



# 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<sup>th</sup> 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.

## AFFIDAVIT OF MAILING

Page 4 / 10

## 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

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

Approved as to Form	by _____
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>	<u>Assessment</u>
Federal Home Loan Mortgage Corporation	Lot 32, Jeffrey Oaks Subdivision City of Grand Island, Hall County, Nebraska	\$3,025.00
<b>TOTAL</b>		<b>\$3,025.00</b>

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	<input type="checkbox"/>
February 7, 2018	<input type="checkbox"/> City Attorney

R E S O L U T I O N    2018-BE-2

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

- - -

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 <input type="checkbox"/> _____ February 22, 2018 <input type="checkbox"/> City Attorney
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