



City of Grand Island

Tuesday, July 9, 2013

Council Session

Item G-6

#2013-217 - Approving Resolution Directing Property Owner to Repair Sidewalk at 1141 Pleasant View Drive

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

Council Agenda Memo

From: Terry Brown PE, Manager of Engineering Services

Meeting: July 9, 2013

Subject: Resolution Directing Property Owner to Repair Sidewalk at 1141 Pleasant View Drive

Item #'s: G-6

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

Background

On September 6, 2012 a letter was sent to the property owner concerning necessary repairs to the sidewalk at 1141 Pleasant View Drive (Lot 3, Block 2, Pleasant View Twelfth Subdivision, Grand Island, Hall County, Nebraska). The letter stated these repairs needed to be made by October 5, 2012 to prevent accident or injury to citizens using the sidewalk. Section 32-58 of the City Code and Section 16-662 R.S. Nebraska Statutes, make the property owner responsible for repairing sidewalks adjacent to their property.

On September 24, 2012 the property owner indicated to the City that they would obtain estimates for these repairs. Public Works Administration was contacted by the property owner on October 2, 2012 and notified the repairs would be completed by December 5, 2012.

As of May 24, 2013 the necessary repairs were not made, therefore the attached letter was sent via certified mail to the property owner on May 28, 2013. The property owner claimed the letter on May 30, 2013.

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 1141 Pleasant View Drive (Lot 3, Block 2, Pleasant View Twelfth 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 repair the sidewalk located at 1141 Pleasant View Drive (Lot 3, Block 2, Pleasant View Twelfth 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 repair the sidewalk.



May 28, 2013

*Working Together for a
Better Tomorrow. Today.*

Julie Nickerson
18906 E Briargate Ln Apt 2A
Parker, CO 80134-3654

RE: Sidewalk at 1141 Pleasant View Drive, Grand Island, NE
Lot 3, Block 2, Pleasant View Twelfth Subdivision

On September 6, 2012 a letter was sent to you concerning necessary repairs to the sidewalk at 1141 Pleasant View Drive in Grand Island, NE. The letter requested the repairs be completed by October 5, 2012.

On September 24, 2012 you indicated to the City that you would obtain estimates for these repairs. You then called our office on October 2, 2012 stating the repairs would be completed by December 5, 2012.

As of January 8, 2013 the necessary repairs had not been made, therefore the matter was scheduled to be presented to City Council on February 12, 2013. Due to the unfavorable weather to make such repairs the matter was delayed.

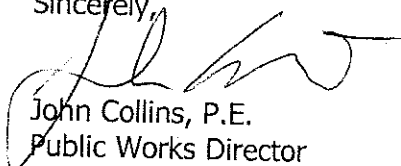
As of May 24, 2013 the sidewalk has not been repaired, therefore the matter will be presented to City Council on July 9, 2013 asking for a Resolution to direct you to obtain a sidewalk permit within 15 days. Should the resolution pass & you fail to obtain the sidewalk permit within 15 days or to complete the sidewalk repairs within 15 days of the permit issuance the City will cause the work to be done and assess the cost against the property.

You will need to obtain a sidewalk permit from our office prior to the start of the work.

If you have any questions please feel free to call our office at 308-385-5444, extension 260.

Thank you, in advance, for your prompt attention to this matter.

Sincerely,



John Collins, P.E.
Public Works Director

JC/CD/cd

Enclosures

C: City Attorney

RESOLUTION 2013-217

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 1141 Pleasant View Drive, legally described as Lot 3, Block 2, Pleasant View Twelfth Subdivision, 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 1141 Pleasant View Drive (Lot 3, Block 2, Pleasant View Twelfth 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 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, July 9, 2013.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☒ _____
July 8, 2013	☒ City Attorney