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P. Hrngs.             
Pgs.     6      
Filed:     03-29-16    

Sponsored by:     Ferguson    

First Reading:                           

Second Reading:                           

COUNCIL BILL NO.   2016 -082  

SPECIAL ORDINANCE NO.                           

AN ORDINANCE

1 TO ESTABLISH AND DEFINE the boundaries and adopt the plat, plans, specifications,  
2 and sealed estimate of construction costs, and authorize  
3 acquisition of necessary right(s)-of-way, by purchase or  
4 condemnation thereof, for Sanitary Sewer District No.  
5 182 of Section No. 16 of the main sewers of the City,  
6 located in the general vicinity of West Bypass and  
7 Division Street; further providing that all labor shall be  
8 paid the prevailing wages; and directing the City  
9 Manager, or his designee, to advertise for bids for the  
10 construction of said sewers.

11 \_\_\_\_\_  
12  
13 NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
14 SPRINGFIELD, MISSOURI, as follows, that:

15  
16 Section 1 – Sanitary Sewer District No. 182 of Section No. 16 of the main  
17 sanitary sewers of the City of Springfield, Missouri, is hereby established and the plat of  
18 said district is accepted. The Director of Environmental Services is hereby authorized to  
19 acquire necessary right(s)-of-way for the construction of said sewers.

20  
21 Section 2 – The boundaries of said sanitary sewer district are described as  
22 follows: A tract of land in the Southeast Quarter of Section 8, Township 29 North,  
23 Range 22 West in the City of Springfield, Greene County, Missouri, described as  
24 follows: Beginning at the southwest corner of Lot 33 in Hillcrest Subdivision, a  
25 subdivision in the south half of the Southeast Quarter of Section 8, Township 29  
26 North, Range 22 West in the City of Springfield, Greene County, Missouri, according  
27 to the recorded plat thereof, said corner being on the east line of Lot 12 in Hillcrest  
28 Subdivision; thence north along the east line of said Lot 12 and the northerly  
29 extension of said line, 1444.5 feet to the north line of the south 10 acres of the east  
30 39 acres of the Northeast Quarter of the Southeast Quarter of said Section 8; thence  
31 east along said north line, 417 feet to the west right-of-way line of West Bypass (U. S.  
32 Highway 160); thence south along said west right-of-way line, 558.5 feet; thence west  
33 along said right-of-way line, 10 feet; thence south along said right-of-way line, 140

34 feet; thence east along said right-of-way line, 10 feet; thence south along said right-  
35 of-way line, 670 feet; thence west along said right-of-way line, 10 feet; thence south  
36 along said right-of-way line, 196 feet; thence southwesterly along said right-of-way  
37 line, through a curve to the right having a radius of 77.0 feet, an arc distance of 88.6  
38 feet to the north right-of-way line of Division Street (State Highway EE); thence west  
39 along the north right-of-way line of Division Street, 142.5 feet to the east line of Lot 34  
40 in said Hillcrest Subdivision; thence north along the east line of said Lot 34, a  
41 distance of 193 feet to the south line of Lot 33 in said Hillcrest Subdivision; thence  
42 west along said south line, 219 feet to the point of beginning.

43  
44 Section 3 – The City Council hereby declares the necessity of condemning  
45 right(s)-of-way for sanitary sewers over, under, and through the said properties in order  
46 to construct, reconstruct, maintain, or repair said sewers.

47  
48 Section 4 – The plans for construction of Sanitary Sewer District No. 182 of  
49 Section No. 16, consisting of the plat, plan, profile, specifications, and a sealed estimate  
50 of the costs, prepared for the City Manager by the Director of Environmental Services,  
51 are on file in the Director’s office. Said plans are hereby approved by City Council and  
52 a copy of the sealed estimate ordered placed on file with the City Clerk.

53  
54 Section 5 – The City Manager, or his designee, is hereby directed to proceed in  
55 accordance with Chapter 98, Article VI, Division 4, Section 98-286 of the Springfield City  
56 Code, and to advertise by publication in a daily printed newspaper in the City for three  
57 (3) consecutive issues for sealed bids to be submitted in accordance with the plans and  
58 specifications for the cost of labor and materials. All bidders shall be required as a  
59 condition of submitting a bid to agree their bid shall not be withdrawn for a period of 90  
60 days from the date of the bid opening specified in the bid notice. Bidders shall be  
61 notified that payment for the cost of the project shall be from proceeds of a bond issue  
62 to build sanitary sewers and there will be progress payments during the course of the  
63 project with final payment to be made to the contractor upon acceptance of the project  
64 by the City. The City Manager, or his designee, is hereby authorized to publicly open  
65 said bids and shall report to the City Council, at its next meeting, the name and bid of  
66 the lowest responsive bidder.

67  
68 Section 6 – All labor utilized in the construction of the sewers shall be paid a  
69 wage of not less than the prevailing hourly rate of wages for work of a similar character  
70 in this locality as established by the Department of Labor and Industrial Relations for the  
71 State of Missouri.

72  
73 Section 7 – The City of Springfield will not contribute toward the cost of the  
74 improvement except as prescribed under General Ordinance No. 5717 regarding caps  
75 on tax bill sewer projects and Sewer Extension Cost Recovery (SECR) fees, and costs  
76 over the survey, engineering, and plan review fees. The special assessments for the  
77 project shall include all costs of labor, materials, interest, publications, postage,  
78 abstracts, fees for engineering and plan review which shall not exceed 15 percent of the  
79 contract bid price for the project, or of the engineer’s estimated price, whichever is the

80 lesser, the cost of the necessary right(s)-of-way, and a connection fee not to exceed the  
81 connection schedule established by Section 120-246 of the Springfield City Code.

82  
83 Section 8 – The City Council has issued general obligation bonds pursuant to  
84 Article VI, Section 26(d) of the Missouri Constitution to pay all or part of the construction  
85 costs, including interest incurred by the City in financing the project, and the City  
86 Council has or will provide that all the cost of such improvements in the sewer district  
87 shall be assessed and levied on the properties benefited thereby, which will be eligible  
88 for the City Sewer Financial Assistance Program under Chapter 98, Article VI, Section  
89 98-286(4)(b) of the Springfield City Code. The City, or its assignees, shall collect all  
90 special assessments so levied in the manner therein provided and shall use such  
91 collections to reimburse the City for the amount paid or to be paid on the bond of the  
92 City issued for such improvement. Such bonds shall be for a period of 15 years.

93  
94 Section 9 – This ordinance shall be in full force and effect from and after  
95 passage.

96  
97 Passed at meeting: \_\_\_\_\_

98  
99 \_\_\_\_\_  
100 Mayor

101  
102 Attest: \_\_\_\_\_, City Clerk

103  
104 Filed as Ordinance: \_\_\_\_\_

105  
106 Approved as to form: John Middleton, Assistant City Attorney

107  
108 Approved for Council action: Greg Burnett, City Manager

## EXPLANATION TO COUNCIL BILL NO. 2016- 082

FILED: 03-29-16

ORIGINATING DEPARTMENT: Environmental Services

PURPOSE: To establish and define the boundaries and adopt the plat, plans, specifications, and sealed estimate of construction costs, and authorize acquisition of necessary right(s)-of-way by purchase or condemnation thereof, for Sanitary Sewer District No. 182 of Section No. 16 of the main sewers of the City, located in the general vicinity of West Bypass and Division Street as shown in "Exhibit A;" further providing that all labor shall be paid the prevailing wages; and direct the City Manager, or his designee, to advertise for bids for the construction of said sewers.

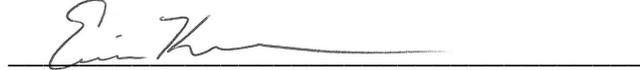
### BACKGROUND:

1. The project is scheduled for construction as part of the City's sewer construction program, as established in Resolution No. 7995, to eliminate septic tanks within the City limits and to encourage infill by providing sanitary sewer service. This project will be funded by sewer improvement bonds that are already budgeted. It will make sewer available to seven tracts which will eliminate seven septic systems from within the City limits of Springfield.
2. Plans, specifications, and a cost estimate have been prepared by the Department of Environmental Services and are on file in the Director's office.
3. Wastewater from this district would flow to the Southwest Treatment Plant.
4. To assist property owners with the costs associated with the sewer tax bills and sewer hookup, several programs are available. The City Sewer Financial Assistance Program provides residential property owners the opportunity to take advantage of a maximum cap per tract on the tax bill amount. A low-interest loan to help with costs for hookup to the sewer is available through the Department of Environmental Services. The Sanitary Sewer Installation and Connection Assistance Program provides two types of assistance for low and moderate income families. One provides a deferred, no-interest loan for sewer hookup costs. The other is a direct grant to offset the cost of the tax bill. The City also provides a 15-year, low-interest payback arrangement for tax bill costs.
5. This ordinance is for a public improvement, where a special tax bill is issued, and should be a one-reading bill under City Charter Section 10.15.
6. This ordinance supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 5, Protect and preserve our natural resources for future generations; Objective 5b, Maintain high water quality and increase water quantity by securing and improving water resources

for future generations; and Objective 5c, Protect our caves and karst ecosystems which contain plants, animals, and natural communities that depend on the surrounding land and water to thrive and survive. Chapter 10, Public Health; Major Goal 5, Develop and ensure safe and healthy environments both indoors and outdoors; Objective 5c, Ensure a clean and sustainable water supply.

REMARKS: Environmental Services recommends passage of this Council bill.

Submitted by:



Errin Kemper  
Assistant Director of Environmental Services

Recommended by:



Stephen Meyer  
Director of Environmental Services

Approved by:



Greg Burris  
City Manager

# SANITARY SEWERS DISTRICT 182 OF SECTION 16

