



# City of Grand Island

Tuesday, September 12, 2017

Council Session

## Item I-2

**#2017-248 - Consideration of Directing Property Owner to Remove Trees from Public Right-of-Way Adjacent to 1805 West 10th Street (Bohan)**

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 Remove Trees from Public Right-of-Way Adjacent to 1805 W 10<sup>th</sup> Street (Bohan)

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

## **Background**

On June 14, 2017, through the Citizen Request system, Code Enforcement received notice of small trees that have been planted in the public right-of-way at the southwest corner of the 10<sup>th</sup> Street and Broadwell Avenue intersection. Per the submittal the citizen states, "On the SW corner of 10th/Broadwell, there are small trees planted and when you are on 10<sup>th</sup> Street headed East you cannot safely enter the intersection because you can't see the cars coming from the south."

Code Enforcement worked the case from June 15, 2017 to July 18, 2017, with no response from the property owner. This matter was turned over to Public Works Administration for follow up and action. Upon field review and confirmation of a sight obstruction at the intersection of 10<sup>th</sup> Street and Broadwell Avenue a letter was sent to the property owner requesting removal of such trees no later than August 7, 2017. To date no action has been taken to correct this sight obstruction.

## **Discussion**

In order for the Public Works Department to handle the sight obstruction, by removing the trees, at the intersection of 10<sup>th</sup> Street and Broadwell Avenue the passing of a resolution is requested.

The removal of such sight obstruction will be assessed to the respective property.

## **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 removal of trees in the public right-of-way causing a sight obstruction at the southwest corner of the intersection of 10<sup>th</sup> Street and Broadwell Avenue.

### **Sample Motion**

Move to approve the resolution.







RESOLUTION 2017-248

WHEREAS, the City has the authority under Section 32-2 of the City Code, to direct the removal of sight obstructions by an owner of the abutting property; and

WHEREAS, there is a sight obstruction at the southwest corner of the intersection of 10<sup>th</sup> Street and Broadwell Avenue, adjacent to 1805 West 10<sup>th</sup> Street; and

WHEREAS, correcting such sight obstruction with the adjacent property owner hasn't resulted in any action.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Public Works Department is hereby directed to remove trees from the public right-of-way causing a sight obstruction at the southwest corner of the intersection of 10<sup>th</sup> Street and Broadwell Avenue, with the cost of such being assessed to the abutting 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