

**CITY OF UNION, KENTUCKY
BUSINESS MEETING MINUTES
Monday, May 4, 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, May 4, 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
- 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 April 6th, 2015. Commissioner Miller made a correction...a proclamation given at the April meeting was left out of the draft copy. Commissioner Heil made a motion to dispense with the reading of the Regular Business Meeting Minutes. The motion was seconded by Commissioner Miller.

Motion carried by 5-0 vote.

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 5-0 vote.**

BILLS FOR PAYMENT

Commissioner Miller asked who authorized The Underground Detective to scope the drainage and pipes at the Union Community Building. Mayor Solomon said he authorized said expenditure. Administrator Martin stated the drainage was going back to the creek as expected. He will meet with Doll Plumbing to assess the cost to re-divert the drainage away from the creek.

Commissioner Heil made the motion to pay the bills with additions. Commissioner Ramage seconded the motion. **Motion carried by 5-0 vote.**

VISITORS AND GUESTS WISHING TO SPEAK

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

- Mr. Gary Vice (1822 Whispering Trail) addressed the commission stating that he has decided to move forward with repairs to his culvert pipes. Mr. Vice stated that he had received a letter from City Attorney Greg Voss in 2013 that stated that any resident that wished to move forward with the repair of the undersized culvert pipes, the city would reimburse the residents 15% of the lowest bid that the city received at the time in 2011. The received letter stated the city would honor the re-imbursement offer until the end of 2015. However, Engineer Burke provided evidence that the Vice's opted out of that offer.

Mr. Vice also stated that a couple of years the city was granted an easement through his yard to put in sanitary sewer pipes to the homes behind him. Attorney Voss stated that was in approximately 2008 or 2009. With erosion in his yard getting worse, he was seeking city assistance. Engineer Burke stated there are two (2) issues. 1) Several years ago the Vice's granted the city an easement to run sanitary sewer lines through a portion of the property. There is an existing easement that is to the right of the property that is in the City of Union's name until the sewer loan is paid off and the city transfers it to SD1. The city contractor at the time of the project had completed the job to the city's satisfaction. 2) Now there is some erosion, but is located on private property, there is no easement on the open channel for that water way. The only easement is on the sanitary sewer which is not located near the open channel. Engineer Burke stated he did not believe the city has any financial obligation for the bank erosion or open channel as it is on private property.

Mayor Solomon delegated this issue to be worked out by Administrator Martin, Commissioner Heil, and Engineer Burke to work out a fair solution, and they would report back to the Commission what they decided.

MAYOR'S REPORT

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

KROGER UPDATE

Union Kroger Marketplace (Attorney Voss).

There has been an appeal on the decision by Judge Bartlett, who upheld the city's decision to allow the zone change. Attorney Voss asked the commission to go into executive sessions to discuss this pending litigation.

COMMITTEE REPORTS

Union Community Building (Old Firehouse)/Theater Group (Administrator Martin).

As approved at last month's meeting, the Commission will not invest into this building to meet code to be an active community center. The Building Committee is now seeking other uses. One solution was to sell the building. Administrator Martin met with a realtor to discuss the possibility of putting the building up for sale or lease. Attorney Voss and Administrator Martin are looking into the proper procedures to sell this building.

The other option, and one more preferred by the Commissioners, would be to rent/lease the facility as a garage. Monies have been placed into the budget to make improvements where needed to rent/lease this facility as a garage (see Annual Budget). The Building Committee will decide to make necessary improvements either before finding a potential renter or after one is found. The goal for the building is to become revenue neutral by renting/leasing out the building. Mayor Solomon asked for a motion to retain ownership of the building and move forward with retaining a realtor to put the building up for lease. Commissioner Mefford made the motion and Commissioner Ramage seconded the motion. **Motion Carried by 5-0 vote.**

Boone County Planning Commission Report (Jim Longano).

Mr. Longano stated there is not anything on their agenda for the City of Union. Mr. Longano briefly went over some of the things that the commission will be voting on at the next meeting.

- Multi-family residence (apartments) zone change on Weaver Road.
- Our Lady of Good Council Church on Beaver Rd zone change...add private all-girls school/convent.
- Extend the height of an existing lattice tower (cell phone tower) on North Bend Road fire department property.
- Request from Boone County Planning Commission for new subdivision regulations. Commissioner Mefford asked if the subdivision regulations would impact the residents of the City of Union. Mr. Longano stated they would affect everybody, but the changes that were made were minor.

Engineer Burke stated that he had received an email concerning some changes to the Harmony Estates development. Mr. Longano stated that it was on his agenda a couple of months ago. Mr. Longano will request the information to be sent to Mr. Burke.

Mayor Solomon stated that the Mayors of Florence, Union and Walton and Judge Executive Gary Moore will be meeting with the Boone County Planning Commission on May 12. The mayors have asked for the history of the planning commission to help them to understand what is being done and get a better perspective on what the cities need from them in the future.

Board of Adjustment Report (Terry Kidwell).

Mr. Terry Kidwell was not in attendance.

Economic Development Committee (EDC) (Commissioner Ramage).

The EDC is continuing to focus on the projects ahead and planning the expansion of Union Pool to Union Park. It will probably take a month or so to get Union Park plans mapped out and ready to discuss with the EDC then onto the City Commission. This planning will focus on the 50 acres owned by Boone County and not the 150 acres owned by the late Judge Ferguson's estate.

Communications Committee (Mayor Solomon).

Mayor Solomon stated he had forwarded to the commission a proposal for the creation of a communications committee. The duties of the communication committee would be...

- The City of Union public relations, communications and social events entity for the City of Union.
- Develop the City of Union Communication strategy and develop strategies to execute them.
- Manage all current and future execution platforms, including website, Facebook, Twitter, Instagram, etc.
- Write/provide the City of Union communications and publicity to news media, including press releases, statements, interviews, and etc.
- Work with and support all City of Union committees in their communications needs
- Coordinate all City of Union Social Events, including the Easter Egg Hunt, Union Celebrates America, and Santa Breakfast events.
- Be supportive of City of Union Businesses, HOA's and community organization communication needs to promote greater business growth.

It was recommended that the committee be limited to six (6) people with a chairman to help break ties. Mayor Solomon has spoken to two (2) individuals (i.e., Ms. Amy Lutes and Travis Schaffenberger), who are both willing to serve on the committee. Mayor Solomon requested that he be the lead liaison to the committee with the support from Commissioner Mefford.

Mayor Solomon also requested that a Communications-Admin. Coordinator position be established. This position would be a half-time Communications/Events Coordinator and half-time Union Assistant. The current Union Assistant reports to Administrator Martin, and so would the proposed Communications-Admin. Coordinator position. In addition to establishing this position, Mayor Solomon recommended promoting Misty Ezell to fill said position. Commissioner Heil made the motion to establish the Communications Committee and to promote Misty Ezell to the Communications-Admin. Coordinator position. Commissioner Miller seconded the motion. **Motion Carried by 5-0 vote.** Attorney Voss stated he would prepare ordinances for the June meeting.

Annual Budget / Five-Year Fiscal Planning (Commissioner Miller).

Each Commissioner was provided a copy of the proposed 2015-2016 Annual Budget. Commissioner Miller asked it to be reviewed for discussion at the June meeting. Key funding amounts...Public Works street repair budget remains at \$151,000 and \$15,000 was set aside for Community Center (Old Firehouse) building repair to rent as a garage.

OKI Board. (Commissioner Miller).

OKI (Ohio, Kentucky, & Indiana) Board looks at the highways within the tri state area, and has an agenda for on-going projects to improve highways and bridges. Commissioner Miller attended the April 28, 2015 meeting and reported on three key items...

- The Rice Pike Project funding.
 - By June 2015...all the environmental concerns should be addressed.
 - In July 2015...purchase of right of ways will begin. This will affect 15-16 parcels.
 - In August 2016...contractor bids will begin. This will take approximately 30 days.
 - The project should be awarded and work to begin in late 2016 or early 2017.
- The KY 536/Mt. Zion Road project.
 - Until April 28th the project was ranked 33rd in the area. The project was moved to 11th on the list after Judge Executive Gary Moore spoke to endorse it.
- The Outer Loop Project.
 - Article by Builder Henry Fischer concerning the possibility of tolling the Brent Spence Bridge. His proposal is to widen the radius of Interstate 275 which will allow for more development in Northern Kentucky and alleviate some of the traffic that crosses the bridge.

Union Cares (Mayor Solomon).

No updates at this time.

PUBLIC WORKS/CITY ENGINEER REPORTS

Bid Tabulation for Waste Collection/Recycling Services (Administrator Martin).

- The Waste Collection/Recycling was put out to bid in April, the bid opening was held at the Union City Building on April 29, 2015.
- Currently the city is using Rumpke for the services. Rumpke's bid for waste collection for 2015/2017 was \$9.25 per unit per month for annual cost of \$227, 439. The bid for recycling was \$2.75 per unit per month for an annual cost of \$67,617. If the city chose Rumpke for both waste and recycling, the combined total would be \$11.50 per unit...a combo discount of \$.50 per unit per month. At \$11.50 per unit per month, total annual cost would be \$282,762.
- The second company who bid for the city's waste/recycling services was Best Way Disposal, Inc. Bestway's bid for waste removal was \$8.50 per unit per month for an annual cost of \$208,998. The bid for recycling was \$3.72 per unit per month for a \$91,467 annual recycling cost. The combined waste and recycling bid was \$12.22 per unit per month for a \$300,465 annual cost.
- Mayor Solomon opened up for discussion.
 - Commissioner Heil stated that the bid was broken into recycling and waste removal for the second time. It now costs the city an additional \$67,617 per year for the recycling program. The purpose of splitting the bid was to show how much the city spends to continue this program, not to have it split into two different companies. He further stated that (in his opinion) double trucks being sent out with double the fuel and maintenance costs is not environmentally friendly. Approximately 80-90% of the residents take advantage of the service, according to Administrator Martin.
- Mayor Solomon asked for a motion to approve the bid of Rumpke for waste collection and recycling for 2015-2017. Commissioner Miller made the motion and Commissioner Mefford seconded the motion. **Motion carried by 5-0 vote.**

City Engineer Report (Engineer Burke).

2015 Street Repairs Program – Public Bids and Quotes; and, Amended Budgets FY 2014-2015 and Original Partial Budget FY 2015-2016

Engineer Burke, Administrator Martin, and Commissioner Heil drove through the selected streets as part of the city's 99 streets documented areas that Engineer Burke felt needed attention during FY 2015-2016. Engineer Burke stated the ideal amount of work needed to be completed would cost approximately \$248,000 and they would approach completion in three (3) phases...

- Phase A. Pavement repairs, milling and resurfacing of Lakeway Court, Kingston Court and Cedarwood Drive. Install an edge/side drain system on Kingston Court. Replace curb gutter, asphalt and storm sewer catch basins on approximately 20 streets. Joint/crack sealing 3 streets.
 - Phase A cost...\$87,745.
- Phase B. Pavement repairs milling and resurfacing for Golden Pond Drive and 4 other streets.
 - Phase B cost...\$98,945.
- Phase C. Pavement repairs, milling and resurfacing of the side streets along Bayswater Drive consisting of Lewis Lane, Lurawoods Court, Waterside Court, and Hartwood Court.
 - Phase C cost... \$62,380.
 - Some edge/side drain letters that were drafted to be sent to residents placed under Phase C, however, that work will be completed in phase A.

Engineer Burke stated that if the commission chooses to move forward with Phase A and Phase C of the proposed work the estimate would be around \$150,000. Mayor Solomon stated that budget for Fiscal Year 2015/2016 has been set at \$151,000. Engineer Burke stated that the city could move forward with Phases A & C. He will complete the bid document and legal advertisement and forward to City Clerk Porter. Bid opening...Wednesday, May 27 at 3:00 PM.

Clean out drains on Cedarwood Drive Matt Grimes and Gary Meade residences.

Engineer Burke suggested hiring a contractor to extend an edge drain from the Boone County line to where it can be tied into Mr. Grimes' roof leader sump pump, extending approximately 75 feet. Mr. Meade has agreed to tie into the line at his own expense. The lowest bid was from TMS Contractors, Inc...\$4,067.50.

Mayor Solomon asked about the amount of the bids as the estimated cost was no more than \$2,000. Engineer Burke stated that he was conservative with his estimate. Mayor Solomon asked for a motion to approve the bid from TMS Contractors, Inc. Commissioner Heil made the motion to approve the bid and Commissioner Miller seconded the motion. **Motion Carried by 5-0 vote.**

Traffic control device request- 1096 Bayswater Drive (Emily Kroher)

The city looked into this previously. After a 50 vehicle spot speed test during peak driving hours, it was concluded that a speed hump was not warranted. Ms. Emily Kroher requested it again because there are several children who live and like to visit the park on the street. Ms. Kroher also requested more police presence in the area. Commissioner Miller stated that if Ms. Kroher could petition fellow street residents to agree installing a speed hump was needed, we could be inclined to support her request. He thought obtaining at least 75% of street residents agreeing would be appropriate. Mayor Solomon said if she brought back that petition to the June meeting, the Commission would address it at that time.

Whispering Trails.

Administrator Martin and Engineer Burke met with Sean Blake from SD1. Mr. Blake suggested that the city along with county and SD1 cost-share a more detailed study involving Whispering Trails. The cost for the city of Union would be approximately \$3,334. Mayor Solomon asked for more detail and the City would be interested in participating

Sink Holes.

Commissioner Mefford stated that sink holes have formed on Bayberry Lane and Aspen Place. Commissioner Miller stated that they had already repaired the sinkhole at Aspen Place has formed again. Administrator Martin had spoken to Lisa Mitchell from SD1 concerning those sink holes and one that has formed on Cherbourg Drive. They are aware and will repair them.

Street ID Signs.

Hempstead Estate requested more decorative street signs and lighting. After discussion, it was concluded that if an HOA wanted more decorative street signage and lighting then they would be responsible for them. Responsible to install, maintain, and replace them if damaged.

Commissioner Miller asked about a dip in the street on Mountain Laurel Way. Engineer Burke stated that it would be a part of the road work that has been approved for 2015-2016 street repairs. This concluded Engineer Burkes report.

Public Works Team approve requests under \$1,000.

Mayor Solomon requested the Public Works Team approve requests under \$1,000 without having to come to the City Commission for approval for each-and-every request. This would make city operations more efficient and residents would not have to wait so long for action to be taken on their minor requests. Moreover, it would help the City Commission to focus more on major Public Works issues. The Commissioners agreed. Attorney Voss stated a written approval is all that is needed to move forward on this request.

CITY ADMINISTRATOR REPORT.

Administrator Martin congratulated Union Assistant Misty Ezell who received the 2015 David B. Smith Memorial scholarship to attend the Municipal Clerks Institute.

CITY CLERK/TREASURER REPORT.

City Clerk Porter reminded Commissioners to please turn in detailed receipts when turning them in for reimbursement. She requested they see her for the city's Reimbursement Form. When making purchases on behalf of the city, City Clerk Porter asked that Commissioners contact her for a copy of the tax exempt form to make the purchases tax free.

OLD BUSINESS: None Presented.

NEW BUSINESS: None Presented.

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

2015 ORDINANCES:

- **2nd Reading of ORDINANCE NO. 2015-08** – Amending the FY 2014-2015 Annual Budget. Commissioner Miller made the motion to approve the ordinance and Commissioner Mefford seconded the motion. **Motion Carried by 5-0 vote.**
- **2nd 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. Commissioner Mefford made the motion to approve the ordinance and Commissioner Ramage seconded the motion. **Motion Carried by 5-0 vote.**
- **1st Reading of ORDINANCE NO. 2015-10** - Adopting an annual budget for the Fiscal Year July 1, 2015 through June 30, 2016 by estimating revenues and resources and appropriating funds for the operation of city government for the City of Union, Kentucky.
- **1st Reading of ORDINANCE NO. 2015-11** - Accepting the bid of Rumpke for providing solid waste and curbside recycling collection and disposal services in the city of Union, Kentucky commencing July 1, 2015 through June 30, 2017 and authorizing the Mayor to enter into a contract with Rumpke in support of said bid.

2015 MUNICIPAL ORDERS AND PROCLAMATIONS:

- **PROCLAMATION** – A proclamation honoring student painters and declaring June 1, 2015 as Student Painters Day. Attorney Voss read the proclamation and Mayor Solomon presented the proclamation to Andrew Rauen.
- **PROCLAMATION**- A proclamation declaring May 2015 as Building Safety Month. Administrator Martin read the proclamation.
- **MUNICIPAL ORDER NO. 2015-09**- Authorizing the expenditure by the City Administrative Officer of funds under one thousand dollars for the City of Union, Kentucky. Commissioner Mefford made the motion to approve the Municipal Order and Commissioner Miller seconded the motion. **Motion Carried by 5-0 vote.**

EXECUTIVE SESSION:

Mayor Solomon asked for a motion to enter into executive session pursuant to K.R.S.-61.810c concerning pending litigation. Commissioner Heil made the motion to enter executive session at 8:48 PM. Commissioner Mefford seconded the motion. **Motion Carried by 5-0 vote.**

At 9:02 PM Commissioner Heil made the motion to reconvene the regular business meeting. Commissioner Ramage seconded the motion. **Motion Carried by 5-0 vote.**

ANNOUNCEMENTS:

Commissioner Miller noted that the area at the entrance to the city where trees were planted there are a couple of dead trees. He would like to have those trees replaced.

Commissioner Miller asked to purchase a book shelf for the lobby of the city building to put books that residents can use.

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 9:06 p.m. Commissioner Heil seconded the motion. **Motion carried by 5-0 vote.**

Signed this 1st day of June, 2015

APPROVED:

ATTEST:

Larry Solomon, Mayor

Kathy Porter, City Clerk/Treasurer