



To: Mayor and City Council

From: Dylan Mulfinger

Subject: Community Development Work Session

Date: 3/28/2022

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The City Administrator is asking council to reconsider their stance on contracting out rental inspection and allow the City Administrator to hire personnel and bring the program back to its successful levels as shown in 2019. Current landlords who have not been inspected have only benefited from the delays not caused by the city. The program was put in place so that the city could go through each rental then evaluate the program after this was complete. Stopping in the last third of the program will not help council reach its goals. The goal was to ensure safe housing in Oelwein. Rushing to finish the initial inspections will not provide a product that is expected from the community. The reason we are here is because of the community wanting improved housing. Landlords are not being double taxed, because they are paying a rental permit, not a rental inspection. I must reiterate that landlords only benefit from delayed inspections. This program was brand new in 2019 and stayed on track until the pandemic in 2020. The City Administrator can rebuild the department and finish the initial inspections and move forward with council to make change in for the 2023 year. Resistance to the rental inspection program is from individuals who do not want improved housing in Oelwein.

Proposed Timeline if Council allows Community Development to full staff:

- April
  - Advertise for Building Official/Zoning Administrator
  - Hire Building Official/Zoning Administrator
  - Train Building Official/Zoning Administrator
- May
  - Advertise for Building Inspector
  - Hire Building Inspector
  - Train Building Inspector
  - Building Official/Zoning Administrator starts inspections
- June
  - Building Inspector starts inspections
- July
  - Community Development is back to full staff
  - City ends temporary Building Inspector
- August
  - Council evaluates rental inspection program and if changes should be made starting in 2023

Goals: Complete all initial rental inspections in 2022



Rental Timeline if Council wants to Contract:

#### Timeline

- March 14
  - Walk Council through a rental inspection
  - Discuss steps that if rentals fail, fail to register, change hands
  - Discuss next steps and review code
  - What part of code does council have a problem with
  - What is the goal for the code change
  - Work through what the contract will include
  - Continue to set attainable goals for the City Administrator
- March 28
  - Finalize goals and direction from council
- April 11
  - Council votes to send out RFPs for inspection services
  - Council finalizes code changes
- April 25
  - Council begins voting on code change
- May 9
  - Council evaluates RFPs and potentially interviews candidates
- May 23
  - Code changes are final
  - Council votes on a contract
- June 13
  - Council receives timeline from contract company
- June 27
  - Hold

#### **Contract for Rental Inspection**

#### Inspection Process

The company will:

- create their own website for Oelwein's rental inspection program
- create the ability for owners to register their properties online
- direct the property owner to then pay the city
- contact property owners by mail when their inspection takes place along with a two-week notice
- provide a rental inspection report to the property owner and schedule a second inspection if needed
- place all rental inspection reports on the company's website to be accessible by the property owner and the City of Oelwein.
- provide a monthly report to the city spelling out initial inspections, second inspections, no shows, and reschedules



- provide an annual report on the program to be presented by the company to council each June
- represent the city at all board of appeals meeting and provide all materials needed for the appeal

#### Administration

The company will:

- be licensed bonded and insured to a level that is sufficient for the city
- background checks on all employees that enter homes in Oelwein
- properly identify themselves with an id card that is always visible during an inspection and their vehicles must show a company name
- provide photos of employees to be posted on the city's website
- provide a written report on complaints made by landlords to the city with 72 hours of receiving them from the landlord or the city
- respond to a tenant complaint with 72 hours unless it is life threatening then it will be completed with 24 hours

The company will not:

- report any properties that are not registered
- will not pursue property owners who fail to register
- fine property owners who fail 2nd and third inspections
- placard unsafe structure properties
- write down any additional code enforcement issues with neighboring properties
- will not provide advice or recommendations on how to repair or meet current city code

Potential issues that staff is working through:

#### Issue 1

Contracted company creates their own website and their own database. If the contractor does not renew the contract, does the contractor give that info to the city? Will the city email the contractor every time they need a report on said address?

#### Issue 2

Will the contractor represent the city in court? If the contractor cannot represent the city in court will the city have to inspect the property.

#### Issue 3

The city is using funding from a position that did several tasks for Community Development and now only funding rental inspections.

#### City Codes

The City uses the following codes:

- Chapter Five Code Enforcement Officer



- Spells out the duties of the Code Enforcement Officer
  - This code needs updated
- Chapter Twelve Buildings
  - Adopts the most recent edition of the International Building Code
    - This is now 2021
    - A recently proposed bill in the Iowa House would require a statewide building code
  - Adopts the most recent edition of the International Residential Code
  - Adopts the most recent edition Uniform Plumbing Code
  - Adopts the most recent edition International Mechanical Code
  - Adopts the most recent edition National Electrical Code
  - Contains the rental housing inspection program
- Chapter Twenty-Five
  - Adopts the International Housing Maintenance Code 2015
  - Should be revamped to adopt code and not spell out the code

### **Future of the Department**

Should council contract the rental inspections, the City will need to continue to have a viable department to ensure Community Development goals are met. The City budgeted for three positions in the general fund and one in economic development.

The City will have the following positions if inspections are contracted:

- Building Official/Zoning Administrator
- Code Enforcement Officer
- Administrative Assistant

This level of employees ensures that Community Development can continue to work toward one of council five goals: Continue to Expand Measures to Improve Housing.

Community Development will still work on the following:

- Building Inspections
  - Construction of a new residential, commercial or industrial building including garages and accessory buildings
  - Construction of an addition to an existing building, dwelling or garage
  - Deck, porch, stairs, steps, ramps or entry way
  - Any addition or construction that changes the exterior dimensions of existing buildings
  - Fencing, new or alteration, relocation or reconstruction
  - Plumbing Permit – any new, added or change of plumbing system
  - HVAC – any new, added or change of HVAC system
  - Residing
  - Reroofing



- Concrete
  - Signs
  - Demolition of structures\* - residential, commercial or industrial
- Stop Work Orders
- Contractor Requirements
- Water on Inspections
- Vacant Lot Management
- Sale of Vacant Lots
- Tear Down Administration
- Site Plan Review
- Planning and Zoning
- Board of Adjustment
- Monitor Residential Home Revolving Loan Program with Upper Explorerland
- Long Range Home Planning
- Nuisance Abatement
- Nuisance Abatement Court Cases
- Monitor Nuisance Abatement Clean Up
- Oversee Tax Abatement Program
- Investigate Junk Homes
- Start 657A junk home process with the City Attorney
- Help with Adjacent Property Owner Disputes
- Vacant Property Registration
- Flood Plain Management