

City of Grand Island

Tuesday, February 27, 2018 Council Session

Item D-1

#2018-BE-2 - Consideration of Determining Benefits and Levy Special Assessments for Sidewalk Installation at 4194 Norseman Avenue

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

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: February 27, 2018

Subject: Consideration of Determining Benefits and Levy Special

Assessments for Sidewalk Installation at 4194 Norseman

Avenue

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

Background

The Certificate of Final Completion for sidewalk installation at 4194 Norseman Avenue was approved by City Council on January 23, 2018, via Resolution No. 2018-14, with February 27, 2018 set as the date for Council to sit as the Board of Equalization. Through informal bids Galvan Construction, Inc. was hired to install the sidewalk at such location. Total cost of the sidewalk installation was \$3,025.00, which consists of \$2,750.00 for construction and \$275.00 for engineering services. All work has been completed and special assessments have been calculated for the installation.

Discussion

The costs for this project will be assessed to the adjacent property. The payments are spread over seven (7) years at 7% simple interest. The first payment of principle only at $1/7^{th}$ of the assessment is due 25 days after the Board of Equalization. The City has had multiple correspondences with the property owner and sent a reminder letter advising them that the BOE is scheduled for February 27, 2018 and the first payment will be due shortly after.

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 an ordinance to levy Special Assessments to individual properties.

Sample Motion

(Sample Motion for the Board of Equalization)

Move to approve the resolution establishing benefits for sidewalk installation at 4194 Norseman Avenue.

(Sample Motion for the Ordinance)

Move to approve the ordinance levying the assessments for sidewalk installation at 4194 Norseman Avenue.

STATE OF NEBRASKA)) ss	AFFIDAVIT OF MAILING
COUNTY OF HALL)	

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 February 6, 2018, she mailed copies of the "Notice of Board of Equalization Hearing – Sidewalk Installation at 4194 Norseman Avenue", which notice was first published in the Grand Island Independent on February 6, 2018, to the following named parties:

*Federal Home Loan Mortgage Corporation 5000 Plano Parkway Carrollton, TX 75910

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: February 6, 2018

RaNae Edwards, City Clerk

Subscribed and sworn to before me this 6th date February, 2018.

GENERAL NOTARY - State of Nebraska
CATRINA M. DELOSH
My Comm. Exp. August 10, 2019

Notary Public

NOTICE OF BOARD OF EQUALIZATION HEARING

Sidewalk Installation at 4194 Norseman Avenue

NOTICE is hereby given to all persons owning real estate at 4194 Norseman Avenue 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 February 27, 2018 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 sidewalk improvements therein. All owners of real estate within said sidewalk installation area, 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: February 6, 2018 February 13, 2018 February 20, 2018

NOTICE OF BOARD OF EQUALIZATION HEARING

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Details for NOTICE OF BOARD OF EQUALIZATION HEARING

Updated Feb 6, 2018

NOTICE OF BOARD OF EQUALIZATION HEARING Sidewalk Installation at 4194 Norseman Avenue NOTICE is hereby given to all persons owning real estate at 4194 Norseman Avenue 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 February 27, 2018 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 sidewalk improvements therein. All owners of real estate within said sidewalk installation area, 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 6-13-20

http://www.theindependent.com/classifieds/community/announcements/legal/notice-of-board-of-equalization-hearing/ad_abb17c04-51a8-5ee2-8a74-a6... 1/1

ORDINANCE NO.

An ordinance assessing and levying a special tax to pay the cost of construction of Sidewalk Installation at 4194 Norseman Avenue 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 sidewalk installation at 4194 Norseman Avenue, 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:

<u>Name</u>	<u>Description</u>	Assessment
Federal Home Loan Mortgage Corporation	Lot 32, Jeffrey Oaks Subdivision City of Grand Island, Hall County, Nebraska	\$3,025.00
TOTAL		\$3,025.00

Approved as to Form
February 7, 2018
City Attorney

ORDINANCE NO. (Cont.)

SECTION 2. The special tax shall become delinquent as follows: One-seventh of

the total amount shall become delinquent in ten days; one-seventh in one year; one-seventh in

two years; one-seventh in three years; one-seventh in four years; one-seventh in five years; one-

seventh in six years respectively, after the date of such levy; provided, however, the entire

amount so assessed and levied against any lot, tract or parcel of land may be paid within twenty-

five (25) days from the date of this levy without interest, and the lien of special tax thereby

satisfied and released. Each of said installments, except the first, shall draw interest at the rate of

not exceeding seven percent (7.0%) per annum from the time of such levy until they shall

become delinquent. After the same become delinquent, interest at the rate of three-fourths of one

percent per month shall be paid thereon as in the case of other special taxes, until the same is

collected and paid.

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 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: February 27, 2018

	Jeremy L. Jensen, Mayor	
Attest:		
RaNae Edwards, City Clerk		

RESOLUTION 2018

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for sidewalk installation at 4194 Norseman Avenue, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$3,025.00; and

Such benefits are based on length of sidewalk installed at the adjacent property; and

According to the actual frontage of sidewalk installed adjacent to the respective lots, tracts, and real estate within such sidewalk installation area, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	Assessmen
Federal Home Loan	Lot 32, Jeffrey Oaks Subdivision	40.007.00
Mortgage Corporation	City of Grand Island, Hall County, Nebraska	\$3,025.00
TOTAL		\$3,025.00
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sopied by the City Council	Jeremy L. Jensen, Mayor	
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test:		27, 2016.
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Approved as to Form Epbruary 7, 2018 City Attorney

RESOLUTION 2018-BE-2

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<u>Name</u>	Description	Assessment	
Federal Home Loan Mortgage Corporation	Lot 32, Jeffrey Oaks Subdivision City of Grand Island, Hall County, Nebraska	\$3,025.00	
TOTAL		\$3,025.00	
Adopted by the City Council of the City of Grand Island, Nebraska, February 27, 2018.			
	Jeremy L. Jensen, Mayor		
Attest:			
RaNae Edwards, City Clerk			

Approved as to Form ¤ _____ February 22, 2018 ¤ City Attorney