

SEPTEMBER 12, 2023

PAGE ONE

MINUTES OF COUNCIL WORK SESSION

VERSAILLES MUNICIPAL BUILDING/5:30 P.M.

ROLL CALL: MAYOR BRIAN TRAUOGOTT PRESIDED OVER THE MEETING. ALSO PRESENT WERE COUNCIL MEMBERS MARY BRADLEY, CHANTEL BINGHAM, LAURA DAKE, LISA JOHNSON, GARY JONES, AND ANN MILLER. ALSO PRESENT WAS ATTORNEY ELLEN MOORE.

DEPT. HEADS: JEFF HANEY AND ELIZABETH REYNOLDS WERE PRESENT REPRESENTING THEIR RESPECTIVE DEPARTMENTS.

PUBLIC INPUT – UNIFORM RESIDENTIAL LANDLORD AND TENANT ACT

Mayor Traugott stated that the Uniform Residential Landlord and Tenant Act (URLTA) had been discussed at multiple council meetings and at the August 8th Work Session at length. He noted that tonight they had invited the public to provide input on the URLTA.

Shawn Hamm was present, as a local landlord, to learn what would be in an ordinance adopting URLTA and noted a fear of overreach by Code Enforcement, or it being used as a weapon. He stated that the current system isn't bad and doesn't think "tinkering" from City Hall is necessary or helpful.

Attorney Ellen Moore noted that the URLTA provides grounds for eviction and landlord/tenant relationship guidelines and can provide protections for both the landlord and the tenant.

Attorney Jon Gay was present to speak on behalf of local landlords Sally and Bob Gibson. He stated that the URLTA is bad for people with one to ten units and that it triggers liabilities as a result of Code Enforcement. He also noted that the vast majority of communities in the state have not adopted the Act.

Mayor Traugott noted that the act is purely enforceable at the district court level.

Council member Bingham stated that the URLTA provides coverage protections for people who do not have a lease in place.

Council member Johnson asked whether a lease trumps the Act and Attorney Moore clarified that the law supercedes a lease.

Steve Carroll, a local landlord, spoke against the adoption of the URLTA.

Mayor Traugott noted that the general assembly has tied the City's hands on landlord and tenant laws, stating that the URLTA can be adopted in full or not at all, but that the City cannot pass any other laws regulating landlords or tenants.

Gary Vitali stated that he fears we are creating an environment that deters good landlords.

Mayor Traugott said that he is trying to get the number of court cases in Kentucky as a result of the URLTA. Attorney Gay stated that it would be difficult to get accurate numbers as a large percentage of those cases are settled before going to court.

Council member Jones asked if there is any move in the assembly to change the state laws and Mayor Traugott responded that there has not been any amendments since 1984.

Mayor Traugott also noted that the access to court is not equitable.

Attorney Moore noted that she overwhelmingly represents landlords and sometimes a lease does not cover everything that can come up and there isn't much case law to reference. Mr. Vitali recommended the professional landlord associations that provide assistance with leases.

DISCUSSION – SHORT TERM RENTALS IN R-2 ZONES

Mayor Traugott stated that the Council had recently adopted ordinance by default that regulated short term rentals and allowed them in R-2 zones.

**SEPTEMBER 12, 2023
PAGE TWO
MINUTES OF COUNCIL WORK SESSION
VERSAILLES MUNICIPAL BUILDING/5:30 P.M.**

Council member Miller presented maps on the television screen, showing the bed and breakfasts that had been grandfathered in on the zoning maps. She noted that the City of Midway chose to restrict short term rentals in R-2 after researching the effects on residential areas.

Planning Director Steve Hunter noted that the Planning Commission had recommended prohibiting short term rentals in a single family zone. He stated that it then becomes a judgment call with a conditional use permit. He also stated that some towns in Kentucky only allow short term rentals in commercial zones. Mr. Hunter further stated that the County had voted 8-0 to adopt verbiage similar to the City. He noted that R-2 by default allows single family or duplexes and R-3 allows single family up to eight-plexes.

The Council discussed nonconforming use and Mayor Traugott noted that nonconforming use permits stay with the land as long as there are no gaps in the use.

Mr. Hunter stated that there are currently 20-25 approved short term rentals, but based on research of the common short term rental websites, there are approximately 117 operating in Woodford County.

Mayor Traugott asked for the Council to be cautious when creating laws regarding short term rentals because he doesn't want to get into changing the law back and forth when it has unintended consequences.

Council member Dake noted that short term rentals are a relatively new thing and cities are just now looking at some of the detriments associated with allowing short term rentals.

Council member Jones stated that we are becoming a rental society because people cannot afford to buy or are choosing not to buy.

Council member Miller expressed her opinion to disallow short term rentals in the R-2 zone and preferably only allow them in the commercial zone.

Mayor Traugott asked Ms. Miller to draft a Resolution.

Mayor Traugott adjourned the meeting without objections.

APPROVED:

BRIAN TRAUGOTT, MAYOR

ATTEST:

ELIZABETH C. REYNOLDS, CITY CLERK