



City of Grand Island

Tuesday, October 28, 2003

Council Session

Item I2

#2003-317 - Approving Discontinuation of Sanitary Sewer District No. 511 - Dale Roush 1st & 2nd Subdivisions

Sanitary Sewer District 511 was created by the City Council on September 9, 2003. Legal Notice of the creation of the District was published in the Grand Island Independent on September 16, 2003. A letter with a copy of the Ordinance and Notice was also mailed to all property owners on September 16, 2003.

Discussion

Sanitary Sewer District 511 completed the 30-day protest period at 5:00 p.m. Thursday, October 16, 2003. There were protests filed against this District by sixty-four abutting property owners. These owners represented 7,224.55 front feet, or 54.3% of the total District frontage of 13,307.5 feet.

Recommendation

According to Nebraska Statute 16-667.01 Council must discontinue the District.

Alternatives

None. If Council would like to create a Sanitary Sewer District for the Subdivision and force the improvements because of public health concerns, another district would have to be created.

Staff Contact: Steven P. Riehle, Public Works Director/City Eng

RESOLUTION 2003-317

WHEREAS, Sanitary Sewer District No. 511 was created by Ordinance No. 8838 on September 9, 2003; and

WHEREAS, notice of the creation of such Sanitary Sewer District No. 511 was published in the *Grand Island Independent*, in accordance with the provisions of Section 16-619 et seq., Neb. Rev. Stat. 1943; and

WHEREAS, Section 16-620, Neb. R.R.S. 1943, provides that if owners of record title representing more than 50% of the front footage of the property abutting or adjoining the streets, avenues or alleys, or parts thereof to be improved in any district shall file with the City Clerk within thirty days from the first publication of said notice written objections to the sanitary sewer district, said work shall not be done and the ordinance shall be repealed; and

WHEREAS, protests were filed with the City Clerk against the creation of Sanitary Sewer District No. 511 by abutting property owners representing 54.3% of the total district frontage.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that sufficient protests having been filed with the City Clerk against the creation of Sanitary Sewer District No. 511, such district should not be continued and the ordinance which created said district shall be repealed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 28, 2003.

RaNae Edwards, City Clerk