



City of Grand Island

Tuesday, April 27, 2010

Council Session

Item D1

**#2010-BE-1 - Consideration of Determining Benefits for 2009
Weed and Nuisance Special Assessments**

Staff Contact: Mary Lou Brown

Council Agenda Memo

From: Mary Lou Brown, Finance Director

Meeting: April 27, 2010

Subject: Determination of Benefits
2009 Weed Abatement Program

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

Presenter(s): Mary Lou Brown, Finance Director

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 season of 2009. 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 2009 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 2010-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 2009 season, that:

1. The special benefits accruing to the real estate hereinafter described for each cutting is the actual expense thereof plus \$50.00 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:

Owner	Location	Legal Description	Total
Martin Cortez 1304 Geddes Street Grand Island, NE 68801	1304 N. Geddes	Frank P Barks Sub. No 3 Lot 46	\$216.50
M & L Investments LLC 1819 N. Custer Avenue Grand Island, NE 68803	917½ W. 12 th Street	Russel Wheeler's Addition S 52' of Lot 4 Block 49	117.50
William E. McIntosh Thomas Wroblewski 610 N. Darr Avenue #109 Grand Island, NE 68803	1823 N. Lafayette	Scarff's Addition to West Lawn Lot 8 Block 16	115.00
Jose Moran PO Box 1442 Grand Island, NE 68802	409 E. 13 th Street	Wheeler & Bennett's 2 nd Addition Lot 4 Block 64	75.00
Nelsen Enterprises Inc/AC C Clifton Nelsen Etal Trustees 11818 L Street Omaha, NE 68100	400 Industrial Lane	Commercial Industrial Park Sub. Lot 6	175.00
Jason D. Parmenter 2720 N. Webb Road Grand Island, NE 68803	712 W. 15 th Street	Schimmer's Addition Lot 9 Block 14	110.00
Delno L. Pedersen, Deceased Michael S. Pedersen, Heir 2325 N. Lafayette Avenue Grand Island, NE 68803	618 S. Elm Street	Wiebe's Addition S½ of N½ Lot 8 Block 9	185.00
Juanita Roman Life Estate Robert S. & Frank S. Roman 808 E. 5 th Street Grand Island, NE 68801	808 E. 5 th Street	Evans Addition Lot 7 Block 4	115.00
	808 E. 5 th Street	Evans Addition Lot 7 Block 4	115.00

Approved as to Form <input type="checkbox"/> _____ April 21, 2010 <input type="checkbox"/> City Attorney

Gonzalo Soto 224 E. 4 th Street Grand Island, NE 68801	503 E. 5 th Street	Nagy's Addition Lot 4 Block 26	151.25
Gary E. & Mary G. Valasek 4321 Michigan Avenue Grand Island, NE 68803	4223 Shanna Street	Western Heights 6 th Sub. Lot 1	75.00
	1508 Independence Avenue	American Independence Sub. Lot 8	85.00
	1604 Lariat Lane	American Independence Sub. Lot 2	85.00
Vanguard Properties LLC 3811 29 th Avenue, Ste. 5 Kearney, NE 68845	4016 Northview Drive	Northview 3 rd Sub. Lot 3	115.00
James J. Wiltgen PO Box 1835 Kearney, NE 68848	2210 N. Webb Rd.	Grand Island Mall 15 th Sub Lot 1	750.00

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Adopted by the City Council of the City of Grand Island, Nebraska, April 27, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk