

COVINGTON VILLAGE COUNCIL

MEETING MINUTES

August 15, 2022

Mayor Ed McCord called the meeting to order at 7:00 p.m. The following roll call was taken for council:

Council Members Present:

- Keith Warner
- Derrick Canan
- Amy Welborn
- Julie Blumenstock
- Dawn Duff
- Jesse Reynolds

Non-member Staff participating:

- Frank Patrizio – Legal Counsel
- Rhonda Gill - Fiscal Officer
- Kyle Hinkelman - Village Administrator
- Tim Cline – Police Sergeant

Consent Agenda:

The consent agenda included:

- Approval of Council Minutes (August 1, 2022)
- June Fund Report
- June Check Run Report

A motion was made to approve the consent agenda as it stands with no modifications by Mr. Keith Warner and seconded by Ms. Dawn Duff. All ayes. Motion carried.

Visitors – Public Comment

Ms. Kandi Burgess, 8510 W. Covington Bradford Rd., Covington, OH, stated that as a property owner who keeps her properties in excellent condition, she felt it would be

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wrong to penalize those like herself to make up for slum lords, who do not upkeep their properties. She expressed her disagreement for implementation of a potential Rental Property Registration or permit and License. She also had concerns about the entry into her buildings by inspectors without consent.

Mr. Frank Patrizio, Village Legal Counsel, provided clarification stating no entry is made to any property without prior approval, which is granted within the permit process. Permits will not be issued if there is no inspection. He stated that although it wouldn't be used often, if an owner did not consent to the inspection, the Village would have the right to request an administrative search warrant to meet this obligation.

Mr. Kyle Hinkelman reminded everyone that the village is under no obligation to do the same process or use the same language as other communities. He also noted that the proposed language is not final, and that there are no resolutions or ordinances for consideration at this time. He noted that other communities had requested the Covington be at the table while these programs are being worked out. He said there are no formal plans for a timeline or exact fees at this time, this is just a discussion at this time.

Ms. Burgess continued that she has some of her property approved as Metro Housing, which inspects her property. She felt that if a tenant feels unsafe, the tenant should report the property to the Village.

Mr. Patrizio indicated most tenants will not complain in fear of losing their place to live.

Mr. Jamin Sink, 311 Steven Street, Covington, OH, expressed concerns with verbiage and wondered who was writing the Rental Property Registration document. He felt language appears to be punitive towards the landlords.

Mr. Patrizio indicated he was the one writing up the registration. He stated the goal is to get voluntary compliance first. Punitive inspections are for landlords who will not do anything to keep the property updated.

Mr. Sink asked if there will be situations where the inspectors will go in and condemn the property.

Mr. Patrizio confirmed that there could be situations when the inspectors go in, find something that doesn't meet codes and other parties could be made aware who could condemn the property. He noted that if there were major issues, the inspector was required to pass that information along to the proper authorities.

Mr. Sink then asked how the registration and inspection would work if the properties were listed in a company name rather than an individual. He also inquired about a

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guarantee if there is a long-term issue or nuisance, and whether the inspector would be a Village employee or outside inspector.

Mr. Patrizio responded by stating that it is the obligation as landlord to take care of the situation either by having the tenant clean it up or by evicting the tenant. Mr. Patrizio indicated there would be a licensed inspector, who was certified, that would be inspecting the property. He noted that the Village would likely have a joint agreement with the other communities to use the same inspector.

Mr. Hinkelman added that he has looked at the general proposed fee structure and that it was unlikely that the program would be able to fund an additional Village employee.

Mr. Matthen Sink, 8055 Spiker Rd., Piqua, OH, questioned why the registration and inspections were necessary, who would pay for the fees, the amount of monetary costs, and number of unsanitary situations. He felt fees and regulations were against landlords and wanted to know if all properties were held by the same standards.

Mr. Hinkelman noted that there are no defined fees or rate structures yet. He also noted that the Village is beginning to look deeper into the amount of properties that would fall under this proposed regulation, but does not have the information at this time.

Mr. TJ Manson, 105 N. High St., Covington, OH, requested paint colors for downtown Covington, which Mr. Hinkelman will supply. Mr. Manson raised concerns as procedure if tenants do not let an inspector into their apartment.

Mr. Patrizio noted that an administrative search warrant could be obtained, and entry gained. Mr. Hinkelman stated the Village must give due process, which means search warrants will take time, as do property maintenance issues.

Mr. Patrizio stated that the purpose of the inspection is meant to keep from buildings collapsing on the tenants. He also confirmed that the issue cannot go on the ballot as a referendum, as there is not a formal program adopted that could be referendumed, this is only a discussion.

Ms. Gina Miller, 5855 Myers Rd., Covington, OH, had miscellaneous questions about housing conditions to which Mr. Patrizio replied the village does have a right to control health issues within the community.

Mayor McCord noted that everyone who had filled out a sheet to speak had been given time. He also stated the purpose of discussing the issue at the meeting is to stay open and transparent. He noted that landlords raised very good questions. He continued that Council reviews all information heard and can be in, out or any way in between on this matter. He thanked all the residents for their attendance, comments, and questions.

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Mayor's Report

Mayor McCord gave a special thanks to Jesse Reynolds for running the meetings while he was out.

Administrator's Report

Mr. Kyle Hinkelman shared Phase 3 of High Street project is currently finishing up. He noted that the final coat will be laid at the end of August or early September. He also noted that temporary light poles will be set.

Mr. Hinkelman noted he was working on a number of other projects including GIS mapping, updates to Utility applications, and forms. He continued that they are still working with our provider to get emails for billing to get delivered. He asked that anyone who didn't get their bill via email within seven days after the 20th of the month to reach out to the Village directly.

He asked if there were any questions of him, and there were not.

Discussion Items

Rental Property Registration

Mr. Hinkelman noted that there was substantial discussion within the public portion of the meeting and that he did not have anything additional to add to the discussion. He also noted that as changes or more information comes forward, he would bring it back to Council for consideration, until a decision is made on whether or not the Village intends to move forward with the program or not.

Facilities and Land Master Plan (Survey #1 Results / Survey #2 Discussion)

Mr. Hinkelman reported there were 50 who completed survey #1 and 35 who had completed survey #2 so far. He noted that Survey #2 is to gauge what is important to the residents related to street, sidewalks, and bikeways. He encouraged everyone in attendance and watching online to be sure to take the survey so everyone's voice is reflected.

Wastewater Treatment Facility

Mr. Hinkelman explained that a public open house was held on August 10 at the Government Center to discuss the Wastewater Treatment Plant and answer any questions related to the design, funding, or potential rate impacts. He noted that the Village intends to apply for WPCLF funding this month and recipients will be notified mid-October or early November.

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Schoolhouse Park Groundbreaking

Mr. Hinkelman stated that the Schoolhouse Park Groundbreaking is scheduled for August 31 at 10 am. He invited everyone to come to the event and celebrate the Village moving forward on this very special project.

Mr. Hinkelman asked if there were any questions from the Council related to any discussion items, and there were not.

Third Reading Considerations

None

Second Reading Considerations

None.

First Reading Considerations

Resolution R31-22 – Levy a Special Assessment for Lighting Districts

Mr. Hinkelman discuss the resolution, which was for the Special Assessment for Lighting Districts that is completed every year. He noted that the agreement is the same as the previous year, and that this covers the costs of the lighting districts within the Village and the contract with Miami Valley Lighting to maintain, power, and replace those lights. He noted that the deadline is in September, so he would ask to waive the three-reading rule at the next meeting.

Mr. Hinkelman asked if there were any questions about the proposed resolution and there were none. He noted that the second and final reading would be at the next regularly scheduled meeting on September 6th.

Ordinance 16-22 – Reappropriations

Mr. Hinkelman explained the reappropriations were specifically for revenue allocations and expense appropriations associated with the OWDA design loan for the Wastewater Treatment facility. He noted that this was considered an in and out reflection with revenue and expenditure being modified similarly.

Due to the nature of the ordinance, Mr. Hinkelman asked council to waive the three-reading rule.

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A motion to waive the three-reading rule for Ordinance 16-22 – Reappropriations was made by Ms. Dawn Duff, seconded by Mr. Jesse Reynolds. All ayes. Motion passed.

A motion to approve Ordinance 16-22 – Reappropriations was made by Ms. Duff, seconded by Ms. Amy Welborn. All ayes. Motion passed.

Police Chief and Elected Officials' Comments

Police Sargent Tim Cline had no comments.

Ms. Welborn thanked all those in attendance for coming to the meeting and sharing their thoughts and concerns.

Executive Session

Motion to enter into Executive Session at 7:53 PM, was made by Mr. Reynolds and seconded by Ms. Duff, to consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code.

Motion to enter back into regular session at 8:43 PM by Mr. Derrick Canan and seconded by Ms. Duff.

Adjournment

A motion was made by Mr. Canan, seconded by Ms. Duff. Meeting adjourned at 8:45 PM.



Fiscal Officer



Mayor

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