

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE LA VISTA CITY CLERK TO FILE WITH THE SARPY COUNTY TREASURER A SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS AT LOCATION AND IN AMOUNT CITED HEREIN.

WHEREAS, the property owners of
7205 S. 78th Street \$403.83
were notified that the sidewalk needed to be repaired on their property as they were in violation of the City Municipal Code, Section 93.018, or the City would do so and bill them accordingly, and

WHEREAS, the property owners of said addresses chose not to repair the sidewalk, thus necessitating the City to do the repairs, and

WHEREAS, the City sent the property owners a bill for said repair upon which have not been paid, and

WHEREAS, the City may file a Special Assessment for Improvements against property for which a City bill for services has not been paid.

NOW THEREFORE BE IT RESOLVED, that the La Vista City Clerk is hereby authorized to file with the Sarpy County Treasurer Special Assessments for Improvements in the amount and against the property specified above, located within Sarpy County, La Vista, Nebraska.

PASSED AND APPROVED THIS 21ST DAY OF JUNE 2022

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, MMC
City Clerk



May 5, 2022

Tom & Vanessa Szynskie
1111 Surrey Road
Papillion, NE 68046

RE: 7205 S 78th Street – La Vista

Dear Tom & Vanessa Szynskie,

On October 14, 2021, the property at 7205 S 78th Street in La Vista, NE was in violation of the City of La Vista's Municipal Code, Section 93.018: sidewalk maintenance and notification was made to correct the violation by October 29, 2021, or the city would correct it at the expense of the property owner. On April 5, 2022, and April 6, 2022, the Public Works Department repaired the sidewalk in front of this property. The cost of \$403.83 was incurred by the City for the work. The cost breakdown is as follows:

Sidewalk Repair Costs

Two workers – 7 hours	\$	142.94
Mileage – 34 miles @ 58.5 cents	\$	19.89
Equipment Cost - 3.5 hours @ \$26.00	\$	91.00
Material Costs - 1/4 yd of concrete	\$	150.00

TOTAL \$ 403.83

Please remit \$403.83, payable to the City of La Vista, 8116 Park View Blvd., La Vista, Nebraska 68128, within 30 days. If payment is not received within 30 days of issuance of this statement, the City Council will, on June 21, 2022, take action to file the above referenced cost with the Sarpy County Treasurer as a special assessment for improvements against your property.

Thank you for your attention to this matter.

Sincerely,


Pamela A. Buethe, MMC
City Clerk

City Hall
8116 Park View Blvd.
La Vista, NE 68128-2198
402.331.4343 P
402.331.4375 F

Community Development
8116 Park View Blvd.
402.593.6400 P
402.593.6445 F

Library
9110 Giles Rd.
402.537.3900 P
402.537.3902 F

Police
7701 S. 96th St.
402.331.1582 P
402.331.7210 F

Public Works
9900 Portal Rd.
402.331.8927 P
402.331.1051 F

Recreation
8116 Park View Blvd.
402.331.3455 P
402.331.0299 F



ABATED
BY P.W.
4-6-22

La Vista Police Department – Code Enforcement

7701 South 96th Street • La Vista, NE 68128
Telephone: (402) 331-1582 • CodeEnf@cityoflavista.org

October 14, 2021

Szynskie, Tom & Vanessa
1111 SURREY RD
Papillion, NE 68046

RE: Code Violation – 7205 S 78TH ST

Dear Resident and/or Property Owner:

The City of La Vista is committed to maintaining quality neighborhoods and an excellent community environment. Our citizens expect us to do everything we can in this regard.

A recent inspection by Code Enforcement has revealed the following violation(s) of the City of La Vista Municipal Code and/or Zoning Ordinance.

NOTED VIOLATION: Yellow tag for sidewalk repair.

CODE SECTION: The City has identified a violation(s) of the City of La Vista Municipal Code and/or Zoning Ordinance, specifically: 93.018: sidewalk maintenance

CORRECTIVE ACTION: Violation(s) are required to be eliminated within (10 days) depending upon violation(s). By completing a "Compliance Agreement" an additional two weeks may be granted depending on health and safety.

You must contact me immediately upon receipt of this letter to demonstrate cooperation to eliminate these violation(s). The enclosed "Compliance Agreement" must be completed and returned immediately to ensure additional time for compliance. We hope you will work with us to maintain a positive community environment. Your cooperation will be greatly appreciated.

REINSPECTION TERMS: A re-inspection will be conducted on **10/29/2021**.

Please contact me at (402) 331-1582 ext. 251 between the hours of 7:30 a.m. and 4:00 p.m. Please leave a voicemail if I am not available. Your address, a return phone number, the best date and time to contact you is necessary. This matter will be forwarded to the City Legal Department and other necessary agencies for Civil and/or Criminal Prosecution if compliance is not achieved.

Sincerely,

C. Ruppert
Code Enforcement Officer
City of La Vista



City of La Vista
8116 Park View Blvd.
La Vista, NE 68128
CityofLaVista.org

City of La Vista
Code Enforcement
Official Documents

Tom or Vickie Szymskie
1111 Surrey Rd.
Papillion, NE
68046

Date 9-9-21 / 0923 121-8743

Location 7205 S 78th St.

Violation 93.018

Time to Comply 5 days

Description MISSING SECTION OF SIDEWALK

(WORK ORDER SENT 3-23-22)

Tom Vickie Szydlowski 4-6-22

Follow-up Officer 1111 SURREY Rd DONE
PAPILLION, NE 68044

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tom OrVickie Szymskie
1111 Surrey Rd.
Papillion, NE 68046



9590 9402 6195 0220 1489 54

2. Article Number (Transfer from service label)

7013 2250 0001 8089 9814

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Priority Mail Express®
☒ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Mail
Mail Restricted Delivery
(over \$500)

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

**U.S. Postal Service™
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(Domestic Mail Only; No Insurance Coverage Provided)

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OFFICIAL USE

Postage

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Certified Fee

\$

Return Receipt Fee
(Endorsement Required)

\$

Restricted Delivery Fee
(Endorsement Required)

\$

Total Postage & Fees

\$

Postmark
Here

Sent To

Tom OrVickie Szymskie

Street, Apt. No.,
or PO Box No. 1111 Surrey Rd.

City, State, ZIP+4
Papillion, NE 68046

PS Form 3800, August 2006

See Reverse for Instructions

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE
CERTIFIED MAIL™



7013 2250 0001 8089 9814
7013 2250 0001 8089 9814

space used or constructed to be used and pay all damages that may be sustained by any person by reason of such use or by reason of said sidewalk being defective or in a dangerous condition. As a condition precedent to the issuance or continuance of any permit for the use of any space underneath the city sidewalks as herein contemplated, the City Council may require the applicant to furnish a bond to the city as obligee for the benefit of any person or persons who may suffer any damage or damages by reason of such use. The bond shall be in such sum as the City Council, in its discretion, may designate. ('79 Code, § 8-303) Penalty, see § 93.999

Statutory reference:

Municipal authority, see Neb. RS 16-210

§ 93.018 MAINTENANCE.

Every owner of any lot, lots or piece of land within the corporate limits shall at all times keep and maintain the sidewalk along and contiguous to the lot, lots or pieces of land, as the case may be, in good and proper repair and in a condition reasonably safe for travel for all travelers thereon. In the event that the owner or owners of any lot, lots or lands abutting on any street, avenue or part thereof shall fail to construct or repair any sidewalk in front of his, her or their lot, lots or lands within the time and in the manner as directed and required herein after having received due notice to do so, they shall be liable for all damages or injury occasioned by reason of the defective or dangerous condition of any sidewalk, and the City Council shall have power to cause any such sidewalks to be constructed or repaired and assess the costs thereof against such property. In the event the property owner is a nonresident of the county in which the property lies, the city shall, before levying any special assessment against that property, send a copy of any notice required by law to be published by means of certified mail, return receipt requested to the last known address of the nonresident property owner. The last known address shall be that address listed on the current tax rolls at the time such required notice was first published. ('79 Code, § 8-304) Penalty, see § 93.999

§ 93.019 CITY CONSTRUCTION, RESOLUTION, PROCEDURE.

(A) Whenever the City Council may deem it necessary and expedient so to do, it may, by resolution, require a sidewalk to be constructed in front of or adjacent to any premises, along any street, avenue, or boulevard in the city. The resolution may but need not be in the following form:

"CITY OF LA VISTA

SIDEWALK RESOLUTION ____

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF LA VISTA:

La Vista Police Department

COMPLIANCE AGREEMENT

FULL NAME: FIRST, MIDDLE, LAST <u>Tom or Vickie Seynaskie</u>	DATE OF BIRTH
RESIDING ADDRESS STREET, CITY, STATE, ZIP, PHONE NUMBER <u>1111 Surrey Rd Papillion NE 68044</u>	
PROPERTY WHERE VIOLATION EXISTS STREET, CITY, STATE, ZIP, PHONE NUMBER <u>7205 S. 78th St. LA VISTA, NE 68028</u>	
CONDITIONS REQUIRING CORRECTION <u>Sidewalk Needs Replaced.</u>	
CORRECTIVE MEASURES <u>Pour Concrete into the missing section of sidewalk</u>	

AGREEMENT:

The above named agrees that the conditions set forth in this Agreement must be eliminated, as described above on or before (Date) 10-29-2021

The undersigned agrees to allow the City to inspect the premises as necessary to determine compliance with this agreement. This Agreement shall be interpreted in accordance with the law of the State of Nebraska.

No amendment or modification of this Agreement shall be valid unless expressed in writing and executed by the parties herto in the same manner as the execution of this Agreement.

Failure to comply with the agreement deadline will result in prosecution for Violations of the La Vista Municipal Codes.

This form must be filled out completely to be valid.

Signature: _____, **date** _____, **accepting responsibility for compliance**

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OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

7013 2250 0001 8089 9814

Sent To
 Tom or Vickie Szymski
 Street, Apt. No.,
 or PO Box No. 1111 Surrey Rd.
 City, State, ZIP+4
 Papillion, NE 68046 PD

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. <p>1. Article Addressed to: Tom or Vickie Szymski 1111 Surrey Rd. Papillion, NE 68046</p> <p>2. Article Number (Transfer from service label) 7013 2250 0001 8089 9814</p>	<p>A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) T. SZYMSKI</p> <p>C. Date of Delivery 10-18</p> <p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express® <input checked="" type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>

PS Form 3811, July 2020 PSN 7530-02-000-9053 PD Domestic Return Receipt