

COUNCIL ACTION FORM

SUBJECT: COST ASSESSMENTS FOR SIDEWALK REPAIR/REPLACEMENT

BACKGROUND:

Property owners are required by law to maintain the sidewalks abutting their properties. When unsafe conditions are brought to the City's attention, the property owner is notified of the need to repair or replace the unsafe section. If the sidewalk safety issue is still not addressed, the City arranges for the sidewalk to be repaired or replaced. The cost of that work is then assessed to the property owner.

A contractor hired by the City has repaired and/or replaced sidewalks on the properties listed below. Also shown are the names and addresses of the property owners and the costs associated with the sidewalk work. Bills for this work have been mailed to the respective property owners and, to date, the bills have not been paid. A certified notice of this hearing has been mailed to the property owners.

Russell Hesson	\$2,360.00
218 22 nd Street	
Ames, IA 50010	
Sidewalk replacement for property located at 218 22 nd Street	
Date of Service: November 9, 2012	

Larry Sorenson	\$ 950.00
1911 Clark Avenue	
Ames, IA 50010	
Sidewalk replacement for property located at 1911 Clark Avenue	
Date of Service: December 12, 2012	

In order to recoup the City's expense in making these repairs, the City Council can adopt a resolution assessing the costs to the property owners shown on the above list. The Finance Director will then prepare a spread sheet on the assessments, and the City Clerk's Office will file the assessments with the Story County Treasurer for collection in the same manner as property taxes as provided for by the *Code of Iowa*.

As a reminder, on December 11, 2012, the City Council referred the request of Russell Hesson to the Finance Director to spread the sidewalk assessment for 218-22nd Street over a period of up to ten annual installments.

ALTERNATIVES:

1. The City Council can adopt a resolution assessing the costs to the property owners shown above and initiate recovery of these costs from the respective property owners.
2. The City Council can choose to not initiate a recovery of these costs.

MANAGER'S RECOMMENDED ACTION:

The City's longstanding policy is to require abutting property owners to maintain sidewalks adjacent to their properties. When that is not done, the City maintains safe public passage by carrying out the repairs or replacement and by then assessing those costs to the respective property owners.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting a resolution assessing the costs of the sidewalk repair to the property owners shown above.

COUNCIL ACTION FORM

SUBJECT: ASSESSMENT OF COSTS FOR SNOW AND ICE REMOVAL

BACKGROUND:

After a snowfall, abutting property owners have the responsibility of removing snow and ice accumulations from the sidewalks. According to the *Municipal Code*, owners must remove these accumulations within 10 daylight hours after the storm has stopped. If, after that time, sidewalks remain uncleared, the City may remove accumulations and assess the actual cost of the removal to the property owner.

This action is performed on a complaint basis. Once a complaint has been received, notice is given to the abutting property owner that the City will clear the sidewalks if the owner has not done so within 24 hours of that notice.

A hired contractor has removed snow and/or ice at the properties listed below. Also included in the list are the names and addresses of the property owners and the costs associated with the snow/ice removal. Bills have been mailed to these individuals; and to date the bills have not been paid. A certified notice of this hearing was mailed to the respective property owners.

Eric Freund 5002 Clemens Boulevard Ames, IA 50014 Snow/Ice removal at 5002 Clemens Boulevard Date of Service: January 3, 2013	\$ 125.00
Travis Huse 429 Hayward Avenue Ames, IA 50014 Snow/Ice removal at 429 Hayward Avenue Date of Service: December 28, 2013	\$ 143.75
Linda C. Angle 308 South 3 rd Street Ames, IA 50010 Snow/Ice removal at 308 South 3 rd Street Date of Service: December 28, 2013	\$ 137.50

To proceed with recovery of these costs, the City Council must adopt a resolution assessing the costs of the snow/ice removal to the property owners shown above. The Finance Director will then prepare a spread sheet on these assessments, and the City Clerk's Office will file the assessments with the Story County Treasurer for collection in

the same manner as property taxes as provided for by the *Code of Iowa*.

ALTERNATIVES:

1. The City Council can adopt a resolution assessing the costs to the property owners shown above and initiate recovery of these expenses from the respective property owners.
2. The City Council can choose to not initiate a recovery of these costs.

MANAGER'S RECOMMENDED ACTION:

These property owners failed to clear their sidewalks even after receiving notice to do so, and have neglected to pay the costs incurred by the City in making their sidewalks safe for public use.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby assessing the costs of the snow/ice removal to the property owners shown above.