

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF COMMISSIONERS OF
THE HOUSING AUTHORITY OF KANSAS CITY, KANSAS**

Thursday, September 21, 2017
12 noon

Administrative Bldg.
1124 N. 9th Street

On the 21st day of September 2017 at 12 noon the Board of Commissioners of the Housing Authority of Kansas City, Kansas met in regular session. The meeting was called to order by Chairman Watkins, and upon roll call, the following members of the body were present:

Matt Watkins, Chairman
Rev. Jimmie L. Banks, Vice-Chairman
Jacques Barber, Commissioner (via conference call)
Rachel Jefferson, Commissioner
P. Anne McDonald, Commissioner
Timothy J. Rhodes, Commissioner
Alvin Sykes, Commissioner
Denise Tomasic, Commissioner
Linda Warner, Commissioner
Charles Wilson, Commissioner

ABSENT: John Breitenstein, Commissioner
Robert G. Frey, Commissioner

ALSO PRESENT: Milton Scott, Executive Director
Paula K. Draves, Director of Section 8
Cherrie Escobar, Section 8 Coordinator
Gerald Glavin, Superintendent
Melinda L. Linnell, Director of Housing Management
Sharron Davis-Mays, Self-Sufficiency Coordinator
Benice Meeks, Director of Finance
Jacqueline D. Randle, Executive Services Manager
Anthony J. Shomin, Director of Facilities Management
Elaine Stroud, Asst. Director of Housing Management
John P. Biscanin, former Chairman of the Board
Judge Courtney Mikesic, Division 11
Sean M. Sturdivan; Sanders, Warren, Russell & Scheer, LLC

Roll call was taken. Judge Courtney Mikesic administered the Oath of Office to Denise Tomasic.

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Commissioner Rhodes made a motion to approve the minutes. Vice-Chair Banks seconded the motion and the following vote was recorded:

AYES: Banks, Barber, McDonald, Jefferson, Rhodes, Sykes, Warner, Watkins, Wilson

NAYS: None

ABSENT: Breitenstein, Frey

ABSTAIN: Tomasic

Motion carried.

Chairman Watkins asked that the Board go into Executive Session for 30 minutes to discuss a legal matter. Mr. Sturdivan, Mr. Scott and Mrs. Meeks attended Executive Session. Commissioner Rhodes made the motion to go into Executive Session. Commissioner McDonald seconded the motion and the following vote was recorded:

AYES: Banks, Barber, Jefferson, McDonald, Rhodes, Sykes, Tomasic, Warner, Watkins, Wilson

NAYS: None

ABSENT: Breitenstein, Frey

ABSTAIN: None

Motion carried.

Executive Session lasted from 12:40 p.m.—1:12 p.m.

Commissioner Rhodes made the motion to come out of Executive Session. Commissioner McDonald seconded the motion and the following vote was recorded:

AYES: Banks, Barber, Jefferson, McDonald, Rhodes, Sykes, Tomasic, Warner, Watkins, Wilson

NAYS: None

ABSENT: Breitenstein, Frey

ABSTAIN: None

Motion carried.

Chairman Watkins called for another Executive Session for 15 minutes to discuss property acquisition. Mr. Scott, Mr. Shomin and Mrs. Meeks attended Executive Session. Commissioner Rhodes made the motion to go into Executive Session.

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Commissioner Warner seconded the motion and the following vote was recorded:

AYES: Banks, Barber, Jefferson, McDonald, Rhodes, Sykes, Tomasic, Warner, Watkins, Wilson

NAYS: None

ABSENT: Breitenstein, Frey

ABSTAIN: None

Motion carried.

Executive Session lasted from 1:15 p.m.—1:30 p.m.

Commissioner Warner made a motion to come out of Executive Session and return to Regular Session. Commissioner Rhodes seconded the motion and the following vote was recorded:

AYES: Banks, Barber, Jefferson, McDonald, Rhodes, Sykes, Tomasic, Warner, Watkins, Wilson

NAYS: None

ABSENT: Breitenstein, Frey

ABSTAIN: None

Motion carried.

Commissioner Rhodes made a motion to authorize Mr. Scott to sign off on a settlement agreement. Commissioner McDonald seconded the motion and the following vote was recorded:

AYES: Banks, Barber, Jefferson, McDonald, Rhodes, Sykes, Tomasic, Warner, Watkins, Wilson

NAYS: None

ABSENT: Breitenstein, Frey

ABSTAIN: None

Motion carried.

Commissioner McDonald made a motion to allow Mr. Scott to enter into an agreement for the purchase of Meadowlark 1 and potentially Meadowlark 2. Commissioner Rhodes seconded the motion and the following vote was recorded:

AYES: Banks, Barber, Jefferson, McDonald, Rhodes, Sykes, Tomasic, Warner, Watkins, Wilson

NAYS: None

ABSENT: Breitenstein, Frey

ABSTAIN: None

Motion carried.

Executive Director's Report

- Mr. Scott asked the Board to turn to page nine for the activities that happened last month. He indicated that the Board has already had an opportunity to read the report and he would provide a summary.
- Mr. Scott further explained that he had an opportunity to visit with staff of the Unified Government. He indicated it was a very informative meeting that will allow us to develop a partnership. There were about 40 individuals present at the meeting.
- Mr. Scott thanked new board members for attending the orientation held on September 20, 2017. In addition to learning more about housing, they were given an opportunity to visit with senior staff and take a tour of housing authority properties. Commissioners Jefferson, Sykes and Wilson were in attendance.
- Board reports are included in the board packet for Commissioner's review. Two handouts were provided today, one was comments on the smoke-free policy and the other was information on the OIG audit.

Committee Reports

Bylaws

Vice-Chairman Barber noted that a draft was provided previously to the Board. He added that the make up of the committees still needs to be reviewed and each committee will need to provide input. The Policies and Procedures manual will need to be addressed, as well. Chair Watkins thanked Commissioner Barber and the committee for its work. He noted the draft was circulated with suggested purposes that will need to be reviewed by each committee. Commissioner Jefferson requested a copy of draft.

Finance

Commissioner McDonald indicated that she provided a written report. She was present by telephone when the auditors meet with staff. The Finance Committee

met the following day. The bottom line is that we are okay. We tentatively have a finding as it relates to the OIG Environmental Audit which Mr. Shomin would be better at explaining. The Finance Committee discussed the draft of a resolution to periodically issue a Request for Proposals for rates from local banks which was a result of Vice-Chair Banks' request. They reviewed the financial aspects of the confidential legal matters. There has been a freeze on salary increases and the Finance Committee has agreed to lift the freeze temporarily and provide a merit increase of up to 3 percent over the next year as employee's review dates come up. The merit increases would be retroactive to April 2017, and continue for a one year period, as evaluation dates come up. There would also be a 2 percent COLA (Cost of Living Increase) effective, if and when, approved by the Board.

Commissioner McDonald made a motion that the freeze on merit increases be lifted over the next year and a 2 percent COLA increase be awarded to all staff effective next pay period or as soon as could be implemented. Commissioner Sykes seconded the motion and the following vote was recorded:

AYES: Banks, Barber, Jefferson, McDonald, Rhodes, Sykes, Tomasic, Warner, Watkins, Wilson

NAYS: None

ABSENT: Breitenstein, Frey

ABSTAIN: None

Motion carried.

Inclusion and Public Information

Commissioner Warner noted they have not met.

Personnel

Vice-Chair Banks indicated there was no report. However, he referenced item no. 4 of the Executive Director's written report and noted his committee is reviewing proposed changes to the Personnel Policy and will make a recommendation to the Board.

Development and Improvement

Commissioner Rhodes noted the committee met yesterday. They reviewed the OIG report in the northeast area. They will be looking at creative ways to expand our reach and impact in the community. They discussed Meadowlark 1 and 2 and ideas around those properties.

Resident Participation

Commissioner Wilson provided a written report. He noted that they met September 9, 2017 concerning the Capital Funds and what residents would like to see happen at the various developments. He attended New Board Orientation on September 20, 2017. The orientation was very informative. He indicated that he was sorry that he missed the Chair's portion of the orientation.

Commissioner Jefferson asked how notices are sent out to various committee meetings. Chair Watkins indicated that committees were recently redone and he recommends setting a more consistent date, such as the third Wednesday, for example. In the past, committees have met based on need and notices are generally given from the committee chair to each committee member. If this works for the committees, Mr. Scott suggested channeling the meeting notices through Ms. Randle. He asked if the chairs would get hold of Ms. Randle to send out the notices. Commissioner Rhodes asked Ms. Randle to note that the Development and Improvement committee would meet the fourth Wednesday at 3pm at the Housing Authority. Commissioner Jefferson noted that she just wanted to make sure she got notices. Chair Watkins added that she would need to look for something from the Chair of the committees that she serves on.

Chair Watkins noted that the Executive Committee did not meet. CHIG will meet next month.

Public Comments

Commissioner Sykes noted there are several matters occurring at his building, Bethany Towers, which need to be addressed. These issues include security and public safety. The new security camera system does not allow tenants to see who is ringing the bell from their unit. The residents just found this out when it stopped working. Also, the security camera does not cover the lobby area and a concern was highlighted recently. Commissioner Sykes mentioned the lack of fire drills and questioned what the process is in the case of a fire. He indicted the Fire Chief was concerned with issues in the building. The Fire Chief was in the building and received an urgent call that he needed to take outside. When he tried to go outside, someone had placed a bar across the door and he could not get outside. Several days later they agree to have a fire drill, but before they could have the drill there was a significant fire which went through the building. There have still not been notifications put up in regard to what to do in the case of a fire. This has raised the tension the building. Commissioner Sykes has been asked to raise the issue with the cameras and the ability to see who is at the door, and to let tenants know what to do in the case of a fire. He believes there is a feeling that the Housing Authority is not caring about the tenants. The residents want to have a demonstration outside of the building to bring attention

to these matters. Commissioner Sykes suggested he bring the concerns to the Board to be addressed appropriately.

Mr. Scott noted that we can look at the camera system and putting it back in for the tenants to view visitors from their unit. Mr. Shomin noted the contractor is proposing a cost to do this. The contact is still open and can be done with a change order as long as it is not too expensive. Vice-Chair Banks asked if these problems are unique to that building. Commissioner Sykes was not sure, but he believes the fire system problem is not unique to his building. Mr. Scott noted that the buildings are designed to be shelter-in-place. Mrs. Linnell added that the fire department is aware of the system that is in place for fires. She has talked to Mr. Shomin about the cameras. The residents are concerned about not seeing who is at the door at least one other building. She emphasized that residents can still talk to visitors, but cannot see them on the television, as they could before. Commissioner Sykes noted there is still a problem with not seeing what is going on in the lobby. He went over a couple of recent events that happened to him in the lobby. Commissioner Sykes then proceeded to discuss the messages they have received concerning fires in the building. He indicated there are often conflicting messages and tenants do not know what to do. Mr. Scott noted that staff will work with them to get these matters resolved. Vice-Chair Banks noted he would like to know that we are looking at all the buildings. Mr. Scott indicated that our emergency action plan is in place and was presented to the Board. The plan is consistent at all the buildings. Mr. Shomin noted that residents are to shelter-in-place until the fire department arrives. Once the fire department arrives, they get on the PA system and tell the residents what to do. Commissioner Sykes noted that tenants hear conflicting messages when there is a fire and they do not know when they can leave their units until the fire department leaves the building. Mr. Scott said we can look at doing fire drill and correct these problems. Commissioner Barber noted that he had two things to add. He is concerned about the lack of video in the lobby of the building. He heard that Mr. Shomin was looking at adding this back in. His second point was to put it on the agenda to address safety procedures at the buildings.

New Business Consent Items

Vice-Chair Banks asked that the Agency-wide Smoking Policy be pulled for discussion.

Commissioner Rhodes made a motion to approve Consent Item Nos. 3347 and 3349. Commissioner McDonald seconded the motion and the following vote was recorded:

AYES: Banks, Barber, Jefferson, McDonald, Rhodes, Sykes, Tomasic, Warner, Watkins, Wilson

NAYS: None
ABSENT: Breitenstein, Frey
ABSTAIN: None

Motion carried.

Resolution No. 3347, authorizing a collection loss write-off.

This resolution calls for a collection loss write-off in the amount of \$64,299.88. The amount written is summarized by projects.

RESOLUTION NO. 3347—COLLECTION LOSS WRITE-OFFS

Resolution No. 3349, amending the Section 8 Administrative Plan.

Amendments to the Administrative Plan are necessary to comply with HUD regulations and give Housing Authorities the flexibility to administer the Section 8 program. The proposed changes will strengthen and increase the quality of the Section 8 program. Amendments are in chapters 5, 8, 11, 13, 14 and 15.

RESOLUTION NO. 3349—RESOLUTION AMENDING THE SECTION 8 ADMINISTRATIVE PLAN.

Resolution No. 3348, authorizing the implementation of authority-wide Smoking Policy.

Vice-Chair Banks, after reviewing the policy, noted that seven offenses were more than he was accustomed to. He indicated seven chances was not what he as seen to be successful. He went on to say that perhaps we owe current tenants more than we owe someone that signs on after the policy has been implemented. He suggested that someone who moves in after the policy is in force should not be given so many bits of the apple. He also indicated the number of occasions would be an administrative burden on the Housing Authority. Vice-Chair Banks asked are employees supposed to turn in residents and what happens if this does not occur. Mr. Scott noted that we can definitely make some modifications under the time limit. We can say that after January 1, 2018 these tenants won't be afforded the same opportunities. He indicated that we do not want to evict someone because of this new policy, because we understand that smoking is an addiction. We have measures in place to help individuals. Guests that smoke would get only one violation. We could shorten the time with the residents. He indicated the bottom line would be to get support

for our residents. Vice-Chair Banks suggested that seven offenses are excessive. Ms. Linnell explained that part of the rationale goes back to occupancy, as an eviction would affect occupancy. Tenants cannot smoke within 25 feet of the building. This will help us in the long run and there should be fewer fires and it will help with maintenance. We have looked at what other Housing Authorities are doing and they are giving lots of chances, as well. She suggested that looking at this down the road and sharpening it if we need to. We have added \$250 for the sixth offense and this should have an effect on our residents.

Commissioner McDonald understands the reasoning for grandfathering tenants, but she also remembers public buildings going smoke-free and there was no allowance for employees that had worked at the building for a number of years. Vice-Chair Banks indicated he was sensitive this, but he believes that a policy with a definite goal must be communicated in a way the people get the message to what we see as a serious problem. Commissioner Sykes offered that we cannot stop people from smoking weed in the lobby, so to stop smoking in the unit may not be practical, especially since there is no one in the building after hours to enforce the non-smoking policy. He noted that people may want to stop smoking as he did on August 29, 1999; but he smoked many years and tried many different ways to stop. He understands this is a HUD rule designated by the federal government. He suggested having seven occurrences the first six months, and five occurrences the next six months until you get down to zero occurrences. Commissioner Sykes believes the policy will be difficult to enforce especially if the policy is not respected as being enforceable. Vice-Chair Banks noted that the first indication would be if residents engage in smoking cessation. He noted there are other facilities that have non-smoking policies. Mr. Scott noted there was still time to make modifications to the policy. Vice-Chair Banks noted we should look at, what if an employee does not report someone, what happens then. Commissioner Sykes discussed how smoking odors may be present even when someone is smoking 25 feet from the building and comes into their unit. Chair Watkins noted we do still have time, if this is tabled for today, and Mrs. Linnell is in agreement. Mrs. Linnell explained we have 30 days to post any changes. The policy must be ready to go January 1, 2018. Commissioner Wilson noted that the residents at Glanville Towers have indicated they will continue to smoke and spray something after the Housing Authority is closed. Residents think this is a violation of their basic rights and wonder if the government will say that they cannot drink (alcohol) next. He further noted it is very hypocritical of the federal government to penalize a smoker that is addicted to certain chemicals. He wondered why the government would not just ban the manufacture of cigarettes if they are really concerned about the health of the tenants. Commissioner Wilson indicated he smoked for many years, but has since quit. Commissioner Sykes indicated that he told his building this is a federal matter and if you do not want us to follow the policy, we would lose our federal funding and you would lose your subsidy for housing.

Chair Watkins thanked the Board for this discussion and consensus was that Resolution No. 3348 would be tabled.

New Business Discussion Item

Resolution No. 3350, recognizing John P. Biscanin for his work and lifetime service to the Housing Authority, was introduced.

Chairman Watkins noted that we owe a debt of gratitude to *Pat* for his work at the Housing Authority over the years. He then read Resolution No. 3350 in its entirety. Chairman Watkins and Mr. Scott presented Mrs. Draves with a vase and engraved paper weight as a token of admiration and respect that will be delivered to Mr. Biscanin. Chairman Watkins wished Mr. Biscanin all the best in his retirement.

Mr. Biscanin attended this portion of the meeting via Facetime. He offered his appreciation to the Board for what he may have been able to do and participate in. He thanked the people who appointed him, Housing Authority staff, Board members and the citizens of Kansas City/Wyandotte County, Kansas. He commended everyone for their continued service. He showed the Board the emblem on his shirt representing Kansas City, Kansas and Wyandotte County. He noted his appreciation for the vase and that it will be a nice addition to his home.

RESOLUTION NO. 3350—RECOGNIZING JOHN P. BISCANIN FOR INSURMOUNTABLE WORK OF LIFETIME SERVICE AND DEDICATION TO THE HOUSING AUTHORITY OF THE CITY OF KANSAS CITY, KANSAS.

Vice Chair Banks made a motion to adjourn. Commissioner McDonald seconded the motion and the following vote was recorded:

AYES: Banks, Barber, Jefferson, McDonald, Rhodes, Sykes, Tomasic, Warner, Watkins, Wilson

NAYS: None

ABSENT: Breitenstein, Frey

ABSTAIN: None

Motion carried.

Matt Watkins, Chairman

Milton Scott, Executive Director