

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL	COUNCIL MEETING DATE	NO.
FROM: THE CITY MANAGER'S OFFICE	July 1, 1987	
SUBJECT: CONSIDER RESCINDING ACTION TAKEN BY COUNCIL AT THE SPECIAL MEETING OF APRIL 28, 1987 REGARDING THE MOVING, AT THE CITY'S EXPENSE, OF THE ELECTRIC UTILITY METER AND MAIN BREAKER SERVING 1720 SOUTH MILLS FROM 1726 SOUTH MILLS TO THE NORTHWEST CORNER OF THE GARAGE AT 1720 SOUTH MILLS AVENUE		

PREPARED BY: City Manager

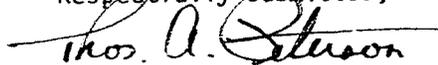
RECOMMENDED ACTION: That the City Council rescind its action at the special meeting of April 28, 1987 directing the relocation of the electric meter and main breaker at 1720 S. Mills Avenue.

BACKGROUND INFORMATION: The City Council is very familiar with the chronology of events involving an electric meter and panel box on the property at 1720 S. Mills Avenue. This problem arose as a result of the somewhat unusual subdivision pattern in this area, and the desire of a property owner building a house to position the garage on the north side rather than the south side of the lot. The neighbor to the south did not want to adjust his fence line and the result would have been that the electric meter and panel box at 1720 S. Mills would have been situated behind a fence which is a violation of the City Code.

The resulting stalemate ultimately was addressed at a special meeting of the City Council on April 28, 1987. At the conclusion of the presentation by both parties involved, the City Council directed that the electric meter and panel box at 1720 S. Mills Avenue be relocated from the south side to the north side of the house at City expense. As a result of some statements made by the adjoining property owner to the south (Mr. Robert Marti) it was assumed that there might be some softening of position. Shortly thereafter the Marti house was placed on the market for sale. In the hope that an agreement might be reached between the property owner at 1720 S. Mills Ave. (Ms. Fuller) and whoever the new property owner at 1726 S. Mills Ave. might be, the meter relocation was put in a "hold" mode. Following the City Council's direction, the ultimate action would have been the meter relocation, and, had the new property owner's position been the same as the previous property owner, the meter and panel box would have been moved at City expense. However, the new property owner and Ms. Fuller quickly reached agreement regarding an adjustment to the fence line so that the meter and panel box as positioned on Ms. Fuller's house would not be behind a fence. The City Council last week received a memo on this issue prepared by the City Attorney. Attached to that memo was a copy of a letter from the new owner (Mr. Donald P. Kundert) advising the City of that agreement. Assuming the sale will be consummated, the matter has been resolved to the satisfaction of both property owners and the City avoided the expenditure of approximately \$2,000.

In view of the fact that the direction to relocate the meter and panel box is still in effect, it would be appropriate for the City Council to rescind that action. The staff requests that this action be taken at this meeting.

Respectfully submitted,


Thomas A. Peterson
City Manager

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