Source: Public Works

Agenda Item No: (A)

To: City Council
From: City Manager and Staff

Council Meeting Date: Oct 21, 2013

Re: Public Hearing - Sanitary Sewer District 170

EXECUTIVE SUMMARY:
Staff has prepared for Council consideration legislation setting a public hearing for November 18, 2013 concerning construction of sanitary sewers to serve the properties located within Sanitary Sewer District 170, along Poplar Hill Drive and South Bethel Church Road (see attached diagrams). The resolution estimate for this project is $302,240, with a maximum tax bill rate of $0.5225 per square foot of property.

DISCUSSION:
Sanitary Sewer District 170 was formed by Ordinance 21772 at the August 19, 2013 City council meeting. The area of the proposed sewer district was voluntarily annexed in 2008, primarily to facilitate this sewer district project. The properties within the proposed sewer district are presently served by on-site sewer systems. The sewer district boundary encompasses 10 parcels of land.

The resolution estimate for this project is $302,240. The maximum tax bill rate will be $0.5225 with the tax bill amounts to the individual properties ranging from $2,880 to $93,325. Six properties qualify for the $5,000 tax bill cap, two properties estimated below the $5,000 cap, and two properties qualify for the $10,000 cap for R-2 zoning. Approximately $241,000 in tax bills will be deferred as provided in Chapter 22-97.1 of the City Code of Ordinances.

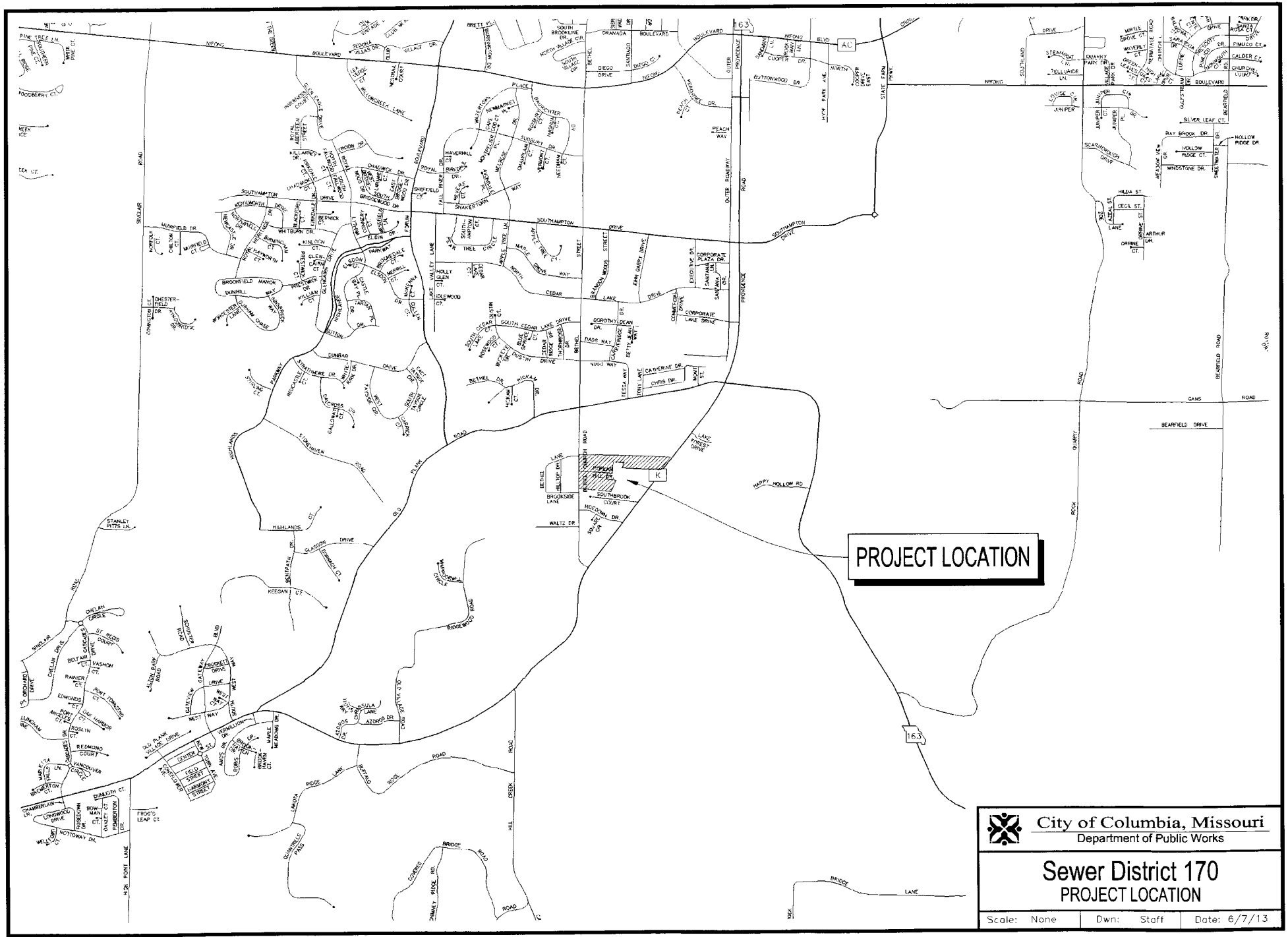
FISCAL IMPACT:
The estimated cost is $302,240, with funding from the Sewer Utility, tax bills and deferred tax bills levied against properties in the sewer district. The completed project will add approximately $2,100 in annual maintenance costs for the Sewer Utility.

VISION IMPACT:
http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php

This project will improve water quality.

SUGGESTED COUNCIL ACTIONS:
Following public input and Council discussion at the public hearing, Council should make a motion directing staff to proceed with the Sanitary Sewer District 170 project.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		**Program Impact**		**Mandates**	
City's current net FY cost	$27,913.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	$370,380.00	Duplicates/Expands an existing program?	Yes	**Vision Implementation impact**	
Amount of budget amendment needed	$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		**Resources Required**		Vision Impact?	Yes
One Time	$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	9
Operating/ Ongoing	$4,200.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	9.1
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	



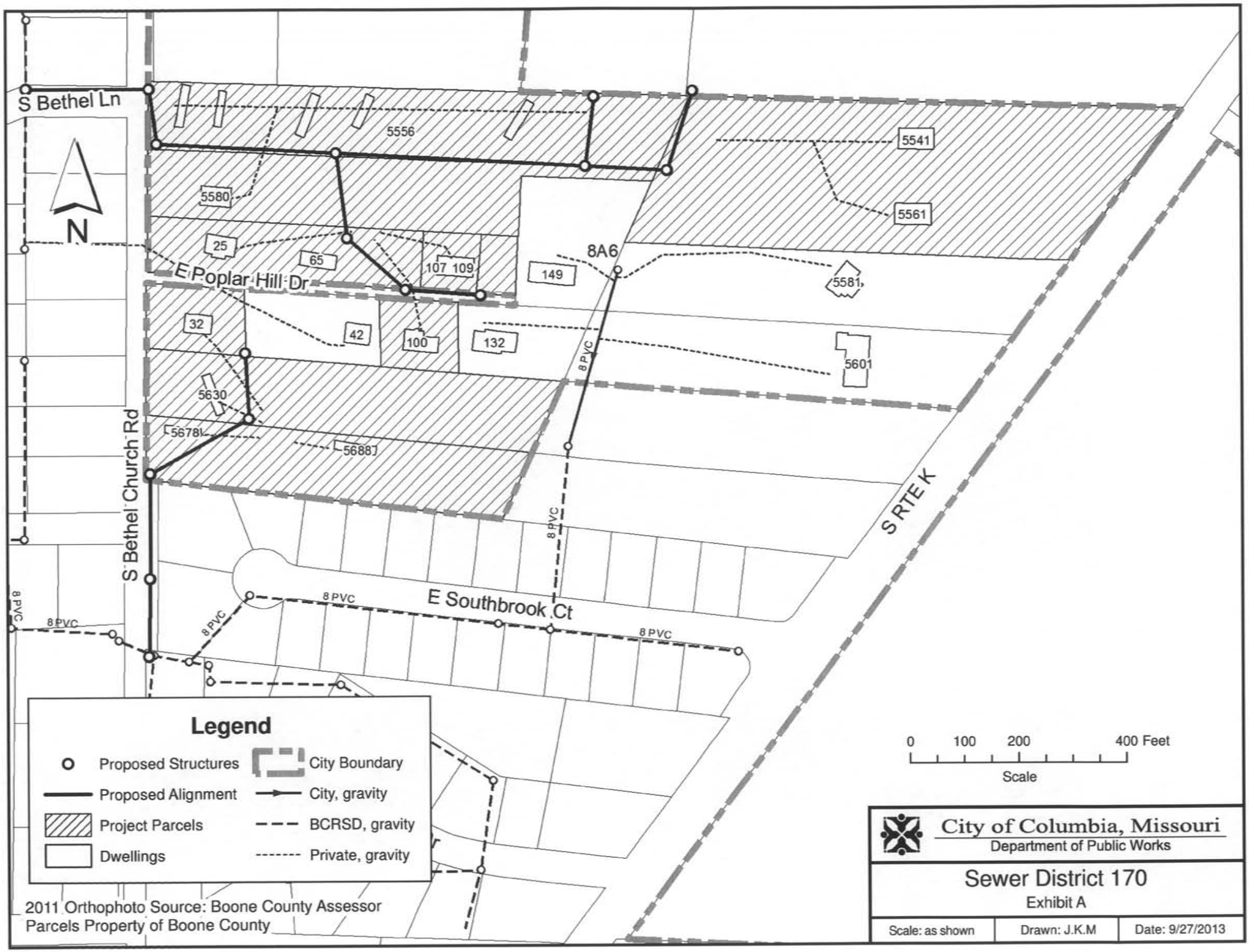
City of Columbia, Missouri
Department of Public Works

Sewer District 170
PROJECT LOCATION

Scale: None	Dwn: Staff	Date: 6/7/13

g:\maps\streets.dwg

2011 Orthophoto Source: Boone County Assessor


S Bethel Ln
N
5556
5541
5580
5561
25
65
107 109
8A6
149
5581
E Poplar Hill Dr
32
42
100
132
5601
8 PVC
5630
5678
5688
S Bethel Church Rd
S RTE K
8 PVC
8 PVC
8 PVC
E Southbrook Ct
8 PVC
8 PVC
Legend
Proposed Structures
Proposed Alignment
Project Parcels
Dwellings
City Boundary
City, gravity
BCRSD, gravity
Private, gravity
2011 Orthophoto Source: Boone County Assessor
Parcels Property of Boone County
0 100 200 400 Feet
Scale
City of Columbia, Missouri
Department of Public Works
Sewer District 170
Exhibit A
Scale: as shown
Drawn: J.K.M
Date: 9/27/2013

Sewer District 170
Property Owner Contact Log

ADDRESS	PROPERTY OWNER	Petitioned for Sewer District (8/25/05)	Petitioned to Annex in order to get City Sewer Extended (May, 2008)	Notified of IP Mtng by mail. (01/07/13)	Attended IP Mtng (01/23/13)	CONTACTS	ADDITIONAL NOTES	MAILED LETTER/DIAGRAM ABOUT PROJECT	EMAILED
5556 S BETHEL CHURCH RD 5588 S BETHEL CHURCH RD	Tyree Mobile Homes Inc.	x		x	x		Mr. Tyree petitioned for the sewer district. He showed up to the interested parties (IP) meeting and was supportive. Mr. Tyree's daughter attended IP meeting, too, and follow-up e-mails have been sent to her.	3/20/12 4/2/13 4/10/13 8/13/13	3/20/12 8/13/13
E 107-109 POPLAR HILL DR	POLACEK JAMES RICHARD JR & SARA K			x	x		Attended IP meeting and seemed supportive. No response to follow-up letters, phone calls, or e-mails.	3/20/12 4/2/13 4/10/13 8/13/13	3/20/12 8/13/13
32 E POPLAR HILL DR 25 E POPLAR HILL DR 5630 S BETHEL CHURCH RD	STANLEY DANIEL E & ELIZABETH A		x	x	x	1/28/13 Met Mr. Stanley and his son at City bldng. They wanted several points clarified: Can Mr. Stanley have a water meter reset (it was there but was removed) without initiating the deferred tax bill payback? (City ordinance does not allow this.) how is interest added in every year? (Explained in follow-up letter.)Can excavated soil be left on site? (Yes) wanted verification that bill assessed per lot rather than per building, and noted that a parcel number was wrong on the sheet I handed out. 8/15/13 Met Mr. Stanley and his son at City bldg. They think it is unfair to say that they cannot add water meters back to lots where they have been removed without triggering the payment of the deferred tax-bill. We said that the ordinance is very clear on this point. We also noted that they probably could not get a building permit to add additional residences because the lots are zoned R-1. They also believe that they should be allowed to connect two other homes to a 4-inch service lateral which crosses multiple properties and two roads. We explained that that would be a private common collector (PCCE), that PCCEs don't work, and that we are trying at great expense and effort to eliminate them elsewhere in the City.		3/20/12 4/2/13 4/10/13 8/13/13	

Sewer District 170
Property Owner Contact Log

ADDRESS	PROPERTY OWNER	Petitioned for Sewer District (8/25/05	Petitioned to Annex in order to get City Sewer Extended (May, 2008)	Notified of IP Mtng by mail. (01/07/13	Attended IP Mtng (01/23/13)	CONTACTS	Notes	MAILED LETTER/DIAGRAM ABOUT PROJECT	EMAILED
5678 S BETHEL CHURCH RD	DILL DORIS ANN & CLARA LOUISE CARTER			x	x		Ms Dill and Ms Carter were represented by Mr. Atkins (Ms Dill's son) at the IP meeting. He seemed supportive and has not responded to mailings or e-mails since then.	3/20/12 4/2/13 4/10/13 8/13/13	3/20/12 8/13/13
5541-5561 RTE K	West Creek Properties, LLC			x		8/14/13 Spoke on phone with Chris Diehls of West Creek re: project and potential tax bill. E-mailed him some information afterwards.	This property was owned by the Bentlages who were petitioners for the sewer district. West Creek bought it after the IP meeting.	3/20/12 4/2/13 4/10/13 8/13/13	8/15/13
E POPLAR HILL DR	SMITH ELDON RAY JR		x	x		Late August 2013. Spoke with James Strawn, a representative of Mr. Smith. Outlined the project. Mr Strawn seemed receptive and mainly wanted to know if and how the property could be developed. (It's a very small lot.) I noted rules for setbacks and minimum lot size, but suggested he and Mr. Smith contact a local engineer for help.		3/20/12 4/2/13 4/10/13 8/13/13	
100 E POPLAR HILL DR	KHAJEHNOORI MAHIN, a.k.a. Mike Mehrdad		x	x	x	April 2013. Reassured Mr. Mehrdad in a phone call that simply changing a water meter (without increasing size or number) would not initiate payment of deferred tax bill. (Also provided this reassurance in a letter to everyone else.)		3/20/12 4/2/13 4/10/13 8/13/13 8/26/13	3/20/12 4/10/13 8/13/13

Introduced by _____ Council Bill No. _____R 209-13_____

A RESOLUTION

declaring the necessity for construction of sanitary sewers in Sewer District No. 170 (Poplar Hill Drive); stating the nature of and the estimate of the cost thereof; providing for payment for the improvement; providing for compliance with the prevailing wage law; and fixing the time for a public hearing thereon.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council deems the construction of sanitary sewers, wye branches, manholes and other necessary appurtenances in Sewer District No. 170 (Poplar Hill Drive) necessary to the welfare and improvement of the City.

SECTION 2. The nature and scope of the improvement shall consist of furnishing all labor, materials, transportation, insurance and all other items, accessories and incidentals thereto necessary for the complete construction of the improvements.

SECTION 3. The estimated cost of this improvement is $302,240.00.

SECTION 4. Payment for this improvement shall be made by special tax bills evidencing special assessments levied and assessed against the lots, tracts or parcels of ground specially benefited in Sewer District No. 170 of the City, in proportion to the area of the whole district exclusive of public highways, in the manner specified by the laws of the State of Missouri and the Charter and Ordinances of the City of Columbia, in a unit rate not to exceed $0.5225 per square foot; and the balance from Sanitary Sewer Utility Funds and such other funds as may be lawfully appropriated or lawfully used for such purpose, the boundaries of the sewer district being described as follows:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 47 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEEDS RECORDED IN BOOK 936, PAGE 907, BOOK 4087, PAGE 99, BOOK 1923, PAGE 298, BOOK 3934, PAGE 2, BOOK 1677, PAGE 481, BOOK 431, PAGE 872, BOOK 3331, PAGE 170, BOOK 1558, PAGE 582, BOOK 1166, 790, BOOK 1545, PAGE 420, AND THE QUIT-CLAIM DEEDS RECORDED IN BOOK 1497, PAGE 927, BOOK 4087, PAGE 100, AND BEING PART OF THE SURVEYS RECORDED IN BOOK 312, PAGE 607, BOOK 400, PAGE 744, BOOK 428, PAGE 577, BOOK 479, PAGE 51, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 1; THENCE WITH THE WEST LINE THEREOF, S 0°16’ 05”W, 1606.86 FEET TO THE NORTHWEST CORNER OF THE SURVEY RECORDED IN BOOK 312, PAGE 607, AND THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND LEAVING THE WEST LINE OF SAID SECTION AND WITH THE LINES OF SAID SURVEY RECORDED IN BOOK 312, PAGE 607, S 88°14’ 15”E, 1652.56 FEET; THENCE S 36°32’ 15”W, 300.11 FEET; THENCE N 86°56’ 20”W, 703.49 FEET; THENCE N 23°39’ 30”E, 106.70 FEET TO THE NORTHEAST CORNER OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1046, PAGE 126; THENCE LEAVING THE LINES OF THE SURVEY RECORDED IN BOOK 312, PAGE 607, AND WITH THE LINES OF THE TRACT DESCRIBED IN SAID DEED, N 86°50’ 10”W, 203.02 FEET; THENCE S 3°49’ 00”W, 99.95 FEET; THENCE S 4°15’ 45”W, 115.09 FEET TO THE NORTH LINE OF THE SURVEY RECORDED IN BOOK 406, PAGE 470; THENCE LEAVING THE LINES OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1046, PAGE 126, AND WITH THE LINES OF SAID SURVEY RECORDED IN BOOK 406, PAGE 470,N 85°56’ 35”W, 91.00 FEET; THENCE S 0°30’ 00”W, 116.84 FEET; THENCE S 84°42’ 35”E, 166.27 FEET TO THE NORTHEAST CORNER OF TRACT 11 OF THE SURVEY RECORDED IN BOOK 312, PAGE 607; THENCE LEAVING THE LINES OF THE SURVEY RECORDED IN BOOK 406, PAGE 470, AND WITH THE LINES OF SAID SURVEY RECORDED IN BOOK 312, PAGE 607, S 23°39’ 30”W, 237.88 FEET; THENCE N 83°06’ 40”W, 580.98 FEET TO THE WEST LINE OF SAID SECTION 1; THENCE WITH THE WEST LINE OF SAID SECTION, N 0°16’ 05”E, 633.91 FEET TO THE POINT OF BEGINNING AND CONTAINING 13.81 ACRES.

EXCEPT THE FOLLOWING DESCRIBED TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 47 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEEDS RECORDED IN BOOK 3331, PAGE 170, AND THE BEING PART OF THE SURVEYS RECORDED IN BOOK 479, PAGE 51, AND BOOK 312, PAGE 607 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 1; THENCE WITH THE WEST LINE THEREOF, S 0°16’ 05”W, 1924.50 FEET TO THE NORTHWEST CORNER OF TRACT 10 AS SHOWN BY THE SURVEY RECORDED IN BOOK 312, PAGE 607; THENCE LEAVING SAID WEST LINE OF SAID SECTION AND WITH THE NORTH LINE OF SAID TRACT 10, S 85°56’ 35”E, 164.50 FEET TO THE NORTHWEST CORNER

OF THE SURVEY RECORDED IN BOOK 479, PAGE 51, AND THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3331, PAGE 170, AND THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND CONTINUING WITH THE LINES OF SAID SURVEY AND SAID WARRANTY DEED, S 85°56' 35"E, 218.00 FEET; THENCE S 0°27' 10"W, 114.15 FEET; THENCE N 84°42' 35"W, 216.70 FEET; THENCE N 0°24' 20"W, 109.59 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.56 ACRES.

The above described sewer district contains 13.25 acres.

SECTION 5. Any work done in connection with the construction of the improvement specified above shall be in compliance with the provisions of the prevailing wage laws of the Department of Labor and the State of Missouri, such prevailing wage rates having been established by the Industrial Commission of Missouri.

SECTION 6. A public hearing in respect to this improvement will be held in the Council Chamber of the City Hall Building, 701 E. Broadway, Columbia, Missouri, at 7:00 p.m. on November 18, 2013. The City Clerk shall cause notice of this hearing to be published in a newspaper published in the City.

ADOPTED this _____ day of _____, 2013.

ATTEST:

_____ _____

City Clerk Mayor and Presiding Officer

APPROVED AS TO FORM:

_____

City Counselor