

**COUNCIL ACTION FORM**

**SUBJECT: NUISANCE ASSESSMENTS – SNOW AND ICE REMOVAL**

**BACKGROUND:**

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

Other than for the pilot area that the Council has designated near the ISU Campus, this action is performed on a complaint basis. (In the Council designated area, no complaint is necessary to initiate the inspection. Staff surveys this area after each storm.) 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.

City staff 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. The work was completed, and bills have been mailed to these individuals. To date, the bills have not been paid. A certified notice of this hearing was mailed to the property owners.

Wilmer Peter 519 Marvick Avenue Story City, IA 50248 Snow/ice removal for property located at 2820 Lincoln Way Date: December 30, 2010	\$ 88.95
Walter Hudyma 2905 Wood Street Snow/ice removal for property located at 2905 Wood Street Date: December 30, 2010	\$ 80.50
Convenience Stores Leasing 4455 Acre View Ct. Brookfield, WI 53005 Snow/ice removal for property located at 326 Lincoln Way Date: December 30, 2010	\$ 284.85
Ivan Hanthorn 2214 Storm Street Snow/ice removal for property located at 2214 Storm Street Date: December 30, 2010	\$ 80.50

Trina Schey 1122 Grand Avenue Snow/ice removal for property located at 1122 Grand Avenue Date: December 30, 2010	\$ 122.00
David M. Warren 2927 Somerset Drive Snow/ice removal for property located at 2927 Somerset Drive Date: December 30, 2010	\$ 98.50
Sandy Arrasmith 1320 Grand Avenue Snow/ice removal for property located at 1320 Grand Avenue Date: January 25, 2011	\$ 111.00
ISU Chapter of Triangle, Inc. c/o Nate Engle 6216 Magda Drive, Unit A Maple Grove, MN 55369 Snow/ice removal for property located at 125 North Hyland Avenue Date: January 25, 2011	\$ 141.50
Robert Venes 2006 Taylor Circle Snow/ice removal for property located at 2006 Taylor Circle Date: February 11, 2011	\$ 136.00
U.S. Bank National Association c/o Home Servicing Corporation 701 Corporate Center Drive Raleigh, NC 27607 Snow/ice removal for property located at 4404 Todd Drive Date: February 11, 2011	\$ 154.00

**ALTERNATIVES:**

1. The City Council can adopt a resolution assessing the costs of the snow/ice removal to the property owners shown on the above list. 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*.
2. The City Council can choose not to certify these costs to the County Treasurer and, instead, absorb the costs.

**MANAGER'S RECOMMENDED ACTION:**

These property owners failed to clear their sidewalks even after receiving notice to do so, and have not paid 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.