

MINUTES FROM September 8, 2022 BANCROFT MEETING

The regular scheduled meeting for the City of Bancroft, KY was called to order by Mayor Jeff Magers at 7:01 pm on Thursday, September 8, 2022 at The Churchill Downs Building, 600 N. Hurstbourne Lane, Louisville, Kentucky. Those present: Mayor Jeff Magers, Commissioner Ed Evers, Commissioner Paul Chumbley, Commissioner Mike Borders, Treasurer Arnold Shaikun, Clerk Shannon Tuthill. Absent: Commissioner Jaimie Schapker.

REVIEW MEETING MINUTES:

Mayor Magers proceeded to review the August meeting minutes. Commissioner Evers made a motion to approve the minutes with the discussed changes. Commissioner Chumbly seconded. All in favor and the minutes were approved.

REPORTS:

Clerk

Clerk reported that all 2022 tax bills have been mailed to residents. I have completed lengthy requests for tax information from CoreLogic, Loretta and Wells Fargo and returned these documents to them by overnight mail. CoreLogic's requests was so large I had to go to Office Depot to reprint tax bills for them.

One trip was made to storage unit to drop off supplies from Commissioner Schapker for city summer events.

I met with Treasurer Shaikun to sign checks three times this month. Created and distributed September newsletter with Mailchimp.

I provided city contract information to Auditor. Also answered auditors questions regarding processing tax payments.

Three new subscribers were added to email list for newsletter. One was removed. Other standard monthly city business completed as needed.

There were no questions on clerks report.

Mayor's Report

Mayor Magers gave the following report.

1. I received an email indicating we need to update our SAM report. We had to have a System for Award (SAM) entity account to receive the federal ARPA funds. I will update our account.
2. The Office of Recovery, U.S. Treasury has notified us we have to again submit the following information in accordance with the State and Local Fiscal Recovery Fund (SLFRF) Compliance and Reporting guidance which requires Non-entitlement units of local government (NEUs) to submit three documents to the Treasury Reporting portal.
 - a. Copy of the signed award terms and conditions agreement
 - b. Copy of the signed assurances of compliance with Title VI of the Civil Rights Act of 1964
 - c. Copy of actual budget documents validating the top-line budget total
3. On Saturday, August 13, 2022, Commissioner Evers and I attended a special Jefferson County League of Cities (JCLC) special meeting on the topic of suburban cities collectively contribute a portion of our ARPA funds to Jefferson County suburban fire departments. More information will be presented later in the meeting.
4. I received a call and an email from a Wilder Estates concerning the interest of some residents of Wilder Estates to be annexed by the City of Bancroft. Wilder estates include the unincorporated areas on maria, Keisler, Lynn, and Greenlawn. I told her I would explore the legislative changes for annexation in

Jefferson County made in the most recent Kentucky Legislative session. According the Kentucky League of Cities (KLC) information, HB 314 amended KRS 67C.111, allowing for annexation if 66% of the residents in an unincorporated area voted for annexation, and if approved by the legislative body of the city. The new legislation does not allow for the Metro Mayor to veto the annexation. We can explore this if there is interest by the city commission and the residents of Wilder Estates.

5. At the last meeting there was a question about abstention votes counting as a yes or no vote. Abstentions are counted toward the majority vote. So, for example if we have four "yes" votes and one abstention, the actual vote becomes 5-0. The only way you can get around that is for the person who truly intends to abstain to leave the room. If there is still a quorum, then the vote is 4-0 and you have a true abstention. The source is OAG 78-619. See <https://www.klc.org/News/486> . KLC indicates the original source was Pierson-Trapp Co. v. Knippenberg, 387 S.W.2d 587, 1965.

6. It was brought to my attention that the city website does not have all the 2022 newsletters display. Some 2021 newsletters are also missing. Commissioner Schapker emailed me that she would add the missing newsletters.

7. City attorney Richard Schiller advises we can dispose of the building materials that were removed and stored as part of the abatement of the nuisance complaint at 7616 Old Salem. We need to decide how we plan to accomplish this.

8. Bancroft resident Tom Heavrin, our Ethics Enforcement Agent, has submitted his resignation since he and his family have sold their Bancroft home and are moving from the city. According to our city ordinances, the ethic enforcement agent position (unpaid volunteer position) must be a resident of the City of Bancroft. Tom has been the ethics enforcement agent for four years. I want to personally thank Tom for volunteering for this position. Fortunately, we never needed to employ his services in this position. I wish Tom and his family the best in their new home and in their future professional endeavors.

Commission discussed that the ARPA and SAM reports need to be updated. Commission is open to a discussion about the Wilder Estates annexation.

City Maintenance

Commissioner Borders reported Bancroft Lane has dying ash trees on the other side of the fence need to proactively remove branches on the lane side. One tree with damage needs to have branches removed to lessen the chance of a big break falling on the lane. This tree and another could be removed but trying to let them remain as long as they are safe enough and they add to the canopy. Remove branches from bushes growing through the fence on the lane. Plant a few trees in bare spots and in preparation for failing trees in December. Estimated to be about 6 trees. Then maybe 1-2 a year after that. Reducing the maintenance budget several thousand dollars annually. The newer trees are progressing along nicely.

Plant Beds - Review plantings and replace dead plants and add in a few ground cover plants to reduce weeding. October or November at minimal expense.

Communication and Public Outreach

Commissioner Schapker was not present and had nothing new to report.

Public Services

Commissioner Chumbley reported that he followed up with Rumpke about billing questions related to the fuel surcharge. Continuing through December 2022, yard waste will be collected weekly.

He had that he has a person interested in ethics enforcement position if there is information we can send to him about it.

Police Department

Mayor Magers reported received a complaint from a Bancroft resident regarding a neighbor's bee hive. The resident was inquiring if there was a city ordinance prohibiting residential bee hives. After researching the question, it was determined there is not City of Bancroft ordinance prohibiting bee hives. In addition, there is no Metro ordinance prohibiting bee hives. At the state level there was no regulation of bee hives except for inspecting infected hives.

I received a resident comment questioning the proposal to purchase license plate reader cameras.

Chief's End of Month Report

There were 22 days of patrol in the city. There were 21 Radar/Stop Sign details performed for high police visibility. There was 1 call for service. There were 60 traffic stops made for traffic infractions. There were 14 traffic citations issued - charges included: Operating on Suspended OL:3, Expired Registration Plate:9, Disregarding Stop Sign:5, No Operators License:1, No Insurance:7 There were 46 verbal warnings issued. There was 1 motorist assist. There was 1 arrest for two counts of Criminal Possession of Forged Instrument 2nd Degree. There were 2 warnings given for parking infractions. There were 5 days of bike patrol. There were 35 visits to residents homes for the "House Watch" program. There were 5 vehicles towed. There were 2 assists to other agencies: Lyndon PD - 2, There were 0 ordinance investigations. I attended the August Commission meeting. I obtained Rental Property information on all known rentals in Bancroft. I continued to collect information re Community Camera vendors/systems. I scheduled mandatory training for myself through DOCJT.

Finance and Administration

Commissioner Evers had nothing to report other than the audit report. Treasurer Shaikun mentioned reviewing no penalty CDs and some credit unions are giving 3 to 3.8% interest in five years or more.

OLD BUSINESS

- 1. Discussion about amending the city ordinance on the location of our city commission meetings to allow for video-conferencing of regular meetings in accordance with recent changes in the open meetings law that will be effective late in 2022.**

Nothing new to report on the use of the current location.

- 2. Update from Attorney Richard Schiller regarding 7616 Old Salem**

The Court Order has been signed. Now the parties will proceed with foreclosure.

- 3. Proposals for Use of ARPA Funds**

- a. License plate reader camera
Wait for Chief Mudd to return

- b. JCLC proposal for premium pay contribution to Jefferson County Suburban Fire Departments

They did not receive any ARPA money. One deputy chief for St. Matthews Fire Department is a Bancroft resident. Proposal was made to suburban cities asking that suburban cities collectively

contribute funds to the Fire Departments. We could give a certain percentage of our money to them as our Fire Department. The suggested amount would be 4% of our ARPA funds as a contribution with other cities. Commission asked should we do more? Possibly \$10,000. We could at the end make another contribution with remaining funds.

Every resident of our city could possibly need the services of the Fire and EMS department.

Commissioner Borders made a motion to give \$10,000 to the Suburban Fire Department. Commissioner Chumbley seconded. Discussion about giving the proposed 4% and see where we are. All four in favor and motion passed unanimously.

c. Bancroft employees premium pay proposal

We have three Bancroft employees. One full time and two part time.

Chief Mudd was on duty five days a week during pandemic. If you look at the pay structure provided for police at the League of Cities meeting it would equal \$5000. He was employed through half of the two-year time discussed which would be \$2,500. Commissioners felt that we should still pay Chief Mudd the \$5,000 in premium pay.

We also have two part time employees that worked through the pandemic. They proceeded with their duties, collecting mail, running errands for city and going to the bank, they also had to meet regularly on city matters. The suggested amount for each employee was \$2,000 in premium pay.

Motion made by Commissioner Borders to give Chief Mudd \$5,000 in premium pay, Clerk Tuthill \$2,000 and Treasurer Shaikun \$2,000 in premium pay. Commissioner Chumbley seconded. Question does payroll tax need to be taken out. Mayor will ask League of Cities these questions. All four in favor and motion passed unanimously.

Clerk Tuthill mentioned that her pay has not increased since FYE 6/30/19 prior to COVID 19 pandemic. Before that time, it had increased every year. This yearly cost of living increase was discussed when Clerk Tuthill was hired in 2014. Mayor will make a note of this for the next budget year.

NEW BUSINESS

1. Building permit application- Pam Magers,7408 Maria Avenue for a revised fence replacement plan.

Fence has already been approved but the style has changed so they are once again requesting approval The fence is at least 20 inches away from property line.

Commissioner Evers made a motion to approve permit. Commissioner Borders seconded. Three in favor with one abstain, Mayor Magers and motion passed.

2. Audit Report

Auditor Charles Veeneman was present to review audit report and letter. Commission discussed report. Copy was provided to Clerk Tuthill. Clerk will arrange for audit letter to be published to residents. Commissioner Evers will research if the law has changed on publishing. Possibly just place on website.

3. Proposal for FY 2022-2023 fee schedule for legal services

Attorney Schiller provided a new fee schedule for legal services. \$265.00 an hour and \$155.00 hour for paralegal. Mayor Magers made a motion to accept fee schedule. Commissioner Evers seconded. All four in favor and the motion passed.


4. Search for new Ethics Enforcement Agent

Already discussed and we have one possible candidate.

Commissioner Borders made a motion to adjourn the meeting and Commissioner Chumbley seconded. All in favor and the meeting was adjourned at 9:01 pm.



Mayor



City Clerk