

Minutes
Village of Glen Ellyn Board of Trustees
Regular Workshop Meeting
Monday, June 16, 2014

Call to Order

President Demos called the meeting to order at 7:01 p.m.

Roll Call

Upon Roll Call by Clerk Galvin, Trustees Burket, Ladesic and O'Shea answered "Present".

Staff present: Village Manager Franz, Assistant Village Manager Stonitsch, Glen Ellyn Volunteer Fire Company Chief Bodony, Director of Planning and Development Hulseberg, and Police Sargent Jean Harvey.

Pledge of Allegiance

President Demos asked Sergeant Harvey to lead the Pledge of Allegiance.

Agenda Item E. - Fire Prevention Award Program: (Village Manager Franz)

Village Manager Mark Franz presented the proposed Fire Prevention Award Program.

1. Businesses/Properties must reside in the C5A or C5B Downtown Commercial Districts to be eligible.
2. Business/property owners participating in the Village's Downtown Retail Improvement Award Program are not eligible for this Award Program; however, fire safety improvements are eligible under that program as well and are required to either be in place or to be part of the proposed improvements under the Downtown Retail Improvement Award Program.
3. Projects must have a minimum budget of \$2,000.
4. Similar to the Village's Façade and Interior Improvement Awards, financial awards are available to business owners or property owners, for no more than \$15,000 per building, per unit.
5. Properties are eligible a maximum of two (2) times for this award providing:
 - It has been five (5) years since they received the Award for an Alarm System installation; they are applying to upgrade an antiquated system; have received confirmation from both the Village of Glen Ellyn Planning and Development Department and Fire Department that their system is in need of upgrading.
 - It has been five (5) years since they received the Award for an Alarm System installation and they are upgrading to a sprinkler system.

6. All contractors working on the project must be registered with the Village's Planning and Development Department prior to building permits being issued.

7. Award applicants will be reviewed on a case by case basis.

8. The determination of eligibility and priority for awards is at the discretion of the Village Board, is subject to the scope of the work completed and is subject to funds availability. The Village Board may approve awards up to \$15,000.

9. Eligible Improvements include only:

- Fire Alarm systems, including any needed electrical service improvements;
- Fire sprinkler system installations or upgrade, including any needed water service improvements.

10. The Fire Prevention Award is not a reimbursement or direct payment for the costs of fire safety improvements. Rather, the award is designed to encourage business to make their own investment into fire prevention. Awards are only valid if the fire prevention improvements in question are completed within a year of the date of the Award approval.

Staff is requesting the Village Board to discuss the proposed Fire Prevention Award program and provide direction to staff to move the program forward for adoption by the Village Board.

President Demos commented that awards with jumps encourage increased spending. He stated he would like to know which buildings are eligible.

Chief Bodony responded that some buildings are more challenging than others due to their design. Larger ones could impact several businesses. Chief Bodony commented on the voids in the sidewalks which at one time were coal beds. Basement fires are hard to control, early warning is needed and that is a benefit not only to the property owner but for the community.

President Demos clarified that these are awards and not grants. Chief Bodony responded that it is difficult to find grant money when the beneficiary is a private entity. He checked with FEMA, there are no fire grants available as this is an ancillary benefit to the Fire Company.

President Demos asked Director Hulseberg about mandating a program. Director Hulseberg responded that in her last position in Woodridge this was required for multi-family. There were a lot of concerns regarding financial hardships and issues with code enforcement. Director Hulseberg suggested a lengthy time frame such as 3 years to mandate a program. Chief Bodony added that the new technology can greatly reduce costs. Manager Franz responded that all of these awards are TIF eligible.

Trustee Ladesic asked if PADS sites would be required to have fire alarms.

Agenda Item F. - Multi-Family Rental Property Regulations: (Planning and Development Director Hulseberg and Police Chief Norton)

Planning and Development Director Staci Hulseberg and Police Chief Phil Norton presented the potential multi-family rental property regulations.

The Village of Glen Ellyn has approximately 1,700 rental dwelling units. Over the years, the Village has become aware of problems with pest infestation, poor maintenance, mold, lack of fire/smoke alarms, and the like in rental units in certain rental developments in the community. These conditions do not reflect either the minimum standard or quality of living that should be expected in Glen Ellyn.

Currently, rental property issues are brought to the attention of the Village by residents on a complaint basis. If complaints are not made, safety and maintenance issues may go undetected and unaddressed. If a complainant will allow access to their unit, building inspectors can evaluate if building code violations exist that the Village can pursue. If access to the unit is not provided, the Village is limited in its ability to follow-up on complaints. Currently, the Village only has the authority to inspect the common areas of multi-family buildings. The Glen Ellyn Fire Company conducts annual inspections of the common areas of multi-family buildings for fire safety violations. Occasionally, the Police Department will report an issue after having been in a unit on a separate criminal complaint. The Village does not have the authority to inspect individual units unless we are invited into a unit by the occupant, permitted access by the owner or there is a building permit associated with the unit.

Rather than continuing to respond to complaints in a reactionary manner, Village staff has explored options to take a more proactive approach to pursuing rental housing issues through various programs including multi-family licensing regulations, crime-free housing programs, and nuisance ordinances. If the Village were interested in pursuing one of these programs, or a combination thereof, we would be able to design a program that would meet Glen Ellyn's needs. A brief description of each of the programs is provided below along with some of the more noteworthy elements of the programs.

A rental property licensing program would require all multi-family rental properties (excluding condos, townhomes, and single-family homes) to obtain a license from the Village in order to operate. With this program in place, the Village would be able to hold rental property units to specific safety and maintenance standards. If these standards are not met, the Village would have the authority to deny a property manager their license to rent units and proceed with the most appropriate course of enforcement action.

Comparisons were provided from Aurora, Hanover Park, Carol Stream and Glendale Heights,

- Registration vs. Licensing.
- Crime Free Housing Element
- Inspections

Staffing. In order to implement a rental licensing program, the Planning and Development Department would need to hire either an additional inspector or a consultant to perform the work. We estimate that a .75 FTE Village employee would be necessary to run the program based on other community's staffing models. The employee would be required to schedule inspections, perform inspections and re-inspections, review lease addendums, write letters communicate with property owners, issue citations, and issue licenses. The cost breakdown of the two options is provided below

Village Board Question: Which option below should the Village staff pursue related to rental properties in the Village?

1. Continue the status quo with no changes
2. Require rental property registration which requires increasing an existing inspector's hours from 20/week to 30/week
3. Require rental property licensing (may or may not include crime free housing elements), requiring the hire of one .75 FTE inspector
4. Adopt a stand-alone crime free housing program requiring the hire of one full-time sworn police officer
5. Adopt a nuisance abatement ordinance which does not require the addition of any staff6. Adopt any combination of the options above

Director Hulseberg stated asked the Board for direction and stated that she has no strong opinion either way. The minimum staff recommendation is options 2 (Require rental property registration which requires increasing an existing inspector's hours from 20/week to 30/week) and 5 (Adopt a nuisance abatement ordinance which does not require the addition of any staff). Director Hulseberg pointed out that this still does not give the Village the opportunity to access and inspect individual's apartments.

President Demos inquired about Item 3 (Require rental property licensing may or may not include crime free housing elements), requiring the hire of one .75 FTE inspector with the Crime Free element.

Chief Norton stated his preference to start this program out slow.

Director Hulseberg pointed out the issue of overcrowding and that some units have 6-12 people living in one unit.

Trustee Ladesic stated this is a problem that exists and he definitely supports this. This is for public safety. Director Hulseberg responded that the first year all landlords would be required to attend training.

Trustee Burket commented that this is only as good as the inspectors; this is a problem looking for a solution. Renters should be assured minimum living standards.

Trustee O'Shea asked how this would be enforced. Chief Norton said by stickering the door which would mean that the landlord would be prohibited by the Village by renting the unit.

Manager Franz responded that this is in response to isolated issues with rental properties in Glen Ellyn.

Trustee Burket stated that 85% of the landlords would welcome this.

Director Hulseberg stated that they are not targeting single family home rentals as it is not necessary. Trustee O'Shea agreed.

Mr. Bruce Eilert, 4537 Ivanhoe, Lisle approached the Board and disagreed with the proposed Ordinance. A landlord and former resident, Mr. Eilert stated that this proposal centers on Ana/Parkside Apartments, which he stated is the Village's main problem. Mr. Eilert pointed out that Parkside was recently sold and the new owners are in the process of cleaning up the property, making the proposed ordinance unnecessary.

Manager Franz responded that this is a workshop and more of a brainstorming session and that no action would be taken on this issue tonight.

Mr. Eilert commented that there are some bad apples in apartments and that there are issues in single family dwellings as well. Perhaps the Village should be looking into hoarders. Trustee Ladesic responded they are targeting one problem and there are problems all over.

President Demos told Mr. Eilert that as a landlord he is a business and as a business he is subject to regulation. This is a life safety issue and it needs to be regulated. Mr. Eilert responded that it may be a business but it is also someone's residence. In New York, he pointed out if there is a fire call, than an inspection may be conducted.

Mr. John Talaber, 155 Surrey Drive, Glen Ellyn approached the Board to offer his opposition to the proposed ordinance. Mr. Talaber stated that he is a landlord and has been a part of his community for over 20 years. He has concerns with the issues presented, especially #3 and has seen how this does not work in other towns. Mr. Talaber pointed out how the community worked with the Village and the Police Department over 20 years ago to clean up the Braeside neighborhood. Chief Norton responded that this is a different issue. Mr. Talaber responded that he and Bruce (Mr. Eilert) are at their buildings every day, and there is a lot of pride in the community.

Mr. Talaber commented that the overhead is high as a landlord, they are already pushing us to push higher rents and that may not always get them the best tenant. We do not want to go the route of other communities with licensing/registration/inspection programs.

Trustee Ladesic asked about the cost. Mr. Talaber suggested looking at Lisle. In Lisle all apartments are inspected upon turnover at \$5 per unit. This has been an effective and non-intrusive program. Mr. Talaber further stated that the communities used as an example are communities Mr. Talaber would not even consider purchasing in.

Mr. Talaber added that the licensing/registration fees only add to the cost. He is a part of this community and wants to see it make the right choices. Naperville has incentives for landlords to re-invest in their properties. If you keep good people you continue to get good people.

Mr. Sam Tapia, 1185 Surrey Drive, Glen Ellyn approached the Board to express his opposition to the proposed ordinance. Mr. Tapia stated that Glen Ellyn is by far more upscale than the comparisons used in presenting the proposed ordinance. This proposed ordinance may negatively impact all property values. This provides for a burden of increased staff, when every other community is cutting their budgets and staff.

Mr. Tapia related his experience with inspections and being told by a Village inspector that he needed a new hand rail. The permit alone to replace the handrail was \$350.

President Demos thanked all who approached the Board and stated that this proposed ordinance is just in the brainstorming phase. President Demos also stated that the next workshop discussion on this subject should include the entire Board.

Adjournment

At 8:31 p.m. a motion was made by Trustee Burket and seconded by O'Shea to adjourn. Motion carried.

Respectfully submitted,

Catherine Galvin,
Village Clerk