

**CITY OF UNION
Business Meeting
June 4, 2018**

Regular Business

The meeting was called to order at 7:00 PM on June 4, 2018 by Mayor Larry Solomon.

Pledge of Allegiance

Mayor Solomon led all attendees in the pledge to the flag.

Roll Call

A quorum was present: Mayor Larry Solomon, Commissioner Bryan Miller, Commissioner John Mefford, Commissioner Jeremy Ramage and Commissioner Eric Dulaney.

Also present:

City Attorney-Greg Voss, Esq.

City Engineer-Barry Burke

City Administrator-David Plummer

City Communications and Operations Director-Melissa Stark Hinkle

City Clerk Donna Wahoff

Approval of Minutes

Commissioner Mefford moved to approve the April 2 business meeting minutes. Commissioner Miller seconded that motion. **Motion approved 4-0.**

Financial Reports

The Commission reviewed the Budget/Spend Comparison report from through May 31, 2018; and also reviewed bills for payment through May 31. Commissioner Miller inquired if all city funds had been moved to Heritage Bank. CAO Plummer did confirm that the funds are now at Heritage. Commissioner Miller moved to approve the City's monthly financial statement in total. Commissioner Mefford seconded. **Motion approved 4-0.**

Public Comment

Ms. Anna Longworth of 5399 Rabbit Hash Road came forward with a request and a petition signed by her neighbors to be added to City Water Service. She indicated that she had been referred to the City by the state. Mayor Solomon informed her that she resided in unincorporated Boone County, and the City would not be able to assist her. Attorney Voss advised that she had been misinformed by the state authorities, due to having a postal Union address, but was outside of city jurisdiction. He advised her to consult with the Boone County Fiscal Court and the Boone County Water District to see about adding her to county services in her area. Mayor Solomon provided contact information for Sharon Burcham with the Fiscal Court to aid her in her request.

Mr. Kevin Cahill of Royal Oak Lane in Fowlers Creek came forward to express his pleasure with the installation of a new No Left Turn sign at the intersection of Royal Oak and Old US 42 to help with drive through traffic and illegal turns out of the Fowlers Creek Subdivision.

Mayoral Report

Mayor Solomon updated on the issue of the trailer graffiti on the construction vehicle located at the corner of Frogtown and US 42. A meeting has been scheduled with all parties involved, including representatives from Boone County to help come up with a permanent solution. Graffiti had been on the trailer that was considered offensive, and that graffiti has been removed from the trailer as a temporary solution, but a nuisance complaint has been filed about the vehicle which must be addressed through the Union Nuisance Code procedure, and the city will be following through that procedure to address this issue.

Solomon also noted that Mr. Andrew Rosen's term on the Union Board of Adjustments is nearing expiration and asked that City Staff contact him to see if he would be interested in serving the city for another term. He also updated that Ms. Jamie Nieves will be resigning from her post with the Boone County Planning Commission as she will be moving to Frankfort to be closer to her new job position. Commissioner Ramage advised that he would be putting together a brief job description to advertise this open position to citizens and to solicit qualified volunteers to serve the city in this capacity. Mayor Solomon thanked Ms. Nieves for her service to the City of Union.

Solomon also noted that he has had not updates from Kroger on the old store location, since his report at the May commission meeting, but that he would continue to press for updates.

Solomon concluded with a reminder that the Groundbreaking Ceremony for the Storypoint Development will be held at 12 noon on June 12th at the construction site to the south of the Kroger Marketplace.

Economic Development

Commissioner Ramage updated as well on the Story Point Groundbreaking, and that grading and grubbing work is underway at the site. He also noted that work is underway at the Central Bank construction site, and that a sign has been placed on US 42 to announce their new location.

Ramage also noted that grading and preliminary work is underway for the new commercial building located to the West of the Kroger Fuel Center that will house a Panera Bread and an additional retail/commercial location that has not yet been announced. This is on a property owned by Arlinghaus, and is not considered a Kroger Out lot property.

Ramage also updated on the RFQ for Developers for the Union Town Center. He indicated that the city had received verbal interest from only one developer, and that, due to an addressing issue, they did not submit a written proposal by the deadline, but that the City would continue to work with them in pursuing a potential proposal. Ramage said the EDC will now go back and try to get feedback from other development groups that

received the proposal to see why they did not show interest in the project and get feedback as to next steps on how to proceed with the Town Center project.

Public Works

2018 Street Repairs Program

Engineer Burke went over the bid amounts and specifics of each area of the 2018 Street Repairs Program, outlined on the Bid Tabulation sheet provided in the meeting packet.

City Engineer Recommendations:

1. That Phase A Part 1 be awarded to Len Riegler Blacktop, Inc. for the Total Bid Cost of \$69,106.50. Part 1 includes the milling, resurfacing and striping of Old Union Road between Orleans Blvd and Westbrook Blvd. Extra Work may include some extra milling and resurfacing on the center cap and the Clarkston Lane Bridge to improve the surface drainage. The low bid by Bluegrass Paving, Inc. was not accepted since no other competitive bids were submitted for Phase A.
2. That Phase A – Parts 2, 3A, 3B & 4 be awarded to Paul Michels & Sons, Inc. for the Total Low Bid Cost of \$44,329.00. Parts 2, 3A, 3B & 4 includes the reconstruction of Glenfield Ct, resurfacing of portions of Deepwood Ct & Hempstade Dr. and Asphalt/Pot Hole repairs on eight (8) streets. Part 5 is line striping on 25 speed humps and directional arrows on Richmond Rd at US 42. Since the city did not receive a competitive bid on Part 5, at least two (2) qualified striping contractors will be contacted for the work based upon more accurate locations generated from on-site observations.
3. That Phase B – Part 1, be awarded to Len Riegler Blacktop, Inc. for the Total Low Bid Cost of \$58,925.00. The Part 1 Quantity Sheet included 1,635 LF of concrete curb & gutter replacement along 10 streets and the entire replacement along Pickett Run. An addition error resulted another 150 LF or a total 1,785 LF, which may add an extra \$5,250 to the Award. Part 2 ADA Wheel Chair Ramps has been deleted due to budget limitations.
4. That Phase C Parts 1 through 5 be awarded to Straight Edge Construction LLC of Brooksville, KY for the Total Low Bid Cost of \$56,134.50. Personal contact revealed that Straight Edge has performed a lot of quality work for Boone County Fiscal Court and Florence. Parts 1 through 5 includes about 1,375 of edge/side drain along five (5) streets including Bayberry Ln, Braxton Rd, Fireside Ct, Whittlesey Dr & Laurawoods Ct.

The sum of the Total Bid Costs for Phases A through C amounts to \$228,495.00. With an approved FY 2018-2019 Budget of \$235,000, the city will work with its contractors regarding any Extra Work involved.

Therefore, the City Engineer recommends that Phases A through C in Parts, as noted, be awarded to Paul Michels & Sons, Inc., Len Riegler Blacktop, Inc. & Straight Edge Construction, LLC, respectively, based upon their lowest and/or best bids, but only subject to further review of Insurance, Bid Bonds and/or Sureties, as stated with formal signed contracts prepared by the City Attorney. The prepared contracts are included in the legislation later in the agenda.

City Engineer Report

Engineer Burke updated on the issue at 10577 Mt. Laurel Way with Mr. Ryan Riegler and an improper drainage and driveway issue. He advised that Mr. Brad Horn has now assumed the Code Enforcement and Zoning Enforcement duties for Boone County and that Mr. Horn will be following up on this complaint on the county's behalf to enforce the zoning code violations.

Burke also gave an update on Clarkston Lane Bridge over Fowlers Fork Creek. To lessen the drainage/settlement issue, a reputable contractor was contacted to fill the open pot hole or cavity with flowable fill and resurface. At present, the bridge has been deemed to be safe. It was recommended that BCPW remove the barricades. The preliminary assessment of the problem concludes that subgrade and soil seepage is settling out behind the concrete abutment on the westerly roadway side of the bridge placed upon the original stone and mortar foundation in 1989. More short term repair work will be recommended within the next three (3) months by milling the surface pavement and extending the curb near the northeasterly abutment to better control surface drainage. This work was approved up to a cost of \$5000 at the previous meeting, and will be part of the extra work done as part of the 2018 Street Repairs Program.

Burke also advised of a catch basin and sidewalk construction problem near the intersection of Daybreak and Overture Ally. An on-site observation revealed that a 2' x 3' section of sidewalk and gaps between the curb and catch basin should be replaced and filled. Such work for less than \$500 is recommended to be included as Extra Work as a part of the 2018 Street Repairs Program.

Finally Burke noted a vehicular sight distance issue on Old Union Road. The extent of new tree growth within the city's public right-of-way is beginning to impact adequate sight distances near and opposite Don Jr's Garage. The same issue several years ago included cutting back a significant length of vegetation and trees amounting to about \$1,400. Periodic observations will be made for measuring sight distances. Where regulatory non-compliance exists, a recommendation will be made to employ a contractor to cut back the vegetation to provide adequate sight distance. Burke will continue to monitor, and if funds remain in the budget, prepare a recommendation to complete this work.

Burke also advised of ongoing work with Boone County Planning and GIS Coordinator James Horton and City Attorney Voss. He noted that based upon previous correspondence with the Secretary Of State regarding the processing of 16 individual annexation plats and deed descriptions forwarded, which the SOS refused to map, the City and BCGIS could move forward to prepare a single perimeter outer boundary of the city's current corporate boundary to resolve the issues previous addressed by the SOS, thereby significantly reducing the complexity of having to redraw and process these dated survey plat annexations for the city's more accurate boundary prior to annual changes made by the SOS in November 2018. At a recent meeting with SD1 officials, the question of city's corporate limits extending along the entire length of Gunpowder Road will also be checked, revised and/or confirmed. He will continue to work to updating the mapping information with Boone County and report back to the commission as needed on the issue. Mayor Solomon requested that any pending annexations to the city be completed before the final work is submitted to the Secretary of State for the most complete and accurate information.

Commissioner Dulaney

Commissioner Dulaney reported that he and Mayor Solomon participated in the annual Memorial Day Parade for the City of Union, and met several citizens at the event.

He reported no real updates to the construction projects on either Mt. Zion road or Rice Pike, but that work is continuing at the expected pace.

Regarding the Street Repair Program, Dulaney noted that the striping projects on the speed bumps/humps in the city for the program had been pulled out of the bids, and that Engineer Burke would be contacting striping contractors directly to obtain pricing to help keep costs down.

Commissioner Miller inquired about the mowing along US 42, and that it seems that the mowing is not being done in the same areas or as far back as has been previously done. Both Dulaney and CAO Plummer indicated that they had been in contact with A&A Lawn Care and Landscaping to try to address these issues, and that repeated contacts had been made to address these areas, including providing additional maps and contract information to A&A to indicate their specific areas of responsibility. Plummer expressed frustration in working with the contractor and that it required repeated requests to get services completed. Mayor Solomon expressed frustration about this waste of staff time and the extra expense of their time to see that the contract is completed as specified. He wanted to note that this is not the first issue with this contractor and that this should be noted when the contracts come up for bid again later this year as a consideration when bids are accepted and awarded. He wants the city to receive the necessary services as contracted without Commissioners and City staff having to constantly monitor and request contracted services be completed as specified.

Office Administration Report/Communications Report

Director Hinkle reiterated the Story Point ground breaking on June 12, and advised that she would update with a schedule of events once received from the Story Point group. She also advised that planning for Union Celebrates America was on schedule and reminded those commission members who had not yet submitted parade entries to please do so as soon as possible.

City Administrator Report

Administrator Plummer had no additional report.

City Attorney Report

Legislation: Ordinances/Municipal Orders/ Resolutions (prepared by Attorney Greg D. Voss)

Resolutions.

RESOLUTION 2018-03—A RESOLUTION AUTHORIZING THE MAYOR FOR THE CITY OF UNION, KENTUCKY TO ACCEPT THE BID AND EXECUTE THE CONTRACT BETWEEN BLUEGRASS PAVING, INC. AND THE CITY OF UNION, KENTUCKY FOR 2018 STREET REPAIRS. *This item was tabled.*

RESOLUTION 2018-04—A RESOLUTION AUTHORIZING THE MAYOR FOR THE CITY OF UNION, KENTUCKY TO ACCEPT THE BID AND EXECUTE THE CONTRACT BETWEEN MICHELS PAVING CO., INC. AND THE CITY OF UNION, KENTUCKY FOR 2018 STREET REPAIRS. Commissioner Miller moved to approve, Dulaney Seconded. **Motion approved 4-0.**

RESOLUTION 2018-05—A RESOLUTION AUTHORIZING THE MAYOR FOR THE CITY OF UNION, KENTUCKY TO ACCEPT THE BID AND EXECUTE THE CONTRACT BETWEEN LEN RIEGLER BLACKTOP, INC. AND THE CITY OF UNION, KENTUCKY FOR 2018 STREET REPAIRS. Commissioner Mefford moved to approve, Dulaney Seconded. **Motion approved 4-0.**

RESOLUTION 2018-06—A RESOLUTION AUTHORIZING THE MAYOR FOR THE CITY OF UNION, KENTUCKY TO ACCEPT THE BID AND EXECUTE THE CONTRACT BETWEEN STRAIGHT EDGE CONSTRUCTION, LLC AND THE CITY OF UNION, KENTUCKY FOR 2018 STREET REPAIRS. Commissioner Dulaney moved to approve, Ramage Seconded. **Motion approved 4-0.**

Municipal Orders

None

Ordinances

ORDINANCE NO. 2018-05—AN ORDINANCE OF THE CITY OF UNION, KENTUCKY AMENDING THE CITY OF UNION CODE OF ORDINANCES IN ORDER TO CLASSIFY VIOLATIONS OF THE CITY’S ZONING ORDINANCES AS CIVIL OFFENSES WITH CIVIL FINES, THEREBY SUBJECTING SUCH VIOLATIONS TO THE CITY’S CODE ENFORCEMENT ORDINANCES PROCEDURES. Commissioner Ramage moved to approve, Mefford Seconded. **Motion approved 4-0.**

ORDINANCE NO. 2018-06—AN ORDINANCE OF THE CITY OF UNION, KENTUCKY AMENDING SECTION 39.01 OF THE CITY OF UNION CODE OF ORDINANCES IN ORDER TO PROVIDE FOR A NON-LAW ENFORCEMENT CITATION OFFICER TO SERVE AS CODE ENFORCEMENT OFFICER TO ENFORCE VIOLATIONS OF THE CITY’S ORDINANCES WHICH ARE SUBJECT TO THE CITY’S CODE ENFORCEMENT ORDINANCES PROCEDURES. Commissioner Ramage moved to approve, Mefford Seconded. **Motion approved 4-0.**

ORDINANCE NO. 2018-07 – AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019 BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT FOR THE CITY OF UNION, KENTUCKY. Commissioner Miller moved to approve, Dulaney Seconded. **Motion approved 4-0.**

Announcements

The July meeting of the Commission will be held on Wednesday, July 11 at 6 p.m. The meeting was rescheduled due to the Union Celebrates America on June 29, and due to conflicts in the attorney and commission member's schedules.

Adjournment

Motion to adjourn was made by Commissioner Mefford, and seconded by Commissioner Ramage. **Motion carried 4-0.** Meeting adjourned at 8:05 p.m.

APPROVED:

ATTEST:

Larry Solomon, Mayor

Donna Wahoff, City Clerk