

MINUTES FROM JANUARY 12, 2017 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 12, 2017 at Episcopal Church Home. Those present: Mayor Jeff Magers, Commissioner Matt Tungate, Commissioner Ed Evers, Treasurer Arnold Shaikun, Clerk Shannon Tuthill, Police Chief Anthony Yeager, Attorney Noel Halpin, and residents Mike Borders and Rick Rittenhouse.

Mayor Magers asked to change the order of the meeting because of the urgent need to fill the two vacancies on the city commission. The commission proceeded to interview the two candidates for city commission, Residents Mike Borders and Rick Rittenhouse.

NEW BUSINESS:

1. Interview and appoint commissioners to fill vacancies for 2017.

Resident Mike Borders introduced by Mayor Magers. His bio has been submitted and the commission has had a chance to review it. Resident Rick Rittenhouse also introduced. Mayor explained there are two open seats on commission. This appointment will be for one year. Each commissioner has a department. The two open departments are maintenance and public services.

Mr. Borders talked about being a long-time resident of Bancroft, approximately 25 years. He has raised concerns in the past about landscaping needing improvement and also does not want to see the city decline. Mayor Magers asked if he has ever held an office before. Mr. Borders answered that he was chairman of the board at a church. Mayor Magers inquired and confirmed there is no reason Mr. Borders could not hold a public office in Kentucky.

Mr. Rittenhouse said he also saw that there was a need in the city and he is happy to fill it. He has experience working with many mechanical contractors and in steel work. Main motivation is to fill the spot, learn the job and do the best job he can. He feels his experience is diverse and looks to solve problems as needed. Mr. Rittenhouse is currently our ethics officer and has been on a safety committee in the past. Mayor Magers explained department of public services is responsible for negotiating new contract with garbage collection company. Also works on franchise agreements as they come up.

Mayor Magers explained that the maintenance department takes care of anything regarding beautification and if a tree falls or street signs are down and other matters like this.

Commissioner Tungate asked how long Rittenhouse has lived in city and he said since 2000 so at least 16 years. Commissioner Tungate asked it be clarified in the minutes that we have opened this commission up to all types of various constituencies within residents of the city.

Commissioner Evers moved that we appoint Michael Borders to position of commissioner. Commissioner Tungate seconded. Three were in favor, none opposed and the motion passed.

Commissioner Tungate moved that we appoint Rick Rittenhouse to position of commissioner. Commissioner Evers seconded. Three were in favor, and none opposed and the motion passed.

Clerk Tuthill as a notary public proceeded to swear in Mr. Rittenhouse and Mr. Borders as Commissioners for the City of Bancroft.

2. Re-Appointment of Ethics Officer for 2017

The commission recognized that we are now in need of an ethics officer. If anyone knows of someone that would be willing to serve. We should have someone ready at the next meeting.

3. Appointment of a commissioner as Mayor Pro Tem

Mayor Magers made a motion to appoint Commissioner Matt Tungate as Mayor Pro Tem. Commissioner Evers seconded. All were in favor and the motion passed unanimously.

REVIEW MEETING MINUTES:

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

REPORTS:

Clerk

Clerk Tuthill reported that the W2s and other year-end payroll taxes have been completed. Quarterly reports and surveys have also been completed and submitted as needed. We only have two residents that have not paid taxes and attempts have been made to contact them again with one stating they are mailing a check this week. Not able to reach other resident. Clerk Tuthill will send a certified letter.

We had an issue this month with the new gas card company for the police vehicle. The address they were sending our statements to was incorrect and we had not paid for two months. Clerk mailed them a check as soon as she was contacted. When they did not receive it for a week they said the account would be suspended until payment was made. Clerk Tuthill paid the bill by telephone with a funds transfer from checking account. The next day they received our check and this resulted in a double payment of \$823.00. Instead of requesting a refund this will go toward the next couple of months for gas.

Clerk Tuthill reported that she needs to complete the 2017 City Officials Update Form by the end of the month but was waiting to find out if we had any new commissioners. Mayor Magers added that Clerk Tuthill needs to notify the Board of Elections of our two new commissioners. By doing so this will inform them we will need a special election in November 2017 for the two commissioner positions.

Chief Yeager and Mayor Magers asked that clerk go to post office to fill out change of address for the city and police department once again.

Mayor Magers reported that the GSA rate for mileage reimbursement is \$0.535 per mile.

City Maintenance

Mayor Magers reported that the cul-de-sacs improvements are now completed. Commissioner Borders will review the plan to make sure everything was completed as we had agreed. Clerk Tuthill will send the information to Commissioner Borders.

On Tavener a resident had trouble with drainage in a storm drain. Mayor Magers informed the resident to contact MSD and it was taken care of.

Communication and Public Outreach

Commissioner Tungate had nothing new to report. He added that his suggestion would be that everyone come up with their big agenda items for the year. This is information we can get out to the residents in advance.

Public Services

Mayor Magers reported that Bryan Berman inquired about rear door pick-up service from Rumpke. He sent an email message to Mayor Magers with the information indicating the charges for such service if it were added to the 2017-2018 contract.

Police Department

Mayor Magers asked if everyone was able to review Chief Yeager's report. There were no questions or comments.

Chief Yeager has been approved for his 40-hour training with the state. Chief will take sexual assault training in Elizabethtown in lieu of the standard chiefs training. A new state law requires police agencies to send someone to receive this training within the next two years.

Chief Yeager has sent out a list on specifications for a new police vehicle. Chief and Mayor will gather some options for commission to review and budget for new fiscal year.

Finance and Administration

Commissioner Evers reported that he is now a signature on our PNC accounts. Treasurer contacted him on Fifth Third CD's that were expiring January 3. Research was done and it was decided that we will renew with an 18 month CD at .75%.

Regarding the new budget he is planning to have the budget by June meeting. He will need everyone to give their budget numbers by March meeting. So he can have prepared by April meeting.

IN OLD BUSINESS:

1. **Discussion of change in Ordinance 150.03 relating to adding a penalty section for prohibited parking of recreational vehicles and trailers on city streets.**

Attorney Halpin does not yet have an ordinance ready to present because he felt there was more to be added. There was not a consensus at the last meeting.

Commissioner Borders asked if we could look at other city's ordinances to compare with ours and use their wording. What we are trying to accomplish is that there is some type of penalty for not complying with our ordinance.

Mayor Magers said we need to do more work on this. When we know how we want it worded then we will give to attorney to prepare. Attorney Halpin's recommendation is to go with version 1 of a previously suggested revision to the parking ordinance.

A question was raised that if boat or trailer was not visible would there be justification to write a citation. Ordinance needs to reflect this.

Commissioner Evers made a motion to have attorney prepare a proposed ordinance as discussed in version 1 with wording to address the commissions concerns regarding visibility. Commissioner Borders seconded. All in favor and motion passed unanimously.

2. Discussion of bid process for waste collection contract for 2017/2018

Commissioner Rittenhouse had to leave the meeting at 7:40 because of an appointment. Clerk Tuthill will check the Rumpke file to see if we have prior bid information and send to Commissioner Evers to review. It was noted that our city attorney should also have a record of this bid and Attorney Halpin will check their files and send a copy Commissioner Evers.

We need to have this information ready prior to the June 2017 meeting.

3. Schiller, Barnes & Maloney, PLLC agreement for legal services to the City Commission for 2017

Noel Halpin sent us a letter setting out the legal terms for services for the new year. There is a new hourly rate of \$210.00 an hour. In prior years there was a flat fee of \$3400 for meeting attendance for the year. If we continue with their services they will bill us the hourly rate of \$210.00 for attending the commission meetings. Question was raised by commissioner Borders as to whether we need an attorney present at every meeting for entire meeting. Mayor Magers said that at every meeting he has attended some question comes up that we need the attorney for legal advice.

Attorney Halpin explained that their prior hourly rate for the City of Bancroft was \$190 a year. He feels that the increase to \$210.00 is a reasonable increase and that an hourly rate is easier and more common. That way the city is only paying for legal services as needed.

Commissioner Borders asked whether it makes sense to have attorney present for entire meeting. There are portions of the meeting that are routine and may not be needed. Attorney Halpin said that that would be up to the commission. We could review agenda prior to meeting and see if needed.

Commissioner Tungate stated we do need our city attorney here to make sure we are complying with the laws that we may not be aware of. He feels we need to review the services periodically to make sure we are getting the best rate. Possibly this is the time to review it.

Attorney Halpin said regarding the fiscal year budget issue. The firm will be flexible to insure that we do not go over budget with the new rate.

Mayor Magers said we have six months to decide what we want to do before the next fiscal year 17/18.

Commissioner Tungate made a motion to have attorney attend every meeting at 7:30 until the end of meeting unless given advance notice that his attendance is not needed and that this is the policy through June 2017. Mayor Magers seconded the motion. Commissioner Tungate suggested we then watch over the next months if we really need attorney here and possibly at that time change our policy.

Commissioner Borders amended motion to say instead of until end of meeting to stay until all legal matters have been discussed. Commissioner Evers seconded. All in favor and the amended motion passed unanimously.

Chief Yeager added he has been in law enforcement since 1984 and has seen many cities get into trouble and believes we do need an attorney at every meeting.

Mayor Magers wanted to add that regarding the complaints about the mail being delivered late, this has been resolved.

Mayor Magers reported he has attended the three-hour City Officials Orientation Course in Louisville in January. He will provide the information from that course to the new commissioners. Commissioner Evers is currently attending the full three-day City Officials Academy course in Lexington presented by the Kentucky League of Cities.

Commissioner Evers made a motion to adjourn the meeting and Commissioner Tungate seconded. The meeting was adjourned at 9:23 pm.

/s/ Jeff Magers
Mayor

/s/ Shannon Tuthill
City Clerk