

MINUTES FROM AUGUST 11, 2016 BANCROFT MEETING

The regular scheduled meeting for the City of Bancroft, KY was called to order by Mayor Jeff Magers at 7:02 P.M. on Thursday, August 11, 2016 at Episcopal Church Home. Those present: Mayor Jeff Magers, Commissioner Mary Jude Constable, Commissioner Matt Tungate, Commissioner Ed Evers, Commissioner Bryan Berman, Treasurer Arnold Shaikun, Clerk Shannon Tuthill, Police Chief Anthony Yeager and Attorney Noel Halpin.

Mayor Magers proceeded to review the July meeting minutes. Commissioner Tungate made a motion to approve the minutes. Commissioner Constable seconded, all were in favor and the minutes were approved.

REPORTS:

Clerk

Clerk Tuthill reported she sent a welcome letter to new residents on Greenlawn, the Guinns. But believes others have moved into the city but they haven't contacted her. Also received a letter from the Department of Revenue with a form to complete giving them our new tax rate. I can fill this out and return but Mayor may want to review.

She had her son deliver the newsletters for this month and we need to decide who is going to be the regular delivery person as our delivery person has decided she no longer wants to do it. Clerk had nothing further to report that is not later on the Agenda.

City Maintenance

Commissioner Berman had nothing new to report.

Mayor asked Chief Yeager about viewing the video of Maria Avenue taken before MSD work began to see if there is buckling from the work. Mayor Magers indicated we may have a reasonable case to file a claim. Chief Yeager stated if you view the video and see the crack before it is his belief that they will not want to pay our claim. Commissioner Berman said he walked to the end of Maria and said the MSD work looks complete. Chief Yeager said they still need to repair two driveways that they stated in a past meeting they would repair.

Commissioner Tungate said we should ask our city engineer Chuck Wood to take a look at the damage. Mayor Magers suggested that we have Commissioner Berman meet with Mr. Wood and give us an assessment at the September meeting about the condition of the roads and make a decision at that point whether to file a claim. Clerk Tuthill will place this on the agenda for next month to discuss whether or not to make a claim to MSD about damage to our roads.

Communication and Public Outreach

Commissioner Tungate reported that we have now the housewatch form on our website. Chief Yeager can receive the emails from there. He asked that we add in next newsletter that the form is available on the website.

Commissioner Tungate suggested we create another form on the website where residents can go in and update their contact information for the directory.

Chief Yeager said to add in newsletter that you should contact the clerk with any updated phone numbers because sometimes he may need to reach you in an emergency and many residents do not have current numbers available.

Mayor Magers suggested that we establish a database of emergency numbers as a way to contact people that would not be published in newsletter. This would be voluntary.

Commissioner Tungate wanted to add that Commissioner Constable has been very helpful with making phone calls to plan the city picnic. She has taken charge of planning and he appreciates her assistance. We will advertise the city picnic again in the September newsletter.

Public Services

Commissioner Constable had nothing new to report.

Police Department

Mayor Magers asked if everyone was able to review Chief Yeagers report and if so it did not need to be read.

Regarding the police report related to code enforcement. We did receive a request from AT&T to obtain a permit for solicitation. As Attorney Schiller stated last month our ordinance does not completely prohibit solicitation if a permit is required and all steps are followed.

Mayor Magers had Clerk Tuthill send an email to AT&T stating Ordinance 110.04 that outlines the application procedure and the many steps that must be followed. We have not yet heard back from anyone at AT&T. But Ordinance 110.06 states many reasons for denial and AT&T has previously received a warning for soliciting without a permit, so that could be reason to denial their request.

Chief Yeager suggests if we receive a request that we should first go through his log sheets and find out how many times they have attempted to solicit without a permit.

Mayor Magers said he feels some or most residents believe that there is no solicitation under any circumstances. When we issue permits for solicitation, we will need to educate residents about the permit process that allows for solicitation.

Mayor Magers noted that Attorney Schiller did send a letter to Vivint Alarm to cease and desist their solicitation without a permit.

Fence Complaint

Mayor Magers said we received a complaint regarding a fence at the corner of Old Salem and Stayton. Chief Yeager said he viewed the fence and then reviewed our ordinance 150.03(H) and

it is not a connected fence but an L-shape set up for privacy. There are many fences like this in the city.

Mayor Magers said enforcement of the fence ordinance may be difficult since there is no definitions of closed and open fences in our ordinances. He looked at other city ordinances and some specify open fence where there is space in-between them. Mayor Magers indicated was that this fence was at the rear of the house and incompliance with the ordinance.

Mayor Magers said we had several options regarding existing fences that we built without permits: 1) Require permits after the fact, 2) Grandfather in existing fences, 3) Re-write the ordinance to be more specific about definitions of open and closed fences.

Another angle would be to allow the fence because of the unambiguous language of the ordinance.

Commissioner Tungate added that our protocol is to have our code enforcement officer, Chief Yeager, examine the fence, which he did. His report indicates the fence does not violate the city ordinance.

Mayor Magers suggested updating the ordinance to include clearer language and specific definitions.

It will be placed on agenda for September to decide what to do regarding fences.

Mayor Magers said there was an anonymous complaint regarding two unkempt yards on Tavener. Chief Yeager checked on the complaints and said they were minor. Mayor Magers wanted to let everyone know in case they receive similar complaints.

Finance and Administration

Commissioner Evers asked to make sure the Fifth Third Securities account has been set up and money deposited. Clerk has received statements that these accounts are established and she will scan and email this information to Commissioner Evers and Treasurer Shaikun.

Commissioner Tungate asked that Clerk Tuthill print out copies of the financial statements to bring to meeting in case anyone present needs a copy to view.

Commissioner Tungate raised question regarding the money deposited into police fund every quarter. Where is it coming from and why is it budgeted monthly instead of quarterly when it is received. Treasurer Shaikun said he could make that change in the budget report.

IN OLD BUSINESS:

American Legal fees for providing link to Ordinances on City Website.

Commissioner Tungate said the analytics for the website shows that when people click on the ordinance link they are there approximately nine minutes.

Commissioner Evers moved that we continue our subscription with American Legal to post link to Ordinances on website at a cost of \$400. Commissioner Constable seconded. All in favor and the motion passed unanimously.

Commissioner Berman added that having the American Legal web links was one of the reasons for establishing a website so that people could easily access the city ordinances.

IN NEW BUSINESS:

Amendment of Tax Ordinance

Clerk received an email from PVA that our due date for taxes was missing and they told us we could not print tax roll without a revised ordinance with due date.

City Attorney Halprin advised this is a non-substantive change so we can just make the correction and advise residents of the change.

The amended ordinance will be sent to all residents along with the tax bills.

Purchase of New Police Computer

Mayor Magers does not yet have a report on this. Place on new business for agenda for next month.

Commissioner Evers made a motion to adjourn the meeting and Commissioner Berman seconded. The meeting was adjourned at 8:35 pm.

/s/ Jeff Magers

Mayor

/s/ Shannon Tuthill

City Clerk