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**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 LOCATIONS AND IN AMOUNTS CITED HEREIN.

WHEREAS, the property owners of 7613 Gertrude Street/Lot 29 Crestview Heights; \$6,050.12 were notified to clean up their property as they were in violation of the City Municipal Code, Section 133.01, or the City would do so and bill them accordingly, and

WHEREAS, the property owners of said addresses chose not to clean the property, thus necessitating the City to do the clean up, and

WHEREAS, the City sent the property owners bills for said clean up 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 amounts and against the properties specified above, all located within Sarpy County, La Vista, Nebraska.

PASSED AND APPROVED THIS 17TH DAY OF JANUARY 2012

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

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Pamela A. Buethe, CMC  
City Clerk

LA VISTA POLICE DEPARTMENT SPECIAL ENFORCEMENT BUREAU - CODE ENFORCEMENT  
SPECIAL ASSESSMENT REPORT

ADDRESS	RENTAL/OWNER OCCUPIED	PRIOR CONTACTS	ACTION TAKEN	CURRENT OFFENSE	ACTION TAKEN	EXISTING SPECIAL ASSESSMENTS
7613 Gertrude Street	Owner Occupied Owner: Bryan Van Houten	1. 12/13/00-Snow Removal 2. 7/3/01-Shed Permit expired/no anchors/overt hanging branches/obstruct sign 3. 3/20/02-Fall Tree branches/pile of wood 4. 6/4/03-Needs to mow trim trees 5. 5/4/06-litter/dead tree/stumps needs to be removed	1. Gave to Public Works 2. Unknown Disposition	Grass/Weeds- 133.01 & Trees and Shrubs obstructed signs/Sidewalks	Completed by P.W.	0 Special Assessments



December 12, 2011

Bryan Van Houten  
7613 Gertrude Street  
La Vista, NE 68128

RE: 7613 Gertrude Street/Lot 39 Crestview Heights

Dear Mr. Van Houten;

On August 19, 2011, the property at 7613 Gertrude Street in La Vista was in violation of the City of La Vista's Municipal Code, Section 133.01 and a letter was sent that stated the trees on the property by trimmed by October 13, 2011 or the City would correct the violation at the owner's expense. On October 19, 2011, the Public Works Department removed the garbage bags and branches from the front, side and back yard. The cost of \$6,050.12 was incurred by the City for the clean up. The cost breakdown is as follows:

Administrative Fee	\$	50.00
Trimming and Removing Dead Trees and Overgrowth of Saplings		
Nine Workers – 141 total hours	\$	2465.14
Equipment Cost	\$	3191.44
Material	\$	343.54
<b>TOTAL</b>	<b>\$</b>	<b>6050.12</b>

Please remit \$6050.12, 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 January 17, 2012, 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*

Pamela A. Buethe, CMC  
City Clerk

**City Hall**  
8116 Park View Blvd.  
La Vista, NE 68128-2198  
p: 402-331-4343  
f: 402-331-4375

**Community Development**  
8116 Park View Blvd.  
p: 402-331-4343  
f: 402-331-4375

**Fire**  
8110 Park View Blvd.  
p: 402-331-4748  
f: 402-331-0410

**Golf Course**  
8305 Park View Blvd.  
p: 402-339-9147

**Library**  
9110 Giles Rd.  
p: 402-537-3900  
f: 402-537-3902

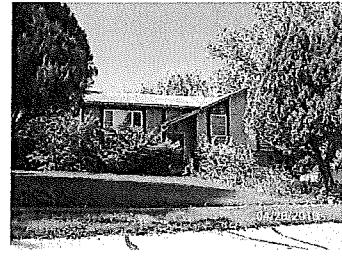
**Police**  
7701 South 96th St.  
p: 402-331-1582  
f: 402-331-7210

**Public Works**  
9900 Portal Rd.  
p: 402-331-8927  
f: 402-331-1051

**Recreation**  
8116 Park View Blvd.  
p: 402-331-3455  
f: 402-331-0299

**COPY**

**La Vista Police Department**  
**Code Enforcement Case**  
**Management**



CASE ADDRESS: 7613 Gertrude St DATE INITIATED: 08/19/2011

NAME OF PROPERTY OWNER/RESIDENT: Bryan Van Houten

CODE VIOLATION(S): Grass/Weeds-133.b1

DATE	NOTES/FOLLOW-UP
08/19/2011	Contact made with resident and advised all trees must be trimmed
08/19/2011	A certified letter was also sent explaining violation and a compliance agreement sent with it
08/23/2011	Mr. Van Houten asked for an extension to get all the trees trimmed back, extension granted until 09/09/11
09/09/2011	There has been no attempt to trim the trees and at this time unable to contact.
09/15/2011	Contacted Curtis Rainge to see if we could get assistance with clean up. Determined to be too large of a clean-up for any of his volunteer groups to handle. Advised Mr. Van Houten that he needs to make arrangements to be in compliance with the city code.
09/30/2011	Sergeant Waugh and myself went to Mr. Van Houten's residence to take before pictures and so Sergeant Waugh could speak with Mr. Van Houten. Per Sgt. Waugh he was given 14 days to clean-up or we would have our Public Works Department do the clean-up and he would be billed.
10/13/2011	14 Day period expired sending to Public Works for a work order request. P.W. notified to contact myself or Sergeant Waugh first before clean-up began
10/19/2011	Work began on yard clean-up on this date, it was my scheduled day off so the P.W. crew met with Sgt. Waugh on instructions for exactly what needed to be completed to be within compliance.

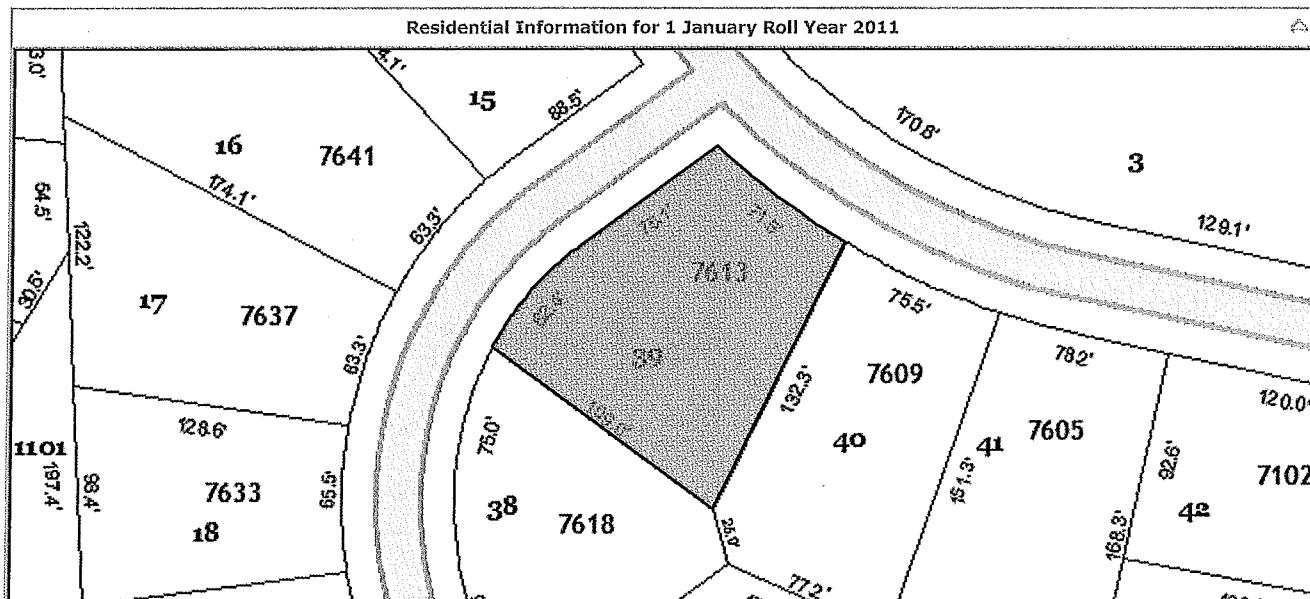
## Active

Parcel Number: 010562338  
Location: 07613 \GERTRUDE ST  
Owner: VAN HOUTEN/BRYAN D  
C\O  
Mail Address: 7613 GERTRUDE ST  
LA VISTA NE 68128-0000  
Legal: LOT 39 CRESTVIEW HEIGHTS  
Tax District: 27002  
Map #: 2959-14-0-30010-000-0039



Click Picture/Sketch for Larger View.  
Use arrows to view Picture/Sketch.

THIS IS NOT A PROPERTY RECORD FILE [What does this mean?](#)



7613 Gertrude - Shrub is obstructing Sidewalk  
a Obstructing view of traffic.

Style:	Split Entry		
Year Built:	1977	#Bedrooms above Grade 3	
#Bathrooms Above Grade 2		Total Sqft	1210
Total Bsmt Finish Sqft	444	Bsmt Total Sqft	1104
Garage Type		Garage Sqft	0
Lot Depth	1	Lot Width	12178

Bryan request a 2 week extension  
to get everything cut back.



Dear Owner/Resident:

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.

An investigation is being conducted at your property. This investigation has revealed violation(s) of the La Vista Municipal Code, **94.06 Tree/Shrub Obstruction.**

The attached sheet categorizes your violation(s) and copies of the codes are provided for your review as an educational package to assist you in achieving compliance and preventing future violation(s).

Violation(s) are required to be corrected within **7 Days** depending upon the violation(s). By completing a "Compliance Agreement," additional time may be granted depending on health and safety and will be evaluated on a case by case basis.

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.

Please contact me at (402) 331-1582 ext. 251 between the hours of 9:30 a.m. and 6:00 p.m. Please leave a voicemail if I am not available. **It is important that you leave your name, address, return phone number and best date and time to contact you.** Failure to comply may result in this matter being forwarded to the City Legal Department and other necessary agencies for Civil and/or Criminal Prosecution.

Sincerely,

*Stacy Corbit*

Stacy Corbit  
Code Enforcement Officer  
La Vista Police Department

*Bryan asked for a 2 week exten. to get all the work done & returned the Compliance agreement.*

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# LA VISTA POLICE DEPARTMENT

## MUNICIPAL CODE COMPLIANCE AGREEMENT

FULL NAME: FIRST, MIDDLE, LAST	DATE OF BIRTH
Bryan D. Van Houten	—
RESIDING ADDRESS STREET, CITY, STATE, ZIP, PHONE NUMBER	
7613 Gertrude St. Lavista, NE 68128	
PROPERTY WHERE VIOLATION EXISTS STREET, CITY, STATE, ZIP, PHONE NUMBER	
7613 Gertrude St, Lavista, NE 68128	
CONDITIONS REQUIRING CORRECTION	
• 94.06 Tree/Shrub obstruction	
CORRECTIVE MEASURES	
• please cut back Shrub on the corner to a 4 <sup>ft</sup> height as it is obstructing view of traffic, all other Shrubs or tree must be cut back away from sidewalks and at a height of at least 8 <sup>ft</sup> above sidewalks.	

### AGREEMENT:

The above named agrees that the conditions set forth in this Agreement must be eliminated, as described above on or before (Date) 8/25, 2011.

The undersigned agrees to allow the City to inspect the property 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 hereto 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:* \_\_\_\_\_, and *date* \_\_\_\_\_, 20\_\_\_\_\_  
accepting responsibility for compliance.

# LA VISTA POLICE DEPARTMENT

## MUNICIPAL CODE COMPLIANCE AGREEMENT

Requested 2 week exten. to get all the trees & shrub cut back.

FULL NAME: FIRST, MIDDLE, LAST <b>Bryan D. Van Houten</b>	DATE OF BIRTH —
RESIDING ADDRESS STREET, CITY, STATE, ZIP, PHONE NUMBER <b>7613 Gertrude St. La Vista, NE 68128</b>	
PROPERTY WHERE VIOLATION EXISTS STREET, CITY, STATE, ZIP, PHONE NUMBER <b>7613 Gertrude St, La Vista, NE 68128</b>	
CONDITIONS REQUIRING CORRECTION <b>• 94.06 Tree/Shrub obstruction</b>	
CORRECTIVE MEASURES <b>• please cut back Shrub on the corner to a 4ft height as it is obstructing view of traffic, all other shrubs or tree must be cut back away from sidewalks and at a height of at least 8ft above sidewalks.</b>	

### AGREEMENT:

The above named agrees that the conditions set forth in this Agreement must be eliminated, as described above on or before (Date) 8/25, 2011.

The undersigned agrees to allow the City to inspect the property 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 hereto 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: Bryan, and date 8/23, 2011,  
accepting responsibility for compliance.

White-Original/Records

Yellow-Property Owner

\*402-339-3841\*

Follow-up  
tomorrow.

November 1, 2011

To: Stacy Corbit  
Code Enforcement Officer  
Police Dept.

Fr: Cindy Norris  
Administrative Secretary  
Public Works Dept.

RE: Residential Property Clean-Up  
7613 Gertrude Street

The following is a list of the expenses incurred by the Public Works Department for (7) days, October 19, 20, 21, 24, 25, 26, and 27, 2011 while completing an extensive property clean-up including trimming and removing dead trees and overgrowth of saplings at 7613 Gertrude St., per your request.

**LABOR:**

	<u>HOURLY WAGE</u>	<u>HOURS</u>	<u>TOTAL</u>
Employee #1	29.53	22	649.66
Employee #2	14.00	30	420.00
Employee #3	9.50	30	285.00
Employee #4	25.56	10	255.60
Employee #5	10.00	12	120.00
Employee #6	10.00	16	160.00
Employee #7	22.84	11	251.24
Employee #8	29.45	8	235.60
Employee #9	44.02	2	88.04
<b>TOTAL</b>		141	<b>\$2,465.14</b>

**EQUIPMENT:**

	<u>HOURLY RATE</u>	<u>HOURS</u>	<u>TOTAL</u>
(1) 1/2 ton pickup #1112	19.00	24	456.00
(1) 3/4 ton pickup #2209	25.00	8	200.00
(1) 3/4 ton pickup #2210	25.00	2	50.00
(1) 3/4 ton pickup #2211	25.00	8	200.00
(1) 1 3/4 ton pickup w/chipper box	35.00	16	560.00
(1) Bandit Chipper #2284	37.00	16	592.00
(1) Utility van #3304	25.00	16	400.00
(1) Dump Truck #1125	43.00	8	344.00
(1) Loader/Skid-Steer #1138	12.25	8	98.00
(1) 8 1/2 x 22 trailer #2303	5.63	8	45.04
(1) Pole Saw #2293G	1.60	8	12.80
(1) 14" chain saw	2.00	32	64.00
(1) 18" chain saw	1.60	32	51.20
(1) 24" chain saw	3.70	32	118.40
<b>TOTAL</b>			<b>\$3,191.44</b>

**MATERIALS:**

(1) Gallon Pathway herbicide	\$141.20
(7) Trailer dumpster fees @ \$25.00/ea.	\$175.00
(1) Sarpy Landfill ticket	\$27.34
<b>TOTAL</b>	<b>\$343.54</b>

**TOTAL LABOR, EQUIPMENT and MATERIALS:** **\$6,000.12**



09/30/2011



09/30/2011

Before pictures  
Taken By: S. Corbit



Before Pictures  
Taken By: S. Corbit



09/30/2011



09/30/2011

Before Pictures  
Taken By: S. Corbit



09/30/2011

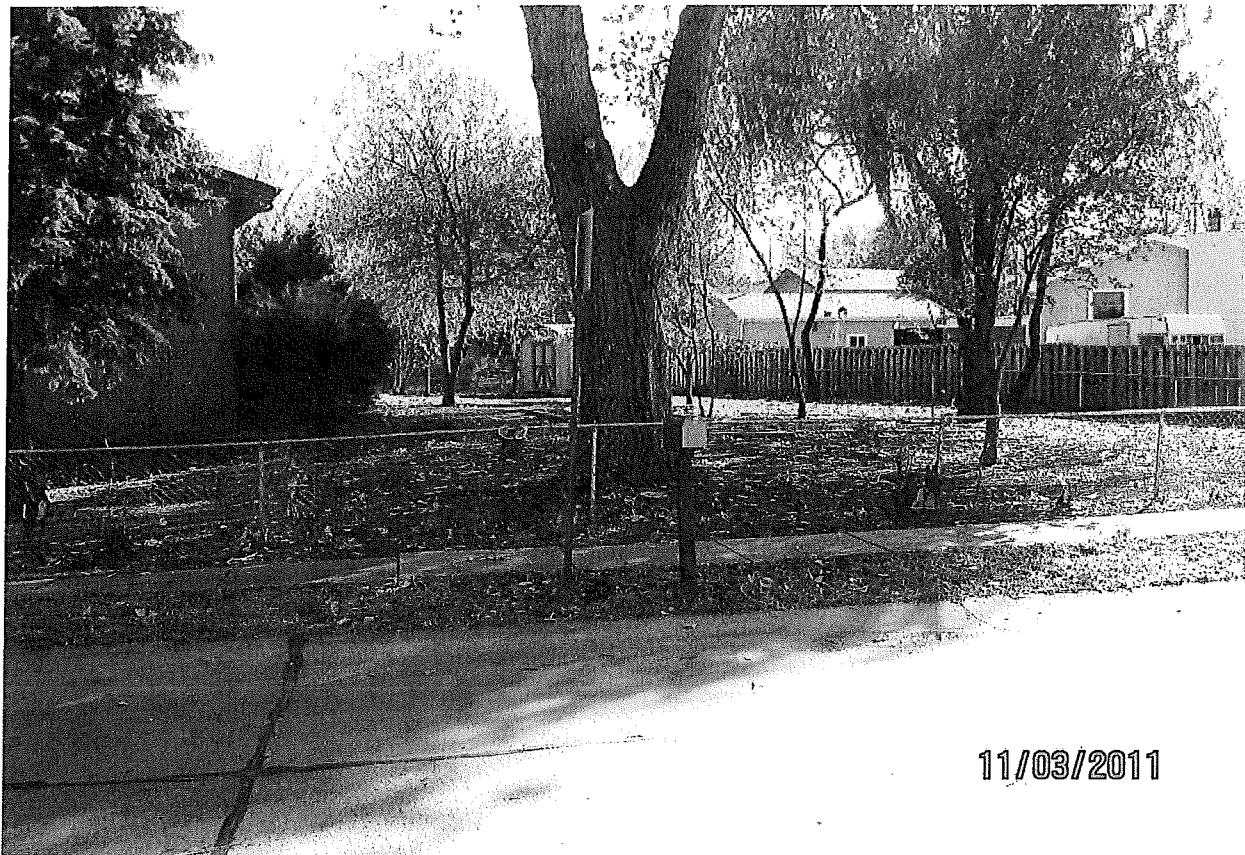


09/30/2011

Before Pictures  
Taken By: S. Corbit



After Pictures  
Taken By: S. Corbit



11/03/2011



11/03/2011

After Pictures  
Taken By: S. Corbit