



City of Grand Island

Tuesday, September 27, 2011

Council Session

Item G38

**#2011-291 - Approving Repeal of Water Main District #462 -
Chochin Street - Ordinance No. 9304**

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director

Meeting: September 27, 2011

Subject: Consideration of Repeal of Water Main District #462 –
Cochin Street - Ordinance #9304

Item #'s: G-38

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Water Main District 462 was created at the request of area residents to provide municipal water service to the area. The district would have served the properties along Cochin Street.

Discussion

Ordinance #9304 provided for creation of Water Main District #462. The proposed project would have installed 8” diameter water mains to serve the 11 lots within the district’s boundary. The project was designed as an assessment district, the Utility Department’s standard method for installing water lines at the request of area property owners in developed areas. The district was subject to a 30 day protest period. All owners of record title within the district’s boundary were notified of the creation of the district and advised of the protest provisions. The protest period for Water Main District #462 ended at 5:00 p.m., Friday, September 16, 2011. Protests received represent 62.34% of the front footage of the district. Attached for reference is a plat indicating the district’s boundaries and the protests received. Per Nebraska statute 16.667.01 R.R.S. 1943, if protest is received from property owners representing more than 50% of the front footage in the district, that district may not be continued.

Alternatives

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

The Council may:

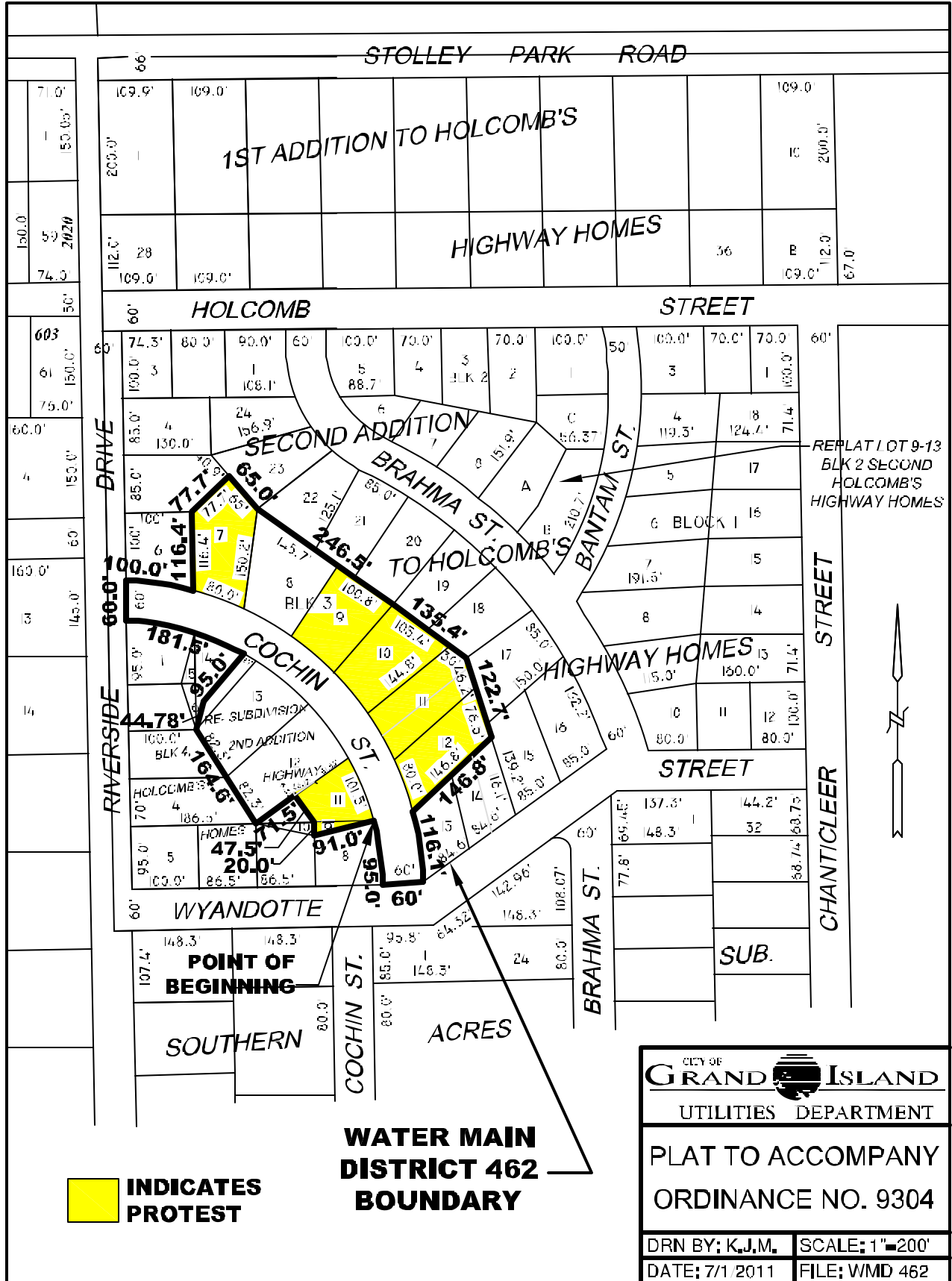
1. Repeal Ordinance #9304 creating Water Main District #462
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council repeal Ordinance #9304 - Water Main District #462 along Brahma and Bantam Streets.

Sample Motion

Move to repeal Ordinance #9304 creating Water Main District #462.



INDICATES PROTEST

WATER MAIN DISTRICT 462 BOUNDARY

CITY OF
GRAND ISLAND
 UTILITIES DEPARTMENT

PLAT TO ACCOMPANY ORDINANCE NO. 9304

DRN BY: K.J.M.	SCALE: 1"=200'
DATE: 7/1 2011	FILE: WMD 462

WMD	Owner Name	Owner Address	Renter Address	Lot	Block	Subdivision / Section	Legal	Frontage	Square Footage	For	Against	
462	Jose Fierro Aguirre	2211 Cochin Street		7	3	2nd Addition to Holcomb's Highway Homes Sub		80.00	14102.9		X	80.00
462	Roy D. & Genevieve B. Fredrickson	2219 Cochin Street		8	3	2nd Addition to Holcomb's highway Homes Sub		80.00	14467.8			
462	Bret Smith	2223 Cochin Street		9	3	2nd Addition to Holcomb's Highway Homes Sub		80.00	11102		X	80.00
462	Ricky L. & Jody J. Seymour	2227 Cochin Street		10	3	2nd Addition to Holcomb's Highway Homes Sub		80.00	12449.7		X	80.00
462	Ricky L. & Jody J. Seymour	2227 Cochin Street		PT 11	3	2nd Addition to Holcomb's Highway Homes Sub	N 40' of Lot 11, 2nd Addition to Holcomb's Highway Homes Sub	40.00	6153.3		X	40.00
462	Vonne F. Wageman	2239 Cochin Street		PT 11	3	2nd Addition to Holcomb's Highway Homes Sub	S 40' of Lot 11, 2nd Addition to Holcomb's Highway Homes Sub	40.00	5701.3		X	40.00
462	Vonne F. Wageman	2239 Cochin Street		12	3	2nd Addition to Holcomb's Highway Homes Sub		80.00	10942.1		X	80.00
462	Steven M. & Brenda K. Steinhauser	2232 Cochin Street		9		Re-Sub of Block 4, 2nd Addition to Holcomb's Highway Homes Sub	(see attached)	0.00	7,625.1' (includes fraction)		X	0.00
462	Steven M. & Brenda K. Steinhauser	2232 Cochin Street		PT 11		Re-Sub of Block 4, 2nd Addition to Holcomb's Highway Homes Sub	(see attached)	101.50			X	101.50
462	Steven M. & Brenda K. Steinhauser	2232 Cochin Street		PT 12		Re-Sub of Block 4, 2nd Addition to Holcomb's Highway Homes Sub	(see attached)	0.00			X	0.00

462	Catherina W. Salinas and Claudia Madagame	11884 R TlurodaStreet	2228 Cochin Street	12	2nd Addition to Holcomb's Highway Homes Sub	Except portion- (see attached)	101.50	15,236.1' (includes fraction)		
462	Housing Development Corp.	301 South Burlington Avenue	2226 Cochin Street	13	2nd Addition to Holcomb's Highway Homes Sub		101.50	16,008.5' (includes fraction)		
462				Frac 14	2nd Addition to Holcomb's Highway Homes Sub	(see attached)	20.00			
							804.50	501.50		
							% of Protest	62.34%		

This Space Reserved for Register of Deeds

R E S O L U T I O N 2011-291

WHEREAS, Water Main District No. 462 was created by Ordinance No. 9304 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, protests were filed with the City Clerk against the creation of Water Main District No. 462 by abutting property owners representing 62.34% of the total district frontage.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that sufficient protests have been filed with the City Clerk against the creation of Water Main District No. 462, and such district shall not be continued and the ordinance which created said district shall be repealed.

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Approved as to Form ✕ _____ September 21, 2011 ✕ City Attorney

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

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk