

The regular meeting of the Bromley Council began at 6:00 P.M. with a pledge to the flag.

Officers answering to roll call: Mayor Denham, Attorney Vocke, Mike Kendall, Nancy Kienker, Tim Wartman and Gail Smith. Dianne Wartman and Dave Radford are absent.

The September minutes were approved on a motion made by Smith and a second by Kienker. Roll call: all aye. The motion carried.

CITIZEN REPORT

Bryon and Crystal Leger, 2 Pike Street, are here to complain about their neighbors at 4 Pike Street. The Legers found the neighbors doing some suspicious activity late at night behind their property, which ended up being his property because the neighbors took a 12X14 spot, cleared it out, and laid a patio. Mr. Leger called Park Hills Police (PHP). The first officer that came informed Mr. Leger that this was a civil matter and he needed to obtain an Attorney, which he did. Mr. Leger informed his neighbor that he had twenty-fours to remove the patio from his property or he was going to take them to Court. The next day (Sunday-Sept. 20th.) Legers received a note from the neighbor at 8 Pike Street telling them to keep their dog off of their property (the note contained profanity and Mr. Leger stated that the person at 8 Pike is buddies with the people at 4 Pike Street and she is a "little girl who smokes dope on her porch and blows it in her baby's face). Ludlow showed up first and then PHP. The PHP officer told the girl to call the pound if the dog went into her yard, which Mr. Leger said was fine with him. Mr. Leger believes that his dog could have not gotten out on its own but was retaliation between the two neighbors. The PHP officer told the girl, with Mr. Leger there, that she could smoke her weed in the privacy of her home if that made her feel better, but don't do it on your porch. When the neighbor left the PHP officer said to Mr. Leger, "this is what you get when you start rustling feathers". He told Mr. Leger that Bromley was a quiet little town and they do not like dealing with this kind of thing. "We'll do whatever we got to do to open our little magic police book from calling the fire department, to have you checked out, or the code violations"- ask 234 Shelby Street" is what the officer said next. Mr. Leger would not talk further about the issue because he already felt threatened. The officer claimed to have his body cam on and Mr. Leger said he doesn't feel safe anymore. Mr. and Mrs. Leger have put up security cameras because of this.

PHP Chief Stanley asked Mr. Leger who the officer was. Mr. Leger did not get his name because he was so angry but he said that the Chief should be able to see what happened from the camera. This all happened about 10:30 A.M. on Sunday, September 20th. Ms. Leger told the Chief that she called dispatch yesterday morning (Oct. 6th.) at 11 A.M. to get a copy of the incident report from the 20th. and was told that it would take so long that she was better off waiting until she attended tonight's meeting. The officer who came on the 19th. of September was very helpful telling the Legers that it was a civil matter and Leger would have to involve an Attorney to have the patio removed from his property. The PHP officer from the 20th. was called regarding the dog issue and this is when the bad comments were made.

Mr. Leger wants to file charges regarding the PHP issue. He feels that this encounter should be on the body cam and Chief Stanley can review it that way. He does not feel safe any more because of the statements made by the officer.

The Chief will meet with the Legers regarding this issue.

Mr. Leger has a video from his security camera showing a huge fire that the neighbors at 4 Pike burn, on a regular basis. They take whatever they can find to burn causing the flames to burn higher.

When the Ludlow Fire Department (LFD) Chief came down the flames had burned down so he did not witness the huge fire.

Mr. Leger is allowing the 4 Pike Street neighbors to pass through his property to get to the rear alleyway, but that is all that he is going to allow. He said that they are in and out of there all day long, including 1:00 and 2:00 in the morning. Kienker can vouch for this because the children are going on to her property located at 18 Pike Street. Mr. Leger has pictures of the path that they walk between the two houses to get to the alley. It is obliterated with trash. Mr. Leger believes that the property is rental. They burn 2-3 times per week. At one point the fire was so high that you could only see a glare and a child was running nearby. They were burning during the burn ban also. Mr. Leger's video was taken one day after the burn ban was lifted. The flames are so high that Mr. Leger is afraid they will set the tree on fire that is between his and Kienker's property.

Ms. Leger has tried to call Social Services regarding the children who are always running around naked. The Mayor stated that the City cannot get involved with property issues. PHP can assist with the other matters and LFD can be contacted when the fire is huge by calling 911. Photos are not good enough regarding the fire. LFD has to witness the high flames in order to pursue the matter.

PDS should be contacted regarding the trash/garbage issues.

Smith suggests that Ms. Leger give PDS permission to go into the rear of her property to take photos.

Neighbors in the area of 240 Shelby are present to get an update on this property. The Mayor informed them that the tenants are out. They are only allowed on the property to remove their possessions and are not allowed on the property after their personal property is gone.

The Attorney informed them that the City has filed suit against that property and the people that were renting it. The Attorney filed a motion to get it set for trial. The Judge, per the Attorney, will order us to mediation before it goes to a trial date. The Attorney for the property owners has contacted Mr. Vocke and asks that the City consider dismissing the lawsuit as there is an interested party who would like to purchase and rehab this property.

The Mayor stated that money and time have been spent by the PHP and LFD as well as a City employee in regards to 240 Shelby and these people need to be reimbursed for their time.

The Attorney stated that no time frame was given for the renters to recoup their possessions and he believes that they have been evicted.

The neighbors stated that the property looks worse now than it did when people were living there and there are people milling through things at 3-4 A.M. The Mayor stated that neighbors should contact PHP if they see someone on this property during the early morning hours.

Smith and Kendall both feel that the City should be done with the entire issue and not allow anyone else to enter the property.

PDS has stated that the City cannot have the vehicle removed at 240 Shelby because it is on private property. France has seen someone pulling into the alley and removing something from the truck. Officer Grigson was on duty and was notified by France.

Neighbors have seen people in the basement of 240 Shelby throwing items out of the window. Someone thought that some of these items were motorcycle parts.

PDS REPORT

The Mayor has been talking to Quentin from PDS.

Trees on Hayward were discussed as well as 240 Shelby Street. The Mayor said that it is surprising what PDS is not legally allowed to do.

Our Attorney will meet with the Attorney of the owners of 240 Shelby Street and tell them that no decisions will be made regarding this property until it has been cleaned up. Further discussion regarding 240 Shelby will be discussed in the closed meeting.

POLICE REPORT

This report is available in the office for review.
The Mayor thanked PHP for their assistance with 240 Shelby.

FIRE DEPARTMENT REPORT

This report is available in the office for review.
The Mayor thanked LFD for their assistance with 240 Shelby.
France was informed that there is not much that can be done regarding smoke coming into homes from people burning outside. If France is concerned, he was advised to contact LFD so they can determine if people are burning items that are not supposed to be burned. Chief Steward advised the Mayor and Council that Ludlow has a "nuisance fire ordinance" which, if put into place, would assist LFD in addressing fire issues in Bromley. Our Attorney can also contact KLC to see if they have paperwork on file regarding open burning.

HALL COMMITTEE REPORT

Dianne Wartman is absent.
Tim Wartman reported that the rear of the City building needs to be cleared of vines and other debris. After some discussion, it was decided that France and Tim would see if Jeff Creekmore had the necessary equipment to deal with this problem. There are fallen fences, vines, trees, etc. involved. It was reported that Dianne is still trying to find someone to install a gate by the front entrance of the building to replace the chain.

ROAD AND LIGHT REPORT

Dave Radford is absent.
The traffic monitoring sign report is available in the office for review.
Kendall stated that Pat Wartman would like for this sign to be used on Bromley/Crescent Springs Road. It can be placed on her property. Several other locations for the sign placement were suggested as well. One location would be on the busier streets for Halloween night monitoring (between Boone and Kenton) with a message displaying "kids at play". Radford may be looking into the purchase of an additional speed monitoring sign.
The brush cutter that France was pricing does not meet the criteria of the grant money that was to be used for the purchase. The grant specifies that the equipment has to be a mulcher or a recycler. Smith stated that the grant is to be used by the first part of November and pays up to \$1,500 towards the piece of equipment. The City would have to pay any balance.
France has cleaned the property at 1 Pike for the last time this season.
The lot behind the Combs' property is still okay. The tree in front has been trimmed back.
France has not checked on the property at 11 Lake Street lately.
The Shane Hamant contract is in place until December 31, 2020. Radford is looking for another party to do our snow removal. Tim stated that Roger Laws' Company may be interested. The current contract calls for snow removal and grass cutting at the park along with the upkeep of several other locations in

Bromley. The Mayor will speak to Radford about putting this job request out for bid. The Attorney stated that bidding is a good idea for price comparison purposes.

ATTORNEY REPORT

The Attorney read Resolution 10-1-20 which appoints Joe Bergman from the Planning and Development Services of Kenton County as Bromley's representative, through December 31, 2023, to the Joint Board of Adjustments. Smith moves to accept this resolution. Kienker seconds. Roll call: all aye. The motion carried.

The Attorney read Resolution 10-2-20 which opposes any action related to the storage of styrene in the vicinity of Bromley, KY. Smith moves to accept this resolution. Tim Wartman seconds. Roll call: all aye. The motion carried.

The Attorney read Ordinance 10-1-20 for the first time. This ordinance amends the time frame for live entertainment. No live entertainment before 11 A.M. or after midnight on Fridays and Saturdays and no live entertainment after 10 P.M. from Sunday through Thursday.

Kendall moves to accept this reading. Smith seconds. Discussion: Smith suggests that the time for live entertainment be changed to begin at 4 P.M. (not 11 A.M.) for all days of the week. After some discussion, this amendment was agreed upon. Kendall moves again to accept this reading. Smith seconds with the amended time frame. Roll call: all aye. The motion carried.

The Clerk had sent the Attorney information from an insurance company requesting a refund in overpaid funds. The request was made for the year 2011. After reviewing the ordinance, the time frame to ask for refunds on premium insurance is eighteen months. The Attorney has notified the company that they will not be receiving a refund due to the time stipulation in the ordinance. There will be a closed session later in the meeting to discuss litigation.

WAYS AND MEANS REPORT

Smith reports that the Sheriff's Office sent the original tax bills out for Bromley and omitted the Road tax and the EMS tax. Smith worked with the Sheriff's Office and this error was immediately corrected and the revised bills were mailed by the Sheriff's Office last evening. The Attorney will add these two tax rates (Road and EMS) to the tax rate ordinance next year so that the error is not made again.

Kienker stated that some escrow account taxes were paid by Home Savings Bank before the corrected bills were mailed. The bank will have to make payment for the balance due when the revised tax bills are received.

The Auditors will be here on Thursday, Oct. 15, 2020 to begin the next step of our audit.

Smith has received information from Scott Smith from Ludlow regarding the payroll. This information is for the CARES funding. Smith will fill out the paperwork that is required and that will be checked by our accounting firm. When that is in place the papers will be forwarded to the Department of Local Government and, hopefully, Bromley will be receiving approximately \$57,000.00 from the CARES Funding Program.

The last time Bromley received any payment from B/P was in 2018. They overpay us and are currently sitting on an \$87,000.00 credit balance. Lori, our account consultant, believes that Bromley should go even this time. She recommends that we return overpayments in the future. The paperwork that they (B/P) send shows what should be paid and what is actually paid. According to John Chamberlin, B/P rounds off what they own to the nearest \$10,000,000.00 because of the size of their tax return. The overpayment means nothing to them. What Mr. Chamberlin suggests is that Bromley either return the overpayment or put the overpayment into a deferred revenue account (escrow account).

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Smith stated that they never underpay. They deliberately overpay and then they take the overpayment from what they actually owe for the next period. By doing so, Bromley has received nothing this year to date.

Kendall reported that mistakes have been found in B/P's math in the past as well.

Smith stated that if we have an excess of \$87,000.00, we'll start taking \$50,000.00 out annually for operating expenses. John Chamberlin also said that we could put the money into a money market and make some interest on the money. This will allow us to manage the overpayment on our own and keep the revenue stream on an even keel. Kendall says it is amazing that B/P has not tried to charge us interest on the overpayment money that they have paid to us.

PARK AND PLAYGROUND REPORT

Tim finally got in touch with the paving company for park work. He is waiting for a price.

NO INSURANCE AND GRANT REPORT

MAYOR REPORT

The Mayor feels that Bromley did well by not responding to recent negative Facebook comments. Kienker reports that Waffles and Weck is gone because the Department of Labor has shut them down. There is a man who is interested in taking over the business. He already has some ideas in mind and is reviewing City ordinances to make sure that the business is run properly and according to the law.

Kendall moves to go into executive session regarding litigation. Smith seconds. Roll call: all aye. The motion carried (7:10 P.M.).

The regular meeting reopened (7:17 P.M.).

Smith moves to accept all committee reports. Tim seconds. Roll call: all aye. The motion carried.

OLD BUSINESS

Kendall reports that we are "out for bid" on the Main Street Project. The bid was for the three walls and the storm system (the storm system may be delayed until next year).

The time limit for this Project, per Kendall, has been extended automatically.

NEW BUSINESS

Halloween hours will run from 6:00 P.M.-8:00 P.M. on October 31, 2020.

NO COMMUNICATIONS

BILLS

Smith moves to pay the bills. Kendall seconds. Roll call: all aye. The motion carried.

Smith moves to adjourn. Wartman seconds. (adjourned 7:20 P.M.).

MAYOR



CLERK

