



ORIGINAL

CITY COUNCIL MEETING  
Minutes of June 15, 2017

The Mayor called the Alexandria City Council Meeting to order at 7:00 p.m. followed by the invocation and the pledge, with the following Council Members answering roll call:

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

**APPROVAL OF MINUTES – June 1, 2017**

**MOTION:** Scott Fleckinger made a motion to approve the minutes of the May 18, 2017 meeting, seconded by Bob Simon. All in favor, motion passed 5-0-0.

**APPROVAL OF NEW COUNCIL MEMBER**

Due to the resignation of Sandy Decker, a vacancy on City Council was created. The Ad Hoc Committee consisting of Bob Simon, Sue Neltner and Andy Schabell, accepted and reviewed several applications. Mr. Schabell thanked everyone who submitted them and he reported the Committee is making a unanimous recommendation to Council for Sandy's replacement on Council.

**MOTION:** Andy Schabell made a motion to approve Susan Vanlandingham as the next city council member, seconded by Bob Simon. All in favor, the motion passed 5-0-0.

Mike Duncan then swore in Ms. Vanlandingham and she took her seat on Council. She said a few words about herself as being an Alexandria resident for 14-15 years, was in the Navy for 10 years, has a Bachelors Degree in Forensic Science, and a Masters in Criminal Justice. She is currently employed with the Kentucky State Police Laboratory and is an adjunct professor at NKU. She has also been an Alexandria VIP for 4-5 years. Mayor and Council welcomed Susan to City Council.

**VISITORS & GUESTS** - None

**ORDINANCES & RESOLUTIONS**

*Mr. Duncan then read the following:*

*First Reading:*

**ORD #2017-05:** Amending the City's Code of Ordinances by creating new Chapter 98 therein and thereby establishing a new rental license and safety inspection program.

Mr. Duncan explained this ordinance was modeled after other cities with a similar ordinance. The purpose is to provide an additional level of security for tenants of rental properties in the city. It provides for a rental license for those who wish to have rental property, provides for a one-time up-front inspection and then other voluntary inspection possibilities, and inspections if tenants claim there are unsafe situations on the property. He encouraged council to study this ordinance which will be voted upon at a future meeting.

Mr. Graus asked if the intent of this ordinance is to conduct inspections on a regular basis or on complaint basis only. Mayor Rachford would like to see a periodic inspection, explaining there have been some issues in the past, and there aren't any current ordinances that would allow the city to go into a property unless there is a complaint and the city was asked to go in. His concern and primary interest in initiating this ordinance was to make sure landlords do a good job of maintaining rental

property, particularly when there are small children living in those rental properties. He would like to see an inspection maybe every 3 years unless there is a complaint.

Mr. Graus then asked what the process was for landlords to obtain a license. Mr. Duncan explained landlords would have six months from the adoption of this ordinance to get a license. The first inspection will come with the license, and any further inspections would be triggered by probable cause (if there is a violation of the law), or if the tenant gives probable cause.

Mr. Graus quoted language from Section 98.06 of the ordinance that states "annual rental license fee". Mr. Duncan explained this was copied from another city's ordinance. Mr. Graus said a 20-unit building could cost a landlord \$800, and if his units are rented for \$550-\$600/month, this could get costly. He would like to consider whether the fee should be a one-time fee or annually.

Mr. Fleckinger asked what this ordinance would achieve that we can't already do. If someone asks the city to come into their house, we could inspect it. If no one is living in the house, who is it bothering and why would we need to inspect it? Chief Ward explained he has encountered some coercion between tenants and landlords ("don't say a word or I'll kick you out"), and an ordinance like this would be helpful. He cited a multi-unit building where there was a problem with bed bugs which the landlord refused to do anything about. Also, there are quite a few single family homes that are now used as rental property and sometimes the landlord allows the property to run down. We are protecting the people that live here and this ordinance would give the city more "teeth" for compliance on the landlord's part.

Mr. Fleckinger then asked who would give the criteria for the inspection and repairs. Chief Ward thinks it would be on the building inspector to check for safety issues.

Ms. Neltner asked who would be contacted if there is an issue with a HUD home. Chief Ward assumes a letter would go to the current resident and to the owner of the property. Ms. Neltner asked if this would be the job for the code enforcement officer or the building inspector. Chief Ward said it depends on what the issue is. She thinks the code enforcer should know the ordinances and be able to act on them and does this have to be called in before he is sent out? Chief Ward pointed out he only works 20 hours a week.

Ms. Neltner is leery of voting of more ordinances if the code enforcer isn't taking care of the ordinances we have now. She cited things need to be addressed in the city now, and has a concern if code enforcer is the person doing these inspections. Chief Ward said the code enforcer does not have the knowledge for construction and building codes, and most of those types of issues would go to the county building inspector. Ms. Neltner suggested changing language in the ordinance from "code enforcer" to "building inspector". Mr. Duncan pointed out the ordinance reads "building official", meaning the "Alexandria Code Enforcement Officer, Building Inspector, his/her designee, or other person as designated or appointed by the Mayor". There is flexibility. Also, this ordinance was copied from another city, and the intention is not to charge an exorbitant fee. This can be discussed before the second reading. Mr. Duncan suggested the initial fee be \$40 as stated in the ordinance, and the renewal fee lower, just enough cover the administrative part of the ordinance.

Mr. Schabell asked if someone would call right now to make a complaint, what can the city legally do? Mr. Duncan said if a resident calls, we have the right to have them invite us in. Mr. Schabell agrees with Mr. Fleckinger about the necessity of this 9-page ordinance. Chief Ward said he does not have a legal right to enter someone's house just because their neighbor might be complaining that there is something wrong inside his neighbor's house. Mr. Schabell doesn't think we should have that right. He wanted to know if the city needs a landlord's approval to go into his tenant's house. Chief Ward explained he would need permission from the tenant. Under this ordinance, both tenant and owner would receive a letter stating, per the ordinance, the city wants to schedule a time to inspect the property because of an issue. Currently, if we notify the tenant or landlord, they can refuse our entry. Chief Ward then cited the old Medialog building where he had to obtain a

search warrant to inspect the building. This took time because they had to wait until they could justify to the Court the need to search.

Mayor Rachford asked council to think about some of these issues. Mr. Schabell would like to know how many rental properties are in the city to set the fee, and what our cost would be for the county to do these inspections.

**DEPARTMENT REPORTS:**

**Police Department:** Chief Ward has been working with Sam Trapp, the City Engineer, City Attorney, and Drees to get the sight distance issue resolved on Tartan Ridge and Arcadia Boulevard. Drees was to have their engineers review this to see what can be done to lower the ridge. This is expected to be completed in the next couple of weeks and he will stay on top of it.

**Public Works Department:** See report attached.

**Zoning Administrator:** See report attached.

**Public Works Committee: Bob Simon** – There was a Special Meeting tonight to discuss additional paving in the Brookwood Subdivision. \$43,475 was the cost quoted for two additional streets, which added to the 2017 street project bid, is less than what was budgeted. With this additional pricing, the total cost is \$248,225, which is still under budget. Also, there will be sidewalk work on these streets as well.

**NEW BUSINESS:** None

**OLD BUSINESS:** None

**COMMUNICATIONS:**

- Free Movie Night "The Secret Life of Pets" - Friday, June 30 at Dusk, Alexandria Community Park sponsored by Woodmen of the World
- Next meeting will be after Independence Day, so everyone have a save and happy 4<sup>th</sup> of July

Council then discussed the July 20<sup>th</sup> meeting. Mayor Rachford and Sue Neltner will not be at that meeting. Two other council members were unsure if they could attend. This will be brought up again at the July 6<sup>th</sup> meeting.

**ADJOURNMENT:**

**MOTION:** Scott Fleckinger made a motion to adjourn, seconded by Sue Neltner. All in favor, the motion passed 6-0-0. The meeting adjourned at 7:40 p.m.

  
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Karen M. Barto, City Clerk Treasurer

Date: 7/11/17

  
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William T. Rachford, Jr., Mayor

Date: 7/11/2017

Approved: July 6, 2017