

**REGULAR BUSINESS MEETING MINUTES OF THE UNION CITY COMMISSION**  
**April 4, 2011**  
**7:00 PM**

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

**CALL TO ORDER:** Mayor Pro-Tem Bob Kelly called the meeting to order at 7:00 PM.

**ROLL CALL:** The following members were present:

Mayor Pro Tem Bob Kelly  
Commissioner John Adams  
Commissioner John Mefford  
Commissioner Bryan Miller  
City Engineer Barry Burke  
City Clerk Kathy Porter  
City Events Coordinator Karen Franxman  
Attorney David Steele in absence of Greg D. Voss

The following members were absent: Mayor Don Kirby and Attorney Greg D. Voss

**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 March 7, 2011 Commission Meeting and the motion was seconded by Commissioner Miller. **Motion carried.**

**ADMINISTRATIVE REPORTS:**

**City Clerk/Treasurer Kathy Porter:** Commissioner Adams moved to accept the Treasurer's Report as of March 31, 2011, and Commissioner Mefford seconded the motion. **Motion Carried.**

**UNION CARES PROGRAM:**

Julie Adkins and Terri Rinear from Arbor Springs got together and started a community wide collection for the NKCAC. Ms. Adkins told the commission that they had passed out flyers in their community and asked the residents to set food on their porch and they would come by to collect it. They were hoping to get a boxful of items but by the end of the trip the back of the vehicle was full.

Mr. Mefford mentioned that in his community they have a great email system and that would be a good idea to get each individual community involved.

Mr. Miller suggested putting a sign up that will be posted at the entrance of the subdivision and let people know. This can be rotated through the subdivisions. Each sign can be put up on Sunday and the collection will be taken on Saturday.

A resident asked if they charities will take fresh vegetables. And Karen said that most of the charities take fresh items.

Karen will get with the Boone County Sign Department to have a sign made.

Mr. Miller asked where the money would come out of. Karen said it would come out of the events budget.

For the months of April and May 2011, the city of Union will be working with the Harvest of Hope Ministries at the Union Baptist Church. No one was at the meeting to speak.

**PLANNING AND ZONING:** Mr. Jim Longano was not present and had no report for the City of Union this month.

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**CITY ENGINEER REPORT:** Mr. Burke referenced his detailed City Engineering Report totaling 14 Items. Regarding Item #1 the Sanitary Sewer Systems, the systems are nearly complete, with some exceptions.

Regarding Item #1, The Sanitary Sewer Systems within Phases A & B are still not complete, final restoration still needs a final walk through before final release of fees and KIA certification, weather permitting.

Regarding Item #1 (a), there are a few residents who have not tapped-in, including Mr. Dwelly at 10109 Russwill Lane, Mr. Mathis at 1539 Mt. Zion Road, and Mr. Steelman at 10126 Russwill Lane. Mr. Burke is working with Attorney Voss to resolve these issues.

Regarding the tap-in violations for Phase A&B, there is Mr. Long at 1764 Mt. Zion Road, who Attorney Voss had been working with, Scott May, DECA, and TAD Enterprises. All tap-in violation letters have been sent. Mr. Long has contacted Mr. Burke about a delay in his tap-in due to a conflict regarding a neighbor's storm line.

The city is under budget on both phases of the sewer project.

Mr. Miller asked if Attorney Voss had been updated about the non-tap-ins. Mr. Burke has received copies of the letters that Attorney Voss had sent out. Attorney Voss has not commented to him on their status.

Regarding Item #2 the City Building Entrance Drive, by R.E.B.T. Construction Inc., the project has been revised and the gas line location re-marked. Mr. Burke was assured by the contractor Robert Hall that the project would be completed within the month of April.

Regarding Item #3 (b) (1) Street Repairs, Mr. Burke has some early season emergency repairs that are needed. He has received numerous complaints totaling four (4) on Holderness Drive, wherein the first two hundred feet or so there are numerous deep potholes that are rather large. Mr. Burke has received the lowest bid estimates from two reputable contractors for the repairs. Mr. Burke has proportioned up the work for emergency repairs and took advantage of some other needed joint sealing on other streets in the area. Len Reigler Blacktop, Inc. will start the joint sealing work on April 5, 2011, weather permitting. Paul Michels & Sons, Inc. will Perform the repairs on Holderness Drive, shortly thereafter.

As previously approved by the city, Contractor Len Reigler will also be installing an asphalt speed hump in on Pembroke Drive; and, contractor Paul Michels will install the additional speed hump along Arbor Springs Blvd.

Regarding Item #3 (c) (1) FY2011-2012 Street Repairs, Mr. Burke made recommendations on what streets should be considered for repairs during the next fiscal year. Based upon the OCI (Overall Condition Indexes), the streets that are ready for some repairs are portions of Lancashire Drive, Capri Ct., Napa Ridge Court, Cherbourg (up to a certain point), Abbingdon Court, Appomattox Drive and Holderness Drive. Mr. Burke advised that he will prepare the bid specifications for these repairs during the next month including options regarding the costs. This construction work will be done for payments from the fiscal year 2011-2012 budget. In general, these repairs would consist of full milling and resurfacing, some base and surface patching, under drains joint sealing, and handicapped ramps except side drains, unless needed by a subsequent inspection. Some portions of these streets not in need of full repairs will be joint sealed only. Mr. Burke's initial estimate for the entire project is about \$93,500.00. Based upon the costs and the state statutes, this project will be subject to publically advertised and competitive bid.

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Mr. Kelly's question concerned the amended budget where the budget for FY 2010-2011 has been amended to \$100,000 from the original \$65,000, and whether the amended budget includes any emergency street repairs. Mr. Kelly asked if we budgeted \$100,000 for FY 2011-2012, would that be adequate for all street repairs during the year? Mr. Burke responded that within both of these fiscal year budgets there are some other separate line items for some storm drainage and sewer repairs, as a part of, but separate from the street re-paving budget. However, it is difficult to budget for unforeseen pot holes, similar to the recent occurrence along Holderness Drive. However, if similar repairs are needed next year, there should be sufficient funding, since the cost of these repairs will be significantly less than needed for a full unanticipated street repair plan.

Regarding Item #3 (d) (2) Harmony Estates Mr. Burke completed a spot speed study in February with the results presented; but, with a small volume of traffic counts did not feel that a speed hump was right at that time, but the issue should be re-evaluated in a year.

However, at the March City Commission meeting, several residents attended and voiced their on-going concerns about the safety of young children along Melody Drive. Based upon another on-site evaluation on March 10, 2011 Mr. Burke recommended adding a second traffic calming device (i.e. speed hump) to further slow the traffic down. In addition, Mr. Burke recommends another stop sign to be posted at the intersection of Melody Drive and Sonata Drive resulting in a three-way stop sign system. These recommendations include a speed hump near 9819 Melody Drive with advanced warning signage, and a second speed hump near 9849 Melody Drive with advanced warning signage.

Mr. Burke also evaluated other parts of the subdivision. Mr. Burke feels that the traffic flow has increased. However, this area is still under development. In the future, a speed hump will need to be added on Soaring Breezes, Evensong Drive and Sonata Drive. However, at present, since only 54% of the lots in the subdivision are developed; and, to avoid a conflict with future driveways, these issues will need to be further evaluated in the future.

Mr. Burke has requested the commission's approval for placing two (2) speed humps along Melody Drive. Mr. Mefford asked confirmation that the spot speed study indicated the need for the speed humps, Mr. Burke said that the study did justify a new placement, except that volume of traffic counted during the peak hours was less than the standard ITE Guidelines. Mr. Burke further stated that since it has been well documented that the subdivision has many young families, child safety is an important factor that should be considered to over-ride the low volume counts. Mr. Kelly said that the city needs to remain consistent with putting in traffic calming devices. Since the speed study confirms the need for the speed hump, and unless anyone disagrees, the city should go ahead and have them installed. Based upon the concerns identified, a motion was made by Mr. Adams and seconded by Mr. Mefford to install the two (2) speed humps and other traffic signage. Motion Carried.

Regarding item #3 (d)(b) CMC Properties Dina Rancourt and property owner Chuck Bedel, the side yards of the residents at 9641 Splendor Drive are in direct alignment with a contiguous public right-of-way and stubbed street extending from Sycamore Drive adjacent to the property at 1588 Sycamore Drive (Eugene Becknell). The city previously authorized a wood rail fence to be placed in the public-right-of-way to prevent a vehicle from coming down the stubbed street and to discourage cut throughs. Mr. Burke received a competitive quote for the project. The bid from R.E.B.T. Construction, Inc. for a 6"X6" posts – 2"X8" fence rails and the cost was about \$650 or for smaller posts and rails for about \$550. Mr. Burke's estimate was close to \$1,000. Mrs. Becknell contacted Mr. Burke after receiving the information from the city about placing the fence, requesting additional time (30 days) to have the property surveyed at their own cost. Mr. Burke acknowledged to the Becknell's that the city would allow for this additional time to locate their property lines in the field. Due to the small difference in costs, the city commission agreed to have the larger more durable wood pressure

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treated fencing installed.

Mr. Mefford asked that some type of reflective material be put on the fence so that people will be able to see it at night. Mr. Burke responded that he would direct the contractor to fasten two (2) small reflectors on the fence rails.

Regarding Item #4 SD1 Storm Water Plans, and Union as one of the co-permittees, Mr. Burke has been attending the meetings as a committee member. The commission agreed that Mr. Burke's continued participation in these meetings as a committee member representing Union would be beneficial.

Regarding Item #6, the Villas at Fowler Creek/Racon Development – Rel. US 42 & Old Union Road. The HOA Board must still meet concerning the costs of the entrance lighting. The board will meet on April 14, 2011. Mr. Burke is also waiting on an estimate from Russ Hamilton from Hamilton Electric to complete the work along the same side of the highway rather than bore and jack under Relocated US 42, later determined to be a more costly option.

Another option suggested by Duke Energy was to install some solar lighting fixtures on the sign. A question remains... will it be bright enough for safety.

Regarding Item #7 (b) a request was made by Jon Campbell at 1834 Whispering Trails regarding his potential drive-way collapse. After an on-site observation, for the foam injection the repair was completed by T. Luckey Sons, Inc. for a cost of about \$2,700, at the city's expense. Mr. Burke advised that the contractor indicated to him that this would be only a short term solution until a more permanent solution can be realized.

Regarding Item #7(a) Sean Blade from SD1 advised that Whispering Trails Storm Water Project has been listed as a Project within a part of the Master Plan. We have been listed as Priority Number 5 and advised that the city will be contacted regarding the status of the project.

Regarding Item #8, the City of Union Landscaping Contract for calendar years 2011-2012. The contract has been signed and awarded to Spillman Lawncare. Mr. Miller had some questions regarding the contract. Mr. Burke had spoken to Mr. Spillman and advised him to contact Mr. Miller concerning his concerns. Mr. Miller stated that he had not been contacted as of yet, but understood that they had been busy with the early spring maintenance. Mr. Miller advised that he had been out to view the sprinkler system in front of Lassing Green Subdivision and the heads had been cut off at the ground and looks like it hasn't worked for a while. Mr. Burke responded that the city records indicated that A&A Landscaping in the fall 2010 replaced certain plumbing parts for the system. Mr. Spillman was informed to look into what is needed for the continued operation of the system.

Regarding Item #8 (d) Maintenance of the trees along Relocated US 42. These trees were not included in the original bid documents. Mr. Burke deferred this issue to Mr. Kelly to be addressed in his Public Works report to the commission.

Regarding Item #14(a) Private Storm Drainage Obstructions – 1821 Merrimac Court (Cecil Brown) the property owner advised that SD1 inspected the drainage structure and said it wasn't under their scope of work or maintenance responsibility. Mr. Burke responded that if system clogging continues, it could negatively impact the structure. To remedy the problem at a reasonable cost, and in the absence of a public easement, the city could authorize Spillman Lawncare, Inc. to remove and cleanout the debris around and upstream of the downstream headwall, at a cost not to exceed \$500. This would be extra work for Spillman Lawncare, Inc. The commission agreed to have the work performed; and advised Mr. Burke to include this issue within a future Mapping Area as a part of the

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next update of the Landscaping Bidding Documents.

Regarding Item #14(b) Public Street Curbing & Joint at 1005 Indian Hill (Mark Dunhoft) driveway access. Per request, Mr. Burke made an observation and it revealed the concrete curb is eroding away causing a problem with undermining the street subgrade and adequate driveway access. Mr. Burke received two (2) quotes for the curb replacement and joint sealing. The commission approved the lowest quote from R.E.B.T. Construction for \$250 for performing the necessary work.

Regarding Item #14(c) Public Street Asphalt Base Failure at Willow Brook Court and Golden Pond. A complaint was received about a pothole; however, after on-site observation it was determined that it was more extensive than just a pothole. Mr. Burke received two (2) quotes for base & surface repairs including an under drain system connecting to a nearby catch basin. The bid from Len Riegler Paving was \$9,400; and, the bid from Paul Michels & Sons was for \$5,800. The commission accepted the Michels bid as the lowest and the best for performing the required work.

Regarding Item #12 the Union Village Street Lighting Plan. Mr. Burke has been working with the HOA President Eric Erpenbeck and Duke Energy's Sandy Connley to come up with a feasible option to convert the existing gas lights into electric lights. Currently, the city is paying for a portion of the energy usage of the gas lights in a similar comparison to other electric light systems within the city. After a meeting on March 15, 2011, Duke Energy stated that the costs of installing new electric lights would be approximately \$2,000/light. For 24 lights total cost would be around \$48,000.00. The HOA's Gary Alt and another member were present in Mr. Erpenbeck's absence. Earlier, Mr. Erpenbeck advised he thought the costs to install the new lights would be at costs significantly less than stated. A private contractor would then have to remove and dispose of the poles and gas light fixtures at costs other than Duke Energy. Mr. Burke advised that Duke Energy's Ms. Connley indicated that a plan would be prepared by Duke Energy and be submitted to the city & HOA. Upon approval, final costs would be applied based upon the plan. Representatives of the HOA indicated that the next meeting of the HOA would be on April 25<sup>th</sup>. Following their meeting and more accurate costs, the city will decide the level of the city's participation regarding costs, assessments, etc. and if the project will move forward.

**PUBLIC WORKS/UNION VISIONING COMMITTEE:**

Mr. Kelly mentioned the bidding for the general maintenance of 100 trees along Relocated US 42 was closed on Friday. We received two (2) bids, the first was from Spillman Lawncare for \$19,805.00 and A&A Lawncare was \$22,924.00 per year. The bids were specific in what the city wanted. Mr. Kelly saw a couple of options. He thought maybe we could pull part of the bids out, or go with the low bidder, or have our current contractor do it as extra work as needed. Mr. Kelly suggested we do it as extra work. Mr. Miller said we need to access how many dead trees that we have. We need to remove the dead trees and have them replaced.

Mr. Kelly suggested we do this as extra work and maybe have Mr. Spillman get with Mr. Stone to find out the specifics on the pruning.

Mr. Kelly has received several complaints concerning mud on the streets. We are currently working with the contractors to keep the streets cleaned. We need to contact Planning and Zoning when complaints are received.

**EVENTS COORDINATOR:**

Regarding the Community Building, we have been having a lot of requests for rental. There will be a job fair this Saturday April 9<sup>th</sup>. Dorman Products is looking to fill 50 positions. The city sent out an Email blast to the ones that have requested to be on the list.

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Regarding Community Events, the first event for the year will be held on April 16. It is our Pancake Breakfast and Easter Egg Hunt. We will have over 4,000 eggs to hide; we will have a little bunny hunt for children 2 and under.

On Friday April 22, we will be having a Fish Fry with the Union Emergency Alliance - Explorers. Volunteers are needed.

Parade forms are starting to come in. We have several businesses that will be in the parade.

Mr. Miller asked if the mayor and commission will be in the parade. Karen said that anyone wishing to be in the parade can be. Mr. Kelly said the commission is usually in the Ryle Homecoming Parade.

Karen is working on some music for the parade.

We now have our tickets available for sale at the Union City Building. The tickets are \$24.00 a piece, after selling 200 tickets then we will have enough money to purchase 50 seats for our military personnel. We are also going to have a drawing for \$30.00 of Reds Cash for everyone that purchases their tickets before May 1, 2011.

For this game the First Sergeant will be honorary captain for the game. And 4-6 others will be honor guards for this game.

The volunteer committee's met on Wednesday, March 16<sup>th</sup> at the Union Community Building in Porter Hall, at 6:30 pm. The meeting was open to the public. They stuffed the remaining Easter Eggs for the event on April 16<sup>th</sup>. We need several volunteers.

The Adopt-A-Unit, will be meeting on Wednesday, April 6<sup>th</sup> at 7:00 pm. They are still looking for host families for the military guests for July 1<sup>st</sup> and July 2<sup>nd</sup>. They are taking names and contact information with the number available to host at this time.

The Union Community Theater is doing auditions for All Shook Up. They will also be hosting auditions for the Wizard of Oz later.

**OLD BUSINESS:** None Reported

**NEW BUSINESS:**

- First reading of **ORDINANCE NO. 2011-002** – AN ORDINANCE ADOPTING AN AMENDED ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 2010 THROUGH JUNE 30, 2011 BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATIONS OF CITY GOVERNMENT FOR THE CITY OF UNION, KENTUCKY Commissioner Adams moved to approve and Commissioner Mefford seconded the motion. **Motion Carried.**

**ANNOUNCEMENTS:**

Next City Commission Meeting: Monday May 2, 2011 @ 7:00 p.m.

No further business came before the Commission. Commissioner Adams moved to adjourn the meeting at 9:35 p.m. Commissioner Miller seconded the motion. **Motion carried.**

Signed this 2nd day of May 2011

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**APPROVED:**

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Don Kirby, Mayor

**ATTEST:**

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Kathy Porter, City Clerk/Treasurer