**MINUTES FROM FEBRUARY 8, 2018 CITY OF BANCROFT CITY COMMISSION MEETING**

The regular scheduled meeting for the City of Bancroft, KY was called to order by Mayor Jeff Magers at 7:00 P.M. on Thursday, February 8, 2018 at Episcopal Church Home. Those present: Mayor Jeff Magers, Commissioner Ed Evers, Commissioner Matt Tungate, Commissioner Rick Rittenhouse, Clerk Shannon Tuthill, Treasurer Arnold Shaikun, Police Chief Anthony Yeager, attorney Terry Boroughs and Arborist Russell Stevens.

**REVIEW MEETING MINUTES:**

Mayor Magers proceeded to review the January meeting minutes. Commissioner Evers made a motion to approve the minutes. Commissioner Rittenhouse seconded, all were in favor and the minutes were approved.

**REPORTS:**

**Clerk**

Clerk Tuthill reported that she has begun work on 2018 Directory and if anyone wants to update their photo please let her know immediately.

Clerk Tuthill once again used personal email address to send out the electronic version of the newsletter. Also sent it from the city email address.

Clerk Tuthill reported still working on changing the city’s mailing address everywhere possible. Some of the insurance companies contacted last quarter continue to send to wrong address so she has begun making phone calls as a follow up to email and mail.

Clerk Tuthill completed the LAGIT survey for our insurance policy for the upcoming fiscal year.

Clerk Tuthill is still having trouble collecting property tax from the estate of Edward Churchill. His daughter Phyllis Myers mailed a check for $200 and asked to send a check once a month until it is paid. She was advised that interest would be added.

**Mayor’s Report**

Mayor Magers reported Kentucky League of Cities emailed that they will be sending insurance notices on February 9 for our workers compensation insurance policy.

**City Maintenance**

Commissioner Borders reported that he contacted Matt Meiners about two potholes and they should be repaired. There is a fence post broken on Bancroft Lane. Mayor Magers said to contact Okolona Fence for an estimate to repair. For the completion of the street sign project, Commissioner Borders asked that a check be written for $3724.50 for the final balance. Mayor Magers said if the work we agreed to has been completed we need to pay the balance. If anyone is unhappy with the current signs or needs to add any this could be placed on agenda and included in budget. Commissioner Evers would like to see a separate sign for the courts at the end of Maria and this needs to be an agenda item for March.

**Communication and Public Outreach**

Commissioner Tungate had nothing new to report.

**Public Services**

Commissioner Rittenhouse asked about the change in Rumpke picking up yard debris every Monday. Clerk reported she called Rumpke and they said yes will pick up every week.

**Police Department**

Chief Yeager submitted his reported. He added that he has had to deal with two different parking issues. One on Maria last year there was a car permanently parked on street. Clerk received emails complaining about cars left parked on Glen Arbor all weekend long. Chief left information on the vehicle with our ordinance and saying that it could be towed. One resident called Commissioner Rittenhouse complaining about something being stuck on their car and said she has been moving her vehicle every 24 hours. A new rental house next door to that one is also parking a very large van on street. Chief also put informational warning on vehicle that it could be towed if left more than 24 hours. Also, a large SUV left parked on street. We have received further emails from residence that they are not happy with the ordinance and would like it changed so that no cars are parked on street. No action is pending for changing the parking ordinance.

**Finance and Administration**

Commissioner Evers gave everyone information on the current budget and about the planning of next year’s budget. He asked that next month everyone bring rough numbers so that he can then come back in April with a proposed budget.

**OLD BUSINESS**

1. **Update on City of Louisville lawsuit against the City of Bancroft, all cities in Jefferson County, and the Jefferson County League of Cities relating to HB 246 (Waste Management).**

Attorney Terry Burroughs brought copies of all the notices of appeal that have been received. Metro did not anticipate appealing, but they did. The Jefferson County League of Cities appealed thinking that the issue should go to the Court of Appeals. The notice of appeal does not give exact reason for appeal. Louisville Metro has not yet filed a counterappeal and today should be the deadline. The Jefferson County League of Cities will be writing the briefs and our attorneys will file “me too” brief to ensure Bancroft will be covered.

Mayor Magers reported that he went to the Jefferson County League of Cities meeting and Mayor Dieruf said they filed a notice of appeal to give them time to decide what course to take.

Mayor Magers explained that we filed an appeal to protect our interest in case the Jefferson County League of Cities takes a legal approach to the appeal that is not in the best interests of the City of Bancroft.

**NEW BUSINESS**

1. **Proposed addendum to the Google Fiber Uniform Franchise Agreement**

Attorney Burroughs explained that as a city we need to decide if we want to independently negotiate a communications franschise agreement with fiber optic cable providers or use the previously signed communications franschise agreement with the proposed addendum presented by Louisville Metro and the Jefferson League of Cities. Part of the negotiation is whether or not to accept a standard 3% franchise fee, negotiate for a higher percentage, up to 5%, This way we will be able to get franchise fees for allowing the fibers in our city or we can wait for Louisville Metro to revise the communications franchise ordinance for communication tack on to that agreement. We can establish our own 3 to 5% rate for franchise fees under our own contract but we would then be cutting off our ability to obtain our fair share of the state communications franschise funds in the future like we do now. We need to be cautious about negotiating a specific rate, since the fair share from the state may be higher than separately accessing fees from communication companies.

The Google contract was never signed by Google. Mayoe Magers reported from the JCLC meeting that Google disclosed this entire fiscal year they had laid fiber cable in Newburg, Portland and Strathmoor. Google said they are laying cable in micro trenchs, 2 to 4 inches down and about an inch wide in the road to lay cable with a protectective substance they developed to cover the micro terench to protect the cable. The proposed addendum to the Google Fiber franchise agreement provides for this micro trenching and 3% franchise fee. JCLC and Google stated we are not required to accept the conditions of the addendum but we would have to negotiate with Googel for changes. We are not required to allow micro trenching or the 35 franchise fee. These are negotiable items with Google; however, the Google representative said alternate methods of laying fiber optic cable in the ground would be more destructive to the neighborhood easements than micro trenching is to the roads and more expensive.

Attorney Burroughs recommended having someone investigate micro trenching and the pros and cons. This way we can do our due diligence while we have time. This is now our decision independently of the other cities and we can negotiate on our own if we choose.

It is our understanding that if we opt for 3% agreement then we would get that money only for each resident that pays for the service. Our attorney will continue to monitor developments on the proposed revisions to the Louisville Metro communication franchise ordinance.

**2. Discussion of arborist proposed tree maintenance plan for Bancroft Lane.**

Arborist Russell Stevens attended meeting, at the invitation of Commissioner Borders, to speak about the health of the trees on Bancroft Lane. He was previously an arborist for the City of Louisville and he treated our trees last year. There are 8 ash trees with 3 having considerable damage. The option for these trees is to treat them every two years for ash borer or we can cut them down. We could use the Louisville Metro contract they have with Bob Ray for tree removal. Mr. Stevens explained that he does not do tree removal, but he plants and maintains trees.

If we remove the trees he would replant with something like oak trees that are hardy and will last a long time. One option is budget for removing the worst ones this year. Not treat the existing ones at all and remove them in the following year budget.

There are 66 trees on Bancroft Lane, the ash trees are more localized toward Old Salem so if all eight trees are removed at once it will not be devastating to the canopy of the lane. We would also immediately replace with new trees. It was also suggested that if we remove the largest trees and keep the smaller ones it will not cost as much to treat.

Mayor Magers would like to meet with Mr. Stevens on Bancroft Lane to look at the trees that possibly need to be removed. We will place on agenda to discuss at the next meeting.

Commissioner Evers made a motion to adjourn the meeting and Commissioner Borders seconded. All in favor and the meeting was adjourned at 9:10 pm.

\_*/s/ Jeff Magers*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_*/s/ Shannon Tuthill*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor City Clerk