

## **Item 23-0507: Request from [Rachel C. at address] to have her sidewalk snow removal assessment of \$75 waived**

Common Council  
Wed, May 17, 2023, 7:00PM

### **Mayor Jake Woodford 24:10**

All right back up to Municipal Services Committee. We'll get gets started with item 23-0507. This is a request from [Rachel C.] to have a sidewalk snow removal assessment waived. We have a motion and a second to approve. And just as a note, this came out of committee with a recommendation for denial. Any discussion? Alder Fenton.

### **Aldersperson Denise Fenton (District 6) 24:46**

Thank you, Your Honor. Um, I expected—this residence is in my district, and I contacted the Miss Coloma after they did not appear at the Municipal Services Committee, and she was ill that day. And I expected them this evening. But I just wanted to share with Council some of the correspondence I had with them. She writes, "My reason for protesting the fine is that for the city sidewalk it is shoveled daily after my 4pm work shift. The patches you see in the picture have several children's footprints in the patches of snow because my house is located in a school zone." I'm gonna paraphrase here it is directly across the street from Einstein and Ferber, where children are dropped off. And from the photos, it does look like a lot of footprints, and not a whole lot of snow.

### **Aldersperson Denise Fenton (District 6) 25:40**

But, again, I expected her to be here. I separated out just in case, but I wanted to share with my colleagues and ask them to maybe take another look at the pictures, because I think in this case, the waiver is probably justified. Thank you.

### **Mayor Jake Woodford 26:01**

Any further discussion? Alder Schultz.

### **Aldersperson Alex Schultz (District 9) 26:11**

Thank you Chair. I guess I just ask maybe staff to weigh in on the hazard that's represented in these photographs, because it doesn't appear to be a much accumulation of snow. In fact, there's a lot of bare spots to the sidewalk. Perhaps the duration of the not shoveling was long enough where there was more snow at a certain point. So, I guess I'm looking for some input from staff to say, "It was quite a long period after the last snowfall from the record." Is this what's representative of what was there? Or was there a much more hazardous situation that we were basically attending to?

### **Mayor Jake Woodford 26:47**

With respect to the question, what's at hand here is the ordinance about snow removal. So, if you'd like, we can ask Director Block just to talk about what the ordinance states and what was what was observed related to the ordinance, but I'd rather not ask staff to opine on the hazard presented because what's at question is the is the ordinance. Director Block? Which microphone? Okay, thank you.

### **Director Danielle Block (Department Of Public Works) 27:15**

Thank you, Your Honor. So, in relation to the ordinance, the ice or snow or hazard shall continue to be treated in such a manner to prevent it from being dangerous until it can be removed. So, if the snow accumulation is

packed down and creating this ice or snow type hazard, it is the responsibility of the property owner to treat it until such a time that you would be able to remove it with shoveling. So that's specifically from our ordinance.

**Mayor Jake Woodford 27:46**

Thank you. All right. Any further discussion or questions? Alder Hayden.

**Aldersperson Patrick Hayden (District 7) 27:57**

Just looking at the dates on the pictures and the dates of the snowfall event, it seems like there were two weekdays after, just referencing Alder Fenton's comments, it seems like there was a Monday and Tuesday when this could have been shoveled. So, it does seem—I guess I'm just having a little bit of a hard time understanding the explanation that Alder Fenton received.

**Mayor Jake Woodford 28:19**

Okay. Any further discussion? Alder Croatt.

**Aldersperson Chris Croatt (District 14) 28:27**

Thank you, Mayor. Is it—I looked at the documents. Is it correct to say that the city incurred an expense to address this property? I see the inspector went out and salted the sidewalk. Just wanted to confirm that.

**Mayor Jake Woodford 28:42**

Yes.

**Aldersperson Chris Croatt (District 14) 28:43**

So, city incurred an expense. If we waive this, someone else is paying it which means the rest of the taxpayers are paying it. I would encourage us not to waive.

**Mayor Jake Woodford 28:58**

Any further discussion? Hearing none, we have a motion and a second to approve. Again, this is coming with a recommendation for denial from committee so an Aye vote will uphold the denial that came from Committee. Everybody clear on that? Okay, please cast your votes.

**Mayor Jake Woodford 29:26**

The motion passes and the item has been approved.