

**CITY OF UNION, KENTUCKY  
REGULAR BUSINESS MEETING at 7:00 p.m.  
MINUTES  
Monday, August 2, 2010**

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**CALL TO ORDER: Regular Business Meeting**

Mayor Don Kirby called to order the Regular Business Meeting for the Union City Commission on Monday, August 2, 2010 at 7:00 p.m.

Present: Mayor Don Kirby, City Commissioners John Adams, and Todd Sayers. Commissioner John Mefford and Commissioner Bob Kelly were not in attendance. Also, City Engineer Barry Burke (FOPPE Technical Group), City Clerk/Treasurer Kathy Porter, City Attorney Greg Voss were in attendance. Five (5) citizens signed the attendance sheet.

**MINUTES: (All City Commissioners were provided a copy prior to tonight's meeting)**

Commissioner Sayers moved to accept the REGULAR BUSINESS MEETING MINUTES of Thursday July 1, and the motion was seconded by Commissioner Adams. **Motion carried.**

**TREASURER'S REPORT:** Commissioner Adams moved to accept the Treasurer's Report as of July 31, 2010 as presented. Commissioner Sayers seconded the motion. **Motion carried.**

**UNION CARES PROGRAM:** August – Adopt- A- Unit. Karen Franxman made a brief description of the Adopt-A-Unit and presented the commission with a certificate and flag that was sent from the unit in Afghanistan. Karen introduced the member of the Adopt-a-Unit committee that was present. She introduced Chris Geise and Kathy and David Espejo. The members addressed the committee. They spoke about the items that have been packaged and sent to the units. Also the daycare Littlest Angels are decorating the birthday bags that are being sent over each month. The mayor asked how long the items took to get to the unit. Karen said it would take two to four weeks. Mr. David Espejo mentioned that he had been in Iraq and each care package in greatly received by the units. The committee mentioned that they need more exposure to try to get as many donations to send to the troops. The group will gladly accept any donations and sponsors that might like to help.

**CITIZENS WISHING TO SPEAK:**

None

**PRESENTATION BY BRANDSTETTER CARROLL INC. – UNION PARK MASTER PLAN**

Mr. Patrick Hoagland an architect with Brandstetter Carroll spoke about a plan for a park in Union that was presented in 2004. The mayor mentioned to the commission and public that the county owns the property, the city will just be annexing in so that it will be within the city limits of Union. During 2004 there was an active committee that worked to make this park possible. Mr. Hoagland states this park would be 25-50 acres in this area which would include playgrounds, hiking trails, biking trails, picnic areas, and an aquatic center. After 2004 the plan was updated. The update would include and all access play area, a rentable building, trails, athletic fields, and fishing area. The goal is to keep with farming theme and keeping the park as natural as possible.

Mr. Hoagland said some steps that needs to be taken now is to see if this is still what the city wants, do some analysis on the land and water to make sure the area is feasible, then get into some design development, the develop construction document for implementation. Mr. Hoagland stated that in 2004 the cost was around 5.3 million; the updated price is around 6.3 million. This is all determined about what the county and city would like.

A person from the audience asked how the community was surveyed. Mr. Hoagland stated that they had several public hearings and a steering committee. A question was asked if they would be doing this type of survey will be done this time. This would probably be something they would do. Someone asked about maintenance? This is something that will be looked at during the planning process.

Mayor Kirby mentioned the property across from Ryle High School owned by Dr. Wright will be on the agenda for the September meeting. This will be a discussion concerning a zone change to allow a gas station on this property.

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**CITY ENGINEER REPORT:** Mr. Burke referenced his detailed City Engineering Report totaling 14 Items. The sanitary sewer system is 99.5 percent done on Phase C and 95% complete on phase A&B. According to Attorney Voss there is still a legal judgment to get the easement for the Volpenhein property. This is anticipated in the early part of August.

Regarding Item #1 (a) (1). Mr. Kojima at 10104 Russwill Drive. Extra pipe was installed to stop the storm water surcharge. This has been completed by Rudi's LLC.

There are a couple of tap-in violations Mr. Dwelly at 10109 Russwill Drive and Mr. Mathis at 1539 Mt. Zion Road has yet to tap- in.

Regarding Item #1(a) (5) Mr. Mr. Isler at 10077 Russwill Drive, Mr. Isler advised that the contractor has destroyed a surveyor pin at the NW corner. The city attorney Atty. Voss said that this would be just like if we destroyed a tree and had to replace it. Mayor Kirby said to replace the pin and then we can look and see if the contractor might be at fault. The professional land surveyor's cost to establish control is estimated at \$600, with the cost of re-locating one (1) pin is about \$150.00.

Regarding Item #1 (b) (2) Mr. Volpenhein at 10033 Old Union Road, the sewer plans have been revised with SD1 approval given. This issue should be resolved within the next couple of days.

Regarding Item # 1(b) (3), DECA formerly PNC Bank, the building is for rent and is in violation of the tap-in.

Regarding Item #1 (b) (4) Mr. Schrage at 1838 Mt. Zion Road, he is in the process of tying in, as observed on this date.

Regarding Item #1 (b) (5) Mr. Long at 1764 Mt. Zion Road have yet to be tied in. Someone asked what the tap-in fee was? Mr. Burke stated that the fee to SD1 is \$3,000.00.

Attorney Voss asked Mr. Burke about Mr. Collett's property and the tap-in. Since there are no structures on these two (2) properties separated by relocated US 42, they will not have to be tapped-in. Mr. Burke will speak again to Mr. Collett to about this issue to clarify the SD1 billing statements.

Regarding Item #2 (b) Lakeway, Lakepoint and Kingston Courts, these short-term pavement repairs including concrete and joint sealing have been completed.

Regarding Item #2 (d), Cedarwood Drive Street Improvements, the contract has been approved and the city is awaiting the project to start.

Mr. Burke represented the city at a recent meeting at Sanitation District concerning the Phase II General Permit renewed earlier this year and the Storm Water Quality Plan. SD1 advised of a number of training programs to be implemented this year including more concerns for street runoff. Mr. Burke advised that SD1 suggested a street sweeping program. However, the states requirements in this area are very limited. The Sanitation District will work with the 33 co-permittees and the cities to implement the plan required by the KYDOW.

Regarding Item #6, the applications for tying in the Union City Building and the Community Building (10087 Old Union Road) have been approved and waiting on the contractors to pick up to complete the public sewerage tie-ins.

Regarding Item #7, The Villas at Fowlers Creek, a suggestion was made to the HOA to pay the installation costs at \$2,500.00, with the city paying the usage charges estimated at \$10/month. The installation cost of \$2,500.00 estimated would be the responsibility of the HOA. Mrs. Noreen Morgan from the HOA stated they are still working on this trying to get more estimates. Mr. Burke advised that one (1) estimate was over \$6,000.00; and, it would be difficult to get another estimate lower than the one (1) provided by Russ Hamilton Electric.

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Regarding Item #9, the Storm Water Surcharge at Hartwood Court, the project has been approved, but not yet started.

Regarding Item #10, the Gunpowder Green/Churchill Drive Bridge Structures Railings, the rails were initially replaced with pressure treated wood. This was unacceptable to the residents. Mr. Burke found another source of cedar timber rails, the same as the original and replaced the railings at a higher estimated cost of \$1,260.00, approved by Commissioner Kelly. The railings will still need to be painted, after maturing.

Regarding Item 12 (a) the City Building Flooding – One (1) bid was received and is awaiting review by the City Engineer.

Regarding Item 12(c) the Gunpowder Greens (Wayne Partin – 1036 Churchill Drive), observation revealed an overflow elevation of perimeter mounding by Michels Construction was not uniform causing Mr. Partin's yard to flood. Mr. Burke is working with Michels Construction to alleviate this problem at no extra cost to the city.

BC Public Works has advised that a pothole has appeared in front of Mr. Becknell's house on Sycamore Drive. Mr. Burke is working with the Sanitation District and the BC Water District as well as Boone County Public Works to find out how a hole 2ft x 2ft x 2ft deep has formed. Some testing has been performed and they think it might be a broken water meter. They are still working to determine the solution.

Mrs. Karla Burch on Picket Run has a drainage problem at her house. Observation was made. This is a private issue beyond the city's responsibility.

Mrs. Jill Price at Cedarwood Drive is making an application for a pool. Mr. Burke has received a preliminary sketch plan and the pool may encroach on a public easement. Mr. Burke will look at this issue in more detail after the full plan has been submitted.

At the last meeting in July, the Mayor directed Mr. Burke to look at the drainage issues in Whispering Trails. There are 165 acres of watershed that is encompassed the problem flooding areas. Mr. Burke prepared a report on his findings. Mr. Burke stated that through his findings, some of the culverts are repairable and some are beyond repair. Mr. Burke gave the commission a detailed report with on the suggested repairs and the estimated cost of the culvert repairs and replacements. In general, the total cost of the replacement of all culverts would be about \$330,000. Mr. Burke advised the flooding problem is a critical safety issue, and hopes the Sanitation District could treat this as a public project and take on this issue for future funding. It was discussed that a recommendation of upsizing these pipes from 30", 36", & 48" to a 72" size may cause problems downstream. Mr. Burke does not feel this is an issue. Mr. Burke recommends that the completed report be submitted to Sanitation District No. 1 and the affected residents as detailed in the Report. Mayor Kirby said to go ahead and send this to both the Sanitation District and Residents.

Regarding the open concrete drainage structure in Kim Landrum's front yard, Attorney Voss asked about trying to put some temporary protection around the open structure or whirlpool area where the water is swirling for safety. Mr. Burke said that a safety enclosure grate has been in place on sewer outlet to keep children out. Any other significant cover placed on top of the structure will become a maintenance nightmare and is not recommended.

Mayor Kirby suggested working on the Mathis pond and see if he can get this started. Mr. Burke will work with Commissioner Adams and SD1 regarding the options and will advise the city before again contacting Mr. Mathis.

In regards to the deterioration of flow lines of many of the culvers, someone asked if there is a short-term fix to this drainage problem. Mr. Burke said that the bottoms of the pipes are already corroded, some beyond repair. A qualified contractor could inject lightweight polyurethane to stabilize the pipes above and paved flow lines with a heavier cementitious material. In Mr. Campbell's case, per the Report, the cost to do this could be as much as \$9,700 for repair and \$16, 800 for a complete culvert replacement.

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Kim Landrum asked if there is a possibility to get some dirt to build an earth berm up. Since the Landrum yard receives runoff from over 99 acres and very different from all others regarding property and safety, Mr. Burke recommended having a qualified contractor build up an earth berm to protect her property. The cost would be around \$1,930.00. Since the city was previously involved regarding grading from this one (1) issue, Mayor Kirby said to go ahead with this small project. Mr. Kirby called for a motion, all were in favor.

**CITY EVENTS COORDINATOR:**

Karen will meet with Roger McElfresh this week to get another quote concerning the painting of the community building.

Karen met with Glen Taylor from Del Monde Heating and Air for an estimate to add the forced air requirement to the community building. All quotes received so far have been over \$5,000.00

Karen mentioned the Community Events; we had our “Union Celebrates America” on Friday July 2, 2010. This was a huge success. All the feedback received has been positive. Karen stated that she would like to get started on the event for 2011; Mayor Kirby gave her the permission.

On Saturday July 17<sup>th</sup> the first annual Beach Blast was held. Those who attended had a good time. Karen thanked the Mayor Kirby and Attorney Voss for helping out. She also asked if the event should be held again next year. Mayor Kirby said to start looking into and maybe using the same format as this year. Attorney Voss suggested maybe combining both the fireworks and beach blast events. However, Karen stated that maybe next year she would have the event in June. Mayor Kirby said that we would talk about this again. Karen mentioned we still have T-Shirts for sale and they are \$5.00.

Karen mentioned the longest yard sale; the city will have booths available for rent in front of the community building. The spaces are available Thursday – Friday. The spaces are \$20.00 each or for all three (3) days would be \$50.00. The Adopt-A-Unit will be selling drinks to raise funds for shipping costs.

Karen talked about the memorial dedication for Warren and Madge Moore that will be held on Sunday, August 8<sup>th</sup> at 2pm at the city building. A reception will hold at the community building following the ceremony.

Karen mentioned the October event that we had last year and maybe changing the format from a Chili Cook-off to a craft vendor/music. The date they are looking at is October 2 from 2:00 to 6:00. More details will be available at the September meeting.

Karen talked about the volunteer committee; they currently have four (4) members on this committee. They do not have a meeting scheduled at this time, but it will be posted on the city’s website.

Karen talked about the Adopt-A-Unit; they have shipped forty boxes with donated items this past month.

Karen is continuing to work with the town plans.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

Reading of RESOLUTION NO. 2010-005 – **A RESOLUTION AUTHORIZING THE MAYOR FOR THE CITY OF UNION KENTUCKY TO EXECUTE AN ANNEXATION AGREEMENT BETWEEN THE BOONE COUNTY FISCAL COURT AND THE BOONE COUNTY PUBLIC PROPERTIES CORPORATION FOR THE ANNEXATION OF 31.258 ACRE PARCE AND A 12 ACRE PARCEL.** Commissioner Adams made a motion to accept, Commissioner Sayers seconded. **Motion carried.**

First Reading of ORDINANCE NO. 2010 – 004 – **AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED**

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**TERRITORY ADJACENT TO THE PRESENT BOUNDARIES OF THE CITY OF UNION KENTUCKY.** Commissioner Sayers made a motion to accept, Commissioner Adams seconded. **Motion carried.**

First Reading of ORDINANCE NO. 2010-005 – **AN ORDINANCE DEDICATING THE UNION CITY BUILDING IN HONOR OF WARREN S. MOORE.** Commissioner Adams made a motion to accept, Commissioner Sayers seconded. **Motion Carried.**

**EXECUTIVE SESSION:**  
NONE

**ANNOUNCEMENTS:**  
Next City Commission Meeting: Tuesday, September 7, 2010 @ 7:00 p.m.

No further business came before the Commission. Commissioner Adams moved to adjourn the meeting at 8:47 p.m. Commissioner Sayers seconded the motion. **Motion carried.**

Signed this 7th day of September 2010

**APPROVED:**

**ATTEST:**

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Don Kirby, Mayor

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Kathy Porter, City Clerk/Treasurer