

City of Lakeside Park
Minutes of Regular Meeting on 9/9/2024

CALL TO ORDER: Mayor Markgraf called to order the regularly scheduled meeting of Lakeside Park City Council at 7:00 P.M. on Monday, September 9, 2024, in the Lakeside Park City Building located at 9 Buttermilk Pike. Those in attendance were Mayor Markgraf, City Clerk Teresa Bruck and City Attorney Greg Voss. The council members present were Tom Bernheimer, Chris Gongola, Dennis Landwehr, Mary Ann Thaman, Brian Waite and Dave Wolfer.

INVOCATION GUEST

Father Dan Vogelpohl was our guest who administered the prayer for the council meeting.

AGENDA

There were no changes, corrections or deletions to the September 9, 2024, Agenda as presented. Mr. Gongola made the **motion** to adopt the Agenda and Ms. Thaman seconded the **motion**. Voice vote was taken. **6 Ayes, 0 Nays; motion** carried.

MEETING MINUTES

No corrections, additions or deletions were requested for the August 12, 2024, minutes. Mr. Landwehr made the **motion** to adopt the minutes. Mr. Bernheimer seconded the **motion**. Voice vote was taken. **6 Ayes, 0 Nays; motion** carried.

CITIZENS ADDRESSING COUNCIL:

Cassie Schabell of 41 Arcadia Ave inquired about the sidewalk project and the benches project. She inquired about the grant for the bench project and was advised there is no grant for this project. Ms. Schabell advised that she understood there were letters sent to 8-9 residents about the bench project and the mayor advised only 1 response to those letters had approval to move forward on the bench project, but nothing formally has been set. Her next inquiry was per the information she heard from the public works meeting, that if the benches and the receptacles would need to be maintained would that be by the residents? Mayor advised there is no determination of receptacles being installed, but benches would be maintained by the city. Ms. Schabell then asked if the city is going to maintain 100% of the benches, concrete slabs, and possibly garbage cans, what about the sidewalks. Mayor advised sidewalks to be 100% responsibility of the homeowner. As part of Public Works discussions, the committee agreed to pay half the cost of repairs to get rid of the trip hazards, but it is the residents responsibility, and the city is offering to help with the cost of repairs on a case-by-case basis. Ms. Schabell inquired about one street mentioned at the Public Works meeting that is set up for road repairs and would have their sidewalks repaired when the road work was being done. Mayor advised there are two streets being considered to be redone within the next several years that it would not be equitable for the homeowners to replace sidewalks now when the street repairs could generate the possibility of having to remove those sidewalks and curbs. The mayor also advised that typically when streets are redone, the sidewalks are included, and the residents are not charged for sidewalk at that time. Ms. Schabell asked for the council to consider repealing the Ordinance regarding residents maintaining sidewalks. Mr. Waite responded that his initial reaction is considering Ms. Schabell's request would be that the streets in the city do have sidewalks and those that don't there is more than half that do not have sidewalks and the residents that don't have sidewalks would be upset that the city is offering to spend half the cost for those that do. He also stated that there could be questions as to why we don't spend money to have sidewalks everywhere in the city and that could be costly. Mr. Bernheimer agreed with Mr. Waite that

he would be one of those residents to ask why he doesn't have a sidewalk and there could be an issue of liability and additional costs involved if the city takes over the sidewalks. Mr. Bernheimer also noted that would be a very expensive project to put sidewalks in the entire city. Ms. Schabell then asked if she didn't want the liability of a sidewalk, could she remove hers. The mayor advised that when developers built the homes, they may have had to install sidewalks as part of their contract and the homeowner does not have the right to remove the previously installed sidewalks. The mayor also referenced the information can be found under Ordinance 41.003 in accordance with Article II. Ms. Schabell asked the council to consider this as other cities have changed their policies regarding sidewalks. Attorney Voss advised ADA requires sidewalks and you cannot remove them. Ms. Schabell also wanted the mayor to cite the section of the 2010 standards for titles 2 and 3 that he is referring to in his report, and she requested this information to be emailed to her. She said if the residents are going to be charged Federal Civil Rights non-compliance, then this information should be available to be looked up. Mr. Bernheimer also noted that the council is very aware of the ADA compliance and does take the compliance very seriously as the city building had to be redone to meet ADA compliance issues.

Stephen Combs of 47 Colony South had 3 concerns. He first said the city has a great reputation. He indicated that he is a fairly new resident to the city and has concerns about a drainage issue to his property that directly relates to a sidewalk problem that is in front of his property. He said he spoke to Mr. Greer about this issue and was advised this is a known issue by other owners of his property. The mayor advised he would talk to Mr. Greer about this issue and get back to Mr. Combs.

He next advised he has pictures of a couple of concerns in his neighborhood. He has a concern about a car parked on the sidewalk on his street. He noted a neighbor's tree that needs pruned as it impedes the walking area of the sidewalk. He said there is a slightly parked covered wrecked vehicle in a neighbor's drive on Buttermilk Pike that has not moved for some time. Mayor advised we do have PDS to enforce our zoning codes for these issues, but the Police Department can also help with vehicles issues. The mayor and Chief Degenhardt advised they would investigate these issues.

He added an inquiry about HUD housing and if council must approve this type of housing or if PDS sends them any notifications. The mayor advised it is up to the owner of the property or landlord, and the city has no authority in H.U.D. housing decisions as this program is managed by the Federal Government.

Keith Hill of 37 Arcadia stated he has only been a resident of the city for a few months and feels it is the best place to live. However, he wanted to pose that arguing the reason the city would not want to maintain sidewalks 100% should not be couched on the fact that not all residents have sidewalks. He then inquired if there were streetlamps on other streets than Arcadia but was advised there are very few except on Farmington. He also inquired about streets that don't have crosswalks. He pointed out that it is not a good argument to say that not all residents have sidewalks and that's why the city doesn't pay 100% when not all residents have streetlamps or crosswalks either. He is not arguing the point about the repairs of the sidewalk, and he appreciates that the city offers to pay 50%, but he has concerns that whoever contracts the job might not meet the quality of what he just put in for his sidewalks on his property and or meeting ADA compliance. He understands that he could have this contract on his own, but he appreciates the city helping in the cost.

MAYORS REPORT

The mayor advised the first reading of the tax rate ordinance will be read tonight, and he is asking council to approve a tax rate reduction that is lower than the compensating rate. City survey results are on the city website for everyone to review. He noted that the lakes in Lakeside Park are private property, and the city cannot use city funds to maintain those lakes. Another concern from the survey included a request for leaf pick up, but several years ago this program was stopped due to many issues. The mayor advised there were

high remarks from residents about our city staff. Our staff is hard-working, dedicated, loyal and responsive. They have been able to look for deficiencies in processes and correct them. This is not shown to the public, but it makes the city run more efficiently. One of the items in this regard will be voted on by the council tonight, and that is the implementation of a formal investment policy as well as guidelines for investing city funds. We always tried to review to get the best rates of interest and lately we have had good returns, but we never had any written guidelines.

The mayor advised he is asking for a resolution for text amendment to our zoning code to correct a couple of issues that were oversights from the Z21 program. First is the removal of the provision for congestive mitigation corridor, which we don't have in Lakeside Park. The other is regarding temporary signs regulating them back as follows: personal property sales removed within 24 hours after the event, for sale signs removed immediately after closing, and temporary signs pertaining to an individual event not erected prior to 60 days of the event and removed 7 days after the event. Most other cities in our area have that last provision as no earlier than 30 days prior to the event, but we are just asking for what we had prior. If approved by Kenton County, then we can approve an Ordinance correction.

CITY ATTORNEY REPORT

Mr. Voss conducted the reading of **Municipal Order No. 04-2024** of the City of Lakeside Park, In Kenton County, Kentucky, Approval of City Investment Policy.

No questions or concerns regarding Municipal Order No 04-2024 Mr. Gongola made the **motion** to adopt the Municipal Order No. 04-2024, and Mr. Bernheimer seconded the **motion**. Voice vote was taken. **6 Ayes, 0 Nays; motion** carried.

Mr. Voss then conducted the reading of **Resolution No. 05-2024**, a Resolution authorizing the opening of account(s) and authorization of signatories thereon.

After Mr. Bernheimer inquired if there would be 2 signers for all accounts and confirmed by Mayor Markgraf that there would be, Mr. Gongola made the **motion** to adopt Resolution No. 05-2024. Mr. Wolfer seconded the **motion**. Voice vote was taken. **6 Ayes, 0 Nays; motion** carried.

Mr. Voss continued with the next reading of **Municipal Order No. 05-2024**, of the City of Lakeside Park in Kenton County, Kentucky authorizing an application to the Kenton County Planning Commission to amend the current Lakeside Park zoning code and zoning.

No questions or concerns regarding Municipal Order No 05-2024 Mr. Waite made the **motion** to adopt the Municipal Order No. 05-2024, and Mr. Wolfer seconded the **motion**. Voice vote was taken. **6 Ayes, 0 Nays; motion** carried.

Mr. Voss conducted the **2nd reading of Ordinance No. 11-2024** for the City of Lakeside Park in Kenton County, Kentucky, providing for the assessment of all real estate and personal property within the corporate limits of the City of Lakeside Park that are subject to taxation for city purposes by the use of the annual county assessment thereof by the property valuation administrator of Kenton County; and, levying an Ad Valorem tax thereon for the city purposes during the Fiscal Year which begins July 1, 2024, at the rate of **\$ 0.240** dollars for each one hundred so assessed of real property and at the rate of **\$1.481** dollars for each one hundred so assessed of personal property; and at the rate of **\$27.69** cents per \$100 so assessed of motor vehicle and watercraft property providing for the payment and collection of such taxes and the penalties and interest thereon; and describing the purposes for which such taxes so collected shall be

appropriates and used.

Mr. Bernheimer made the **motion** to adopt Ordinance No. 11-2024 for the current year's city tax rates, and Mr. Wolfer seconded the **motion**. Roll Call was taken. **6 Ayes, 0 Nays; motion** carried.

Tom Bernheimer	Yes	Mary Ann Thaman	Yes
Chris Gongola	Yes	Brian Waite	Aye
Dennis Landwehr	Yes	Dave Wolfer	Yes

Last, Mr. Voss read the 1st reading of **Ordinance No. 12-2024**, an Ordinance of the City of Lakeside Park, Kentucky repealing Ordinance 08-1988 in its entirety regarding parking on East Lakeside; codified as section 40.252 paragraph A of the City of Lakeside Park Code of Ordinances.

CITY CLERK/TREASURER'S REPORT

Ms. Bruck reported the City Survey had been completed and posted on the city's website as well as Facebook. She also stated the Fall Newsletter has been completed and sent out to residents either by email or postal service as indicated by requests. Last, she stated that a CD from Heritage Bank had matured, but they did not continue that CD with Heritage Bank.

Ms. Thaman asked if the CD is being reinvested and Councilman Gongola advised it is and he would talk about it in his report.

FIRE/EMS:

Asst. Chief Hampton reported they had 16 runs for Lakeside Park in August. They installed 9 child seats this past year and the program is doing well. We assisted some mutual aid for structure fires and a missing juvenile. We have a vibrant intern program and currently have 5 individuals for that program. This program is to encourage young individuals to choose a carrier in fire and EMS. Last, he talked about HERO's night on Tuesday, October 1st at DCCH fairgrounds from 4:00 to 9:00PM.

PUBLIC WORKS:

Mr. Landwehr sidewalk assessment done by Precision Concrete will hold their price quoted for multiple years if the city commits to the project. Letters will be sent out to the residents about the specs of this project.

The joint crack and seal project has been completed. The few issues with cleanliness have been addressed and we are working on ways to avoid this issue in the future such as a later start time. This project came in under budget, but we have not received an invoice from Neyra yet.

2024 spot repair program in 5 areas, as of today all work has all been completed except for the patching on Applewood.

The Dixie Highway Sidewalk Joint Effort Crestview Hills project on the East side of Dixie from Carran Drive to Whitehouse Drive. Approximately, 35 feet of this project is Lakeside Park's responsibility, and we have estimated \$10,000 in costs. Keeping in mind the State is paying 80% of the entire project.

CT Consultants recommendation for the Bellemonte Ave resurfacing and curb replacement project that the curbs and sidewalks be replaced, but the asphalt was ok. But because the need for the curbs and gutters to be replaced, then the street will have to be resurfaced. This project will be completed in two phases.

The Dixie Hwy and Buttermilk Pike crosswalk improvement project is temporarily on hold as it is still under discussion with the State Transportation Department.

Dixie Highway Bench project is still a work in progress. Letters have been sent out to residents for prospective locations but to-date there has not been any location secured and no work has begun.

2025 Street program on Shaker Road is scheduled in the 5-year plan for 2025. In addition, Penwood Road is scheduled for 2027 from the 5-year plan, but as a cost savings Shaker Road, Marlo Way and Penwood Road could all be included to be done in 2025.

Mr. Wolfer advised there is a typo on number 8, construction on Marlo is missing a "0".

POLICE AUTHORITY:

Mr. Waite board met on August 19th and minutes included in packet. Officer Tigner completed field training and on his own now. Officer Armstrong attended a Patrol Techniques course presented by the Northern KY Police and Training Center. The department received a grant to replace their patrol rifles. Last, they are continuing the selection process for the open position.

PDS:

Mr. Waite said PDS did not meet this month. He did advise that if residents see something that is not within our city's codes, to please report your findings to PDS.

FINANCE:

Mr. Gongola reported that he stopped in last week and reviewed the books. Everything looks in line and we have excess funds of over 4.2 million available. He was impressed with the recently developed investment policy. The finance committee did some detailed investigation on the investments and the FDIC insurance coverages, and decided to re-organize some things so we will be investing the CD funds elsewhere soon.

MUNICIPAL GOVERNMENT LEAGUE OF NORTHERN KENTUCKY (MGLNK):

Mr. Landwehr advised no report.

RECREATION:

Ms. Thaman reported we had several events in August that had to be cancelled, so she had nothing to report for last month's events.

She advised for the month of September there will be Bingo for Seniors is tomorrow at Fort Mitchell from 2:00 PM to 3:30PM.

The last Senior Seminar will be held at Fort Mitchell city building on September 18th from 9:00AM to 11:00AM. Topic of Taking Charge of Your Healthcare and Medicare updates.

There will be a fall city-wide yard sale on Saturday, September 21st. Contact the office for permit and to be added to the yard sale map.

Kenton County Public Works is hosting a fall clean-up on September 27th and 28th from 8:00AM to 4:00PM.

Last, she reported for the month of October on the 1st there will be Hero Night at DCCH fairgrounds from 4:00PM to 9:00PM; and on October 9th 2:00 to 3:30Pm there will be a new event of Senior 55+ Game Day at the Lakeside Park city building for residents of Lakeside Park and friends of residents.

Mums' orders deadline was today and this Wednesday from 2:00 to 5:00pm pick up the mum's orders. Mayor advised the mums sales event raises funds for our Adopt-a-Unit, and he thanked Libby Baker for all her hard work on this project.

PUBLIC RELATIONS:

Mayor advised the fall newsletter was completed and sent out this week, but if anyone would like to sign up for newsletters to please contact the city office.

NEW BUSINESS

No new business

COMMENTS FROM COUNCIL:

Mayor advised we miss Mr. Greer and wished a speedy health recovery.

Ms. Thaman requested a caucus/special meeting.


Mr. Wolfer advised that school is back in session and to watch out for the children. Mayor added that if you see a bus stopped that you must stop in both directions.

ADJOURNMENT:

At 8:15PM Mr. Gongola made the **motion** to adjourn the meeting and Mr. Landwehr seconded the **motion**.
Voice vote taken – **6 Ayes, 0 Nays; motion** carried.


Paul Markgraf, Mayor

ATTEST:


Teresa L. Bruck, City Clerk

AYES: 6
NAYS: 0