



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item G13

**#2009-136 - Approving Resolution Directing Property Owner to
Install Sidewalk at 2915 Lee Street**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: June 9, 2009

Subject: Resolution Directing Property Owner to Install Sidewalk at 2915 Lee Street

Item #'s: G-13

Presenter(s): Steven P. Riehle, Public Works Director

Background

The property owner at 2915 Lee Street built a circle drive and a public sidewalk was not installed between the circle drive.

On May 14, 2009 a letter was sent to Sean L. and Mikki M. McNelis concerning required sidewalk installation at 2915 Lee Street (Lot 1, Northview Fourth Subdivision, City of Grand Island, Hall County, Nebraska), per both the subdivision agreement and the building permit. The letter stated the sidewalk installation needed to be completed by June 1, 2009.

Letters were also sent to the property owners, by the Building Department, on August 14, 2008, September 18, 2008 and December 17, 2008 requesting completion of the building inspections for full compliance with the building permit.

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 install the sidewalk at 2915 Lee Street (Lot 1, Northview Fourth Subdivision, City of Grand Island, Hall County, Nebraska), as this is required by the signed subdivision agreement.

If the property owner fails to either obtain the sidewalk permit in the 15 day timeframe or complete the required sidewalk installation 15 days after such permit is issued, the City of Grand Island will take steps to make the required installation 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 install sidewalk on the property located at 2915 Lee Street (Lot 1, Northview Fourth Subdivision, City Of Grand Island, Hall County, Nebraska).

Sample Motion

Move to approve a resolution directing the property owner to obtain a sidewalk permit within 15 days and within 15 days of such permit issuance to complete the required sidewalk installation on the property located at 2915 Lee Street (Lot 1, Northview Fourth Subdivision, City of Grand Island, Hall County, Nebraska) and if the property owner fails to do so, the City will have the work done and assess the property.

RESOLUTION 2009-136

WHEREAS, the City has the authority under Neb. Rev. Stat., § 16-662, to direct the repair and replacement of sidewalks by owners of the abutting property; and

WHEREAS, the property owner of 2915 Lee Street, legally described as Lot 1, Northview Fourth Subdivision, City of Grand Island, Hall County, Nebraska, is required per the subdivision agreement to install sidewalk.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that notice be sent to Sean M. and Mikki L. McNelis to obtain a sidewalk permit within 15 days and within 15 days of such permit issuance to make the required sidewalk installation on the property located at 2915 Lee Street (Lot 1, Northview Fourth 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 required 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 at a later date.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 9, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 4, 2009	☐ City Attorney