

**CITY OF UNION, KENTUCKY  
Public Hearing (MRA/LGEA Fund)  
And  
REGULAR BUSINESS MEETING  
MINUTES  
Monday, June 1, 2015**

**CALL TO ORDER PUBLIC HEARING:** Mayor Larry Solomon called the Public Hearing for MRA/LGEA Funds, of the Union City Commission to order at 7:00 pm Monday, June 1st, 2015.

Mayor Solomon asked for discussion from the commission on the funds. Commissioner Miller stated that the fund has \$267,719 in the Municipal Aid Road Fund that can be used for any street repairs. He asked about the \$23,640 Local Government Economic Assistance fund and if it was in addition to the Municipal Road Aid and was told that it was in addition to the funds.

There being no further comments, Mayor Solomon then asked for a motion to adjourn the Public Hearing. Commissioner Heil made the motion and Commissioner Mefford seconded the motion.  
**Motion Carried.**

**CALL TO ORDER REGULAR BUSINESS MEETING**

Mayor Larry Solomon called the Monthly Business Meeting of the Union City Commission to order at 7:06 p.m. Monday, June 1, 2015.

**LOCATION**

The Warren S. Moore Union City Building, 1843 Mt. Zion Road, Union, KY 41091

**ROLL CALL**

A quorum was present:

- Mayor Larry Solomon
- Commissioner Ken Heil
- Commissioner Bryan Miller
- Commissioner Jeremy Ramage
- Commissioner John Mefford

**Also Present Were:**

City Attorney - Greg Voss, Esq.  
City Clerk/Treasurer – Kathy Porter  
City Administrator – David Martin  
City Engineer - Barry J. Burke, PE PLS  
Communication-Adm. Coordinator – Misty Ezell

**PLEDGE OF ALLEGIANCE**

Mayor Solomon led the audience in the Pledge of Allegiance to the flag.

**APPROVAL OF MINUTES**

Prior to meeting, City Commissioners were provided a copy of the minutes of the Regular Business Meeting from May 4<sup>th</sup>, 2015. Commissioner Mefford made a motion to dispense with the reading of

the Regular Business Meeting Minutes and approve them. Commissioner Ramage seconded the motion. **Motion Carried.**

### **FINANCIAL BALANCE SHEET SUMMARY REPORT**

Commissioner Heil moved to accept the Treasurer's Balance Summary Report as of May 31<sup>st</sup>, 2015. Commissioner Miller seconded the motion. **Motion carried.**

### **BILLS FOR PAYMENT**

Commissioner Miller asked about an invoice from TMS Construction. Engineer Burke stated they were the company that completed the edge drain work on Cedarwood Drive. Commissioner Heil made the motion to pay the bills. Commissioner Mefford seconded the motion. **Motion carried.**

### **VISITORS AND GUESTS WISHING TO SPEAK...(around 3 Minutes per speaker)**

Mayor Solomon opened the floor at this time to anyone who would like to address the commission.

- Mr. David Kroher (1096 Bayswater Drive), at the May meeting his wife attended to ask the commission to place a speed hump on his street. In the meeting Mrs. Kroher was asked to have a petition signed by the neighbors asking if they were interested in having a speed hump placed. Mr. Kroher presented the petition that was signed by seven (7) residents in the area between stop sign and Farmcrest Drive. Engineer Burke stated there are 27 homes on the street and the threshold that is needed is 75% of the homes or 20 signatures. Mr. Kroher will go back to see if he can get the remaining signatures needed. Mayor Solomon stated that if the signatures are brought in, City Administrator Martin can authorize the placement of speed hump.
- Mr. Frank Beemon (Richmond Road) addressed the commission concerning speeding along his road.
- Mr. Frank Steinhauer (9029 Fort Henry Drive) requested a report from Engineer Burke concerning drainage issues on his property. Mr. Steinhauer stated his sump pump line is running behind his home to a 4" pipe that is running to a storm drain. Mr. Bob Schroeder from Arlinghaus Development stated that there is an easement for storm drainage. Engineer Burke met with three (3) property owners, one of the owners has a structure for storm water sewer in his back yard which is dedicated public property. The remaining issues are all on private property. The subdivision regulations state that sump pump lines cannot be closer than 10' from property. Currently two (2) property owners are connected to the line that flows through yards.

Mayor Solomon requested the residents and the builder meet with Engineer Burke, Commissioner Heil, and Administrator Martin to discuss the situation. Resident stated that the erosion problem had not been discussed. Mr. Bob Arlinghaus stated that he was not aware of the problem, but would review the problem. Mayor Solomon stated that this can be discussed with the Public Works team as well.

- Mr. Dwight Levi (Greenbriar Place) felt it was the City's responsibility to remove a tree leaning on his property. Engineer Burke stated there is an easement on Mr. Levi's property inside the white fence. Commissioner Miller explained to him the trees were his responsibility and the neighbor removed them.

## **MAYOR'S REPORT**

Mayor Solomon reviewed the City of Union Administration chart. The city will be implementing an evaluation system.

## **COMMITTEE /FUNCTION REPORTS**

### Economic Development Committee (EDC) (Commissioner Ramage).

Mr. Matt Apke the chairperson of the EDC Committee introduced the committee in attendance: Mr. Steve Harper, Mr. Denny Mathis, and Mr. Kevin Costello. The EDC has been charged with growing our city. They were asked to do this in two ways...1) Financing of the Mt. Zion Road project, and 2) Review of the Union Town Plan

Mr. Apke has been working with Kevin Costello with Boone County Planning and Zoning to understand the plan and they recognized some areas that the committee could focus on to potentially develop. One of the areas is owned by the Drees Company. They own 5 acres in front of the Harmony development, currently this area is planned for town homes. One of the representatives was at the last EDC meeting and is willing to listen to suggestions on the development of the land, they feel the key to developing the area is working with the community itself and working with Harmony and what they want.

Mr. Steve Harper stated the consensus committee process is forming and the city should get the Mt. Zion Rd. project on the agenda.

Commissioner Ramage stated the park project continues to evolve. David Whitehouse, with Boone County Parks and Recreation, and Commissioner Ramage have been focusing on Phase I of the development piece. Phase I consists of pavilion type community center, playground equipment and walking paths. The focus will be on getting citizens to the park. They are beginning the process of surveying the area and obtaining the costs for this phase. The next step would be to secure a contractor/design firm to continue to grow the plan.

Mayor Solomon briefly summarized the park project. It is a collaboration with Boone County and the City of Union. Boone County owns 50 acres of land that surrounds the Union Pool. The object is to get more people to the downtown area of Union and hopefully bring businesses to the area. The city and county will work together to fund the project.

### Public Works Report.

#### Bid Tabulation for 2015 Street Repairs Program...May 27, 2015 @ City Building (Administrator Martin).

- Two contractors submit bids for the seven phase project....Len Riegler Blacktop, LLC and Paul Michels and Sons Construction Co.
- Len Riegler Blacktop bid only on the first four (4) phases of the project, because they claimed to not have received the bid specs for the remaining three (3) phases. Their first 4-phase bid was \$70,075. Paul Michel and Sons Construction Co. bid for the first four phases of the project was \$78,368.
- Paul Michels and Sons Construction Co. bid for the remaining three (3) phases was \$\_\_\_\_\_.
- Administrator Martin's recommendation was to award the first four (4) phases to Len Riegler Blacktop and to award the remaining three (3) phases to Paul Michels and Sons Construction Co.
- Mayor Solomon asked if there was a reason why Len Riegler Blacktop did not receive the full bid

document. Engineer Burke stated that out of courtesy he forwarded the bid specifications to the construction companies. He was told that Len Riegler just got a new server and did not receive part of the document.

- Mayor Solomon asked for a motion to approve the bids of Len Riegler Construction Company and Paul Michels and Sons construction Co. as submitted. Commissioner Miller made the motion and Commissioner Heil seconded the motion. **Motion Carried.**
- Commissioner Heil asked about the bid notice for future bids stating that the official documents would be at the Union City Building.

#### Other Issues.

- Administrator Martin received a call from the Union Fire Department concerning damage to Brandsteade Court when they were testing the pressure of fire hydrant, that the road has now been repaired.
- Engineer Burke mentioned that the city is continuing to receive calls concerning curb and gutter repairs. The latest was received from a resident on Golden Pond Drive. He reviewed them prior to the meeting and there is a 16' foot section that needs to be repaired and two small pot holes along this road as well. He recommends these repairs be completed as a change order to the existing projects. Engineer Burke estimated the cost of the repairs to be less than \$800.

#### City Engineer Report (Engineer Burke).

- Haven Manor / Whispering Trails. Engineer Burke, Administrator Martin, Commissioner Heil, and Attorney Voss had an on-site meeting with Mr. & Mrs. Vice on May 12, 2015. During the meeting it was discussed that local engineer Brandon Raybourne will be completing a plan/sketch for the Vice property (1822 Whispering Trail) to repair/replace the undersized and deteriorated culverts, headwalls and driveway. Once the sketch is received the city can send it out to local contractors to get a bid for the necessary work. Also during the on-site meeting it was concluded that the city do some work to reinforce the side slope. Engineer Burke will be working on a plan to correct this issue. The city will pay for the work on the slope. His estimated cost for the repairs is a couple of thousand.
- Union Annexation Ordinances processed by the Land Office Division of Secretary of State. Engineer Burke wrote a description based on what the Boone County GIS and Planning and Zoning had established is not in the City Limits of Union. After review the process needs to be started again to get the accurate boundaries. The City was sent a packet to determine how to go through the process of annexing the land. City Clerk Kathy Porter gave the engineer a listing of all annexations and de-annexations in the city to help with the process.
- Sink Holes. Commissioner Mefford stated that sink holes have formed on Bayberry Lane and Aspen Place. Commissioner Miller stated that they had already repaired the sinkhole at Aspen Place has formed again. Administrator Martin had spoken to Lisa Mitchell from SD1 concerning those sink holes and one that has formed on Cherbourg Drive. They are aware and will repair them.

- Whispering Trail Storm Water/Flooding Concerns. City Clerk Porter forwarded the budget of SD1 to Mr. Burke. SD1 is now giving an open period for cities to identify what they need to do in terms of cost sharing. Engineer Burke has extracted from that the items that the city has been working on in terms of joint cost sharing. One of the areas is located on the Union Pool property. The cost for the detention basin at the pool property is \$407,000. And the hopes was that the city, county and SD1 could share in that cost. However, the county could not at this time share in the cost. Mr. Burke decided to add this with the cost to the Whispering Trails issues. Mr. Burke stated that if the city authorized it he would submit the proposal.

Commissioner Miller stated the city has started accruing the cost for the Whispering Trails project. In fiscal year 2014/2015 the city accrued \$50,000 and for fiscal year 2015/2016 it will be placing \$75,000 in the fund. With the 50/50 match it will have \$250,000 toward the project for a detention basin.

Commissioner Ramage asked what the goal amount the city needs to save to complete the project. Mr. Burke stated the total cost for the repairs is about 2.6 million. Mayor Solomon authorized Engineer Burke to move forward with the Cost Sharing Proposal to SD1. Commissioner Mefford asked Engineer Burke about the insurance premium tax surcharge. City Clerk Porter stated the City of Union does not collect insurance premium tax.

Communications Committee (Mayor Solomon).

Mayor Solomon stated that there had not been a meeting for the Communications Committee yet. The first meeting will be June 3, 2015 at 6:00 pm.

Annual Budget / Five-Year Fiscal Planning (Commissioner Miller).

Each Commissioner was provided a copy of the proposed 2015-2016 Annual Budget. Mayor Solomon asked the commission if they had any questions concerning the proposed budget. Commissioner Miller asked about category numbers and was told that the category numbers will be added. Commissioner Miller made a motion to accept the budget worksheet and Commissioner Heil seconded the motion.

**Motion Carried.**

OKI Board. (Commissioner Miller).

Commissioner Miller stated that the Mt. Zion Road project has moved from 33<sup>rd</sup> on the list of projects to 13<sup>th</sup> on a list of 46 projects. The outer loop project around Cincinnati was brought up at the last committee meeting. After the meeting a letter was published by Mr. Mark Policinski that gave an option to the possibility of tolling the Brent Spence Bridge. The next scheduled meeting for OKI is June 11, 2015.

Union Cares (Mayor Solomon).

No updates at this time.

Union Community Building (Old Firehouse). (Administrator Martin).

Administrator Martin recapped what actions the city has taken for the Old Firehouse.

- The city reverted the building back to its intended use as a garage. The city began steps to become revenue neutral on the building by lease the building out to private businesses or government entities.
- The building was originally built by the Fire department and then purchased by the city. The governmental entities were exempt from the zoning regulations but if the city leases it out to a private company they will not be exempt. The building is currently zoned UTC (Union Town Center).
- Administrator Martin gave the commission a listing of possible uses for the building he highlighted two (2) uses that the city could look at...1) Antiques and Used Merchandise store. 2) Federal/state/local government use as a garage.
  - In order to have something else the city would need to have the zone change to a C-1. Administrator Martin asked if the city could have a text amendment to the zoning. Mr. Costello with Boone County Planning and Zoning stated that it is a possibility but would need to be initiated by the legislative body.
  - One option the city could do is a request for proposal to see what kind of options that city would like to explore. The proposal would be for the allowable uses for the building at its current zoning. Commissioner Heil asked how open ended the RFP would be. Mr. Costello stated the city could have the proposal as open ended as they wish.

Commissioner Mefford motioned to move forward with a RFP to lease the building with the current UTC zoning for 120 days. Commissioner Miller seconded the motion. **Motion Carried.**

- Paving gravel parking lot for events. Administrator Martin received bids from Len Riegler Construction for \$15,250.00 and from Paul Michels Construction for \$11,455.00. He did not hear from Bluegrass Paving. Commissioner Miller stated that he felt that if the city was not wanting to put money into the upgrades of the building that the city should not put in any money to blacktop the parking lot. Commissioner Mefford stated that he would be in favor of moving forward with paving the gravel parking area which could make it more attractive to potential businesses. Commissioner Heil also agreed with Commissioner Mefford. Commissioner Mefford made a motion to award Paul Michels Construction Co. the contract to pave the gravel parking lot. Commissioner Ramage Seconded the motion. Commissioners Mefford, Heil, Ramage and Mayor Solomon voted to approve the motion. Commissioner Miller voted against the motion. **Motion Carried.**
- Drains. Administrator Martin recommended they be cement plugged. Cost \$262. Commissioner Ramage motioned to plug the holes. Commissioner Mefford seconded the motion. **Motion Carried.**

Boone County Planning Commission Report (Jim Longano).

Mr. Longano was not in attendance. Commissioner Miller stated there was not anything on the agenda concerning the City of Union.

Board of Adjustment Report (Terry Kidwell).

Mr. Terry Kidwell was not in attendance.

**CITY ADMINISTRATOR REPORT.**

- PVA. Administrator Martin gave the commission a comparison breakdown of the city's real property tax rolls from 2012 through 2015.
- Trailer Frogtown Road and US 42. The project has had some issues that has put the project on hold. The owner of the construction company (Advanced Construction Services) stated that they will begin to pour concrete this week. Commissioner Miller asked if the work will be monitored to make sure they are working. Attorney Voss stated that the issue is that the building permit had just been re-issued. Commissioner Mefford asked if there was conditions within the permit that states there must be some type of work performed. Attorney Voss stated there is but the definition of ongoing work differs. Mayor Solomon stated that the City will work with Boone County to do what it takes to get this particular trailer moved.
- Union Celebrates America. UCA will be held on Friday, June 26<sup>th</sup>, 2015. The city is expecting a big crowd for the event.

**CITY CLERK/TREASURER REPORT.**

City Clerk Porter requested permission to open a savings account for the Whispering Trails Flood Fund. Commissioner Miller made a motion to open a savings account for the fund and Commissioner Heil seconded the motion. **Motion Carried.**

**CITY ATTORNEY REPORT.**

Union Kroger Marketplace (Attorney Voss).

Attorney Voss stated that currently there is not any news on the motion for discretionary review that has been filed. We are waiting on the court of appeals to make a decision.

Nuisances.

Attorney Voss stated the law has changed in regards to nuisances. He has prepared a new nuisance ordinance for the commission to review. The city can create a nuisance board and when there is a violation it goes before the board to allow for the city to have more leverage to have repairs to be completed. Commissioner Miller asked how the commissioners should address their issues. Attorney Voss stated to call or email him.

**OLD BUSINESS:** None Presented.

## **NEW BUSINESS:**

Commissioner Miller stated the wooden street signs in the Lassing Green subdivision are not readable. He would like to see them replaced with blue signs that are in other subdivisions. The subdivision already has one blue one and would like uniformity within the subdivision. Attorney Voss asked if there was a cost estimate for the signs. City Clerk Porter stated that they were approximately \$53.00 each. The total cost would be less than the \$1,000 threshold for the public works team to authorize. Commissioner Miller made a motion to replace the street signs in Lassing Green Subdivision, Commissioner Mefford seconded the motion. **Motion Carried.**

## **ORDINANCES/RESOLUTIONS/MUNICIPAL ORDERS (prepared by Attorney Greg Voss)**

### **2015 ORDINANCES:**

- **2<sup>nd</sup> Reading of ORDINANCE NO. 2015-10** – Adopting an annual budget for the Fiscal Year July 1, 2015 through June 30, 2016 by estimating revenues and resources and appropriating funds for the operation of city government for the City of Union, Kentucky. Commissioner Heil made the motion to approve the ordinance and Commissioner Miller seconded the motion. **Motion Carried.**
- **2<sup>nd</sup> Reading of ORDINANCE NO. 2015-11** – Accepting the bid of Rumpke for providing solid waste and curbside recycling collection and disposal services in the city of Union, Kentucky commencing July 1, 2015 through June 30, 2017 and authorizing the Mayor to enter into a contract with Rumpke in support of said bid. Commissioner Mefford made the motion to approve the ordinance and Commissioner Heil seconded the motion. **Motion Carried.**
- **1<sup>st</sup> Reading of ORDINANCE NO. 2015-12** – Amending Ordinance No. 2014-20 ABC Licenses.
- **1<sup>st</sup> Reading of ORDINANCE NO. 2015-13** - Creating a Communications Committee.
- **1<sup>st</sup> Reading of ORDINANCE No. 2015-14** – relating to the creation of the Position of Communications/Administrative Coordinator for the Communications Committee for the City of Union, Kentucky and specifying powers and duties of the position.

### **2015 RESOLUTIONS, MUNICIPAL ORDERS, AND PROCLAMATIONS:**

- **Resolution No. 2015-06** – A resolution authorizing the mayor for the City of Union, Kentucky to execute the lease agreement between the City of Union, Kentucky and Albert R. Barlow and Linda L. Barlow. Commissioner Mefford made the motion to approve the resolution and Commissioner Miller seconded the motion. **Motion Carried.**
- **Resolution No. 2015-07** - A resolution authorizing the mayor for the city of Union, Kentucky to execute the contract between the City of Union, Kentucky and Paul Michels Construction Co. for 2015 Street Repairs Program. Commissioner Heil made the motion to approve and Commissioner Ramage seconded the motion. **Motion Carried.**
- **Resolution No. 2015-08** – A resolution authorizing the mayor for the city of Union, Kentucky to execute the contract between the City of Union, Kentucky and Len Riegler Blacktop Co. for 2015 Street Repairs Program. Commissioner Heil made the motion to approve and Commissioner Ramage seconded the motion. **Motion Carried.**



- **MUNICIPAL ORDER NO. 2015-09**- Authorizing the expenditure by the City Administrative Officer of funds under one thousand dollars for the City of Union, Kentucky. Commissioner Mefford made the motion to approve the Municipal Order and Commissioner Miller seconded the motion. **Motion Carried.**

**EXECUTIVE SESSION:** None needed.

**ANNOUNCEMENTS:**

The next regular city business meeting is scheduled for Monday, July 6, 2015 at 7:00 p.m.

**ADJOURN:**

With no further business coming before the Commission, Commissioner Mefford moved to adjourn the meeting at 9:46 p.m. Commissioner Miller seconded the motion. **Motion Carried.**

Signed this 6<sup>th</sup> day of July, 2015

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
**Larry Solomon, Mayor**

\_\_\_\_\_  
**Kathy Porter, City Clerk/Treasurer**