



# City of Grand Island

Tuesday, August 27, 2019

Council Session

## Item I-2

### **#2019-267 - Consideration of Establishing a Shared Cost Residential Sidewalk Repair Program**

Staff Contact: Jerry Janulewicz

# **Council Agenda Memo**

**From:** Jerry Janulewicz, City Administrator

**Meeting:** August 27, 2019

**Subject:** Sidewalk Repair Cost Share Program

**Presenter(s):** Jerry Janulewicz, City Administrator

## **Background**

Council Member Nickerson is requesting development of a sidewalk repair cost share program to address defective and inadequate residential sidewalks found within the city's municipal boundaries. He is proposing \$25,000 for this program be established in the Public Works Department budget for FY2019-20. The funds would be allocated within the proposed budget, not additional funds, for Public Works.

## **Discussion**

Administration is bringing this resolution before council at the request of Council Member Nickerson in order to determine whether there is council support for establishing a cost share program for residential sidewalk repairs. State Statute and City Code grant Council the power to assess to the property owner the costs of sidewalk construction and repair, but it is not mandatory that costs be assessed. The City is obligated to notify the property owner that their sidewalk is defective and in need of repair and set a time frame in which the work is to be done. The property owner who fails to make such repairs is liable for injuries suffered as a result of the defective condition.

If Council approves the proposed resolution and thereby determines that development of a cost share program should go forward, Public Works Director John Collins proposes the following program elements:

- The objective is to establish a program to repair broken or ADA deficient sidewalks adjacent to existing single family dwellings and to construct segments of sidewalks to fill in the network along streets. This program is not intended for new developments or new construction.
- \$25,000 will be budgeted the first year as the program is being established.
- Work shall be handled in the order it is identified, except that the Public Works Director may give higher priority to sidewalks where there is reason, such

as near schools and medical facilities or where ongoing work may reduce costs such as areas around the annual sidewalk ramp project.

- Construction and repairs may be performed by staff or contracted. Alternately the property owner may assume responsibility for repairs.
- When the property owner assumes responsibility for sidewalk repairs, he may be reimbursed at a rate established annually by the Public Works Director and based on the most recent bids. In general the rate shall be 50% of what the City would expect to pay for similar work. The property owner must acquire approval from the Public Works Director prior to starting any work; all work must be completed in accordance with City standards. After receiving a request, Public Works staff will inspect the site and determine what work is needed; only this work will be eligible for reimbursement. Public Works staff will inspect the work as it progresses and assess the work once it is complete; only work completed and approved by Public Works Director is eligible for reimbursement.

### **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 council consider and take action with respect to the proposed resolution.

### **Sample Motion**

Move to approve the Resolution.

RESOLUTION 2019-267

WHEREAS, various residential sidewalks found within the City are inadequate, defective, or do not comply with required standards established by the Americans with Disabilities Act; and

WHEREAS, a cost share sidewalk repair program for single family residential properties should be established by the City to improve pedestrian safety and continue efforts to comply with applicable law; and

WHEREAS, \$25,000.00 should be appropriated from within the Public Works FY2019-20 budget to initiate development of such cost share program as proposed by the Public Works Director.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that \$25,000.00 be appropriated from within the Public Works FY2019-20 budget to initiate development of a cost share sidewalk repair program for single family residential properties as proposed by the Public Works Director.

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Adopted by the City Council of the City of Grand Island, Nebraska, August 27, 2019.

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Roger G. Steele, Mayor

Attest:

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 23, 2019	☐ City Attorney