

By Jan Schultz

The Imperial Republican

While city council members have scrapped a proposed ordinance for rental housing standards for Imperial, they don't plan to drop the idea entirely.

On Monday, the city's four council members voted down the proposed ordinance after its second reading, but made it clear they still want some standards in place, but probably less restrictive.

In that light, the council set up a committee including council member Chad Yaw, Building Inspector/Zoning Officer Nick Schultz, Community Development Director Leslie Carlholm and three local landlords.

They have been charged to come up with recommendations for another set of housing standards for council consideration.

About eight landlords or their representatives were at the meeting Monday, many expressing concerns about the proposals. A group of landlords also attended the December meeting.

Tim May said he had some concerns with the proposed standards as they relate to the housing he provides for people, noting his housing meets Department of Labor standards.

However, the way his rental housing was built will not meet the proposed city rental standards, May said.

He said his property is "more of a dormitory style of housing" and, specifically, would not meet the Imperial standards concerning square footage of space.

"I have had it inspected and approved a number of times by the Department of Labor," May said.

Julie Chandler said she believes the Landlord Tenant Act includes much of what's proposed in the local standards. Renters not happy with the conditions can report them to the Nebraska Real Estate Commission, she said.

However, City Attorney Phil Pierce said the Real Estate Commission does not get involved in rental housing concerns because it would be a civil matter. The Landlord Tenant Act "is between the landlord and renter," Pierce said.

A city-adopted ordinance, Pierce said, would provide an enforcement procedure that would aid tenants locally.

Other concerns expressed Monday dealt with window requirements in the rentals and the dilemma when the rental property is not taken care of by the renter, possibly putting it out of compliance.

The rental standards as they were proposed had sections dealing with sanitary facilities, food preparation areas, refuse disposal, floor space, lockable doors, heating, lighting, being structurally sound, ventilation and presence of smoke detectors.

Some of this week's meeting discussion dealt with the International Building Code and an International Property Maintenance Code the council had already approved in previous years.

Jane Moreland asked if the city is bound by those codes since much of those deal with the same type of requirements.

City Attorney Pierce said those codes were adopted strictly for reference when issuing building permits, and not for policing rental properties, in his opinion.

Mayor Annie Longan and Community Development Director Carl-holm both said the main reason for local rental housing standards is safety.

“Our intent is for safety, that the heater works, the plumbing plumbs,” Longan said.

Carlholm said the state has also had concerns with the quality of some rentals, and if they are safe.

“There are some changes needed” in the local standards being considered, she said, “but I’m not sure we need to throw it all away.”

After the newly-appointed rental standards committee comes up with new proposals, they will be brought to the council for review.

Other council business

- A change in zoning from residential to commercial will be sought from the Imperial Planning Commission for the former Jim Claney lot on north Broadway. Now owned by the city, the lot was offered for sale by bid and two were received, both for the same amount—\$3,500. Ed Lee, one of the bidders, would use the lot for his semi-trucks. Also bidding were Bruce and Crystal Peterson, who indicated they would build two structures there for operation of their two businesses, Mud Buckets, Inc., and Allstars Daycare & Preschool. Since both intended uses would require commercial zoning, according to City Zoning Officer Nick Schultz, the council voted to reject both bids and approach the Planning Commission to consider rezoning that lot which is now zoned R-2 (multi-family residential). Then, it would be put up for bid again.

- The semi-annual review of the city’s economic development program, which involves use of the city’s sales tax dollars, was reviewed during a public hearing as part of the meeting. Leslie Carlholm, reporting for the Citizens Advisory Review Committee, noted that six projects were funded during the July 1 to Dec. 31, 2009 period for a total of \$386,375.03. Most of the funds expended during the period were earmarked for purchase of the former Melvin and Dorothy Miller ground, which will be used for economic development. The council voted to accept the report.

- Proposed changes in guidelines for the city’s revolving loan program were reviewed by the council Monday. One of the proposed changes is to add “working capital” to the list of eligible uses for the borrowed funds which are available to aid start-up or existing businesses that cannot obtain enough conventional financing. The revolving loan fund can also be used to attract new business and promote entrepreneurship. Businesses utilizing the loan money must be located within the zoning jurisdiction of the city. The council will continue their review of the guidelines at their next meeting.

- A new air compressor will be purchased by the Imperial Volunteer Fire Department at an estimated cost of \$28,309.35. Fire Chief Bryan Dannatt said their 2009-10 budget included funds for this purchase. One of the features of the compressor will be refilling self-contained breathing apparatus and dive team tanks on the scene. The council okayed the purchase.

- Jan Graham was appointed by Mayor Annie Longan to the library board, and was subsequently approved by the council. In December, Becky Carman was appointed to the same board. The two ladies replace Julie Gockley and Janet Sheaffer.

- First reading of a revised solid waste ordinance was held during the meeting, and another reading was scheduled for the Jan. 25 meeting. After the initial review Monday, the council

suggested a change be made under the section "Prohibited accumulation and disposal," where it stated that residents should remove garbage from their premises at least once a week from May through November and every two weeks the rest of the year. Council President Doug Gaswick said that goes against the city's volume-based rate system that encourages people to recycle so they won't have to put their trash out as often. City Attorney Phil Pierce will delete that part of the ordinance for the next reading.

- In Community Development Director Leslie Carlholm's report, she noted she is working with the school on a Career Fair for Feb. 16. There is room for eight businesses at the fair, and any local businesses interested in participating can contact Carlholm at the city offices.

- According to Miller & Associates, there appears to be good interest so far from bidders on the city's three street improvement projects (East 5th, 9th and 12th), to be rebuilt this summer. Public Works Supt. Pat Davison reported they will try to eliminate as much of the access problem to homes and businesses as possible during the work. Bid opening will be later this month, with action possible at the Jan. 25 meeting.

- Police Chief Larry Browning reviewed the "good and bad" in his annual police report. Increased activity was seen in domestic disturbances (54), stolen vehicles (8) and court time (202 hours). Referring to the court time, Browning noted the hours listed only included the actual time in court, and not the additional time at hearings or for interviews. On the "good" side, burglaries, accidents and EPC (Emergency Protective Custody) cases dropped in number during 2009.