.5	cy.	\$2,850.00
1.35	Seeding & Mulching	650.0	s.f	\$0.50	325.00	360.0	s.f	\$180.00
1.36	Remove & Replace Protective Posts	2.0	ea.	\$100.00	200.00	2.0	ea.	\$200.00
1.37	Traffic Control	1.0	l.s.	\$1,250.00	1,250.00	1.0	l.s.	\$1,250.00
ORIGINAL CONTRACT AMOUNT					\$178,172.30			\$176,651.10
Item 1.10 Furnish & Install 12" RS Gate Valve					\$1,800.00	Deduct	-2.0 ea.	(\$3,600.00)
Item 1.10 Alternate Furnish 12" RS Gate Valve Only					\$1,700.00	Add	2.0 ea.	\$3,400.00
Item 1.34 Fill Sand					\$300.00	Deduct	-9.5 cy.	(\$2,850.00)
Item 1.34 Alternate Flowable Fill					\$245.00	Add	4.0 cy.	\$980.00
Remove & Replace Deleterious Excavated Soils					\$8.15	Add	73.9 ton	\$601.96
Total for Change Order 1								(\$1,468.04)
NEW CONTRACT AMOUNT								\$175,183.06
Amount Previously Paid (Pay Request 1)								(\$153,090.99)
FINAL AMOUNT DUE - CONTRACT 2009-W-1								\$22,092.07

By:  Date: 6/20/11
Van Kirk Bros. Contracting



CHANGE ORDER #1

TO: Van Kirk Bros. Contracting
1200 West Ash Street, PO Box 585
Sutton, NE 68979

PROJECT: Water Main Project 2009-W-1
Cedar Street and Union Pacific Railroad (UPRR)

You are hereby directed to make the following change in your contract:

1. Amend the Original Contract amount from \$178,172.30 to \$175,183.06, as indicated below. The final amount due for Water Main Project 2009-W-1 is \$22,092.07.

DESCRIPTION	BID UNIT \$	BID TOTAL \$	FINAL QUANTITIES		TOTAL AMT
			PLACED		
ORIGINAL CONTRACT AMOUNT		\$178,172.30			
Initial Cost for Quantities Installed					\$176,651.10
Item 1.10 Furnish & Install 12" RS Gate Valve	\$1,800.00	Deduct	-2.0	ea.	(\$3,600.00)
Item 1.10 Alternate Furnish 12" RS Gate Valve Only	\$1,700.00	Add	2.0	ea.	\$3,400.00
Item 1.34 Fill Sand	\$300.00	Deduct	-9.5	cy.	(\$2,850.00)
Item 1.34 Alternate Flowable Fill	\$215.00	Add	4.0	cy.	\$860.00
Remove & Replace Deleterious Excavated Soils	\$8.15	Add	73.9	ton	\$601.96
TOTAL FOR CHANGE ORDER #1					(\$1,468.04)
NEW CONTRACT AMOUNT					\$175,183.06
Amount Previously Paid (Pay Request 1)					(\$153,090.99)
FINAL AMOUNT DUE - CONTRACT 2009-W-1					\$22,092.07

Approval and acceptance of this Change Order acknowledges understanding and agreement that the cost adjustments included represent the complete values arising out of and/or incidental to the work described herein. Additional claims will not be considered.

APPROVED: CITY OF GRAND ISLAND

By: _____
Mayor

Date: _____

Attest: _____

Approved as to Form, City Attorney

ACCEPTED: VAN KIRK BROS. CONTRACTING

By: 

Date: 6/20/11

RESOLUTION 2011-165

WHEREAS, Van Kirk Brothers Contracting of Sutton, Nebraska, was awarded the contract for Water Main Project 2009-W-1, Cedar Street between South Front Street and North Front Street, at the January 25, 2011 City Council meeting in the amount of \$178,172.30; and

WHEREAS, the Contract with Van Kirk Brothers Contracting provides for the contractor to be paid on the basis of actual quantities installed at the contract's unit prices; and

WHEREAS, due to minor adjustments in actual quantities installed versus estimated quantities for the project, and alternate construction methods and materials, the cost of the project was reduced \$2,989.24 from the original bid.

WHEREAS, Change Order #1 was prepared for the final construction contract adjustment, resulting in a final contract amount of \$175,183.06.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Change Order #1 with Van Kirk Brothers Contracting of Sutton, Nebraska resulting in a final contract price of \$175,183.06, is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 12, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 8, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 12, 2011

Council Session

Item G3

#2011-166 - Approving Bid Award for Purchase of Liquid Ortho-Polyphosphate for Corrosion Control

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director
Jason Eley, Assistant City Attorney/Purchasing

Meeting Date: July 12, 2011

Subject: Purchase of Liquid Ortho-Polyphosphate for Corrosion Control

Item #'s: G-3

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

Background

The City was issued an Administrative Order by the Nebraska Health and Human Services on March 24, 1998, requiring compliance with the Lead and Copper Rule. Because City water was corrosive enough to leach copper from household plumbing and fixtures in excess of EPA limits, the order required the preparation of an Optimum Corrosion Control Treatment program (OCCT).

The OCCT program includes the addition of liquid ortho-polyphosphate solution to the source water to reduce the corrosiveness of the naturally occurring source water. The addition was implemented in May 2003. Subsequent testing of the water system indicates that the goal of reducing corrosiveness, and thus copper levels, to comply with the regulatory order has been achieved.

Discussion

The Utilities Department solicits bids annually for the treatment solution. The current contract to provide the additive for this year is completed. Therefore, specifications for the purchase of Liquid Ortho-Polyphosphate for Corrosion Control for another year were prepared and issued for bid. The specifications require a firm price for the product to maintain the guaranteed dose rate. Bids were publicly opened on June 28, 2011. Three bids were received as listed below. The bids were evaluated based upon the total cost to treat 4.5 billion gallons of water (a high estimate of annual treatment needed). The engineer's estimate for this project was \$175,000.00.

Bidder	Unit Price/gal	Price/mil gal	Annual cost
Carus Phosphates, Inc.	\$ 5.00	\$20.00	\$ 90,000.00
Shannon Chemical Corporation	\$ 5.77	\$23.08	\$103,860.00
AquaSmart, Inc.	\$10.00	\$35.72	\$160,740.00

Department staff has reviewed the bids for compliance with the City's detailed specifications. The products proposed by the suppliers are similar in chemical composition, as well as with another product successfully used in the past. The current dosage rate has been approved as part of the OCCT and has proven to achieve compliance with State Health Department regulations. Based on using the same dosage rates, the current supplier, Carus Phosphates, is recommended as the low evaluated bidder.

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 purchase of Liquid Ortho-Polyphosphate for Corrosion Control be awarded to Carus Phosphates, Inc. from Belmont, NC, as the low responsive bidder, for a not-to-exceed price of \$20.00 per million gallons of water treated in an annual amount estimated at \$ 90,000.00. The actual annual amount will depend on City water usage.

Sample Motion

Move to approve award for the purchase of Liquid Ortho-Polyphosphate for Corrosion Control in the amount of \$20.00 per million gallons of treated water be awarded to Carus Phosphates, Inc. from Belmont, NC.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Jason Eley, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: June 28, 2011 at 2:00 p.m.

FOR: Liquid Ortho-Polyphosphate for Corrosion Control

DEPARTMENT: Utilities

ESTIMATE: \$175,000.00

FUND/ACCOUNT: 525

PUBLICATION DATE: June 14, 2011

NO. POTENTIAL BIDDERS: 7

SUMMARY

Bidder:	<u>AquaSmart, Inc.</u> Atlanta, GA	<u>Shannon Chemical Corporation</u> Malvern, PA
Bid Security:	\$7,250.00	\$5,193.00
Exceptions:	None	None
Bid Price:		
Unit Price Bid:	\$10.00	\$5.77
Unit Cost Treat.:	<u>\$35.72</u>	<u>\$23.08</u>
Total Project:	\$160,740.00	\$103,860.00

Bidder:	<u>Carus Corporation</u> Peru, IL
Bid Security:	International Fidelity Ins. Co.
Exceptions:	None
Bid Price:	
Unit Price Bid:	\$5.00
Unit Cost Treat.:	<u>\$20.00</u>
Total Project:	\$22,500.00 \$90,000.00 * Calculation Correction

cc: Tim Luchsinger, Utilities Director
Jason Eley, Purchasing Agent
Mary Lou Brown, City Administrator
Karen Nagel, Utilities Secretary

Bob Smith, Assist. Utilities Director
Pat Gericke, Utilities Admin. Assist.
Emily Muth, Utilities Dept.

P1481

RESOLUTION 2011-166

WHEREAS, the City Water Department invited sealed bids for Liquid Ortho-Polyphosphate for Corrosion Control; and

WHEREAS, on June 28, 2011, bids were received, opened and reviewed; and

WHEREAS, Carus Phosphates, Inc., of Belmont, North Carolina, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, for a not to exceed price of \$20.00 per million gallons of water treated, at an annual amount estimated at \$90,000.00 (the actual annual amount will depend on City water usage); and

WHEREAS, the bid of Carus Phosphates, Inc., is less than the estimate for Liquid Ortho-Polyphosphate for Corrosion Control.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Carus Phosphates, Inc., of Belmont, North Carolina, for a not to exceed price of \$20.00 per million gallons of water treated, in an annual amount estimated at \$90,000.00, is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 12, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 8, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 12, 2011

Council Session

Item G4

**#2011-167 - Approving Supplemental Agreement No. 3 with
Schemmer Associates for Engineering Consulting Services for the
Walk to Walnut Project**

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Scott Griepenstroh, Project Manager

Meeting: July 12, 2011

Subject: Approving Supplemental Agreement No. 3 with Schemmer Associates for Engineering Consulting Services for the Walk to Walnut Project

Item #'s: G-4

Presenter(s): Scott Griepenstroh, Project Manager

Background

The Walk to Walnut project will realign the main driveway to Walnut Middle School to match up with the intersection of 15th Street and Custer Avenue and install a traffic signal. The project is mostly funded with Safe Routes to School (SRTS) funds authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A legacy for Users Act (SAFETEA-LU) that are administered by the Nebraska Department of Roads (NDOR). The project will make it safer for children crossing Custer Avenue and encourage more walking and biking to school. The federal aid funding cap for individual SRTS projects is \$250,000.

On May 27, 2008, the City Council approved a Professional Services Agreement with The Schemmer Associates, Inc. of Lincoln, Nebraska, with Rockwell and Associates, L.L.C. of Grand Island, Nebraska as a Sub-consultant. The original agreement was for a total of \$33,388.05.

On December 2, 2008, the City Council approved Amendment No. 1 for \$11,135.46. Supplemental Agreement No. 1 provided for additional engineering services to address impacts to resources developed with Land and Water Conservation Fund (LWCF) funds, as per Section 6(f) of the Land and Water Conservation Fund Act of 1965. The detention cell land where the main driveway will be relocated was purchased and developed using LWCF funds, and the land that is being converted by the project has to be replaced.

On May 24, 2011, the City Council approved Amendment No. 2 for \$26,785.81. Supplemental Agreement No. 2 provided for additional environmental review services, coordination and review of Plans, Specifications and Estimate package submittal, and conversion to NDOR construction specifications necessary to complete the project.

Discussion

The following was stated in the Council Memorandum for Supplemental Agreement #2.

The original estimate for all costs for this project was \$271,944, with \$22,940 funded by in kind donations (landscaping and irrigation) and a cash match from Grand Island Public Schools. The maximum preliminary engineering expenses to be funded with SRTS funds, as per the Program Agreement, is \$21,756. All costs exceeding the \$21,756 limit are to be funded by the City of Grand Island.

The revised contract total for preliminary engineering services, as detailed in the Council Memorandum for Supplemental Agreement #2, is \$71,309.32.

Although the Program Agreement stipulates that the State would only reimburse \$21,756 for preliminary engineering services, NDOR officials intended for Supplemental Agreement No. 2 to explicitly state that the additional services would be funded only by the Local Public Agency and non-participating for Federal Aid. Supplemental Agreement No. 3 was developed to address this oversight.

Schemmer Associates resumed Preliminary Engineering and Environmental Clearance work June 21, 2011. Construction of this project is anticipated to be completed in 2012.

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 Supplemental Agreement No. 3 to the Agreement for Preliminary Engineering Consulting Services for the Safe Routes To Schools Walk to Walnut Project.

Sample Motion

Move to approve Supplemental Agreement No. 3.

SUPPLEMENTAL AGREEMENT #3

CITY OF GRAND ISLAND
THE SCHEMMER ASSOCIATES, INC.
PROJECT NO. SRTS-40(57)
CONTROL NO. 42521
GRAND ISLAND WALNUT MIDDLE SCHOOL PROJECT
PRELIMINARY ENGINEERING SERVICES

THIS SUPPLEMENTAL AGREEMENT, made and entered into by and between the City of Grand Island, Nebraska, hereinafter referred to as the Local Public Agency or "LPA," and The Schemmer Associates, Inc., hereinafter referred to as the "Consultant."

WHEREAS, the Consultant and the LPA entered into an Engineering Agreement executed by the Consultant on May 22, 2008 and executed by the LPA on June 2, 2008, hereinafter referred to as the "Original Agreement" providing for the preparation of plans and specifications, and a supplemental agreement executed by the Consultant on November 21, 2008 and executed by the LPA on December 2, 2008, hereinafter referred to as "Supplemental Agreement No. 1" providing for environmental services and a supplemental agreement executed by the Consultant on May 31, 2011 and by the LPA on May 24, 2011, hereinafter referred to as "Supplemental Agreement No. 2", providing for additional environmental review services, coordination and review of PSE submittal and conversion to NDOR construction specifications necessary to complete the work for Project No. SRTS-40(57), and

WHEREAS, it is necessary to provide for the work stipulated in Supplement No. 2 to be funded solely with LPA funds and will be non-participating for Federal-aid, and

WHEREAS, it is the desire of the LPA that the project be constructed under the designation of Project No. SRTS-40(57), as evidenced by the Resolution of the LPA dated the _____ day of _____, 2011, attached and identified as EXHIBIT "A" and made a part of this agreement, and

NOW THEREFORE, in consideration of these facts, the Consultant and LPA agree as follows:

SECTION 1. The LPA will fund the professional services totaling \$26,785.81 stipulated in Supplement No. 2 to the Original Agreement with LPA funds only. The LPA will not seek reimbursement for this work from Federal funds made available for this project.

SECTION 2. The Consultant will perform the additional work stipulated in the Professional Fee Summary which is attached as Exhibit "B" and hereby made a part of this supplemental agreement.

SECTION 3. The Consultant will be paid on the same terms stipulated in the Original Agreement and, except as specifically amended by this supplemental agreement, all terms and conditions of the Original Agreement on Project No. SRTS-40(57), executed by the LPA on June 2, 2008 and

executed by the Consultant on May 22, 2008 and Supplemental Agreement No. 1 executed by the Consultant on November 21, 2008 and executed by the LPA on December 2, 2008 and Supplemental Agreement No. 2 executed by the Consultant on May 31, 2011 and by the LPA on May 24, 2011, shall remain in full force and effect

IN WITNESS WHEREOF, the parties have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

After being duly sworn on oath, I do hereby acknowledge the foregoing certification and state that I am authorized to sign this agreement for the firm.

EXECUTED by the Consultant this _____ day of _____, 2011.

THE SCHEMMER ASSOCIATES, INC.
Steve Kathol

Principal

STATE OF NEBRASKA)
DOUGLAS COUNTY) ss.

Subscribed and sworn to before me this _____ day of _____, 2011.

Notary Public

EXECUTED by the LPA this _____ day of _____, 2011.

CITY OF GRAND ISLAND
Jay Vavricek

Mayor

Subscribed and sworn to before me this _____ day of _____, 2011.

Clerk

STATE OF NEBRASKA
DEPARTMENT OF ROADS
Form of Agreement Approved for
Federal Funding Eligibility:

[illegible]

Date _____

Professional Fee Summary Sheet

Project Name: Walk to Walnut-Safe Routes to School Project
Project Number: SRTS-40(57), C.N. 42521
Agreement Type: Actual Cost

Labor	Name & Title	Hours	Actual		Total
			Rate/Hr.	Cost	
	Steve Kathol, Principal-in-Charge	4	\$54.47	\$217.88	
	Doug Holle, Project Manager	69	\$45.16	\$3,116.04	
	Doug Holle, Designer	28	\$45.16	\$1,264.48	
	Mark Luijeharms, Traffic Engineer	6	\$45.68	\$274.08	
	Marie Stamm, Environmental Specialist	56	\$35.14	\$1,967.84	
	Terry Nocita, Engineering Technician	40	\$20.36	\$814.40	
	Megan Stammer, Administration Support	11	\$14.25	\$156.75	
		214 Subtotal		\$7,811.47	
	Direct Labor Subtotal				\$7,811.47
	Overhead @ 180%				\$14,060.65
	Sub-Total Labor & Overhead				\$21,872.12
	Profit: 12.75% of Subtotal				\$2,788.69
	Total Labor, Overhead & Profit				\$24,660.81
Other Direct Costs	Sub-Consultants			\$0.00	
	Surveying (Rockwell and Associates)			\$1,900.00	
	Wetland Delineation (TBA)			\$1,900.00	
	Subtotal				\$1,900.00
	Reimbursable Expenses				
	Printing (11 x 17 sheets)	@ \$ Each		\$0.00	
	Printing (24 x 36 s	30 @ 1.50 Each		\$45.00	
	Postage	1 L.S. @ \$50		\$50.00	
	Mileage	250 Mile @ \$0.52/Mile		\$130.00	
	Subtotal			\$225.00	\$225.00
TOTAL ESTIMATED PROFESSIONAL FEES					\$26,785.81

5/6/2011

Exhibit "B"

Amendment #2

Client: City of Grand Island

Case Number **SRTS-40(57)**, C.N. 42521

TSA Project No. 5583001

Date 3/21/201

Date 3/21/201

[illegible]

THE SCHEMMER ASSOCIATES INC.
LISTING OF HOURLY RATES

EMPLOYEE CLASSIFICATION	AVG. RATE
PRINCIPAL Steve Kathol	\$ 54.47 \$ 54.47
PROJECT MANAGER Doug Holle	\$ 45.16 \$ 45.16
DESIGNER Doug Holle	\$ 45.16 \$ 45.16
TRAFFIC ENGINEER Mark Lujtharms	\$ 45.68 \$ 45.68
ENVIRONMENTAL SPECIALIST Marie Stamm	\$35.14 \$35.14
ENGINEERING TECHNICIAN Terry Nocita	\$20.36 \$20.36
ADMINISTRATION SUPPORT Megan Starnier	\$14.25 \$14.25

RESOLUTION 2011-167

WHEREAS, on May 27, 2008, by Resolution 2008-147, the City Council of the City of Grand Island approved an agreement with The Schemmer Associates, Inc. of Lincoln, Nebraska, with Rockwell & Associates of Grand Island, Nebraska as a sub-consultant, in the amount of \$33,388.05, to perform design services for the Safe Routes to Schools Walk to Walnut Project; and

WHEREAS, on December 2, 2008, by Resolution 2008-340, the City Council for the City of Grand Island approved Supplemental Agreement No. 1, in the amount of \$11,135.46, to the original agreement for consulting services to address impacts to resources developed with Land and Water Conservation funds as per Section 6(f) of the Land and Water Conservation Fund Act of 1965; and

WHEREAS, on May 24, 2011, by Resolution 2011-128, the City Council for the City of Grand Island approved Supplemental Agreement No. 2, in the amount of \$26,785.81, to the original agreement for consulting services to address increased requirements for documenting and resolving environmental impacts and to convert existing plans to comply with Nebraska Department of Roads Construction Specifications; and

WHEREAS, it is necessary to provide for the work stipulated in Supplemental Agreement No.2 to be funded solely with LPA funds and to be non-participating for Federal Aid.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the amendment to the agreement with The Schemmer Associates, Inc. of Lincoln, Nebraska, with Rockwell & Associates of Grand Island, Nebraska as a sub-consultant is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 12, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 8, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 12, 2011

Council Session

Item G5

**#2011-168 - Approving Bid Award for the 2011 Asphalt
Resurfacing Project Number 2011-AC-1**

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Terry Brown, Manager of Engineering Services

Meeting: July 12, 2011

Subject: Approving Bid Award for the 2011 Asphalt Resurfacing Project Number 2011-AC-1

Item #'s: G-5

Presenter(s): John Collins, Public Works Director

Background

On June 24, 2011 the Engineering Division of the Public Works Department advertised for bids for the 2011 Asphalt Resurfacing Project Number 2011-AC-1. There were 4 potential bidders for the project. This year's work involves asphalt resurfacing on a number of City streets.

The following is a list of the streets included in the 2011-AC-1 project:

Section #1. August Street from Rosemont Avenue to Stolley Park Road.

Section #2. Wyandotte Street from Riverside Drive to Locust Street.

Section #3. Darr Avenue from Faidley Avenue to 7th Street.

Section #4. 7th Street from Darr Avenue to White Avenue.

Section #5. Stoeger Drive from Baumann Drive to Darr Avenue.

Section #6. 9th Street from Boggs Avenue to White Avenue.

Section #7. Boggs Avenue from 7th Street to Baumann Drive.

Section #8. Claude Road from US Highway 30 to Old Potash Highway.

Section #9. Stuhr Road from 50' north of BN&SF railroad to the section of Portland cement concrete south of US highway 30.

Discussion

Two (2) bids were received and opened on July 6, 2011. The bids were submitted in compliance with the contract, plans, and specifications. A summary of the bids is shown below.

<i>Bidder</i>	<i>Exceptions</i>	<i>Total Bid</i>
J.I.L. Asphalt Paving Co. of Grand Island, NE	None	\$305,464.36
Gary Smith Construction Co., Inc. of Grand Island, NE	Noted	\$319,034.18

There are sufficient funds in Account No. 10033506.85354 to fund this project.

Alternatives

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

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

Recommendation

Public Works Administration recommends that the Council approve awarding a contract to J.I.L. Asphalt Paving Co., Inc of Grand Island, Nebraska in the amount of \$305,464.36 as the low compliant bid that meets specifications.

Sample Motion

Move to approve the bid award.

CONTRACT AGREEMENT

CONTRACT AGREEMENT

THIS AGREEMENT made and entered into this 12TH day of **July, 2011**, by and between **J.I.L. Asphalt Paving Co.**, hereinafter called the Contractor, and the City of Grand Island, Nebraska, hereinafter called the City.

WITNESSETH:

THAT, WHEREAS, in accordance with law, the City has caused contract documents to be prepared and an advertisement calling for bids to be published, for construction of **Asphalt Maintenance Project 2011-AC-1**; and

WHEREAS, the City, in the manner prescribed by law, has publicly opened, examined, and canvassed the proposals submitted, and has determined the aforesaid Contractor to be the lowest responsive bidder, and has duly awarded to the said Contractor a contract therefore, for the sum or sums named in the Contractor's bid, a copy thereof being attached to and made a part of this contract;

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

ARTICLE I. That the Contractor shall (a) furnish all tools, equipment, superintendence, transportation, and other construction materials, services and facilities; (b) furnish, as agent for the City, all materials, supplies and equipment specified and required to be incorporated in and form a permanent part of the completed work; (c) provide and perform all necessary labor; and (d) in a good substantial and workmanlike manner and in accordance with the requirements, stipulations, provisions, and conditions of the contract documents as listed in the attached General Specifications and Special Provisions, said documents forming the contract and being as fully a part thereof as if repeated verbatim herein, perform, execute, construct and complete all work included in and covered by the City's official award of this contract to the said Contractor, such award being based on the acceptance by the City of the Contractor's bid;

ARTICLE II. That the City shall pay to the contractor for the performance of the work embraced in this contract and the contractor will accept as full compensation therefore the sum (subject to adjustment as provided by the contract) of **THREE HUNDRED FIVE THOUSAND FOUR HUNDRED SIXTY FOUR AND 36/100 Dollars (\$305,464.36)** for all services, materials, and work covered by and included in the contract award and designated in the foregoing Article I; payments thereof to be made in cash or its equivalent in the manner provided in the General Specifications.

ARTICLE III. The contractor hereby agrees to act as agent for the City in purchasing materials and supplies for the City for incorporation into the work of this project. The City shall be obligated to the vendor of the materials and supplies for the purchase price, but the contractor shall handle all payments hereunder on behalf of the City. The vendor shall make demand or claim for payment of the purchase price from the City by submitting an invoice to the contractor. Title to all materials and supplies purchased hereunder shall vest in the City directly from the vendor. Regardless of the method of payment, title shall vest immediately in the City. The contractor shall not acquire title to any materials and supplies incorporated into the project. All invoices shall bear the contractor's name as agent for the City. This

paragraph will apply only to these materials and supplies actually incorporated into and becoming a part of the finished product of **Asphalt Maintenance Project 2011-AC-1**.

CA - 1

CONTRACT AGREEMENT (Continued)

ARTICLE IV. That the contractor shall start work as soon as possible after the contract is signed and the required bond is approved and that the work in this contract shall be completed before September 30, 2011, with exception of Section #2 which is to be completed before August 12, 2011.

ARTICLE V. The Contractor agrees to comply with all applicable State fair labor standards in the execution of this contract as required by Section 73-102, R.R.S. 1943. The Contractor further agrees to comply with the provisions of Section 48-657, R.R.S. 1943, pertaining to contributions to the Unemployment Compensation Fund of the State of Nebraska. During the performance of this contract, the contractor and all subcontractors agree not to discriminate in hiring or any other employment practice on the basis of race, color, religion, sex, national origin, age or disability. The Contractor agrees to comply with all applicable Local, State and Federal rules and regulations.

ARTICLE VI. GRATUITIES AND KICKBACKS: City Code states that it is unethical for any person to offer, give, or agree to give any City employee or former City employee, or for any City employee or former City employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefore. It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract to order.

ARTICLE VII. The City of Grand Island, Nebraska operates on a fiscal year beginning October 1st and ending on the following September 30th. It is understood and agreed that any portion of this agreement which will be performed in a future fiscal year is contingent upon the City Council adopting budget statements and appropriations sufficient to fund such performance.

ARTICLE VIII. FAIR EMPLOYMENT PRACTICES: Each proposer agrees that they will not discriminate against any employee or applicant for employment because of age, race, color, religious creed, ancestry, handicap, sex or political affiliation.

ARTICLE IX. LB 403: Every public consultant and his, her or its subconsultants who are awarded an agreement by the City for the physical performance of services within the State of Nebraska shall register with and use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska.

CA - 2

IN WITNESS WHEREOF, the parties hereto have executed this Contract Agreement as of the date and year first above written.

J.I.L. ASPHALT PAVING CO.

By _____

Date _____

Title _____

CITY OF GRAND ISLAND, NEBRASKA,

By _____

Mayor

Date _____

Attest: _____

City Clerk

The contract and bond are in due form according to law and are hereby approved.

Attorney for the City

Date _____

APPENDIX A – TITLE VI NON-DISCRIMINATION -

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

- (1) **Compliance with Regulations:** The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin, sex, age, and disability/handicap in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR, section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin, sex, age, and disability/handicap.
- (4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City of Grand Island or the FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the City of Grand Island, or the FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the City of Grand Island shall impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 - (a.) withholding of payments to the contractor under the contract until the contractor complies, and/or

(b.) cancellation, termination or suspension of the contract, in whole or in part.

- (6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such action with respect to any subcontract or procurement as the City of Grand Island or the FHWA may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the City of Grand Island to enter into such litigation to protect the interests of the City of Grand Island, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Jason Eley, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: July 6, 2011 at 2:00 p.m.

FOR: Asphalt Maintenance Project 2011-AC-1

DEPARTMENT: Public Works

ESTIMATE: \$332,451.83

FUND/ACCOUNT: 10033506-85354

PUBLICATION DATE: June 24, 2011

NO. POTENTIAL BIDDERS: 4

SUMMARY

Bidder:	<u>J.I.L. Asphalt Paving Co.</u>	<u>Gary Smith Const. Co., Inc.</u>
	Grand Island, NE	Grand Island, NE
Bid Security:	Inland Insurance Co.	Inland Insurance Co.
Exceptions:	None	Noted
Bid Price:		
Section #1:	\$40,711.60	\$38,783.00
Section #2:	\$29,563.84	\$28,218.43
Section #3:	\$ 7,527.46	\$ 7,093.32
Section #4:	\$15,543.94	\$14,713.97
Section #5:	\$15,726.36	\$14,895.12
Section #6:	\$ 6,471.36	\$ 6,407.52
Section #7:	\$22,553.48	\$21,505.66
Section #8:	\$68,609.82	\$71,676.36
Section #9:	\$95,256.50	\$99,440.80
Section #10:	<u>\$ 3,500.00</u>	<u>\$16,300.00</u>
Grand Total:	\$305,464.36	\$319,034.18

cc: John Collins, Public Works Director
Jason Eley, Purchasing Agent

Catrina DeLosh, PW Admin. Assist.
Terry Brown, Eng. Services Mgr.

Mary Lou Brown, City Administrator

P1484

RESOLUTION 2011-168

WHEREAS, the City of Grand Island invited sealed bids for Asphalt Resurfacing Project Number 2011-AC-1, according to plans and specifications on file with the City Engineer/Public Works Director; and

WHEREAS, on July 6, 2011 bids were received, opened, and reviewed; and

WHEREAS, J.I.L. Asphalt Paving Company of Grand Island, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$305,464.36; and

WHEREAS, J.I.L. Asphalt Paving Company's bid was below the engineer's estimate for the project; and

WHEREAS, funds are available in the Fiscal Year 2010/2011 budget for this project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of J.I.L. Asphalt Paving Company of Grand Island, Nebraska in the amount of \$305,464.36 for Asphalt Maintenance Project 2011-AC-1 is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 12, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 8, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 12, 2011

Council Session

Item G6

#2011-169 - Approving Neighborhood Stabilization Program (09-3N-11) Grant Extension Request

Staff Contact: jonik

Council Agenda Memo

From: Joni Kuzma, Community Development Administrator

Council Meeting: July 12, 2011

Subject: Approving Neighborhood Stabilization Program
(09-3N-11) Grant Extension Request

Item #: G-6

Presenter(s): Joni Kuzma, Community Development

Background

In 2009, the City of Grand Island was awarded a \$993,712 Neighborhood Stabilization Program Grant from the Nebraska Department of Economic Development for property acquisition, demolition, redevelopment of new housing, housing administration, and general administration. In September 2010, the Department of Economic Development awarded an additional \$190,000 to the City for additional demolition and redevelopment. The project has enabled the City to demolish 11 blighted structures and will fund construction of eight (8) new houses on a portion of the lots. The houses are available to first-time homebuyers, who can apply for Direct Subsidy for down payment through this grant. All funds from the sale of each property will return to the City as program income and reinvested into similar projects.

Habitat for Humanity has constructed three houses on two lots (one was a double lot). The Housing Development Corporation (HDC) has coordinated construction of houses on three of the properties and has agreed to construct two additional houses that will be made available to low-to-middle income first-time homebuyers (for a total of eight). At this time, all three Habitat for Humanity houses are complete and occupied by low-income families; two houses constructed by HDC have been sold and the third is almost ready to list on the market. A property location map is provided for your review.

Discussion

The opportunity to demolish and construct two additional houses has extended the amount of time needed to complete the project. However, an extension request to the Department requires the City of Grand Island to request a contract extension for the Neighborhood Stabilization Program (NSP) grant 09-3N-11. The current contract end date is August 23, 2011. The proposed contract end date is August 23, 2012. The Grand Island City Council is required to take action on the extension request for submission to the Nebraska Department of Economic Development.

The extension request is being requested due to:

1. An additional grant fund award that enabled the City to demolish two extra substandard houses and to contract with the Housing Development Corporation to construct new housing on those cleared lots. (201 W. 17th and 2811 W. 4th)

Community Development believes that the project will be completed within the proposed extension date, if not before. A revised implementation schedule has been completed and will be provided with the extension request as required.

Alternatives

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

1. Approve the Neighborhood Stabilization Program (NSP) grant 09-3N-11 extension request
2. Refer the issue to a Committee.
3. Postpone the issue to a later date.

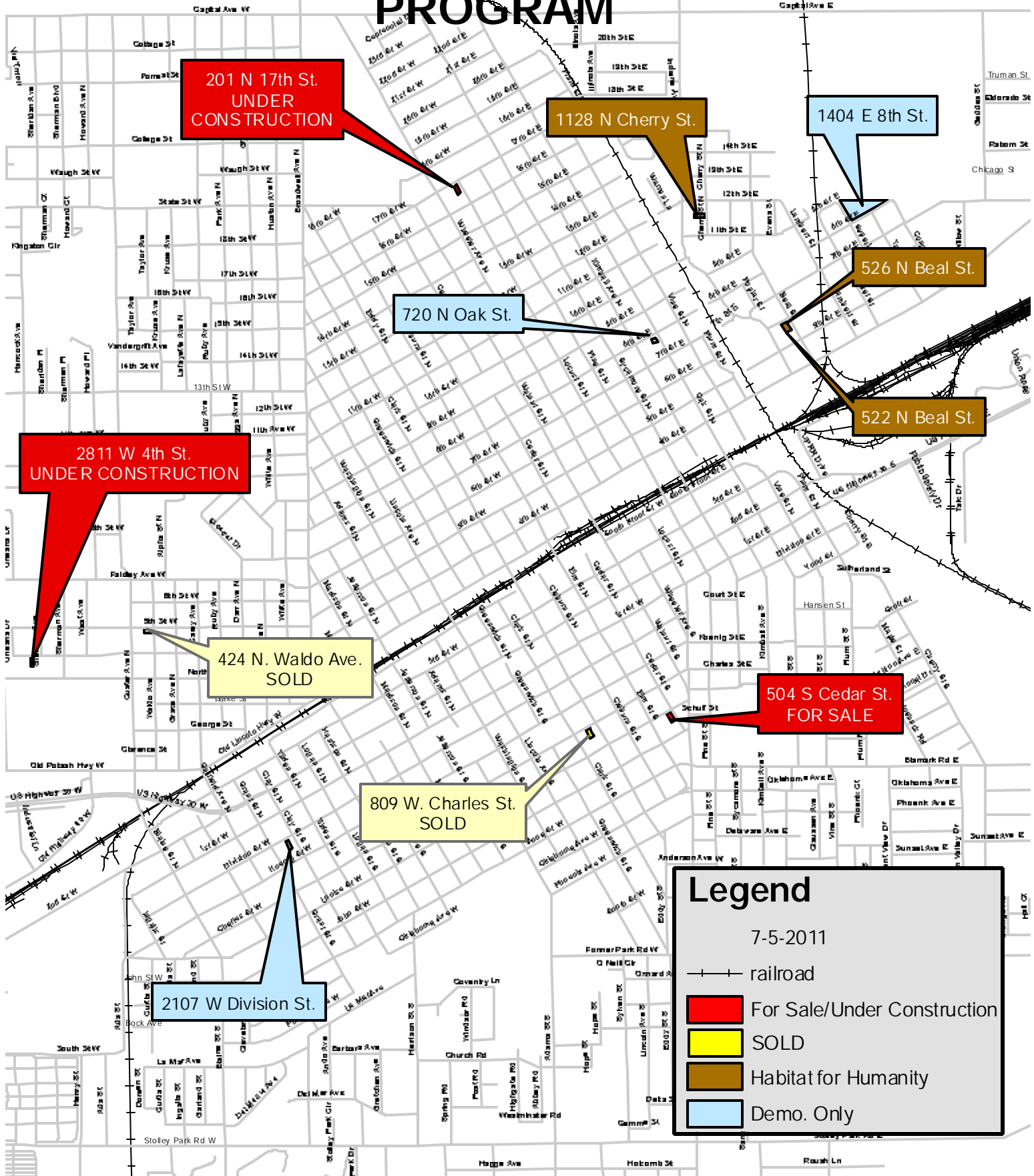
Recommendation

City Administration recommends that Council approves the Neighborhood Stabilization Program (NSP) grant 09-3N-11 extension request.

Sample Motion

Move to approve the Neighborhood Stabilization Program (NSP) grant 09-3N-11 extension request.

City of Grand Island NEIGHBORHOOD STABILIZATION PROGRAM



RESOLUTION 2011-169

WHEREAS, in 2009, the City of Grand Island was awarded a \$993,712 Neighborhood Stabilization Program Grant from the Nebraska Department of Economic Development for property acquisition, demolition, redevelopment of new housing, housing administration, and general administration; and

WHEREAS, in September 2010, the Department of Economic Development awarded an extra \$190,000 to the City for additional demolition and redevelopment; and

WHEREAS, the project has enabled the City to demolish 11 blighted structures and will fund construction of eight (8) new houses on a portion of the lots; and

WHEREAS, the opportunity to demolish and construct two additional houses has extended the amount of time needed to complete the project; and

WHEREAS, the current contract end date is August 23, 2011 and the proposed contract end date is August 23, 2012; and

WHEREAS, required documents for the extension request have been prepared and must be submitted to the Nebraska Department of Economic Development for authorization.

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

The City of Grand Island, Nebraska is hereby authorized to request a twelve-month extension for Neighborhood Stabilization Program Grant (09-3N-11).

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 12, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 8, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 12, 2011

Council Session

Item G7

**#2011-170 - Approving Amendment to the 2010/2011 Fee Schedule
Relative to Island Oasis Full Day Rental Rate**

Staff Contact: Steve Paustian

Council Agenda Memo

From: Todd McCoy, Recreation Superintendent
Meeting: July 12, 2011
Subject: Add Full Day Rental Rate to Island Oasis Fees
Item #'s: G-7
Presenter(s): Steve Paustian, Parks & Recreation Director

Background

A request has been made by a local business to rent Island Oasis Water Park for a private daylong event at the end of the summer swimming season. To allow a full day rental at Island Oasis the rate will need to be added to the City fee schedule.

Discussion

The recommended fee to rent Island Oasis for a private pool party is \$15,000.00 from noon to 9:00 p.m. The operational plan will be to allow for such full day private rentals only during the last two weeks of the swimming 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 adopt the \$15,000.00 private rental day rate for Island Oasis Water Park.

Sample Motion

Move to approve the resolution authorizing the City to adopt the Island Oasis facility rental day rate of \$15,000.00.

RESOLUTION 2011-170

WHEREAS, it is necessary to modify fees at the Island Oasis Water Park; and

WHEREAS, the proposed fee schedule is as follows;

Full day rental at \$15,000.00 per day,

WHEREAS, full day private rentals will only be available during the last two weeks of the swimming season.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the 2010/2011 proposed 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, July 12, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, July 12, 2011

Council Session

Item G8

**#2011-171 - Approving Final Plat and Subdivision Agreement for
R & R Rauert Subdivision**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: July 12, 2011

Subject: R & R Rauert Subdivision – Final Plat

Item #'s: G-8

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

Background

This property is located east of Sky Park Rd., and south of White Cloud Rd., in the two mile extraterritorial jurisdiction of Grand Island, in Hall County, Nebraska. Consisting of (1 Lot) and 5.746 acres.

Discussion

The revised final plat for R & R Rauert Subdivision was considered by the Regional Planning Commission at the July 6, 2011 meeting. A motion was made by Amick and seconded by Connelly to approve the plat as presented. A roll call vote was taken and the motion passed with 9 members present (Amick, O'Neill, Ruge, Hayes, Reynolds, Haskins, 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:

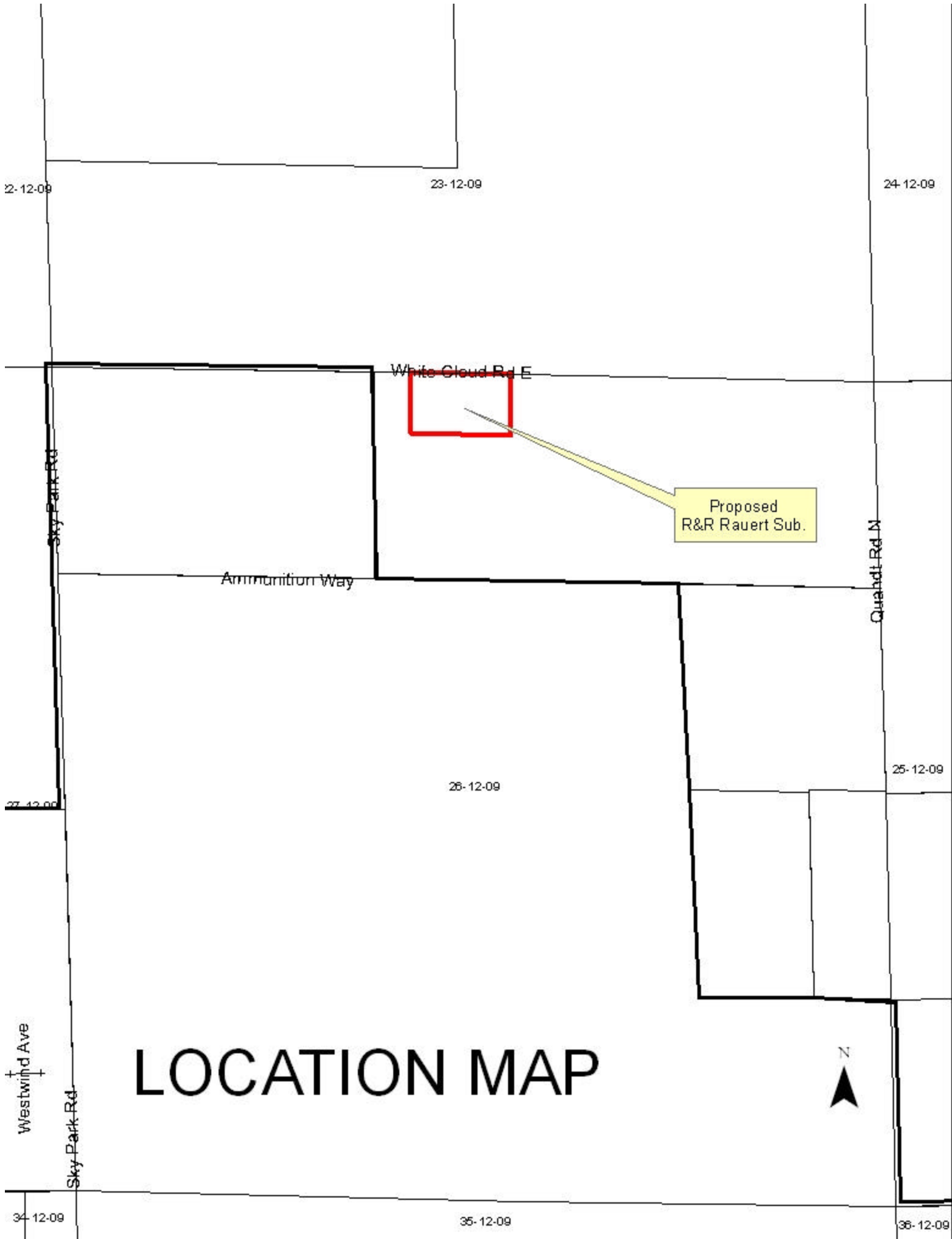
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve as recommended.



Paul M. Rauert Co-Trustee – The Rauert Family Trust

Developer/Owner

4482 N Sky Park Rd
Grand Island NE 68801

To create 1 lot east of Sky Park rd., and south of White Cloud Rd., in the two mile extraterritorial jurisdiction of Grand Island, in Hall County, Nebraska.

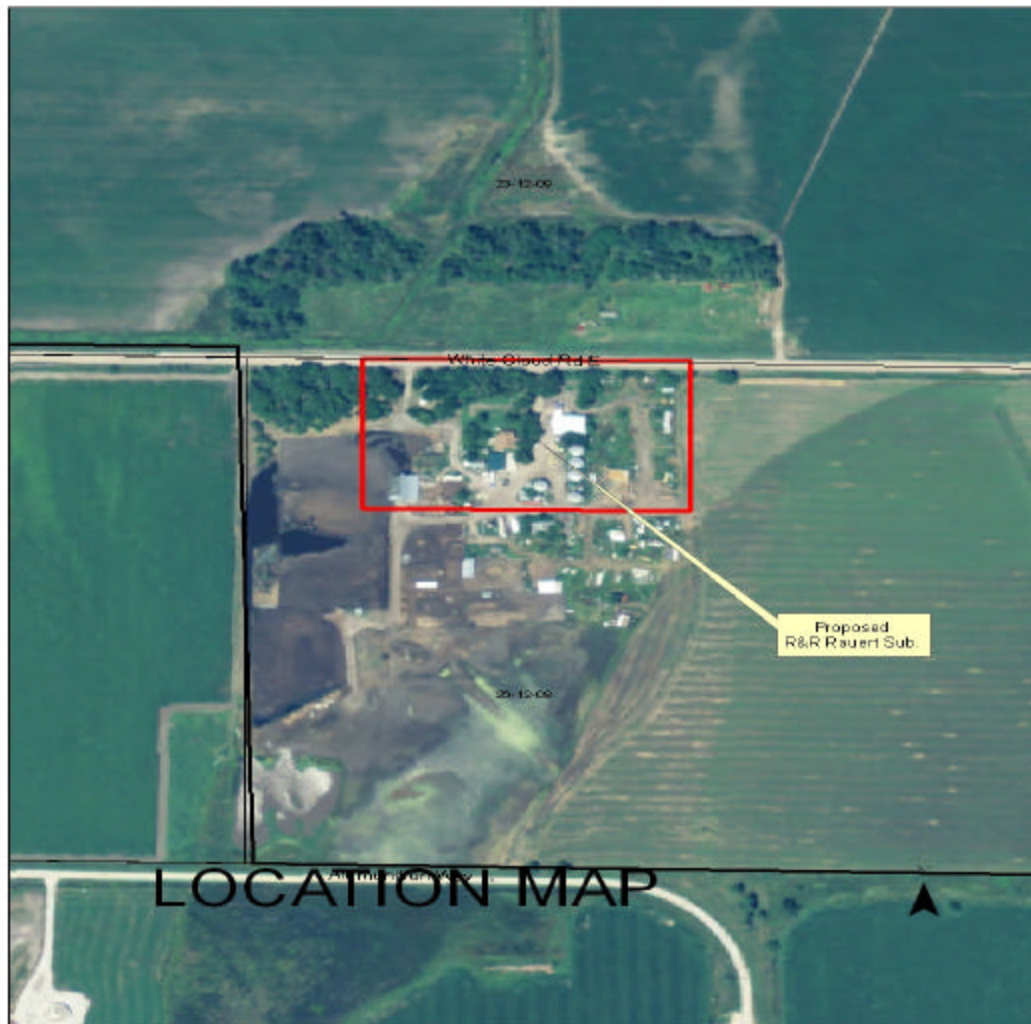
Size: 5.746

Zoning: Ag-1 – Primary Agriculture Zone

Road Access: County Roads

Water Public: City water is not available

Sewer Public: City sewer is not available



RESOLUTION 2011-171

WHEREAS, Paul M. Rauert and Carroll J. Rauert, Co-Trustees of the Rauert Family Trust, being the owners of the land described hereon, have caused same to be surveyed, subdivided, platted and designated as R & R RAUERT SUBDIVISION, to be laid out into 1 lot, a tract of land comprising a part of the North Half of the Northeast Quarter (N1/2NE1/4) and a part of the North Half of the Northwest Quarter (N1/2NW1/4), all in Section Twenty Six (26), Township Twelve (12) North, Range Nine (9) West of the 6th P.M., in the City of Grand Island, Hall County Nebraska, and has caused a plat thereof to be acknowledged by it; and

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

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

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

BE IT FURTHER RESOLVED that the final plat of R & R RAUERT 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.

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Adopted by the City Council of the City of Grand Island, Nebraska, July 12, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 8, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 12, 2011

Council Session

Item G9

**#2011-172 - Approving Extension of Storm Water Management
Plan Program Grant**

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Scott Sekutera, Storm Water Technician

Meeting: July 12, 2011

Subject: Approving Extension of Storm Water Management Plan Program Grant

Item #'s: G-9

Presenter(s): John Collins, Public Works Director

Background

On December 1, 2009 the City of Grand Island was awarded \$95,127.59 in Storm Water Management Plan Program Grant funds. A 20% match for the project is required and was provided by the Public Works Department through salaries. Grant work under this program was to be completed by June 30, 2011. To date \$63,389.00 of the grant has been spent, leaving \$31,738.59 remaining.

Discussion

To date the 2009 Storm Water Management Plan Program Grant funds have not been fully spent and the State of Nebraska has authorized an extension to November 30, 2011.

The following are projects and timelines which have been scheduled in accordance with the Storm Water Management Plan to capitalize on optimum conditions for best results.

1) Complete dry weather inspections on outfalls throughout the City of Grand Island's public storm water conveyance system. This survey will complete an inventory of the outfall location and condition as well as screening for any evidence of dry weather flows. Furthermore, assist in identifying potential illicit discharge connections. Timeline for completion is September 2011.

2) Provide education materials and training to building contractors and developers. This training will provide information regarding permitting, erosion & sediment control, compliance awareness and best management practices. Timeline for completion is November 2011.

3) The purchase of a portable camera/transporter to identify illicit discharge detection and assist in location of pollutant sources. This capability will be coordinated with the Waste Water Treatment Plant utilizing their television assessment crew. Timeline for completion is September 2011.

The City of Grand Island is required to sign the agreement amendment for the November 30, 2011 extension.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve a resolution authorizing the Mayor to sign the Intergovernmental Agreement Amendment for the 2009 Storm Water Management Plan Program Grant funds.

Sample Motion

Move to approve the resolution.

STORM WATER MANAGEMENT PLAN PROGRAM

2009 Amended Work Plan

From the City of Grand Island (Sponsor)
Regarding Implementation of the
Storm Water Management Plan for Permit NER300010

ACTIVITY ELEMENTS & TIMELINE				
	Minimum Control Measure	Section/Subsection and Activity Element Description from Approved SWMP	Cost (percentage of grant)	Expected Completion Date
1	Education and Outreach	1.1 Distribute Educational Materials on storm water related issues in various media forms.	6%	11/30/2011
2	Education and Outreach	1.2 Develop and run public service announcements.	9%	11/30/2011
3	Public Involvement / Participation	2.2 Participate/Sponsor Community Clean-up events.	5%	11/30/2011
4	Public Involvement / Participation	2.3 Continue operation of storm sewer stenciling program.	1%	11/30/2011
5	Illicit Discharge Detection and Elimination	3.1 Develop Illicit Discharge Detection Program 3.2 Perform dry weather inspections of storm water outfalls.	28%	11/30/2011
6	Illicit Discharge Detection and Elimination	3.3 Mapping of storm sewer system.	28%	11/30/2011
7	Construction Site Storm Water Runoff Control	4.3 Education contractors and the development community.	6%	11/30/2011

ATTACHMENT A

ACTIVITY ELEMENTS & TIMELINE				
	Minimum Control Measure	Section/Subsection and Activity Element Description from Approved SWMP	Cost (percentage of grant)	Expected Completion Date
8	Construction Site Stormwater Runoff Control	4.4 Develop design standards for storm water runoff control measures.	5%	11/30/2011
9	Pollution Prevention Good Housekeeping For Municipal Operations	6.1 Continue training materials for city employees.	<1%	11/30/2011
10	Pollution Prevention Good Housekeeping For Municipal Operations	6.3 Continue evaluation of municipal operations and implementation of new BMP at facilities.	6%	11/30/2011
11	Storm Sewer Monitoring	7.1 Develop standard operating procedures for conducting baseline wet weather monitoring.	<1%	11/30/2011
12	Storm Sewer Monitoring	7.2 Assessment of city by monitoring discharges.	3%	11/30/2011

INTERGOVERNMENTAL AGREEMENT AMENDMENT

This is an amendment to the Intergovernmental Agreement between the Nebraska Department of Environmental Quality and the City of Grand Island that was executed on December 1, 2009. The project is regarding the Implementation of the Storm Water Management Plan Program for City of Grand Island.

Pursuant to Section II subsection E of the above referenced Intergovernmental Agreement, the following amendment is made to the Intergovernmental Agreement.

Term of the agreement. Termination date of the agreement shall be amended from June 30, 2011 to November 30, 2011.

Work Description. The workplan percentages will be amended as per Attachment A

IN WITNESS THEREOF, the parties hereto have executed this amendment.

NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

BY Thomas R. Lamberson DATE June 30, 2011
Thomas R. Lamberson, Deputy Director

CITY OF GRAND ISLAND

BY _____ DATE _____
Jay Vavricek, Mayor

RESOLUTION 2011-172

WHEREAS, in 2005, the Environmental Protection Agency expanded the “pollutant discharge” portion of the Clean Water Act of 1977 to include storm water runoff from Nebraska communities with a population over 10,000; and

WHEREAS, the City Of Grand Island was designated as a National Pollutant Discharge Elimination System (NPDES) Phase II Storm Water Community and was issued a storm water permit from the Nebraska Department of Environmental Quality; and

WHEREAS, the City Of Grand Island has developed a Storm Water Management Plan (SWMP) in conformance with the storm water permit; and

WHEREAS, the State of Nebraska allocated \$2,500,000.00 in funding for metropolitan cities and counties and ten non-metropolitan cities with Storm Water permits; and

WHEREAS, the City Of Grand Island, Nebraska was awarded \$95,127.59 in Storm Water Management Plan Program Grant funds from the State of Nebraska on December 1, 2009; and

WHEREAS, not all funds from the 2009 Storm Water Management Plan Program Grant funds have been expended the City has requested and been granted an extension to November 30, 2011.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to sign the 2009 Storm Water Management Plan Program Grant extension.

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Adopted by the City Council of the City of Grand Island, Nebraska, July 12, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	<input checked="" type="checkbox"/> _____
July 8, 2011	<input checked="" type="checkbox"/> City Attorney



City of Grand Island

Tuesday, July 12, 2011

Council Session

Item J1

Approving Payment of Claims for the Period of June 29, 2011 through July 12, 2011

The Claims for the period of June 29, 2011 through July 12, 2011 for a total amount of \$1,820,494.17. A MOTION is in order.

Staff Contact: Mary Lou Brown



City of Grand Island

Tuesday, July 12, 2011

Council Session

Item X1

Update Concerning Union Negotiations

The City Council may vote to go into Executive Session as required by State law to discuss AFSCME, IAFF, IBEW (Utilities) (Finance) (WWTP) and (Service/Clerical) Union Negotiations for the protection of the public interest.

Staff Contact: Brenda Sutherland