



City of Grand Island

Tuesday, July 13, 2004

Council Session

Item G15

**#2004-162 - Approving Continuation of Street Improvement
District 1252; Lillie Drive from North Road to Mabel Drive and
Mabel Drive North to Edna Drive**

Staff Contact: Steven P. Riehle, P.E. Public Works Director

Council Agenda Memo

From: Steven P. Riehle, P.E., Director of Public Works

Meeting: July 13, 2004

Subject: Continuation of Street Improvement District 1252; Lillie Drive from North Road to Mabel Drive and Mabel Drive North to Edna Drive

Item #'s: G-15

Presenter(s): Steven P. Riehle, P.E., Director of Public Works

Background

Street Improvement District 1252, Lillie Drive from North Road to Mabel Drive and Mabel Drive North to Edna Drive, for asphalt paving, was created by the City Council on May 25, 2004. Legal notice of the district creation was published in the *Grand Island Daily Independent* on June 1, 2004. Notification was also mailed to the property owners on that date, stating that the construction would take place unless more than 50% of the abutting landowners submitted written protests during the protest period.

Discussion

The District completed the 20-day protest period at 5:00 p.m. on June 21, 2004. There were two protest filed against this district by abutting property owners. These owners represented 1,317.05 front feet, or 36.86% of the total district frontage of 3,573.09 feet. However, one owner with 933.05 front feet has filed for an Ag Deferment and has indicated in their protest letter that they will not protest if the deferment is granted by City Council at the July 13, 2004 meeting. This protest will not be considered, assuming that Council will grant this request. The other protesting owner has 384 feet of footage, 299 feet of which the right to protest has been waived due to stipulations in the subdivision agreement. Accordingly, the remaining 85 feet of frontage is considered a valid protest and represents 2.38 % of the total district frontage of 3,573.09 feet.

Alternatives

1. Approve the continuation of Street Improvement District 1252.
2. Disapprove or /Deny the continuation of the District.
3. Modify the recommendation to meet the wishes of the Council.
4. Table the issue.

Recommendation

City Administration recommends that the Council pass a resolution for continuation of the district.

Sample Motion

Move to approve the continuation of Street Improvement District 1252.

1382.83'

33'

33'

229.05'

153'

1

229.20'

"

229.51'

"

229.74'

"

5 BLK. 2

229.97'

"

5

230.20'

"

230.43'

"

8

230.66'

153'

GOSDA

212.83'

153'

212.89'

60'

EDNA

228'

75.09'

152.91'

8

228'

75.03'

152.97'

9

228'

153.04'

153'

LILLIE

60'

MABEL DRIVE

228'

1317.05'

60'

DRIVE

16

228'

153'

153'

228'

224'

299'

1

SUB.

JEANETTE

40'

40'

33'

228'

228'

PART OF N.E. 1/4
SECTION 23-11-10

POINT OF BEGINNING

NORTH

SECTION LINE

ROAD

EXHIBIT "A"

RESOLUTION 2004-162

WHEREAS, Street Improvement District No. 1252 (Lillie Drive) was created by Ordinance No. 8906 on May 25, 2004; and

WHEREAS, notice of the creation of such street improvement district was published in the Grand Island Independent in accordance with the provisions of Section 16-619, R.R.S. 1943; and

WHEREAS, Section 16-620, R.R.S. 1943, provides that if the owners of record title representing more than 50% of the front footage of the property abutting upon the streets, avenues, or alleys, or parts thereof which are within such proposed district shall file with the City Clerk within twenty days from the first publication of said notice written objections to such street improvement district, said work shall not be done and the ordinance shall be repealed; and

WHEREAS, the protest period ended on June 21, 2004, and protests were filed with the City Clerk against the creation of Street Improvement District 1252 by abutting property owners representing 2.38% of the total district frontage.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that insufficient protests having been filed with the City Clerk against the creation of Street Improvement District No. 1252, such district shall be continued and constructed according to law.

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Adopted by the City Council of the City of Grand Island, Nebraska, July 13, 2004.

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 8, 2004	☐ City Attorney