



City of Grand Island

Tuesday, October 27, 2015

Council Session

Item D-1

**#2015-BE-11 - Consideration of Determining Benefits and Levy
Special Assessments for Water Service Box Lowering for 219 East
Charles Street**

Council action will take place under Ordinance item F-2.

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: October 27, 2015

Subject: Consideration of Determining Benefits and Levy Special Assessments for Water Service Box Lowering for 219 East Charles Street

Presenter(s): John Collins PE, Public Works Director

Background

The Certificate of Final Completion for water service box lowering for 219 East Charles Street in the public right of way at 220 East Ashton Avenue was approved by City Council on September 22, 2015, via Resolution No. 2015-261. October 27, 2015 was set as the date for Council to sit as the Board of Equalization. Through informal bids Galvan Construction, Inc. of Grand Island, Nebraska was hired to lower the water service box in the public right of way. Work was completed at a price of \$750.00. All work has been completed and special assessments have been calculated for the improvements.

Discussion

The costs for this project will be assessed to the served property. The payments are spread over five (5) years at 7% simple interest. The first payment of principle only at 1/5th of the assessment is due 10 days after filing of the ordinance that levies the costs as approved at the Board of Equalization. The City has had multiple correspondences with the property owner and sent a reminder letter advising them that the BOE is scheduled for October 27, 2015 and the first payment will be due shortly after.

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

City Administration recommends that the Council meet as the Board of Equalization to determine benefits and pass an ordinance to levy Special Assessments to the individual property.

Sample Motion

(Sample Motion for the Board of Equalization)

Move to approve the resolution establishing benefits for water service box lowering for 219 East Charles Street.

(Sample Motion for the Ordinance)

Move to approve the ordinance levying the assessments for water service box lowering for 219 East Charles Street.

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

AFFIDAVIT OF MAILING

Nicki Stoltenberg, Assistant to the City Administrator, being first duly sworn on oath, deposes and says that she is the duly appointed and acting City Clerk of the City of Grand Island, Nebraska, and that on October 6, 2015, she mailed copies of the "Notice of Board of Equalization Hearing – Water Service Box Lowering from Public Right of Way at 219 East Charles Street", which notice was first published in the Grand Island Independent on October 6, 2015, to the following named parties:


Joe P Hill
219 E Charles Street
Grand Island, NE 68801

Such communications were properly posted and deposited in the United States mail.

Those names shown with an asterisk were mailed copies by certified mail, return receipt requested, being owners of property within the district whose addresses were shown on the tax rolls of Hall County at the time said Notice was first published as being outside the boundaries of Hall County.

Affiant further states that she, and her attorney, after diligent investigation and inquiry, were unable to ascertain and does not know the post office address of any other party appearing to have a direct legal interest in the proceedings other than the above parties to whom notice has been mailed.

DATED: October 6, 2015



Nicki Stoltenberg, Assistant to the City Administrator

Subscribed and sworn to before me this 6th date of October, 2015.





Notary Public

NOTICE OF BOARD OF EQUALIZATION HEARING

Water Service Box Lowering in Public Right-of-Way for 219 East Charles Street

NOTICE is hereby given to all persons owning real estate at 219 East Charles Street in the City of Grand Island, Hall County, Nebraska, and to all persons interested, that the City Council of said City will sit as a Board of Equalization at the City Council Chambers on October 27, 2015 at 7:00 p.m., to determine benefits accruing to the respective lots, tracts, and parcels of land in said district to pay the cost of the water service box lowering in public right-of-way therein. All owners of real estate within said water service box lowering area, and all persons interested, will take notice of the time and place of the sitting of the Board of Equalization, at which time any person or persons may appear and show cause, if any there be, why assessments should not be made.

By order of the City Council, Grand Island, Nebraska.

RaNae Edwards, City Clerk

Publication Dates:

October 6, 2015

October 13, 2015

October 20, 2015

CLASSIFIED 7B

Legals

NOTICE OF BOARD OF EQUALIZATION HEARING

Water Service Box Lowering in Public Right-of-Way for 219 East Charles Street

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By order of the City Council,
Grand Island, Nebraska.

RaNae Edwards, City Clerk
6-13-20

DRAFT

ORDINANCE NO. ____

An ordinance assessing and levying a special tax to pay the cost of water service box lowering for 219 East Charles Street in the public right of way at 220 East Ashton Avenue of the City of Grand Island, Nebraska; providing for the collection of such special tax; repealing any provisions of the Grand Island City Code, ordinances, and parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. There is hereby assessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of water service box lowering for 219 East Charles Street in the public right of way at 220 East Ashton Avenue, as adjudged by the Mayor and Council of the City, to the extent of benefits thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and land as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Joe P Hill	North 62' of Lot 8, Block 1, Lakeview Subdivision City of Grand Island, Hall County, Nebraska	\$750.00
TOTAL		\$750.00

Approved as to Form ☐ _____
October 6, 2015 ☐ City Attorney

DRAFT

SECTION 2. The special tax shall become delinquent as follows: One-fifth of the total amount shall become delinquent in ten days; one-fifth in one year; one-fifth in two years; one-fifth in three years; one-fifth in four years respectively, after the date of such levy; provided, however, the entire amount so assessed and levied against any lot, tract or parcel of land may be paid within ten days from the date of this levy without interest, and the lien of special tax thereby satisfied and released. Each of said installments, except the first, shall draw interest at the rate of not exceeding seven percent (7.0%) per annum from the time of such levy until they shall become delinquent. After the same become delinquent, interest at the rate of three-fourths of one percent per month shall be paid thereon as in the case of other special taxes, until the same is collected and paid.

SECTION 3. The treasurer of the City of Grand Island, Nebraska is hereby directed to collect the amount of said taxes herein set forth as provided by law.

SECTION 5. Any provision of the Grand Island City Code, and any provision of any ordinance, or part of ordinance, in conflict herewith is hereby repealed.

SECTION 6. This ordinance shall be in force and take effect from and after its passage and publication within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: October 27, 2015

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

RESOLUTION 2015

DRAFT

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for water service box lowering for 219 East Charles Street in the public right of way at 220 East Ashton Avenue, 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 \$750.00; and

Such benefits are based on water service box lowering for property served at 219 East Charles Street; and

According to the actual cost of fence removal from public right of way adjacent to the respective lots, tracts, and real estate within such water service box lowering area, such benefits are the sums set opposite the description as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Joe P Hill	North 62' of Lot 8, Block 1, Lakeview Subdivision City of Grand Island, Hall County, Nebraska	\$750.00
TOTAL		\$750.00

Adopted by the City Council of the City of Grand Island, Nebraska, October 27, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	<input checked="" type="checkbox"/> _____
October 6, 2015	<input checked="" type="checkbox"/> City Attorney

R E S O L U T I O N 2015-BE-11

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for water service box lowering for 219 East Charles Street in the public right of way at 220 East Ashton Avenue, after due notice having been given thereof, that we find and adjudge:

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Joe P Hill	North 62' of Lot 8, Block 1, Lakeview Subdivision City of Grand Island, Hall County, Nebraska	\$750.00
TOTAL		\$750.00

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 27, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ October 23, 2015 <input type="checkbox"/> City Attorney
