



Legislation Text

File #: 15-0400, **Version:** 3

Discussion and action on sewer tap request from Brad Donathan

SUMMARY:

In 1997, Brad Donathan signed easements for the City to construct a sewer line across his property in Greenbriar Subdivision as part of the city-wide sewer project. Mr. Donathan was paid for those easements. Following construction, it was determined that the contractor went out of the easement area. In the minutes of 3/14/2000, a request was taken to Council to pay Mr. Donathan \$1,700 as settlement for damages.

According to Billy Martin, Mr. Donathan requested and received a grinder pump several years ago (per policy), but is just now installing it. Mr. Donathan recalls that he was told that his tap would be free and is now requesting the free tap. However, there is no record of that and the policy at that time (and currently), is that any taps that are provided in lieu of compensation for an easement are done through a "sewer tap certificate" that has an expiration of 5 years. Other than that process, the City Council is the only body that can waive sewer taps since they are set by the City Council.

This matter was heard at the October 2015 meetings, but no action was taken. Mr. Donathan requested action by the Council at the November 2015 on his request. City Manager Rutherford recommended denying the request. A motion was made to approve, but failed to receive a second so no vote was taken.

Mr. Donathan requested it to be reconsidered by the City Council at the May 2016 meeting.

BUDGET ACCOUNT:

NECESSARY COUNCIL ACTION: Consider request