

University Neighborhood Partnership Steering Committee Meeting Minutes

Revised & Approved for Distribution – 2/23/07

WHEN: Tuesday, January 23, 2007, 2-3:30PM

WHERE: University United Methodist Church

WHY: Regular Meeting

Present: Barbara Karper, Le Moyne College
Julie White, ESF
Beth Rougeux, SU
Giancarlo Moneti, Owner Occupant Resident
Joanne Stewart, Owner Occupant Resident, Secretary
John Potamianos, Other Property Owners
Gordon Hershberger, Syracuse Property Owners Association
Fernando Ortiz, City of Syracuse
Kelly Attridge, Le Moyne Student
Attridke@lemoyne.edu (315) 491-6344
Tom Wolfe, Facilitator

Absent: Paul Roth, ESF Student

UNP Plus: Members Present:
Beth Theiss, Owner Occupant Resident (SEUNA Representative)
Barbara Humphrey, Owner Occupant Resident (WENA Representative)
Karen Billings, Owner Occupant Resident, Study Session Coordinator
(Management Analyst, City of Syracuse)

Members Absent:
Van Robinson, City of Syracuse (Common Council)
Peter Kavanaugh, Tomorrow's Neighborhoods Today (TNT
Representative)

WHAT: Tom W. called meeting to order at 2:05 PM.

Quorum

Yes

Minutes

Meeting minutes for 12/12/06 were reviewed and approved by consensus for distribution.

Density Reduction Study Session Review

Tom W. reported a Study Session was held Thursday January 18, 5-6:30 PM at City Hall in the Common Council Chambers. The topic was Code Enforcement.

Karen B. mentioned that she only had a two-day turnaround time for delivery of the notes, which she delivered to Tom W. on Monday. She asked if the Review Sessions could be pushed forward a week, therefore allowing for an extra week to pull together the notes. The UNP briefly checked their calendars for other available Review Session dates and determined it was not possible to push the Review Sessions forward. It was then agreed that Karen B. could submit a brief overview of the Study Session when she is in a time crunch, thereby allowing the Review Session participants the ability to work with a document. Karen B. will then prepare a more in-depth report shortly thereafter. The UNP agreed and thanked Karen B. for her service.

University Neighborhood Partnership Study Session 1

Meeting Minutes

Thursday, January 18, 2007, 5:00 p.m. to 6:30 p.m. in the Common Council Chambers

Present: Attendance roster not circulated –

The following UNP Members were seen at the meeting, please advise if you were at the meeting and your name is not on this list: Barbara Humphrey; Beth Rougeux; Giancarlo Moneti; Fernando Ortiz; Van Robinson; Barbara Karper; John Potamianos; Karen Billings, Gordon Herschberger, Beth Theiss.

Next meeting:

Review Session #1 – Tuesday, January 23, 2007, 2:00 p.m. - 3:30 p.m. in University United Methodist Church;

Study Session #2 – Thursday, February 15, 5:00 p.m. to 6:30 p.m. in the Common Council Chambers.

I. Announcements

Process

Purpose of the Study Sessions is to gain information. This is a 5 part process. Three topical questions were asked of panelists representing Code Enforcement.

Questions for the presenters:

- What is the biggest challenge for code enforcement in the University East Neighborhood?
 - What is or is not working?
 - How are you currently addressing these challenges?
- What do you think about the density issue (in the university east neighborhood)?
 - How would a revised zoning limit (from no more than 5 unrelated adults per residential dwelling reduced to 3 – with the exception of groups of unrelated adults who live together in a way similar to a family) impact housing citywide?
 - How do foresee this ordinance working for residential-zoned districts only?
- Regarding “Certificate of Suitability”

- How is it currently being enforced? Has enforcement been effective?
- How many units have been approved? How many have complied?
- Because it is renewal based, what is the process for getting owners to apply in the first place?

Regarding “best practice,” please give us an example of a municipality (with an urban residential college neighborhood) that you would recommend to this City as a model for code enforcement and why.

The format of the Study Sessions will be:

- Each presenter was be given a total of 10 minutes. Dr. Thomas Wolfe, Dean of Hendricks Chapel, facilitated this Study Session.
- After the Q&A session, (5:54 p.m.) 45 minutes of “conversation” -- opportunity for constituents to ask questions, and for presenter to clarify statements and provide information to constituents followed.
- 5 minutes for summary
- The presenters for Code Enforcement Study Session(s) were:
- City Corporation Counsel Representatives: Nancy Larson, Esq. and Rory McMahon, Esq.
- City Code Enforcement Representative: Jim Blakeman
- City Zoning Representative: Chuck Ladd
- City Fire Department: Chief John Cowan

II. Discussion

Question 1: What is the Biggest Challenge?

Jim Blakeman:

- Keeping up with the inspection process required under state law (Certificate of Compliance) for the vast number of multi-unit buildings, currently every 5 years but with new state legislation the city will be mandated to do this every three years;
- Keeping up with the special regs specific to the University area. The University area has a larger concentration of multi unit buildings.
- Chief John Cowan:
- The Fire Department deals mostly with new construction and multi-family (3 or more units) and commercial buildings. The Fire Department is concerned with student’s use of barbeque grills on balconies in the University area, but the majority or problems that the Fire Department deals with are not indigenous to one section of the city.
- Rory McMahon:
- The Law Department does not deal with any issues that are specific to the University area.

Question 2: What do you think about the density issue in the University-East Neighborhood?

Chief John Cowan:

- Parking is an issue, particularly during Dome events.

Nancy Larson:

- Law department is concerned that we currently have an Ordinance that was upheld and we anticipate a legal challenge if we try to change the zoning from 5 to 3 unrelated persons, which would hold up the implementation.

Jim Blakeman:

- If the density were changed, my department would have to deal with more inspections and verifications. I fear that a change with leave us with more vacant structures/properties.

Chuck Ladd:

- We have to be clear on what we mean by density. Simply having people is not the issue, but the physical impact of those densities is where the problem is created. Talking about density requires a thorough analysis of what the densities mean and what the impact would mean on the area, real estate

characteristics, et al. Whenever a new ordinance is adopted, we have to worry about unintended consequences.

Question 3: Certificate of Suitability – enforcement and other information

Nancy Larson:

- We encounter occasional cases that come before the court, but not with any regularity. Cases that reach the Law Department have already gone through the code process and have not met with resolution. Any time the mechanism is changed (such as an ordinance change) the city will receive more challenges to that mechanism in the form of lawsuits.

Jim Blakeman:

- We issued 50 at one point but stopped because of the court challenge.

Chuck Ladd:

- Every 5 year process of renewal; but we operate on potentials – the potential for occupancies and uses and the potential to go along with that. We're not in the business of checking the here and now (enforcement), like Codes does. All certificates we have on file, that address the use of the property, are considered to be valid for our use. We have processed 625 applications and of them, 541 are legitimate (certificates or variances awarded). There are 2098 residential homes in the Special Neighborhood District.

Chief Cowan:

- Certificate of Suitability is not one of our charges. We initially helped the Codes Department get through the overwhelming numbers of applications, when the process first got started, but that is not going on any longer.

Question 4: Best Practices

- For the purpose of this discussion, according to Chuck Ladd and Nancy Larson, NYS Law is the only applicable format, thus looking at cities outside of NYS provides us with information that is not applicable. Dean Wolfe asked that we hold this question for further examination at another time.

III. Roundtable

Giancarlo Moneti – 707 Sumner Avenue: Talked about the rules and provided some statistics such as 72% of the houses are rented in the SEUNA area and they are owned by absentee landlords. The increased value(s) of the houses precludes others from purchasing a home.

Open Questions from the audience:

Q: Stephanie Miner, 102 Woodside Drive. Asked Jim Blakeman: When I receive a call from a constituent that seven (7) people are living in the residence located at the corner of Lancaster and Euclid, how do you verify this?

A: Jim Blakeman: verification and proof is difficult; Rory McMahon spoke of the element of proof and the difficulty of providing proof to a judge.

Q: Harry Lewis, 935 Lancaster Ave. suggested a citywide fee to pay for additional inspectors.

A: Rory McMahon: we have a Task Force that meets every Thursday to discuss this very issue.

Q: Marlene Goldenberg, 210 Walnut Place, Where will students move to once the density changes?

A: Chief Cowan: 2000 students will spread out to other neighborhoods.

Q: Jim Metcraff, 832 Ostrom Avenue, statement: in the 700 block of Ostrum Ave., not one home is owner-occupied; in the 800 block, students are good; family is not OK. Suggested correction of the problems – noise and parking. There is no place to park.

Q: ? Russo, 877 Lancaster Avenue complained about people parking in his neighborhood and walking to campus. Later asked about design guidelines in terms of the use of pressure treated wood on porches.

A: Jim Metcraff suggested Residential Parking Permits. Chuck Ladd responded to the design guidelines question by stating that Project Site Review could be enacted to take care of specific areas.

Q: Ryan Kelly, SU Student Body President, 400 Comstock Ave. 1. Has the University issued a public statement on this density issue? 2. Are any administrators of SU on the UNP and are there any spots open to students?

A: Tom Wolfe: ESF, LeMoyne and SU are represented and two students also serve, one is from LeMoyne College and one is from ESF, we also have landlords, resident and city personnel representation. Beth Rougeux, 119 Comstock Ave., the University has not made any formal statement, but supports the work of the Partnership.

Sal Burns, 312 Arnold Avenue – spoke about historical issues such as the Hookway Tract and Wegmans; growing up and delivering newspapers on Berkeley, etc.

David Sutherland commented that numbers make the difference on noise, trash and parking.

Closing Remarks: Van Robinson

End: 6:30 p.m.

Tom W. asked the UNP for observations regarding the Study Session.

Giancarlo M. commented he did not learn anything new from the Session. As a result, Beth T. and he formulated a series of questions to propose presenting to Jim Blakeman at the next session. They asked for input from the UNP regarding the following questions.

1.

In 1991 the city revised the definition of family to include a limit of no more than 5 unrelated persons. What has code enforcement done since that time to enforce this ordinance? Can you give examples of instances when the ordinance was enforced? What does the city do when it receives a complaint that a household is in violation of this ordinance?

Please tell us more about this specific example. In 2005, following a burglary at 813 Comstock, police discovered that the building had seven tenants. They also found that a room on the first floor was being used as a bedroom even though the Certificate of Suitability specifically said no rooms on the first floor could be used as bedrooms. Many bedrooms had locks on the doors, which is allowed in rooming houses but not single-family residences. What enforcement action was taken with this property and have all violations been remedied? How many tenants are in that house today? [Hand out copies of our 2005 newsletter with the story about the Comstock house] <http://www.seuna.org/Newsletters/SEUNA2005Winter.pdf>

In 2006, leaflets were circulated on campus advertising 813 Comstock available for rent to "groups of any size". Has anyone checked on the number of tenants in this house recently?

(The above is a follow up of a question asked by Stefanie Miner last Thursday.)

2.

When a rental property in the University Special District doesn't have a valid certificate of suitability, can it still legally be rented and occupied? If no, can you give examples of properties that were cited and fined? If yes, how was that decision made and when?

3.

What does the city do to make sure that there are no interior alterations in violation of the certificate of suitability after the certificate has been issued? Is what was discovered at 813 Comstock likely to be going on in other houses in the neighborhood? [We know of subdivisions of "common areas" into individual bedrooms, transformation of porches into bedrooms, bedrooms in third floor (Fire Rules), bedrooms in basement.]

4.

In 2005 the city passed the new Certificate of Sufficiency ordinance which requires that all rental properties in the University Special District be inspected every three years. The deadline for all rentals to have their first inspection is January 2008. What percentage of rentals have already been inspected? What is the city doing to ensure that the January 2008 deadline is met? What will be the penalty for rentals that aren't inspected by January 2008? Will the city allow rentals to be occupied if they haven't been inspected?

5.

There are serious safety concerns when student rentals are overcrowded. Students sometimes are living in basements or third floor bedrooms that could be deadly in a fire. We've heard the city explain that it can be difficult to determine how many tenants are in a rental. Now that SU has access to the complete list of off-campus student addresses, for both SU and SUNY-ESF students, will the university be warning students when it appears there are more than five students in a single residence? Will the university help the city identify properties that are over-occupied?

6.

In issuing the Certificate of Suitability, is compliance with the definition of "single housekeeping" strictly enforced?
[... at least 35% of the total floor area of the dwelling unit is readily accessible and available for gathering and common use by guests and any and all residing therein. This 35% common area includes rooms or areas such as kitchens, dining rooms, living rooms, parlors, dens, family rooms, and libraries but does not include hallways, closets, bathrooms, porches, garages, bedrooms or sleeping areas, or non-habitable areas such as found in basements, cellars, and attics...]
[Sec. 27.22 (a) Every dwelling unit shall contain a minimum gross floor area of 175 sq.ft. for the first person, 125 s.ft. for the second person, and 100 sq.ft. for each occupant thereafter.]

7.

Is the rule on parking surface coverage enforced: "Maximum permitted parking surface coverage on a lot shall be 30% for RA1 and RA2, 35% for RA and RAA."? Will the violations be fixed and the lot area returned to lawn?

8.

In issuing the Certificate of Suitability the following should be considered: the "Number of occupants in the premises compared to the number of on-site parking spaces provided." How is this translated in

numbers?

9.

A question to the University administrators:

What has the University administration done, and what will it do, to help the City Code Enforcement in so far as the houses rented to students?

Now that SU has access to the complete list of off-campus student addresses, for both SU and SUNY-ESF students, will the university be warning students when it appears there are more than five students in a single residence?

Will the university help the city identify properties that are over-occupied?

I'll ask that UNP committee members have priority in asking questions, since it is they who have to express an opinion to Van R. on the petition.

Giancarlo Moneti

Giancarlo M. noted Beth T. and he are looking for procedural answers to the questions, not solutions.

Gordon H. noted Question 4 suggests the proposed Certificate of Sufficiency was passed by the City and is active, when it was actually passed by the City and then annulled by the Court.

Beth R. reiterated the Study Sessions are about “quality of life issues” not the proposed legislation. Fernando O. added “we are studying the landscape of issues related to density”.

Beth R. distributed a number of reports to the UNP:

- “Layman’s language” definitions of *Certificate of Suitability*, *Certificate of Compliance*, and *Certificate of Sufficiency*”. Gordon H. noted these terms have been used interchangeably and incorrectly at times.
- *Eastside Neighborhood Study* produced by the SU Office of Government & Community Relations (GCR) in Fall 2006. The purpose of the report is to follow up on recommendations made in another neighborhood study dated 1993 on the Eastside Neighborhood. The 2006 report includes a general profile of the neighborhood along with demographics, planning programs and organizations, housing improvement programs, community groups, review of the 1993 report, and new conditions and challenges.
- *Housing Code Enforcement in Syracuse NY* produced by Drew Bland for the GCR in April 2006. The purpose of the report is to evaluate housing code enforcement in the City of Syracuse. The report includes

introductions and methods, pre-court procedures, housing court procedures, housing court deficiencies, relevant models, new legislation, and recommendations.

Gordon H. expressed concern that the Study Session dealt more with University Neighborhood issues than city-wide issues.

Tom W. commented on process. Although he expected to shut the meeting down to end on time, instead there were no more questions. Julie W. commented the presenters did not have enough to say. Barbara H. asked how much outreach to the public was done. Julie W. added the topic was not “saucy” enough. Tom W. asked if the public was thinking “this is just another study”. Beth T. agreed with Tom W. and added “they have heard it all over and over again ... this appears to be just another study”.

Barbara H. commented what “we are really looking for is best practices and solutions.

Beth R. distributed copies of:

- *Neighborhood Best Practice Study, Phase II* produced by Dahlgren Shardlow & Udan of Minneapolis MN (February 2006) that examines many of the same issues being address by the study sessions: definition of family, evaluation of approaches, strategies to reduce occupancy in existing rental properties, types of enforcement, approaches to issues related to density (i.e. parking, etc), strategies of conversion of rental properties to single family occupancy

Tom W. asked “so, how do we get past appearing as if this is just another study”? Beth T. commented “people need to believe there will be change as a result of this exercise”. Barbara H. asked “how do we bring ideas and solutions to the table”? Tom W. asked “how do we get the public to buy into the process”?

Gordon H. noted the Study Sessions started with “Codes” by design and that “this is a topic for beginners” and he has heard the same presentation many times before.

Karen B. asked the UNP to “discuss solutions rather than problems ... for example, a solution for the parking issue may be permitting or shuttling”. Barbara H. agreed a focus on solutions rather than problems might be more palatable.

Beth R. added the UNP might be the group to research each issue and “best practices”, and based on that research recommend what solution might be most helpful. Karen B. stated “what we need to do is come up with doable and workable solutions and bring them to the Common Council”.

Beth T. emphasized “density is really about health and safety”. She is very concerned about her neighbors and how they are taking care of the property they occupy and themselves.

Tom W. added “we generally come to these meetings talking about technicalities rather than the real issue”. He added “when you put a human face on it the public typically gets more excited about finding a solution”.

Fernando O. suggested the next Study Session start with Jim Blakeman discussing the “Property Conservation Code” ... why it works and why it does not work. This is a code already on the books created to address housing code and deterioration issues.

Fernando O. mentioned the “Land Use Zoning” in the “Comprehensive Master Plan”. Joanne S. commented “Joe Public does not really know what this type of Plan is all about (other than a periodic ad in the paper that asked for us to come to a public meeting to comment on it) or what such plans will do for them or their City, so it is really tough to get the public to buy into plans they know nothing about or understand their purpose”.

As a result of this discussion, Tom W. tested with the group the following summary as a suggested agenda for the next Study Session:

- Van R. will welcome the public and introduce the issue of health and safety as one of the issues related to density, and will stress that the purpose of the Study Session is to seek solutions.
- Jim Blakeman will present the Property Conservation Code (in layperson language), but only the parts of the Code that deal with health and safety. He can suggest proposed solutions using the Code. He can also discuss why it works, why it does not work, and what he needs to do his job more effectively.
- Fernando O. will present a program that has worked (for example, Lead Abatement).
- The public will participate in a discussion to propose solutions as an effort to author positive solutions to protect health and safety.
- Beth R. suggested bringing a student representative of NYPIRG to discuss student perspective of health and safety as a result of survey conducted in 2006.
- Joanne S. suggested inviting an investor and homeowner who can talk about health and safety issues in a non-biased way.

Fernando O. and Karen B. will prepare questions for the panel, and present draft to UNP Plus before the next Study Session.

Karen B. will prepare flier.

**Next
Study
Session:**

Thursday, February 15, 5-6:30PM, City Hall, Common Council Chambers

**Next
Review
Session:** Tuesday, February 20, 2-3:30PM, University United Methodist Church

**Next
Meeting
Agenda:** Review/Approve **January** Meeting Minutes

Review of **2/15/07** Study Session: Issues Related to Density

Snow Removal Progress Report

UNP Financials

**Prepared
By:** Joanne Stewart

**Approved
By:** UNP – 2/23/07