



# City of Grand Island

Tuesday, September 27, 2011

Council Session

## Item G37

**#2011-290 - Approving Continuation of Water Main District #465 -  
Elk & Cougar Drives - Ordinance #9307**

Staff Contact: Tim Luchsinger

# Council Agenda Memo

**From:** Timothy Luchsinger, Utilities Director

**Meeting:** September 27, 2011

**Subject:** Continuation of Water Main District #465 – Wildwood Drive, Elk Drive and Cougar Drive - Ordinance #9307

**Item #'s:** G-37

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

## Background

Water Main District 465 was created at the request of area residence to provide municipal water service to the area. The district will serve the properties along Wildwood Drive, Elk Drive and Cougar Drive.

## Discussion

The proposed project would install an 8” and 12” diameter water mains 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 #465 ended at 5:00 p.m., September 16, 2011. Protests received represented 13.99% 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 #465 along Wildwood Drive, Elk Drive, and Cougar Drive.

## **Sample Motion**

Move to approve the continuation of Water Main District #465 along Wildwood Drive, Elk Drive, and Cougar Drive.

E 1/2, SE 1/4  
SEC. 1-10-10

CITY LIMITS

780.0'

387.8+-

150.0'

CITY LIMITS

183.0'

320.0'

NORTH LINE-  
WILDWOOD SUB.

POINT O-  
BEGINNING

353.0'

WEST R.O.W. LINE-  
US HIGHWAY 281

SECTION LINE

WILDWOOD DRIVE

260.0'

WEST LINE-  
WILDWOOD  
SECOND SUB.

LOT 1  
WILDWOOD  
SECOND  
SUBDIVISION

WILDWOOD

NE CORNER-  
WILDWOOD SUB.

1,498.83'

ELK DRIVE

HISER  
SUBDIVISION  
LOT 1

ANTELOPE DRIVE

EAST LINE-  
WILDWOOD SUB.

SECTION LINE

WEST LINE-  
WILDWOOD SUB.

21

COUGAR DRIVE

US HIGHWAY 281

22

SUBDIVISION

PT OF NE 1/4, NE 1/4  
SEC. 12-10-10

400.00'

1,176.33'

CITY LIMITS

WATER MAIN  
DISTRICT 465  
BOUNDARY

 INDICATES  
PROTEST

SOUTH LINE-  
WILDWOOD SUB.

CITY OF  
**GRAND ISLAND**  
UTILITIES DEPARTMENT

PLAT TO ACCOMPANY  
ORDINANCE #9307

DRN BY: K.J.M.	SCALE: 1" = 200'
DATE: 7/19/2011	FILE: WMD 465

WVID	Owner Name	Owner Address	Renter Address	Lot	Subdivision / Section	Legal	Square Footage	For	Against
465	Robco LLC	2422 High Point Circle Wichita, KS 67205	5018 Antelope Drive	2	Wildwood Sub.		143.00		
465	Cody Krist & Robin Tracy Wray	2422 High Point Circle Wichita, KS 67205	No Address	14	Wildwood Sub.		100.00		
465	Cody Krist & Robin Tracy Wray	2422 High Point Circle Wichita, KS 67205	No Address	15	Wildwood Sub.		200.00		
465	BBRE Partnership	P.O. Box 248 Durand, WI 54736	No Address	9	Wildwood Sub.		117.74		
465	BBRE Partnership	P.O. Box 248 Durand, WI 54736	No Address	10	Wildwood Sub.		100.00		
465	BBRE Partnership	P.O. Box 248 Durand, WI 54736	No Address	11	Wildwood Sub.		100.00		
465	Rich & Sons Camper Sales	5112 Antelope Drive	5049 Elk Drive	12	Wildwood Sub.		100.00		
465	Rich & Sons Camper Sales	5112 Antelope Drive	5049 Elk Drive	13	Wildwood Sub.		100.00		
465	Charles D. Bosselman	2605 Apache Road	5100 & 5102 Elk Drive	18	Wildwood Sub.		100.00		
465	Janet K. Bosselman	2605 Apache Road	5130 Elk Drive	19	Wildwood Sub.		100.00		



465	GMS Enterprises, Inc.	4152 Norwood Drive	5050 Elk Drive	2	Wildwood Second Sub.		189.74			
465	Mitchell H. Stauffer, Trustee	808 W. 24th Kearney, NE 68845	3344 W. Wildwood Dr.			Part of the E1/2, SE1/4, Section 1-T10N-R10W	1,167.80			

4,122.89	576.61
% of Protest	13.99%

R E S O L U T I O N 2011-290

WHEREAS, Water Main District No. 465 was created by Ordinance No. 9307 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. 465 which represented 13.99% 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. 465, and such district shall be continued and constructed according to law.

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

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk

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