



# City of Grand Island

Tuesday, September 22, 2015

Council Session

## Item D-1

### **#2015-BE-8 - Consideration of Determining Benefits for Water Main District 414T - Starlite Subdivision Lots 1 & 2**

*Council action will take place under Resolutions item I-3.*

Staff Contact: Tim Luchsinger, Stacy Nonhof

# **Council Agenda Memo**

**From:** Timothy Luchsinger, Utilities Director

**Meeting:** September 22, 2015

**Subject:** Water Main District 414T – State Street

**Presenter(s):** Timothy Luchsinger, Utilities Director

## **Background**

Water Main District 414T was built in 1994 within State Street, between North Road and Diers Avenue. The work was done in order to provide municipal water service to the area as it began to be developed. The district was done as a connection fee (tap) district which is the City's standard method of installing mains in undeveloped areas. Customers are not charged for the cost of the main until they "tap" the main for service.

Upon completion of the construction work, the Council sits as a Board of Equalization to establish the fees for each property within the district's boundary. The BOE for Water Main District 414T was held on November 28, 1994. At that time, the majority of the properties in the district consisted of large tracts of land that were rural in nature. Subdivided developments were only in the planning stages.

One of those tracts of land has recently been subdivided and the individual lots need to have the appropriate connection fees re-established.

## **Discussion**

At the time Water Main District 414T was completed, a tract of farm land within the district was owned by Susan D. Drummond, ETAL, being located adjacent to the south side of State Street in part of the SE ¼, SW ¼ Section 12-11-10.

The original connection fee to the Drummond tract was \$34,534.78. This was based on 1,243.17 feet of front footage and connection fee of \$27.7796 per foot. That tract has recently been subdivided as Starlite Subdivision consisting of two lots and a new public street. It is recommended the connection fee be proportionally split between the current two lots with a new connection fee of \$29.29805 per front foot.

Description	Frontage	Fee
Lot 1, Starlight Subdivision	588.00 ft.	\$17,227.25
Lot 2, Starlite Subdivision	590.74 ft.	\$17,307.53
TOTAL		\$34,534.78

Attached for reference are:

- Water Main District 414T's boundary plat
- Resolution 94-BE-006 indicating the district original connection fees
- Starlight Subdivision plat

### **Alternatives**

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

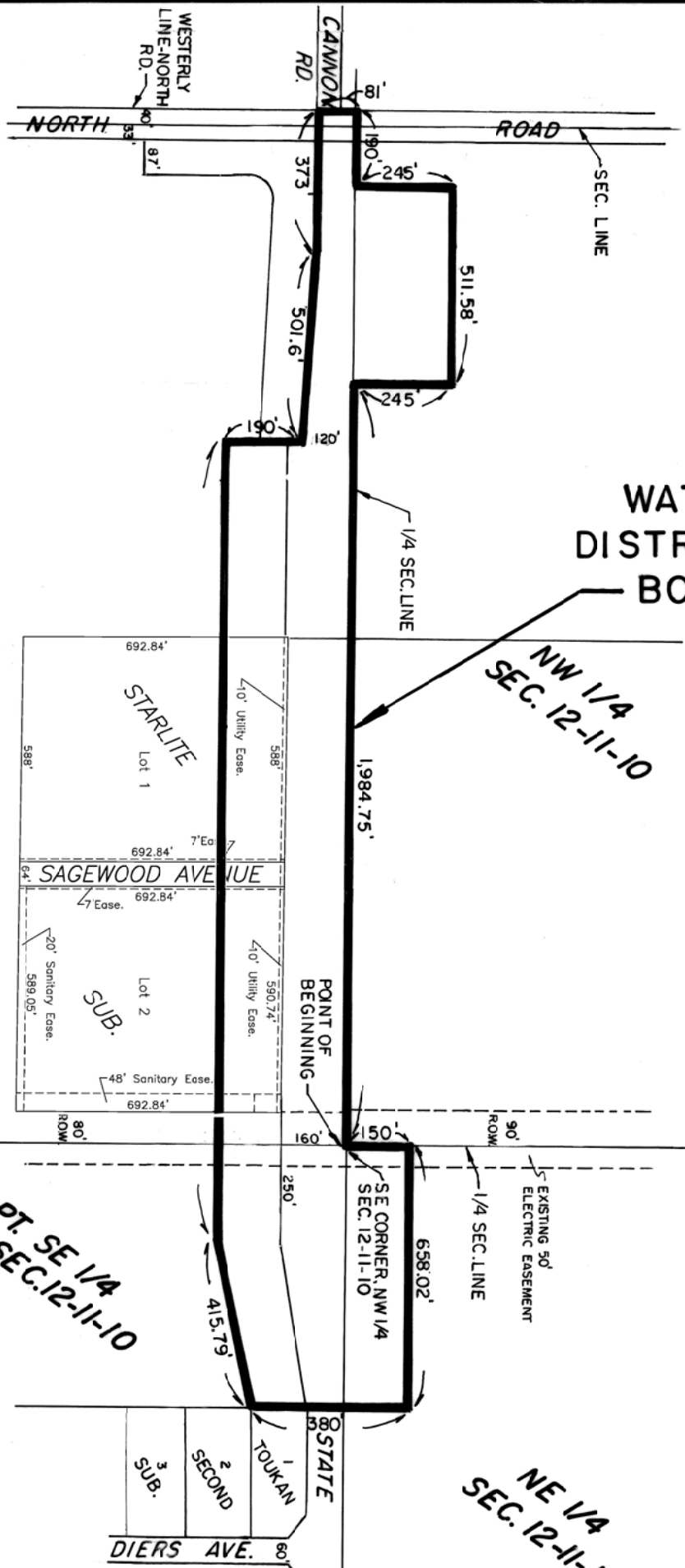
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **Recommendation**

It is recommended that the Council sit as a Board of Equalization and establish the connection fees for the two properties within the newly subdivided district.

### **Sample Motion**

Move to sit as a Board of Equalization to establish the connection fees for the properties within Water Main District 414T.



**WATERMAIN  
DISTRICT NO. 414T  
BOUNDARY**

NW 1/4  
SEC. 12-11-10



PT. SE 1/4  
SEC. 12-11-10

NE 1/4  
SEC. 12-11-

CITY OF  
**Grand Island**  
UTILITIES DEPARTMENT

**EXHIBIT "A"**

# RESOLUTION 94-BE-006

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Water Main District No. 414T, 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 \$99,120.17; and

Such benefits are equal and uniform; and

According to the front foot and area of the respective lots, tracts, and real estate within such Water Main District No. 414T, such benefits are the sums set opposite the several descriptions as follows:

NAME	LOT	ADDITION	AMOUNT
Bob R. & Karen L. Nagel	--	Pt. SW ¼, NW ¼ of 12-11-10	4,166.94
Jerome Niedfelt	--	Pt. NW ¼ NW ¼ of 12-11-10	10,044.55
Little B's Corp.	--	Pt. SW ¼ SW ¼ of 12-11-10	13,616.73
Susan K. Drummund, Anne L. Scheible, Mary L. Callahan, Julia J. Pierrottet, Elizabeth L. Geringer	--	Pt. SE ¼ SW ¼ of 12-11-10	34,534.78
Katherine Ann Maurer Hilker	--	Pt. SW ¼ NE ¼ of 12-11-10	1,388.98
Menard, Inc.	1	Menard Subdivision	12,723.63
Tree House Inc.	1	Cherry Tree Villa Sub.	2,788.52
Tree House, Inc.	2	Cherry Tree Villa Sub.	5,401.75
Tree House, Inc.	3	Cherry Tree Villa Sub.	694.49
Tree House, Inc.	4	Cherry Tree Villa Sub.	1,280.36
Tree House, Inc.	5	Cherry Tree Villa Sub.	5,745.66
Tree House, Inc.	6	Cherry Tree Villa Sub.	2,566.84
Total			\$99,120.17

Approved as to Form  
November 22, 1994  
City Attorney

D94\0008-012


BE IT FURTHER RESOLVED that the special benefits as determined by this resolution shall not be levied as special assessments but shall be certified by this resolution to the Register of Deeds, Hall County, Nebraska, pursuant to Section 16-6,103, R.R.S. 1943. A connection fee in the amount of the above benefit accruing to each property in the district shall be paid to the City of Grand Island at the time such property becomes connected to the water main. No property benefited as determined by this resolution shall be connected to the water main until the connection fee is paid. The connection fees collected shall be paid into the fund from which construction costs were made to replenish such fund for the construction costs.

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Adopted by the City Council of the City of Grand Island, Nebraska, November 28, 1994.

  
Cindy K. Cartwright, City Clerk

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Approved as to Form	
November 22, 1994	City Attorney



Council Session 2/22/2015

R E S O L U T I O N    2015-BE-8

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Water Main District 414T, Lots 1 & 2 Starlite Subdivision, 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 \$34,534.78; and

Such benefits are equal and uniform; and

According to the area of the respective lots, tracts, and real estate within such Water Main District No. 414T such benefits are the sums set opposite the several descriptions as follows:

Name	Parcel No.	Description	Connection Fee
HC of Grand Island, LLC, a NE Limited Liability Co. 11717 Burt Street Suite 102 Omaha NE 68154	400149967	Lot 1, Starlite Subdivision	\$17,227.25
HC of Grand Island, LLC, a NE Limited Liability Co. 11717 Burt Street Suite 102 Omaha NE 68154	400149968	Lot 2, Starlite Subdivision	\$17,307.53
<b>TOTAL All Connection Fees</b>			<b>\$34,534.78</b>

BE IT FURTHER RESOLVED that the special benefits as determined by this resolution shall not be levied as special assessments, but shall be certified by this resolution to the Register of Deeds, Hall County, Nebraska, pursuant to Section 16-6,103,R.R.S. 1943. A connection fee in the amount of the above benefit accruing to Lot 1 and Lot 2, Starlite Subdivision, in the district shall be paid to the City of Grand Island at the time such property becomes connected to the water main. No property benefited as determined by this resolution shall be connected to the water main until the connection fee is paid. The connection fees collected shall be paid into the fund from which construction costs were made to replenish such fund for the construction costs.

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Adopted by the City Council of the City of Grand Island, Nebraska, September 22, 2015.

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Jeremy L. Jensen, Mayor

Attest:

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Approved as to Form    ☐ \_\_\_\_\_  
September 18, 2015    ☐ City Attorney

RaNae Edwards, City Clerk