



City of Grand Island

Tuesday, April 12, 2016

Council Session

Item D-1

#2016-BE-3 - Consideration of Determining Benefits for Sanitary Sewer District No. 535T, Extension of Sanitary Sewer to Serve Part Lot 1; Voss Subdivision, Lots 1 & 2 Windolph's Subdivision, and Part NW ¼ of Section 14-11-9

Council action will take place under Ordinance item F-1.

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: April 12, 2016

Subject: Consideration of Determining Benefits for Sanitary Sewer District No. 535T, Extension of Sanitary Sewer to Serve Part Lot 1; Voss Subdivision, Lots 1 & 2 Windolph's Subdivision, and Part NW ¼ of Section 14, Township 11 North, Range 9 West

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

Background

The Certificate of Final Completion for Sanitary Sewer District No. 535T was approved on March 8, 2016 with April 12, 2016 set as the date for Council to sit as the Board of Equalization. All work has been completed and special fees have been calculated for the tap district.

Discussion

Sanitary Sewer District No. 535T was created by City Council on September 9, 2014 through Ordinance No. 9502 to support a developed area on Seedling Mile Road. An eight (8.0) inch gravity sanitary sewer main and appurtenances thereto along Seedling Mile Road from Voss Road; west to Seedling Mile Access Road was constructed to serve abutting properties in conjunction with a much larger (54") sanitary sewer interceptor main routed thru the area.

Work on the tap district was completed at a construction price of \$102,134.30. Costs for the district break down as follows:

	Quantity	Unit	Unit Cost	Total Cost
8" Sanitary Sewer Line	668.00	LF	\$ 50.00	\$ 33,400.00
4" Sanitary Sewer Service	423.00	LF	\$ 50.00	\$ 21,150.00
Sanitary Sewer Service Connection	13.00	EA	\$ 1,900.00	\$ 24,700.00
48" Diameter Manhole	3.00	EA	\$ 7,500.00	\$ 22,500.00
48" Diameter Manhole Additional Depth	1.22	VF	\$ 315.00	\$ 384.30
TOTAL SANITARY SEWER DISTRICT NO. 535T COST				\$ 102,134.30

Due to North Interceptor Phase I construction, the existing connections to manholes (via private sanitary sewer agreements) in the previous main line in Seedling Mile Road needed to be re-established into a new 8 inch service line. The creation of a new 8 inch service line provided tap locations to each lot in the area. Sanitary Sewer District No. 535T was created and combined with North Interceptor Phase I; Project 2012-S-6 for bid and construction. A map of the district is attached for reference.

That cost is apportioned to each of the properties within the district based upon equal division of lots served to determine the connection fee. Properties that have already made connection to the sanitary sewer main prior to installation of the new main will be given credit towards their tap fee calculation from their pre-existing sanitary sewer agreement. Connection fees will be collected prior to the properties being connected to City sanitary sewer service. Unlike an assessment district which allows for payments to be spread over a 10 year period at 7% simple interest with the first payment of principle only due 10 days after the ordinance is filed, the tap fees are not due until such time the property owner chooses to connect to the City sanitary sewer main and is due in full at that time.

The allocation for District 535T was completed at a construction price of \$102,134.30, with existing agreement credits of \$1,063.73, for a revised tap fee total of \$101,070.57.

Alternatives

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

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

Recommendation

Public Works Administration recommends that the Council sit as the Board of Equalization to determine benefits and pass an Ordinance to levy a Special Tap Fee to individual properties.

Sample Motion

(Sample Motion for the Board of Equalization)

Move to approve the resolution determining benefits for Sanitary Sewer District No. 535T.

(Sample Motion for the Ordinance)

Move to approve the Ordinance levying the tap fees for Sanitary Sewer District No. 535T.

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

AFFIDAVIT OF MAILING

RaNae Edwards, City Clerk, being first duly sworn on oath, deposes and says that she is the duly appointed and acting City Clerk of the City of Grand Island, Nebraska, and that on March 22, 2016, she mailed copies of the "Notice of Board of Equalization Hearing – Sanitary Sewer District 535T", which notice was first published in the Grand Island Independent on March 22, 2016, to the following named parties:

Jay L & Julie Hehnke
2505 E Seedling Mile Rd
Grand Island, NE 68801

Kristine L Colclasure
2502 E Seedling Mile Rd
Grand Island, NE 68801

Horacio D Vazquez
2503 E Seedling Mile Rd
Grand Island, NE 68801

Michelle M Morganflash
Donald D Osborn
2415 E Seedling Mile Rd
Grand Island, NE 68801

Sebastian Alvarez Perez
Olivia Margarita Tzun Vicente
2519 E Seedling Mile Rd
Grand Island, NE 68801

*John Robert Schleicher
229 Decoy Ave
Pierre, SD 57501

*James Richard Schleicher
PO Box 13
Maxwell, NE 69151

Craig L & Karla A Paro
2110 Stagecoach Rd
Grand Island, NE 68801

Luis A Gonzalez
Ana R Ortiz
2522 E Seedling Mile Rd
Grand Island, NE 68801

Jack & Joan McKee
224 Voss Rd
Grand Island, NE 68801

Michael A Kraft
7561 S Locust
Doniphan, NE 68832

Harold G & Corina Zimmerman, Jr.
2506 E Seedling Mile Rd
Grand Island, NE 68801

Such communications were properly posted and deposited in the United States mail.

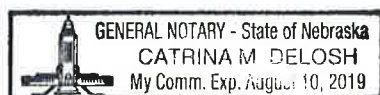
Those names shown with an asterisk were mailed copies by certified mail, return receipt requested, being owners of property within the district whose addresses were shown on the tax rolls of Hall County at the time said Notice was first published as being outside the boundaries of Hall County.

Affiant further states that she, and her attorney, after diligent investigation and inquiry, were unable to ascertain and does not know the post office address of any other party appearing to have a direct legal interest in the proceedings other than the above parties to whom notice has been mailed.

DATED: March 22, 2016

RaNae Edwards
RaNa Edwards, City Clerk

Subscribed and sworn to before me this 22nd date March, 2016.



C. DeLosh
Notary Public

NOTICE OF BOARD OF EQUALIZATION HEARING

Sanitary Sewer District No. 535T
Extension of Sanitary Sewer to Serve Part Lot 1; Voss Subdivision,
Lots 1 & 2 Windolph's Subdivision, and
Part NW ¼ of Section 14, Township 11 North, Range 9 West

NOTICE is hereby given to all persons owning real estate in Sanitary Sewer District No. 535T in the City of Grand Island, Hall County, Nebraska, and to all persons interested, that the City Council of said City will sit as a Board of Equalization at the City Council Chambers on April 12, 2016 at 7:00 p.m., to determine benefits accruing to the respective lots, tracts, and parcels of land in said district to pay the cost of the sanitary sewer improvements therein. All owners of real estate within said sanitary sewer district, and all persons interested, will take notice of the time and place of the sitting of the Board of Equalization, at which time any person or persons may appear and show cause, if any there be, why assessments should not be made.

By order of the City Council, Grand Island, Nebraska.

RaNae Edwards, City Clerk

Publication Dates:

March 22, 2016

March 29, 2016

April 5, 2016

CLASSIFIED 7B

Legals

NOTICE OF BOARD OF EQUALIZATION HEARING

Sanitary Sewer
District No. 535T
Extension of Sanitary Sewer
to Serve Part Lot 1;
Voss Subdivision,
Lots 1 & 2 Windolph's
Subdivision, and
Part NW ¼ of Section 14,
Township 11 North,
Range 9 West

NOTICE is hereby given to all persons owning real estate in Sanitary Sewer District No. 535T in the City of Grand Island, Hall County, Nebraska, and to all persons interested, that the City Council of said City will sit as a Board of Equalization at the City Council Chambers on April 12, 2016 at 7:00 p.m., to determine benefits accruing to the respective lots, tracts, and parcels of land in said district to pay the cost of the sanitary sewer improvements therein. All owners of real estate within said sanitary sewer district, and all persons interested, will take notice of the time and place of the sitting of the Board of Equalization, at which time any person or persons may appear and show cause, if any there be, why assessments should not be made.

By order of the City Council,
Grand Island, Nebraska.

RaNaee Edwards, City Clerk
22-29-5

DRAFT

This Space Reserved for Register of Deeds

ORDINANCE NO. ____

An ordinance assessing and levying a special tax to pay the cost of construction of Sanitary Sewer District No. 535T of the City of Grand Island, Nebraska; providing for the collection of such special tax; repealing any provisions of the Grand Island City Code, ordinances, and 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. There is hereby assessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of construction of said sanitary sewer improvements in said Sanitary Sewer District No. 535T, as adjudged by the Mayor and Council of the City, to the extent of benefits thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and land as follows:

Parcel No.	Owner	Legal Description	Assessment by Frontage
400140624	Jay L & Julie Hehnke	N 211' of W 1/3 of Lot 1 & PT 16.5' Vac Lueth Drive, Windolph's Subdivision	\$7,563.81
400140616	Horacio D Vazquez	S 696.5' of W 1/3 of Lot 1 & Pt W 16.5' Vac Lueth Drive, Windolph's Subdivision	\$7,856.48

Approved as to Form ☐ _____
March 22, 2016 ☐ City Attorney

400140594	Horacio D Vazquez	Center 1/3 of Lot 1, Windolph's Subdivision	\$7,856.48
400140608	Sebastian Alvarez Perez Olivia Margarita Tzun Vicente	E 1/3 of Lot 1, Windolph's Subdivision	\$7,856.48
400140632	James Richard Schleicher	Pt Lot 2, Windolph's Subdivision	\$7,856.48
400104997	Luis A Gonzalez Ana R Ortiz	PT Lot 1, Voss Subdivision	\$7,625.48
400105020	Michael A Kraft	Pt Lot 1, Voss Subdivision	\$7,856.48
400105012	Harold G Zimmerman, Jr. Corina Zimmerman	Pt Lot 1, Voss Subdivision	\$7,856.48
400105004	Kristine L Colclasure	Pt Lot 1, Voss Subdivision	\$7,541.48
400146045	Michelle M Morganflash Donald D Osborn	Misc Tracts 14-11-9, Pt NE ¼, NW ¼ 10.45 Ac	\$7,856.48
400140640	John Robert Schleicher	Pt Lot 2, xc 125.6' x 200', Windolph's Subdivision	\$7,856.48
400104970	Craig L & Karla A Paro	Pt Lot 1, Voss Subdivision	\$7,631.48
400104962	Jack & Joan McKee	Pt Lot 1, xc State, Voss Subdivision	\$7,856.48

TOTAL TAP FEES**\$101,070.57**

SECTION 2. The special tax shall be paid in full prior to connection to the City's sanitary sewer collection system.

SECTION 3. The treasurer of the City of Grand Island, Nebraska is hereby directed to collect the amount of said taxes herein set forth as provided by law.

SECTION 4. Such special assessments shall be paid into a fund to be designated as the "Sewer Tap Fee Fund" for Sanitary Sewer District No. 535T.

SECTION 5. Any provision of the Grand Island City Code, and any provision of any ordinance, or part of ordinance, in conflict herewith is hereby repealed.

SECTION 6. This ordinance shall be in force and take effect from and after its passage and publication within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: April 12, 2016.

Jeremy L. Jensen, Mayor

ORDINANCE NO. _____ (Cont.)

DRAFT

Attest:

RaNae Edwards, City Clerk

DRAFT

RESOLUTION 2016

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Sanitary Sewer District No. 535T, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district 535T to be the total sum of \$102,134.30, with existing agreement credits of \$1,063.73 for a credited total of \$101,070.57; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 535T, such benefits are the sums set opposite the several descriptions as follows:

Parcel No.	Owner	Legal Description	Assessment by Frontage
400140624	Jay L & Julie Hehnke	N 211' of W 1/3 of Lot 1 & PT 16.5' Vac Lueth Drive, Windolph's Subdivision	\$7,563.81
400140616	Horacio D Vazquez	S 696.5' of W 1/3 of Lot 1 & Pt W 16.5' Vac Lueth Drive, Windolph's Subdivision	\$7,856.48
400140594	Horacio D Vazquez	Center 1/3 of Lot 1, Windolph's Subdivision	\$7,856.48
400140608	Sebastian Alvarez Perez Olivia Margarita Tzun Vicente	E 1/3 of Lot 1, Windolph's Subdivision	\$7,856.48
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400104962	Jack & Joan McKee	Pt Lot 1, xc State, Voss Subdivision	\$7,856.48
TOTAL TAP FEES			\$101,070.57

Adopted by the City Council of the City of Grand Island, Nebraska, April 12, 2016.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	<input type="checkbox"/>
March 22, 2016	<input type="checkbox"/> City Attorney

RESOLUTION 2016-BE-3

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Sanitary Sewer District No. 535T, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district 535T to be the total sum of \$102,134.30, with existing agreement credits of \$1,063.73 for a credited total of \$101,070.57; and

Such benefits are equal and uniform; and

According to the equal division of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 535T, such benefits are the sums set opposite the several descriptions as follows:

Parcel No.	Owner	Legal Description	Tap Fee
400140624	Jay L & Julie Hehnke	N 211' of W 1/3 of Lot 1 & PT 16.5' Vac Lueth Drive, Windolph's Subdivision	\$7,563.81
400140616	Horacio D Vazquez	S 696.5' of W 1/3 of Lot 1 & Pt W 16.5' Vac Lueth Drive, Windolph's Subdivision	\$7,856.48
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TOTAL TAP FEES			\$101,070.57

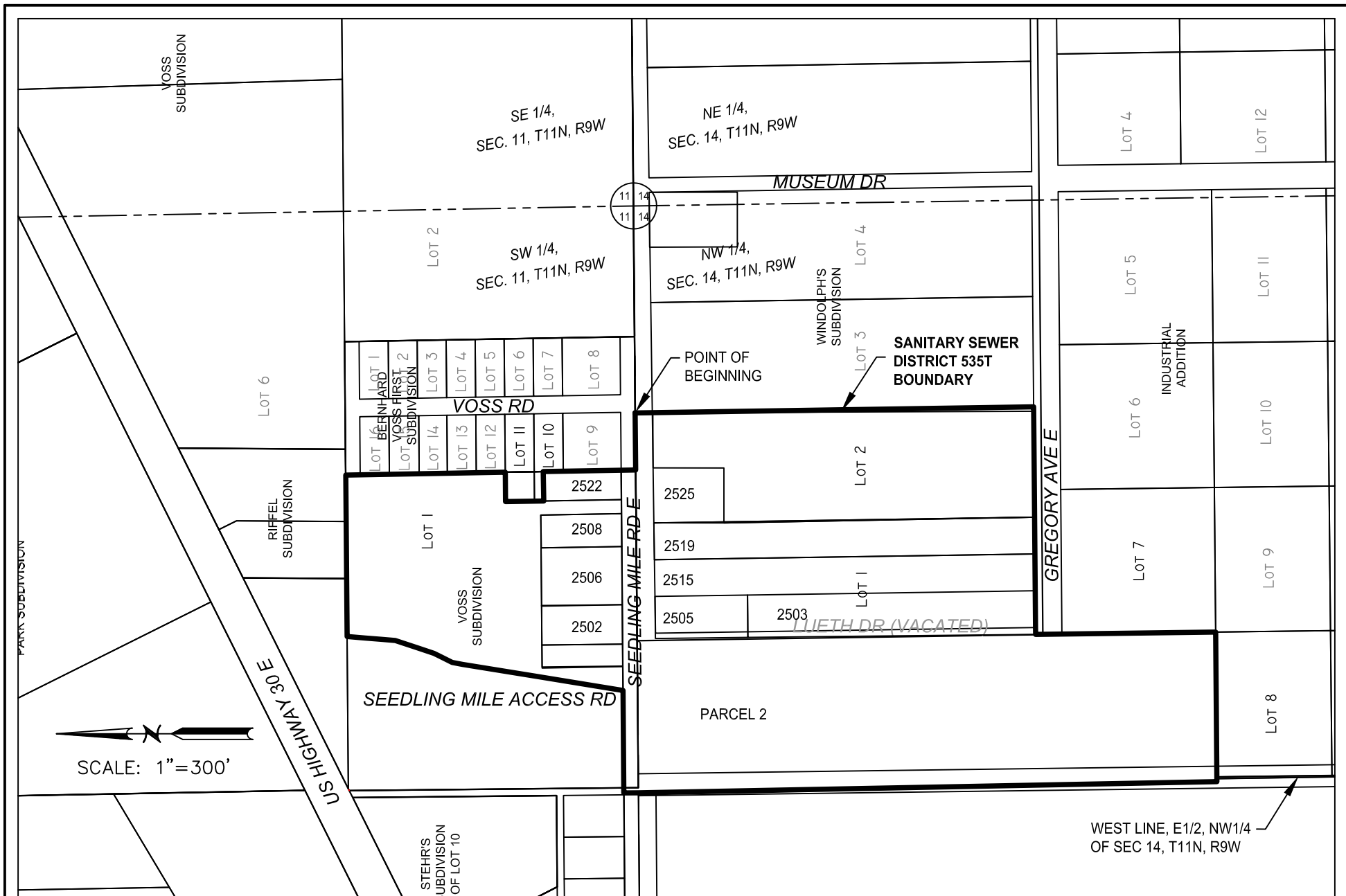
Adopted by the City Council of the City of Grand Island, Nebraska, April 12, 2016.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ☐ _____
April 8, 2016 ☐ City Attorney



CITY OF
GRAND ISLAND

PUBLIC WORKS DEPARTMENT
Grand Island

SANITARY SEWER DISTRICT 535T

Council Session - 4/12/2016