

MINUTES FROM OCTOBER 8, 2020 BANCROFT SPECIAL MEETING

The regular scheduled meeting for the City of Bancroft, KY was called to order by Mayor Jeff Magers at 7:01 P.M. on Thursday, October 8, 2020 by Zoom videoconferencing Louisville, Kentucky. Those present: Mayor Jeff Magers, Commissioner Ed Evers, Commissioner Jaimie Schapker, Commissioner Paul Chumbley, Clerk Shannon Tuthill, Treasurer Arnold Shaikun, Police Chief Anthony Yeager, attorney Richard Schiller. Residents Mitchell and Kimberlie White, Laura Angermeier, Ben and Becca Weible, Mike Buren, Valerie Wood and Matt Castleberry.

Mayor Jeff Magers has determined that the Bancroft City Commission must continue to provide critical public services to sustain and protect life and life-sustaining businesses during the present public health crisis caused by the COVID-19 virus. Teleconferencing has recently been permitted by the Kentucky Attorney General without the identification of a primary physical location so long as the public is permitted to see and hear all participating members. The mechanism by which teleconference is being conducted is Zoom.

REVIEW MEETING MINUTES:

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

With no physical meeting taking place, the Kentucky League of Cities advised that the Mayor can just sign final page of minutes, scan and send to clerk to sign, file and forward to Commissioner Schapker.

Clerk

Clerk Tuthill reported she been checking mailbox three times a week with a steady flow of tax payments received. I took the PVA list of tax bills and compared to my current list of homeowners mailing list. I found approximately 30 names that didn't match. Working to narrow down a more accurate list of current residents.

Quarterly payroll taxes have been filed.

Check has been prepared for Hall Construction but still waiting for final approval before sending.

Our home has sold and we will sadly be moving out of Bancroft by the end of October. I want to assure everyone I will continue to work as clerk as long as city feels appropriate.

Last quarter deposit records given to Treasurer to review.

Quarterly police court fund revenue received and deposited.

Auditor, Charlie Veeneman mailed us an insurance tax check that was sent to City of Northfield by mistake. Check was deposited in our account.

Everything else running smoothly as usual.

Mayor's Report

1. I have not heard from MSD regarding the complaint about the flooding during heavy rain at the end of Old Orchard Court. The problem was with the storm drain overflowing.
2. Clerk Tuthill notified us she was selling her home and moving out of Bancroft. If possible, she wanted to remain in her position as clerk.
3. City Engineer Chuck Wood informed me he had contacted Arno Flynn from Hall Paving about the problem with the repair work on Bancroft Lane. He asked Mr. Flynn if he would follow up and inspect the repair. After following up, Mr. Flynn said he inspected the repair, and it was a problem, but he was not sure another attempt would improve the situation. He offered, if we wanted, to attempt another repair. I called Mr. Flynn and requested another repair. Mr. Flynn agreed and he will put it on his schedule of work.
4. The invoice for the paving has not been paid due to concerns about the repair on Bancroft Lane. The city commission must decide to either pay the invoice and have the repair completed under warranty or withhold payment until the second repair attempt is made.
5. I attended the Kentucky League of Cities Annual Conference that was held virtually due to the pandemic restrictions.
6. I participated in two videoconference presentations for KY mayors, one from Governor Andy Beshear and another from Mayor Greg Fischer. The COVID-19 pandemic was the main topic of both videoconferences.

City Maintenance

Maintenance Report submitted by Commissioner Borders

Grounds Maintenance

- Leaf removal after last leaf falls.
- Need to adjust some plants after running over them several times and growth has made others crowded.

Grounds Beautification

- Electrical Service for Bancroft Lane was quoted by LG&E for several thousand dollars and then the electrical work costs. I thought the costs were too high and the results wouldn't be worth it. May pursue solar lights at some point as a test.
- Need to call to confirm Holiday Decorations installation, like last year.

Bancroft Lane

- Tree planting should occur after first frost and dormancy.
- Power Wash Fence Oct 12th

Communication and Public Outreach

Commissioner Schapker reported that still getting good click rates on the website.

Public Services

Commissioner Chumbley received a second recycling cart and received a bill for \$10. Does not feel should be charged for second cart.

Police Department

Mayor Magers reported the following:

A complaint about someone building a large addition to a home on Old Salem Road was received on September 9th. Chief Yeager checked to see if the owner had a Bancroft building permit. The owner did not have a Bancroft permit or a Louisville Metro permit. The owner was told to cease and desist until the permits were obtained. Louisville Metro has issued a stop order on the property. A nuisance complaint was received on the property. Chief Yeager investigated and determined the property was in violation of the nuisance ordinance. He submitted his report to me for action. I forwarded his investigation to City Attorney Schiller to send a formal letter notifying the owner of the complaint.

I received a call from a real estate agent indicating he was selling the home for the owner of the property at 7616 Old Salem Road. He inquired about the violation related to the lack of building permits and the nuisance ordinance so they could be rectified before selling the property. He was informed of the nature of the complaints and remedies needed.

Attorney Schiller said notice of abatement will be sent to Corn Island Properties. Now that there is a realtor involved, he will formally inform the realtor by mail of the notice of abatement and violation of building code.

Chief Yeager gave the following police report.

There were 154 patrols of the city. There were 152 Radar/Traffic zones set up for high Police visibility. There were 11 visits to resident's homes for our "House Watch" program. There were 2 Solicitors that failed to get a permit to solicit. 1. Rake and Leaf Service, 2. Kentuckiana Pressure Cleaning. There were 2 warnings issued for: Disregarding a Stop Sign and Truck overweight on Bancroft Lane (note: no vehicles over 10,000 pounds are allowed on Bancroft Lane). There was one state report made for a theft from vehicle, but the report had to be corrected as the theft actually occurred in Saint Matthews. I backed up the Graymoor-Devondale Police Department 4 times. I took a call for them about an elderly man in the middle of Herr Lane. No elderly man was found.

Code Enforcement Action:

1. Complaint of high grass on Greenlawn. Residents warned and grass mowed.
2. Complaint of an addition on a house flips on Old Salem Road with no Louisville Metro Permits and no Bancroft Permits. Louisville Metro code enforcement contacted by calling 311. Louisville Metro Code Enforcement put a stop work order on the construction of the house. This officer issued a stop work until a Bancroft building permit and Metro permit was obtained.
3. A plumber was found working on the house that Metro had put a stop work order on. After explaining to him that Louisville Metro had issued a stop work order, he decided to leave.
4. A worker was at the same address where the Metro stop work was issued, and he was just picking up his tools.
5. A nuisance complaint was filed by a resident on the house flip where the stop work order was issued. The complaint was for the trash and debris. An investigation found trash, debris, and possible unsound structure (no permits and no inspections) and construction.

I had a motorist assist where an elderly person needed a ride to Lyndon. I assisted EMS on a woman down on Maria Ave.

Chief Yeager has submitted a letter to Mayor Magers of his intent to retire. No firm date has been set for his retirement. Chief Yeager indicated he would stay until a replacement has been hired.

Finance and Administration

Commissioner Evers reported that Treasurer Shaikun has assigned all CD money to the municipal road fund to pay for the street repaving. Treasurer showed computation of relieving CD from road fund into the general fund because the general fund is paying off the road work. This is required step. Treasurer Shaikun will go to all banks and get current value on all CDs and properly assign interest earned to either the municipal road fund or general fund.

Chief asked that all the financial report show that the chief phone is 118% over every month. Can we figure out why it shows as over and change it? Mayor Magers indicated this will be corrected.

OLD BUSINESS

1. Second Reading of Ordinance No. 4, 2020, An Ordinance Repealing and Replacing Ordinance No. 111 Relating to Cable Television Services

Commissioner Chumbley read summary of the proposed ordinance. Commissioner Evers made a motion to pass the ordinance. Mayor Magers seconded. This is not limited to cable but any telecommunication services. This is the telecommunications ordinance prepared by the Jefferson County League of Cities Cable Commission (JCLCCC) for member cities to enact. The JCLCC and their attorneys, who specialized in telecommunications law, developed the model ordinance his joins us with other suburban cities in the county in passing the ordinance so a new cable franchise agreement can be negotiated with Spectrum Cable and later other telecommunications companies who might seek to bring fiber optic cable to Bancroft.

Mayor Magers added that we can if we choose to charge a 5% franchise fee; however, we still have the option to remain in the state pool and yearly receive a consistent amount of revenue from that pool. This has been previously discussed by the city commission and it was agreed we should remain in the state revenue pool rather than charge franchise fee.

The motion passed unanimously.

2. Second Reading of Ordinance No. 5, Amending FY 2019-2020 Budget Adopting a Revised Budget

Mayor Magers explained that we went over in the 2019-2020 budget in the Administration budget line which caused us to have to go back and amend the budget. Commissioner Evers explained \$16,000 of general fund is added to administrative to balance the budget. There is a state law requiring cities to amend the budget if there were more expenditures than budgeted in any line of the budget. Amendment of budgets is not an uncommon event statewide.

Commissioner Evers proceeded with second reading of Ordinance No. 5, Amending FY 2019-2020 Budget Adopting a Revised Budget.

Commissioner Evers made a motion to pass the Ordinance. Mayor Magers seconded. All four in favor and the motion passed unanimously.

3. Second Reading of Ordinance No. 6, Amending FY 2020-2021 Budget

Commissioner Evers proceeded with second reading of Ordinance No. 6, Amending FY 2020-2021 Budget. The amendment was made to add a revenue line for the municipal road fund. The was a recommendation from the latest city audit that we received after the current budget was passed.

Mayor Magers made a motion to pass the ordinance. Commissioner Chumbley seconded. All four in favor and the motion passed.

4. Proposed Municipal Order Related to Authorization of Expenditures.

Mayor Magers proposed this for guidelines for commissioners spending money during the month without approval from a regularly scheduled meeting. Commissioner Borders was not present and Mayor Magers would like to wait till his return at the November meeting to discuss.

NEW BUSINESS

1. Application Permits

Mitchell and Kimberlie White present to request a permit application to install a fence. They plan to install a 4-foot-tall fence with 2 gates pick up from existing fence in rear of property. The fence complies with the requirement to be no more than five feet forward of the rear of the home.

Commissioner Schapker made a motion to approve permit. Commissioner Evers seconded. All four in favor and the motion passed unanimously.

Mike Buren present to discuss permit for pool installation. MSD has reviewed the property for their lines, and he has reviewed all lines and drainage as well as LG&E easements. Sanctuary Pools is the contractor for installation. Mayor Magers asked about fence plans to make sure he would be in compliance with the Louisville Metro requirement for a fence enclosing a pool. Mr. Buren said he currently has a four-foot fence and the pool company said it is in compliance. Commissioner Chumbley made a motion to approve the permit. Commissioner Evers seconded. All four in favor and the motion passed unanimously.

2. Discussion About Halloween Activities During A Pandemic

Mayor Magers reported that he attended virtual conferences and there were formal and informal discussions about Halloween during a pandemic. The consensus was that Halloween is an individual family decision to participate or not.

Commissioner Schapker said she agrees that it is a personal choice. She feels we go ahead and plan trick or treating from 6-8 PM with guidelines of staying within your pod or family. The CDC has an entire web page of low risk, moderate risk and high-risk activities to participate in for Halloween.

Commissioner Schapker will distribute information with suggestions for participating using CDC guidelines.

Chief Yeager added Graymoor-Devondale Police Department has ten officers down with COVID and that he does not feel that we should have kids approach the police vehicle this year to distribute candy as he has done in previous years. Resident Ben Weible added that he happy to still would allow Halloween activities to proceed. Resident Laura Angermeier added that she appreciates the city reviewing this and doing what they can to keep kids safe.

Additional Items Brought Before the Commission

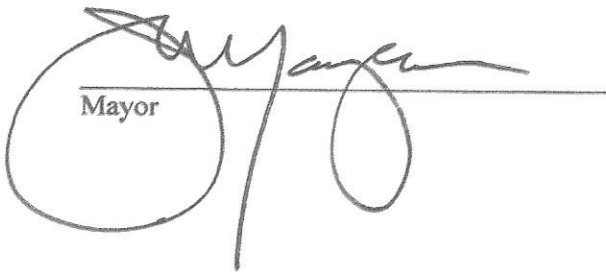
Commissioner Schapker asked Attorney Schiller about a resident on their street cutting down two healthy oak trees. She wanted to know if there was an ordinance that would prevent trees from being removed without approval from the city. Attorney Schiller indicated we did not have a tree ordinance, but many

cities do have ordinances that prevent arbitrary removal of trees or require a plan to replace with another tree.

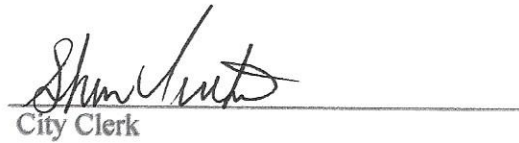
Mayor Magers asked that Commissioner Schapker do research for on other cities' ordinances if she would like to propose a tree ordinance for consideration by the city commission. Attorney Schiller will send information to review. Mayor Magers will place it on a future meeting agenda if a proposal for an ordinance is prepared by Commissioner Schapker.

Commissioner Evers added that before the next meeting we will have an election. Commissioner Evers indicated he will not be on the ballot, but he is running as a write-in candidate. He filed as a write-in candidate.

Commissioner Schapker made a motion to adjourn the meeting and Commissioner Evers seconded. All in favor and the meeting was adjourned at 8:42 pm.



Mayor



City Clerk