

## **MINUTES FROM JUNE 8, 2017 BANCROFT MEETING**

The regular scheduled meeting for the City of Bancroft, KY was called to order by Mayor Jeff Magers at 7:04 P.M. on Thursday, June 8, 2017 at Episcopal Church Home. Those present: Mayor Jeff Magers, Commissioner Ed Evers, Commissioner Matt Tungate (arrived late), Commissioner Rick Rittenhouse, Commissioner Mike Borders, Treasurer Arnold Shaikun, Clerk Shannon Tuthill, Police Chief Anthony Yeager, Paul and Lani Bariteau. Attorney Blake Edwards.

Mayor introduced visitors Paul and Lani Bariteau. The Bariteaus are not Bancroft residents but own property adjacent to the city and have attended meetings in the past as persons having interest in purchasing City of Bancroft undeveloped land. They are present tonight to clarify one of the resident concerns from a prior meeting alleging people interested in buying the property had chickens. The Bariteaus stated they do not have chickens or guns. Their statement is noted. Mayor Magers noted that any further consideration for selling the property would be discussed later in the year, if requested by the commissioners.

### **REVIEW MEETING MINUTES:**

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

### **REPORTS:**

#### **Clerk**

Clerk Tuthill reported that we now have approximately 50 residents on a list of email versus mailing the newsletter. With only about 5 of the residents wanting to have it mailed. We do still need to hear from many residents. Suggested a note be placed in the next ordinance mailing which we will be sending soon with the new tax rate and budget ordinances.

Clerk asked again about Bolton & Company insurance that their policy holder canceled the policy and they refunded the insureds unearned premium and therefore are asking for \$33.55 refunded from us. Clerk Tuthill received the statute from our attorney saying this should be a credit but not sure what to do with that. Clerk Tuthill has not yet written a letter. Commissioner Evers will follow-up.

Clerk Tuthill also reported that she has received notice of several new families in the neighborhood so she mailed them a letter with the city directories, confirming email addresses, and informing them of the Reach Alert system.

Clerk Tuthill placed an ad in Courier Journal for the garage sale on Saturday. Everything else running smoothly with nothing new to report.

#### **Mayor's Report**

Mayor Magers reported that he attended the Jefferson County League of Cities meeting last month and they had a presentation regarding the plan for the development of a northeast regional library near the NE YMCA.

Mayor further reported that the Courier Journal today said that Google Fiber is going to begin installing fiber optic cable in Portland. He is unaware of the status other than that. He will attend the meeting this month to find out.

Nothing further to report that it is not on the agenda.

### **City Maintenance**

Commissioner Borders had nothing new to report that is not on the agenda. Chief Yeager asked if they were planning to do landscape on Adler Way cul-de-sac as it is currently just gravel. Commissioner Borders said he has not heard any complaints from residents so assumed they were satisfied with the current condition but would be open to looking in to if they wanted him to.

Mayor Magers noticed an area on Bancroft Lane on the side of the road where the road is eroding away. Mayor asked Commissioner Borders to review Bancroft Lane with him to see what work needs to be done. Mayor advised that Matt Meiners already maintains the lane and repairs potholes for us. Commissioner Borders has many ideas of repairs and maintenance that needs to be done. Commission asked that he write down his ideas and an idea of costs to bring to commission to discuss.

Mayor Magers suggested Commissioner Border reach out and speak with Matt Meiners to better understand what services he provides for us. Commissioner Border would like copies of all invoices that we receive regarding city maintenance. Attorney Edwards advised that we need to make sure the city has been added to the certificate of insurance for any contractors doing work within the city. Commissioner Evers will follow up.

### **Communication and Public Outreach**

Commissioner Tungate was not present and left his report with Mayor Magers that he has procured signs for garage sale and he will put them up Friday afternoon.

Commissioner Borders reported that when he received copy of newsletter he placed on the Facebook page that we would not have trash pickup on the holiday as well as information about the garage sale. Feels this would fall more in Commissioner Tungate's position.

### **Public Services**

Commissioner Rittenhouse reported that we have a new Rumpke contract and provided clerk with the email and addendum for her records.

### **Police Department**

Mayor Magers reported that he received a complaint about a yard sign that appeared at a new resident on the corner of Glen Arbor and Greenlawn. The sign was at least four feet tall. Residents emailed complaining and asked us to take action. In our current code of ordinance there is nothing about restrictions on the size of yard signs. The resident in the home contacted Mayor Magers and asked if there is an ordinance or anything prohibiting him from having the sign in his yard. Mayor Magers responded there is no ordinance restricting size of yard signs. Louisville Metro has an ordinance that may apply with regard to the size of sign in yard. The complainant did not like Mayor's response. Mayo Magers informed him that he can call Metro 311 and they will inspect the sign and decide if it complies with Louisville Metro Ordinances. Mayor has heard nothing further but the sign has been removed.

Mayor Magers on Saturday night at approximately 10:15 PM he received someone called him to report a parade of cars driving down Bancroft Lane. The caller had also called Louisville Metro Police Department but she said there seemed to be little interest in sending officers to investigate. So Mayor Magers drove to Tavener that evening and found about 300 teens with alcohol and cars blocking the street. There was a graduation party on Tavener. He contacted Louisville Metro Police and when they

arrived they dispersed the crowd. The trash left in the streets was picked up by the person having the party.

Chief Yeager gave the following report.

Chief Yeager reported about the serious crimes coming close to our city. There was recently a double shooting death off Lyndon Lane and a home invasion on Saturday evening in Graymoor. There was also a burglary spree two weeks ago in Graymoor. Two suspects were arrested immediately and other arrested yesterday. Chief Yeager would like to make everyone aware to keep doors and cars locked as well as garage doors closed. Most burglaries occur between 10 am and 3 pm. Chief has also recovered three stolen bicycles. Shootings are up 300% in the east end.

There were no questions or comments.

### **Finance and Administration**

Commissioner Evers reported that he received a call from a resident that he did not like the condensed budget that is on the internet. He was informed that all information is public and if he needs to see anything just ask. Treasurer Shaikun explained that we have only three line items we do not have to frequently amend our budget when expenses exceed projections.

### **OLD BUSINESS**

#### **1. Appointment of Ethics Officer for 2017**

Clerk received an email from a resident that may be interested in the position, forwarded to Mayor and he will call resident to discuss.

#### **2. Financial Interest Statement**

All commissioners are supposed to submit a financial interest statement to the clerk or custodian of records. He emailed a form for the commission to complete. He asked that everyone complete and send to the clerk as soon as possible.

#### **3. Update on City of Louisville lawsuit against the City of Bancroft, all cities in Jefferson County, and the Jefferson County League of Cities relating to HB 246 (Waste Management).**

Mayor received letter from Louisville Metro that they are making appointments to the Louisville Waste Management Board and this was sent to everyone of record in lawsuit. Clerk Tuthill will keep original of letter and Mayor Magers will forward a copy to the attorney.

Attorney said there was no status change that he knew about on lawsuit. Judge has not made any decision on Notice of Injunction.

#### **4. Discussion Of Resident Feedback On The Street Signs.**

Commissioner Borders reported receiving very little resident feedback on their preference of street signs. This was expected but everyone that did respond seemed to like the same sign as the commissioners.

The commission was in agreement that the extra expense for the larger base was not necessary. Mayor Magers said the money for street signs cannot come out of the road fund as we are required by our ordinance to have a hearing before any money can be spent out of our road fund. The question was raised regarding the street signs being purchased from the Road Fund. We are not using Road Funds to purchase the street signs. Commissioner Evers said we had budgeted this year \$45,000 for street maintenance and have spent \$11,000. We then have \$34,000 left in this year's budget for the signs.

A motion was made by Commissioner Evers that we direct Commissioner Borders to purchase the new road signs and have one new City of Bancroft main entrance sign installed at the entrance at Bancroft Lane and KY 22, as described. This includes street signs, including poles, for each street within the city. The design of sign is the one selected by the commissioner as discussed. The cost is not to exceed \$19,900. Commissioner Borders seconded the motion.

Commissioner Rittenhouse asked if this would include the small city name signs at each entrance to Bancroft.

Commissioner Evers amended motion to include the smaller city name signs at each entrance, if we can also get these signs within the cost of \$19,900. Commissioner Borders seconded the motion to amend. The mayor and three commissioners present voted to pass the motion to amend. The question was called on the original motion, as amended. The mayor and the three commissioners present voted in favor of the original motion as amended. Motion passed.

## **NEW BUSINESS**

### **1. Second Reading of the Budget and Tax Rate Ordinances**

Commissioner Evers distributed the proposed budget and tax ordinances for review. Mayor Magers noted the ordinances were not consistent with the first reading at the May meeting.

Attorney Edwards reported that if the changes made to the first reading of ordinance between the first and second readings were not substantive changes, then we could proceed with a second reading. If there are substantive changes from the first readings then we could make the changes and we could have another first reading of the ordinances. Mayor Magers noted that the line items were not changed from the first reading. The total estimated expense is \$228,556 and not \$221,000 as originally stated on Ordinance No. 1. There should be three line items on the expenses and not five also as originally stated. Those line items are Administration, Police Department and Grounds and Maintenance. This amounted to substantive changes, requiring another first reading.

Mayor Magers proceeded with the First Reading of Ordinance No. 1 Series 2017. An Ordinance Adopting a Budget for the City of Bancroft, Ky for the Fiscal Year Ending June 30, 2018.

Commissioner Evers discussed Ordinance No.2 regarding the tax rate. We are not increasing our tax rate but keeping the same rate as last year. This amount had been changed since our last meeting and we will again have a first reading. It was noted that .356 cents per \$100 is inaccurate. Attorney suggested we move the decimal so rather than .356 cents make 35.6 cents per \$100.

Mayor Magers proceeded with the First Reading of Ordinance No. 2 Series 2017. An Ordinance of the City of Bancroft, Ky, relating to the 2017 Real Property Taxes.

Mayor announced that we need to decide on a time for a special meeting for a seconding readings of the ordinances and subsequent votes. Mayor Magers made a motion that we set a date within the month of June 2017 for the sole purpose of having a second reading and vote on the tax rate and budget rate ordinances. Commissioner Evers seconded

Discussion ensued on the best way to notify residents of the special meeting. Commissioner Evers offered to print postcards to mail to residents. This was the most cost efficient method. Commissioner Borders asked if a special meeting is necessary as we could have the existing budget carry for another month and have the second reading at the July meeting. The was discussion regarding a special meeting in June to pass the budget, or waiting to pass the budget in July. Mayor Magers voiced the opinion it was the commissions obligation to pass the 2017-2018 budget in June. Commissioners Borders and Tungate voiced the opinion we could delay the vote until the July meeting. Everyone agree that waiting until July meant the 2016-2017 would automatically become the new budget on July 1 and would remain in effect only until the new budget was passed at the July meeting.

The question was called. Commissioner Evers, Rittenhouse and Magers voted in favor of the motion to call a special meeting in June to pass the budget and tax ordinances. Commissioners Tungate and Borders were opposed. Motion passed. Commissioner Tungate arrived in time for this discussion and vote.

Commissioner Evers will prepare a post card with the notice of special meeting.

Mayor Magers proposed that he check with Episcopal Church regarding the availability of the meeting room on either June 20, 21 or 22 and he will advise the commission on the date selected.

**2. Decision On Selecting Residents Needing Rear Door Service From Rumpke**

It was agreed to delay the discussion on garbage collection until the July meeting.

Commissioner Tungate made a motion to adjourn the meeting and Commissioner Borders seconded. All in favor and the meeting was adjourned at 9:38 pm.

/s/ Jeff Magers  
Mayor

/s/ Shannon Tuthill  
City Clerk