



**CITY COUNCIL MEETING  
Minutes of September 21, 2017**

***PUBLIC HEARING: For the purpose of hearing and collecting information and receiving public comment regarding the implementation and administration of the City's Ordinance 2017-05, and possible amendments to the ordinance, which established the City's rental licensing program and inspection program.***

Mayor Rachford called the public hearing to order at 7:00 p.m.

Mayor Rachford explained Ordinance 2017-05 was approved regarding rental inspections. Last week, three members of city council, the mayor, and the zoning administrator met with a number of owners of rental units in the City. After discussion, the consensus was to repeal that ordinance, and under Section 5 on tonight's council agenda, there will be a reading of an ordinance to repeal Ordinance 2017-05.

He then asked for comment from anyone who wishes to address council regarding this issue. Hearing no public comment, Mayor Rachford closed the Public Hearing at 7:03 p.m.

**CITY COUNCIL MEETING CALLED TO ORDER AT 7:03 PM**

The Mayor then called the Alexandria City Council Meeting to order followed by the invocation and the pledge. The following Council Members answering roll call:

Stacey Graus	Present	Susan Vanlandingham	Present
Bob Simon	Present	Scott Fleckinger	Present
Sue Neltner	Present	Andy Schabell	Present
Also: Karen Barto	City Clerk/Treas.	Mike Duncan	City Attorney
Sam Trapp	Public Works Supt.	Mike Ward	Police Chief

**APPROVAL OF MINUTES – September 7, 2017**

Karen Barto stated the minutes to be approved tonight reflect two changes, one a typo, and another being a correction on Page 4 under Old Business regarding the rental license fee – Andy Schabell was not present.

**MOTION:** Stacey Graus made a motion to approve the minutes, with the corrections, of the September 7, 2017 meeting, seconded by Andy Schabell. All in favor, motion passed 5-0-1 with Mr. Fleckinger abstaining.

Mayor Rachford reported that he had been made aware of a potential situation where the invocation read at the beginning of a council meeting was under question/attack by someone in the Sixth Circuit Court of Appeals. For the time being, per an e-mail explanation from Mr. Duncan, if the invocation is read by the council members or the Mayor, it is safe and constitutional until a Court reverses this opinion.

**VISITORS & GUESTS** - None

**ORDINANCES & RESOLUTIONS**

*Mr. Duncan read the following:  
Second Reading:*

**ORD #2017-06:** Providing for the assessment of real property within the corporate limits of the City of Alexandria and levying an ad valorem tax of \$0.174 on each \$100 (\$1.74 per \$1,000) valuation of

the real property in the City for the 2017 assessment tax year and specifying the purpose for which the tax is levied.

Ms. Neltner asked what was the tax rate before the \$0.174. Mr. Duncan thought it was \$0.173 and further explained how the tax rate is calculated in order to raise the same amount of money as last year, which is called the compensating tax rate.

**MOTION:** Scott Fleckinger made a motion to adopt Ordinance #2017-06, seconded by Bob Simon. All in favor, the motion passed 6-0-0.

*Second Reading:*

**ORD #2017-07:** Amending Ordinance 2016-08, the City's budget for the fiscal year 2016/17 by transferring funds to and among the various budget accounts according to the attached Exhibit A in order to end the fiscal year in balance.

**MOTION:** Stacey Graus made a motion to adopt Ordinance #2017-07, seconded by Scott Fleckinger. All in favor, the motion passed 6-0-0.

*Mayor Rachford read the following resolution:*

**RES #2017-03:** Supporting maintaining the current structure and benefits of the County Employees Retirement System while separating it from the Kentucky Retirement Systems.

**MOTION:** Scott Fleckinger made a motion to adopt Resolution 2017-03, seconded by Susan Vanlandingham.

Mr. Schabell asked who is in the CERS and who is in KERS, and whether a separation of the two would hurt the employees in the KERS. Chief Ward said separation would force the state to find a way to fund KERS. Karen explained CERS is solvent by itself because cities and counties have always paid what they were required to pay. The State is threatening to increase payment for all of us to fund KERS, which has been underfunded for 15 of the last 22 years. Mayor Rachford pointed out there is no state funding of CERS, it is funded strictly by cities and their employees. The Governor is not in favor of separation.

Chief Ward reported there has been misinformation given by the legislators to the media that police and firefighters can retire after 20 years in the system with a full pension. It was designed that if their mind and body could not continue to do that job, they could "retire" with some benefit (50% of their high five years' salary), allowing them to find something else to do to supplement income.

The motion was then brought up for a vote. Motion passed 6-0-0.

Mr. Duncan explained the Ordinance council is about to consider repealing has been the subject of much discussion. They were charged with the responsibility of determining whether or not this is a viable ordinance or if it should be amended. They decided to repeal this ordinance rather than amending it, then go back to the drawing board to come up with something to solve the problems at hand that are not a part of other solutions already in place. This ordinance could be adopted by emergency if council determined it was a bad ordinance or considered not "workable" to get rid of it now. In order to pass by emergency, four votes in favor are needed and the person making the motion needs to state a reason.

*Mr. Duncan then read the following:*

**ORD #2017-08:** Repealing Ordinance 2017-05, which was adopted on July 6, 2017 and which had amended the City's Code of Ordinances by creating a new Chapter 98 therein, and thereby establishing a new rental license and safety inspection program.

Mr. Duncan explained this ordinance repeals Ordinance 2017-05 in its entirety.

**MOTION:** Stacey Graus made a motion to adopt Ordinance #2017-08 as an emergency ordinance because council has no intention at this point of enforcing or implementing Ordinance #2017-05, and council wants a clean slate to move forward to pass another ordinance, if necessary, to take care of any landlord/tenant property issues. Motion was seconded by Scott Fleckinger.

Mr. Schabell asked what the take-away was from that meeting. Will we anticipate enacting something similar after this ordinance is repealed, or are we going to let it die?

Mr. Graus said there is an issue with single family residences and it was unknown where the rental properties are located. The "business" owners are going to have to register by getting a business license for the City, identify their properties, and provide a name and contact information. Once we have an idea where those properties are, the City will be able to keep an eye on them and will have contact information if there is an issue. The tenant can contact the City, Health Department, or whomever they feel can help them. Then, by invitation, we can come into the residence to inspect and determine if any action is necessary.

After this ordinance was adopted, Mr. Graus determined there may be an issue with the City going into homes without invitation. By virtue of identifying rental properties and having contact information, these issues could be resolved when they come up. Ordinance 2017-05 didn't accomplish that.

Ms. Neltner asked if there is already something in place that requires registration of rental property, or should there be an ordinance created for that purpose. Mr. Graus explained owning rental property in the City is considered a business requiring a business license. We need to take our current ordinance and enforce it. Ordinance 2017-05 was going around the problem and doing more than what was needed to address issues.

Mr. Schabell thinks as long as Alexandria continues to grow, the City has an obligation to keep a handle on rental properties. For instance, a newly-built home in his neighborhood was purchased by American Homes 4 Rent for the sole purpose of renting it.

Karen reported she has identified 683 properties that have a different mailing address than the property address. This is not 100% accurate but would be a good start.

The motion was then brought up for a vote. All in favor, the motion passed 6-0-0.

### **DEPARTMENT REPORTS:**

**City Clerk:** Karen Barto reported tax bills should be sent out soon.

**Community Center:** See report attached.

**Public Works:** Mayor Rachford reported the garage on the city's property on Grandview Drive was not usable and has been demolished.

**Zoning Administrator:** See report attached.

**Personnel Committee:** **Andy Schabell** – They met tonight and reviewed more of the Personnel Policy Handbook.

### **NEW BUSINESS:**

- 1. Marsy's Law:** Mayor Rachford provided council with information he has received. He believes we should support crime victim's rights and urged council to review. He mentioned he would like to have a resolution supporting this issue for the next council meeting.

There was discussion on whether the state or county notifies the victim. Chief Ward explained this bill had not been passed yet because there has been some controversy on what is constitutional law. This law includes other things that may not be necessary. Ms. Vanlandingham said at least in the Campbell County court system, there is a procedure in place where a victim is notified via letter and phone call of when the individual is going to court, being arraigned, what happened at the arraignment, etc. She supports not going "overboard" by changing the Constitution and that it is a procedural issue. Chief Ward questions why we need to put this into a constitutional amendment and legislation should be passed that requires the courts to do this.

**2. Town Hall Meeting, Monday, 10/2/17 - proposed apartment development:** Letters were sent to business owners, property owners, and residents living within 1,000 feet of that site, but any Alexandria resident, business owner or property owner is also invited to this information-gathering session. This is in regard to the Marion Group presentation made at the last council meeting.

Mr. Schabell asked that council be sent a copy of the letter or info on any future mass mailings of this type so they are aware of these things. He did not know anything about the letter, but had been getting e-mails. Did this proposed development meets with the zoning requirements? Mayor Rachford said it is zoned B-1, and apartments are a permitted use, so no zoning change is required.

The developer is looking for a strong letter of support, but the Mayor is not comfortable signing any letter before hearing feedback from Alexandria citizens. The Marion Group will not be present at this meeting, but there will be information available, including color copies of the proposed development, and a site plan. Mr. Schabell asked if those documents could be posted on the City's website and Facebook page before this meeting.

**OLD BUSINESS:**


**KOI Parking Bid Results** – Mayor Rachford reported 3 bids were received for grading and graveling of the parking lot. The low bid was \$44,136, and at this point, those funds are not in the budget, so it is not going to be done this year. Ms. Neltner questioned why it was even put out to bid if the city engineer had estimated it to be more than what was budgeted. Sam Trapp explained sometimes the bids come back much lower than the engineer's estimate. He also believes it was "over-engineered" for a parking lot. In the meantime, it could just be graded and graveled by Public Works department.

**COMMUNICATIONS:**

- September 23, 2:00-4:00 p.m. – 20<sup>th</sup> Anniversary of the Dedication of the Community Park
- September 30 10:00 a.m.-2:0 p.m. – Walk on Main Street: Visit the shops on Main Street
- October 8, 12:30-4:30 p.m. – Hero's Day at CCMS (Rain Date is 10/15)
- Halloween Hours: Tuesday, October 31<sup>st</sup> 6:00-8:00 p.m.

**ADJOURNMENT:**

**MOTION:** Stacey Graus made a motion to adjourn, seconded by Scott Fleckinger. All in favor, the motion passed 6-0-0. The meeting adjourned at 8:06 p.m.

  
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Karen M. Barto, City Clerk Treasurer

Date: 10/20/2017

  
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William T. Rachford, Jr., Mayor

Date: 10/20/2017

Approved: **October 5, 2017**