



# City of Grand Island

Tuesday, November 9, 2021

Council Session

## Item F-4

**#9858 - Consideration of Approving Benefits for Sanitary Sewer District No. 544; Ellington Pointe and Westwood Park Subdivisions (Second and Final Reading)**

Staff Contact: John Collins

# **Council Agenda Memo**

**From:** Keith Kurz PE, Assistant Public Works Director

**Meeting:** November 9, 2021

**Subject:** Consideration of Determining Benefits for Sanitary Sewer District No. 544; Ellington Pointe and Westwood Park Subdivisions

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

## **Background**

The Certificate of Final Completion for Sanitary Sewer District No. 544; Ellington Pointe and Westwood Park Subdivisions was approved by City Council on September 28, 2021, via Resolution No. 2021-253; with October 26, 2021 set as the date for Council to sit as the Board of Equalization. The Diamond Engineering Company of Grand Island, Nebraska was hired to perform such work in the amount of \$678,366.25. Work was completed at a price of \$671,194.58; with additional costs of \$275,131.98, all detailed below.

Original Bid	\$ 678,366.25
Underrun	\$ (7,171.67)
<b>Sub Total (Construction Price) =</b>	<b>\$ 671,194.58</b>

### Additional Costs:

Alfred Benesch & Company	Preliminary & Construction Engineering	\$145,264.75
City of GI Public Works	Engineering Services	\$ 32,353.54
Hall Co. Register of Deeds	Filing Fees	\$ 236.00
GI Independent	Advertising	\$ 173.61
Tilley Sprinkler Systems, Inc.	Restoration	\$ 1,112.58
56 Land & Cattle Co, LLC	Easement	\$ 1,700.00
Allan J Thomson	Easement	\$ 6,450.00
Andrew J Eiler	Easement	\$ 3,136.00
Brenda M Carlson	Easement	\$ 8,502.00
Darwin O Barnes	Easement	\$ 5,174.00
Debra L Caley	Easement	\$ 3,876.00
Dee Ann Shriner	Easement	\$ 9,691.00
Glenn L Grubbs	Easement	\$ 10,733.00

Jacqueline M Nordstrom	Easement	\$ 4,028.00
John C Lilly	Easement	\$ 2,949.00
Khambong Keophalychanh	Easement	\$ 8,395.50
Leland R Davis	Easement	\$ 2,055.00
Leroy W Wood	Easement	\$ 750.00
Michael J Hoffman	Easement	\$ 3,000.00
Mindi Hoback	Easement	\$ 2,444.00
Robert J Pavelka	Easement	\$ 4,648.00
Scott E Madison	Easement	\$ 2,821.00
Scott L Dubbs	Easement	\$ 2,494.00
Timothy M Wojtalewicz	Easement	\$ 3,073.00
Trent Huff	Easement	\$ 8,477.00
Wade E Williby	Easement	\$ 1,595.00

**Sub Total of Additional Costs = \$ 275,131.98**

<b>TOTAL COST =</b>		<b>\$ 946,326.56</b>
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Total project cost is \$946,326.56. There were three (3) properties which connected to sanitary sewer ahead of this district being constructed, as such there is a credit given to the following parcels in the total amount of \$13,618.00, resulting in a total assessable amount of \$932,708.56.

<i>Parcel No.</i>	<i>Owner</i>	<i>Previously Paid Connection Amount</i>
400167026	David L & Shirley A Peterson	\$ 5,882.25
400167018	John D & Debra K Potratz	\$ 4,360.15
400166992	Susan R & Marlan V Watson	\$ 3,375.60

Total of Previous Payments= \$13,618.00

All work has been completed and special assessments have been calculated for the improvements.

### **Discussion**

The costs for this project will be assessed to the benefitting properties. The payments are spread over ten (10) years at 7% simple interest. The first payment of principle only at 1/10<sup>th</sup> of the assessment is due 25 days after filing of the ordinance that levies the costs as approved at the Board of Equalization. The City has had multiple correspondences with the property owners and sent a reminder letter advising them that the BOE is scheduled for October 26, 2021 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 the individual properties.

### **Sample Motion**

Move to approve the ordinance levying the assessments for Sanitary Sewer District No. 544; Ellington Pointe and Westwood Park Subdivisions.

ORDINANCE NO. 9858

An ordinance assessing and levying a special tax to pay the cost of Sanitary Sewer District No. 544; Ellington Pointe and Westwood Park Subdivisions 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 Sanitary Sewer District No. 544; Ellington Pointe and Westwood Park Subdivisions, 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:

Approved as to Form	▣ _____
November 6, 2021	▣ City Attorney

ORDINANCE NO. 9858 (Cont.)

PARCEL	OWNER	LEGAL	TOTAL ASSESSMEN	CONN AMT PREV PAID	GRAND TOTALS PER PARCEL
400166968	Jade D Ballard/ Rachel J Yost	Lot 7, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400166941	Russell L Geist	Lot 6, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400166933	Leland R & Ruby J Davis	Lot 5, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400166925	Allan J & Maureen A Thomson	Lot 4, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400166917	Richard Q & Melissa M Pembo	Lot 3, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400166909	Robert L, Jr. & Dee Ann Shriner	Lot 2, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400166895	Khambong Keophalychanh	Lot 1, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400167387	Robert J Pavelka	Lot 45, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400167395	Daniel J & Brenda M Carlson	Lots 46 & 47, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400150271	56 Land & Cattle Co, Inc.	Misc Tracts 14-11-10 PT S 1/2 NE 1/4, 10 ac	\$ 14,338.28	\$ -	\$ 14,338.28
400167379	Darwin O & Alice A Barnes	Lot 44, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400167360	Glen L & Janice K Grubbs	Lot 43, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400167352	John C & Shelly A Lilly	Lot 42, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400167344	Debra L Caley	Lot 41, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400167336	Imre L & Eva A Kovacs	Lot 40, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400167328	Timothy M & Kaylyn M Wojtalewicz	Lot 29, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400167301	Larry E & Mindi J Hoback	Lot 28, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28

ORDINANCE NO. 9858 (Cont.)

PARCEL	OWNER	LEGAL	TOTAL ASSESSMEN	CONN AMT PREV PAID	GRAND TOTALS PER PARCEL
400167298	Scott E & Connie J Madison	Lot 27, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400167271	Leroy & Stephanie Wood	Lot 36, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400167263	Michael James & Lisa Lynn Hoffman	Lot 35, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400167255	Scott L & Karisa A Dubbs	Lot 34, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400167247	Wade E Williby	Lot 33, Westwood Park Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400167026	David L & Shirley A Peterson	Lot 12, Westwood Park Subdivision	\$ 14,338.28	\$ 5,882.25	\$ 8,456.03
400167018	John D & Debra K Potratz	Lot 11, Westwood Park Subdivision & E 35' Lot 17, Westwood Park Third Subdivision	\$ 14,338.28	\$ 4,360.15	\$ 9,978.13
400166992	Susan R & Marlan V Watson	Lot 10, Westwood Park Subdivision	\$ 14,338.28	\$ 3,375.60	\$ 10,962.68
400201137	Andrew J Eiler	Lot 1, Block 1, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201138	Andrew J Eiler	Lot 2, Block 1, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201139	Andrew J Eiler	Lot 3, Block 1, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201140	Andrew J Eiler	Lot 4, Block 1, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201141	Andrew J Eiler	Lot 5, Block 1, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201142	Andrew J Eiler	Lot 6, Block 1, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201143	Andrew J Eiler	Lot 7, Block 1, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201175	Andrew J Eiler	Lot 5, Block 4, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201174	Andrew J Eiler	Lot 4, Block 4, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201173	Andrew J Eiler	Lot 3, Block 4, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201172	Andrew J Eiler	Lot 2, Block 4, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201171	Andrew J Eiler	Lot 1, Block 4, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201166	Andrew J Eiler	Lot 2, Block 3, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201167	Andrew J Eiler	Lot 3, Block 3, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201168	Andrew J Eiler	Lot 8, Block 3, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201169	Andrew J Eiler	Lot 9, Block 3, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201170	Andrew J Eiler	Lot 10, Block 3, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201161	Andrew J Eiler	Lot 5, Block 3, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201162	Andrew J Eiler	Lot 6, Block 3, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201163	Andrew J Eiler	Lot 7, Block 3, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201164	Andrew J Eiler	Lot 4, Block 3, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201165	Andrew J Eiler	Lot 1, Block 3, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201147	Andrew J Eiler	Lot 5, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201146	Andrew J Eiler	Lot 4, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201145	Andrew J Eiler	Lot 3, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201144	Andrew J Eiler	Lot 2, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201176	Andrew J Eiler	Lot 1, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201148	Perserverance, LLC	Lot 6, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201149	Perserverance, LLC	Lot 7, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201150	Perserverance, LLC	Lot 8, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201151	Perserverance, LLC	Lot 9, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400200406	Stephen A & Tabitha L West	Lot 1, Center Township Hanover Second Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201153	Perserverance, LLC	Lot 11, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201154	Perserverance, LLC	Lot 12, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201152	Perserverance, LLC	Lot 10, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201155	Perserverance, LLC	Lot 13, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201156	Andrew J Eiler	Lot 14, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201157	Andrew J Eiler	Lot 15, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201158	Andrew J Eiler	Lot 16, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201159	Andrew J Eiler	Lot 17, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
400201160	Andrew J Eiler	Lot 18, Block 2, Ellington Pointe Subdivision	\$ 14,338.28	\$ -	\$ 14,338.28
			\$ 946,326.56	\$ 13,618.00	\$ 932,708.56

ORDINANCE NO. 9858 (Cont.)

SECTION 2. The special tax shall become delinquent as follows: One-tenth of the total amount shall become delinquent in twenty-five (25) days; one-tenth in one year; one-tenth in two years; one-tenth in three years; one-tenth in four years; one-tenth in five years; one-tenth in six years; one-tenth in seven years; one-tenth in eight years; one-tenth in nine 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 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 specified by Nebraska Revised Statutes Section 45-104.01, as such rate may from time to time be adjusted by the Legislature, shall be paid thereon until such installment 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: November 9, 2021

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Roger G. Steele, Mayor

Attest:

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RaNae Edwards, City Clerk



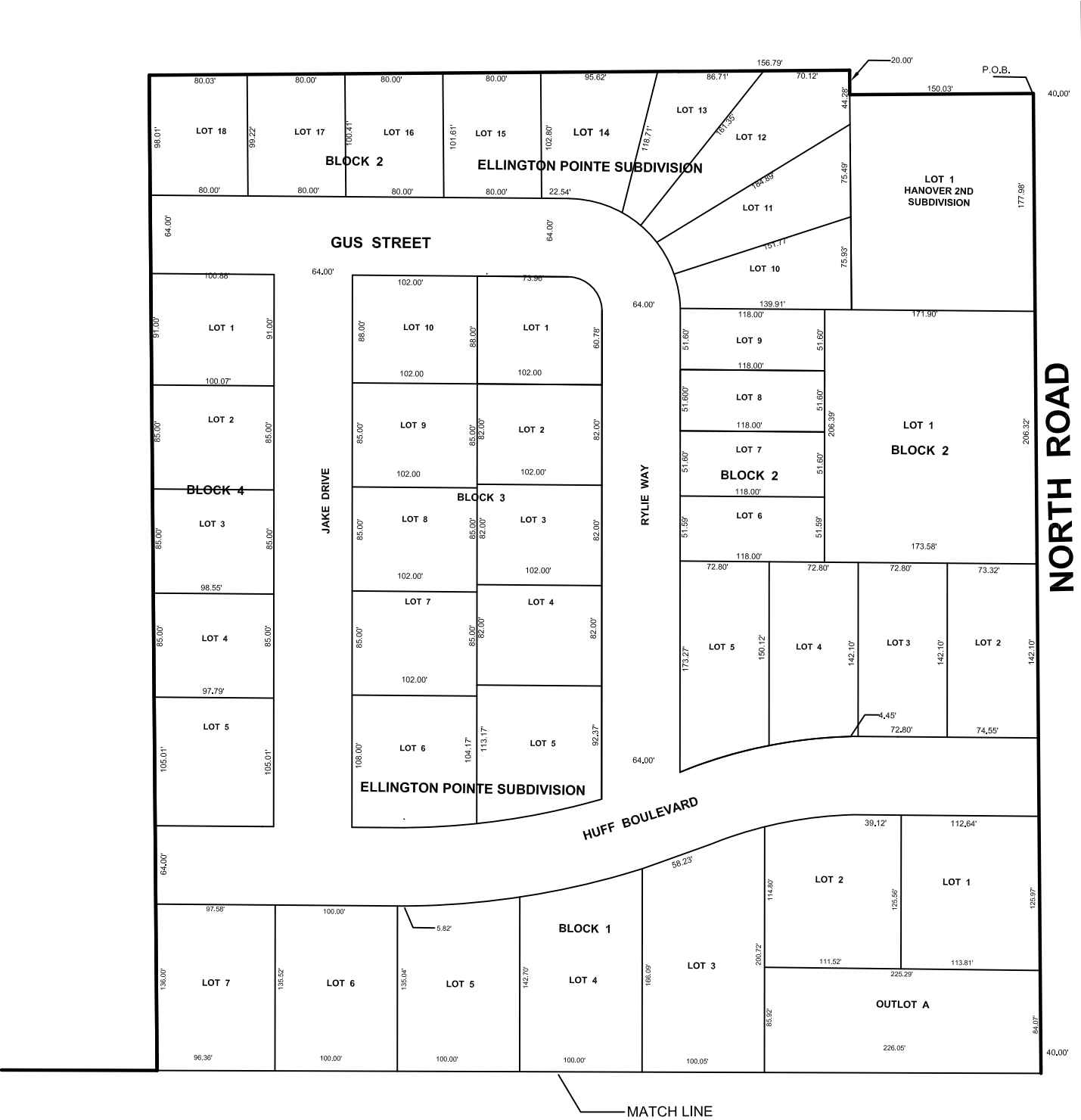


EXHIBIT "A"

INITIAL POINT SURVEYING LLC  
410 S. Webb Rd  
Suite 4B  
Grand Island, NE 68803  
308-383-6754 Cell 308-675-4141 Office

LOCATION:

ELLINGTON POINTE

TITLE:

Ellington Pointe Sewer District

SCALE AT A3:  
NONE

DRAWING NO:

DRAWN:  
Brent C.

PROJECT NO:

DATE:  
NOV. 13, 2019

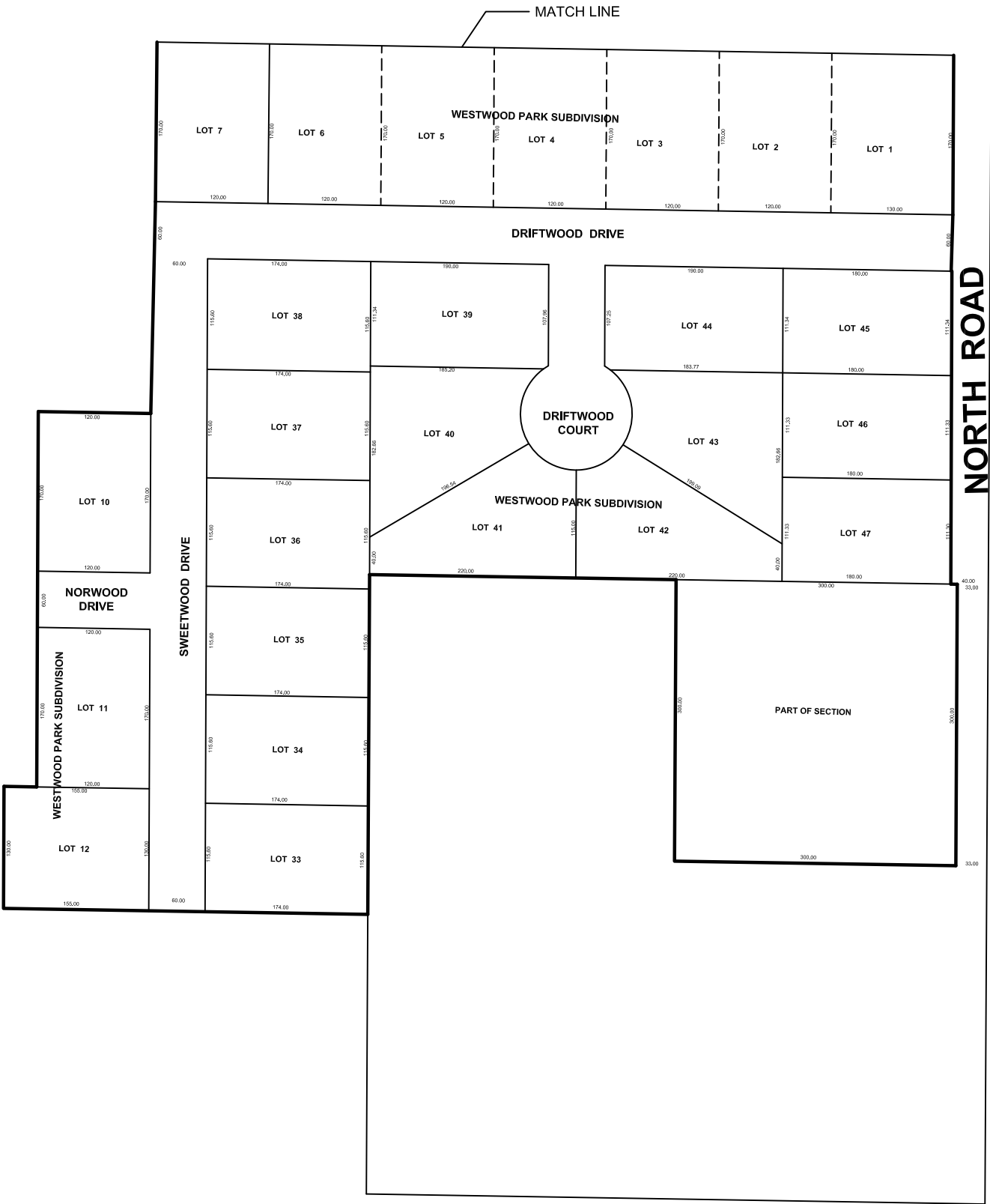


EXHIBIT "A"

INITIAL POINT SURVEYING LLC 410 S. Webb Rd Suite 4B Grand Island, NE 68803 308-383-6754 Cell 308-675-4141 Office		
LOCATION: WESTWOOD PARK		
TITLE: Westwood Park Sewer District		
SCALE AT A3: NONE	DRAWING NO:	
PROJECT NO:	DATE: NOV. 13, 2019	DRAWN: Brent C.