

AGENDA
CHAMPLIN CITY COUNCIL
COMMITTEE-OF-THE-WHOLE
MONDAY, APRIL 26, 2010
CITY COUNCIL CHAMBERS

5:45 P.M.

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

1. CODE ENFORCEMENT ANNUAL REPORT
2. ENTRYWAY SIGNAGE OPTIONS

OTHER BUSINESS

ADJOURNMENT: 7:00 P.M.

City of Champlin
CODE ENFORCEMENT PROGRAM
2009 Annual Report



City of Champlin
CODE ENFORCEMENT PROGRAM
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INTRODUCTION

In surveys, Champlin residents have listed neighborhood preservation and community appearance as important quality of life factors. Several years ago, the City assigned a part-time staff person to respond to complaints and enforce City codes. Today, the Code Enforcement Program has matured to include a full-time officer.

The cover displays some of the code violations the City encountered during the past year. The City works throughout the year to inspect, monitor and manage properties to insure compliance with City codes. These activities, guided by service philosophies, range from enforcing the International Property Maintenance Code, licensing and inspecting rental units, to monitoring our inventory of abandoned & foreclosed homes, and abating tall grasses & noxious weeds.

While these activities are centralized in the Community Development Department, the effort to eradicate public nuisances and preserve quality neighborhoods crosses many department lines. Below is an acknowledgement of the departments and some of the staff members involved in this effort.

Community Development

Diana Jones
Gary Kirkeide
Jerry Hart
Jean Torola
Scott Schulte
John Cox

Finance

Jeanne Binsfeld
Holly Fox

Public Works & Utilities

Mike Bramwell
Chris Rachner
Byron Bethke
Craig Wissink
Tara Olson

Police/Fire

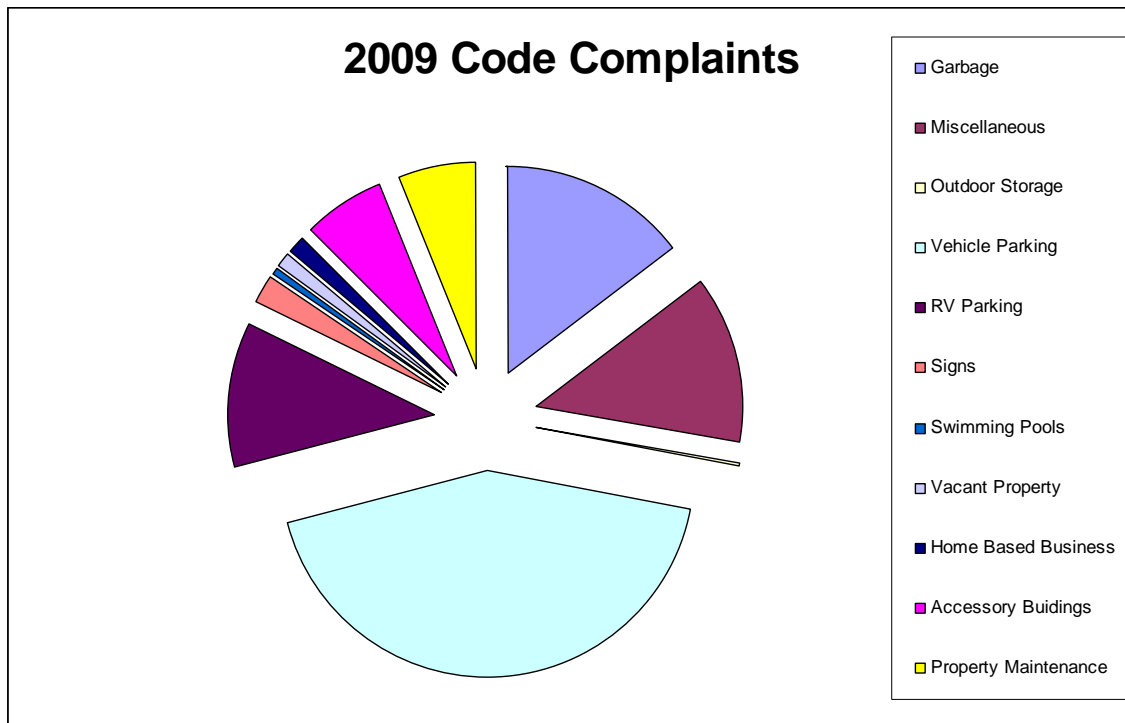
Weston Rolf
Mark Shenkle
Charlie Thompson

City of Champlin
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CODE ENFORCEMENT

In 2009, the City received 2,064 code complaints not including grass and weed violations. The complaints resulted in 1,292 code violations. Offending parties were sent a correction letter defining the offense, explaining the corrective action, and setting a correction timeline. The ultimate goal is to achieve voluntary compliance. Non-complying individuals were issued a citation. Last year, the City issued 24 citations involving a court appearance and in most cases, a fine set by the Court.

The most frequent violations involved motor vehicles including illegal parking, unlicensed or expired tabs, and inoperable or junk vehicles. Compliance with these violations typically occurs with the first notification. Along with vehicles, property maintenance violations were also high. Property maintenance violations range from exterior painting, fence maintenance, rubbish and garbage removal, siding repairs to roofing



Address Number Sweep

In 2009, the City conducted a windshield survey to identify single family homes without visible address numbers; a public safety violation of the Property Maintenance Code. Performed over several months, the survey included 6,544 homes and found 444 homes in need of house numbers.

Door tags were left at the offending properties that provided an explanation of the code and a compliance date. Follow-up inspections found 342 of the properties in compliance. The remaining properties have been issued a final notice and will be re-inspected this spring. Failure to comply will result in a citation.

Expanded Software Program

The City expanded its building inspection software program (*Permit Works*) to assist with the management of our code enforcement program. The software program has been helpful in the tracking and monitoring of code violations, habitual offenders as well as providing valuable reporting information on the types, and locations of violations.

The City has modified the use of a public works software program (*Mr. Maintenance*) to assist with the tracking and reporting of vacant and foreclosed homes. The program has been a critical tool in facilitating water shut-offs at vulnerable properties. Three winters ago, Champlin was one of the first cities in the State to implement a foreclosed home inspection program. The program and its water shut-off component has saved dozens of homes from severe water damage.

City Website Complaint Form

Individuals can submit code complaints by visiting the City's website and completing a property complaint form available on our homepage. Complaints are forwarded to the Code Enforcement Officer for investigation and follow up.

Last year, the City received 39 complaints via the website ranging from illegal vehicle parking to long grass to abandoned homes. The City has promoted the site and this tool in our publications. While the name, address and phone number of the reporting party is required on the form, all contact information is kept strictly confidential.

Education Program

A core element of the program is education both externally and internally. The City uses a number of forums to promote our effort including participating in local cable TV programs, writing articles for the Champlin Chronicle and Champlin Dayton Press, posting information on the City's utility bills, and website.

General information is provided regarding property maintenance as well as tips for the season at hand. Parking requirements, outside storage, yard waste information along with snow and ice removal were some of the topics covered last year. Individuals are encouraged to use the City's property complaint form on the City's website.

InterDepartmental Cooperation

As noted in the introduction, the City's code enforcement effort combines the energies of numerous departments and the contributions of many individuals including the following:

- Building Inspections investigates property maintenance violations, assists with rental licensing building code issues, physically monitors foreclosed/vacant properties, coordinates water termination program.
- Finance/Utility Billing runs and reviews reports that aid in the identification of a rental property or a vacant home.
- Police Department provides police reports involving rental properties and their tenants, assists in investigations or inspections requiring security, and provides valuable information that cannot be obtained via conventional means.
- Anoka/Champlin Fire Department coordinates inspections of City's multi-family rental housing stock.
- Public Works manages the noxious weed and long grass violations and on occasion, assists with the elimination of public nuisances requiring immediate attention.
- Utility Department assists with the investigation of abandoned homes and coordinates water service shut-offs.

DVS Access

In November 2009, the City's Code Enforcement Officer was granted limited access to the Driver and Vehicle Services (DVS) data base. This information allows the Code Enforcement Officer to issue citations. Accessing the data base has streamlined our notification process and improved efficiency. Previously, access and citation authority had only been granted to peace officers.

Habitual Offenders

Last year, the City began tracking and monitoring habitual code offenders for violations. Habitual offenders are defined as individuals or property owners with at least two violations in the past two years. Last year, there were 32 properties on the monitoring list which are visited at least once every 60 days during the summer months.

RENTAL HOUSING LICENSING PROGRAM

The City began licensing residential rental properties in 2007. The licensing program assures rental housing is safe, sanitary and properly maintained. The program administered by the City's Code Enforcement Officer, requires landlords obtain an annual license and allows for an inspection of the interior and exterior of the rental units.

Last year, the City licensed 906 rental units including 222 single family homes, 89 duplexes, and 595 units in multi-family buildings. The program generated \$24,000 in license fees ranging from \$75 for a single family home to \$790 for the 144-unit Elm Creek Apartments. The number of licenses has declined slightly over the past couple of years as some single family homes have been converted to owner occupancy, or have become vacant. Attached is a map of the licensed residential properties (*Exhibit A*).

Property Inspections

As part of the licensing program, rental units are inspected once every three years. Last year, the City completed the first round of inspections. Inspections of multi-family buildings (four units or more) are completed every other year and are coordinated by the Anoka-Champlin Fire Department. Inspections of smaller rentals (three units or less) are completed once every three years and are coordinated internally. Roughly 85 % of City's rental housing stock had at least one correction order. Smoke detectors were the most common correction.

The City's coordinated inspection effort with the Anoka-Champlin Fire Department has improved the scheduling process among multi-family buildings and has made the process more convenient for apartment owners. During the joint inspections, the City is observing general property maintenance issues, while the Fire Department staff is inspecting for fire safety issues including heating systems, electrical systems, fire alarm systems and fire safety items. Correction orders for these inspections are done separately.

The impact of the licensing program has grown. Besides scheduled inspections, City staff conducted over 50 inspections last year in response to a tenant complaint. The most common complaints were leaky roof and mold.

Property Violations

Property owners are sent a notice scheduling their inspections. In the case of multi-family buildings, a posting notice is enclosed to display in the building's common areas. There's a check list of items that are reviewed in each rental unit. Interior and exterior corrections can be ordered repaired and/or replaced as needed. Life/safety issues are top priorities; however general conditions are also evaluated. The City has adopted the 2006 International Property Maintenance Code (IPMC) as the chief regulatory guide.

A detailed description of the corrective action needed is documented and sent to the property owner along with a code section for reference. The length of time given to complete corrections is generally 30 days however consideration is always given for larger projects. A timeline is requested from the owner regarding big repairs or for items needing repair/replacement when the weather will allow. A follow up inspection is scheduled to review corrections after 30 days. In some instances another inspection is needed to view corrections that required more time to complete. If an owner refuses to comply, a citation is issued. Further non-compliance ultimately results in the filing of a formal complaint which includes a court hearing. At the end of December 2009, there were 37 properties with outstanding corrections.

During the first two years of the program, landlords frequently failed to show up for their inspection. The adoption of a \$75 fine for a missed inspection has helped to curb this event. Last year, the City fined eight landlords for missed inspections. In each case every property owner finally allowed the inspection to take place.

Citations have also proven to be a useful tool in obtaining compliance with rental licensing. Last year, 38 tickets were issued to rental property owners for failure to license their property. Landlords are sent two notices regarding the license requirement prior to a citation is issued. A citation can also be issued when there's failure to allow a rental housing inspection.

Disorderly Behavior Notices

In the past, the City's rental properties had generated an unacceptable number of police calls with many calls dealing with disorderly or negative behavior. The licensing program's "three strikes" component is aimed at stemming this tide and reducing negative behavior. Anytime a call police call at a rental property involves negative or disorderly behavior, the tenant and the landlord are issued a notice. The notice puts the parties on notice that the behavior must cease or the landlord risks having their license and ability to rent suspended or revoked. This component is referred to as the "three strikes program" because upon issuance of a third notice, the landlord must either evict the tenant or face a public hearing to consider suspension or revocation of their license.

Last year, the City issued 90 - first instance, 26 – second instance, and 8 - third instance notices. All police reports regarding disorderly conduct, a loud party disturbance, etc. are forwarded to Livable Housing Police Officer. The Officer and the City Code Enforcement Officer determine if the police call warrants an "instance notice". Calls for service that are medical in nature are not considered for an Instance Notice.

The instance written notice with information about the police call is sent to the tenant and the property owner. The first notice is sent as information to the property owner. A second notice, however, requires the property owner to contact with the Code Enforcement Officer to indicate how this behavior will be curtailed in the future. If a

third notice is sent, the owner and tenant are advised that the license to rent may be revoked, suspended or not renewed.

Most leases have language referencing negative contact with the Police Department. In comparing first, second, and third notices, it appears the program has been successful in curbing police calls for service. Last year, eight tenants received a third instance notice. In all cases, the landlord elected to evict the tenant rather than face a public hearing and possible suspension or revocation license.

Success Stories

There were a lot of success stories last year resulting from our inspections and correction orders. Here a few of the highlights:

The apartments at *26 & 30 Sunset Drive* were completely renovated with new carpet in the common areas, new sidewalks, a new trash enclosure, new lighting and paint in hallways making them lighter and brighter. New windows were installed at 26 Sunset Drive and 30 Sunset Drive. The addition of an on-site caretaker has been a positive step, providing residents a contact person who can be easily reached.

411 Dayton Road saw new decks (north side), and new patio doors. Interior work included new paint, lighting and carpeting in the hallways making them lighter and brighter. Some of the units received new appliances, flooring and countertops. Most of this work was done while units were vacated. More work continues on the decks and patio areas. Garage roof repairs have been made, which corrected a water problem for residents using the garages on the NE side.

Since the inception of the Rental Licensing and Inspection program, police calls have dropped significantly at the above three properties which are owned by the same party. Management has been cooperative with notification to residents that receive "Instance Notices" because of negative police contact.

The Elm Creek Apartments have extensively updated half of their four buildings. The remaining two buildings are expected to see updates later this year. The on-site manager for the property does an excellent job of screening tenants and reacting to any "Instance Notices" received. Police calls to this complex have dropped significantly due to the LHU/Rental Licensing & Inspections involvement and the firm stand that management takes with negative police contact and their residents.

11249 Hampshire Court East is a rental property that experienced significant problems with tenants last year. Problems ranged from parking issues and outside storage/garbage to public disturbances. The property owner evicted the problem tenants and completely renovated the home. New tenants are now occupying the home after a thorough background screen was completed with staff help.

The Belle Aire Drive Neighborhood has a number of rental single family homes and duplexes. Last year, several property owners in this area made improvements including new driveways, new windows, exterior painting & siding.

The tenants at *12901 Saratoga Lane* were evicted due to negative contact with the Police Department. The property owner was cooperative and has found more acceptable tenants with the assistance of staff.

The duplex at *726/728 West River Road* fell into foreclosure and was abandoned in a rundown condition with significant water damage due to a frozen boiler. A new owner renovated the property with guidance from staff.

A duplex at *7315/7325 – 122nd Avenue* had multiple problems inside and out. Responding to correction orders, the owner installed new windows throughout, new decks, new patio doors, new concrete sidewalks, gutter repairs, and is considering new siding. Reversed hot and cold faucets, loose toilets, missing smoke detectors and other small corrections were also made. These improvements would not have been made without the inspection and order.

Many rental properties were found to be in good condition with the exception of missing smoke and/or carbon monoxide detectors. The life/safety concern this program addresses has had significant impact with the installation of these small but very important safety items.

Few rental homes require extensive clearing and cleaning to become compliant. In one case, however, the tenant was unhappy that the inspection uncovered a hoarding obsession. Orders for corrections were provided to the landlord and tenant which ultimately led to the landlord and tenant coming to an agreement on correcting the situation. Prior to the inspection, the owner had not been in the home for three years. A re-inspection of the property found that the work had been done and the tenants were grateful how that they have a clean home. They hadn't realized how things had gotten out of control over the last couple of years as they dealt with job loss, poor health and financial difficulties. They indicated that making the changes provided an opportunity to see how they could get their life back, entertain friends again and stop being ashamed of their surroundings. This experience for them proved to be lifesaving, and a real testimony to the importance of this program for our City.

Landlord Forum

In May, the City hosted the second annual landlord forum in the City's new Emergency Operating Center. The forum provided landlords with useful information on marketing, tenant screening, dealing with a troubled tenants, rehabilitation grants, Section 8 housing, energy efficiency techniques, and how to work with the Police Department. Speakers were from the Center for Energy and Environment (CEE), the Metro Housing and Redevelopment Authority, and the City of Champlin.

HOME FORECLOSURES

Consistent with national trends, Champlin has been significantly impacted by high rates of mortgage foreclosure. Over the past three years, 377 Champlin households experienced foreclosure; 125 occurred last year (*Exhibit B*).

Foreclosure Response Plan

Recognizing the consequences of this crisis, the City adopted a Foreclosure Response Plan in February, 2008. The plan's three prong approach calls for the (1) promoting local, free, foreclosure counseling services, (2) identifying foreclosed properties and issues and of property maintenance and crime and (3) acting to address the property's needs.

Promote Counseling Services. The rise in home foreclosures has resulted in more funding being directed to foreclosure prevention programs. There are a number of organizations providing free counseling for homeowners who are in or are facing foreclosure. The primary agency serving the Champlin area is Community Action Partnership for Suburban Hennepin (CAPSH) at (952) 697-5767. The City has been promoting CAPSH's services through its television, internet, billing and print outlets.

Monitor Foreclosed Properties. Staff visits foreclosed properties at least once every 60 days. Last year, there were 212 homes on our monitoring program including 67 vacant or abandoned homes (*Exhibit C*). Along with assessing property maintenance, the visits assist with property preservation and determining whether a property has heat, and is occupied. If a foreclosed property does not have heat, immediate action is taken to disconnect the home's water service. During the winter months, this action prevents frozen and broken water pipes.

In 2009, the City shut off service to 79 homes based on lack of heat. If the house is believed to be unoccupied but has heat, door hangers are left on the outside doors requesting the homeowner/tenant contact the City within two weeks. If no response is received within two weeks, the City will disconnect the water service. With all disconnections, the house is posted for no occupancy and information is provided on how to be reconnected 24/7. Letters are also sent to the home and the property tax payer. A water shut-off procedure has been developed to guide the decision-making process.

The area's gas supplier, CenterPoint Energy has been cooperative with gas shut off information. CenterPoint provides weekly service termination information reports. This information, however, has limits since the account status can change hourly. Site visits are still the best means of securing information.

Community Policing. The Champlin Police Department is provided regular updates on foreclosed properties. The reports provide valuable information to officers by identifying potentially vulnerable properties.

Nuisance Abatement. Foreclosed homes can result in poorly maintained properties and code violations. The City works with the property owners and their mortgage companies to address outstanding code issues. If unsuccessful, the City considers abating the nuisance and assessing the cost. Abatement allows the City to eradicate a public nuisance (i.e. dead or dying trees) upon proper notification. The abatement costs may be certified to a property's taxes. To date, the City has used the abatement process sparingly.

Acquisition Assistance. Last year, the City secured a \$296,000 federal grant to assist with the acquisition and rehabilitation of foreclosed homes. The grant provides closing cost and down payment assistance to homeowners buying foreclosed homes in targeted areas. The grant will also provide funding for acquisition and rehabilitation of one foreclosed home.

These strategies have been effective in minimizing the impact of foreclosures. Over the past two years, staff has revisited the strategies, discussed alternatives with colleagues and worked with neighborhoods in an effort to improve our tools in preventing, mitigating and remediating home foreclosures and the associated byproducts. Without such efforts, the impact would be much more severe.

While foreclosures leveled off last year compared to the previous two, the housing market and Champlin are not out of the wood yet. During the fourth quarter of 2009, TransUnion, a credit reporting agency, reported a record number of homeowners (6.89%) were delinquent (60 days or more) on their mortgage.

TALL GRASSES AND NOXIOUS WEEDS

Tall grasses and noxious weeds are regulated by Chapters 34 Nuisances and Chapter 62 (Vegetation) of the City Codes. The City's lead enforcement agent is the Tree and Weed Inspector who is a seasonal employee that works during the summer.

The abatement process for eradicating tall grasses & noxious weed averages 25 days. The timeline includes the initial complaint, a visual inspection performed by Tree and Weed Inspector, certified letter sent to property owner, 10-day notification period, and abatement order performed internally. Last year, the City made 639 weed and tree inspections, sent out 214 certified letters and abated 36 properties; 9 were repeat offenders. Last year, the City increased the abatement fee from \$100/hour to \$350 for the first offense and \$500 for the second. This modification resulted in a slightly lesser number of abatements.

In addition to abating tall grasses, the City also abated and certified to taxes the removal of diseased trees at two properties; 11669 Nevada Lane and 7445-122nd Avenue North.

Changes for 2010

For the 2010 season, the City plans to work with legal counsel to introduce a more efficient process that eliminates the labor & expense of certified mail in hopes of reducing the abatement process to 15-20 days.

Unlike other code enforcement issues, habitual offenders of grass violations have not been regularly tracked. The City will be modifying the program to regularly monitoring of habitual offenders.

Maintenance along County roads especially long grass has been a problem. Other cities report similar situations. Prior to spring, the City will send a letter to property owners abutting county roadways and request their help in keeping the road corridors mowed and orderly.

COMMERCIAL SIGNS

As long as there is commerce, there will be illegal signs. A drive along the highway corridor underscores this statement. While figures are not kept, staff conservatively estimates that 400 illegal signs were confiscated from public right-of-ways last year. Most of these signs were posted by non-Champlin businesses.

Illegal portable signs and banners continue to require more attention. Last year, staff made in excess of 100 business contacts regarding illegal signage or banners and issued 20 violation notices.

Last year, the City modified the sign ordinance to allow for more temporary signs. To promote this action, the City sent a letter and information pamphlet to all local businesses in December. The correspondence described recent sign ordinance changes and provided information regarding temporary signs.

MEMO

TO: Mayor and City Council

FROM: Scott Schulte, City Planner
John Cox, EDA Executive Director

DATE: April 26, 2010

RE: Conceptual Entryway Signs

BACKGROUND

Last December, the City Council authorized staff to engage the services of a landscape architect to prepare entryway concept plans for three intersections including:

- Highway 169 & Dayton Road
- Douglas Drive & 109th Avenue
- Highway 169 & 109th Avenue

The following introduces a concept plan for the Douglas Drive & 109th Avenue location. Staff is working with MnDOT on the other locations and will provide an update at the meeting.

DOUGLAS DRIVE / 109TH AVENUE INTERSECTION

Our landscape architect, LHB & Associates, recommends the City create a “gateway” feel at the intersection that includes (1) an upgraded and improved Holiday Station sign at the northeast corner, (2) a City entryway sign at the northwest corner, and (3) common landscape improvements at each corner.

LHB believes the northwest corner, consisting of a Holiday Station pylon sign, plantings and utility boxes, is too cluttered and busy to merit the investment of a city sign. The sign would simply get lost.

Instead, LHB advises the City to invest in a entryway sign at the northwest corner and work with Holiday Station to provide a similar feel and look at the northeast corner. The entryway sign would dramatically improve the northwest corner which is quite open and barren and provides the visitor with an attractive gateway feel at the intersection.

While the concept plan has not been shared with contractors, LHB staff estimates the cost the City improvements (i.e. fence, plantings, and city sign) at \$90,000 – \$120,000. The cost of a new, upgraded Holiday Station Store sign is estimated at \$45,000 - \$55,000. Besides Holiday’s participation, the plan requires easements from the property owner at the northwest corner. Preliminary discussions with this individual suggest voluntary participation (at no cost). Holiday officials have shown an interest in working with the City on common materials and streetscape elements but they have not seen a concept plan or estimated cost.

Entryway Sign
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It is recommended that the EDA Board approve the concept plan and authorize staff to meet with Holiday Station officials.

Attachments