

Pub. Imp. _____ X _____
Govt. Grnt. _____
Emer. _____
P. Hrngs. _____
Pgs. _____ 8 _____
Filed: _____ 11-3-09 _____

Sponsored by: _____ Ibarra _____

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2009- 285

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 TO LEVY AND ASSESS a special tax against the lots, blocks, and parcels of ground
2 hereinafter described to pay for the cost of the construction
3 of sanitary sewers in the City of Springfield, Missouri, in
4 Sanitary Sewer District No. 110 of Section No. 5, in the
5 general vicinity of Missouri Avenue at Woodridge Street,
6 providing for inclusion of said district in the City Sewer
7 Financial Assistance Program, and authorizing the City Clerk
8 to issue special tax bills and deliver the same to the Director
9 of Finance to be registered in his office in accordance with
10 the ordinance.
11
12 _____
13

14 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI, as
15 follows that:
16

17 Section 1 - There is hereby assessed against the lots, blocks, and parcels
18 of ground hereinafter described, to be levied and issued as provided for herein, special
19 tax bills to pay for the cost of construction of sanitary sewers in Sanitary District No. 110
20 of Section No. 5.
21

22 Section 2 - The Sanitary Sewer District No. 110 of Section No. 5 will be
23 included within the City Sewer Financial Assistance program under Chapter 98, Article
24 VI, Section 98-286(4)b of the Springfield City Code.
25

26 Section 3 - The City Clerk is authorized and directed under the seal of the
27 City of Springfield, Missouri, to issue special tax bills in the name of the City against the
28 hereinafter described lots, blocks, and parcels of ground for the respective amounts

29 assessed against the same to pay for the cost of such construction and deliver the
30 same to the Director of Finance.

31
32 Section 4 - Said tax bills shall be made payable in fifteen (15) equal
33 annual installments becoming due together with interest to date on each anniversary
34 date after the issuance thereof for a period of fifteen (15) years respectively after the
35 date of issuance of the tax bills; provided, however, that the person paying such tax bills
36 shall have the right to pay the same in part or in full within thirty (30) days after the
37 issuance thereof with no interest and shall have the further right to pay any combination
38 of annual principal payments or the unpaid balance of said tax bills with interest thereon
39 up to the date of payment, within thirty (30) days after the end of any yearly period when
40 any installment is payable. In addition to the above, tax bills may be paid in full at any
41 time during the year with interest thereon up to the date of payment.

42
43 Tax bills so issued shall be made payable in accordance herewith and if
44 any annual installment of principal and interest thereof is not paid within thirty (30) days
45 after it is due, then all the remaining installment with interest thereon shall at once
46 become due and payable and payment of the entire amount of such tax bill remaining
47 unpaid, may be demanded and enforced by the owner of such tax bill. The lien thereof
48 shall continue for sixteen (16) years from the date of passage of this ordinance, or one
49 (1) year after the last installment becomes due, unless sooner paid, or in the event suit
50 be brought to enforce the collection of such special tax bill under such lien, then until the
51 expiration of the litigation.

52
53 Section 5 - The City Council hereby sets the interest rate on the sewer tax
54 bills to be issued by the City for Sanitary Sewer District No. 110 of Section No. 5 to be
55 the same percentage rate of annual interest that is payable by the United States of
56 America on 10-year Treasury notes at the most recent auction before the date of the
57 issuance of the sewer tax bills, as is set forth in Section 88.812 of the Revised Statutes
58 of Missouri.

59
60 Section 6 - The City Manager has caused to be computed the entire cost
61 and expense of the aforesaid improvement, including any cost or expense incurred by
62 the City, and the amounts herein charged, assessed, and levied have likewise been so
63 computed and are assessed and levied ratably against all lots and tracts of land within
64 the district in proportion to the area thereof and are as follows, to wit:

65
66 Tax Bill No: 53161A

67
68 Owner(s): William P. Busby and Clara B. Busby

69
70 Legal Description: All of Lot 1, Broadway Acres Fourth Addition, and beginning at the
71 southeast corner of said Lot 1; thence west 30 feet; thence north 126 feet; thence east
72 30 feet; thence south to beginning, all in the City of Springfield, Greene County,
73 Missouri.

74

75 12,780 sq. ft.
 76
 77 Square Foot Assessment (District Sewer 110 of 5) \$ 15,537.98
 78 Connection Fee \$ 300.00
 79 Total Assessment \$ 15,837.98

80
 81 Tax Bill No: 53162A

82
 83 Owner(s): Rebekah Cotter

84
 85 Legal Description: All of Lot 2, Broadway Acres Fourth Addition, in the City of
 86 Springfield, Greene County, Missouri.

87
 88 9,000 sq. ft.

89
 90 Square Foot Assessment (District Sewer 110 of 5) \$ 10,942.24
 91 Connection Fee \$ 300.00
 92 Total Assessment \$ 11,242.24

93
 94 Tax Bill No: 53163A

95
 96 Owner(s): Glen Myers and Helen Myers

97
 98 Legal Description: All of Lot 3 in Broadway Acres Fourth Addition in the City of
 99 Springfield, Greene County, Missouri, excepting the north 12 feet thereof. A tract of
 100 land beginning 12 feet south of the northwest corner of Lot 3, Broadway Acres Fourth
 101 Addition, and running west 30 feet; thence south 60 feet; thence east 30 feet; thence
 102 north 60 feet to the point of beginning, all in the City of Springfield, Greene County,
 103 Missouri.

104
 105 10,800 sq. ft.

106
 107 Square Foot Assessment (District Sewer 110 of 5) \$ 13,130.69
 108 Connection Fee \$ 300.00
 109 Total Assessment \$ 13,430.69

110
 111 Section 7 - Said sanitary sewer has been completed according to the
 112 contract therefor and is hereby accepted from the contractor, Monger Construction, Inc.
 113 The total cost of construction of said sanitary sewer is \$39,610.91, and the total amount
 114 assessed for the payment of said construction is \$39,610.91. The rate of assessment is
 115 \$1,215.80 per thousand square feet as provided for by Special Ordinance No. 25631,
 116 passed by the City Council on July 13, 2009, and Resolution No. 9692, passed by the
 117 City Council on June 15, 2009.

118
 119 Section 8 - This ordinance shall be in full force and effect from and after its
 120 passage.

121 Passed at meeting: _____

122

123

124

125

Mayor

126

127

128 Attest: _____, City Clerk

129

130 Filed as Ordinance: _____

131

132

133 Approved as to form: Marianne Henderson, Assistant City Attorney

134

135

136 Approved for Council action: Greg Burt, City Manager

137

138

139

140

141

N:\SHARE\CBILLS\2009\11-9-09\110 OF 5 LEVY ORD_MLB

Aff. Agcy. Noticed _____
Emergency Required _____
P. Hrngs. Required _____
Fiscal Note Required _____
Board Rec. Required _____

EXPLANATION TO COUNCIL BILL NO. 2009 - _____

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To levy and assess special tax bills for the construction of sanitary sewers in Sanitary Sewer District No. 110 of Section No. 5 in the City of Springfield, Missouri, located in the general vicinity of Missouri Avenue at Woodridge Street.

REMARKS:

HISTORY

1. This project was scheduled for construction as part of the City's 10-year sewer construction program to eliminate septic tanks within the City limits and to encourage infill by providing sanitary sewer service.
2. Special Ordinance No. 25546, passed by City Council on February 9, 2009, established and defined the boundaries for Sanitary Sewer District No. 110 of Section No. 5.
3. Plans, specifications, and a cost estimate have been prepared by Public Works.
4. Wastewater from this district would flow to the Northwest Wastewater Treatment Plant.
5. The project was advertised in the *Daily Events* on March 11, 2009, through March 13, 2009.

40 6. Bids were opened in the Busch Building on June 2, 2009, at 10:00 a.m. The
41 following bids were received:

42	<u>Contractor</u>	<u>Bid Amount</u>
43	Monger Construction, Inc.	\$ 44,792.26
44	Clydesdale Utilities, LLC	\$ 45,927.69
45	Webster County Excavating, LLC	\$ 50,613.08
46	C-2 Projects, LLC	\$ 50,876.89
47	Dirt Benders, Inc.	\$ 51,613.00
48	Steele Excavation & Septic Service, LLC	\$ 54,205.10
49	Emery Sapp and Sons, Inc.	\$ 72,726.53
50		
51		
52	Engineer's Estimate	\$ 51,289.85
53		

54 7. Letters have been mailed to property owners in the district with information
55 regarding the proposed sewer construction, related costs, and available
56 assistance programs.

57
58 8. Resolution No. 9692, passed by City Council on June 9, 2009, declared it
59 necessary to construct sanitary sewers in Sanitary Sewer District No. 110 of
60 Section No. 5.

61
62 9. Resolution No. 9692 was published in the *Daily Events* on June 22, 2009,
63 through June 26, 2009. The resolution was also posted in three locations within
64 the district. A valid remonstrance has not been filed.

65
66 10. Special Ordinance No. 25631, passed by City Council on July 13, 2009, accepted
67 the bid of Monger Construction, Inc., in the amount of \$44,792.26.

68
69 11. Construction has been completed and the project accepted. The actual total cost
70 of construction is \$39,610.91. This project provides sewer to 3 properties and
71 will eliminate 3 septic systems.

72
73 12. The tax bill rate based on actual construction costs for Sanitary Sewer District
74 No. 110 of Section No. 5 computes to be \$1.215804481 cents per square foot of
75 property.

76
77 13. The City will hold the tax bills for all properties within the district at 3.625%
78 interest for 15 years.

79
80 14. The property owners have been notified of their tax bill amount along with the
81 following information about several of the available programs, to assist property
82 owners with the costs associated with the sewer tax bill and sewer hookup. The
83 City Sewer Financial Assistance program provides residential property owners
84 the opportunity to take advantage of a \$7,300 per tract cap on the tax bill


85 amount. A low-interest loan to help with costs for hookup to the sewer is
86 available through the Sanitary Services Division. The Sanitary Sewer Installation
87 and Connection Assistance program provides two types of assistance for low-
88 and moderate-income families. One provides a deferred, no-interest loan for
89 sewer hookup costs. The other is a direct grant to offset the cost of the tax bill.
90 The City also provides a 15-year, low-interest payback arrangement for tax bill
91 costs.

92
93 15. The Public Works Department recommends passage of this Council bill.

94
95
96 Submitted by:

97
98 
99 _____
100 Principal Civil Engineer

101
102
103 Approved by:

104
105
106 
107 _____
108 Director of Public Works

Approved by:



City Manager

109
110 n:110 of 5 levy.exp/wp

SANITARY SEWERS DISTRICT 110 OF SECTION 5

