



City of Grand Island

Tuesday, September 13, 2005

Council Session

Item G30

**#2005-263 - Approving Discontinuation of Sanitary Sewer No. 520,
Lots 1 through 18 and Lots 29 through 47 Westwood Park
Subdivision**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: September 13, 2005

Subject: Approving Discontinuation of Sanitary Sewer No. 520, Lots 1 through 18 and Lots 29 through 47 Westwood Park Subdivision

Item #'s: G-30

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

Background

Sanitary Sewer District 520 was created by the City Council on July 26, 2005. Legal notice of the creation of the District was published in the *Grand Island Independent* on August 2, 2005. A letter was also mailed to all property owners on that date. A public open house was held on August 11, 2005 to explain the details of the project. A Frequently Asked Questions sheet from the meeting is attached. The estimated assessment per home for the district was \$ 14,332.17.

Discussion

The district completed the 30-day protest period at 5:00 p.m., Thursday, September 1, 2005. There were protests filed against this District by 18 abutting property owners. These owners represented 2,091.32 front feet, or 54.51% of the total District frontage of 3,836.46 feet.

Alternatives

It appears that the Council has the following alternatives concerning this issue at hand. The Council may:

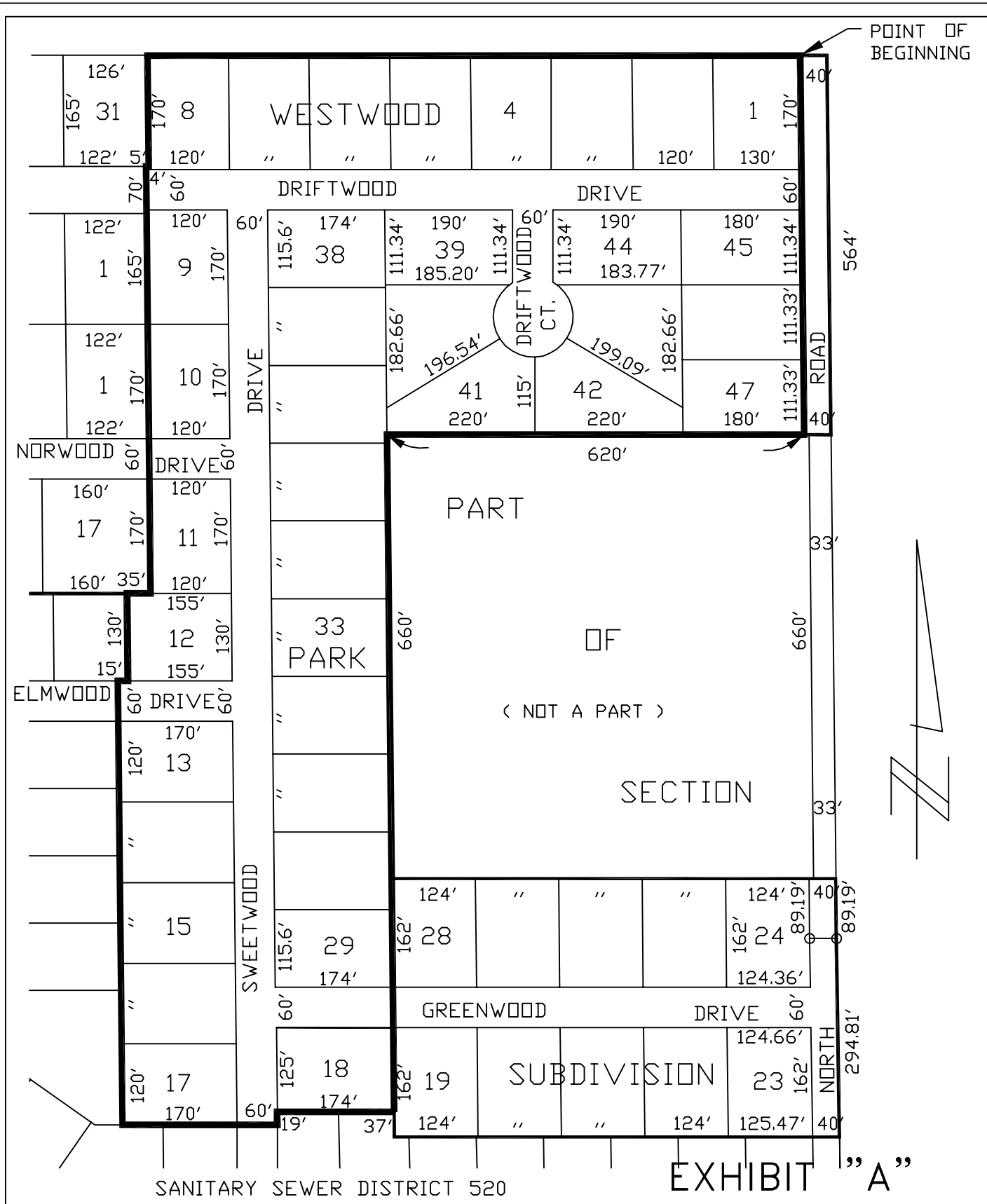
1. Approve the discontinuation of the Sanitary Sewer District.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the discontinuation of Sanitary Sewer District 520.

Sample Motion

Move to approve the discontinuation of Sanitary Sewer District 520.



R E S O L U T I O N 2005-263

WHEREAS, Sanitary Sewer District No. 520 was created by Ordinance No. 8988 on July 26, 2005, comprising of Lots 1 through 18 and Lots 29 through 47 of Westwood Park Subdivision; and

WHEREAS, notice of the creation of such Sanitary Sewer District No. 520 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, the protest period ended on September 1, 2005, and protests were filed with the City Clerk against the creation of Sanitary Sewer District No. 520 by abutting property owners representing 54.51% 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. 520, 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, September 13, 2005.

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ September 7, 2005 <input type="checkbox"/> City Attorney
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