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# City of Grand Island



**Tuesday, March 15, 2011**

## **Study Session Packet**

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### **City Council:**

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

### **Mayor:**

**Jay Vavricek**

### **Interim City Administrator:**

**Mary Lou Brown**

### **City Clerk:**

**RaNae Edwards**

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**6:00:00 PM**  
**Council Chambers - City Hall**  
**100 East First Street**

## **Call to Order**

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

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

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### **Invocation**

### **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.

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## **MAYOR COMMUNICATION**

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



# City of Grand Island

Tuesday, March 15, 2011

Study Session

## Item C1

### Proclamation "Sunshine Week" March 13-19, 2011

*The City of Grand Island supports the full measures of our nation's Bill of Rights, the Constitution and the laws of Nebraska and considers openness in policy making decisions, in the "sun light" of transparency with the inherent right to access to government meeting and public records, in the best interest of its citizens. The Mayor has proclaimed the week of March 13-19, 2011 as "Sunshine Week". See attached PROCLAMATION.*

Staff Contact: Mayor Vavricek

THE OFFICE OF THE MAYOR  
City of Grand Island  
State of Nebraska

PROCLAMATION

- WHEREAS, our nation declared, "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness with Governments deriving their just Powers from the Consent of the Governed"; and
- WHEREAS, the framers of the Declaration of independence "pledged their Lives, Fortunes, and sacred Honor"; and
- WHEREAS, our nation's Constitution declares, "We THE People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity;" and
- WHEREAS, in 1789, Congress under the Constitution first convened in the month of March; and
- WHEREAS, the Constitution's First Amendment declares Congress "shall make no law abridging the freedom of speech, or of the press"; and
- WHEREAS, the foundation of the State of Nebraska states, "The Salvation of the State, is the Watchfulness of its Citizens"; and
- WHEREAS, the City of Grand Island supports the full measures of our nation's Bill of Rights, the Constitution and the laws of Nebraska and considers openness in policy making decisions, in the "sun light" of transparency with the inherent right to access to government meetings, public records, in the best interest of its citizens; and
- WHEREAS, the City of Grand Island abides by the Open Meetings Act in conducting business and Nebraska Open Records Law requests, convenes to the people's business with pre-announced published notices, welcomes attendance by a free press and citizens, telecasts its regularly scheduled meetings on GITV and archived for posterity with accountability of its proceedings and actions with minutes recorded by a City Clerk and later publicly approved by its elected body; and

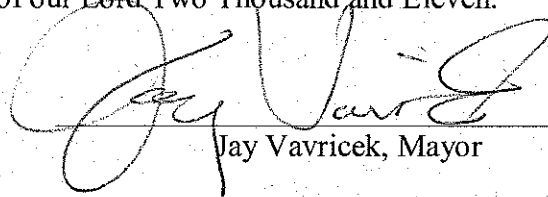
WHEREAS, the values of public trust rests on the genuine efforts to foster open government is publicly acknowledged and supported by Mayor Jay Vavricek and each member of the Grand Island City Council and embraced by each dedicated employee of the City of Grand Island.

NOW, THEREFORE, I, Jay Vavricek, Mayor of the City of Grand Island, Nebraska, commemorate and declare March 13<sup>th</sup> - 19<sup>th</sup>, 2011 as Open Government

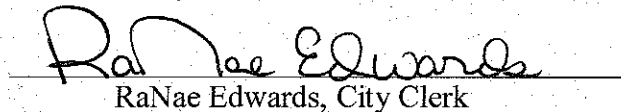
***“SUNSHINE WEEK”***

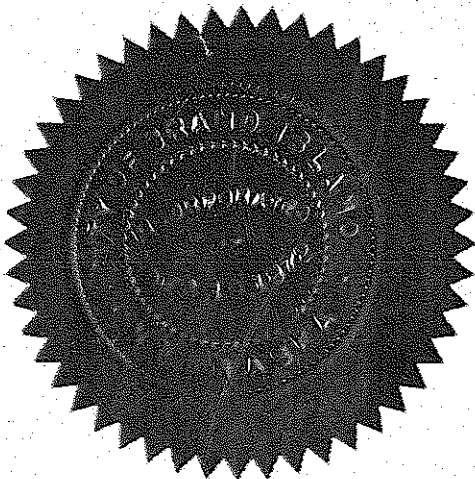
in the City of Grand Island, and encourage all citizens, members of an impartial free press and the city’s elected leaders to mutually work to emulate the best intentions of our nation’s Bill of Rights, the Constitution and transparency in government in the highest measure of service to the people of Grand Island.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Grand Island to be affixed this eighth day of March in the year of our Lord Two Thousand and Eleven.

  
Jay Vavricek, Mayor

Attest:

  
RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, March 15, 2011

Study Session

## Item X1

**Presentation and Discussion Concerning Annexation**

Staff Contact: Chad Nabity

# Council Agenda Memo

**From:** Chad Nabity, AICP  
**Meeting:** March 15, 2011  
**Subject:** Annexation  
**Item #'s:** 1  
**Presenter(s):** Chad Nabity, AICP

## Background

Cities were created to facilitate the infrastructure necessary (streets, sewer, water...) for people to live together in close proximity. Annexation is the way cities grow. Grand Island has annexed suburban development numerous times over its history including areas such as Parkview and Capital Heights. The City of Grand Island has been involved in numerous lawsuits over annexation but has ultimately continued to grow into the City it is today because of annexation. It is appropriate for the Grand Island City Council to consider suburban development and decide if Council wishes to begin the process of annexing any of the property adjacent to the City limits that is eligible for annexation. The annexation policy of the City is set by the City Council. Staff works to implement that policy.

## Discussion

Nebraska Statutes allow cities of the First Class to annex property that is adjacent to and contiguous with the municipal limits of the city and that is not agricultural land that is rural in nature. Agricultural land with adjacent municipal services and greater value as developed land than as farm ground has been found by Nebraska courts to be suburban in nature rather than rural in nature and therefore eligible for annexation. City staff has identified 14 areas around the City of Grand Island that appear to meet the qualification of being adjacent and contiguous and not agricultural land that is rural in nature.

Council's decision to consider an area for annexation should be based on the number of people, houses, and businesses in each area, the ability (or responsibility) of the city to provide city services to each area, the need for city services in each area and the potential revenue for the city through property and sales taxes in each. Basic information on each of these characteristics will be provided for each of the 14 areas for discussion at the study session. Six of those areas will be presented as recommended areas to consider for

annexation in the near future. Any of the other eight could also be considered for annexation and Council will be provided with the same information for all 14 areas.

This same basic information that is provided for the 14 potential annexation areas will also be provided to Council for the County Industrial Tracts that are located within the City of Grand Island. The City does not have any authority to annex these properties but can request that Hall County review the uses in the County Industrial Tracts to confirm that they are still consistent with the intent of the law. State Statutes allow the County to conduct the review of their own volition or at the request of the City in March of even numbered years. If the County finds that the uses are not consistent they are required to remove the County Industrial Tract designation and the property becomes eligible for annexation. If the City makes this request the County is required to conduct the review in March of 2012. The City could make this request of the County by passing a resolution with that request.

Council will have the opportunity at a future regular council meeting to direct staff to proceed with preparing annexation plans (as required and defined by statute) and forwarding those plans to the Regional Planning Commission for review for any of the 14 areas that Council is interested in considering for annexation. Staff will prepare a resolution directing that annexation plans are to be prepared and submitted to the Regional Planning Commission for review. Council will also have the opportunity to consider a resolution requesting that the County review the uses at the County Industrial Tracts adjacent to Grand Island.

### **Conclusion**

This item is presented to the City Council in a Study Session to allow for any questions to be answered and to create a greater understanding of the issue at hand.

It is the intent of City Administration to bring this issue to a future council meeting for the Council to identify which if any areas should receive further consideration for annexation.