



# City of Grand Island

Tuesday, August 07, 2007

Special Council Session

## Item G9

**#2007-183 - Approving Setting Board of Equalization Date for  
Annual Mowing Assessments**

Staff Contact: Wes Nespor, Assistant City Attorney

# Council Agenda Memo

**From:** Dave Springer, Finance Director

**Meeting:** August 7, 2007

**Subject:** Approving Setting the Board of Equalization Date for Annual Mowing Assessments

**Item #'s:** G-9

**Presenter(s):** Dave Springer, Finance Director

## Background

State Statutes required that First Class Cities shall meet in June annually to address any special assessments that have not otherwise been provided for by setting a date for a Board of Equalization and subsequent levies.

## Discussion

The only assessments we are aware of that need action are for mowing and weed control on properties wherein the owners, after proper notification, failed to act and the City was forced to have mowing and weed control services done at the City's expense. The Council, meeting as a Board of Equalization, on July 24, 2007 voted to assess those expenses back to the property owners. Unfortunately, City administration had not published a public notice as is required. Thus, the Council is again asked to sit as a Board of Equalization to determine the benefits of these actions on August 28, 2007.

## 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 sit as a Board of Equalization on August 28, 2007 to determine the benefits of mowing and weed control actions undertaken by the City. .

## **Sample Motion**

Motion to approve August 28, 2007 for Council to sit as a Board of Equalization for mowing and weed control assessments.

R E S O L U T I O N 2007-183

WHEREAS, pursuant to Article III of Chapter 17 of the Grand Island City Code, for reason of the failure of the owners, agents, occupants, or persons in possession, charge, or control of lots, tracts, or parcels of land in the City to comply with the notices of the City Council in regard to the cutting and removing of weeds and other rank growth of vegetation, such weeds and other rank growth of vegetation were caused to be removed by the City, and the actual expenses thereof have been audited and paid by the City; and

WHEREAS, the owners, agents, occupants, or persons in possession, charge or control of lots, tracts or parcels of land whereon such weeds and other rank growth of vegetation were caused to be cut by the City and are in default of payment of the expenses and costs incurred by the City therefore; and

WHEREAS, the Finance Department for the City has reported the expenses and costs of such weed cutting to the City Council and recommends that the City Council sit as a Board of Equalization to assess the expenses and costs thereof to the respective lots, tracts, or parcels of land.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that:

1. The report of the Finance Department for the City pertaining to the cutting of weeds and other rank growth of vegetation is hereby accepted.
2. The City Council shall sit as a Board of Equalization to determine the benefits of such weed cutting on August 28, 2007 at 7:00 p.m.
3. The City Clerk shall give notice, as required by Section 16-707, R.R.S. 1943, as amended, by one publication in the Grand Island Independent that the City Council will sit as a Board of Equalization on the date and time set forth above, at least ten (10) days prior thereto; and further, that the City Clerk, within five (5) days after the date of publication of the above notice and 10 days prior to the meeting, shall send by U.S. mail, a copy of the published notice to each and every party appearing to have a direct legal interest in such proceeding whose name and post office addresses are known, in accordance with the provisions of Section 25-520.01, R.R.S. 1943, as amended.

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Adopted by the City Council of the City of Grand Island, Nebraska, August 7, 2007.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 2, 2007	☐ City Attorney