

ORDINANCE NO. 15-08

AN ORDINANCE CREATING CITY OF CASPER, WYOMING, LOCAL ASSESSMENT DISTRICT NO. 156 (HEREINAFTER CALLED THE "DISTRICT"), AND THE ESTABLISHMENT OF GRADES THEREIN; ORDERING THE CONSTRUCTION OF IMPROVEMENTS THEREIN; DESCRIBING THE SAME, DIRECTING THE PREPARATION OF PLANS AND SPECIFICATIONS THEREFOR; PROVIDING FOR THE PUBLICATION OF NOTICE TO CONTRACTORS; FIXING THE BOUNDARIES OF SAID DISTRICT; RATIFYING ACTION PREVIOUSLY TAKEN; AND, PRESCRIBING DETAILS IN CONNECTION WITH SAID DISTRICT.

WHEREAS, pursuant to Chapter 6, Title 15, of the Wyoming Statutes, as amended, on the 19th day of January, 2008, the City Council (hereinafter called the "Council") of the City of Casper, Wyoming, (hereinafter called the "City") adopted a resolution declaring the intention of said Council to establish the City of Casper, Wyoming, Local Assessment District No. 156 to establish grades therein, to authorize the construction of certain local improvements therein, and to assess the cost of the local improvements on the property benefited thereby; and,

WHEREAS, said resolution was duly mailed and published as a notice, affidavits of such mailing and publication being now on file in the Office of the City Clerk; and,

WHEREAS, in response to said notice, less than 50% of LAD owners filed remonstrances against the proposed improvements or grades.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING:

Section 1. Creation of District.

That there be, and there hereby is created and established within the corporate limits of the City of Casper, Wyoming, a local improvement district for the purpose of making certain local improvements consisting of asphaltic concrete pavement, combined curb, gutter, and sidewalk (hereinafter called "curbwalk"), water lines, storm drainage lines, sanitary sewer lines, and work incidental thereto, on the streets and intersections hereinafter designated, and, to assess the cost thereof (except as hereinafter provided) on the property benefited thereby and included within the Local Assessment District herein described.

Section 2. Name of District.

The Council has determined and does hereby determine that:

- A. The Local Assessment District herein described, as such might hereinafter be modified, shall be known as the "City of Casper, Wyoming, Local Assessment District No. 156";

Section 3. Location of Asphaltic Concrete, Curbwalk, Water Line, Storm Drainage Line, and Sanitary Sewer Line improvements.

The City hereby establishes infrastructure improvements for the following named streets and intersections within the District, as such as set forth on the official plats of the subdivisions or additions in said City, now on file and of record, as shown in more detail in said preliminary plans, as follows:

LOCATION OF
ASPHALTIC CONCRETE PAVING, CURBALK, SANITARY SEWER, WATER LINES,
AND STORM SEWER IMPROVEMENTS.

<u>STREET</u>	<u>PROPOSED IMPROVEMENTS</u>
1. Coulter Drive	Asphaltic Concrete Pavement, Curbwalk, Storm Sewer, Sanitary Sewer, and Water Line
2. Laramie Avenue	Asphaltic Concrete Pavement, Curbwalk, Storm Sewer, Sanitary Sewer, and Water Line
3. Windsor Place	Asphaltic Concrete Pavement, Curbwalk, Storm Sewer, Sanitary Sewer, and Water Line
4. Kearney Avenue	Asphaltic Concrete Pavement, Curbwalk, Storm Sewer, Sanitary Sewer, and Water Line
5. Fremont Avenue	Asphaltic Concrete Pavement, Curbwalk, Storm Sewer, Sanitary Sewer, and Water Line
6. Fetterman Avenue	Asphaltic Concrete Pavement, Curbwalk, Storm Sewer, Sanitary Sewer, and Water Line
7. Bellaire Drive	Asphaltic Concrete Pavement, Curbwalk, Storm Sewer, Sanitary Sewer, and Water Line
8. Imperial Place	Asphaltic Concrete Pavement, Curbwalk, Storm Sewer, Sanitary Sewer, and Water Line
9. Fleetwood Place	Asphaltic Concrete Pavement, Curbwalk, Storm Sewer, Sanitary Sewer, and Water Line

Section 4. Description of Asphalt Paving Improvements.

The character, kind, and extent of the paving improvements shall be as follows:

All streets are presently asphaltic concrete surfaced roadways. The proposed improvements to streets shall include the removal of all existing asphalt surfacing, regrading of the existing sub-grade, installation of sub-base aggregate base course, installation of plant mix bituminous base, tack coat, and plant mix pavement surface course, in accordance with approved City of Casper Standard Specifications and project contract documents. The work shall include all necessary removal, excavation, filling, grading, and replacement to design elevations and appurtenant work.

Section 5. Description of Curbwalk Improvements.

Curbwalk improvements are scheduled for both sides of all streets. Proposed improvements shall include removal of all existing Portland Cement Concrete (PCC) curbwalk and the installation of new PCC curbwalk in accordance with approved City of Casper Standard Specifications and the project contract documents. The work shall include all necessary removal, excavation, filling, grading, compaction and replacement to design elevations and appurtenant work.

Section 6. Description of Water Line Improvements.

Water line improvements shall consist of replacement of certain sections of eight- (8) inch diameter water mains and service lines in accordance with City of Casper Standard Specifications. Water lines and water service lines shall be installed in the streets replacing existing old water lines and old water service lines. Other appurtenant water line improvements will consist of installing new fire hydrants at certain locations in the District to improve fire protection capabilities as well as new water main valves.

Section 7. Description of Storm Drainage Line Improvements.

Storm drainage line improvements shall include installation of various sizes of reinforced concrete piping for drainage lines to enhance area drainage. Appurtenant storm drainage improvements will consist of installing manholes and drainage inlets.

Section 8. Description of Sanitary Sewer Line Improvements.

Sanitary Sewer improvements shall include replacement of certain sections of main line with eight (8)-inch diameter piping and rehabilitation of existing sanitary sewer lines with pipe lining to enhance sewerage flows. Included will be the installation of new sewer laterals within the street right-of way, from the main line to frontage lot lines of private lots. Appurtenant sanitary sewer improvements will consist of replacing existing manholes.

Section 9. Boundaries of the District.

It is proposed to create the District, the boundaries of which lie entirely within the City of Casper, as follows:

Westwood Addition No. 2

Lots: 273 through 285, 288 through 314, 317 through 344, 347 through 374, 377 through 404, 607 through 615, 406 through 559, and lot 578

Section 10. Estimated Costs.

It is recommended that at the time the improvements are completed, and the assessment roll is established, consideration be given by the City Council when assessing the individual property owners to an interest rate of less than 8%, and a longer payment term than 10 years.

The estimated total costs for the total improvement project (including but not limited to all incidental improvements or work) are as follows:

1. The estimated construction cost of the total improvement project is \$ 5,771,246.
2. The estimated incidental cost of the total improvement project is \$ 1,003,694.
3. The estimated total contract price of the total improvement project is \$ 6,774,940.
4. The estimated assessable costs for each foot of frontage are as follows:
 - a. All Streets \$68.75 per lineal foot for curbside improvements, engineering and construction inspection, and temporary traffic control for areas of curbside replacement.
5. The estimated assessable costs for each property are as follows:
 - a. All Properties \$40.00 per lineal foot for sanitary sewer service piping, engineering and construction inspection, and temporary traffic control for areas of sanitary sewer lateral replacement.
6. The estimated project cost to be recouped pursuant to Local Assessment District No. 156 is \$1,951,000 which includes construction cost for curbside, construction cost for sanitary sewer service laterals, and a portion of engineering design, construction administration, and temporary traffic control.

The City Council shall accept no bids or combination of bids, which shall exceed by more than ten percent (10%) of the estimate set forth in paragraph 6 above.

Section 11. Direction to Engineer to Proceed.

The City Engineer is hereby directed and authorized, immediately upon the passage of this Ordinance, to prepare and file with the City Clerk final plans, specifications, and the estimated cost of said improvements, which plans, specifications, and estimated cost shall show in detail the work to be done, the quantities of materials to be handled and the estimated cost of said improvements, which plans, specifications, and estimated cost shall be hereafter approved by the Council, by resolution.

It is hereby determined and ordered, that such improvements shall be made as soon as practical. Immediately after the approval of said plans and specifications, the City Clerk shall call for bids for the making of said improvements, by publishing notice in at least one issue of a newspaper published and of general circulation within the City of Casper, which notice shall be substantially in agreement with the provisions of the Wyoming Statutes, as amended, and this Ordinance.

Section 12. Maintenance of Improvements.

The maintenance of the proposed improvements after their acceptance by the City on said streets, intersections, and parts thereof, shall not be included in the construction contract or contracts, and there shall be no charges for such maintenance included in the assessments for the proposed improvements; provided, however, that nothing herein shall be construed to preclude provision in the contract or contracts relating to the guarantee of improvements thereunder.

Section 13. Ratification.

All action heretofore taken by the City and officers thereof, directed toward the creation of the City of Casper, Wyoming, Local Assessment District No. 156, the improvement of property therein and the levy of assessments therefor, be, and the same hereby is, ratified, approved, and confirmed.

Section 14. Severability.

If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 15. Repealer.

All orders, bylaws, resolutions, and ordinances, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 16. Authorization of Officers and Employees.

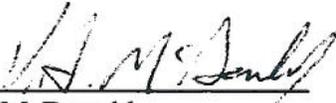
The officers and employees of the City are hereby authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance.

PASSED on 1st reading the 15th day of April, 2008.

PASSED on 2nd reading the 6th day of May, 2008.

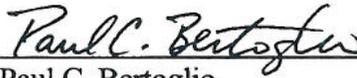
PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 20th day of May, 2008.

ATTEST:



V. H. McDonald
City Clerk

CITY OF CASPER, WYOMING
A Municipal Corporation



Paul C. Bertoglio
Mayor