

COMMUNITY INVOLVEMENT COMMITTEE MEETING

December 20, 2023

12:00 p.m.

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

MEMBERS

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

MEMBERS

ABSENT: Craig Hosmer.

COUNCIL

PRESENT: Monica Horton; and Brandon Jenson.

STAFF

PRESENT: Jason Gage, City Manager; Collin Quigley, Deputy City Manager; Maurice S. Jones, Deputy City Manager; Jan Millington, Interim 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 12:10 p.m., and roll call was conducted. Present: Callie Carroll, Derek Lee, and Heather Hardinger. Absent: Craig Hosmer.

Councilwoman Hardinger noted the November 15, 2023, meeting minutes were unavailable for approval. She further noted the Committee meeting would begin with agenda item number three. She introduced Brock Rowe, Director of Building Development Services, for the continued discussion regarding Resolution 10722.

Mr. Rowe noted City Code, Section 26, Article III, listed the 13 conditions of a blighted building or structure which would constitute a nuisance property. He noted during the 275-day blighted building process, certain variables, such as the 45-day process for certified abatement orders, could be altered to help streamline the abatement process.

Mr. Rowe discussed the presentation he provided City Council regarding the charge listed in Resolution 10722, which required staff to identify the top 20 property owners cited the most for nuisance property issues in the past five years and the number of times each property owner had been cited. He discussed the feedback staff had received from citizens who voiced concerns regarding the Resolution presentation, including unintended consequences which could cause

negative impacts on a property owner's ability to sell a property, rent a property, or receive a loan from a bank.

Mr. Rowe discussed a case study conducted on JNE Holding, LLC, which had six violations listed in the report. He noted the case study used data compiled by the City's current tracking system for blighted properties. He explained the current system used by the City could track the property violation data related to a property but could not track the date a property had been purchased by a new owner. He noted the property remains blighted even if it is purchased by a new owner, but the system would reflect the citations issued to the previous owner.

Mr. Gage asked for clarification regarding the process for blighted properties which had been sold to a new owner. Mr. Rowe explained the blighted building process would continue even with new ownership. He noted the new owner would need to apply for a 45-day permit to correct the previous issues which had caused the property to become blighted. He further noted the new owner would then have the property inspected to show there had been progress made to resolve the issues.

Mr. Gage discussed unintended consequences for property owners who had purchased blighted properties with the intention of correcting the property issues. He noted the new property owner would still be included in the City's report until the issue with the property had been resolved.

Councilwoman Hardinger noted during her visit to the Vacant Property Leadership Institute, participants from different municipalities discussed the best way to communicate the status of blighted properties to the community, which included how to integrate different forms of technology to help identify blighted building property owners.

Mr. Rowe discussed the Tolemi software system which would be used to help clarify the data related to nuisance property owners. He explained the City had engaged staff from the Tolemi software company to help extract the ownership date information from both Greene County and City databases to help streamline the data retrieval process regarding blighted property information. He noted by extracting certain information, staff would be able to better identify the property owners who were following the proper procedures to resolve the blighted property issues.

Councilman Lee commented on the time staff would need to clarify items related to the list of property owner violations and the unintended consequences which could be caused by the list. He asked why staff would need to clarify the names of the property owners who were in violation of City ordinance. Mr. Rowe responded staff would need further clarification from the Councilmembers regarding the list. Councilwoman Hardinger noted the list would be used to help identify which Council Zones were most affected by the blighted properties. She expressed her opinion understanding the effect a blighted building could have on a neighborhood would be more important than knowing the names of the violators.

Mr. Gage noted staff had been tasked by Resolution 10722 to provide quarterly updates to City Council regarding the top 20 property owners receiving the most citations. He explained other tasks listed in Resolution 10722 included identifying whether a property deemed a "chronic

nuisance” should have a penalty associated with the property. He noted the City must be able to differentiate between a property owner who recently purchased the property and the original property owner to understand who should receive the penalty.

Councilman Lee discussed amending the requirement for staff to provide quarterly updates regarding the top 20 property owners who received the most citations in the city. He expressed his opinion the list would create unintended consequences for property owners, and staff would be more productive researching other aspects of the Resolution rather than spending a large amount of time updating the number of citations received by the top 20 property owners.

Mr. Gage referred to the charge to the City Manager’s Office listed in Resolution 10722. He noted it would still be required to apply a definition to the terms “chronic nuisance property” and “substantial progress.” He noted the Finance and Administration Committee had been tasked with conducting an analysis of escalating fees and fines related to “chronic nuisance properties” and providing a recommendation to City Council based on its analysis.

Councilwoman Hardinger explained the Finance and Administration Committee’s goal for creating a fee structure would be to get the blighted buildings into compliance with City Code. She discussed how different barriers, such as underestimating the amount of time and money it would take to fix a property, could cause a new property owner to have issues when addressing a blighted property.

Mr. Gage discussed creating an incentive for property owners who had purchased a blighted property or a property deemed as a “chronic nuisance property.” Councilwoman Hardinger discussed the different methods she learned during the Vacant Property Leadership Institute to communicate the status of a property with the neighborhood. She noted different municipalities used methods such as placing signs next to a property to signify to the neighborhood that a property had been recently purchased and was currently in the process of being addressed by the new owner.

Councilman Lee expressed his opinion the names of the property owners should be removed from the list. Mr. Gage noted Resolution 10722 currently requires the City Manager to provide a written report to City Council of all nuisance citation data no less than 30 days after the end of each calendar quarter until such time as City Council, by resolution, requests it be discontinued. He further noted the Committee could remand the Resolution to City Council to be amended if the Committee were in consensus.

Councilwoman Hardinger discussed other methods which could be used to identify property owners who were not in compliance with City Code. She expressed her opinion posting the names of the property owners could restrict the work staff had done to resolve the property issues with those listed owners. She explained administrative staff need to be able to track the information regarding the property owner, but methods such as a heatmap could be used to provide a general location of blighted properties without listing the addresses.

Mr. Gage reiterated a motion would need to be put forth by a Committee member if the Committee wanted to amend Resolution 10722. Councilwoman Hardinger noted she would co-sponsor the amended Resolution.

The Committee members discussed revising the Resolution to eliminate the requirement to include the 20 property owners cited the most in the past five years. Councilwoman Hardinger commented the properties could still be included in the Committee's report without listing the names of the property owners. Mr. Gage noted the Committee's report would not be affected by eliminating the requirement to list the property owner's name because Section 1, Subsection 6, would still require the properties to be listed in the Committee's report.

Councilwoman Hardinger suggested the Committee could take time to further discuss amending Resolution 10722 before making a final decision. Councilman Lee commented he would like to move forward with his recommendation to amend Section 1, Subsection 5, in Resolution 10722.

Councilman Lee moved to eliminate Section 1, Subsection 5, in Resolution 10722.

Councilman Lee clarified he wanted this Resolution to go before City Council for further discussion. He noted his reason for recommending Resolution 10722 be amended was to address the amount of time staff would spend researching information regarding the property owners. Mr. Gage noted staff would still research the components for Section 1, Subsection 5, in Resolution 10722 because of the charge listed to the Finance and Administration Committee, but staff would not be required to post a list of the property owners' names every three months.

Councilwoman Carroll asked what the benefit of publicly releasing the names of the top 20 property owners would be. Mr. Gage responded, to his understanding, the intent was to make City Council aware of the names of the property owners.

Councilman Jenson explained his reason for wanting the names of the property owners to be released to the public. He noted the intent was to bring awareness to the community regarding chronic nuisance property issues and allow the community the ability to know which property owners were continuously in violation of the City Code. He further noted the negative impacts caused by Resolution 10722 were not intended to affect those property owners who were working to bring the properties into compliance.

Councilwoman Hardinger noted there should be a method which could be used to differentiate those property owners who were working to mitigate the issues versus those who were not trying to work with the City. She discussed using the City's current software system to create a way for the public to have access to the status of a nuisance property.

Councilwoman Horton discussed the list of the top 20 property owners. She expressed her opinion the number of times a property owner had been cited was an indication that those properties were a chronic nuisance issue. She noted a person who does not live in a neighborhood with a chronic nuisance issue would not be able to understand the effects those types of properties had on the neighborhood. She further noted Zone 1 had more nuisance properties than any other Council Zone despite the different incentives offered by the City to help mitigate the issues. She expressed

her opinion publishing the list every quarter would help to highlight the areas where different resources could be allocated to help mitigate chronic nuisance issues.

Councilwoman Hardinger expressed her concern publishing the number of citations next to the property owners' names without adding context would not provide adequate information to the community regarding the property. She recommended using the Tolemi software to help filter through the property owners who were working with the City to mitigate the property issues. She noted using the Tolemi software would help the City and the community hold those chronic nuisance property owners accountable.

Anita Cotter, City Clerk, noted the Committee would need to address the motion on the floor before the meeting could adjourn.

Councilman Lee expressed his opinion posting a list of property owners' names could keep that owner from receiving a loan and other forms of income which could be used to help mitigate the property issues. He expressed his opinion publishing the property owners' names on a list would not be in the City's best interest if the goal of Resolution 10722 was to encourage a property owner to repair and correct the issues on their property.

Mr. Gage noted staff were not required to publish an updated list of the top 20 property owners' citations until March of 2024. He noted the Committee would have time to further discuss the best way to refine the list to address chronic nuisance property owners before staff would have to publish an updated list. He reiterated the Committee would need to address the motion on the floor before the meeting could adjourn.

Councilwoman Hardinger asked Councilman Lee if he wanted to move forward with his motion. Councilman Lee responded affirmatively. Mr. Gage provided an overview of the voting logistics for the Committee. He explained a motion would need a second to be approved, or the motion would die due to a lack of second.

Councilwoman Carroll expressed her opinion Resolution 10722 needed further discussion regarding amending the requirements for staff to provide the top 20 property owners.

Councilwoman Hardinger asked for a second to Councilman Lee's motion. The motion died due to the lack of second.

Councilwoman Hardinger asked Mr. Rowe if he could continue his presentation during the next Committee meeting. Mr. Rowe responded affirmatively.

There being no further business to come before the Committee, Councilwoman Hardinger moved to adjourn. Councilman Lee seconded the motion, and it was approved by the following vote: Ayes: Carroll, Lee, and Hardinger. Nays: None. Absent: Hosmer. Abstain: None.

The meeting was adjourned at approximately 1:08 p.m.

Prepared by Lauren Fischer