

**Planning & Development Committee Meeting  
Minutes of July 25, 2011  
City Council Chambers – 7:15 p.m.  
Lorraine H. Morton Civic Center**

ALDERMEN PRESENT: J. Fiske, D. Holmes, A. Rainey, M. Wynne

STAFF PRESENT: G. Farrar, S. Griffin, D. Marino, J. Murphy, B. Newman, M. Poole,  
P. Schneider

PRESIDING OFFICIAL: Ald. Rainey

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**I. DECLARATION OF QUORUM**

A quorum being present, Acting Chair Rainey called the meeting to order at 7:25 p.m.

**II. APPROVAL OF THE JULY 11, 2011 MEETING MINUTES**

Acting Chair Rainey noted that there is a correction in the last paragraph of Item PD1 of the July 11, 2011 minutes: "The Committee voted unanimously 5-0 to continue the discussion to the *September*, 12, 2011 meeting."

**Ald. Wynne moved approval of the minutes as amended, seconded by Ald. Holmes.**

The minutes of the July 11, 2011 meeting were approved unanimously 5-0.

**III. ITEMS FOR CONSIDERATION**

**(P1) Approval of Recommended HOME Funding for Neighborhood Stabilization Program 2 (NSP2) Property located at 1509 Emerson**

Staff recommends the approval of \$250,000 in HOME funds to be layered with committed NSP2 funds for the rehabilitation of a 3-unit, mixed-income NSP2 property located at 1509 Emerson. City Council previously approved \$600,000 in HOME funds to be layered with NSP2 properties in March of 2010. Staff have identified and committed HOME funds for three (3) NSP2 properties totaling \$540,000 of the \$600,000 approved. A fourth NSP2 property, 1509 Emerson, needs approximately \$250,000 in HOME funds which will exceed the already approved \$600,000 HOME amount. For Action

**Ald. Holmes moved approval, seconded by Ald. Fiske.**

Ald. Holmes commented that this is a good use of the funds and that the property has been vacant for quite some time. Chair Rainey said she noticed that 3 bedroom, 1 bath units were proposed and asked whether Brinshore, the developer, could put 1.5 or 2 baths in the 3 bedroom units. She also noted that a 3 bedroom unit with more than one bath can be

found for \$360,000 in Evanston. Ald. Holmes suggested that since there are back porches there may be enough space to add another bath or half bath.

Sarah Flax, Housing and Grants Administrator, replied that the per-unit subsidy for the project is \$274,000 and added that this unit needs a gut rehab and that tearing it down and rebuilding were cost-prohibitive. She said she would ask Brinshore whether it is feasible to put in more than one bath. Chair Rainey argued that also at that rate you can get a 2 bath condo. Staff agreed to look at the feasibility of adding more than one bath.

**The Committee voted unanimously 4-0 to recommend approval of the funding.**

**(P2) Ordinance 61-O-11 Amending Title 5, Chapter 6 of the City Code “Evanston Housing Commission”**

**As part of the review process to develop its 2011-2013 Work Plan, the Housing Commission recommends that proposed Ordinance 61-O-11 be adopted to align with current responsibilities. The Housing Commission has reviewed and approved the proposed changes. For Introduction**

**Ald. Fiske moved approval, seconded by Ald. Holmes.**

Mary Ellen Poole, Housing Planner, explained that the Housing Commission has reduced their number back to 9 now that there is an alderman on the Commission and reported that they are fully staffed.

**The Committee voted unanimously 4-0 to recommend approval of Ordinance 61-O-11.**

**IV. ITEMS FOR DISCUSSION**

**(PD1) Discussion of Proposed Ordinance 38-O-11: Licensing of Rental Dwelling Units**

Jeff Murphy, Manager of the Building & Inspection Services Division, explained that licensing has raised the attention of his division because of important issues to the City and Community: in the last several years and especially in the current economy, building deterioration and noncompliance to code has increased in Evanston's 13,486 rental units in 426 buildings. He said many units in the 8<sup>th</sup> ward were converted to condos, foreclosed and re-converted to rentals and new developments. He said the cost to run the rental license program in FY2010-11 was \$603,408, including all expenses. The program raises \$70,000 - \$80,000 in revenue and provides the City with property owners' information in case of emergencies, reducing staff hours greatly in the long run. He further explained that owner occupied 2 flats are exempt from rental registration and approximately 2/3 of all 2 flats are owner occupied. He explained that staff needs more leverage to hold owners accountable and this program would help alleviate chronic problems by particular owners, make the City less reliant on federal funding, and remove the burden from the owner occupied 2 flats who rarely have issues. He cited 2,800 complaints on 220 vacant buildings in 2010 with 4 property maintenance inspectors paid approximately \$35/hour. He summarized that the program will provide a more effective means to enforce code and a long term solution to the problem of recurring complaints/violations, adding that Aurora, Minneapolis, Waukegan, Niles, and Mundelein have implemented similar programs at the

same fee base of \$26 per rental unit.

Ald. Fiske asked how the City is notified when an owner dies or sells a building, to which Mr. Murphy replied that the City is notified of every sale.

Chair Rainey asked how this program would make the City more productive, to which Mr. Murphy replied that it would give the City a bigger hammer with the ability to remove the license from non-compliant owners, therefore restricting their income. Currently, there is just a fine for punishment.

Steve Griffin, Director of Community & Economic Development, added that as a preventative measure, the program will make rental owners aware from the start of registration that they will be held to the code or they will lose their licenses.

Mr. Murphy explained that an owner would have 10 days to respond to a notice of revocation due to a life safety issue, a hearing would be conducted with the City Manager's office and that the tenant must have 30 days notice if he needs to vacate. He said in many cases, the landlord owns several units and can relocate the tenant to one of his own units. He clarified that the City does not evict tenants.

Mr. Griffin added that the Ordinance is geared towards its relationship with landlords, not tenants and the City won't be involved in any eviction process.

The Committee expressed concern for how the tenants would be affected and how the Landlord/Tenant Ordinance would be affected by the proposed Ordinance.

**Chair Rainey moved to bring the issue back for introduction at P&D after staff works with the Law Dept. and City Manager's office to resolve how tenants and the Landlord/Tenant Ordinance will be affected.**

Ald. Holmes suggested adding to the lease that it would be the landlord's responsibility to put up tenants in case the unit was found noncompliant with safety codes. Ald. Fiske suggested that the Landlord/Tenant Ordinance should be attached to every lease so tenants are aware of their rights.

Mr. Murphy agreed with the Committee's ideas and added that verbal leases have been considered legal in Illinois, which has caused problems. Chair Rainey suggested making a written lease mandatory in Evanston, if possible.

Chair Rainey thanked Mr. Murphy and staff and opened the discussion to the public who had signed up to speak:

Betty Ester of 2031 Church Street said she had been at the prior discussions about rental registration at which time the City had stated they didn't have enough inspectors. She said it appears this Ordinance will make them busier. She noted that any landlord who's property is funded by CDBG funds must be inspected every 2 years. She expressed concern that landlords would pass the fee on to their tenants. She cited an example of a person who had to hire someone to live in a vacant building to avoid violating the Vacant

Building Act; who had been doing fine before that, and asked whether the purpose of the proposed Ordinance was to generate revenue. She said she understands that the City needs money but asked if it could find a way to make money that won't hurt people who can't afford to pay.

#### **V. COMMUNICATIONS**

There were no communications.

#### **VI. ADJOURNMENT**

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,  
Bobbie Newman