



# **City of Grand Island**

**Tuesday, September 14, 2010**

**Council Session**

## **Item E5**

**Public Hearing Concerning Acquisition of Utility Easement and Agreement for Temporary Construction Easement - North of Old Potash Highway, and East of Engleman Road - Robin & Barbara Irvine**

**Staff Contact: Gary R. Mader**

# **Council Agenda Memo**

**From:** Gary R. Mader, Utilities Director  
Dale Shotkoski, City Attorney

**Meeting:** September 14, 2010

**Subject:** Acquisition of Utility Easement and Agreement for  
Temporary Construction Easement – Water Main District  
456T – Robin and Barbara Irvine

**Item #'s:** E-5 & G-7

**Presenter(s):** Gary R. Mader, Utilities Director

## **Background**

The Utilities Department periodically retains the services of a consultant to review the City's water system for deficiencies and to assist in planning future requirements. The water system must meet certain operational standards to be suitable both for human consumption and for fire protection. These operational standards include analyzing chemical and microbiological components of the water, and hydraulic testing of the system for flow and pressure characteristics. The consultant also projected future system demands based on the City's comprehensive plan and recommended improvements for both the supply and distribution components of the system.

The last comprehensive study was conducted in 2001 by CH2MHill, which resulted in a Master Plan for the water system. Based on this Master Plan, areas of deficiency were noted, as well as a general timetable for completing corrective action. Some of the projects completed from the Master Plan recommendations over the last nine years include: addition of the corrosion control system, modifications to the Platte River Pumping Station, repairs to the Kimball Reservoir, installation of increased pumping capacity at the Rogers Pumping Station for the west side of the City, and addition of a second storage reservoir at that location. The second storage reservoir was completed in the spring of 2009, and has been placed in service.

Most of the major improvements made over the last nine years were associated with the City's primary water source, the Platte River Wellfield, or reservoirs and pumping stations. It is the recommendation of the Utilities Department that the planning focus shift to the water distribution system. The 2010 – 2011 Budget includes funding for a major trunk line expansion on the west side of the City. A map of the trunk line route is attached for reference. Water line would be installed on the north side of Old Potash Highway and the east side of Engleman Road. The Proposed project is designated as Water Main District 456T.

The proposed project would improve water flow from the recently expanded Rogers Reservoir and pumping station, increase supply redundancy for the northwest area of the City, and provide availability of City water to an area in the early stages of development.

## **Discussion**

After consultation with Hall County Roads Department and Grand Island Public Works Department, Utility engineering proceeded with the survey, layout and design of the proposed system expansion. That line is designed to be located in the existing road right-of-way (R-O-W) over most of the route. However, in this area, the rural profile of the road construction leaves limited working room for the placement of excavated materials, staging and equipment operation. Additionally, both Old Potash Highway and Engleman Road are main thoroughfares in the area, without convenient routes for detours of traffic. Old Potash is designed to carry heavy truck traffic required to move a large percentage of the solid waste haul from the urban area, and serves as a main access for residents west of the City. Engleman is a main ingress/egress route from the northwest area of the City for points west and south. In order to keep these main roads opened during construction, it is proposed that a temporary construction easement be acquired adjacent to the existing R-O-W. The construction easement would be in place only for the duration of the construction project, and would allow all lanes of traffic on both Potash and Engleman to remain in service during the project. A plat of the proposed temporary construction easement is attached for reference.

Additionally, because of the heavy traffic use of Old Potash Highway, there is a right turn lane installed for the west bound lane at the intersection with Engleman Road. In order to avoid having to remove and re-install that lane, and in order to minimize the impact to traffic flow at that busy intersection, the line route has been designed to avoid the right turn lane, by shifting the pipe route to the north of the existing Potash Highway R-O-W. The shift of the line route to avoid the turn lane would place it outside the existing R-O-W, thus requiring the acquisition of a 12' wide permanent easement from the adjacent agricultural property. A plat of the proposed permanent easement is attached.

Utilities Department staff initiated contact with the property owner in order to negotiate the proposed easements to proceed with the line installation as described. The property ownership is Robin and Barbara M. Irvine, 56520 310<sup>th</sup> Road, Ravenna, Nebraska. The Department commissioned a professional appraisal of the property from which the planned easements are to be secured. Department staff first met with the property owner, Robin Irvine, in February of 2010, at which time the proposed project was explained. Copies of the plats of the proposed easement were provided to Mr. Irvine along with a copy of the appraisal and a map of the water line route. Subsequent attempts to set up additional meetings were not successful until June 2, 2010, at which time agreement was not reached. A final phone conversation on August 23, 2010, confirmed that the difference in offered price based on the appraisal, of \$1,590.00, and the owner's requested price, of \$18,300.00, would not be settled. Utility and Legal staff met to discuss what action is appropriate in order to proceed with the water trunkline construction as budgeted for the 2010-2011 fiscal year, and concur that proceeding with condemnation is the appropriate action at this time.

## **Alternatives**

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

1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Reject the acquisition of the construction easement
5. Reject the acquisition of the permanent easement
6. Reject the acquisition of both easements
7. Accept the last offer from the property owner

## **Recommendation**

In order to complete Water Main District 456T construction with minimum impact to the traffic flow on Old Potash Highway and Engleman Road, and since negotiations for the easements are at impasse, City administration recommends that the required easements be acquired by proceeding with condemnation.

## **Sample Motion**

Move to approve the filing of condemnation to acquire the easements for construction of the water trunkline, Water Main District 456T.





