



# City of Grand Island

Tuesday, September 27, 2011

Council Session

## Item G33

**#2011-286 - Approving Continuation of Water Main District #459 -  
Park Drive - Ordinance #9301**

Staff Contact: Tim Luchsinger

# Council Agenda Memo

**From:** Timothy Luchsinger, Utilities Director

**Meeting:** September 27, 2011

**Subject:** Continuation of Water Main District #459 – Park Drive - Ordinance #9301

**Item #'s:** G-33

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

## Background

Water Main District 459 was created at the request of area residence to provide municipal water service to the area. The district will serve the properties along Park Drive.

## Discussion

The proposed project would install an 8” diameter water main and service lines within the district. The work would be done as an assessment district, which is the Utility Department’s standard method for installing water lines when a petition is received. The eligible construction costs will be charged to the property owners within the district’s boundary. Assessments will be collected over a five year period, at 7% simple interest on the unpaid balance.

All owners of record title within the district’s boundary were notified of this information and had 30 days to submit objection to the project. The protest period for District #459 ended at 5:00 p.m., September 16, 2011. Protests received represented 41.12% of the front footage of the district.

Since less than 50% of the land owners protested the creation of the district, the district may be continued by Council, per Nebraska Statute, 16.667.01, R.R.S. 1943.

Attached for reference is a plat indicating the district’s boundaries and the protests received.

## **Alternatives**

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

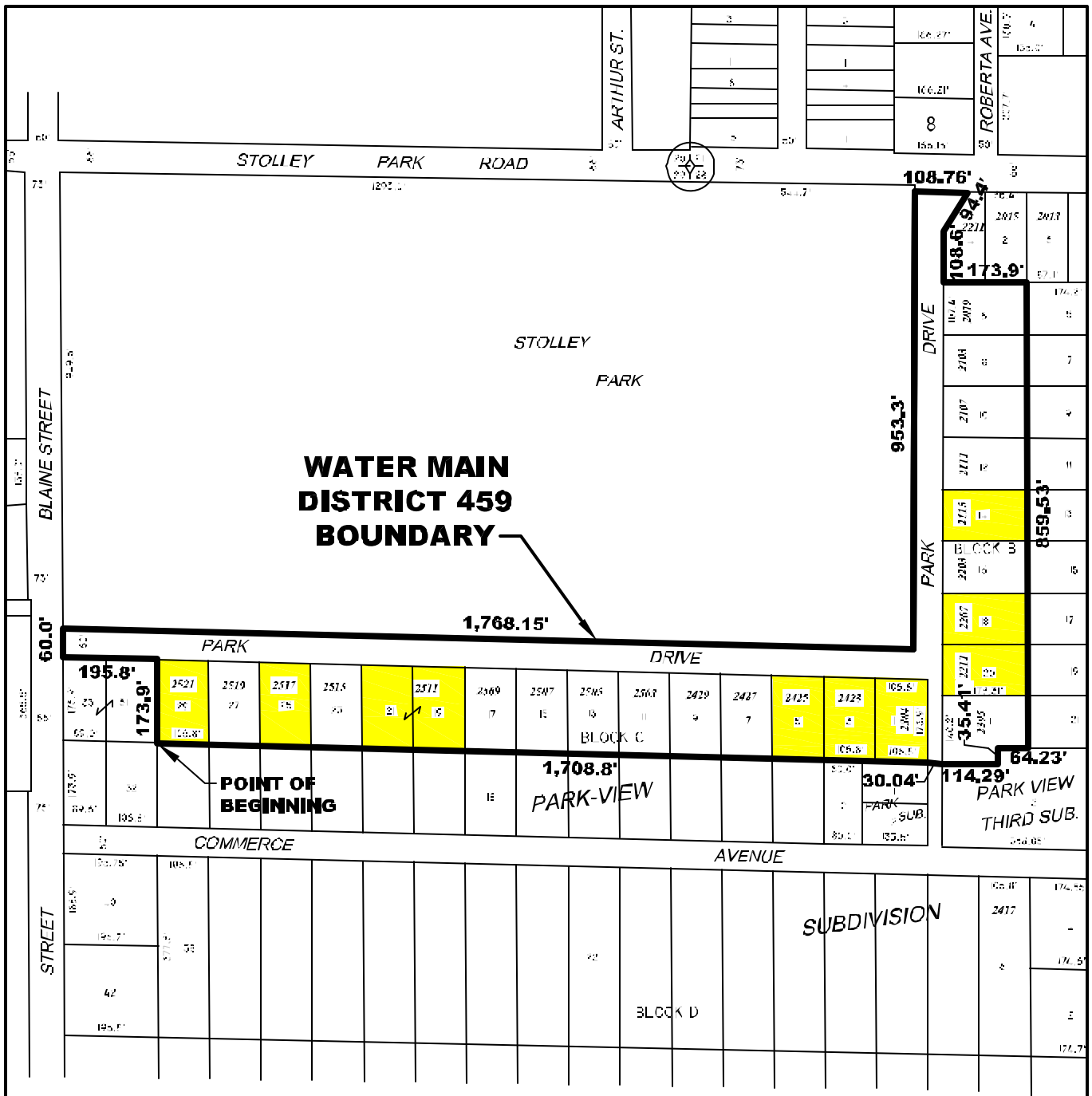
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council continue Water Main District #459 along Park Drive.

## **Sample Motion**

Move to approve the continuation of Water Main District #459 along Park Drive.



**INDICATES PROTEST**



CITY OF <b>GRAND ISLAND</b> UTILITIES DEPARTMENT	
<b>PLAT TO ACCOMPANY          ORDINANCE NO. 9301</b>	
DRN BY: K.J.M.	SCALE: 1"= 300'
DATE: 7/1/2011	FILE: WMD 459

WMD	Owner Name	Owner Address	Renter Address	Lot	Block	Subdivision / Section	Legal	Frontage	Square Footage	For	Against
459	Luther S. & Stephanie M. Allen	2305 Park Drive		1		Park View 3rd Sub		140.20	23,131.20		
459	Henry N. & Carol A. Yencer	2019 Park Drive		6	B	Park-View Sub		107.40	18,676.86		
459	Krisha C. Bosselman	2103 Park Drive		8	B	Park-View Sub		107.40	18,735.93		
459	Roger Charles Brown	2107 Park Drive		10	B	Park-View Sub		107.40	18,795.00		
459	Steven R. & Tracy M. Eisemann	2111 Park Drive		12	B	Park-View Sub		107.40	18,883.94		
459	Charles H. & Christine M. Hoffman	2115 Park Drive		14	B	Park-View Sub		107.40	18,972.88		X
459	Wallace F. & Betty A. Jakob	602 O Street, #302 St. Paul, NE 68873	2203 Park Drive	16	B	Park-View Sub		107.40	19,032.09		
459	Evalyn M. Sorahan	2207 Park Drive		18	B	Park-View Sub		107.40	19,091.29		X
459	Virgil D. & Lois M. Meisen	2211 Park Drive		20	B	Park-View Sub		107.40	19,150.49		X
459	Timothy R. & Beverly Jo Plummer	2304 Park Drive		1	C	Park-View Sub		106.80	18,572.52		X

459	Earl K. & Lazetta J. Barnes	2423 Park Drive			3	C	Park-View Sub	106.80	18,572.52	X	106.80
459	George H. & Kathryn L. Ferris	2425 Park Drive			5	C	Park-View Sub	106.80	18,572.52	X	106.80
459	Chad L. & Leslie M. Smith	2427 Park Drive			7	C	Park-View Sub	106.80	18,572.52		
459	Greg S. & Angela M. Lehechka	2429 Park Drive			9	C	Park-View Sub	106.80	18,572.52		
459	Leslie Dean & Teresta V. Westover	2503 Park Drive			11	C	Park-View Sub	106.80	18,572.52		
459	Donald A. & Cheri A. Schwieger	2505 Park Drive			13	C	Park-View Sub	106.80	18,572.52		
459	K & B Aircraft Leasing Services, Inc.	5266 Cherokee Avenue	2507 Park Drive		15	C	Park-View Sub	106.80	18,572.52		
459	Secretary of Housing & Urban Development	451 7th Street SW	2509 Park Drive		17	C	Park-View Sub	106.80	18,572.52		
459	Brian J. & Lisa C. Degen	2511 Park Drive			19	C	Park-View Sub	106.80	18,572.52	X	106.80
459	Brian J. & Lisa C. Degen	2511 Park Drive			21	C	Park-View Sub	106.80	18,572.52	X	106.80

459	Steven R. & Mary M. Mettenbrink	2515 Park Drive		23	c	Park-View Sub		106.80	18,572.52			
459	Douglas A. & Cheryl A. Ward	2517 Park Drive		25	C	Park-View Sub		106.80	18,572.52	X		106.80
459	Donald P. & Patricia D. Whelan	2519 Park Drive		27	C	Park-View Sub		106.80	18,572.52			
459	Robert L. & Roxanne L. Lathen	2521 Park Drive		29	C	Park-View Sub		106.80	18,572.52		X	106.80
								2,601.40	453,057.48			1,069.80
										<b>% of Protest</b>		<b>41.12%</b>

R E S O L U T I O N 2011-286

WHEREAS, Water Main District No. 459 was created by Ordinance No. 9301 on August 9, 2011; and

WHEREAS, notice of the creation of such water district was published in the Grand Island Independent, in accordance with the provisions of Section 16-667.01, R.R.S. 1943; and

WHEREAS, Section 16-667.01, R.R.S. 1943, provides that is the owners of record title representing more than 50% of the front footage of the property abutting upon the streets, avenues, or alleys, or parts thereof which are within such proposed district shall file with the City Clerk within 30 days from the first publication of said notice written objections to such district, said work shall not be done and the ordinance shall be repealed; and

WHEREAS, the protest period ended on September 16, 2011; and

WHEREAS, protests were filed with the City Clerk against the creation of Water Main District No. 459 which represented 41.12% of the total district front footage.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that insufficient protests have been filed with the City Clerk against the creation of Water Main District No. 459, and such district shall be continued and constructed according to law.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 27, 2011.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form    ☐ \_\_\_\_\_  
September 21, 2011    ☐ City Attorney