



City of Grand Island

Tuesday, June 22, 2004

Council Session

Item G9

#2004-144 - Approving Discontinuation of Water Main District No. 448 - Stolley Park Road, Bellwood to Kingswood

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Gary R. Mader, Utilities Director

Meeting: June 22, 2004

Subject: Discontinuation of Water Main District 448 – Stolley Park Road

Item #'s: G-9

Presenter(s): Gary R. Mader, Utilities Director

Background

A petition requesting the creation of a water main district to serve properties along the south side of Stolley Park Road, between Bellwood Drive and Kingswood Drive, was received from area residents. The request was presented to the City Council and Ordinance 8897 was adopted for the creation of Water Main District 448. The project would provide water service to all properties within the District's boundaries. See the attached plat.

Discussion

The proposed construction would be done as an assessment district. All owners of record title within boundaries of the district were notified of its creation and had thirty days to submit objection to the project. The protest period for Water Main District 448 ended at 5:00 p.m., June 3, 2004. Protests were received from 71.4% of the property owners.

If more than 50% of the land owners protest the creation of the district, the Council shall be required to proceed with rescinding Ordinance 8897 as per Nebraska Statute, 16.667.01, R.R.S. 1943.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand.

Repeal Ordinance 8897 creating Water Main District 448, in Stolley Park Road, between Bellwood and Kingswood Drive.

Recommendation

City Administration recommends that the Council repeal Ordinance 8896 creating Water Main District 448, in Stolley Park Road, between Bellwood and Kingswood Drive.

Sample Motion

I move to repeal Ordinance 8897.

SEC. 22, T-11-N, R-9-W
(FONNER PARK SOFTBALL FIELDS)

WATER MAIN
DISTRICT 448
BOUNDARY

NORTHERLY R-O-W LINE-
STOLLEY PARK ROAD

900.0'

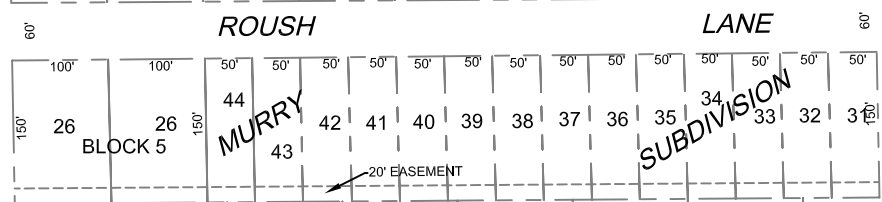
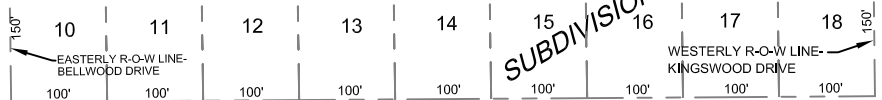
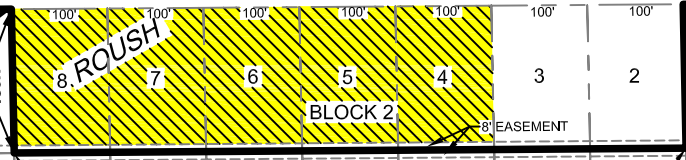
STOLLEY PARK ROAD

STREET

LOCUST

DRIVE

DRIVE



LEGEND



INDICATES 71.4% PROTEST RECEIVED



CITY OF GRAND ISLAND UTILITIES DEPARTMENT	
PLAT TO ACCOMPANY ORDINANCE 8897	
DRN BY: K.J.M.	SCALE: 1"= 200'
DATE: 4/9/2004	FILE: WMD 448

R E S O L U T I O N 2004-144

WHEREAS, Water Main District No. 448 was created by Ordinance No. 8897 on April 27, 2004; and

WHEREAS, notice of the creation of Water Main District No. 448 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 water main 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 Water Main District No. 448 by abutting property owners representing 71.4% 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 Water Main District No. 448, such district should not be continued and the ordinance which created said district shall be repealed.

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Adopted by the City Council of the City of Grand Island, Nebraska, June 22, 2004.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 17, 2004	☐ City Attorney