
City of Grand Island



Tuesday, November 22, 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 - Pastor George Jones, Church of God of Prophecy, 1620 North Broadwell Avenue

Pledge of Allegiance

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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

MAYOR COMMUNICATION

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



City of Grand Island

Tuesday, November 22, 2011

Council Session

Item E1

**Public Hearing on Request from Texas Roadhouse Holdings, LLC
dba Texas Roadhouse, 232 Wilmar Avenue for a Class "IK"
Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: November 22, 2011

Subject: Public Hearing on Request from Texas Roadhouse Holdings, LLC dba Texas Roadhouse, 232 Wilmar Avenue for a Class “IK” Liquor License

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

Presenter(s): RaNae Edwards, City Clerk

Background

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

Declared Legislative Intent

It is hereby declared to be the intent and purpose of the city council in adopting and administering the provisions of this chapter:

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

Discussion

Public Hearing on Request from Texas Roadhouse Holdings, LLC dba Texas Roadhouse, 232 Wilmar Avenue has submitted an application for a Class “IK” Liquor License. A Class “I” Liquor License allows for the sale of alcohol on sale only inside the corporate limits of the city. The “K” designates a catering license.

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

Also submitted with the application was a request from Douglas Schliefert, 5808 Avenue O Place, Kearney, Nebraska for a Liquor Manager designation.

Alternatives

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

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

Recommendation

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

Sample Motion

Move to approve the application for Texas Roadhouse Holdings, LLC dba Texas Roadhouse, 232 Wilmar Avenue for a Class "IK" Liquor License contingent upon final inspections and Liquor Manager designation for Douglas Schliefert, 5808 Avenue O Place, Kearney, Nebraska contingent upon Mr. Schliefert completing a state approve alcohol server/seller training program.

11/14/11
450

Grand Island Police Department

15:21
1

LAW INCIDENT TABLE

Page:

City	: Grand Island
Occurred after	: 11:53:01 11/04/2011
Occurred before	: 11:53:01 11/04/2011
When reported	: 10:00:00 11/04/2011
Date disposition declared	: 11/04/2011
Incident number	: L11110399
Primary incident number	:
Incident nature Investigation	: Liquor Lic Inv Liquor License
Incident address	: 232 Wilmar Ave
State abbreviation	: NE
ZIP Code	: 68803
Contact or caller	:
Complainant name number	:
Area location code	: PCID Police - CID
Received by	: Vitera D
How received	: T Telephone
Agency code	: GIPD Grand Island Police Department
Responsible officer	: Vitera D
Offense as Taken	:
Offense as Observed	:
Disposition	: ACT Active

Misc. number : RaNae
Geobase address ID : 20358
Long-term call ID :
Clearance Code : CL Case Closed
Judicial Status : NCI Non-criminal Incident

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= = =

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship

NM	84152	11/14/11	Schliefert, Douglas	Liquor Manager
NM	171428	11/14/11	Texas Roadhouse,	Business
NM	171431	11/14/11	Schliefert, Jodene	Doug's Spouse

LAW INCIDENT CIRCUMSTANCES:

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

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor License Application for the Texas Roadhouse and a
Liquor Manager Application from Douglas Schliefert.

LAW INCIDENT RESPONDERS DETAIL:

Se Responding offi Unit n Unit number

1 Vitera D 318 Vitera D

11/14/11
450

Grand Island Police Department

15:21
2

LAW INCIDENT TABLE

Page:

LAW SUPPLEMENTAL NARRATIVE:

Seq Name Date

1 Vitera D 13:39:11 11/14/2011

318

Grand Island Police Department

Supplemental Report

Date, Time: Mon Nov 14 13:39:26 CST 2011

Reporting Officer: Vitera

Unit- CID

I received a copy of a Class IK LLC liquor license application for the Texas

Roadhouse and a copy of a liquor manager application from Douglas Schliefert.

The Class I part of the license is for beer, wine, and distilled spirits on sale

only. The Class K license is a catering license.

The Texas Roadhouse is a restaurant chain that has over 350 restaurants in 43

states. On the LLC application, there are six members listed. They are all

from Kentucky and Colorado. I checked all six of them through Spillman and

NCJIS and didn't find any entries in either data base.

Since I can't run criminal history checks for liquor license investigations, and

all of the applicants live out of state, this investigation will have to rely on

the fingerprint submissions, NSP investigation, and the NLCC decision. Since

there are numerous other Texas Roadhouse Restaurants around the U.S. that sell

alcoholic beverages, I would assume that the applicants are qualified to hold a

liquor license.

The liquor manager application lists two people who reside in Kearney, NE.

Douglas Schliefert has applied to be the liquor manager. His wife is Jodene

"Jodi" Schliefert, and she signed a Spousal Affidavit of Non-Participation form.

From reading the application, it appears that the Schliefert's have been in

Nebraska for several years. Jodi was born in Grand Island, and Douglas was

convicted of DUI back in 1983 in Kearney County Nebraska. I checked Spillman

and NCJIS for Douglas and Jodi. Douglas has an entry in Spillman but nothing of

interest was found. Douglas just has the DUI conviction in NCJIS which he

disclosed on the application. Jodi doesn't have an entry in Spillman, and she

just has a driver's license entry in NCJIS.

Assuming the application doesn't hit any roadblocks at the state level, the

Grand Island Police Department doesn't have any objections to the Texas

Roadhouse obtaining a liquor license, nor do we have any objections to Douglas

Schliefert being the liquor manager.



City of Grand Island

Tuesday, November 22, 2011

Council Session

Item E2

**Public Hearing Concerning Acquisition of Utility Easement - 3501
South Blaine Street - Meier**

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: November 22, 2011

Subject: Acquisition of Utility Easement – 3501 South Blaine Street – Meier

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

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Andrew and Nicole Meier, located at 3501 South Blaine Street, in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

This easement will be used to place primary conduit, cable and a pad-mounted transformer to provide electrical service to a new home to be constructed on this lot.

Alternatives

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

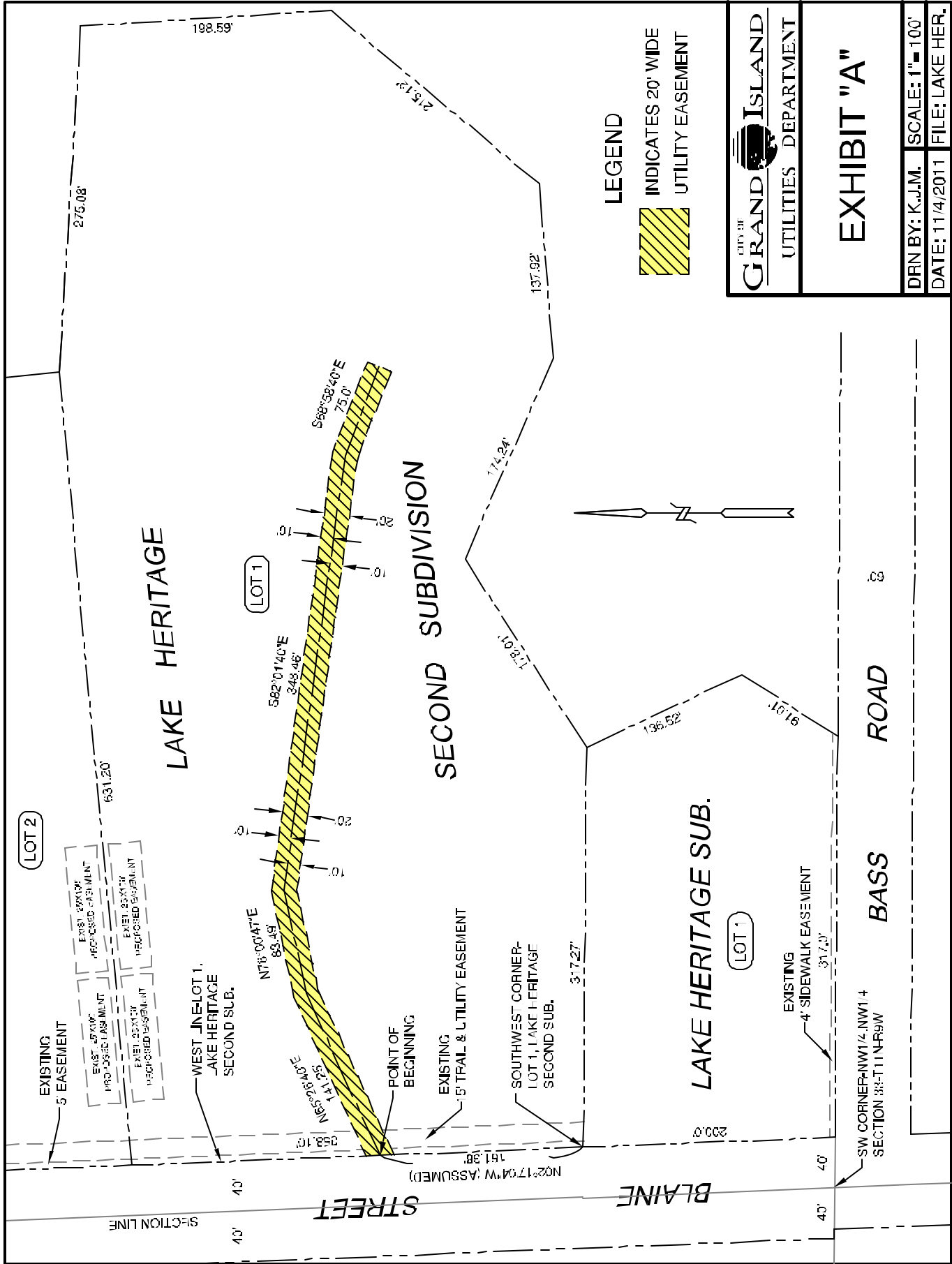
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Move to approve acquisition of the Utility Easement.



CITY OF
GRAND ISLAND

UTILITIES DEPARTMENT

EXHIBIT "A"

DRN BY: K.J.M.

DATE: 11/4/2011

SCALE: 1" = 100'

FILE: LAKE HER.



City of Grand Island

Tuesday, November 22, 2011

Council Session

Item E3

**Public Hearing to Consider Annexation for Property Located at
1120 and 1140 South Lincoln (former Aurora Coop Site).**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, Regional Planning Director

Meeting: November 22, 2011

Subject: An Ordinance to Property Located North Of Fonner Park Road and West of Lincoln Avenue (Former Aurora Coop Site) into the City of Grand Island, Nebraska along with All Adjoining Right-of -Way and/or Easements for Road Purposes

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

Presenter(s): Chad Nabity, Regional Planning Director

Background

The Annexation Component of the Grand Island Comprehensive Development Plan as adopted by the Grand Island City Council on July 13, 2004 sets as the policy of Grand Island that: County Industrial Tracts should periodically be reviewed as allowed by Revised Nebraska State Statutes for consideration of annexation and that all areas encompassed by the Corporate Limits of Grand Island should be considered for annexation.

Chief Industries, Inc., a Delaware Corporation, has purchased the former Aurora Coop Site. Chief Industries owns additional property in the area including the Chief Fabrication Plant immediately to the west of this property. They have sent a request to the Hall County Board of Supervisors requesting that this property be removed from the County Industrial Tract per NRSS §13-1119. Chief made this same request for the Chief Fabrication Plant property when they purchased it more than 12 years ago. Hall County will hold a hearing on removing the property from the County Industrial Tract at their regular meeting on November 22, 2011.

Chief Industries submitted a letter to the City Clerk dated October 20, 2011 requesting that the City consider annexation of this property per NRSS §16-117 (7). The City is able annex this property once it has been removed from the County Industrial Tract.

Based on the requests from Chief Industries to remove the property from the County Industrial Tract and to annex the property into the City, staff has prepared an ordinance for annexation that would become effective 15 days after passage on third and final

reading and after the property is removed from the County Industrial Tract by the Hall County Board of Supervisors.

Discussion

Staff has prepared an ordinance in accordance with the requirements of Nebraska Revised Statute §16-117 (7). Annexation ordinances must be read on three separate occasions. This is the first reading of the ordinance. This ordinance includes exhibits showing the property to be considered for annexation and the legal descriptions of those properties.

There is no impact to the extraterritorial zoning jurisdiction of the City as the County Industrial Tracts are entirely surrounded by the municipal limits of Grand Island.

No existing residences would be added to the City as a result of this annexation. The buildings included with the Aurora Coop would be added with this annexation but it appears that Chief Industries intends to remove the existing structures to make the property available for redevelopment.

Alternatives

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

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

Recommendation

City Administration recommends that the Council pass the annexation ordinance.

Sample Motion

Move to approve the annexation ordinance on first reading.



3942 Old West Highway 30
P.O. Box 2078
Grand Island, Nebraska 68802-2078
Phone 308/388-7200 - Fax 308/389-7221

October 20, 2011

RaNae Edwards, City Clerk
City of Grand Island, Nebraska
100 East First Street
Grand Island, NE 68801

Re: Petition for Annexation by Chief Industries, Inc.

Dear Ms. Edwards:

Chief Industries, Inc. recently acquired the real estate located at 1140 South Lincoln Avenue which, historically, had not been located in the corporate limits of Grand Island due to its inclusion in the "County Industrial Area." Chief Industries, Inc. has submitted its petition, pursuant to Neb. Rev. Stat. § 13-1119, to Hall County to remove the real estate from the County Industrial Area. Once that process is completed at the County level, Chief Industries, Inc. seeks to have this property annexed by the City. Thus, we hereby submit this letter as a petition for voluntary annexation of the property described below into the City of Grand Island pursuant to Neb. Rev. Stat. § 16-117(7).

Chief Industries, Inc. requests that the City of Grand Island annex the property legally described as follows:

A tract of land comprising a part of the South Half of the Northeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Twenty-one (21), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., in Hall County, Nebraska, more particularly described as follows:

Beginning at the intersection of the centerline of Lincoln Avenue and the centerline of Fonner Park Road (also being the South line of said Northeast Quarter (NE $\frac{1}{4}$)); thence Northwesterly along the centerline of said Lincoln Avenue, a distance of Nine Hundred Seventy Six and Twenty-Five Hundredths (976.25) Feet; thence deflecting Left 89°48'30" and running Southwesterly parallel to the centerline of Phoenix Avenue, a distance of Four Hundred Eighty Two and Two Tenths (482.2) Feet, to the centerline of Burlington Northern Track No. 33; thence deflecting Left 89°58' and running Southeasterly along said centerline of Track No. 33, a distance of Three Hundred Thirty Five and Twelve Hundredths (335.12) Feet,

RaNae Edwards
October 20, 2011
Page 2

to a point of curvature; thence running Southwesterly along said centerline of Track No. 33, and on the arc of a curve whose radius is 763.95' (the long chord of which deflects 12°51' right from the last described course), a long chord distance of Three Hundred Forty Two and Eighteen Hundredths (342.18) feet, to the South line of said Northeast Quarter (NE¼); thence deflecting Left 74°10' from said long chord, and running Easterly along the South line of said Northeast Quarter (NE¼), also being the center line of said Fonner Park Road, a distance of Six Hundred Forty and Five Tenths (640.5) Feet to the Place of Beginning, excepting therefrom a tract of land more particularly described in Corporation Warranty Deed recorded in the Register of Deeds Office as Document #76-003924.

If you have any questions or need any additional information, please do not hesitate to contact me.

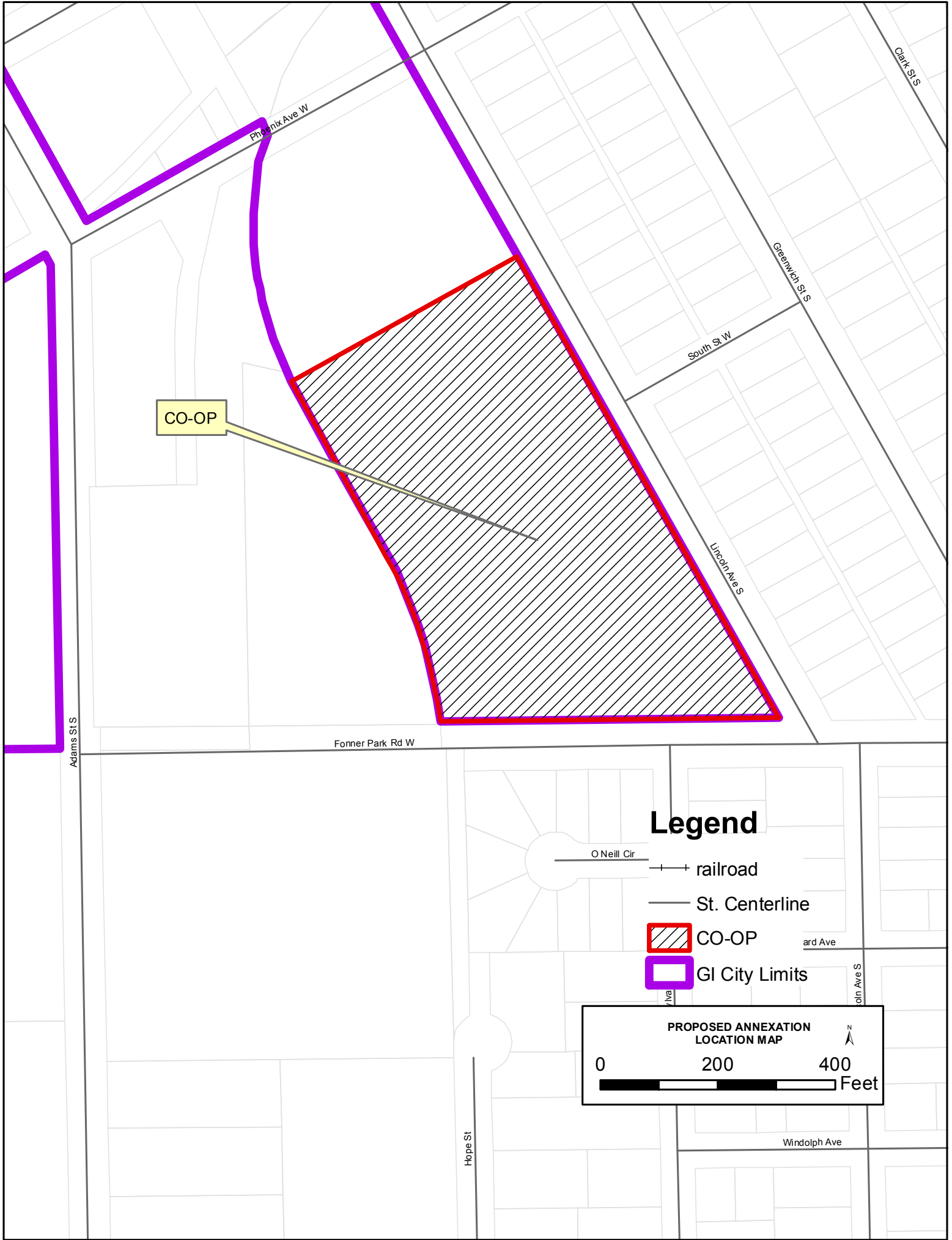
Sincerely,

CHIEF INDUSTRIES, INC.



Roger Bullington
Vice President of Development

cc: Chad Nabity
Tom Huston





City of Grand Island

Tuesday, November 22, 2011

Council Session

Item F1

#9339 - Consideration of Annexation for Property Located So. of Airport Road/US Hwy 281 and the West Side of Broadwell Ave. North of Burlington Northern Santa Fe Tracks Including Eagle Scout Park and Veterans Field (Annexation Area 3a) (Final Reading)

Staff Contact: Chad Nabity

Council Agenda Memo

From: Hall County Regional Planning Department

Meeting: November 22, 2011

Subject: Annexation Areas Identified as 3a, 6, 7, 12, and 13 (Final Reading)

Item #'s: F-1, F-2, F-3, F-4, and F-5

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

Background

At the March 22, 2011 meeting of the Grand Island City Council a resolution was passed that directed the planning department and other city staff as follows:

- to proceed with preparing annexation plans (as required and defined by statute),
- to notify property owners and school districts as required by law, and
- to forward the annexation plans to the Regional Planning Commission for review

The annexation plans for 6 of the 8 eight identified areas are complete and were considered by the Regional Planning Commission after a public hearing at their meeting held July 6, 2011. At the October 25, 2011 City Council meeting, the Council did not approve annexation area 14. The attached map identifies those areas under consideration at this meeting. Annexation plans for areas identified as 3a, 6, 7, 12, and 13 are available from the City Clerk. On October 11, 2011 the Grand Island City Council passed a resolution of intent to annex these areas, approving the annexation plans as presented and setting public hearings regarding annexation of these areas for October 25, 2011. The public hearings were held on October 25, 2011.

Discussion

Nebraska Revised Statute §16-117 provides for the process of annexation. In following the process approved by Council on March 22nd, 2011 annexation plans have been prepared by staff and referred to the Regional Planning Commission for recommendation. The Planning Commission has made their recommendation and Council has passed a

resolution of intent to annex these areas. Council held the public hearings. These areas were approved on first reading at the October 25, 2011 City Council meeting. Annexation ordinances must be read on three separate occasions. Tonight the ordinances will be considered on final reading.

Alternatives

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

1. Approve the Ordinances on Final Reading
2. Choose not to approve the Ordinances.
3. Modify the ordinance to change the areas under consideration for annexation.
4. Postpone the issue

Recommendation

That Council approve the ordinances for annexation of Areas 3a, 6, 7, 12, and 13 as presented.

Sample Motion

Move to approve the ordinances on final reading for annexation of Areas 3a, 6, 7, 12, and 13.

From the July 6th 2011 Planning Commission Minutes

4. **Public Hearing – Concerning annexation of properties identified as:**
Annexation Area 3a south of Airport Road/U.S. Highway 281 and on the west side of Broadwell Avenue north of the Burlington Northern Santa Fe tracks. Eagle Scout Park and the Veterans Field Complex are in this area. **Annexation Area 6** located north of Bismark Road to the east side of Stuhr Road. **Annexation Area 7** located north of U.S. Highway 34 on the east side of South Locust Street. **Annexation Area 12** located north of Husker Highway to the west side of U.S. Highway 281 and Prairieview Street. **Annexation Area 13** located south of Old Potash Highway on the west side of North Road. **Annexation Area 14** located south of 13th Street on the east and west sides of North Road and north of Faidley Avenue (C-05-2011GI).

O'Neill opened the Public Hearing.

Nabity briefly talked about the process of annexation; he explained City Council had charged Regional Planning to look at eligible areas for Annexation. City Council had selected eight areas and six of those plans were brought forward to Regional Planning. The remaining two may be brought forward for the August meeting.

Annexation Area 3a - U.S. Highway 281 and Broadwell Ave

This property is located in the north central part of the community. It is south of Airport Road/U.S. Highway 281 the west side of Broadwell Avenue north of the Burlington Northern Santa Fe tracks. The City of Grand Island provides electric services to the area. Sewer and water are both available to this property. There is about 210 acres of property included in the area that is currently used for agricultural purposes. There are no houses and no businesses included in this area. Eagle Scout Park and the Veterans Field Complex are in this area and maintained by the City Parks Department.

Annexation Area 6 - Bismark Road and Stuhr Road

This property is located in the southeast part of the community. It is mostly north of Bismark Road the east side of Stuhr Road. The City of Grand Island provides electric services to the area. Sewer and water are both available to this property. There is about 50 acres of property included in the area that is currently used for agricultural purposes. There are no houses and no businesses included in this area.

Nabity stated he had received a call from Tom Pirnie who owns the majority of the land in this area and he was in support of the annexation.

Annexation Area 7 - U.S. Highway 34 and South Locust Street (Vanosdal Fields)

This property is located in the southeast part of the community. It is north of U.S. Highway 34 on the east side of Locust Street. The City of Grand Island provides electric services to the area. Sewer and water are both available to this property. There are about 65 acres of property included in the area. The property is currently used for agricultural and residential purposes. There are 3 houses included in this area.

Nabity stated one homeowner Heidi Aken and she was in favor of this annexation.

Janel Laub, 380 E. Highway 34, said she and her husband bought land there in 1996 to farm next to his parents. If the land were annexed into city limits, their children would no longer be eligible for school driving permits, could not have more numerous flocks of ducklings and they would be subject to higher taxes on farm equipment they purchase.

Their land would also eventually cease to be part of the Northwest School District, which has a more rural focus. Two of their children want to be farmers, and a third wants to be a veterinarian, Laub said.

If their land were to be annexed, "our whole way of life changes," she told the commission.

Evie Laub, 450 E Hwy 34, said the annexation would also separate the farm homestead from the farm ground, which runs to the east to Stuhr Road.

Commissioner John Amick of Doniphan concurred. He moved to annex just the western half of the proposed area, which includes the former ball fields and the Heidi Aken house that fronts onto Highway 34. Aken had previously spoken in favor of annexation.

Amick said water and sewer is available to the western portion of Area 7, (Aken property) but not to the Laub farmsteads on the east. The entire 65 acres is also not surrounded completely by city limits and the annexation, as originally proposed by the city, would substantially change the rural lifestyle the Laubs have, he said.

Annexation Area 12 - U.S. Highway 281 and Husker Highway

This property is located in the southwest part of the community. It is north of Husker Highway the west side of U.S. Highway 281 and Prairieview Street. The City of Grand Island provides electric services to the area. Sewer and water are both available to this property. There is about 200 acres of property included in the area that is currently used for agricultural purposes. There is one house and

no businesses included in this area.

Annexation Area 13 - Old Potash Highway and North Road

This property is located in the northwest part of the community. It is south of Old Potash Highway on the west side of North Road. The City of Grand Island provides electric services to the area. Sewer and water are both available to this property. There is about 120 acres of property included in the area that is currently used for agricultural purposes. There are no houses and no businesses included in this area.

Eric Pollock owns this property and was questioning what exactly this meant. Naby explained his property was surrounded by the city limits and Council is looking to get rid of the “islands” that have been formed. Sewer and water are available. Pollock questioned if there was a utility plan for the drainage because in the northwest quarter there is a drainage issue.

Area 3a: U.S. Highway 281 and Broadwell Ave

This has 210 acres located south of Airport Road/U.S. Highway 281 and on the west side of Broadwell Avenue north of the Burlington Northern Santa Fe tracks. City sewer and water is available. It includes the Veterans Athletic Field Complex and Eagle Scout Park and is mostly city-owned so there is no property valuation and no property tax revenue. City annexation would clarify that city police have jurisdiction at the Athletic Complex, which is on ground leased by the city from the state.

A motion was made by Hayes to approve the Area 3a Annexation plan as submitted and seconded by Amick.

The motion carried with 9 members present and 9 voting in favor (Amick, O’Neill, Ruge, Hayes, Reynolds, Haskins, Bredthauer, Connelly and Snodgrass) and no member present abstaining.

Area 6: Bismark Road and Stuhr Road

This has 50 acres located north of Bismark Road to the east side of Stuhr Road. City sewer and water is available. Estimated tax base is \$100,053. Estimated annual property tax for all political subdivisions is \$2,181.

A motion was made by Reynolds to approve the Area 6 Annexation plan as submitted and seconded by Brethauer.

The motion carried with 9 members present and 9 voting in favor (Amick, O’Neill, Ruge, Hayes, Reynolds, Haskins, Bredthauer, Connelly and Snodgrass)

and no member present abstaining.

Area 7: U.S. Highway 34 and South Locust Street (Vanosdal Fields)

This property is located in the southeast part of the community. It is north of U.S. Highway 34 the east side of Locust Street. The City of Grand Island provides electric services to the area. Sewer and water are both available to this property. There are about 65 acres of property included in the area. The property is currently used for agricultural and residential purposes. There are 3 houses included in this area.

A motion was made by Amick to approve the Area 7 Annexation plan with the changes made to the annexation area to remove the Laub properties and to just include the Vanosdal property and the Aken property. This was seconded by Haskins.

Finding of Facts noted by Amick were this proposed annexation did not have sewer and water services available. This homestead was used as an ag use home property. Annexation of this property would adversely affect the families. Haskins agreed with Amick's findings.

The motion carried with 9 members present and 9 voting in favor (Amick, O'Neill, Ruge, Hayes, Reynolds, Haskins, Bredthauer, Connelly and Snodgrass) and no member present abstaining.

Area 12: U.S. Highway 281 and Husker Highway

This is about 200 acres of farmland located north of Husker Highway and to the west side of U.S. Highway 281 and Prairieview Street. City sewer and water is available. Estimated tax base is \$481,334 and estimated property tax revenue is \$10,495 a year.

A motion was made by Bredthauer to approve the Area 12 Annexation plan as presented and was seconded by Reynolds.

Findings of fact noted by Bredthauer were water and sewer service is available and annexing of this property would have little or no impact to the owners.

The motion carried with 9 members present and 8 voting in favor (Amick, O'Neill, Hayes, Reynolds, Haskins, Bredthauer, Connelly and Snodgrass) and 1 member present voting against (Ruge) and no members abstaining.

Area 13: Old Potash Highway and North Road

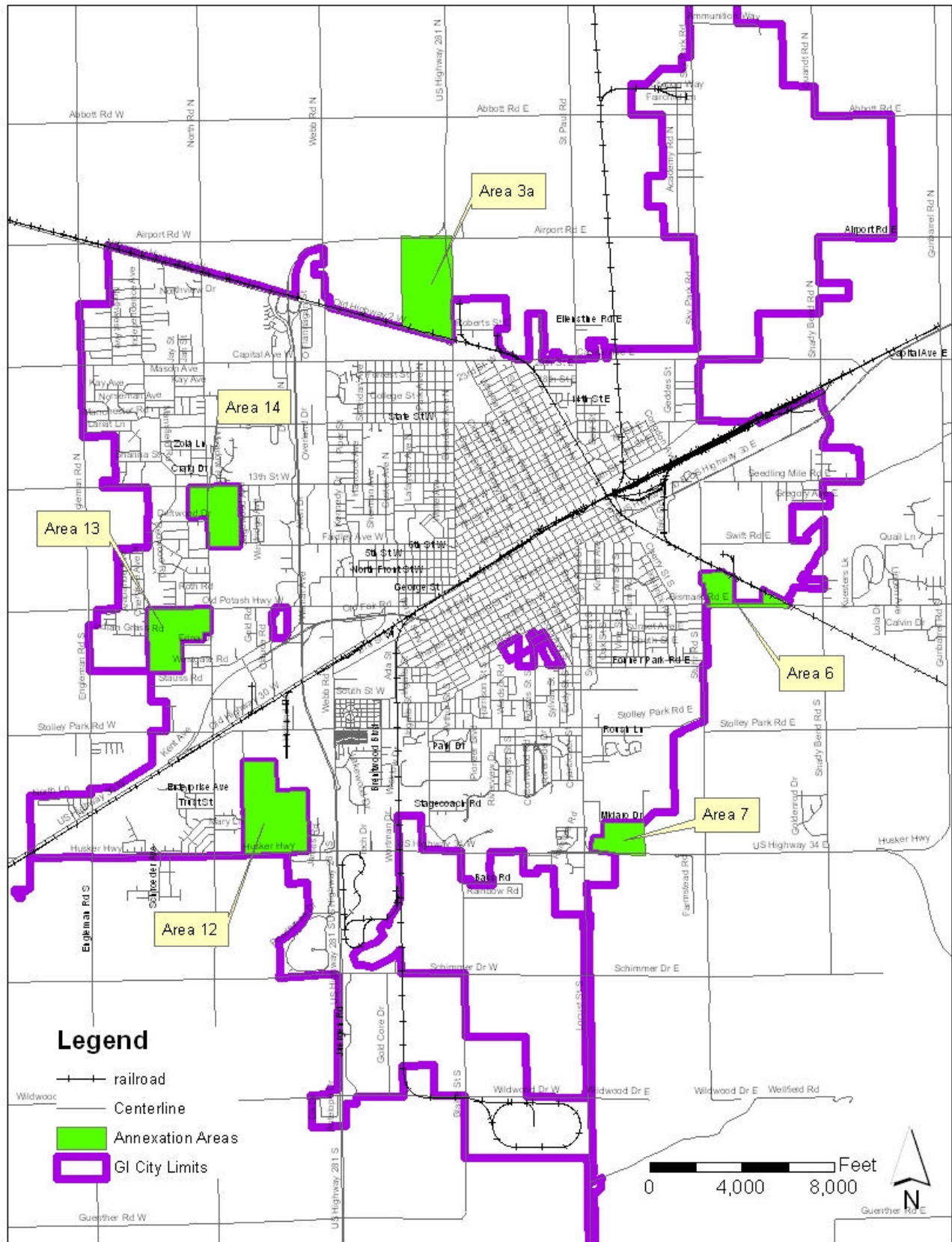
This property is located in the northwest part of the community. It is south of Old Potash Highway on the west side of North Road. The City of Grand Island

provides electric services to the area. Sewer and water are both available to this property. There is about 120 acres of property included in the area that is currently used for agricultural purposes. There are no houses and no businesses included in this area.

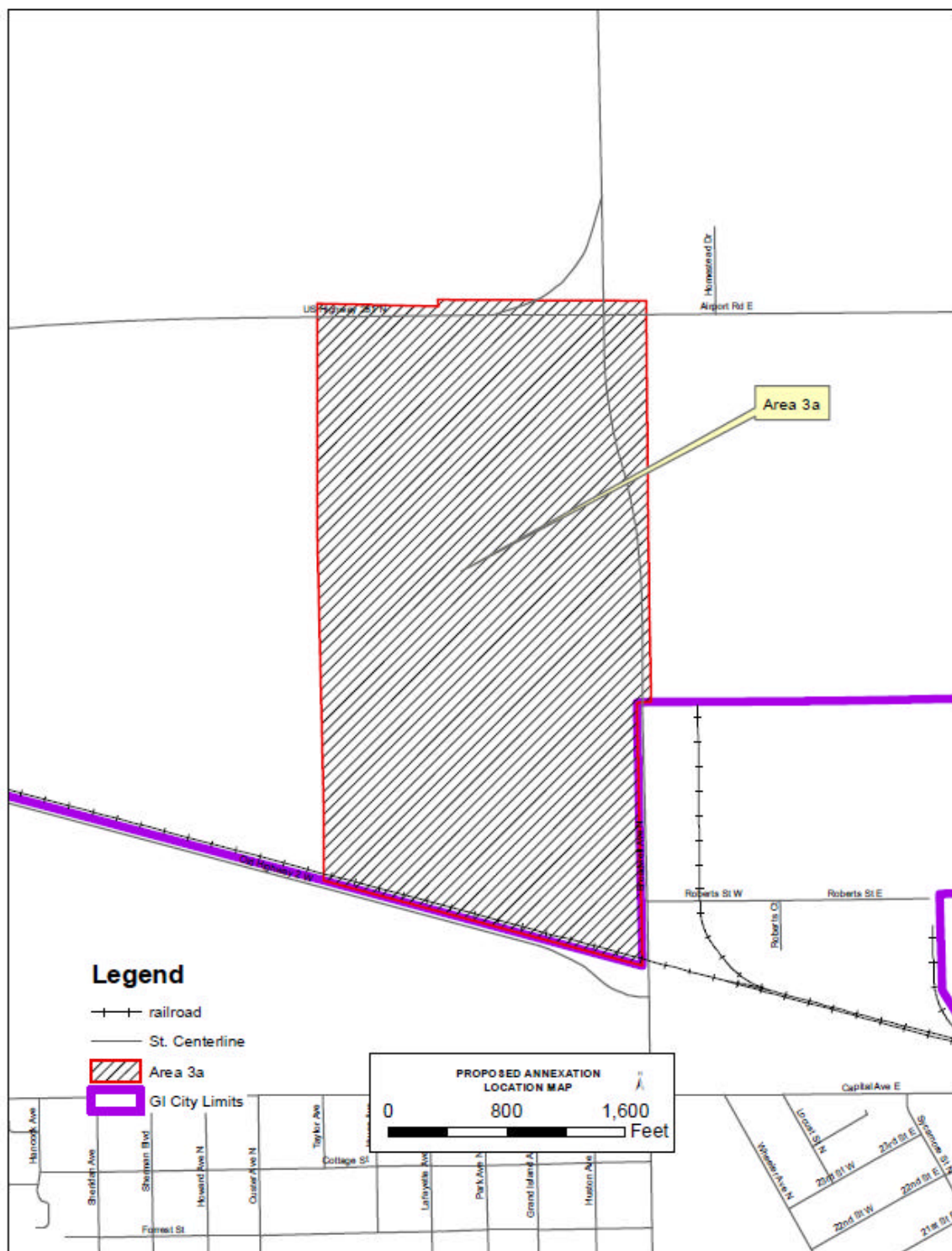
A motion was made by Bredthauer to approve the Area 13 Annexation plan as presented and was seconded by Amick.

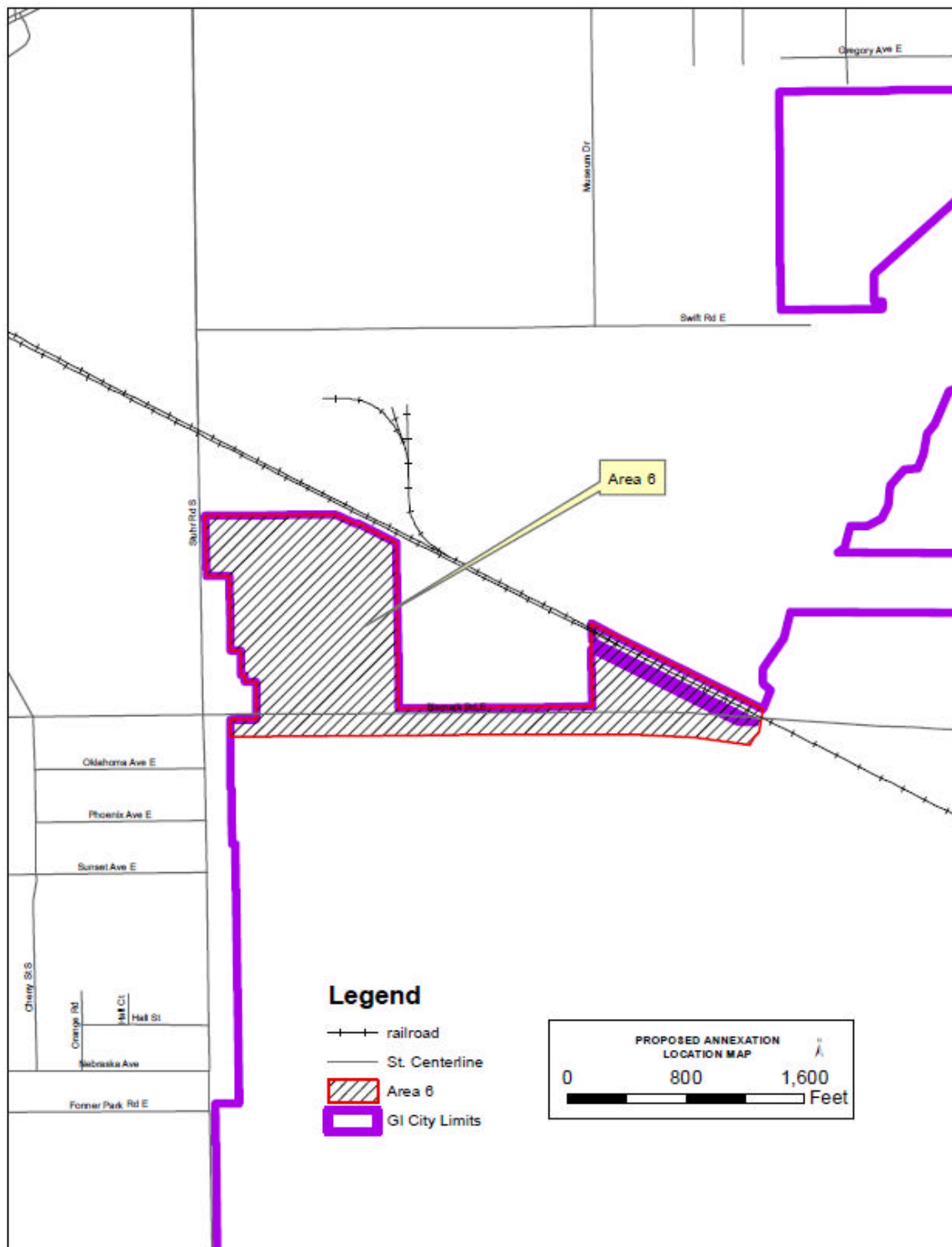
Findings of fact noted by Bredthauer were water and sewer service is available and annexing of this property would have little or no impact to the owners.

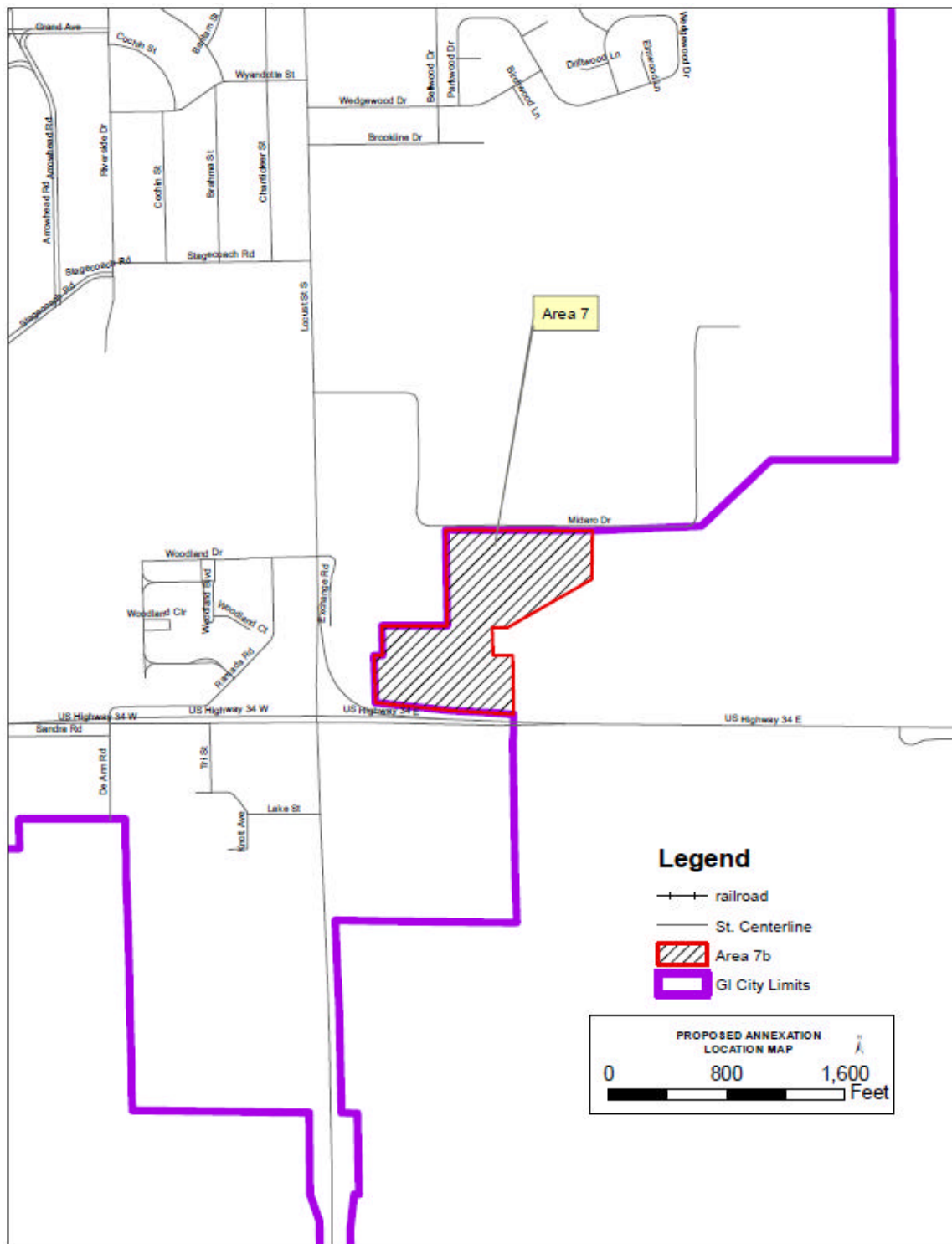
The motion carried with 9 members present and 7 voting in favor (Amick, O'Neill, Ruge, Haskins, Bredthauer, Connelly and Snodgrass) and 2 members present voting against (Reynolds, Hayes) and no members abstaining.

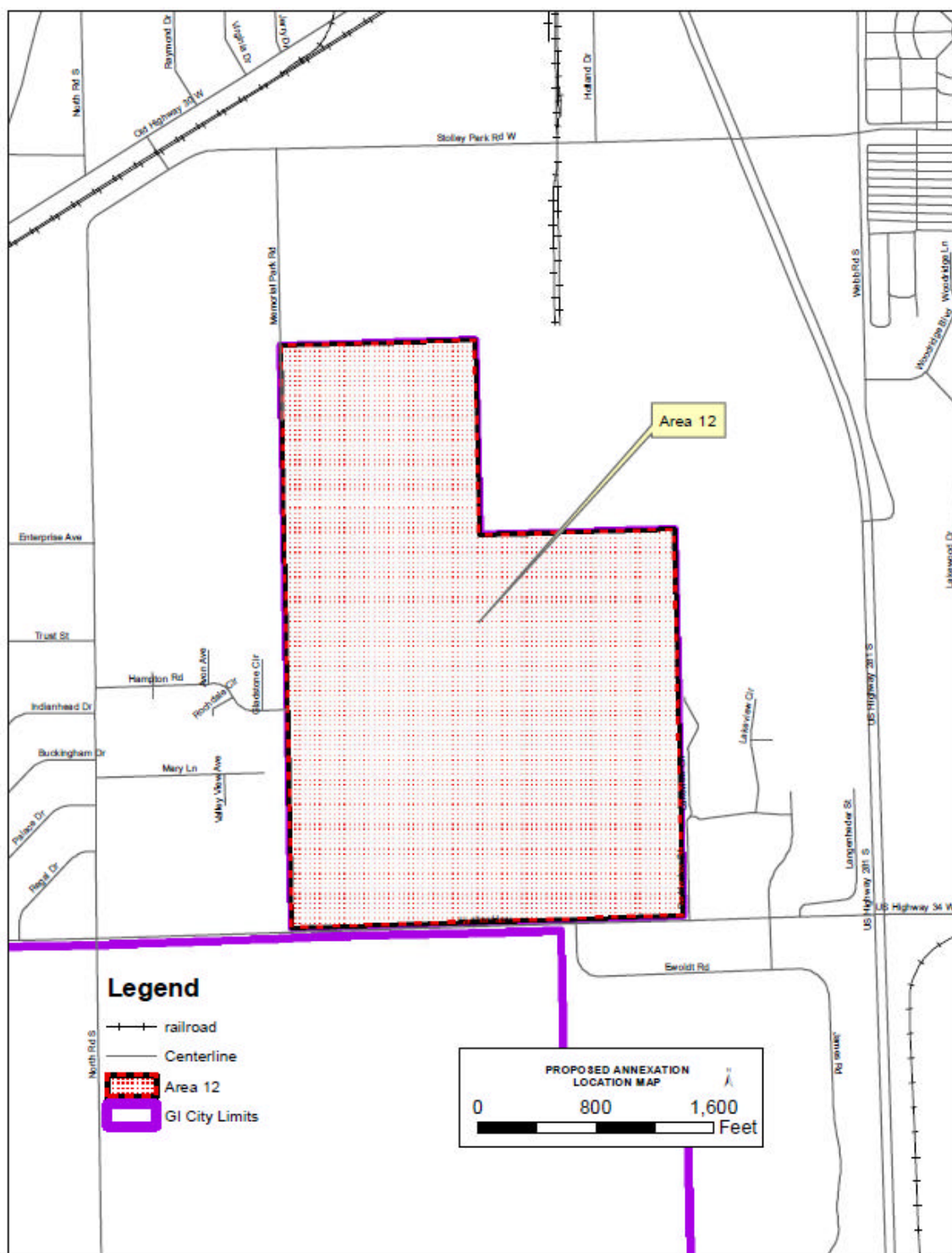


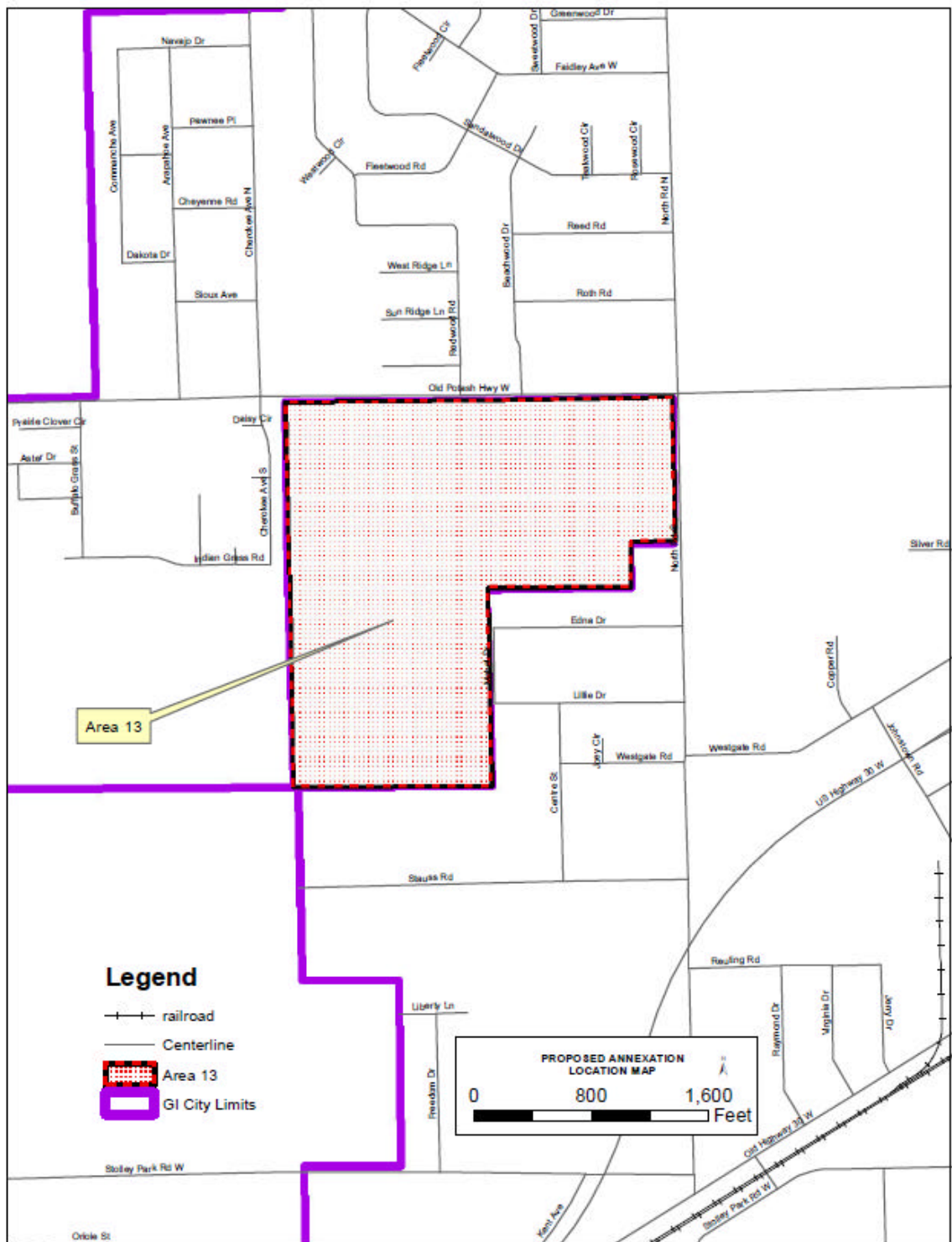
Area 7 has been modified to include fewer properties than shown on this map, but the general area of town remains the same.











* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9339

An ordinance to extend the boundaries and include within the corporate limits of, and to annex into the City of Grand Island, Nebraska, a tract of land west of U.S. Highway 281 and south of Airport Road along with all adjoining public Right-of-Way in Hall County, Nebraska referenced as annexation area “3a” as more particularly described hereinafter and as shown on Exhibit “A” attached hereto; to provide service benefits thereto; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, after public hearing on July 6, 2011, the Regional Planning Commission recommended the approval of annexing into the City of Grand Island, the following tract of land in Hall County, Nebraska:

Beginning At A Point On The North Line Of Airport Road, U.S. Highway 281 Said Point Being 2,544.35’ West Of And 86.51’ North Of The Northeast Corner Section 5-11-9 Thence Easterly On A Line 86.51’ North Of And Parallel To The North Of Section 5-11-9 And Section 4-11-9 To A Point On The West Line Of Homestead Second Subdivision Thence Southerly On A Line To The South Right Of Way Line Of Airport Road Thence Southwesterly To The East Right Of Way Line Of Broadwell Avenue Thence Southerly On The East Right Of Way Line Of Broadwell To A Point On The South Line Of Northwest Quarter Of Northwest Quarter Section 4-11-9 Thence Westerly On Said South Line Northwest Quarter, Northwest Quarter Section 4-11-9 To The West Line Of Section

Approved as to Form	<input type="checkbox"/> _____
November 18, 2011	<input type="checkbox"/> City Attorney

ORDINANCE NO. 9339 (Cont.)

4-11-9 Thence Southerly On The West Line Of Section 4-11-9 To A Point On The South Right Of Way Line Of The Burlington Northern Santa Fe Railroad Thence Northwesterly On The South Right Of Way Line Of The Burlington Northern Santa Fe Railroad To A Point On The West Line Of Southeast Quarter Section 5-11-9 Thence Northerly On The West Line Of Southeast Quarter And Northeast Quarter Section 5-11-9 To The Point Of Beginning.

WHEREAS, after public hearing on October 25, 2011, the City Council of the City of Grand Island found and determined that such annexation be approved; and

WHEREAS, on October 25, 2011, the City Council of the City of Grand Island approved such annexation on first reading and on November 8, 2011 the second reading was approved.

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

SECTION 1. It is hereby found and determined that:

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

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

(C) The various zoning classifications of the land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed and that this annexation will have no impact on the extraterritorial zoning jurisdiction.

ORDINANCE NO. 9339 (Cont.)

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

(E) The plan for extending City services is hereby approved and ratified as amended.

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

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

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

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

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

ORDINANCE NO. 9339 (Cont.)

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

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

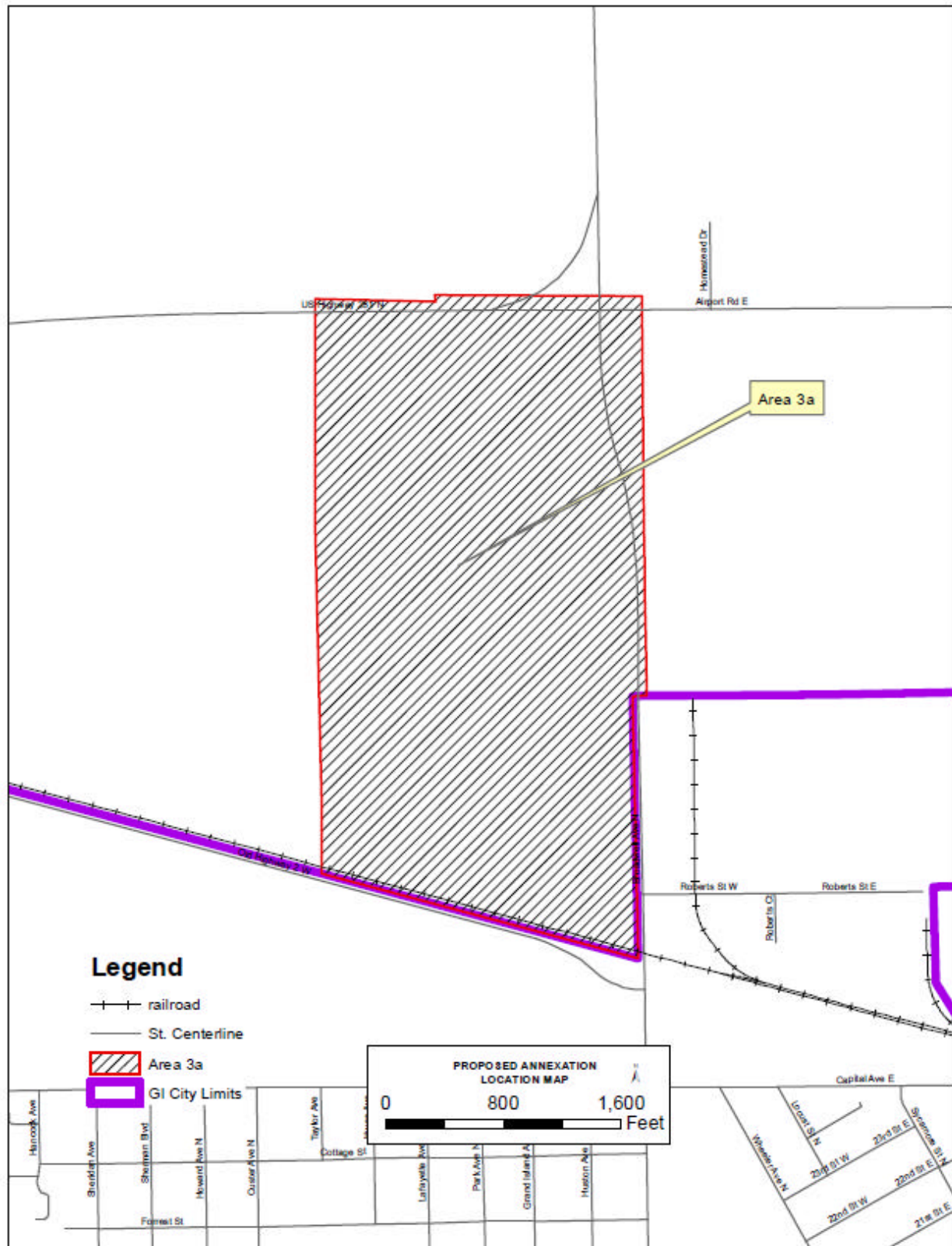
Enacted: November 22, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

ORDINANCE NO. 9339 (Cont.)





City of Grand Island

Tuesday, November 22, 2011

Council Session

Item F2

#9340 - Consideration of Annexation of Property Located North of Bismark Road on the East Side of Stuhr Road (Annexation Area 6) (Final Reading)

This item relates to the aforementioned Ordinance item F-1.

Staff Contact: Chad Nabity

* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9340

An ordinance to extend the boundaries and include within the corporate limits of, and to annex into the City of Grand Island, Nebraska, a tract of land east of Stuhr Road and north of Bismark Road along with all adjoining public Right-of-Way in Hall County, Nebraska referenced as annexation area “6” as more particularly described hereinafter and as shown on Exhibit “A” attached hereto; to provide service benefits thereto; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, after public hearing on July 6, 2011, the Regional Planning Commission recommended the approval of annexing into the City of Grand Island, the following tract of land in Hall County, Nebraska:

Beginning At A Point 33’ South Of And 183’ East Of Northwest Corner 23-11-9 Said Point Being On The South Line Of Bismark Road Thence Continuing Easterly On The South Line Of Bismark Road For A Distance Of 177.5’ Thence Northerly On A Line 360.5’ East Of And Parallel To The West Lines Of Section 23-11-9 And 14-11-9 Thence Westerly On A Line 191.1’ North Of And Parallel To The South Line Of Section 14-11-9 For A Distance Of 73.63’ Thence Northerly On A Line 286.87’ East Of And Parallel To The West Line Of Section 14-11-9 For A Distance Of 43.30’ Thence Westerly On A Line To A Point 260’ East Of West Line Section 14-11-9 And 234.4’ North Of South Line Of Section 14-11-9 Thence Northerly On A Line 260.0’ East Of And Parallel To The West

Approved as to Form	<input type="checkbox"/>	_____
November 18, 2011	<input type="checkbox"/>	City Attorney

ORDINANCE NO. 9340 (Cont.)

Line Of Section 14-11-9 For A Distance Of 170.0' Thence West On A Line To A Point 191.10' East Of And 404.4' North Of The South Line Of Section 14-11-9 Thence Northerly On A Line 191.1' East Of And Parallel To The West Line Of Section 14-11-9 For A Distance Of 539.47' Thence Westerly on A Line 943.87' North Of And Parallel To The South Line Of Section 14-11-9 To The East Line Of Stuhr Road Thence Northerly On The East Line Of Stuhr Road To The Southwest Corner Of Lot 101 Industrial Addition Thence Easterly On The South Line Of Lot 101, 100 & 90 Industrial Addition For A Distance of 884.63' Thence Southeasterly On The Southwest Line Of Lot 99 Industrial Addition For A Distance Of 146.53' Thence Northeasterly On The East Line Of Lot 99 Industrial Addition For A Distance Of 50' To The Southerly Line Of The Burlington Northern Santa Fe Railroad Right Of Way Thence Southeasterly On Said Southerly Line Of Burlington Northern Santa Fe Railroad To The Northwest Corner Lot 102 Industrial Addition Thence Southerly On The West Line Of Lots 102, 110, 111 & 118 Industrial Addition To The Southwest Corner Of Lot 118 Industrial Addition Thence Easterly On The South Line Of Lots 115, 116, 117 & 118 Industrial Addition To The Southeast Corner Of Lot 115 Industrial Addition Thence Northerly On The East Line Of Lots 114 & 115 For A Distance of 380' ± Thence South Easterly On A Southerly Line Of Lot 114 Industrial Addition To The Southeast Corner Of Lot 114 Industrial Addition Thence Easterly On The South Line Of Lot 114 Industrial Addition To The Southerly Line Of The Burlington Northern Santa Fe Railroad Right Of Way Thence Southeasterly On Said South Line Of The Burlington Northern Santa Fe Railroad To A Point Of The South Line Of Bismark Road Thence Southwesterly On A Line For A Distance Of 166.5'± Thence Northwesterly On A Line For A Distance Of 330' To A Said Point Being 169.4' South Of The North Line Of Section 23-11-9 Thence Westerly On A Line For A Distance of 418.9' To A Point Being 161' South Of The North Line Of Section 23-11-9 Thence Continuing Westerly On A Line For A Distance Of 1000' To A Point Being 151' South Of The North Line Of Section 23-11-9 Thence Continuing Westerly On A Line For A Distance Of 587.6' To A Point 149.63' South Of The North Line Of Section 23-11-9 Thence Continuing Westerly On A Line For A Distance Of 912.4' To A Point Being 148' South Of The North Line Of Section 23-11-9 Thence Westerly On A Line Being 148' South Of And Parallel To The North Line Of Section 23-11-9 For A Distance Of 224.6' Thence Northerly On A Line For A Distance Of 115' To The Point Of Beginning.

WHEREAS, after public hearing on October 25, 2011, the City Council of the City of Grand Island found and determined that such annexation be approved; and

WHEREAS, on October 25, 2011, the City Council of the City of Grand Island approved such annexation on first reading and on November 8, 2011 the second reading was approved.

ORDINANCE NO. 9340 (Cont.)

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

SECTION 1. It is hereby found and determined that:

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

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

(C) The various zoning classifications of the land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed and that this annexation will have no impact on the extraterritorial zoning jurisdiction.

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

(E) The plan for extending City services is hereby approved and ratified as amended.

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

ORDINANCE NO. 9340 (Cont.)

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

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

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

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

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

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

Enacted: November 22, 2011.

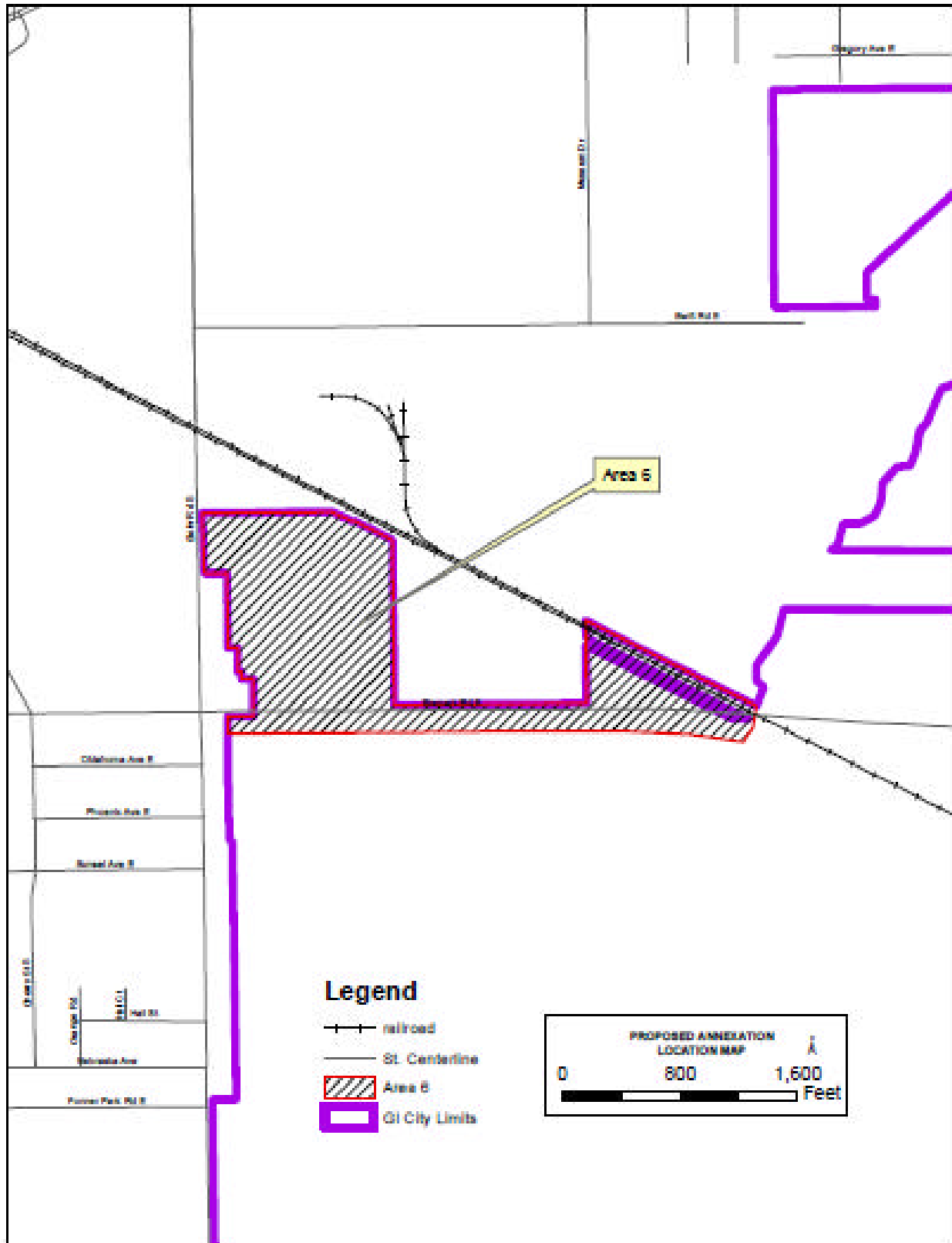
Jay Vavricek, Mayor

Attest:

ORDINANCE NO. 9340 (Cont.)

RaNae Edwards, City Clerk

ORDINANCE NO. 9340 (Cont.)





City of Grand Island

Tuesday, November 22, 2011

Council Session

Item F3

**#9341 - Consideration of Annexation of Property Located North of
US Highway 34 on the East Side of South Locust Street
(Annexation Area 7) (Final Reading)**

This item relates to the aforementioned Ordinance item F-1.

Staff Contact: Chad Nabity

* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9341

An ordinance to extend the boundaries and include within the corporate limits of, and to annex into the City of Grand Island, Nebraska, a tract of land east of Locust Street and north of U.S. Highway 34 along with all adjoining public Right-of-Way in Hall County, Nebraska referenced as annexation area “7” as more particularly described hereinafter and as shown on Exhibit “A” attached hereto; to provide service benefits thereto; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, after public hearing on July 6, 2011, the Regional Planning Commission recommended the approval of annexing into the City of Grand Island, the following tract of land in Hall County, Nebraska:

Beginning At The Southeast Corner Of Desert Rose Subdivision Thence North On The East Line Of Desert Rose Subdivision For A Distance Of 323.6’ Thence Easterly On The South Line Of Desert Rose Sub For A Distance Of 55’ Thence Northerly On The East Line Of Desert Rose Subdivision For A Distance Of 201’ To The Northeast Corner Of Desert Rose Subdivision Thence Easterly On An Extension Of The North Line Of Desert Rose Subdivision For A Distance Of 445’ ± Thence Northerly On A Line For A Distance Of 669.4’ ± To The South Line Of Firethorne Estates Subdivision Thence Easterly On The South Line Of Firethorne Estates Subdivision For A Distance Of 1,223.6’ ± Thence Southerly On A Line For A Distance Of 327.5’ ± Thence Southwesterly On A Line For A

Approved as to Form	☐ _____
November 18, 2011	☐ City Attorney

ORDINANCE NO. 9341 (Cont.)

Distance Of 654.1'± Thence Westerly On A Line For A Distance Of 106' Thence Southerly On A Line For A Distance Of 193.6'± Thence Easterly On A Line For A Distance Of 106' Thence South On A Line To A Point On The North Line Of the U.S. Highway 34, Husker Highway Thence Westerly On The South Line Of Said U.S. Highway 34, Husker Highway To The West Line Of Northeast Quarter Of Northwest Quarter Section 34-11-9 Thence Northerly On The West Line Of Northeast Quarter, Northwest Quarter Section 34-11-9 To The North Line Of Section 34-11-9 Thence Continuing Northerly On The West Line Of The Southeast Quarter Of Southwest Quarter Section 27-11-9 To The North Line Of U.S. Highway 34, Husker Highway Thence Westerly And Northerly On The North Line Of U.S. Highway 34, Husker Highway To The Point Of Beginning

WHEREAS, after public hearing on October 25, 2011, the City Council of the City of Grand Island found and determined that such annexation be approved; and

WHEREAS, on October 25, 2011, the City Council of the City of Grand Island approved such annexation on first reading and on November 8, 2011 the second reading was approved.

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

SECTION 1. It is hereby found and determined that:

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

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

ORDINANCE NO. 9341 (Cont.)

(C) The various zoning classifications of the land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed and that this annexation will have no impact on the extraterritorial zoning jurisdiction.

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

(E) The plan for extending City services is hereby approved and ratified as amended.

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

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

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

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

ORDINANCE NO. 9341 (Cont.)

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

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

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

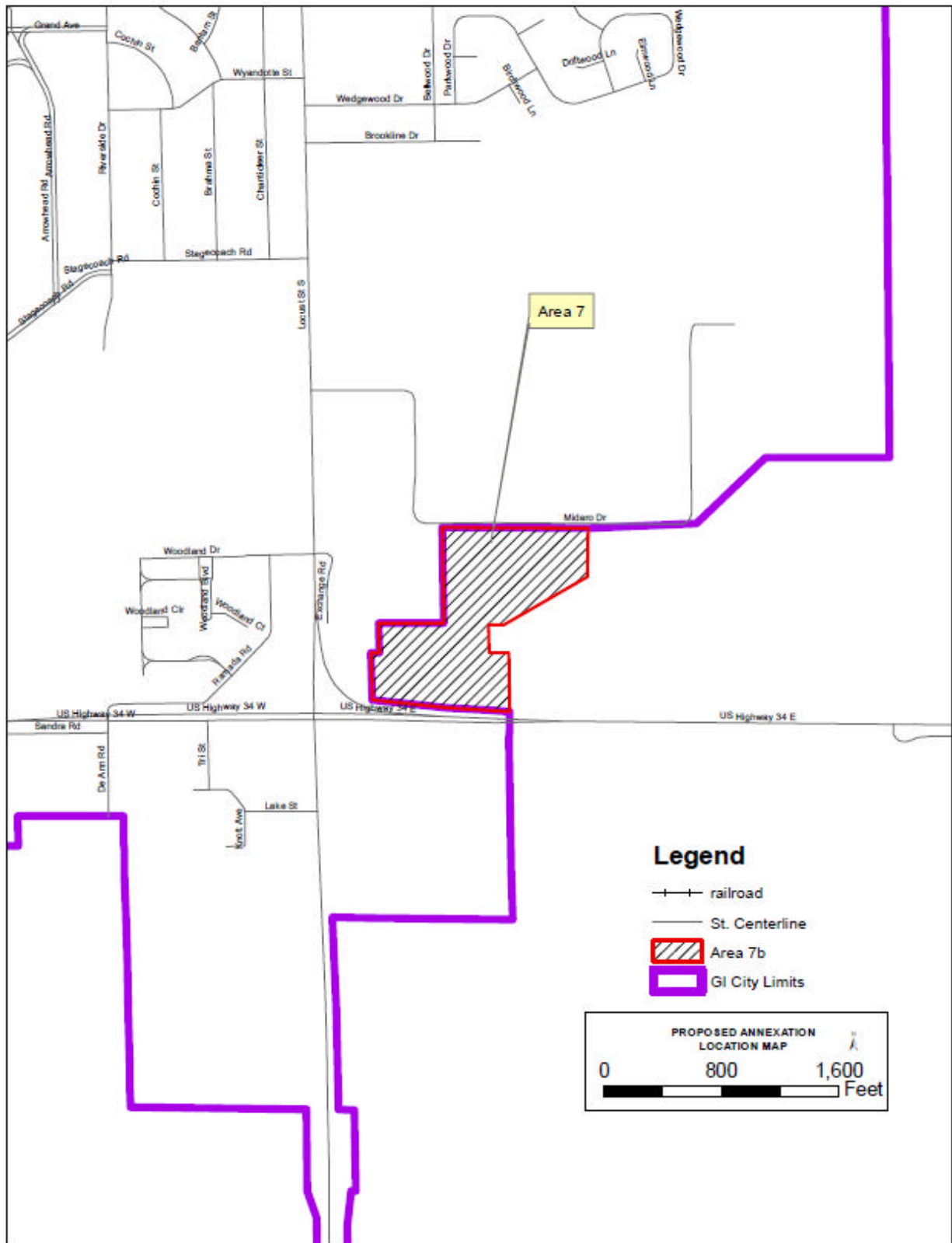
Enacted: November 22, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

ORDINANCE NO. 9341 (Cont.)





City of Grand Island

Tuesday, November 22, 2011

Council Session

Item F4

**#9342 - Consideration of Annexation of Property Located North of
Husker Highway to the West Side of US Highway 281 and
Prairieview Street (Annexation Area 12) (Final Reading)**

This item relates to the aforementioned Ordinance item F-1.

Staff Contact: Chad Nabity

* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9342

An ordinance to extend the boundaries and include within the corporate limits of, and to annex into the City of Grand Island, Nebraska, a tract of land west of U.S. Highway 281 and north of Husker Highway along with all adjoining public Right-of-Way in Hall County, Nebraska referenced as annexation area “12” as more particularly described hereinafter and as shown on Exhibit “A” attached hereto; to provide service benefits thereto; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, after public hearing on July 6, 2011, the Regional Planning Commission recommended the approval of annexing into the City of Grand Island, the following tract of land in Hall County, Nebraska:

Beginning At The Southwest Corner Of Pedcor Subdivision Thence Continuing Southerly On An Extension Of The West Line Of Pedcor Subdivision To The West Line Of Pedcor Subdivision To The Southerly Line Of U.S. Highway 34, Husker Highway Thence Westerly On The South Line Of Said Highway To A Point On The West Line Of The Northeast Quarter Of The Northwest Quarter Section 36-11-10 Thence Northerly On The West Line Of Northeast Quarter, Northwest Quarter Section 36-11-10 To The Northwest Corner Of Northeast Quarter, Northwest Quarter Section 36-11-10 Said Point Also Being The Southwest Corner Of Southeast Quarter Of Southwest Quarter Section 25-11-10 Thence Continuing Northerly On The West Line Of The Southeast Quarter,

Approved as to Form	<input type="checkbox"/>	_____
November 18, 2011	<input type="checkbox"/>	City Attorney

ORDINANCE NO. 9342 (Cont.)

Southwest Quarter, Northeast Quarter, Southwest Quarter And The Southeast Quarter Northwest Quarter Section 25-11-10. To The Northwest Corner Of Southeast Quarter, Northwest Quarter Section 25-11-10 Thence Easterly On The North Line Of Southeast Quarter, Northwest Quarter Section 25-11-10 To The Northeast Corner Of Southeast Quarter, Northwest Quarter Section 25-11-10 The Southerly On The East Line Of Southeast Quarter, Northwest Quarter Section 25-11-10 To The Southeast Corner Of Southeast Quarter, Northwest Quarter Section 25-11-10 Said Point Also Being The Center Of Section 25-11-10 Thence Easterly On The North Line Of Southeast Quarter Section 25-11-10 To The Northwest Corner Of Pedcor Second Subdivision Thence Southerly On The West Line Of Pedcor Second Subdivision and Pedcor Subdivision To The Point Of Beginning

WHEREAS, after public hearing on October 25, 2011, the City Council of the City of Grand Island found and determined that such annexation be approved; and

WHEREAS, on October 25, 2011, the City Council of the City of Grand Island approved such annexation on first reading and on November 8, 2011 the second reading was approved.

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

SECTION 1. It is hereby found and determined that:

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

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

ORDINANCE NO. 9342 (Cont.)

(C) The various zoning classifications of the land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed and that this annexation will have no impact on the extraterritorial zoning jurisdiction.

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

(E) The plan for extending City services is hereby approved and ratified as amended.

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

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

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

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

ORDINANCE NO. 9342 (Cont.)

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

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

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

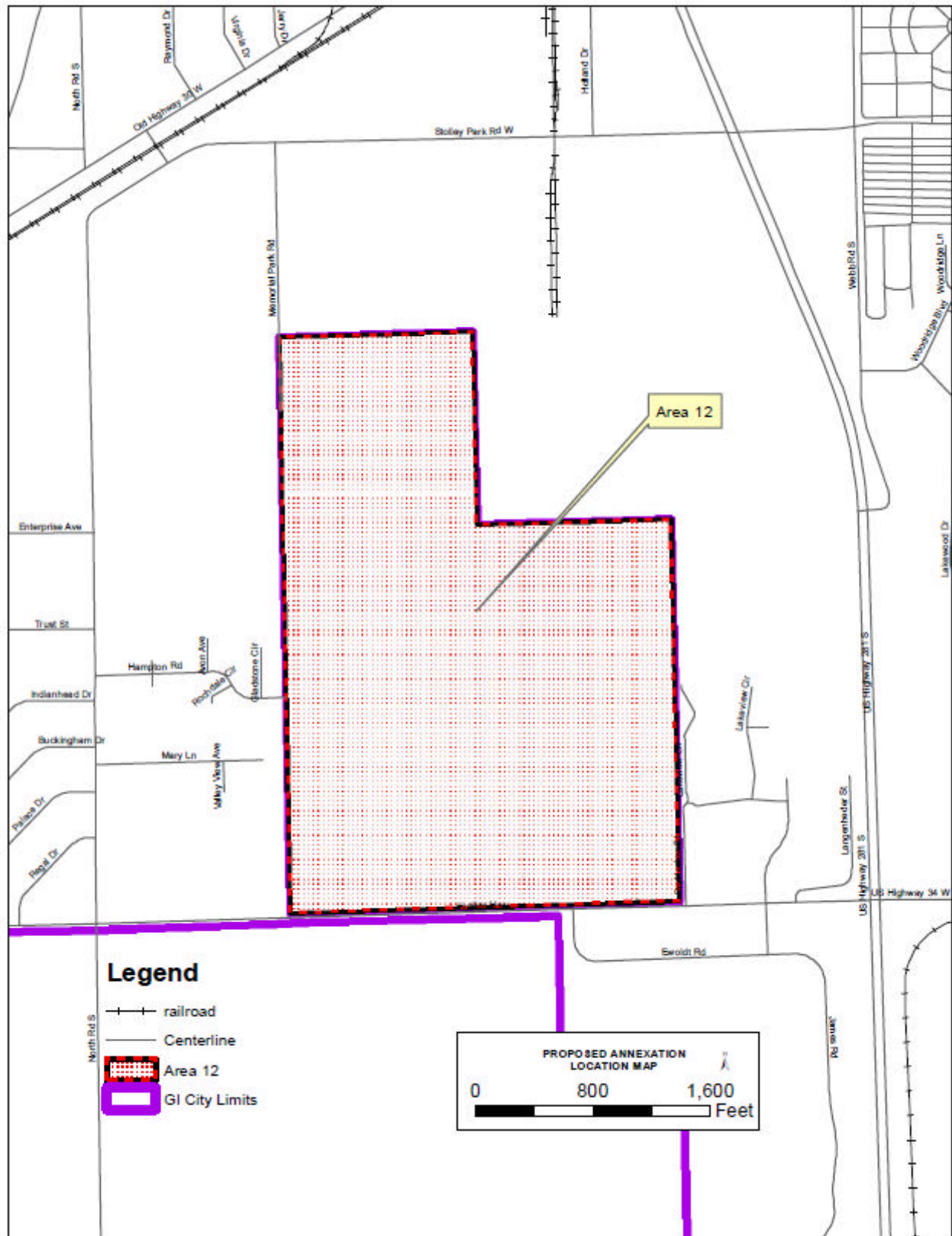
Enacted: November 22, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

ORDINANCE NO. 9342 (Cont.)





City of Grand Island

Tuesday, November 22, 2011

Council Session

Item F5

#9343 - Consideration of Annexation of Property Located South of Old Potash Highway on the West Side of North Road (Annexation Area 13) (Final Reading)

This item relates to the aforementioned Ordinance item F-1.

Staff Contact: Chad Nabity

* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9343

An ordinance to extend the boundaries and include within the corporate limits of, and to annex into the City of Grand Island, Nebraska, a tract of land west of North Road and south of Old Potash Highway along with all adjoining public Right-of-Way in Hall County, Nebraska referenced as annexation area “13” as more particularly described hereinafter and as shown on Exhibit “A” attached hereto; to provide service benefits thereto; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, after public hearing on July 6, 2011, the Regional Planning Commission recommended the approval of annexing into the City of Grand Island, the following tract of land in Hall County, Nebraska:

Beginning At The Northeast Corner Section 23-11-10 Thence Southerly On The East Line Of Said Section 23-11-10 To A Point 300' North Of The Southeast Corner Of Northeast Quarter Of Northeast Quarter section 23-11-10 Thence West On A Line For A Distance Of 333' Thence Southerly On A Line For A Distance Of 300' To A Point On The North Line Of Gosda Subdivision Thence Westerly On The North Line Of Gosda Subdivision To The Northwest Corner Of Gosda Subdivision Thence Southerly On The West Line Of Gosda Subdivision, Springdale Subdivision And Springdale Second Subdivision To The North Line Of Garland Subdivision Thence Westerly On The North Line Of Garland Subdivision To The Northwest Corner Of Garland Subdivision Also

Approved as to Form	<input type="checkbox"/>	_____
November 18, 2011	<input type="checkbox"/>	City Attorney

ORDINANCE NO. 9343 (Cont.)

Being The Southwest Corner Northeast Quarter Section 23-11-10 Thence Continuing Westerly On The South Line Of The Northwest Quarter Section 23-11-10 For A Distance Of 35' Thence Northerly On A Line To The Southeast Corner Of Copper Creek Estates Subdivision Thence continuing Northerly On The East Line Of Copper Creek Estates Subdivision To The Northeast Corner Of Copper Creek Estates Subdivision Being On The North Line Of Section 23-11-10 To The Point Of Beginning

WHEREAS, after public hearing on October 25, 2011, the City Council of the City of Grand Island found and determined that such annexation be approved; and

WHEREAS, on October 25, 2011, the City Council of the City of Grand Island approved such annexation on first reading and on November 8, 2011 the second reading was approved.

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

SECTION 1. It is hereby found and determined that:

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

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

(C) The various zoning classifications of the land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed and that this annexation will have no impact on the extraterritorial zoning jurisdiction.

ORDINANCE NO. 9343 (Cont.)

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

(E) The plan for extending City services is hereby approved and ratified as amended.

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

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

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

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

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

ORDINANCE NO. 9343 (Cont.)

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

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

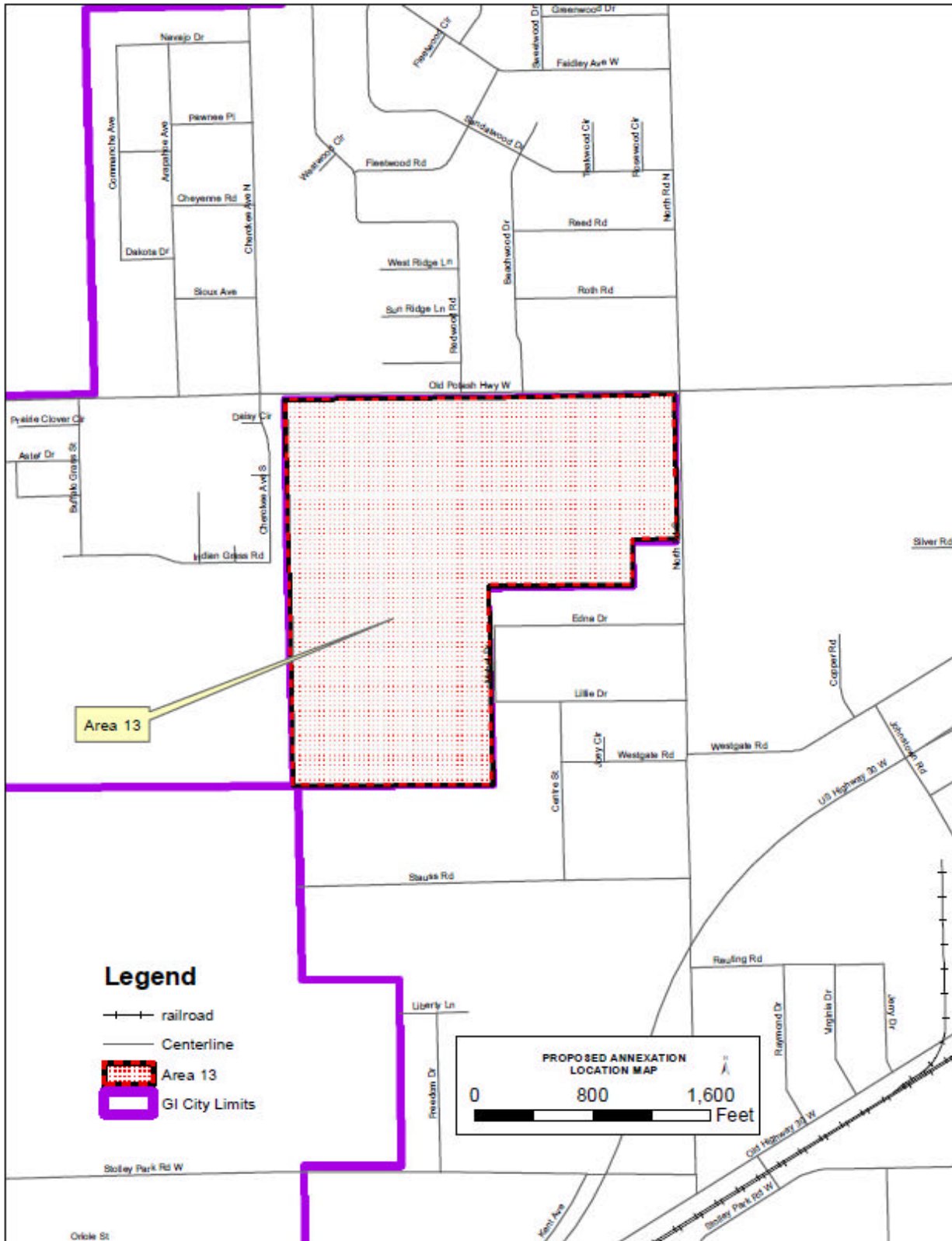
Enacted: November 22, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

ORDINANCE NO. 9343 (Cont.)





City of Grand Island

Tuesday, November 22, 2011

Council Session

Item F6

#9346 - Consideration of Annexation Property Located at 1120 and 1140 South Lincoln (former Aurora Coop Site) (First Reading)

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

Staff Contact: Chad Nabity

* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9346

An ordinance to extend the boundaries and include within the corporate limits of, and to annex into the City of Grand Island, Nebraska, a tract of land comprised located north of Fonner Park Road and west of Lincoln Avenue in Hall County, Nebraska as more particularly described hereinafter and as shown on Exhibit "A" attached hereto; to provide service benefits thereto; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, after the Chief Industries, Inc. A Delaware Corporation as owner of the property submitted a request that the City Annex this property into the City of Grand Island; and

WHEREAS, the Annexation Component of the Comprehensive Development Plan for the City of Grand Island encourages annexation of adjacent properties into the City; and

WHEREAS, Chief Industries, Inc. A Delaware Corporation has requested that this property be removed from the Hall County Industrial Area; and

WHEREAS, Hall County is in the process of removing the property from the Hall County Industrial Area, and

Approved as to Form	<input type="checkbox"/> _____
November 16, 2011	<input type="checkbox"/> City Attorney

ORDINANCE NO. 9346 (Cont.)

WHEREAS, according to NRSS §16-117 the City of Grand Island can upon petition of the property owner(s) of property contiguous and adjacent to the City Limits annex said property by ordinance; and

WHEREAS, on November 22, 2011, the City Council of the City of Grand Island approved such annexation on first reading.

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

SECTION 1. It is hereby found and determined that:

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

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

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

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

ORDINANCE NO. 9346 (Cont.)

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

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

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

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

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

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

SECTION 8. This ordinance shall be in full force and effect 15 days after its passage, and when final action is taken by Hall County to remove the property from the Hall County Industrial Area, and upon publication, in pamphlet form, as provided by law.

ORDINANCE NO. 9346 (Cont.)

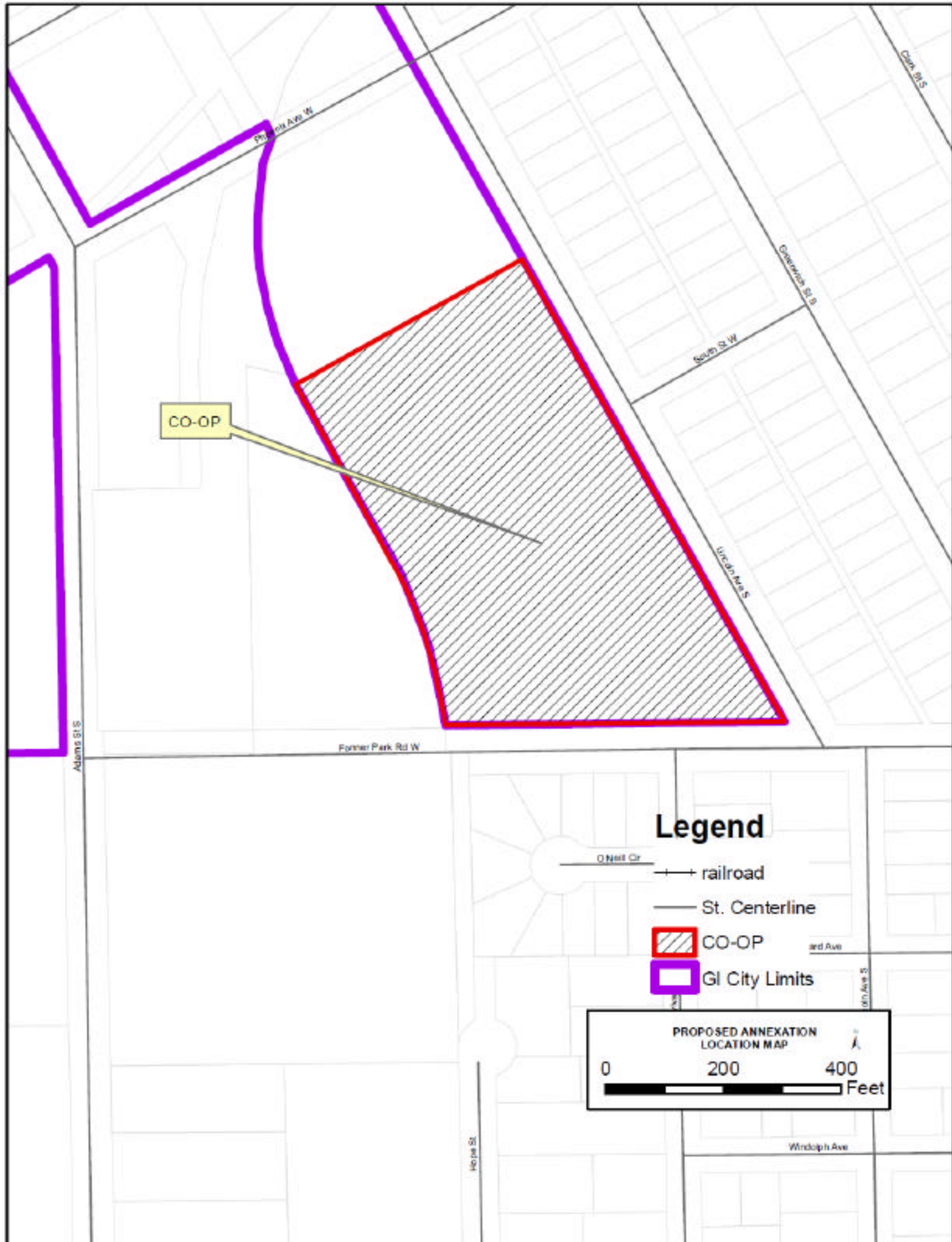
Enacted: November 22, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

ORDINANCE NO. 9346 (Cont.)



ORDINANCE NO. 9346 (Cont.)

Exhibit A

A tract of land comprising a part of the South Half of the Northeast Quarter (S1/2 NE1/4) a Section of Twenty-One (21), Township Eleven(11) North, Range Nine (9) West of the 6th P.M., in Hall County, Nebraska more particularly described as follows:

Beginning at the intersection of the center line of Lincoln Avenue and the centerline of Fonner Park Road (also being the South line of said Northeast Quarter (NE1/4); thence Northwesterly along the centerline of said Lincoln Avenue, a distance of Nine Hundred Seventy Six and Twenty-five Hundredths (976.25) feet; thence deflecting Left 89 degrees 48'30" and running Southwesterly parallel to the centerline of Phoenix Avenue, a distance of Four Hundred Eighty Two and Two Tenths (482.2) Feet; to the centerline of Burlington Northern Track No. 33; thence deflecting Left 89 degrees 58' and running Southeasterly along said centerline of Track No. 33, a distance of Three Hundred Thirty Five and Twelve Hundredths (335.12) Feet, to a point of curvature; thence running Southwesterly along said centerline of Track No. 33, and on the arc of a curve whose radius is 763.95' (the long chord of which deflects 12 degrees 51' right from the last described course), a long chord distance of Three Hundred Forty Two and Eighteen Hundredths (342.18) feet, to the South line of said Northeast Quarter (NE1/4); thence deflecting Left 74 degrees 10' from said long chord, and running Easterly along the South line of said Northeast Quarter (NE1/4), also being the center line of said Fonner Park road, a distance of Six Hundred Forty and Five Tenths (640.5) feet to the Place of Beginning, excepting there from a tract of land more particularly describe in Corporation Warranty Deed recorded in the Register of Deeds Office as document #76-003924.



City of Grand Island

Tuesday, November 22, 2011

Council Session

Item F7

#9347 - Consideration of Amending Chapter 2 and 37 of the Grand Island City Code Relative to Community Development Division

Staff Contact: Mary Lou Brown

Council Agenda Memo

From: Robert Sivick, City Attorney

Meeting: November 22, 2011

Subject: Community Development Division

Item #'s: F-7

Presenter(s): Mary Lou Brown, City Administrator

Background

In 1973 the Nebraska legislature passed LB 299 which was codified at Neb. Rev. Stat. §§18-2101 – 18-2144. Neb. Rev. Stat. §18-2101.01 states in part,

Cities of all classes and villages of this state are hereby granted power and authority to create a community development agency by ordinance, which agency may consist of the governing body of the city or village or a new or existing municipal division or department, or combination thereof.... Cities of all classes and villages of this state are also granted power and authority to do all community development activities, and to do all things necessary to cooperate with the federal government in all matters relating to community development program activities as a grantee, or as an agent or otherwise....

On April 25, 2000 the Grand Island City Council (Council) passed Ordinance No. 8586 which created the Community Projects Department and the position of Community Projects Department Director. As part of that department the Community Development Division was created as well as the position of Community Development Division Director. The Community Development Division Director answered directly to the Community Projects Department Director.

On February 22, 2005 the Council passed Ordinance No. 8954 which eliminated the Community Projects Department and its Director position. The Community Development Division was transferred to the Planning Department where it exists presently. The Planning Director was assigned to serve as the Director of the Community Development Division as well.

On March 28, 2006 the Council passed Ordinance Nos. 9036 and 9038 which together transferred references to the Community Development Division from Chapter 2 of the Grand Island City Code (Code) to a newly created Chapter 37.

Discussion

The Administration has examined this matter at length and concluded the best way to achieve improved internal controls is to amend the Code and transfer the Community Development Division and its personnel to the Finance Department.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve Ordinance No. 9347.

Sample Motion

Move to approve Ordinance No. 9347 amending the Grand Island City Code by adding Article VII to Chapter 2, repeal Article III of Chapter 37, and relabeling Chapter 37 to Planning and Community Redevelopment Authority.

ORDINANCE NO. 9347

WHEREAS, the functions and responsibilities of the Community Development Division are better suited to and can be more effectively and efficiently carried out by the Finance Department,

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

I. That the Grand Island City Code be amended to contain the following additional provisions:

Chapter 2 – Administration

Article VII. Community Development Division

§2-60 Community Development; Purpose

The purpose of this article is to set forth the manner in which the City shall exercise power and authority to engage in community development activities granted the City pursuant to Chapter 18, Article 21 of the Nebraska Revised Statutes, codified at Neb. Rev. Stat. §§18-2101 to 18-2144, collectively known as the Community Development Law. Pursuant to that Law, the City does hereby assume all the authority granted.

§2-61 Community Development Division

There is hereby created a division of the Finance Department to be known as the Community Development Division which shall be responsible for the performance of all administrative tasks involved in the implementation and management of the City's community development projects, programs, policies, and procedures adopted under the provisions of this Article.

§2-61 Director; Appointment

The Director of the Finance Department shall act as the Director of the Community Development Division.

§2-62 Director; Duties

The Director of the Finance Department shall be responsible for carrying out the purposes of and duties listed in this Article, for supervising and directing the work of the Community Development Division, and for overseeing all the City's community development programs and projects.

§2-63 Advisory Committee

There is hereby created a Community Development Advisory Committee consisting of seven members. Six of the members shall be residents of the City of Grand Island. The seventh member shall be a member of the Grand Island City Council. All members shall serve without compensation. The initially appointed representatives shall consist of two appointed for a three year term, two appointed for two year term, and two appointed for a one year term. Thereafter, all appointments, other than vacancies, shall be for terms of three years. Appointments to fill vacancies shall be for the remainder of the term of the vacated position.

All members shall be appointed by the Mayor and confirmed by the City Council. Members may be removed without cause by the Mayor with the consent of the City Council. The advisory committee shall establish such rules and procedures as are necessary to carry out its duties. The Community Development Advisory Committee shall have the following duties:

- (1) Monitor and investigate all existing and potential Community Development programs and projects.
- (2) Make recommendations on all existing and potential Community

ORDINANCE NO. 9347 (CONT.)

Development programs and projects, procedures, and all other aspects of the City's Community Development programs.

II. That Article III, Chapter 37, §§27-22 to 37-30 of the Grand Island City Code is hereby repealed.

III. That Chapter 37 of the Grand Island City Code be relabeled "Planning and Community Redevelopment Authority".

Enacted: November 22, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2011

Council Session

Item G1

Approving Minutes of November 8, 2011 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

November 8, 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 November 8, 2011. Notice of the meeting was given in *The Grand Island Independent* on November 2, 2011.

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

INVOCATION was given by Pastor Scott Jones, Third City Christian Church, 4100 West 13th Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek introduced Community Youth Council members Ashley Bykerk and Jackson Buck. City Administrator Mary Lou Brown commented on technical difficulties with the internet in the Council Chambers and gave an update on the Quiet Zone project.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Dr. Rebecca Stenke, 2011 Physician Volunteer of the Year and Dr. Jama Obermiller, 2011 Dentist Volunteer of the Year. Susan Aguilar representing Third City Community Clinic commented on the services of the clinic. Mayor Vavricek and the City Council recognized Dr. Rebecca Steinke and Dr. Jama Obermiller for 2011 Physician and Dentist Volunteer of the Year. Dr. Steinke and Dr. Obermiller were present for the recognition.

Recognition of the Nebraska National Guard. Mayor Vavricek and the City Council recognized those men and women serving in the Nebraska National Guard. Also recognized were men and women who are currently serving in the armed forces and those who had served in the past. Captain Mike Wieneke with the Nebraska National Guard was present for the recognition and commented on the service of the troops from this area in Kosovo and Afghanistan.

BOARD OF EQUALIZATION: Motion by Gilbert, second by Ramsey, carried unanimously to adjourn to the Board of Equalization.

#2011-BE-6 – Consideration of Determining Benefits for Water Main District 456T – Engleman Road from 13th Street to Old Potash Highway and Old Potash Highway East of Engleman Road for 600’. Utilities Director Tim Luchsinger reported that the City Council in its’ capacity as the Board of Equalization was required to determine the benefits for Water Main District 456T. Special assessments were for the amount of \$537,854.24.

Motion by Gilbert, second by Dugan to approve Resolutions #2011-BE-6. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Gilbert, second by Gard carried unanimously to return to Regular Session.

PUBLIC HEARINGS:

Public Hearing on Request from Bosselman Pump & Pantry, Inc. dba Pump & Pantry #43, 1222 South Locust Street for a Class "D" Liquor License. RaNae Edwards, City Clerk reported that an application for a Class "D" Liquor License had been received from Bosselman Pump & Pantry, Inc. dba Pump & Pantry #43, 1222 South Locust Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on October 11, 2011; notice to the general public of date, time, and place of hearing published on October 29, 2011; notice to the applicant of date, time, and place of hearing mailed on October 11, 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 Bosselman Pump & Pantry, Inc. dba Pump & Pantry #44, 1309 Diers Avenue for a Class "D" Liquor License. RaNae Edwards, City Clerk reported that an application for a Class "D" Liquor License had been received from Bosselman Pump & Pantry, Inc. dba Pump & Pantry #44, 1309 Diers Avenue. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on October 11, 2011; notice to the general public of date, time, and place of hearing published on October 29, 2011; notice to the applicant of date, time, and place of hearing mailed on October 11, 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 Pamela D. Hall dba BT's Lounge, 2320 South Locust Street for a 12' x 26' Addition – Beer Garden to Liquor License "C-24627". RaNae Edwards, City Clerk reported that an application for a 12' x 26' Beer Garden addition to Class "C-24627" Liquor License had been received from Pamela D. Hall dba BT's Lounge, 2320 South Locust Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on October 13, 2011; notice to the general public of date, time, and place of hearing published on October 29, 2011; notice to the applicant of date, time, and place of hearing mailed on October 13, 2011; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

ORDINANCES:

Regional Planning Director Chad Nabity gave an update on the annexation process and reported this was the second of three readings for the annexation of properties known as Area 3a, 6, 7, 12, and 13. City Administrator Mary Lou Brown commented on no cost to the City to annex these areas.

Virgil Harden representing the Grand Island Public Schools spoke in support of all five annexations.

#9339 – Consideration of Annexation for Property Located South of Airport Road/US Highway 281 and the West Side of Broadwell Avenue North of the Burlington Northern Santa Fe Tracks Including Eagle Scout Park and the Veterans Field (Annexation Area 3a) (Second Reading)

Motion by Ramsey, second by Niemann to approve Ordinance #9339 on second reading. Upon roll call vote all voted aye. Motion adopted.

#9340 – Consideration of Annexation of Property located North of Bismark Road on the East Side of Stuhr Road (Annexation Area 6) (Second Reading)

Motion by Donaldson, second by Gard to approve Ordinance #9340 on second reading. Upon roll call vote all voted aye. Motion adopted.

#9341 – Consideration of Annexation of Property Located North of US Highway 34 on the East Side of South Locust Street (Annexation Area 7) (Second Reading)

Motion by Gard, second by Gericke to approve Ordinance #9341 on second reading. Upon roll call vote all voted aye. Motion adopted.

#9342 – Consideration of Annexation of Property Located North of Husker Highway to the West Side of US Highway 281 and Prairieview Street (Annexation Area 12) (Second Reading)

Discussion was held regarding the timing and need of this annexation. Comments were made by Council regarding the reasons to annex this area. Investment of the City for infrastructure in this area, emergency response, to equitably apply ordinances to property with regards to firearms, fireworks, animals and open burning was mentioned.

Motion by Ramsey, second by Niemann to approve Ordinance #9342 on second reading. Upon roll call vote Councilmember's Carney, Niemann, Ramsey, Gilbert, Donaldson, Dugan, Gard, and Gericke voted aye. Councilmember Haase voted no. Motion adopted.

#9343 – Consideration of Annexation of Property Located South of Old Potash Highway on the West Side of North Road (Annexation Area 13) (Second Reading)

Motion by Gilbert, second by Niemann to approve Ordinance #9343 on second reading. Upon roll call vote all voted aye. Motion adopted.

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

#9345 – Consideration of Proposed Modifications to City Council Ward Boundaries Resulting from Redistricting

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of this ordinance on second reading and then upon final

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

Regional Planning Director Chad Nabity reported that every ten years after the census the Council needed to redistrict the Council wards to allow for equal-population representation.

Motion by Donaldson, second by Niemann to approve Ordinance #9345.

City Clerk: Ordinance #9345 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9345 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9345 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-3 was pulled for further discussion. Motion by Ramsey, second by Dugan to approve the Consent Agenda excluding item G-3. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of October 25, 2011 City Council Regular Meeting.

Approving Minutes of November 1, 2011 City Council Study Session.

#2011-323 – Approving Bid Award for (19) Transmission Distance Relays with Power Delivery Services, Inc. of Omaha, Nebraska in an Amount of \$132,145.00.

#2011-324 – Approving Certificate of Final Completion for Water Main Project 2011-W-3 – Broadwell Avenue at the Union Pacific Railroad Tracks, and Vine Street at the Union Pacific Railroad Tracks with Diamond Engineering Company of Grand Island, Nebraska.

#2011-325 – Approving Benefits for Water Main District 456T – Engleman Road from 13th Street to Old Potash Highway and Old Potash Highway East of Engleman Road for 600’.

#2011-326 – Approving Change Order No. 2 for Grand Island Quiet Zone Project No. 2012-QZ-1 with Diamond Engineering Company of Grand Island, Nebraska for no Change in Contract Amount.

#2011-327 – Approving Continuation of Sanitary Sewer District No. 529, Westwood Park Subdivision.

#2011-328 – Approving the Wireline Crossing Agreement between the Union Pacific Railroad Company and the City of Grand Island.

#2011-329 – Approving Change Order No. 1 for Concrete Ditch Liner and Headwall East of Harrison Street with Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$1,725.00 and a Revised Contract Amount of \$24,986.00.

#2011-330 – Approving Change Order No. 1 for Sugar Beet Ditch Piping at Suck’s Lake; Drainage Project No. 2011-D-3 with Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$12,550.00 and a Revised Contract Amount of \$82,214.40.

#2011-331 – Approving Change Order No. 1 for Building Reconstruction – Lift Station No. 4; Project NO. WWTP-2011-S-4 with Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$1,840.00 and a Revised Contract Amount of \$40,212.80.

#2011-332 – Approving Certificate of Final Completion for the 2011 Asphalt Resurfacing Project No. 2011-AC-1 with J.I.L. Asphalt Paving Company of Grand Island, Nebraska.

#2011-333 – Approving Certificate of Final Completion for Concrete Ditch Liner and Headwall East of Harrison Street with Diamond Engineering Company of Grand Island, Nebraska.

#2011-334 – Approving Amending the 2011/2012 Fee Schedule.

#2011-335 – Approving Update to the Emergency Management/Communication Center Interlocal Cooperation Agreement with Hall County.

#2011-336 – Approving Certificate of Final Completion with Diamond Engineering Company of Grand Island, Nebraska and Scheduling December 20, 2011 for the Board of Equalization for Street Improvement District No. 1256; Capital Avenue from the Moores Creek Drain to Webb Road.

#2011-337 – Approving Certificate of Final Completion with Diamond Engineering Company of Grand Island, Nebraska and Scheduling December 20, 2011 for the Board of Equalization for Sanitary Sewer District No. 526; Lot 3 of Grand Island Plaza Subdivision.

#2011-316 – Approving Amending the City of Grand Island Police Officers’ Retirement System Plan and Trust for Changes in the Applicable Tax Laws.

#2011-317 – Amending the City of Grand Island Firefighters’ Retirement System Plan and Trust for Changes in the Applicable Tax Laws.

#2011-322 – Approving Greater Nebraska Cities Membership. City Administrator Mary Lou Brown reported that the Quad Cities of Grand Island, Hastings, North Plate and Kearney had met for the past twelve years to discuss legislative impact to the respective communities. Requested was to add Lexington to the group and change the name to Greater Nebraska Cities (GNC). There were no dues associated with belonging to this group.

Mike Gloor, 3115 Brentwood Circle spoke in support.

Motion by Haase, second by Carney to refer Resolution #2011-322 to the next Study Session for discussion. Upon roll call vote, Councilmember’s Haase, Carney, Niemann, Dugan, and Gericke voted aye. Councilmember’s Ramsey, Gilbert, Donaldson, and Gard voted no. Motion failed.

Motion by Ramsey, second by Gilbert to approve Resolution #2011-322.

Discussion was held regarding how this organization would work and how Council would be represented.

Motion by Haase, second by Gericke to amend Resolution #2011-322 to include the Council President or Council designee to attend the meetings. Upon roll call vote, all voted aye. Motion adopted.

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

RESOLUTIONS:

#2011-338 – Consideration of Request from Pump & Pantry, Inc. dba Pump & Pantry #43, 1222 South Locust Street for a Class “D” Liquor License and Liquor Manager Designation for Susan McAfee, 1863 7th Avenue, Dannebrog, Nebraska. This item related to the aforementioned Public Hearing.

Motion by Donaldson, second by Gericke to approve Resolution #2011-338 contingent upon final inspections. Upon roll call vote, all voted aye. Councilmember Gard abstained. Motion adopted.

#2011-339 – Consideration of Request from Pump & Pantry, Inc. dba Pump & Pantry #44, 1309 Diers Avenue for a Class “D” Liquor License and Liquor Manager Designation for Susan McAfee, 1863 7th Avenue, Dannebrog, Nebraska. This item related to the aforementioned Public Hearing.

Motion by Donaldson, second by Gericke to approve Resolution #2011-339 contingent upon final inspections. Upon roll call vote, all voted aye. Councilmember Gard abstained. Motion adopted.

#2011-340 – Consideration of Request from Pamela D. Hall dba BT’s Lounge, 2320 South Locust Street for a 12’ x 26’ Addition – Beer Garden to Liquor License “C-24627”. This item related to the aforementioned Public Hearing.

Motion by Ramsey, second by Niemann to approve Resolution #2011-340 contingent upon final inspections. Upon roll call vote, all voted aye. Motion adopted.

#2011-341 – Approving Confidentiality Agreement with Municipal Energy Agency of Nebraska (MEAN) to Provide Southwest Power Pool Marketing Service Agreement Proposal. Utilities Director Tim Luchsinger reported that electric generation plants are connected to a national electric transmission grid for the distribution of electricity to users. Grand Island is located in the Southwest Power Pool (SPP) and is not a member of SPP. Grand Island Utilities had contacted MEAN and NPPD to submit proposals to become our broker to transfer power. In order for MEAN to submit a proposal a Confidentiality Agreement was needed.

Motion by Gilbert, second by Dugan to approve Resolution #2011-341. Upon roll call vote, all voted aye. Motion adopted.

#2011-342 – Consideration of Designating No Parking on 2nd Street, Between Walnut Street and Cedar Street. Public Works Director John Collins reported that at the October 25, 2011 City Council meeting a request from St. Steven's Episcopal Church was received to remove parking between Walnut Street and Cedar Street, on the north side of 2nd Street. This item was referred to the November 8, 2011 meeting by City Council.

It was noted that the Public Works Department had the approval from the Nebraska Department of Roads but there were still some items that needed to be looked into.

Motion by Gericke, second by Dugan to refer this item to the November 22, 2011 City Council meeting. Upon roll call vote, all voted aye. Motion adopted.

#2011-343 – Consideration of Declaration of Intent to Issue Bonds for Uranium Removal System. Utilities Director Tim Luchsinger reported that the estimated capital cost of this project was \$3,000,000 and Council proposed this would be funded by bonding, with an annual operating cost of approximately \$800,000 which was to be funded by a rate adjustment. Ameritas, bond underwriter for the City, advised that Council should declare their intention to use bond revenue to fund the capital improvements which would allow bond proceeds to be used for costs of the uranium removal system prior to the bonds being issued and the funds received.

Motion by Gard, second by Haase to approve Resolution #2011-343. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Gericke to approve the Claims for the period of October 26, 2011 through November 8, 2011, for a total amount of \$3,803,152.42. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:35 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, November 22, 2011

Council Session

Item G2

Approving Minutes of November 15, 2011 City Council Study Session

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

November 15, 2011

Pursuant to due call and notice thereof, a Study Session of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on November 15, 2011. Notice of the meeting was given in the *Grand Island Independent* on November 9, 2011.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following Councilmember's were present: Chuck Haase, Larry Carney, Bob Niemann, Kirk Ramsey, Peg Gilbert, Mitch Nickerson, Linna Dee Donaldson, Scott Dugan, Randy Gard, and John Gericke. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, City Attorney Bob Sivick, and Interim Finance Director Jaye Monter.

INVOCATION was given by Community Youth Council member Ashley Bykerk followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Tom Osterbuhr for Participation in the New York Marathon and Fund Raising Efforts for St. Jude's Children's Research Hospital. Mayor Vavricek and the City Council recognized Tom Osterbuhr, a St. Jude's Hero who just returned from competing in the New York City Marathon to help raise funding for St. Jude's Children's Research Hospital. Mr. Osterbuhr was present for the recognition and commented on his run and fund raising efforts of over \$5,000.

MAYOR COMMUNICATION: Mayor Vavricek introduced Community Youth Council members Ashley Bykerk, Alex Wirth, and Jordyn Barnett.

OTHER ITEMS:

Discussion on Veolia WWTP Operations Proposal. City Administrator Mary Lou Brown commented about meeting with the employees of the Wastewater Treatment Plant on Monday. Acknowledged was the work by these individuals. Ms. Brown gave an update of the past discussions regarding this issue. This was not privatization of the Wastewater Treatment Plant but an operating management agreement. At the July 11, 2011 City Council Study Session, the Public Works Department gave a presentation concerning contracting operations of the Wastewater Treatment Plant to a private company. A Request for Qualifications (RFQ) was developed and proposals were submitted by four qualified companies. A selection committee selected Veolia Water as the most qualified company for the contract management of the Wastewater Treat Plant.

Mentioned were services not currently performed by the City of Grand Island such as: garbage collection, animal control, economic development, baseball and softball programs, Heartland Event Center, and the Racquet Center.

Explained were the following reasons of when a contract would be desirable: 1) increased expertise; 2) irregularly occurring tasks; 3) expediency; 4) specialized equipment required; 5) liability; and 6) lower cost.

The following were reasons not to issue a contract: 1) loss of control; 2) lost of quality; 3) loss of flexibility; 4) loss of other duties performed; 5) loss of transparency; 6) loss of political responsiveness; and 7) lack of public accountability.

Public Works Director John Collins explained the following potential benefits: 1) optimize plant operations by utilizing expertise gained through years of operating dozens or even hundreds of these facilities; 2) reduce our operating costs; 3) reduce long term costs by guiding our choices during the \$44 million repair program; and 4) reduce odor by optimizing operation.

Dave Carter, Vice President of Operations representing Veolia Water explained the Operations Agreement with the City maintaining control. The City would own the assets, define the scope of the contract and set rates. Veolia Water would manage the day-to-day operations, be responsible for permit compliance and pay operating costs.

Veolia Water objectives were to: reduce short-term and long-term costs, optimize operations such as permit compliance and enhanced Odor Mitigation Program, and to provide accountability. Mr. Carter answered questions concerning the City paying for the odor costs. Currently Veolia Water would not know the costs but would look into it and come back to the City with a plan.

Sandy Thompson, Director of Human Resources with Veolia Water explained the employee issues. Veolia Water would recognize the hire dates of each employee. Career growth opportunities, group and individual incentives and training and license upgrades along with comparable salaries and benefits were offered by Veolia Water.

The transition process was a well-defined new hire process. Veolia had already started to meet with the employees. Current employees would go through a new-hire process.

Jack Page, Technical Director commented on the operations management approach. Explained were Veolia Procurement Advantage and BioWin Modeling. The following Asset Management/Capital Planning was presented:

- Reliability Centered Maintenance
- Computer Maintenance Management System
- Short-term and Long-term Capital Planning
- CARMS Modeling

Peg Becker, Area Manager reviewed the Price Proposal which included the following: labor and benefits; repair and maintenance, technical assistance, long-term planning, operations

management, laboratory, industrial pretreatment, odor control management; and solids dewatering and disposal.

Interim Finance Director Jaye Monter presented the Veolia proposal with regards to the budget. Included was the General Operations/WWTP/Composting to Solids. Fixed asset costs were explained. Discussion was held concerning the Human Resources costs through the Governance portion of the budget that may go down. The savings to the City for the 2012 Budget was \$527,035.

Human Resources Director Brenda Sutherland presented the following benefits comparison for the employees at the WWTP between the City and Veolia Water:

	City	Veolia Water
Seniority		Recognize the employee's seniority with the City
Major Medical/Dental/Vision	PPO medical, dental, no vision	EPO< PPO or SPPO options, vision
Sick Leave	8 hours per month, maximum accrual 1,064 paid at 37.5% at retirement or death	Front load each employee 80 hours. 1.54 per pay period-bank up to 160 hours
Short Term Disability	n/a	Up to 26 weeks Continuous Service 80% or 60% Benefit based on years of service
Long Term Disability	Monthly benefit – 60% of mo pay to max of \$8,500	50% of pay to maximum of \$7,000 per month 60% option available
Vacation Days	Up to 22 days	Up to 20 days
Holidays and Personal Days	11	10
Retirement Plan/401K	City matches 100% of 6% contribution 5 year vesting	VWNA matches 50% up to 7% of employee contribution 3 year vesting
Life & accidental death & dismemberment (AD&D) insurance	\$50,000 emp/ \$10,000 Souse, \$5,000 dependents No cot to employee	No cost to employee 1 x base pay to maximum of \$300,000; same amount of AD&D
Flexible Benefits	Healthcare \$4,500 Dependent Care \$5,000	Healthcare \$5,000 Dependent Care \$5,000
Voluntary group legal	n/a	Available
Tuition reimbursement	Budget authority - \$0	Up to %5,250 per yr.
Adoption reimbursement	n/a	Up to \$2,500 per yr.
529 plan – Putnam college advantage	n/a	After-tax savings program
Employee Discount Program	n/a	Corporate discount program (travel, cell phone, Fed-Ex, auto purchase, electronics,

		office supplies, etc.)
--	--	------------------------

Questions were asked regarding short-term and long-term costs to the employee. Ms. Sutherland stated Veolia would pay that cost. No employee would go backwards in pay if the City went with Veolia.

Veolia had committed to recognizing the current union representation of the employees. The Veolia benefits that had been presented were based on the non-union package. Negotiations would begin with the union to reach a labor agreement with IBEW Local 1597. Total employee accruals if the City decided to pay out to the WWTP employees would be approximately \$157,706.55. Sandy Thompson answered questions concerning rolling over vacation and medical leave.

Council took a recess at 8:33 p.m. and reconvened at 8:39 p.m.

The following people spoke in opposition of the management agreement with Veolia:

- John Henderson, 1068 Hwy 281, St. Paul, NE – WWTP Superintendent – spoke in opposition but stated if the City decided to go with Veolia the City would have his full cooperation in the transition.
- Paul Wicht, 936 South Kimball
- Tim O'Neill, 1203 South Sylvan
- Bill Partington, 2012 West Louise

Comments were made by Council concerning change and trust. Mentioned was the work the WWTP employees do and if they were not experts in their field then the City needed to give them the tools to accomplish that.

Councilmember's mentioned the calls received from the public which were in opposition. Mr. Page answered questions concerning the people who worked with Veolia who were experts in their field. Mentioned were the number of other contacts they had throughout the world. Nationwide Veolia had approximately 450 companies with 115 in the Central Region. Those companies still with Veolia were approximately 97%.

It was suggested that this decision go to a vote of the people. Comments were made concerning the potential savings which came down to operational expertise, the employees, and technology. Mr. Collins answered questions concerning what it would take to get our existing employees to a level of what the Veolia proposal presented. Mr. Collins stated we don't have the number of staff, software, data set, expertise, etc.

Comments were made that in the contract, engineers would be a cost to the City. Mr. Collins stated if we do a Capital Project we would still need to hire an engineer. Mr. Page stated they deal with the operation, maintenance, and management. He commented that they do try to be good partners in a community and keep the money there.

Councilmember's serving on the committee explained the process the committee went through in selecting Veolia to manage, maintain and operate the WWTP. Vision and focus that this company brought forward were mentioned. Willingness to work with the current employees and commitment to the community was mentioned. Concerns were mentioned about the dollar amounts submitted in Veolia's presentation reflecting a savings to the City.

Mentioned was if the City decided to run this on their own we needed to put additional expertise into the system and needed more information on what it would cost. Repair costs to the facility were needed. It was recommended to have another Study Session.

Ms. Brown stated there was no set schedule but the quicker the closure of this issue the better for the employees at the plant. After further discussion the consensus of Council was to take more time to study this issue.

Mayor Vavricek commented on vision, past history of the plant, loss of JBS as a customer to the plant, multiple 9% rate increases, and process of the management agreement. Mentioned was that changes at the WWTP would be needed.

ADJOURNMENT: The meeting was adjourned at 10:40 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, November 22, 2011

Council Session

Item G3

**#2011-344 - Approving Acquisition of Utility Easement - 3501
South Blaine Street - Meier**

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

Staff Contact: Tim Luchsinger

RESOLUTION 2011-344

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

WHEREAS, a public hearing was held on November 22, 2011, for the purpose of discussing the proposed acquisition of an easement located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

Commencing at the southwest corner of Lot One (1), Lake Heritage Second Subdivision; thence northerly along the westerly line of said Lot One (1) on an assumed bearing of N02°17'04"W, a distance of one hundred sixty one and thirty eight hundredths (161.38) feet to the ACTUAL Point of Beginning; thence N65°26'40"E, a distance of one hundred forty one and twenty five hundredths (141.25) feet; thence N78°00'47"E, a distance of eighty three and forty nine hundredths (83.49) feet; thence S82°01'40"E, a distance of three hundred forty eight and forty six hundredths (348.46) feet; thence S68°58'40"E, a distance of seventy five (75.0) feet. The side lines of the above described tract shall be prolonged or shortened as required to terminate on the boundary of Grantor's property.

The above-described easement and right-of-way containing a total of 0.298 acres, more or less, as shown on the plat dated 11/4 /2011, marked Exhibit "A", attached hereto and incorporated herein by reference,

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

- - -

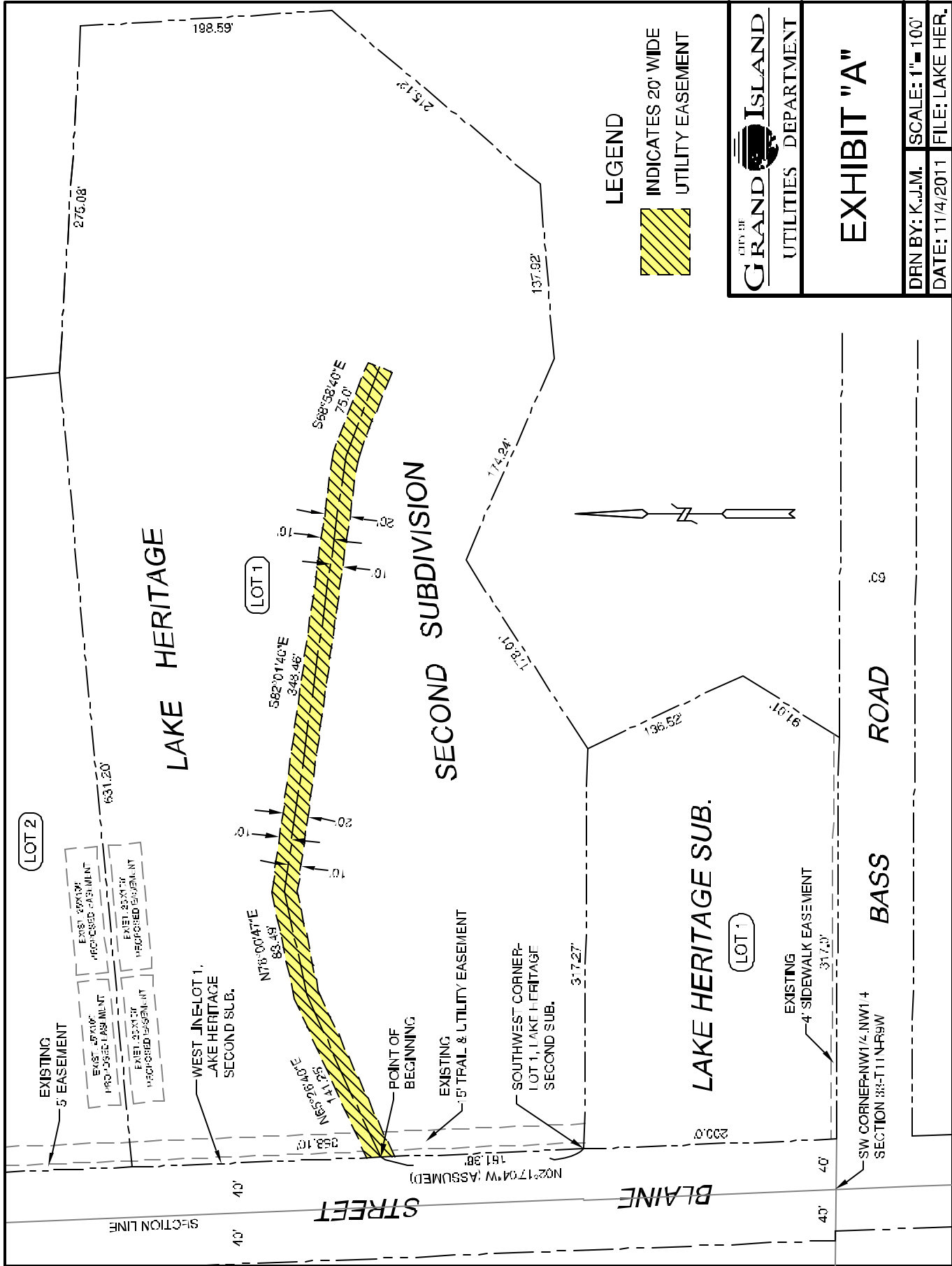
Adopted by the City Council of the City of Grand Island, Nebraska, November 22, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 16, 2011	☐ City Attorney



CITY OF
GRAND ISLAND

UTILITIES DEPARTMENT

EXHIBIT "A"

DRN BY: K.J.M.

DATE: 11/4/2011

SCALE: 1" = 100'

FILE: LAKE HER.



City of Grand Island

Tuesday, November 22, 2011

Council Session

Item G4

#2011-345 - Approving Amendment to Arch Coal Contract for 2012

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director

Meeting: November 22, 2011

Subject: Amendment to 2012 Coal Supply Agreement with Arch Coal Company

Item #'s: G-4

Presenter(s): Timothy Luchsinger, Utilities Director

Background

The City currently has two one-year coal supply contracts with Arch Coal Sales for the years 2011 and 2012. Included in the contracts are provisions for adjusting the price of the coal based on its sulfur content. The sulfur content of the coal directly influences the amount of sulfur dioxide in the emissions from the plant during the combustion process. For every ton of sulfur dioxide emitted, a generating unit must have an allowance, which has a value established by commodity markets and can be bought or sold by industry users or other interested groups. The sulfur price adjustment provision in the contracts are based on the market price of the allowances and provides an incentive for the coal supplier to deliver lower sulfur coal, while protecting the City against higher sulfur coal, by accounting for the cost of allowances. The Environmental Protection Agency published a new regulation on July 7, 2011, the Cross State Air Pollution Rule, which will replace the current Clean Air Interstate Rule on January 1, 2012. Current allowance pricing is based on allowances allocated by the CAIR, which becomes obsolete January 1st and superseded by CSAPR allowances.

Discussion

References to CAIR allowance market pricing in the coal supply contract for 2012 will need to be amended to language referencing the CSAPR allowance market indices. Arch Coal has provided an amendment to the 2012 Coal Supply Agreement reflecting this change in market indices. Utilities and Legal Departments have reviewed this amendment and recommend its execution by the City.

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 execution of the amendment to the 2012 Arch Coal Supply Agreement revising the sulfur price adjustment index calculation.

Sample Motion

Move to approve the execution of the amendment to the 2012 Arch Coal Supply Agreement revising the sulfur price adjustment index calculation.



ARCH COAL SALES

JENNIFER J. HERNER
Vice President
Marketing Administration

Via Electronic Mail (giudadmin@grand-island.com)

October 17, 2011

Mr. Tim Luchsinger
Utilities Director
City of Grand Island, Nebraska
100 East First Street
Grand Island, Nebraska 68801

Re: 2012 Coal Supply Agreement dated November 23, 2010 (Arch Ref MO3360)

Dear Tim,

As you know, the EPA published its newest SO₂ regulation, the Cross State Air Pollution Rule or CSAPR, to the Federal Register on July 7, effectively replacing the existing CAIR allowance system starting in 2012. To that end, contracts that extend beyond 2011 and still refer to CAIR or emissions allowances will need to be addressed to account for the new regulation / valuation. The above contracts between us fall into this category:

Arch proposes that the following language replace the existing SO₂ language in its entirety effective January 1, 2012:

"If the actual SO₂ lbs/MMBtu on an as-received basis of any Shipment accepted by Buyer is other than the Standard SO₂ lbs/MMBtu, an adjustment shall be calculated based on each Shipment as follows:

$$\frac{((\text{Basis SO}_2 \text{ lbs/MMBtu} - \text{Actual Shipment SO}_2 \text{ lbs./MMBtu}) \times \text{Actual Shipment Btu/lb} \times \text{SO}_2 \text{ Price})}{1,000,000}$$

Where SO₂ Price is the previous month's daily average price under the Price column for Cross-State Air Pollution Rule ("CSAPR") allowances as published in Argus Air Daily published by Argus Media Ltd. or any successor publication as follows.

- If the destination is in SO₂ Group 1 of CSAPR, the price published for Group 1 SO₂ Allowances

Mr. Tim Luchsinger
City of Grand Island, Nebraska
Page 2 of 2

- If the destination is in SO2 Group 2 of CSAPR, the price published for Group 2 SO2 Allowances
- If the destination is not in either SO2 Group 1 or Group 2, or is unstated, the average of the prices for both Group 1 SO2 Allowances and Group 2 SO2 Allowances.

In the event the information contained in Air Daily is no longer published or a change in the methodology, law, regulations or industry standards has occurred that will materially alter the information, a substitute calculation shall be mutually agreed to by the Parties to as closely as possible reflect the value of SO2 allowances (or similar allowances pursuant to any such modification or replacement or successor rules or laws) required to emit one ton of SO2."

In order to expedite the process, if you agree with the above language, you may simply sign below, and this signed letter will serve as your amendment.

However, we recognize that every company is working through its own compliance solutions. Should you wish to discuss alternatives, please contact your sales representative as soon as possible.

Thank you in advance for your assistance in this matter.

Best regards,



Jenny Herner

Agreed to on this ____ day of _____, 2011.

CITY OF GRAND ISLAND, NEBRASKA

Signature

Name _____

Title _____

RESOLUTION 2011-345

WHEREAS, on November 23, 2010, City Council approved an Agreement with Arch Coal Sales Company with sales offices in St. Louis, Missouri, to provide coal for the Platte Generating Station through December 31, 2012 ; and

WHEREAS, on July 7, 2011, the Environmental Protection Agency (EPA) issued the Cross State Air Pollution Rule (or CSAPR), effectively replacing the existing CAIR allowance system in 2012; and

WHEREAS, Agreements that extend beyond 2011 and still refer to CAIR or emissions allowances need to be addressed to account for the new regulation/valuation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, the Amendment to the 2012 Coal Supply Agreement, dated November 23, 2010, is hereby approved, and the Utilities Director is authorized to sign the amendment on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 22, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2011

Council Session

Item G5

**#2011-346 - Approving Engineering Consulting Services for Water
Main Project 2011-W-4 - UPRR Extension to Merrick County**

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director

Meeting: November 22, 2011

Subject: Engineering Consulting Services for Water Main Project
2011-W-4 - UPRR Water Main Extension

Item #'s: G-5

Presenter(s): Timothy Luchsinger, Utilities Director

Background

The former Nebraska Solvents Company operated a facility located at Stuhr Road and Highway 30 on property owned by the Union Pacific Railroad Company. The operation of that facility resulted in the release of tetrachloroethylene, commonly used in dry cleaning or as a degreaser, to the area groundwater. The tetrachloroethylene has now migrated several miles to the east into Merrick County, and contaminated private wells in several subdivisions around the Gunbarrel and Fort Kearney Road area. UPRR has enrolled in a voluntary remediation program administered by the Nebraska Department of Environmental Quality to develop a corrective plan. The remediation action being recommended is to replace the private wells in that area by extending the City's water system. In accordance with an agreement authorized by Council on September 13, 2011, UPRR would reimburse the City for the engineering, material, and construction costs associated with that extension. The structure of the agreement is that the Utilities Department will proceed with the design and construction of the water main in accordance with our normal procedures and standards with reimbursement by UPRR as costs are incurred. UPRR is provided the following approval points in the process.

- Selection of design firm
- Completion of design and cost estimate
- Selection of installation contractor

Approval at these points by UPRR is required for the project to continue. Upon completion of the project, the water mains become the property of the City and the operation and maintenance are the responsibility of the City. Property owners in this area have six months after the installation of the mains to be connected at the expense of UPRR, after which it will be done at the property owners' expense. Water usage will be paid by the property owners in accordance with the City's water rates.

Discussion

Utilities engineering staff developed a Request for Proposals for services to perform design and construction services for extending the City's water system to the Merrick County remediation area, and advertised in accordance with City procurement procedures. Proposals were received from Olsson & Associates, Kirkham Michael, and Miller & Associates. Olsson received the highest score from our review team based on our standard proposal evaluation. Some of the favorable factors for the Olsson proposal were lowest evaluated price, extended field support during construction, and inclusion of two informational public meetings. Actual costs for the project would be billed in accordance with the fee structure provided in the proposal, with an estimated cost of \$238,200. Utilities staff and UPRR have reviewed the proposal from Olsson & Associates for engineering consulting services for Water Main Project 2011-WMP-4 and recommend its acceptance by the City.

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 execution of the proposal from Olsson & Associates for engineering consulting services for Water Main Project 2011-WMP-4.

Sample Motion

Move to approve the execution of the proposal from Olsson & Associates for engineering consulting services for Water Main Project 2011-WMP-4.

RESOLUTION 2011-346

WHEREAS, the former Nebraska Solvents Company operated a facility located at Stuhr Road and Highway 30 on property currently owned by the Union Pacific Railroad Company (UPRR); and

WHEREAS, the operation of that facility resulted in the release of tetrachloroethylene, that has migrated several miles to the east into Merrick County and contaminated private wells in several subdivisions around the Gunbarrel and Ft. Kearney Road area; and

WHEREAS, UPRR has enrolled in a voluntary remediation program administered by the Nebraska Department of Environmental Quality to develop a corrective plan to replace the private wells in that area by extending the City's water system; and

WHEREAS, as part of an agreement authorized by Council on September 13, 2011, UPRR would reimburse the City for engineering, material, and construction costs associated with that extension;

WHEREAS, the agreement states that the Utilities Department will proceed with the design and construction of the water main in accordance with our normal procedures and standards, with reimbursement by UPRR as costs are incurred; and

WHEREAS, the City of Grand Island developed a Request for Proposals for Engineering Services to extend the City's water system to the Merrick County remediation area, according to plans and specifications on file with the Utilities Department; and

WHEREAS, on October 26, 2011, proposals were received from three Engineering Firms, and reviewed; and

WHEREAS, Olsson Associates of Lincoln, submitted a proposal in accordance with City Procurement procedures, and Olsson Associates received the highest score based on the standard proposal evaluation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of Olsson Associates of Lincoln, Nebraska, is hereby approved as the proposal with the lowest evaluated price and the best responsible proposal.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 22, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2011

Council Session

Item G6

**#2011-347 - Approving Bid Awards - Tree Trimming Contract
2012-TT-1**

Staff Contact: Tim Luchsinger

Council Agenda Memo

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

Meeting: November 22, 2011

Subject: Approving Bid Awards – Tree Trimming Contract 2012-TT-1

Item #'s: G-6

Presenter(s): Timothy Luchsinger, Utilities Director

Background

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

Specifications for Contract 2012-TT-1 were prepared for tree trimming services throughout the electrical service area. A drawing indicating the areas to be trimmed by outside contractors for the fiscal year 2011-12 is attached.

Discussion

The project provides for trees to be trimmed in twelve areas throughout the electric service area. Specifications were sent to eleven potential firms, and advertised in the *Grand Island Independent*. The bids were publicly opened at 2:15 p.m. on November 10, 2011, in accordance with City Procurement Codes. Bids were received from three Grand Island firms that have previously worked on City projects.

The project specifications provide that the City may select any or all sections to be awarded in this Contract; or the City may award all sections to a single Contractor; or award individual sections to multiple Contractors, whichever method provides the best and lowest overall bid.

Section	Leetch Tree Service	Tom's Tree Service	Sheffield Tree Ser.	Low Bid
1	\$4,775.00			\$4,775.00
2	\$6,325.00		\$5,200.00	\$5,200.00
3	\$2,937.00		\$4,500.00	\$2,937.00
4	\$4,375.00			\$4,375.00
5	\$3,750.00	\$11,000.00		\$3,750.00
6	\$9,850.00	\$12,000.00	\$8,200.00	\$8,200.00
7	\$5,140.00			\$5,140.00
8	\$7,645.00			\$7,645.00
9	\$3,400.00		\$5,600.00	\$3,400.00
10	\$6,495.00			\$6,495.00
11	\$9,350.00			\$9,350.00
12	\$18,325.00			\$18,325.00
Amount per sections bid	\$82,367.00	\$23,000.00	\$23,500.00	
Low bid per section	\$66,192.00	\$0.00	\$13,400.00	\$79,592.00

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

Alternatives

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

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

Recommendation

City Administration recommends that the Council award the trimming contract to individual contractors by section as provided for in the specifications in the following manner: Leetch Tree Service of Grand Island, Sections 1, 3, 4, 5, 7, 8, 9, 10, 11, and 12 in the amount of \$66,192.00; and Sheffield Tree Service of Grand Island, Sections 2 and 6 in the amount of \$13,400.00. The award for all twelve sections will be \$79,592.00. This is below the budgeted amount of \$150,000.00.

Sample Motion

Move to approve Tree Trimming Contract 2012-TT-1 to Leetch Tree Service and Sheffield Tree Service based upon the lowest bid for each individual section.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Jason Eley, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: November 10, 2011 at 2:15 p.m.

FOR: Tree Trimming Contract 2012-TT-1

DEPARTMENT: Utilities

ESTIMATE: \$150,000.00

FUND/ACCOUNT: 520

PUBLICATION DATE: October 17, 2011

NO. POTENTIAL BIDDERS: 9

SUMMARY

Bidder:	<u>Tom's Tree Service</u>	<u>Sheffield Tree Service</u>
	Grand Island, NE	Grand Island, NE
Bid Security:	Western Surety Company	Western Surety Company
Exceptions:	None	None
Bid Price:		
Section 1:	---	---
Section 2:	---	\$5,200.00
Section 3:	---	\$4,500.00
Section 4:	---	---
Section 5:	\$11,000.00	---
Section 6:	\$12,000.00	\$8,200.00
Section 7:	---	---
Section 8:	---	---
Section 9:	---	\$5,600.00
Section 10:	---	---
Section 11:	---	---
Section 12:	---	---
Total:	<u>\$23,000.00</u>	<u>\$23,500.00</u>

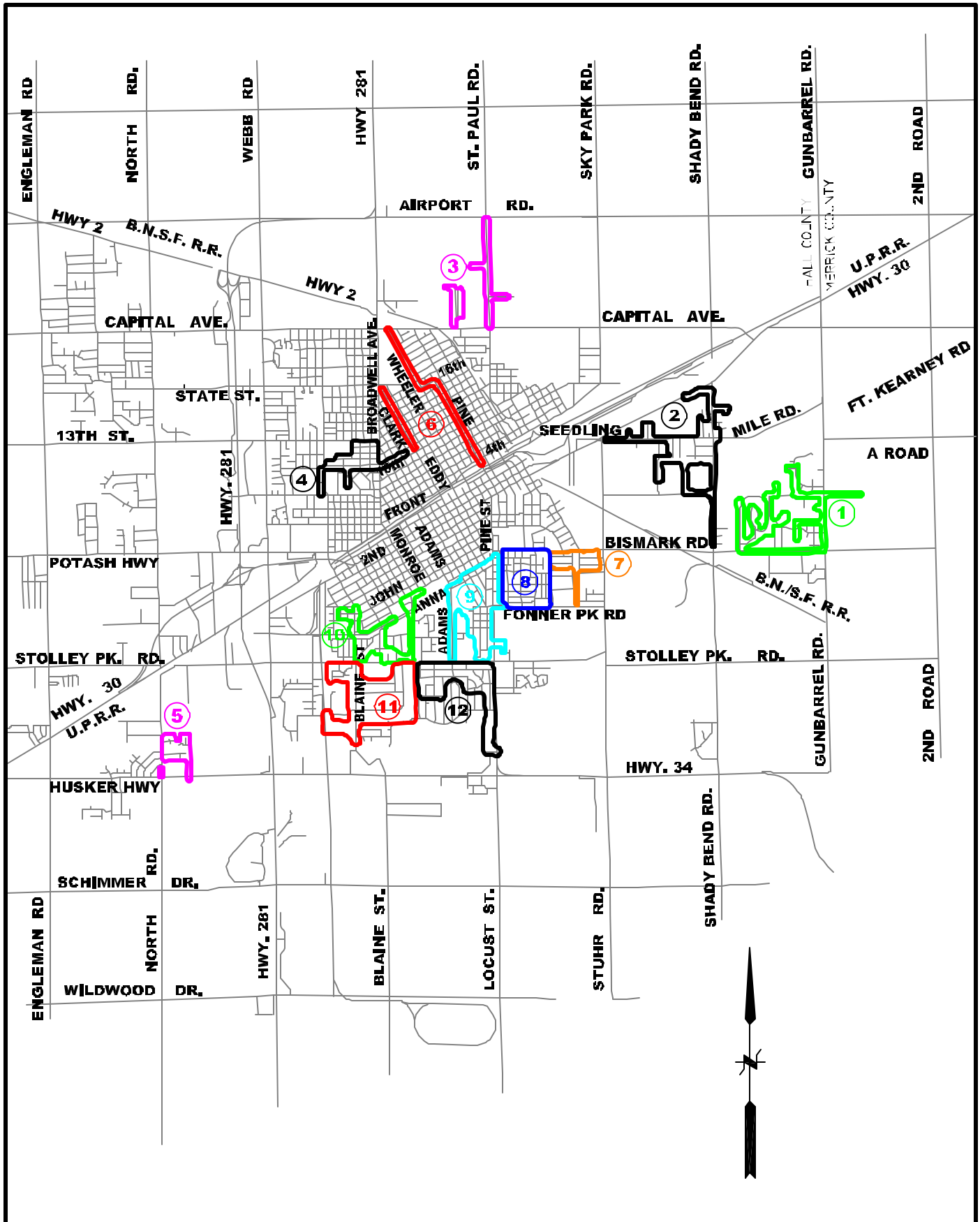
Bidder: Leetch Tree Service
Grand Island, NE
Bid Security: Western Surety Company
Exceptions: None

Bid Price:
Section 1: \$4,775.00
Section 2: \$6,325.00
Section 3: \$2,937.00
Section 4: \$4,375.00
Section 5: \$3,750.00
Section 6: \$9,850.00
Section 7: \$5,145.00
Section 8: \$7,645.00
Section 9: \$3,400.00
Section 10: \$6,495.00
Section 11: \$9,350.00
Section 12: \$18,325.00
Total: \$82,372.00

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

Bob Smith, Assist. Utilities Director
Pat Gericke, Utilities Admin. Assist.
Tom Barnes, Civil Eng. Mgr.

P1518



RESOLUTION 2011-347

WHEREAS, the City of Grand Island invited sealed bids for Tree Trimming Project 2012-TT-1 for the Utilities Department, according to the plans and specifications on file with the Utilities Department; and

WHEREAS, on November 20, 2011, bids were received, opened and reviewed; and

WHEREAS, the requested work has been divided into 12 sections in order to achieve the best and lowest cost, and to expedite the completion of the work; and

WHEREAS, Leetch Tree Service of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$66,192.00 for Sections 1, 3, 4, 5, 7, 8, 9, 10, 11 and 12 of the contract; and

WHEREAS, Sheffield Tree Service of Grand Island, Nebraska, submitted a bid in the accordance with the terms of the advertisement of bids and the plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$13,400 for Sections 2, and 6 of the contract; and

WHEREAS, the combined total of the lowest bids for the above listed 12 sections represents the lowest responsible bid for said project.

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

1. The bid of Leetch Tree Service of Grand Island, Nebraska, in the amount of \$66,192.00 for Sections 1, 3, 4, 5, 7, 8, 9, 10, 11, and 12 of the contract is hereby approved as the lowest responsive bid submitted for those sections.

2. The bid of Sheffield Tree Service of Grand Island, Nebraska, in the amount of \$13,400.00 for Sections 2 and 6 of the contract is hereby approved as the lowest responsive bid submitted for this section.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 22, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2011

Council Session

Item G7

#2011-348 - Approving Community Development Block Grant 10-ED-016 Sub-Award Agreement

Staff Contact: Joni Kuzma

Council Agenda Memo

From: Chad Nabity, Regional Planning Director

Meeting: November 22, 2011

Subject: Approving Community Development Block Grant
10-CR-016 Subcontract Agreement with South Central
Economic Development District, Inc.

Item #'s: G-7

Presenter(s): Chad Nabity, Regional Planning Director

Background

In May 2011, the City of Grand Island was awarded a \$605,000 Economic Development - Community Development Block Grant for direct financial assistance to a for-profit business for purchasing equipment. The grant will fund equipment purchases and result in the creation of 20 jobs, 11 of which would be held by or offered to persons of Low-to-Moderate Income, and be maintained for at least 12 months from May 4, 2011.

Of the grant, \$600,000 will be used for equipment purchase and \$5,000 will be used by the City of Grand Island for General Administration. Case New Holland has committed matching funds of \$1,900,000 for a projected total project cost of \$2,500,000.

In June 2011, the City entered into a Memorandum of Understanding with the Nebraska Department of Economic Development, CNH America LLC and the South Central Economic Development District, Inc. for purposes of grant fund distribution and ongoing management of program income generated from this grant. The proposed subcontract agreement is solely between the City and South Central that further defines the general guidelines of the MOU.

Discussion

Per the Memorandum of Understanding, the City will maintain grantee status from the State of Nebraska, provide certified grant administration, submit required reporting and reimbursement forms, and process invoices. South Central will collect loan repayment proceeds, track and report reuse income to the State and City, and reinvest reuse funds into further economic development activities.

At this time the Council is requested to approve a Sub-recipient Agreement between the City of Grand Island and the South Central Economic Development District, Inc. for the previously mentioned activities. Copies of the Sub-recipient Agreement and the previously approved Memorandum of Understanding are provided for council review.

Alternatives

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

1. Move to approve the agreement
2. Postpone the issue to future date
3. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the Sub-recipient Agreement between the City of Grand Island and the South Central Economic Development District, Inc.

Sample Motion

Move to approve the Sub-recipient Agreement between the City of Grand Island and the South Central Economic Development District, Inc. for Community Development Block Grant #10-ED-016 and authorize the Mayor to sign all related documents.

SUB-RECIPIENT AGREEMENT FOR ADMINISTRATION OF NON-PROFIT
DEVELOPMENT ORGANIZATION (NDO) FUNDS

This agreement is entered into between the following parties:

South Central Economic Development District, Inc. (SCEDD)

P.O. Box 79, 709 4th Avenue
Holdrege, NE 68949

a Nebraska corporation with status as a 501(c)(3) organization under the United States Internal Revenue Code, hereafter referred to as SCEDD; and

City of Grand Island, Nebraska

100 East 1st Street
Box 1968
Grand Island, NE 68802-1968

a city of the first class, hereafter referred to as City.

RECITALS:

1. City is the recipient of a grant awarded by the Nebraska Department of Economic Development designated as Community Development Block Grant Project #10-ED-016 (CNH America LLC Project) hereafter referred to as the Award.
2. SCEDD is a recognized non-profit development organization (NDO) as approved on September 22, 2010, by application to the Nebraska Department of Economic Development.
3. City is responsible under the Award for the provision of financial assistance to a community economic development project.
4. The parties intend that, Award proceeds and administration be transferred to SCEDD as a sub-recipient subject to the terms and conditions of Memorandum of Understanding 10-ED-016 Grand Island (CNH America LLC) [SCEDD, NDO].
5. SCEDD is organized to carry out the requirements of Section 105(a)(15) of the Housing and Community Development Act (HCDA).

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL BENEFIT TO THE PARTIES, THE PARTIES AGREE AS FOLLOWS:

1. City hereby transfers and assigns Award proceeds including all contracts for repayment of Grant funds to SCEDD, subject to all Award guidelines.
2. SCEDD will administer the Award proceeds in accordance with HCDA and NDO standards to the eligible for profit business identified in Community Development Block Grant Project No. #10-ED-016 located within the geographic area of Hall County.
3. SCEDD will administer and maintain the fund and loan repayments from the Award as a Non-profit Development Organization Reuse Fund (NDO-RF) under the Nebraska NDO guidelines. Funds repaid to the NDO will be reinvested according to the South Central Economic Development District, Inc. Non-Profit Development Organization Economic (NDO) Plan for Use of NDO Proceeds adopted March 31, 2011, and approved by the

Nebraska Department of Economic Development (NDED) April 7, 2011, a copy of which is attached hereto and incorporated herein as Exhibit "A".

4. The parties intend that loan repayments to the reuse fund will no longer constitute program income under state of Nebraska Community Development Block Grant guidelines and loan repayments shall be administered under the Nebraska Department of Economic Development (NDED) NDO guidelines, this sub-recipient agreement and within the guidelines off the NDO-RF plan and the Memorandum of Understanding between the City and SCEDD dated June 28, 2011.
5. The City shall maintain the obligation to pursue collection of the Grant funds, including the obligation to bear the expenses of pursuing all reasonable and necessary collection actions (including legal actions in the courts) against the business. SCEDD shall cooperate with any and all such collection actions. SCEDD shall not have any liability to the City for any award proceeds that are not collected or are deemed uncollectible. In the event the Nebraska Department of Economic Development would look to SCEDD for reimbursement of any award proceeds not collected from the business, the City hereby agrees to indemnify and hold SCEDD harmless for any liability.
6. The terms of this agreement shall survive completion and close out of the Award.
7. This agreement shall be binding upon the parties, their heirs and assigns.

Dated: _____

City of Grand Island, Grand Island, Nebraska

Jay Vavrick, Mayor

South Central Economic Development District, Inc. Holdrege, Nebraska

Sharon Hueftle, Executive Director

**Memorandum of Understanding
between the City of Grand Island
and the South Central Economic Development District, Inc.**

This agreement is made and entered into this 28th day of June, 2011, by and between the CITY OF GRAND ISLAND, NEBRASKA, a municipal corporation, hereinafter referred to as the "CITY" and SOUTH CENTRAL ECONOMIC DEVELOPMENT DISTRICT, INC. a non-profit corporation, hereinafter referred to as "SCEDD".

The purpose of this agreement is to define the respective rights and responsibilities between CITY and SCEDD as it as it relates to a joint and cooperative action for distribution of Community Development Block Grant #10-ED-016 Economic Development Loan and resulting Income Reuse monies within the jurisdiction of the Nebraska counties served by SCEDD.

The term of this MOU shall last until it is amended or dissolved with the agreement of the CITY and SCEDD through resolutions passed by the City Council and the executive board of SCEDD.

For purposes of this grant, both parties agree to the terms and conditions for use of these funds as follows:

1. CITY agrees to transfer award monies and program income reuse monies from this grant to SCEDD for payment of grant expenditures with limitations on the purpose that meet program reuse guidelines within SCEDD's Reuse Plan
2. SCEDD agrees to notify the CITY of applications for use of program income reuse monies from this grant and ensure first right of refusal to the CITY for use of the funds in Hall County;
3. CITY further allows distribution of program income reuse monies for use within the jurisdictional boundaries of SCEDD all in accordance with attached Exhibits 1 and 2 (Title 24 and map of SCEDD service area), incorporated herein by this reference in its entirety;
4. SCEDD agrees to allocate program income reuse monies to qualified business(es) meeting program income reuse guidelines all in accordance with attached Exhibit 3 (SCEDD's Reuse Plan), incorporated herein by this reference in its entirety;
5. SCEDD agrees to evaluate business application(s), coordinate obligation(s), and drawdown of monies in accordance with the laws of the State of Nebraska, Non-profit Development Organization standards and CDBG guidelines;

6. CITY shall not be responsible for providing any cash matching funds for future projects as identified above. Funding sources shall be Awards and Program Reuse Funds in accordance to attached Exhibits 1 and 2.

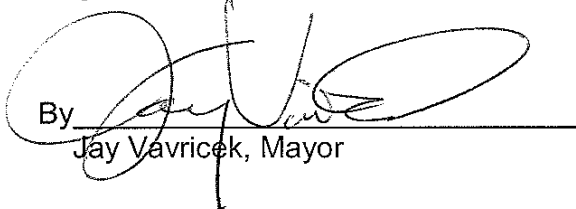
7. During life of this Interlocal Agreement, SCEDD will account for reuse funds in semi-annual reports to CITY due by January 15 and July 15 every reporting period.

In agreement to the foregoing terms:

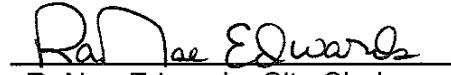
Approved by the City Council and executed by CITY on:

June 28, 2011

City of Grand Island, Nebraska

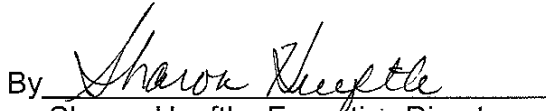
By 
Jay Vavricek, Mayor

ATTEST:


RaNae Edwards, City Clerk

Executed by SCEDD on 6-28-2011

South Central Economic Development District, Inc.

By 
Sharon Hueftle, Executive Director

R E S O L U T I O N 2011-348

WHEREAS, the City of Grand Island, Nebraska, was awarded a \$605,000 Economic Development - Community Development Block Grant (10-CR-016) for direct financial assistance to a for-profit business for purchasing equipment; and

WHEREAS, \$600,000 in grant funds will be used for equipment purchase and \$5,000 will be used by the City of Grand Island for General Administration; and

WHEREAS, in June 2011, the City entered into a Memorandum of Understanding with the Nebraska Department of Economic Development, CNH America LLC and the South Central Economic Development District, Inc. to generally define grant fund distribution and ongoing management of program income generated from this grant; and

WHEREAS, the Sub-recipient Agreement further specifies responsibilities for collection of loan repayment proceeds, tracking and reporting of reuse income to the State and City, and reinvesting reuse funds into further economic development activities; and

WHEREAS, the Council is requested to approve a Sub-recipient Agreement between the City of Grand Island and the South Central Economic Development District, Inc. further defining the general guidelines of the MOU for carrying out the terms of the grant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island, Nebraska is hereby authorized to enter into a Sub-recipient Agreement between the City of Grand Island and the South Central Economic Development District, Inc. and the Mayor is hereby authorized and directed to execute such proceedings on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 22, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 17, 2011	☐ City Attorney



City of Grand Island

Tuesday, November 22, 2011

Council Session

Item I1

#2011-349 - Consideration of Request from Texas Roadhouse Holdings, LLC dba Texas Roadhouse, 232 Wilmar Avenue for a Class "IK" Liquor License and Liquor Manager Designation for Douglas Schliefert, 5808 Avenue O Place, Kearney, Nebraska

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

Staff Contact: RaNae Edwards

RESOLUTION 2011-349

WHEREAS, an application was filed by Texas Roadhouse Holdings, LLC doing business as Texas Roadhouse, 232 Wilmar Avenue for a Class "TK" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on November 12, 2011; such publication cost being \$15.18; and

WHEREAS, a public hearing was held on November 22, 2011 for the purpose of discussing such liquor license application.

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

_____ The City of Grand Island hereby recommends approval of the above-identified liquor license application contingent upon final inspections.

_____ The City of Grand Island hereby makes no recommendation as to the above-identified liquor license application.

_____ The City of Grand Island hereby makes no recommendation as to the above-identified liquor license application with the following stipulations: _____

_____ The City of Grand Island hereby recommends denial of the above-identified liquor license application for the following reasons: _____

_____ The City of Grand Island hereby recommends approval of Douglas Schliefert, 5808 Avenue O Place, Kearney, Nebraska as liquor manager of such business.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 22, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 17, 2011	☐ City Attorney



City of Grand Island

Tuesday, November 22, 2011

Council Session

Item I2

#2011-342 - Consideration of Designating Loading Zone on 2nd Street, Between Walnut Street and Cedar Street

Staff Contact: John Collins

Council Agenda Memo

From: Terry Brown, Manager of Engineering Services

Meeting: November 22, 2011

Subject: Approving Designating Loading Zone on 2nd Street,
Between Walnut Street and Cedar Street

Item #'s: I-2

Presenter(s): John Collins, Public Works Director

Background

Council action is required to designate a Loading Zone on any public street.

The Public Works Department received a request from St. Steven's Episcopal Church to remove parking between Walnut Street and Cedar Street, on the north side of 2nd Street, which was discussed at the October 25, 2011 council meeting.

On November 8, 2011 an update on this matter was provided to City Council, stating the issue would need to be discussed with the Nebraska Department of Roads due to 2nd Street being a State highway.

Discussion

The Engineering Division of the Public Works Department has reviewed the request from St. Steven's Episcopal Church and have concluded that a designated Loading Zone would meet the request. It is recommended that three (3) parking stalls in front of the Community Center be designated as a Loading Zone area.

The church also made request for a handicap parking stall at this location, but the area doesn't appear to meet the American with Disabilities Act (ADA) requirements and will need to be reviewed. This portion of the request will be brought back to council after such review.

A sketch of the desired Loading Zone area is attached for reference.

Alternatives

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

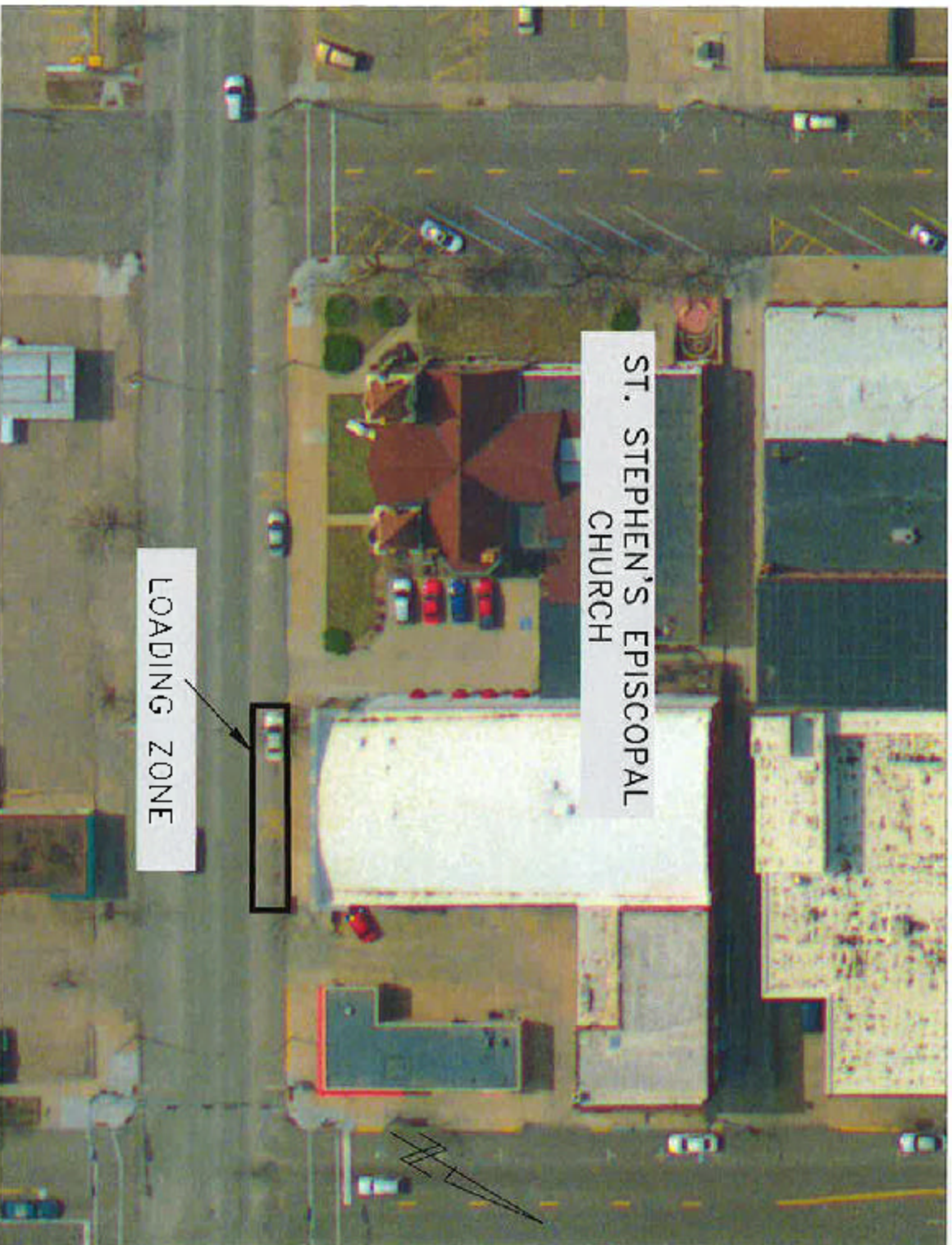
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the resolution designating Loading Zone on 2nd Street, between Walnut Street and Cedar Street.

Sample Motion

Move to approve the resolution.



ST. STEPHEN'S EPISCOPAL
CHURCH

LOADING ZONE

NO PARKING AT 410 W. 2ND ST.

RESOLUTION 2011-342

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

WHEREAS, the Public Works Department is requesting that a Loading Zone be allowed on the north side of 2nd Street, between Walnut Street and Cedar Street; and

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

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

1. A Loadingt Zone is hereby designated along the north side of 2nd Street, between Walnut Street and Cedar Street; and
2. On the north side of 2nd street all parking shall be removed between the two driveways in this section of roadway; and
3. The City's Street Division of the Public Works Department shall erect and maintain the signs necessary to effect the above regulation.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 22, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, November 22, 2011

Council Session

Item J1

Approving Payment of Claims for the Period of November 9, 2011 through November 22, 2011

The Claims for the period of November 9, 2011 through November 22, 2011 for a total amount of \$4,339,220.52. A MOTION is in order.

Staff Contact: Jaye Monter