

COMMUNITY INVOLVEMENT COMMITTEE MEETING

September 28, 2023

3:00 p.m.

Councilman Denny Wayne Conference Room (Bush Building, 4th floor)

MEMBERS

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

MEMBERS

ABSENT: None.

COUNCIL

PRESENT: Monica Horton; and Brandon Jenson.

STAFF

PRESENT: Jason Gage, City Manager; Maurice S. Jones, Deputy City Manager; Rhonda Lewsader, City Attorney; Brock Rowe, Director of Building Development Services; Duke McDonald, Assistant City Attorney; Anita Cotter, City Clerk; and Lauren Fischer, City Clerk Administrative Specialist.

GUESTS: None.

Councilwoman Heather Hardinger, Chair, called the meeting to order at approximately 3:05 p.m., and roll call was conducted. Present: Craig Hosmer, Callie Carroll, Derek Lee, and Heather Hardinger. Absent: None.

Councilman Hosmer moved to approve the minutes of the August 30, 2023, meeting as presented. Councilman Lee seconded the motion, and it was approved by the following vote: Ayes: Carroll, Lee, Hosmer, and Hardinger. Nays: None. Absent: None. Abstain: None.

Jason Gage, City Manager, provided an overview of the Committee's assignments listed in Resolution 10722 (Exhibit A). He noted the Committee is required by the resolution to present its recommendations, based on the Nuisance Property Work Group Final Report (Exhibit B), to City Council in six months.

Brock Rowe, Director of Building Development Services, noted the Building Development Services Department (BDS) oversees blighted buildings, nuisance properties, and overgrowth. He noted Chapter 26 of the City Code focuses on dangerous buildings and properties in need of repairs. He further noted any buildings or structures that meet the criteria outlined in Section 26-62 of the City Code constitute a public nuisance (Exhibit C).

Mr. Rowe noted Chapter 74 of the City Code provides information regarding the contents of a property owner's lot or land for nuisance abatement. He noted this includes rubbish, trash, debris, broken kitchenware, discarded apparel, and garbage not deposited in solid-waste

containers (Exhibit C). He noted the nuisance abatement process is a 100-day process which requires the City to notify the property owner once a complaint is received. He further noted Chapter 74 addresses overgrowth abatements for the City and is a 30-day process once a complaint is received.

Councilwoman Hardinger asked for clarification on the process the BDS Department uses when addressing nuisance violations. Mr. Rowe explained the nuisance abatement process starts when a citizen contacts the Citizen Resource Center to file a complaint. He noted an inspector is then sent to the property to investigate the complaint and start the nuisance abatement process (Exhibit C). He further noted BDS spends roughly 60 percent of staff time investigating complaints of properties that are not in violation of Chapter 74.

Councilwoman Hardinger asked if it would be helpful to mitigate the time staff spent investigating each complaint by utilizing a questionnaire to evaluate the severity of the situation prior to sending an investigator to the property. Mr. Rowe responded a checklist or some form of education for the community about what constitutes a nuisance would be helpful.

Councilwoman Hardinger asked if BDS had received any feedback from neighborhood associations about reporting nuisance properties and violations. Mr. Rowe responded BDS staff meet with the neighborhood associations on a regular basis. He noted BDS is part of the Neighborhood Advisory Council (NAC) which meets quarterly. Councilwoman Hardinger expressed her opinion it is important for the Community Involvement Committee to ensure citizens are educated on the process of reporting nuisance property issues to help alleviate the need for staff intervention. Mr. Rowe discussed the importance of providing education to the community about nuisance violations. He noted BDS is researching various methods and pilot programs to find a proactive way to address nuisance property issues.

Mr. Gage asked if BDS was still leaving door hangers with nuisance education information and resource information on violators' homes. Mr. Rowe responded they are still utilizing the door hangers provided by the Public Information and Civic Engagement Department. He noted inspectors face issues such as aggressive property owners or aggressive animals when approaching a property to leave a door hanger. He further noted when an inspector enters a hostile situation, they follow BDS protocol to leave the property and call the police.

Councilwoman Hardinger asked Councilman Jenson to share his expectations of the Committee's assignments regarding Resolution 10722.

Councilman Jenson noted his intention behind Resolution 10722 was to address the more serious dilapidated buildings. He provided the Committee with a handout (Exhibit D) outlining his suggested timeline to address the objectives in Resolution 10722. He discussed the suggested timeline for completion of the charge to the Community Involvement Committee and the suggested topics for the Committee to discuss during each meeting (Exhibit D). He expressed his opinion, by following the suggested timeline, the Committee would be able to present its finalized recommendations during the February 2024 City Council meeting.

Councilwoman Hardinger asked staff for clarification of the best approach for the Committee to address the charge in the resolution. Mr. Gage explained the first step to address the charge in the resolution would be for the Committee to read through the Nuisance Property Work Group final report (Exhibit B) and provide feedback and questions they may have to staff. Councilwoman Hardinger agreed and asked the Committee members if they had any questions.

Councilman Hosmer asked whether the timelines presented in Chapter 26 and Chapter 74 of the City Code (Exhibit C) are required by State statute. Mr. Rowe responded the State does require certain criteria, such as the completion of a title search, but the initial inspection and warning notice for each process is not required by State statute. He noted the initial inspection and warning letter is sent to the property owner by the City as a courtesy. He further noted most property owners move into compliance once the initial inspection is made and warning notice has been received from the City.

Councilman Hosmer noted there are processes and procedures in the City Code and in State statute that may not work efficiently towards the nuisance property issues. He suggested Mr. Rowe provide a list of items, such as additional personnel, which would help BDS better address the nuisance process and overgrowth process.

Councilman Hosmer asked Mr. Rowe and Duke McDonald, Assistant City Attorney, what would make the judicial process for nuisance properties easier for the City. Mr. Rowe discussed the title search process used to identify the owner of a property and the amount of time it takes BDS to receive the title report after making the inquiry. Mr. McDonald added BDS uses different sources when searching for a title report on a property because the Greene County Assessor's Office may not have the correct information on file.

Mr. Gage asked about the title search process. Mr. Rowe explained the BDS Department submits the address of the property to a title search company for information regarding the history of the property, such as past owners and current owners. He noted this process can take up to 45 days from the day the request is submitted to the day the information is received by the BDS Department.

Councilman Lee asked how many title searches are conducted by BDS within a month. Mr. Rowe replied over 100 due to blighted properties and overgrowth complaints.

Councilman Hosmer expressed his opinion the City should have access to the title information for a property without having to use a third-party company. Councilwoman Hardinger agreed the City should have access to property title records. Mr. Rowe added it would be helpful to have a staff member trained to conduct property title searches.

The Committee members discussed implementation strategies that would be helpful to the BDS Department when addressing nuisance properties and overgrowth issues. The Committee members discussed the possibility of using BDS uniforms as a form of identification when staff members approach a property. Councilwoman Hardinger suggested the City provide different forms of educational materials to realtors as a proactive measure to help identify issues with a property or a neighborhood.

Councilman Lee agreed with Councilman Hosmer's request for Mr. Rowe to provide a list of items or suggestions that would be helpful to BDS when addressing nuisance properties. He expressed his opinion this list would help identify ways to make the overall nuisance process more effective. Mr. Gage referred to the language in the resolution (Exhibit A) which allows the Committee to review the blighted and dangerous building process and provide recommendations to help streamline the process.

Councilman Jenson discussed the timeline for the blighted building process (Exhibit C). He asked if the 45 days listed for the notice to abate and the 45 days listed for the failure and hearing notice could be issued at the same time. Mr. McDonald responded the goal of the nuisance process is for the property owner to voluntarily comply with the notice, and the 45 days allows time for the property owner to comply without using additional City resources.

Councilwoman Hardinger asked if Mr. Rowe could review the blighted building timeline and provide suggestions to help the Committee identify steps within the process that could be streamlined. Mr. Rowe responded staff would review the process.

Mr. Rowe explained BDS investigates matters based on citizen complaints. He noted the number of nuisance issues presented to the Committee does not reflect all issues within the city.

Councilwoman Hardinger asked if it would be more effective for the City to shift its approach towards nuisance properties from a reactive strategy to a proactive strategy by using local resources such as the Block Challenge Grant program through Restore SGF. Mr. Rowe expressed his opinion the BDS Department should be the last resort in addressing nuisance properties, blighted buildings, and overgrowth. He explained the City would need more staff to provide a more proactive approach. He noted BDS was looking into creating a pilot program to address nuisance properties more effectively for select Springfield neighborhoods. He further noted the pilot program would help create a baseline of issues to address within those neighborhoods.

Councilman Lee asked for clarification regarding what a proactive approach would address and if it would include internal structural problems. Mr. Rowe responded a proactive approach would help mitigate all the items listed in Chapter 26 and Chapter 74 of the City Code (Exhibit C). He explained when an inspector visits a property, they would be able to address the nuisance building issues, the property issues, and the overgrowth issues. He further noted an inspector would have their own vehicle which will allow an inspector to monitor their assigned neighborhoods.

Mr. Gage explained property owners and renters have different levels of income and may not have the financial resources to fix issues when they arise. He noted the City can create a more streamlined process to enforce fees and policies but will need to evaluate the process if the person does not have the financial means to correct the issues.

Councilman Lee asked for clarification on whether the inside of a building is part of the process to determine if a structure were in full compliance with City Code, which would require an

inspector to enter the inside of a home. He expressed his opinion the City should focus on the dangerous structures instead of overgrowth issues. He expressed his understanding the inside of a structure must be included in an inspection when requiring a property owner to be in full compliance with City Code. Councilwoman Hardinger noted the inspector would not need to enter a home if it does not meet the definition of a dangerous building. Councilman Jenson clarified the point of the resolution was to determine if the outside of the structure complies under Chapter 26 of the City Code (Exhibit C).

Councilman Lee expressed his opinion inspecting the inside of every structure is not possible and would be a violation of a person's rights. He noted using a complaint-based system is the only way of knowing if a home is not in compliance with Chapter 26 of the City Code.

Mr. Gage noted the proactive method City Council would like to use to address nuisance properties and overgrowth issues would require a change in City policy. He noted the previous City Councilmembers' policy included investigating each inquiry for overgrowth and dangerous buildings. He noted addressing all nuisance issues in the City, even with an increase in staffing, is not a possibility. He explained City Council could create policies which will allow for more staff-initiated proactive methods to address nuisance buildings, but entering a person's home or property would require a court order.

The Committee members discussed using a proactive approach towards nuisance issues. Councilwoman Hardinger expressed her opinion the intent of the proactive approach is to allow BDS to be the last resort for extreme nuisance issues. She expressed her opinion the Committee members do want to mitigate the issues that qualify a structure as a dangerous building before it reaches the point that demolition is needed. She suggested working with neighborhood associations to help make the neighborhood connections stronger. She expressed her opinion the intent of Resolution 10722 was to address dangerous buildings.

Councilman Lee expressed his opinion using the phrase full compliance would imply areas of a structure the City cannot access. He suggested using different language to describe full compliance; otherwise the complaint-based system would have to suffice for the areas of a structure the City cannot access.

Councilman Hosmer expressed his opinion a tenant or owner would be the person who would have the ability to make a complaint about the interior of a building. He explained the current policy has neighbors complaining regarding one another, and it should be up to the City to enforce the law. He expressed his opinion using proactive enforcement will help encourage a person to self-regulate and help the City to mitigate nuisance issues.

Councilwoman Hardinger discussed the data showing 60 percent of those who live in the Springfield community are renters. She noted many of the rented homes in the City meet the definition of public nuisance condition outlined in Chapter 26 of the City Code. She expressed her opinion that renters are in a powerless situation when a property owner is not proactive by addressing a property issue before it becomes a nuisance.

Mr. Gage noted Chapter 26 and Chapter 74 of the City Code place the burden of correcting nuisance problems on the owner except for penalties for overgrowth if the property owner can prove it was the fault of the tenant. He further noted this is something the Committee should consider when evaluating possible changes to the City Code.

Councilwoman Hardinger asked staff to send the Committee members a list of suggested items to assist BDS with addressing nuisance issues. She noted the Committee members will send staff suggestions and questions as they work through the charge of Resolution 10722. Mr. Gage replied staff will send the requested information to the Committee members.

Councilwoman Hardinger thanked the Committee members and staff for their attendance.

There being no further business to come before the Committee, Councilman Lee moved to adjourn. Councilman Hosmer 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 was adjourned at approximately 4:07 p.m.

Prepared by Lauren Fischer