



# City of Grand Island

Tuesday, January 10, 2006

Council Session

## Item G9

**#2006-5 - Approving Continuation of Water Main District 452 -  
Knott Avenue, Lake Street and Tri Street**

Staff Contact: Gary R. Mader

# **Council Agenda Memo**

**From:** Gary R. Mader, Utilities Director  
**Meeting:** January 10, 2006  
**Subject:** Continuation of Water Main District 452  
**Item #'s:** G-9  
**Presenter(s):** Gary R. Mader, Utilities Director

## **Background**

The Utilities Department received a request for a water main district to serve the properties along Knott Avenue, Lake Street, and Tri Street. The area is located south of U.S. Highway 34 and west of Locust Street. Per the request, District 452 was created by Ordinance 9015 to provide service to the single family homes in the area and the new commercial development being planned along the west side of Locust Street.

## **Discussion**

The proposed installation would be done as an assessment district. This is the standard method for installing water mains in developed areas that request City service. The eligible construction costs are charged to the property owners within the district's boundary. Assessments can be financed with the Water Department to be collected over a five year period, at 7% simple interest on the unpaid balance. All owners of record within the boundaries of District 452 were notified of its creation and had thirty days to submit objection to the project. The protest period ended at 5:00 p.m., December 15, 2005.

One letter of protest was received against District 452. That protest represents 101.0 feet of the total 3,072.87 of frontage, or 3.3%.

Since protest was received from less than 50% of the front footage of the land owners, the district may be continued by Council, per Nebraska Statute, 16.667.01, RRS 1943.

See the attached plat indicating the protesting property's location.

## **Alternatives**

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

1. Move to approve the continuation of Ordinance 9015, creating Water Main District 452
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council continue Water Main District 452.

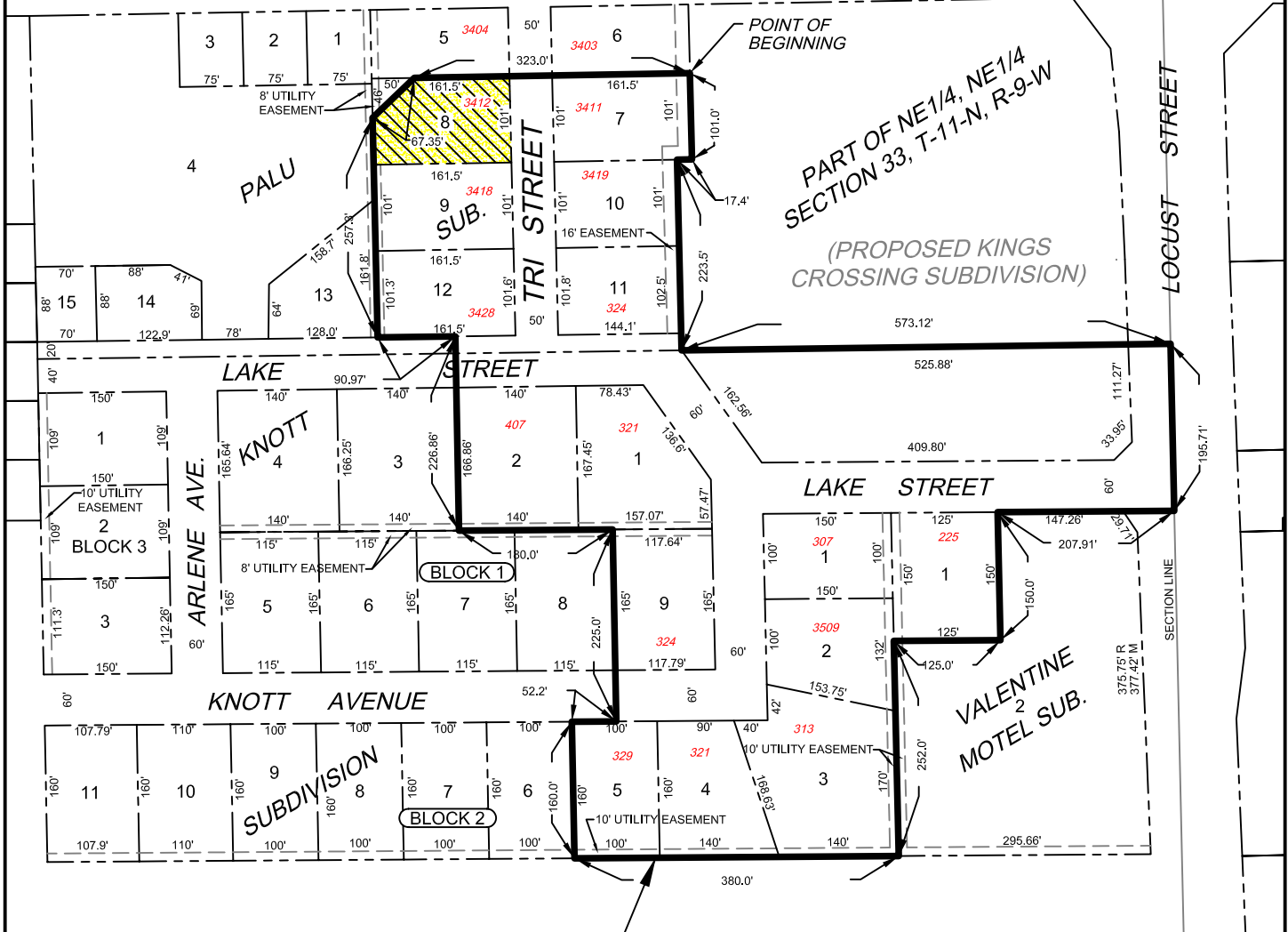
## **Sample Motion**

Motion to approve the continuation of Water Main District 452.

U.S. HIGHWAY 34

SECTION LINE

NORTHEAST CORNER-  
SECTION 33, T11N, R9W



**WATER MAIN  
DISTRICT 452  
BOUNDARY**

**EXHIBIT "A"**

**LEGEND**



INDICATES  
PROTEST



CITY OF  
**GRAND ISLAND**  
UTILITIES DEPARTMENT

**PLAT TO ACCOMPANY  
ORDINANCE NO. 9015**

DRN BY: K.J.M.	SCALE: 1"= 200'
DATE: 10/25/2005	FILE: WMD 452

RESOLUTION 2006-5

WHEREAS, Water Main District No. 452 was created by Ordinance No. 9015 on November 8, 2005; and

WHEREAS, notice of the creation of such water district was published in the Grand Island Independent, in accordance with the provisions of Section 16-667.01, R.R.S. 1943; and

WHEREAS, Section 16-667.01, 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 thirty days from the first publication of said notice written objections to such district, said work shall not be done and the ordinance shall be repealed; and

WHEREAS, the protest period ended on December 15, 2005; and

WHEREAS, protests were filed with the City Clerk against the creation of Water Main District No. 452 which represented 3.3% of the total district front footage.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that insufficient protests have been filed with the City Clerk against the creation of Water Main District No. 452, and 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, January 10, 2006.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 4, 2006	☐ City Attorney