

MINUTES FROM JULY 8, 2021 BANCROFT MEETING

The regular scheduled meeting for the City of Bancroft, KY was called to order by Mayor Pro tem Ed Evers at 7:09 pm on Thursday, July 8, 2021 at The Churchill Down building, 600 N. Hurstbourne Lane, Louisville, Kentucky. Those present: Commissioner Ed Evers, Commissioner Jaimie Schapker, Commissioner Paul Chumbley, Treasurer Arnold Shaikun, Police Chief David Mudd, attorney Richard Schiller and resident David Wheatley.

REVIEW MEETING MINUTES:

Mayor pro tem Ed Evers proceeded to review the June meeting minutes. Commissioner Evers made a motion to approve the minutes. Commissioner Chumbley seconded. All in favor and the minutes were approved.

REPORTS:

Clerk

Clerk Tuthill was not present but left the following report. The new ordinances were mailed to all residents. Commissioners were sent compensation checks for meeting attendance through June. All quarterly payroll reports submitted. Open records request for employee salary information complied with.

Mayor's Report

Mayor Magers was not present but left the following report.

1. I am not attending the July 2021 City Commission meeting because I am attending a law enforcement conference in Orlando, Florida. This travel is work-related but not paid by the City of Bancroft.
2. Based on approval by the City Commission, I started the process for seeking federal funds under the American Rescue Plan (ARP). This is federal funding for states and municipalities. If approved, we would receive our funding through the state. As part of that process I sent our budget certification to the Department of Local Government (DLG), updated our DUNS information and registered with SAM.gov.
3. St. Matthews Fire Department sent a letter requesting suburban cities in their fire district to consider sharing some of their ARP funding, since as a special taxing district they are unable to request and receive funds directly from the ARP, but according to the letter they could receive funds from cities they serve. The city commission can consider this request if the funds are actually allocated
4. The July 8, 2021, City Commission meeting was changed from a Zoom meeting to an in-person meeting in a physical location. For the first time since Governor Beshear's pandemic emergency declaration last March, we will be meeting in-person at a physical location. While the Governor has not ended the emergency declaration, the Kentucky legislature passed legislation limiting the Governor's ability to indefinitely declare an emergency without consultation with and consent from the KY legislature. The legislatively imposed deadline thus ended the emergency declaration on June 28th. Currently there is a court injunction on this legislation imposed by the Franklin Circuit Court; however, Kentucky Attorney General Daniel Cameron issued guidance to Kentucky municipalities indicating that in an "abundance of caution" cities should abide by the legislation and return to public meetings in a physical location. We anticipated the end of Zoom-only meetings and last month approved a temporary physical location

for our city commission meetings. Effective July 8th, our city commission meetings will be held at the Churchill Downs Building, 600 N. Hurstbourne Parkway, near the UofL Shelby Campus, in the first-floor conference room (600 Room). We have a commitment for that location through December. Until we can meet the statutory requirements for having a public meeting in a physical location that is also video conferenced (Zoom), the only way to attend the city commission meetings is in person. We will abide by CDC guidance regarding masking. Currently, that means a mask is not required if you have received both vaccination shots but required if you have not received both vaccination shots.

5. As a result of the end of the emergency declaration, the extension of the days to respond to open records has been rescinded. Due to legislation passed by the Kentucky legislature, public agencies now have five days to respond rather than the previous requirement to respond in five days. The legislation has some requirements that we must comply with as soon as possible. This includes an open records policy that is posted on the city website.

6. The Kentucky Supreme Court ruled against home rule cities in the lawsuit filed by Louisville Metro. Attorney Rich Schiller will explain the ruling in this meeting.

7. I called a special meeting on June 24, 2021, for the second reading of the FY 2021-2022 budget ordinance. The ordinance passed.

Attorney Richard Schiller Report

Discussed property update with 7616 Old Salem. The people who run Corn Island Properties who own the home is MIA. There is a squatter in the home, who is maintaining the property and trying to do an adverse takeover. Richard has explored all legal action for the city to get him out and at this point we do not have any options.

We were an Appellant in the Kentucky Supreme Court case about the paper and plastic bag ordinance. The Kentucky Supreme Court struck down the statute. We lost, but it clarified the rule.

Discussed with Richard the legality of inviting a food truck in without a permit or applying for the permit on the truck's behalf. Richard is going to look into special event permissions that don't require a permit.

City Maintenance

Commissioner Borders was not present and did not leave a report.

Communication and Public Outreach

Commissioner Schapker gave the following report.

Newsletter analytics, 132 of 205 opens, 15 of 205 clicked, 1 unsubscribed for unspecified reason.

1. Fourth of July Bike Parade

We had good participation in the bike parade. Thank you to those of you on the commission who attended. Thank you to Chief Mudd for leading the parade. We not only had residents in the parade, but had several residents gather on the street and in their front yard to cheer the parade on. This is an event I'd like to continue next year.

2. Community Outreach Goals

In lieu of the once every two-year block party, I'd like to refocus our community outreach to several smaller events, some annual, throughout the year. This will give the community more opportunities to connect. It will also allow those who are unable to participate in just one event to have additional options. The Easter Egg Hunt and 4th of July parade were successful enough this year I aim to reproduce those next year.

As part of my effort to extend out our events, I would like to book occasional food trucks in the neighborhood on a week night. While residents will buy their own meals, we will use our budget to cover the permit cost for the trucks. I am also looking at prices for having a musician set up near the food truck for those who would like to eat there and socialize. I have listed both Maria Court and Old Salem Court as set up options because they cater to different areas of the neighborhood and are off a main route for people to gather without as much disruption.

3. Food Trucks

Currently, I have Al Najma Middle Eastern truck booked for Thursday, August 19 from 5 to 7 p.m. and Good Belly NY Deli-style truck for Thursday, October 7 from 5 to 7 p.m. We need to discuss the permit process. Since we are inviting the trucks, I would like to submit the permit for approval and cover the cost.

Public Services

Commissioner Chumbley gave the following report.

Contacted Rumpke (via email then phone) on June 29 and June 30 to inquire about missed service at a home along Tavener. During my phone call, I asked about potential contract extension and subsequent rate increase, if any. Have not heard back about either.

Yard waste will be collected weekly for the remainder of 2021.

Police Department

1. In regard to the ongoing nuisance and building permit complaints at 7616 Old Salem Road, on June 21, 2021, I received an email from the person who previously claim to have a lease from the owner, Corn Island, LLC. This person who claims to be occupying the property stated in an email that he has "claimed this property under the Commonwealth of Kentucky adverse possession laws, namely color of title." The matter was referred to City Attorney Rich Schiller. He will provide further information at this meeting.
2. One June 23rd I attended a KLC webinar on Social Media Policy and Law Enforcement Personnel.
3. On June 24th Chief Mudd received an oil change on the police vehicle.
4. Chief Mudd reported there was a problem with the transmission on the police vehicle. I informed him the vehicle was still under the powertrain warranty. He set up an appointment with a Dodge dealer for service under the warranty.
5. I want to commend Chief Mudd for his participation in the Bancroft bike parade on July 5th.
6. Chief Mudd recommended applying for a federal grant to obtain a body camera system. The deadline for initial application is July 18th. He will make a presentation in his report asking the city commission for permission to make the initial application.
7. See Chief Mudd's End of Month report for other police activity.

Chief Mudd gave the following report. There were 20 patrols of the city. There were 20 Radar/Stop Sign details performed for high police visibility. There were 33 traffic stops made for traffic infractions. There were 8 citations issued for Registration/License infractions, Disregarding a Stop Sign, Speeding, and Obstructed Vision. There were 25 warnings issued. There were no arrests. There were 5 warnings given for parking infractions. There were 9 days of bike patrol. There were 55 visits to residents' homes for the "House Watch" program. There were 2 vehicles towed due to cancelled plates and other registration/insurance issues. There were 2 assists to other agencies: LMPD - 1, Graymoor Devondale - 1. There were 2 calls for service - CIT Juvenile and a dead animal complaint. There was 1 city ordinance complaint. I had the oil changed on the police vehicle. I attended the June Bancroft City Commission Meeting (ZOOM).

Finance and Administration

Commissioner Evers had nothing new to report.

OLD BUSINESS

1. Discussion of options for appointment of the City Engineer

No action taken at this time.

2. Resolution expressing interest in obtaining AT&T fiber optic Internet service for residents of the City of Bancroft.

No action taken at this time.

3. Update on Federal funding under the American Rescue Plan (ARP)

We are working on paperwork to make sure if ARP is offered to us for something we qualify for that we can get it.

4. Acquisition of a physical location for city commission meetings when the Governor's Covid-19 emergency declaration is lifted

No action taken at this time.

NEW BUSINESS

1. Building Permit Application from David Wheatley at 7400 Maria for a shed

David Wheatley 7400 Maria Ave permit request for shed. Motion to approve shed by Commissioners. Commissioner Borders seconded. All in favor and passed unanimously.

2. Building Permit Application from Adam Traylor at 7608 Maria Avenue for a fence and a gate

Adam Traylor at 7608 Maria Ave permit for fence and gate. Commissioner Chumbley moved to approve permit. Commissioner Schapker seconded. All in favor and passed unanimously.

3. Building Permit Application from David and Patti Holland at 7510 Maria for fence

David and Patti Holland at 7510 Maria, permit for fence. Commissioner Chumbley moved to approve permit. Commissioner Schapker seconded. All in favor and passed unanimously.

Commissioner Chumbley made a motion to adjourn the meeting and Commissioner Schapker seconded. All in favor and the meeting was adjourned at 8:11 pm.

Edwin Rivers
Mayor

Sharon Schapker
City Clerk