

CITY OF UNION, KENTUCKY
Regular Business Meeting
MINUTES
Monday, January 4, 2010

CALL TO ORDER: *Regular Business Meeting*

Mayor Pro Tem Bob Kelly called to order the Regular Business Meeting for the Union City Commission on Monday, January 4, 2010 at 7:00 p.m.

Present: Mayor Pro Tem Bob Kelly, City Commissioners John Adams, Todd Sayers, and John Mefford. Also, City Attorney Greg Voss, City Engineer Barry Burke, (FOPPE Technical Group). Mayor Don Kirby was absent. Four (4) 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 Monday, December 7, 2009 and the motion was seconded by Commissioner Mefford. **Motion carried.**

TREASURER'S REPORT: Commissioner Adams moved to accept the Treasurer's Report as of December 31, 2009 as presented. Commissioner Sayers seconded the motion. **Motion carried.**

CITY AUDIT REPORT: Teresa Hudson, CPA, and Paul Maddox of Maddox & Associates CPA's Inc., for year ended June 30, 2009. Ms. Hudson gave the independent auditors report which is the audit of the financial statements. Their opinion is a clean opinion.

Ms. Hudson highlighted page seventeen (17) of her report, this page is an overview of the budget and revisions of the city's budget. She mentioned the amounts available for appropriation.

UNION CARES PROGRAM – January – Brighton Center – Karen Franxman

Ms. Talia Frye from the Brighton Center spoke to the commission. She gave an overview of the center and its mission. The mission of the center is to help assist people in becoming self-sufficient.

CORRESPONDENCE: None Presented.

CITIZENS WISHING TO SPEAK:

A citizen spoke to the commission about an interest in being on the Economic Development Committee.

CITY ENGINEER REPORT: Mr. Burke referenced his detailed City Engineering Report of 20 issues and summarized the following issues. Mr. Burke spoke about the city's sanitary sewer system. Phase C is now ninety-one percent (91%) complete; and, Phase A & B is about eighty-three percent (83%) complete. On the total project for both phases, we are about eighty-seven percent (87%) complete. Mr. Burke overviewed the bold highlighted parts in his report.

Regarding Sanitary Sewer Systems Phase C Item #1 (b) (6). Mr. Dwelly at 10109 Russwill Drive, a legal easement for final compensation is pending by the court.

The next issue Mr. Burke spoke about was Item #1. (b) (14). Mr. Kemp at 10178 Russwill Drive is complete and tied in.

The next Item Mr. Burke spoke about was item #1 (b) (19). Mr. Edwards on Mt. Zion Road. Mr. Edwards has now been tied-in by Ed Morehead Plumbing.

Regarding Phases A&B of the sanitary sewer project (Item #1 (c) we are currently moving forward. Subsection (2) of this Item states that Record Copies of Drawings (RCD) have been submitted to the Sanitation District No. 1. This is the area north of Mt. Zion Road between Old Union Road and the Relocated US 42. Also, we have completed another set of RCD drawings (Subsection (4). This section includes the area south of Mt. Zion Road between Old Union Road and Relocated US. 42. These Drawings were submitted to SD#1 on 12/08/09. Tap-In letters will be sent to the benefitted users following final approval of the required sewer testing as required and authorized by SD#1.

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Item #1(c) (5).Mr. Burke mentioned that the Hathaway Road (SR 536) Jack & Bore under the roadway the work has been delayed due to a conflict with a water main. We have an alternate option of coming from another direction by way of an easement. The easement and alternate designs are pending approval by the property owner (Volpenhein) and SD#1 being handled by City Attorney Greg Voss.

The next Item Mr. Burke spoke about is Item #1 (c) (6) – DECA (formerly PNC bank) – the building is currently for rent. The owner had issues with the contractor parking in the lot; the equipment has now been removed. This building is ready to tie in to the sewer system.

Item #1 (c) (9) – Mr. Long’s property at 1764 Mt. Zion Road. The fence restoration has been completed by Burcor Fencing Company. Mr. Bursch has inquired about payment for this project and was advised to call ACSTAR Insurance Co. for status & payment.

Mr. Burke highlighted the fee amounts being retained from payment for G&T Excavation, Inc. for both phases of the project. The project is not complete and no retainage request will be released until a final inspection has been completed on certain items not yet completed. G&T has requested retainage be paid on the Russwill Drive portion. Mr. Burke to review and work with G&T on outstanding issues in this area before retainage is released.

Item #1 (e) the KIA State Fund “C” Loan Assistance Agreement. Kathy spoke with Susanne Anderson concerning this and she will be looking into it. Mr. Burke will also follow this up for the KIA Loan distribution.

Item #1(g) The Tap-In Sewer Assessments & Violations – Phase C. SD#1 will be putting the Assessments or Surcharges on future sewer bills for the Russwill Drive residents benefitted. Even if the resident has not yet tied in, it will show up on their sewer bills to encourage quicker compliance with the city’s Ordinance.

Item #2 the Wetherington Boulevard Street Improvements. This project is now complete, as notified via authorization by the city of Florence. Thus, the final invoice for the 10% retainage of \$7,336.15 was recommended for payment to Michels Construction on 12/24/2009.

Item #4, Mr. Burke mentioned the Subdivision Speeding Complaints and Speed Studies. Two (2) asphalt speed humps were constructed by Len Riegler Paving, Inc. on Richmond Road between Kroger’s and Merrimack Court and recommended for payment (Ref. Item #4 (d).

On Cedarwood Drive (Item #4 (f) one (1) of the two (2) speed humps, as authorized, has been constructed and recommended for payment. As a result of a signed petition from adjacent residents, the other speed hump fronting addresses 10050/10051 has been delayed and will be revisited for action in the spring. Mr. Burke will also return to areas where speed humps have constructed for a re-study as well as Cedarwood Drive to assess the traffic flows after the construction of the only one (1) of the two (2) humps, as recommended by the results of the original study. Mr. Kelly asked if Mr. Burke had spoke to the concerned residents concerning the second speed study and Mr. Burke stated he received concerns from James Liles and Jill Price regarding the delay for the second hump not constructed.

Regarding Item #4 (g), The Pembroke Drive detailed Spot Speed Study; the Study was completed on 11/11/09 & 11/12/09. Authorization for the Speed table construction was previously approved by the city. However, due to project complexity and the weather, this construction will be delayed until the spring.

Regarding Item #5 the Storm Water Drainage Transfer Agreement. Mr. Burke received a call from Jim Parsons, Attorney for Sanitation District No.1. In conversation with Mr. Parsons, as an addendum to the original agreement, SD1 will also be taking over responsibilities for detention (dry) ponds and open channels provided these items are under the jurisdiction of a public entity rather than on private property. On a related matter, Boone County Public Works advised of a street catch basin, which has settled along Double Eagle Drive. Following inspection, there are three (3) more catch basins that may be in need of repair in the near future. Once the agreement is signed and accepted, Mr. Parsons advised

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SD1 should determine if SD1 is responsible for these basins except for the frame and grates at the surface. Mr. Kelly asked about the status of the lawsuit with Cold Spring. Attorney Voss stated that the lawsuit will not be settled for a while. Mr. Kelly suggested having someone from SD1 at the February meeting to provide more details on the status of the suit and Agreement. Attorney Voss will contact Jim Parsons and draft a resolution to present at the next meeting.

Regarding Item #12, the Union Village Pond, Mr. Burke had a re-evaluation meeting on December 16th. Representatives from SD1 (Sean Blake), NKU (Scott Fennel) , Attorney Greg Voss, developer (Jim Winstrup) and two(2) residents including Eric Erpenbeck were present. A summary of the meeting was provided to the commission for record. Mr. Burke stated that NKU's Scott Fennel stated that certain funding for Gunpowder Creek watershed may be available; and also suggested that if the city with some improvement could convert the retention (wet) pond into a detention (dry) pond, then the SD#1 may take over the pond for permanent maintenance. However, Attorney Voss advised that in order for any improvement to take place, the city needs to get the all property owners to agree to the work.

Regarding Item #17 the Double Eagle Drive Catch Basins, this issue may be resolved if the transferred agreement with SD#1 is signed.

Item #18 the invoice for Tru-Line Striping for the crosswalk striping at Mt. Zion Rd. and Wetherington Blvd. for \$325 was recommended for payment.

Item #19 the KYTC repaired the pavement edges adjacent to the bridge without any contact from the city.

Item #20 Drainage Problem at 2047 Hathaway Road, Mr. David Brun's property. Mr. Burke observed the site and suggested that Mr. Brun should consider construction of a footing drain system or wider and deeper surface swale to adequately redirect excessive water away from and around the garage.

PLANNING & ZONING: *Jim Longano - Planning and Zoning Union Representative*
Mr. Longano was not in attendance.

COMMISSIONER OF PUBLIC WORKS/UNION VISIONING COMMITTEE: *Bob Kelly-Commissioner of Public Works;* Mr. Kelly mentioned snow removal crew has been out six times. No complaints or concerns so far. For the Visioning Committee they are continuing to work with the developers. Mr. Kelly spoke about the street lights in Union Village. Mr. Kelly asked what information is needed for payment. Attorney Voss said we need an invoice for payment.

CITY EVENTS COORDINATOR: Karen Franxman spoke about the Union Community Building. All revised rental agreements have been sent out. Starting on Thursday January 7 the Parks Department will be having Yoga at the Community Center for 6:30-8:00. Kathy Porter stated that we have not received a signed contract as of yet. Karen has spoken to them and make sure it is completed before Thursday. There is someone that is interested in doing Tae Kwon Do classes. Karen suggested he put a proposal together. The fitness boot camp will not be using the building for their classes. However, they feel the price is too much. After six months we will be re-visiting the price issue.

We received a quote from the cleaning company and will start cleaning in February. It was suggested that we call and see if we can move the cleaning up to start in January.

Karen mentioned that the outside entrance light has been replaced. She is stopping in to make sure that there are no water line problems.

Karen mentioned that we have sold over half of the Christmas Ornaments so far.

Our scheduled events for January are the Family Tubing at Perfect North. We have partnered with Perfect North to sell discounted ski/tubing vouchers. The vouchers are to be \$20.00 and will be on sale at the city building. The residents

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purchase the tickets and redeem them at Perfect North. They will be sold till the end of the season.

The Volunteer Committee will meet on Thursday January 14th. They will be working on the event calendar for the remainder of the year and will be taking down holiday decorations.

The Union Cares Program for the month of December was the HUGS (hats, underwear, gloves, and socks) they are also accepting coats. We had several citizens to drop off donation. The organization for the month of January is the Brighton Center. Their list is on line. If anyone has donations, but needs help getting them delivered all they need to do is call the city building and arrangements can be made for pick-up.

On the Town Center Plan, Karen has had several meetings with Kevin Costello and Dave Geohegan following up on the recommendations of the Pizzuti Report. Karen had contact with several property owners and has invited them to a property owners meeting that will be scheduled this month.

Karen submitted an article for the What's Happening in Boone County.

NEW BUSINESS:

None Presented.

OLD BUSINESS:

Second reading of **ORDINANCE NO. 2009-012** – AN ORDINANCE CREATING AN ECONOMIC DEVELOPMENT COMMITTEE FOR THE CITY OF UNION, KENTUCKY. Commissioner Mefford made a motion to accept, Commissioner Sayers seconded. **Motion carried.**

Kathy Porter mentioned that Michael Morgan the Fire/Emergency Services Chief at Union is interested in being involved on this committee.

ANNOUNCEMENTS:

Next City Commission Meeting: Monday, February 1, 2010 @ 7:00 p.m.

EXECUTIVE SESSION:

ADJOURNMENT:

No further business came before the Commission. Commissioner Adams moved to adjourn the meeting at 7:58 p.m. Commissioner Sayers seconded the motion. **Motion carried.**

Signed this 1st day of February 2010

APPROVED:

ATTEST:

Don Kirby, Mayor

Kathy Porter, City Clerk/Treasurer