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Memorandum

To: Kim Downs

From: Patrick Parsley

Date: September 27, 2017

Re: Sidewalk maintenance program

Background: November last year we asked for support to initiate a sidewalk maintenance program for Hiawatha due to a growing number of concerns and complaints. Council authorized an evaluation of our sidewalk deficiency standard and a sidewalk study to determine the extent of the problem. These two components would allow us to quantify and develop possible solutions based on new acceptable standards.

Action was taken to amend Hiawatha Code Chapter 136 to a new standard. Tolerances for vertical and horizontal separations were increased to 1" and allowable slopes and dips were slightly increased. These changes aligned our standard with other area city standards.

ICAP; our liability insurance carrier, was enlisted to perform the assessment in the defined area between Miller Road and 10th street and between Boyson Road and Emmons. The area includes about six miles of street and 12 miles of sidewalk. (About 20% of the total sidewalks in Hiawatha) This is an area where we receive regular complaints. The study revealed 120 defects in the sidewalks in this area. Most of the issues were due to vertical separations of 1" or more:

Vertical separation only	77
Horizontal separation only	8
Holes/cracks/separations	35

The program photos also revealed 14 accessibility curb ramps with deficiencies. The ramps were not assessed for compliance to the Americans with Disability Act Accessibility Guidelines (ADAAG) but will require completion by our engineering or inspection departments familiar with the standards. This standard includes specific ramp width, slopes, and truncated warnings.

Given the number of deficiencies found we are recommending Hiawatha begin a sidewalk maintenance program. The goal is to maintain and improve our existing public sidewalks. We estimate the total cost of making the repairs for the noted deficiencies (not including accessibility ramps) to be $85,000 using an estimate of 10'/repair X $70/ft X 120 repairs. This does not include recommended upgrades to the accessibility ramps which would add an additional $20,000.

Recommendations:

Option 1: We have researched other maintenance programs in Iowa including Dubuque, Cedar Rapids, Marion and Iowa City. The objectives of the Iowa City program seemed to match ours most closely. A

modified proposal of the Iowa City program is attached to this memo for review and comment. Key points to consider include:

- The Iowa City program makes the property owner responsible for the repair eliminating the bulk of the construction cost. However Iowa City also eliminates the permit fee for deficient sidewalks being repaired as part of the program as long as they are replaced in the specified time frame. This would eliminate about $5,000 in fees generated by sidewalk permits. (Consider a neighbor to the assigned area who wishes to repair his sidewalk on his own. This policy may be rewarding bad behavior instead of responsible diligence.)
- The accessibility ramps remain the responsibility of the City. Since the ramps are a critical element of the system, they must comply with ADA standards and they create an added burden on corner-lot owners we recommend making the ramps part of our road use dollars and not the responsibility of the adjacent owner.
- Added inspection and clerical staff may be required. The estimated annual employee hours for this program would include about 10 days for inspections (one investigation inspection and one repair inspection) and about the same for clerical to complete all correspondence and associated records. However it is possible to integrate this program into our existing software.
- The program cover would cover all sidewalks with a 10 year cycle.
- When to require 4' sidewalks to be converted to ADA 5' widths. (This proposal recommends the conversion required for all sidewalk replacement projects which include at least 20 contiguous feet.)

Option 2: This program is nearly the same as option 1 but features an RFP for a contractor to complete the sidewalk work for property owners. In theory; a single contractor performing the work will reduce the price/foot of sidewalk. (This option is being reviewed by the attorney for RFP and pre-payment allowances addressed by State regulations.)

- Program time frames and sidewalk standards would be the same as option 1.
- Permit fees are not waived but are included in the option to use the preferred contractor. This also eliminates the permit fee issue in option 1.
- The City controls more of the projects with a preferred contractor and the retention of the permit process for individual repairs.
- The program reinforces good behavior by lowering overall cost to the participating owner and by levying an administrative fee for property owners who do not respond.
- Accounting "pre-paid" funds must be considered. Additional staff resources may be required from other departments.
- Additional internal staff for accounting purposes may be required in excess of option 1.
- The RFP process and contract oversight will require staff time from the engineering department.

Hiawatha Sidewalk policy: Option 1

Safe, pedestrian-friendly neighborhoods are a priority for our community. An important component of this is the City's sidewalk repair program, developed to provide for the maintenance of sidewalks within Hiawatha. Iowa State Code 364.12(d) and City Code Chapter 136 provide the City of Hiawatha the ability to require that the maintenance and repair of public sidewalks be the responsibility of the adjoining property owner.

Inspections

For the purposes of this program, Hiawatha is divided into __5___ geographical areas. Every 2 years, the sidewalks in one of those areas are thoroughly inspected in accordance with the criteria established by City Ordinance with oversight by the City Engineer to determine if sidewalk repairs are necessary. See the sidewalk inspection program map. Only sidewalks are inspected. The parkway, driveway approaches, water stop boxes located outside of the sidewalk, etc. are not inspected as part of the program.

In addition, sidewalks are inspected outside of the geographical area if a complaint is received on the condition of a sidewalk.

Inspection criteria

The inspector will mark pink arrows on sidewalk squares which meet one or more of the following criteria:

- The sidewalk is displaced with a vertical edge of 1" or more
- The sidewalk is depressed or raised more than 3" from the normal line of grade at any place, or ponds water, or has a drainage way formed into the surface
- The sidewalk has cracked into four or more pieces or is missing a piece greater than four square inches.
- The sidewalk has spalled over 50 percent of the surface
- The sidewalk has horizontal separations equal to or greater than 1" within the square or greater than 1" at the sidewalk joints
- The cross slope of the sidewalk exceeds more than 1" per foot.

Repair process

Property owners of record listed at the County Assessor's office adjacent to sidewalks that are marked for repair will be notified of their responsibility to repair the sidewalk through a certified notification letter.

The notification letter will include:

- Sidewalk deficiency to be repaired; a copy of the sidewalk inspection report

Hiawatha Sidewalk policy: Option 1

- A sidewalk repair specification detail sheet (5' width for all projects more than 20' in length)
- A May 15 or September 15 deadline for the completion of the repair. The date given is dependent upon the date the sidewalk was marked for repair allowing for a minimum of one month for the completion of the repairs. An earlier deadline may be given dependent upon the severity of the condition of the sidewalk.
- Ramifications for failure to repair the sidewalk including invoicing for City Provided repairs, possible assessments and penalties.

The notification letter serves as the property owner's permit; no other paperwork or fee is required.

A re-inspection of the sidewalks marked for repair will be made after the deadline date. Satisfactory repairs are noted and no further action is necessary. However, if the repair work is unsatisfactory, the adjoining property owner will be notified. If no attempt was made to repair the sidewalk, or if the unsatisfactory repairs were not corrected, a letter will be sent to the owner notifying them the City will complete the repair work and all associated costs will be billed to the property owner. If the invoice is not paid, the property owner will be assessed for all fees and administrative penalties through the Linn County Recorder/Treasurer's office.

The City will arrange for the completion of the repair work to the sidewalks. The adjoining property owner will be invoiced for all construction costs plus a $30 administrative fee as allowed by Hiawatha ordinance. If the invoice remains unpaid, the costs will be assessed against the property in accordance with City Code_____.

City responsibilities

Overwidth sidewalks - If the sidewalk is 8 feet in width, the City will share in the costs to repair the sidewalk. The City will be responsible for the costs to repair the sidewalk square footage in excess of a 5' sidewalk. If the property owner is repairing the sidewalk, they must receive approval from the City prior to commencement of repairs. If the City repairs the 8-foot sidewalk, the property owner will be invoiced for a 5' width of the construction costs plus a $30 administrative fee.

City causes - If the damage to the sidewalk is caused by a City owned item, i.e. a water main valve (not a service valve), a sewer manhole located within the sidewalk, or a tree located within the parkway, the City will take responsibility for the repair of the sidewalk as long as the damage is directly attributable to the item. Just because a City-owned item is present does not automatically mean that the item is the cause of the damage. Each situation will be evaluated individually by City staff.

Curb ramps - The City is responsible for the maintenance and repair of curb ramps at public streets.

Hiawatha Sidewalk policy: Option 2

Safe, pedestrian-friendly neighborhoods are a priority for our community. An important component of this is the City's sidewalk repair program, developed to provide for the maintenance of sidewalks within Hiawatha. Iowa State Code 364.12(d) and City Code Chapter 136 provide the City of Hiawatha the ability to require that the maintenance and repair of public sidewalks be the responsibility of the adjoining property owner.

Inspections

For the purposes of this program, Hiawatha is divided into __5___ geographical areas. Every 2 years, the sidewalks in one of those areas are thoroughly inspected in accordance with the criteria established by City Ordinance with oversight by the City Engineer to determine if sidewalk repairs are necessary. See the sidewalk inspection program map. Only sidewalks are inspected. The parkway, driveway approaches, water stop boxes located outside of the sidewalk, etc. are not inspected as part of the program.

In addition, sidewalks are inspected outside of the geographical area if a complaint is received on the condition of a sidewalk.

Inspection criteria

The inspector will mark pink arrows on sidewalk squares which meet one or more of the following criteria:

- The sidewalk is displaced with a vertical edge of 1" or more
- The sidewalk is depressed or raised more than 3" from the normal line of grade at any place, or ponds water, or has a drainage way formed into the surface
- The sidewalk has cracked into four or more pieces or is missing a piece greater than four square inches.
- The sidewalk has spalled over 50 percent of the surface
- The sidewalk has horizontal separations equal to or greater than 1" within the square or greater than 1" at the sidewalk joints
- The cross slope of the sidewalk exceeds more than 1" per foot.

Repair process

City Engineer awards an RFP to a contractor willing to perform sidewalk repairs in accordance with City standards and the time frames specified in the program. The contract with the contractor will be with the City of Hiawatha and not the individual property owners.

Property owners of record listed at the County Assessor's office adjacent to sidewalks that are marked for repair will be notified of their responsibility to repair the sidewalk through a certified notification letter.

Hiawatha Sidewalk policy: Option 2

The notification letter will include:

- Sidewalk deficiency to be repaired; a copy of the sidewalk inspection report
- A sidewalk repair specification detail sheet (5' width for all projects more than 20' in length). This will include a detailed permit procedure required to complete the work.
- A May 15 or September 15 deadline for the completion of the repair. The date given is dependent upon the date the sidewalk was marked for repair allowing for a minimum of one month for the completion of the repairs. An earlier deadline may be given dependent upon the severity of the condition of the sidewalk.
- Ramifications for failure to repair the sidewalk including invoicing for City-provided repairs, possible assessments and penalties.
- An option to allow the City of Hiawatha to make the repair. Option will include payment of an enclosed invoice.

A re-inspection of the sidewalks marked for repair will be made during the permitted construction. Satisfactory repairs are noted and no further action is necessary. However, if the repair work is unsatisfactory, the adjoining property owner will be notified.

If no attempt was made to repair the sidewalk and the property owner did not choose the option to pre-pay for the repairs, or if the unsatisfactory repairs were not corrected, a letter will be sent to the owner notifying them the City will complete the repair work and all associated costs and penalties will be billed to the property owner, and all unpaid costs and fees will be assessed through the Linn County Recorder/Treasurer's office.

The City will arrange for the completion of the repair work to the sidewalks which were not completed by the property owner and which were requested by pre-payment using the contractor awarded the contract through the RFP process.

The adjoining property owners who did not complete their own sidewalk deficiency and did not pre-pay will be invoiced for all construction costs plus a $30 administrative fee as allowed by Hiawatha ordinance. If the invoice remains unpaid, the costs will be assessed against the property in accordance with City Code.

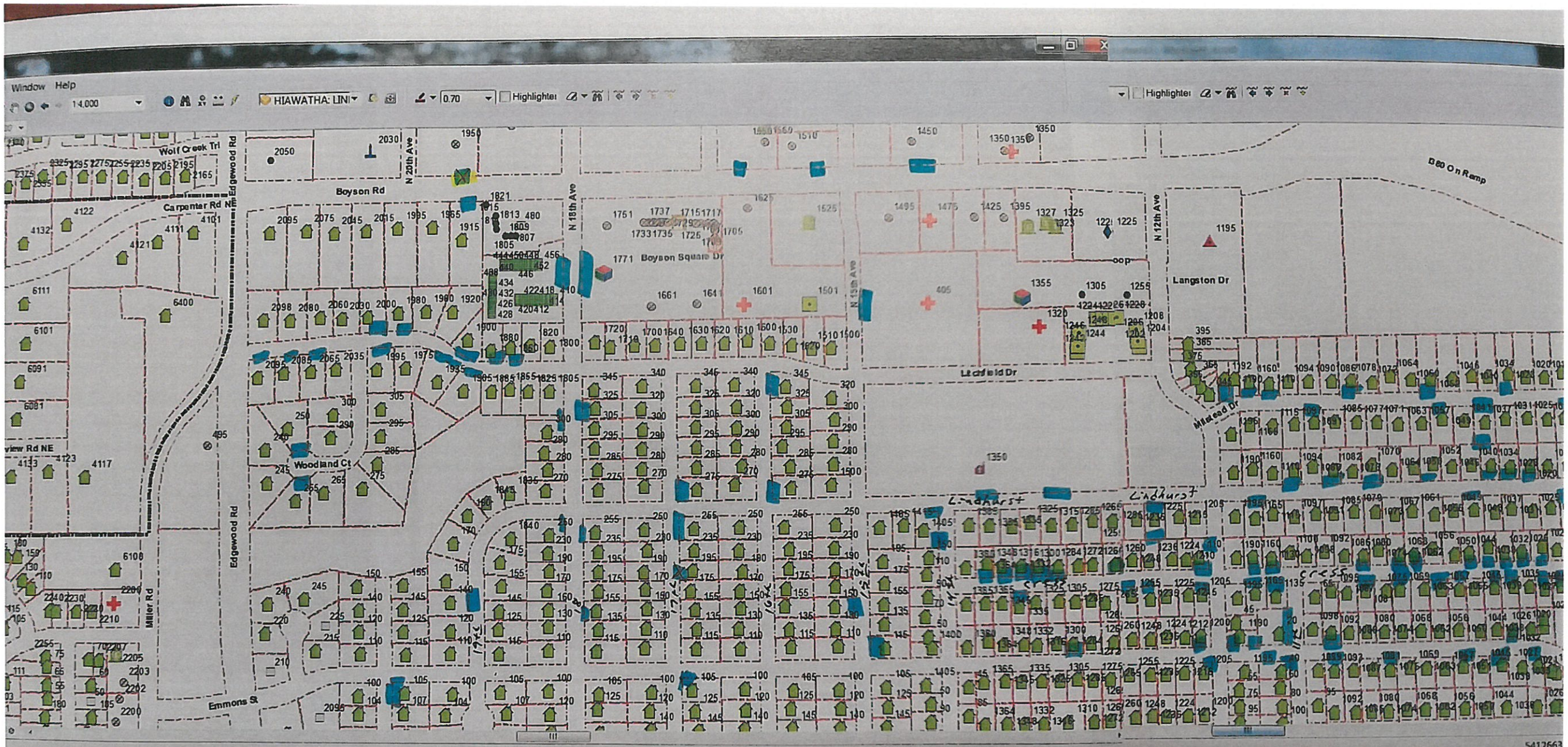
City responsibilities

Overwidth sidewalks - If the sidewalk is 8 feet in width, the City will share in the costs to repair the sidewalk. The City will be responsible for the costs to repair the sidewalk square footage in excess of a 5' sidewalk. If the property owner is repairing the sidewalk, they must receive approval from the City prior to commencement of repairs. If the City repairs the 8-foot sidewalk, the property owner will be invoiced for a 5' width of the construction costs plus a $35 administrative fee.

City causes - If the damage to the sidewalk is caused by a City owned item, i.e. a water main valve (not a service valve), a sewer manhole located within the sidewalk, or a tree located within the parkway, the City will take responsibility for the repair of the sidewalk as long as the damage is directly attributable to the item. Just because a City-owned item is present does not

automatically mean that the item is the cause of the damage. Each situation will be evaluated individually by City staff.

Curb ramps - The City is responsible for the maintenance and repair of curb ramps at public streets. These repairs may be included in the RFP.



e separation - 97 (included)

ontal separation 12 (included)

Holes/Cracks 10

slopes/Dips - 10

(14) Ramps - 299, 282, 277, 217, 208

195, 175, 176, 140, 139, 103, 7,