

**CITY OF UNION, KENTUCKY
REGULAR BUSINESS MEETING
MINUTES
Monday, May 5th, 2014**

CALL TO ORDER:

Mayor Don Kirby called the Regular Business Meeting of the Union City Commission to order at 7:00 pm Monday, May 5th, 2014.

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

ROLL CALL: The following city officials were present:

Mayor – Don Kirby
Commissioner - Bryan Miller
Commissioner - Deanna Kline
Commissioner - Ken Heil
City Engineer - Barry Burke, PE PLS
City Clerk/Treasurer - Kathy Porter
City Attorney - Greg Voss, Esq.
Events Coordinator – Karen Franxman

Commissioner - Donna Fryman was absent.

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

APPROVAL OF MINUTES:

All City Commissioners were provided a copy of the minutes of the Public Hearing (April 3rd, 2014), Special Meeting April 3rd, 2014) and Special Meeting (April 14th, 2014) prior to tonight's meeting.

Commissioner Kline stated that on the Public Hearing minutes from April 3rd, 2014 the gentleman from McBride, Dale, Clarion who spoke about the Boone County Comprehensive Plan was Brad Dale the minutes have him listed as Greg Dale.

With no other changes to the minutes Mayor Kirby asked for a motion to dispense with the reading of the minutes of the Public Hearing minutes. Commissioner Heil made the motion to approve the minutes from the Public Hearing held April 3rd, 2014 at Ryle High School and Commissioner Kline seconded the motion. All voted in favor. **Motion Carried.**

Mayor Kirby asked for a motion to accept the Special Meeting minutes from April 3rd, 2014. Commissioner Kline made the motion to accept the minutes and Commissioner Heil seconded the motion. All voted in favor. **Motion Carried.**

Commissioner Kline stated on page 4 of the Special Meeting from April 14th, 2014, the word 'infrastructure' was spelled incorrectly.

Mayor Kirby asked for a motion to accept the Special Meeting minutes from April 14th, 2014 with the correction from Commissioner Kline. Commissioner Kline made the motion to accept the minutes and Commissioner Heil seconded the motion. All voted in favor. **Motion Carried.**

ADMINISTRATIVE REPORTS:

City Clerk/Treasurer Kathy Porter: Commissioner Miller moved to accept the Treasurer's Balance Summary Report as of May 5th, 2014, and Commissioner Heil seconded the motion. All voted in favor of the motion. **Motion carried.**

BILLS FOR PAYMENT:

Commissioner Kline made the motion to pay the bills, as received. Commissioner Heil seconded the motion. All voted in favor. **Motion carried**

CORRESPONDENCE RECEIVED:

The city received a letter from Nickerson & Tranter concerning the offer from the Kentucky Transportation Cabinet

to purchase land and easement at the Union Rice Cemetery. The offer the city received was for \$17,100 and Nickerson & Tranter feels the offer is fair and reasonable.

Mayor Kirby stated that he had received an email (dated May 5th, 2014) from Paul Queen, who lives in Harmony subdivision. The email is concerning a small road that has been cut in at the top of Soaring Breezes in the Harmony Subdivision, it connects with a neighborhood that has no connection with the Harmony subdivision. His neighbor has contacted the local Fire Department and Police Department to inquire if the road was cut in for their benefit and was told that it was not. Mr. Queen stated in his email that he had observed the road and many vehicles were using the connector and were speeding. The neighborhood is asking if the connector could be closed off. A petition has been circulated, but prior to that, Mr. Queen was asked to inquire with the city first.

Mayor Kirby asked City Engineer Barry Burke if he had any knowledge of the street. Mr. Burke stated that if the issue was the street named Wilshire Court connecting the two (2) separate subdivisions, the planning commission has the overall authority by the subdivision regulations and the approved plans and plat that also sets the tone for the future development. Mr. Burke stated that the one block of Wilshire Court connecting Soaring Breezes with Cherbourg Drive was a part of the original plans, where such street was constructed and open to the public.

Mayor Kirby stated the city could address the situation when the neighborhood comes to the city. Mr. Burke stated that he has a copy of the plans/plat and would send a copy to City Clerk/Treasurer Kathy Porter and then we would coordinate and forward same to Mr. Paul Queen.

PRESENTATIONS/GUESTS WISHING TO SPEAK:

Mr. Keerthi Kanubaddi - was unable to attend the meeting Mr. Barry Burke will address his situation in his report.

Senator John Schickel addressed the commission concerning the budget for the KY536/Mt. Zion Road project. Mr. Schickel stated that he has lived in the City of Union for the past ten (10) years. Mr. Schickel stated the KY 536/Mt. Zion Road project is progressing, maybe not as fast as we may wish, but it is progressing. Right-of-ways are currently being purchased. The \$30 million dollars for the cost of construction is in the road budget, not in the 2016 budget, but in the 2017 budget. However, it can be started in the fall of 2016 because the fiscal budget for 2017 starts in the fall of 2016.

Mayor Kirby asked if based on what Senator Schickel is saying is that the city could possibly see dirt moving by the fall of 2016. Senator Schickel stated that this is a good possibility. That is his goal. Senator Schickel stated he has a meeting scheduled with Chief Engineer Rob Hans from the transportation cabinet and if anything changes he would let Mayor Kirby know. Senator Schickel stated he was disappointed the funding was not approved in the 2016 budget, but it was claimed that the reason it was not approved was that they were not confident that they could have all of the right-of-ways and utilities moved to be ready to go by 2016.

Commissioner Miller asked if the double diamond interchange at the interstate (I-75) a part of the KY536/Mt. Zion Road project or if it was a separate project. Senator Schickel stated that it was a separate project. This project is also federally funded. The Governor had completely taken this project out of the budget, but was put back in the budget for 2018. Commissioner Heil stated that he had spoken to Rob Hans and that originally the diamond interchanges were proposed to be completed prior to the KY 536/Mt. Zion Road project. Now they have been reversed and Commissioner Heil stated that he was told it would not affect the roadway project.

A member of the audience asked what percentage of the right-of-ways has been purchased. Senator Schickel stated that about half of the parcels have been purchased. The resident asked if all of the parcels have to be purchased prior to the moving of the utilities. Senator Schickel stated he did not know, but would look into it and let Mayor Kirby know.

Commissioner Heil stated that it might be in the city's best interest to inquire about the roadway project on a quarterly basis just to keep themselves informed.

A resident asked what the reason was why the project wasn't begun quicker than it actually was. Senator Schickel stated again the reason he was told was that the state was not confident that they could get the right-of-ways purchased and utilities moved in time if they had asked for the money sooner. If they had received the money early and not used it, then they could have lost it. Another issue about the KY 536/Mt. Zion Road project is that he had

been told it was some of the most expensive right-of-ways with- in the state.

A resident asked what the residents could do to help ensure the dates are locked in for the road construction. Senator Schickel stated that he would like to get the Chairman of the Senate Transportation Committee to Boone County to look more closely at two (2) projects (i.e., KY536/Mt. Zion Road and Pleasant Valley Road) so he can see how important they are; and set up a meeting with him and the city so that he can put some faces with those directly affected. Boone County is one of the fastest growing counties in the state. Senator Schickel stated that all he lobbies for is road projects and they are his number one priority.

Senator Schickel stated that he knows not everyone is in favor of the KY536/Mt. Zion Road project.

City Engineer Barry Burke asked if the home that had been raised at Indian Hill Drive was part of the state's roadway project. Senator Schickel stated that he did not know. Attorney Voss stated that from a liability standpoint that once the state takes control of the home they often move forward with the destruction so that the vacant home is not just sitting there.

Mr. Paul Parmele stated that he had heard that Florence Baptist was planning on changing their entrance and this might be the reason some homes may be taken down closer to the I75 intersection.

A resident stated that this roadway project is not just located within Boone County, it is a three (3) county project. Senator Schickel stated the funding for the right-of-ways was approved first.

Mayor Kirby stated the roadway project and its uncertainty has made an impact on the Union Town Plan. The city knows the road is coming in, but the uncertainty of when has actually driven developers away. He stated that he would be interested in meeting with the highway committee if they can come up over the summer.

City Engineer Barry Burke asked Senator Schickel about the Brent Spence Bridge Project. Senator Schickel stated his focus has been really on the roads in Boone County. The Brent Spence Bridge is perfectly safe in his opinion, and the issue is not safety but rather it is a congestion issue. He said most of the people that have contacted him do not want the bridge tolled. He stated that he disagrees with the crisis mentality that has surrounded the bridge project. He stated that there is a lot of truck traffic on the bridge and if they were to have them go another route, it could very well alleviate the congestion.

Mayor Kirby asked if there are any other residents wishing to speak.

Mr. Frank Beemon stated that the traffic on Richmond Road is starting to be an issue as recorded.

Mr. Jim Longano asked the commission if the city had addressed the temporary sign issue. Attorney Voss stated we have an ordinance against the placing of signs, the issue is the enforcement of the ordinance, the state who actually owns the right-of-ways have cut back on labor and do not have people working on the weekends to remove the signs. He stated if he had the name and address of the gentleman who puts up the signs he could send a cease and desist letter to him. Attorney Voss stated that if the city contacted the state and got formal permission to remove the signs then a city employee could do it. Mr. Longano was under the impression that the city had already received permission, but City Clerk/Treasurer Kathy Porter stated she had not. Mayor Kirby asked Kathy to get written permission from the state to remove the signs and then the city could designate someone to remove them.

A resident asked about yard sale signs. Attorney Voss stated that the city does not have the authority to allow or disallow the signs on the state right-of-ways. Attorney Voss stated the city cannot have selective enforcement. Mayor Kirby asked if the city could create a process to allow people to have signs on city streets only. Attorney Voss stated he would look into it with Boone County Planning and Zoning Commission.

Commissioner Miller asked about the political signs. Attorney Voss stated that political signs are totally different, they are protected by free speech. There is a period of time that they can be up and the city cannot do anything.

Mr. Longano also asked about HB 331 which relates to the bill that dealt with classification of cities. Mr. Longano had brought up previously a concern about the form of government and that maybe it was time for the city to change from a commission based form of government. At the time the legislature was considering this house bill which was

a broad bill dealing with the classification of cities. As he understands it the bill has now passed the general assembly. The classification system has been scaled back from six (6) classifications down to two (2). Mr. Longano's question to the commission is should they be directing a review of that bill in terms of how it will affect Union and what Union needs to do potentially. Attorney Voss stated that he is monitoring the bill and there are several things the city will have to look into. Attorney Voss stated that classification and forms of government are two (2) different things. Mayor Kirby asked if HB331 changed anything as far as types of government, Attorney Voss stated that they are still looking into this.

Commissioner Heil stated that he would send an email to the Kentucky League of Cities (KLC) to get some more information concerning the issue. Senator Schickel stated that the KLC would be a great resource as they pushed for the bill.

CITY EVENTS COORDINATOR REPORT:

City Events Coordinator Karen Franxman briefly summarized her report.

The 5th Annual Pancake Breakfast and Easter Egg Hunt was held on Saturday April 12th. There was 247 children (53 were age 2 and under, 101 were age 5 and under and 96 that were age 6 and older) that participated in the Easter Egg Hunt. There were approximately 400 pancakes at the breakfast served. Karen thanked her volunteers.

On Friday, April 18th the city held the Good Friday Fish Fry with Boy Scout Troops 805 & 702. Members of these troops were present and reported to the commission on the event. The boy scouts presented the commission with a thank you card for allowing them to host the event. Mayor Kirby stated the event was a great success and the food was fantastic. A member of the audience stated there were 541 meals served and about half were take-out meals.

The last Events Volunteer Committee was held on Monday, March 28th, 2014 at the Union Community Building. Karen wanted to thank those who attended. They talked about the upcoming event in June.

The Beach Blast will be held on June 14th from 6-10 p.m. Volunteers are still need for this event to help set-up and tear down/clean up afterward. Matt Grimes with Colonial Cottage will be hosting the Beer Garden again this year.

On Friday, June 27th, 2014 the city will be having the Union Celebrates America Parade and Fireworks from 7-11 p.m. The parade will begin at 7:00 p.m. Food vendors will be open at the Union Community Building area between 6:30 p.m. and 7:00 p.m. and the fireworks will begin at 10:00 p.m. Volunteers are needed for this event to help in the parade staging area. Anyone wishing to participate in the parade needs to fill out a parade registration form, and this also includes city officials.

Union Cares Program: For the month of May, the city will be collecting for Florence Elementary School Resource Center. Their special request is toiletries. Any donations can be dropped off at the city building during normal office hours.

Union Adopt-a-Unit Program: Karen received word from Ft. Campbell and it does not look like our unit will be deployed this fall/winter. There is a week of activities coming up at Ft. Campbell called the Week of Eagles (May 16th to 23rd). An invitation has been extended to the members of the city commission and members of the group.

Union Adopt-a-Unit Program was presented with a Daily Points of Light Award dated February 10th, 2014. Mayor Kirby read a letter signed by George H. W. Bush and Tracy Hoover, president of Daily Points of Light, concerning the award.

Mayor Kirby presented six (6) members of the Adopt-a-Unit Program a copy of the Daily Points of Light Award. Those honored were Kim Voss, Robbie McFerrer, Cindy Pollard, Bob Mays, Chris Geise, and Karen Berheit. He also thanked Karen for bringing the award to the attention of the commission so these people can be honored for their hard work.

The Union Community Theater: Karen presented a rehearsal calendar to Commissioner Heil per his request. The show is a youth production of "Little Shop of Horrors" and the show dates are October 2, 3, 4, and 5th with two (2) shows being performed on the 4th. Previously, they had asked for two (2) weeks for the production which was

approved. Karen checked to make sure the dates requested are available. She would like approval from the commission to move forward with the production.

Mayor Kirby asked for a motion to approve the dates for the Union Community Theater's performance and rehearsal. Commissioner Kline made the motion and Commissioner Heil seconded the motion. All voted in favor. **Motion Carried.**

PLANNING AND ZONING REPORT: Mr. Jim Longano stated the only item impacting Union right now is the proposed L.A. Fitness project. They are asking for a zone change on a 1-acre strip of land that is within Union. They are asking for it to be re-zoned from residential to commercial. Mayor Kirby asked what the time frame is on this project. Mr. Longano stated the zone change committee met on this earlier in April and they have made a recommendation. As he understands it, the committee's recommendation is to approve the zone change with conditions. He has not been made aware of the conditions as of yet. He will be made aware of them at the next planning commission meeting. He expects them to vote on it that night. It will come to the city after that.

Mr. Longano stated that L.A. Fitness was asking for approval for a fifty (50) foot building height, currently there is a thirty-five (35) foot limit. The zone change is within Union. The remainder of the property is located within the city of Florence.

Commissioner Kline asked what the zoning is on the property located within the city of Florence. Mr. Longano stated it is already zoned commercial.

City Engineer Barry Burke stated that he was contacted by another engineer concerning access for this project. That engineer indicated they would like to pursue access onto Farmview Drive. Mr. Burke stated that if they choose to pursue that access, the applicant would need to file an encroachment permit with the city of Union.

ECONOMIC DEVELOPMENT COMMITTEE REPORT (EDC):

Commissioner Kline stated that the Developer Day is scheduled for Wednesday, May 14th, 2014. Commissioner Kline and City Events Coordinator Karen Franxman are meeting with the manager of Flip Daddy's restaurant to go over the menu for the event. The owner of Flip Daddy's will be the guest speaker. They have sent out sixty (60) invitations and have already received some responses. Commissioner Miller asked who the invitations were sent to. Commissioner Kline stated that they were sent to local & national developers, business owners, potential business owners and commercial real estate brokers, both nationally and locally. They are looking to draw businesses to the area that are not necessarily here already.

Commissioner Miller asked about the demographics that were put on the invitations that were sent out. Commissioner Kline stated the information was provided by Kevin Costello with Boone County Planning and Zoning Commission. Commissioner Miller asked if he could review the raw data that this information was extracted from. Commissioner Kline will get the data from Mr. Costello for Commissioner Miller.

Commissioner Kline also stated that she would like to make a decision on whether the city would like to hire a new City Administrator full-time or part-time. This is needed before the hiring process can begin. Commissioner Kline has created a listing of what she feels are potential job responsibilities for the new City Administrator.

Commissioner Miller suggested the city should hire a City Administrator part-time and hire a part-time City Engineer. He feels the city has some potential candidates for both positions and could get both for the price of one. Mayor Kirby stated that from the perspective of a City Administrator he could go back and forth as to the need of full-time or part-time. His main concerns on a full-time position is that every full-time position we add to the city is a potential time bomb for the city from the extra benefits required prospective. He feels either way there is plenty of work for the position.

Attorney Voss stated that you have to post the job as to what you want to fill.

Mayor Kirby asked for a motion to propose the City Administrator position that the city post to be a part-time position. Commissioner Kline made the motion and Commissioner Heil seconded the motion. All voted in Favor. **Motion Carried.**

Commissioner Miller made a motion to have the City Engineer as a part-time position. Mayor Kirby stated that he is open to idea, but the position needs to be created first. Mayor Kirby asked if this is something the commission would be considered in looking into. Commissioner Heil stated that after the city looks at the budget and it's feasible he feels the city should look into it. Mayor Kirby asked City Clerk Kathy Porter to reach out to her network of city clerks for help on creating a position for a part-time City Engineer.

CITY ENGINEER'S REPORT: Mr. Burke referenced his detailed City Engineering Report totaling thirteen (13) items.

Regarding Item 1 (d) 1704 Sherman Court (Jeff Grant), Mr. Burke and Commissioner Bryan Miller have both met and reviewed Mr. Grant's claims of damages to his grass strip and mailbox due to the snow plows from this previous winter. Several options were discussed with Mr. Grant and he decided to make the repairs himself and the city would reimburse him for the sod. Mr. Burke received receipts from the City Clerk from Mr. Grant totaling \$126.69. Mayor Kirby asked if the damage was snow plow related or salt related. Commissioner Miller stated that is was probably both.

Mayor Kirby agreed with City Engineer Barry Burke in his report suggesting that the city put in the budget some additional funds to allow for repairing these types of damages caused by snow plows and salt.

Regarding Item 1 (g) 9772 Cherbourg Drive, Suzanne Danks and Keli Mason, the residents are concerned with on-street parking and safety within a sharp curve along the street. Currently the Ordinance allows for parking along one (1) side of Cherbourg Drive. However, when vehicles are parked within this curve it causes safety problems. Mr. Burke has spoken to Ms. Patti Dugan who lives at 9775 Cherbourg Drive and asked about the possibility of having a no-parking restriction along her property frontage which is approximately 225 feet in length. Ms. Dugan did not disagree with having a no-parking restriction fronting her property.

Mr. Burke suggested the city place two (2) signs titled "No-Parking between the Signs", subject to review by the Boone County Traffic Committee for concurrence before posting.

Mayor Kirby asked if this would comply with the Ordinance the city passed for parking. Attorney Voss advised that the city would have to amend their Ordinance for enforcement purposes.

Commissioner Kline asked if we chose to improve the safety for the first bend on Cherbourg Drive, would we have the same issue on another bend further down the street. Mr. Burke stated that at this time we have not had any complaints concerning the other one, but the city should wait to see if there is a similar problem before posting signs without owners input.

Mayor Kirby asked for a motion to approve Mr. Burke's recommendations. Commissioner Kline made the motion to approve and Commissioner Miller seconded the motion. All voted in favor. Motion Carried.

Regarding Item 1 (i) 9828 Windsor Way, Mr. Jerry Delaney. Mr. Burke received a call concerning outdated catch basins with concrete tops without grates in the street. Periodically, these catch basins clog causing flooding into Mr. Delaney's yard. Mr. Burke contacted SD1 and was told the catch basins are eligible for the 50/50 cost sharing. Mr. Burke has estimated the cost to replace the two (2) catch basins along both sides of the street at about \$4,500. He would get competitive quotes if the city chooses to move forward with replacing them with SD1 sharing the cost.

Commissioner Miller made the motion to move forward with replacing these catch basins and Commissioner Kline seconded the motion. All voted in favor. **Motion Carried.**

Regarding Item 1 (k) Mr. Keerthi Kanubaddi at 10240 Pembroke Drive. Mr. Burke, speaking in behalf of Mr. Kanubaddi, who unable to attend the meeting, stated about two (2) years ago, Mr. Kanubaddi advised the commission concerning excessive storm water that is overtopping an existing sidewalk fronting the north side of his residence. The city at the time had worked with other residents in the city to repair the excessive drainage overtopping the sidewalks by installing edge drains in a cost sharing partnership with the residents connecting their roof leaders and sump pump drains. At the time, Mr. Kanubaddi chose not to move forward with the repairs.

Mr. Kanubaddi recently contacted the city again and indicated the problem is still there, and he now has another

problem on the south side of his property. Mr. Burke stated he inspected this new problem as well and concluded that there isn't any evidence of excessive storm water on the south side at least by coloration or discoloration on the driveway. Mr. Burke spoke with Mr. Kanubaddi and suggested that the project could start at a SD1 catch basin near Holderness Drive and add a six-inch (6") edge drain between the edge of the curb and the sidewalk approximately 125 feet and put in a catch basin to remedy the original problem. Mr. Kanubaddi would now like this edge drain system extended across the front of his property and underneath his apron/driveway to the south side and place another catch basin in. Mr. Burke's estimate for the project would cost to add the edge drain would be about \$9,420. The city's cost would be about \$3,080 (33%), and Mr. Kanubaddi's and/or another neighbor's cost about \$6,340 (67%). Mr. Burke stated he forwarded a copy of the plan and the estimates to Mr. Kanubaddi and is awaiting an answer from him.

Mayor Kirby stated this is an issue the city has faced for many years and they created an Ordinance to lay out when the city will get involved and under what circumstances.

Regarding Item 9, the Whispering Trails Storm Water Flooding, the city has worked with several residents to upsize their culverts to alleviate some limited flooding issues. The SD1 board recently re-approved their original policy for a 50/50% cost sharing for certain storm water projects. In regards to Whispering Trails, the city is currently ranked 5th on the list by SD1 for this project, however, since the estimated cost for Option 4 of the project is \$2.85 million (in 2013 dollars), and with the city's cost share being about \$1.43 million, more discussions with the city, SD1, and the residents is needed.

Commissioner Miller suggested the city needs to put a financial plan together to start allocating to save money for this major project.

Regarding Item 11, the Union Street Repairs Program. Mr. Burke has looked at the city's public streets (about 99) and came up with a comprehensive repairs list. Mr. Burke has broken down the list into about five (5) projects.

One small project is a Crosswalk White Paint Striping at Grafton Drive and Pembroke Drive for access to the neighborhood pool. Mr. Burke stated that this is as simple as contacting a local line-striping contractor and could be done for roughly \$200 or less.

Regarding streets that need joint and crack sealing, Mr. Burke has identified approximately 17 streets and he's estimated that cost to be around \$19,890.

Commissioner Miller stated that he had went out with Mr. Burke to look at the two (2) streets that need full resurfacing. Mr. Burke stated that his estimate for completing the total repairs within FY 2014-2015 budget amounts to about \$135,070.

Mr. Burke stated the two (2) major street projects are Lakepointe Court and Indian Hill Drive. This work would be a full milling and resurfacing project for these two (2) streets. Mayor Kirby asked if they would bid the two (2) streets together or as separate projects. Mr. Burke stated that he had the bid documents together (totaling 95 pages) he will email to City Clerk Kathy Porter, currently they are together.

The Concrete Curb and Gutter, Slab and Asphalt Base Repairs, Storm Water Catch Basins (19 streets). Mr. Burke estimates the cost to be about \$14,140.

Mayor Kirby asked for a motion to proceed with the City Engineer's estimate for the street repairs work program within the city at an estimated cost of \$135,070. Commissioner Miller made the motion and Commissioner Kline seconded the motion. All voted in favor. **Motion Carried.**

Commissioner Kline asked to discuss the proposed Crosswalk striping at Pembroke Drive. She stated that she understood that the city's practice was not to stripe every single crosswalk. She asked if the city was making an exception for this one. Mr. Burke stated that in the areas of a neighborhood pool involving improved safety for pedestrians, the city could stripe the crosswalk crossing Grafton Court without setting a precedent. Mr. Larry Solomon stated that the original request was made by the HOA, however, it was intended that the crosswalk be provided crossing Pembroke Drive to afford added safety for residents crossing this street. Mr. Burke stated that it was his interpretation that only the Grafton Court crosswalk was requested. There was also some discussion about

placing a stop bar at the same intersection. Commissioner Kline stated they had asked to have one across from a park in the Harmony Subdivision.

Mayor Kirby stated that the city needs more objective criteria for placing crosswalks in subdivisions instead of just placing them whenever someone asks. Mayor Kirby asked if one of the commissioners would like to work with City Engineer Barry Burke to come up with the criteria as to where the city places crosswalks. Mr. Burke stated that he would look into this in more specific detail with the Manual on Uniform Traffic Control Devices (MUTCD) guidelines and report back to the commission.

ITEMS FOR CONSIDERATION:

Ordinance No. 2014 – 002 (First Reading)

AN ORDINANCE OF THE UNION CITY COMMISSION REPEALING SECTION 91.33 OF CHAPTER 91 OF THE CITY OF UNION, KENTUCKY CODE OF ORDINANCES WHICH WAS ADOPTED IN 1997 WHEN THE CITY ADOPTED THE KENTUCKY BASIC CODE. This Ordinance was tabled at the March meeting. Mayor Kirby stated that he had not had a chance to review this ordinance. Commissioner Miller stated that currently the city's code of ordinance states that the city could fine someone on a daily basis for not shoveling snow from the sidewalk in front of their home. Commissioner Miller stated that Commissioner Heil suggested the city take out the part about the fine and leave the remaining piece of the ordinance. Attorney Voss stated that any time the city changes an ordinance they have to have an ordinance repealing or adjusting the part they wish to change. He suggested the commission table the ordinance. Attorney Voss stated the city had never had an ordinance with stating the property owner must shovel their sidewalks. Rather when the ordinances were codified, the company that did it put it in our code of ordinance. This is just a housekeeping action. Mayor Kirby asked for a motion to table the ordinance. City Clerk stated that the city doesn't necessarily want to table the ordinance since they want to change the ordinance. Commissioner Miller asked if the city just wants to repeal this section if this ordinance is what they need. After more discussion, it was determined they want to repeal the section and move forward with ordinance. Commissioner Miller made the motion to approve this ordinance and Commissioner Heil seconded the motion. All voted in favor. **Motion Carried.**

Resolution No. 2014-003

A RESOLUTION AUTHORIZING THE MAYOR FOR THE CITY OF UNION, KENTUCKY TO EXECUTE A DEED AND MEMORANDUM OF UNDERSTANDING FOR A PORTION OF UNION RICE CEMETERY TO THE TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS. Commissioner Kline made a motion to approve the Resolution as read and Commissioner Heil seconded the motion. All voted in favor. **Motion Carried.**

Commissioner Heil stated that at April 3rd Public Hearing he had asked Kroger if they were willing to take suggestions from the city and they stated they were willing to do so. He asked if anyone would object to sending out an email blast where the residents could send in their feedback on tenants for the out lots. Mayor Kirby stated he did not have any objections, but stated he should wait until everything plays out with the pending legal situation. Attorney Voss stated from a legal standpoint there is nothing wrong with doing so. Mayor Kirby stated that if the blast doesn't necessarily mention Kroger, but rather ask the residents about the type of businesses they would like to see come into the city in the future that would be a good idea. Commissioner Kline stated the Economic Development Committee and the Boone County Planning Commission have been working on this and have asked same on the Union Town Center webpage. She stated that she would have Kevin Costello to email the list that they have received so far. Attorney Voss stated that it might be beneficial to have the EDC work with Commissioner Heil to send the email out.

Commissioner Miller stated that currently the city is starting the planning for the next fiscal year budget and every year the city get a letter from Boone County Planning and Zoning Commission and they ask for an increase in the city's contribution. Mayor Kirby asked what the increase for the next fiscal year was. Commissioner Miller stated that they asked for \$3,000 or a 4% increase. Commissioner Miller proposed the city not give them the increase this year, currently the city is giving them \$72,000 per year. The new amount they requested is \$75,000.

Commissioner Kline disagrees with the suggestion to not give the increase. She feels they deserve to have an increase. Commissioner Heil asked what the basis for the increase is. Commissioner Kline stated that is based on the amount of work they do for the city (mapping, providing the planning dept. for the city). Commissioner Heil asked if it was comparable to what they charge the City of Walton or other areas. Commissioner Kline stated she could not answer that. Mayor Kirby suggested that maybe the city should gather that information before the next meeting and discuss it in the budget process.

Mr. Jim Longano made a suggestion that if the information the city is requesting is not within the proposal that the city speak with Kevin Costello to get clarification. City Clerk Kathy Porter stated that the city gets the details on what the money is used for and she sent it to the commission previously. Mayor Kirby asked that the commission look at the proposal from Boone County Planning Commission and they would discuss it next month.

ANNOUNCEMENTS:

The next regular business meeting is scheduled for Monday, June 2nd, 2014 at 7:00 pm.

ADJOURN: With no further business coming before the Commission, Commissioner Miller moved to adjourn the meeting at 9:15 pm. Commissioner Heil seconded the motion. All voted in favor. **Motion carried.**

Signed this 2nd day of June, 2014

APPROVED:

ATTEST:

Don Kirby, Mayor

Kathy Porter, City Clerk/Treasurer