

MINUTES FROM JUNE 14, 2023 BANCROFT MEETING

The regular scheduled meeting for the City of Bancroft, KY was called to order by Mayor Ed Evers at 7:06 P.M. on Wednesday, June 14, 2023 at St. Albert the Great School, Louisville, Kentucky. Those present: Mayor Ed Evers, Commissioner Jeff Magers, Commissioner Jaimie Schapker, Commissioner Paul Chumbley, Treasurer Arnold Shaikun, Clerk Shannon Tuthill, Chief David Mudd. Absent: Commissioner Gerrie Leppert.

REVIEW MEETING MINUTES:

Mayor Evers proceeded to review the May meeting minutes. Commissioner Magers added one correction to the SOP language mentioned. Commissioner Schapker made a motion to approve minutes. Commissioner Magers seconded, all in favor and the minutes were approved with changes.

REPORTS:

Clerk

Clerk Tuthill gave the following report. Met with Treasurer Shaikun to sign checks and provide month end reports. Created and distributed May and June newsletter with Mailchimp.

A letter was sent to a resident that only made a partial payment of their tax bill and advised her that the remainder of the bill was still due with interest. Also prepared draft letter to same resident asking reimbursement for the tree that fell from their property onto Maria Avenue and requesting reimbursement. Sent to Mayor to review.

Clerk made one visit to storage unit to pick up yard sale signs and delivered to Commissioner Schapker. Also stored some unused in file in storage unit.

Sent welcome information to one new resident.

Sent information on LG&E billing to Commissioner Chumbley.

Other standard monthly city business as needed. Nothing further to report.

Mayor's Report.

Mayor Evers reported that he will send a correction with mayor's notes. Everything else covered in new business.

City Maintenance

Commissioner Leppert was not present but left report. Fence on Bancroft Lane was power washed. Twisted Nature Tree Preservation - Performed spring tree preservation. General Maintenance - grass mowed, cul de sacs weeded, mulched, and bushes trimmed. Tree work performed as needed.

Communication and Public Outreach

Commissioner Schapker reported the following. Yard sale was a success. July 1 will be Fourth of July parade with Tiki Ice Truck and other activities.

Public Services

Commissioner Chumbley provided the following update. I met with a representative from LG&E yesterday about lighting improvements. Attached is the form he gave me. He recommended we go with the Colonial Fixture, which would be the same fixture we have now, except with a much brighter LED light. The majority of the other identified fixtures are for downtown areas and, based on my understanding, would not only require installation of a much taller lighting pole but would provide a very intense lighting that may be too bright for our needs/residents' desires.

We are currently billed by LG&E for 16 streetlights. The representative had a map with the lighting locations and, based on our informal count, there are at least 32 actual lights in the city. We are going to work to confirm who is being billed for which lights.

I also asked the rep to come up with a cost estimate to run a dedicated power line through the city to increase the number of streetlights we have. As best he could tell, the electricity for the streetlights we have runs from the power lines in people's yards to each individual light pole. Running a dedicated line could be expensive but would make it possible to increase the number of lights we have.

More detail in Old Business.

Rumpke Update. We should not pay fuel surcharge for May has diesel was less than \$4 per gallon per contract.

Police Department

Commissioner Magers gave the following police commissioner report.

1. The police vehicle had a severe radiator leak requiring a radiator replacement. Also, the vehicle needed a new idler pulley. The work was completed by Ken Towery's Tire and Auto Care. The invoiced cost was \$896.44.
2. On June 3rd, a tree limb fell and blocked Bancroft Lane. Treasurer Shaikun notified me and I responded to assist. We cut the limbs to clear the lane to allow for traffic flow. Later, the rest of the limb we could not get to was trimmed by Matt Meiners. The Lane was closed to traffic for about 30 minutes.
3. On June 12th I was notified by a Bancroft resident that a Ballantrae resident spray stained their wooden fence and the stain covered several large sections of Bancroft white rail fencing adjacent to the wood fence. Commissioner Leppert (Maintenance) and Mayor Evers were notified. I recommend requesting clean up by the home owner.
4. I prepared the Municipal Orders on the agenda.
5. I prepared the proposal for an additional police officer.
6. I was contacted by city commissioners from two nearby suburban cities inquiring if Bancroft would be interested in providing police services to their cities. Both were told to try to negotiate with their current police provider (Lyndon PD) since they have more police resources than Bancroft, but if they are unable to reach an agreement with Lyndon, the Bancroft City Commission will then decide if services could be provided under an interlocal agreement. If approved by the city commission, we would negotiate the agreement.
7. I reviewed the KLC Insurance Services (KLCIS) and LAGIT liability insurance quotes. I recommend the KLCIS policy for 2023-2024. I have prepared a comparison with the reasons for going with KLCIS that will be distributed at the meeting.

Chief Mudd gave the following monthly police report. There were 21 days of patrol in the city. There were Radar/Stop Sign details performed for high police visibility. There was 1 call for service. There were 59 traffic stops made for traffic infractions. There were 15 traffic citations issued - charges included: Disregarding Stop Sign:5, Operating on Susp OL:1, Fail to Register Transfer MV:1, No Insurance:6, Improper Registration:4, Disregarding Traffic Ctrl Device:2, Speeding:2, No Operators

License:2, Permit Unl Operator to use M/V:1, Res Using License Other State:1. There was 0 Written Warnings issued. There were 35 verbal warnings issued. There were no motorist assists. There were 0 arrests: There were 0 verbal warnings given for parking infractions. There were 2 days of bike patrol. There were 12 visits to residents homes for the "House Watch" program. There was 1 vehicle towed. There were 0 assists to other agencies: There was 1 ordinance investigation I attended the May Commission Meeting. I completed written and physical training for Taser Certification I conducted a city ordinance investigation which culminated in a summons being issued to a resident for improperly parking a boat on his property. I attended annual in-service training at LMPD Training Center.

Finance and Administration

Mayor Evers reported that he received the Letter of Engagement for Attorney services of Rich Schiller for the next year. Letter stated a continuation of \$365 per hour for the next year. Commissioner Magers made correction that the previous letter of engagement quoted \$265 per year. He has confirmed this and Mayor will contact attorney Schiller with the correction.

OLD BUSINESS

1. Update regarding 7616 Old Salem Road

Mayor Evers provided copy of email from attorney that Friday July 21, 1:00 pm. the home will go up for sale. PS Funding stating they are entitled to \$434,000. We will get approximately \$18,000 at the sale. Post information on sale on our website and Facebook.

2. Update on Flock Progress

Chief has been checking the progress to make sure it is working well.

3. Municipal Order #2: Reappointment of Police Chief

Commissioner Magers made a motion to add Municipal Order #2 to agenda. Commissioner Chumbley seconded. All in favor and it was added as Item #3.

Municipal Order #2 – Was brought to our attention that police chief needs to be appointed every year. Chief Mudd's reappointment should take place March 1, 2023 – February 28, 2024.

Commissioner Magers made a motion to accept Municipal Order #2 reappointing Chief Mudd for the period of March 1, 2023-February 28, 2024. Commissioner Schapker seconded. All in favor and the Municipal Order was approved.

4. Municipal Order #3: Purchase of new Police Vest

Commissioner Magers made a motion to accept Municipal Order #3 authorizing the purchase of a new police vest for Chief Mudd. Commissioner Chumbley seconded. All in favor and the motion passed unanimously.

5. Municipal Order #4: Purchase of Police Radio

Commissioner Magers made a motion to accept Municipal Order #4 authorizing the purchase of a new radio for the chief vehicle. Commissioner Chumbley seconded. All in favor and the motion passed unanimously.

6. Street Lighting Proposal

Commissioner Chumbley recommended changing the street lights to the LED option. The sodium bulbs we currently have will not be replaced anymore.

The recommendation to change to the Colonial lights there is an upfront \$260.00 per light fee total of \$9100 cover replacing all light poles. Or a \$4.62 per light monthly fee. Would be the same light pole but new type of fixture to be used with LED. Other neighborhoods have already changed the lights. Question raised as to difference in illumination. Is it just replacing fixture or entire pole. Can the light be angled down to illuminate street. Commissioner Chumbley will work on getting questions answered.

Suggestion made to confer with maintenance commissioner Leppert because this is a maintenance matter. Additionally, this is something that road fund money could also be used for if necessary.

7. ARPA Fund Usage

Commissioner Schapker made the suggestion to donate ARPA funds. We could donate to a west end organization that could use the funds in a better way. Commissioner Magers stated use of funds would not be allowed in accordance with the U.S. Treasurer ARPA Final Rule because the funds are intended for the benefit of Bancroft residents, not residents of the West End of Louisville Metro. -He further stated ARPA funds provided to non-profit organizations must be accounted for by the city commission for proper usage in accordance with the ARPA Final Rule. This was one reason we did not give some of our ARPA funds to the East Area Community Ministries (EACM) for their food delivery program, even though Bancroft is in EACM's area for providing services.

This can be discussed further at a later date.

NEW BUSINESS

1. Review of permit application from 7412 Maria Avenue

This permit request made by resident Sharon Lauer, 7412 Maria Avenue and was on the agenda last month but we did not have enough information to review the request. We now have supporting documentation and pictures. Commissioner Magers made a motion to approve permit request for 7412 Maria. Commissioner Schapker seconded. All in favor and the motion passed unanimously.

2. Review of permit application from 7414 Maria Avenue

The permit request was received by resident Darby Parker, 7414 Maria Avenue. There was no supporting documentation provided other than the permit application. Commissioner Magers made a motion to table the discussion until we receive the supporting documentation. Commissioner Chumbley seconded. All in favor and the motion passed unanimously. Mayor will contact Darby Parker and explain that documentation is needed to support permit application.

3. Selection of Liability Carrier

Commissioner Magers reviewed our current liability insurance coverage and researched a new policy with Kentucky League of Cities. He passed out supporting documentation for everyone to review. (Supporting documents are attached to minutes). With our current policy, if we are sued, we would have a \$10,000 deductible for legal expenses and even if we win the lawsuit, we would still be out the \$10,000. With the KLC policy we pay a higher premium, but there is no deductible. With the KLC Insurance Services policy legal fees are paid separately from the \$1,000,000 policy limit. In every item it is better coverage than the LAGIT policy.

4. Approval of Salaries for non-police staff

Mayor Evers proposed a new salary for FYE 2024, the treasurer of \$600.00 per month/\$7200 per year. For city clerk the proposal is \$12,000 per year.

Commissioner Magers made a motion to approve the yearly salary for treasurer and clerk. Commissioner Schapker seconded. All in favor and motion was approved.

5. Second reading of '23-'24 Tax Rate Ordinance and Budget Ordinance

Mayor Evers proceeded with second reading of Ordinance #2 - An Ordinance of the City of Bancroft, Kentucky relating to the 2023 Real Property Taxes."

Mayor Evers made a motion accept Ordinance #2 - An Ordinance of the City of Bancroft, Kentucky relating to the 2023 Real Property Taxes." Commissioner Schapker seconded. All in favor and the motion passed unanimously.

Mayor Evers proceeded with second reading of "Ordinance #3, Series 2023 – A Ordinance Adopting a Budget for the City of Bancroft, KY for the Fiscal Year ending June 30, 2024."

Mayor Evers made a motion to approve Ordinance #3, Series 2023 – A Ordinance Adopting a Budget for the City of Bancroft, KY for the Fiscal Year ending June 30, 2024." Commissioner Schapker seconded. All in favor and the new budget was approved.

6. Additional Staffing of Police Department


Commissioner Magers had information on the cost of staffing another officer.

Two other small cities, Crossgate and Old Brownsboro Place have requested the use of our police services on a contract basis. If we charge these cities \$60.00 an hour this could cover the cost of hiring an additional parttime officer.

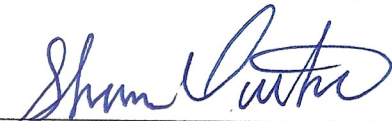
Commissioner Magers asked if the commission is in agreement to continue discussion about contracting with other cities that may want to use Bancroft services. Is this something worth his time to explore? Commissioner Chumbley said he is personally not interested. Commissioner Schapker said possibly Old Brownsboro Place because it is so close and almost an extension of our city as residents use the streets driving and walking. Commissioners agreed to further explore options for additional staffing.

Chief Mudd added that additional police presence in Bancroft especially at night could be helpful to keep crime outside of Bancroft.

Commissioner Chumbley made a motion to adjourn the meeting and Commissioner Magers seconded. With no further business, the motion was approved unanimously and the meeting was adjourned at 9:08 pm.



Mayor



City Clerk

Summary Comparison of KLC Insurance Services Liability Insurance and LAGIT for FY 2023-2024

I recommend we switch insurance carriers for FY 2023-2024 for the following reasons.

1. KLCIS covers Breach Response (Cyber) up to \$1,000,000. We would be eligible to receive a Cyber Security Preparedness grant up to \$1,000,000. LAGIT does not provide this coverage.
2. KLCIS provides Employee Practices Liability coverage, LAGIT does not.
3. Benefits Administration Liability coverage, LAGIT does not.
4. KLCIS had no deductible, LAGIT has a \$10,000 deductible per occurrence
5. KLCIS provides auto comprehensive coverage for physical damage up to the actual cash value of the auto at that time. LAGIT does not provide this coverage.
6. KLCIS has a data breach response coverage. Limits vary on the type of breach. See schedule. KLCIS provides access to a Crisis Management hotline to security consultants. LAGIT does not provide this coverage.
7. KLCIS provides an Active Assailant Policy for \$250,000 per occurrence limit and \$1,000,000 pool aggregate. LAGIT does not provide this coverage.
8. KLC provides \$1,000,00 coverage limit per occurrence but no aggregate limit. LAGIT does not specify if there is an aggregate limit.
9. Volunteers are covered in general liability and public officials liability under KLCIS, but not LAGIT. We use volunteers in special events, such as Easter Egg Hunt, parades, etc.
10. KLCIS covers hired car physical damage coverage with New Car Replacement coverage (see limits). LAGIT does not.
11. KLCIS covers auto towing for disablement. LAGIT does not.
12. KLCIS insurance covers punitive damages for officials functioning in their official capacity. LAGIT policy does not specify.
13. KLCIS has unlimited aggregate liability limits.
14. KLCIS provides a 5% discount if we complete Kentucky Labor Cabinet's Certified Drug Free Workplace program.
15. KLCIS provide payment plans of two or 11 payments, and ACH.
16. KLCIS general liability policy covers special events coverage such as parades and festivals that are managed by a member.
17. KLCIS provides members reimbursement of costs related to defense of criminal charges arising out of the member performing assigned duties, if the member is acquitted or the case dismissed. Coverage \$10,000 per occurrence or \$1,000,000 aggregate. LAGIT does not provide this coverage.
18. KLCIS provides legal assistance in providing guidance before employment actions are taken to minimize the likelihood of claim.
19. KLCIS through their Loss Control Division provide the following, which LAGIT does not provide:
 - a. Safety training
 - b. Risk management training and assistance
 - c. Technical assistance: OSHA, EPA, NFPA, etc.
 - d. Specialized Law Enforcement Assistance

- i. KLCIS employees with specialized law enforcement experience for safety and liability issues
- ii. State-of-the-art “response to resistance” simulators, law enforcement ROBOT for appropriate decision making, and moving target weapons training.
- iii. Regional training
- iv. Assistance in hiring of police chiefs
- v. Monthly newsletter and updates
- vi. Model policies and best practices information
- vii. Defensive driving training modules (actual driving)

In summary, while KLCIS will cost more per year, the coverage cover much more than LAGIT. LAGIT is a bare-bone liability policy with significant deductibles. “You don’t need insurance, until you do.” When you need it, you want the best coverage you can afford. With our financial position, we can easily afford KLCIS coverage. In this litigious environment we are in today, it would be financially prudent to select the superior KLCIS product. Considering today’s issues with cyber threats to municipalities, the cyber coverage alone would be an excellent reason to select KLCIS. From a Police Department perspective, KLCIS Loss Control provides excellent training opportunities with police officers and the comprehensive coverage for the police vehicle is a major upgrade from our LAGIT policy.

I highly recommend selecting KLCIS as our insurance carrier for FY 2023-2024.

Commissioner Jeffrey Magers