



City of Grand Island

Tuesday, May 10, 2016

Council Session

Item I-2

**#2016-120 - Consideration of Approving Resolution Directing
Property Owner to Repair Sidewalk at 103 West 3rd Street**

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Terry Brown PE, Assistant Public Works Director

Meeting: May 10, 2016

Subject: Resolution Directing Property Owner to Repair Sidewalk at 103 West 3rd Street

Presenter(s): John Collins PE, Public Works Director

Background

On March 29, 2016 Code Enforcement was notified of the sidewalk in disrepair at 103 West 3rd Street. Public Works Administration was contacted by Code Enforcement for an opinion on the condition of the sidewalk and whether repairs were necessary to make the area safe for pedestrians. Upon inspection of such sidewalk it was determined by Public Works Engineering that such sidewalk did require repair and Code Enforcement was notified of such. Contact was made with the property owner on March 30, 2016 by Code Enforcement and a copy of City Code Section 32-58 was provided and the violation explained with 30 days given to correct.

As of April 29, 2016 the necessary repairs were not made, and Public Works Administration was notified by Code Enforcement to request City Council order necessary repairs be completed.

Discussion

The Public Works Department is requesting that a resolution be passed giving the property owner 15 days to obtain the sidewalk permit and 15 days from issuance of such permit to complete the repairs of the sidewalk at 103 West 3rd Street (Lots 1 & 2, Block 66, Original Town, Grand Island, Hall County, Nebraska), as this is a public safety concern.

If the property owner fails to either obtain the sidewalk permit in the 15 day timeframe or complete the necessary repairs 15 days after such permit is issued, the City of Grand Island will take steps to make the necessary repairs with all costs being the responsibility of the property owner.

Alternatives

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

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve a resolution directing the property owner to obtain a permit and repair the sidewalk located at 103 West 3rd Street (Lots 1 & 2, Block 66, Original Town, City of Grand Island, Hall County, Nebraska).

Sample Motion

Move to approve a resolution directing the property owner to obtain a sidewalk permit and repair the sidewalk.

RESOLUTION 2016-120

WHEREAS, the City has the authority under Neb. Rev. Stat., §16-662 and Section 32-58 of the City Code, to direct the repair and replacement of sidewalks by owners of the abutting property; and

WHEREAS, the sidewalk abutting 103 West 3rd Street, legally described as Lots 1 & 2, Block 66, Original Town, City of Grand Island, Hall County, Nebraska, has been determined to be in need of repair and replacement.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that notice be sent to the property owner to obtain a sidewalk permit within 15 days and within 15 days of such permit issuance to make the necessary repairs to the sidewalk abutting the property located at 103 West 3rd Street (Lots 1 & 2, Block 66, Original Town, City of Grand Island, Hall County, Nebraska). If the property owner fails to either obtain the sidewalk permit in the 15 day timeframe or complete the necessary repairs within 15 days of such permit issuance, the City will cause the work to be done and assess the cost against the property.

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Adopted by the City Council of the City of Grand Island, Nebraska, May 10, 2016.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☒ _____
May 6, 2016	☒ City Attorney