



City of Grand Island

Tuesday, October 11, 2016

Council Session

Item G-10

#2016-249 - Approving Boundaries for Fonner Park Business Improvement District

Staff Contact: Jerry Janulewicz

Council Agenda Memo

From: Jerom E. Janulewicz, City Attorney
Meeting: October 11, 2016
Subject: Fonner Park Business Improvement District
Presenter(s): Jerom E. Janulewicz, City Attorney

Background

The Fonner Park Business Improvement District 2013 expired earlier this year as a result of a termination date contained in the 2013 ordinance creating the district. The Business Improvement District intends to reform as the Fonner Park Business Improvement District.

In a letter to the Mayor and City Council dated July 21, 2016, the Fonner Park Business Improvement District expressed an interest to continue the business improvement district. Board members from the existing BID, Scott Zana, Buzz Douthit, Bruce Swihart, Tammy Slater, Mike Corman, and Bennett Chamness, will serve as the Board for the new BID. BID boundaries will remain the same (Stolley Park Road north to Fonner Park Road). The “new” Fonner Park Business Improvement District board contemplates a proposed budget for a three-year period of time (2016-2019). The District intends to assess \$141,047 over the three-year life of the District.

For 2016-2017, the Fonner Park Business Improvement District Board is proposing a front footage assessment of \$9 for revenues of \$44,541; \$47,016 in 2018 and \$49,490 in 2019. In 2017, the BID anticipates applying to the CRA and Nebraska Environmental Trust for funding to assist with a major overhaul of the landscaping in the corridor.

State Statute 19-4021, R.R.S. 1943, allows for the creation and implementation of a plan for improving the general architectural design of the public areas within the districts, the development of any public activities and promotion of public events, including the management and promotion and advocacy of retail trade activities or other promotional activities, and employing or contracting for personnel for any improvement program under the act.

Discussion

The establishment of the boundaries for Fonner Park Business Improvement District and the appointment of the aforementioned individuals as board members is the first step

toward the creation of the district. Approval is recommended. If approved, the board members submit a plan for City Council's consideration. The City Council will then hold a public hearing to create the district. After the hearing Council may pass an ordinance to establish the district.

Alternatives

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

1. Move to approve boundaries and the members of the district board for Fonner Park Business Improvement District 2013
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 boundaries and the members of the district board for the Fonner Park Business Improvement District.

Sample Motion

Move to approve the boundaries and the members of the district board for the Fonner Park Business Improvement District.

RESOLUTION 2016-249

WHEREAS, Fonner Park Business Improvement District property owners have recommended that the City of Grand Island create a Business Improvement District with boundaries set out below; and

WHEREAS, Section 19-4021, R.R.S. 1943, indicates that the boundaries of a business improvement district shall be declared by the City Council prior to or at the same time as the appointment of the Business Improvement Board; and

WHEREAS, the outer boundaries of the potential Fonner Park Business Improvement District 2016 are described as follows:

Beginning at the southeast corner of Section Twenty One (21), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Grand Island, Hall County, Nebraska; thence west on a line One Hundred (100.0) feet west of and parallel with the line common to Section 21-11-9 and Section 22-11-9 to the north line of the Southeast Quarter (SE1/4) of Section 21-11-9; thence east on the north line of the Southeast Quarter (SE 1/4) of Section 21-11-9 and the north line of the Southwest Quarter (SW1/4) of Section 22-11-9 for a distance of Two Hundred (200.0) feet; thence south on a line One Hundred (100.0) feet east of and parallel to the line common to Section 21-11-9 and section 22-11-9 to the south line of Section 22-11-9; thence west on the south line of Section 22-11-9 for a distance of One Hundred (100.0) feet to the point of beginning, as shown on the drawings dated May 28, 2002;
and

WHEREAS, it is suggested that a Business Improvement Board be appointed to make recommendations to the City Council for the potential establishment of a district and plans for improvements if any, for such district.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the property set out within the above-identified boundaries be declared as the future Fonner Park Business Improvement District 2016.

BE IT FURTHER RESOLVED, that the following individuals be initially appointed to serve on the Business Improvement Board: Scott Zana, Buzz Douthit, Bruce Swihart, Tammy Slater, Mike Corman, and Bennett Chamness.

BE IT FURTHER RESOLVED as follows:

1. The Business Improvement Board shall make recommendations to the City Council including the following:

Approved as to Form	☐ _____
October 7, 2016	☐ City Attorney

- a. The establishment and boundaries of the district;
 - b. The purposes of the district;
 - c. A plan or plans for improvements in the business area; and
 - d. Whether the costs of the district should be paid by assessment to the real estate in the district or taxed against the businesses and users of space in the district.
2. The Mayor, with the approval of The City Council, shall fill any vacancy for the term vacated;
 3. A board member may serve more than one term; and
 4. The board shall select from its members a chairperson and a secretary.

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

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

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk