



City of Grand Island

Tuesday, December 3, 2013

Council Session

Item F-1

#9459 - Consideration of Assessments for Sidewalk Repairs at 1141 Pleasant View Drive

Staff Contact: John Collins

Council Agenda Memo

From: Terry Brown PE, Manager of Engineering Services

Meeting: December 3, 2013

Subject: Consideration of Determining Benefits and Levy Special Assessments for Sidewalk Repairs at 1141 Pleasant View Drive

Item #'s: F-1

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

Background

The Certificate of Final Completion for sidewalk repairs at 1141 Pleasant View Drive was approved by the council on October 8, 2013, with November 12, 2013 set as the date for Council to sit as the Board of Equalization. Through informal bids Reimers Construction of Grand Island, Nebraska was hired to make the necessary repairs at such location. Work was completed at a construction price of \$500.00. Total cost of the repairs, including engineering services of \$50.00, was \$550.00. All work has been completed and special assessments have been calculated for the repairs. This item originally appeared on the agenda for November 12, 2013; it was referred by Council to the November 26, 2013 meeting. City Council approved Ordinance #9459 on first reading only at their November 26, 2013 meeting.

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 1/7th 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 November 12, 2013 and the first payment will be due shortly after.

The attached spreadsheet shows the property assessment.

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 pass an ordinance to levy Special Assessments to individual properties.

Sample Motion

Move to approve the ordinance levying the assessments for sidewalk repairs at 1141 Pleasant View Drive.

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 21, 2013, she mailed copies of the "Notice of Board of Equalization Hearing – Sidewalk Repairs at 1141 Pleasant View Drive", which notice was first published in the Grand Island Independent on October 21, 2013, to the following named parties:

*Julie Nickerson
18906 E Briargate Ln, Apt 2A
Parker, CO 80134-3654

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.

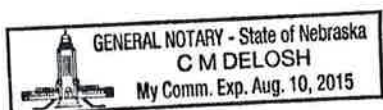
Affiant further states that she, and her attorney, after diligent investigation and inquiry, were unable to ascertain and does not know the post office address of any other party appearing to have a direct legal interest in the proceedings other than the above parties to whom notice has been mailed.

DATED: October 23, 2013



RaNae Edwards, City Clerk

Subscribed and sworn to before me this 23rd date October, 2013.





Notary Public

NOTICE OF BOARD OF EQUALIZATION HEARING

Sidewalk Repairs at 1141 Pleasant View Drive

NOTICE is hereby given to all persons owning real estate at 1141 Pleasant View Drive 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 November 12, 2013 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 repair 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:

October 23, 2013

October 30, 2013

November 6, 2013

8D CLASSIFIED

Legals

NOTICE OF BOARD OF EQUALIZATION HEARING

Sidewalk Repairs at
1141 Pleasant View Drive

NOTICE is hereby given to all persons owning real estate at 1141 Pleasant View Drive 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 November 12, 2013 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 repair 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
23-30-6

DRAFT

This Space Reserved for Register of Deeds

ORDINANCE NO. _____

An ordinance assessing and levying a special tax to pay the cost of construction of Sidewalk Repairs at 1141 Pleasant View Drive 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 repairs at 1141 Pleasant View Drive, 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>
Julie Nickerson	Lot 3, Block 2, Pleasant View Twelfth Subdivision City of Grand Island, Hall County, Nebraska	\$550.00
TOTAL		\$550.00

Approved as to Form ☐ _____
October 23, 2013 ☐ City Attorney

DRAFT

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 ten 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: November 12, 2013

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

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RESOLUTION 2013

DRAFT

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for sidewalk repairs at 1141 Pleasant View Drive, 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 \$550.00; 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 repair area, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Julie Nickerson	Lot 3, Block 2, Pleasant View Twelfth Subdivision City of Grand Island, Hall County, Nebraska	\$550.00
TOTAL		\$550.00

Adopted by the City Council of the City of Grand Island, Nebraska, November 12, 2013.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ☐ _____
October 23, 2013 ☐ City Attorney

ORDINANCE NO. 9459

An ordinance assessing and levying a special tax to pay the cost of construction of Sidewalk Repairs at 1141 Pleasant View Drive 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 repairs at 1141 Pleasant View Drive, 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>
Julie Nickerson	Lot 3, Block 2, Pleasant View Twelfth Subdivision City of Grand Island, Hall County, Nebraska	\$550.00
TOTAL		\$550.00

Approved as to Form	▣ _____
November 27, 2013	▣ City Attorney

ORDINANCE NO. 9459 (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 ten 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.

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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: December 3, 2013

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk