



City of Grand Island

Tuesday, September 26, 2017

Council Session

Item D-1

#2017-BE-6 - Consideration of Determining Benefits for Sanitary Sewer District No. 538T; North Engleman Road

Council action will take place under Resolutions item I-1.

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

Council Agenda Memo

From: Marvin Strong PE, Wastewater Treatment Plant Engineer

Meeting: September 26, 2017

Subject: Consideration of Determining Benefits for Sanitary Sewer District No. 538T; North Engleman Road

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

Background

The Certificate of Final Completion for Sanitary Sewer District No. 538T; North Engleman Road was approved by City Council on August 22, 2017, via Resolution No. 2017-233; with September 26, 2017 set as the date for Council to sit as the Board of Equalization. Van Kirk Bros. Contracting of Sutton, Nebraska was hired to perform such work in the amount of \$59,610.00. Work was completed at a price of \$41,570.00; with additional costs of \$2,229.49, all detailed below.

Original Bid	\$ 59,610.00
Overruns	\$ (18,040.00)
Sub Total (Construction Price) =	\$ 41,570.00
Additional Costs:	
Public Works Engineering Division – Project Administration	\$ 2,078.51
The Grand Island Independent – Advertising	\$ 150.98
Sub Total of Additional Costs =	\$ 2,229.49
TOTAL COST =	\$ 43,799.49

Total project costs equate to \$43,799.49, all of which is eligible to be used to calculate the connection fees for properties within the district.

All work has been completed and connection fees have been calculated for the improvements.

Discussion

The costs for this project will be charged to the adjacent property, and due when a property “taps” or connects to the sanitary sewer main. This is the standard method used by the City to recoup costs when sanitary sewer is installed as part of a tap district. The

City has had multiple correspondences with the property owners and sent a reminder letter advising them that the BOE is scheduled for September 26, 2017.

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 meet as the Board of Equalization to determine benefits and pass a resolution approving such.

Sample Motion

(Sample Motion for the Board of Equalization)

Move to approve the resolution establishing benefits for Sanitary Sewer District No. 538T; North Engleman Road.

(Sample Motion for the Resolution)

Move to approve the resolution levying the connection fees for Sanitary Sewer District No. 538T; North Engleman Road.

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 September 5, 2017; she mailed copies of the "Notice of Board of Equalization Hearing – Sanitary Sewer District No. 538T; North Engleman Road", which notice was first published in the Grand Island Independent on September 5, 2017, to the following named parties:

Randall J Skarka Trustee
Brenda S Janicek-Skarka Trustee
3008 Orleans Dr
Grand Island, NE 68803

Hope E Nelsen
3987 W Capital Ave
Grand Island, NE 68803

Jack Voss
Wilma Voss
2825 N Engleman Rd
Grand Island, NE 68803

Elliot Schneider
June S Schneider
4018 Old Potash Hwy
Grand Island, NE 68803

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: September 6, 2017



RaNae Edwards, City Clerk

Subscribed and sworn to before me this 6th date September, 2017.





Notary Public

NOTICE OF BOARD OF EQUALIZATION HEARING

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Details for NOTICE OF BOARD OF EQUALIZATION HEARING

Sep 5, 2017

NOTICE OF BOARD OF EQUALIZATION HEARING Sanitary Sewer District No. 538T; North Engleman Road NOTICE is hereby given to all persons owning real estate within the Sanitary Sewer District No. 538T; North Engleman Road 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 September 26, 2017 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 such sanitary sewer district. 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 5-12-19

Categories [Legal](#)

NOTICE OF BOARD OF EQUALIZATION HEARING

Sanitary Sewer District No. 538T; North Engleman Road

NOTICE is hereby given to all persons owning real estate within the Sanitary Sewer District No. 538T; North Engleman Road 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 September 26, 2017 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 such sanitary sewer district. 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:
September 5, 2017
September 12, 2017
September 19, 2017

DRAFT

This Space Reserved for Register of Deeds

RESOLUTION NO. 2017-

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the special benefits as determined by Resolution No. 2017-BE-x shall not be levied as special assessments but shall be certified by this resolution to the Register of Deeds, Hall County, Nebraska, pursuant to Section 16-6,103 R.R.S. 1943. A connection fee in the amount of the benefit identified below accruing to each property in the district shall be paid to the City of Grand Island at time such property becomes connected to the sanitary sewer main. No property benefited as determined by this resolution shall be connected to the sanitary sewer main until the connection fee is paid. The connection fees collected shall be paid into the fund from which construction costs were made to replenish such fund for the construction costs.

According to the front foot and area of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 538T, such benefits are the sums set opposite the descriptions as follows:

Parcel No.	Owner	Legal Description	Assessment by Frontage
400495604	Randall J Skarka Trustee Brenda S Janicek-Skarka Trustee	Lot 1, Miracle Valley Second Subdivision	\$ 10,949.87
400149613	Jack Voss Wilma Voss	Misc Tracts 2-11-10 XC School Part W ½ SW ¼, 1.5 Acres	\$ 10,949.87
400165102	Hope E Nelsen	Lot 1, Hope Valley Subdivision	\$ 5,474.94
400165103	Hope E Nelsen	Lot 2, Hope Valley Subdivision	\$ 5,474.94
400165104	Elliot Schneider June S Schneider	Lot 2, Jack Voss Horse Country Club Fourth Subdivision	\$ 10,949.87
			\$ 43,799.49

Adopted by the City Council of the City of Grand Island, Nebraska, September 26, 2017.

Approved as to Form ☐ _____
September 6, 2017 ☐ City Attorney

RESOLUTION NO. _____ (Cont.)

DRAFT

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

RESOLUTION 2017

DRAFT

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. 538T; North Engleman Road, after due notice having been given thereof, that we find and adjudge:

That total project cost is \$43,799.49, with benefits accruing to the real estate in such district to be the total sum of \$43,799.49; and

Such benefits are based on Sanitary Sewer District No. 538T; North Engleman Road at the adjacent property and are equal and uniform; and

According to the area of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 538T; North Engleman Road, such benefits are the sums set opposite the description as follows:

Parcel No.	Owner	Legal Description	Assessment by Frontage
400495604	Randall J Skarka Trustee Brenda S Janicek-Skarka Trustee	Lot 1, Miracle Valley Second Subdivision	\$ 10,949.87
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400165103	Hope E Nelsen	Lot 2, Hope Valley Subdivision	\$ 5,474.94
400165104	Elliot Schneider June S Schneider	Lot 2, Jack Voss Horse Country Club Fourth Subdivision	\$ 10,949.87
			\$ 43,799.49

BE IT FURTHER RESOLVED that the special benefits as determined by this resolution shall not be levied as special assessments but shall be certified by this resolution to the Register of Deeds, Hall County, Nebraska, pursuant to Section 16-6,103, R.R.S. 1943. A connection fee in the amount of the above benefit accruing to each property in the district shall be paid to the City of Grand Island at the time such property becomes connected to the sanitary sewer. No property benefited as determined by this resolution shall be connected to the sanitary sewer main until the connection fee is paid. The connection fees collected shall be paid into the fund from which construction costs were made to replenish such fund for the construction costs.

Adopted by the City Council of the City of Grand Island, Nebraska, September 26, 2017.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ☐ _____
September 6, 2017 ☐ City Attorney

R E S O L U T I O N 2017-BE-6

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. 538T; North Engleman Road, after due notice having been given thereof, that we find and adjudge:

That total project cost is \$43,799.49, with benefits accruing to the real estate in such district to be the total sum of \$43,799.49; and

Such benefits are based on Sanitary Sewer District No. 538T; North Engleman Road at the adjacent property and are equal and uniform; and

According to the area of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 538T; North Engleman Road, such benefits are the sums set opposite the description as follows:

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BE IT FURTHER RESOLVED that the special benefits as determined by this resolution shall not be levied as special assessments but shall be certified by this resolution to the Register of Deeds, Hall County, Nebraska, pursuant to Section 16-6,103, R.R.S. 1943. A connection fee in the amount of the above benefit accruing to each property in the district shall be paid to the City of Grand Island at the time such property becomes connected to the sanitary sewer. No property benefited as determined by this resolution shall be connected to the sanitary sewer main until the connection fee is paid. The connection fees collected shall be paid into the fund from which construction costs were made to replenish such fund for the construction costs.

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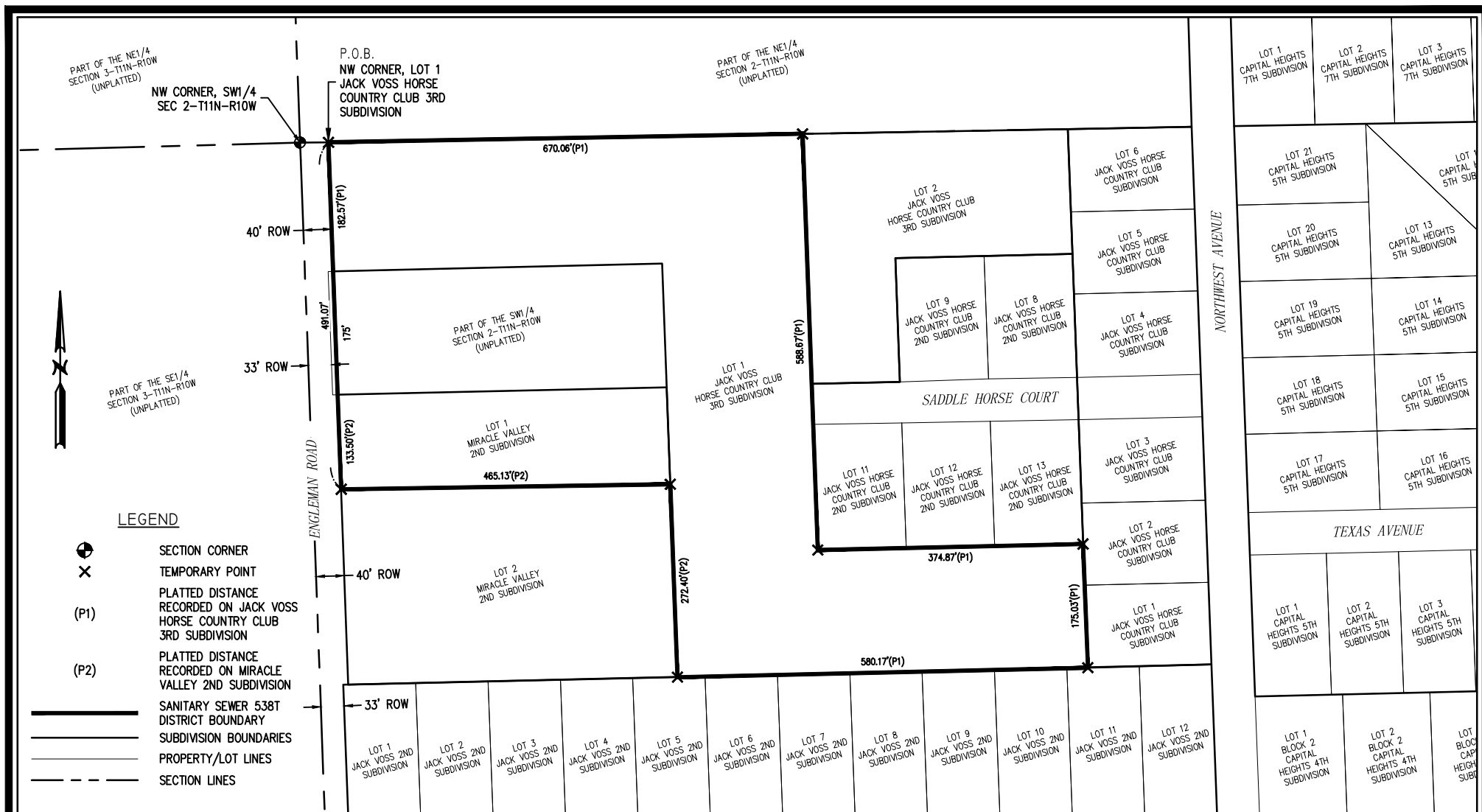
Adopted by the City Council of the City of Grand Island, Nebraska, September 26, 2017.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ September 22, 2017 <input type="checkbox"/> City Attorney



A SANITARY SEWER TAP DISTRICT COMPRISING ALL OF LOT ONE (1), JACK VOSS HORSE COUNTRY CLUB THIRD SUBDIVISION, ALL OF LOT ONE (1), MIRACLE VALLEY SECOND SUBDIVISION AND PART OF THE SOUTHWEST QUARTER OF SECTION TWO (2), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT ONE (1), JACK VOSS HORSE COUNTRY CLUB THIRD SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA; SAID POINT BEING THE ACTUAL POINT OF BEGINNING; THENCE EASTERLY ON THE NORTH LINE OF SAID LOT ONE (1), JACK VOSS HORSE COUNTRY CLUB THIRD SUBDIVISION A DISTANCE OF 670.06 FEET TO THE NORTHWEST CORNER OF LOT TWO (2), JACK VOSS HORSE COUNTRY CLUB THIRD SUBDIVISION; THENCE SOUTHERLY ON THE EASTERLY LINE OF SAID LOT ONE (1), JACK VOSS HORSE COUNTRY CLUB THIRD SUBDIVISION A DISTANCE OF 588.67 FEET TO THE SOUTHWEST CORNER OF LOT ELEVEN (11), JACK VOSS HORSE COUNTRY CLUB SECOND SUBDIVISION; THENCE EASTERLY ON THE SOUTH LINE OF SAID JACK VOSS HORSE COUNTRY CLUB SECOND SUBDIVISION A DISTANCE OF 374.87 FEET TO THE SOUTHEAST CORNER OF LOT THIRTEEN (13), JACK VOSS HORSE COUNTRY CLUB SECOND SUBDIVISION; THENCE SOUTHERLY ON THE EASTERLY LINE OF SAID LOT ONE (1), JACK VOSS HORSE COUNTRY CLUB THIRD SUBDIVISION A DISTANCE OF 175.03 FEET TO THE SOUTHEAST CORNER OF SAID LOT ONE (1), JACK VOSS HORSE COUNTRY CLUB THIRD SUBDIVISION; THENCE WESTERLY ON THE SOUTHERLY LINE OF SAID LOT ONE (1), JACK VOSS HORSE COUNTRY CLUB THIRD SUBDIVISION A DISTANCE OF 580.17 FEET TO THE SOUTHEAST CORNER OF LOT TWO (2), MIRACLE VALLEY SECOND SUBDIVISION; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT TWO (2), MIRACLE VALLEY SECOND SUBDIVISION A DISTANCE OF 272.40 FEET TO THE SOUTHEAST CORNER OF LOT ONE (1), MIRACLE VALLEY SECOND SUBDIVISION; THENCE EASTERLY ON THE SOUTH LINE OF SAID LOT ONE (1), MIRACLE VALLEY SECOND SUBDIVISION A DISTANCE OF 465.13 FEET TO THE SOUTHWEST CORNER OF SAID LOT ONE (1), MIRACLE VALLEY SECOND SUBDIVISION; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT ONE (1), MIRACLE VALLEY SECOND SUBDIVISION AND THE PROLONGATION THEREOF, A DISTANCE OF 491.07 FEET TO THE POINT OF BEGINNING. SAID DISTRICT BOUNDARY CONTAINS A CALCULATED AREA OF 10.35 ACRES MORE OR LESS.