

**CITY OF UNION, KENTUCKY
BUSINESS MEETING MINUTES
Monday, April 6, 2015**

CALL TO ORDER REGULAR BUSINESS MEETING

Mayor Larry Solomon called the Monthly Business Meeting of the Union City Commission to order at 7:00 p.m. Monday, April 6, 2015.

LOCATION

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

ROLL CALL

A quorum was present:

- Mayor Larry Solomon
- Commissioner Ken Heil
- Commissioner Bryan Miller
- Commissioner Jeremy Ramage

Absent Was:

Commissioner John Mefford

Also Present Were:

City Attorney - Greg Voss, Esq.
City Clerk/Treasurer – Kathy Porter
City Administrator – David Martin
City Engineer - Barry J. Burke, PE PLS
Office Assistant – Misty Ezell

PLEDGE OF ALLEGIANCE

Mayor Solomon led the audience in the Pledge of Allegiance to the flag.

APPROVAL OF MINUTES

Prior to meeting, City Commissioners were provided a copy of the minutes of the Regular Business Meeting from March 2nd, 2015. Commissioner Miller made a motion to dispense with the reading of the Regular Business Meeting Minutes. The motion was seconded by Commissioner Heil. **Motion carried by 4-0 vote.**

VISITORS AND GUESTS WISHING TO SPEAK

Mayor Solomon opened the floor at this time to anyone who would like to address the commission.

- Mayor Larry Solomon introduced a special guest to the visitors; the “Easter Bunny” made an appearance.
- Boone County Judge Executive Gary Moore addressed the commission concerning April being county government month. As part of county government month Judge Executive Moore has set up meetings with local governments within the county and also other board meetings. He feels

this is important to have a working relationship with other government entities. Judge Executive Moore stated that the county wants to be a partner with the city and continue the good working relationship they currently have.

MAYOR'S REPORT

Mayor Solomon stated that everything he needs to cover will be covered within the committee reports.

TREASURER REPORT

Commissioner Miller moved to accept the Treasurer's Balance Summary Report as of April 6th, 2015. Commissioner Heil seconded the motion. **Motion carried by 4-0 vote.**

BILLS FOR PAYMENT

City Clerk/Treasurer Porter stated that a few more invoices had been added to the bills for payment. The added bills were for Millennium Business Systems (\$115.73), Staples (\$141.17), The Professional Cleaning Group (\$170.00), and Paul Michels & Sons, Inc. (which was approved at the January meeting) (\$50,704.50).

Commissioner Miller suggested that the city cancel the phone line at the Union Community Building. Administrator David Martin stated that this had been discussed with Attorney Voss and it was decided to leave the phone there for safety reasons until a decision on the building was reached.

Commissioner Heil made the motion to pay the bills with additions. Commissioner Ramage seconded the motion. **Motion carried by 4-0 vote.**

RECAP LAST MEETING ... MAYOR COMMENTS

Mayor Solomon moved right into Committee Reports.

COMMITTEE REPORTS

Union Kroger Marketplace

Attorney Voss gave a brief summary of the issues surrounding the Kroger Marketplace. A group of concerned citizens had filed a lawsuit against the city because of the decision to approve the zone change. The appeal went before Judge Schrand who recused himself and the appeal went before Judge Bartlett, who upheld the city's decision to allow the zone change. The group opposing the zone change will have approximately thirty (30) days from the March 13, 2015 decision (a few days will be added to the time frame to allow Boone County Clerk to add the decision to the system) to appeal the court's decision.

Mayor Solomon stated that the city's position on the decision will be to wait and see if an appeal is filed before moving forward.

Union Community Building (Old Firehouse)/Theater Group:

Mayor Solomon briefly summarized the findings from the March meeting in which it was announced that the building was not in compliance for use as a community building. Previously, Administrator Martin was asked to review the costs associated with converting the building to "community hall" use as specified by the Boone County Building Department and to see if it is feasible to make the necessary repairs to bring the building to full compliance. Administrator Martin gave a summary of the history of the building.

- The building was purchased in June 2008 for \$375,000.00. The building was purchased with a 28 year loan which expires in 2036. If the city wished to pay off the building today the amount \$381,325.00. We pay \$2,142.00 per month. In the calendar year of 2015, the city will pay \$25,704. The pre-payment penalty is \$63,116.99. If the city were to pay the monthly payment through to the end of the loan period, it will pay a total of \$690,381.29.
- Currently, the city has paid to date in terms of services, maintenances, repairs and upgrades \$129,872.41.
- In monthly payments since July 2008, the city has paid \$177,120.61.
- To date the city has spent \$306,993.02 on the building.
- Since 2010 when the city started renting the building to the community the city has collected \$16,225.00.

Administrator Martin reported the list of items the building inspector stated needed to be completed before the building would be in compliance for use as a Community Building. The list was submitted to the city in 2009.

- Installation of a fire suppression system per NFPA safety standards. The quote received was for \$54,600.
- HVAC installation and upgrades to properly ventilate the building for a capacity of up to 300 people. The quote the city received in 2010 was for \$72,326.00. Administrator Martin stated that today cost adjusted for inflation would be somewhere around \$85,000 to \$90,000.
- Handicap Accessible Restroom that would comply with the Americans with Disabilities Act (ADA) requirements, would be approximately \$10,000 - \$15,000.
- Repair and Upgrade the drainage and backflow prevention issues that the building has would be an estimated \$20,000 - \$30,000.
- Administrator Martin met with the state electrical inspector concerning electrical deficiencies and the estimate to repair was \$10,000 – \$25,000.
- In order to make the building a community hall the city would need to brick the bay doors and add additional exits and widen the existing entrances and exits to conform to ADA standards. The estimated cost would be \$25,000 - \$50,000.
- The total estimated cost for the repairs to bring the building up to compliance is \$191,926.00 - \$246,926.00.
- It was strongly recommended that the city hire an architectural firm to look at the complete layout of the building and structure. This could possibly increase or decrease the cost depending on their evaluation.

Administrator Martin also stated that if the city would want to move forward with making the building a “community center”, there were other renovation type items that would need to be considered to make the building look like a community center.

- Upgrading the kitchen area with new appliances, paint, and cabinets would cost \$15,000 - \$25,000.
- If the city decided to use the upstairs portion the estimated cost would be \$10,000 - \$20,000.
- In Kirby hall updates to include paint, drop ceiling, new lighting and any other issues the estimated cost would be \$15,000 - \$35,000.
- The total upgrade costs ranges from \$40,000 - \$80,000.

- This is all subjective to what the city wants to put into the upgrades.

The total cost to the city to continue using the building as a community center would be \$231,926 - \$326,926.00. This would be in addition to the current debt the city has for the building. Administrator Martin stated the city has two (2) options.

1. Invest into the building. Investing would require the City to borrow the money through a bonding program, raise business tax, raise resident tax (currently our tax rate is at \$2.16 per thousand assessed on real property.), cut services to other areas to other areas, pull money from their current reserves (which is currently at \$683,292), or any combination of the stated options.
2. Not invest into the building. This option would require the City to find other uses for the building. Other options included selling the building or renting it out/leasing it as a garage

Commissioner Heil stated he preferred continued ownership...renting/leasing it out as a garage without doing any major changes to it, then in 3-5 years consider selling the property when the City has grown and the property site increases in value. Commissioner Ramage agreed with Commissioner Heil. Commissioner Miller stated that the city should not put any additional funds into the building to make it a community building.

Mayor Solomon asked for a motion to not invest funds to bring the building up to code to use as a community center and use the building for other purposes. Commissioner Ramage made the motion and Commissioner Heil seconded the motion. **Motion Carried by 4-0 vote.** He then asked for the Building Committee to assess and research other options, then present those options at the May 4th, commission meeting.

Boone County Planning Commission Report (Jim Longano):

Mr. Longano was not in attendance for the Business meeting. Commissioner Miller stated that there was not anything in his report that directly affected the City of Union.

Board of Adjustment Report (Terry Kidwell):

Mr. Terry Kidwell was not in attendance.

Economic Development Committee (EDC):

To allow time to see whether or not there would be a continued appeal on Judge Bartlett's Kroger decision, the EDC would meet on April 15, 2015. If no appeal was filed, the EDC would work with Kroger to make sure promises made are realized.

EDC committee member Dr. Bryan Turner tendered his resignation. Mayor Solomon met with Commissioner Ramage and Matt Apke to discuss the vacancy and they recommend Mr. Denny Mathis to replace Dr. Turner. Mayor Solomon asked for a motion to accept Mr. Denny Mathis to the Economic Development Committee. Commissioner Ramage made the motion and Commissioner Miller seconded the motion. **Motion Carried by a 4-0 vote.**

The EDC is looking at several issues including the widening of KY536 and the expansion of Union Pool into Union Park. Included within this upcoming proposal would be a large shelter building that would hold up to 400 people. This large shelter would replace the old firehouse for community center

purposes.

FIVE YEAR FISCAL PLANNING:

Commissioner Miller stated they will begin to work on the next fiscal budget. Mayor Solomon asked to sit in on the budget meeting.

PUBLIC WORKS/CITY ENGINEER REPORTS

PUBLIC WORKS REPORT:

- Commissioner Heil stated the city was over budget for the fiscal year by \$57,000 for seasonal snow removal. This overage was justified as a result of numerous February/March snow days.
- Commissioner Miller asked about increasing the budget to possibly \$120,000 - \$130,000 for next year. Mayor Solomon stated that it could be discussed during the budget meeting.
- Commissioner Miller asked if the city received any complaints. Commissioner Heil stated for the most part the season went well we had a few curbs that were damaged, but nothing beyond what you would normally expect.

CITY ENGINEER REPORT:

Cedarwood Drive drainage issue in front of Matt Grimes residence. After reviewing the complaint Engineer Burke concluded that there is a clean-out on Mr. Grimes' neighbor Mr. Gary Meade's property. Engineer Burke suggested the city hire a contractor to extend an edge drain from the Boone County line to where we can tie into the roof leader sump pump at Mr. Grimes property, approximately seventy-five (75) feet. Mr. Meade has agreed to tie into the line at his own expense. Engineer Burke will move forward with getting bids for this project. Anticipated expenses...no more than \$2,000.

Florence Water Meter. Florence Project Administrator requested an encroachment permit to install a water meter reading device and a new or existing sign in support of Florence's water system servicing the Union residents along Richmond Road. Engineer Burke suggested the City of Florence complete an encroachment permit form which has not been received.

Road Repairs. Engineer Burke is getting reading to start to review the approximate 22 miles of city streets to recommend to the commission on streets that are in need of repair. Commissioner Miller asked about the current budget for fiscal year 2014/2015 if the budget number is good. Engineer Burke stated that he would need to review the roads before he can make the estimate.

9970 Cedarwood Drive (Ms. Betty Heimbrock) Engineer Burke inspected a drainage problem on this property. In consultation with SD1, it was determined that this was a private matter. Ms. Heimbrock has been made aware of this conclusion.

Whispering Trails Open Channel Drainage – Gary and Sandra Vice (1822). Mr. Vice requested the city repair a surface channel on his property that is eroding. Engineer Burke emailed Mr. Vice that it is not the city's responsibility. Mr. Vice was not in attendance.

Bridge Postings. The State Highway Department is requesting compliance for bridge postings. The requesting letter has been signed and will be forwarded to the department. The City also received a letter for the bridge at Churchill Drive. The city must now post a maximum weight limit sign(s) of 18-Tons to conform to the applicable industry standards.

Budgeting. Engineer Burke suggested the city move forward with scheduling a meeting with SD1 concerning the Whispering Trails project. Commissioner Miller mentioned raising the amount the city is accruing for the Whispering Trails project from \$50,000 to \$75,000. Mayor Solomon stated it could be discussed during the budget meeting.

City Clerk/Treasurer Porter stated that we had currently spent \$113,000 in street repairs and \$151,000 was budgeted for FY 2014/2015. Commissioner Miller stated he thought currently the only repair work left in Fiscal Year 2014/2015 is the approximate \$12,000 for the Clarkston Lane/Old Union Road intersection repairs. Commissioner Miller stated that the intersection street repairs could also be for the next fiscal year. Engineer Burke stated he did not think that any emergency repairs or other incidental infrastructure repairs would exceed \$37,000 remaining in the FY 2014/2015 Budget.

UNION CARES:

Mayor Solomon stated that they had the first meeting for Union Cares this month. A new member was added to the committee, Ms. Judy Solomon is the newest member. Mr. Denny Mathis stated that he would like to find families within the local community that needs support. The idea was to contact schools and local churches to understand what the needs are and develop a plan.

COMMUNICATIONS COMMITTEE

Mayor Solomon stated that the city needs a Communication Committee. He is working on a proposal for this committee and will have it ready for the next City Commission Meeting.

OKI BOARD:

Commissioner Miller stated that he had received some information from OKI. They set the road projects within Northern KY. Currently the 536 project is 33rd on their priority list. The next meeting is scheduled on April 28th.

Commissioner Miller stated that the NKY United Coalition sent a letter that is trying to sway the Northern Kentucky Officials to support tolls for the Brent Spence Bridge project. The letter sent stated that tolling should be at the top of the priority list. Commissioner Miller mentioned that during the latest Legislative session there was not any legislation passed to support tolls. Therefore, the issue may dead.

CITY ADMINISTRATION ACTIVITIES

City Administrator Report

Waste Collection Bid. The waste collection was put out for bid. The bids will be opened on April 29th at 3:00 p.m. This is a two-year contract with an option of a 2-year extension. Administrator Martin will

contact waste collection companies to let them know of the impending bid. The specifications have not changed. The city currently spends \$270,000 per year for waste collection and recycling. The first reading of the contract will be held at the May meeting.

Easter Breakfast Egg Hunt. The Easter Breakfast and Egg Hunt was held on March 28th. There was a great turnout. 79 children participated. Kroger donated more than \$200 worth of donuts, cookies, and coffee cakes for the event. Skyline was a \$500 sponsor as well as donating 125 free cheese Coney coupons to be put in the eggs. Dr. Candyse Jeffries Orthodontics was the craft sponsor. City Clerk Porter and Union Assistant Ezell helped set up and shop for the event. Judy Solomon, Cindy Martin, and Mr. Martin's aunt also volunteered and helped out. Mr. Denny Mathis came and played the Easter Bunny. Mayor Solomon clarified that the Easter Egg Hunt and Breakfast held outside at the Union Community Building and in Porter Hall.

Other Activities. The National Day of Prayer will be held at Big Bone Baptist Church on May 7th at 7:00 p.m. The next scheduled event is the Union Celebrates America on June 26, 2015... the city's biggest event for the year.

OLD BUSINESS: None Presented.

NEW BUSINESS: None Presented.

ORDINANCES/RESOLUTIONS/MUNICIPAL ORDERS (prepared by Attorney Greg Voss)

2015 ORDINANCES:

- **1st Reading of Ordinance No. 2015-08** – Amending the FY 2014-2015 Annual Budget.
 - Commissioner Miller asked about line 618b for the Contract Mowing the budget is being increased by \$10,000. City Clerk/Treasurer Porter stated it was because some of the bills were paid in July for the previous year.
 - Commissioner Miller asked about line 750n Other Expenses... a \$12,000 increase. City Clerk/Treasurer Porter stated she will have to get him the answer after the meeting.
- **1st Reading of Ordinance No. 2015-09** – Amending Ordinance No. 2014-20 regarding the ABC Licenses Fee item (I) Special Sunday Retail Drink License Fee that was not included in the original ordinance.
- **2nd Reading of Ordinance No. 2015-05** – Amending Chapter 50.01: “Waste Collection”. From this point forward any and all waste receptacles shall only be allowed to remain within fifty (50) feet of a city street from Wednesday at 4:00 p.m. until Thursday at 6:00 p.m. Commissioner Heil made the motion to approve the ordinance and Commissioner Miller seconded the motion. **Motion Carried by 4-0 vote.**
- **2nd Reading of Ordinance No. 2015-06** – Amending Chapter 92.03: “Nuisances”. Certain Conditions Declared to be Public Nuisances and are Prohibited. Commissioner Ramage made the motion to approve the ordinance and Commissioner Miller seconded the motion. **Motion Carried by a 4-0 vote.**
- **2nd Reading of Ordinance No. 2015-07** – Amending Ordinance 2010-004 Regarding the Annexation of Certain Unincorporated Territory Adjacent to the present Boundaries of the City of Union,

Kentucky. Commissioner Miller made the motion to approve the ordinance and Commissioner Heil seconded the motion. **Motion Carried by a 4-0 vote.**

2015 MUNICIPAL ORDERS AND PRCLAMATIONS:

- **Municipal Order No. 2015-07** – Authorizing the Mayor for the City of Union, Kentucky to Execute the Contract between the City of Union, Kentucky and Edward Johnson for re-appointment as the Union Rice Cemetery Sexton/Manager. Commissioner Heil Made the motion to approve the Resolution and Commissioner Ramage seconded the motion. **Motion Carried by a 4-0 vote.**
- **Municipal Order No. 2015-08** – Appointing Dennis “Denny” J. Mathis to the Economic Development Committee for the City of Union, Kentucky. Commissioner Heil made the motion to approve the Municipal Order and Commissioner Miller seconded the motion. **Motion Carried by a 4-0 vote**
- A Proclamation honoring the lifelong dedications and efforts of Dr. Herbert Franklin as an educator in and outside of the Commonwealth of Kentucky. Commissioner Miller suggested inviting the family to come to May meeting to present the proclamation.

EXECUTIVE SESSION: None needed.

ANNOUNCEMENTS:

Mayor Solomon read a statement from previous Mayor Don Kirby about a health related issue. Please keep him in your prayers.

The next regular city business meeting is scheduled for Monday, May 4, 2015 at 7:00 p.m.

ADJOURN:

With no further business coming before the Commission, Commissioner Miller moved to adjourn the meeting at 8:32 p.m. Commissioner Heil seconded the motion. **Motion carried by 4-0 vote.**

Signed this 4th day of May, 2015

APPROVED:

ATTEST:

Larry Solomon, Mayor

Kathy Porter, City Clerk/Treasurer