



City of Grand Island

Tuesday, June 22, 2021

Council Session

Item G-10

#2021-143 - Approving Resolution Directing Property Owner to Repair Sidewalk at 1208 N Broadwell Avenue

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 22, 2021

Subject: Resolution Directing Property Owner to Repair Sidewalk at 1208 N Broadwell Avenue

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

Background

On June 8, 2020, Public Works Administration received a Sidewalk Cost Share Program Application from Sofia A. Montanez for the property at 1208 N Broadwell Avenue. Such application was reviewed and deemed eligible for the program, with an Engineering Technician marking out the sidewalk panels that do not comply with the Americans with Disabilities Act (ADA). On June 16, 2020 an approval letter was emailed to Ms. Montanez, noting the amount the City would contribute to the necessary sidewalk repairs.

As of February 4, 2021 the necessary sidewalk repairs had not been made, therefore the matter was referred to Code Enforcement. A thirty (30) day letter was sent to the property owner on February 4, 2021 with no action taken during the given timeframe and attempts to reach the property owner in person and by phone unsuccessful. On March 12, 2021 the Code Enforcement Officer issued another notice at the property, which received a reply from the owner's daughter. There was confusion on the part of the property owner, with the thought that the City would make the necessary sidewalk repairs. The Code Enforcement Officer explained that the City doesn't do such work and it would need to be privately contracted. On March 25, 2021 the property owner's daughter notified the Code Enforcement Officer that they have not been able to find anyone to complete the work. As of April 4, 2021 the necessary repairs have not been made. Other properties have been awarded sidewalk cost share funds and have completed the necessary repairs in the time this case has been worked.

April 19, 2021 a letter was sent to the property owner concerning necessary repairs to the sidewalk at 1208 N Broadwell Avenue (Lot 16, Block 1, Boggs and Hill's Addition to the City of Grand Island, Hall County, Nebraska). The letter stated the matter of uncompleted sidewalk repairs at 1208 N Broadwell Avenue would be presented to City Council on May 11, 2021 to prevent accident or injury to citizens using the sidewalk. Section 32-58 of the City Code and Section 16-662 R.S. Nebraska Statues, make the property owner responsible for repairing sidewalks adjacent to their property.

To allow further time for the property owner to make contact with the Public Works Department for a plan regarding the sidewalk repairs a letter was sent stating the matter was rescheduled for the June 22, 2021 City Council meeting.

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 1208 N Broadwell Avenue (Lot 16, Block 1, Boggs and Hill's Addition to the City of 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:

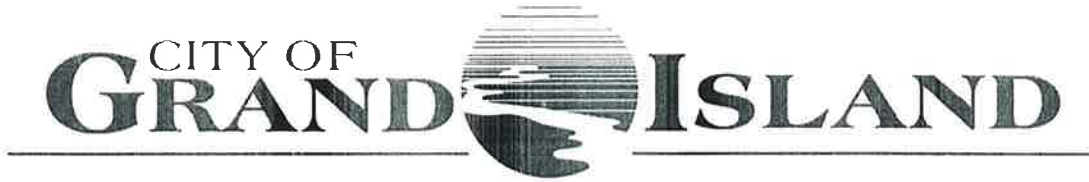
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve a resolution directing the property owner to obtain a permit and repair the sidewalk located at 1208 N Broadwell Avenue (Lot 16, Block 1, Boggs and Hill's Addition to the 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.



*Working Together for a
Better Tomorrow, Today*

June 15, 2020

Ms. Sofia A. Montanez
1208 N Broadwell Avenue
Grand Island, NE 68803

RE: Sidewalk Cost Share Program @ 1208 N Broadwell Avenue

The City of Grand Island is pleased to inform you that your application for the Sidewalk Cost Share Program has been approved.

Enclosed you will find an aerial exhibit showing the area deemed as non-compliant with the American with Disabilities Act (ADA), which the City will cost share in repairing. When you are ready to obtain quotes, or begin work, please contact our office and removals will be marked on the sidewalk showing the City cost share portion of the repairs, if desired. Below you will find the City's estimate of such work to be done, which will be reimbursed to you at 50%, or \$822.50, within thirty (30) days of completion of the project and final approved inspection.

Cost Estimate:

Description	Quantity	Unit Price	Total Price
Remove Sidewalk	235.0 s.f.	\$2.75/ s.f.	\$646.25
Build 4" Sidewalk	235.0 s.f.	\$4.25/ s.f.	\$998.75

Total= \$1,645.00

Please remember you are required to obtain a Right-of-Way permit from the Public Works Administration office prior to commencement of sidewalk work. The fee for such permit is \$25.00.

If you have any questions, or to obtain the necessary permit, please call our office at 308-385-5455.

Sincerely,

Keith Kurz, P.E.
Assistant Public Works Director

KK/CD/cd

Enclosures



3 PANELS ELIGIBLE
FOR CITY COST SHARE
(APPROXIMATELY 52 SF)

11 PANELS ELIGIBLE
FOR CITY COST SHARE
(APPROXIMATELY 183 SF)

DRIVEWAY APRONS
OUTSIDE OF PUBLIC
WALKWAYS INELIGIBLE

12TH STREET

BROADWELL AVENUE



CITY SIDEWALK COST SHARE PROGRAM

1208 NORTH BROADWELL AVENUE
GRAND ISLAND, NEBRASKA

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

RESOLUTION 2021-143

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 1208 N Broadwell Avenue, legally described as Lot 16, Block 1, Boggs and Hill's Addition to the 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 1208 N Broadwell Avenue (Lot 16, Block 1, Boggs and Hill's Addition to the 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, June 22, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☒ _____
June 17, 2021	☒ City Attorney