



**MANAGER'S REPORT FOR AUGUST 10, 2012
GENERAL INFORMATION AND RESPONSES TO MAYOR & COMMISSIONER REQUESTS**

Places to be this Week...

Village Council Meeting – The next Village Council meeting will be held on **Tuesday, August 14 at 7 p.m. in the Council Chambers** at Village Hall.

Future Calendar Reminders...

Coffee with the Council – The next Coffee with the Council will be held at the Main Street Station on **Saturday, August 18 at 9 a.m.**

Village Council Meeting – The Village Council meeting will be held on **Tuesday, August 21 at 7 p.m.** in the Council Chambers at Village Hall.

ComEd Town Hall Meeting – The Town Hall meeting with ComEd is scheduled for **Thursday, September 20, 2012** at 7 p.m. in the Park District Recreation Center at 4500 Belmont Road.

Vacant Property Registry Report – Attached, please find the staff report on the Vacant Property Registry, a high priority action item for 2012.

Budget Calendar – The FY13 Proposed Budget will be distributed to the Village Council on September 28, 2012. Below is an outline of important dates in this year's budget process.

Proposed Budget Published and Distributed to Council	9/28
Saturday Budget Workshop	10/6
Budget Discussion at Council Meeting	10/9
Budget Discussion at Council Meeting	10/16
Coffee With the Council Budget Discussion	10/20
Public Hearing and Budget Discussion at Council Meeting	11/6
Budget Discussion and Estimated Tax Levy Discussion at Council Meeting	11/13
Budget Discussion & Approval of Estimated Levy	11/20
Adoption of Budget and Public Hearing for Tax Levy	12/4
Adoption of Tax Levy and Abatements	12/11

Washington Street Grade Crossing Improvements Underway - The Burlington Northern Santa Fe Railway began improvements to the Washington Street grade crossing on Thursday of this week. The work is planned to be completed late on Thursday next week and reopened to traffic on Friday morning. The improvements will include concrete pads that will be similar to the Forest Avenue grade crossing. The Village will be working in conjunction with BNSF to improve the walkways on Washington Street between Warren Avenue and Burlington Avenue.

Maple Avenue Water Tower Painting - As a result of the unprecedented drought and higher than average daily water use, the start of the Maple Avenue Water Tower painting project was delayed. A notice to proceed was issued to the contractor this week and for the next few weeks they will perform work that does not require

draining the water from the tank. If the current, wetter and cooler weather pattern continues we anticipate draining the tank within the next two weeks.

ONGOING PROJECTS

Belmont Underpass

Work during Previous Week

- Miscellaneous grading and restorations
- Building landscape wall at 2119 Warren
- Forming and pouring sidewalks at various locations
- Work continues on the new and replacement traffic signals at Hadow and Prairie.
- Landscaping disturbed areas throughout the project.

Planned Work

- Activate the new traffic signals at Hadow and Prairie on August 14th
- Fully open the north boarding platform on August 13th
- DuPage County and the contractor are installing signage
- Complete landscape restoration (place sod) starting September 1st
- Install final asphalt surface course and striping after landscaping is complete
- Open Belmont to four lanes of traffic with final surface and striping
- Metra will be installing station amenities including benches, trash receptacles and station improvements
- Percent Complete: 95%

STREET MAINTENANCE

2012 Roadway Maintenance Program, Street Resurfacing (A) Phase 1

Awarded Amount: \$2,071,188.10

Contract Completion Date: 8/24/12

Contract Completion Date For Sod: 9/15/12

Work Performed This Week:

- Asphalt driveway repairs completed on Snowberry and Powell.
- Remaining base patching completed on Downers Dr, Plum, Snowberry and Red Bud.
- Minor punch list concrete curb and sidewalk repairs completed on Red Bud, Snowberry, Lincoln, Downers, Valleyview and Deer Creek area.
- Traffic signal loop replacement completed on Lincoln.
- Surface course paving complete on Powell.
- First course of asphalt paving completed on Almond, Downers Dr and Red Silver.

Work Anticipated Next Week:

- First course of asphalt paving should be completed Plum, Snowberry and Red Bud.
- Surface course paving should be completed all remaining streets including the Deer Creek area, Lincoln, the Downers Dr area, Red Bud and Red Silver.
- Additional parkway restoration work may take place.
- Misc. pavement striping may be completed.
- New aggregate shoulders may be placed along Lincoln and the south end of Downers Dr.

Completion of this project was delayed as a result of coordination with the watermain replacement contract. The contractor has been working diligently toward completion and contract extension to 8/24/2012 has been granted by staff.

- Percent Complete 85%

2012 Roadway Maintenance Program, Street Resurfacing (B) Phase 2

Awarded Amount: \$1,734,912.38

Estimated Start of Work: August 2012

Contract Completion Date: 11/16/12

Work may begin the week of 8/20 in the north sections of the project.

- Percent Complete 0%

2012 Preventive Seal & Parking Lot Improvements

Awarded Amount: \$298,539.74

Contract Completion Date: July 29, 2012

Last weekend (Saturday & Sunday, 8/4 & 8/5) the contractor seal coated and pavement marked one half of the Fairview Avenue Train Station Commuter Lot.

This weekend (Saturday & Sunday, August 11th & 12th) the contractor is scheduled to finish seal coating and pavement marking the second half of the Fairview Avenue Train Station Commuter Lot, weather permitting.

- Percent Complete: 95%

Valley View Estates Reconstruction and Water Main Replacement

Awarded Amount: \$3,552,453.00

Contract Completion Date: November 16, 2012

Work Performed This Week:

This week the contractor completed water main replacement on Robey and Parker and driveway replacements on Waterfall, Foster, Valleyview, and Hobart.

Work Anticipated Next Week:

Next week the contractor will start water service installations on Creekside and storm sewer installation on Robey and Parker.

Percent Complete: 50%

Knottingham Reconstruction and Water Main Replacement

Awarded Amount: \$5,489,847.76

Contract Completion Date: November 16, 2012

Work Performed This Week:

This week the contractor completed the pavement removal of Baimbridge and will complete placing the aggregate sub-base. He continued the installation of water main along Queens Court.

Work Anticipated Next Week:

Next week the contractor will begin placing curb and gutter along Baimbridge and will complete the water main installation on Queens Court.

Percent Complete: 49%

Grove Street Reconstruction

Awarded Amount: \$970,000

Contract Completion Date: To be determined

A preconstruction meeting has taken place and preliminary (off-site) work has begun.

- Percent Complete: 0%

Carpenter Street Resurfacing, Maple to Gilbert

Awarded Amount: \$136,482.65.

Start of Construction: 07/18/12

Contract Completion Date: 8/17/2012

Work Performed This Week:

Contractor completed the placement of asphalt surface.

Work Anticipated Next Week:

Site restoration and sod placement.

- Percent Complete: 90%

SIDEWALKS

2012 New Sidewalk Installation Program

Contract Amount: \$ 552,129.61

Scheduled Start Date: June 18, 2012

Contract Completion Date: August 27, 2012

Work Performed This Week: Installed sidewalk through driveways on Downers Dr and Brook Dr. Installed connecting sidewalk at the east end of Grant St between Lee Ave and Cornell Ave.

Graded and installed top soil on Brook Dr and Downers Dr.

Work Anticipated Next Week: Complete sidewalk installation through driveways on Downers Dr.

Prepare driveways for asphalt installation.

- Percent Completion: 80%

2012 Replacement Sidewalk Program

Awarded Amount: \$130,522.50

Start of construction: July 9th

Contract Completion date: August 7th

This week the Contractor continued to frame and place concrete for sidewalk that has been removed.

Next week the Contractor is scheduled to complete the remaining open sidewalk squares.

- Percent Complete: 60%

WATER SYSTEM IMPROVEMENTS

2012 Water Main Improvements – Contract A

Awarded Amount: \$1,062,737.50

Contract Completion Date: 7/30/12

Completion Date for Sod: 9/14/12

Work Performed This Week:

The contractor completed the pavement grinding on Lee Ave and 40th St.

Work Anticipated Next Week:

Pavement surface on Lee Ave and 40th Street. Installation of water main services on Cross Street.

- Percent Complete: 80%

2012 Water Main Improvements – Contract B

Awarded Amount: \$1,312,022.56

Start of construction: Week of July 2nd

Contract Completion date: September 28th

Work Performed This Week:

This week the mainline water main on Florence Avenue passed the chlorination test. Water services for Florence are scheduled to start next week. Water main installation on Cumnor Road, between 55th Street and 56th Street, is scheduled to resume after asphalt paving operations are completed by other village contractor in the Deer Creek Subdivision.

Work Anticipated Next Week:

Next week the changeover of water services will begin on Florence Avenue. Water main installation will resume on Cumnor Road. Water main is scheduled to be installed on Blodgett Avenue between Maple Avenue and Randall Street once Cumnor Road mainline water main is completed.

- Percent Complete: 35%

STORMWATER/DRAINAGE IMPROVEMENTS

2nd and Cumnor – Basin Planting

Awarded Amount: \$39,515.00

Contract Completion Date: June 2013

The grading, and plantings have been complete. The contractor is continuing with maintenance and monitoring of the plants. Maintenance includes management of the weeds that typically grow until the planted materials are established.

Ongoing Work:

Maintenance and monitoring of plantings.

- Percent Complete: 95%

Prentiss Creek (Sub E) – Kensington Place

Awarded Amount: \$330,644.58

This is a design/build contract and the project is in the design phase.

Contract Completion Date: Anticipated Summer 2013

Work Performed This Week:

The contractor continues to coordinate with the Illinois Department of Natural Resources for a determination on the permitting requirements for future improvements to the weir structure.

Work Anticipated Next Week:

Begin design after determination of the weir structure by the Illinois Department of Natural Resources.

Lacey Creek (Sub G) Stormwater Improvements - 35th St between Saratoga and Venard

Final plans and specifications have been delivered and the project permit was approved by the Army Corp of Engineers. The project has been advertised for bid.

Oakwood Storm Sewer Replacement

Current Contract Amount: \$453,620.00

Contract Completion Date: August 17, 2012

Work performed this week

Curb and gutter, sidewalk, and driveway apron removal

Work to be performed next week

Installation of curb and gutter, sidewalk

Road patching

Completion of this project was delayed as a result of an increase in the quantity of curb and gutter removal and replacement that was determined to be necessary. The contractor has been working diligently toward completion and contract extension to 8/17/2012 has been granted by staff.

- Percent Complete: 70%

St. Joseph Creek (South Branch) Streambank Stabilization

Grading and construction activities continue east of Lyman Avenue. This area is expected to be complete by the end of the week. It is anticipated that all construction activities will be completed by the end of next week with only vegetative restoration remaining.

Drainage Improvements at Fire Station #3

Design plans have been completed, bids were opened on July 25th and a recommendation for bid award is scheduled for Council presentation on August 14th.

Wisconsin and Janes Stormwater Improvements

Bids opened on July 18, 2012.

Recommendation to be placed on August 14 agenda.

Existing Drainage Investigation

Phase I and Phase II are complete for 40th and Glendenning and reports have been delivered. Phase I for Maple and Carpenter were completed in July. Staff is reviewing options for improving the drainage at both locations.

Elm St Storm Sewer Improvements

Bids opened on July 18, 2012. A recommendation for bid award was presented for a Council first reading on the August 7th agenda

ATTACHMENT

Vacant Property Registry Report

Memorandum

To: Village Council
From: David Fieldman, Village Manager
Re: Vacant Property Registry Program – 2012 High Priority Action Item
Date: August 10, 2012

In 2010 and 2011, the Village experienced an increase in the number of vacant and foreclosed properties. Many of these properties were not well maintained and the Village responded to several violations to the property maintenance code, especially violations involving tall grass and weeds. In many of these cases, the properties were not brought into compliance quickly because the Village was not able to identify and contact the party responsible for maintaining the property and because the property owners, usually financial institutions, were not willing or able to maintain the properties per Village Code. The Village considered creating a Vacant Property Registry (VPR) as a way to increase compliance with property maintenance regulations by:

- Proactively informing the Village about vacant properties and the party responsible for property maintenance
- Creating additional property maintenance regulations and inspections designed to prevent vacant properties from falling into disrepair
- Covering the cost of enforcing property maintenance regulations on vacant properties

Staff explored the creation of a VPR and does not recommend creating a VPR because recent modifications to code enforcement practices have achieved the VPR objectives without creating a new program. Specifically:

- Staff is aware of the properties entering the foreclosure process and proactively addresses property maintenance concerns with the property owner
- Financial institutions are now better equipped to maintain the vacant properties they own
- Property maintenance code compliance rates for vacant and foreclosed properties are the same as the compliance rates for occupied properties

This report

- Summarizes the objectives of a VPR and examines other municipalities' experience with VPR programs
- Analyzes the number of vacant and foreclosed properties
- Outlines the Village's current code enforcement process
- Compares code compliance rates of vacant and foreclosed properties to occupied properties
- Explains how the Village has achieved the VPR objectives

Vacant Property Registry Objectives

Vacant Property Registries are programs designed to assist municipalities in enforcing property maintenance regulations on vacant properties. The primary objectives of a VPR are:

- Proactively inform the Village about vacant properties and the party responsible for property maintenance
- Create additional property maintenance regulations and inspections designed to prevent vacant properties from falling into disrepair
- Cover the cost of enforcing property maintenance regulations on vacant properties

Area Vacant Property Registries

There are several models for a Vacant Property Registry (VPR) in existence in northeastern Illinois and elsewhere in the United States. There are five in DuPage County.

Table 1

Vacant Property Registries in Neighboring Communities

Municipality	Year Enacted	Fee	Inspections
Evanston	2004	\$400 Annual	Annual
Glendale Heights	2009	\$100 Registration \$250 Annual	Annual
Hinsdale	2008	\$100 Annual	--
Lemont	2010	\$75 Annual	Annual
Lisle	2010	\$200 Registration \$500 Annual	Annual
Schaumburg	2009	--	Complaint Based
Villa Park	2009	\$200 Registration \$500 Annual	Annual
Warrenville	2012	\$175 Registration \$100 Annual	--

Many VPRs were started in light of the recent economic recession. Evanston established a VPR in 2004 to address specific concerns with deterioration of a housing mix with a high percentage of college-aged occupants. Most consider their registry programs at least a modest success. Staff made the following key findings:

- Fee Amounts Affect Participation – Seven of the eight municipalities charge fees for their programs. The fee amount appears to have an indirect relationship to the participation rate, i.e., the higher the fee, the fewer the percentage of registrants. Estimated participation rates range from 15% to 50%. Municipalities charging no fees tend to have the highest participation rate. For example, Schaumburg has an estimated participation rate of 50%. With increasing fee amounts, that participation rate can decline to between 15% and 35%.
- Enforcement of Unregistered Properties Vary - Municipalities differ in their approach to the unregistered vacant properties. Some actively pursue registration

and apply penalties for failing to register. Others respond on a complaint basis and require registration when they become aware of the unregistered.

- Inspections Required Prior to Sale - Some municipalities require a building inspection or mold testing prior to the sale of property, depending on the amount of time the building has remained vacant. All have a real estate transfer stamp or other occupancy certificate process in place at the time the VPR was created.
- Dedicated Staffing is in Place - Municipal staffing requirements ranged based on size of the program, performance requirements and size of the community. Every community had at least one individual dedicated full or part-time to their Vacant Property Registry. In some cases, the duties were simply added to that of a code officer or building inspector--keep in mind these programs grew in popularity while inspection demands were down. The costs of the program ranged from an estimated \$25,000 to \$100,000 annually.

Vacant and Foreclosed Properties in Downers Grove

The US Census estimates that 5% of residential units in Downers Grove are currently vacant. Using this estimate, there are approximately 740 vacant single family houses and 260 vacant multi-family residences (see Table 2 below).

*Table 2
Estimated Vacant Properties*

Housing Type	Total in Village	Estimated Vacant Units
Single Family	14,760	740
Multi-Family	5,242	260
Totals	20,002	1,000

Based on the number of foreclosure filings during the first half of 2012, staff estimates that 250 properties within the Village will file for foreclosure this year (see Table 3 below).

*Table 3
Foreclosure Filings in Downers Grove, 2007 to 2012 (various data sources)*

	2007	2008	2009	2010	2011	2012
Foreclosure Filings	88	166	164	196	185 (est.)	250 (est.)

Village Code Enforcement Process

Consistent with the Strategic Plan Goal *Strong & Diverse Local Economy*, the Village strives to maintain and enhance property values. The Village has adopted and enforces the International Property Maintenance Code (IPMC) and endeavors to bring any properties not in compliance with these regulations into compliance as soon as possible. The Village seeks compliance with property maintenance regulations by proactively identifying issues and responding to customer complaints. Staff projects that approximately 4,700 violation cases will be handled in 2012.

The code enforcement program does not generate a substantial amount of revenue. Most of the revenue generated from fines for violations is directed to the DuPage County Circuit Court. Since the Village's goal is to facilitate compliance with regulations, the Village issues citations with fines only after facilitation efforts have failed to bring properties into compliance.

For the last five years, two code compliance officers have been in place to help manage and enforce all property maintenance and other standards. Enforcement techniques are designed to facilitate compliance. Property owners are notified of any violations and are given one to two weeks to bring the property into compliance. Failure to comply within two weeks usually results in the issuance of a citation. During the entire process, code enforcement officers communicate with the property owners encouraging them to comply with regulations to avoid further actions such as fines and court appearances.

In response to the increased number of vacant properties due to foreclosures, the Legal Department obtains and shares addresses of properties filing for foreclosure. These addresses, sometimes several per week, are added to a list of sites routinely visited by the code enforcement officers. At the initial sign of any property maintenance issues, staff contacts the parties noted in the foreclosure documents and encourages them to maintain the property to Village standards. Parties responsible for property maintenance such as realtors, banks and other mortgage holders have become more responsive to the general concerns of property maintenance. Often a phone call to one of the several contact people will resolve most property maintenance issues within a week.

In addition to the more efficient foreclosure monitoring process, legal research identified a state law that allows a significantly faster response time for cutting excessively tall grass by the municipality in which the property is located. The Village now takes advantage of that list when responsible parties can not be located or refuse to act on a tall grass problem. The Village has two highly responsive firms under contract to cut problem grass and weeds on private property. The costs for lawn maintenance are intended to be recovered by placing a lien on the property.

The Village's code enforcement program focuses primarily on exterior maintenance issues. Lack of maintenance on exterior items such as grass can be observed by Village staff during proactive inspections and neighbors calling in complaints. However, the IPMC contains regulations for interior property maintenance. The Village enforces these regulations if enforcement officers become aware of any issues.

Vacant and Foreclosed Property Code Compliance

Staff analyzed code enforcement data to determine how code compliance rates for vacant and foreclosed properties compare to compliance rates for other properties. The analysis focused on tall grass/weed enforcement cases. This violation is usually the first indication that a property is vacant.

Staff projects that the Village will respond to 335 tall grass/weed violations in 2012. Tall grass violations are anticipated to be about seven percent of all code compliance actions expected in 2012 (see Table 4 below).

*Table 4
Code Compliance Action by Type, 2012*

Type	Number	Percent
Tall Grass/Weeds	335	7%
All Other Violations	4,367	93%
Total	4,702	100%

Of the 335 tall grass/weed compliance actions, 223 (67%) of them occur on foreclosed properties. While the number of foreclosed properties subject to a compliance action is very high, the compliance rate is the same as that of properties not in foreclosure –both with a compliance rate of 85%. This means that 85% of the tall grass/weed violations are resolved prior to the issuance of a citation, generally within two weeks of the owner being notified of the violation (see Table 5 below).

*Table 5
Tall Grass/Weed Violation Compliance Rates*

	Violations	Compliance Achieved without Citations	Compliance Rate
Foreclosure	223	190	85%
Not in Foreclosure	112	95	85%
Total	335	285	85%

This analysis focused on tall grass/weed violations because most properties in foreclosure are subject to a tall grass/weed enforcement action (89% of properties in foreclosure proceedings have a tall grass/weed code compliance action - 223 of the 250 foreclosed properties). As stated previously, staff's enforcement actions are primarily focused on exterior maintenance items. Staff's experience suggests that there is a correlation between maintaining exterior items and maintaining interior items. Specifically, property owners that fail to bring tall grass/weed complaints voluntarily into compliance are less likely to properly maintain the interior of the property. Citations are usually issued to these types of properties. During the court proceedings, staff is able to identify potential interior property maintenance violations and ask the court to direct the owner to bring these items into compliance as well. Currently staff is aware of approximately four houses that have interior property maintenance code violations. Two of these properties are vacant. All of these properties are subject to enforcement actions.

Meeting the Vacant Property Registry Objectives

The Village has achieved the first objective by modifying the code enforcement process. While there may be vacant properties that staff is not aware of, staff is aware of the properties filing for foreclosures and has contact information for the responsible parties.

Additional regulations and inspections for vacant properties to prevent them from falling into disrepair are not recommended. As noted above, staff typically becomes aware of interior property maintenance code issues while enforcing exterior property maintenance codes and asks the court to direct the owner to address these interior issues too.

The Village currently does not seek to generate revenue from the code enforcement process. Vacant properties are subject to the same enforcement process as occupied properties. The Village has modified the code enforcement process to allow existing staff to effectively apply regulations to vacant properties. Therefore, charging fees for enforcement efforts for vacant properties only is not consistent with the current process.