



# City of Grand Island

Tuesday, August 9, 2016

Council Session

## Item I-3

**#2016-180 - Consideration of Approving Resolution Directing Property Owner to Repair Sidewalk at 823 West 17th Street**

Staff Contact: John Collins PE - Public Works Director

# Council Agenda Memo

**From:** Terry Brown PE, Assistant Public Works Director

**Meeting:** August 9, 2016

**Subject:** Consideration of Approving Resolution Directing Property Owner to Repair Sidewalk at 823 West 17<sup>th</sup> Street

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

## Background

On May 27, 2016 Code Enforcement was notified of the sidewalk in disrepair at 823 West 17<sup>th</sup> Street. Code Enforcement then made contact with the property owner (Vilma Segura) and provided a copy of City Code Section 32-58 regarding sidewalk construction. Property owner was given thirty (30) days to make necessary sidewalk repairs, which are shown on the attached drawing. The Americans with Disability Act (ADA) requires walkways to be smooth to within ¼", requires rises between ¼" and ½" to be beveled, and requires those greater than ½" to be removed.

As of July 8, 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 823 West 17<sup>th</sup> Street (Lot 5, Block 2, Gilberts Second Addition, Grand Island, Hall County, Nebraska), as this is a public safety concern. If requested, Public Works staff will provide onsite advice to the property owner.

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:

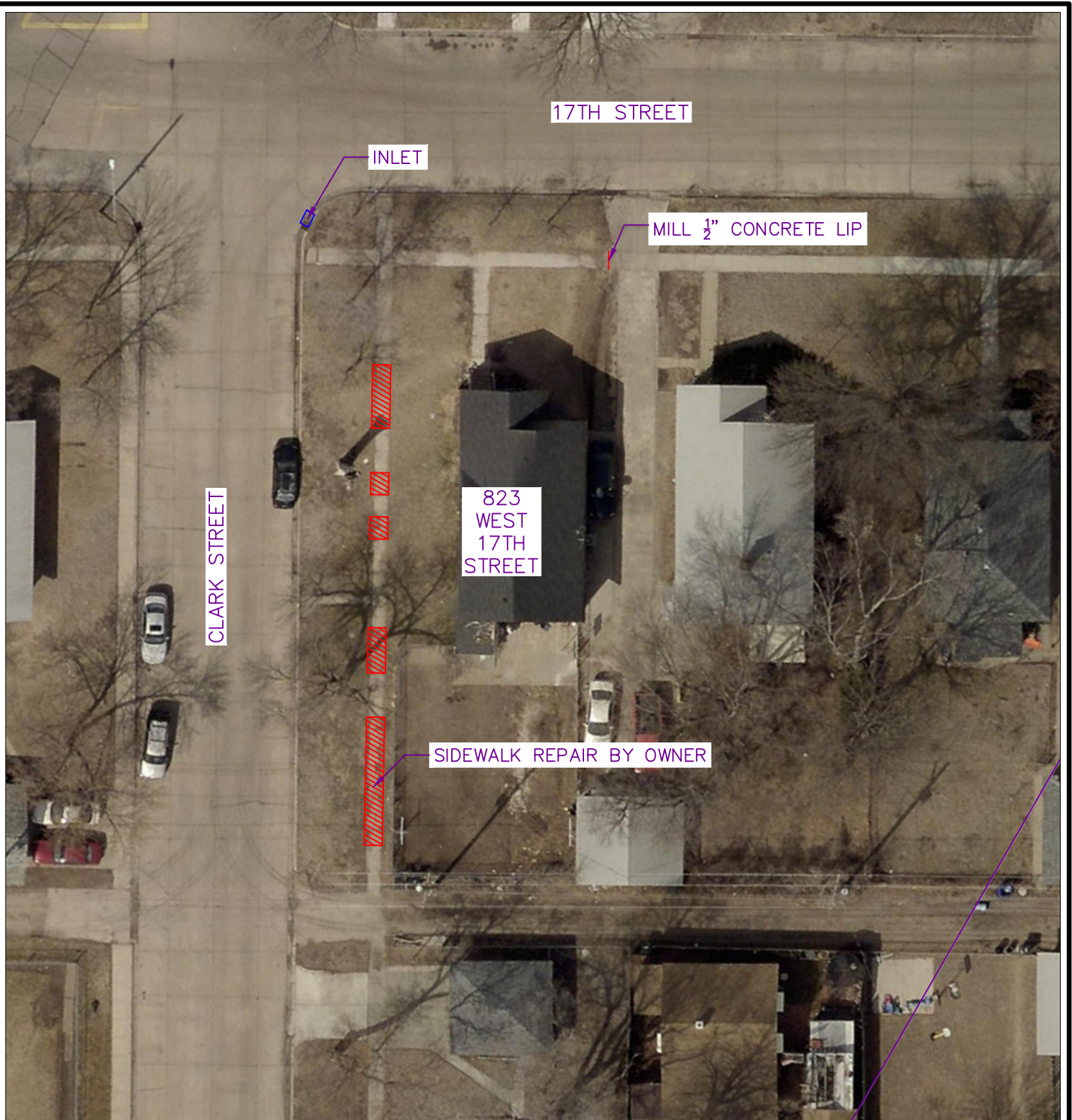
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council approve a resolution directing the property owner to obtain a permit and repair the sidewalk located at 823 West 17<sup>th</sup> Street (Lot 5, Block 2, Gilberts Second Addition, 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.



APPROXIMATELY 250 SF OF SIDEWALK REPAIR


**CITY OF GRAND ISLAND**  
**PUBLIC WORKS DEPARTMENT**

DATE: 8/01/2016  
 DRAWN BY: TAG  
 APPVD. BY: TAG  
 SCALE: 1"=30'

823 W 17TH STREET  
 SIDEWALK REPAIR

PLAN  
 1 / 1

RESOLUTION 2016-180

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 823 West 17<sup>th</sup> Street, legally described as Lot 5, Block 2, Gilberts Second Addition, 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 823 West 17<sup>th</sup> Street (Lot 5, Block 2, Gilberts Second Addition, 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, August 9, 2016.

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Jeremy L. Jensen, Mayor

Attest:

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RaNae Edwards, City Clerk

Approved as to Form	☒ _____
August 5, 2016	☒ City Attorney