

**CITY OF UNION, KENTUCKY
REGULAR BUSINESS MEETING
MINUTES
Monday, March 5th, 2012**

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

CALL TO ORDER:

Mayor Kirby called the Regular Business Meeting of the Union City Commission to order at 7:00 p.m. Monday, March 5, 2012.

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

ROLL CALL: The following members were present:

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

APPROVAL OF MINUTES:

All City Commissioners were provided a copy prior to tonight's meeting.

Commissioner Mefford made a motion to accept the minutes from the February 6th, 2012 City Commission Meeting 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 February 29, 2012, and Commissioner Kelly seconded the motion. **Motion Carried.**

GUEST WISHING TO SPEAK: None

EVENTS COORDINATOR:

City Events Coordinator Karen Franxman, Ms. Franxman briefly summarized her report.

The third annual Pancake Breakfast and Easter Egg Hunt will be held on Saturday, March 31st. The sponsors for this event are Union Skyline Chili, Union Kroger, and Snappy Tomato Pizza. The time has been changed to 9:30 to 11:30 a.m. to avoid conflicts with the 5K run that is being held on that day. Volunteers are needed to help with setting up tables on Thursday March 29th.

The Perfect North Vouchers are finished for the regular season. Operations through the week have been closed there may be some special activities on the weekends. Karen recommends that everyone check their website for verification if they are open.

The next scheduled event is the Good Friday Fish Fry, which will be held on Friday, April 6 from 4:00 to 7:00pm at the Union Community Building. The Union Emergency Alliance will not be able to partner with the City. Karen feels that this would be a good opportunity to use the fish fry as a kick-off fundraiser. All proceeds will go to the Union Adopt-A-Unit. Volunteers are needed for this activity.

The Volunteer Committee will be meeting scheduled for Thursday March 8th at 6:00 pm has been cancelled and rescheduled for next week. The date will be posted on the city's website.

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The unit the city sponsors will be re-deployed in November 2012. A new First Sargent and Captain will be named in April. The unit will be deployed to the same area in Afghanistan. Karen plans on meeting with Kim Voss and Cindy Pollard on Wednesday, March 7 to discuss the fund raiser for the year.

Littlest Angels will once again sponsor the birthday bags for the soldiers this year.

Karen spoke with Mayor Kirby concerning the tornadoes that hit in the area on March 2, 2012. Karen will be putting together a drop off for donations at the Union Community Building on Saturday, March 11, 2012 from 9:30 – 3:00 p.m. Karen will put together an email blast to send to our residents.

Commissioner Mefford asked how the donations will be distributed. Mayor Kirby said the city would go through agencies to have the donation distributed. Karen said we would need trucks and other vehicles to help deliver the items.

The Union Community Theater announced their shows for 2012. The summer show will be “The Sound of Music” which will be held on July 12, 13, and 14. Auditions will be held on Thursday, March 22nd and Sunday, March 25th. There are a lot of interested children signed up already. All people interested are encouraged to come to the auditions.

The Union Community Theatre received confirmation that they have been officially incorporated in the state of Kentucky and they have received 501(c) (3) exemption status.

PUBLIC WORKS/UNION VISIONING COMMITTEE:

Commissioner Kelly stated that during the February meeting there was concern about when the snow crews are being sent out. The previous process was Boone County dispatch would contact Mr. Greg Spillman, the owner of Spillman Lawncare, LLC, who would dispatch his crews to clean the streets. We had tried to mirror the way the County Road crews were dispatched. We learned that this not the way the county road crews are dispatched. For the Boone County Crew, dispatch would contact Kenny Crooker, who is the head of Boone County Public Works, and he along with other Boone County Officials would decide when to send the crews out. But just because the dispatch contacted them does not necessarily mean the crews were dispatched. We found that our contractor was going out each time they were contacted. The new procedure will be Boone County dispatch will contact Kenny Crooker, who will then contact City Clerk Kathy Porter and she will contact the road crews to be dispatched.

Commissioner Miller asked about the process where a resident would call the contractor. Commissioner Kelly stated that the process would not change but the contractor would not go out unless dispatched by the city clerk’s office.

Mayor Kirby suggested putting the bids out for the next snow season. By doing the bid early we can hopefully get more companies interested.

A resident commented that in her opinion the contractor did a good job in placing the salt. Commissioner Kelly stated that he agrees that the contractor does a good job, but the city needs to keep the contract under control.

City Clerk suggested that a cost saving method would be for the city to purchase the salt and store it on our property. This is what the City of Walton does. Mayor Kirby said to look into this possibility.

Commissioner Kelly mentioned a new parking ordinance that was passed for Boone County and if the City would like to adopt it. Attorney Voss stated that he had a copy and he is in contact with someone in the county. Mayor Kirby suggested we let the attorney review the ordinance and see if what the city could adopt. This could be brought up at the next Meeting in April.

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Commissioner Kelly spoke with Jeff Earlywine, the county administrator, concerning a home-to-home Christmas tree pick-up that the county offers for their residents, he was told that if it is opened up to the residents of Union they would have to open it up to the City of Walton and City of Florence for free. Commissioner Kelly offered to contact Rumpke to see what they would charge.

CITY ENGINEER'S REPORT: Mr. Burke referenced his detailed City Engineering Report totaling 17 Items previously provided to the city commission and staff. Mr. Burke has added one (1) new item since the report issue date bringing the total to 18 items. Unless there are questions, Mr. Burke stated he will discuss eight (8) of the items in the report for city actions.

Regarding item number 3, (b) City Building Entrance Drive – Storm Water – South Side Mt. Zion Road Storm Water South Side SR 536 and (c), a side ditch fronting the DECA property, Mr. Burke feels that it is time to send a letter to the state highway department district engineer concerning the entrance and other related ditching. The entrance culvert has been sitting untouched for at least eighteen months. Mr. Burke has a letter for the Mayor to sign, acknowledged by Mayor Kirby

Regarding item number 6, (b) the tree lines fronting Fowlers Creek Villa's development along Old Union Road. Union-Villa's resident Noreen Morgan advised that the tree line within the side ditch along Old Union Road south of Royal Oak Lane and opposite Orleans Blvd needs some attention. Mr. Burke made an on-site observation of the complaint and found there is a couple of large trees and brush that are in the side ditch below the roadway grade. Half of the vegetation is in public right-of-way and half is on Private Villa's property. Mr. Burke does not feel at this point there are any public safety issues; however, this might become a sight distance problem along Old Union Road when the trees are in bloom later this summer. At that time the city might have to go in and take care of their portion.

While on-site, Mr. Burke also observed that the entrance apron for northbound traffic turning onto Royal Oak Lane, a private street, is unfinished. According to planning commission records obtained, this entrance will ultimately become a right turn- in and a right turnout. At present, the asphalt turning radius is falling off into a steep descending slope, a serious safety issue. Mr. Burke has drafted a letter, for Mayor Kirby to sign, to the property owner/developer concerning both the trees and the private entrance, as acknowledged by Mayor Kirby for mailing.

Regarding item number 9, the Union Village Street Lighting Plan, Mr. Burke met with Boone County Public Works personnel concerning the new street signs in the subdivision affected by the new lights. The HOA would like to have the swords symbol on the new signs, as shown on the samples brought to the meeting. There are two (2) signage options; the first would be a larger sign 9"x42" with the lettering being 4-5" high with white lettering on a black background street signs; or, a smaller sign 6"x30" with lettering being 2-1/2-3" high. There are about 6 to 7 signs that need to be replaced on new poles since Duke Energy will not allow street signs to be mounted on their new light poles. Mayor Kirby asked if the street signs are all black in there now. Mr. Burke stated that the original signs placed by the developers were wood with black letters with a symbol. The current county standard sign is white letters on a green background. However, the intent here is replicating the original signs as close as practicable. The Federal Highway Administration (FHA) has since updated its national standards to include signs that reflect light especially at night, including upper and lower case letters and several color options. Mayor Kirby asked if the FHA is mandating what color they have to be. Mr. Burke stated there are guidelines for other colors.

Mayor Kirby asked what the significance of the swords on the street signs is. Mr. Burke stated that each street name is based on a civil war battle, including Sumpter Ct., Sherman Ct., etc...

In addition, BCPW Sign Division has previously submitted to the city a sample of the decorative black pole that the new signs will be mounted on. The standard galvanized pole for this project will not be used. In response to a question regarding costs, these upgrades were previously accounted for in the Special Assessments to be paid for by the HOA.

Commissioner Miller asked if the lettering on the signs have to be all capital letters. Mr. Burke stated that only the first letter of each name should be capitalized. This is a change from previous FHA guidelines. Thus, it is more important that letters be larger for improved visibility.

A resident in the audience asked what the answer to the question concerning the color of the street signs was. Commissioner Miller stated that he thought they had to be green. Mr. Burke first stated that there is a modification to the guidelines which states the street names should be retro-reflective and illuminated. Mr. Burke further stated that the FHA is basically saying signage should more visible such as white on black, but an alternate background color other than the normal guide sign color of green, blue, etc... may be used for street signs.

Mr. Burke asked the commission if the signs should be the larger size with another color, such as a blue background, as discussed. Mayor Kirby stated that we should be keeping with the larger sizes and a similar color scheme that they had in the subdivision. We should use the white letters on a black background.

Regarding item number 11 the public sidewalks and excessive storm water complaints along Bayswater Drive. The city mailed letters to the six (6) residents as a result of a request from resident Mr. Matt Gaines. Mr. Burke has met with or contacted the residents; and, all but one (1) has agreed to work with the city's contractor to do what needs to be done regarding private connections to correct the safety problems coming from their sump pump lines, etc...

Mayor Kirby asked about the one (1) resident who did not agree they were contributing to the problem as well. Mr. Burke stated this resident did not contribute as much to the problem. Therefore, we do have the number of people willing to correct the problem to move forward, in general compliance with the 2006 City Ordinance.

Mr. Burke asked for the authorization to get bids to correct this problem. Mayor Kirby authorized Mr. Burke to start collecting bids or quotes so that we might move forward in correcting this problem.

Regarding item number 11 (b), in September 2011, Brandsteade Drive resident Jennifer Conley approached the commission concerning excessive water overtopping the sidewalk directly opposite a previous 2011 project. Mr. Burke observed this area at that time and observed just an individual problem fronting the Conley residence. However, In November 2011, Mr. Burke observed after a heavy rain and found several other properties have the same issue. Letters regarding the need for further inspections were written for seven (7) residents; and, are ready to be mailed with the commission's approval, acknowledged by Mayor Kirby.

Regarding item number 12 (d), Harmony Estates traffic issues. Mr. Burke stated that building development along the street named Soaring Breezes is almost complete and complaints regarding cut-troughs, truck traffic and speeding are being received. Residents Mr. Stewart and Mr. Lasita have asked for additional traffic control measures. According to a resident input, the homes on this section of street should be finished within three or four (3-4) months. Mr. Burke recommends that the city wait until the street is completed and then perform a spot speed study. Further Mayor Kirby stated that due to the street's final surfacing not yet completed, the street is not yet the city's responsibility; and, agreed with his recommendation to wait for any further studies or actions.

Another issue within Harmony Estates came from Serenity Court from Ms. Dee Hayes concerning her request for No-Parking Signs on her street. Most of the condos have an under roof garage and a single parking space directly outside of the condo, which gives the residents two parking spaces which all that is required by code. A few condos do not have a parking spot fronting the condo so they park on the pull-off lot on the other side of the street. Mr. Burke stated that this local street is only 18 feet wide or only has two (2)-nine (9)-foot lanes; and, according to Boone County Subdivision Regulations any street that is twenty feet or less prohibits parking on either side of these street types. Mr. Burke recommended that Boone County Public Works be contacted and place a No-Parking Signage on both sides of the street. Mayor Kirby asked if anyone objected to this being done.

Commissioner Kelly asked why Mr. Burke feels the complaints are coming more frequent from Harmony Estates. Mr. Burke stated that it may be because of added safety concerns with more people moving into this development and many have very young children. In addition, since a street interconnection has been made to Wilshire Court, this is a common traffic cut through, where the residents are concerned for increased safety.

Regarding Item number 17, the KY 536/Mt. Zion Road relocation project, specific to the KYTC request for Second City Resolution, Mr. Burke stated that at Mayor Kirby's request, he and Attorney Greg Voss met with Kevin Costello at Boone County Planning and Zoning Commission offices to include any items from the Comprehensive Plan's stand point. Mr. Costello will review Mr. Burke's draft covering certain engineering aspects and get back with him within a week so that he can forward all comments to Ms. Carol Callan-Ramler, the Project Engineer from the KYTC. Attorney Voss will then review all information from a legal standpoint toward the preparation of a final Resolution for the next meeting in April where practicable.

Based upon another recent highway project, Mr. Burke provided some photo examples of the decorative lighting located on Twelfth Street in Covington. In general without a design, Mr. Burke said that for the KY 536 Project, we could need about thirty (30) lights. If the city would accept this lighting system as a model, the city of Union may be responsible for an upgrade costing approximately an extra \$75,000. Mayor Kirby asked if the state always stays with their standard lighting regardless. Mr. Burke said his discussions with a Covington official indicated there is some movement to make this lower profile decorative lights a new standard. The City of Covington provided Mr. Burke with the name of lighting company. Mr. Burke contacted them and they said they would provide a preliminary Site Lighting Plan for the city to consider at no cost to the city.

Mayor Kirby asked what the differences in the lights as far as lighting would be. Mr. Burke stated the lighting in Covington was the 250 watt sodium vapor type, but would bring back more of these details at a future meeting.

New Business:

- ❑ **First reading ORDINANCE NO. 2012-001** – AN ORDINANCE RELATING TO THE ADOPTION AND APPROVAL OF A TEXT AMENDMENT REGARDING FIREWORK SALES, OF THE CURRENT BOONE COUNTY REGULATIONS APPLICABLE TO THE CITY OF UNION, KENTUCKY.

Attorney Voss summarized what was stated in the meeting in February. The city will not change anything. Companies will be allowed to have temporary sales. As opposed to the City of Florence allowing permanent sales only.

Mayor Kirby suggested each commissioner take time to read the Ordinance and revisit at meeting in April.

Commissioner Kelly asked if temporary sales would only be at the Union Kroger. At this time Kroger is the only location that is zoned for this type of sales.

City Clerk Kathy Porter will e-mail the ordinance to each commissioner.

- ❑ **MUNICIPAL ORDER NO. 2012-001** – A MUNICIPAL ORDER APPOINTING MISTY EZELL AS OFFICE ASSISTANT FOR THE CITY OF UNION, KENTUCKY. Commissioner Adams moved to approve and Commissioner Mefford seconded the motion. **Motion Carried.**

Attorney Voss mentioned that the City Clerk Kathy Porter is due for an increase in pay. Mayor Kirby asked if the commission decided to pass an ordinance for a raise then we could make it retroactive to January. The commission will review and discuss in meeting for April.

- ❑ **BRAIN INJURY AWARENESS DAY PROCLAMATION – MARCH 14, 2012** – Mayor Kirby signed the proclamation.

Old Business:

Since Mr. Miller stated that he has already obtained some specific quotes for signage types and costs, Mr. Burke also mentioned the Gunpowder Greens Estates entrance sign. The old wood sign is starting to rot. The sign will probably need to be replaced. Mayor Kirby suggested getting quotes for this sign also.

Mayor Kirby asked about the Lassing Green project. Commissioner Mefford said the landscaping, lighting, and masonry work has been completed. The only thing they are waiting on is to check the sprinkler system.

Commissioner Adams stated that he was advised from Mr. Burke that the city has finally received a Request for Proposals (RFP) from SD1 for the Fowler's Fork Creek Drainage Master Plan project. Mr. Adams advised that he would continue to refer to this project as a possible solution to the Whispering Trails storm water problems.

ANNOUNCEMENTS:

Next City Commission Meeting: Has been changed due to Spring Break for the local schools, the meeting has been changed to Tuesday, April 10, 2012.

No further business came before the Commission. Commissioner Mefford moved to adjourn the meeting at 8:26 p.m. Commissioner Miller seconded the motion. **Motion Carried.**

Signed this 10th day of April 2012

APPROVED:

ATTEST:

Don Kirby, Mayor

Kathy Porter, City Clerk/Treasurer