

**ITEM NO. _____ TO THE CITY COUNCIL OF PEORIA, ILLINOIS, IN COUNCIL,
ASSEMBLED YOUR COMMITTEE OF THE WHOLE to Whom was
Referred a POLICY SESSION Regarding Code Enforcement
Compliant and Enforcement Process, Including Enforcement along
Commercial Corridors and Building Adaptive Reuse.**

A Policy Session was held on Tuesday, May 19, 2015, beginning at 6:01 P.M. at City Hall, Council Chambers (Room 400), 419 Fulton Street, Peoria, Illinois, with Mayor Jim Ardis presiding, and with proper notice having been given.

ROLL CALL

Roll Call showed the following Council Members present: Akesson, Jensen, Johnson, Montelongo, Moore, Rigganbach, Turner, Weaver, Mayor Ardis –9; Absent: Grayeb, Spain – 2.

Others present: City Manager Patrick Urich, Corporation Counsel Donald Leist, Assistant City Manager Chris Setti, Community Development Director Ross Black, Assistant Police Chief Mike Eddlemon, Human Resources Director Mary Ann Stalcup, Fire Chief Kent Tomblin, Assistant Corporation Counsel Syed Ahmed, Director Information Systems Sam Rivera, Information Systems Specialist Paul Peterson, Facilities Manager Jason Meeks, City Clerk Beth Ball, Deputy Clerk I Dan Sullivan, interested citizens, and members of the media.

CODE ENFORCEMENT

Community Development Director Ross Black presented a power point presentation regarding an overview of Code Enforcement within the City of Peoria. He explained that Code Enforcement was the enforcement of the Property Maintenance Code, Chapter 5, and Chapter 13 of the City Code, which discusses housing maintenance, environmental maintenance (weeds, litter, garbage, vehicles, etc.), and dangerous buildings. He stated other Code Enforcement activities would be non-residential property maintenance, zoning enforcement, certificate of occupancy/site violations and building code violations – non-residential development. Director Black indicated the total code enforcement cases in 2014, was 11,953, 2014 abate notices Issued was 2,933, 2014 work orders Issued 2,698, 2014 tickets issued 1,680, 2014 housing notices, notices of dangerous buildings (NDB) Issued 1,039, and total actions taken in 2014, was 8,881.

Director Black stated Code Enforcement involves the Community Development Department, which included Code Enforcement Inspectors, Support Personnel, Zoning Enforcement and Building Safety Staff, the Police Department's Nuisance Abatement Team, Legal Department and City Hearing Officer for housing and environmental cases. He explained others involved in the Code Enforcement functions were Public Works for the City and trustee lot maintenance administration, private contractors for environmental cleanup, rat abatement, structure boarding and demolitions, Circuit Court Judges for demolition cases and Private Property Owners/Home Owners Associations for maintenance of their own property. He discussed the productivity per inspector and the breakdown of Code Enforcement Complaints, 21% or 2,508 Citizen Complaints, 8 % or 1000 complaints from Council Members or Peoria Cares, 2% Police & Fire Department Complaints, the remaining 70 % were initiated by Code Enforcement Inspectors for a total number of complaints around 12,000 cases in 2014.

Director Black explained the different processes used for basic environmental violations for vacant and occupied properties. He explained the process for vacant properties with environmental violations as follows; issue work order for environmental violations/or board up, issue ticket to the owner of record (discretion of the inspector), if the ticket is not paid it would be sent to collections, contractor completes the work within 10 days, inspector verifies that work had been completed, bill the owner for the work, if bill not paid then lien can be filed that can be attached to the property tax bill. He explained the process for occupied properties with environmental violations would be to issue an Abate Notice, issue ticket to the owner of record (discretion of the inspector), if the violation not resolved then a work order issued, contractor completes work within 10 days, inspector verifies completion of work, bill the owner for the work, place a lien on property if bill not paid. Director Black continued to explain the process for basic housing violations for all properties would be to verify and document violations, a housing notice with notice to appear before the City Hearing Officer is sent to the owner of record, usually six weeks out, if violations are corrected, no need to appear, if violations are not corrected, a work scope and timeline will be established at the first appearance, if progress is being made, case will be continued in 30 day increments, if owner does not appear, no progress made, or work doesn't follow the work scope, a fine will be issued. He explained the basic demolition process for all properties as follows; inspector verifies and documents violations, notice of dangerous building served to all interested parties, court date set and interested parties are served, case goes to trial, demolition order issued by court, utilities turned off, finally demolition carried out by private contractor.

Director Black stated other functions of code enforcement were to handle rat abatement, board up services, educational mailings, removal of unlicensed/inoperable vehicles and neighborhood sweeps. He reviewed the Code Enforcement Department's 2015 Operating Budget indicating a total division budget of \$1,243,829. He explained the breakdown of the budget was \$757,528 personnel, \$326,301 supplies & contractual, \$160,000 demolition cost for a total of 1% of the total City budget.

Director Black explained the challenges of code enforcement 1. Volume of potential demand, approximately 52,000 housing units; 5,300 vacant; approximately 47,000 parcels of land; and approximately 50 square miles of land; 2. Assistance programs can only serve a fraction of the community needs; 3. Adding value to land results in increased private maintenance, which would be long range planning and implementation effort, Wellness Plan & Neighborhood Plans; 4. Limited re-capture of tickets and liens increased collections activity and change in State Law related to slum-lords and abandoned vacant lots. 5. Dumping (tires, electronics, bulky items) 6. Maintenance/Use of vacant properties/Land Management 7. Increasing need for demolition/alternatives to demolition 8. Time to resolve issues vs resident expectation to resolve issues 9. Pipeline issue-scale up the entire process, as productivity has increased, funding for work orders & demolitions has not increased. 10. Chronic vs Acute problems 11. Significant Paperwork Demands, 12. Need to focus on commercial, not just residential properties, 13. Increasing Demand for sweeps, 14. "Zombie Properties which are abandoned property process for vacant lots. 15. Safety of Field & City Hall Personnel, 16. Lack of clear direction from Council on application of enforcement.

Director Black continued to explain the Actions the Code Enforcement Department would continue to proceed unless otherwise directed by Council. 1. Update the Wellness Plan, 2. Continue to expand the legal uses for vacant property, 3. Continue to explore methods to collect on tickets, fines & liens, 4. Continue to explore a response to dumping, 5. Continue to reduce

the cycle time to resolve violations, 6. Explore increased financial pressure on chronic violators and 7. Enforcement of City Codes without regard to the type of property or property ownership.

Council Member Moore expressed her concern regarding the number of Code Enforcement Inspectors assigned to the First District, especially since the First District had the majority of the code violations. She voiced concerns on the priority of the South Side in regards to Code Enforcement and she requested a review of the City's Wellness Plan.

Council Member Akeson stated the Code Enforcement Department faced many challenges. She expressed concern with the code enforcement process and she requested information be broken down by districts.

Director Black said he would review how information could be broken down by District.

Council Member Weaver stated the City had 5300 vacant homes and he challenged the City to work on getting the vacancy down to a 6% vacancy rate. He mentioned Madison, Wisconsin, had a 4% vacancy rate and encouraged the City of Peoria to follow in their footsteps. He questioned Director Black in regards to results of the Code Enforcement process. He discussed the process of abatement notices and work orders, and he requested a pilot program that would have a zero tolerance, which would allow work orders to be placed on property taxes. Council Member Weaver discussed setting priorities. He said he wanted to get the most effective use of time and personnel. He said he would like to know how different areas are handled and what priority are set each week. He said he would like to see the process shortened.

Director Black responded to Council Member Weaver's concerns regarding recommendations for changes to the Wellness Plan, and he stated he would work with legal to research the potential pilot program regarding work orders being placed on property taxes.

Council Member Montelongo stated code enforcement was a complex issue and he requested a review per Council District to tackle the serious issues affecting the City of Peoria.

Director Black stated the Wellness Plan could not be separated out by districts.

Council Member Jensen questioned Director Black about the Wellness Plan and whether or not there had been enough time to access information within the first year of existence.

Council Member Jensen and Director Black discussed systematic inspections and how successful those inspections were, but also discussed the drain on resources with these inspections. Director Black indicated since the passage of the Wellness Plan, no systematic inspections had occurred.

In response to Council Member Jensen's question, Director Black indicated that the issue of chronic nuisance properties was not included in the power point, because the majority of the nuisance property complaints were handled by the Police Department.

Council Member Jensen asked to see data showing the percentage of compliance from the placement of notice to abatement signs within the ten to fifteen day period. Community Development Director Black indicated that he would search for that data.

Council Member Jensen questioned if Code Enforcement Inspectors could issue tickets without utilizing the Notice to Abate Process. She requested legal to review this issue. She asked Director Black about staffing levels within the five Council Districts.

Director Black indicated the City had seven field inspectors and two office staff dealing with code enforcement issues. He indicated that not every Council District had a Code Inspector assigned to them. He stated no code inspectors were assigned north of War Memorial and none were assigned to the Fifth District. He stated that part of the Third and Fourth Districts also had no inspectors assigned to them.

Council Member Riggerbach discussed improving the timeframe in resolving issues to enhance neighborhood expectations. He asked for an explanation of chronic properties and he suggested fines be increased for these violators.

Director Black explained the definition of a chronic property and he stated new legislation was being discussed in Springfield to allow liens to be placed on chronic landlords' properties other than the direct property where the violations occurs.

Council Member Johnson questioned the process of data collection and the efficiency of the process.

Director Black indicated data collected by the Code Enforcement Inspectors was part paper initiated and part computer generated.

Council Member Johnson requested a software review to assist the code inspectors to be more efficient.

Mayor Ardis requested a proactive approach on retrieving payment on unpaid violation tickets. He spoke regarding the \$498,000 in unpaid fees owed the City. He voiced his concern that there were no Code Enforcement Inspectors assigned North of War Memorial. He expressed support in reviewing other communities' policies on code enforcement.

Council Member Turner expressed concern about the lack of respect for the entire process. He questioned why warrants couldn't be issued for chronic violators.

Director Black stated at one time warrants were issued when cases went to Circuit Court, but Judges now are reluctant to issue warrants.

Council Member Akeson discussed concerns regarding commercial corridors. She stated the City should not hesitate to issue violations on commercial properties.

Director Black indicated violations on commercial properties were rarely issued because complaints werenot received. He indicated that two building inspectors had been assigned to code enforcement of commercial properties.

Council Member Jensen questioned the lack of timeframe involved with the housing process.

Director Black indicated a timeframe would be difficult to establish because of the different types of violations involved. He stated cases at housing court would be set out for six weeks because of the overwhelming volume of cases the hearing officer hears.

Council Member Jensen requested exploring a revolving fund to be created to save older neighborhoods. She requested the City model after a Detroit land banking program to assist with demolition properties.

Council Member Moore spoke about the City of Peoria Paint Program and what role Code Enforcement played in the process. She voiced concerns about the majority of violations being issued to non-owner occupied properties. She stated that 60 to 65% houses in the South Side were rental.

Council Member Weaver asked Director Black if a comprehensive plan on demolitions was a priority or would this process be completed in the future.

Director Black stated a comprehensive plan on demolition was a priority and staff had been working on it.

Council Member Akeson questioned Community Development Director Ross Black about a commercial corridor plan.

Director Black indicated he was interested in doing a sweep of commercial businesses. He stated he was working with Assistant City Manager Chris Setti on the Knoxville Commercial Corridor. He stated an outreach program to those businesses first would be more effective than issuing code violations directly.


Assistant City Manager Setti said a letter to all business owners along the Knoxville Corridor would be mailed within two/three weeks requesting a meeting to discuss code issues, TIF opportunities, and SSA possibilities.

Council Member Akeson voiced concern with data collection and requested a better system to assist with this problem.

Council Member Johnson moved to adjourn the Policy Session; seconded by Council Member Moore.

Approved by Viva Voce Vote.

The Policy Session adjourned at 8:40 P.M.



Beth Ball, MMC
City Clerk, Peoria, Illinois