

CITY OF UNION, KENTUCKY
Regular Business Meeting –MINUTES
Monday, October 5th, 2015

CALL TO ORDER REGULAR BUSINESS MEETING

Mayor Larry Solomon called the Monthly Business Meeting of the Union City Commission to order at 7:00 p.m., Monday, October 5th, 2015.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

A quorum was present:

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

ALSO PRESENT.

City Attorney - Greg Voss, Esq.
City Clerk/Treasurer - Kathy Porter
Office Assistant - Barbara Reese
City Administrator - David Martin
City Engineer - Barry J. Burke, PE PLS

MEETING MINUTES.

Prior to the meeting, City Commissioners were provided a copy of the minutes of the Special Meeting and Public Hearing from September 28th, 2015. Commissioner Ramage made a motion to dispense with the reading of the Special Meeting Minutes and approve as presented. Commissioner Ramage made a motion to approve Special Meeting Minutes. Commissioner Mefford seconded the motion. **Motion carried 4-0 vote.**

FINANCIAL BALANCE SHEET SUMMARY REPORT.

Commissioner Heil moved to accept the Financial Summary Balance Sheet as of October 5th, 2015. Commissioner Mefford seconded the motion. **Motion carried 4-0 vote.**

BILLS FOR PAYMENT.

After review, a check made out to Len Riegler Blacktop, Inc. was being held until Engineer Burke could confirm the invoice received was correct and signed off on invoice. Commissioner Mefford made the motion to pay monthly bills for October 5th, 2015. Commissioner Ramage seconded the motion. **Motion carried 4-0.**

VISITORS AND GUESTS WISHING TO SPEAK (3 Minute Time Limits).

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

Roger Holt, a 24-year resident at 10009 Indian Hill Drive, stated that the curb-fronting in front of his driveway was modified in 2014 to prevent storm water from descending down his driveway from the street. Engineer Burke stated that this was part of the 2014 street repairs and modifications. The curb height should have been no higher than 4-inches and not 7-inches. Mr. Holt would like this curb repaired fronting his driveway. Engineer Burke stated that he could contact a specialty contractor to saw-cut the curb. The cost would be a \$500 minimal charge. Engineer Burke also advised that Len Riegler Blacktop, Inc., the 2014 contractor would repair the asphalt apron at no extra cost. Commissioner Miller made the motion for the city to pay \$500 for the repair on the curb fronting Mr. Holt's driveway. Commissioner Mefford seconded the motion. **Motion carried 4-0 vote.**

MAYOR COMMENTS.

Trailer on Frogtown Road and Route 42. Mayor Solomon reported that the Boone County Planning Commission and City of Union are working to have the trailer on the corner of Frogtown and US 42 moved. The land owner (Dr. Wright) and contractor (Mr. Torline) were sent a letter from Boone County Planning Commission (BCPC) on September 24, 2015, giving them 30 days to move said trailer or the issue would be turned over to the County Attorney. If the trailer is not moved by October 26, 2015, BCPC will file charges (according to Mitch Light of BCPC).

Union Park Proposal. Mayor Solomon and Commissioner Ramage were scheduled to meet with Judge Moore and David Whitehouse on October 9, 2015. Due to illness, that meeting had to be rescheduled. A meeting date has yet to be determined.

CEO Quarterly Meeting. Also on Friday October 9, Mayor Solomon and Administrator Martin will attend the quarterly CEO meeting with Judge Moore (of Boone County), Mayor Whalen (of Florence), and Mayor Carnahan (of Walton) and their assistants. These quarterly meetings started last quarter and provide an excellent forum for each of the entity to better communicate and seek ways to work together for the benefit of all city and county residents.

City Boundary Modifications. Recently the City finalized annexation paperwork for the Union Park to be within the City of Union. The Secretary of State (SOS) required the City of Union to validate city borders before granting this annexation and any future annexations. As a result of this requirement, Engineer Burke (a certified land surveyor) reviewed all city borders and found that the northwesterly boundary needed re-alignment. This alignment was off about 150 feet at the southwest corner and about 300 feet at the northwest corner affecting about 23 property owners along Clarkston Lane and Hathaway Road. Thus, the public works committee working with Boone County GIS has correctly rotated the one mile square to correct the error. Engineer Burke reviewed and re-certified all original survey plats and descriptions. He worked with Attorney Voss to correct those plats needed realignment and put together appropriate Resolutions to correct city borders. Once the City Commission approves these Resolutions, City Clerk will put together a packet of all 16 plats, descriptions and approved resolutions (including her own city clerk certification), then forward them to the SOS who will process the packet and update the state records as being accurate. These records will then be added to the City's Website for online usage and other state and local tax and planning purposes.

COMMITTEE REPORTS.

Economic Development Committee (EDC) (Commissioner Ramage/Mayor Solomon)

Mayor Solomon reported the EDC continues working to develop the Drees (Harmony) property. The first step is to work with Harmony and other nearby residents to jointly develop this property with a mix of business and residential uses wanted by these nearby residents...this is now in progress. Additionally, the Harmony church will be altered to be a temporary structured until a more suitable establishment can be attained.

Mr. Robert Schroeder (from Arlinghaus builders) attended the last EDC meeting (September 9, 2015). He was seeking advice and counsel pertaining to developing 17 acres of Arlinghaus property not sold to Kroger for their new Union Marketplace Store. This land sets between the just sold Kroger property and Arbor Springs/Union Village. Mayor Solomon suggested the EDC and he follow the same stated practice followed with the Drees property, i.e., work with the residents of Arbor Springs and Union Village to come up with a mutual agreement to develop the said 17 acres. He liked that suggestion and will be working EDC to help with that development.

Communications Committee (Mayor Solomon/Travis Schraffenberger).

Administrator Martin met with NKU College of Informatics September 24, 2015. He was given a sneak preview of their proposed new City of Union website, and said it look great. He will bring the proposed site to the next Communication Committee meeting (October 19, 2015) for their review.

The Communications Committee was approved to have six volunteer members and a chairman. Currently, five vacancies exist. Administrator Martin will be working to fill those vacancies over the next month and have recommendations ready for the next City Commission Meeting on November 2, 2015.

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

Mayor Solomon reported that the city is midway thru the FY 2015-16 Budget and spending was within all allotted budget allocations.

Union Community Building - Old Firehouse (Commissioner Mefford / Ramage / Administrator Martin)

Administrator Martin announced that he is still in the process of getting all five Community Building indoor bays rented for vehicle parking. Once rented, it is estimated that it will generate \$1,400 per month in revenue...about half of the monthly outgoing expenses of the building.

He went onto say that he was working with the BCPC to add "renting of vehicle indoor parking space" as a zone change for the area along old Route 42 from Route 536 to new Route 42. The next step would be to meet with the Technical Design Committee (chaired by Mr. Jim Longano) on October 7, 2015, then onto the full BCPC that same evening. BCPC recommendations would then come back to the City Commission for their final approval. During Administrator Martin's reporting, Commissioner Miller asked about storage at the community building. Attorney Voss stated that storage is permitted indoors only.

Boone County Planning Commission (BCPC) Report (Jim Longano).

Mr. Longano stated that Administrator Martin covered his points about the Community Building, and that all other BCPC topics covered at their last meeting did not pertain to the City of Union.

Public Works/Engineering (Commissioner Heil / Barry J. Burke, P. E. PLS/ Administrator Martin).

The City received complaints that the contractor repairing city streets has not given residents enough notice that they were going to start repairs. As a result, they were caught off guard when repair vehicles were showing up to begin repairs. Commissioner Heil volunteered to work with City contractors to develop a better communication policy to better inform residents when repairs will be taken place. This policy will be incorporated into all approved future construction contracts. Under planned revisions, the contractor will be responsible for notifying the residents when construction is due to start and construction specifics (i.e., removal of vehicles, milling, operations, repaving, etc.) by talking to and/or leaving information well enough in advance (at least two weeks) so affected residents may have due notice. The City would then notify the residents via social media (i.e., posting on new City of Union website, email blasts, etc.) to provide information at least one (1) week before the start of construction. Administrator Martin added that the social media portion of this communication would help increase probability that affected residents would be duly notified.

Other Public Works Items requiring City Commission Action includes the following items;

Contractor Public Works Payment. Engineer Burke inspected Old Union Road and Clarkson Lane intersection repairs. Based on his inspection, he recommended payment be made to Michels Construction. Inc. in the amount of \$12,150. Commissioner Mefford made a motion to pay and Commissioner Miller seconded the motion. **Motion carried 4-0**

Buckling Problem. Engineer Burke reported a street buckling problem on Whispering Trail in front of 1814 Whispering Trail. Following an on-site observation, he advised that the underlying concrete street pavement buckled during hot weather and some curb/gutter damage occurred as well. A \$2,800 quote was submitted by Len Riegler Blacktop, Inc. to repair said buckling. Engineer Burke considered this quote reasonable and recommended repairs be made before winter. A motion was made by Commissioner Heil to fix the buckling problem at 1814 Whispering Trail for \$2,800. Motion was seconded by Commissioner Mefford. **Motion carried 4-0**

Ohio Kentucky Indiana Board- OKI (Commissioner Miller).

Commissioner Miller stated that he nothing to report.

Union Cares (Mayor Solomon).

Mayor Solomon reported that Denny Mathis had knee surgery, so his work and volunteer activities have been curtailed somewhat.

City Clerk Porter and Administrator Martin came across a large amount of T-shirts while cleaning the Community Building. Mayor Solomon recommended these T-shirts be given to Denny Mathis as part of Union Cares...under the presumption that these shirts were donated and not purchased by the City. Staff will check ownership of the T-shirts and, if not purchased, will give them to Mr. Mathis to be given to the needy.

CITY ATTORNEY REPORT (Greg Voss).

Attorney Voss reported...

- He is working with Administrator Martin on preparing the Community Building leases.
- Sanitation District #1 sent out an inter-local agreement that residents are responsible for sewers from the trunk line to the house. SD1 wants the cities to indemnify, but the law does not allow cities to indemnify.

CITY ADMINISTRATOR REPORT (David Martin)

Administrator Martin reported...

- There is a 2% discount for property taxes if paid by October 31st, 2015.
- Lassing Green street ID signs have been replaced. The stop signs are now at the seven (7) foot high standard regulation by code. The stop sign exiting the subdivision still
- The Adopt-A-Unit 5k run was very well attended. Over a hundred people attended including Commissioner Miller, Commissioner Mefford and Attorney Voss.
- UTC – High School Musical tickets are selling quickly.

CITY CLERK/TREASURER REPORT (Kathy Porter).

City Clerk Porter reported...

- October 1st Property tax bills were mailed and have been receiving payments.
- Received a copy of the letter from BCPC regarding a permit proposing turning 9900 Old Union Road into a pool hall and bar.
- Transferring the \$75,000 for the Whispering Trails flooding problem will be done on October 6th, 2015.
- Auditor is currently reviewing City books. The Auditor's goal is to be finished before the next City Commission Meeting (November 2nd, 2015) to report findings at that time.

LEGISLATION: ORDINANCES / RESOLUTIONS / MUNICIPAL ORDERS (prepared by Attorney Greg Voss)

ORDINANCES

2nd Reading of **ORDINANCE NO. 2015-18** - AN ORDINANCE LEVYING AND FIXING THE TAX RATES OF THE CITY OF UNION, KENTUCKY, FOR THE 2015 CALENDAR YEAR; LEVYING SAID TAX UPON REAL AND TANGIBLE PROPERTY; FIXING THE DATE OF PAYMENT, DISCOUNT PAYMENT, DELINQUENCY AND INTEREST CHARGES; FIXING THE PURPOSE THEREFORE; AND SETTING FORTH THE PROCEDURE FOR COLLECTION OF TAXES. Motion to approve Levying and Fixing the Tax Rates the same as last year and approve on 2nd reading was made by Commissioner Mefford and seconded by Commissioner Miller. **Motion carried 4-0.**

1st Reading of **ORDINANCE NO. 2015-19** – AN ORDINANCE SETTING THE COMPENSATION FOR DAVID MARTIN AS THE CITY OF UNION, KENTUCKY'S CITY ADMINISTRATIVE OFFICER. Motion to approve setting the compensation for David Martin as the City of Union, Kentucky's Administrative Officer was made by Commissioner Mefford and seconded by Commissioner Heil. **Motion carried 4-0**

1st Reading of **ORDINANCE NO. 2015-20** – AN ORDINANCE HIRING AMY LUTES AS A COMMUNICATIONS SPECIALIST FOR THE CITY OF UNION, KENTUCKY.

RESOLUTIONS

- ❑ **RESOLUTION NO. 2015- 12** - A RESOLUTION AUTHORIZING THE MAYOR FOR THE CITY OF UNION, KENTUCKY TO EXECUTE THE CONTRACT BETWEEN THE CITY OF UNION, KENTUCKY AND AMY LUTES. **Not Passed**
- ❑ **RESOLUTION NO. 2015- 13** - A RESOLUTION ADOPTING THE DESCRIPTION OF THE ORIGINAL BOUNDARY OF THE CITY OF UNION KENTUCKY OF ONE (1) SQUARE MILE AS INCORPORATED CITY OF UNION, KENTUCKY. A motion to adopt the resolution adopt the description of the original boundary of the city of Union, Kentucky of one (1) square mile as incorporated city of Union, Kentucky made by Commissioner Heil and seconded by Commissioner Miller. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 14** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1973-20. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1973-20 made by Commissioner Heil and seconded by Commissioner Ramage. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 15** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1973-21. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1973-21 made by Commissioner Heil and seconded by Commissioner Miller. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 16** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1976-008. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1976-008 made by Commissioner Heil and seconded by Commissioner Mefford. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 17** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1977-007. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1977-007 made by Commissioner Heil and seconded by Commissioner Ramage. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 18** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1990-14. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1990-14 made by Commissioner Heil and seconded by Commissioner Mefford. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 19** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1991-009. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1991-009 made by Commissioner Mefford and seconded by Commissioner Ramage. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 20** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1992-005. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1992-005 made by Commissioner Mefford and seconded by Commissioner Miller. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 21** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1997-003. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1997-003 made by Commissioner Mefford and seconded by Commissioner Ramage. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 22** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1999-006. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1999-006 made by Commissioner Miller and seconded by Commissioner Mefford. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 23** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 2004-007. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 2004-007 made by Commissioner Mefford and seconded by Commissioner Miller. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 24** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 2005-005. A motion to adopt a modern and accurate legal

description of territory previously annexed by Ordinance 2005-005 made by Commissioner Miller and seconded by Commissioner Ramage. **Motion carried 4-0**

- ❑ **RESOLUTION NO. 2015- 25** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 2007-001. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 2007-001 made by Commissioner Ramage and seconded by Commissioner Mefford. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 26** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 2009-011. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 2009-011 made by Commissioner Ramage and seconded by Commissioner Miller. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 27** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 2015-07. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 2015-07 made by Commissioner Heil and seconded by Commissioner Miller. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 28** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1995-006. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance made by Commissioner Mefford and seconded by Commissioner Miller. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 29** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1995-005. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1995-005 made by Commissioner Ramage and seconded by Commissioner Mefford. **Motion carried 4-0**

MUNICIPAL ORDERS: None presented.

- ❑ **MUNICIPAL ORDER 2015- 13** - not needed.

EXECUTIVE SESSION: Not needed.

OTHER INFORMATION

Administrator Martin is following-up with Mills Fence to determine A&A per board and per post costs on the fence for Lassing Green.

ANNOUNCEMENTS

Mayor Solomon shared with those attending a proclamation honoring Mary Belle Bristow-Noe on the occasion of her 100th birthday October 21, 2015. Earlier in the evening, Mayor Solomon, City Clerk Porter, and Administrator Martin presented Mary Belle Bristow-Noe her proclamation and informed her that the day of her birthday, October 21, 2015, will be Mary Belle Bristow-Noe Day for the City of Union.

Trick-or-Treat will be October 31, 2015 from 6:00 PM to 8:00 PM. Residents interested in participating are asked to turn on their porch light. A motion to approve trick-or-treating on October 31, 2015 from 6:00 PM to 8:00 PM was made by Mayor Solomon and seconded by Commissioner Mefford. **Motion carried 4-0.**

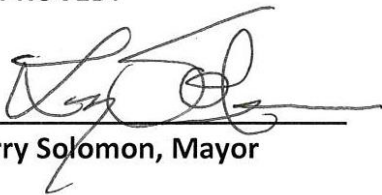
The next regular city business meeting will be on Monday, November 2, 2015 at 7:00 PM.

ADJOURNMENT

With no further business to discuss, Mayor Solomon motioned to adjourn at 8:45 PM. Commissioner Heil seconded that motion. **Motion carried 4-0.**

Signed this 5th day of October, 2015.

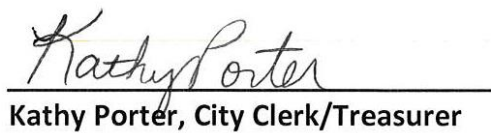
APPROVED:



Handwritten signature of Larry Solomon in black ink, written over a horizontal line.

Larry Solomon, Mayor

ATTEST:



Handwritten signature of Kathy Porter in black ink, written over a horizontal line.

Kathy Porter, City Clerk/Treasurer