

## **Manitowoc Housing Stock Rehabilitation Presentation Materials**

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## Manitowoc Housing Stock Rehabilitation

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- *Promote collaborative, complimentary and effective blight elimination by directing blight elimination activities.*
- *Eliminate blight in the City neighborhoods and commercial properties to improve the quality of life for our residents*

### **Purpose**

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- *Clear direction for all departments involved*
- *Improve current blight removal practices*
  - *Cost effective*
  - *Sustainable*
- *New efforts for blight*
- *Create a common understanding*
- *Create benchmarking matrix for future*

### **Objectives**

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- FY18
    - West-East gateways from I-43
    - North-South gateways through City
    - Nuisance properties
  - FY19
    - Gateways through City with encroachment from gateways
    - Concentrated Code & Contact issues
  - FY20
    - Citywide
- Program Tactics**

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- Code Enforcement
    - Blight-free structures both occupied and unoccupied
  - Boarding
    - Short term solution for vacant properties
  - Demolition of blighted/dangerous properties
  - Rehab/Redevelopment
    - Create useful and productive properties
- Process for Eliminating Blight**

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**Code Enforcement**

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Before

After

**Code Enforcement**

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**Division Life Safety Neighborhood Services**

- 953 issues documented (FY15-FY17)
  - Staff Hours: 1.50 per contact
  - Inspector average wage: \$47.50
  - Accounts for 69% of inspector calendar year  
(# issues x contact hrs./2080 FY hrs.)
- Revenues projected at:
  - Average citation: \$150-\$250
  - 2016: \$6,695
  - 2017: \$20,887

**Code Enforcement Cost & Revenues**

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Vacant property boarded up

**Boarding**

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- Property 1: May 16, 2017
  - Contractor Cost Time/Material: \$917.62
  - Code Enforcement Cost: \$95 (\$47.50/hr.)
  - Total: \$1,012.62
- Property 2: October 31, 2017
  - Contractor Cost Time/Material: \$947.65
  - Code Enforcement Cost: \$95 (\$47.50/hr.)
  - Total: \$995.15

**Boarding Cost**

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**Demolition of Blight**

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**Residential Demo: \$9,925**

- **Administrative: \$925**
  - **Admin Assistance:** 1 hr. @ 33.16/hr.
  - **Inspector:** 4.5 hrs. @ 45.57/hr.
  - **Deputy Fire Chief:** 8.75 hrs. @ 52.74/hr.
  - **Independent Contractor:** 3 hrs. @ \$75/hr.
- **Demo work Cost Time/Material: \$9,000**

**Commercial Demo: TBD**

**Demolition Costs**

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- **Raze Order**
  - Title Search
  - Initial document drafting
    - Raze order
    - Cover letter
    - publication
  - Legal advice
  - If contested
    - Litigation document
    - Hearing prep

**City Attorney's Role**

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- **Condemnation/Acquisition in Donation Scenario**
  - Where raze order results in property donation
  - Ch. 66.1333(5)(c)1 g. Wis. Stats. process
- **Collect and Analyze Neighborhood/Housing Data**
  - Cost/affordability
  - Market supply/demand
  - Trends mapping
- **Integration with Other Neighborhood Programs**
  - CDBG home improvement loan program
  - Down payment assistance program
- **Encourage Redevelopment**
  - Publicize available CDA properties
  - Facilitate reuse where possible

**Community Development Roles**

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• When to Accept Donated Property for Demolition

1. Opportunity to meet a public/City need
  - Like public parking, park space, other public facility
2. Opportunity for private redevelopment
  - Included in designated Redevelopment Plan area
    - CDA "jurisdiction" (downtown area)
  - Adjacent to a business/development that is expanding
  - Good location and marketability as a stand-alone development site
3. And not severely contaminated or other potential liability

**Criteria for Acquisition**

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• Leveraging Other Housing and Neighborhood Programs

- Community Development Block Grant Program
  - Since 1988
  - "Shuttered" from 2012 to 2015
  - Active again since 2016
- Program purpose:
  - No interest, no payment loans
  - Rehabilitation of owner-occupied, single-family homes
  - Low to moderate income households qualify
  - Repair to decent and safe – bring it up to HUD standards

**Rehabilitation/Redevelopment Impacts**

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Leveraging Other Housing and Neighborhood Programs

- Community Development Block Grant Program
  - Impacts:
    - Portfolio of \$2.5 million in existing loans
    - Since program re-launched in 2016
      - \$177,000 in new loans approved
      - \$217,000 in loans paid off



**Rehabilitation/Redevelopment Impacts**

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- Leveraging Private Funds
  - Example: Forefront Dermatology parking expansion
    - CDA acquired property
    - \$90,000 in City/EPA brownfields funds
  - Resulted in \$1.1 million office renovation and creation of 150 jobs



**Rehabilitation/Redevelopment Impacts**

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- Leveraging Private Funds
  - Example: Artist Lofts
    - CDGB housing loan of \$255,000
    - Plus EPA brownfields loan of \$218,000
  - Resulted in \$8 million historic renovation and 40 unit apartment



**Rehabilitation/Redevelopment Impacts**

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- Removing Blight
  - Example: Former Mirro Plant 9
    - City and CDA acquired property
    - Significant blight to community removed
    - Financial results = future



**Rehabilitation/Redevelopment Impacts**

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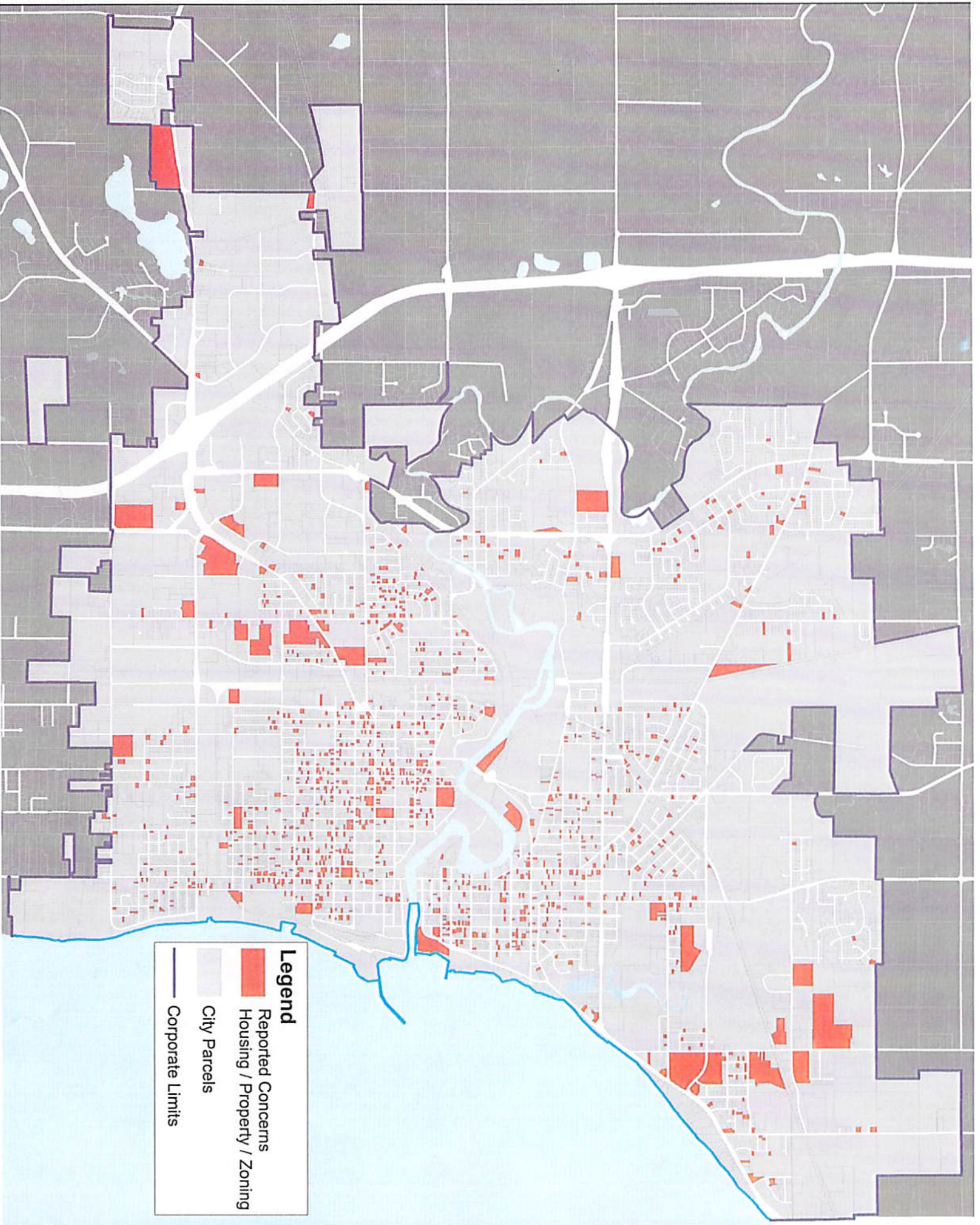
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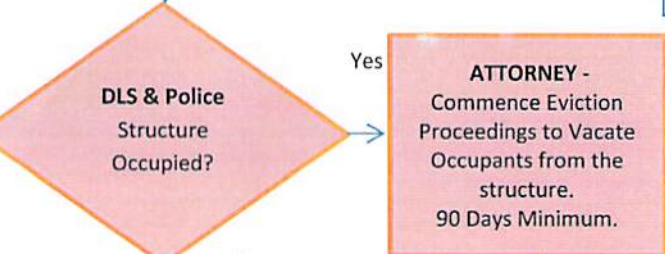
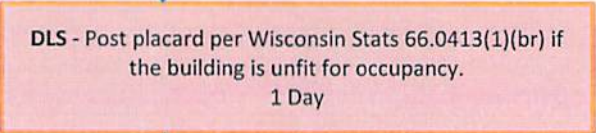
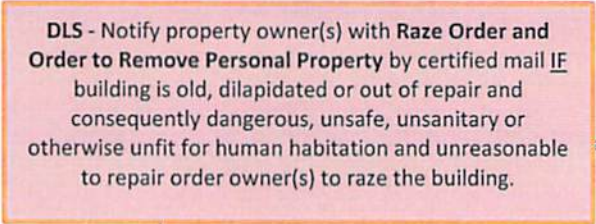
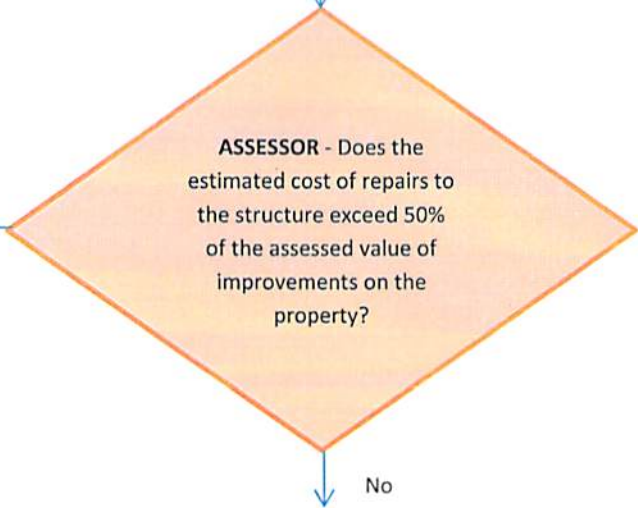
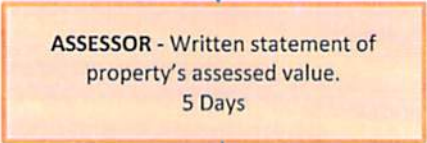
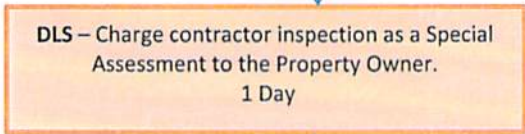
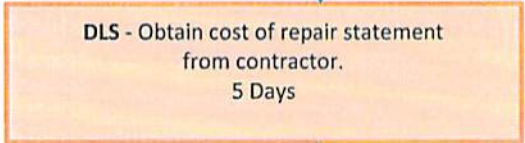
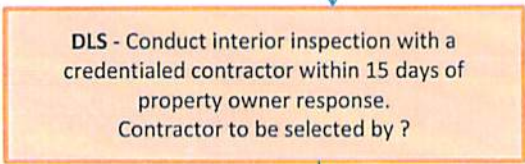
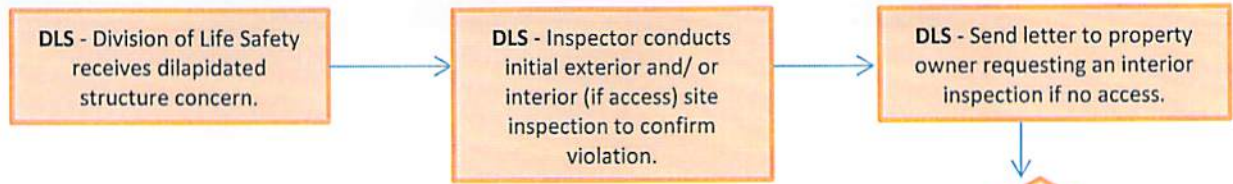


RAZE ORDER	
PROCESS STEP	TIMELINE
Division of Life Safety receives dilapidated structure concern. Inspector conducts initial exterior and/ or interior (if access) site inspection to confirm violation.	
Send letter to property owner requesting an interior inspection if no access.	30 DAYS
Apply for and obtain inspection warrant to conduct interior inspection from City Attorney's office.	10 DAYS
Conduct interior inspection with a credentialed contractor	15 DAYS
Obtain cost of repair statement from contractor. Obtain written statement from Assessor's Office of property's assessed value.	5 DAYS
Determine if raze or repair order will be issued. Placard house accordingly	1 DAY
Commence Eviction Proceedings to Vacate Occupants from the structure.	90 days minimum
Request Full Title Search from City Attorney's Office	15 DAYS
Charge Title Search as Special Assessment to the Property Owner.	1 DAY
Service of Order. Serve Condemnation Order on property owner(s), lien holders, and parties of interest (from title search) by certified mail. Notice shall follow the guidelines of MMC 16.150(16)(b). • Affix Condemnation order to structure. • Record Condemnation Order at Register of Deeds Office. • Publish Class I Notice in local newspaper. Request proof of publication.	5 DAYS
Charge Class I Notice as Special Assessment to property owner.	1 DAY
Property owner to Raze Structure.	30 DAYS
If no compliance prepare to City to Raze structure. Secure building	1 DAY
Possible restraining order by owner.	20 DAYS
Create Specifications for Demolition contractor document.	1 DAY
Notice for Quotations for Demolition. Publish in local newspaper as Class I Notice. Wis. Stats. 66.0413(1)(b) & (i). Request proof of publication. Send notice to local demolition contractors. Send notice to owner(s), City Clerk City Assessor.	15 DAYS
Notify bid winner and other applicants by mail.	14 DAYS MAX.
Contractor awarded bid shall obtain Razing permit and raze building.	5 DAYS FOR PERMIT, 30 DAYS TO RAZE.
Conduct site inspection to confirm work performed and site restored as required by MMC 16.070.	1 DAY
Charge demolition invoice from razing contractor as Special Assessment to the Property Owner.	1 DAY

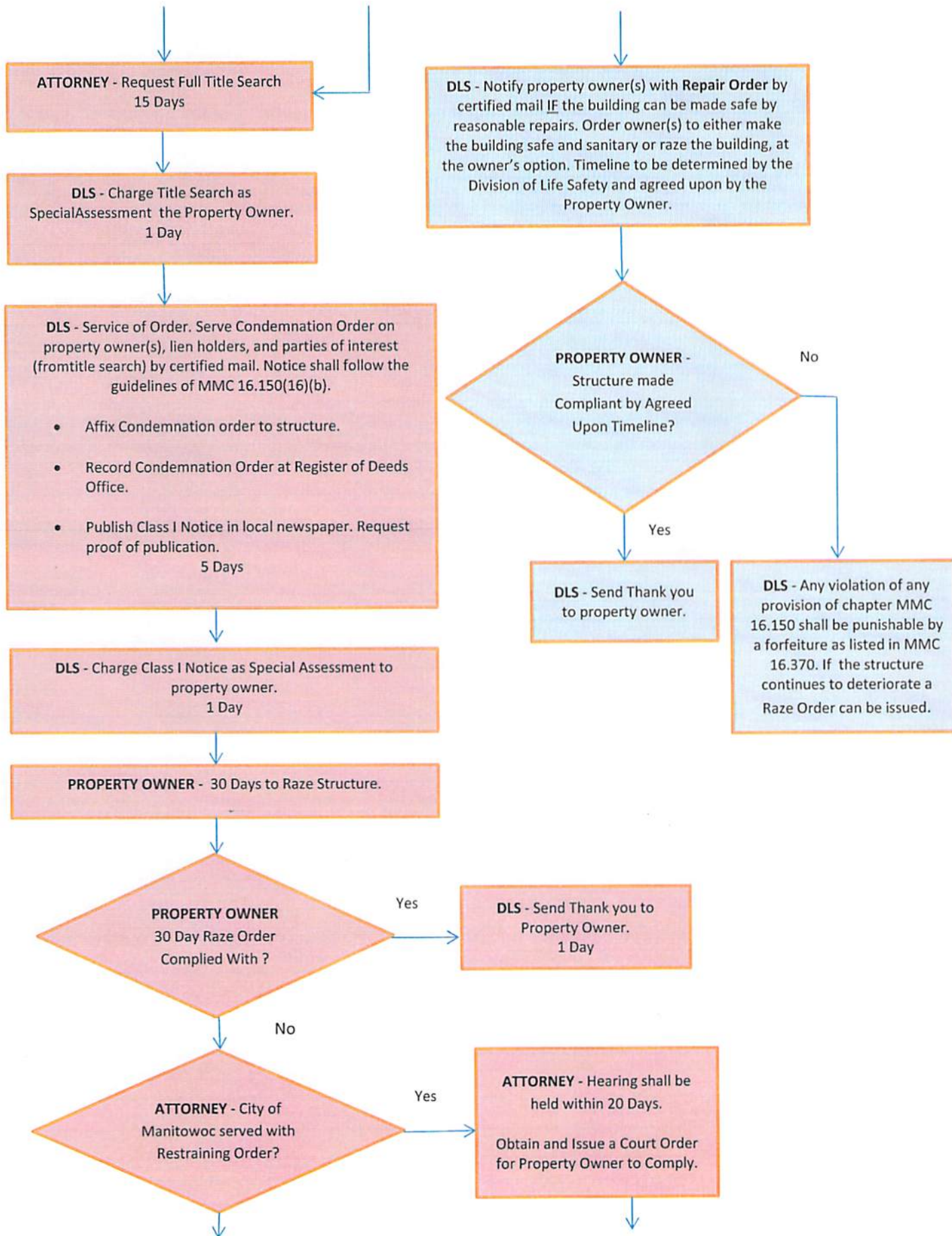
REPAIR ORDER	
PROCESS STEP	TIMELINE
Division of Life Safety receives dilapidated structure concern. Inspector conducts initial exterior and/ or interior (if access) site inspection to confirm violation.	
Send letter to property owner requesting an interior inspection if no access.	30 DAYS
Apply for and obtain inspection warrant to conduct interior inspection from City Attorney's office.	10 DAYS
Conduct interior inspection with a credentialed contractor	15 DAYS
Obtain cost of repair statement from contractor. Obtain written statement from Assessor's Office of property's assessed value.	5 DAYS
Determine if raze or repair order will be issued. Placard house accordingly	1 DAY
Structure made Compliant by Agreed Upon Timeline?	30-360 DAYS
Any violation of any provision of chapter MMC 16.150 shall be punishable by a forfeiture as listed in MMC 16.370. If the structure continues to deteriorate a Raze Order can be issued.	?

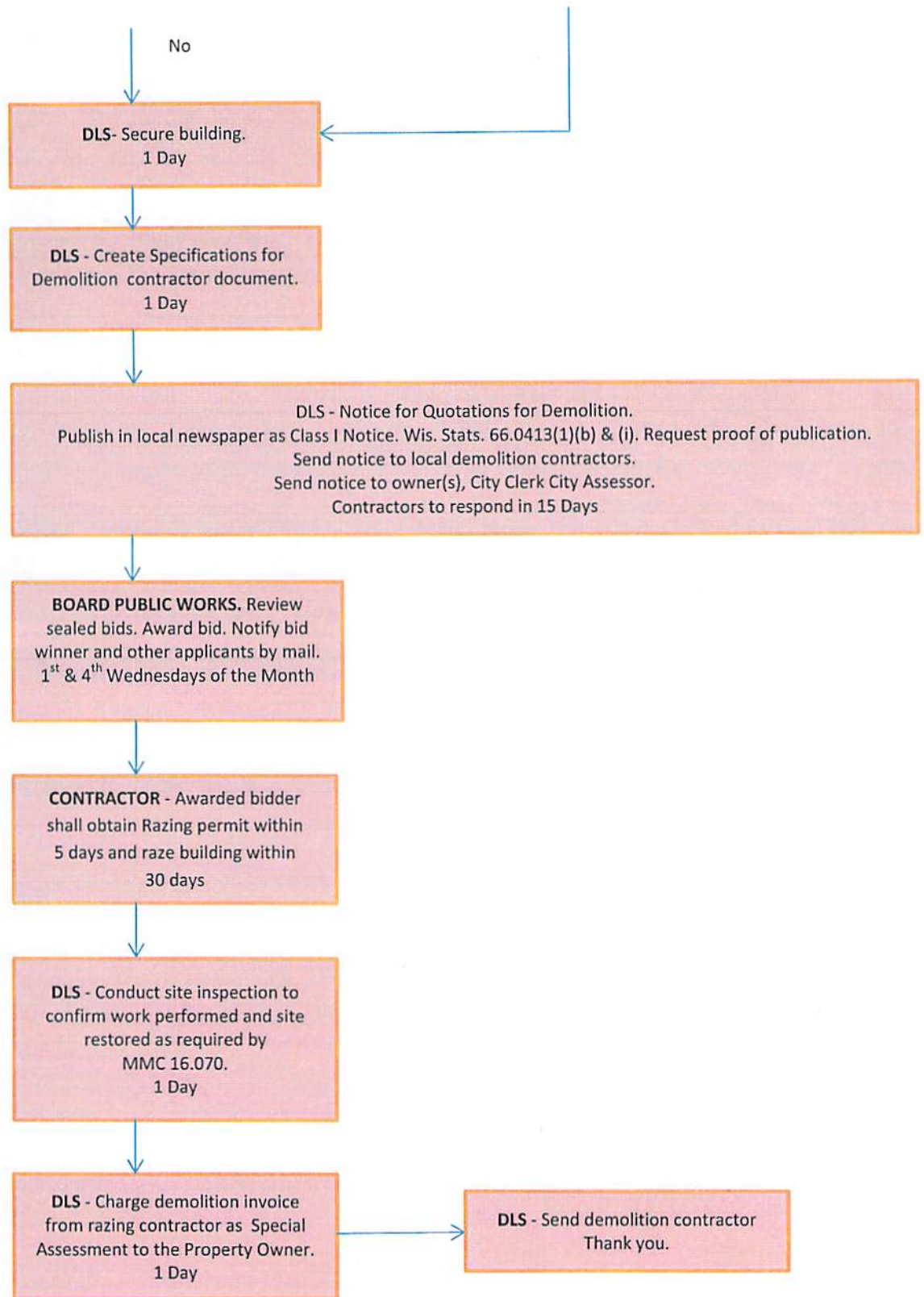
D of LS	76
Attorney Office	115
Assessor*	0
Property Owner	50
DPI	14
Contractor	35
	290
*Done in conjunction of getting repair costs	

## EXHIBIT A



**EXHIBIT B**





**Note:** The raze order process is governed by Wisconsin State Statute 66.0413 and Manitowoc Municipal Code 16.070

**Note:** The repair order process is governed by Manitowoc Municipal Code Chapter 16

**Note:** All timeframes indicated are measured as business days

### Scenario: Raze Order (Repairs Too Costly) with Property Donated to City/CDA

Major Tasks in a Typical Process	1	2	3	4	5	6	7-16	17-20	21	22	23	24	25	26-32	33	34	35	36
	Weeks																	
Initial response to concern, communication with property owner	[Gantt bar: Weeks 1-2]																	
Investigation, repair estimate and analysis	[Gantt bar: Weeks 3-4]																	
Raze order determination, service and notifications, eviction proceedings	[Gantt bar: Weeks 5-6]																	
Owner opportunity to respond (demolish structure, donate to City/CDA?)	[Gantt bar: Weeks 7-16]																	
Prepare for City demolition (bid specs, procurement, notices, BPW process)	[Gantt bar: Weeks 17-20]																	
Complete blight determination, obtain Phase 1 Environmental Assessment	[Gantt bar: Weeks 21-22]																	
CDA and Common Council Process (resolutions, notices, hearing)	[Gantt bar: Weeks 23-24]																	
Contractor Completes demolition, work inspected	[Gantt bar: Weeks 25-26]																	
Transfer of ownership, deed recorded	[Gantt bar: Weeks 33-34]																	

**Parties Involved**

- Department of Life Safety
- City Attorney
- Community Development Department
- Assessor
- Contractor
- Property Owner



(date of mailing)

Property Owner  
Owner's Address  
Manitowoc, WI 54220

RE: Raze Order for (mailing address of property), Manitowoc, Wisconsin

Dear Owner(s),

You are the owners of record for the above-referenced property, which consists of a single-family residence. The building has been vacant for many years and lacks all utilities. The building has degraded to a state of disrepair rendering it dangerous, unsafe, unsanitary or otherwise unfit for human habitation.

Extensive repairs would be needed to bring the building to a safe, sanitary, and code-compliant condition, including but not limited to:

- Foundation repair
- Repairs to driveway due to eroding foundation
- Porch repair
- Removal of lead-based paint throughout interior
- Upgrade electrical system throughout
- Upgrade plumbing system throughout
- Removal and disposal of abandoned personal property

The City estimates these repairs would cost approximately \$61,395. The property's assessed value of \$27,000, so the repairs are presumed to be unreasonable pursuant to Wis. Stats. § 66.0413(1)(c). Therefore, enclosed is a Raze Order directing you to raze and remove the building and restore the site to a dust-free and erosion-free condition within 100 days. Failure to do so will result in the City of Manitowoc completing the work and charging the costs against the property as a lien.

Please contact Deputy Fire Chief Gregg Kadow at (920) 686-6543 to discuss the necessary permits to raze this building.

Sincerely,

Elizabeth Majerus  
Staff Attorney

Enclosure (Raze Order)

Cc: Justin M. Nickels, Mayor  
Jim Brey, District 4 Alderperson  
Nick Reimer, Police Chief  
Todd Blaser, Fire Chief  
Gregg Kadow, Deputy Fire Chief  
Richard Schwarz, Building Inspector

City Attorney Kathleen M. McDaniel • Staff Attorney Elizabeth Majerus  
Paralegal Jane M. Rhode  
CITY HALL • 900 Quay Street • Manitowoc, WI 54220-4543  
Phone (920) 686-6990 • Fax (920) 686-6999

Property Owner  
899 Quay Street  
Manitowoc, WI 54220

Re: Property Conditions at 899 Quay Street

Dear Property Owner,

The City recently became aware that you purchased the above-referenced property. Please be advised that several municipal code violations currently exist at this property, including but not limited to:

- Roof is not maintained in good condition to prevent admission of rain
- Exterior protective surfaces are not maintained in good condition
- Windows are not maintained in good repair
- Porch railings are missing or damaged

The City had attempted to work with the previous property owner to correct these violations, but they still exist. To avoid receiving a Raze Order for the property, all municipal code violations must be repaired promptly. Please call Deputy Chief Gregg Kadow, (920) 686-6543, within 10 business days to schedule a meeting to discuss the existing violations and your rehabilitation plans. Failure to do so may result in the issuance of citations and/or a Raze Order.

Sincerely,

D.C. Gregg Kadow  
Manitowoc Division of Life Safety and  
Neighborhood Services

Property Owner  
899 Quay St  
Manitowoc, WI 54220

Re: Property conditions at 899 Quay Street

Dear Property Owner,

Thank you for meeting with me at Date/Time to discuss this property. As we discussed, you will be repairing all code violations within 30 days, or by DATE. On DATE+1, I have a scheduled inspection with you to confirm the violations have been corrected.

The City hopes you will abide by this plan and bring the property back into a code-complaint state. If you do not, the City will issue you citations for all existing violations when I inspect the property on DATE+1. If you fail to correct the violations at that point, the City will issue a Raze Order for your property.

Please contact me if you have any questions regarding the property. I look forward to seeing the restorations you make to improve the condition of your property and the surrounding neighborhood.

Sincerely,

D.C. Gregg Kadow  
Manitowoc Division of Life Safety and  
Neighborhood Services

**ORDER TO RAZE**

**TO:** Property Owner  
Owner's Address  
Manitowoc, WI 54220

Parcel No. xxx-xx-xxxx

**Name and Return Address:**  
City Clerk  
900 Quay Street  
Manitowoc, WI 54220

**YOU ARE HEREBY NOTIFIED** that the buildings on the following described property in the City of Manitowoc, Wisconsin, to-wit:

(legal description of property)

which premises are owned by you and located at (mailing address of property), Manitowoc, Wisconsin, have become dilapidated and out of repair and are consequently, dangerous, unsafe, unsanitary or otherwise unfit for human habitation.

**THEREFORE, YOU ARE HEREBY ORDERED** to raze the building, within 100 days from the date of service of this order upon you. Raze means you must demolish and remove the building and restore the site to a dust-free and erosion-free condition, remaining in compliance with the City of Manitowoc ordinances and any mandates from the Wisconsin Department of Natural Resources.

**YOU ARE FURTHER NOTIFIED** that this order is served upon you pursuant to the terms and provision of Section 66.0413 of the Wisconsin Statutes. If you shall fail or refuse to comply within the time prescribed in this order, the building shall be razed and removed and the site restored to a dust-free and erosion-free condition by the City of Manitowoc or its agents or contractors, and the cost of such razing, removal and restoration of the site to a dust-free and erosion-free condition shall be charged against the property as a lien.

**YOU ARE FURTHER NOTIFIED** that pursuant to Sections 66.0413(1)(h) and 893.76 of the Wisconsin Statutes, you must make application to the Manitowoc County Circuit Court within 30 days of service of this order if you wish to contest this order.

Dated at Manitowoc, Wisconsin, this \_\_\_\_\_ day of October, 2017.

**CITY OF MANITOWOC, WISCONSIN**

\_\_\_\_\_  
Gregg Kadow, Deputy Fire Chief

STATE OF WISCONSIN     )  
  ) ss.  
COUNTY OF MANITOWOC )

Personally came before me this \_\_\_\_\_ day of October, 2017, the above signed Gregg Kadow, Deputy Fire Chief of the City of Manitowoc, Wisconsin and acknowledged that he executed the foregoing instrument as such Officer of said City, by its authority.

\_\_\_\_\_  
Jane M. Rhode, Notary Public  
Manitowoc County, Wisconsin  
My commission expires May 1, 2020

cc: Manitowoc County Clerk, 1010 S 8<sup>th</sup> Street, Manitowoc WI 54220

This instrument was drafted by Elizabeth Majerus, Staff Attorney

**MANITOWOC FIRE RESCUE  
DIVISION OF LIFE SAFETY AND NEIGHBORHOOD SERVICES**

**Personnel Cost Breakdown for Razing Structures**

<b>Administrative Assistant</b> (1.0 hr. at \$33.16)	Issue permit. Answer questions regarding permit paperwork. Close out file when razing has been completed. Remove file from active addresses and file into razed addresses. Receive invoice from contractor. Get approval to pay from Deputy Chief and prepare proper paperwork to pay contractor. Document in Springbrook.
<b>Building Inspector</b> (3 hrs. at \$45.53)	Review and approve permit. Site visit to make sure foundation floor is busted per code and to make sure that foundation walls have been removed 24 inches below grade per code. These can be on the same day or on separate days depending on progress of contractor. Final site inspection to make sure to grade with top soils and that seed has been put down. Also to make sure site has been cleaned up prior to contractor leaving site. Document inspections.
<b>Plumbing Inspector</b> (1.5 hrs. at \$45.57)	Witness water and sewer lateral capping. Diagram laterals and put in address file future development. Document inspections.
<b>Deputy Chief</b> (8.75 hrs. at \$52.74)	Identify and inspect properties for razing. Take photos of deficiencies. Start code/contact issue.  Contact owner and send raze/repair letter to owner. Start condemnation process. Adjust timeline if needed with owner.  If no response from owner, send letter asking for access to inside of structure. If no answer or if the owner refuses, prepare documents for obtaining a special inspection warrant through the attorney's office.  Placard property when needed.  Set up appointment with independent contractor for estimate to bring structure up to minimum housing/building code. Meet on site with contractor and inspect structure inside and out.  Obtain assessed value of structure from City Assessor website. Determine if the structure meets the code requirement to go forward with razing. If structure meets the requirement, present evidence to the attorney's office requesting title search and issue raze order.  Posts raze order on structure.

If city to raze structure, contact demolition contractors and set up time to obtain estimate. Meet on site with contractors to inspect structure inside and out.

Receive estimates and award job to contractor and have them sign contract.

Once timeline has passed have attorney's office prepare letter to be posted giving notice of demolition and notice to remove all belongings with timeline. Post letter on structure.

Meet onsite with contractor on the day of demolition. Walk through structure to make sure it is vacant.

When invoice arrives, approve invoice and turn over to administrative assistant for payment.

Independent Contractor  
(3 hrs. at \$75)

Inspect structure inside and out to determine cost to bring structure up to current minimum housing/building code. Prepare estimate documents.

Administrative Assistant	1 hour @ \$33.16*	= \$33.16
Building Inspector	3 hours @ \$45.53	= \$136.59
Plumbing Inspector	1.5 hours @ \$45.57	= \$68.36
Deputy Chief	8.75 hours @\$52.74	= \$461.48
Independent Contractor**	3.0 hours @ \$75.00	= <u>\$225.00</u>
	TOTAL	\$924.59

\*Hourly wages include benefits. Wages are from the 2018 budget and do not reflect the wage increase that occurs on July 1, 2018. Wage rates obtained from Payroll Department.

\*\* Cost of Independent Contractor is assessed back to property owner.

## City Attorney's Office Property Improvement Plan Departmental Cost Estimate

### Raze Order

- Title search
  - 1-2 hours x \$44.09 = \$44.09 - \$88.18
  - Can be contracted out to title search company for \$75-150/ property
- Initial document drafting – assuming Fire provides memo with property history and justification for request to raze
  - Raze order, cover letter, publication notice
    - 30 – 60 minutes x \$44.09 = \$22.05 - \$44.09
- Legal advice
  - Variable
- If contested
  - litigation document (response to motion for TRO, hearing documents, stipulated dispositions)
    - 2-3 hours x \$44.09 = \$88.18 – \$132.27
  - Hearing preparation (witness prep, examination prep, exhibit prep, legal research)
    - 2-4 hours x \$44.09 = \$88.18 – \$176.36
- CA cost/ hour x hours = 44.09/ hour
  - **Uncontested (5 hours (high estimate)) = \$220.45**
  - **Contested (12 hours (high estimate)) = \$529.08**

### Citation prosecution

- Pretrial
  - 15-30 minutes including preparation x cost = \$11.02 - \$22.05
- Trial
  - 30-90 minutes (preparation and trial) x cost = \$22.05 - \$66.14
- Appeal to Circuit Court
  - 30-90 minutes (preparation and trial) x cost = \$22.05 - \$66.14
- **Total from pretrial to appeal = \$55.11 - \$154.33**

### Process from citation to court

*Citation Issued → Initial Appearance → Pretrial Conference → Trial → Appellate Trial*

Defendants are typically given 45-60 days from citation issuance to Initial Appearance. Initial Appearances are held at the Municipal Court. The Staff Attorney does not appear. If a defendant pleads guilty, no contest or is found guilty by default for nonappearance, the City Attorney's Office has no involvement in the matter. If a defendant pleads not guilty, the matter is scheduled for a pretrial conference, which is a settlement meeting between the defendant and Staff Attorney held at the Police Station. If the parties do not reach a settlement, the matter is scheduled for trial. The trial date is dependent on party, Judge, and witness availability. Currently, no more than two trials are scheduled for any trial day and on average, trials are scheduled 3 weeks to several months out. If an aggrieved party chooses to appeal a municipal trial ruling, the appeal must be filed within 20 days. The Staff Attorney remains responsible for prosecuting appeals unless the City elects to hire outside counsel.

## **Process for Voluntary Property Acquisition by the Manitowoc Community Development Authority**

**For Property Not Included in a Redevelopment Plan  
Per Ch. 66.1333(5)(c)1.g., Wis. Stats.**

- Staff (Building Inspection or Planning) assembles Blight Determination document based on the definition of blight found in Chapters 32.03(6) and 66.1333(2m)(bm), Wis. Stats.
- Building Inspection issues raze/repair order on the property. (This ensures that a title search is completed and lien holders are notified per the statutes.)
- Common Council reviews draft resolution and directs the CDA to proceed with the blight determination, public hearing, and condemnation process.
- CDA reviews and approves the draft Blight Determination document and schedules a public hearing.
- Send notice of the public hearing via certified mail to the property owner more than 20 days in advance of the public hearing pursuant to Chapter 66.1333(5)(c)2, Wis. Stats.
- Publish agenda for CDA meeting, noting the time, place, and subject matter of the public hearing (circulate to local news media and post on the City's website for broad community awareness).
- CDA conducts a public hearing on the blight determination and condemnation of the subject property, then approves resolution requesting Common Council authorization to acquire the property.
- Common Council approve by at least a two-thirds majority a resolution declaring the property blighted, finding that a comprehensive redevelopment plan is not needed, and authorizing the CDA to acquire the property through condemnation.
- If needed (will evaluate on a case-by-case basis), complete a Phase 1 Environmental Assessment for the property on behalf of the CDA.
- Record a deed officially transferring ownership of the property to the CDA. The deed is to denote that the property was gifted/donated to the CDA.



**COMMUNITY DEVELOPMENT DEPARTMENT**  
**Personnel Cost Breakdown for Property Acquisition**

Example: Acquisition of 422-424 N 10th Street

	(Estimated) Time		Labor Cost
	Nic	Lisa	
<b>Community Development Staff Tasks</b>			
Inter-departmental meetings and communication	1.5	0.5	\$106.77
CDA meetings; public hearing; obtain approvals	1.0	0.5	\$76.67
Order Phase 1 EA; approve contract	0.5		\$30.10
Complete User Questionnaire for Ph 1 EA	1.0		\$60.20
Review and edit the draft Ph 1 EA report	1.5		\$90.30
Review draft docs (Council resolution, blight determination, deed)	1.0		\$60.20
Public hearing notice; draft and send	0.3	0.2	\$24.65
Write CDA resolution	0.8		\$48.16
	<u>7.6</u>	<u>1.2</u>	<u>\$497.05</u>

**Material Cost for Phase 1 Environmental Assessment**

Typical Consulting Fees from a QEC \$3,000 to \$5,000