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# City of Grand Island



**Tuesday, May 8, 2012**  
**Council Session Packet**

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**City Council:**

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

**Mayor:**

Jay Vavricek

**City Administrator:**

Mary Lou Brown

**City Clerk:**

RaNae Edwards

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**7:00 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.**

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**Invocation - Pastor Fred Locasto, Spirit of Life Church, 2304 Macron Street**

**Pledge of Allegiance**

**Roll Call**

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### **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.

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### **B - RESERVE TIME TO SPEAK ON AGENDA ITEMS**

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



# **City of Grand Island**

**Tuesday, May 8, 2012**

**Council Session**

## **Item E1**

**Public Hearing on Request from Roebuck Investments LLC dba  
Sam & Louies, 928 Concord Avenue for a “I” Liquor License**

**Staff Contact: RaNae Edwards**

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** May 8, 2012

**Subject:** Public Hearing on Request from Roebuck Investments LLC dba Sam & Louies, 928 Concord Avenue for a Class "I" 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**

Roebuck Investments LLC dba Sam & Louies, 928 Concord Avenue has submitted an application for a Class "I" Liquor License. A Class "I" Liquor License allows for the sale of alcohol on sale only inside the corporate limits of the city.

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

Also submitted with the application was a request from Larry Roebuck, 1003 NE Hwy 2, Phillips, NE for a Liquor Manager Designation.

### **Alternatives**

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

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

### **Recommendation**

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

### **Sample Motion**

Move to approve the application for Roebuck Investments LLC dba Sam & Louies, 928 Concord Avenue for a Class "I" Liquor License contingent upon final inspections and Liquor Manager Designation for Larry Roebuck, 1003 NE Hwy 2, Phillips, NE contingent upon completion of a state approved alcohol server/seller training program.

05/02/12

Grand Island Police Department

450

16:20

LAW INCIDENT TABLE

Page: 1

City : Grand Island

Occurred after : 16:46:30 04/18/2012

Occurred before : 16:46:30 04/18/2012

When reported : 16:46:30 04/18/2012

Date disposition declared : 04/18/2012

Incident number : L12042434

Primary incident number :

Incident nature : Liquor Lic Inv    Liquor License  
Investigation

Incident address : 928 Concord 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 : P In Person

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 : 34984

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	30267	04/26/12	Roebuck, Larry R Jr	Owner/Manager
NM	120853	04/26/12	Roebuck, Kristen R	Larry's Spouse
NM	161877	04/26/12	Sam & Louie's NYP, Involved	Business

LAW INCIDENT CIRCUMSTANCES:

Se Circu	Circumstance code	Miscellaneous
1	LT21	Restaurant

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor License Application for Sam & Louie's NYP and a  
Copy of a Liquor Manager Application from Larry Roebuck.

LAW INCIDENT OFFENSES DETAIL:

Se Offe	Offense code	Arson Dama
1	AOFF Alcohol Offense	0.00

LAW INCIDENT RESPONDERS DETAIL:

Se Responding offi Unit n Unit number

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1 Vitera D 318 Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq Name Date

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1 Vitera D 16:01:20 04/26/2012

318

Grand Island Police Department

Supplemental Report

Date, Time: Thu Apr 26 16:01:32 CDT 2012

Reporting Officer: Vitera

Unit- CID

Larry Roebuck bought Sam & Louie's NYP and is applying for a Class I (beer,

wine, distilled spirits, on sale only) LLC liquor license. He is also applying

to be the liquor manager. Larry is married to Kristen Roebuck. They have lived

in the Grand Island area since at least 2001.

Where the application asks if anyone who is a party to the application has ever

been convicted of any charge, Larry listed speeding, following too closely,

criminal mischief, MIP, and several non-alcohol related traffic tickets that he

can't remember the dates. Nothing is attributed to Kristen.

I checked the Roebuck's in Spillman and NCJIS. While checking Spillman, I found

that Larry was referred to the county attorney for a felony theft back in



2006. It also looks like he has a couple of traffic citations. Kristen didn't

have any indications of convictions in Spillman, and no convictions were located

in NCJIS. According to NCJIS, some of Larry's traffic convictions that he couldn't remember include a couple of speeding tickets, failing to obey a traffic sign/signal, not having splash aprons, and reckless driving that had

been plead down from willful reckless driving. I also discovered that the criminal mischief he disclosed had originally been charged as a felony theft but

was plead down to a misdemeanor criminal mischief. I checked the Roebuck's for

warrants. They don't have any warrants, and they each have a valid driver's license.

I checked the Roebuck's through a law enforcement-only Internet database that

includes lots of personal, business, and non-criminal information. I did not

find anything that would adversely affect their application.

I met with Larry Roebuck on 5/2/12 at Sam & Louie's. He provided a plausible

explanation for the felony theft that was plead down to a misdemeanor criminal

mischief. He also gave an acceptable explanation as to why he has some traffic

tickets that he couldn't remember the dates. I didn't really have many

questions for him about his application. I told him about the importance of

cooperating with the law enforcement and discussed some situations that would

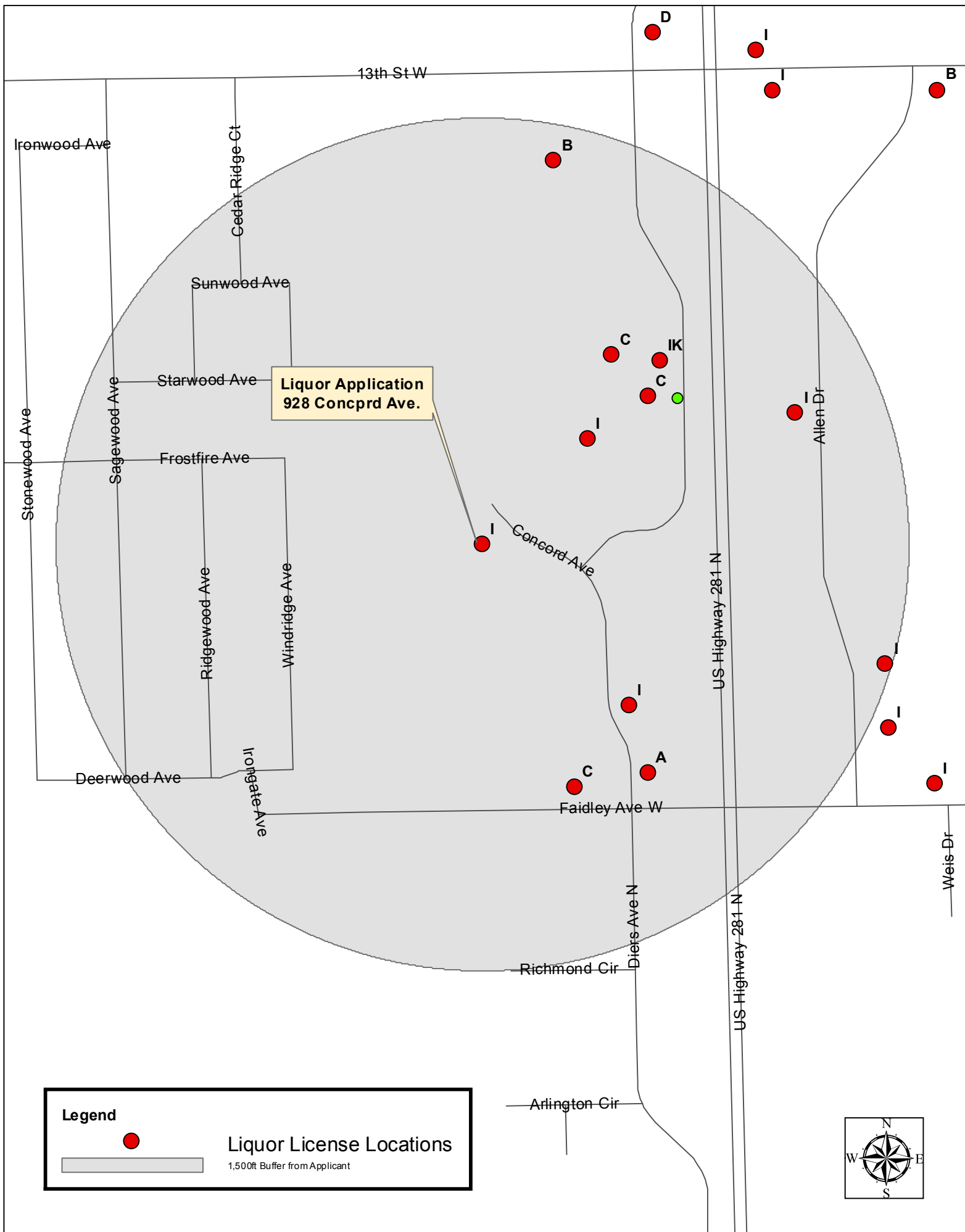
cause him problems with a keeping a liquor license. Larry didn't have many

questions for me. Larry is part owner of the South Locust Sonic. He seems like

a hard-working, knowledgeable, responsible businessman.

The Grand Island Police Department has no objection to Sam & Louie's having a

liquor license or to Larry Roebuck being the liquor manager.



**Legend**

**Liquor License Locations**

1,500ft Buffer from Applicant





# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item F1

### **#9381 - Consideration of Salary Ordinance Amendment**

Staff Contact: Brenda Sutherland

# **Council Agenda Memo**

**From:** Brenda Sutherland, Human Resources Director

**Meeting:** May 8, 2012

**Subject:** Consideration of Salary Ordinance No. 9381

**Item #'s:** F-1

**Presenter(s):** Brenda Sutherland, Human Resources Director

## **Background**

Salary Ordinances are presented to Council from time to time to obtain Council approval of compensation for City employees. The amendment being presented supports the FTE Amendment (agenda item I – 3) requesting the reduction of one Engineering Technician position and adding a CADD Operator in the Public Works Department.

## **Discussion**

The CADD Operator position will replace one Engineering Technician position and be compensated at the same rate which is \$19.6892 - \$27.7684. It will better serve a needed skill set in the Engineering Division of the Public Works 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**

Recommend the approval of Salary Ordinance No. 9381.

## **Sample Motion**

Move to approve Salary Ordinance No. 9381

## ORDINANCE NO. 9381

An ordinance to amend Ordinance 9367 known as the Salary Ordinance which lists the currently occupied classifications of officers and employees of the City of Grand Island, Nebraska and established the ranges of compensation of such officers and employees; to add the classifications and ranges of ~~Wastewater Plant Engineer and Wastewater Plant Operations Engineer~~CADD Operator; and to repeal those portions of Ordinance No. 9367 and any parts of other ordinances in conflict herewith; to provide for severability; to provide for the effective date thereof; and to provide for publication of this ordinance in pamphlet form.

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

SECTION 1. The currently occupied classifications of officers and general employees of the City of Grand Island, and the ranges of compensation (salary and wages, excluding shift differential as provided by Personnel Rules & Regulations) to be paid for such classifications, and the number of hours and work period which certain officers and general employees shall work prior to overtime eligibility are as follows:

<b>Classification</b>	<b>Hourly Pay Range Min/Max</b>	<b>Overtime Eligibility</b>
Accountant	21.9881/31.0033	Exempt
Accounting Technician – Solid Waste	15.2625/20.0651	40 hrs/week
Assistant to the City Administrator	21.3879/30.1079	Exempt
Assistant Utilities Director – Distribution	41.4936/58.4045	Exempt
Assistant Utilities Director – Production	44.9328/63.2681	Exempt
Assistant Utilities Director – Transmission	44.9328/63.2681	Exempt
Attorney	27.3606/42.2161	Exempt
Biosolids Technician	17.3383/24.4065	40 hrs/week
Building Department Director	32.0513/45.6044	Exempt
<a href="#">CADD Operator</a>	<a href="#">19.6892/27.7684</a>	<a href="#">40 hrs/week</a>
Cemetery Superintendent	18.6323/26.2314	Exempt

Approved as to Form    ☐ \_\_\_\_\_  
                                       ☒ City Attorney

ORDINANCE NO. 9381(Cont.)

<b>Classification</b>	<b>Hourly Pay Range Min/Max</b>	<b>Overtime Eligibility</b>
City Administrator	54.8239/77.1429	Exempt
City Attorney	37.8815/53.3170	Exempt
City Clerk	22.8836/32.2140	Exempt
Civil Engineering Manager – Utility PCC	32.5600/46.4896	Exempt
Collection System Supervisor	21.9678/31.2271	40 hrs/week
Community Service Officer	12.3118/16.7379	40 hrs/week
Custodian – Library, Police	11.2825/15.9214	40 hrs/week
Customer Service Representative – Part time	8.1400/12.21000	40 hrs/week
Electric Distribution Superintendent	31.7969/43.5795	Exempt
Electric Distribution Supervisor	26.8518/36.8223	40 hrs/week
Electric Underground Superintendent	28.3170/38.8176	Exempt
Electrical Engineer I	25.7733/35.5718	Exempt
Electrical Engineer II	29.8941/41.2189	Exempt
Emergency Management Deputy Director	21.7338/29.7221	Exempt
Emergency Management Director	30.9320/42.2873	Exempt
Engineering Technician - WWTP	19.2002/27.1266	40 hrs/week
Equipment Operator - Solid Waste	15.3864/21.6684	40 hrs/week
Finance Director	36.3126/51.0998	Exempt
Fire Chief	34.6459/49.0944	Exempt
Fire Division Chief	28.3344/40.8994	Exempt
Fleet Services Shop Foreman	19.5462/27.2283	40 hrs/week
Golf Course Superintendent	23.2091/33.4961	Exempt
Grounds Management Crew Chief – Cemetery	17.4024/24.4899	40 hrs/week
Grounds Management Crew Chief – Parks	17.9244/25.2244	40 hrs/week
Human Resources Director	32.7736/46.6931	Exempt
Human Resources Benefits & Risk Management Coordinator	17.5519/25.7936	40 hrs/week
Human Resources Recruiter	17.5519/25.7936	40 hrs/week
Human Resources Specialist	16.2210/22.8215	40 hrs/week
Information Technology Manager	29.4608/41.4516	Exempt
Legal Secretary	19.3020/25.9564	40 hrs/week

ORDINANCE NO. 9381(Cont.)

<b>Classification</b>	<b>Hourly Pay Range Min/Max</b>	<b>Overtime Eligibility</b>
Librarian I	16.8600/23.4534	Exempt
Librarian II	18.6711/26.3024	Exempt
Library Assistant I	11.8132/16.2597	40 hrs/week
Library Assistant II	13.0138/17.9385	40 hrs/week
Library Assistant Director	21.2658/30.3114	Exempt
Library Director	28.7745/40.5034	Exempt
Library Page	7.5600/10.4599	40 hrs/week
Library Secretary	14.1331/20.0855	40 hrs/week
Maintenance Worker – Golf	14.1865/20.0066	40 hrs/week
Manager of Engineering Services	31.3695/45.0244	Exempt
Meter Reader Supervisor	17.8435/25.1290	Exempt
Office Manager – Police Department	15.4558/21.4088	40 hrs/week
Parks and Recreation Director	32.5449/45.7755	Exempt
Parks Superintendent	22.7411/32.1631	Exempt
Payroll Specialist	16.2210/22.8215	40 hrs/week
Planning Director	32.2698/45.3986	Exempt
Police Captain	27.2486/38.3293	Exempt
Police Chief	34.6459/49.0944	Exempt
Power Plant Maintenance Supervisor	28.5419/40.1479	Exempt
Power Plant Operations Supervisor	29.7110/42.7758	Exempt
Power Plant Superintendent – Burdick	32.5404/45.7903	Exempt
Power Plant Superintendent – PGS	37.5140/52.7646	Exempt
Project Manager – Public Works	28.9275/40.7000	Exempt
Public Information Officer	20.4314/28.7545	Exempt
Public Works Director	36.4524/51.2964	Exempt
Public Works Engineer	30.2000/42.5000	Exempt
Receptionist	12.6170/18.2540	40 hrs/week
Recreation Coordinator	16.4835/22.9955	Exempt
Recreation Superintendent	21.2963/30.5555	Exempt
Regulatory and Environmental Manager	28.1473/39.5929	Exempt
Senior Accountant	26.7806/37.2813	Exempt



ORDINANCE NO. 9381(Cont.)

<b>Classification</b>	<b>Hourly Pay Range Min/Max</b>	<b>Overtime Eligibility</b>
Senior Electrical Engineer	32.7126/45.1058	Exempt
Senior Public Safety Dispatcher	16.4835/22.5275	40 hrs/week
Senior Utility Secretary	14.5757/20.8130	40 hrs/week
Shooting Range Superintendent	21.2963/30.5555	Exempt
Solid Waste Division Clerk - Full Time	14.5401/19.4750	40 hrs/week
Solid Waste Division Clerk - Part Time	12.9463/17.6842	40 hrs/week
Solid Waste Foreman	16.1559/22.7331	40 hrs/week
Solid Waste Superintendent	23.3808/32.9011	Exempt
Street Superintendent	23.9113/34.8086	Exempt
Street Foreman	18.8034/26.7195	40 hrs/week
Turf Management Specialist	20.8588/29.5279	40 hrs/week
Utilities Director	52.8795/75.7733	Exempt
Utility Production Engineer	33.4540/47.0808	Exempt
Utility Services Manager	27.2181/37.8815	Exempt
Utility Warehouse Supervisor	22.2019/31.0134	40 hrs/week
Victim Assistance Unit Coordinator	12.7696/17.9792	40 hrs/week
Wastewater Engineering/Operations Superintendent	26.0989/36.9251	Exempt
Wastewater Plant Chief Operator	19.2816/27.1774	40 hrs/week
Wastewater Plant Engineer	31.3695/45.0244	Exempt
Wastewater Plant Operations Engineer	30.2000/42.5000	Exempt
Wastewater Plant Maintenance Supervisor	23.3109/31.3899	40 hrs/week
Wastewater Plant Process Supervisor	24.1656/32.5804	40 hrs/week
Water Superintendent	24.6449/34.8086	Exempt
Water Supervisor	21.2759/30.6573	40 hrs/week
Worker / Seasonal	7.2500/20.0000	Exempt
Worker / Temporary	7.2500/20.0000	40 hrs/week

A shift differential of \$0.10 per hour shall be added to the base hourly wage for persons in the employee classification Senior Public Safety Dispatcher who work a **complete** shift that begins between 3:00 p.m. and 11:00 p.m. This does not include persons who work the day shift.

ORDINANCE NO. 9381(Cont.)

Shift differential will only be paid for actual hours worked. Paid leave will not qualify for the shift differential pay.

SECTION 2. The currently occupied classifications of employees of the City of Grand Island included under the AFSCME labor agreement, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classifications, and the number of hours and work period which certain such employees included under the AFSCME labor agreement shall work prior to overtime eligibility are as follows:

Classification	Hourly Pay Range Min/Max	Overtime Eligibility
Equipment Operator – Streets	14.3613/21.2743	40 hrs/week
Fleet Services Mechanic	16.3825/24.2718	40 hrs/week
Horticulturist	15.1638/22.5063	40 hrs/week
Maintenance Worker – Cemetery	14.2525/21.1310	40 hrs/week
Maintenance Worker – Parks	14.1574/21.0022	40 hrs/week
Maintenance Worker – Streets	13.8581/20.5436	40 hrs/week
Senior Equipment Operator – Streets	15.7348/23.3375	40 hrs/week
Senior Maintenance Worker – Streets	15.7348/23.3375	40 hrs/week
Traffic Signal Technician	15.7348/23.3375	40 hrs/week

SECTION 3. The currently occupied classifications of employees of the City of Grand Island included under the IBEW labor agreements, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classifications, and the number of hours and work period which certain such employees included under the IBEW labor agreements shall work prior to overtime eligibility are as follows:

Classification	Hourly Pay Range Min/Max	Overtime Eligibility
Accounting Clerk	14.6738/19.4178	40 hrs/week
Cashier	13.4680/18.3525	40 hrs/week
Custodian	15.7268/18.5712	40 hrs/week

ORDINANCE NO. 9381(Cont.)

<b>Classification</b>	<b>Hourly Pay Range Min/Max</b>	<b>Overtime Eligibility</b>
Electric Distribution Crew Chief	28.7270/36.5353	40 hrs/week
Electric Underground Crew Chief	28.7270/36.5353	40 hrs/week
Engineering Technician I	18.1032/25.9023	40 hrs/week
Engineering Technician II	22.3791/30.6848	40 hrs/week
GIS Coordinator	23.0246/32.3083	40 hrs/week
Instrument Technician	27.0030/35.6731	40 hrs/week
Lineworker Apprentice	17.5111/25.6767	40 hrs/week
Lineworker First Class	26.5428/31.3925	40 hrs/week
Materials Handler	21.8556/29.2968	40 hrs/week
Meter Reader	15.7469/20.5343	40 hrs/week
Meter Technician	21.1717/26.1661	40 hrs/week
Power Dispatcher I	26.5134/36.8640	40 hrs/week
Power Dispatcher II	27.8474/38.7126	40 hrs/week
Power Plant Maintenance Mechanic	25.0977/31.2514	40 hrs/week
Power Plant Operator	29.6493/34.5364	40 hrs/week
Senior Accounting Clerk	16.4937/21.6054	40 hrs/week
Senior Engineering Technician	28.3158/34.6522	40 hrs/week
Senior Materials Handler	25.1644/32.8236	40 hrs/week
Senior Meter Reader	18.6499/22.1352	40 hrs/week
Senior Power Dispatcher	32.2133/44.2057	40 hrs/week
Senior Power Plant Operator	29.2327/37.4754	40 hrs/week
Senior Substation Technician	34.4193/35.6731	40 hrs/week
Senior Water Maintenance Worker	20.4500/26.9280	40 hrs/week
Substation Technician	31.8632/33.1281	40 hrs/week
Systems Technician	28.0805/35.6731	40 hrs/week
Tree Trim Crew Chief	25.1546/31.2384	40 hrs/week
Utility Electrician	25.2079/33.1281	40 hrs/week
Utility Technician	24.6204/34.6321	40 hrs/week
Utility Warehouse Clerk	18.1921/22.4447	40 hrs/week
Water Maintenance Worker	17.0380/23.5619	40 hrs/week
Wireworker I	19.1407/27.0649	40 hrs/week

ORDINANCE NO. 9381(Cont.)

<b>Classification</b>	<b>Hourly Pay Range Min/Max</b>	<b>Overtime Eligibility</b>
Wireworker II	26.5428/31.3925	40 hrs/week

SECTION 4. The currently occupied classifications of employees of the City of Grand Island included under the FOP labor agreement, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classifications, and the number of hours and work period which certain such employees included under the FOP labor agreement shall work prior to overtime eligibility are as follows:

<b>Classification</b>	<b>Hourly Pay Range Min/Max</b>	
Police Officer	17.8037/24.8884	
Police Sergeant	22.2831/30.5330	

OVERTIME ELIGIBILITY

The City has reserved its right to the utilization of the 207(k) FLSA exemption and will implement this as the hours of work effective the first full pay period following the execution of the labor agreement. The pay period for purposes of calculating overtime shall consist of a fourteen (14) day cycle that runs concurrent with the City’s current payroll cycle. For purposes of calculating eligibility for overtime, “hours worked” shall include actual hours worked, vacation, personal leave and holiday hours. Employees shall be eligible for overtime when they exceed their hours scheduled for work in the fourteen (14) day pay cycle with a minimum of eighty (80) hours. There shall also be established for each employee in the bargaining unit a Training and Special Events bank of fifty (50) hours per individual per contract year. Each employee may be scheduled for training or special event duty with a minimum of seven (7) days notice prior to the commencement of the pay period and the training and special events bank

ORDINANCE NO. 9381(Cont.)

hours may be added to the eighty (80) hour, two (2) week pay period up to eighty-six (86) hours and these hours shall not be eligible for overtime. Training and special events hours worked in excess of eighty-six (86) hours in a two week pay period will be eligible for overtime, but will not be subtracted from the training and special events bank. All work completed after eighty (80) hours in a pay period that is performed for work that is funded by grants from parties outside or other than the City of Grand Island, shall be paid overtime for the time worked after eighty (80) hours, if the time is funded at overtime rates by the grant. Any such grant hours are not deducted from the training and special events bank.

SECTION 5. The currently occupied classifications of employees of the City of Grand Island included under the IAFF labor agreement, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classifications, and the number of hours and work period which certain such employees included under the IAFF labor agreement shall work prior to overtime eligibility are as follows:

Classification	Hourly Pay Range Min/Max	Overtime Eligibility
Fire Captain	16.9624/23.5195	212 hrs/28 days
Firefighter / EMT	12.6022/18.2885	212 hrs/28 days
Firefighter / Paramedic	14.0702/19.8718	212 hrs/28 days

IAFF employees will be eligible for overtime pay for hours worked in excess of 212 hours in each 28-day pay period.

SECTION 6. The currently occupied classifications of the employees of the City of Grand Island included under the IBEW-WWTP labor agreement, and the ranges of compensation salary and wages, excluding shift differential as provided by contract, to be paid for such classifications, and the number of hours and work period which certain such employees

ORDINANCE NO. 9381(Cont.)

included under the IBEW-WWTP labor agreement shall work prior to overtime eligibility are as follows:

Classification	Hourly Pay Range Min/Max	Overtime Eligibility
Accounting Technician – WWTP	14.5040/20.4084	40 hrs/week
Equipment Operator – WWTP	16.4663/23.1698	40 hrs/week
Maintenance Mechanic I	16.4663/23.1698	40 hrs/week
Maintenance Mechanic II	18.4369/25.9426	40 hrs/week
Maintenance Worker – WWTP	16.4663/23.1698	40 hrs/week
Senior Equipment Operator – WWTP	17.7987/25.0445	40 hrs/week
Wastewater Clerk	12.3898/17.4334	40 hrs/week
Wastewater Plant Laboratory Technician	17.4796/24.5955	40 hrs/week
Wastewater Plant Operator I	14.7271/20.7227	40 hrs/week
Wastewater Plant Operator II	16.4663/23.1698	40 hrs/week

SECTION 7. The currently occupied classifications of the employees of the City of Grand Island included under the IBEW-Service/Clerical labor agreement, and the ranges of compensation salary and wages to be paid for such classifications, and the number of hours and work period which certain such employees included under the IBEW-Service/Clerical labor agreement shall work prior to overtime eligibility are as follows:

Classification	Hourly Pay Range Min/Max	Overtime Eligibility
Accounting Technician – Streets	15.5354/20.7381	40 hrs/week
Accounts Payable Clerk	14.7357/21.3196	40 hrs/week
Administrative Assistant	15.3277/21.9842	40 hrs/week
Audio Video Technician	15.4730/21.8284	40 hrs/week
Building Inspector	19.1389/27.1558	40 hrs/week
Building Secretary	14.4242/20.4992	40 hrs/week
Community Development Administrator	16.6985/24.0093	40 hrs/week
Community Development Specialist	15.3277/21.9842	40 hrs/week
Computer Operator	18.6196/24.4767	40 hrs/week

ORDINANCE NO. 9381(Cont.)

Computer Programmer	21.2365/31.1227	40 hrs/week
Computer Technician	19.1782/25.2114	40 hrs/week
Electrical Inspector	19.1389/27.1558	40 hrs/week
Emergency Management Coordinator	14.4242/20.4992	40 hrs/week
Engineering Technician – Public Works	19.6892/27.7684	40 hrs/week
Evidence Technician	14.3204/20.9561	40 hrs/week
Finance Secretary	14.4242/20.4992	40 hrs/week
GIS Coordinator	21.8310/30.6333	40 hrs/week
Maintenance Worker I – Building, Library	15.0473/20.3642	40 hrs/week
Maintenance Worker II – Building, Police	15.8573/21.4961	40 hrs/week
Parks and Recreation Secretary	14.4242/20.4992	40 hrs/week
Planning Secretary	14.4242/20.4992	40 hrs/week
Planning Technician	19.7483/27.7850	40/hrs/week
Plans Examiner	19.1389/27.1558	40 hrs/week
Plumbing Inspector	19.1389/27.1558	40 hrs/week
Police Records Clerk – Full Time	12.8769/17.9239	40 hrs/week
Public Safety Dispatcher	14.5384/21.2365	40 hrs/week
Shooting Range Operator	19.9799/27.0830	40 hrs/week
Stormwater Technician	19.6892/27.7684	40 hrs/week
Utility Secretary	14.4242/20.4992	40 hrs/week

A shift differential of \$0.10 per hour shall be added to the base hourly wage for persons in the employee classification Public Safety Dispatcher who work a **complete** shift that begins between 3:00 p.m. and 11:00 p.m. This does not include persons who work the day shift. Shift differential will only be paid for actual hours worked. Paid leave will not qualify for the shift differential pay.

SECTION 8. The classification of employees included under labor agreements with the City of Grand Island, and the ranges of compensation (salary and wages, excluding shift differential as provided by contract) to be paid for such classifications, and the number of hours and work period which certain such employees shall work prior to overtime eligibility are as

ORDINANCE NO. 9381(Cont.)

stated above. All employees covered by the IAFF labor agreement shall be paid a clothing and uniform allowance in addition to regular salary in the amount of \$484.00 per year, divided into twenty-four (24) pay periods. All employees of the FOP labor agreement shall be paid a clothing and uniform allowance in addition to regular salary of \$25.00 per pay period. If any such employee covered by the IAFF or FOP labor agreements shall resign, or his or her employment be terminated for any reason whatsoever, the clothing allowance shall be paid on a prorata basis, but no allowance shall be made for a fraction of a month.

Fire Chief and Fire Division Chiefs shall be paid a clothing allowance of \$484.08 per year, divided into 24 pay periods. Police Chief and Police Captains shall be paid a clothing allowance of \$650.00 per year, divided into 26 pay periods.

Non-union employees and employees covered by the FOP labor agreement, the IBEW Utilities, Finance and Service/Clerical labor agreements may receive an annual stipend not to exceed \$1,000 for bilingual pay.

Employees covered by the AFSCME labor agreement shall be granted a meal allowance of \$4.50 if they are required to work two (2) hours overtime consecutively with their normal working hours during an emergency situation, and if such overtime would normally interfere with and disrupt the employee's normal meal schedule. Employees covered by the IBEW - Utilities and IBEW – Finance labor agreements shall be allowed a meal allowance for actual cost, or up to \$7.00 per meal, if they are required to work two (2) hours overtime consecutively with their normal working hours and if such overtime would normally interfere with and disrupt the employee's normal meal schedule. Direct supervisors of employees who are covered by labor agreements which allow overtime meal allowance shall be entitled to the same meal allowance benefit.



ORDINANCE NO. 9381(Cont.)

Non-exempt direct supervisors of employees who are covered by labor agreements which allow stand-pay shall be entitled to the same stand-by pay benefit.

Utilities Department personnel in the IBEW bargaining unit and the classifications of Meter Reader Supervisor, Power Plant Superintendent, Power Plant Supervisor, Electric Distribution Superintendent, Electric Distribution Supervisor, Water Superintendent, Water Supervisor, Electric Underground Superintendent, and Engineering Technician Supervisor shall be eligible to participate in a voluntary uniform program providing an allowance up to \$18.00 per month. When protective clothing is required for Utilities Department and Wastewater Treatment Plant personnel covered by the IBEW labor agreement and employees covered by the AFSCME labor agreement, except the Fleet Services Division of the Public Works Department, the City shall pay 60% of the cost of providing and cleaning said clothing and the employees 40% of said cost. Full-time Fleet Services personnel shall receive a uniform allowance of \$12 biweekly. Public Works Department personnel in the job classifications of Fleet Services Shop Foreman and Fleet Services Mechanic shall receive a tool allowance of \$10 biweekly.

SECTION 9. Employees shall be compensated for unused medical leave as follows:

(A) All employees covered in the IBEW Utilities and IBEW Finance labor agreements shall be paid for forty-seven percent (47%) of their accumulated medical leave at the time of their retirement, early retirement, or death, not to exceed four hundred eighty-eight and one third hours (calculated at  $47\% \times 1039 \text{ hours} = 488.33 \text{ hours}$ ), the rate of compensation to be based on the employee's salary at the time of retirement or death. Employees covered in the IAFF labor agreement shall have a contribution to a VEBA made on their behalf in lieu of

ORDINANCE NO. 9381(Cont.)

payment for thirty-eight percent (38%) of their accumulated medical leave at the time of their retirement, not to exceed five hundred ninety-eight and eighty-eight hundredths hours (calculated at  $38\% \times 1,576 \text{ hours} = 598.88 \text{ hours}$ ). The amount of contribution will be based upon the employee's salary at the time of retirement. Employees covered by the IBEW Wastewater labor agreement shall be paid 37.5% of their accumulated medical leave at the time of retirement or death, based on the employee's salary at the time of retirement not to exceed three hundred ninety-nine hours (calculated at  $37.5\% \times 1064 \text{ hours} = 399 \text{ hours}$ ). Employees covered by the IBEW Service/Clerical labor agreement shall have a contribution to a VEBA made on their behalf in lieu of payment for forty percent (40%) of their accumulated medical leave at the time of retirement or death, based on the employee's salary at the time of retirement not to exceed 433.60 hours (calculated at  $40\% \times 1084 \text{ hours} = 433.60 \text{ hours}$ .) Non-union employees shall have a contribution to a VEBA made on their behalf in lieu of payment for fifty percent (50%) of their accumulated medical leave at the time of their retirement, not to exceed five hundred forty-two hours (calculated at  $50\% \times 1084 = 542$ ). The amount of contribution will be based upon the employee's salary at the time of retirement. All employees covered by the AFSCME labor agreement shall be paid forty-five (45%) of their accumulated medical leave bank at the time of their retirement, based on the employee's salary at the time of retirement not to exceed four hundred seventy-eight and eighty hundredths hours (calculated at  $45\% \times 1064 \text{ hours} = 478.80 \text{ hours}$ ). All employees covered under the FOP labor agreement shall be paid thirty-seven and one-half percent (37.5%) of their

ORDINANCE NO. 9381(Cont.)

accumulated medical leave bank at the time of their retirement, not to exceed four hundred five hours (calculated at  $37.5\% \times 1,080 \text{ hours} = 405 \text{ hrs.}$ ), based on the employee's salary at the time of retirement. If death occurs while in the line of duty, employees covered under the FOP labor agreement shall be paid fifty percent (50%) of their accumulated medical leave bank at the time of their death, not to exceed five hundred forty hours ( $50\% \times 1,080 \text{ hours} = 540 \text{ hrs.}$ ), based on the employee's salary at the time of their death.

(B) The City Administrator and department heads shall have a contribution made to their VEBA for one-half of their accumulated medical leave, not to exceed 30 days of pay, upon their resignation, the rate of compensation to be based upon the salary at the time of termination. Compensation for unused medical leave at retirement shall be as provided for non-union employees.

(C) The death of an employee shall be treated the same as retirement, and payment shall be made to the employee's beneficiary or estate for one-half of all unused medical leave for non-union employees and as defined in labor agreements for all other employees.

SECTION 10. Non-union employees shall have a contribution made on their behalf to their VEBA account in the amount of \$30.00 per pay period. Employees represented by the IBEW Service/Clerical labor agreement shall have a contribution made on their behalf to the VEBA account of \$15 per pay period.

SECTION 11. The validity of any section, subsection, sentence, clause, or phrase of this ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause, or phrase thereof.

ORDINANCE NO. 9381(Cont.)

SECTION 12. The adjustments identified herein shall be effective on the date of passage and publication in pamphlet form in one issue of the Grand Island Independent as provided by law.

SECTION 13. Those portions of Ordinance No. 9367 and all other parts of ordinances in conflict herewith be, and the same are, hereby repealed.

Enacted: May 8, 2012.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk



# **City of Grand Island**

**Tuesday, May 8, 2012**

**Council Session**

## **Item G1**

### **Approving Minutes of April 24, 2012 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING  
April 24, 2012

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 April 24, 2012. Notice of the meeting was given in *The Grand Island Independent* on April 18, 2012.

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, Mitch Nickerson, Linna Dee Donaldson, Scott Dugan, Vaughn Minton, and John Gericke. 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 Finance Director Jaye Monter.

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

Mayor Vavricek introduced Community Youth Council members Jessica Wiens and Jordyn Barnett.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Workzone Awareness Week" April 23-27, 2012. Mayor Vavricek proclaimed the week of April 23-27, 2012 as "Workzone Awareness Week". Utilities employee Don Jelinek and Public Works employees Mike Wagner, Cory Reiss, and Mike Davis were present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Request from The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3<sup>rd</sup> Street for an Addition of a Sidewalk Café to Class "I-86925" Liquor License. City Clerk RaNae Edwards reported that an application for an addition of a sidewalk café to Class "I-86925" Liquor License had been received from The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3<sup>rd</sup> Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 6, 2012; notice to the general public of date, time, and place of hearing published on April 14, 2012; notice to the applicant of date, time, and place of hearing mailed on April 6, 2012; along with Chapter 4 of the City Code. Staff recommended approval. Amos Anson, 4234 Arizona Avenue spoke in support. No further public testimony was heard.

Public Hearing on Blight and Substandard Study Area No. 9. Regional Planning Director Chad Nabity reported that Gordman Grand Island LLC had commissioned a Blight and Substandard Study for Proposed Redevelopment Area No. 9. The study focused on property bounded by Capital Avenue on the north, Webb Road on the east, State Street to the south and U.S. Highway 281 on the west in northwest Grand Island. The report submitted by Marvin Planning Consultants of David City, Nebraska was reviewed. Staff recommended approval. Ron Depue,

308 North Locust Street and Kelly Rafferty, St. Libory spoke in support. No further public testimony was heard.

## ORDINANCES:

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

#9378 – Consideration of Amending to Chapter 18 of the Grand Island City Code to Adopt the 2009 Uniform Mechanical Code

#9379 – Consideration of Amending Chapter 26 of the Grand Island City Code to Adopt the 2009 Uniform Plumbing Code

#9380 – Consideration of Vacation of a Portion of Ebony Lane in Sterling Estates Subdivision (Niedfelt Property Management Preferred LLC & Starostka Rentals LLC)

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of these ordinances on second reading and then upon final passage and call for a roll call vote on each reading and then upon final passage.” Councilmember Nickerson seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Building Department Director Craig Lewis reported that Ordinances #9378 and #9379 would update the City Code from the current 2006 laws.

Motion by Ramsey, second by Donaldson to approve Ordinances #9378 and #9379.

City Clerk: Ordinances #9378 and #9379 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #9378 and #9379 on final passage. All those in favor of the passage of these ordinances 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, Ordinances #9378 and #9379 are declared to be lawfully adopted upon publication as required by law.

#9380 – Consideration of Vacation of a Portion of Ebony Lane in Sterling Estates Subdivision (Niedfelt Property Management Preferred LLC & Starostka Rentals LLC)

Public Works Director John Collins reported that Niedfelt Property Management Preferred LLC owned 3778 Norseman Avenue and Starostka Rentals LLC owned 3779 Norseman Avenue. They requested to vacate the easterly two feet of street right-of-way abutting each lot on Ebony Lane to allow the proper lot size for proposed structures.

Motion by Haase, second by Dugan to approve Ordinance #9380.

City Clerk: Ordinance #9380 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 #9380 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 #9380 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-11 and G-12 were pulled for further discussion. Motion by Ramsey, second by Donaldson to approve the Consent Agenda excluding items G-11 and G-12. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of April 10, 2012 City Council Regular Meeting.

Receipt of Official Documents – Pawnbroker’s Official Bonds for G.I. Loan Shop, 1004 West 2<sup>nd</sup> Street and Payday Express, 645 South Locust Street.

#2012-102 – Approving Contract to Reserve Firm Electric Service from the Western Area Power Administration through December 31, 2020.

#2012-103 – Approving Bid Award for Well Field Control System Upgrade with Huffman Engineering, Inc. of Lincoln, Nebraska in an Amount of \$145,935.00.

#2012-104 – Approving Engineers Certificate of Final Completion for Building Concrete for Sludge Storage Building, Project No. 2011-WWTP-4 with L & L Concrete & Construction, Inc. of Grand Island, Nebraska.

#2012-105 – Approving Award of Proposal for Consulting Services for Geospatial data Collection of Grand Island’s Public Stormwater Conveyance System with JEO Consulting Services, Inc. of Grand Island, Nebraska in an Amount of \$44,329.00.

#2012-106 – Approving Supplemental Agreement No. 1 with NDOR and Olsson Associates for Engineering Consulting Services Related to 3<sup>rd</sup> Street & Wheeler Avenue Historical Lighting Improvements.

#2012-107 – Approving Contract Amount Correction to Resolution #2011-245; Bid Award to Midlands Contracting, Inc. of Kearney, NE for 2011-MH Rehab-1 Sanitary Sewer Manhole Rehabilitation for a corrected amount of \$153,269.00.

#2012-108 – Approving Amending the CANDO Inter-local Agreement.

#2012-109 – Approving Contract for Concession Stand Operations at the Veteran’s Athletic Field Complex with Rathjen & Son Enterprises, Inc. dba The Snow of Grand Island, Nebraska.

#2012-112 – Approving Award of Proposal for Engineering Services Related to Emission Rate Testing at the Solid Waste Landfill with G.N. Kuhn Engineering, LLC of Omaha, Nebraska in an amount not-to-exceed \$15,950.00.

#2012-110 – Approving Lease Agreement for the Ashton Street Ball Field with the Grand Island Riverdogs for five years and one additional five year renewal option. Parks and Recreation

Director Steve Paustian reported that Request for Proposals were issued and one proposal was received from Grand Island Riverdogs.

Discussion was held regarding the City being named as an additional insured on the insurance certificate. Mentioned was the lease required the City to be named on the insurance. Comments were made regarding selling property instead of leasing, policies and practices of leasing public property.

Motion by Carney, second by Haase to approve Resolution #2012-110. Upon roll call vote, all voted aye. Motion adopted.

#2012-111 – Approving Amendment No. 1 to the Agreement for Professional Engineering Services entitled “Wastewater Treatment Plant and Collection System Rehabilitation” with Black & Veatch of Kansas City, Missouri not-to-exceed \$1,910,075.00 and a revised contract amount of \$3,031,235.00. Public Works Director John Collins gave a PowerPoint presentation explaining Amendment No. 1.

Discussion was held regarding the amendment costing more than the original proposal. Mr. Collins explained the differences between bids, RFP’s and RFQ’s and reasons why the amendment was an additional \$1.9 million. City Attorney Bob Sivick stated the amendment was within the purchasing scope of the project. A comment was made that this issue should not have been on the Consent Agenda.

Motion by Gilbert, second by Dugan to approve Resolution #2012-111. Upon roll call vote, all voted aye. Motion adopted.

#### RESOLUTIONS:

#2012-113 – Consideration of Request from The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3<sup>rd</sup> Street for an Addition of a Sidewalk Café to Class “I-86925” Liquor License This item related to the aforementioned Public Hearing.

Motion by Donaldson, second by Minton to approve Resolution #2012-113. Upon roll call vote, all voted aye. Motion adopted.

#2012-114 – Consideration of Blight and Substandard Study Area No. 9. This item related to the aforementioned Public Hearing. Discussion was held regarding new property in this area and if it would affect their property value. Mr. Nabity stated it would not.

Motion by Haase, second by Carney to approve Resolution #2012-114. 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 April 11, 2012 through April 24, 2012, for a total amount of \$3,745,546.54. Unanimously approved.

ADJOURN TO EXECUTIVE SESSION: Motion by Gilbert, second by Dugan to adjourn to Executive Session at 8:00 p.m. for the purpose of a strategy session with respect to collective bargaining (IBEW Local 1597 – Wastewater, Service/Clerical, Finance, Utilities). Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Haase, second by Niemann to return to Regular Session at 9:30 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:30 p.m.

RaNae Edwards  
City Clerk



# **City of Grand Island**

**Tuesday, May 8, 2012**

**Council Session**

## **Item G2**

**Approving Minutes of April 28, 2012 City Council Study Session**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

April 28, 2012

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 April 28, 2012. Notice of the meeting was given in the *Grand Island Independent* on April 20, 2012.

Mayor Jay Vavricek called the meeting to order at 9:00 a.m. The following Councilmembers were present: Bob Niemann, Peg Gilbert, Mitch Nickerson, Linna Dee Donaldson, and John Gericke. Councilmembers Chuck Haase, Larry Carney, Kirk Ramsey, Scott Dugan, and Vaughn Minton were absent. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, City Attorney Bob Sivick, Public Works Director John Collins and Finance Director Jaye Monter.

INVOCATION was given by Councilmember Donaldson followed by the PLEDGE OF ALLEGIANCE.

SPECIAL ITEMS:

Presentation of Public Safety Study - Fire. City Administrator Mary Lou Brown reported that this presentation would be the result of the Public Safety Study.

Introduced was Thomas Wieczorek, ICMA Director of the Center for Public Safety Management who gave an overview of the Fire Safety Study. Implementing Community Risk Reduction/Integrated Risk Management Planning was the move for many departments which focused on people and not property.

Reviewed were the Emergency Medical Service (EMS) and Fire workload. Grand Island was driven by EMS with 10% of the calls outside the City limits. Total calls were approximately 4,515 a year or 12 calls a day. Peek times for calls in Grand Island were 2:00 p.m. Response time was very good. Recommended was not sending two units to every call.

Explained was the process of gathering data for this report. Dispatch time could be improved, but would take additional equipment. Stations #1 and #2 were the busiest. Discussion was held regarding the location of the four Fire Stations. Mr. Wieczorek stated the stations were located in the right areas in Grand Island and the response times during the peek hours were excellent compared to National averages.

Mentioned was focusing on where fires occur. Most fires occur in residential homes, but most inspections occur at commercial properties. Prevention was the focus for a successful operation.

Comments were made regarding possible upcoming grants. Mr. Wieczorek stated Grand Island was in a good position if and when the grants became available.

Discussion was held regarding the recommendation of the administrative structure being more vertical versus the current horizontal structure. Recommended was a total of three Division Chiefs - Operations, EMS and Prevention and four Captains – one at each station. Administrative Associate position was discussed.

Equipment was mentioned as it related to the type of calls. ICMA recommended not taking a fire truck on every call, but using a SUV response vehicle. This would save cost and the wear and tear on equipment.

Discussion was held regarding billing and reimbursements. Mr. Wieczorek stated a lot of cities were outsourcing this process because of liability.

Council took a break at 11:00 a.m. and reconvened at 11:12 a.m.

Presentation of Public Safety Study - Police. City Administrator Mary Lou Brown introduced Leonard Matarese who commented on a Fire and/or Police Chief selection.

ICMA Police Operational Analysis James McCabe gave the Public Safety Study for the Police. Methodology used was: data analysis, interviews, focus groups, document review, and operational/administrative observations. Recommendations followed three areas: strategic management & planning, operations, and administration.

Crime rates within the nine largest cities in Nebraska were presented. Grand Island had the highest rate of property rate crime. Mentioned was the Police Department was highly professional and a well-managed police agency. There were no serious deficits in the department.

Police strategies mentioned were: traditional 911 responses to CFS and criminal investigations, community policing, zero-tolerance, COMPSTAT, intelligence-led policing, problem-solving, and D.D.A.C.T.S.

Mr. McCabe stated the Grand Island Police Department should be focused on the following: crime reduction, holding offenders accountable, fear of crime, public centered crime defense, traffic safety, and providing emergency services.

The following recommendations were presented:

- Empanel a Committee to Examine CFS Demand
- Create a third shift of officers – 10 additional officers
- Special Operations Sergeant – designate one sergeant on each shift to be the Special Operations Sgt. to coordinate crime strategies on that shift
- Community Services Officers – staff each shift with CSO to enforce code violation linked to crime strategies
- Crime Prevention – create the capacity to vigorously engage in crime prevention activities
- Case Management – more rigorous case management system, track caseloads

- Crime Clearances – track individual and overall clearance rates of both assigned investigations and recorded crimes
- Staffing – administrative support and crime analyst
- Realign Divisions
- Report Writing
- Leadership Development
- Staffing – training, crime intelligence, and community relations

Police Chief Steve Lamken commented on the CSO's duties. Currently all CSO positions were part-time. ICMA recommended 6 full-time CSO. Comments were made concerning the elimination of the motorcycle unit and what affect it had on traffic control. Ms. Brown commented that traffic issues were being looked at with several departments within the City. School Resource Officers where mentioned as an important asset.

Councilmember Niemann was absent at 12:30 p.m.

Chief Lamken commented that this was a huge project and the department needed to implement a plan and bring it to council.

Mayor Vavricek stated the complete study would be available at the Public Library.

ADJOURNMENT: The meeting was adjourned at 12:35 p.m.

RaNae Edwards  
City Clerk



# **City of Grand Island**

**Tuesday, May 8, 2012**

**Council Session**

## **Item G3**

### **Approving Minutes of May 1, 2012 City Council Study Session**

**Staff Contact: RaNae Edwards**



CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

May 1, 2012

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 May 1, 2012. Notice of the meeting was given in the *Grand Island Independent* on April 25, 2012.

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

INVOCATION was given by CYC Student McKenzie Reed followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council members Josh Sugita and McKenzie Reed.

SPECIAL ITEMS:

Presentation of LB 840 Plan. Ann Martin, Chair of the Economic Development Board commented about the success of the current LB 840 Plan. Ms. Martin stated the sole purpose of GIAEDC was the creation, retention and expansion of jobs in Grand Island. GIAEDC recruits new qualified businesses and creates jobs, helps local businesses expand, train and invest in the community, promotes a well-trained workforce, cooperates with other growth oriented organizations, lobbies for pro-business legislation, works with community organizations to improve our quality of life, and creates economic development incentives with LB840.

In 2003 voters voted to leverage existing resources for the purpose of retaining and creating jobs of Grand Island and became a leader in the economic development area. LB 840 was a community tool that encouraged permanent investment and created quality job growth.

From October 2003 to May 1, 2012 a total of 19 projects with a \$3,298,500 in investment had taken place. Over 1,188 direct jobs were created with an estimated annual payroll of \$36,000,000. An additional 2,100 jobs were created indirectly. Over the last 8 years, 3,300 total jobs were created in Grand Island.

GIAEDC had helped with other project such as the Air National Guard, instrumental in passing the 1/2 Cent Sales Tax, Nebraska State Fair, and Husker Harvest Days.

GIAEDC were asking the City Council to renew LB 840 for another ten years at the 2003 funding level of \$750,000 per year. They recommended implementing greater measures of accountability to taxpayers, improve applicant and financial requirements, and to continue to create jobs and growth in Grand Island.

President of GIAEDC Marlan Ferguson, 2808 Apache Road recognized the past and current board members.

Gloria Thesenvitz representing Nova Tech spoke in support of the LB 840 program.

City Administrator Mary Lou Brown answered questions concerning the four quarterly payments for administrative/promotion funds to GIAEDC. Mr. Ferguson clarified that businesses must be located within the territorial boundaries of the City. If those businesses were located within a County Industrial Tract they must be willing to request annexation to be eligible. Exceptions to this would be brought before the City Council before the GIAEDC approval process.

Discussion was held concerning the limit for any one project. Mr. Ferguson stated there was no limit per project. GIAEC received \$750,000 each year from the General Fund, Sales Tax, Property Tax, Utility Funds, grants, and/or donations. The law allowed 1<sup>st</sup> Class cities up to \$2 million for the LB 840 program.

Comments were made concerning the 3% the City would keep regarding administering the program. Ms. Brown stated that amount was not changed. Suggestion was made by Council to increase the amount of funds available for any project in excess of \$50,000 to be disbursed to the applicant in a defined schedule be increased to \$100,000 to \$150,000.

Discussion was held regarding the \$350,000 per year for the EDC promotion, advertisement, etc. K.C. Hehnke, 8406 110th Road commented on the \$350,000 EDC received. Currently this was used for interest expenses on the CAAP and Platte Valley land.

Request was made by Council to include in Section IX Paragraph A-1 that a Councilmember be included on the Citizen Advisory Review Committee. Discussion was had concerning the EDC audit, and funds from grants and utilities. City Attorney Robert Sivick stated the amount of funds from the Utilities Department was stated in Statute. Utilities Director Tim Luchsinger made further comments regarding the Utilities funds.

Mr. Ferguson stated the GIAEC recommended moving forward with the LB 840 Program on the November 2012 General Election.

Presentation of Renewable Portfolio Goal. Utilities Director Tim Luchsinger reported that the Utilities Department had made efforts to be involved in developing technologies regarding renewable energy. Presently, the most cost effective form of renewable energy in this area was wind energy.

Currently there was no existing State Renewable Energy standard. OPPD and NPPD had internal goals of 10% renewable energy by 2020. Lincoln Electric System had goals to reduce demand

and CO2 emissions. Mr. Luchsinger stated wind was a higher cost and tax credits were not applicable to public power.

The following Grand Island Wind Participation was presented:

- Ainsworth – 1 megawatt (MW)
- Elkhorn Ridge – 1 MW
- Laredo Ridge – 1 MW
- Broken Bow – 1 MW (planned for late 2012)
- Springview 2 – minimal output – access to data

Output of wind generators relied on the wind speed. Wind accounted for 1.4% of total energy in 2011. Average power cost equaled \$34/megawatt-hour, average wind cost equaled \$58/megawatt-hour. Average monthly household cost for wind = \$0.55.

Discussion was held regarding the increase in electrical rates. Mr. Luchsinger stated natural gas prices right now were as low as they had been in the last 15 to 20 years. Comments were made by Councilmembers concerning a goal for renewable energy of 10% by 2020 being too aggressive.

Mr. Luchsinger answered questions regarding EPA emission compliance and capacity at our current facilities. Comments were made regarding the City of Grand Island being self-sustaining and what the next big step would be to keep it that way.

ADJOURNMENT: The meeting was adjourned at 9:25 p.m.

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item G4

### **Approving Re-Appointments of Julie Connelly, Scott Eriksen, and Karen Bredthauer to the Interjurisdictional Planning Commission**

*The Mayor has submitted the re-appointments of Julie Connelly, Scott Eriksen, and Karen Bredthauer to the Interjurisdictional Planning Commission. These appointments would become effective May 23, 2012 upon approval by the City Council and would expire on May 24, 2013.*

Staff Contact: Mayor Jay Vavricek



# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item G5

### **Approving Appointments of James Goodman and Bennett Chamness to the Business Improvement District #4 Board**

*The Mayor has submitted the appointments of James Goodman to replace Bill Martin and Bennett Chamness to replace Byron Wheeler to the Business Improvement District #4 Board. This appointment would become effective immediately upon approval by the City Council and would expire on September 30, 2012.*

Staff Contact: Mayor Jay Vavricek



# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item G6

### **Approving Appointment of Norm Saale to the Business Improvement District #7 Board**

*The Mayor has submitted the appointment of Norm Saale to replace Dave Bartz to the Business Improvement District #7 Board. This appointment would become effective immediately upon approval by the City Council and would expire on September 30, 2013.*

Staff Contact: Mayor Jay Vavricek



# **City of Grand Island**

**Tuesday, May 8, 2012**

**Council Session**

## **Item G7**

**Approving Request from Roy Ussary, 836 Sagewood Avenue for  
Liquor Manager Designation for Olive Garden #4416, 1010 Allen  
Drive**

**Staff Contact: RaNae Edwards**

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** May 8, 2012

**Subject:** Request from Roy Ussary, 836 Sagewood Avenue, for Liquor Manager Designation for Olive Garden #4416, 1010 Allen Drive

**Item #'s:** G-7

**Presenter(s):** RaNae Edwards, City Clerk

## **Background**

Roy Ussary, 836 Sagewood Avenue has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "I-96971" Liquor License for Olive Garden #4416, 1010 Allen Drive.

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

## **Discussion**

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

## **Alternatives**

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

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



## **Recommendation**

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

## **Sample Motion**

Move to approve the request from Roy Ussary, 836 Sagewood Avenue for Liquor Manager Designation in conjunction with the Class "I-96971" Liquor License for Olive Garden #4416, 1010 Allen Drive with the stipulation that Mr. Ussary complete a state approved alcohol server/seller training program.

04/30/12

Grand Island Police Department

450

13:54

LAW INCIDENT TABLE

Page: 1

City : Grand Island

Occurred after : 16:44:03 04/18/2012

Occurred before : 16:44:03 04/18/2012

When reported : 16:44:03 04/18/2012

Date disposition declared : 04/18/2012

Incident number : L12042433

Primary incident number :

Incident nature : Liquor Lic Inv    Liquor License  
Investigation

Incident address : 1010 Allen Dr

State abbreviation : NE

ZIP Code : 68803

Contact or caller :

Complainant name number :

Area location code : PCID    Police - CID

Received by : Vitera D

How received : P In Person

Agency code : GIPD Grand Island Police Department

Responsible officer : Vitera D

Offense as Taken :

Offense as Observed :

Disposition : ACT Active

Misc. number :

Geobase address ID : 475

Long-term call ID :  
Clearance Code : 0 Open Case  
Judicial Status : NCI Non-criminal Incident

= = = = =

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	175429	04/25/12	Ussary, Toni A	Roy's Wife
NM	172165	04/20/12	Olive Garden, Involved	Business
NM	175352	04/20/12	Ussary, Roy B	Liquor Manager

LAW INCIDENT CIRCUMSTANCES:

Se Circu	Circumstance code	Miscellaneous
1	LT21	Restaurant

LAW INCIDENT NARRATIVE:

I Received a Copy of Liquor Manager Application from Roy Ussary for The Olive Garden.

LAW INCIDENT OFFENSES DETAIL:

Se Offe	Offense code	Arson Dama
1	AOFF	Alcohol Offense
		0.00

LAW INCIDENT RESPONDERS DETAIL:

Se Responding	offi	Unit	n	Unit number
1	Vitera	D	318	Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	09:46:17 04/25/2012

318

Grand Island Police Department

Supplemental Report

Date, Time: Wed Apr 25 09:46:29 CDT 2012

Reporting Officer: Vitera

Unit- CID

In reviewing the application, I found that Roy Ussary is married to Toni Ussary.

Toni signed a Spousal Affidavit of Non Participation form. The couple lived in

Lincoln between 2008-2009. They moved to Grand Island in March of this year.

Otherwise, Roy has lived in Missouri the rest of his life.

The part of the application that asks if anyone who is a party to this application or their spouse has ever been convicted of any charge, the Ussary's

checked the "No" box. Roy and Toni did not have a Spillman entry, and their

only entry in NCJIS is for a driver's license. I checked a law enforcement-only

Internet database which supplies personal, business and civil information on

people and didn't find anything of interest. I also checked Roy and Toni for a

face book page. I could not find any "Ussary's", only "Ussery's." I checked

Roy and Toni through NCIC and found that neither one of them had any outstanding warrants.

On 4/25/12, I contacted three law enforcement agencies in Missouri where Roy

said he had lived. I contacted Savannah, Missouri and was told they would call

me back. Roy listed on his application that he lived in Savannah from 1985

until 2006. I also contacted the Springfield, Missouri Police Department and

the Cape Girardeau, Missouri Police Department. They each asked that I fax them

a request for a records check which I did right after the request. Roy said he

had lived in Springfield from 2006 until 2009 and then in Cape Girardeau from 2009 until 2012.

I received a fax from Springfield and Cape Girardeau. Each agency advised that

they don't have any documented contacts with Roy or Toni. On 4/26/12, I placed

a second call to the Savannah Police Department and requested documented

contacts with the Ussary's. I was told an officer will call me back sometime this evening.

Later in the day, I received a call from an officer who said that they had no record of the Ussary's.

The Grand Island Police Department has no objection to Roy Ussary becoming the

liquor manager at The Olive Garden.



# **City of Grand Island**

**Tuesday, May 8, 2012**

**Council Session**

## **Item G8**

**Approving Request from Scott Klone, 1404 East 57th Street Place,  
Kearney, NE for Liquor Manager Designation for Buffalo Wild  
Wings Grill & Bar #313, 809 Allen Drive**

**Staff Contact: RaNae Edwards**

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** May 8, 2012

**Subject:** Request from Scott Klone, 1404 East 57<sup>th</sup> Street Place, Kearney, Nebraska for Liquor Manager Designation for Buffalo Wild Wings Grill & Bar, 809 Allen Drive

**Item #'s:** G-8

**Presenter(s):** RaNae Edwards, City Clerk

## **Background**

Scott Klone, 1404 East 57<sup>th</sup> Street Place, Kearney, Nebraska has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "I-92285" Liquor License for Buffalo Wild Wings Grill & Bar, 809 Allen Drive.

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

## **Discussion**

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

## **Alternatives**

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

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

## **Recommendation**

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

## **Sample Motion**

Move to approve the request from Scott Klone, 1404 East 57<sup>th</sup> Street Place, Kearney, Nebraska for Liquor Manager Designation in conjunction with the Class "I-92285" Liquor License for Buffalo Wild Wings Grill & Bar, 809 Allen Drive with the stipulation that Mr. Klone complete a state approved alcohol server/seller training program.



04/20/12

Grand Island Police Department

450

12:10

LAW INCIDENT TABLE

Page: 1

City : Grand Island

Occurred after : 16:40:06 04/18/2012

Occurred before : 16:40:06 04/18/2012

When reported : 16:40:06 04/18/2012

Date disposition declared : 04/18/2012

Incident number : L12042431

Primary incident number :

Incident nature : Liquor Lic Inv Liquor License  
Investigation

Incident address : 809 Allen Dr

State abbreviation : NE

ZIP Code : 68803

Contact or caller :

Complainant name number :

Area location code : PCID Police - CID

Received by : Vitera D

How received : P In Person

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 : 32512

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	161879	04/19/12	Buffalo Wild Wings Grill & Bar	Business Involved
NM	175329	04/19/12	Klone, Scott	Liquor Manager

LAW INCIDENT CIRCUMSTANCES:

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

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor Manager Application from Scott Klone for Buffalo Wild Wings.

LAW INCIDENT OFFENSES DETAIL:

Se	Offe	Offense code	Arson Dama
-- -----			
1	AOFF	Alcohol Offense	0.00

LAW INCIDENT RESPONDERS DETAIL:

Se	Responding offi	Unit n	Unit number
-- -----			
1	Vitera D	318	Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	14:40:47 04/19/2012

318

# Grand Island Police Department

## Supplemental Report

Date, Time: Thu Apr 19 14:41:04 CDT 2012

Reporting Officer: Vitera

Unit- CID

I reviewed the application and found that Scott Klone was born in Kearney, NE.

Between the ages of 20 and 27, he lived in Omaha and Kearney. From 2007 until

2012, Scott lived in Manhattan, KS. He is not married, and he did not disclose any convictions.

I checked Scott through Spillman and did not find an entry. I also checked NCIC

for warrants. He has no warrants for his arrest, and he has a valid driver's

license. I ran him through NCJIS and found that he has five traffic convictions

between 2000 and 2003. The convictions are for speeding, seatbelt violations, and a traffic signal violation.

On the liquor manager application, it clearly asks "Has anyone who is a party to

this application, or their spouse, ever been convicted of or plead guilty to any

charge. Charge means any charge alleging a felony, misdemeanor, violation of a

federal or state law, a violation of a local law, ordinance or resolution." It

further asks that the applicant, "List the nature of the charge, where the

charge occurred and the year and the month of the conviction or plea. Also list

any charges pending at the time of this application. If more than one party,

please list charges by each individual's name."

Scott's failure to disclose his traffic convictions technically makes the application false according to the Nebraska Liquor Control Act (Part II Chapter

2 Section 010.01) which states:

"No applicant for a liquor license, or partner, principal, agent or employee of any applicant for a liquor license shall provide false or

misleading information to the Nebraska Liquor Control Commission, its

executive director, or employees. Any violation of this provision may

result in denial of application for a liquor license or, in the event that

a license has already been issued, suspension, cancellation or revocation

of such license."

The undisclosed convictions would fall under state law or local ordinance.

Either way, the convictions are either an infraction or a misdemeanor that do

not rise to the level of a Class I Misdemeanor in a specified crime under

Nebraska State Statute Chapter 28 that would automatically nullify the

application.

I also checked Scott through a law enforcement only data base that includes

personal, business, and other civil information. Nothing out of the ordinary was discovered.

Assuming Scott doesn't have any criminal history in Kansas or anywhere else in

the U.S. for that matter, the GIPD has no objection to him becoming the liquor

manager at Buffalo Wild Wings.



# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item G9

**#2012-115 - Approving Bid Award - Water Main Project 2011-W-4  
- Water Main Extension to Merrick County**

Staff Contact: Tim Luchsinger

# **Council Agenda Memo**

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

**Meeting:** May 8, 2012

**Subject:** Approving Bid Award - Water Main Project 2011-W-4  
Water Main Extension to Merrick

**Item #'s:** G-9

**Presenter(s):** Timothy Luchsinger, Utilities Director

## **Background**

In November of 2011, the City entered into an Interlocal Agreement with the Union Pacific Railroad (UPRR) to extend City water service easterly one mile into Merrick County. The project is part of a remediation action to replace the private wells in the area that have been contaminated with tetrachloroethylene, a commonly used degreaser and dry cleaning fluid. Upon completion of the project, 163 properties will receive domestic and fire protection. In accordance with the agreement authorized by the Council, the UPRR will reimburse the City for the engineering, material, and construction costs associated with that extension.

## **Discussion**

The Utilities Department has worked with the project's design firm, Olsson Associates, and prepared contract documents and plans for the related construction. In accordance with City Procurement Codes, the project was advertised and bids publicly opened at 2:00 p.m. on April 26, 2012. There were 19 potential bidders with four firms submitting pricing. The contract provided a base bid with a November 30, 2012 completion date. As an alternate, the contractor could specify an alternate completion date with a bid amount associated with that schedule. Two firms provided both Base and Alternate bids. One firm only bid the Base, and one firm only bid the Alternate. No exceptions were noted on any of the bids. All bids are complete. The tabulations are below.

<b>Bidder:</b>	Van Kirk Brothers Contracting Sutton, Nebraska	Judds Brothers Const. Co. Lincoln, Nebraska
Bid Security:	Universal Surety Company	International Fidelity Ins. Co.
Base Bid Price:	\$4,109,998.35	No Bid
Base Completion:	November 30, 2012	No Date
Alternate Price:	\$3,978,831.25	\$5,088,926.00
Alt. Completion:	June 1, 2013	May 15, 2013
<b>Bidder:</b>	Diamond Engineering Company Grand Island, Nebraska	General Excavating Lincoln, Nebraska
Bid Security:	Universal Surety Company	Universal Surety Company
Base Completion:	November 30, 2012	November 30, 2012
Alternate Price:	\$3,914,186.25	No Bid
Alt. Completion:	May 1, 2013	No Date

Follow-up conversations were conducted with Van Kirk Brothers Contracting and with the Diamond Engineering Company. Both were comfortable with their bids and the completion dates. The Department has worked with both firms and both are very capable of completing the project as specified. Olsson Associates has reviewed the bids. Their recommendation is as follows:

Base Bid – Van Kirk Brothers Contracting for \$4,109,998.35, completion date of November 30, 2012.

Alternate Bid – Diamond Engineering for \$3,914,186.25, completion date of May 1, 2013.

Both the low base bid and low alternate bid were below the project estimate of \$4,311,256.40.

As provided in the Interlocal Agreement, the City shall select a contractor, subject to the approval of the UPRR for the project to continue. Due to UPRR's desire to provide a safe water supply to area residences as quickly as possible, they have authorized the City to proceed with awarding the contract at the base bid amount and the November 30, 2012 completion date.

### **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 bid for the construction of Water Main Project 2011-W-4, to Van Kirk Brothers Contracting of Sutton, Nebraska, in the Base Bid amount of \$4,109,998.35 with a final completion date of November 30, 2012.

## **Sample Motion**

Move to approve the bid for Water Main Project 2011-W-4 to Van Kirk Brothers Contracting of Sutton, Nebraska in the amount of \$4,109,998.35.



Jason Eley, Purchasing Agent

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** April 26, 2012 at 2:00 p.m.  
**FOR:** Water Main Project 2011-W-4  
**DEPARTMENT:** Utilities  
**ESTIMATE:** \$4,311,256.40  
**FUND/ACCOUNT:** 525  
**PUBLICATION DATE:** April 12, 2012  
**NO. POTENTIAL BIDDERS:** 19

**SUMMARY**

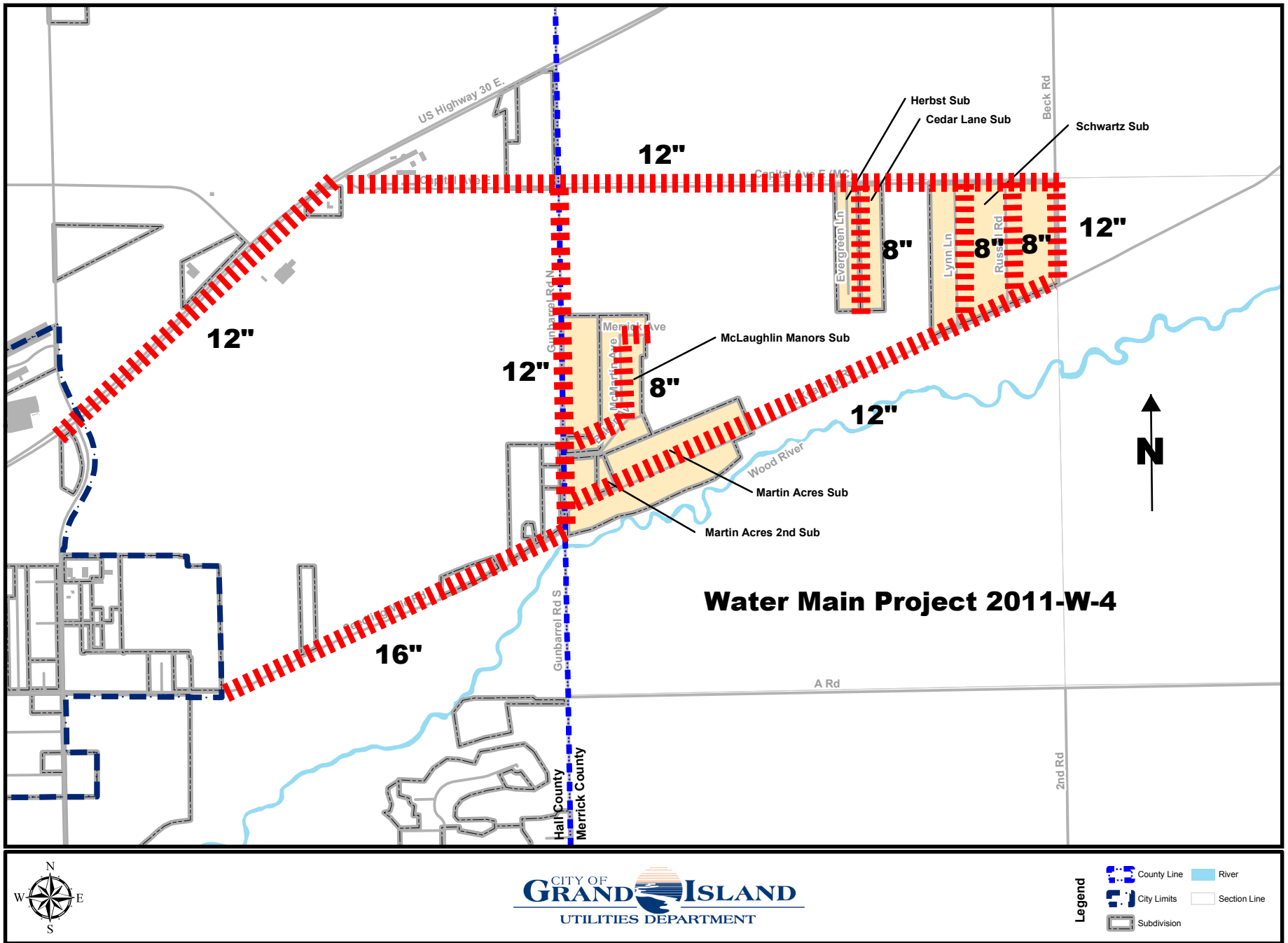
<b>Bidder:</b>	<b><u>Van Kirk Bros. Contracting</u></b> Sutton, NE	<b><u>Judds Bros. Construction Co.</u></b> Lincoln, NE
<b>Bid Security:</b>	Universal Surety Co.	International Fidelity Ins. Co.
<b>Bid Price:</b>	\$4,109,998.35	No Bid
<b>Alternate Price:</b>	\$3,978,831.25	\$5,088,926.00
<b>Completion Date:</b>	June 1, 2013	May 15, 2013

<b>Bidder:</b>	<b><u>The Diamond Engineering Co.</u></b> Grand Island, NE	<b><u>General Excavating</u></b> Lincoln, NE
<b>Bid Security:</b>	Universal Surety Co.	Universal Surety Co.
<b>Bid Price:</b>	\$4,254,175.45	\$4,867,586.12
<b>Alternate Price:</b>	\$3,914,186.25	No Bid
<b>Completion Date:</b>	May 1, 2013	No Date

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, Eng. Manager

**P1555**



RESOLUTION 2012-115

WHEREAS, the City of Grand Island invited sealed bids for the Water Main Extension to Merrick County (Water Main Project 2011-W-4), according to plans and specifications on file with the Utilities Department; and

WHEREAS, on April 26, 2012, bids were received, opened and reviewed; and

WHEREAS, Van Kirk Brothers Contracting of Sutton, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$4,109,998.35; and

WHEREAS, the bid of Van Kirk Brothers Contracting is less than the estimate for the Water Main Extension to Merrick County (Water Main Project 2011-W-4).

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Van Kirk Brothers, in the amount of \$4,109,998.35 for the Water Main Extension to Merrick County (Water Main Project 2011-W-4) is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 8, 2012.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	▣ _____
May 4, 2012	▣ City Attorney



# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item G10

**#2012-116 - Approving Bid Award for One (1) Tandem Axle Chassis, 10 Cubic Yard Dump Truck for the Streets Division**

Staff Contact: John Collins, Public Works Director

# **Council Agenda Memo**

**From:** Shannon Callahan, Street Superintendent

**Meeting:** May 8, 2012

**Subject:** Approving Bid Award for One (1) Tandem Axle Chassis, 10 Cubic Yard Dump Truck for the Streets Division

**Item #'s:** G-10

**Presenter(s):** John Collins, P.E., Public Works Director

## **Background**

On March 10, 2012 the Streets Division of the Public Works Department advertised a request for bids for a 2013 Model, 10 cubic yard dump truck. Funds for the 10 cubic yard dump truck are in the approved 2011/2012 budget.

## **Discussion**

Five (5) Bids were received and opened on March 27, 2012. The Streets Division of the Public Works Department and the Purchasing Division reviewed the bids that were received and four of the five met specifications (listed below).

This 10 cubic yard dump truck is a multi-purpose piece of equipment and is heavily utilized to: haul dirt, gravel, millings, and concrete; transport cold-mix asphalt from suppliers (100+ miles from Grand Island); and remove snow.

<b>Bidder</b>	<b>Base Price</b>	<b>Trade-In</b>	<b>Net Cost</b>
Hansen International Truck, Inc. of Grand Island, NE	\$99,572	\$16,000	\$83,572
Nebraska Truck Center, Inc. of Grand Island, NE	\$98,251	\$10,000	\$88,251
Nebraska Peterbilt of Grand Island, NE	\$102,555	\$12,000	\$90,555
NMC of Lincoln, NE	\$136,460	\$10,000	\$126,460

Public Works Department staff is recommending the purchase of the 10 cubic yard dump truck from Hansen International Truck, Inc. of Grand Island, NE.

## **Alternatives**

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

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

## **Recommendation**

City Administration recommends that the Council approve the purchase of the 2013 Model Tandem Axle Chassis, 10 Cubic Yard Dump Truck from Hansen International Inc. of Grand Island, NE for the net amount of \$83,572.

## **Sample Motion**

Move to approve the purchase of the 2013 Model Tandem Axle Chassis, 10 Cubic Yard Dump Truck from Hansen International Truck, Inc. of Grand Island, NE for the net amount of \$83,572.



Jason Eley, Purchasing Agent

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** March 27, 2012 at 2:00 p.m.

**FOR:** (1) Tandem Axle Chassis, Minimum 47,000  
Pound GVWR with Dump Body

**DEPARTMENT:** Public Works

**ESTIMATE:** \$91,600.00

**FUND/ACCOUNT:** 10033501-85625

**PUBLICATION DATE:** March 10, 2012

**NO. POTENTIAL BIDDERS:** 6

**SUMMARY**

<b>Bidder:</b>	<u>NMC</u>	<u>Nebraska Truck Center, Inc.</u>		
	Lincoln, NE	Grand Island, NE		
<b>Bid Bond:</b>	Travelers Casualty & Surety Co.	Universal Surety Co.		
<b>Exceptions:</b>	None	Noted		
		<b>Henderson</b>	<b>Galion</b>	<b>Crysteel</b>
<b>Base Bid Price:</b>	\$136,460.00	\$98,251.00	\$98,835.00	\$98,977.00
<b>Trade-In:</b>	\$ 10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
<b>Warranty:</b>	---	---	---	---
<b>Total Bid:</b>	\$126,460.00	\$88,251.00	\$88,835.00	\$88,977.00
<b>Delivery Date:</b>	150 Days	150 Days	150 Days	150 Days
<b>Bidder:</b>	<u>Nebraska Peterbilt</u>	<u>Hansen International Truck, Inc.</u>		
	Grand Island, NE	Grand Island, NE		
<b>Bid Bond:</b>	\$4,527.75	\$4,200.00		
<b>Exceptions:</b>	Noted	Noted		
		<b>Henderson</b>	<b>Galion</b>	<b>Crysteel</b>
<b>Base Bid Price:</b>	\$102,555.00	\$103,139.00	\$103,281.00	\$93,972.00
<b>Trade-In:</b>	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	\$16,000.00
<b>Warranty:</b>	---	---	---	---
<b>Total Bid:</b>	\$90,555.00	\$ 91,139.00	91,281.00	\$77,972.00
<b>Delivery Date:</b>	60 - 90 Days	60 - 90 Days	60 - 90 Days	90 - 120 Days
<b>Bidder:</b>	<u>Hansen International Truck, Inc.</u>			



	<b>Grand Island, NE</b>		
<b>Bid Bond:</b>	<b>\$4,200.00</b>		
<b>Exceptions:</b>	<b>None</b>		
	<b>Henderson</b>	<b>Galion</b>	<b>Select Dump</b>
<b>Base Bid Price:</b>	<b>99,572.00</b>	<b>\$100,156.00</b>	<b>\$100,298.00</b>
<b>Trade-In:</b>	<b>16,000.00</b>	<b>\$ 16,000.00</b>	<b>\$ 16,000.00</b>
<b>Warranty:</b>	<b>---</b>	<b>---</b>	<b>---</b>
<b>Total Bid:</b>	<b>\$83,572.00</b>	<b>\$84,156.00</b>	<b>\$84,298.00</b>
<b>Delivery Date:</b>	<b>90 -120 Days</b>	<b>90 – 120 Days</b>	<b>90 – 120 Days</b>

cc: John Collins, Public Works Director  
Jason Eley, Purchasing Agent  
Mary Lou Brown, City Administrator

Catrina DeLosh, PW Admin. Assist.  
Shannon Callahan, Street Superintendent

**P1546**

RESOLUTION 2012-116

WHEREAS, the City of Grand Island invited sealed bids for one (1) Tandem Axle Chassis, 10 Cubic Yard Dump Truck for the Streets Division of the Public Works Department, according to specifications on file with the Public Works Department; and

WHEREAS, on March 27, 2012 bids were received, opened and reviewed; and

WHEREAS, Hansen International Truck, Inc. of Grand Island, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and specifications and all other statutory requirements contained therein, such bid being in the amount of \$83,572.00; and

WHEREAS, Hansen International Truck's bid is fair and reasonable for such item.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Hansen International Truck, Inc. of Grand Island, Nebraska in the amount of \$83,572.00 for one (1) Tandem Axle Chassis, 10 Cubic Yard Dump Truck is hereby approved as the lowest responsive and responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 8, 2012.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	▣ _____
May 4, 2012	▣ City Attorney



# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item G11

**#2012-117 - Approving Bid Award for the 2012 Asphalt Resurfacing Project No. 2012-AC-1**

Staff Contact: John Collins, Public Works Director

# **Council Agenda Memo**

**From:** Terry Brown, Manager of Engineering Services

**Meeting:** May 8, 2012

**Subject:** Approving Bid Award for the 2012 Asphalt Resurfacing Project Number 2012-AC-1

**Item #'s:** G-11

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

## **Background**

On April 4, 2012 the Engineering Division of the Public Works Department advertised for bids for the 2012 Asphalt Resurfacing Project Number 2012-AC-1. There were 4 potential bidders for the project. This year's work involves asphalt resurfacing on the following City streets.

**Section #1.** Eddy Street; 4<sup>th</sup> Street to 10<sup>th</sup> Street

**Section #2.** West 2<sup>nd</sup> Street (US Highway 30); Webb Road to Ada Street

**Section #3.** Johnstown Road; Old Highway 30 to US Highway 30

## **Discussion**

Two (2) bids were received and opened on April 19, 2012. The bids were submitted in compliance with the contract, plans, and specifications. A summary of the bids is shown below.

<i><b>Bidder</b></i>	<i><b>Exceptions</b></i>	<i><b>Total Bid</b></i>
Gary Smith Construction Co., Inc. of Grand Island, NE	None	\$309,967.70
J.I.L. Asphalt Paving Co. of Grand Island, NE	Noted	\$315,669.68

Total bid totals were significantly lower than the engineer's estimate for the following reasons.

- Recent, large increases in asphaltic material costs were anticipated in the engineer's estimate. A local supplier of performance graded binder indicated that material costs would be 135% over last year's costs. Costs recently dropped, and the bidding contractor was able to secure prices that compare to 109% of last year's unit price (\$38,460 difference)
- It was anticipated that the bid unit price for asphaltic concrete would be 136% of last year's unit price due to anticipated aggregate cost increases, and the phasing and thinner lift requirements specified in the special provisions. The contractor's bid price compares to 93% of last year's unit price (\$38,631)
- It was anticipated that the bid unit price for milling would be 152% of last year's unit price due to less total quantity of work, phasing requirements, and less hauling performed by Street Division forces. The contractor's bid prices compare to 48% and 64% of last year's unit price (\$35,105)
- The contractor's bid unit price for Asphaltic Concrete for Patching to be performed on Johnstown Road was 41% of the engineer's estimate (\$10,740)

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

### **Alternatives**

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

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

### **Recommendation**

City Administration recommends that the Council approve awarding a contract to Gary Smith Construction Co., Inc of Grand Island, Nebraska in the amount of \$309,967.70 as the low compliant bid that meets specifications.

### **Sample Motion**

Move to approve the bid award.



Jason Eley, Purchasing Agent

*Working Together for a  
Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** April 19, 2012 at 2:15 p.m.  
**FOR:** Asphalt Maintenance Project 2012-AC-1  
**DEPARTMENT:** Public Works  
**ESTIMATE:** \$450,899.00  
**FUND/ACCOUNT:** 10033506-85354  
**PUBLICATION DATE:** April 4, 2012  
**NO. POTENTIAL BIDDERS:** 4

**SUMMARY**

<b>Bidder:</b>	<b><u>JIL Asphalt Paving</u></b>	<b><u>Gary Smith Construction</u></b>
	Grand Island, NE	Grand Island, NE
<b>Bid Security:</b>	Inland Ins. Co.	Inland Ins. Co.
<b>Exceptions:</b>	None	None
<b>Bid Price:</b>		
<b>Section #1:</b>	\$133,885.50	\$133,539.50
<b>Section #2:</b>	\$119,062.36	\$114,247.40
<b>Section #3:</b>	\$ 48,979.32	\$ 46,928.30
<b>Section #4:</b>	<u>\$ 13,742.50</u>	<u>\$ 15,252.50</u>
<b>Total:</b>	\$315,669.68	\$309,967.70

cc: John Collins, Public Works Director  
Jason Eley, Purchasing Agent  
Mary Lou Brown, City Administrator

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

**P1554**

# **CONTRACT AGREEMENT**

## **CONTRACT AGREEMENT**

THIS AGREEMENT made and entered into this **8<sup>TH</sup>** day of **May, 2012**, by and between **GARY SMITH CONSTRUCTION CO. INC.**, hereinafter called the Contractor, and the City of Grand Island, Nebraska, hereinafter called the City.

WITNESSETH:

THAT, WHEREAS, in accordance with law, the City has caused contract documents to be prepared and an advertisement calling for bids to be published, for construction of **Asphalt Maintenance Project 2012-AC-1**; and

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

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

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

ARTICLE II. That the City shall pay to the contractor for the performance of the work embraced in this contract and the contractor will accept as full compensation therefore the sum (subject to adjustment as provided by the contract) of **THREE HUNDRED NINE THOUSAND NINE HUNDRED SIXTY SEVEN AND 70/100 Dollars (\$309,967.70)** for all services, materials, and work covered by and included in the contract award and designated in the foregoing Article I; payments thereof to be made in cash or its equivalent in the manner provided in the General Specifications.

ARTICLE III. The contractor hereby agrees to act as agent for the City in purchasing materials and supplies for the City for incorporation into the work of this project. The City shall be obligated to the vendor of the materials and supplies for the purchase price, but the contractor shall handle all payments hereunder on behalf of the City. The vendor shall make demand or claim for payment of the purchase price from the City by submitting an invoice to the contractor. Title to all materials and supplies purchased hereunder shall vest in the City directly from the vendor. Regardless of the method of payment, title shall vest immediately in the City. The contractor shall not acquire title to any materials and supplies incorporated into the project. All invoices shall bear the contractor's name as agent for the City. This paragraph will apply only to these materials and supplies actually incorporated into and becoming a part of the finished product of **Asphalt Maintenance Project 2012-AC-1**.

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CONTRACT AGREEMENT (Continued)



ARTICLE IV. No work shall occur on Section #1 during the Nebraska State Fair, August 26 through September 5, 2012. All sections shall be completed before September 30, 2012.

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

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

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

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

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

CA - 2

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

**GARY SMITH CONSTRUCTION CO., INC.**

By \_\_\_\_\_

Date \_\_\_\_\_

Title \_\_\_\_\_

**CITY OF GRAND ISLAND, NEBRASKA,**

By \_\_\_\_\_  
Mayor

Date \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk

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

\_\_\_\_\_  
Attorney for the City

Date \_\_\_\_\_

CA - 3

**APPENDIX A – TITLE VI NON-DISCRIMINATION -**

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

- (1) **Compliance with Regulations:** The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin, sex, age, and disability/handicap in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR, section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin, sex, age, and disability/handicap.
- (4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City of Grand Island or the FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the City of Grand Island, or the FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the City of Grand Island shall impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
  - (a.) withholding of payments to the contractor under the contract until the contractor complies, and/or
  - (b.) cancellation, termination or suspension of the contract, in whole or in part.
- (6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

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



RESOLUTION 2012-117

WHEREAS, the City of Grand Island invited sealed bids for Asphalt Resurfacing Project Number 2012-AC-1, according to plans and specifications on file with the City Engineer/Public Works Director; and

WHEREAS, on April 19, 2012 bids were received, opened, and reviewed; and

WHEREAS, Gary Smith Construction Co., Inc. of Grand Island, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$309,967.70; and

WHEREAS, Gary Smith Construction Co. Inc.'s bid was below the engineer's estimate for the project: and

WHEREAS, funds are available in the Fiscal Year 2011/2012 budget for this project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Gary Smith Construction Co., Inc. of Grand Island, Nebraska in the amount of \$309,967.70 for Asphalt Maintenance Project 2012-AC-1 is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 8, 2012.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 4, 2012	☐ City Attorney



# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item G12

**#2012-118 - Approving Bid Award for the 2012 Chip Seal Project  
No. 2012-CS-1**

Staff Contact: John Collins, Public Works Director

# **Council Agenda Memo**

**From:** Terry Brown, Manager of Engineering Services

**Meeting:** May 8, 2012

**Subject:** Approving Bid Award for the 2012 Chip Seal Project No. 2012-CS-1

**Item #'s:** G-12

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

## **Background**

All agreements must be approved by the City Council.

Chip seals are constructed by evenly spraying emulsified (liquefied) asphaltic materials onto an existing pavement and then embedding finely graded aggregate (rocks) into it. The aggregate is evenly distributed over the emulsified asphaltic, then rolled into a smooth pavement surface.

A chip seal is a cost effective preventive maintenance strategy. When applied at the right time, a chip seal preserves the pavement from advanced deterioration because it seals small cracks, inhibits water intrusion and provides a new riding surface. Chip seals, along with other preventive maintenance strategies, can extend the performance and life of a pavement, resulting in lower life cycle costs.

Public Works staff attained technical expertise and experience from Nebraska Department of Roads Engineering and Maintenance personnel to develop specifications for chip seals on our urban streets. These specifications require select manufactured aggregates and higher grade emulsified asphalt to assure successful aggregate adhesion and extended performance.

On April 4, 2012 the Engineering Division of the Public Works Department advertised for bids for the 2012 Chip Seal Project No. 2012-CS-1. There were 6 potential bidders for the project. This year's work involves chip sealing on the following City streets.

**Section #1.** 4<sup>th</sup> Street, east of Congdon Avenue to 7<sup>th</sup> Street and Sky Park Road; 7<sup>th</sup> Street to East Capital Avenue

**Section #2.** Broadwell Avenue from the north entrance to the Veteran's Fields Sports Complex north through the intersection of Airport Road

## **Discussion**

One (1) bid was received and opened on April 19, 2012. The bid was submitted in compliance with the contract, plans, and specifications. A summary of the bid is shown below.

<i><b>Bidder</b></i>	<i><b>Exceptions</b></i>	<i><b>Total Bid</b></i>
Sta-bilt Construction Co. of Harlan, IA	None	\$68,015.00

This bid is higher than the engineer's estimate of \$59,505.

- The Contractor's bid for materials (aggregate and emulsified asphalt) compared to 113% of the engineer's estimate. The engineer's estimate for emulsified asphalt was based on February bid prices, but costs have increased due to recent higher crude oil prices.
- The Contractor's bid for temporary traffic control items compared to 129% of the engineer's estimate. Traffic control costs are difficult to estimate for "specialty work" contracts because the contractors who perform this work may have to rent traffic control devices. The bid unit prices for these items are considered reasonable because of the small quantities involved.

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

## **Alternatives**

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

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

## **Recommendation**

City Administration recommends that the Council approve awarding a contract to Sta-bilt Construction Co. of Harlan, Iowa in the amount of \$68,015.00 as the low compliant bid that meets specifications.

## **Sample Motion**

Move to approve the bid award.





Jason Eley, Purchasing Agent

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Better Tomorrow, Today*

**BID OPENING**

**BID OPENING DATE:** April 19, 2012 at 2:00 p.m.  
**FOR:** Chip Seal Project No. 2012-CS-1  
**DEPARTMENT:** Public Works  
**ESTIMATE:** \$59,505.00  
**FUND/ACCOUNT:** 10033506-85354  
**PUBLICATION DATE:** April 4, 2012  
**NO. POTENTIAL BIDDERS:** 6

**SUMMARY**

**Bidder:** Sta-bilt Construction Co.  
Harlan, Iowa  
**Bid Security:** EMC Ins. Co.  
**Exceptions:** None  
**Bid Price:** \$68,015.00

cc: John Collins, Public Works Director  
Jason Eley, Purchasing Agent  
Mary Lou Brown, City Administrator

Catrina DeLosh, PW Admin. Assist.  
Terry Brown, PW Engineering Ser.

**P1553**

# **CONTRACT AGREEMENT**

## **CONTRACT AGREEMENT**

THIS AGREEMENT made and entered into this 8<sup>th</sup> day of **May, 2012**, by and between **STA-BILT CONSTRUCTION CO.**, hereinafter called the Contractor, and the City of Grand Island, Nebraska, hereinafter called the City.

WITNESSETH:

THAT, WHEREAS, in accordance with law, the City has caused contract documents to be prepared and an advertisement calling for bids to be published, for construction of **Chip Seal Project No. 2012-CS-1**; and

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

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

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

ARTICLE II. That the City shall pay to the contractor for the performance of the work embraced in this contract and the contractor will accept as full compensation therefore the sum (subject to adjustment as provided by the contract) of **SIXTY EIGHT THOUSAND FIFTEEN DOLLARS AND 00/100 Dollars (\$68,015.00)** for all services, materials, and work covered by and included in the contract award and designated in the foregoing Article I; payments thereof to be made in cash or its equivalent in the manner provided in the General Specifications.

ARTICLE III. The contractor hereby agrees to act as agent for the City in purchasing materials and supplies for the City for incorporation into the work of this project. The City shall be obligated to the vendor of the materials and supplies for the purchase price, but the contractor shall handle all payments hereunder on behalf of the City. The vendor shall make demand or claim for payment of the purchase price from the City by submitting an invoice to the contractor. Title to all materials and supplies purchased hereunder shall vest in the City directly from the vendor. Regardless of the method of payment, title shall vest immediately in the City. The contractor shall not acquire title to any materials and supplies incorporated into the project. All invoices shall bear the contractor's name as agent for the City. This paragraph will apply only to these materials and supplies actually incorporated into and becoming a part of the finished product of **Chip Seal Project No. 2012-CS-1**.

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CONTRACT AGREEMENT (Continued)

ARTICLE IV. That the contractor shall start work as soon as possible after the contract is signed and the required bond is approved and that the work in this contract shall be completed before **September 30, 2012**.

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

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

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

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

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

CA - 2

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

**STA-BILT CONSTRUCTION CO.**

By \_\_\_\_\_

Date \_\_\_\_\_

Title \_\_\_\_\_

**CITY OF GRAND ISLAND, NEBRASKA,**

By \_\_\_\_\_  
Mayor

Date \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk

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

\_\_\_\_\_  
Attorney for the City

Date \_\_\_\_\_

CA - 3

**APPENDIX A – TITLE VI NON-DISCRIMINATION -**

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

- (1) **Compliance with Regulations:** The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin, sex, age, and disability/handicap in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR, section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin, sex, age, and disability/handicap.
- (4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City of Grand Island or the FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the City of Grand Island, or the FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the City of Grand Island shall impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
  - (a.) withholding of payments to the contractor under the contract until the contractor complies, and/or
  - (b.) cancellation, termination or suspension of the contract, in whole or in part.
- (6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

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



RESOLUTION 2012-118

WHEREAS, the City of Grand Island invited sealed bids for Chip Seal Project No. 2012-CS-1, according to plans and specifications on file with the City Engineer/Public Works Director; and

WHEREAS, on April 19, 2012 bids were received, opened, and reviewed; and

WHEREAS, Sta-bilt Construction Co., of Harlan, Iowa submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$68,015.00; and

WHEREAS, Sta-bilt Construction Co.'s bid was below the engineer's estimate for the project: and

WHEREAS, funds are available in the Fiscal Year 2011/2012 budget for this project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Sta-bilt Construction Co., of Harlan, Iowa in the amount of \$68,015.00 for Chip Seal Project 2012-CS-1 is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 8, 2012.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 4, 2012	☐ City Attorney





# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item G13

**#2012-119 - Approving Certificate of Final Completion for  
Sanitary Sewer Manhole Rehabilitation Project 2011-MH REHAB-  
1**

Staff Contact: John Collins, Public Works Director

# **Council Agenda Memo**

**From:** Fred Tustin, Wastewater Collections System Supervisor

**Meeting:** May 8, 2012

**Subject:** Approving Certificate of Final Completion for Sanitary Sewer Manhole Rehabilitation Project 2011-MH REHAB-1

**Item #'s:** G-13

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

## **Background**

The project Sanitary Sewer Manhole Rehabilitation Project No. 2011-MH REHAB-1 was awarded to Midlands Contracting, Inc. of Kearney, Nebraska, on September 14, 2011 with a contract amount of \$153,269.00. Work commenced on January 30, 2012 and was completed on March 19, 2012.

## **Discussion**

The City Engineer/Public Works Director has reviewed the completed work and has issued a certificate of substantial and final completion in accordance with the terms, conditions, and stipulations of the contract, the plans, and the specifications.

The rehabilitation project was completed at a total cost of \$144,619.00.

## **Alternatives**

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

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

### **Recommendation**

Public Works Administration recommends that the Council approve the Certificate of Final Completion for the Sanitary Sewer Manhole Rehabilitation, Project No. 2011-MH REHAB-1.

### **Sample Motion**

Move to approve the Certificate of Final Completion for the Sanitary Sewer Manhole Rehabilitation, Project No. 2011-MH REHAB-1.

## ENGINEER'S CERTIFICATE OF FINAL COMPLETION

SANITARY SEWER MANHOLE REHABILITATION,  
PROJECT NO. 2011-MH REHAB-1  
CITY OF GRAND ISLAND, NEBRASKA  
May 8, 2012

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

This is to certify that SANITARY SEWER MANHOLE REHABILITATION, PROJECT NO. 2011-MH REHAB-1, has been fully completed by Midlands Contracting, Inc. of Kearney, Nebraska under contract dated September 14, 2011. The work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans, and the specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by me as Director of Public Works in accordance with the provisions of Section 16-650 R.R.S., 1943.

It is further certified that the improvements as constructed include the following items and costs and that this certificate shall constitute the Final Payment for this work.

### Sanitary Sewer Manhole Rehabilitation Project No. 2011-MH REHAB-1

#### SUMMARY OF COST

ITEM #	DESCRIPTION	BID ESTIMATED QUANTITY	BID UNIT PRICE	BID ESTIMATED WORK	QUANTITY COMPLETED	TOTAL WORK COMPLETED
		(UNITS)	(DOLLARS)	(DOLLARS)	(UNITS)	(DOLLARS)
<b>BASE BID</b>						
1	Mobilization	2.00 ea.	1,460.00	2,920.00	1.00	1,460.00
2	Replace Manhole Riser Adjusting Ring	0.00 v.f.	0.00	0.00	0.00	0.00
3	Replace MH Cast Iron Frame & Cover	0.00 ea.	0.00	0.00	0.00	0.00
4	Install Poly Ring Infiltration Barrier	0.00 ea.	0.00	0.00	0.00	0.00
5	Remove Step	221.00 ea.	10.00	2,210.00	222.00	2,220.00
6	Stop Infiltration Leak Manhole Sidewall	4.00 ea.	218.00	872.00	4.00	872.00
7	Stop Infiltration Leak Manhole Bench & Invert	12.00 ea.	255.00	3,060.00	12.00	3,060.00
8	Manhole Repair Patching	5.00 ea.	218.00	1,090.00	5.00	1,090.00
9	MH Rehab 5' Dia. Cementitious Lining	388.00 v.f.	142.00	55,096.00	388.00	55,096.00
10	Cementitious Lining Additional 1/2" Thick	134.00 v.f.	69.00	9,246.00	134.00	9,246.00
11	Cementitious Lining Additional 1" Thick	33.00 v.f.	125.00	4,125.00	33.00	4,125.00
12	Cementitious Lining Additional 1.5" Thick	11.00 v.f.	170.00	1,870.00	11.00	1,870.00
13	MH Rehab 5' Dia. Epoxy Lining	388.00 v.f.	160.00	62,080.00	388.00	62,080.00
14	Remove & Replace Pavement	0.00 s.y.	0.00	0.00	0.00	0.00
15	Traffic Control 1-Lane with Flagmen Crew	1.00 l.s.	3,500.00	3,500.00	1.00	3,500.00
16	Remove & Replace Manhole Inside Drop Piping	6.00 ea.	1,200.00	7,200.00	0.00	0.00
<b>Subtotal Base Bid</b>				<b>\$153,269.00</b>		<b>\$144,619.00</b>

**TOTAL COST OF SANITARY SEWER MANHOLE  
REHABILITATION, PROJECT NO. 2011-MH  
REHAB-1**

**\$144,619.00**

Respectfully submitted,

John Collins, P.E.  
Director of Public Works

-----  
May 8, 2012

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

I hereby recommend that the Engineer's Certificate of Final Completion for Sanitary Sewer Manhole Rehabilitation Project No. 2011-MH-REHAB-1 be approved.

Respectfully submitted,

Jay Vavricek  
Mayor

RESOLUTION 2012-119

WHEREAS, the City Engineer/Public Works Director for the City of Grand Island issued a Certificate of Substantial and Final Completion for the Sanitary Sewer Manhole Rehabilitation Project 2011-MH REHAB-1 for the Wastewater Division of the Public Works Department for the City of Grand Island certifying that Midlands Contracting, Inc., of Kearney, Nebraska, completed such project according to the terms, conditions, and stipulations of the contract, plans and specifications for such improvements; and

WHEREAS, the City Engineer/Public Works Director recommends the acceptance of the Engineer's certificate of substantial and final completion; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Certificate of Substantial and Final Completion for the Sanitary Sewer Manhole Rehabilitation Project 2011-MH REHAB-1 for Wastewater Division is hereby confirmed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 8, 2012.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item G14

**#2012-120 - Approving Change Order No. 4 for Grand Island  
Quiet Zone Project No. 2012-QZ-1**

Staff Contact: John Collins, Public Works Director

# **Council Agenda Memo**

**From:** Scott Griepenstroh, PW Project Manager

**Meeting:** May 8, 2012

**Subject:** Approving Change Order No. 4 for Grand Island Quiet Zone Project No. 2012-QZ-1

**Item #'s:** G-14

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

## **Background**

The Diamond Engineering Company of Grand Island, Nebraska was awarded a \$247,718.25 contract by the City Council on September 13, 2011 for the Grand Island Quiet Zone; Project No. 2012-QZ1, by Resolution No. 2011-242.

Change Order No. 1, for incorporating Union Pacific Railroad Special Provisions for City of Grand Island Projects into the contract, was approved by the City Council October 11, 2011 through Resolution No. 2011-302. Change Order No. 1 was a “no cost” change order.

Change Order No. 2, for incorporating requirements as per the Wireline Crossing Agreements for the Wayside Horn System at Walnut Street into the contract, was approved by the City Council November 8, 2011 through Resolution No. 2011-326. Change Order No. 2 was a “no cost” change order.

Change Order No. 3, for substituting “install post” for contract post items, for removing and replacing unsuitable material, for installing tie bars, and for installing conduit and pull box items, was approved by the City Council March 26, 2012 through Resolution No. 2012-80. Change Order No. 3 was for \$806.74.

## **Discussion**

On the northeast corner of the Walnut Street Crossing, in the area of new sidewalk construction, an existing water valve box had to be adjusted to grade. The existing valve box was out of plumb and had to be replaced. The item “Replace Curb Stop Valve Box” is being added to provide compensation to the Contractor for removal of the existing valve box and installing a new valve box furnished by the City of Grand Island.



The agreed unit price for “Replace Curb Stop Valve Box” is reasonable considering the labor and equipment involved with excavating, removing the existing valve box, and installing and backfilling the new valve box.

The new wayside horns are in proximity to where Union Pacific Railroad track maintenance equipment frequently drive adjacent to the railroad tracks. The Sub-Contractor who installed the wayside horns recommended that bollards be installed to protect the new poles and the signal controller housing. In order to protect the wayside horns and signal controller, the Contractor was directed to install bollards. The item “Bollard” is being added to provide compensation for this work.

The Contractor was directed to install high visibility bollard post sleeves over the standard bollards. The sleeves are durable and maintain visibility without requiring frequent painting.

The agreed unit price compares favorably to the contract unit price for the item “Bollard” on Project WMP 2011-W-3, Broadwell Avenue & Vine Street, and includes additional costs for material, delivery and installation of the high visibility bollard post sleeves.

### **Alternatives**

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

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

### **Recommendation**

City Administration recommends that the Council approve Change Order No. 4 for the Grand Island Quiet Zone Project No. 2012-QZ-1.

### **Sample Motion**

Move to approve the resolution.

City of Grand Island  
100 East 1st Street  
Grand Island, Nebraska 68801

**CHANGE ORDER NUMBER 4**

**Date of Issuance:** May 8, 2012

**PROJECT:** Grand Island Quiet Zone Project No. 2012-QZ-1

**CONTRACTOR:** The Diamond Engineering Company

**CONTRACT DATE:** September 13, 2011

	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
1. Replace Curb Stop Valve Box	1.00 EA	\$100.00/EA	\$100.00
2. Bollard	4.00 EA	\$495.00/LF	\$1,980.00

**TOTAL OF CHANGE ORDER NO. 4** **\$ 2,080.00**

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

Contract Price Prior to This Change Order .....\$248,524.99

Net Increase/Decrease Resulting from this Change Order .....\$ 2,080.00

**Revised Contract Price Including this Change Order.....\$ 250,604.99**

**Approval Recommended:**

By \_\_\_\_\_  
John Collins, Public Works Director

Date \_\_\_\_\_

**The Above Change Order Accepted:**

\_\_\_\_\_  
The Diamond Engineering Company  
Contractor

By \_\_\_\_\_

Date \_\_\_\_\_

**Approved for the City of Grand Island:**

By \_\_\_\_\_  
Jay Vavricek, Mayor

Attest: \_\_\_\_\_  
RaNae Edwards, City Clerk

Date \_\_\_\_\_

RESOLUTION 2012-120

WHEREAS, on September 13, 2011, by Resolution No. 2011-242, the City of Grand Island awarded The Diamond Engineering Company of Grand Island, Nebraska the bid in the amount of \$247,718.25 for the Grand Island Quiet Zone Project No. 2012-QZ-1; and

WHEREAS, Change Order No. 1 was approved by City Council through Resolution No. 2011-302 on October 11, 2011 and incorporated the Union Pacific Railroad Special Provision for City of Grand Island Projects into the Grand Island Quiet Zone Project No. 2012-QZ-1 contract with The Diamond Engineering Company of Grand Island, Nebraska; and

WHEREAS, Change Order No. 2 was approved by City Council through Resolution No. 2011-326 on November 8, 2011 and accounted for The Diamond Engineering Company's requirement to comply with all the terms and provisions relating to the work of installing both underground wireline crossings for the Wayside Horn System; and

WHEREAS, Change Order No. 3 was approved by City Council through Resolution No. 2012-80 and allowed for substituting "install post" for contract post items, for removing and replacing unsuitable material, for installing tie bars, and for installing conduit and pull box items; and

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

WHEREAS, such modifications have been incorporated into Change Order No. 4; and

WHEREAS, the result of such modifications will increase the contract amount by \$2,080.00, for a revised contract amount of \$250,604.99.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 4 between the City of Grand Island and The Diamond Engineering Company of Grand Island, Nebraska to provide the modifications.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 8, 2012.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form    ☐ \_\_\_\_\_  
May 4, 2012    City Attorney



# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item G15

**#2012-121 - Approving Subordination Agreement for 917 Lambert Street**

Staff Contact: Jaye Monter

# **Council Agenda Memo**

**From:** Marco Floreani, Community Development

**Council Meeting:** May 8, 2012

**Subject:** Approving Subordination Agreement for 917 Lambert St.

**Item #'s:** G-15

**Presenter(s):** Jaye Monter, Finance Director

## **Background**

The City Of Grand Island has a Deed of Trust filed on property owned by Cuong Xuan Nguyen and Hang Ngoc Ho, now divorced, located at 917 Lambert St., in the amount of \$9,000. On May 16, 2001, Community Development Block Grant funds in the amount of \$9,000 were loaned to Cuong Xuan Nguyen and Hang Ngoc Ho, now divorced, for down payment assistance for purchase of a home. The legal description is:

Lot Three (3), Lincoln View Estates Subdivision in the City of Grand Island, Hall County, Nebraska.

The owner is requesting permission from the City to subordinate to the new mortgage amount and accept second position. The prior first and second mortgages have been paid in full. The owner is requesting \$50,000 cashout on a new loan to pay his ex-wife per their property settlement agreement and Home Federal Savings and Loan Assn. of Grand Island requests first position on the lien. The house will remain occupied and property taxes will continue to be paid. The equity in the property is in excess of the lien amounts held by both the City and the bank.

## **Discussion**

A new lien in the amount of \$50,000.00 with Home Federal Savings and Loan would by law be junior in priority to the City's lien; however, Home Federal Savings and Loan Assn., has asked the City to subordinate its Deed of Trust to the new Deed of Trust.

The property's assessed value is \$94,481 and is sufficient to secure the mortgage of \$50,000.00 and the City's note of \$9,000.00. This is a zero percent interest loan that is due only when the homeowners sell the house.

### **ALTERNATIVES**

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

1. Approve the Subordination Agreement
2. Refer the issue to a Committee
3. Postpone the issue to a later date
4. Take no action on the issue

### **RECOMMENDATION**

City Administration recommends that the Council approves the Subordination Agreement with Home Federal Savings and Loan placing the City in the junior position to the new Deed of Trust.

### **Sample Motion**

Move to recommend approval of the Subordination Agreement with Home Federal Savings and Loan, placing the City in the junior position to the new Deed of Trust.

### Subordination Request from Cuong Xuan Nguyen

The City Of Grand Island has a Deed of Trust filed on property at 917 Lambert St. in the amount of \$9,000.00. On May 16, 2001, Community Development Block Grant funds were loaned to the first-time home buyers for down payment assistance for the purchase of a home in the Down Payment Assistance program. The address is 917 Lambert St. The legal description is:

Lot Three (3), Lincoln View Estates Subdivision in the City of Grand Island, Hall County, Nebraska

The owner is requesting permission from the City to subordinate to a new mortgage amount and accept second position to the first mortgage.

The owner's original mortgage with Commercial Federal Bank has been paid in full. By law, the new Deed of Trust would be junior in priority to the City's lien. However, the lender has asked the City to subordinate to the new Deed of Trust.

The assessed value of the property is \$94,481.00 and is sufficient to secure the new mortgage of \$50,000.00, and the City's mortgage of \$9,000.00. The City's loan is a zero percent interest loan that is due only when the homeowners sell the house.

\$ 50,000.00	New lien
\$ 9,000.00	<u>City's lien</u>
\$ 59,000.00	First and second lien total
\$ 94,481.00	Assessed amount

New house payment: \$497.36

3.625% fixed interest rate for 10 yrs.

## SUBORDINATION AGREEMENT

COMES NOW the City of Grand Island, Nebraska, secured party/beneficiary and hereby partially subordinates its trust deed/real estate lien recorded May 18, 2001 on the following described real estate:

Lot Three (3), Lincoln View Estates Subdivision in the City of Grand Island, Hall County, Nebraska, a/k/a 917 Lambert St.

It is the intent of this Agreement that the trust deed for the amount loaned by Home Federal Savings and Loan Assn of Grand Island to Cuong Xuan Nguyen (Borrower) that is about to be filed, shall be superior to the trust deed/real estate lien of the City of Grand Island, its successors and assigns recorded May 18, 2001, up to the amount of \$50,000.00 plus interest and amounts advanced to protect the collateral. Thereafter, the City of Grand Island's lien shall have priority. It is further understood that this subordination shall include all current obligations, extensions, renewals, advances or modifications made by the City of Grand Island, Nebraska to Borrowers which is secured by the trust deed/real estate lien recorded May 18, 2001 as Document Number 0200104667 in the records of the Register of Deeds of Hall County, Nebraska. Nothing in this Subordination Agreement is intended as a promise to provide financing or make advances to Borrowers by the City of Grand Island, Nebraska and it is not the intention of the City of Grand Island, Nebraska to warrant or guarantee the obligations of Borrowers but merely to partially subordinate its lien interests under the instrument recorded at Document Number 0200104667. It is understood that Home Federal Savings and Loan intends to lend funds to Borrower but that the subordinated amount is not to exceed \$50,000.00 plus interest and amounts advanced to protect the collateral.

Nothing in this instrument is intended to relieve Borrowers of their obligation to the City of Grand Island, Nebraska or to subordinate any other lien interests including, but not limited to, real estate taxes and special assessments.

Dated: \_\_\_\_\_ City of Grand Island, Nebraska

By \_\_\_\_\_  
Jay Vavricek, Mayor

STATE OF NEBRASKA     )  
                                  )ss.  
COUNTY OF HALL        )

The foregoing instrument was acknowledged before me on \_\_\_\_\_,  
2012, by Jay Vavricek, Mayor of the City of Grand Island, Nebraska.

\_\_\_\_\_  
Notary Public



RESOLUTION 2012-121

WHEREAS, the City of Grand Island, is the lender and secured party of a Deed of Trust dated May 16, 2001 and recorded on May 18, 2001, as Instrument No.0200104667, in the amount of \$9,000.00, secured by property located at 917 Lambert Street and owned by Cuong Xuan Nguyen and Hang Ngoc Ho, now divorced, said property being described as follows:

Lot Three (3), Lincoln View Estates Subdivision, in the City of Grand Island, Hall County, Nebraska.

WHEREAS, Cuong Xuan Nguyen wishes to execute a Deed of Trust and Note in the amount of \$50,000.00 with Home Federal Savings and Loan Assn., to be secured by the above-described real estate conditioned upon the City subordinating its Deed of Trust to their lien priority; and

WHEREAS, the value of the above-described real estate is sufficient to adequately secure both loans.

WHEREAS, the requested subordination of the City's lien priority is in the best interests of all parties.

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to execute an agreement subordinating the lien priority of the above described Deeds of Trust from Cuong Xuan Nguyen and Hang Ngoc Ho, now divorced, to the City of Grand Island, as beneficiary to that of the new loan and Deed of Trust of Home Federal Savings and Loan, Beneficiary, as more particularly set out in the subordination agreement.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 8, 2012.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 4, 2012	☐ City Attorney



# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item G16

**#2012-122 - Approving Subordination Agreement for 1216 Warren Lane**

Staff Contact: Jaye Monter

# **Council Agenda Memo**

**From:** Marco Floreani, Community Development

**Council Meeting:** May 8, 2012

**Subject:** Subordination Agreement for 1216 Warren Lane

**Item #'s:** G-16

**Presenter(s):** Jaye Monter, Finance Director

## **Background**

The City Of Grand Island has a Deed of Trust filed on property owned by Joba Luz Mencia-Zuniga, a single person, located at 1216 Warren Lane, in the amount of \$15,308.66. On August 11, 2005, Community Development Block Grant funds in the amount of \$15,308.66 were loaned to Joba Luz Mencia-Zuniga, a single person, for down payment assistance for purchase of a home in the Community Development Block Grant program. The legal description is:

Lot Ten (10), Houghkirk Subdivision, in the City of Grand Island,  
Hall County, Nebraska.

The owner is requesting permission from the City to subordinate to a new mortgage amount of \$67,451.00 and accept second position to the first mortgage. The City is in second position with the current mortgage, and Mortgage Electronic Registration Systems, Inc. ("MERS") (Solely as nominee for lender, as hereinafter defined, and lender's successors and assigns). MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, Michigan 48501-2026, telephone (888)679-MERS. Franklin American Mortgage Company, a corporation organized and existing under the laws of Tennessee, and whose address is 501 Corporate Centre Drive, Suite 400, Franklin, Tennessee 37067 ("Lender") is in senior position. The owner is refinancing the current mortgage for a better rate/term with Wells Fargo Bank N.A. and Wells Fargo N.A. requests that they have first position. The house will remain occupied and property taxes will continue to be paid. The equity in the property is in excess of the lien amounts held by both the City and the bank.

## **Discussion**

The City's current Deed of Trust is junior in priority to a Deed of Trust to MERS in the amount of \$73,080.00, which has a balance of \$66,428.24. A new lien in the amount of \$67,451.00 with Wells Fargo Bank, N.A. would replace the senior Deed of Trust. By law, the new Deed of Trust would be junior in priority to the City's lien; however, the Wells Fargo Bank, N.A., has asked the City to subordinate its Deed of Trust to the new Deed of Trust.

The new appraised value of the property is \$96,000.00 and is sufficient to secure the first mortgage of \$69,690.00 and the City's mortgage of \$15,308.66. This new Deed of Trust would accommodate the "Rate-Term Refinance" which would reduce the annual interest rate from 6.5% for 30 years to 3.5% for 15 years with a slight decrease in the monthly payment. The City's loan of \$15,308.66 is a zero percent interest loan that is due only when the homeowners sell the house.

## **ALTERNATIVES**

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

1. Approve the Subordination Agreement
2. Refer the issue to a Committee
3. Postpone the issue to a later date
4. Take no action on the issue

## **RECOMMENDATION**

City Administration recommends that the Council approves the Subordination Agreement with Wells Fargo Bank, N.A., placing the City in the junior position to the new Deed of Trust.

## **Sample Motion**

Move to recommend approval of the Subordination Agreement with Wells Fargo Bank, N.A., placing the City in the junior position to the new Deed of Trust.

### Subordination Request from Joba Luz Mencia-Zuniga

The City Of Grand Island has a Deed of Trust filed on property at 1216 Warren Lane in the amount of \$15,308.66. On August 11, 2005, Community Development Block Grant funds were loaned to the first-time home buyers for down payment assistance for the purchase of a home in the Down Payment Assistance program. The address is 1216 Warren Lane. The legal description is:

Lot Ten (10), Houghkirk Subdivision in the City of Grand Island,  
Hall County, Nebraska

The owners are requesting permission from the City to subordinate to a new mortgage amount and accept second position to the first mortgage.

The City's current Deed of Trust is junior in priority to a Deed of Trust to Mortgage Electronic Registration Systems, Inc. ("MERS") (Solely as nominee for lender, as hereinafter defined, and lender's successors and assigns). MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, Michigan 48501-2026, telephone (888)679-MERS. Franklin American Mortgage Company, a corporation organized and existing under the laws of Tennessee, and whose address is 501 Corporate Centre Drive, Suite 400, Franklin, Tennessee 37067 ("Lender"). in the amount of \$73,080.00. By law, the new Deed of Trust would be junior in priority to the City's lien. However, the lender has asked the City to subordinate to the new Deed of Trust.

The new appraised value of the property is \$96,000.00 and is sufficient to secure the new first mortgage of \$67,451.00, and the City's loan of \$15,308.66. The City's loan of is a zero percent interest loan that is due only when the homeowners sell the house.

\$ 67,451.00	New lien
\$ 15,308.66	City's lien
\$ 82,759.66	First and second lien total

\$ 96,000.00 Appraisal amount

Old house payment:	\$735.09	6.5% fixed interest rate for 30 yrs.
New house payment:	\$733.83	3.5% fixed interest rate for 15 yrs.

## SUBORDINATION AGREEMENT

COMES NOW the City of Grand Island, Nebraska, secured party/beneficiary and hereby partially subordinates its trust deed/real estate lien recorded August 12, 2005 on the following described real estate:

Lot Ten (10), Houghkirk Subdivision, in the City of Grand Island, Hall County, Nebraska, a/k/a 1216 Warren Lane.

It is the intent of this Agreement that the trust deed for amounts loaned by Wells Fargo Bank, N.A. to Joba Luz Mencia-Zuniga (Borrower) that has been or is about to be filed, shall be superior to the trust deed/real estate lien of the City of Grand Island, its successors and assigns recorded August 12, 2005, up to the amount of \$67,451.00 plus interest and amounts advanced to protect the collateral. Thereafter, the City of Grand Island's lien shall have priority. It is further understood that this subordination shall include all current obligations, extensions, renewals, advances or modifications made by the City of Grand Island, Nebraska to Borrowers which is secured by the trust deed/real estate lien recorded August 12, 2005 as Document Number 0200507886 in the records of the Register of Deeds of Hall County, Nebraska. Nothing in this Subordination Agreement is intended as a promise to provide financing or make advances to Borrowers by the City of Grand Island, Nebraska and it is not the intention of the City of Grand Island, Nebraska to warrant or guarantee the obligations of Borrowers but merely to partially subordinate its lien interests under the instrument recorded at Document Number 0200507886. It is understood that Wells Fargo Bank, N.A. intends to lend funds to Borrowers but that the subordinated amount is not to exceed \$67,451.00 plus interest and amounts advanced to protect the collateral.

Nothing in this instrument is intended to relieve Borrowers of their obligation to the City of Grand Island, Nebraska or to subordinate any other lien interests including, but not limited to, real estate taxes and special assessments.

Dated: \_\_\_\_\_ City of Grand Island, Nebraska

By \_\_\_\_\_  
Jay Vavricek, Mayor

STATE OF NEBRASKA     )  
                                  )ss.  
COUNTY OF HALL        )

The foregoing instrument was acknowledged before me on \_\_\_\_\_,  
2012, by Jay Vavricek, Mayor of the City of Grand Island, Nebraska.

\_\_\_\_\_  
Notary Public

RESOLUTION 2012-122

WHEREAS, the City of Grand Island, is the lender and secured party of a Deed of Trust dated August 11, 2005 and recorded on August 12, 2005, as Instrument No.0200507886, in the amount of \$15,308.66 secured by property located at 1216 Warren Lane and owned by Joba Luz Mencia-Zuniga, a single person, said property being described as follows:

Lot Ten (10), Houghkirk Subdivision, in the City of Grand Island, Hall County, Nebraska.

WHEREAS, Joba Luz Mencia-Zuniga wishes to execute a Deed of Trust and Note in the amount of \$67,451.00 with Wells Fargo Bank, N.A., to be secured by the above-described real estate conditioned upon the City subordinating its Deed of Trust to their lien priority; and

WHEREAS, the value of the above-described real estate is sufficient to adequately secure both loans.

WHEREAS, the requested subordination of the City's lien priority is in the best interests of all parties.

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to execute an agreement subordinating the lien priority of the above described Deeds of Trust from Joba Luz Mencia-Zuniga, a single person, to the City of Grand Island, as beneficiary to that of the new loan and Deed of Trust of Wells Fargo Bank, N.A., Beneficiary, as more particularly set out in the subordination agreement.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 8, 2012.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	<input checked="" type="checkbox"/> _____
May 4, 2012	<input checked="" type="checkbox"/> City Attorney



# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item I1

**#2012-123 - Consideration of Request from Roebuck Investments LLC dba Sam & Louies, 928 Concord Avenue for a “I” Liquor License and Liquor Manager Designation for Larry Roebuck, 1003 NE Hwy 2, Phillips, NE**

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

Staff Contact: RaNae Edwards



RESOLUTION 2012-123

WHEREAS, an application was filed by Roebuck Investments LLC doing business as Sam & Louies, 928 Concord Avenue for a Class "I" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on April 28, 2012; such publication cost being \$15.30; and

WHEREAS, a public hearing was held on May 8, 2012 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 Larry Roebuck, 1003 NE Hwy 2, Phillips, NE as liquor manager of such business contingent upon completing a state approved alcohol server/seller program.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 8, 2012.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 4, 2012	☐ City Attorney



# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item I2

### **#2012-124 - Consideration of Approving Renewable Energy Goal**

Staff Contact: Tim Luchsinger, Utilities Director

# **Council Agenda Memo**

**From:** Timothy Luchsinger, Utilities Director

**Meeting:** May 8, 2012

**Subject:** Renewable Energy Goal

**Item #'s:** I-2

**Presenter(s):** Timothy Luchsinger, Utilities Director

## **Background**

State statute requires that public utilities in Nebraska provide its customers with adequate electric service at as low of an overall cost as possible, consistent with sound business practices. To do so, public utilities must look at long-term, in addition to immediate, issues in an overall context. The Utilities Department has taken an approach in its energy supply strategy to incorporate multiple facilities using a blend of fuel sources. This allows flexibility in managing costs that can occur because of market conditions due to industry issues or environmental concerns. Energy supply planning must also take into account the long timeframes that are common in electric generation development, therefore, utilities plan for conditions projected at least five to ten years in the future, sometimes even longer.

Traditional energy sources in Nebraska have been based on coal because of the close proximity of mines in Wyoming and a robust railroad system through this area. These have been supplemented with hydro, natural gas and nuclear facilities, resulting in low cost power to Nebraska customers.

Due to developing environmental concerns, the State's utilities have been developing facilities with renewable energy sources, primarily wind generation because of its potential compared to solar or biofuels. Grand Island has participated in some of these projects on a minor basis to learn more of the details of wind generation costs and operational issues. At this time, wind supplies a little over one percent of the City's energy requirements and has resulted in a cost impact to electric rates of less than one percent.

## **Discussion**

In keeping with public power's mission of providing the lowest overall cost power based on sound business practices, the Department must continue to evaluate alternative or additional energy sources. Continuation of an energy supply portfolio including renewable energy sources is recommended, and future potential projects of renewable energy sources should continue to be evaluated. When the evaluation determines that it is in the City's best interests, a recommendation for participation in a project should be presented to Council for consideration and include the impact of the project on the City's energy requirements and costs to its customers.

## **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 to direct the Utilities Department to evaluate potential renewable energy projects and provide to Council recommendations for participation as needed to maintain a balanced energy portfolio.

## **Sample Motion**

Move to approve the resolution to direct the Utilities Department to evaluate potential renewable energy projects and provide to Council recommendations for participation as needed to maintain a balanced energy portfolio.

# **Energy Portfolio – Renewable Sources**

City Council Meeting  
May 8, 2012

## **Grand Island Wind Participation**

- Ainsworth – 1 megawatt (MW)
- Elkhorn Ridge – 1 MW
- Laredo Ridge – 1 MW
- Broken Bow – 1 MW (planned for late 2012)
- Springview 2 – minimal output – access to data

## Wind / Electric Cost Summary

- Wind accounted for 1.4% of Grand Island's total energy in 2011
- Average power cost = \$34 / megawatt-hour
- Average wind cost = \$58 / megawatt-hour
- Average household used 0.9 megawatt / month
- Power Cost Adjustment is 3.24% higher due to wind
- Average monthly household cost for wind = \$0.55

RESOLUTION 2012-124

WHEREAS, State Statute requires that public utilities in Nebraska provide its customers with adequate electric service at as low of an overall cost as possible, consistent with sound business practices; and

WHEREAS, The Grand Island Utilities Department has taken an approach in its energy supply strategy to incorporate multiple facilities using a blend of fuel sources; and

WHEREAS, due to developing environmental concerns, the State's utilities have been developing facilities with renewable energy sources, primarily wind generation, and Grand Island Utilities has participated in some of these projects to learn more of the details of wind generation costs and operational issues, and

WHEREAS, to continue to provide the lowest overall cost power based on sound business practices, alternative or additional energy sources will need to be evaluated, and

WHEREAS, a balanced energy portfolio should contain renewable energy sources.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Utilities Department will evaluate potential renewable energy projects and provide to the Council recommendations for participation as needed to maintain a balanced energy portfolio.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 8, 2012.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 4, 2012	☐ City Attorney





# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item I3

### **#2012-125 - Consideration of Approving FTE Amendment**

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

**Staff Contact: Brenda Sutherland**

# **Council Agenda Memo**

**From:** Brenda Sutherland, Human Resources Director

**Meeting:** May 8, 2012

**Subject:** Consideration of FTE Amendment

**Item #'s:** I-3

**Presenter(s):** Brenda Sutherland, Human Resources Director

## **Background**

The City Council approves a FTE schedule annually as part of the City Budget process. This schedule specifies the number and titles of positions that are approved to be filled during the budget year. A Salary Ordinance is then brought forward for Council approval to specify the wages that will be paid for the positions that have been approved.

## **Discussion**

The Public Works Department has recently requested a change be made to a position that is currently vacant due to a retirement earlier this year. Public Works is requesting that the Engineering Division's FTE schedule be amended to reduce the number of Engineering Technicians it has by one and add a CADD Operator. Public Works has been focused on reorganizing the Engineering Division to design projects. The Division has several missing skill sets (CAD Operations, Surveying, and GIS are the most needed) needed to effectively perform the desired tasks. Most staff can perform these tasks to some extent, but not as effectively nor as efficiently as should be expected of an engineering group.

The proposed change to the FTE Schedule will have a zero net effect as the wage scale is the same as the current Engineering Technician scale.

## **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**

Recommend the Council approve the FTE amendment to reduce one Engineering Technician and add one CADD Operator in the Engineering Division of Public Works.

### **Sample Motion**

Move to approve the FTE proposed amendment.

RESOLUTION 2012-125

WHEREAS, the City Council approves a schedule of full time equivalent positions as part of the City's annual budget process; and

WHEREAS, the Public Works Department has requested a title change to more accurately identify the characteristics of a position in the engineering division; and

WHEREAS, the Public Works Department will reduce its current FTE schedule by one Engineering Technician and add one CADD Operator with a salary range of \$19.6892 - \$27.7684.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized to execute the aforementioned changes to the City FTE Schedule.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 8, 2012.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	▣ _____
May 4, 2012	▣ City Attorney



# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item J1

### **Approving Payment of Claims for the Period of April 25, 2012 through May 8, 2012**

*The Claims for the period of April 25, 2012 through May 8, 2012 for a total amount of \$2,553,176.32. A MOTION is in order.*

Staff Contact: Jaye Monter



# City of Grand Island

Tuesday, May 8, 2012

Council Session

## Item X1

### **Strategy Session with Respect to Collective Bargaining (IBEW Local 1597 – Wastewater, Service/Clerical, Finance, Utilities)**

*The City Council may hold a closed or Executive Session as permitted by Neb. Rev. Stat. Sec. 84-1410. Closed sessions may be held for, but shall not be limited to such reasons as:*

- 1. Protection of the public interest.*
- 2. Needless injury to the reputation of an individual.*
- 3. Strategy sessions with respect to*
  - a. collective bargaining,*
  - b. real estate purchases,*
  - c. pending litigation, or*
  - d. imminent or threatened litigation.*
- 4. Discussion regarding deployment of security personnel or devices.*
- 5. For the Community Trust created under Sec. 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster.*

Staff Contact: Brenda Sutherland