



# City of Grand Island

Tuesday, September 12, 2017

Council Session

## Item I-1

**#2017-247 - Consideration of Directing Property Owner to Install Sidewalk at 4194 Norseman Avenue (Federal Home Loan Mortgage Corp.)**

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

# **Council Agenda Memo**

**From:** Keith Kurz PE, Assistant Public Works Director

**Meeting:** September 12, 2017

**Subject:** Consideration of Directing Property Owner to Install Sidewalk at 4194 Norseman Avenue (Federal Home Loan Mortgage Corp.)

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

## **Background**

Public Works Administration received a complaint on June 8, 2017 from a concerned parent regarding missing sidewalk on the west side of 4194 Norseman Avenue. When a pedestrian is walking north along Independence Avenue from Manchester Road to George Park, sidewalk is in place for public use until they reach the last leg between Norseman Avenue and the entrance to George Park. Per the Jeffrey Oaks Subdivision agreement sidewalks were to be installed when the lots were built upon.

On June 19, 2017 a letter was sent to the property owner requesting the missing sidewalk be installed no later than August 1, 2017 on the west side of 4194 Norseman Avenue. As of September 1, 2017, the requested sidewalk had not been installed at such location. Section 32-58 of the City Code, as well as Resolution No. 1997-214 approved by City Council on July 28, 1997 make the property owner responsible for installing sidewalks adjacent to their property.

## **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 installation of the sidewalk at 4194 Norseman Avenue (Lot 32, Jeffrey Oaks Subdivision, 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 install the missing sidewalk located at 4194 Norseman Avenue (Lot 32, Jeffrey Oaks Subdivision, City of Grand Island, Hall County, Nebraska).

## **Sample Motion**

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

RESOLUTION 97-214

WHEREAS, pursuant to direction of the Mayor and City Council, the City Administrator established a team of persons to study the pedestrian sidewalk system in the areas surrounding the Grand Island Mall, Conestoga Mall, Westridge and Engleman Schools; and

WHEREAS, the study team investigated current conditions and developed a recommendation concerning the need for pedestrian sidewalks and an appropriate policy for improvement of public sidewalks; and


WHEREAS, it is recommended that the Public Sidewalk Policy attached hereto as Exhibit "A" and incorporated herein by reference be adopted by the City Council in an effort to improve the quality of the City's public sidewalk system and reduce pedestrian safety concerns throughout the city.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Public Sidewalk Policy attached hereto as Exhibit "A" is hereby approved and adopted..

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Adopted by the City Council of the City of Grand Island, Nebraska, July 28, 1997.

  
Cindy K. Cartwright, City Clerk

Approved as to Form      
July 25, 1997            City Attorney

# Public Sidewalk Policy

1. Identify, prioritize, and schedule the installation of public sidewalks for serving City-owned property adjacent to curb and gutter streets.
2. Enforce existing subdivision agreements which require the installation of public sidewalks adjacent to curb and gutter streets.
3. Develop a plan and schedule in conjunction with school districts, to accommodate pedestrian sidewalks for school traffic and require the installation of sidewalks on school properties adjacent to curb and gutter streets.
4. Require the installation of public sidewalks on both sides of all new curb and gutter street construction projects where feasible. Require installation within one year following Council approval of the Engineer's Certificate of Final Completion of a Street Improvement District which includes curb and gutter. The requirement for sidewalk installation shall be included as part of the notice of street improvement district creation.
5. Request that the State Department of Roads install pedestrian sidewalks on both sides of all new State Highway projects.
6. Require staff to identify existing sidewalk gaps of one hundred fifty (150.0) feet or less and require installation.
7. Require the installation of public sidewalks where curb and gutter are present with building permits for any new principal structure on a vacant lot or tract adjacent to existing curb and gutter.

**Exhibit A**





**Missing  
Sidewalk**

**George Park**

**Engleman  
Elementary**







## RESOLUTION 2017-247

WHEREAS, the City has the authority under Section 32-58 of the City Code, as well as Resolution No. 1997-214 to direct the installation of sidewalk by owners of the abutting property; and

WHEREAS, sidewalk is missing on the west side of 4194 Norseman Avenue, legally described as Lot 32, Jeffrey Oaks Subdivision, City of Grand Island, Hall County, Nebraska.

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 install the missing sidewalk abutting the property located at 4194 Norseman Avenue (Lot 32, Jeffrey Oaks Subdivision, 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 sidewalk installation 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, September 12, 2017.

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Jeremy L. Jensen, Mayor

Attest:

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 8, 2017	☐ City Attorney