

RESOLUTION #184

AUTHORIZING CONE/DAHLSTROM DRAINAGE PROJECT LOCATED ON E. PHEASANT STREET, WAVERING CERTIFIED ENGINEERING SURVEY AND PUBLIC HEARING REQUIREMENTS, SETTING PROPERTY OWNER RESPONSIBILITIES, AND ESTABLISHING PERMIT FEE

Whereas, the placement of drainage pipes within the street right-of-way and within platted drainage easements solely for the benefit of property owners is new in the history of City drainage activity; and

Whereas, City Ordinance #020 (Revision 12) states “Permits for lot improvement, clearing, cleaning, grading, or otherwise changing the land surface”, “existing rain water run off (drainage) pattern can not be changed without a detailed survey by a State of Texas licensed engineer which outlines a plan to prevent damage to other parties”, and “change in water runoff (drainage) requires a public hearing and approval of the Aldermen of the City of Highland Haven”; and

Whereas, City Ordinance #021 (Revision 2) states “A permit will be required for the construction or alteration of any land structure, drainage structure, or drainage easement that in any way alters the existing drainage plan and/or the surface drainage contour located within the corporate city limits. (The issuance of the permit requires the property owner to furnish the City with a Certified Engineering Drainage Survey that demonstrates or states that the modification will not adversely affect existing drainage or surface drainage contour”; and

Whereas, no stated amount permit fee is quoted within Ordinances #020 or #021 nor within City of Highland Haven Property Development Permit and Inspection Fee Schedule for emplacement of drainage pipe; and

Whereas, the Board of Aldermen, through personal observation and with the advice of the City Engineer, have determined that replacement of the deep open drainage ditch in front of lots #138 and #139 and along the drainage easement between said lots with covered pipe drainage does not alter or restrict drainage of the area and will not adversely affect other property owners; and

Whereas, the drainage system alteration, while primarily for the benefit of the two property owners, will reduce safety hazards of the right-of-way deep open ditch and will improve neighborhood appearance of the area; and


Whereas, the two property owners have agreed to payment of a permit fee, payment of all labor, materials, and equipment costs.


Be it therefore resolved by the Board of Aldermen of the City of Highland Haven, Texas that:

1. The E. Pheasant Street drainage project is approved.
2. Neither a Certified Engineering Drainage Survey nor a public hearing is required for this project.
3. A permit fee of four hundred dollars (\$400.00) is established for the project, to be split evenly between the two property owners.
4. Construction shall be in accordance with plan provided by and under supervision of the City Engineer.
5. All costs to be born by property owners. No fee will be charged for services by city officials.
6. The provisions of this project approval resolution does not set a precedence for requirements and fees of similar future projects.

Passed and approved by the Board of Aldermen of the City of Highland Haven, Texas on this the 8th day of May, 2006.

Attest:


Jeanne Ormiston, City Secretary


Roscoe L. Holt, Mayor