

## **MINUTES FROM JANUARY 10, 2019 BANCROFT 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, January 10, 2019 at Episcopal Church Home. Those present: Mayor Jeff Magers, Commissioner Jaimie Schapker, Commissioner Mike Borders, Commissioner Paul Chumbley, Clerk Shannon Tuthill, Treasurer Arnold Shaikun, Police Chief Anthony Yeager, City Engineer Chuck Woods, and city attorney Richard Schiller. Residents John and Yvonne Boyd and resident Aaron Horner. Absent: Commissioner Ed Evers.

### **REVIEW MEETING MINUTES:**

Mayor Magers proceeded to review the December meeting minutes. Commissioner Chumbley made a motion to approve the minutes. Commissioner Schapker seconded. All in favor and the minutes were approved.

### **REPORTS:**

#### **Clerk**

Clerk Tuthill reported that all property taxes have now been paid. The owner of the rental home on Wesleyan Place recently mailed a check with the discounted tax amount because he said his address changed and we sent the notice to the wrong address. Clerk spoke to the owner on the phone and explained that we sent the tax bill to the address on record with the PVA and they should have been notified if the owner's address changed. Clerk also informed him that she did not have authority to authorize payment of the discounted amount since it was the end of December, but that he should go ahead and send payment and the commission would be informed of the situation. The house is for sale and apparently is now under contract because Clerk was contacted today by a title company wanting tax information. They were advised of the delinquent amount.

Clerk Tuthill also reported that she has continued to store year end documents in plastic bins and placed in basement. She reviewed a few options for online storage, but will report on this in the new business.

A letter was mailed to the board of elections notifying them of the filled vacancies on the commission and of the need for a 2019 election.

City Officials Update form is almost complete, we just need total revenue and expenditures completed by Treasurer and will be sent in by due date.

#### **Mayor's Report**

Mayor Magers reported that he received a notice from Charter Communications that WGN America is no longer on Spectrum because they did not agree on fees. Also, received an email from a resident with the suggestion that we have a mailbox program to have all mailboxes uniform throughout the city. He said he did not feel that is possible. It was suggested that we place a request in newsletter and ask people to freshen up their mailboxes as many need repairs. Possibly could we add to nuisance ordinance to keep mailboxes maintained as part of property. There is a reminder on USPS website about mailbox maintenance we could use their wording and place this in newsletter.

Mayor sent everyone a financial interest statement to be completed and given to clerk as custodian of records. Also, he gave everyone an open records acknowledgement form to be completed, signed and given to clerk. Mayor Magers will send acknowledgement to attorney general of receipt of them by the end of February.

## **OLD BUSINESS**

### **1. Discussion of creating a new ordinance related to rental property in Bancroft**

Attorney Schiller researched the Louisville Metro Ordinances regarding rental property. Most small cities pattern their rental property ordinances after the Louisville Metro Ordinance. Attorney Schiller created a draft ordinance for commission review that contains a permit requirement, registration, and a fee, all that would sent to city clerk. Questions were raised about requiring a local agent be designated by the home owner to insure property is maintained, when the home owner does not live in the Louisville Metro area. An application form would need to be developed for the home owner to complete, including a checklist to be completed as part of the rental permit request. Commissioners were asked to send their suggestions for the rental ordinance to Mayor Magers, including suggestion for the application. Attorney Schiller said the basis for such an ordinance must be rooted in safety issues, for example, currently we do not know who is occupying rental properties in Bancroft. A question was raised over whether this would apply to short term rentals as well. Ideally, it would, but that may be difficult to maintain. We will continue to work on the wording of a potential ordinance and creating a form for the permit application on the city website. Could we check with regard to whether on sex offender register? The answer was no. Chief asked if the ordinance could require a homeowner to run a background check on a potential renter.

### **2. City Engineers Report on Repaving Costs**

City Engineer Chuck Woods introduced himself to the new commission. He is a licensed engineer in five states and has been a Bancroft resident for over 30 years. He was asked by Mayor to review city streets and give opinion on when we need to repair/pave. Surveyed all streets last summer and prepared a report to be filed with city clerk. Mr. Woods proceeded to review his report. There are 17 named streets with most having curb and gutters. Almost three miles of roadway. He indicated the streets are in pretty good shape, no huge problems but the streets are definitely worn. Some concrete curb and gutters do need repair. He asked two contractors to give rough estimates for repaving even though we are not ready to do yet. Estimates were about \$250,000 to \$380,000. He thinks we need to budget \$400,000 to repave city streets in the next few years. He reminded that it has to be done in warm weather. The road funds and reserves can cover the cost without depleting the reserve funds. The decision on when to repave the roads was delayed until the February meeting.

## **NEW BUSINESS**

### **1. Appointment of a commissioner as Mayor Pro Tem**

In the past this has been the most senior member on the commission. This would be Ed Evers that has been on the commission the longest. Mayor Magers made a motion to nominate Ed Evers as Mayor Pro Tem, Commissioner Borders seconded. All in favor and the motion passed unanimously.

### **2. Discussion of potential changes to the nuisance ordinance**

Attorney Schiller reviewed existing nuisance ordinance and compared to those of other cities. He thinks ours is better than, as it is fairly specific but there are several catch-all elements in the ordinance that addresses things that interfere with comfortable enjoyment of life by city residents. A broader ordinance makes it more difficult to enforce.

Residents John Boyd noted they are here specifically because of trouble with tents being allowed. They have one on the property next to them that is heated and lighted. They feel this is used as an extension of the residence. They feel what needs to be addressed is what is the definition of a residence? Mr. Boyd



addressed they need to better enforce our ordinances, we have yards that are not being maintained, a home on Greenlawn with no front steps that has not been repaired. Question is what can we enforce? Referenced Ordinance 150.03(E) no mobile home, tent or outbuilding on the property shall be used as residence. Attorney said we can create a new ordinance that says tents are not allowed for a certain period of time. Mayor Magers indicated current ordinances are being enforced by Chief Yeager where the wording of the ordinances allows for lawful enforcement. The nuisance ordinance is vague on some issues making enforcement difficult for all things residents want enforced. Vague ordinances are unenforceable. That was the reason for addressing potential revisions to the ordinance to make it more enforcement as a means to improve residents' quality of life.

Mr. Boyd also offered to head up a committee of volunteers to help residents who cannot maintain their property to offer help.

Commissioner Borders listed four things where ordinances are not adequate, grass and leaves, tents, incomplete construction projects, trees that might fall in roadway.

Attorney Schiller asked that we add these four things specifically to the nuisance ordinance and make them enforceable.

Resident Horner asked that requiring removal of tree stumps be added to the ordinance. Also, he thought that a definition of tents should include temporary dwellings, structures.

Attorney Schiller will work on a draft of the ordinance with the suggestions and bring back to review.

Commissioner Schapker asked about putting information on website and Facebook on where to go if you have an issue or concern.

### 3. Storage unit for city documents and cloud storage for city electronic records

Mayor Magers did research on cloud storage for city computers. PC Magazine editor's choice gave recommendations one was iDrive, True Image, SOS backup. They have different options: personal user and business use. Mayor Magers indicated he used iDrive for his personal computer work. PC Magazine listed iDrive as the preferred choice.


Commissioner Chumbley suggested using a local company to manage our file storage for us.

Clerk Tuthill received pricing on the closest rental storage facility for city records. It is located in Lyndon and the small, climate-controlled units start at a rate of \$67.00 per month. She will bring more information with sizes and prices for next meeting.

Commissioner Borders made a motion to adjourn the meeting and Commissioner Chumbley seconded. All in favor and the meeting was adjourned at 9:29 pm.



Mayor



City Clerk