



City of Grand Island

Tuesday, February 13, 2018

Council Session

Item E-5

Public Hearing on Acquisition of Public Right-of-Way in Windolph's Subdivision (Villanueva)

Council action will take place under Consent Agenda item G-10.

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

Council Agenda Memo

From: Keith Kurz, Assistant Public Works Director

Meeting: February 13, 2018

Subject: Public Hearing on Acquisition of Public Right-of-Way in Windolph's Subdivision (Villanueva)

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

Background

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council.

During the closeout stage of the North Interceptor Phase I sanitary sewer project Marcos A. and Josefina Villanueva of 2725 E Seedling Mile Road filed a claim against the City of Grand Island stating damage to their property. Investigating such claim uncovered that the City did in fact encroach on the Villanueva's private property when restoring the construction area of Museum Drive for public use. The northern end of Museum Drive (south of Seedling Mile Road) has a thirty-three (33) foot public right-of-way, while the southern end of Museum Drive (north of Swift Road) has a sixty (60) foot public right-of-way.

The City has approached the property owners of 2725 E Seedling Mile Road in regards to acquiring an additional 13.5 foot of public right-of-way (half of the 27 foot needed to gain a full 60 foot width) on the northern end of Museum Drive to move towards gaining consistency in the width of such public roadway.

Discussion

During negotiations with the property owners of 2725 E Seedling Mile Road in regards to the City acquiring an additional 13.5 foot of public right-of-way on the northern end of Museum Drive interest was expressed in irrigating the currently dry farm land they own at such location.

An agreement was reached between City staff and such property owners to transfer the City's interest in the irrigated acres adjacent to 450 Museum Drive, on the southern end of Museum Drive. The City of Grand Island Utilities Department owns such property, with plans to use it as a solar array site, and has agreed to the transfer. The site is currently irrigated agricultural land, which has been certified as irrigated acres by the

Central Platte Natural Resource District and is leased out for farming. For the duration of the solar array site the irrigated acres will be dormant.

City staff is requesting to acquire the additional 13.5 foot of public right-of-way on the northern end of Museum Drive in exchange for the transfer of four (4) irrigated acres to the property owners of 2725 E Seedling Mile Road.

The transfer of irrigated acres is a separate item being presented at the February 13, 2018 City Council meeting.

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 conduct a Public Hearing and approved acquisition of the public right-of-way.

Sample Motion

Move to conduct a Public Hearing and approve the acquisition of the public right-of-way.

