



PUBLIC HEARING: For the purpose of receiving and reviewing public comment regarding the proposed use of Municipal Road Aid Funds.

The Mayor called the Alexandria Public Hearing to order at 7:00 p.m. Mr. Duncan explained the public hearing is pursuant to KRS 174.100. The City routinely receives road aid funds from the Commonwealth of Kentucky. We have been notified this year we will receive \$165,000 to be used only for road-related purposes. The public hearing was advertised in the newspaper, and the purpose is to allow any citizen to give comment, opinion or direction to the city as to what we should do with the funds.

Lloyd Rogers, 101 Ridgeway Crossing: There is a catch basin on Poplar Ridge near The Bridge Church that is very low and no one is willing to raise the catch basin.

Mr. Duncan explained Mr. Rogers' comments will remain part of the record for consideration.

Hearing no other public comment, Mayor Rachford closed the Public Hearing at 7:03 p.m.

The Mayor then called the Alexandria City Council Meeting to order at 7:03 p.m. followed by the invocation and the pledge, with 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 (arrived at 7:25 p.m.)	Police Chief

APPROVAL OF MINUTES – July 6, 2017

MOTION: Stacey Graus made a motion to approve the minutes of the July 6, 2017 meeting, seconded by Scott Fleckinger. All in favor, motion passed 5-0-1 with Mr. Fleckinger abstaining.

VISITORS & GUESTS

Sue Neltner, Beautification Committee Chair, announced that Joshua and Sherrie Zetterberg, 8376 East Main Street, have been awarded the Beautification Award. Because of family commitments, they were unable to attend the city council meeting tonight.

ORDINANCES & RESOLUTIONS

Mr. Duncan read the following:

MUN ORD #2017-02: Appointing and approving Tonya Slone to fill the unexpired term of Hal Metzger on the City of Alexandria Board of Adjustment for the remainder of his full four-year term to expire on December 31, 2017.

MOTION: Sue Neltner made a motion to adopt Municipal Order 2017-02, seconded by Scott Fleckinger. All in favor, the motion passed 6-0-0.

DEPARTMENT REPORTS:

City Clerk: Karen Barto reported our new website was released yesterday and encouraged everyone to check it out. After posting the message on Facebook, there were 2,200 followers. The

City is also working on social media and has contracted with someone for a City splash page, which is one page then directs followers to the website. This will be released later. The office is also gearing up for this year's audit.

Community Center: See attached report.

Public Works: See report attached.

Zoning Administrator: See report attached.

Beautification Committee: Sue Neltner – They met tonight to look into grants for planters on Washington and Main Streets, and to spruce up area around the Municipal Parking Lot.

Public Works Committee: Bob Simon – They met tonight to discuss 2017-18 repaving, which should be completed within the next two weeks.

NEW BUSINESS: None

OLD BUSINESS:

1. Rental License Fee and Inspection Program Update:

Mayor Rachford explained this program was voted in at the last meeting, and we are in the process of finalizing the administrative procedures. He has been contacted by individuals with questions. The intent was to get a handle on the number of rental units in the City (estimated at 250 units identified from property records), and to get to a point where we can have an inspection to identify any health and safety issues. The annual fee was set at \$40 the first year and \$25 thereafter.

Ms. Neltner stated after discussions and hearing from individuals, she no longer supports this. She thinks it is important for people who are renting to be able to live in proper housing, but this should be between the landlord, the renter and the court system and wonders why we have to step our toes into that situation. She is worried this is going to be an issue.

Randy Nehus, 5 Whispering Woods and owner of the Willow Street Apartments – He is greatly disturbed by the news that the City is imposing an annual inspection fee on all of the apartment units in the City. He asked several questions about whether this was thoroughly researched before being implemented. With the number of apartments he owns, it will cost him \$1,300 each year and what does he get out of this as a rental property owner? This ordinance will generate \$20,000 for the city. Is the intent to keep up so-called inspections for safety or to just handle complaints as we currently do? The problems seem to fall with the single family units and not the commercial properties. He would like the city to treat everyone fairly. The City of Portsmouth, Ohio has rescinded a similar ordinance because it was considered unlawful and unconstitutional to charge such a fee.

Lloyd Rogers, 101 Ridgeway Crossing – He asked for an explanation between a fee and a tax. Mr. Graus explained a fee is for a license or permit to do something and to offset expenses. A tax produces revenue.

Mr. Graus also pointed out what we should be talking about tonight is the issue of fees for rental units and what we are trying to do with it. There have been complaints, and council has primarily heard from people living next to single family rental units. The City has gets calls reporting code violations and issues with high grass, electric wires hanging out the back, etc.

Mr. Graus said the issue in Portsmouth, Ohio pertained to right to access, and Mr. Duncan pointed out Ohio has different rules. Mr. Graus said there are issues with calls coming in that the City can do nothing about. Council heard visitors at the July 6th meeting about a number of rental units on Viewpoint. He has not heard of any complaints on rental units in a specific building or complex.

Mr. Rogers thinks the city will set itself up for a lawsuit if there is an issue after the \$40 was paid and nothing was found. Mr. Duncan explained the city could be named but it would be dismissed because there is no cause of action against the city for those issues.

Ms. Neltner suggested amending the ordinance to register the units at no charge but if there is a complaint requiring an inspection, then a fee would be assessed because action was taken. Each year the owners will still have to register so the City can keep track of the number of units. She also questioned what happens to the money collected for the fees per unit if only a very few will require inspection, where is the money going to be sitting?

Mr. Graus explained the initial \$40 fee was not only for registering, but for an initial inspection. He asked if the city would institute a fine if there was a complaint filed and another inspection showed there an issue? Mr. Duncan explained the city has that ability now, but this new ordinance would make it more flexible so that we will know where the rental units are, and have documentation for them. The purpose for the initial fee of \$40 and later \$25 is a pass-through fee to fund the cost of the procedures only. No profit is allowed.

Mr. Duncan thinks there is enough concern from some of the stakeholders that council may want to hear from them before actually implementing this process. Mr. Graus suggested a public hearing to hear from tenants, neighbors of rental properties, and the landlords to weigh the best course of action. A code enforcement person should also be present.

Ms. Neltner still doesn't see all of the money collected going for inspectors and code enforcers. Chief Ward reported seeing things like property maintenance violations, building and fire code violations, bed bugs, etc. Covington, Bellevue, and possibly Newport have similar ordinances and some places were successful in cleaning up neighborhoods where there are a large number of rental properties. In the last 5-8 years, there has been an increase in the number of rented single-family homes in Alexandria.

Mr. Nehus questioned why apartment complexes are being penalized if the main problem lies with the single-family home rentals. The larger apartment complexes will be hit the hardest with the fees and they are not the problem. According to Mr. Nehus, HUD inspects his units every six months and his HUD people are the best people he has. He is disputing the City's calculated number of rental units and wants to make sure there is an accurate number for fee purposes.

Ms. Barto explained Campbell County has given the City numbers of what they definitely know are renters. We can also review the city's tax records for property addresses. If the mailing address are different and we can assume they could be rentals, but this is not always true.

Mr. Graus reiterated the need to hold a public hearing to find the best way to address the problem. Mr. Nehus thinks more information was needed before this ordinance was passed, and decisions needed to be made as to who would be considered a tenant/renter. Also, where do those who will be living at the Seasons fit in? Mr. Graus explained a public hearing will be well advertised in the newspaper, Facebook, signs, and website. After the public hearing, council will discuss and come to a resolution to the problem.

Ms. Neltner stated she felt rushed to vote on this ordinance. She would have liked to have more time and information from both sides before she voted on it. Mr. Graus explained in that case, a motion to table approval of an ordinance could have been made to take time to investigate.

MOTION: Sue Neltner made a motion to hold a public hearing to review the rental license fee ordinance, seconded by Stacey Graus. Mr. Schabell asked how to stop the enforcement of what was already passed. Mr. Duncan explained publishing the ordinance makes it is actual law, so it would be up to the Mayor to implement and administer if he wishes. The motion was brought up for a vote, all in favor, the motion passed 6-0-0.

After discussion, the public hearing date was set for September 21st. Mr. Duncan encouraged the City to get the word out as much as possible to get input from all sides. Mr. Schabell also requested that Scott Davenport attend this meeting. If changes are necessary after hearing public comment, the ordinance will then be amended.

1. Viewpoint Code Enforcement Issues Update:

Carol Hofstetter had prepared a report on the issues. The Viewpoint addresses in question were 94, 93, 89, 25. The grass has been mowed at 94, 93, and 89. There is a drainage issue at 25 Viewpoint and Carol and Sam Trapp are working with the City Attorney to find a solution to the problem. Mr. Duncan explained there is a very unique situation with ownership of the property and gave details. The City does not own it, but may have an interest in the property because the water (seepage) could potentially be harmful to the new street the City put in a few years ago. Carol is doing the legwork to see what she can find out and what can be done. Mayor Rachford promised to get to the bottom of this issue and address it.

2. Presentation of the Beautification Award:

Since Ms. Zetterberg had come into the council meeting, Sue Neltner then presented her with the Beautification Award.

COMMUNICATIONS:

- August 19, 10:00 a.m.-2:00 p.m. – Dog Day in the Park
- August 25, Dusk – “Sing” movie in the Park
- August 30 – Alexandria Fair Parade with the fair starting after the parade
- September 10 – 911 Memorial Service
- September 23, 2:00-4:00 p.m. – 20th anniversary of the dedication of the Community Park
- September 30, 10:00 a.m.-2:00 p.m. – Walk Down Alexandria’s Main Street
- October 8, 12:30-4:30 p.m. – Hero’s Day at CCMS

Based on the absences of three council members, there will be no City Council meeting on August 17th. The Personnel and Safety Meetings will also be cancelled. It was decided the 9/7 Public Works and Beautification Committee meetings will be cancelled so the Personnel Meeting can schedule their meeting at 6:00 p.m. that day.

ADJOURNMENT:

MOTION: Scott Fleckinger made a motion to adjourn, seconded by Stacey Graus. All in favor, the motion passed 6-0-0. The meeting adjourned at 8:09 p.m.



Karen M. Barto, City Clerk Treasurer

Date: 9-7-2017



William T. Rachford, Jr., Mayor

Date: 9-7-2017

Approved: **September 7, 2017**