

**CITY OF UNION, KENTUCKY  
REGULAR BUSINESS MEETING  
MINUTES  
Monday, April 1, 2013**

**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, April 1st, 2013.

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

**ROLL CALL:** The following city officials were present:

Mayor Don Kirby  
Commissioner Bryan Miller  
Commissioner Deanna Kline  
Commissioner Ken Heil  
Attorney Greg D. Voss, Esq.  
City Engineer Barry J. Burke, PE PLS  
City Events Coordinator Karen Franxman  
Office Assistant Misty Ezell

Commissioner Donna Fryman and City Clerk Kathy Porter were not in attendance.

**APPROVAL OF MINUTES:**

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

Commissioner Miller made a motion to accept the minutes and the motion was seconded by Commissioner Kline. All voted in favor of motion. **Motion carried.**

**ADMINISTRATIVE REPORTS:**

**City Clerk/Treasurer Kathy Porter:** Commissioner Kline moved to accept the Treasurer's Report as of March 31, 2013, and Commissioner Heil seconded the motion. All voted in favor of the motion. **Motion Carried.**

**Guests Wishing to Speak:**

**CITY EVENTS COORDINATOR:**

City Events Coordinator Karen Franxman briefly summarized her report.

The first event for 2013 was the 4<sup>th</sup> Annual Pancake Breakfast and Easter Egg Hunt held Saturday, March 23<sup>rd</sup>, from 8:30 am to 10:30 am. . There were 190 children registered for the Easter Egg hunt. We also had 116 adults pay to eat breakfast.

Karen thanked City Clerk Kathy Porter, Commissioner Miller, Commissioner Kline and Mayor Kirby for helping at this year's event.

On Friday March 29<sup>th</sup> the city held their Good Friday Fish Fry. This was a great event for the scouts in the community. Karen had not received the official number of meals served, but was told well over 400 meals were sold.

City Clerk Kathy Porter and City Events Coordinator Karen Franxman met with Boone County Sheriff's department to discuss the events that will be held for the remainder of the year and what the needs of the city are.

On Thursday, June 27<sup>th</sup>, 2013 it will be City of Union night at the Florence Freedom ballpark. Mayor Kirby's band "Underpaid" will also be performing at the ballpark that night. This is a fundraiser and all proceeds will go to the Ella Reid Mason Foundation. Ella Reid was a six year old student at Mann Elementary School who recently lost

her battle with cancer.

Andrew Pfifer with Florence Freedom was in attendance at the meeting. Karen mentioned that the tickets for the game are \$10.00 and the first hundred (100) tickets sold \$5.00 of each ticket will go towards the foundation. \$2.00 from each ticket sold after the first 100 will go to the foundation.

Andrew Pfifer presented the first 100 tickets to Mayor Kirby to sale. Residents can also purchase tickets online using the promo code underpaid. Mr. Pfifer will also be out in the community trying to get business sponsors for the night as well.

The Adopt-A-Unit Committee had another collection on Saturday, March 23rd, where the collected twenty-five (25) paper bags of items from the wish list. These items will be packed on Wednesday, April 3<sup>rd</sup>, 2013 at the Union Community Building in Porter Hall at 6:00 p.m.

The Adopt-A-Unit is planning a cook out fundraiser at the Union Kroger sometime in April. No date has been set yet.

During the month of April, the Union Cares Program will be collecting for Kelly Elementary which also assists New Haven Elementary. Their special request is underwear and belts sizes 6x to adult small for both boys and girls. Any monetary donations can be made out to Kelly Elementary FRYSC.

Karen met with three companies concerning the panic/emergency doors at the Union Community Building. There are four exit/entry doors that have to have panic/emergency bars put on them. Two of the doors will not have to be replaced, they will just need to have a conversion kit installed to remove the current door knobs and a new entry from outside and have the bars installed. The other two doors are rusted and need to be totally replaced.

Commissioner Miller stated that we have received four (4) quotes. Commissioner Miller stated that there are two (2) that are comparable. One is from AE Door Company and the Door Company. There is only a difference of \$300 dollars in the quotes. Commissioner Miller proposed that the city purchase from the Door Company which is out of Bellevue, KY.

Karen Franxman also received a quote from the companies about servicing the garage doors. There is one that does not work.

Commissioner Miller proposed the city move forward with the installation of the panic/emergency doors and hold off for a month or so on the servicing of the garage doors.

Mayor Kirby asked the commission if everyone was ok with Commissioner Miller's proposal. Mayor Kirby asked for a motion to accept the bid from the Door Company for \$4,770.00 for the installation of the panic/emergency doors. Commissioner Miller made the motion and Commissioner Kline accepted the motion. All were in favor. Motion Carried. City Clerk Kathy Porter will contact The Door Company for the installation.

#### **PUBLIC WORKS:**

Commissioner Bryan Miller stated that he met with Steve and Betsy Conrad from the Boone County Historical Society. They met to discuss the location of the new John Hunt Morgan Historical Marker. A date of June 9<sup>th</sup>, 2013 at 3:00 p.m. has been set for the dedication of the sign. They would like to have the mayor and commission at the ceremony.

Commissioner Miller mentioned that the graffiti on garbage cans and the electrical control boxes have now been removed.

Commissioner Miller stated that hopefully winter is over and the city has received its last bill from the snow removal company. The total spent for snow removal this year is \$105,565.00. This puts the city around \$26,500 under budget. There was only one complaint this season and this was where snow was pushed up against someone's mailbox. Commissioner Miller inspected the mailbox and called the contractor and within two hours they were out and had the mailbox cleared. Commissioner Miller also stated that he had received several call complimenting the city on the snow removal.

Commissioner Heil asked if the contract is up. Mayor Kirby stated that he would need look into the contract. Commissioner Heil stated that the city needs to quantify the amount of salt that is used. Mayor Kirby stated that he had completed some research as well and City Clerk Kathy Porter was going to get some information from other municipalities as well this way the city will be more informed when it is time to review the contract.

Commissioner Kline stated that she didn't feel that the city should not compare the amount of salt needed for our city to what the state is using.

Mayor Kirby stated he will check into the contract.

**PLANNING AND ZONING REPORT:** Mayor Kirby stated that there are not items on the agenda that affect the City of Union.

**CITY ENGINEER'S REPORT:** Mr. Burke referenced his detailed City Engineering Report totaling 17 Items. Mr. Burke stated that there was only one (1) item that required a formal City Commission Action on his CE Report.

Regarding a few updates in his Report, a minor edit change was made to Item 12. (b) (1) on page 6. Mr. Burke also stated that he had received a call from a resident who lives at 1839 Whispering Trails that is not listed in his previously submitted CE Report. The residents, the McCarthy's stated that their front yard is starting to sink. Mr. Burke stated that he observed the issue on-site before the meeting; and, that a storm sewer that extends from street into his yard is one that SD1 has or has not taken over (for ownership and maintenance). Mr. McCarthy would like to know whether or not he can extend a 'french drain' from that yard inlet and do some minor grading work to stop his yard from sinking. Mr. Burke stated he would further research the matter with SD1 and with the 2010 'storm sewer transfer' mapping; and, advise the McCarthy's regarding the jurisdictional issue; and, whether a zoning/building permit would be required for any piping work beyond the inlet.

Commissioner Miller asked why SD1 classified Whispering Trails Storm Water Project, ranked 84<sup>th</sup> out of 101, since it is private property. Mr. Burke stated that this project was processed through the state's 2013 CWR Loan Program by the NKADD and ranked by the Kentucky Infrastructure Authority (KIA). However, it did not qualify for any loan dollars. Another recent application was processed through the KY Emergency Management (KYEM) and the federal FEMA program, which will require a public transfer of private property containing the approximate 21 culverts to the city, which would not be very likely. However, both applications affected the public. Due to the lack of federal monies, unfortunately, the long term solution to this project will depend more on local agencies including the SD1's soon to be expected plans from its consultant 'Stantec', the city and/or property owners to fund the necessary improvements.

Regarding Item Number 9, the salt storage pile located at the Union Pool site and the soil damage caused by the salt leaching. In accord with the city's competitive bidding policies, Mr. Burke received two-(2) quotes, one (1) from the city's snow removal contractor; and, one (1) from the city's landscaping contractor to repair the damages. The quote from Perfection Landscaping to remove sterile soil and add new topsoil and seed and mulch was for \$4,500. The quote from A&A Landscaping was for \$6,250. However, Mr. Burke mentioned another option that might save the city significant money. There is a product called gypsum (calcium sulfate) that can react and treat the sterile soils in place without removing same. A&A's quote for one (1) application and a soil test was \$395 seemed quite low.

Commissioner Miller would like to have salt removed prior to beginning the correct soil damage.

Mayor Kirby would like to look into the alternate gypsum option, if the city could save a lot of money. Mayor Kirby advised Mr. Burke to research this alternative in more detail and forward him this information via email for more information.

Commissioner Miller asked about the lighting plan. Mr. Burke advised that both projects are moving forward. However, on one (1) Duke Energy application, there was a missing signature. Mayor Kirby stated he signed the document and same was sent back to Duke Energy.

Commissioner Miller asked about the flood insurance for the Union Community Center. The city has previously

received quotes for insuring the Union Community Building from the KLC; and, two (2) other local insurance agents. KLC quoted a higher cost to insure the entire building for an estimated replacement cost of around \$370,700. Mr. Burke had stated that flood insurance standards for the FEMA program are standardized for a maximum of \$175,000; and, due to the level of the 100-Year Flood Plain of no greater than about one (1)-foot higher than the first floor, any full coverage for a total building loss would be impracticable. Therefore, the city should move forward for a quote for \$175,000 plus about \$25,000 for internal contents. In general, a premium quoted for an amount of about \$1,453 plus additional insurance for contents of \$25,000 should be a lot less than \$2,000 per year. It was suggested that the City first contact the city's lender, the KLC, to purchase the lower insurance, as needed. As an alternative, the two (2) local agents may also be available to provide the insurance, if a problem surfaces with the KLC.

Mayor Kirby asked for a motion to move forward with insurance providing that it is \$2,000 or less. Commissioner Heil made the motion and Commissioner Kline seconded the motion. Motion Carried.

Mr. Burke mentioned a letter for Mr. Becknell. Mayor Kirby signed the letter to be mailed.

#### **ECONOMIC DEVELOPMENT COMMITTEE REPORT (EDC):**

Commissioner Kline stated that the last EDC meeting was held in March. Kevin Costello with Boone County Planning Commission brought the committee up to date with what is happening with the Mt. Zion Road project. The appraisals are going really well with this project. They are continuing to get interest from developers for the Union Town Center.

Commissioner Miller suggested the city plan a town hall meeting in June or July to discuss the Union Town Center. Commissioner Kline did not feel that the Town Hall Meeting would be necessary. She suggested doing something through the website or Facebook.

Mayor Kirby stated that since the Union Town Plan was actually passed that many new residents have moved in and several moved out that may not know what the Town Plan is.

Commissioner Miller stated that the city needs to get feedback on what the residents feel about the Plan.

A resident suggested that the city meet with the leaders of the subdivision and let them talk for the communities.

In response to local issues, City Engineer Mr. Burke advised that in regards to the Comprehensive Plan, the Boone County Planning Commission performs a lot of work focusing on the entire county for public hearings in five (5) year plan updates. Thus, local or city issues may be in less focus. Therefore, certain issues within the city's subdivisions and the HOAs could be a good discussion topic for other local town hall meetings.

#### **OLD BUSINESS:**

Commissioner Miller asked about the representation of the City of Union on the Planning Commission. Mayor Kirby stated that though the city is under represented the way the agreement is written is that to change the representation status every party must agree to the change. Mayor Kirby stated right now that Walton and

Florence are over-represented and Boone County and Union are under-represented. They all will have to agree to any changes. Mayor Kirby has spoken to Judge Moore about the representation and has not been able to implement any changes to date.

#### **NEW BUSINESS:**

- First Reading Ordinance No. 2013-001** - AN ORDINANCE ADOPTING THE INTERNATIONAL CODE COUNCIL, INC., INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION, AND SUBSEQUENT AMENDMENTS AND FUTURE EDITIONS THERETO, SUBJECT TO THE CHANGES, DELETIONS, AND AMENDMENTS CONTAINED HEREIN, TO BE CODIFIED AS CHAPTER 155 OF THE CITY OF UNION, KENTUCKY CODE OF ORDINANCES. **Ordinance was tabled.**
  
- Resolution No. 2013-010** – A RESOLUTION AUTHORIZING THE MAYOR FOR THE CITY OF UNION, KENTUCKY TO EXECUTE A GRANT OF EASEMENT AND MEMORANDUM OF UNDERSTANDING

FOR THE USE AND BENEFIT OF THE TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS  
Commissioner Kline made motion to approve, Commissioner Miller seconded the motion. Motion Carried.

Commissioner Heil asked about the Waste Collection Contract. He had questions about whether the recycle program is needed. He feels the environmental footprint of recycling does not make sense. He does not propose to get rid of recycling, but to modify the bid package so that the commission will have a chance to discuss the options.

Commissioner Heil suggested the city could possibly have certain location where the residents can bring their recycling.

A resident in the audience stated that prior to the city offering recycling only a few people in her subdivision actually recycled and since it has been offered most of the people do.

**ANNOUNCEMENTS:**

The next regular business meeting will be held on Monday, May 6, 2013 at 7:00 PM.

**ADJOURN:**

With no further business coming before the Commission, Commissioner Kline moved to adjourn the meeting at 9:17 p.m. Commissioner Heil seconded the motion. **Motion Carried.**

Signed this 6th day of May 2013

**APPROVED:**

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Don Kirby, Mayor

**ATTEST:**

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Kathy Porter, City Clerk/Treasurer