

**CITY OF UNION, KENTUCKY
REGULAR BUSINESS MEETING
MINUTES
Monday, November 7, 2012**

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

CALL TO ORDER:

Mayor Don Kirby called the Regular Business Meeting of the Union City Commission to order at 7:00 p.m. Monday, November 7, 2012.

ROLL CALL: The following members were present:

Mayor Don Kirby
Commissioner Bob Kelly
Commissioner John Adams
Commissioner John Mefford
Commissioner Bryan Miller
City Engineer Barry J. Burke, PE PLS
City Clerk Kathy Porter
Attorney Greg D. Voss, Esq.
City Events Coordinator Karen Franxman

PLEDGE OF ALLEGIANCE: Mayor Don Kirby led the audience in saying the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES:

All City Commissioners were provided a copy prior to tonight's meeting. Commissioner Mefford made a motion to accept the minutes and the motion was seconded by Commissioner Adams. **Motion carried.**

ADMINISTRATIVE REPORTS:

City Clerk/Treasurer Kathy Porter: Commissioner Miller moved to accept the Treasurer's Report as of October 31, 2012, and Commissioner Kelly seconded the motion. **Motion Carried.**

GUESTS WISHING TO SPEAK:

Mr. Eddie Johnson, Union Rice Cemetery Sexton Mr. Johnson buried a Ms. Sylvia Winkle in the spring. When she was buried her grave was encroaching on another section. This was discovered when Mr. Johnson buried someone else in this section. Mr. Johnson is asking for permission to move Ms. Winkle's body. This will be done by digging a new hole and pulling the casket and vault back into its proper location. The body will not have to be exhumed.

Mayor Kirby asked what the approximate cost would be. Mr. Johnson said the cost would be \$350. This is lower than what he had thought it would be. The headstone will need to be moved as well. The family will be contacted. Attorney Voss asked Mr. Johnson to get the contact information of the family and he would contact them.

Mayor Kirby asked for a motion to expend the funds needed to have the grave moved and headstone reset. Commissioner Adams made the motion and Commissioner Mefford seconded the motion. **Motion Carried.**

Mayor Kirby asked if there was anyone else in the audience would like to speak. Mr. Beemon stated that the neighbors who had been causing issues have moved out.

CITY EVENTS COORDINATOR:

City Events Coordinator Karen Franxman briefly summarized her report. October 20th was the Fall-For-All event. The turn-out for the event was good despite the weather being chilly. The event also included a 5k race which

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had thirty-two (32) runners participating. The captain of the Adopt-A-Unit came up from Fort Campbell came up and participated, as well as City Attorney Greg Voss. The Adopt-A-Unit raised approximately \$2,000.

The upcoming events for the city will be Saturday, December 1, 2012 which is the Open House; and, Tree Lighting will be from 5:00 pm to 7:00 pm. And Saturday, December 15, 2012 which is the third annual Pancake Breakfast with Santa. The times for this event will be 8:30 am to 10:30 am.

The city will once again be partnering with Perfect North Slopes to sell discounted ski vouchers.

The 2013 events draft has been sent out to businesses giving them the opportunity to partner with the city on the events. The 2013 events are: March 23, 2013 will be the city's pancake breakfast and Easter egg hunt. March 29, 2013 will be the Good Friday Fish Fry. June 15, 2013 will be the Union Beach Blast. Ms. Franxman stated that the 4th of July is on a Thursday for 2013, the city always does their fourth of July celebration on the Friday before the holiday which would be June 28th, but asked if the commission would like to possibly have the celebration on Saturday the 29th. Ms. Franxman spoke with the Kentucky Speedway and they do not have a race on the 29th, but they have a race on Sunday, June 30th. Mayor Kirby stated that if the city decided to do it on Saturday then to keep the same timeline as if it was done on Friday. Mayor Kirby asked Ms. Franxman to speak with the Kentucky Speedway to see which day would be more acceptable. October 19, 2013 will be the city's Fall-For-All. December 7, 2013 will be the Open House. December 14, 2013 will be the Breakfast with Santa.

The Events Committee will have their next meeting on Thursday, November 15, 2012 at 6:30 p.m. in Porter Hall at the Community Building. Anyone interested in volunteering is invited to attend.

The volunteers many have been helping for many hours. And would like to possibly recognize them. Many have been on this committee for four (4) years. Mayor Kirby stated that he had spoken to Karen and directed her to work with Kathy.

There will be a fundraiser at the Joseph Beth Bookstore to for the Adopt-A-Unit. This will save you twenty percent on your purchase.

The Union Community Theater had to cancel the December showing of Its A wonderful Life due to conflicts with Ryle High School. This has been postponed until December of 2013. The UCT will now be focusing on youth show set for this spring which is "Seusical". This is planned for late May or early June. They are planning to have this at the Union Community Theater.

For the Union Cares program, Karen has met with Mary Rose Mission Kitchen which is on Main Street in Florence.

The city is currently working with the schools in Boone County. Nancy Osmundson, who is a resident in Lassing Green Subdivision and has worked countlessly to provide items for this program.

PUBLIC WORKS/UNION VISIONING COMMITTEE:

Commissioner Kelly noted that the Landscaping bids were due back to the City on November 1, 2012. The city received four (4) bids. Mr. Kelly gave a brief description of the bids. The contract is a two year agreement. The previous two (2) years were awarded to Spillman Companies, where the contract was about \$36,000. The lowest bid opened this year was \$60,401 by A&A Landscaping. The contract documents this year included more items that were previously classified as extra work.

Mayor Kirby asked Mr. Burke if he would clarify the additions to the contract this year. Mr. Burke stated that some major changes have been made this time as to what is classified as standard items and extra work. A lot of the changes that have been made over the last two (2) years include the trees now at approximately 150, which have been placed along Relocated US 42. Mr. Burke stated that he contacted the references from the two (2) lowest bidders and they spoke highly of their work. Mr. Burke implied that the new contract included specific costs for standard items and that extra work was only an estimate for unit prices. Mr. Burke stated that he recommends

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going with the low bidder which is A&A Landscaping. Mayor Kirby asked what the total expenses were last year for the extra work. Mr. Burke stated that per a print-out provided by the city clerk, it was about \$16,000 over the original contract amount.

Commissioner Miller stated that A&A Landscaping has mowed his grass for the previous five (5) years and has not had any issues.

Mayor Kirby asked for a motion to accept the bid from A&A Landscaping for the contract for Calendar Years 2013 and 2014. Commissioner Miller made the motion and Commissioner Kelly seconded it. Motion Carried. Attorney Voss stated he would prepare a formal contract.

Mr. Burke stated one (1) current debris clogging concern is the area located on Hempsteade Drive. The large inlet culvert has a tendency to back up with debris and based upon our experiences, the residents get concerned due to back water flooding. Mr. Burke stated he would contact the city's current contractor regarding this issue.

Commissioner Kelly mentioned the salt storage at the Union Pool. Perfection Landscaping has built-up the storage area and are now ready for salt. Mr. Burke questioned the status of the existing permit and letter to Boone County regarding use of the site by the city only and the need to search for a new site next year. City Clerk Porter advised that permission has been granted by the county

Mr. Kelly mentioned street lights, if anyone notices street lights that are out to please let the city know.

Also he has been contacted concerning pot holes fronting the pool on Hempsteade Drive near Mt Zion Road. Per Mr. Burke's Report, this item has been forwarded to TMS Construction who will be replacing a significant amount of concrete curbing, when their schedule permits.

ECONOMIC DEVELOPMENT COMMITTEE:

Commissioner Mefford stated that Kevin Costello has been in contact with some developers who are interested in discussing the Phase I Development. The Committee will meet again on December 5, 2012.

CITY ENGINEER'S REPORT: Mr. Burke referenced his detailed City Engineering Report totaling 13 Items, 11 of which have been authorized, pending, under construction or complete; and, two (2) of which require city action. One (1) item regarding the Landscaping bids opening was previously acted upon, leaving only one (1) item involving Final Plats for city commission action. This report has been previously provided to the Mayor and City Commission and City Staff.

Mr. Burke first added one (1) additional item; and, stated there is a status meeting on November 8th concerning the Fowler Fork Master Plan which includes the Whispering Trails flooding issue from form 2:00 – 4:00 pm. The SD1 has invited local officials from Boone County, Florence and Union to review some preliminary considerations before the Plan is finalized. Commissioner Miller has agreed to attend this meeting with Mr. Burke.

Commissioner Miller asked Mr. Burke about the transfer of legal agreements to SD1 for the detention ponds. Commissioner Miller was under the understanding that there were four (4) ponds that were being transferred and Mr. Burke only mentioned three (3) in his report. Mr. Burke stated there was only three (3), as he had originally thought there was only two (2), but later found out from Attorney Voss via public records there was actually three (3) ponds. Mr. Burke stated his concern regarding the overgrown vegetation surrounding one (1) pond on Whittlesey Drive.

Mayor Kirby asked about the street repair work on Hempsteade Drive and soil openings in the back of catch basins, as the final reconstruction has not been completed. Mr. Burke stated that there was supposed to be some concrete driveway apron repair and final restoration. He will check on this issue and contact the contractor regarding final restoration.

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Regarding Item number 12, the Final Subdivision Plats of record. Mr. Burke has discussed the Final Plats issue with the staff of Boone County Planning Commission. Mr. Burke stated that it is necessary that the city receive a copy of all the Final Plats, as approved. Mr. Burke contacted the planning commission's Ms. Shannon Spears who advised him to have City Clerk Kathy Porter to contact her and she will send them to the city. Mr. Burke also mentioned his concerns for inspections, surety bond naming and release and that dedications statement that are currently signed off by the county engineer on the Final Plats. Currently city of Union is somewhat out of the loop and they should not be. Mr. Burke stated that he would like to have the city's approval to ask for the county to have the city more involved in the process including the status of inspections, sureties and guarantees, and signing off on the Final Plats by a city official. This process is critical regarding the time frames when streets are actually accepted for maintenance, an annual capital improvement and repairs budget concern. In response to the Mayor Kirby's question, unfortunately the city now only finds out if there is a problem with a particular street, too late, unbudgeted and after-the-fact.

Mayor Kirby stated that the city engineer should move forward with this; and, the city should designate an elected official either the Mayor and/or the Commissioner of Public Works to sign off on Final Plats, as required.

City Clerk Kathy Porter stated that she received a call concerning the absence of painted cross bars and cross walks at Richmond Road. Mr. Burke stated that new handicapped ramps and lane striping is complete; and, the Purchase Order to Fleet Trading, Inc. has been processed. The higher quality thermoplastic heat applied materials, to be used for serving only the streets in commercial areas, will be shipped to Boone County Public Works Sign Division. The Sign Division will complete this project ASAP.

OLD BUSINESS:

NEW BUSINESS:

Commissioner Miller stated that he was approached by a resident concerning a problem with a fire hydrant. Mr. Miller stated that he contacted the Fire Department and they were flushing the fire hydrants in the area of Richmond Road.

Commissioner Miller stated that he went to the public meeting concerning the KY 536 project. He stated that it was impressive how the state had it set up. He stated that there were a lot of people for KY Dept. of Transportation who were available to speak to residents who had concerns.

Commissioner Miller stated that the city received a bill from Baeten's Nursery for digging holes for the trees at the North Gateway parcel. Baeten's Nursery had originally stated they would dig the holes, but the area was too rocky and they had to hire a company to dig the holes.

ANNOUNCEMENTS:

The next City Commission Meeting will be held on Monday, December 3rd, 2012, a reception will be held prior to the meeting for the exceptional volunteers

Newly elected commissioners will be invited to the December meeting.

City offices will be closed on November 12, 2012 for Veteran's Day.

City Offices will be closed on November 22nd and 23rd for the Thanksgiving Holiday.

At the December 3rd meeting Paul Maddox with Maddox and Associates will be in attendance to discuss the 2012 Fiscal Year End audit report.

ADJOURN:

No further business came before the Commission. Commissioner Adams moved to adjourn the meeting at 8:08 p.m. Commissioner Mefford seconded the motion. **Motion Carried.**

Signed this 3rd day of December 2012

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APPROVED:

ATTEST:

Don Kirby, Mayor

Kathy Porter, City Clerk/Treasurer