

**CITY OF UNION, KENTUCKY**  
**BUSINESS MEETING MINUTES**  
Monday, March 2, 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, March 2, 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 John Mefford
- Commissioner Bryan Miller

**Also Present Were:**

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

**Absent Were:**

Commissioner Jeremy Ramage  
Office Assistant – Misty Ezell

**PLEDGE OF ALLEGIANCE**

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

**KY TRANSPORTATION CABINET DISTRICT 6 OFFICE**

**Presentation KY SR 536/Mt. Zion Road Projects and US 42 & Rice/Hicks Pike Project**

Mayor Solomon allowed the representatives of KY Transportation Cabinet District 6 who were in attendance to introduce themselves and begin the presentation that they had prepared. Ms. Carol Callan-Ramler who is a Planning Supervisor with the transportation cabinet. She has been with the cabinet since 2001 and has been with this project since that time. Mr. Bob Yeager, who is the branch manager for project development which oversees the projects. Ms. Ramler had a presentation on the KY 536/Mt. Zion Road Project.

- Ms. Ramler began with an overview on the project.
- Ms. Ramler stated that she is also working on the I-75 crossing interchange, but tonight will be for the KY 536 project.
- Ms. Ramler stated to date 3.1 million dollars have been designated for design of the project.

- 15.5 million dollars have been designated for the acquisition of the right-of-ways. 176 parcels will be affected with 15 relocations.
- Right-of-way acquisitions were started in 2012 and to date 149 parcels have been purchased (85% complete) there are 13 suits pending.
- 3.8 million dollars have just recently been authorized for utilities relocation.
- The construction estimate is 28.7 million dollars.
  - Commissioner Miller asked if contingencies were built into the numbers and Ms. Ramler stated 10-15% was built in.
- The proposed construction date is October 2016.
- The state will be building a sewer for 29 affected homes. As they are unable to remove people from the sewer service (outside of the city limits of Union.) The state Transportation Cabinet is working with SD1 on this project and after completion SD1 will take over this service. Construction will begin summer 2015.
- Ms. Ramler briefly discussed the new roundabouts within the new KY 536. These will help as new development is brought into the city.
  - A resident asked about the right-of-way within the roundabouts and how tractor trailers will be able to get through. Ms. Ramler stated the vehicles within the roundabout has the right-of-way. Those approaching the roundabout must yield. Ms. Ramler stated with the tractor trailers there is a concrete apron that will allow the truck to get upon to make it easier to maneuver.
  - City Engineer Burke asked about the lighting within the roundabout. Ms. Ramler stated that within the state of Kentucky the roundabout must be lighted. These will be conventional lighting (the same light poles as on the interstate.) If the lights around the roundabouts were conventional lighting the state would maintain the maintenance of the lights. If the city chooses something other than the conventional they would have to take over the maintenance.
- There will be sidewalks constructed along the new KY536.
- The traffic signal at current US 42 and KY 536 will be moved to the new access point at new KY 536 and Relocated US42. All traffic signals must be approved at the central office located in Frankfort, KY.
- The previous City Commission passed two resolutions.
  - The first would allow the state to work within the right-of-ways and the construction of the sidewalk (the city would maintain after completion) and the street lights (the city would pay the energy usage bills for the lighting).
- The second resolution is about a detention basin that will be constructed (the city will then transfer to SD1), landscaping agreements (any landscaping will be maintained by the city).
  - Ms. Ramler stated there are a couple of things that still need to be decided on by the city.
    - Location where electric and irrigation feeds need to go.
    - How the segments of 536 will be named that will become city streets. The state will decide the name and the county P&Z and/or local government will verify if there is a duplicate name. In some cases residents will need to be re-addressed.
    - There are two cul-de-sacs that will not be striped by the state.

- Any future signage that is needed permits will be needed to be obtained from the state.
  - Commissioner Miller asked if there is anything the state could do about the weeds that grow between curb and sidewalk. Ms. Ramler stated that there is not really anything they could do.
  - Mr. Jim Longano asked about the sequence of the construction on the road and the pace. Ms. Ramler stated the intent is to build one side lengthwise along the corridor then the other side. However, they will leave some flexibility to the contractor who is awarded the project. Each project will have a time frame in which the project needs to be completed.
  - The length of construction will be two construction seasons.
  - The bids will be advertised in October 2016. The contractor will then start working in spring 2017 and to complete the project in late 2018 or early 2019.
  - City Engineer Burke asked District 6 Office Engineer Bob Yeager to clarify his statement regarding ownership and maintenance of the roadway lighting around and between the two (2) Roundabouts by the state. Mr. Yeager stated that the lighting would be state's standard, unless the city chose to modify the lighting by agreement with Duke Energy of Kentucky.
  - City Engineer Burke asked Project Manager Carol Callan-Ramler about the city's responsibility and timing to provide underground conduits for electric and water irrigation feeds to the proposed project plans. Ms. Ramler stated that the city should work with the KYTC to incorporate these changes into the plans in a timely manner.
- The state is also going to make improvement at US 42 and Rice Pike. The area will be shifted to the west and there will be left turn lanes at both Rice Pike and Hicks Pike. There will be a right deceleration lane as you are coming south on US 42 to make the turn onto Rice Pike. Rice Pike approximately 500 feet will be re-aligned it will be perpendicular to US 42. At Hicks Pike there will be a portion physically moved that will increase site distance. The state will re-locate one home at the southwest corner of Rice Pike and US 42. The state will need right-of-way easements from approximately 16 parcels.
  - Design for this project was approved for \$300,000 on April 14, 2013.
  - Right-of way acquisitions the state is estimating \$75,000, the funds were in fiscal year 2014.
  - The state is expecting the right-of-way plans to be ready in the summer of 2015.
  - Utility re-location is estimated at \$600,000 the funds were available in fiscal year 2014.
  - Construction is estimated at \$7.5 million with the date to begin in 2017.
  - The re-location is expected to take approximately one (1) year.
  - The funding is available until the project is ready for construction.
    - Commissioner Heil asked about the elevation at Rice Pike and US 42. Mr. Bob Yeager stated that the elevation will be corrected to where the site will be corrected.
  - This is a one season construction.
- Ms. Ramler stated she expects the plans for the interstate interchange project to reach her in January 2015. And construction to follow.
- The presentation will be made available on the city website.

### APPROVAL OF MINUTES

Prior to meeting, City Commissioners were provided a copy of the minutes of the Regular Business Meeting from February 2<sup>nd</sup>, 2015. Commissioner Miller asked for clarification on the cost of the repair on the Old Union Road and Clarkston Lane. Commissioner Miller asked about damage that the city had paid previously. He stated that when reading the minutes it appears the city paid for damage recently. Clarification will be made. Commissioner Mefford made a motion to dispense with the reading of the Regular Business Meeting Minutes. The motion was seconded by Commissioner Miller. **Motion carried by 4-0 vote.**

### TREASURER REPORT

Commissioner Heil moved to accept the Treasurer's Balance Summary Report as of March 2<sup>nd</sup>, 2015. Commissioner Miller seconded the motion. **Motion carried by 4-0 vote.**

### BILLS FOR PAYMENT

Commissioner Miller asked how close the city is to the amount budgeted for snow removal. City Clerk/Treasurer Kathy Porter stated she will get the number for Commissioner Miller after the business meeting.

Commissioner Heil made the motion to pay the bills, as received. Commissioner Miller seconded the motion. **Motion carried by 4-0 vote.**

### PERSONS WISHING TO SPEAK

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

### RECAP LAST MEETING ... MAYOR COMMENTS

Mayor Solomon moved right into Committee Reports.

### COMMITTEE REPORTS

#### Boone County Planning Commission Report (Jim Longano):

- Mr. Longano summarized the February 4 2015 BCPC Business meeting.
  - The planning commission approved the request by CareSpring to build a skilled nursing facility by a vote of 11-0.
  - The request by the Diocese of Covington to convert an existing sports facility into a church was approved 11-0. The request has now been forwarded to the City of Florence.
  - A request by Drees for a change to their configuration in the Harmony Subdivision along Evensong and Sweet Harmony Lane was approved 11-0.
- Items on the March agenda include:
  - Request for town home style apartments on Hopeful Church Road.
  - Request for sign change by Kroger in Hebron.

#### Board of Adjustment Report (Terry Kidwell):

Mr. Terry Kidwell was not in attendance.

#### Economic Development Committee (EDC):

This Committee met on February 11, 2015 and meeting minutes provided to City Clerk Kathy Porter for filing. They are working on several projects currently. They will be working on some of the details for KY 536 road project within the EDC.

FIVE YEAR FISCAL PLANNING – Commissioner Bryan Miller / Mayor Larry Solomon:

Commissioner Miller stated they will begin to work on the next fiscal budget. City Clerk/Treasurer Porter stated that the first reading should be at first reading with the second reading in May or it could be first reading in May with second in June. Commissioner Miller proposed the first reading be held in May with second reading in June.

PUBLIC WORKS/CITY ENGINEER REPORTS

• PUBLIC WORKS REPORT:

- Mowing/Landscaping Bids – Administrator Martin reported the mowing/landscaping bids were publicly open on February 25<sup>th</sup>, 2015 for the fiscal years 2015/2016 and 2016/2017. The city received three bids:
  - Cardinal Facilities Management - \$72,231.31
  - Merkle LawnCare Co., Inc. - \$106,774.70
  - A&A Lawn Care & Landscaping Inc. - \$57,841.61
- Administrator Martin recommended the contract be awarded to A&A Lawn Care & Landscaping Inc. who had the lowest and best bid.
  - Commissioner Miller made a motion to award the bid to A&A Lawn Care & Landscaping Inc. Commissioner Mefford seconded the motion. **Motion Carried by 4-0 vote.**
- Trash Collection – Administrator Martin is working on getting competitive bid for the waste collection within the city. The current contract with Rumpke will expire on June 30, 2015.
  - This issue will be addressed next month.

• CITY ENGINEER REPORT:

- Cedarwood Drive drainage issue in front of Matt Grimes residence.
  - City Engineer Burke believed there are two pipes that are not connected which is forcing water from his sump pump onto the sidewalk causing icing issues.
  - City Engineer Burke will be working with him and Boone County to hopefully connect the pipes. If this cannot be done Engineer Burke will try another alternative.
- Florence Water Meter...the city received a request form Florence Project Administrator requested an encroachment permit to install a water meter reading device and a new or existing sign in support of Florence's water system servicing the Union residents along Richmond Road. Administrator Burke recommended approval.
  - Mayor Solomon asked if the commissioners had any issues with the permit being issued. None of the commissioners had any objections.
- Pot holes along Braxton Road – All have already been Cold Patched.
- CareSprings Healthcare Management Zone Change, the city had talked about sitting down with SD1 and Boone County to discuss the Whispering Trails Flooding issue.

- The city has set aside \$50,000 for this project and Sean Blake with SD1 stated that they will match the funds. The cost of the detention basin will be at least \$150,000. Mr. Burke recommends the city possibly set aside \$75,000.
- Mayor Solomon asked Commissioner Heil to work with Engineer Burke and Administrator Martin concerning the plans.
- Commissioner Heil stated the plans have not been submitted to SD1 as of yet.
- Commissioner Mefford asked what Stantec Consulting Services estimated cost for building a detention basin would be and he said would be approximately \$300,000 to \$400,000 per detention basin.

UNION COMMUNITY BUILDING (formally the Old Firehouse at 10087 Old Union Road):

The Community Building issue will be addressed at the April 6, 2015 business meeting.

UNION CARES:

Mayor Solomon met with Mr. Denny Mathis concerning the Union Cares. He asked him to look at ideas for the project.

OKI BOARD:

Commissioner Miller did not have anything to report at this time.

CITY ADMINISTRATION ACTIVITIES

City Administrator Report (David Martin)

- The City Engineer contract expires on March 31, 2015. Administrator Martin recommended extending City Engineer Burke's contract through the end of the year...December 31, 2015.
  - Mayor Solomon asked for a motion to extend the contract of the Engineer Burke's contract through December 31, 2015. Commissioner Miller made a motion to extend the contract and Commissioner Mefford seconded the motion. **Motion Carried by a 4-0 vote.**
- The contract for the grave digging services, Mr. Everette Partin, Jr., at Union Rice Cemetery has also expired. Administrator Martin recommended the commission renew his contract.
  - Commissioner Miller asked if the contract was up for renewal every year. City Attorney Greg Voss stated that you can do contracts for longer than one year, however, the previous City Commission wanted to go to a one year basis.
  - Commissioner Mefford made a motion to renew the contract for grave digging services for one year. Commissioner Miller seconded the motion. **Motion Carried by a 4-0 vote.**
- City Events – Easter Breakfast Egg Hunt
  - The Easter Breakfast and Egg Hunt is scheduled for March 28<sup>th</sup>. Kroger is donating donuts, cookies, and coffee cakes for the event. Dr. Candyse Jeffries Orthodontics has also agreed to be a sponsor for this event. The city has purchased an Easter Bunny suit and we are looking for a volunteer to dress up for pictures with the kids.
  - Mayor Solomon clarified that the Easter Egg Hunt and Breakfast will be held outside at the Union Community Building and in Porter Hall only.
- Union Adopt- a-Unit Meeting

- Administrator Martin attended the February 23<sup>rd</sup> meeting where the committee discussed the 5K Soldier Run that is planned for September this year.

City Clerk/Treasurer Report (Kathy Porter)

- City Clerk Porter stated that she had a delinquent listing to turn over to the Attorney to send out delinquent letters. However, the report included properties that had been purchased by the state for the road project. The amount owed on the listing is \$47,000. This amount included sanitary sewer tap-in fees, nuisance violation postage for certified mailings, and attorney fees.
  - Commissioner Miller asked if the fees were for the previous year. City Clerk Porter reported the amounts were due from 2012, 2013, and 2014.
  - Commissioner Miller asked what the procedure was to collect the taxes. City Clerk Porter stated the Attorney will send the delinquent letter to the residents and that usually gets the residents to pay.
  - Attorney Voss stated that once the properties are a year delinquent the city could foreclose on the property if the city desires. However, most cities do not go this far.
  - Attorney Voss stated that if a property is foreclosed on the city and county taxes are paid first before the mortgage.
- City Clerk Porter stated that she will be working on amending the fiscal year 2014/2015 budget around March 15<sup>th</sup>.

**OLD BUSINESS:** None Presented.

**NEW BUSINESS:** None Presented.

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

**2015 ORDINANCES:**

- **1<sup>st</sup> Reading of Ordinance No. 2015-05** – Amending Chapter 50.01: “Waste Collection”. From this point forward any and all waste receptacles shall only be allowed to remain within fifty (50) feet of a city street from Wednesday at 4:00 p.m. until Thursday at 6:00 p.m.
- **1<sup>st</sup> Reading of Ordinance No. 2015-06** – Amending Chapter 92.03: “Nuisances”. Certain Conditions Declared to be Public Nuisances and are Prohibited.
- **1<sup>st</sup> Reading of Ordinance No. 2015-07** – Amending Ordinance 2010-004 Regarding the Annexation of Certain Unincorporated Territory Adjacent to the present Boundaries of the City of Union, Kentucky.

**2015 RESOLUTIONS:**

- **Resolution No. 2015-03** – Authorizing the Mayor for the City of Union, Kentucky to Execute the Contract between the City of Union, Kentucky and Everette “Junior” Partin, Jr. for grave digging services. Commissioner Heil Made the motion to approve the Resolution and Commissioner Miller seconded the motion. **Motion Carried by a 4-0 vote.**

- **Resolution No. 2015-04** – Authorizing the Mayor for the City of Union, Kentucky to Execute the Contract between the City of Union, Kentucky and A&A LawnCare & Landscaping, Inc. for Mowing/Landscaping Services. Commissioner Heil made the motion to approve the resolution and Commissioner Mefford seconded the motion. **Motion Carried by a 4-0 vote**
- **Resolution No. 2015-05** – Authorizing the Mayor for the City of Union, Kentucky to Execute the Contract between the City of Union, Kentucky and Barry J. Burke, PE PLS for Engineering Services. Commissioner Mefford made the motion to approve the Resolution and Commissioner Miller seconded the motion. **Motion Carried by a 4-0 vote.**
  - Commissioner Miller asked if the city needs to have a resolution or ordinance stating that the city will not be responsible for damage to vehicles caused by city streets in need of repairs causing the damage. Administrator Martin spoke to Lisa Huffman with Boone County (who handles insurance claims). She stated the county needs a few days after they are notified to remedy the situation. Any longer than that then it is negligence and the county would pay for the damages.
  - Attorney Voss stated that it is based on common law. Once you are notified and you do not do anything then you can be held liable. Boone County does not have an ordinance stating they are not liable for damages.

**EXECUTIVE SESSION:** None needed.

**ANNOUNCEMENTS:**

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

**ADJOURN:**

With no further business coming before the Commission, Commissioner Mefford moved to adjourn the meeting at 9:04 p.m. Commissioner Heil seconded the motion. **Motion carried by 4-0 vote.**

Signed this 6th day of April, 2015

**APPROVED:**



Larry Solomon, Mayor

**ATTEST:**



Kathy Porter, City Clerk/Treasurer