



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.co
m

Meeting Minutes - Approved LANDLORD AND TENANT ISSUES SUBCOMMITTEE

Thursday, January 17, 2008

4:30 PM

215 Martin Luther King Jr. Blvd.
Room LL-130 (Madison Municipal Building)

CALL TO ORDER / ROLL CALL

The meeting was called to order at 4:35 PM by Chair Phil Ejercito.

Staff Present: Al Vorhees and Meg Zopelis

Present: 5 -

Eli Judge; Curtis V. Brink; Philip P. Ejercito; Detria D. Hassel and David R. Sparer

Excused: 2 -

Brenda K. Konkell and Rose M. LeTourneau

APPROVAL OF MINUTES

A motion was made by Sparer, seconded by Brink, to Approve the Minutes of December 20, 2007. The motion passed by voice vote/other.

PUBLIC COMMENT

Rebecca Anderson spoke in opposition to Ordinance 07734. She was speaking to the interior lights inside units. She believes that landlords have already taken care of common areas. She has an issue with antique fixtures at the exterior or common areas that have antique fixtures. Most of her buildings are antiques and there are chandeliers that she does not want to get rid of because of that. It was pointed out to Ms. Anderson that the Ordinance says, "This subdivision shall not apply to lights with a candelabra base." Ms. Anderson indicated that she has two: one with a candelabra base and one that will take a regular lightbulb. She did put the "little squiggly" ones in there and they look strange. At some point, she would like to go back to the candelabra look. She then mentioned that it has to be determined what an antique is. She has an issue with the time frame and thinks June 1st is too soon. She is concerned with photos and light bulbs and how it affects tenants moving in and out, having to extend another day on checking people out. She believes people will be homeless for a day because they cannot just do a regular checkout. The additional requirements put upon them are not always monetary because the market dictates what they can charge or what they can get for an apartment. Ms. Anderson questioned how this increases tenant safety.

Jennifer Feyerherm of Sierra Club spoke in support of Ordinance 07734. Ms.

Feyerherm brought a light display that had many different types of lights in it.

Global warming is a major issue and we need to take action right now. Ms. Feyerherm provided handouts during her statement. Global warming is happening faster than ever estimated. There are some scientists estimating that the polar icecap will be melted by the summer of 2012. The Sierra Club spoke with people at Wisconsin Energy Conservation Corporation, Focus on Energy Program, and MG&E. The efficiency experts said that we have great potential in rental properties. As 60% of Madison residents are renters, there is an incredible opportunity to showcase the savings that we can get by implementing energy efficient technologies.

MG&E uses the light display with their Power Tomorrow Program and when they do workshops, so they can show what efficient lighting can be. Compact fluorescents are not like the old blue-white lights. There is a spectrum of shades and sizes. Menards and Home Depot have different kinds of fluorescent light bulbs (dimable, three-way, etc).

Energy Center of WI, energy efficiency experts, hold energy efficient workshops. They performed a rental characterization study. They went around the State of Wisconsin and looked at rental properties to see how much had already been switched over in terms of efficient lighting. Most common areas have been switched over to efficient lighting. They also found, for the most part, in smaller apartment buildings, the switch has not been made. Using Energy Center of WI numbers, and how many people have yet to switch to more efficient lighting, and then using census data from Madison for the rental properties we have, when you add up the numbers you see that by switching light bulbs alone we can save \$2 million a year in energy costs. That does not even talk about maintenance costs. We can save more than 35,000 tons of global warming pollution. The City of Madison has partnered with UW, MG&E, The Sierra Club and a program called the Mpowering Madison Program. We have committed to reduce our global warming pollution by 100,000 tons. This Ordinance, that merely involves changing light bulbs would get us more than one-third of the way there.

This makes sense and is a safety issue for tenants. The efficient lighting lasts ten times longer than old-fashioned lightbulbs. Fire inspectors and building inspectors really like the LED exit lighting because they last so long.

Both landlords and tenants win and save money. Tenants move in and already have efficient lighting. There is well over a year to account for the costs of changing all of the interior lights, by June 2009. Common area lighting needs to be done by June 1, 2008.

She brought a letter of support from Wisconsin Energy Conservation Corporation (WECC), as well as handouts. There are many products for retrofitting existing lights.

Mercury exists in compact fluorescent light bulbs but it is very small. There is more mercury in coal than in the light bulbs. The EPA website gives information on cleaning up mercury should the light break. Incandescent lights have lead in them so they have hazards too.

Focus on Energy has incentives for light bulb purchases and it is a statewide

program. \$1.00 per light bulb at retailers all around town. They have coupons and rebates around the year. The light bulbs pay back in three months. A hardware store on Broom Street will mail in the forms for you for the rebate.

Brink questions when it looks like its simple to hit the apartments, but not have it for the entire City because they would not be able to mandate it. This does not address the issue for the entire City. The landlord has to take full responsibility right now, and nothing goes toward the tenant. This does not address all homeowners in the City of Madison to have compact fluorescent light bulbs and Brink feels this is inconsistent. Brink has a problem with Item #3, the turnover rate.

Ms. Hassel asked what happens if it is not done. Ms. Feyerherm said it is a change in the Building Code and the Building Inspectors can enforce.

Seth Nowak of Madison Community Cooperative, spoke in support of Ordinance 07734. They have 11 properties downtown and on the near eastside. 175 renters in tenant-controlled housing. They are already using efficient lighting wherever it makes sense. The places you see people not using lighting is where there are motion sensors. He does not see this as a going green type of issue. The issue is fairness. Who has the incentive to buy the efficient lighting? The amount to change lights and the time frame are reasonable, as you can do a few a month while transitioning to the compact fluorescent light bulbs. The issue for the tenant right now is paying the utilities but the owner is the one who would have to prove to the building inspector that they are meeting the Code.

If this applies to all apartments and costs go up by a \$1 month, it is the same for everyone. It is not going to only affect certain landlords. A lot of property management companies and owners have done this. Why haven't some done this yet to save money? This holds all owners to keep their properties up to Code and helps keep costs down for tenants. If utilities are included in the price of the rent, then the owner will get the savings. Mr. Nowak feels this is manageable. Mr. Nowak doesn't feel people will steal light bulbs and replace them with incandescent lights and does not think this will cause anyone to be held out of a unit while the landlord takes photos or replaces light bulbs.

Ald. Larry Palm spoke in support of Ordinance 07734. Ald. Palm gave some history on a previous version of this Ordinance. At the time, that Ordinance did not pass. One of the misgivings with one of the Alders who is no longer with the Council was that it did not go through this process and go to the Housing Committee, who subsequently referred it here. Ald. Solomon and Ald. Palm started looking at the previously proposed Ordinance to see how they could make it more successful. They have met with the City Attorney and others to discuss all aspects of this. The candelabra issue was one of the discussions. The quandary is how do you specify something in Code that can be clear to all, a building inspector, landlord, and tenant. They could not go by age and thought about conservation districts but that would not work because they are so large. He thinks everyone agrees that LED exit lighting is good.

The phasing schedule, with common areas first and then interior second, was so there was time to get it accomplished. If you phase it, over time you are replacing light bulbs anyway. One of the downsides is that there are going to be a lot of incandescent light bulbs to deal with. Hopefully, this phases out dead

incandescent bulbs and does not waste ones that still work.

Palm thinks this saves everyone money and protects the environment. Ald. Solomon and Ald. Palm did a lot of talking to review the original Ordinance to get to this new ordinance. Thought it would be good to get started on it now as it will have to happen anyway. Madison is a forward-thinking City so lets get this done. We understand who the landlords are so there is a defined group for this. There is an enforcement aspect of this and this is why regulations deal around businesses. Incandescent light bulbs are not supposed to be in regular trash/landfill. You can bring in burnt out light bulbs (compact fluorescent light bulbs) to retailers and they may have a small rebate.

[08978](#)

Handouts from Jennifer Feyerherm of The Sierra Club.

Attachments: [Handouts from Feyerherm of Sierra Club.pdf](#)

ELECTION OF 2008 CHAIR AND VICE-CHAIR

A motion was made by Judge, seconded by Brink, for Ejercito to continue as Chair in 2008. Ejercito accepted that. A motion was made by Sparer, seconded by Ejercito, to nominate himself as Chair. The motion for Sparer to be Chair passed on the following vote:

Yes - Brink, Hassel, Judge, Sparer
Abstain - Ejercito

Sparer immediately took position as Chair.

A motion was made by Sparer, seconded by Judge, for Ejercito to be Vice Chair in 2008. The motion passed by voice vote/other.

ORDINANCES

ROLL CALL

Present: 4 -
Curtis V. Brink; Philip P. Ejercito; Detria D. Hassel and David R. Sparer

Excused: 3 -
Eli Judge; Brenda K. Konkel and Rose M. LeTourneau

1. [07734](#) SUBSTITUTE - Creating Sections 27.05(2)(aa), (bb), (cc), and (dd) and Section 29.20(21) of the Madison General Ordinances to require bulbs with an energy efficiency of at least thirty (30) lumens in some common areas and dwelling units in residential buildings.

Attachments: [07734-Version 1.pdf](#)

A motion was made by Ejercito, seconded by Hassel, to Return to Lead with the Recommendation for Approval to the HOUSING COMMITTEE. The motion passed by voice vote/other.

An amendment to the motion was made by Brink, seconded by Hassel, to remove Item #3 from the Ordinance. The amendment to the motion was rejected on the following vote:

Yes – Brink & Hassel
Nos – Sparer and Ejercito

Sparer is against removing item #3 from the Ordinance. Hassel does not like the look and light from the light bulbs.

Ejercito would also like to see it Citywide but believes in how it was drafted to at least get 60% of Madison on board. It is time to phase out incandescent lightbulbs. Ejercito is a photographer and deals with lighting, color temperature and light balance, and it is far easier to compensate for compact fluorescents than it is for incandescent bulbs.

DISCUSSION ITEMS

2. [08442](#) Cheryl Elkinton Letter 11-2-07

Attachments: [Elkinton Letter 11-2-07](#)

Informational item only.

3. [08443](#) Statistical Report from Neighborhood Preservation & Inspection Division 10-18-07

Attachments: [Statistical Report from Neighborhood Preservation & Inspection Division 10-18-07](#)

Informational item only.

4. [08444](#) Requested Minutes for Discussion on Chronic Nuisance Ordinance

Equal Opportunities Commission Minutes 9-20-07
http://legistar.cityofmadison.com/meetings/2007/9/5070_M_EQUAL_OPPORTUNITIES_COMMISSION_07-09-20_Meeting_Minutes.pdf

Equal Opportunities Commission Minutes 10-11-07 (Draft)
http://legistar.cityofmadison.com/meetings/2007/10/5186_M_EQUAL_OPPORTUNITIES_COMMISSION_07-10-11_Meeting_Minutes.pdf

Informational item only.

5. [08445](#) Earnest Money Draft Ordinance Discussion

A motion was made by Ejercito, seconded by Brink, to refer items 5 – 8 of the Agenda to the next meeting Agenda. The motion passed by voice vote/other.

6. [08446](#) Tenant Education Discussion

This item was referred to the next meeting.

7. [08447](#) Rules for Maintaining Apartments Discussion

This item was referred to the next meeting.

8. [08448](#) Licensing/Registration of Landlords Discussion

This item was referred to the next meeting.

ADJOURNMENT

A motion was made by Ejercito, seconded by Brink, to Adjourn at 5:47 PM. The motion passed by voice vote/other.