



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item D2

**#2008-BE-4 - Consideration of Determining Benefits for Business
Improvement District #6, Second Street**

Staff Contact: Wes Nespor

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: September 23, 2008

Subject: Determining Benefits for Business Improvement District No. 6, Second Street and Approving the Assessments

Item #'s: D-2 & F-2

Presenter(s): Dave Springer, Finance Director

Background

On August 26, 2008, the City Council adopted Resolution 2008-220, creating Business Improvement District No. 6, Second Street. The 2008-2009 Budget, as approved by Council on August 26, 2008, provides for special assessments in the amount of \$6.00 per front footage for a total of \$42,864 for the 7,144 front footage.

Discussion

The City Council, in its' capacity as the Board of Equalization, is required to determine the benefits of the District and take action on the assessments as provided for in the associated Ordinance.

Alternatives

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

1. Approve the benefits for the District and related assessments.
2. Deny the benefits and assessments.

Recommendation

City Administration recommends that the Council approve the benefits of Business Improvement District No. 6 and related assessments.

Sample Motion

Board of Equalization: Move to approve the benefits accruing to Business Improvement District No. 6 as presented.

Ordinance: Move to approve the assessments as provided for in the related Ordinance.

ROBERT WAGNER
ATTORNEY AT LAW
P.O. BOX 22702
LINCOLN, NEBRASKA 68542
(402) 477-4005



September 9, 2008

Grand Island City Council
100 East 1st street
Grand Island, Nebraska 68801

RE: Improvement District #6

I am the Trustee of the Woodward Family Trust and a Power of Attorney for Margaret G. Woodward the joint owners of property on the south side of Second Street and west of Grant Street.

I oppose the inclusion of the property in the district and the amount of the assessment for the following reasons:

The project provides that the improvement district will add pavers next to the curb without adding any grass, trees, shrubs or sprinkler system. The initial assessment to our property is within a few dollars of the total annual assessment on the property for all taxing authorities in Hall County. It will also be a continuing assessment on the property to fund other sections of the Improvement District with no continuing benefit to the property.

In addition to the limited value to the property as it relates to its cost, there is a question as to whether the improvements and assessments on the property are in keeping with the Business Improvement Act. There are no real landscaping, physical improvements for decoration or security purposes, or plantings. The assessment is not fairly and equitably assessed based upon the special benefits to the property.

I respectfully request that you do not adopt the business improvement district as proposed or that you modify the assessment to reflect the actual benefits to the properties included in the district.

Robert Wagner, Trustee
Woodward Family Trust

cc: Legal
Finance
9-17-08

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BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Business Improvement District No. 6, after due notice having been given thereof, that we find and adjudge:

That the benefits accruing to the real estate in such district to be the total sum of \$42,865.56; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Business Improvement District No. 6, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Millennium Management Group	Lot 5 (except State), Block 18, Arnold & Abbott's Addition	400.38
J.J.A. Holdings LLC	Lots 6, 7 & 8 (except State), Block 18, Arnold & Abbott's Addition	1,187.76
JBWS Property Group, LLC	Lot 2 (except State ROW), Block 20 (CO MP Railroad Addition), Arnold & Abbott's Addition	398.04
GIPH Restaurants, LLC	E 60' of Lot 3 (except state ROW), Block 20, Arnold & Abbott's Addition (Comp. Fr. Lot 4 County Subdivision 16-11-9)	357.12
GIPH Restaurants, LLC	W 6' of Lot 3, all of Lot 4 (except State ROW), Block 20, Arnold & Abbott's Addition (Comp. Fr Lot 4 County Subdivision 16-11-9)	436.38
1203 Partnership	Lot 1 (except State ROW) & all Lot 2, Block 3, Arnold Place	791.04
Apfel-Butler-Geddes Funeral Home, Inc.	Lots 3 & 4 (except state), all Lot 5, & W1/3 Lot 6, Block 4, Arnold Place	792.60
Brian J. & Lori A. McMahon	Part of Lot 6 & Part W½ of Lot 7, Block 10, Baker's Addition	486.90
David H. & Marilyn E. Watkins, Trustees Watkins Family Trust	Part E½ Lot 7, Block 10, Baker's Addition	150.66
David H. & Marilyn E. Watkins, Trustees Watkins Family Trust	Part of Lot 8, Block 10, Baker's Addition	315.36
David H. & Marilyn E. Watkins, Trustees Watkins Family Trust	Part of Lot 9, Block 10, Baker's Addition	308.88
Andy A. Hogeland	N 128.84' of Lot 10, Block 10, Baker's Addition	325.20
RSI, Inc.	Lots 1, 2, 3, 4, 5, 8, 9 & 10 & E½ of Lot 7 (except State), Block 11, Baker's Addition	1,099.86
Elm Real Estate LC	Lot 6 & W½ of Lot 7 (except State), Block 11, Baker's	483.84

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	Addition	
Victoria Land Partners LP	Lots 5, 6, 7, 8 & 9 (except State), Block 12, Baker's Addition	1,584.78
Meme Saycocie	N 90.5' of Lot 1 (except State). Block 14, Baker's Addition	324.24
Tina M. Royle	Lot 2 (except State), Block 14, Baker's Addition	311.82
Kelly Samson & Brandy K. Wright	Lot 3 (except State), Block 14, Baker's Addition	311.46
J & B Rentals, LLC	Lot 4 (except State), Block 14, Baker's Addition	308.88
Rebecca R. Shuman	N½ of Lot 5 (except State), Block 14, Baker's Addition	325.20
Sinclair Marketing, Inc.	Lots 1, 2 & 3, Block 15, Baker's Addition	945.90
Robert V. & Bonnie Clark	Lot 4 (except State), Block 15, Baker's Addition	308.88
Daffodil, LLC	Lot 5 (except State), Block 15, Baker's Addition	325.20
Daffodil, LLC	Lots 1, 2, 3, 4 & 5 (except City), Block 16, Baker's Addition	1,580.52
Robert M. Wagner, Trustee Woodward Family Trust	Lots 1 & 2, Block 17, Baker's Addition	634.62
Robert M. Wagner, Trustee Woodward Family Trust	Lot 3, Block 17, Baker's Addition	311.82
Michael & Ralisa Leaman	Lots 4 & 5, Block 17, Baker's Addition	634.98
Cleo E. Albright	W 20' of Lot 6 & all Lot 5 (except State ROW), Block 10, Kernohan & Decker's Addition	521.16
Fontenelle Oil Co. #114	Lots 7 & 8 & E 46' of Lot 6 (except State ROW), Block 10, Kernohan & Decker's Addition (Comp. Part Lots 7 & 8, Block 4, Spaulding & Gregg's)	1,062.78
Grand Island Properties, Brian Rourke	N½ of Lot 1, Lots 2, 3, 4, 5, 6 & 7, Part Vac Alley & Part Vac Street (except S 10' to City), Block 11, Kernohan & Decker's Addition	1,422.72
John D. & Sallie S. Folsom	Lot 8 (except ROW), Block 11, Kernohan & Decker's Addition	395.04
Grand Island Properties, Brian Rourke	Block 12 & W 40' of Vac Monroe Street (except City & State), Kernohan & Decker's Addition	1,826.88
Nasan, LLC	Lots 1, 2, 3 & 4 & Part Lots 5, 6 & 7 & Part Vac Alley, Block 13, Kernohan & Decker's Addition	1,184.82
Five Points Bank	Part Lot 8 & Part Vac Alley, Block 13, Kernohan & Decker's Addition	396.90
Merleen Johnson, Trustee Robert J. Johnson Trust	W 26' of Lot 7 & E 33' of Lot 6 (except State), Block 14, Kernohan & Decker's Addition	354.00
Real Estate Group of G.I., Inc.	W 33' of Lot 6, Block 14 (except State) (Comp. Block 41, Packer & Barr's Second Addition)	200.64
Merleen Johnson, Trustee Robert J. Johnson Trust	Lot 8 & E 40' of Lot 7 (except State ROW), Block 14, Kernohan & Decker's Addition	630.84

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First Federal Savings & Loan Association of Lincoln	Fr Lots 1, 2, 3 & 4 (except State ROW), Block 15, and Vac Alley (Comp. Charles Wasmer's Add. Fr Lots 2 thru 4 & Lots 6 thru 10, Block 2 & Vac David H. & Marilyn E. Watkins, Trustees Watkins Family Trust Alley)	1,578.42
Autozone Development Corp.	Lot 1 (except ROW), Autozone Subdivision	958.02
Video Kingdom of Grand Island, Inc.	Lot 2 (except State ROW), Autozone Subdivision	625.98
Walgreen Co.	Lots 1 & 2 & # 10' of Lot 3 & Part Vac Street (except State), Block 17, Kernohan & Decker's Addition	1,092.00
Walgreen Co.	Lot 4 (except City) & W 56' of Lot 3 (except State), Block 17, Kernohan & Decker's Addition	735.96
Nebraska District Council of Assemblies of God	Part of E2/3 of Lot 1, Block 18, Kernohan & Decker's Addition	260.94
Nebraska District Council of Assemblies of God	Part of W1/3 of Lot 1 & E1/3 of Lot 2, Block 18, Kernohan & Decker's Addition	264.00
Walgreen Co.	W2/3 Lot 2; all Lots 3 & 4; & Part Vac Street (except State), Block 18, Kernohan & Decker's Addition	1,296.00
Randy L. Evans	Fr Lots 3 & 4 (except State ROW), Block 19 (Comp. Block 7 Spaulding & Gregg's Add. & Comp. Block 19, Palmer's Subd.)	793.26
Real Estate Group of G.I., Inc.	Lot 5, Block 51 (except State) (Comp. Block 14 Kernohan & Decker's Add.)	394.44
David L. & Frances F. Schaffer	Lot 5, Block 114, Railroad Addition	400.38
Mary Story	Lot 6, Block 114, Railroad Addition	394.68
Bonna Barton Wanek	Lot 8, Block 114, Railroad Addition	395.16
High Road, LLC	Lot 1, Block 115, Railroad Addition	395.16
Rafael B. & Rita Orozco	Lot 2, Block 115, Railroad Addition	397.44
Rafael & Rita C. Orozco	Lot 3, Block 115, Railroad Addition	395.16
Raile Properties, LLC	Lot 4, Block 115, Railroad Addition	392.22
Raile Properties, LLC	Lots 1 & 2, Block 117, Railroad Addition	792.60
Harlan R. Puncocar, Trustee of HRP Rev. Trust	E½ of Lot 3, Block 117, Railroad Addition	192.54
Joy M. & Marietta Beazley	W½ of Lot 3, Block 117, Railroad Addition	202.62
Robert K. & Steven G. Durham	Lot 4, Block 117, Railroad Addition	394.50
Overland National Bank	Lot 5 (except State) & all Lots 6, 7 & 8, Block 118, Railroad Addition	1,587.36
JBWS Property Group, LLC	Lot 1, Block 120, Railroad Addition	331.32
Degen Co. Partnership	Lots 5, 6 & 7 (except State ROW), Block 3, Spaulding & Gregg's Addition	1,187.76
Nall, Inc.	Lot 8 (except State ROW), Block 3, Spaulding & Gregg's Addition	400.38

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Larry W. Coffey	Lots 3 & 4 (except State ROW), Block 5, Spaulding & Gregg's Addition (Comp. Arnold Place),	794.10
McDonalds Corp.	Lots 1, 2, 3 & 4, Block 6 (except State ROW), Spaulding & Gregg's Addition	1,585.20
Randy L. & Cynthia S. Evans	Lots 1 & 2 (except State ROW), Block 7, Spaulding & Gregg's Addition	791.94
Bonna Barton Wanek	S 88' of Lot 7, Block 114, Railroad Addition	397.92
TOTAL		42,865.56

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Adopted by the City Council of the City of Grand Island, Nebraska, on September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk