



MAYOR & COUNCIL COMMUNICATION

DATE: April 5, 2016

CONSENT

ITEM #16

AGENDA ITEM: Fence Encroachment & Maintenance Agreement

SUBMITTED BY: Emily Becker, City Planner

THROUGH: Kristina Handt, City Administrator

REVIEWED BY: Stephen Wensman, Planning Director

SUGGESTED ORDER OF BUSINESS (if removed from consent agenda):

- Introduction of ItemStaff
- Report/Presentation.....Staff
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECCOMENDER: Staff recommends that the City Council approve the Fence Encroachment and Maintenance agreement for Matt Schleicher at PID #1302921410038 (11913 32nd St N at Easton Village).

FISCAL IMPACT: None

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to authorize as part of tonight’s consent agenda, the execution of a fence encroachment and maintenance agreement. The City has received a request to install a fence within a drainage and utility easement. Homeowner and City intend that Homeowner shall be responsible for maintaining, repairing and replacing the fence.

LEGISLATIVE HISTORY: The Fence Encroachment and Maintenance Agreement that has been submitted for Council consideration is for a fence and has been reviewed by planning and engineering staff. The proposed fence meets all city code requirements and Staff would have

otherwise authorize construction of the fence if it did not encroach into a drainage and utility easement owned by the City.

BACKGROUND INFORMATION (SWOT):

Strengths: The fence encroachment and maintenance agreement is a legal document that all property owners seeking to install fences within drainage and utility easements are required to sign. The document, among other things, indemnifies the city from responsibility if damage occurs to the improvement or if it needs to be removed at some point in the future.

Weaknesses: None

Opportunities: None

Threats: None

RECOMMENDATION:

Based on the aforementioned, Staff is recommending that the City Council approve the fence encroachment and maintenance agreement as part of the Consent Agenda. If the City Council removes the item from the Consent Agenda, the recommended action can be completed through the following motion:

“Move to approve the fence encroachment and maintenance agreement for Matt Schleicher to install a fence within a drainage and utility easement to the City.”