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# City of Grand Island



**Tuesday, November 27, 2012**  
**Council Session Packet**

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**City Council:**

Larry Carney  
Linna Dee Donaldson  
Scott Dugan  
Vaughn Minton  
John Gericke  
Peg Gilbert  
Chuck Haase  
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 - Father Todd Philipsen, Blessed Sacrament Catholic Church, 518 West State 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, November 27, 2012

Council Session

## Item C1

### **Presentation of the “Mayor’s Builder Award” - Third City Community Clinic Dr. Sara Graybill, 2012 Physician Volunteer of the Year and Dr. Timothy Jacobs, 2012 Dentist Volunteer of the Year**

*Since so many great efforts occur in our community and many unnoticed, it's important to recognize efforts that build a stronger Grand Island.*

*As Mayor, the City will recognize those efforts with a "Mayor's Builder Award" Recognition and appearance before council and the people of Grand Island.*

*Additional Builders' Award will acknowledge volunteer servc of Dr. Sara Graybill, 2012 Physician Volunteer of the Year and Dr. Timothy Jacobs, 2012 Dentist Volunteer of the Year. Both Doctor's volunteer at the Third City Community Clinic.*

*Dr. Graybill and Dr. Jacobs will be recognized as a Builder of a Better Grand Island and Third City Community Clinic Executive Director Susan Aguilar.*

Staff Contact: Mayor Jay Vavricek

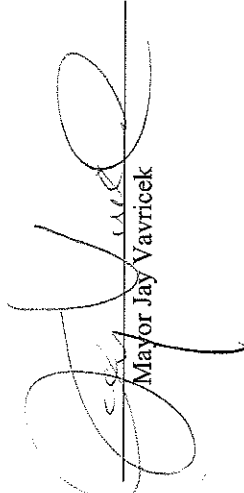


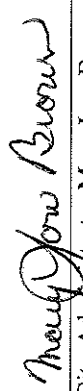
# *Mayor's Builder Award*

Awarded to

**“Dr. Sara Graybill”**

for outstanding work in the community of the City of Grand Island and a  
Builder of a Better Grand Island.

  
Mayor Jay Vavricek

  
City Administrator Mary Lou Brown

  
City Clerk RaNaee Edwards

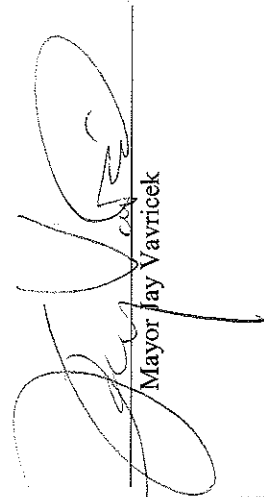


# *Mayor's Builder Award*

Awarded to

**“Dr. Timothy Jacobs”**

for outstanding work in the community of the City of Grand Island and a  
Builder of a Better Grand Island.

  
Mayor Jay Vavricek

  
City Administrator Mary Lou Brown

  
City Clerk Ra'Nae Edwards



# City of Grand Island

Tuesday, November 27, 2012

Council Session

## Item C2

### **Recognition of Grand Island Central Catholic Girls Volleyball Team for Class C-1 State Qualifiers**

*The Mayor and City Council will recognize the Grand Island Central Catholic High School Girls Volleyball Team and their Coach Sharon Zavala for qualifying in the Class "C-1" State Volleyball tournament held on November 1, 2012 at the Heartland Events Center in Grand Island, Nebraska. Congratulations Lady Crusaders for a job well done.*

Staff Contact: Mayor Jay Vavricek

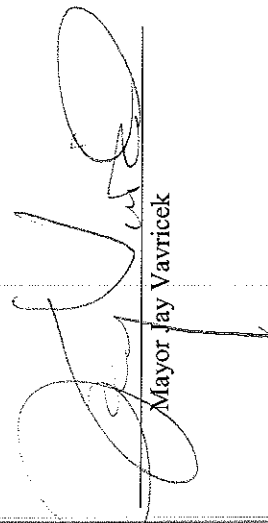


# *Certificate of Recognition*

Awarded to the

**“Lady Crusaders Volleyball Team”**

at Grand Island Central Catholic High School and Coach Sharon Zavala for  
Qualifying in the Class “C-1” State Volleyball Tournament on November 1, 2012.



Mayor Jay Vavricek



City Administrator Mary Lou Brown



City Clerk RaNaee Edwards



# City of Grand Island

Tuesday, November 27, 2012

Council Session

## Item C3

### **Recognition of Grand Island Northwest Girls Volleyball Team for Class “B” State Championship**

*The Mayor and City Council will recognize the Grand Island Northwest High School Girls Volleyball Team and their Coach Diane Rouzee for the Class "B" State Volleyball Championship held on November 3, 2012 at the Heartland Events Center in Grand Island, Nebraska. Congratulations Lady Vikings for a job well done.*

Staff Contact: Mayor Jay Vavricek



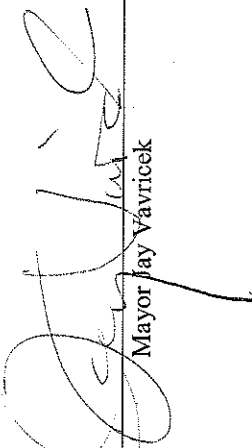


# *Certificate of Recognition*


Awarded to the

**“Lady Vikings Volleyball Team”**

at Grand Island Northwest High School and Coach Diane Rouzee for the Class “B”  
State Volleyball Championship on November 3, 2012.

  
Mayor Jay Vavricek

  
City Administrator Mary Lou Brown

  
City Clerk Ra'Nae Edwards



# City of Grand Island

Tuesday, November 27, 2012

Council Session

## Item C4

### **Recognition of State Volleyball Tournament Recruitment Success to Grand Island**

*The Mayor and City Council will recognize the efforts of the following people and organizations for their successful efforts in recruiting the State Volleyball Tournaments to Grand Island:*

*Cindy Wells; Orv Qualsett; Convention Visitors Bureau - Financial contributors: Sports Council; Heartland Events Center; Fonner Park, Nebraska School Activities Association; Northwest High School; Central Catholic High School; and Grand Island Senior High School and countless yellow shirt community volunteers.*

*We thank you for the many hours and hard work put into the successful recruiting effort and making Grand Island the destination for the 2012 State Volleyball Tournament and 2013 State Volleyball Tournament.*

Staff Contact: Mayor Jay Vavricek



# **City of Grand Island**

**Tuesday, November 27, 2012**

**Council Session**

## **Item E1**

**Public Hearing on Request from Douglas & Mikaela Westerby on behalf of William Gulzow for a Conditional Use Permit for a Car Dealership Located at 223 East 2nd Street**

**Staff Contact: Craig Lewis**

# **Council Agenda Memo**

**From:** Craig Lewis, Building Department Director

**Meeting:** November 27, 2012

**Subject:** Request of Douglas & Mikaela Westerby for Approval of a Conditional Use Permit to Allow for the Operation of an Outdoor Sales Lot for New and Used Motor Vehicles at 223 East 2<sup>nd</sup> Street

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

**Presenter(s):** Craig Lewis, Building Department Director

## **Background**

This request is for the approval of a Conditional Use Permit to allow for the operation of an outdoor sales lot for new and used motor vehicles at 223 E. 2<sup>nd</sup> Street.

The property is currently zoned B-3 Heavy Business and as such outdoor sales of new or used vehicles is listed in the zoning code as a permitted conditional use requiring approval of the City Council.

The proposal is to utilize an existing building and parking lot which have in the past been a used car facility but recently vacant. The area is a mix of residential and commercial uses and on the fringe of the downtown area.

## **Discussion**

The proposal is to utilize a facility which in the past has been the location of an automotive service station and a used car sales lot.

The zoning classification of B-3 provides that any outdoor sales of rental lots for new or used automobiles, boats, motor vehicles, trailers, manufactured homes, farm and construction machinery, require a conditional use and the approval of the City Council.

Additionally Section 36-105, would be applicable;

**Vehicle Sales and Rental Businesses; New Businesses and Businesses Relocating or Expanding; Minimum Improvement Requirements**

Beginning December 15, 2002, all new, relocating or expanding businesses engaged in

automotive/truck/recreational vehicle sales and/or rentals shall have the following minimum improvements and equipment:

(A) All areas on which vehicles are displayed and offered for sale and/or rental shall be provided with a permanent type, dust-free surface such as asphaltic cement concrete, Portland cement concrete, or paving brick.

(B) Any business engaged in vehicle sales and/or rentals shall have a principal building which complies with the Grand Island City Code and all applicable building, electrical, plumbing and fire codes.

(C) Any business engaged in vehicle sales and/or rentals shall have space within the principal building or an accessory building for storage of all vehicle parts, new or used. All such parts must be stored within said space.

(D) All hazardous materials, regulated waste and used vehicle fluids shall be stored and disposed of in accordance with state and federal laws and the rules and regulations of the U.S. Environmental Protection Agency and the Nebraska Department of Environmental Quality. Tank storage of fluids and wastes must be situated within a suitable overflow enclosure.

(E) Any business engaged in vehicle sales and/or rentals shall comply with the Grand Island City Code landscaping and screening regulations and minimum off-street parking and loading space requirements prior to commencing operations.

In 1985 the City at the request of the Nebraska Highway Department requested that the free standing pole sign on the north east corner of the property which was overhanging the public right of way be removed or altered such that it no longer encroached over the right of way. As that sign still exists and does still overhang the public right of way, I would suggest that a condition of approval of the conditional use permit be that the encroachment shall be removed prior to any occupancy of the property as an outdoor sales lot.

## **Alternatives**

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

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

## **Recommendation**

Approve the request with the conditions identified in the staff memorandum, finding that the proposed use and application promotes the health, safety, and general welfare of the community, protects property against blight and depreciation, and is generally harmonious with the surrounding neighborhood.

### **Sample Motion**

Move to approve the request for a conditional use permit including the staff recommendations, finding that the application conforms with the purpose of the zoning regulations.

## Conditional Use Permit Application

pc: Building, Legal, Utilities  
Planning, Public Works

1. The specific use/construction requested is: conditional use permit for a car dealership
2. The owner(s) of the described property is/are: William L. Gutzow → proposed buyers Douglas M. Westerbly  
Mikaela N. Westerbly
3. The legal description of the property is: Grand Island Original town Lot 1 Block 77
4. The address of the property is: 223 E. 2nd St.
5. The zoning classification of the property is: B3
6. Existing improvements on the property is: older brick building, needing many improvements
7. The duration of the proposed use is: Auto Sales
8. Plans for construction of permanent facility is: Immediately, many updates & cleaning
9. The character of the immediate neighborhood is: car dealership on opposite corner, city parking lot behind  
rental properties to front & side & machine shop N.E. side.
10. There is hereby **attached** a list of the names and addresses of all property owners within 200' of the property upon which the Conditional Use Permit is requested.
11. Explanation of request: I would like to turn this property back into a nice car dealership.  
The property has been run-down for many years. We will make it aesthetically pleasing  
to the eyes for the neighborhood and provide a positive business for the city of Grand Island.  
I have lived here all my life and had a couple businesses in town. I have taken  
great strides to improve the looks and area of my properties. I feel we have a clear plan  
to improve our city especially this area.

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

William L. Gutzow

Douglas M. Westerbly - Mikaela N. Westerbly

11-8-12

Date

308-379-1144 - Doug

308-380-7717 - Bill

Phone Number

73.4 →

Doug →

2312 Viking Court

G.I. Ave. 68803

3600 Cutfish Ave.

Address

Grand Island

City

Nebraska

State

68801

Zip

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



<http://taxsifter.hallcountyne.gov/aphotos/400/006/588-01.jpg>

11/8/2012





# **City of Grand Island**

**Tuesday, November 27, 2012**

**Council Session**

## **Item E2**

**Public Hearing on Amendment to the Redevelopment Plan Area 10  
Located at 809-811 South Kimball Street**

**Staff Contact: Chad Nabity**

# **Council Agenda Memo**

**From:** Chad Nabity, AICP

**Meeting:** November 27, 2012

**Subject:** Amendment to Redevelopment Plan for CRA Area #10

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

**Presenter(s):** Chad Nabity, AICP CRA Director

## **Background**

In 2012, the Grand Island City Council declared property referred to as CRA Area #10 as blighted and substandard and approved a generalized redevelopment plan for the property. The generalized redevelopment plan authorized the use of Tax Increment Financing (TIF) for the acquisition of property, redevelopment of property, site preparation including demolition, landscaping and parking. TIF can also be used for improvements to and expansion of existing infrastructure including but not limited to: streets, water, sewer, drainage.

Token Properties LLC, as the developer, has submitted a proposed a site specific redevelopment plan that would provide for site acquisition, clearance and extension of utilities and subsequent construction of a duplex at 809 and 811 Kimball Avenue in Grand Island, Nebraska.

The CRA reviewed the proposed development plan on October 10, 2012 and forwarded it to the Hall County Regional Planning Commission for recommendation at their meeting on November 7, 2012. The CRA also sent notification to the City Clerk of their intent to enter into a redevelopment contract for this project pending Council approval of the plan amendment.

The Hall County Regional Planning Commission held a public hearing on the plan amendment at a meeting on November 7, 2012. The Planning Commission approved Resolution 2013-03 in support of the proposed amendment, declaring the proposed amendment to be consistent with the Comprehensive Development Plan for the City of Grand Island.

## **Discussion**

Tonight, Council will hold a public hearing to take testimony on the proposed plan amendment (including the cost benefit analysis that was performed regarding this proposed project) and to enter into the record a copy of the plan amendment and the draft TIF contract under consideration by the CRA.

Council is being asked to approve a resolution approving the cost benefit analysis as presented in the redevelopment plan along with the amended redevelopment plan for CRA Area #10 and authorizes the CRA to execute a contract for TIF based on the plan amendment. The redevelopment plan amendment permits site acquisition, demolition, clearance and extension of utilities and subsequent construction of a duplex at 809 and 811 S Kimball Avenue in Grand Island, Nebraska. The cost benefit analysis included in the plan finds that this project meets the statutory requirements for an eligible TIF project and that it will not negatively impact existing services within the community or shift additional costs onto the current residents of Grand Island and the impacted school districts. The total tax increment financing allowed for this project may not exceed \$38,372 during this 15 year period.

This is the culmination of the first Microblight designation in the City of Grand Island. Redevelopment Area #10 was approved specifically to allow TIF to be used to remove and redevelop this particular property.

## **Alternatives**

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

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

## **Recommendation**

The CRA and Hall County Regional Planning Commission recommend that the Council approve the Resolution necessary for the adoption and implementation of this plan.

## **Sample Motion**

Move to approve the resolution as submitted.

**Site Specific Redevelopment Plan  
Grand Island CRA Area #10  
October 2012**

**The Community Redevelopment Authority (CRA) of the City of Grand Island intends to amend the Redevelopment Plan for Area #10 within the city, pursuant to the Nebraska Community Development Law (the “Act”) and provide for the financing of a specific infrastructure related project in Area #10.**

**Executive Summary:  
Project Description**

THE DEMOLITION OF THE EXISTING SINGLE FAMILY HOUSE AT 809 AND 811 S KIMBALL AND THE SUBSEQUENT ACQUISITION, SITE WORK, UTILITY IMPROVEMENTS, ENGINEERING, LANDSCAPING AND PARKING IMPROVEMENTS NECESSARY FOR REBUILDING A DUPLEX AT THIS LOCATION.

The use of Tax Increment Financing to aid in demolition of existing structures along with costs associated with redevelopment of this site with two new duplexes. The use of Tax Increment Finance makes it affordable to provide additional housing in Grand Island at this location at a contract rent that is consistent with the neighborhood. This project would not be possible in an affordable manner without the use of TIF.

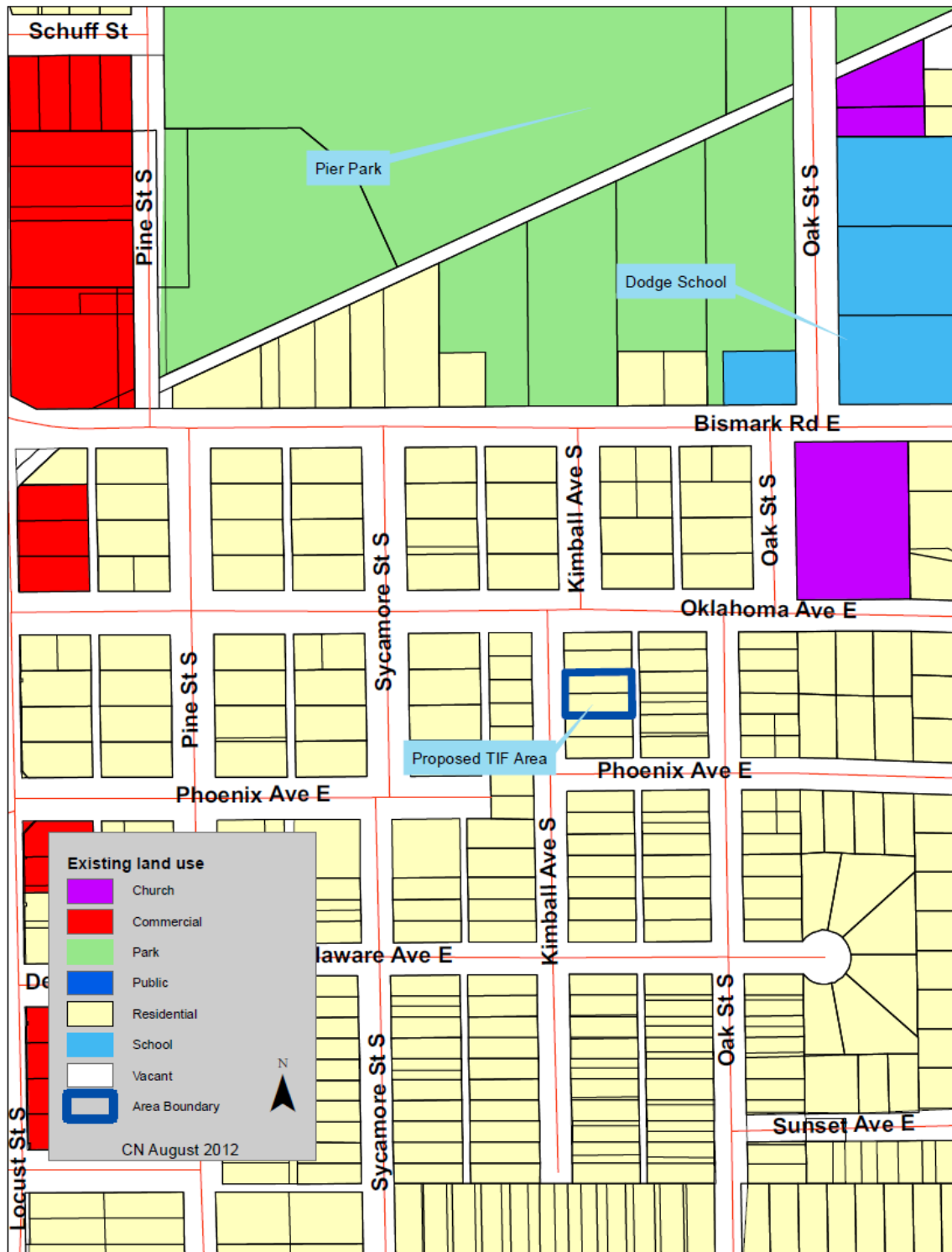
The site is owned by the developer and will be acquired for actual purchase price by a Limited Liability Corporation owned and controlled by the developer. All site work, demolition and utilities will be paid for by the developer. The developer is responsible for and has provided evidence that they can secure adequate debt financing to cover the costs associated with the acquisition, site work and remodeling. The Grand Island Community Redevelopment Authority (CRA) intends to pledge the ad valorem taxes generated over the 15 year period beginning January 1, 2014 towards the allowable costs and associated financing for the acquisition and site work.

**TAX INCREMENT FINANCING TO PAY FOR THE ACQUISITION OF THE PROPERTY AND RELATED SITE WORK WILL COME FROM THE FOLLOWING REAL PROPERTY:**

**Property Description (the “Redevelopment Project Area”)**

This property is located at 809 and 811 S Kimball Avenue in south central Grand Island. The attached map identifies the subject property and the surrounding land uses:

- **Legal Descriptions** Lots 65 and 66 of Hawthorne Place in the City of Grand Island, Hall County, Nebraska.



**The tax increment will be captured for the tax years the payments for which become delinquent in years 2015 through 2029 inclusive.**

**The real property ad valorem taxes on the current valuation will continue to be paid to the normal taxing entities. The increase will come from development of a duplex housing unit at this location.**

**Statutory Pledge of Taxes.**

Pursuant to Section 18-2147 of the Act, any ad valorem tax levied upon real property in the Redevelopment Project Area shall be divided, for the period not to exceed 15 years after the effective date of the provision, which effective date shall be January 1, 2014.

a. That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the bodies; and

b. That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CRA to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

Redevelopment Plan Amendment Complies with the Act:

The Community Development Law requires that a Redevelopment Plan and Project consider and comply with a number of requirements. This Plan Amendment meets the statutory qualifications as set forth below.

**1. The Redevelopment Project Area has been declared blighted and substandard by action of the Grand Island City Council on August 14, 2012.[§18-2109] Such declaration was made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act.**

**2. Conformation to the General Plan for the Municipality as a whole. [§18-2103 (13) (a) and §18-2110]**

Grand Island adopted a Comprehensive Plan on July 13, 2004. This redevelopment plan amendment and project are consistent with the Comprehensive Plan, in that no changes in the Comprehensive Plan elements are intended. This plan merely provides funding for the developer to acquire the necessary property and provide the necessary site work for the construction of a permitted use on this property.

**3. The Redevelopment Plan must be sufficiently complete to address the following items: [§18-2103(13) (b)]**

***a. Land Acquisition:***

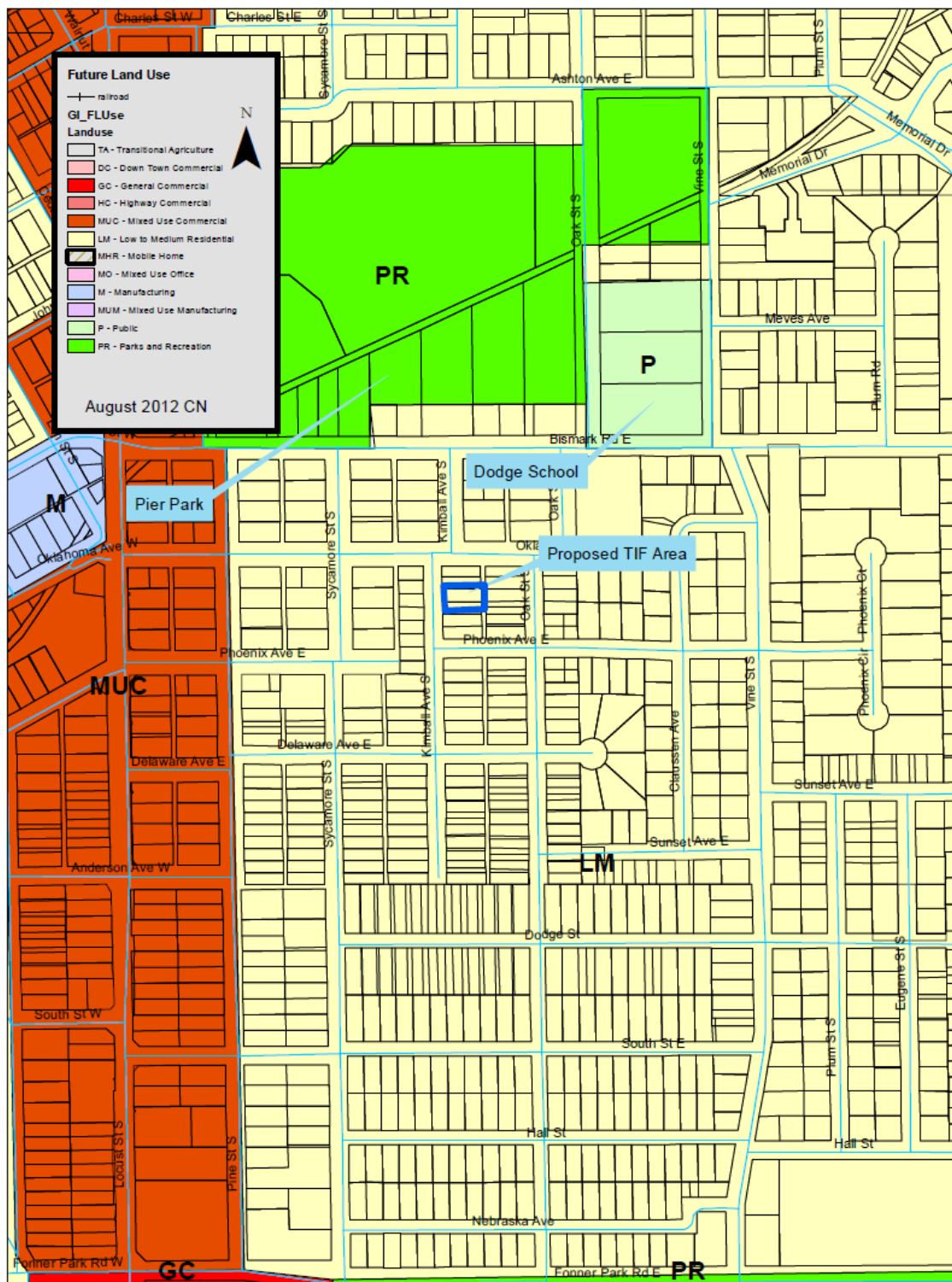
This Site Specific Redevelopment Plan for Area #10 provides for real property acquisition. There is no proposed acquisition by the authority. It is expected that the developer will or has recently acquired the property.

***b. Demolition and Removal of Structures:***

The project to be implemented with this plan does for the demolition and removal of an existing substandard housing unit at this location. The structure to be demolished is a vacant substandard residential structure owned by the applicant.

***c. Future Land Use Plan***

See the attached map from the 2004 Grand Island Comprehensive Plan. All of the area around the site is planned for low to medium density residential uses. [§18-2103(b) and §18-2111] The attached map also is an accurate site plan of the area after redevelopment. [§18-2111(5)]





***d. Changes to zoning, street layouts and grades or building codes or ordinances or other Planning changes.***

The area is zoned R2-Low Density Residential Use. No zoning changes are anticipated with this project. No changes are anticipated in street layouts or grades. No changes are anticipated in building codes or ordinances. Nor are any other planning changes contemplated. [§18-2103(b) and §18-2111]

***e. Site Coverage and Intensity of Use***

The developer is proposing remove the existing structures from the property. There are two lots of record at this site and a residential dwelling can be built on each lot. The proposed units including the attached garages will cover about 2,400 square feet, well within the allowable coverage. [§18-2103(b) and §18-2111]

***f. Additional Public Facilities or Utilities***

Sewer and water are available to support this development. New water and sewer services may be required for this building.

No other utilities would be impacted by the development.

The developer will be responsible for replacing any sidewalks damaged during construction of the project.

No other utilities would be impacted by the development. [§18-2103(b) and §18-2111]

**4. The Act requires a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation. This property, owned by the developer is currently vacant, no relocation is contemplated or necessary. [§18-2103.02]**

**5. No member of the Authority, nor any employee thereof holds any interest in any property in this Redevelopment Project Area. [§18-2106]**

**6. Section 18-2114 of the Act requires that the Authority consider:**

***a. Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers.***

The developer has purchased the property after making an application for tax increment financing. The cost of property acquisition \$16,500 is included as a TIF eligible expense. Costs for demolition, site preparation, landscaping, concrete and contingencies of \$17,422 are included as a TIF eligible expense. Engineering and design fees are estimated at \$700 and are included as a TIF eligible expense. Fees and reimbursement to the City and the CRA of \$2750 are included as a TIF eligible expense. Finance, interest and closing costs of \$1000 are included as a TIF eligible expense. The total of eligible expenses for this project is \$38,372.

No property will be transferred to redevelopers by the Authority. The developer will provide and secure all necessary financing.

***b. Statement of proposed method of financing the redevelopment project.***

The developer will provide all necessary financing for the project. The Authority will assist the project by granting the sum of \$38,372 from the proceeds of the TIF Indebtedness issued by the Authority. This indebtedness will be repaid from the Tax Increment Revenues generated from the project. TIF revenues shall be made available to repay the original debt and associated interest after January 1, 2015 through December 2029.

***c. Statement of feasible method of relocating displaced families.***

No families will be displaced as a result of this plan.

**7. Section 18-2113 of the Act requires:**

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs,

promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.

The Authority has considered these elements in proposing this Plan Amendment. This amendment, in and of itself will promote consistency with the Comprehensive Plan, in that it will allow for the utilization of and redevelopment of commercial lots. This will not significantly impact traffic on at the Five Points intersection. Renovated commercial development will raise property values and provide a stimulus to keep surrounding properties properly maintained. This will have the intended result of preventing recurring elements of unsafe buildings and blighting conditions.

#### **8. Time Frame for Development**

Development of this project (including demolition, site preparation and new construction) is anticipated to be completed between October 2012 and December of 2013. Excess valuation should be available for this project for 15 years beginning with the 2015 tax year.

#### **9. Justification of Project**

This is a residential neighborhood characterized by single family dwellings on smaller lots. The existing structure is considered badly worn by the Hall County Assessor and has a number of safety issues that cannot be fixed without the cost of the repairs exceeding the value of the building. The City of Grand Island is in need of additional housing units and this development will remove one very poor housing unit and replace it with 4 brand new units. This is infill development in an area with all city services available. This project does not propose to tear down any buildings with historic value.

**10. Cost Benefit Analysis** Section 18-2113 of the Act, further requires the Authority conduct a cost benefit analysis of the plan amendment in the event that Tax Increment Financing will be used. This analysis must address specific statutory issues.

##### ***(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;***

The redevelopment project area currently has an estimated valuation of \$18,574. The proposed demolition and subsequent construction of duplexes at this location will result in an additional \$141,426 of taxable valuation based on the valuation of similar structures building by Token Properties, LLC. No tax shifts are anticipated from the project. The

project creates additional valuation that will support taxing entities long after the project is paid off.

***(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;***

No additional public service needs have been identified. Existing water and waste water facilities will not be impacted by this development. The electric utility has sufficient capacity to support the development. It is not anticipated that this will impact schools. Fire and police protection are available and should not be impacted by this development.

***(c) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project;***

The proposed facility will provide jobs for persons employed with T.C. Enck Construction. It will have no impact on other firms locating or expanding in the area.

***(d) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and***

This project will not have a negative impact on other employers and will result in additional housing choices for employees within the city.

***(e) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.***

This project will increase the available quality housing in Grand Island by a net of two (2) units. The existing structure is worn out and not acceptable as a housing unit. These types of smaller projects spread throughout the city will have a less drastic impact on neighborhoods and schools than a centralized larger housing project.

This neighborhood has not had a great deal of new development in many years and some newer buildings, especially ones that replace worn out buildings are likely to raise all of the property values.

**Time Frame for Development**

Development of this project is anticipated to be completed during between October 1, 2012 and September 1, of 2013. The base tax year should be calculated on the value of the property as of January 1, 2013. Excess valuation should be available for this project for 15 years beginning in 2015 with taxes due in 2014. Excess valuation will be used to pay the TIF Indebtedness issued by the CRA per the contract between the CRA and the developer for a period not to exceed 15 years or an amount not to exceed \$38,372 the projected amount of increment based upon the anticipated value of the project and current

tax rate. Based on the estimates of the expenses of the cost of demolition, site preparation, engineering, expenses and fees reimbursed to the City and CRA, and financing fees the developer will spend at least \$38,372 on TIF eligible activities.

**See Attached Building Plans**



## BACKGROUND INFORMATION RELATIVE TO TAX INCREMENT FINANCING REQUEST

### Project Redeveloper Information

Business Name: TOKEN Properties, LLC  
Address: 511 Fleetwood Circle Grand Island, NE 68803  
Telephone No.: 308-380-1041  
Fax No.: 308-382-7054  
Contact: Todd Enck

Brief Description of Applicant's Business:       

TOKEN Properties, LLC is a real estate holding company formed by Todd Enck  
Todd Enck is a rental property manager, General Contractor and owner of T.C.  
Enck Builders, Inc.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Present Ownership Proposed Project Site: 125 N Carey St, Grand Island, NE 68803

\_\_\_\_\_

Proposed Project: Building square footage, size of property, description of buildings – materials, etc. Please attach site plan, if available.

(2) Energy Efficient duplexes with attached garages. 980 sq ft each. (4 units total) with landscaped yards and sprinklers installed.

If Property is to be Subdivided, Show Division Planned:

VI. Estimated Project Costs:

Acquisition Costs:

A. Land \$42,000.00

B. Building \$10,818.00

Demo, Tree Removal, Asbestos

Construction Costs:

A. Renovation or Building Costs: \$310,955.08

B. On-Site Improvements: \$ 15,344.00

Sidewalk, landscaping, sprinklers, sewer taps/water, survey

Soft Costs:

A. Architectural & Engineering Fees: \$ 1,400.00

B. Financing Fees: \$ 2,000.00

Appraisal, closing costs (no interest)

C. Legal/Developer/Audit Fees: \$

D. Contingency Reserves:	\$ 2,500.00
<hr/>	
E. Other (Please Specify)	\$ 2,750.00
<u>TIF financing fees</u>	
TOTAL	\$ 387,767.08

Total Estimated Market Value at Completion:	\$ 150,316.00(ea)
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Source of Financing:

A. Developer Equity:	\$
<hr/>	
B. Commercial Bank Loan:	\$289,000.00
Tax Credits:	
1. N.I.F.A.	\$
<hr/>	
2. Historic Tax Credits	\$
1 <hr/>	
D. Industrial Revenue Bonds:	\$
<hr/>	
E. Tax Increment Assistance:	\$ 76,812.00
F. Other	\$
<hr/>	

Name, Address, Phone & Fax Numbers of Architect, Engineer and General Contractor:

T.C. Enck Builders, Inc. – General Contractor

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Estimated Real Estate Taxes on Project Site Upon Completion of Project:  
(Please Show Calculations)



$(\$300,632 \times .90) \times (.0211) - (\$873.14) = \$4,835.86$  90% of estimated value x  
Expected Annual Mil Levy less Current taxes being paid on real estate

Project Construction Schedule:

Construction Start Date: September 2012

Construction Completion Date: September 2013

If Phased Project:

_____	Year	_____ %
Complete		
_____	Year	_____ %
Complete		

XII. Please Attach Construction Pro Forma

XIII. Please Attach Annual Income & Expense Pro Forma  
(With Appropriate Schedules)

### **TAX INCREMENT FINANCING REQUEST INFORMATION**

Describe Amount and Purpose for Which Tax Increment Financing is Requested:

Amount of Incremental Prospective Annual Real Estate Taxes over 2011 Real Estate Taxes on the subject property for 15 years will be used to redevelop the property.

Statement Identifying Financial Gap and Necessity for use of Tax Increment Financing  
for Proposed Project: TIF is an important component in order for this project  
to bridge the deficit between the actual cost of the project and the income  
producing capability of the real estate. We feel that this project will add value to  
a defined blighted area in the community as well as provide much needed quality  
affordable rental housing.

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Municipal and Corporate References (if applicable). Please identify all other  
Municipalities, and other Corporations the Applicant has been involved with, or  
has completed developments in, within the last five (5) years, providing contact  
person, telephone and fax numbers for each:

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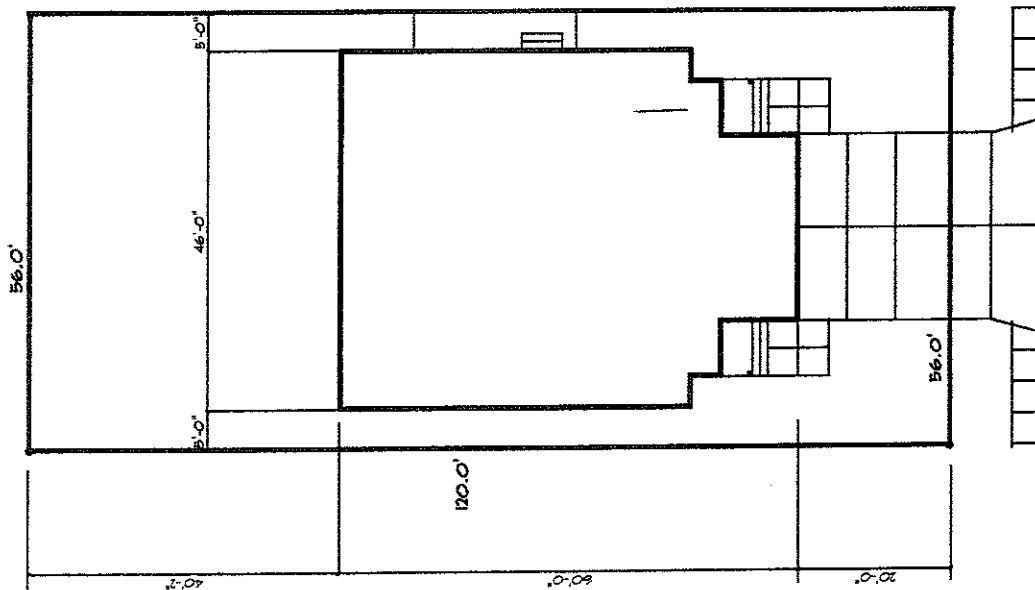
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- IV. Please Attach Applicant's Corporate/Business Annual Financial Statements for  
the Last Three Years.

Post Office Box 1968  
Grand Island, Nebraska 68802-1968  
Phone: 308 385-5240  
Fax: 308 385-5423  
Email: cnabity@grand-island.com

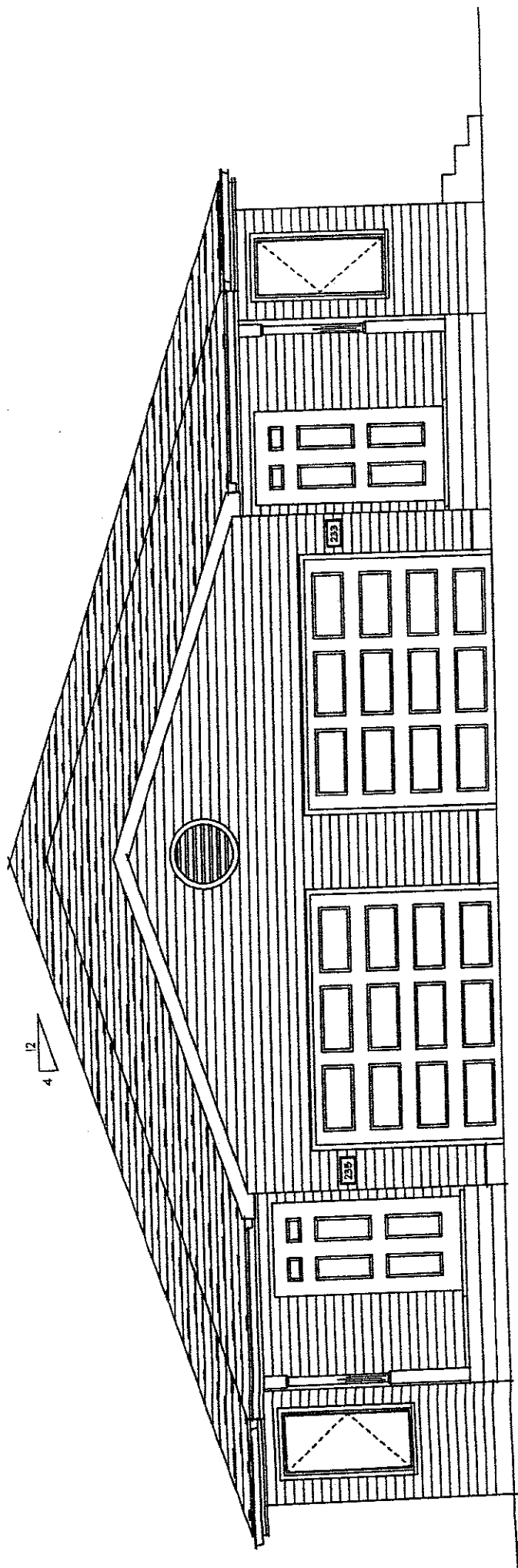
ALLEY



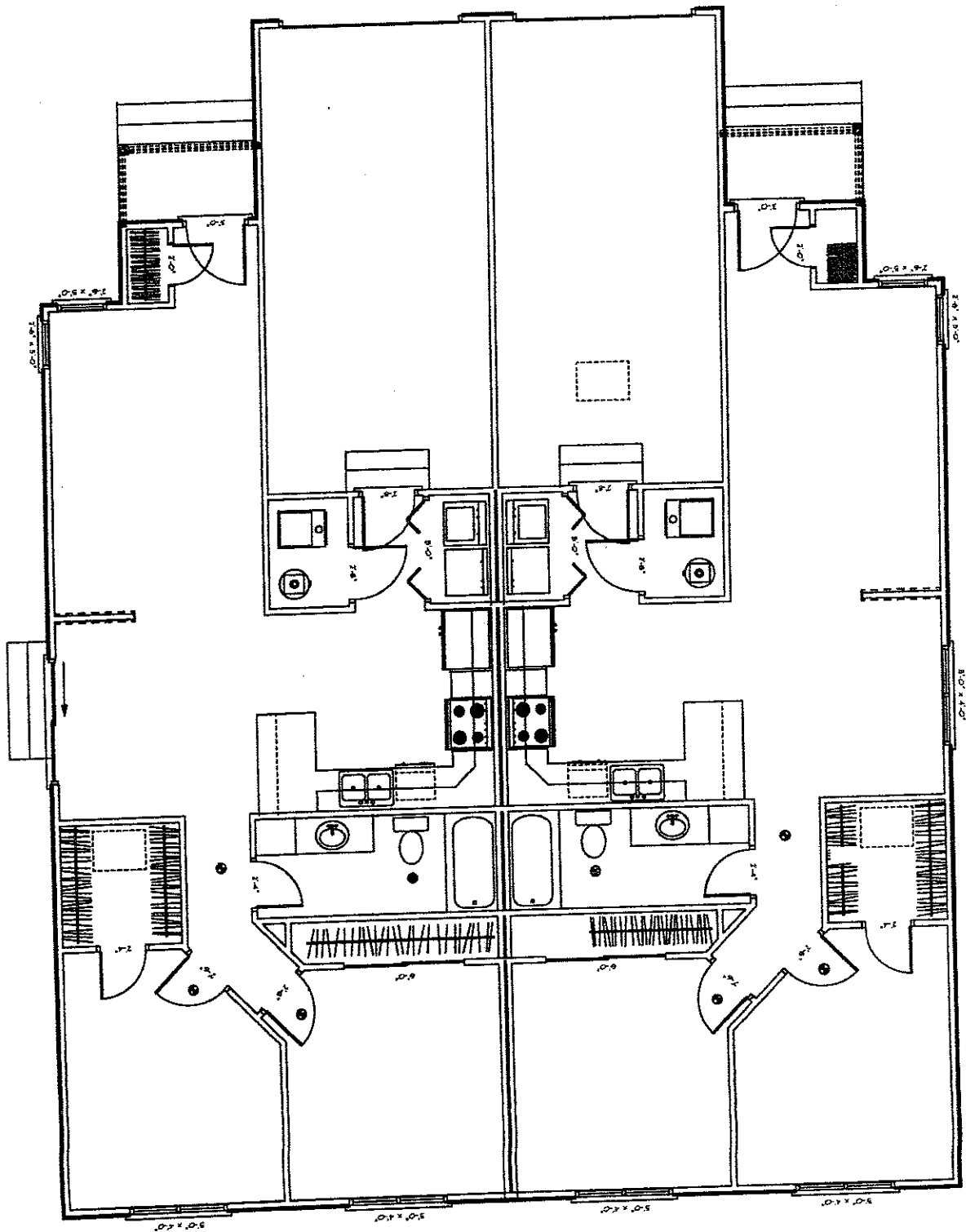
SITE PLAN

1" = 10.0'





# FRONT ELEVATION



**COMMUNITY REDEVELOPMENT AUTHORITY  
OF THE CITY OF GRAND ISLAND, NEBRASKA**

**RESOLUTION NO. 151**

**RESOLUTION OF THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY  
OF GRAND ISLAND, NEBRASKA, SUBMITTING A PROPOSED  
REDEVELOPMENT PLAN TO THE HALL COUNTY REGIONAL PLANNING  
COMMISSION FOR ITS RECOMMENDATION**

WHEREAS, this Community Redevelopment Authority of the City of Grand Island, Nebraska ("Authority"), pursuant to the Nebraska Community Development Law (the "Act"), prepared a proposed redevelopment plan (the "Plan") a copy of which is attached hereto as Exhibit 1, for redevelopment of an area within the city limits of the City of Grand Island, Hall County, Nebraska; and

WHEREAS, the Authority is required by Section 18-2112 of the Act to submit said to the planning board having jurisdiction of the area proposed for redevelopment for review and recommendation as to its conformity with the general plan for the development of the City of Grand Island, Hall County, Nebraska;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Authority submits to the Hall County Regional Planning Commission the proposed Plan attached to this Resolution, for review and recommendation as to its conformity with the general plan for the development of the City of Grand Island, Hall County, Nebraska.

Passed and approved this 10<sup>th</sup> day of October, 2012.

COMMUNITY REDEVELOPMENT  
AUTHORITY OF THE CITY OF  
GRAND ISLAND, NEBRASKA.

By Barry J. Schiller  
Chairperson

ATTEST:

Chad A. [Signature]  
Secretary

**COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY  
OF GRAND ISLAND, NEBRASKA**

**RESOLUTION NO. 152**

RESOLUTION OF THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF GRAND ISLAND, NEBRASKA, PROVIDING NOTICE OF INTENT TO ENTER INTO A REDEVELOPMENT AFTER THE PASSAGE OF 30 DAYS AND OTHER MATTERS

WHEREAS, this Community Redevelopment Authority of the City of Grand Island, Nebraska ("Authority"), has received an Application for Tax Increment Financing under the Nebraska Community Development Law (the "Act") on a project within redevelopment area #10, from Token Properties, LLC, (The "Developer") for redevelopment of an area within the city limits of the City of Grand Island as set forth in Exhibit 1 attached hereto area; and

WHEREAS, this Community Redevelopment Authority of the City of Grand Island, Nebraska ("Authority"), is proposing to use Tax Increment Financing on a project within redevelopment area #10;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

**Section 1.** In compliance with section 18-2114 of the Act, the Authority hereby gives the governing body of the City notice that it intends to enter into the Redevelopment Contract, attached as Exhibit 1, with such changes as are deemed appropriate by the Authority, after approval of the redevelopment plan amendment related to the redevelopment project described in the Redevelopment Contract, and after the passage of 30 days from the date hereof.

**Section 2.** The Secretary of the Authority is directed to file a copy of this resolution with the City Clerk of the City of Grand Island, forthwith.

Passed and approved this 10<sup>th</sup> day of October, 2012.

COMMUNITY REDEVELOPMENT  
AUTHORITY OF THE CITY OF  
GRAND ISLAND, NEBRASKA.

By Barry J. Smith  
Chairperson

ATTEST:

Carl A. Smith  
Secretary

Resolution Number 2013-03

HALL COUNTY REGIONAL PLANNING COMMISSION

A RESOLUTION RECOMMENDING APPROVAL OF A SITE SPECIFIC  
REDEVELOPMENT PLAN OF THE CITY OF GRAND ISLAND, NEBRASKA;  
AND APPROVAL OF RELATED ACTIONS

WHEREAS, the Chairman and Board of the Community Redevelopment Authority of the City of Grand Island, Nebraska (the "Authority"), referred that certain Redevelopment Plan to the Hall County Regional Planning Commission, (the "Commission") a copy of which is attached hereto as Exhibit "A" for review and recommendation as to its conformity with the general plan for the development of the City of Grand Island, Hall County, Nebraska, pursuant to Section 18-2112 of the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the "Act"); and

WHEREAS, the Commission has reviewed said Redevelopment Plan as to its conformity with the general plan for the development of the City of Grand Island, Hall County;

NOW, THEREFORE, BE IT RESOLVED BY THE HALL COUNTY REGIONAL PLANNING COMMISSION AS FOLLOWS:

Section 1. The Commission hereby recommends approval of the Redevelopment Plan.

Section 2. All prior resolutions of the Commission in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 3. This resolution shall be in full force and effect from and after its passage as provided by law.

DATED: Nov. 7 2012.

HALL COUNTY REGIONAL PLANNING  
COMMISSION

ATTEST:

By:

Chair

By:

Leslie E. Ruge  
Secretary





# **City of Grand Island**

**Tuesday, November 27, 2012**

**Council Session**

## **Item F1**

### **#9410 - Consideration of City Council's Approval of all Individual City Negotiators**

**Staff Contact: Councilman Larry Carney**

# **Council Agenda Memo**

**From:** Councilmember Larry Carney  
**Meeting:** November 27, 2012  
**Subject:** F-1  
**Item #'s:** City Council Approval of City Negotiators  
**Presenter(s):** Councilmember Larry Carney

## **Background**

To allow the City Council to participate in the selection of City negotiators.

## **Discussion**

It is thought to be in the City's best interest to require the City Council to approve all City negotiators prior to labor negotiations on behalf of the City.

## **Alternatives**

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

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

## **Recommendation**

Councilman Carney recommends that Council approve Ordinance No. 9410.

## **Sample Motion**

Move to approve Ordinance No. 9410.

ORDINANCE NO. 9410

WHEREAS, pursuant to Neb Rev. Stat. §16-201, the City has authority, by Ordinance to make all rules and regulations, not inconsistent with state laws; and

WHEREAS, an ordinance to require the City Council's approval of all individual City negotiators prior to entering into labor contract negotiations, on behalf of the City, with any individual or union; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. The Mayor and Council hereby find and determine: that it is in the City's best interest to require the City Council to approve all City negotiators prior to labor negotiations on behalf of the City.

SECTION 2. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage and publication in one issue of the Grand Island Independent, within fifteen days as provided by law.

Enacted: November 27, 2012.

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

Attest:

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

Approved as to Form	▣ _____
November 21, 2012	▣ City Attorney



# **City of Grand Island**

**Tuesday, November 27, 2012**

**Council Session**

## **Item F2**

**#9411 - Consideration of Amending Section 2-21 of the Grand Island City Code Regarding Compensation for Elected Officials (Council)**

**Staff Contact: Robert J. Sivick, City Attorney**

# **Council Agenda Memo**

**From:** Robert J. Sivick, City Attorney

**Meeting:** November 27, 2012

**Subject:** Compensation for Elected Officials

**Item #'s:** F-2 & F-3

**Presenter(s):** Councilman John Gericke

## **Background**

The relevant legal authorities regarding compensation for City of Grand Island (City) elected officials are as follows:

**Neb. Const., Art. III, §19** which states in part, “[t]he compensation of any public officer...shall not be increased or diminished during his or her term of office, except that when there are members elected...and the terms of such members commence and end at different times...the compensation...may be increased or diminished at the beginning of the full term of any member thereof.”

**Neb. Rev. Stat. §16-326** which states in part the salary “of any elective officer shall not be increased or diminished during the term for which he was elected, except that when there are officers elected to the council...and the terms of one or more members commence and end at different times, the compensation of all members of such council...may be increased or diminished at the beginning of the full term of any member thereof.”

**Grand Island City Code §2-18** which states in part, “[t]he annual compensation for the mayor shall be \$13,000....”

**Grand Island City Code §2-21** which states in part, “[t]he annual compensation for members of the city council shall be \$6,000....”

**Grand Island City Ordinance 8708**, approved on January 22, 2002 which set the present compensation for City elected officials by raising the previous annual compensation for the Mayor from twelve thousand to thirteen thousand dollars and for the City Council (Council) from five to six thousand dollars.

## **Discussion**

Pursuant to the legal authorities cited above, any increase in the Mayor's compensation could not take effect until the next mayoral term which begins at the first regular Council meeting in December, 2014. Any increase in the Council's compensation could not take effect until the beginning of the term of any member of the Council. Since the term of office for five members of the Council begins on December 4, 2012 any increase in compensation for the entire Council could begin on that date.

The proposed Ordinance increases the Mayor's annual compensation from thirteen thousand to sixteen thousand dollars and Council Member's annual compensation from six to nine thousand dollars.

## **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 a future date.
4. Take no action on the issue.

## **Recommendation**

The City Administration has no recommendation.

## **Sample Motion**

Move to approve Ordinance No. 9411 increasing the annual compensation of the Mayor to sixteen thousand dollars effective the first regular meeting of the Council in December, 2014.

Move to approve Ordinance No. 9412 increasing the annual compensation of members of the Council to nine thousand dollars effective the first regular meeting of the Council in December, 2012.

ORDINANCE NO. 9411

WHEREAS, the Grand Island City Council has decided to amend Sections 2-21, its law setting forth the compensation of members of the City Council,

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

I. That §2-21 of the Grand Island City Code be amended to read as follows:

**§2-21. City Council Members; Compensation**

Beginning at the first regular Council meeting in December, 2012 and thereafter The annual compensation for members of the city council shall be nine thousand dollars (\$9,000.00) ~~\$6,000 per year~~, payable monthly in equal installments as required by law.

II. Any ordinances or parts of ordinances in conflict are hereby repealed.

III. This ordinance shall be in full force and will take effect from and after its passage and publication pursuant to law.

Enacted: November 27, 2012.

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

ATTEST:

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

Approved as to Form	☐ _____
November 21, 2012	☐ City Attorney



# City of Grand Island

Tuesday, November 27, 2012

Council Session

## Item F3

### **#9412 - Consideration of Amending Section 2-18 of the Grand Island City Code Regarding Compensation for Elected Officials (Mayor)**

*This item relates to the aforementioned Ordinance item F-2.*

Staff Contact: Robert J. Sivick, City Attorney



ORDINANCE NO. 9412

WHEREAS, the Grand Island City Council has decided to amend Section 2-18, its law setting forth the compensation of the Mayor,

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

I. That §2-18 of the Grand Island City Code be amended to read as follows:

**§2-18. Mayor; Compensation**

Beginning at the first regular Council meeting in December, 2014 and thereafter The annual compensation for the mayor shall be sixteen thousand dollars (\$16,000.00) ~~\$13,000 per year~~, payable monthly in equal installments as required by law.

II. Any ordinances or parts of ordinances in conflict are hereby repealed.

III. This ordinance shall be in full force and will take effect from and after its passage and publication pursuant to law.

Enacted: November 27, 2012.

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

ATTEST:

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

Approved as to Form	▣ _____
November 21, 2012	▣ City Attorney



# **City of Grand Island**

**Tuesday, November 27, 2012**

**Council Session**

## **Item G1**

### **Approving Minutes of November 13, 2012 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

## CITY OF GRAND ISLAND, NEBRASKA

### MINUTES OF CITY COUNCIL REGULAR MEETING November 13, 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 November 13, 2012. Notice of the meeting was given in *The Grand Island Independent* on November 7, 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, Interim Public Works Director Terry Brown and Finance Director Jaye Monter.

INVOCATION was given by Pastor Terry Brandenburg, Peace Lutheran Church, 1710 N. North Road followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Jordyn Barnett.

#### PRESENTATIONS AND PROCLAMATIONS:

Presentation of the "Mayor's Builder Award" to Grand Island Area Habitat for Humanity. Mayor Vavricek presented the sixth "Mayor's Builder Award" to the Grand Island Area Habitat for Humanity. Executive Director Dana Jelinek and Habitat board members were present for the recognition.

Proclamation "National Adoption Month" November, 2012. Mayor Vavricek proclaimed the month of November 2012 as "National Adoption Month". Marge Creason and Suzana Borowski representing the Department of Health and Human Services were present to receive the Proclamation.

Proclamation "Homeless and Hunger Awareness Week" November 12-19, 2012. Mayor Vavricek proclaimed the week of November 12-19, 2012 as "Homeless and Hunger Awareness Week". Melissa DeLaet, Executive Director of Hope Harbor and Heather Cline-ford were present to receive the Proclamation.

Recognition of Pam Holmes and Chelsea Holmes with the Grand Island Fire Department's Citizen's Citation Award. Fire Chief Cory Schmidt, EMS Division Chief Russ Blackburn, and Paramedic Phil Thomas presented Pam and Chelsea Holmes with the Fire Department's Citizen's Citation Award for life saving efforts on October 15, 2012.

#### PUBLIC HEARINGS:

Public Hearing on Request from Olsson Associates on behalf of Helen Foreman for Renewal of a Conditional Use Permit for a Soil Vapor Extraction and Air Sparge Remediation Trailer Located at 1515 West 2<sup>nd</sup> Street. Building Department Director Craig Lewis reported that this request was

for the renewal to allow for a soil vapor extraction and air sparge remediation trailer located at 1515 West 2<sup>nd</sup> Street. Staff recommended approval. No public testimony was heard.

Public Hearing on Request from Third City Christian Church for Renewal of a Conditional Use Permit for an Extension of Soft Surface Parking with Additional Surfacing Located at 4100 West 13<sup>th</sup> Street. Building Department Director Craig Lewis reported that this request was for the renewal and expansion of a soft surface parking lot. Staff recommended approval with the following conditions: 1) A landscape buffer included within the required 25' front yard setback along the south boundary adjacent to 13<sup>th</sup> Street needed to be provided to comply with setback requirements of the City Code and 2) The responsibility of controlling any dust created from the lot needed to be addressed by the applicants during any dry months throughout the duration of the use. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3016 East Bismark Road (Grand Island Kennel Club). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 3016 East Bismark Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of relocating an overhead power line that is too close to a newly constructed garage on the adjacent property. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Right-of-Way for the Moore's Creek Drainway Extension (Eric M. & Kenda D. Pollock and Barry W. Niedfelt). Interim Public Works Director Terry Brown reported that acquisition of public right-of-way for the Moore's Creek Drainway Extension was needed to accommodate the installation of storm sewer and allow for the construction, operation, maintenance, extension, repair, replacement, and removal of drainage utilities within the easements. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Right-of-Way for the Walk to Walnut Safe Routes to School Project (Grand Island Public Schools). Interim Public Works Director Terry Brown reported that acquisition of public right-of-way for the Walk to Walnut Safe Routes to School Project was needed to allow for the construction, operation, maintenance, extension, repair, replacement, and removal of elements involved with this project. Staff recommended approval. No public testimony was heard.

Public Hearing on Comprehensive Revitalization Needs Assessment Application. Community Development Administrator Marco Floreani reported that Grand Island was requesting a Planning Grant for \$13,500, plus \$1,500 in General Administration to develop and complete a Needs Assessment Strategy through the NE Department of Economic Development for CDBG grants. Staff recommended approval. No public testimony was heard.

#### ORDINANCES:

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

#9409 – Consideration of Amending Chapter 2-18 and 2-21 of the Grand Island City Code Relative to Compensation for Elected Officials

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

Councilmember Larry Carney reported that the salary for the Mayor and City Council had not been raised since 2002. He recommended raising the Mayor’s salary from \$13,000 to \$20,000 beginning in December 2014 and the City Councils salary from \$6,000 to \$10,000 beginning on December 4, 2012.

Motion by Carney, second by Minton to approve Ordinance #9409.

Paul Wicht, 936 South Kimball and Grady Ericken, 1405 North Koenig spoke in opposition. Guilleramo Pena, 311 East 3<sup>rd</sup> Street, Apt. 18 questioned where the money would come from. City Attorney Robert Sivick explained the state statutes. Mentioned was that the Councils salary would start December 4, 2012 and the Mayor salary would start December 2014.

Discussion was held regarding the amount of the increase, budget concerns, and the process of reviewing salaries regularly.

Motion by Nickerson, second by Carney to amend the motion for an annual salary of \$7,200 per year for council and \$16,000 per year for the mayor. Upon roll call vote, Councilmembers Niemann, Nickerson, Dugan, and Minton voted aye. Councilmembers Haase, Carney, Ramsey, Gilbert, Donaldson, and Gericke voted no. Motion failed.

City Clerk: Ordinance #9409 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Carney, Niemann, Dugan, Minton, and Gericke voted aye. Councilmembers Haase, Ramsey, Gilbert, Nickerson, and Donaldson voted no. The Mayor cast the sixth and deciding no vote. Motion failed.

CONSENT AGENDA: Consent Agenda items G-8 and G-15 were pulled for further discussion. Motion by Ramsey, second by Donaldson to approve the Consent Agenda excluding items G-8 and G-15. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of October 23, 2012 City Council Regular Meeting.

Approving Minutes of October 30, 2012 City Council Special Meeting.

Approving Minutes of November 6, 2012 City Council Study Session.

#2012-317 – Approving Contract for Section 125 Flexible Spending Plan with TASC of Madison, Wisconsin for 3 years beginning January 1, 2013 through December 31, 2015 at a fee of \$3.58 per participant per month.

#2012-318 – Approving Acquisition of Utility Easement Located at 3016 East Bismark Road (Grand Island Kennel Club).

#2012-319 – Approving Bid Award for Burdick Generating Station Torque Converter for Gas Turbines 2 & 3 with Voith Turbo, Inc. of York, Pennsylvania in an Amount of \$81,213.30.

#2012-320 – Approving Bid Award for Circulation Water Pump Repair at Platte Generating Station with Brimhall Industrial, Inc. of Monte Vista, Colorado in an Amount of \$70,242.29.

#2012-321 – Approving Acquisition of Public Right-of-Way for the Moore's Creek Drainway Extension (Eric M. & Kenda D. Pollock and Barry W. Niedfelt). Interim Public Works Director Terry Brown answered questions concerning the cost of the right-of-way. He stated the reason was because it was farm ground.

Motion by Gilbert, second by Haase to approve Resolution #2012-321. Upon roll call vote, all voted aye. Motion adopted.

#2012-322 – Approving Acquisition of Public Right-of-Way for the Walk to Walnut Safe Routes to School Project (Grand Island Public Schools).

#2012-323 – Approving Agreement for Temporary Construction Easements for the Walk to Walnut Safe Route to School Project.

#2012-324 – Approving the Granting of a Permanent Easement to Grand Island Public Schools of Hall County, Nebraska in Connection with the Walk to Walnut Safe Routes to School Project.

#2012-325 – Approving Certificate of Final Completion for Grand Island Quiet Zone Project No. 2012-AQ-1 with The Diamond Engineering Company of Grand Island, Nebraska.

#2012-326 – Approving Increase of \$129,204.98 to the City's Share of the US Highway 34 Improvements from US Highway 281 to South Locust Street – NDOR Project No. STP 34-4(126).

#2012-327 – Approving Public Highway At-Grade Crossing Improvement Agreement with Union Pacific Railroad Company for the Broadwell Avenue Crossing and Administrative Handling Charge of \$1,000.00.

#2012-328 – Approving Installation of Four Way Stop at the Intersection of Capital Avenue and Independence Avenue. Interim Public Works Director Terry Brown reported that a traffic study was completed at the intersection of Capital Avenue and Independence Avenue during peak times of both pedestrian and vehicular traffic. Due to the traffic volumes meeting the Manual on Uniform Traffic Control Devices (MUTCD) criteria and major delays occurring during the peak hours, an all-way stop was being recommended. With northwest Grand Island continuing to grow, this traffic would only increase in the future and the all-way stop would aid in effectively moving traffic along in a timely manner.

Herb Worthington, 4262 Pennsylvania Avenue opposed the four way stop sign and encourage a stop light on North Road.

Discussion was held concerning the rules for stop lights. Mr. Brown stated stop signs had to come first before stop lights and the rules were different for each. Sidewalks were mentioned.

Motion by Minton, second by Dugan to approve. Upon roll call vote, all voted aye. Motion adopted.

#2012-329 – Approving Amendment No. 3 to the Agreement for Professional Engineering Services entitled “Wastewater Treatment Plant and Collection System Rehabilitation” with Black & Veatch of Kansas City, Missouri for an Increase of \$265,754.00 and a Revised Contract Amount of \$3,349,989.00.

#2012-330 – Approving Bid Award for South & West Interceptor Sewer Improvements; Sewer Project No. 2012-S-4 with SAK Construction LLC of O’Fallon, Missouri in an Amount of \$793,547.00.

#2012-331 – Approving Agreement for Utility Relocation Services to be Performed by the City Utility Department for the US-30 Drainage Improvement Project.

#2012-332 – Approving Program Supplemental Agreement No. 1 with the State of Nebraska Department of Roads for the US Highway 30 Drainage Improvement Project.

#2012-333 – Approving Agreement for Temporary Construction Easements & Leasehold Agreements for the US-30 Drainage Improvement Project.

#2012-334 – Approving Bid Award for Snow Removal Services for the 2012/2013 Winter Season (Streets Division of the Public Works Department) with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$135.00 per hour for Trucks Hauling Snow; \$175.00 per hour for Front End Loaders; \$175.00 per hour for Motor Graders; and \$155.00 per hour for Side Dumps.

#2012-335 – Approving Purchase of (12) 2013 Ford Police Interceptors on State Bid with Anderson Ford of Grand Island, Nebraska in an Amount of \$315,900.00.

#2012-336 – Approving Comprehensive Revitalization Block Grant Application.

#### REQUESTS AND REFERRALS:

Consideration of Request from Olsson Associates on behalf of Helen Foreman for renewal of Conditional Use Permit for a Soil Vapor Extraction and Air Sparge Remediation Trailer Located at 1515 West 2<sup>nd</sup> Street. This item related to the aforementioned Public Hearing.

Motion by Ramsey, second by Nickerson to approve the request from Olsson Associates. Upon roll call vote, all voted aye. Motion adopted.

Consideration of Request from Third City Christian Church for Renewal of a Conditional Use Permit and Expansion of Soft Surface Parking Lot Located at 4100 West 13<sup>th</sup> Street. This item related to the aforementioned Public Hearing.

Motion by Gilbert, second by Dugan to approve the request from First City Christian Church with conditions as presented by staff. Upon roll call vote, all voted aye. Motion adopted.

## RESOLUTIONS:

#2012-337 – Approving Authorization of Local Security Administrator for the Southwest Power Pool (SPP). Utility Director Tim Luchsinger reported that in order to conduct power purchases and sales with other companies, SPP required the City to designate a Local Security Administrator (LSA). It was recommended the City appoint Tim Luchsinger as the LSA to perform duties which included the management of the organization's users and their associated roles and access levels

Motion by Dugan, second by Gericke to approve Resolution #2012-337. Upon roll call vote, all voted aye. Motion adopted.

#2012-338 – Consideration of Amending Personnel Rules Relative to Sexual Orientation. Councilmember Larry Carney reported that Resolution #2012-338 would change the Personnel Rules 1.03 and 2.02 prohibiting the City from discriminating in its employment practices against persons based on their sexual orientation.

The following people spoke in support:

- Guilleramo Pena, 311 East 3<sup>rd</sup> Street, Apt. 18
- Grady Ericson, 1405 W. Koenig St. Apt. 310
- Lex Ann Roach, 917 West 10<sup>th</sup> Street
- Bob Rhodes, 2022 West 15<sup>th</sup> Street
- Todd Ruhter, 2610 Riverside Drive
- Brian Whitecalf, 1506 No. St. Paul Road
- Peggy Lang, 123 No. Mill Street, Dannebrog

Motion by Carney, second by Minton to approve Resolution #2012-338.

Human Resources Director Brenda Sutherland explained the current practices of hiring within the City with regards to the Personnel Rules. Mentioned was that adding any protected class broadens the liability to the City.

Motion by Gericke to amend the motion to add age as a protected class. Motion failed due to lack of a second.

Comments were made regarding the need for this protected class as the City does not discriminate. Mr. Sivick answered questions concerning the liability to the city. He stated the burden of proof for discrimination was on the person bringing the complaint against the City. He also stated that Federal and State government covers the city when we don't have a local law. Ms. Sutherland explained the hiring process and what was required to report to the government.

Upon roll call vote, Councilmembers Carney, Niemann, Ramsey, Donaldson, Minton, and Gericke voted aye. Councilmembers Haase, Gilbert, Nickerson, and Dugan voted no. Motion adopted.

At this point the Mayor asked each Councilmember the reasons for voting the way they did. The Mayor then vetoed the motion. The meeting was turned over to City Attorney Robert Sivick.



Motion by Carney, second by Gericke to override the decision of the Mayor. Upon roll call vote, Councilmembers Haase, Carney, Niemann, Ramsey, Nickerson, Donaldson, Minton, and Gericke voted aye. Councilmembers Gilbert and Dugan voted no. Motion adopted.

The meeting was turned back over to Mayor Vavricek.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Donaldson to approve the Claims for the period of October 24, 2012 through November 13, 2012, for a total amount of \$5,327,602.35. Upon roll call vote, Councilmembers Haase, Carney, Ramsey, Gilbert, Nickerson, Donaldson, Dugan, Minton, and Gericke voted aye. Councilmember Niemann voted no. Councilmember Haase voted no on Claim for the Police Reserve Fund in the amount of \$458,919.35.

ADJOURNMENT: The meeting was adjourned at 9:37 p.m.

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, November 27, 2012

Council Session

## Item G2

### **Approving Re-Appointment of Jolene Wojcik to the Grand Island Facilities Corporation Board**

*The Mayor has submitted the re-appointment of Jolene Wojcik to the Grand Island Facilities Corporation Board. This appointment would become effective December 1, 2012 upon approval by the City Council and would expire on November 30, 2015.*

*Approval is recommended.*

**Staff Contact: Mayor Jay Vavricek**



# **City of Grand Island**

**Tuesday, November 27, 2012**

**Council Session**

## **Item G3**

**Approving Liquor Manager Designation for Sage Rath, 2539 Del Monte Avenue for Ruby Tuesday, 3429 West 13th Street**

**Staff Contact: RaNae Edwards**

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** November 27, 2012

**Subject:** Request from Sage Rath, 2539 Del Monte Avenue for Liquor Manager Designation for Ruby Tuesday, 3429 West 13<sup>th</sup> Street

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

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

## **Background**

Sage Rath, 2539 Del Monte Avenue has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with Ruby Tuesday, 3429 West 13<sup>th</sup> Street.

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

## **Discussion**

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

## **Alternatives**

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

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

## **Recommendation**

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

## **Sample Motion**

Move to approve the request from Sage Rath, 3429 West 13<sup>th</sup> Street for Liquor Manager Designation in conjunction with the Class “I-67017” Liquor License for Ruby Tuesday, 3429 West 14<sup>th</sup> Street with the stipulation that Mr. Rath complete a state approved alcohol server/seller training program.

11/20/12  
13:30

Grand Island Police Department  
LAW INCIDENT TABLE

450  
Page: 1

City : Grand Island  
Occurred after : 11:21:53 11/14/2012  
Occurred before : 11:21:53 11/14/2012  
When reported : 11:21:53 11/14/2012  
Date disposition declared : 11/14/2012  
Incident number : L12111637  
Primary incident number :  
Incident nature : Liquor Lic Inv Liquor License  
Investigation  
Incident address : 3429 13th St W  
State abbreviation : NE  
ZIP Code : 68803  
Contact or caller :  
Complainant name number :  
Area location code : PCID Police - CID  
Received by : Vitera D  
How received : T Telephone  
Agency code : GIPD Grand Island Police Department  
Responsible officer : Vitera D  
Offense as Taken :  
Offense as Observed :  
Disposition : ACT Active  
Misc. number : RaNae  
Geobase address ID : 470  
Long-term call ID :  
Clearance Code : CL Case Closed  
Judicial Status : NCI Non-criminal Incident  
= = = = =

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	27080	11/16/12	Rath, Sage A	Liquor Manager
NM	114286	11/16/12	Ruby Tuesday,	Business

Involved

LAW INCIDENT CIRCUMSTANCES:

Se Circu	Circumstance code	Miscellaneous
1	LT21 Restaurant	

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor Manager Application from Sage Rath for Ruby Tuesday.

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 14:05:00 11/16/2012

318

Grand Island Police Department  
Supplemental Report

Date, Time: Fri Nov 16 14:05:15 CST 2012  
Reporting Officer: Vitera  
Unit- CID

Sage Rath applied to be the liquor manager at Ruby Tuesday. According to his application, Sage was born in Aurora, NE. Besides a couple of quick stints in Kansas and Minnesota, Sage has spent most of the last ten years in Nebraska.

Sage has been approved as a liquor manager at a couple of other restaurants in the past. Both restaurants were in Nebraska. Sage did not disclose any criminal convictions on his application.

I checked Sage through Spillman and NCJIS. Sage didn't have anything listed in Spillman that would indicate undisclosed convictions other than the possibility of a speeding ticket. I found that one of the restaurants Sage listed as being a liquor manager is in Grand Island. An investigation was done here in 2006 with a recommendation to approve the application. Sage's criminal history in Nebraska hasn't changed since the first investigation in 2006. He had one undisclosed speeding conviction then, and that's all he has now.

I did a couple of online searches and didn't find anything alarming about Sage.

The Grand Island Police Department has no objection to Sage Rath becoming the liquor manager at Ruby Tuesday.



# City of Grand Island

Tuesday, November 27, 2012

Council Session

## Item G4

**#2012-340 - Approving Bid for Four (4) Outdoor Warning Sirens**

Staff Contact: Jon Rosenlund, Director of Emergency Mgt.-911



# **Council Agenda Memo**

**From:** Jon Rosenlund, Emergency Management Director

**Meeting:** November 27, 2012

**Subject:** Hazard Mitigation Grant - Sirens

**Item #'s:** G-4

**Presenter(s):** Jon Rosenlund, Emergency Management Director

## **Background**

Hall County-Grand Island Emergency Management operates and maintains 39 outdoor warning sirens to alert the public of dangerous weather and other hazards. Many of these devices were installed between 1979 and 1981. These devices have an anticipated life span of 30 years, and existing sirens are already failing at a rate of almost 1-2 annually over the past few years.

Unfortunately, many repair parts are no longer available for these older models. Sirens which fail are replaced at significant cost on a case-by-case basis. In the past, the Emergency Management Department has planned to replace sirens annually, as necessary. However, the department anticipates a windfall of future siren failures as these devices reach and exceed their 30-year life-span. Local funds are not likely to be sufficient to keep up with the anticipated number of replacements needed.

Council approved a Hazard Mitigation Grant Program (HMGP) application by Resolution 2012-98. This grant was awarded for a \$60,000 project to replace four (4) sirens. The City budgeted the 25% match (\$15,000) in the Emergency Management Capital Improvement budget.

## **Discussion**

The FEMA Hazard Mitigation Grant Program (HMGP) provides grants to States and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. The HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

The HMGP Grant funds up to 75% of approved projects with a local match of 25%. The Department has funds budgeted sufficient for one siren in Capital Outlay and plans to use these funds as the 25% matching funds for the additional three (3) sirens. The Department is working together with the Community Development division to fund the initial payments for four sirens. Community Development will then receive the reimbursement funds from the grant and the Emergency Management Department's 25% match as income to offset their expenses.

The Emergency Management Department recently completed a formal bid process for the purchase and installation of four (4) sirens. Federal Signal Corporation provided the lowest qualifying bid of \$54,476.00 for the purchase and installation of these sirens. The Department recommends that Council award this bid to Federal Signal Corporation.

Each of these new sirens has a considerably larger effective radius of 70dB estimated at 6200 feet in all directions. Sirens listed to be replaced have much smaller radii, such as 1600 feet (see attached pdf map).

Hall County Siren Installation List		
Siren #	Description	Latitude / Longitude
4	Doniphan, Village of - Fire Station	N40 46.406 W98 22.181
13	Anna & Broadwell - 1700 Block of West Anna (Alley City Property)	N40 54.724 W98 21.189
18	4th Street & Congdon - 1500 E 4th St.	N40 56.088 W98 19.603
New	Eagle Scout Lake	N40 57.4115 W98 21.654

### **Alternatives**

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

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

### **Recommendation**

City Administration recommends that the Council approve this bid award to Federal Signal Corporation.

### **Sample Motion**

Move to approve the bid award with Federal Signal Corporation for the purchase of four (4) sirens and installation in the amount of \$54,476.00.



*Working Together for a  
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL  
FOR  
OUTDOOR WARNING SIRENS**

**RFP DUE DATE:** November 6, 2012 at 4:00 p.m.

**DEPARTMENT:** Emergency Management

**PUBLICATION DATE:** September 15, 2012

**NO. POTENTIAL BIDDERS:** 5

**SUMMARY OF PROPOSALS RECEIVED**

**American Signal Corporation**

**Milwaukee, WI**

**Bid Security: North American Specialty Ins. Co.**

**ATI Systems**

**East Boston, MA**

**Travelers Casualty & Surety Co.**

**Kelly Electric**

**Kearney, NE**

**Bid Security: Travelers Casualty & Surety Co.**

**Federal Signal Corporation**

**University Park, IL**

**None**

**Schmader Electric Const. Co., Inc.**

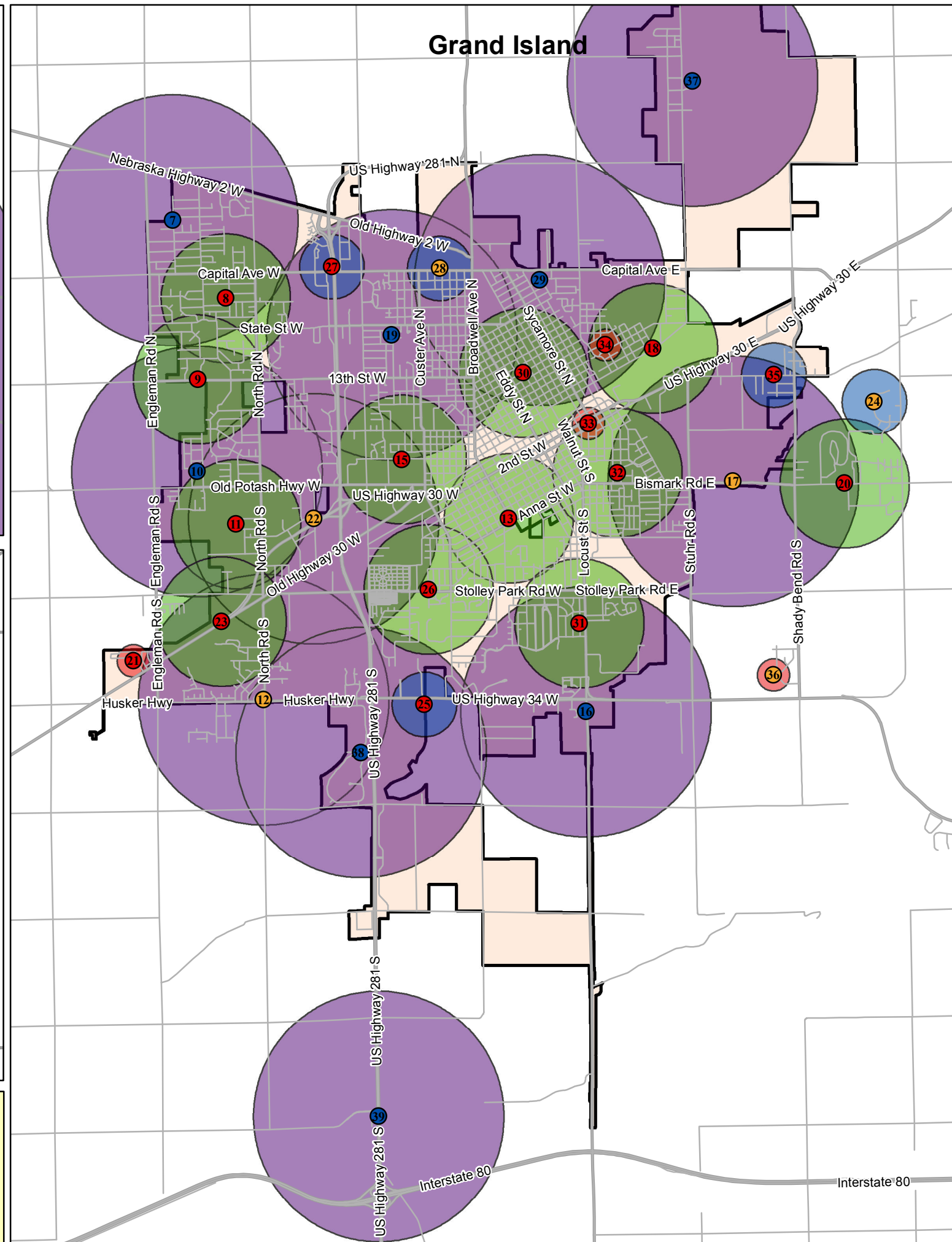
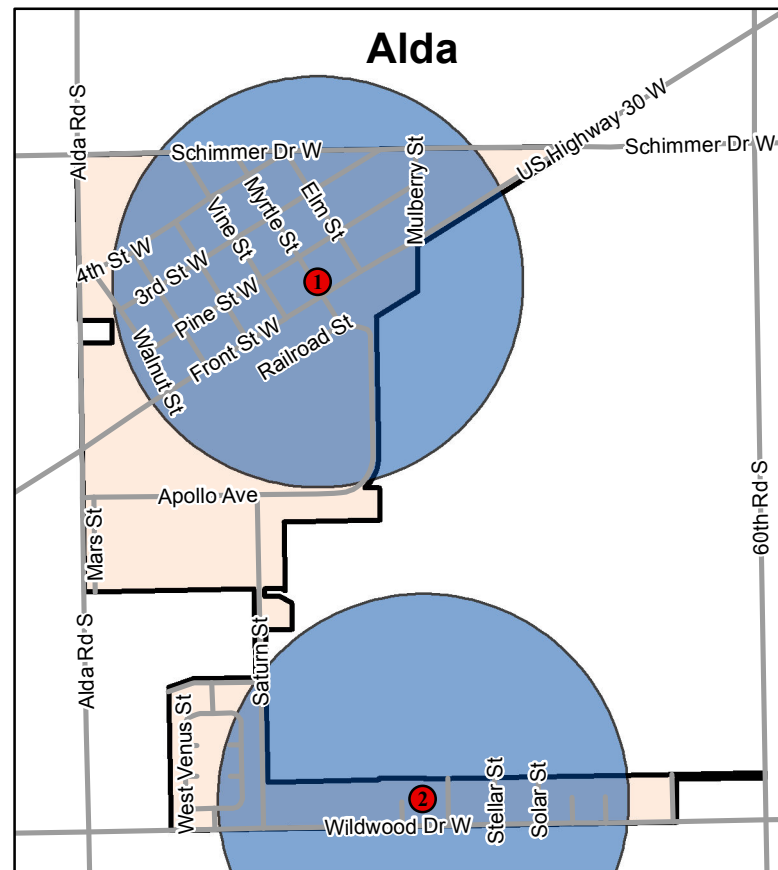
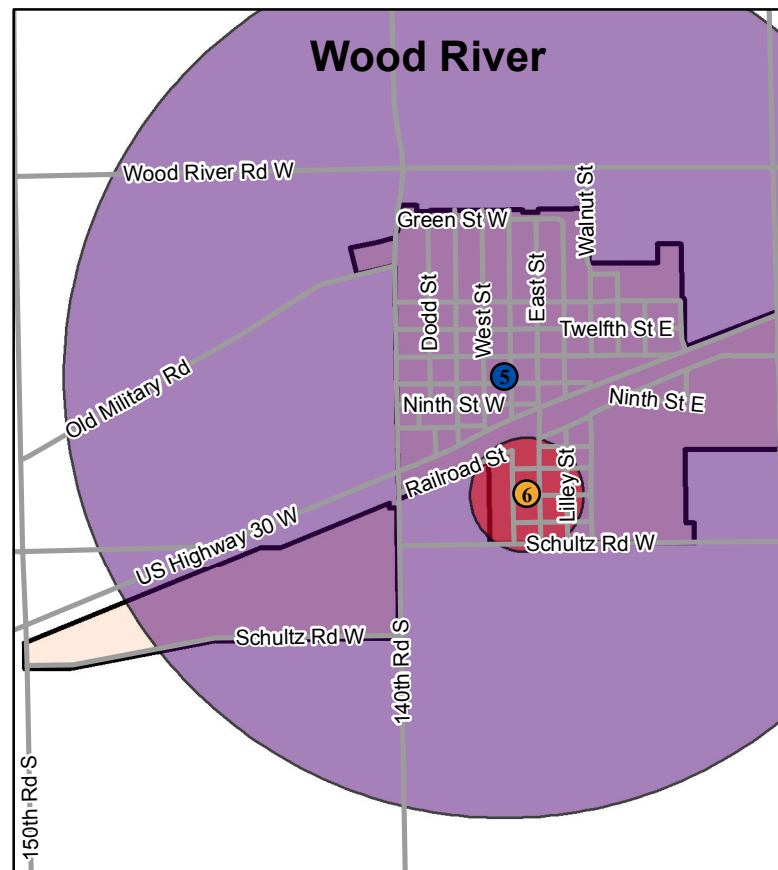
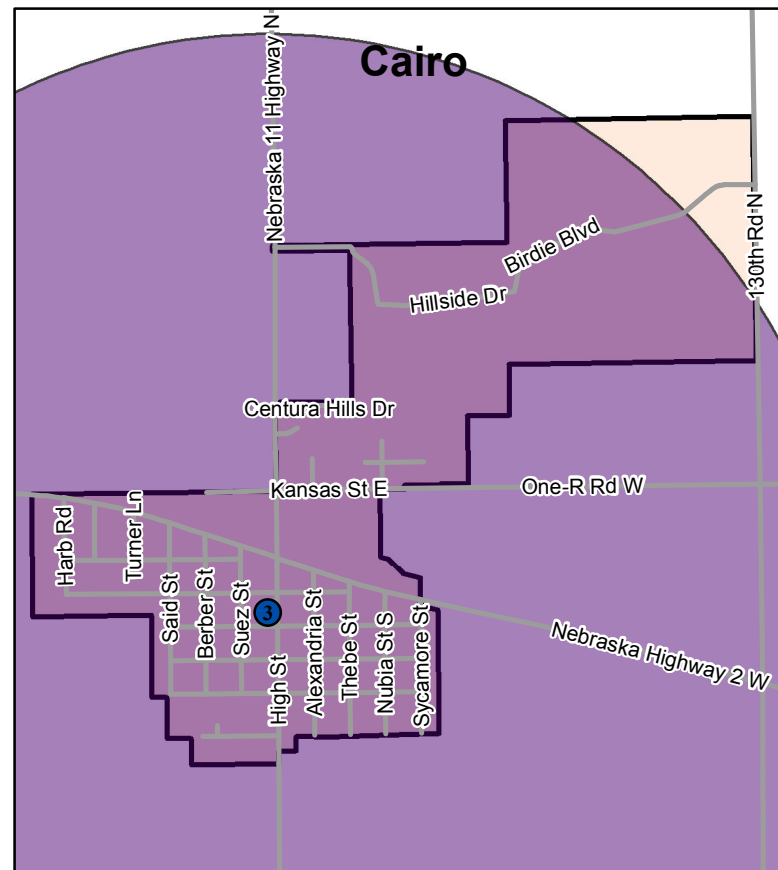
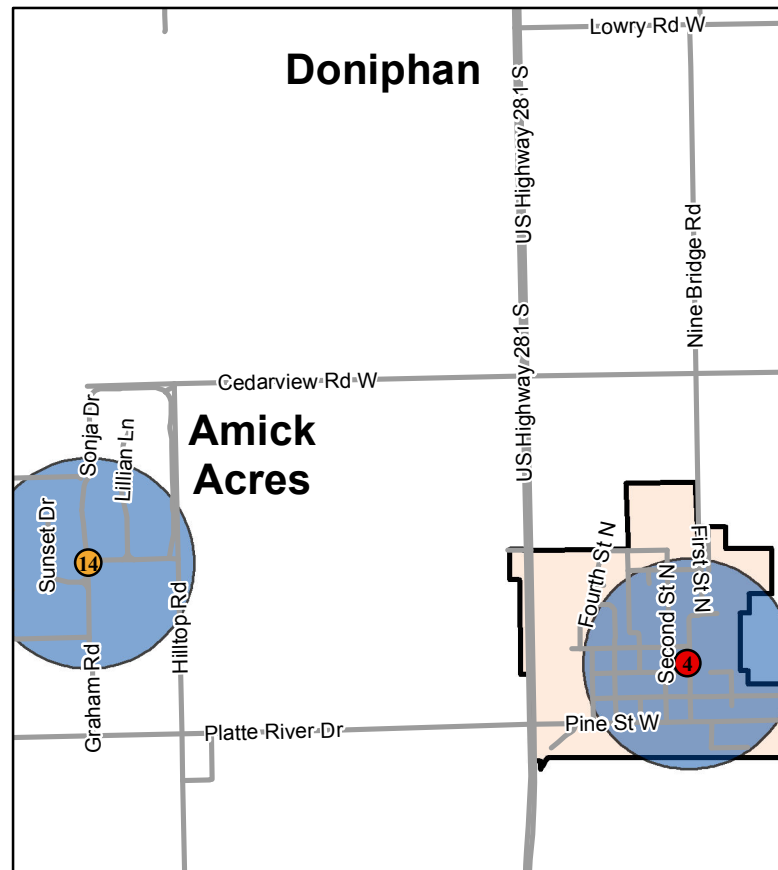
**West Point, NE**

**Bid Security: United Fire & Casualty Co.**

cc: Jon Rosenlund, Emg. Mgt. Director  
Jaye Monter, Finance Director

Mary Lou Brown, City Administrator

**P1592**



Year Installed		Buffer Distance			
●	1979 - 1981	●	6200 Feet	●	1600 Feet
●	1981 - 1999	●	3200 Feet	●	800 Feet
●	1999 - 2012				

Updated March 31, 2012

RESOLUTION 2012-340

WHEREAS, the City of Grand Island, Nebraska, is an eligible unit of a general local government authorized to file an application through the Federal Emergency Management Agency and Nebraska Emergency Management Agency for a Hazard Mitigation Program Grant; and

WHEREAS, the Federal Emergency Management Agency and Nebraska Emergency Management Agency are presently accepting grant applications for hazard mitigation; and

WHEREAS, a grant has been awarded to conduct an Outdoor Warning Siren Replacement and Installation Project for the City of Grand Island and other Hall County Communities; and

WHEREAS, Council previously adopted resolution 2012-98 authorizing a grant application with a grant total of \$45,000 and a 25% local match of \$15,000, (project total of \$60,000) and

WHEREAS, a recently completed bid process produced a successful bid below budget, from Federal Signal Corporation for a total of \$54,476.00, and

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

1. The Mayor is hereby authorized and directed to award this bid to Federal Signal Corporation on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 27, 2012.

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

Attest:

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

Approved as to Form	☐ _____
November 21, 2012	☐ City Attorney



# City of Grand Island

Tuesday, November 27, 2012

Council Session

## Item G5

**#2012-341- Approving Increase to the Bid Award to Rinker Materials for the Southwest Outfall Drainage Pipe; Drainage Project No. 2011-D-1**

Staff Contact: Terry Brown, Interim Public Works Director

# **Council Agenda Memo**

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

**Meeting:** November 27, 2012

**Subject:** Approving Increase to the Bid Award to Rinker Materials for the Southwest Outfall Drainage Pipe; Drainage Project No. 2011-D-1

**Item #'s:** G-5

**Presenter(s):** Terry Brown, Interim Public Works Director

## **Background**

On September 13, 2011 the City Council approved the Public Works Department's purchase of concrete pipe for the Southwest Outfall Drainage; Project No. 2011-D-1, in the amount of \$199,728.10.

## **Discussion**

The bid solicitation for the drainage pipe was for the exact length of pipe needed, however once the pipe was delivered City staff was informed that the pipe length is standard and cannot be custom ordered. This results in an overrun of \$1,279.94 for the necessary concrete pipe. It was also not made clear that the tar to seal the pipe connections together wasn't included in the bid price and is considered a separate purchase. The tar purchase results in an overrun of \$7,395.84. The final purchase price of the concrete pipe and tar is \$208,403.88, resulting in a total overrun of \$8,675.78.

## **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 overrun for such pipe and tar to complete the Southwest Outfall Drainage; Project No. 2011-D-1, for a total amount of \$208,403.88.

### **Sample Motion**

Move to approve the resolution.

RESOLUTION 2012-341

WHEREAS, on September 13, 2011, by Resolution No. 2011-251, the Grand Island City Council approved the purchase of concrete pipe for the Southwest Outfall Drainage; Project No. 2011-D-1 from Rinker Materials in the amount of \$199,728.10; and

WHEREAS, due to the pipe being made in standard lengths and tar being omitted from the original quote, the final purchase price is \$208,403.88

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the total purchase price for the concrete pipe and tar from Rinker Materials for the Southwest Outfall Drainage; Project No. 2011-D-1, in the amount of \$208,403.88 is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 27, 2012.

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

Attest:

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

Approved as to Form	☐ _____
November 21, 2012	☐ City Attorney



# City of Grand Island

Tuesday, November 27, 2012

Council Session

## Item H1

**Consideration of Request from Douglas & Mikaela Westerby on behalf of William Gulzow for a Conditional Use Permit for a Car Dealership Located at 223 East 2nd Street**

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

Staff Contact: Craig Lewis



# City of Grand Island

Tuesday, November 27, 2012

Council Session

## Item I1

**#2012-342 - Approving Revised Fiscal Year Budget Authority for the North Interceptor-Phase 1 Improvements; Project 2012-S-6**

Staff Contact: Terry Brown, Interim Public Works Director

# **Council Agenda Memo**

**From:** Marvin Strong, Waster Water Plant Engineer

**Meeting:** November 27, 2012

**Subject:** Consideration on Revised Fiscal Year 2012-2013 Budget Authority in the North Interceptor - Phase 1 Improvements Project 2012-S-6

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

**Presenter(s):** Terry Brown, Interim Public Works Director

## **Background**

The North Interceptor project consists of multiple phases budgeted over multiple years. Black and Veatch recommended we consolidate Phase 1A and Phase 1 B, budgeted over FY 2013 and FY 2014 into FY 2013 to save money. We are requesting \$5,136,035 be advanced from the FY 2014 Capital Budget to the FY 2013 Capital Budget and are requesting the budget authority to do so before the project is bid per city ordinance.

A multi-year improvements project was presented to council, on October 4, 2011 through a City Council Study Session. City Staff, along with the engineering firm Black & Veatch of Kansas City, Missouri presented the need of the rehabilitation and the contractual process to hire a professional consulting engineer to provide services in Project Management, Collection System Master Planning and Planned Improvements in Northeast Interceptor sewer, and Collection System and Wastewater Treatment Rehabilitation.

On October 11, 2011, by Resolution 2011-307 the agreement for professional consulting engineering services between the City of Grand Island and Black & Veatch of Kansas City, Missouri in the amount of \$1,121,160 was approved by City Council.

City staff has recommended, and City Council has approved three (3) additional amendments to the original contract for various levels of design and construction services, they include;

Amendment No.1, Resolution 2012-111 on April 24, 2012 in the amount of \$1,910,075

Amendment No.2, Resolution 2012-229 on August 28, 2012 in the amount of \$53,000

Amendment No.3, Resolution 2012-329 on November 13, 2012 in the amount of \$265,754

The Consulting Services total of \$3,349,989 is summarized in Table B by project.

The next step involves the multi-year improvement program which has resulted in the following construction contracts:

- Lift Station No. 7 Improvements; 2011-S-1A-Construction awarded August 28, 2012, Resolution 2012-224, \$479,559
- 5<sup>th</sup> Street Sanitary Sewer Improvements; Project 2012-S-3-Construction to be awarded on December 4, 2012 Council Meeting, \$1,734,106
- South and West Interceptor Sewer Improvements; 2012-S-4-Construction awarded November 13, 2012, Resolution 2012-330, \$739,547
- North Interceptor Improvements (Phase 1A, 1B); Project 2012-S-6-Proposing December/January advertisement
- Headwork's Improvements, WWTP-2013-1 – 90% Design Level

The North Interceptor Improvements (Phase 1A, 1B), Project 2012-S-6 is prepared for bidding purposes. City staff had originally estimated to budget the project expense over two fiscal years. In the 2012/2013 budget there are two line items listed on page 106 that reference the North Interceptor Improvements, Project 2012-S-6. The budget line items totaling \$4,699,087 are North Concrete Interceptor Replace (Seedling Mile to WWTP for \$2,376,000 and North Concrete Interceptor Replace (7<sup>th</sup> to Seedling Mile) for \$2,323,087. City staff is requesting council consideration to amend the total of these two line items to \$9,835,000 for fiscal year 2012/2013 budget to allow budget authority to advertise the North Interceptor Improvement Project 2012-S-6 in an advanced construction schedule. A summary of the project costs are shown in Table A.

## **Discussion**

In October 2011, the city embarked on development of construction plans for the rehabilitation / replacement of the city's North Interceptor (a large diameter, gravity sewer, collection system). The north Interceptor is comprised of five-and-one-half (5.5) miles of sewage collection infrastructure, installed over forty (40) years from the early seventies (1970's) to the present. Segments of the interceptor are in use beyond their engineered useful life, and the integrity of these is questionably compromised. Additionally, this interceptor will not be able to meet the capacity requirements warranted by Grand Island's growth projections for the area.

City staff in conjunction with consulting engineer; Black & Veatch have developed the construction bidding documents for the North Interceptor – Phase 1 Project. This gravity sewer interceptor project has incorporated modern large diameter sewer pipe methodologies, along with the rehabilitation necessary to complete the work. Phase 1 Project concentrates on two (2) miles of large diameter gravity sewer work within the overall North Interceptor project planning.

The result of this Phase 1 project will provide placement of new collection systems infrastructure under State Highway 30 and the Union Pacific Railways easements, which provides the infrastructure routing alignment needed to place a new head-works facility at the wastewater treatments plant into service.

North Interceptor Improvements, Project 2012-S-6

Table A					
Project Estimation			Current 2013 FY Budget	Estimated 2014 FY Budget	Proposed Amendment to 2013 FY Budget
Work Function	Comprehensive Design Level	100% Design Level	2012/2013	2013/2014	2012/2013
Project Construction	\$ 8,170,000	\$ 8,151,000	\$ 4,170,587	\$ 3,999,535	\$ 8,151,000
Contingency	\$ -	\$ 665,000	\$ -	\$ -	\$ 665,000
Design Services	\$ 1,011,178	\$ -	\$ 12,000	\$ 90,000	\$ 102,000
Construction Phase Services	\$ 817,000	\$ -	\$ 516,500	\$ 300,500	\$ 817,000
Easement Acquisition	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000
Totals	\$ 9,998,178	\$ 8,816,000	\$ 4,699,087	\$ 4,490,035	\$ 9,835,000

Consulting Services \$3,349,989 Summary for Improvements Projects

Table B					
Payment by Fiscal Year	Lift Station No. 7 Improvements	5 <sup>th</sup> Street Sanitary Sewer Improvements	South and West Interceptor Sewer Improvements	North Interceptor Improvements Phase 1	Headwork's Improvements
2011/2012	\$ 125,233	\$ 106,794	\$ 82,545	\$ 634,028	\$ 807,232
2012/2013	\$ 3,324	\$ 2,786	\$ 2,078	\$ 76,255	\$ 154,555
Total	\$ 128,557	\$ 109,579	\$ 84,623	\$ 710,282	\$ 961,787
Consulting Services Total	\$ 286,279	\$ 239,435	\$ 177,834	\$ 1,011,178	\$ 1,635,263

Balance      \$    157,722      |    \$    129,856      |    \$    93,211      |    \$    300,896      |    \$    673,478

### **Alternatives**

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

1. Move to approve a resolution authorizing a budget amendment in budget authority for North Interceptor – Phase 1 Improvements Project 2012-S-6.
2. Refer the issue to a Committee.
3. Postpone the issue to future date.
4. Take no action on the issue.

### **Recommendation**

The North Interceptor project consists of multiple phases budgeted over multiple years. Black and Veatch recommended we consolidate Phase 1A and Phase 1 B, budgeted over FY 2013 and FY 2014 into FY 2013 to save money. We are requesting \$5,136,035 be advanced from the FY 2014 Capital Budget to the FY 2013 Capital Budget and are requesting the budget authority to do so before the project is bid per city ordinance.

City Administration recommends that the Council approve amending the line item budget authority in the fiscal year 2012/2013 budget for the construction of North Interceptor – Phase 1 Improvements Project 2012-S-6, from \$4,699,087 to \$9,835,000 representing an increase of \$5,135,913.

### **Sample Motion**

Move to approve the amendment of the two budget line items in the fiscal year 2012/2013 budget for the construction of North Interceptor – Phase 1 Improvements Project 2012-S-6.



RESOLUTION 2012-342

WHEREAS, Waste Water Division is requesting budget authority to advertise a construction project entitled the North Interceptor - Phase 1 Improvements Project 2012-S-6; and

WHEREAS, a line item amendment to the Waste Water Division Capital budget would be required to increase the project from \$4,699,087 to \$9,835,000 for the 2012/2013 fiscal year; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorizing city staff to amend the line item budget authority for the North Interceptor-Phase 1 Improvements Project 2012-S-6 for fiscal year 2012/2013 budget for the construction of North Interceptor – Phase 1 Improvements Project 2012-S-6 to \$9,835,000

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, November 27, 2012.

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

Attest:

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

Approved as to Form	☐ _____
November 21, 2012	☐ City Attorney



# City of Grand Island

Tuesday, November 27, 2012

Council Session

## Item I2

### **#2012-343 - Approving Amendment to the Redevelopment Plan Area 10 Located at 809-811 South Kimball Street**

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

Staff Contact: Chad Nabity

## RESOLUTION 2012-343

WHEREAS, the City of Grand Island, Nebraska, a municipal corporation and city of the first class, has determined it be desirable to undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, the Nebraska Community Development Law, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 2007, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, the City has previously declared Redevelopment Area No. 10 of the City to be substandard and blighted and in need of redevelopment pursuant to the Act; and

WHEREAS, the Community Redevelopment Authority of the City of Grand Island, Nebraska (the "Authority"), has prepared a Redevelopment Plan pursuant to Section 18-2111 of the Act, and recommended the Redevelopment Plan to the Planning Commission of the City; and

WHEREAS, the Planning Commission of the City reviewed the Redevelopment Plan pursuant to the Act and submitted its recommendations, to the City, pursuant to Section 18-2114 of the Act; and

WHEREAS, following consideration of the recommendations of the Authority to the Planning Commission, the recommendations of the Planning Commission to the City, and following the public hearing with respect to the Redevelopment Plan, the City approved the Plan; and

WHEREAS, there has been presented to the City by the Authority for approval a specific Redevelopment Project within the Redevelopment Plan and as authorized in the Redevelopment Plan, such project to be as follows: property acquisition, site preparation, demolition, utilities extensions, landscaping, concrete and fees associated with the redevelopment project. All redevelopment activities will occur in Grand Island, Hall County, Nebraska; and

WHEREAS, the City published notices of a public hearing and mailed notices as required pursuant to Section 18-2115 of the Act and has, on the date of the Resolution held a public hearing on the proposal to amend the Redevelopment Plan to include the Redevelopment Project described above.

NOW, THEREFORE, be it resolved by the City Council of the City of Grand Island, Nebraska:

Approved as to Form	☐ _____
November 21, 2012	☐ City Attorney

1. The Redevelopment Plan of the City approved for Redevelopment Area No.10 in the city of Grand Island, Hall County, Nebraska, including the Redevelopment Project described above, is hereby determined to be feasible and in conformity with the general plan for the development of the City of Grand Island as a whole and the Redevelopment Plan, including the Redevelopment Project identified above, is in conformity with the legislative declarations and determinations set forth in the Act; and it is hereby found and determined that (a) the redevelopment project in the plan would not be economically feasible without the use of tax-increment financing, (b) the redevelopment project would not occur in the community redevelopment area without the use of tax-increment financing, and (c) the costs and benefits of the redevelopment project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City and have been found to be in the long-term best interest of the community impacted by the redevelopment project. The City acknowledges receipt of notice of intent to enter into the Redevelopment Contract in accordance with Section 18-2119 of the Act and of the recommendations of the Authority and the Planning Commission with respect to the Redevelopment Contract.
2. Approval of the Redevelopment Plan is hereby ratified and reaffirmed, as amended by this Resolution, and the Authority is hereby directed to implement the Redevelopment Plan in accordance with the Act.
3. Pursuant to Section 18-2147 of the Act, ad valorem taxes levied upon real property in the Redevelopment Project included or authorized in the Plan which is described above shall be divided, for a period not to exceed 15 years after the effective date of this provision, which effective date shall be January 1, 2014 as follows:
  - a. That proportion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the Redevelopment Project Valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as all other taxes collected by or for the bodies; and
  - b. That proportion of the ad valorem tax on real property in the Redevelopment Project in excess of such amount, if any, shall be allocated to, is pledged to, and, when collected, paid into a special fund of the Authority to pay the principal of, the interest on, and any premiums due in connection with the bonds, loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, such Redevelopment Project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such Redevelopment Project shall be paid into the funds of the respective public bodies.
  - c. The Mayor and City Clerk are authorized and directed to execute and file with the Treasurer and Assessor of Hall County, Nebraska, an Allocation Agreement and Notice of Pledge of Taxes with respect to each Redevelopment Project.

4. The City hereby finds and determines that the proposed land uses and building requirements in the Redevelopment Area are designed with the general purposes of accomplishing, in accordance with the general plan for development of the City, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity; and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of a healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreation and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

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Adopted by the City Council of the City of Grand Island, Nebraska, November 27, 2012.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk



# **City of Grand Island**

**Tuesday, November 27, 2012**  
**Council Session**

## **Item J1**

### **Approving Payment of Claims for the Period of November 14, 2012 through November 27, 2012**

*The Claims for the period of November 14, 2012 through November 27, 2012 for a total amount of \$5,084,367.62. A MOTION is in order.*

Staff Contact: Jaye Monter