

NORWALK CITY COUNCIL
MINUTES

September 13, 2016
7:30 p.m.

Municipal Court
Norwalk, Ohio

WORK SESSION

Council President Steve Euton called the Work Session to order. The following members were present: Steve Euton, Chris Mushett, Kelly Beck, Chris Castle, David Wallace, Deb Lucal, Samantha Wilhelm, and Steve Schumm.

Mayor Rob Duncan, Law Director Stu O'Hara, Finance Director Diane Eschen, Safety Service Director Dan Wendt, and Public Works Director Josh Snyder were also present.

Mr. Euton began the meeting by announcing the Council appointees to the Income Tax Review Board. He said Brian Lonz and Brian Myers will serve as alternates to the Board.

Mr. Castle moved to accept Brian Lonz and Brian Myers as Council appointees to the Income Tax Review Board. Mrs. Lucal seconded. All members voted in favor. Motion carried.

Item No. 16-086

A RESOLUTION DIRECTING THE PUBLIC WORKS DIRECTOR TO SERVE NOTICE TO REMOVE LITTER IN ACCORDANCE WITH R.C.731.51 AND, IN THE ABSENCE OF COMPLIANCE THEREWITH, TO CAUSE REMOVAL OF SAID LITTER AND TO CERTIFY THE COST THEREOF TO THE COUNTY AUDITOR

Mr. O'Hara explained that this legislation will allow City employees to clear the trash from an abandoned property located at 13 James Street. He said the property has been inspected and multiple notices have been sent to the owner who resides in California. Further, he explained that this property is a comfort and health nuisance and neighbors have complained of offensive odors. He said this legislation would place the cost on the owner's tax duplicate in the event they refuse to pay. In addition, he said he is looking into an ordinance that would eliminate the need for the Administration to bring such issues to Council.

Mr. Wallace said that he has been contacted by unhappy neighbors who have been patient, but vocal. He said this is not a new problem, rather it has been going on for a long time.

Mr. Mushett said he appreciates the Administration looking into a general ordinance to cover such issues. He asked if the Administration is aware of any other properties of concern at this time. Mr. Wendt said this is the worst of the bunch as far as residential properties go and he is in support of this legislation.

Mrs. Lucal said she too has heard from concerned neighbors.

Mr. Beck asked how many abatement notices have been sent concerning this property and why were they not followed up on. Mr. Snyder said they have sent numerous violation notices via certified mail and one was finally signed for one week ago. Mr. Snyder said this case is unique because the owner is not local. Mr. Beck said he had a conversation with Zoning Inspector

Mitch Loughton in which Mr. Loughton said that the owners live in California and they're not going to do anything about it. Mr. Beck said he doesn't think that is the proper way to conduct business.

Mrs. Wilhelm asked what the legal ramifications would be in creating an ordinance. She wondered if it would be better to leave it in resolution form and evaluate on a case-by-case basis. Mr. O'Hara explained that he is researching the ability of Council to delegate the responsibility to the Administration to perform the necessary duties.

Mr. Wallace asked if the new ordinance would expedite the clean-up process for the neighbors in future cases. Mr. O'Hara said that is the hope.

Mr. Mushett requested an estimated cost of clean-up. Mr. Wendt said the costs are not insurmountable. He said it would consist of City employees wearing personal protective equipment and going onto private property to gather waste and place it in a garbage truck. He then shared photos of the property which are on file with the Clerk. He added that the vacant building attracts both vermin and squatters.

Mr. Castle questioned the long term way to resolve this issue. He said his concern is that further legislation may bind the City to act on every unkempt property. Mr. O'Hara said that is exactly what he is trying to avoid in researching the ordinance.

Mr. Snyder said that this property is an extreme case. He said there is no water, no electric, and the Huron County Health Department has deemed it unfit for habitation. He said it is posted on the door and squatters come back sometimes the same day. He said the plan is to bill property owners similarly to how they bill for mowing which is \$100 per hour. He said it will not be a good deal to the owners to leave it to the City to clean up the mess. He said the backside of this is that payment is not a certainty.

Dave Pigman, 15 James Street was present and said that he can smell the trash from his house and if the wind is blowing in a certain direction he can't bear to sit outside. He said the property is disgusting and attracts both animals and heroin addicts. He also said that doors are wide open and windows are broken. He added that if the property is condemned he thinks it should be boarded up.

Council members agreed to place this item on the agenda for the next regular session.

Item No. 16-087

A RESOLUTION CONSENTING TO A BRIDGE INSPECTION PROGRAM BY THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION AND DIRECTING COOPERATION

Mr. Snyder explained that this legislation is for continued bridge inspection services for 2017. He said the report costs \$16,000, but by renewing the contract with ODOT it will be completed by a consultant at no cost to the City.

Mr. Mushett asked if they anticipate any additional costs the City would be responsible for. Mr. Snyder said no.

Council members agreed to place this item on the agenda for the next regular session.

Item No. 16-088

AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES

Mr. Wendt said that in trying to increase revenue and reduce expense they came across this property that the City is not using. He said the three parcels are zoned B-4 and were recently removed from the National Register of Historic Places. He added that the property was appraised for \$20,000 and bidding will start at \$17,000.

Mr. Beck asked how the property was originally acquired. Mr. Wendt said it was a property swap with Norwalk Schools for which they traded the land which is now the soccer fields behind Norwalk Middle School. Mr. Beck asked if there was language in the original agreement stating that it would go back to the schools if not used for City business. Mr. Wendt said not to his knowledge.

Mr. Mushett asked if the Administration has considered rezoning the property being that it is in such close proximity to Main Street School. Mr. Wendt said not to his knowledge. Mr. Euton read a list of businesses allowed in a B-4 zone which included convenience stores, hotels, carwashes, auto repair garages, and restaurants.

Council members agreed to place this item on the agenda for the next regular session.

Mr. Euton said that September 20, 2016 will be a Regular Session of Council.

ADJOURNMENT There being no further business to discuss, the meeting was adjourned.

Steve E. Euton – Council President

Jaime L. Peiples – Council Clerk