



City of Grand Island

Tuesday, March 8, 2016

Council Session

Item D-1

#2016-BE-2 - Consideration of Determining Benefits for 2015 Weed/Nuisance Abatement Program

Council action will take place under Ordinance item F-1.

Staff Contact: Jerry Janulewicz

Council Agenda Memo

From: Stacy R. Nonhof, Assistant City Attorney

Meeting: March 8, 2016

Subject: Determination of Benefits
2015 Weed Abatement Program

Presenter(s): Stacy R. Nonhof, Assistant City Attorney

Background

The Grand Island City Code contains a procedure for abating nuisances on properties such as excessive growths of weeds or litter. The City Code provides for owners to receive a notice to cut their weeds and grasses and if the owners do not comply with such notice, the City is authorized to do the work and bill the property owner. If the owner fails to pay the bill, the City is authorized by Section 17-38 of the City Code to levy an assessment on the property for the amount of the mowing expenses.

Discussion

The City Council, sitting as the Board of Equalization, is being asked to determine the benefits for nuisance abatement and the weed abatement program that took place during the growing season of 2015. There were a number of properties within the City of Grand Island which were not mowed after notice was given. The property owners did not respond to the notice, the City contracted to have the properties mowed or otherwise abated the nuisance, and sent a statement to the property owners for the cost of the mowing. The determination of benefits and levying of special assessments by ordinance on the properties are the next steps in the process of collecting the mowing expense. These totals do reflect a \$50.00 administrative fee charged by the City.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Determine the benefits and approve levying the assessment against the property.
2. Continue the issue to a later date.

Recommendation

City Administration recommends that the Council determine the benefits of mowing and nuisance abatement done during 2015 and levy the unpaid benefits as a lien against the properties.

Sample Motion

Move to adopt the resolution determining the special benefits of abating nuisances for the properties listed and in the amounts set forth in the resolution.

After the resolution is adopted, a separate motion to adopt the assessment ordinance will be made in the manner for adopting ordinances.

RESOLUTION 2016-BE-2

WHEREAS, pursuant to Sections 16-230 and 16-707, Neb. R.R.S. 1943, as amended, the City Clerk of the City of Grand Island, Nebraska, gave notice at least ten (10) days prior thereto by publication in a newspaper having general circulation in the City and by mail to persons whose addresses were known to her that the City Council would meet as a Board of Equalization to equalize special weed cutting assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for the purpose of assessing the costs and expenses of cutting and removing weeds, grasses, or worthless vegetation to the various lots and pieces of ground during the 2015 season, that:

1. The special benefits accruing to the real estate hereinafter described for each cutting is the actual expense thereof plus a Fifty Dollar (\$50.00) Administrative Fee as costs for the City per lot or piece of ground or any combination thereof; and

2. The several lots and pieces of ground hereinafter described are respectively benefited by reason of such weed elimination as follows:

Date Mowed	Owner	Location	Legal Description	Total
8/6/2015	Tomas Mateo-Pedro Isabele Domingo Agustin 518 W 1st St Grand Island, NE 68801	2105 E US Hwy 30 Parcel #400094703	Stehr's Sub Lot 2	175.00
5/22/2015	Daniel Kobza 2328 N Huston Ave Grand Island, NE 68803	2328 N Huston Ave Parcel #400034301 2328-2330 N Huston Ave	College Addition to West Lawn N 1/2 Lot 3 & Lot 1 Block 13	100.00
9/29/2015				300.00
7/23/2015	Jose Antonio Reyes 2834 Duane Plaza Apt 8 Bellevue, NE 68123	1 Navajo Dr Parcel #400162563	Dale Roush 3rd Sub, Lot 1	135.00
6/13/2015	Janice Leetch 511 O'Neill Cir Grand Island, NE 68801-7149	811 W 14th St Parcel # 400135167	Gilberts 2nd Add Lot 3 Block 2	195.00
8/6/2015				195.00
5/22/2015	Gary F Meyer 1221 W John St Grand Island NE 68801	1418 N Broadwell Parcel #400116812	West Lawn Sub Lot 190	70.00
5/12/2015	Jon Ostermeier 604 Yund St Grand Island, NE 68801	604 Yund St Parcel #400098458	Union Pacific Railway Co 2nd Add Lot 5 Block 145	150.00
8/21/2015				135.00

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March 4, 2016	□ City Attorney

5/8/2015	Richard & Karla Thompson	639 Joehnck Rd	Walker's Sub	135.00
6/9/2015	1407 N Kruse Ave	Parcel #400150470	Lot 2	130.00
7/20/2015	Grand Island, NE 68803-3644			130.00
9/18/2015				135.00
5/13/2015	Jorge Maciel Jr	1320 N Oak St	Wheeler & Bennett's 2nd Add	175.00
	1320 N Oak St	Parcel #400124475	N 1/2 Lt 2 & N 1/2 Lt 1	
	Grand Island, NE 68801		Block 68	
6/5/2015	Samuel M Nolte	207 E 13th St	Wheeler & Bennett's 2nd Add	250.00
9/11/2015	2300 W Capital Ave	Parcel #400124106	Lot 4 Block 62	250.00
	Grand Island, NE 68803			
6/12/2015	Roy Z Roland	1514 Louise St	Charles Wasmer's Add	135.00
	2321 Bear Run Rd	Parcel #400109166	E 42' Lot 8 Block 29	
	Arlington TX 76001-8443			
6/26/2015	Nelsen Enterprises Inc/A C	423 Industrial LN	Commerical Industrial	475.00
	C Clifton Nelsen ETAL Trustees	Parcel #400036584	Park Sub	
	11818 L St		Pt Lot 6	
	Omaha, NE 68100			
7/20/2015	James H Keane	324 N White Ave	Packer & Barr's Add	125.00
6/9/2015	324 N White Ave	Parcel #40069946	Lot 5 Block 145	125.00
	Grand Island, NE 68803			
7/1/2015	Sara A Meyers-Morehead	110 Brookline Dr	Roush's Pleasantville	135.00
8/21/2015	701 E Genoa	Parcel #400086484	Terrace Sub	145.00
5/28/2015	Ravenna, NE 68869		Lot 5	150.00
8/13/2015	Alan J Arens	561 E 19th St	Blain Add	150.00
	19876 W Capital Ave	Parcel #400019078	E 28' Lot 14 & W 33'	
	Shelton, NE 68876		Lot 13	
6/7/2015	James H Christensen	611 W 11th St	Russel Wheeler's Add	150.00
	1808 N Kruse Ave	Parcel #400120771	Lot 2 Block 22	
	Grand Island, NE 68803			
5/19/2015	Adrian & Nicolasa Mendoza	1510 N Broadwell	West Lawn Sub	125.00
	4066 Palace Dr	Parcel #400116731	S 4' Lot 183 & All Lot	
	Grand Island, NE 68803		184	
			Grand Total	4,375.00

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Adopted by the City Council of the City of Grand Island, Nebraska, March 8, 2016.

Jeremy Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ☐ _____
March 4, 2016 ☐ City Attorney