



City of Grand Island

Tuesday, August 24, 2010

Council Session

Item I3

**#2010-233 - Consideration of Resolution Directing Property
Owner to Repair Sidewalk at 503 E Yund Street**

Staff Contact: Steve Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: August 24, 2010

Subject: Resolution Directing Property Owner to Repair Sidewalk at 503 E Yund Street

Item #'s: I-3

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

Background

On October 19, 2009 a letter was sent to the property owner concerning necessary repairs to the sidewalk at 503 E Yund Street (Fractional Lot 4, Block 151, Union Pacific Railway Co's Second Addition to the City of Grand Island, Hall County, Nebraska). The letter stated these repairs needed to be made by November 3, 2009 to prevent accident or injury to citizens using the sidewalk. The property owner was given time to get the work completed within a reasonable construction timeframe, but no action has been taken. A final letter was sent to the property owner on July 22, 2010 advising them that council would consider a resolution ordering them to install the sidewalk at the August 24, 2010 council meeting. 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.

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 503 E Yund Street (Fractional Lot 4, Block 151, Union Pacific Railway Co's Second 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

Public Works Administration recommends that the Council approve a resolution directing the property owner to obtain a permit within 15 days and repair the sidewalk located at 503 E Yund Street (Fractional Lot 4, Block 151, Union Pacific Railway Co's Second Addition to the City of Grand Island, Hall County, Nebraska) within an additional 15 days.

Sample Motion

Move to approve a resolution directing the property owner to obtain a sidewalk permit and repair the sidewalk.

RESOLUTION 2010-233

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 sidewalk abutting 503 E Yund Street, legally described as Fractional Lot 4, Block 151, Union Pacific Railway Co's Second 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 503 E Yund Street (Fractional Lot 4, Union Pacific Railway Co's Second 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, August 24, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 19, 2010	☐ City Attorney