



City of Grand Island

Tuesday, February 24, 2015

Council Session

Item D-1

**#2015-BE-1 – Consideration of Determining Benefits for 2010, 2013
& 2014 Weed/Nuisance Abatement Program**

Staff Contact: Stacy Nonhof, Assistant City Attorney

Council Agenda Memo

From: Stacy R. Nonhof, Assistant City Attorney

Meeting: February 24, 2015

Subject: Determination of Benefits
2010, 2013 & 2014 Weed Abatement Program

Item #'s: D-1 & F-2

Presenter(s): Stacy R. Nonhof, Assistant City Attorney

Background

The Grand Island City Code contains a procedure for abating nuisances on properties such as excessive growths of weeds or litter. The City Code provides for owners to receive a notice to cut their weeds and grasses and if the owners do not comply with such notice, the City is authorized to do the work and bill the property owner. If the owner fails to pay the bill, the City is authorized by Section 17-38 of the City Code to levy an assessment on the property for the amount of the mowing expenses.

Discussion

The City Council, sitting as the Board of Equalization, is being asked to determine the benefits for nuisance abatement and the weed abatement program that took place during the growing seasons of 2010, 2013 and 2014. There were a number of properties within the City of Grand Island which were not mowed after notice was given. The property owners did not respond to the notice, the City contracted to have the properties mowed or otherwise abated the nuisance, and sent a statement to the property owners for the cost of the mowing. The determination of benefits and levying of special assessments by ordinance on the properties are the next steps in the process of collecting the mowing expense.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Determine the benefits and approve levying the assessment against the property.

2. Continue the issue to a later date.

Recommendation

City Administration recommends that the Council determine the benefits of mowing and nuisance abatement done during 2010, 2013 and 2014 and levy the unpaid benefits as a lien against the properties.

Sample Motion

Move to adopt the resolution determining the special benefits of abating nuisances for the properties listed and in the amounts set forth in the resolution.

After the resolution is adopted, a separate motion to adopt the assessment ordinance will be made in the manner for adopting ordinances.

R E S O L U T I O N 2015-BE-1

WHEREAS, pursuant to Sections 16-230 and 16-707, Neb. R.R.S. 1943, as amended, the City Clerk of the City of Grand Island, Nebraska, gave notice at least ten (10) days prior thereto by publication in a newspaper having general circulation in the City and by mail to persons whose addresses were known to her that the City Council would meet as a Board of Equalization to equalize special weed cutting assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for the purpose of assessing the costs and expenses of cutting and removing weeds, grasses, or worthless vegetation to the various lots and pieces of ground during the 2010, 2013 and 2014 seasons, that:

1. The special benefits accruing to the real estate hereinafter described for each cutting is the actual expense thereof as costs for the City per lot or piece of ground or any combination thereof; and

2. The several lots and pieces of ground hereinafter described are respectively benefited by reason of such weed elimination as follows:

| Date Mowed | Owner | Location | Legal Description | Total |
|------------|--|--------------------------------------|---|--------|
| 8/23/2010 | Jose Antonio Reyes 4012 W Faidley Ave Grand Island, NE 68803 | 1 Navajo Dr Parcel #400162563 | Dale Roush 3rd Sub, Lot 1 | 125.00 |
| 9/20/2010 | Janice Leetch | 811 W 14th St | Gilberts 2nd Add Lot 3 Block 12 | 125.00 |
| 6/27/2013 | 1906 W 8th St | Parcel # 400135167 | | 135.00 |
| 10/15/2014 | Hastings, NE 68901 | | | 350.00 |
| 6/24/2013 | L & P Investments LLC 429 Industrial Ln Grand Island, NE 68803 | 809 S Locust St Parcel #400148110 | Section 22-11-9 66' x132' xc City | 125.00 |
| 8/22/2013 | K-M Partnership LLP PO BOX 2339 Grand Island, NE 68802-2239 | 825 Custer Ave Parcel #400071588 | Medical Park 8th Sub Lot 3 | 170.00 |
| 6/27/2013 | Charles and LeAnn Joseph 707 W 10th St Grand Island, NE 68801 | 707 W 10th St Parcel #400029944 | HG Clarks Addition Lot 2 Block 5 | 120.00 |
| 6/26/2013 | Daniel Kobza | 2330 N Huston Ave | College Addition to West Lawn N 1/2 Lot 3 & all | 125.00 |
| 7/17/2014 | 2328 N Huston Ave | Parcel #400034301 | Lot 1 Block 13 | 275.00 |

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| Approved as to Form <input type="checkbox"/> _____ February 20, 2015 <input type="checkbox"/> City Attorney |
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| 10/2/2014 | Grand Island, NE 68803 | | | 150.00 |
| 7/4/2013 | Herman Zalud III 715 W 12th St Grand Island, NE 68801 | 422 E 10th St Parcel #400121905 | Russel Wheeler's Add Lot 10 Block 31 | 125.00 |
| 7/4/2013 | Genaro Guardiola 3203 E Highway 30 Grand Island, NE 68801 | 1122 E 5th St Parcel # 400128591 | Evans Add Lots 9 & 10 Block 7 | 125.00 |
| 7/15/2013 | Samuel M Nolte | 207 E 13th St | Wheeler & Bennett's 2nd Add Lot 4 Block 62 | 130.00 |
| 7/14/2014 | 2300 W Capital Ave Grand Island, NE 68803 | Parcel #400124106 | | 115.00 |
| 8/26/2013 | Clemente & Maricela Arellano 1706 N Park Ave Grand Island, NE 68803 | 1706 N Park Ave Parcel #400115638 | West Lawn Sub Lot 70 | 125.00 |
| 8/7/2013 | Nelsen Enterprises Inc/A C | 400 Industrial LN | Commerical Industrial Park Sub Lot 6 | 850.00 |
| 6/18/2014 | C Clifton Nelsen ETAL Trustees | Parcel #400036584 | | 400.00 |
| 8/30/2014 | 11818 L St Omaha, NE 68100 | | | 350.00 |
| 7/30/2014 | Larry D & Amanda M Gydesen 239 S Plum St Grand Island, NE 68801 | 239 S Plum St Parcel #400054361 | Koehler Place Lot 6 Block 1 | 450.00 |
| 8/22/2014 | Craig O Woodward 819 Stockyards Ln Grand Island, NE 68801 | 803 N Shady Bend Rd Parcel #400206315 | Shady Bend 3rd Sub Lot 2 | 275.00 |
| 8/15/2014 | Roberto Parra 111 E Charles Grand Island NE 68801 | 309 E 2nd St Parcel #400006499 | Original Town E 38' Lot 3 Block 76 | 190.00 |
| 6/16/2014 | Jacob & Kayla Sanchez 3214 Westside Grand Island, NE 68803 | 3214 Westside Parcel #400049422 | Island Acres Number 7 Lot 40 | 100.00 |
| 7/1/2014 | US Bank National Association 4801 Frederica St Owensboro, KY 42301 | 417 W Koenig Parcel #400080931 | Railroad Add Lot 3 Block 104 | 115.00 |
| 8/15/2014 | Jeremy J & Latona L Titman | 310 N Cherokee Ave | Dale Roush 2nd Sub Lot 3 Block 3 | 425.00 |

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| | 310 N Cherokee Ave Grand Island, NE 68803 | Parcel #400163004 | | |
| 8/21/2014 | GI Walnut LLC 217 S 74th St Ste 201 Omaha, NE 68114 | 413 W 4th St Parcel #400003287 | Original Town N 44' Lt 1 & N 44' Lt 2 Block 39 | 125.00 |
| 9/16/2014 | James C Ryan PO Box 175 Wolbach, NE 68882 | 3530 Curran Ave Parcel #400023571 | Bosselman 2nd Sub Lot 27 | 165.00 |
| 9/16/2014 | James C Ryan PO Box 175 Wolbach, NE 68882 | 2712 N Diers Ave Parcel #400023601 | Bosselman 2nd Sub Lot 29 xc S 20' | 185.00 |
| 10/31/2014 | Joseph R Vitali & Heather E Brodigan 913 N Sycamore St Grand Island NE 68801 | 913 N Sycamore Parcel #400098075 | Union Pacific Railway Co S 2nd Add S 43' Lot 4 Block 141 | 135.00 |
| 10/15/2014 | Bank Of America NA 7105 Corporate Dr Plano, TX 75024 | 2422 N Taylor Ave Parcel #400076810 | Pepper Square Sub Lots 3 & 4 | 140.00 |
| 10/15/2014 | Marty & Maureen Hulse 1014 W 4th St Grand Island, NE 68801 | 1014 W 4th St Parcel #400085224 | Rollins Add Lot 8 Block 14 | 150.00 |
| 10/31/2014 | Jesus Garcia 314 E Division Grand Island NE 68801 | 314 E Division Parcel #400007576 | Original Town W 1/2 Lot 7 Block 93 | 145.00 |
| 11/18/2014 | Clemente & Maricella Arellano 1706 N Park Ave Grand Island NE 68803 | 1706 N Park Ave Parcel # 400115638 | West Lawn Sub Lot 70 | 125.00 |
| 6/5/2014 | Abigail Martin 234 S Shady Bend Rd Grand Island NE 68801 | 234 S Shady Bend Rd Parcel #400086921 | Sass' Sub, S 1/4 of Lts 1-2-3-4 & E 5.6' of Lot 24 Sass 2nd Sub | 120.00 |
| 6/4/2014 | Theodore J Robb 2811 S Locust St. Grand Island NE 68801 | 703 S Webb Rd Parcel # 400036622 | Commerical Industrial Sub Lot 9 | 140.00 |
| 6/4/2014 | Theodore J Robb 2811 S Locust St. Grand Island NE 68801 | 603 S Webb Rd Parcel # 400036592 | Commerical Industrial Park Sub S 188.6' of Lot 8 | 140.00 |

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| 10/6/2014 | Jimmy Sleeper 409 Arapahoe Grand Island NE 68803 | 409 Arapahoe Parcel #400162962 | Dale Roush 2nd Sub Lot 11 Block 2 | 314.00 |
| | | | Grand Total | 7,359.00 |

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Adopted by the City Council of the City of Grand Island, Nebraska, February 24, 2015.

Jeremy Jensen, Mayor

Attest:

RaNae Edwards, City Clerk