



City of Grand Island

Tuesday, October 27, 2020

Council Session - Updated

Item D-1

#2020-BE-7 - Consideration of Determining Re-establishment of Tap Fees for Subdivided Lots in Bosselville Fifth Subdivision-Sanitary Sewer District No. 530T

Council action will take place under Consent Agenda G-11.

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: October 27, 2020

Subject: Consideration of Determining Re-establishment of Tap Fees for Subdivided Lots in Bosselville Fifth Subdivision- Sanitary Sewer District No. 530T

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

Background

The Certificate of Final Completion for Sanitary Sewer District No. 530T was approved on November 22, 2016 with December 27, 2016 set as the date for Council to sit as the Board of Equalization.

On December 17, 2019, via Resolution No. 2019-376, City Council approved the redistribution of sanitary sewer tap fees within the recently subdivided Bosselville Fifth Subdivision consisting of five (5) lots, with a portion of the parcel west of Lot One (1) being added to such subdivision and reduced in size.

An additional tract of land has recently been subdivided and the individual lots need to have the appropriate connection fees re-established.

The original connection fee to the Bosselman Travel Centers, Inc. tract was \$172,627.14. That tract has since been subdivided as Bosselville Fourth Subdivision consisting of two (2) lots. It is recommended the connection fee be split between the current two (2) lots, based on the redistribution of land. Please see attached exhibit for original tap assessment figures and parcel layout versus proposed tap assessment figures and current parcel layout.

On September 22, 2020, via Resolution No. 2020-232, City Council approved the Board of Equalization to reconvene to determine benefits and set assessments for the newly subdivided lots in Bosselville Fourth Subdivision.

Discussion

Sanitary Sewer District No. 530T was created by City Council on December 6, 2011 through Ordinance No. 9348 to support sanitary sewer extension south along Highway 281 past Interstate 80. Work on this sanitary sewer district was completed at a

construction price of \$1,764,656.49 and additional costs of \$538,185.76, for a total district cost of \$2,302,842.25. The Engineers Certificate of Completion is attached detailing such costs.

Based on the recent subdivided lots in Bosselville Fourth Subdivision the updated tap fee calculations are shown below.

Sanitary Sewer District No. 530T - Assessments

Parcel #	Owner	Legal	Sub-Total	Tap Fee Prev Paid	Tap Fee Owed
400448174	Bosselman Travel Centers, Inc.	Lot 1, Bosselville Fourth Subdivision, Alda Township (10.93 ac)	\$ 73,785.26	\$ -	\$73,785.26
400448173	Bosselman Travel Centers, Inc.	Lot 2, Bosselville Fourth Subdivision, Alda Township (14.65 ac)	\$ 98,841.88	\$ -	\$98,841.88
TOTAL					\$172,627.14

A tap (connection) fee in the amount of the benefit accruing to each property in the district shall be paid to the City of Grand Island prior to the time such property becomes connected to the sanitary sewer. No property benefited as determined by the attached resolution shall be connected to the sanitary sewer main until the connection fee is paid.

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

Public Works Administration recommends that the Council sit as the Board of Equalization to determine benefits and pass an Ordinance to levy a Special Tap Fee to individual properties.

Sample Motion

(Sample Motion for the Board of Equalization)

Move to approve the resolution determining reestablishment of benefits for Sanitary Sewer District No. 530T in the recently subdivided Bosselville Fourth Subdivision.

(Sample Motion for the Resolution)

Move to approve the Resolution levying the tap fees for Sanitary Sewer District No. 530T.

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 October 14, 2020, she mailed copies of the “Notice of Board of Equalization Hearing – Sanitary Sewer District 530T”, which notice was first published in the Grand Island Independent on October 13, 2020, to the following named parties:

Bosselman Travel Centers, Inc.
PO Box 4905
Grand Island, NE 68802

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: October 14, 2020



RaNae Edwards, City Clerk

Subscribed and sworn to before me this 14th date October, 2020.





Notary Public

Details for NOTICE OF BOARD OF EQUALIZATION HEARING

Oct 13, 2020

NOTICE OF BOARD OF EQUALIZATION HEARING Sanitary Sewer District No. 530T US Highway 281 South past Interstate 80 Hall County, Nebraska NOTICE is hereby given to all persons owning real estate in Sanitary Sewer District No. 530T 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 October 27, 2020 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 sanitary sewer improvements therein. 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 13-20-27

Categories

- [Legal](#)

https://theindependent.com/ads/community/announcements/legal/notice-of-board-of-equalization-hearing/ad_18cc1471-9412-5aee-9ea5-080ba0194bee.html

RESOLUTION 2020-232

WHEREAS, the City Engineer/Public Works Director for the City of Grand Island issued a Certificate of Final Completion for Sanitary Sewer District No. 530T on December 27, 2016 certifying that Van Kirk Brothers Contractors of Sutton, Nebraska, under contract had completed the sanitary sewer project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the City Engineer/Public Works Director recommended the acceptance of the project; and

WHEREAS, the Mayor concurred with the recommendation of the City Engineer/Public Works Director; and

WHEREAS, On December 17, 2019, via Resolution No. 2019-376, City Council approved the redistribution of sanitary sewer tap fees within the recently subdivided Bosselville Fifth Subdivision consisting of five (5) lots, with a portion of the parcel west of Lot One (1) being added to such subdivision and reduced in size; and

WHEREAS, at the time Sanitary Sewer District No. 530T was completed, a tract of land within the district was owned by Bosselman Travel Centers, Inc., being located just south of Wood River Road, west of US Highway 281; and

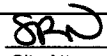
WHEREAS, the original connection fee to the Bosselman Travel Centers, Inc. tract was \$172,627.14; and

WHEREAS, the tract has been subdivided as Bosselville Fourth Subdivision consisting of two (2) lots; and

WHEREAS, it is recommended the connection fee be split between the current two (2) lots, based on the redistribution of land.

Sanitary Sewer District No. 530T - Assessments

Parcel #	Owner	Legal	Sub-Total	Tap Fee Prev Paid	Tap Fee Owed
400448174	Bosselman Travel Centers, Inc.	Lot 1, Bosselville Fourth Subdivision, Alda Township (10.93 ac)	\$ 73,785.26	\$ -	\$73,785.26
400448173	Bosselman Travel Centers, Inc.	Lot 2, Bosselville Fourth Subdivision, Alda Township (14.65 ac)	\$ 98,841.88	\$ -	\$ 98,841.88
TOTAL				\$172,627.14	


Approved as to Form	☒ 
September 21, 2020	☒ City Attorney

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

- The City Council will sit as a Board of Equalization on October 27, 2020, to determine benefits and set assessments for the newly subdivided lots in Bosselville Fourth Subdivision in Sanitary Sewer District No. 530T.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 22, 2020.



Roger G. Steele, Mayor

Attest:



RaNae Edwards, City Clerk

RESOLUTION NO. 2020-

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the special benefits as determined by Resolution No. 2020-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 prior to the 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. 530T, such benefits are the sums set opposite the descriptions as follows:

Sanitary Sewer District No. 530T – Tap Fees

Parcel #	Owner	Legal	Sub-Total	Tap Fee Previously Paid	Tap Fee Owed
400217198	Larry J & Karen L Knuth	ALDA TWP PT NW 1/4 NE 1/4 12-10-10 39 AC	\$ 7,379.12	\$ -	\$ 7,379.12
400217201	Larry J & Karen L Knuth	ALDA TWP PT NE 1/4 NW 1/4 NE 1/4 12-10-10 1 AC	\$ 184.32	\$ -	\$ 184.32
400217244	Jim C & Kathy L Rathman	ALDA TWP PT NE 1/4 NW 1/4 12-10-10 40 AC	\$ 6,695.75	\$ -	\$ 6,695.75
400495510	Jim C & Kathy L Rathman	ALDA TWP SE 1/4 NW 1/4 & NE 1/4 SW 1/4 12-10-10 80 AC	\$ 15,227.41	\$ -	\$ 15,227.41
400217279	Arthur P & Geraldine Stelk Living Rev Trust	ALDA TWP N 55 AC W 1/2 NW 1/4 12-10-10 55 AC	\$ 9,234.59	\$ -	\$ 9,234.59
400217236	Lawney L Rathman Trustee	ALDA TWP XC 5.37 AC STATE SE 1/4 NE 1/4 12-10-10 34.63 AC	\$ 215,084.34	\$ -	\$ 215,084.34
400217228	Lawney L Rathman Trustee	ALDA TWP SW 1/4 NE 1/4 12-10-10 40 AC	\$ 18,023.81	\$ -	\$ 18,023.81
400217309	Lawney L Rathman Trustee	ALDA TWP XC 13.84 AC STATE E 1/2 SE 1/4 12-10-10 66.16 AC	\$ 405,092.79	\$ -	\$ 405,092.79

Approved as to Form _____
 October 14, 2020 City Attorney

RESOLUTION NO. _____ (Cont.)

400217341	Lawney L Rathman Trustee	ALDA TWP S 30 AC NW 1/4 SE 1/4 2-10-10 30 AC	\$ 14,667.61	\$ -	\$ 14,667.61
400217295	Lawney L Rathman Trustee	ALDA TWP PT N 1/2 N 1/2 NW 1/4 SE 1/4 12-10-10 9.50 AC	\$ 3,895.55	\$ -	\$ 3,895.55
400217252	Norman Niel & Shirley Stelk	ALDA TWP S 25 AC W 1/2 NW 1/4 12-10-10 25 AC	\$ 4,015.16	\$ -	\$ 4,015.16
400217260	Norman Niel & Shirley Stelk	ALDA TWP W 1/2 SW 1/4 12-10-10 80 AC	\$ 13,388.36	\$ -	\$ 13,388.36
400217325	Curt & Christine Smith	ALDA TWP PT E 1/2 E 1/2 SW 1/4 SE 1/4 12-10-10 9 AC	\$ 4,171.56	\$ -	\$ 4,171.56
400217368	Curt & Christine Smith	ALDA TWP PT SW 1/4 SE 1/4 132' X 300' 12-10-10 1 AC	\$ 348.04	\$ -	\$ 348.04
400217317	Bence Family, LLC c/o Arlyn Uhrmacher Mngr	ALDA TWP PT SW 1/4 SE 1/4 12-10-10 30 AC	\$ 13,191.01	\$ -	\$ 13,191.01
400217287	Bence Family, LLC c/o Arlyn Uhrmacher Mngr	ALDA TWP SE 1/4 SW 1/4 12-10-10 40 AC	\$ 7,606.74	\$ -	\$ 7,606.74
400217376	Kirby Kay Smith	ALDA TWP PT NE 1/4 NE 1/4 XC 5.57 AC STATE 13-10-10 18.04 AC	\$ 124,507.34	\$ -	\$ 124,507.34
400389657	Kirby Kay Smith	ALDA TWP PT N 1/2 NE 1/4 13-10-10 59.27 AC	\$ 127,294.57	\$ -	\$ 127,294.57
400217449	Jan Marie Amundson	ALDA TWP AMUNDSON SUB LT 1	\$ 770.75	\$ -	\$ 770.75
400217392	K Diane Bockmann Trustee	ALDA TWP PT SE 1/4 NE 1/4 13-10-10 1 AC	\$ 14,654.01	\$ -	\$ 14,654.01
400217384	K Diane Bockmann Trustee	ALDA TWP PT S 1/2 NE 1/4 & PT SE 1/4 XC 13.81 AC STATE 13-10-10 148.75 AC	\$ 483,464.88	\$ -	\$ 483,464.88
400418926	Bosselman, Inc.	Lot 1, Bosselville Fifth Subdivision (5.281 ac)	\$ 40,612.97	\$ -	\$ 40,612.97
400418928	Bosselman, Inc.	Lot 2, Bosselville Fifth Subdivision (11.052 ac)	\$ 84,994.24	\$ -	\$ 84,994.24
400418930	Bosselman, Inc.	Lot 3, Bosselville Fifth Subdivision (5.521 ac)	\$ 42,458.67	\$ -	\$ 42,458.67
400406772	Bosselman, Inc.	Outlot A, Block 2, Bosselville Fifth Sub (9.920 ac)	\$ 11,395.10	\$ -	\$ 11,395.10
400418924	Bosselman, Inc.	Outlot B, Boselville Fifth Subdivision (4.412)	\$ 0	\$ -	\$ 0
400217503	Bosselman, Inc.	NE ¼, SW ¼, Se ¼, Alda Twp, 13-10-10- 10 AC	\$ 10,748.22	\$ -	\$ 10,748.22
400406713	Bosselman, Inc.	ALDA TWP BOSSELVILLE SUB LT 2 BLK 2	\$ 939.23	\$ -	\$ 939.23
400406721	Bosselman, Inc.	ALDA TWP BOSSELVILLE SUB LT 3 BLK 2	\$ 1,206.57	\$ -	\$ 1,206.57
400406748	Bosselman, Inc.	ALDA TWP BOSSELVILLE SUB LT 4 BLK 2	\$ 1,243.01	\$ -	\$ 1,243.01
400406756	Bosselman, Inc.	ALDA TWP BOSSELVILLE SUB LT 5 BLK 2	\$ 1,027.24	\$ -	\$ 1,027.24
400406764	Bosselman, Inc.	ALDA TWP BOSSELVILLE SUB LT 6 BLK 2	\$ 1,173.89	\$ -	\$ 1,173.89
400406683	Bosselman, Inc.	ALDA TWP BOSSELVILLE SUB LT 10 BLK 1	\$ 6,852.31	\$ -	\$ 6,852.31

RESOLUTION NO. _____ (Cont.)

400406675	Bosselman, Inc.	ALDA TWP BOSELVILLE SUB LT 9 BLK 1	\$ 6,221.20	\$ -	\$ 6,221.20
400406659	Bosselman, Inc.	ALDA TWP BOSELVILLE SUB LT 8 BLK 1	\$ 6,196.72	\$ -	\$ 6,196.72
400406640	Bosselman, Inc.	ALDA TWP BOSELVILLE SUB LT 7 BLK 1	\$ 9,860.35	\$ -	\$ 9,860.35
400406691	Bosselman, Inc.	ALDA TWP BOSELVILLE SUB OUTLOT 1 BLK 1	\$ 272.57	\$ -	\$ 272.57
400406705	Bosselman Pump & Pantry, Inc.	ALDA TWP BOSELVILLE SUB LT 1 BLK 2	\$ 1,012.13	\$ -	\$ 1,012.13
400406632	Bosselman Motels, Inc.	ALDA TWP BOSELVILLE SECOND SUB LT 2	\$ 6,593.41	\$ -	\$ 6,593.41
400406624	Bosselman Motels, Inc.	ALDA TWP BOSELVILLE SECOND SUB LT 1	\$ 16,672.44	\$ -	\$ 16,672.44
400406616	Bosselman Properties, Inc. c/o Fred A Bosselman	ALDA TWP BOSELVILLE SUB LT 4 BLK 1	\$ 6,335.52	\$ -	\$ 6,335.52
400218437	Boss Truck Shops, Inc.	ALDA TWP BOSELVILLE THIRD SUB LT 2~	\$ 19,629.81	\$ -	\$ 19,629.81
400406608	Bosselman Energy, Inc. c/o Travis Hasselmann Cont.	ALDA TWP BOSELVILLE THIRD SUB LT 3~	\$ 38,161.69	\$ -	\$ 38,161.69
400448173	Bosselman Travel Center, Inc.	ALDA TWP BOSELVILLE THIRD SUB LT 1~	\$ 172,627.14	\$ -	\$ 172,627.14
400448174	Bosselman Travel Centers, Inc.	ALDA TWP BOSELVILLE FOURTH SUB LT 1- 10.93 AC	\$ 73,785.26	\$ -	\$ 73,785.26
400448173	Bosselman Travel Centers, Inc.	ALDA TWP BOSELVILLE FOURTH SUB LT 2- 14.65 AC	\$ 98,841.88	\$ -	\$ 98,841.88
400217511	Darrell R & Judith I Sutter	ALDA TWP NW 1/4 SW 1/4 SE 1/4 & PT SW 1/4 SW 1/4 SE 1/4 13-10-10 10.30 AC	\$ 11,984.03	\$ -	\$ 11,984.03
400217465	Dale L & Marilyn Bockman	ALDA TWP SE 1/4 SW 1/4 13-10-10 40 AC	\$ 34,360.28	\$ -	\$ 34,360.28
400218445	Dale & Marilyn Bockman	ALDA TWP PT LT 2 & ALL LT 3 24- 10-10 100.33 AC	\$ 87,062.07	\$ -	\$ 87,062.07
400209276	Kenneth Clausen c/o Robert Clausen	WASHINGTON TWP XC 2.37 AC HWY SW 1/4 NW 1/4 8-10-9 37.63 AC	\$ 5,965.52	\$ -	\$ 5,965.52
400209330	Kenneth Clausen c/o Robert Clausen	WASHINGTON TWP PT W 1/2 SW 1/4 XC 8.32 AC HWY XC 2.28 AC HWY 8-10-9 67.40 AC	\$ 12,711.77	\$ -	\$ 12,711.77
400460432	Kenneth Clausen c/o Robert Clausen	WASH TWP RIVER SUB LT 1	\$ 272.28	\$ -	\$ 272.28
400209322	Robert H Clausen Life Estate, Kenneth Clausen	WASHINGTON TWP PT E 1/2 SW 1/4 XC .06 AC HWY & N 16.5' OF NW 1/4 SW 1/4 8-10-9 80.44 AC	\$ 14,224.16	\$ -	\$ 14,224.16
400209551	Carline A Denman Trustee	WASHINGTON TWP XC 2 AC PT NW 1/4 NW 1/4 XC 8.54 AC HWY W 1/2 LT 4 & W 1/2 SW 1/4 NW 1/4 XC .33 AC HWY 17-10-9 70.25 AC	\$ 282,385.26	\$ -	\$ 282,385.26
400460017	Kuehner Farms, Inc.	WASHINGTON TWP PT NE 1/4 NW 1/4 100' X 300' 17-10-9 .69 AC	\$ 18,218.65	\$ -	\$ 18,218.65

RESOLUTION NO. _____ (Cont.)

400209543	Kuehner Farms, Inc.	WASHINGTON TWP PT NE 1/4 NW 1/4 & E 1/2 LT 4 & E 1/2 SW 1/4 NW 1/4 17-10-9 84 AC	\$ 247,769.65	\$ -	\$ 247,769.65
400209535	Kuehner Farms, Inc. c/o D Janssen	WASHINGTON TWP PT LT 3 17-10-9 55 AC	\$ 26,535.29	\$ -	\$ 26,535.29
400210703	Design Flite, Inc.	WASHINGTON TWP FIRESIDE INTERSTATE PLAZA SECOND SUB LT 1	\$ 22,617.11	\$20,887.75	\$ 1,729.37
TOTALS:			\$2,739,238.21	\$20,887.75	\$2,718,350.47

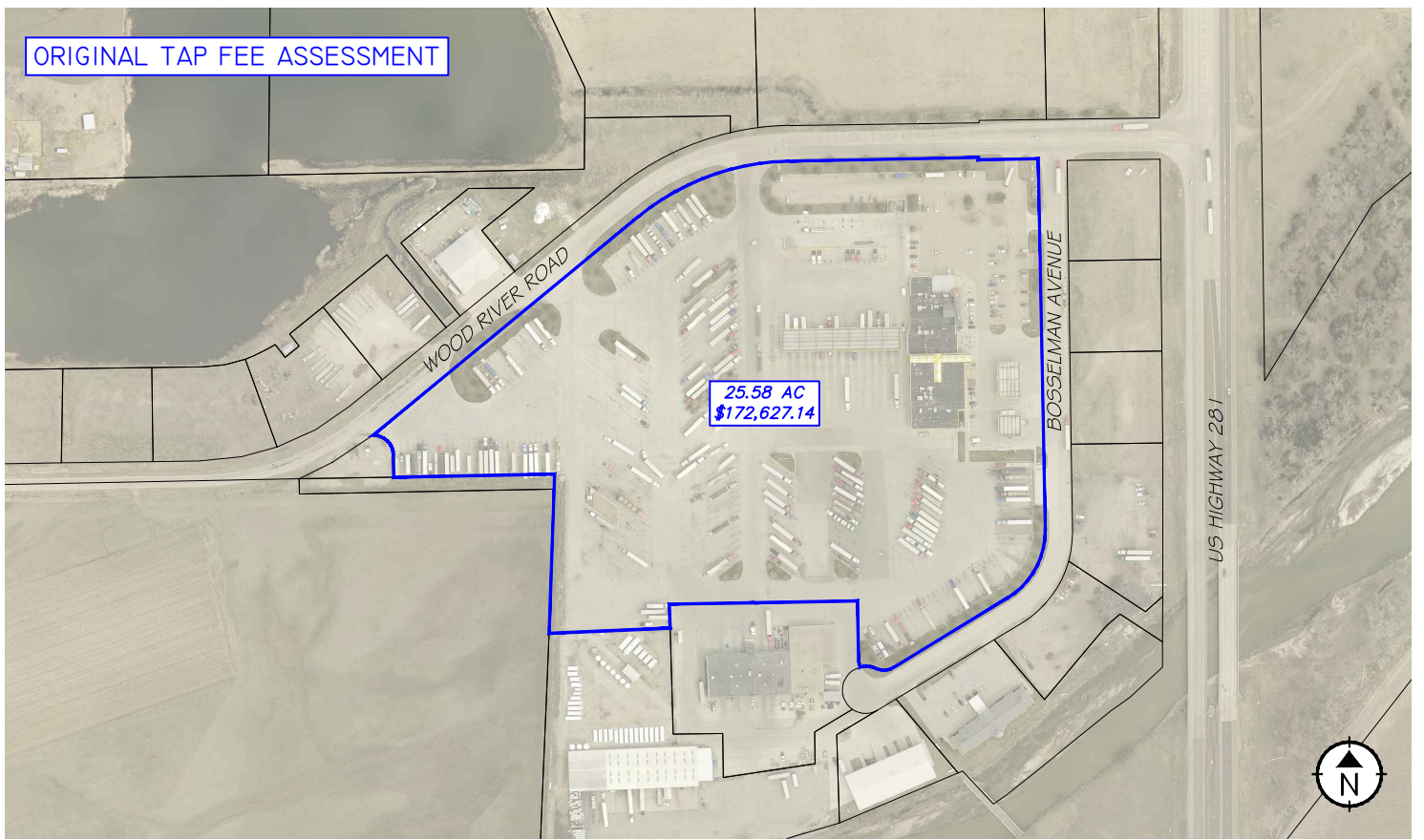
Adopted by the City Council of the City of Grand Island, Nebraska, October 27, 2020.

Roger G. Steele, Mayor

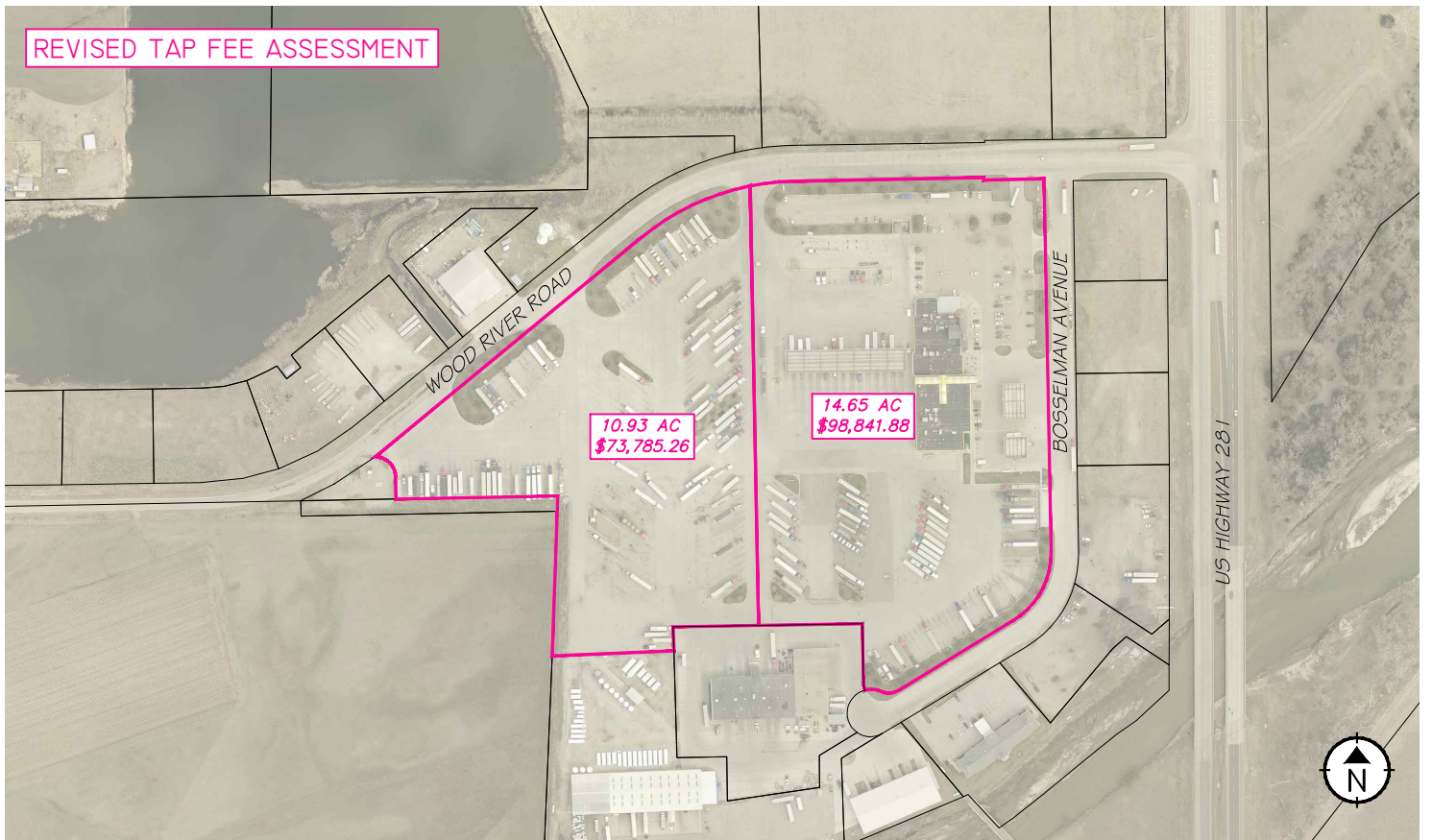
Attest:

RaNae Edwards, City Clerk

ORIGINAL TAP FEE ASSESSMENT



REVISED TAP FEE ASSESSMENT



SANITARY SEWER DISTRICT 530T TAP FEE REDISTRIBUTION

BOSSELVILLE FOURTH SUBDIVISION
GRAND ISLAND, NEBRASKA



RESOLUTION 2020-BE-7

WHEREAS, the City Engineer/Public Works Director for the City of Grand Island issued a Certificate of Final Completion for Sanitary Sewer District No. 530T on December 27, 2016 certifying that Van Kirk Brothers Contractors of Sutton, Nebraska, under contract had completed the sanitary sewer project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the City Engineer/Public Works Director recommended the acceptance of the project; and

WHEREAS, the Mayor concurred with the recommendation of the City Engineer/Public Works Director; and

WHEREAS, On December 17, 2019, via Resolution No. 2019-376, City Council approved the redistribution of sanitary sewer tap fees within the recently subdivided Bosselville Fifth Subdivision consisting of five (5) lots, with a portion of the parcel west of Lot One (1) being added to such subdivision and reduced in size; and

WHEREAS, at the time Sanitary Sewer District No. 530T was completed, a tract of land within the district was owned by Bosselman Travel Centers, Inc., being located just south of Wood River Road, west of US Highway 281; and

WHEREAS, the original connection fee to the Bosselman Travel Centers, Inc. tract was \$172,627.14; and

WHEREAS, the tract has been subdivided as Bosselville Fourth Subdivision consisting of two (2) lots; and

WHEREAS, it is recommended the connection fee be split between the current two (2) lots, based on the redistribution of land.

Sanitary Sewer District No. 530T - Assessments

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TOTAL					\$172,627.14

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

- The City Council will sit as a Board of Equalization on October 27, 2020, to determine benefits and set assessments for the newly subdivided lots in Bosselville Fourth Subdivision in Sanitary Sewer District No. 530T.

Approved as to Form October 26, 2020	✕ _____ ✕ City Attorney
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- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 27, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

- 2 -