



# CITY OF IOWA CITY COUNCIL ACTION REPORT

September 5, 2023

Resolution adopting an assessment schedule for court ordered fencing at 91 Commercial Drive and directing the Clerk to certify the same to the Johnson County Treasurer for collection in the same manner as property taxes.

Prepared By:	Susan Dulek, First Ass't. City Attorney
Reviewed By:	Geoff Fruin, City Manager
Fiscal Impact:	Recovery of \$2,440.08.
Staff Recommendation:	Approval
Commission Recommendations:	N/A
Attachments:	<a href="#">Resolution</a> <a href="#">Exhibit A</a> <a href="#">Exhibit B</a>

## **Executive Summary:**

This resolution adopts an assessment schedule for the unpaid cost to install a fence pursuant to a court order.

## **Background / Analysis:**

In 2020 the Court ordered the owner of 91 Commercial Dr. to install a solid wood fence to screen its industrial use from the adjacent residential use as required by the Zoning Code.

When the owner failed to do so, the Court authorized the City to do so and assess the cost against the property. The City installed a fence at a cost of approximately \$18,500. The owner offered to make monthly payments of \$500 if the City would not assess the property and staff agreed. The owner made monthly payments until March 2023 and has not responded to staff's inquiry regarding the delinquent payments. This resolution assesses the remaining amount due, which is \$2,440.08.

The City sent a letter to the owner giving notice that this resolution would be on the agenda, a copy of which is attached to the resolution.