



City of Grand Island

Tuesday, September 23, 2008

Council Session

Item I2

**#2008-274 - Consideration of Intent to Annex Property Located at
908 East Capital Avenue, North of Capital Avenue East of St. Paul
Road**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Hall County Regional Planning Department

Meeting: September 23, 2008

Subject: Annexation of Property Located in the SW ¼ Section 3, Township 11, and Range 9 known as 908 East Capital Avenue

Item #'s: I-2

Presenter(s): Chad Nabity, AICP Hall County Regional Planning Director

Background

A request has been received to consider annexation of property located in the SW1/4, Section 3, Township 11, Range 9, known as 908 East Capital Avenue. City sewer and water are available

Discussion

Nebraska Revised Statute §16-117 provides for the process of annexation. In following the schedule set out when this matter was referred to the Regional Planning Commission for recommendation. The second action in this process for Council is to pass a resolution stating their intent to annex, approve an annexation plan and set public hearing for comment on the annexation request before council.

Alternatives

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

1. Approve the resolution of intent to annex, the attached annexation plan, and set public hearings on annexation for October 28, 2008.
2. Choose not to approve the resolution of intent to annex, the attached annexation plan, and set public hearings on annexation for October 28, 2008.
3. Modify the resolution of intent to annex, the attached annexation plan, and/or the public hearing date.

4. Table the issue

Recommendation

At the September 3rd Meeting of the Hall County Regional Planning Commission a public hearing was held to take comment on this request for annexation and no members of the public presented testimony. A motion was made by Ruge to approve the annexation request and seconded by Miller. A roll call vote was taken and the motion passed with 10 members present (Miller, O'Neill, Ruge, Reynolds, Hayes, Eriksen, Monter, Haskins, Bredthauer, Snodgrass) all voting in favor.

City staff also recommends that the Council approve the resolution of intent to annex, the attached annexation plan, and set public hearings on annexation for October 28, 2008.

Sample Motion

Move to approve the resolution of intent to annex, the attached annexation plan, and set public hearings on annexation requests for October 28, 2008.

ANNEXATION PLAN –August 2008

August 21, 2008

OVERVIEW

Section 16-117 of The Nebraska State Statute allows municipalities of the first class to annex any contiguous or adjacent lands, lots, tracts, streets, or highways that are urban or suburban in character and in such direction as may be deemed proper.

Regulations governing municipal annexation were implemented in order to develop an equitable system for adding to and increasing city boundaries as urban growth occurs. Areas of the community that are urban in nature, and are contiguous to existing boundaries, are appropriate for consideration of annexation.

Annexation of urban areas adjacent to existing city boundaries can be driven by many factors. The following are reasons annexation should be considered:

1. Governing urban areas with the statutorily created urban form of government, municipalities have historically been charged with meeting the needs of the expanded community.
2. Provide municipal services. Municipalities are created to provide the governmental services essential for sound urban development and for the protection of health, safety and well being of residents in areas that are used primarily for residential, industrial, and commercial purposes.
3. Ensure orderly growth pursuant to land use, building, street, sidewalk, sanitary sewer, storm sewer, water, and electrical services.
4. Provide more equitable taxation to existing property owners for the urban services and facilities that non-city residents in proposed annexation areas use on a regular basis such as parks, streets, public infrastructure, emergency services, retail businesses and associated support.
5. Ensure ability to impose and consistently enforce planning processes and policies.
6. Address housing standards and code compliance to positively impact quality of life for residents.
7. Enable residents of urban areas adjacent to city to participate in municipal issues, including elections that either do or will have an impact on their properties.
8. Anticipate and allocate resources for infrastructure improvements.
9. Increase number of street or lane miles while increasing gas tax dollars received from the Nebraska Department of Roads.
10. Provide long term visioning abilities as it relates to growth and provision of services.

Other Factors

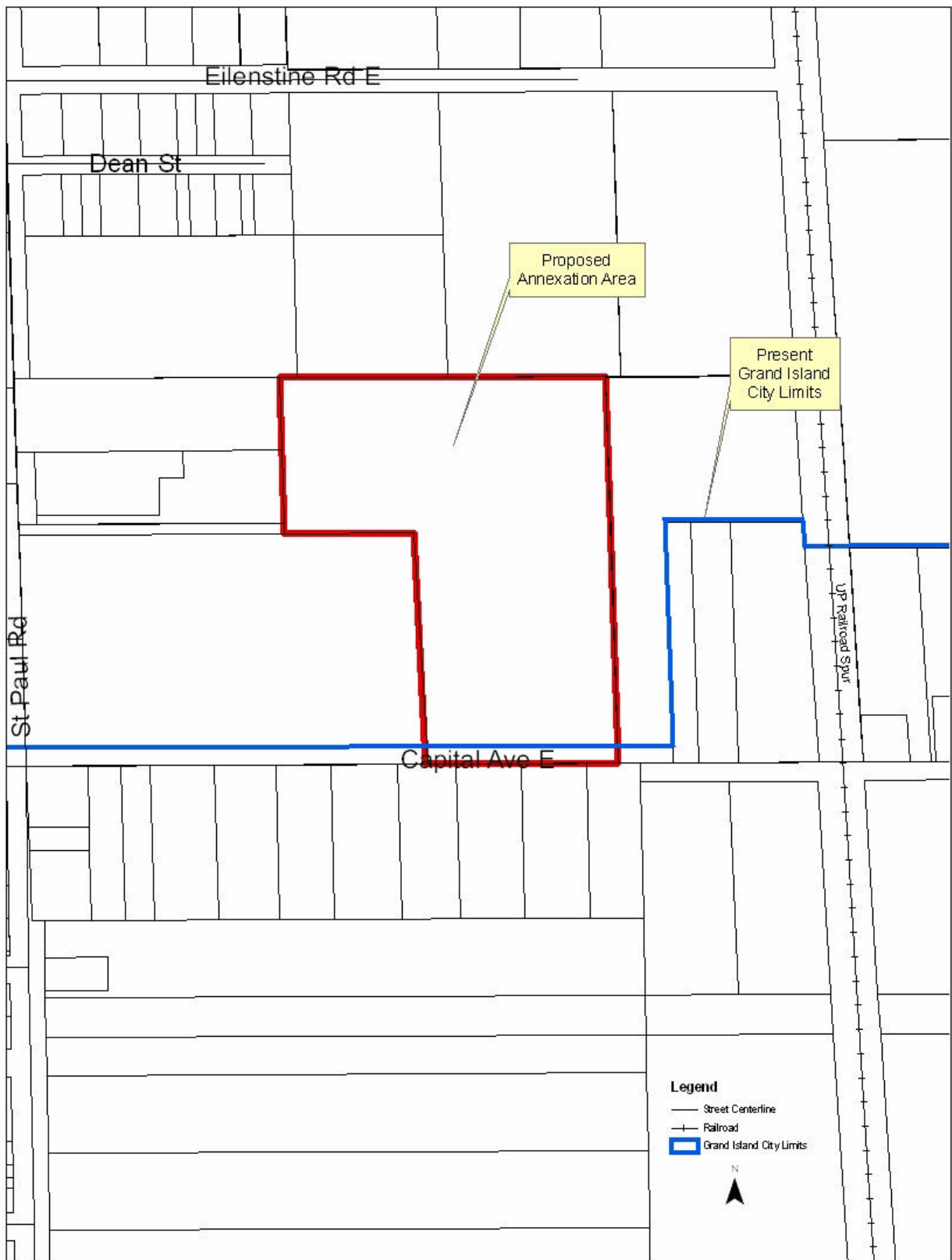
Annexation of adjacent properties can also be considered upon the request of the owner(s) of the property. Bernard H. Borer Jr. of 908 E Capital Avenue has requested that the City annex their property and allow him to connect to city sewer.

A comprehensive inventory of services and facilities, relative to the types and level of services currently being provided as well as the types of level of services anticipated as a result of annexation, has been developed.

The inventory includes general information concerning:

- Existing infrastructure in affected area(s)
- Summary of expenditures to extend existing infrastructure
- Summary of operating expenditures associated with increased services
- Emergency services

The service plan incorporates detailed elements of the inventory. The inventory and resulting service plan should be the basis for discussions concerning each specific area identified for potential annexation. ***It should be noted that the capital improvements to existing infrastructure and extending services will take place over a period of time in order to ensure adequate time for planning, designing, funding and constructing such a sizable number of projects while protecting the financial integrity of the City's enterprise funds. The service plan provides for extending the trunk water and sanitary sewer lines to the annexed area. Individual property owners will be responsible for the cost of extending services through neighborhoods and for connecting their properties to the public systems.***



Capital Avenue Property

This property is located in the northeast area of the community and is north of Capital Avenue the west of the Ord Line and east of the St. Paul Road. The City of Grand Island provides electric services to the area. Sewer and water are both available to this property

INVENTORY OF SERVICES

1. **Police Protection.** The City of Grand Island Police Department will provide protection and law enforcement services in the annexation area. These services include:

- Normal patrols and responses
- Handling of complaints and incident reports
- Investigation of crimes
- Standard speed and traffic enforcement
- Special units such as traffic enforcement, criminal investigations, narcotics, and gang suppression

These services are provided, on a city-wide basis, by over 89.75 employees. The Police Department is staffed at a rate of 1.72 officers per one thousand population. No additional officers will be necessary to maintain this ratio if all proposed area is annexed.

2. **Fire Protection.** The City of Grand Island Fire Department will provide emergency and fire prevention services in the annexation area. These services include:

- Fire suppression and rescue
- Hazardous materials incident response
- Periodic inspections of commercial properties
- Public safety education

These services are provided, on a city-wide basis, by 69 employees operating from four fire stations. The nearest fire station is Station #2 located on Broadwell Street, approximately 2.25 miles from the nearest part of the proposed annexation area.

3. **Emergency Medical Services.** The City of Grand Island is the current provider of local emergency medical services in the city and will provide this service in the annexed area.

- Emergency medical and ambulance services
- Emergency dispatch (provided by the City/County Emergency Management Department)

The City of Grand Island Fire Department provides these services, on a city-wide basis. Fire personnel are emergency medical technicians and 27 are certified paramedics.

4. **Wastewater (Sanitary Sewer).** The City of Grand Island will provide sanitary sewer services in the area through existing sewer lines. No city costs would be anticipated.

5. Maintenance of Roads and Streets. The City of Grand Island, Public Works Department, will maintain public streets over which the City has jurisdiction. These services include:

- Snow and ice removal
- Emergency pavement repair
- Preventative street maintenance
- Asphalt resurfacing
- Ditch and drainage maintenance
- Sign and signal maintenance
- Asphalt resurfacing

Capital Avenue is already maintained by the City of Grand Island

6. Electric Utilities. This Annexation area is currently provided electrical services by the City of Grand Island. The services appear adequate to meet the needs of the area. These services include:

- Electric utility services
- Street lights

7. Water Utilities. The City of Grand Island, Utilities Department, currently maintains the water utilities services for the proposed annexation area. Water service to this area is available.

8. Maintenance of Parks, Playgrounds, and Swimming Pools No impact is anticipated as a result of annexation. Recreation facilities and area amenities, including parks and pools, that are privately owned and operated, or operated and maintained by another governmental entity, will be unaffected by the annexation.

9. Building Regulations. The City of Grand Island, Building Department, will oversee services associated with building regulations, including:

- Commercial Building Plan Review
- Residential Building Plan Review
- Building Permit Inspections and Issuance
- Investigation of complaints relative to Minimum Housing Standards
- Regulation of Manufactured Home Parks
- Investigation of Illegal Business Complaints
- Investigation and Enforcement of Zoning Violations

10. Code Compliance. The City of Grand Island's Legal Department and Code Compliance division will continue to provide the following services associated with enforcing compliance with the City Code:

- Enforcement Proceedings for Liquor and Food Establishment Violations
- Investigation and Enforcement of Complaints Regarding Junked Vehicles and Vehicle Parts, Garbage, Refuse and Litter
- Investigation of Enforcement of Complaints Regarding Weed and Animal Violations
Providing Enforcement Support to Other Departments for City Code and Regulatory Violations

11. Other City Services. All other City Departments with jurisdiction in the area will provide services according to city policies and procedures.

Summary of Impacts	
Police Protection	No Impact
Fire Protection	No Impact
Emergency Medical Services	No Impact
Wastewater	Available
Roads and Streets	No Impact
Electric Service	Already in GI Service Area
Water Service	Available
Parks, Playgrounds and Swimming Pools	No Impact
Building Regulations	Already Subject to GI Regulations
Code Compliance	Already Subject to GI Regulations
Other	No Impact
School District	Already Grand Island District

Financial Impacts of Capital Avenue Property Annexation

Financial Impact	Before Annex	After Annex
Property Valuation	\$83,479	\$83,479
City sales tax now applicable		Yes

Assume \$83,479 Property

2007		Tax Levy	Before Annex	Tax Levy	After Annex
City Levy	City Bond	0.000000	\$0.00	0.165929	\$138.52
		0.000000	\$0.00	0.072390	\$60.43
CRA		0.000000	\$0.00	0.022566	\$18.84
Hall County		0.422886	\$353.02	0.422886	\$353.02
Rural Fire	Fire Bond*	0.056960	\$47.55		\$0.00
		0.012084	\$10.09	0.012084	\$10.09
GIPS School	2nd Bond 3rd Bond 4th Bond	1.072750	\$895.52	1.072750	\$895.52
		0.082712	\$69.05	0.082712	\$69.05
		0.016432	\$13.72	0.016432	\$13.72
		0.038331	\$32.00	0.038331	\$32.00
ESU 10		0.015000	\$12.52	0.015000	\$12.52
CCC		0.080161	\$66.92	0.080161	\$66.92
CPNRD		0.058764	\$49.06	0.058764	\$49.06
Ag Society		0.004643	\$3.88	0.004643	\$3.88
Airport		0.013172	\$11.00	0.013172	\$11.00
	Airport Bond	0.008792	\$7.34	0.008792	\$7.34
Total Combined		1.882687	\$1,571.65	2.086612	\$1,741.88

*previously approved bond will remain with property until paid off

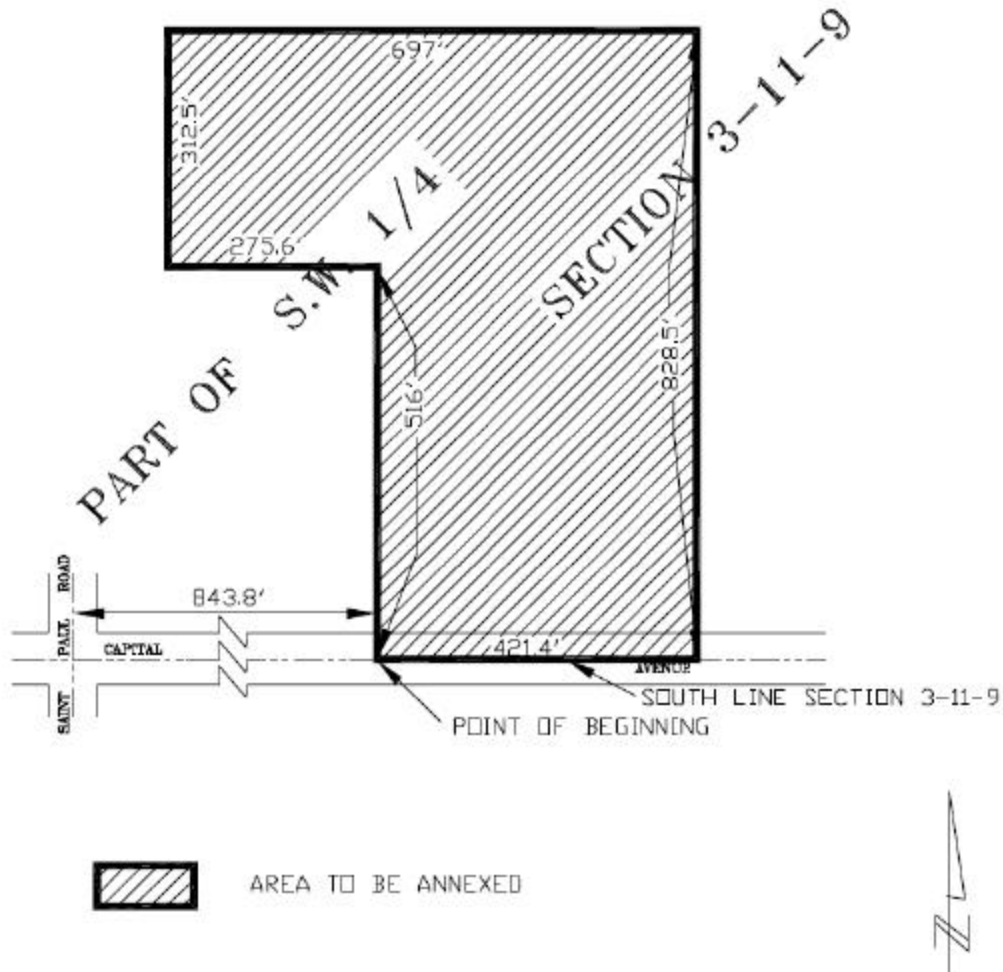


EXHIBIT "A"

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 8/5/08
DRN BY: L.D.C.
SCALE: NONE

PLAT TO ACCOMPANY
ANNEXATION ORDINANCE

RESOLUTION 2008-274

WHEREAS, the City of Grand Island, in accordance with Neb. Rev. Stat. §16-117, et seq., is considering the annexation of the land and a plan for extending city services to the adjacent and contiguous land which is urban or suburban in character and legally described as follows:

Beginning at a point 843.8 feet East of the Southwest Corner of Section Three (3), Township Eleven (11) North, Range Nine (9) West of the 6th P.M.; running thence North on a line parallel with the Section line 516 feet; thence East on a line parallel with the Section line 421.4 feet; thence South parallel with the Section line 516 feet to the South line of said Section; thence West along said Section line 421.4 feet to the place of beginning.

AND

Commencing at a point 452.8 feet West of the center of the Omaha and Republican Valley Railroad now known as the Ord Branch of the Union Pacific Railroad Company, and the Northeast Corner of the North Twelve (12) acres, more or less of the South Thirty Two (32) acres of that part of the Southwest Quarter (SW1/4) of Section Three (3) in Township Eleven (11) North, Range Nine (9), West of the 6th P.M., and lying West of said Railroad; thence running in a Southerly direction 312.5 feet; thence in a Westerly direction 697.0 feet; thence in a Northerly direction 312.5 feet; thence in an Easterly direction 697.0 feet to the place of beginning.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that a plan outlining the city services available to the above-described land and showing or including: (a) the estimated cost impact of providing the services to such land, (b) the method by which the city is financing the extension of services to the land and how services already provided will be maintained, (c) a map drawn to scale clearly delineating the land proposed for annexation, (d) a map showing the current boundaries of the city, (e) a map showing the proposed boundaries of the City after the annexation, and (f) a map showing the general land-use pattern in the land proposed for annexation is hereby adopted and approved and shall be available for inspection during regular business hours in the office of the City Clerk.

BE IT FURTHER RESOLVED, that a public hearing before the Mayor and City Council on the proposed annexation shall be held at 7:00 p.m. on October 28, 2008, or as soon thereafter as the matter may be heard, in the Council Chambers at City Hall, 100 East First Street, Grand Island, Nebraska, to receive testimony from interested persons.

Approved as to Form	<input checked="" type="checkbox"/>	_____
September 19, 2008	<input checked="" type="checkbox"/>	City Attorney

BE IT FURTHER RESOLVED, that the City Clerk be, and hereby is, authorized and directed to publish in the *Grand Island Independent* at least once, not less than ten days preceding the date of the public hearing, a copy of this Resolution and a map drawn to scale delineating the land proposed for annexation.

BE IT FURTHER RESOLVED, that the City Clerk be, and hereby is, authorized and directed to send by first-class mail, a copy of the resolution providing for the public hearing to the school boards of the school districts including the lands proposed for annexation.

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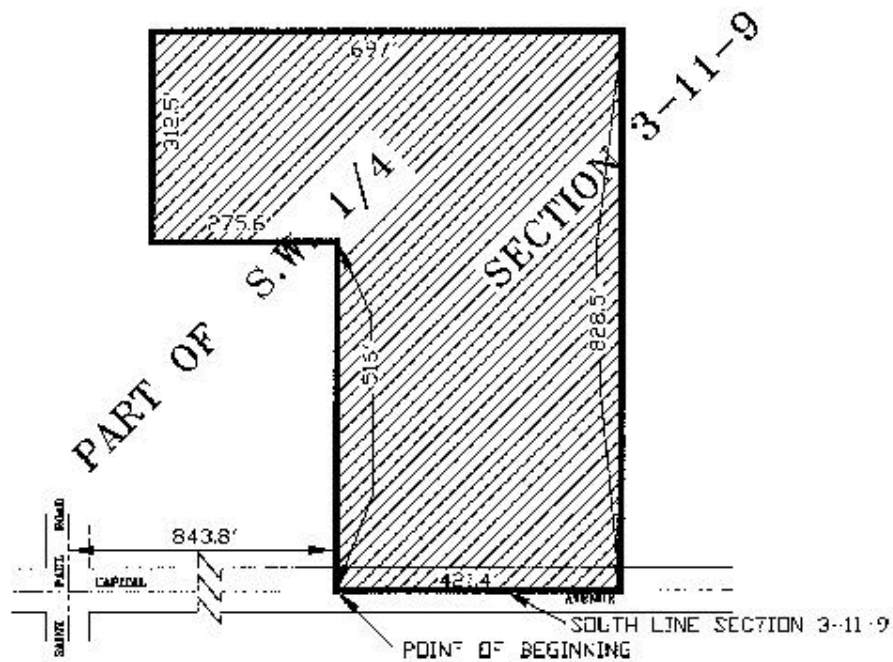
Adopted by the City Council of the City of Grand Island, Nebraska, September 23, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

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AREA TO BE ANNEXED

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EXHIBIT "A"

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 8/5/08
DRN BY: L.D.C.
SCALE: NONE

PLAT TO ACCOMPANY
ANNEXATION ORDINANCE