

MINUTES OF A SPECIAL JOINT MEETING OF THE HYRUM CITY COUNCIL AND PLANNING COMMISSION HELD OCTOBER 29, 2009 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 p.m.

CONDUCTING: Mayor W. Dean Howard

ROLL CALL: Councilmembers Paul C. James, Martin L. Felix, Thomas C. LaBau, Craig Rasmussen, and Stephanie Miller present. Planning Commission Members Scott Allgood, Dave Bennett, Jeff Nielsen, Wayne Olson, Brent Roylance, and Steve Sproul.

CALL TO ORDER: There being five City Councilmembers present and five Councilmembers representing a quorum, Mayor Howard called the meeting to order.

OTHERS PRESENT: City Administrator D. Brent Jensen, Zoning Administrator Ron Salvesen, and twenty three citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Howard welcomed everyone in attendance.

AGENDA: A copy of the notice and agenda for this meeting was faxed to The Herald Journal, mailed to each member of the governing body, and posted at the Civic Center more than forty-eight hours before meeting time.

AGENDA

4. WORKSHOP:
 - A. Paul Smith, Executive Director of the Utah Apartment Owners Association - To discuss the Good Landlord program.
5. OTHER BUSINESS:
 - A. Consideration and award of bid for demolition of building located at 95 East Main.
6. ADJOURNMENT

WORKSHOP:

PAUL SMITH, EXECUTIVE DIRECTOR OF THE UTAH APARTMENT OWNERS ASSOCIATION - TO DISCUSS THE GOOD LANDLORD PROGRAM.

Councilmember Miller introduced Paul Smith, the Executive Director of the Utah Apartment Owners Association.

Paul Smith said the Utah Apartment Association (UAA) is a non-profit trade association dedicated to providing a common foundation for rental housing industry professionals and the various businesses that service the industry. It represents several thousand industry professionals totaling 50,000 rental

units and approximately 200 associate vendor/supplier members and related professionals dedicated to the advancement of professional standards within the apartment industry. UAA is the premier State organization representing multi-family builders, owners, developers, leasing consultants, service technicians, and suppliers. It exists to promote professionalism, education, career development and proactive legislative efforts to benefit owners, investors, residents, and association members.

The Utah Apartment Association also created and promotes the Good Landlord program. The Good Landlord programs are Partnerships with local governments that lead to reduced crime on rental property, increased zoning compliance, better quality tenants, higher profits and fewer problems for landlords. They are really a "win/win" for landlords and the communities that have them.

Currently five Utah Cities have "Good Landlord" programs. These include: Ogden, West Valley, South Salt Lake, Washington Terrace, and Clearfield. Several other cities including Salt Lake City, Provo, West Jordan, Sandy, Logan and St. George are in the process of adopting programs.

Good Landlord programs developed in response to efforts by cities to increase license fees on landlords. Under Utah law, businesses that create more costs for cities to provide municipal services can be charged higher license fees. In many cities, studies have found rental property have as high as 40% more police and fire calls for service. So, in order to pay for those extra costs, cities started charging per unit license fees.

Good Landlord programs are a way for owners who do a good job managing to reduce the need for services to pay lower license fees. For instance, in Ogden, a single family rental license costs \$156, but, if owners agree to do certain things that have been proven to help reduce city costs, that fee is reduced to \$13.

The program at its core is incentive based and provides discounts on license fees for apartment owners who agree to do the things such as: 1. Run credit and criminal background checks on all applicants and refuse to rent to certain high risk tenants; 2. Have a zero tolerance policy for crime committed on the property and agree to begin evictions immediately when tenants or their invited guest cause a criminal disturbance; 3. Comply with all zoning and city ordinances; and 4. Attend a city approved landlord training program to help assure owners know their responsibilities, understand the impact bad tenants have on communities, and so they know the proper, legal way to deal with problems.

Most communities don't exempt landlords from having a business license. Landlords are required to have a business license in 19 out of the top 20 largest cities in the State of Utah. Rental properties are a business and need to be treated as such.

Requiring a business license makes it easier on a City to obtain addresses and phone numbers on rental property owners. The City needs to have that information in case of emergency.

Ernie Johansen said he owns rental properties in Hyrum and asked who benefits from the Good Landlord program, because it won't be the landlords.

Paul Smith said it benefits the landlords and the City. Requiring landlords to have a business license and to participate in the Good Landlord program allows problems to be dealt with quickly and efficiently, crime rates go down, and landlords have better tenants.

Steve Jensen asked if the Good Landlord program was administered by the State of Utah.

Paul Smith said if Hyrum City decides to adopt a Good Landlord program it will be the City's program and administered by the City. The City will set the business license fee with or without disproportionate fees to cover costs of law enforcement. If the City sets a disproportionate fee for rental units, good landlords will not be punished because those fees can be reduced through participation in the Good Landlord programs and its incentives.

Planning Commission Member Scott Allgood asked what the cost of a landlord training class is and who teaches the class.

Paul Smith the Utah Apartment Association teaches a landlord training class for \$59.

Councilmember Miller asked Paul what the fee structure would be for a landlord with several units.

Paul Smith said normally one business license is required per landlord and the disproportionate fee is charged per unit.

Councilmember James said the Good Landlord program would be applied equally to all landlords. Each trailer pad in the trailer park will be considered a rental unit.

Mayor Howard said he likes the concept of the Good Landlord program and if the City goes through with this he wants it to be a program that is developed by landlords, citizens, and City officials.

Paul Smith said he believes the City wants to work with the landlords. This is the first time the City Council has discussed the Good Landlord program and it invited all of the landlords that have rental properties in Hyrum.

Fernando Garcia said Logan City is considering adopting a Good

Landlord program. He suggested Hyrum City contact Logan City to find out what things it is including in its Good Landlord program.

Ron Beal asked if Hyrum City had sufficient problems with rental units in Hyrum to warrant this type of a program.

Councilmember Miller said in the last year Hyrum City had to hire another full time officer to patrol Hyrum.

Cheryl Alder asked where the people will live with a criminal background if the City adopts the Good Landlord program and requires background checks.

Paul Smith said this program helps people be better citizens by making them accountable for paying landlords, keeping rental units clean, and not bringing crime into the community. In some communities people are changing so they can be better citizens.

Planning Commission Member Scott Allgood asked Paul Smith where he is getting his information and statistics from for the Good Landlord program.

Paul Smith said the information he has presented is online at www.uaahq.org. The State Attorney Generals Office recommends the Good Landlord program.

Jim Vanderbeek said he participates in Ogden City's Good Landlord program. At first he was upset because he didn't want government involved in his business. However, the Good Landlord program has made him more money and he rents his properties to higher quality tenants. He has fewer problems with tenants, his property is maintained at a higher standard and so are the other surrounding rental properties.

Councilmember Miller thanked Paul Smith for his presentation on the Good Landlord program. She expressed her appreciation to the landlords for their comments and concerns. If the City Council decides to take the next step towards implementing a Good Landlord program all landlords in Hyrum will be invited to attend.

OTHER BUSINESS:

CONSIDERATION AND AWARD OF BID FOR DEMOLITION OF BUILDING LOCATED AT 95 EAST MAIN.

City Administrator D. Brent Jensen said Hyrum City received nine bids for the demolition of the old grocery store located at approximately 95 East Main. City Engineer Craig Neeley has reviewed the bids and is recommending Staker Parson.

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Staker Parson	\$15,262.00
Lloyd Facer	15,385.00
Watterson Excavation	15,960.00
Edge Excavation	16,117.00
LeGrande Johnson	19,250.00
R&W Excavating	19,727.50
BTS Inc.	25,000.00
Cache Trucking	33,000.00
Meridian Construction	37,440.00

ACTION Councilmember James made a motion to award Staker Parson the bid for the demolition of the old grocery store located at approximately 95 East Main in the amount of \$15,262.00. Councilmember Rasmussen seconded the motion and all five councilmembers voted aye.

ADJOURNMENT:

ACTION There being no further business before the City Council, the Council Meeting adjourned at 7:20 p.m.

W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: November 19, 2009
As Written