

COMMUNITY INVOLVEMENT COMMITTEE MEETING

June 26, 2024

12:00 p.m.

Councilman Denny Whayne Conference Room (Bush Building, 4th floor)
840 Boonville Avenue

MEMBERS

PRESENT: Heather Hardinger, Chair; Derek Lee; Callie Carroll; and Craig Hosmer*.

MEMBERS

ABSENT: None.

COUNCIL

PRESENT: Monica Horton.

STAFF

PRESENT: Jason Gage, City Manager; Collin Quigley, Deputy City Manager; Brock Rowe, Director of Building Development Services; Randall Whitman, Principal City Planner; Jordan Paul, City Attorney; Anita Cotter, City Clerk; and Julie Greer, Deputy City Clerk.

GUESTS: Regina Sarber, Housing Authority of Springfield; Michelle Garand, Community Partnership of the Ozarks; Isabelle Walker, Blighted Property Work Group; Alice Barber, Springfield Tenants Unite; Sarah Barnts, Springfield Tenants Unite; Nancy Williams, Habitat for Humanity; Becky Volz, Neighborhood Advisory Council; Brent T. Brown, Springfield Apartment and Housing Association; and Marta Mieze, *Springfield News-Leader*.

*Arrived at 12:08 p.m.

Councilmember Heather Hardinger, Chair, called the meeting to order at approximately 12:03 p.m., and roll call was conducted. Present: Derek Lee, Callie Carroll, and Heather Hardinger. Absent: Craig Hosmer. Abstain: None.

Councilmember Carroll moved to approve the minutes of the May 15, 2024, meeting as presented. The motion was seconded by Councilmember Lee and approved by the following vote: Ayes: Carroll, Lee, and Hardinger. Absent: Hosmer. Abstain: None.

Councilmember Hardinger turned the meeting over to Jason Gage, City Manager. Mr. Gage turned the meeting over to Brock Rowe, Director of Building Development Services, for continued discussion and possible recommendation to modify Resolution 10722, Section 1(5).

Mr. Rowe explained the difficulty determining property ownership was due to outdated property owner information and lack of historical data on Greene County's website, which was the only source for property ownership from which Building Development Services' software obtained information. Staff would have to investigate other resources for the missing data. Mr. Gage

clarified there were two separate searches, property owner and violation history, and these could not be properly aligned. Mr. Rowe answered affirmatively and pointed out a title search would have to be conducted, which included extra fees. He explained the difficulty in determining the length of time a property remained in violation after the transfer of ownership, and noted the software did not track this information.

Councilmember Hardinger asked for the number of current blighted properties. Mr. Rowe responded with an estimation of over 100 properties. Councilmember Hardinger summarized last meeting's discussion regarding a list of blighted properties which was accessible to the public per Section 1 of Resolution 10722, and how the context of the blighted properties was not fully demonstrated in the list. Mr. Rowe referred to Municipal Ordinance Section 26 which listed thirteen types of violations, some of which were minor. He pointed out in addition to the unclear timeline of blighted properties; the list did not describe the level of violations.

Councilmember Hardinger suggested reducing the list from the top 20 to the top 10 blighted properties, which would be less time consuming for staff. Mr. Rowe discussed problematic scenarios created by the list, which included a lack of discernment, referring to new property owners who acquire blighted properties, and a lengthy timeline, referring to two top offenders with approximately 20 to 30 violations in a five-year period. He suggested reducing the timeline to six months or a year, which would be less overwhelming for staff to maintain the list. He also suggested defining "chronic nuisance" which would then be addressed with fees and fines.

Councilmember Hardinger noted the language of the list, without context, was not useful to the public and suggested listing properties as opposed to listing property owners. Mr. Rowe advised both property owners and properties were on the list. Councilmember Hardinger summarized the purpose of publishing the list was to create public accountability and deter property homeowners from being noncompliant.

Councilmember Hardinger addressed the Committee and asked if the list was necessary to achieve the desired outcome. Councilmember Carroll noted a significant difference in violations from a downed gutter to a hole in the roof. She recommended prioritizing severe violations. Councilmember Hardinger commented on what she learned from attending the Vacant Property Leadership Institute and how some communities established a grading system for noncompliant properties. Mr. Rowe noted a violation from five years ago with an F grade would have been demolished and yet would still be on the current blighted property list.

Mr. Gage inquired about the criteria for chronic nuisance properties. Mr. Rowe explained a noncompliant property owner had to appear for a hearing. They would be considered a chronic offender if they appeared twice and received two or more orders for the same property or different properties. Mr. Gage noted the ordinance needed to change. Mr. Gage asked for clarification on what it would mean to list chronic properties based on the new definition. Mr. Rowe explained the list would identify both chronic noncompliant property owners and those who had appeared at a hearing. He pointed out the process to appear at a hearing normally would take 180 days. He also noted some chronic owners had changed their LLC to a different name. Mr. Gage inquired about new ownership of chronic nuisance properties. Mr. Rowe advised the new owner had 45 days from date of ownership to make improvements to the

property and be compliant with City Codes. Mr. Gage clarified a property was no longer considered a chronic nuisance property upon transfer of ownership depending on how the new homeowner responded.

Councilmember Hardinger expressed her opinion any property owners who had not appeared at a scheduled hearing, made improvements, or were noncompliant, should be on the list, and all the information should be made public. Mr. Rowe stated many blighted properties on the list that were ready for demolition may be in the process of being purchased. He described the process for a potential owner to obtain the blighted property, which included submitting a request to the City for a Release of Lis Pendens to clear the title so the property could be purchased. He stated the individual who was under contract to purchase the property would have to provide a timeline of improvements to make the property compliant and sign a form which stated they received all the notices on the blighted property. This would temporarily delay the demolition. He noted 90 percent of the blighted properties were purchased after the hearing and right before the scheduled demolition.

Councilmember Carroll noted the goal of the list was safe housing for Springfield citizens. She expressed her opinion too much time had been spent discussing the list, and the goal had not been achieved. Councilmember Lee and Councilmember Hosmer expressed their agreement. Mr. Rowe pointed out the abatement process would be enforced regardless of a list. He stated the list was based on complaints received by Building Development Services and was not accurate. He referred to several debilitated properties in the city not listed as noncompliant, blighted properties and commented a proactive approach would provide better accuracy. Mr. Gage clarified the list with the newly defined “chronic nuisance” would focus on the property, and a new owner would avoid being unduly cited as they restored the property to compliant status.

Councilmember Hardinger suggested some parameters to set for the list, such as prioritizing severe violations and listing owners who refused to fully participate in the abatement process of a property considered to be a chronic nuisance.

Councilmember Hosmer inquired about the active landlords on the list. Mr. Rowe responded Chris Gatley’s properties were at the top of the list. Councilmember Hosmer pointed out the list should provide information about compliant landlords so tenants could differentiate between compliant and chronic, noncompliant landlords when researching rentals. He explained nursing home inspections could lead to self-regulation and made this comparison with property owners and landlords. He described the fundamental unfairness of compliant landlords competing with noncompliant landlords. Councilmember Carroll referred to the grading system discussed by Councilmember Hardinger and compared it the grading system for restaurant inspections.

Councilmember Hardinger described the outcome of the list and its accessibility to citizens as a record of landlords and their status of compliance with City Code. Mr. Rowe noted defining “chronic nuisance” would be the most important element of the list, and a definition had been submitted to City Council as a recommendation. Mr. Gage provided a couple of recommendations for the Committee. First, once “chronic nuisance” was defined, the chronic nuisance properties could be listed with their owners. Once the property was transferred to new

ownership, the chronic status would reset, and the new owner would earn the chronic nuisance status if the necessary improvements were not completed. Second, over time as the new system became well-established, a grading system could be implemented.

Councilmember Hardinger asked if it made sense to keep the same number of properties as outlined in the Resolution and the criteria be changed. Mr. Gage responded it would depend on whether the Resolution had a time limit and it coincided with City Code. Chronic nuisance properties could also be listed with or without owner information, and the grading system would have to be based on the new system. Councilmember Hardinger expressed her opinion the first option presented by Mr. Gage was the most reasonable. Mr. Gage suggested simulating a scenario to ensure it would work properly prior to implementing it. He explained the process to change the Resolution would begin with a recommendation to Council to amend Resolution 10722, Section 1(5), to delete the requirement and replace with a list of chronic nuisance properties that meets the new definition. Then timing would be coordinated to amend the Resolution and modify City Code at the same time to establish the new system. A grading system could be added in the future. Councilmember Hardinger requested staff write the language and present it to the Committee for consideration.

Councilmember Lee commented the purpose of the grading system would be public-shaming and provide information to tenants. He expressed his opinion this sounded good in theory, but he was concerned about the noncompliant landlords obtaining a new LLC to avoid abatement and being cited, which would make it difficult to track all the LLCs, and the list would not be correct. Councilmember Hosmer advised an LLC could not be changed if there was a mortgage attached to the property. He inquired about the frequency of LLCs being changed by noncompliant landlords. Mr. Rowe responded there had been incidents of LLC exchanges. He provided an example of an entity changing the name of their company, and the property would be sold to the new company with no money exchanged because the property was mortgage-free. The property would be exchanged, but the businesses would have the same ownership. Mr. Gage inquired about the Secretary of State's website and if the owner's name would be listed with an LLC. Councilmember Hosmer responded the registered agent would be listed, not the owner's information. Councilmember Lee advised the registered agents could be the owner's accountant or attorney. Jordan Paul, City Attorney, confirmed only the registered agent was required to be listed when setting up an LLC, and this was common to keep the owner's information private.

Councilmember Hosmer inquired about the software used by Building Development Services to obtain owner information. Mr. Rowe responded they used LexusNexus, which was the same software the Police Department used and would provide the registered agent of the LLC if the owner's info was not available. He advised any notices would be sent to the mailing address provided by the owner. Councilmember Carroll expressed her opinion the Resolution had other more important sections besides the list, and other ideas to help renters should be explored. Councilmember Hardinger expressed her opinion the list of chronic nuisance properties made sense and would assist renters with making informed decisions on where they would live. Mr. Gage clarified the benefit of the list was awareness of chronic nuisance properties and their locations.

Councilmember Hardinger stated she would like to obtain input from business owners on the impact this list would have on their business and from renters on finding safe housing with the use of the list. Councilmember Lee requested a decision be made so the Committee could move forward with other topics.

Mr. Gage recommended a vote to delete Resolution 10722, Section 1(5), and replace with a list of chronic nuisance properties that meets the new definition. Councilmember Hardinger requested a motion from the Committee members. Councilmember Lee inquired about the need for a full five years to be stated on the Resolution. Councilmember Hosmer expressed his concern for compliant landlords and keeping new owners off the list. He recommended the usage of the definition for chronic nuisance and list the properties for five years. Mr. Gage advised the five years would change the system and reiterated the nuisance property would be removed from the list with new ownership. He stated new owners would be given an opportunity to make progress first and would have to earn the nuisance property status if progress were not made.

Councilmember Hardinger requested the Committee make a motion for a recommendation to full City Council to amend Resolution 10722, Section 1(5). Councilmember Hosmer moved to recommend to full City Council to amend Resolution 10722, Section 1(5), to delete the current language in its entirety and replace with language which required a report that included a list of active chronic nuisance properties and their current owner. Councilmember Lee seconded the motion, and it was approved with the following vote: Ayes: Lee, Hosmer, Carrol, Hardinger. Nays: None. Abstain: None.

Councilmember Hardinger noted a continued discussion of task prioritization of City Council approved City Manager Nuisance Property Work Group final recommendations was requested during the previous meeting.

Mr. Rowe referenced the “Recommendations” handout and noted item 6, *Changes to chronic nuisance and substantial completion*, had just been addressed, and item 4, *City Council acknowledge support for a shift from mostly complaint based to a primary strategic code enforcement process while still responding to citizen complaints*, had been completed. Councilmember Hardinger recommended item 2, *Investigate a Rental Inspection Program suitable for the City*, be made a priority. Mr. Rowe advised 1, *Repeal Rental Registration Program*, could be easily accomplished. Mr. Gage suggested item 1 be recommended to City Council along with the previous motion.

Mr. Rowe advised item 3, *Multiple Clean Green Vouchers* program, had been changed but expressed his opinion this was valuable to the community as it empowered residents to dispose of unwanted items once or twice per year. Councilmember Carroll inquired about the allocation of American Rescue Plan Act (ARPA) funds to the program. Mr. Gage responded the ARPA funds only funded the neighborhood cleanups.

Councilmember Hardinger advised item 5, *Lobby to change RSMO 67.410 to change mailing requirements for notices*, was ongoing, and there was not a lot of control at the municipal level. Mr. Gage advised it was drafted and ready for the next legislative session.

Mr. Rowe advised item 7, *Make an effort to facilitate Property Care Team initiated by the neighborhoods*, would be a lot of work, and the Committee should decide on the priority. Councilmember Carroll expressed her opinion this should be a priority. Councilmember Hardinger expressed her agreement with making this a priority.

Councilmember Lee suggested items 1, 2, 4, and 5 should be approved to move to City Council and be removed from the Recommendations list. Mr. Gage advised City Council action would not be needed on rental inspections, and item 4 was completed, and no action needed.

Councilmember Lee recommended prioritizing Multiple Clean Green Vouchers, to approve it and remove it from the list. Councilmember Carroll asked if this should be considered by the Finance and Administration Committee. Mr. Gage responded there were many considerations to discuss, such as organization and funding.

Councilmember Hardinger recommended communicating to City Council the Committee's status of prioritizing these recommendations. Mr. Rowe expressed his appreciation to City Council for acknowledging item 4 in an open session and accepting it.

Councilmember Carroll asked what else was needed from the Committee. Mr. Gage responded the repeal of the Rental Registration program could be done at the same time as changes to the chronic nuisance definition since both were Code changes.

Councilmember Carroll moved to recommend to City Council the repeal of the Rental Registration Program. Councilmember Lee seconded the motion, and it was approved by the following vote: Ayes: Carroll, Lee, Hosmer, and Hardinger. Nays: None. Absent: None. Abstain: None.

Councilmember Hardinger noted the items left were 2, 3, 7, and 8. She suggested item 7 be the first priority, item 2 as second priority, item 3 as third priority, and item 8, *Be a primary clearing house for community-based assistance to neighborhoods*, should be completed after the other items are completed, as the Property Care Team would help with this item.

Mr. Gage advised some of the items could be concurrently worked on. Councilmember Hardinger recommended item 2 and 7 be priority items to be worked on together. Councilmember Lee suggested item 3 and 7 be worked on at the same time since both involved community involvement. Councilmember Hardinger inquired about the merging of item 3 and item 7. Mr. Gage responded, functionally, they could be merged. Mr. Rowe discussed the multiple City departments involved with both items. He stated they could be merged although they were two different items with multiple moving parts.

After more discussion regarding prioritizing the Recommendations, Councilmember Hardinger listed the priorities as follows:

Priority 1 – Recommendation 7
Priority 2 – Recommendation 2

Priority 3 – Recommendation 3
Priority 4 – Recommendation 4

Councilmember Carroll moved to adjourn. Councilmember Lee seconded the motion, and it was approved by the following vote: Ayes: Lee, Carroll, Hosmer, and Hardinger. Nays: None. Absent: None. Abstain: None.

The meeting adjourned at 1:03 p.m.

Prepared by Kristina D’Andrea