

## CITY COUNCIL WORK SESSION MINUTES

December 3, 2018

The meeting was called to order by Mayor Rausch at 6:00 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Mayor Rausch.

**INVOCATION:** The Invocation was given by Mayor Rausch.

**MEMBERS PRESENT:** Neven Taylor, Deb Groat, JR Rausch, Alan Seymour, Mark Reams, and Henk Berbee. Tracy Richardson excused.

**OTHERS PRESENT:** City Manager Terry Emery, Finance Director Justin Nahvi, Law Director Tim Aslaner, City Engineer Jeremy Hoyt, IT Director Aaron Story, Zoning Administrator Ron Todd, Code Enforcement Officer Zach Andrews, Economic Development Director Eric Phillips, and Clerk of Council Rebecca Dible.

**REPORTERS PRESENT:** Will Channel- Journal Tribune

**CITIZENS PRESENT:** Scott Brock

### **AGENDA ITEMS:**

#### **1) Preliminary discussion on the adoption of the International Property Maintenance Code (Housing & Nuisance Abatement Code)**

Mr. Andrews reviewed a PowerPoint presentation with Council (Attachment A) and proposed the City adopt applicable portions of the International Property Maintenance Code (IPMC). He explained the IPMC was a set of standards that work seamlessly in correlation with other "I-Codes," the most current version being "IPMC 2015". Mr. Andrews also stated that some cities had adopted nuisance abatement codes. Mr. Aslaner explained the current abatement process to Council, stating the City files a complaint, they ask for an injunction, and then the Court asks the property owner to abate the nuisance. He stated that creating a Nuisance Abatement Code would allow the City to more clearly identify what qualifies as a nuisance, and it would save time and court costs. Mr. Aslaner said the property owner(s) would still have due process, the major change would be that the initial process would be more administrative.

The possibility of rental inspections was then discussed at length. Mr. Nahvi stated that per the rental inspection structure proposed in the PowerPoint, the City would need to plan for another Prevention Firefighter hire. He stated the program itself was expected to fund half of the expense. Mr. Seymour asked if the rental owners would be contacted every two years to enforce compliance. Mr. Andrews stated they would handle it like any zoning permit. Mr. Seymour then asked if the inspectors would literally walk through each unit for inspection of larger multi-unit structures. Mr. Andrews stated that they would be looking for major concerns, such as points of egress and safety standards and some would be the eye-test. Mr. Taylor was concerned that if rental inspections were implemented across the board, these inspection fees would be passed down from land owners to the individual renters. He agreed with the concept of inspections, but preferred it to be on a case by case basis. Mr. Emery stated that Administration would be fine with that approach, so long as it could be accomplished legally and consistently. He explained the concept was being introduced because some landlords in the City were not addressing safety concerns. Mr. Aslaner stated that perhaps the inspections could take place only after complaints were made. Mr. Seymour agreed with that approach, stating if there were complaints or if it was evident to the City, the inspections could occur. Mrs. Groat was concerned, as she saw these inspections as a possible public relations issue. Mrs. Groat stated she could see people complaining when landlords stated, "Rental fees had to increase because the City implemented mandatory inspections with fees." She was also concerned, as the City was in a time period when people were already stating there was not enough affordable housing in the City as it was.

Mr. Emery stated he heard Council's concerns and Administration would further investigate how to apply a procedure consistently. He was hopeful that if citizens knew they had the option to call in and report these issues, renter turnover would decrease. Mayor Rausch asked if this was being brought up because the City currently didn't have authority to go into the properties. Mr. Andrews confirmed and stated that it was a multi-agency endeavor. Mrs. Groat agreed that she wants citizens protected from unsafe circumstances, however if the City began forcing inspections when no complaints had been filed, they would be creating a bureaucracy. She disliked mandatory inspections across the board. Mayor Rausch stated that currently on the commercial side, annual fire inspections were mandatory and that no fees were charged for that process. Mr. Andrews agreed and stated that Centerville had begun implementing rental inspections without an initial fee, however if the inspection failed, the landowner would be charged a \$75 inspection fee. Mrs. Groat explained the principle of inspecting a property without a complaint was excessive in her opinion. Mr. Seymour stated the process was being created because the City was having problems and it was the root of the problems that needed addressed. Mr. Emery stated that Administration would take into account the suggestions from Council and return to a work session in early 2019 with other options and possible solutions.

## **2) Review of the new regular and delinquent utility bill formats in relation to the transition of the utility billing system from eGOV to MUNIS**

Mr. Nahvi passed out examples of the newly formatted regular and delinquent utility bills, now that the City was using the MUNIS program. He stated the new design was a cleaner format, it showed the monthly usage for the last year, and there would be a section for changeable text. He also explained that customer self-service was available through MUNIS which would allow customers to log in and pay their account in real time. Mayor Rausch stated he liked the monthly usage chart on the bill, but asked if it could automatically scale to reflect more precise numbers. Mr. Reams agreed he liked the tool. Mrs. Groat stated she liked the colors to draw appropriate attention and it was visually pleasing. Mr. Nahvi also stated the convenience of breaking out the ancillary charges on the wastewater through MUNIS so the City could see what is being collected and why. Mr. Taylor asked if business with multiple properties could have their individual types of utility bills merged so they only had to write one water check, for example. Mr. Nahvi stated that he believed the bills were directly associated with how the properties were metered, but he would confirm. Mr. Berbee asked if the City was going to maintain the same payment methods on each account through the transition process. Mr. Nahvi agreed they would not change, however more options would be coming available, including recurring credit card payments. As there would be a \$3 monthly fee for recurring credit card charges, the details of application would need to be further discussed. Mr. Nahvi stated that he soon hoped to be able to accept any type of payment for utilities.

## **3) Review of amended year end budget transfers and supplemental appropriations for the 2018 Fiscal Year**

Mr. Nahvi distributed a handout (Attachment B) and stated that he was asking that the Ordinance regarding year end appropriation adjustments on the City Council Agenda December 10<sup>th</sup>, 2018 for third reading be amended to attach the document as the newly updated "Exhibit A". He confirmed with Mr. Taylor that it included a minor, bottom line change, mainly associated with employee health insurance and additional TIFF revenue. Finance Committee Members agreed they were in favor of this update. It was stated for this to be changed, there would need to be a Motion to Amend the Ordinance on December 10<sup>th</sup> and it would then return and be presented as a Second Reading, Public Hearing, as amended, that same evening.

Mr. Berbee stated that the City had endured a "perfect storm" indicating that leaves had fallen late and then branches due to an ice storm. He understood the City tried to accommodate and had begun picking up branches again, however he knew some citizens were frustrated and pushing their leaves onto the streets which could impede water drainage. Mr. Berbee asked how the City could let citizens know what to expect in regards to leaf pickup. Mr. Emery stated that Public Service Director Mike Andrako had stated that morning that the collection

teams had caught up on brush pickup and that they would again be transitioning to “full-go” on leaf pick up. Mr. Berbee stated that the City couldn’t have anticipated the ice storm event and he gave the City workers all the credit in the world, but citizens were complaining. Mr. Emery stated that Administration would ask the newspaper to get out the leaf pick up message as well as post it on social media the next day. Mr. Taylor confirmed that employees from other departments had been pulled in to assist and working overtime to accommodate collections due to the unexpected storm.

ADJOURNMENT: There being no further business to come before Council, the meeting was adjourned at 6:50 pm.

# INTERNATIONAL PROPERTY MAINTENANCE CODE

City of Marysville Housing and Nuisance Abatement Code

Attachment  
A



# Exterior Property Maintenance Code

What the City can currently address:

- Exterior property conditions - through abatement procedures:
  - Tall grass and weeds.
  - Vegetation overhanging public streets and sidewalks.
  - Discarded items in City right-of-way.
- Exterior property conditions - through court proceedings:
  - Chipped paint.
  - Broken windows/doors
  - Damaged roof structures and components.



# Exterior Property Maintenance Code

City of Marysville

Common complaints that can't currently be addressed:

- Interior property conditions:
  - Leaking roof.
  - Mold.
  - Broken/inadequate heating and cooling systems.
  - Leaking plumbing fixtures.
  - Broken/missing window screens.
  - Exterior door does not operate (lock) properly.

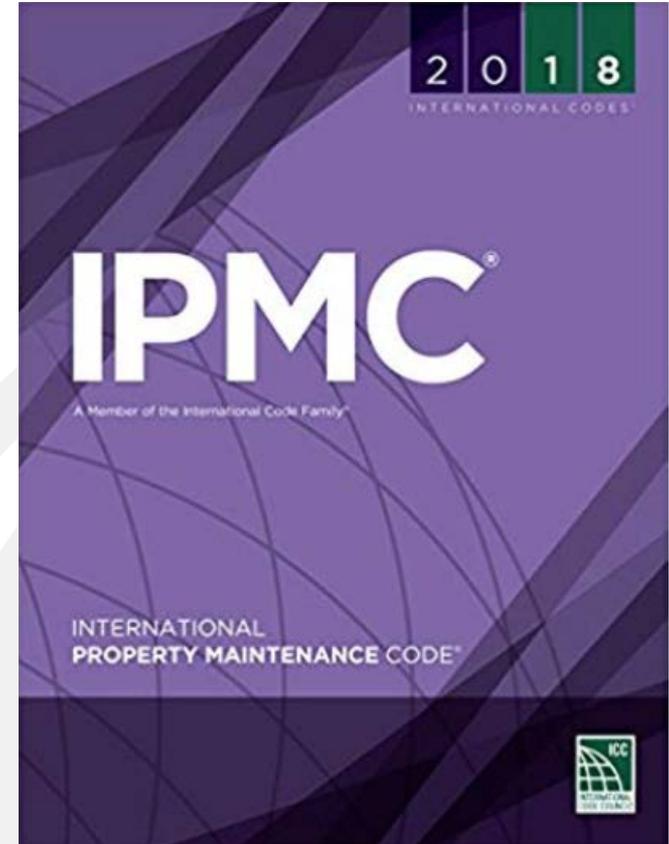
The International Property Maintenance Code establishes minimum requirements for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance.

# About the International Property Maintenance Code (IMPC)

- Published by the International Code Council.
- Reviewed and revised every three years.
- The review process includes proposed changes submitted by code enforcement officials, industry representatives, design professionals and other interested parties.
- The International Property Maintenance Code is compatible with all of the "I-Codes" published by the International Code Council.
- Many of the "I-Codes" are currently adopted by State and Local governments, such as the International Building Code, International Energy Conservation Code and the International Fire Code.
- The IPMC can be modified to meet the needs of the City.
- The adoption of the IMPC will help protect tenants from the potential hazards of deferred maintenance by the landlord and promote the health, safety and welfare of the residents of Marysville.

# Cities that have Adopted the International Property Maintenance Code:

- Troy
- Hilliard
- Xenia
- Upper Arlington
- Centerville
- Lancaster
- West Chester
- Grove City
- Gahanna
- Piqua
- Dublin
- Springfield
- Loveland
- Whitehall
- Bucyrus
- Delaware
- Solon
- Canal Winchester



# Nuisance Abatement

## Nuisance Premises



## Nuisance Structures



# Nuisance Abatement

## Current Enforcement (Division of Engineering)

1. Identify nuisance.
2. Send notice(s) to abate the nuisance.
3. Initiate court proceedings.
4. Impose fee(s)
5. Repeat 2-4 if property owner fails to abate the nuisance.

## Proposed Enforcement

1. Identify nuisance.
2. Send notice(s) to abate the nuisance.
- 3a. Cause the nuisance to be abated and assess the cost(s) of abatement to the owner.  
or
- 3b. Initiate court proceedings.
4. Impose fee(s).

# Rental Inspections

- Adopting the International Property Maintenance Code would lay the groundwork for the establishment of a rental permit/inspection program.
- The rental inspection program would require rental units to be inspected by the City every 2 years or at change of tenant, whichever occurs first.
- Inspection fees would fund the additional staff required to conduct the biennial inspections.
  - Single-Family: \$100.00
  - Two-Family: \$150.00
  - Three-Family: \$200.00
  - Four or more units: \$200.00 + \$50 for every unit above 3. (Four-Family: \$250.00)

# Rental Inspections

Preventative  
Maintenance



vs

Deferred  
Maintenance



- Unfortunately many rental units in the City have long suffered the effects of deferred maintenance and are not being maintained to what will be the minimum standards.
- The permit and inspection program will help ensure that all rental properties are maintained to the minimum standards to promote the health and safety of all residents, and protect the entire community from the effects of deferred maintenance.

# Next Steps:

1. Adopt the International Property Maintenance Code (City of Marysville Housing and Nuisance Abatement Code. (Spring 2019)
2. Hire additional Code Enforcement Staff. (2020 or when funding has been established)
3. Establish rental permit and inspection program. (2020-2021)
4. Initial inspections to be completed by 2022, followed by biennial/change of tenant inspections.



# Strategic Plan 2019-2023

- Adoption of the International Property Maintenance Code would assist and be in-line with meeting the goals of the following Strategic Priorities:
- Engineering: Strategic Priority 7: Community Appearance
- Fire: Increased Residential Fire Safety/Prevention
- Finance – Income Tax Compliance



Questions?



Department	Org	Obj	Desc	Amount	Description/Justification	
Council	100101	521052	Hospital/Medical Insurance	\$ 9,000.00	Health Insurance for Clerk of Council	
Council	100101	546001	Contract Services	\$ (4,000.00)		
Council	100101	574001	Dues & Training	\$ (1,000.00)		
HR	100105	521052	Hospital/Medical Insurance	\$ (4,000.00)		
City Manager	100103	574001	Dues & Training	\$ 500.00	Minor Increase in Dues/Training Expenditures	
City Manager	100103	521053	Sick Leave Buyout	\$ (500.00)		
Parks	100106	511029	Employees	\$ 2,250.00	2018 Merit Wage Increases for Existing Employees	
Parks	100106	521051	PERS	\$ 2,250.00		
Parks	100106	521052	Hospital/Medical Insurance	\$ 8,000.00	Change in Health Insurance Enrollment for Employees	
Parks	100106	546006	Insurance & Taxes	\$ (10,000.00)		
Parks	100106	575001	Building Maintenance	\$ (2,500.00)		
Law Director	100116	521052	Hospital/Medical Insurance	\$ 1,500.00	Health Insurance for Clerk of Council	
Law Director	100116	532001	Materials & Supplies	\$ 100.00	Minor Increase in Materials and Supplies	
HR	100105	511033	Human Resource Clerk	\$ (1,600.00)		
IT	100117	521052	Hospital/Medical Insurance	\$ 5,000.00	Additional Health Insurance Withholding for June 29, 2018 Pay Date	
IT	100117	546008	COG Expenses	\$ (5,000.00)		
Finance	100144	521052	Hospital/Medical Insurance	\$ 25,000.00	Change in Health Insurance Enrollment for Employees	
HR	100105	511033	Human Resource Clerk	\$ (18,400.00)		
Finance	100144	532001	Materials & Supplies	\$ (3,000.00)		
Finance	100144	544007	County Auditor Fees	\$ (1,105.00)		
Finance	100144	544112	GAAP Conv/CAFR Prep	\$ (2,495.00)		
Engineering	100145	521052	Hospital/Medical Insurance	\$ 1,000.00	Additional Health Insurance Withholding for June 29, 2018 Pay Date	
Engineering	100145	543002	Utilities	\$ (1,000.00)		
MOC	100146	511029	Employees	\$ 6,000.00	2018 Merit Wage Increases for Existing Employees	
MOC	100146	521052	Hospital/Medical Insurance	\$ 14,000.00		
HR	100105	511033	Human Resource Clerk	\$ (4,500.00)	Change in Health Insurance Enrollment for Employees	
MOC	100146	532001	Materials & Supplies	\$ (3,350.00)		
MOC	100146	532023	Materials & Supplies-Mechanic	\$ (2,500.00)		
MOC	100146	574006	Miscellaneous	\$ (1,500.00)		
MOC	100146	575000	Equipment Maintenance	\$ (2,150.00)		
MOC	100146	575001	Building Maintenance	\$ (2,500.00)		
MOC	100146	575002	Vehicle Maintenance	\$ (3,500.00)		
Pool	207207	543001	Utilities	\$ 3,000.00		Minor Increase in Electrical and Telephone Utility Expenditures
Pool	207207	575000	Equipment Maintenance	\$ (3,000.00)		
Streets	225225	546006	Insurance & Taxes	\$ 806.00	Minor Increase in Expenditures for Insurance & Taxes	
Streets	225225	532001	Materials & Supplies	\$ (806.00)		
Court	232115	511009	Bailiffs	\$ 25,500.00	Addition of a Part Time Court Clerk in 2018	
Court	232115	532001	Materials & Supplies	\$ (14,500.00)		
Court	232115	575000	Equipment Maintenance	\$ (11,000.00)		
Police	232131	543001	Utilities	\$ 2,000.00	Minor Increase in Expenditures for Mobile Wi-Fi Units	
Police	232131	575303	Fingerprinting	\$ (2,000.00)		

Supplemental Appropriations

Department	Org	Obj	Desc	Amount	Description/Justification
Transfer	100190	564017	Transfer	\$ 1,750,000.00	Increase to Transfer for Fund 439 as no Debt was Issued in 2018
Street Lighting	100126	543001	Utilities	\$ 30,000.00	Increased Monthly Expenditures for Street Light Electric Bills
Leave Payout	231200	521500	Accrued Leave Payout	\$ 22,500.00	Unanticipated Retirement of a Firefighter in 11/2018
TIF	247200	544007	Contract Services	\$ 4,800.00	Minor Increase in Attorney Services for TIF Review Services
TIF	247200	574029	Interest	\$ 165,000.00	Interest Payment for the Cook's Pointe TIF Project
TIF	247200	577013	School Payment	\$ 620,000.00	Increased TIF Revenue Increases the School Compensation Payment
Police	232131	532014	Ammunition	\$ 1,548.00	Minor Increase to Purchase Ammunition w/ Cash Received by Investigations
Debt Service	337300	574028	Principal	\$ 420.00	Minor Correction to the Debt Service Budget for Principal
State Route 31	490400	557001	Capital	\$ 67,000.00	Increase to the Allocation of the Project to the State Grant
Sanitation	505505	511020	PT Employees	\$ 14,000.00	Increase in Hourly Allocation of Part Time Employees
Sanitation	505505	546012	Contract Services	\$ 130,000.00	Increase in Trash Collection Services from Republic
Wastewater	535535	544020	General Fund Services	\$ 100,000.00	Correction to the Budget Allocation for General Fund Service Chargebacks
Wastewater	535535	546016	Sludge Removal	\$ 63,200.00	Increase in Tipping Fees for Sludge and the Cherokee Landfill
Wastewater	535535	521052	Hospital/Medical Insurance	\$ 12,000.00	Additional Health Insurance Withholding for June 29, 2018 Pay Date
Wastewater	535535	577013	Payment to School	\$ 196,000.00	Increased TIF Revenue Increases the School Compensation Payment
Water	550550	521052	Hospital/Medical Insurance	\$ 7,500.00	Change in Health Insurance Enrollment for Employees
Water	550550	521054	Longevity	\$ 7,500.00	Change in Longevity Payment Schedule Effective 1/1/2018
Stormwater	570570	521052	Hospital/Medical Insurance	\$ 11,500.00	Change in Health Insurance Enrollment for Employees
Stormwater	570570	544020	General Fund Services	\$ 17,000.00	Correction to the Budget Allocation for General Fund Service Chargebacks
Law Library	909900	546012	Contract Services	\$ 12,000.00	Increased Court Revenue Increases the Allocation to the Law Library