

One-rdg. X
P. Hrngs.
Pgs. 11
Filed: 02-06-18

Sponsored by: Ollis

First Reading:

Second Reading:

COUNCIL BILL NO. 2018 - 050

SPECIAL ORDINANCE NO.

AN ORDINANCE

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TO LEVY AND ASSESS a special tax against the lots, blocks, and parcels of ground hereinafter described to pay for the cost of the construction of sanitary sewers in the City of Springfield, Missouri, in Sanitary Sewer District No. 171A of Section No. 11, in the general vicinity of Oxford Avenue and Washita Street; provide for inclusion of said district in the City Sewer Financial Assistance Program; authorize the City Clerk to issue special tax bills and deliver the same to the Director of Finance to be registered in his office in accordance with this Ordinance; and declare that this bill qualifies for approval in one reading.

WHEREAS, the City has a goal of sewerage the City, which will eliminate septic tanks and encourage infill within the City limits by providing sanitary sewer service; and

WHEREAS, Special Ordinance No. 26522, passed by City Council on February 23, 2015, established and defined the boundaries for Sanitary Sewer District No. 171 of Section No. 11; and

WHEREAS, Special Ordinance No. 26672, passed by City Council on December 14, 2015, established and defined the boundaries for Joint Sanitary Sewer District No. 171 of Section No. 11 and renamed the sewer district established and defined by Special Ordinance No. 26522 to District No. 171A of Section No. 11; and

WHEREAS, the plans and specifications for construction of Sanitary Sewer District No. 117A of Section No. 11 were advertised, a lowest responsible and responsive bidder was selected, and construction is now completed, with an actual total cost of \$477,229.61; and

WHEREAS, the cost of construction must now be levied and assessed against the lots, blocks and parcels of ground within Sanitary Sewer District No. 117A of Section No. 11 by special tax bills.

36 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
37 SPRINGFIELD, MISSOURI, as follows, that:

38
39 Section 1 - There is hereby assessed against the lots, blocks, and parcels of
40 ground hereinafter described special tax bills to pay for the cost of construction of
41 sanitary sewers in Sanitary Sewer District No. 171A of Section No. 11, to be levied and
42 issued as provided for herein.

43
44 Section 2 - The Sanitary Sewer District No. 171A of Section No. 11 shall be
45 included within the City Sewer Financial Assistance Program under Chapter 98, Article
46 VI, Section 98-286(4)b of the Springfield City Code.

47
48 Section 3 - The City Clerk is authorized and directed under the seal of the City of
49 Springfield, Missouri, to issue special tax bills in the name of the City against the
50 hereinafter described lots, blocks, and parcels of ground for the respective amounts
51 assessed against the same to pay for the cost of such construction and deliver the
52 same to the Director of Finance.

53
54 Section 4 - Said tax bills shall be payable in 15 equal annual installments
55 becoming due, together with interest at the rate set forth below, on each anniversary
56 date after the issuance thereof for a period of 15 years respectively after the date of
57 issuance of the tax bills; provided, however, that each person paying such tax bills shall
58 have the right to pay the same in part or in full within 30 days after the issuance thereof
59 with no interest and shall have the further right to pay any combination of annual
60 principal payments or the unpaid balance of said tax bills with interest thereon up to the
61 date of payment, within 30 days after the end of any yearly period when any installment
62 is due. In addition to the above, tax bills may be paid in full at any time during the year
63 with interest thereon up to the date of payment.

64
65 Tax bills so issued shall be payable in accordance herewith. If any annual
66 installment of principal and interest thereof is not paid within 30 days of the due date,
67 then all the remaining installments with interest thereon shall at once become due and
68 payable, and payment of the entire amount of such tax bill remaining unpaid may be
69 demanded and enforced by the City. The lien thereof shall continue for 16 years from
70 the date of passage of this Ordinance, or one year after the last installment becomes
71 due, unless sooner paid in full, or in the event suit is brought to enforce the collection of
72 such special tax bill under such lien, then until a final, non-appealable judgement is
73 rendered in the litigation.

74
75 Section 5 - City Council hereby sets the interest rate on the sewer tax bills to be
76 issued by the City for Sanitary Sewer District No. 171A of Section No. 11 to be the
77 same percentage rate of annual interest that is payable by the United States of America
78 on 10-year treasury notes at the most recent auction before the date of the issuance of
79 the sewer tax bills, as is set forth in Section 88.812 of the Revised Statutes of Missouri.
80

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

86

87 Tax Bill No: 53379A

88 Owner(s): The Macedonia Baptist Church

89

90 ALL OF LOTS 13, 14 AND THE WEST 75 FEET OF LOT 15, ALSO ALL OF LOTS 60,
91 61 AND THE WEST 75 FEET OF LOT 59 IN SHERWOOD, A SUBDIVISION IN THE
92 CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, RECORDED AT BOOK 14,
93 PAGE 347, IN THE RECORDER'S OFFICE OF GREENE COUNTY, MISSOURI.
94 (181,500.00 sq. ft.)

95

96 Square Foot Assessment (Joint District 171 of 11)	\$	30,132.80
97 Square Foot Assessment (District 171A of 11)	\$	43,025.97
98 Connection Fee	\$	0.00
99 Total Assessment	\$	73,158.77

100

101 Tax Bill No: 53380A

102 Owner(s): 166 Properties, LLC.

103

104 ALL OF LOTS 55, 56, 57, 58, AND THE EAST 25 FEET OF LOT 59 IN SHERWOOD, A
105 SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI,
106 RECORDED AT BOOK 14, PAGE 347, IN THE RECORDER'S OFFICE OF GREENE
107 COUNTY, MISSOURI.(102,850.00 sq. ft.)

108

109 Square Foot Assessment (Joint District 171 of 11)	\$	17,075.25
110 Square Foot Assessment (District 171A of 11)	\$	24,381.38
111 Connection Fee	\$	0.00
112 Total Assessment	\$	41,456.63

113

114 Tax Bill No: 53381A

115 Owner(s): The Macedonia Baptist Church

116

117 ALL OF LOTS SIXTY-TWO (62), SIXTY-THREE (63), SIXTY-FOUR (64), SIXTY-FIVE
118 (65), SIXTY-SIX (66), AND SIXTY-SEVEN (67) IN SHERWOOD, A SUBDIVISION IN
119 THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, RECORDED AT
120 BOOK 14, PAGE 347, IN THE RECORDER'S OFFICE OF GREENE COUNTY,
121 MISSOURI. (84,404.82 sq. ft.)

122

123 Square Foot Assessment (Joint District 171 of 11)	\$	14,012.97
124 Square Foot Assessment (District 171A of 11)	\$	20,008.81
125 Connection Fee	\$	0.00
126 Total Assessment	\$	34,021.78

127
128 Tax Bill No: 53382A
129 Owner(s): Robert R. Rushing
130
131 ALL OF LOT SIXTY-EIGHT (68) IN SHERWOOD, A SUBDIVISION IN THE CITY OF
132 SPRINGFIELD, GREENE COUNTY, MISSOURI RECORDED AT BOOK 14, PAGE
133 347, IN THE RECORDER'S OFFICE OF GREENE COUNTY, MISSOURI.
134 (10,650.00 sq. ft.)
135
136 Square Foot Assessment (Joint District 171 of 11) \$ 1,768.12
137 Square Foot Assessment (District 171A of 11) \$ 2,524.67
138 Connection Fee \$ 300.00
139 Total Assessment \$ 4,592.79
140
141 Tax Bill No: 53383A
142 Owner(s): William E. McClain and
143 Judy A. McClain
144
145 ALL OF LOT SIXTY-NINE (69) IN SHERWOOD, A SUBDIVISION IN THE CITY OF
146 SPRINGFIELD, GREENE COUNTY, MISSOURI, RECORDED AT BOOK 14, PAGE
147 347, IN THE RECORDER'S OFFICE OF GREENE COUNTY, MISSOURI.
148 (10,650.00 sq. ft.)
149
150 Square Foot Assessment (Joint District 171 of 11) \$ 1,768.12
151 Square Foot Assessment (District 171A of 11) \$ 2,524.67
152 Connection Fee \$ 300.00
153 Total Assessment \$ 4,592.79
154
155 Tax Bill No: 53384A
156 Owner(s): JDP Partners, LLC
157
158 ALL OF LOT SEVENTY (70) IN SHERWOOD, A SUBDIVISION IN THE CITY OF
159 SPRINGFIELD, GREENE COUNTY, MISSOURI, RECORDED AT BOOK 14, PAGE
160 347, IN THE RECORDER'S OFFICE OF GREENE COUNTY, MISSOURI.
161 (10,650.00 sq. ft.)
162
163 Square Foot Assessment (Joint District 171 of 11) \$ 1,768.12
164 Square Foot Assessment (District 171A of 11) \$ 2,524.67
165 Connection Fee \$ 300.00
166 Total Assessment \$ 4,592.79
167
168 Tax Bill No: 53385A
169 Owner(s): Donald L. Schrier, Jr. and Emily LePore
170

171 ALL OF LOT SEVENTY-ONE (71) IN SHERWOOD, A SUBDIVISION IN THE CITY OF
172 SPRINGFIELD, GREENE COUNTY, MISSOURI, RECORDED AT BOOK 14, PAGE
173 347, IN THE RECORDER'S OFFICE OF GREENE COUNTY, MISSOURI.
174 (10,650.00 sq. ft.)
175

176	Square Foot Assessment (Joint District 171 of 11)	\$	1,768.12
177	Square Foot Assessment (District 171A of 11)	\$	2,524.67
178	Connection Fee	\$	300.00
179	Total Assessment	\$	4,592.79

180
181 Tax Bill No: 53386A

182 Owner(s): Rex Austin
183

184 ALL LOT SEVENTY-TWO IN SHERWOOD, A SUBDIVISION IN THE CITY OF
185 SPRINGFIELD, GREENE COUNTY, MISSOURI, RECORDED AT BOOK 14, PAGE
186 347, IN THE RECORDER'S OFFICE OF GREENE COUNTY, MISSOURI.
187 (10,650.00 sq. ft.)
188

189	Square Foot Assessment (Joint District 171 of 11)	\$	1,768.12
190	Square Foot Assessment (District 171A of 11)	\$	2,524.67
191	Connection Fee	\$	300.00
192	Total Assessment	\$	4,592.79

193
194 Tax Bill No: 53387A

195 Owner(s): Kendra J. Mackley
196

197 ALL OF LOT SEVENTY-THREE (73) IN SHERWOOD, A SUBDIVISION IN THE CITY
198 OF SPRINGFIELD, GREENE COUNTY, MISSOURI, RECORDED AT BOOK 14, PAGE
199 347, IN THE RECORDER'S OFFICE OF GREENE COUNTY, MISSOURI.
200 (10,650.00 sq. ft.)
201

202	Square Foot Assessment (Joint District 171 of 11)	\$	1,768.12
203	Square Foot Assessment (District 171A of 11)	\$	2,524.67
204	Connection Fee	\$	300.00
205	Total Assessment	\$	4,592.79

206
207 Tax Bill No: 53388A

208 Owner(s): 417 Rentals, LLC.
209

210 ALL OF LOT SEVENTY-FOUR (74) IN SHERWOOD, A SUBDIVISION IN THE CITY
211 OF SPRINGFIELD, GREENE COUNTY, MISSOURI, RECORDED AT BOOK 14, PAGE
212 347, IN THE RECORDER'S OFFICE OF GREENE COUNTY, MISSOURI.
213 (10,650.00 sq. ft.)
214

215	Square Foot Assessment (Joint District 171 of 11)	\$	1,768.12
216	Square Foot Assessment (District 171A of 11)	\$	2,524.67

217 Connection Fee \$ 300.00
218 Total Assessment \$ 4,592.79

219
220 Tax Bill No: 53389A
221 Owner(s): Blaze Keith

222
223 ALL OF LOT SEVENTY-FIVE (75) IN SHERWOOD, A SUBDIVISION IN THE CITY OF
224 SPRINGFIELD, GREENE COUNTY, MISSOURI, RECORDED AT BOOK 14, PAGE
225 347, IN THE RECORDER'S OFFICE OF GREENE COUNTY, MISSOURI.
226 (10,650.00 sq. ft.)

227
228 Square Foot Assessment (Joint District 171 of 11) \$ 1,768.12
229 Square Foot Assessment (District 171A of 11) \$ 2,524.67
230 Connection Fee \$ 300.00
231 Total Assessment \$ 4,592.79

232
233 Section 7 - The sanitary sewer has been completed according to the contract
234 therefore and is hereby accepted from the contractor, Rosetta Construction, LLC. The
235 total cost of construction of said sanitary sewer, including any cost or expense incurred
236 by the City, is \$477,229.61, and the total amount assessed for the payment of said
237 construction is \$477,229.61. As provided for by Special Ordinance No. 26837, passed
238 by City Council on January 9, 2017, and Resolution No. 10295, passed by City Council
239 on November 23, 2016, the rate of assessment levied against each property in the
240 district is in proportion to the square footage of the property. This rate of assessment is
241 \$403.07861 per thousand square feet.

242
243 The cost of construction of Joint Sanitary Sewer District No. 171 of Section No. 11 is
244 also included in the tax bills as provided by Special Ordinance No. 26987, passed by
245 City Council on January 16, 2018. The rate of assessment is \$166.02092 per thousand
246 square feet.

247
248 Section 8 - This Ordinance is in connection with improvement projects involving
249 special tax bills, and qualifies as a one-reading bill under City Charter Section 10.15.
250 Therefore, this Ordinance shall be in full force and effect from and after its passage.

251
252 Passed at meeting: _____

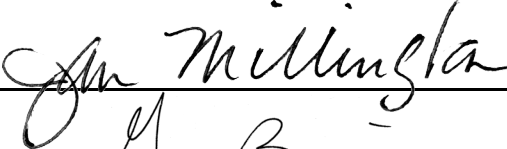
253
254
255 _____
256 Mayor

257
258
259 Attest: _____, City Clerk

260
261
262 Filed as ordinance: _____

263

264

265 Approved as to form: , Assistant City Attorney

266

267

268 Approved for Council action: , City Manager

EXPLANATION TO COUNCIL BILL 2018-050

FILED: 02-06-18

ORIGINATING DEPARTMENT: Environmental Services

PURPOSE: To levy and assess a special tax against the lots, blocks, and parcels of ground hereinafter described to pay for the cost of the construction of sanitary sewers in the City of Springfield, Missouri, in Sanitary Sewer District No. 171A of Section No. 11, in the general vicinity of Oxford Avenue and Washita Street; provide for inclusion of said district in the City Sewer Financial Assistance Program; authorize the City Clerk to issue special tax bills and deliver the same to the Director of Finance to be registered in his office in accordance with this Ordinance; and declare that this bill qualifies for approval in one reading.

BACKGROUND:

1. The project is scheduled for construction as part of the City's Tax Bill 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 is funded by sewer improvement bonds that are already budgeted. It makes sewer available to 11 tracts, which eliminates nine (9) septic systems from within the City limits of Springfield.
2. Special Ordinance No. 26522, passed by City Council on February 23, 2015, established and defined the boundaries for Sanitary Sewer District No. 171 of Section No. 11.
3. Special Ordinance No. 26672, passed by City Council on December 14, 2015, established and defined the boundaries for Joint Sanitary Sewer District No. 171 of Section No. 11, and renamed the sewer district established and defined by Special Ordinance No. 26522 to District No. 171A of Section No. 11.
4. Plans, specifications, and a cost estimate were prepared by Environmental Services and are on file in the Director's office.
5. Wastewater from this district will flow to the Southwest Treatment Plant.
6. The project was advertised in *The Daily Events* on September 10, 2016, through September 12, 2016.
7. Bids were opened in the Busch Building on October 4, 2016, at 10:00 a.m. The following bids were received:

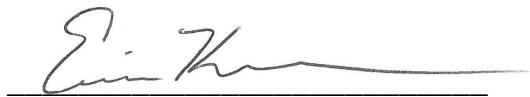
<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Rosetta Construction, LLC	\$ 458,256.50
RAB Trenchless Solutions, LLC	\$ 499,337.95
Hamilton and Dad, Inc.	\$ 532,838.60
Neal's Construction, LLC	\$ 577,896.75
Engineer's Estimate	\$ 702,137.00

8. The lowest responsible and responsive bidder for Joint Sanitary Sewer District No. 171 of Section No. 11 and Sanitary Sewer District No. 171A of Section No. 11 is Rosetta Construction, LLC. Rosetta Construction, LLC, is a local contractor.
9. Resolution No. 10295, passed by City Council on November 14, 2016, declared it necessary to construct sewers in Joint Sanitary Sewer District No. 171 of Section No. 11 and Sanitary Sewer District No. 171A of Section No. 11.
10. Resolution No. 10295 was published in *The Daily Events* on November 19, 2016, through November 23, 2016. A resolution was also posted in three locations within the district. A valid remonstrance was not filed.
11. Special Ordinance No. 26837, passed by City Council on January 9, 2017, accepted the bid of Rosetta Construction, LLC, in the amount of \$458,256.50.
12. Construction of sanitary sewers in Joint Sanitary Sewer District No. 171 of Section No. 11 and Sanitary Sewer District No. 171A of Section No. 11 have been completed. The total cost of the project amounted to \$477,229.61 which includes construction costs, right-of-way acquisition, engineering fees, and other related costs. The proportion of the cost assigned to Sanitary Sewer District No. 171A of Section No. 11 is \$107,613.48.
13. Special Ordinance No. 26987, passed by City Council on January 16, 2018, established a tax bill rate of 16.602092 cents per square foot of property in Joint District No. 171 of Section No. 11, and is to be included in addition to the actual costs to construct Sanitary Sewer District No. 171A of Section No. 11.
14. The tax bill rate based on actual construction costs for Sanitary Sewer District No. 171A of Section No. 11 computes to be 23.705769 cents per square foot of property. The tax bill rate based on actual construction costs for Joint Sanitary Sewer District No. 171 of Section No. 11 is 16.602092 cents per square foot of property. The combined total tax bill rate for District No. 171A of Section No. 11 and Joint Sanitary Sewer District No. 171 of Section No. 11 is 40.307861 cents per square foot of property.
15. The City will hold the tax bills for all properties within the district at 2.63 percent interest for 15 years.

16. Programs are available to assist property owners with the costs associated with this type of sewer tax bill and sewer hookup. The City Sewer Financial Assistance Program offers single-family residential property owners a maximum cap per tract on the tax bill amount. The Clean Water Services Division of the Department of Environmental Services offers a low-interest loan to help with costs for hookup to the sewer. The Sanitary Sewer Installation and Connection Assistance Program offers two types of assistance for low- and moderate-income families: a deferred, no-interest loan for sewer hookup costs and 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.
17. Letters have been mailed to property owners in the district with information regarding their tax bill amount and available assistance programs.
18. 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.
19. 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.

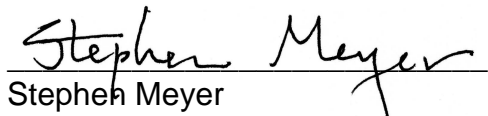
REMARKS: Environmental Services recommends passage of this Ordinance.

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 171A OF SECTION 11

