

**City of Lakeview Heights  
385 Circle Drive  
Morehead, KY 40351**

**MEETING OF THE CITY COMMISSION  
THURSDAY, May 6, 2021  
6:00 P.M.**

A meeting of the City Commission was held at the Robert Stivers Community Building with the following present:

**Commissioner Members Present:**

Sam Mason, Mayor  
Tim Miller, Commissioner  
Jim Fluty, Commissioner  
Mark Blankenbuehler, Commissioner  
James Hood, Commissioner

**Others Present:**

Amanda Mason, Clerk  
Paul Stokes, City Attorney

**Commissioner Members Absent:**

NONE

**CALL TO ORDER**

Mayor Mason called the meeting to order at 6:00pm.

**PUBLIC COMMENTS**

Commissioner Fluty reported that Don Lamb had texted him this afternoon to let him know that the dogs woke him up at 4/27 at 4:08am.

**Approve Previous Meeting Minutes**

Commissioners Fluty and Blankenbuehler made note of several grammatical errors on the meeting minutes that needed to be corrected. Commissioner Blankenbuehler made a motion to accept the minutes with the noted revisions. Commissioner Fluty made a second to the motion, and the motion carried.

**Closed Session: KRS61.810 (1)(c) – Discussion of pending litigation against the City of Lakeview Heights**

Commissioner Fluty made a motion to go into closed session. Commissioner Miller made a second to the motion and the motion carried.

No action was taken during the closed session.

**Old Business**

**No Solicitation Stickers**

The No Solicitation Stickers have been picked up. They are in a large roll, but Mayor Mason thinks that the stickers can be peeled off. Mayor Mason said we could notify residents that stickers would be available via the Newsletter. Residents can call or message us for a sticker to be delivered to them if they so desired.

### **Easter Treat Bags**

The Easter treat bags were a success. Thirty bags were picked up or delivered to resident children/grandchildren.

### **Property Tax Collection**

Clerk Mason made note that two additional residents had paid late property tax bills, while another indicated they would be dropping theirs off soon. Only two unpaid tax bills remain.

## **New Business**

### **Treasurer's Report**

Mayor Mason pointed out a spelling error on the report. Commissioner Fluty made a motion to accept the financial report with the noted correction. Commissioner Miller made a second to the motion, and the motion carried.

Mayor Mason and Clerk Mason brought up the idea of moving the Road Fund to the same bank that houses the City's checking account.

Commissioner Fluty made a motion to create a savings account at Whittaker Bank for the Road Fund and close out the Road Fund account at First Federal Savings and Loan. Commissioner Blankenbuehler made a second to the motion, and the motion carried.

### **In-Ground Pool Permit**

113 Circle Drive has submitted a permit for an in-ground pool. Commissioner Fluty and Mayor Mason went to the property and completed a set-back measurement per the request of Jim Fawcett. Inspector Fawcett will be handling the rest of the inspections. As far as the set-back goes, the property owners are ready to proceed. The pool company will follow all of the guidelines and regulations as required by Kentucky law.

### **City/Community Yard Sale**

Commissioner Blankenbuehler made the suggestion to have a yard sale on June 12<sup>th</sup>. The commission agreed.

### **Noise/Light Complaint**

A resident made a complaint about noise and light disturbing her during the middle of the night. The resident called Commissioner Fluty, and he suggested that the resident attend the Commissioner meeting to voice the complaint. To be proactive, Mayor Mason made a trip late at night to the property in question to determine if there were any unusually bright lights or loud motors running that could be considered a nuisance. On that evening, nothing was detected. Mayor Mason spoke with the adjacent property owner, who had also spoken to the complaining resident.

### **Dog Complaint**

Mayor Mason stated that a resident who was walking their dog on Pine Tree Lane when the dog from 116 Pine Tree Lane ran into the street and went after the walking resident's dog in an aggressive manner. Mayor Mason contacted the property owner

and indicated that he would have to find a solution. The resident has since been putting the dogs on a tie-out cable when outside unsupervised.

Commissioner Fluty indicated that he and his wife had walked by recently and the dogs were not tethered, but did not approach the street at all.

Commissioner Miller indicated that a dog adjacent to his property barks, and it is noisy. He was concerned when the dog was pushing its face through the fence (which is old and not in the best shape). Mayor Mason indicated that since Commissioner Miller has already spoken to the resident, if he wanted a few of the commissioners to go to the property owner and express his concern, he could do so. He also indicated that the Commission could have the building inspector look at the fence to determine if it is in compliance.

### **Dumpster**

The commission discussed the city's finances and the use of dumpsters over the past few years. At this time, the city is able to budget in the cost of a dumpster for residents to use only once per year (or every other year). In the past, the dumpster in the fall received more use than the spring. The city paid for a dumpster during Fall 2020, and therefore the city will not utilize a dumpster this spring.

### **City Building Rental**

The Commission discussed the cost of cleaning the building versus the revenue generated from renting the building to residents or non-residents. In the past, every time the building was cleaned it cost the city \$90. Due to COVID, the building would have to be deep-cleaned after each use. The city will revisit building rental in July.

### **Procedure for response to Resident Complaints**

No discussion

### **Tax Rate/Budget**

Attorney Stokes indicated that we have about 8 hours' worth of hours of time invested in the recent/pending litigation case thus far. A bill will be sent out within then next few days.

Mr. Stokes stated that he had done some research on taxes, but because most of his time was spent on the KLC website, he stopped because the city is able to contact them for information. He recommended that the city work with the Kentucky League of Cities for assistance and advice on how to move forward.

Based on his view, the City of Lakeview Heights has a very (much too) low tax rate compared to the City of Morehead.

Mr. Stokes gave a brief overview of the process that includes a vote on a tax increase as a council, holding a public vote on the increase, then the public/citizens have a right to call for a petition for a recall. He shared information on how the county and city raise taxes on a temporary basis based on specific projects.

Mayor Mason questioned how a public hearing could be held during COVID. Mr. Stokes indicated that at this time online and present options could be orchestrated, but the in-person would need to be held on city property.

Mayor Mason provided the commission with a copy of Ordinance 5 in order to prepare for the budget for the upcoming fiscal year. Mayor Mason asked the commission to consider and think about an increase in the city's tax rate. Increasing taxes would allow the city to have more funds to do more road work, etc.

Mayor Mason will have Clerk Mason prepare a year-to-date report to show revenues and expenditures to also use to help prepare/plan for next year's budget and to help inform decisions about possible tax rate increases. He discussed with the commission other areas (insurance, etc.) that may need to be considered as well.

### **Other Business**

Mayor Mason signed the Older Americans Proclamation along with Laura White-Brown and Harry Clark.

Commissioner Blankenbuehler reported that it would cost an estimated \$150 to convert the swinging bridge to a regular bridge at the park. Commissioner Fluty asked if lumber prices had been investigated at Big 4 Lumber (local).

Commissioner Miller made a motion to approve up to \$200 in material expenses to fix the playground equipment at the park. Commissioner Blankenbuehler made a second to the motion, and the motion carried.

### **ADJOURNMENT**

With no further business pending and through unanimous consent, the meeting was adjourned at 8:33p.m.

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Sam Mason, Mayor

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Amanda Mason, City Clerk/Treasurer