

## **MINUTES FROM MAY 12, 2016 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, May 12, 2016 at Episcopal Church Home. Those present: Mayor Jeff Magers, Commissioner Mary Jude Constable, Commissioner Matt Tungate, Commissioner Bryan Berman, Commissioner Ed Evers, Treasurer Arnold Shaikun, Clerk Shannon Tuthill, Police Chief Anthony Yeager, Attorney Katherine Dozier. residents Rick Rittenhouse and Ken Whiteley.

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

### **ETHICS ENFORCEMENT OFFICER**

Mayor Magers introduced Rick Rittenhouse as a resident interested in being appointed as the city's Ethics Enforcement Agent through the end of the year. Mayor Magers made a motion to appoint Rick Rittenhouse as the Ethics Enforcement Officer. Ed Evers seconded the motion, all in favor and the motion passed.

Mr. Rittenhouse addressed the commission to tell them about himself. He has been a resident of city since 2000 and has formerly been part of the city's ad hoc Safety Committee several years ago. Currently, Mr. Rittenhouse is not employed so he has no other obligations. There were no questions.

Mayor Magers gave Mr. Rittenhouse a copy of the city ordinances. He noted that Chapter 37 relates to Ethics Enforcement Agent.

### **DAMAGE TO HOMES FROM MSD WORK**

Mayor Magers introduced resident Ken Whiteley regarding damages to his home from the MSD work. Mr. Whiteley requested that the commission place something in the newsletter asking for other residents to express if they have issues with damage to their homes from MSD. Mr. Whiteley said his damages are approximately \$5000 and he offered to settle with MSD for this amount. He knows there are others residents with damage to their homes that they don't know what to do with. Mentioned an 80+ year-old resident that has over \$8000 in damage and cannot afford to pay for repairs. He further requests that a letter or newsletter be put out to residents to say if you have had a problem with MSD come to the next city meeting to discuss. He presented a copy of the letter sent to Joseph Bentley at MSD for everyone to review. Stated that June Embers is the person at MSD to contact regarding claims.

Mayor Magers received a call from Angela Leet councilwoman and our local representative and invited Mayor to next quarterly meeting with all local mayors. Mayor said he will attend the meeting and discuss the MSD situation.

Commissioner Tungate suggested we place on the website that residents with damage from the MSD project damage should attend the June meeting. It was added that the city does have a

vested interest. If the repairs are not made because homeowners cannot afford it, there is the potential for reduced property values, and subsequent reduced tax revenue.

Attorney Dozier stated we should publish the letter received from MSD saying who we should contact for a claim. If we do not currently have a letter then we should ask MSD for one that we can publish. We should not tell residents from Bancroft how to make claim but rather it should come directly from MSD because we would not want them coming back on City of Bancroft if they are not satisfied with result.

Attorney Dozier added that the best situation is to have MSD attend the next meeting and explain the claims process and publish this in newsletter.

Regarding damage to the City of Bancroft, there appears to be street damage on Maria Avenue and Greenlawn Avenue due to MSD blasting.

## **REPORTS:**

### **Clerk**

Clerk Tuthill reported that the City Directory has finally been delivered. She met with Commissioner Tungate briefly to learn how to use the website, but it went slowly and another training session will be necessary. She had nothing further to report.

Attorney Dozier advised that we overpaid an invoice to her law firm in the amount of \$837.00 and they will be sending us a refund check. Commissioner Tungate raised a question how to reconcile that the bills received are correct and we are not overpaying any invoices in the future. Mayor Magers said we should have Clerk Tuthill and Treasurer Shaikun review the system for insuring check amounts are correct and overpayments do not occur. It was explained that we already have a system in place where Mayor reviews checks after they are signed by both the clerk and treasurer.

### **City Maintenance**

Commissioner Berman reported the fence on Bancroft Lane has been power washed. He has had a few calls regarding lights being out and has contacted LG&E.

Commissioner Tungate reported that the pothole on Hollen is back and the patch did not hold. Chief Yeager said it was patched in cold weather because it had become dangerous but now that it is warm we should do a proper patch.

Commissioner Berman will reach out to Louisville Metro as well because in the past there was a problem also on Keisler and they came out and repaired it. This pothole is both in Bancroft and in Metro so they should repair.

### **Communication and Public Outreach**

Commissioner Tungate reported that he corrected the spelling of Commissioer Evers name on city website. He worked with Clerk Tuthill on renewing the URLs with GoDaddy by setting up

an automatic deduction from the city checking account. The deductions from checking account will have one corrected as we were overcharged. This will be reflected in next month's financial report.

The City of Bancroft website is working well and Commissioner Tungate will look into how much web traffic we are actually getting on website.

Everyone was reminded that the city-wide yard sale is June 11 and Clerk Tuthill will place ad in Courier Journal to advertise the event.

### **Public Services**

Commissioner Constable had nothing new to report.

Mayor Magers said Rumpke contacted him and said that they did not have a signed addendum to current contract. Clerk Tuthill has a copy of signed contract and will forward to Rumpke.

### **Police Department**

Chief Yeager provided the following written report for the month of April. There were 163 patrols of the city. There were 162 Radar/Traffic zones set up for high Police visibility. There were 40 visits to resident's homes for our "House Watch" program. There were 17 traffic stops. There were 0 solicitors stopped. There were 14 warnings issued. There were 3 state citations issued. I backed up Graymoor Police on a break-in alarm at Arrowhead Lane. I went to check a suspicious person in a Gold Toyota Camry and he took off at a high rate speed before I could get the police car turned around. No pursuit. I backed up Graymoor Police on a break-in alarm on Bancroft Lane (the house is actually in Old Brownsboro). I backed up the Graymoor Police on Mooredale on a domestic.

There were no questions.

Chief Yeager advised the commission of a suspected burglar in Gold 1999 Toyota Camry Franklin County plates. If you see someone out of place call 911. He informed the commission that the highest potential times for crimes such as burglary are between 10 am and 3 pm. Mayor Magers added that in recent months the Louisville Metro crime map has no reported crime for our city and the immediate area.

Chief Yeager received a copy of a letter sent to Louisville Metro Police from the Seventh Day Adventist Church. The letter indicated church members would be going door to door between April and December of this year. Commissioners were reminded that our "no solicitation" ordinance does not apply to religious organizations.

### **Finance and Administration**

Commissioner Evers reported that he has been studying City Officials Handbook regarding budget preparation process. The budget must be passed in June and he has been working on completion of the budget ordinance with input from the commissioners.

**OLD BUSINESS:**

**Google Fiber Update**

Mayor Magers reported Louisville Metro and the Jefferson County League of Cities were still working on the 1 GB Uniform Franchise Agreement. It is taking longer than expected but should be ready soon. Another Jefferson County League of Cities meeting is scheduled for May 19 and more information will be available then.

**NEW BUSINESS:**

**1. Discussion of 2016/2017 Budget First Reading**

Commissioner Evers reported that he was still working on the budget ordinance for 2016/2017. Departments have submitted their numbers but we do not have the tax rate calculated, which is necessary to prepare the ordinance. Commissioner Tungate asked what would entail a first reading and could we discuss the budget and still having a reading at this meeting. Attorney Dozier advised we can make changes at the first reading but would have to have budget finalized for second reading.

Commissioner Tungate stated he felt that unless we know of some extraordinary expense there should be no need to raise our tax rate.

Mayor Magers said for example in the police department we budgeted last year to include gas at up to \$4.00 a gallon. Gasoline prices went down so we had money left in the budget but we must budget gasoline expenses based on a potentially much higher per gallon price.

Attorney Dozier advised that the meeting agenda for June should state that we will have the First Reading of the Budget Ordinance. Mayor Magers said we should also place in newsletter that we will have two meetings in June. The regular scheduled meeting and a second reading of the ordinance at the special meeting.

Commissioner Tungate asked Attorney Dozier if the city newsletter is acceptable notification of a special meeting. Attorney Dozier stated personal delivery is acceptable so that would include newsletter and added notice must have place, date and time of meeting and nothing else can be discussed at the special meeting.

Mayor Magers added that he feels if we have the first reading at the regularly scheduled June meeting we might have more residents attend the meeting because the MSD representative would be at the meeting, thus promoting openness of the budget process. We would then have a special meeting for the second reading of the budget ordinance.

The commission decided that a special meeting will be held June 23 at Episcopal Church Home at 7:00 p.m. This will be placed in the June newsletter.

Mayor Magers added that last year we voted to give Chief Yeager a \$1.50 per hour raise in order to work toward achieving comparable hourly pay with other small city police officers in Jefferson County. Mayor Magers made a motion to give Chief Yeager a \$1.50 per hour raise for the new fiscal year. Commissioner Evers seconded the motion.

During discussion on the motion Commissioner Tungate asked since we do not have actual budget numbers should we wait before making the commitment on the pay raise. He felt that a residents question why we approved a raise before we had revenue estimates for the coming year.

Mayor Magers requested to withdraw his motion for now and will bring up the issue again next month. Commissioner Evers seconded and all were in favor and the motion was withdrawn. Commissioner Tungate asked about the other salaries for city employees that should be discussed in the new budget. There was no further discussion on salaries.

Commissioner Berman asked about street signs. The road fund currently has \$44,000 is that specifically for roads or could it be used for replacing signs. There are new federal laws pertaining to street signs that by 2018 that we will have to comply with. Also could it be used for planting more trees on Bancroft Lane and work to be done to make cul-de-sacs look better? Also added that this year in budget we have \$9000 left for maintenance. He also asked about \$10,000 in capital improvement fund.

Commissioner Evers said he would have copies of the proposed ordinance for people present at the June meeting to review.

## **2. Renewal Notice for Jefferson County League of Cities**

Mayor Magers said September 30, 2016 is due date for \$100 membership fee for Jefferson County League of Cities. Treasurer Shaikun said this should come out of the new year's budget so Mayor will hold for new year.

## **3. Premium Notice for Louisville Area Governmental Self Insurance Trust**

It is also time to renew insurance coverage with Louisville Area Governmental Self Insurance Trust. This includes general liability, police, medical and auto liability. In the amount of \$2,486.00 which is due by June 30, 2016.

Mayor Magers added we could also have Workman's Compensation insurance with the Kentucky League of Cities (KLC). The current commission has not previously discussed changing insurance. Mayor Magers said he will contact KLC and review rates for comparable liability insurance.

## **4. City Attorney Retirement**

Attorney Dozier advised that beginning July 1 she will be taking sabbatical/early retirement. She will be at the June commission meeting and has recommended another person from her law firm to take over the city attorney duties. We will need to decide if we would like to continue using their law firm or we have the choice to choose other counsel. She highly recommends the replacement from her law firm and will fill him in on things that are coming up on the agenda. Mayor Magers stated we have paid for this firm on a retainer for the year and we should keep them for now and give it a few months to decide if we will renew the agreement in January 2017. Attorney Dozier recommended if looking at other firms to make sure they will make

commitment to be at commission meetings and to aks how they bill. Her firm charges a flat rate for meeting attendance where others will probably charge by the hour.

Commissioner Tungate made a motion to adjourn the meeting and Commissioner Constable seconded. The meeting was adjourned at 9:39 pm.

/s/ Jeff Magers  
Mayor

/s/ Shannon Tuthill  
City Clerk