

REGULAR BUSINESS MEETING MINUTES OF THE UNION CITY COMMISSION
January 3, 2011
7:00 PM

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

CALL TO ORDER: Mayor Kirby called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE: Mayor Kirby led the audience in saying the Pledge of Allegiance.

ROLL CALL: The following members were present:

Mayor Don Kirby
Commissioner Bob Kelly
Commissioner John Adams
Commissioner John Mefford
Commissioner Bryan Miller
City Engineer Barry Burke
City Attorney Greg Voss
City Clerk Kathy Porter
City Events Coordinator Karen Franxman

APPROVAL OF MINUTES:

All City Commissioners were provided a copy prior to tonight's meeting.

Commissioner Mefford made a motion to accept the minutes, with two changes, of the December 6, 2010 Commission Meeting and the motion was seconded by Commissioner Adams. **Motion carried.**

ADMINISTRATIVE REPORTS:

City Clerk/Treasurer Kathy Porter: Commissioner Kelly moved to accept the Treasurer's Report as of December 31, 2010, and Commissioner Miller seconded the motion. **Motion Carried.**

CITY AUDIT REPORT: Paul Maddox, CPA, with Maddox & Associates Inc., reviewed the Independent Auditor's Report for the year ended June 30, 2010. Mr. Maddox reviewed a letter addressed to the Mayor and City Commission. Mr. Maddox stated that the opinion for the Independent Auditor's Report, is a clean opinion, which means that the auditor feels the financial statements were presented fairly in all material respects.

Mr. Maddox completed a quick analysis and he feels that by switching the administrative assistant from temporary position, the city will be able to save some money. Mayor Kirby said that many cities shy away from hiring new employees because the money for retirement, but feels that this is something that should be looked into more closely.

Mr. Maddox also mentioned the tap-in fees and the sewer assessments are another area that will need to be continually looked at. By making sure the fees are billed and payments are made to the appropriate places. Also, the city needs to stay on top of the Sanitation District to make sure they are staying on top of making the payments back to the city for the money they have collected.

Mayor Kirby asked the commissioners if they have any questions that they might have for the auditor. Mr. Mefford asked about a difference in the long term debt between 2009 and 2010. Mr. Maddox stated that the difference was the amount borrowed for the sanitary sewers.

Mayor Kirby asked City Clerk Kathy Porter to work with one of the commissioners to create an analysis and see if the city will save money by hiring the assistant rather than go through the temporary agency.

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UNION CARES PROGRAM: Karen Franxman, the Events Coordinator stated that the city will be working with many different organizations for the month of January. Karen stated that there is still a need for coats, hats, gloves and other warm clothing. Karen stated that starting in February we will be working with a specific organization and will work with them for two months at a time. Karen also mentioned the Villas of Fowler's Creek, who have been tremendous supporters for the Union Cares Program.

PLANNING AND ZONING: Mr. Jim Longano was not present and had no report for the City of Union this month.

CITY ENGINEER REPORT: Mr. Burke referenced his detailed City Engineering Report totaling 10 items. Regarding Item #1 the Sanitary Sewer Systems, the systems are nearly complete. Phase C is 99.3%, the only outstanding issues are the tap-in violations, which he is working with Attorney Voss. Mr. Burke mentioned three (3) tap-in violations within Phase C, including Mr. Dwelly at 10109 Russwill Drive, where Attorney Voss is working with Mr. Dwelly's attorney; Mr. Denny Mathis at 1539 Mt. Zion Road, and Mr. Steelman at 10126 Russwill Drive. Mr. Burke spoke with Mr. Mathis and he may take advantage of the city's offer for residents to finance costs for the tap-in to SD1. Phase C is about \$6,700 under budget. Resolving these issues will complete Phase C.

Regarding Item #1 (b) (2) under Phase A&B, the sewer re-design plans involves the BP, Ferguson and Volpenhein properties. This sewer has now been completed, the as-built drawings have been submitted, and we are waiting final testing and results of sewer mains and manholes. When we receive positive test results, then the letters to the benefitted users regarding the ninety (90) day tap-in deadline can be sent out. Items that still need to be completed before the project can be closed out include final surface restoration, reimbursement of retention fees, a G&T bond release from ACSTAR Insurance and final closeout certifications to the state KIA.

Regarding the tap-in violations for Phase A&B, we still have Mr. Long at 1764 Mt. Zion Road, who Attorney Voss has been working with, DECA (formerly PNC Bank), Scott May, and TAD Enterprises. All tap-in violation letters have been sent.

Regarding Phase A&B the project is close to \$35,000 under budget.

Regarding Item #2, The City Building entrance and culvert pipe, due to inclement weather this project has been delayed. This project has been approved and permitted by the KYTC. The contractor will be R.E.B.T. Construction, Inc. for a low bid of \$5,700.

Regarding Item #5, SD1 Storm Water – Plans – Rules and Regulations & KYDOW Permits as requested, Mr. Burke attended the required meetings in behalf of the City of Union. Mr. Burke left SD1 plan documents and other information for the public on the table in the lobby. Residents can contact the city or Sanitation District in case they have questions or other issues regarding storm water. Mr. Burke also made reference to a "toolkit" furnished by SD1 in order to help implement the water quality plan approved by KYDOW.

Regarding Item #7 (a), The Villas at Fowler Creek - Duel Entrance Safety Lighting. Previously, the Villas of Fowler Creek has made a request for "ground spot lighting" near the entrance sign along Relocated US 42. Villas' representative Ms. Noreen Morgan stated that its board feels visual safety is also a concern at its secondary entrance along Old Union Road. Mr. Burke has contacted Duke Energy representatives regarding this additional request; and, is waiting for a response. The request by Ms. Noreen Morgan would be to place a light at the back entrance off of Old Union Road for safety; - In response to Ms. Morgan's question, Old Union Road is a city owned and maintained public right-of-way. Mr. Burke suggested that Ms. Morgan contact the Villas' contractor, Quinn Electric

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concerning the costs for placement of a lighting system at this secondary entrance.

Mayor Kirby asked if a light pole along Old Union Road could be privately owned and then the city would pay Duke Energy for the electric usage, or since it may be within a public right-of-way, can we set up one of the pole lease programs? Mr. Kelly asked if we could lease or purchase the pole outright. Mr. Burke made reference to the existing 27-year lease within the Villas where the city is not only paying for energy usage but construction and maintenance as well (pre-2006 policy). In addition, light poles could be owned by Duke, the city or be privately owned. Mayor Kirby requested some more information on the pole lease program. Mr. Burke will contact Duke Energy regarding more details for this information.

Regarding Item #9, the City of Union Landscaping Contract. The former contract has expired at the end of December, 2010. The City staff needs to put the legal advertising together, publish it in the newspaper, and provide the updated bidding documents and mapping to interested contractors for competitive bidding prices for the covering the years 2011 & 2012. The City Clerk acknowledged that the contract would be re-bid shortly.

Regarding Item #10, the Union Resolution of Relocated KY536 that KYTC requested. Following the passage of the City's Resolution, Mr. Burke has communicated with the KYTC's Mike Bezhold who would like to meet with the Mayor and Mr. Burke to discuss in more detail concerns as to what to do about lighting systems, among other items and the bypassed sections of KY SR 536 that will be cut-off and cul-de-saced as part of the new highway construction. In discussions with Mr. Bezhold, Mr. Burke provided more detail regarding the KYTC letter proposing to cul-de-sac both sections on each side of Mt. Zion Road adjacent to Relocated US 42. Mayor Kirby advised that this was a change to an earlier agreement with KYTC that these sections of roadway would be converted to right-turn and right-turn out and not be dead ended. This seemed to be a major change from the original proposal. Mayor Kirby requested that Mr. Burke get with him to set a time for the meeting at the KYTC and to include another member of the commission to attend.

PUBLIC WORKS/UNION VISIONING COMMITTEE: Mr. Kelly mentioned the ongoing streetlight issues with Union Village one of the lights have been repaired, but the other two are still off. Mr. Kelly will contact Duke Energy for the other two lights.

Mr. Kelly also had a stop sign repaired on Pembroke.

Snow removal is going well. No direct citizen complaints. Mr. Kelly received a request in Hampshire to have an area cleaned so the children waiting for the bus can wait on sidewalks rather than street. Mr. Spillman of Spillman Lawncare will have the snow moved elsewhere. Mayor Kirby stated that he had not received any complaints.

There have been five (5) snow events up to this point costing the city around \$80,000.00 so far. Last year at year end we were around \$185,000.00. The snow events from this year have been a lot earlier this year.

We had an issue where a street was missed for garbage pick-up the Thursday before Christmas. The recycling was picked up. The offices were closed through the weekend and the residents had to wait till after the holidays for removal. Mr. Kelly has received a contact for Rumpke should this happen again. Mr. Kelly also received a complaint about fifteen mailboxes hit by a bat on New Year's Eve in the Hampshire subdivision, on Pembroke. The boxes have been repaired.

TECHNICAL DESIGN REVIEW COMMITTEE: Commissioner Adams met with Todd Morgan and Dave Geohegan prior to the meeting, concerning the IGA Express Design Review. The IGA came to the commission to see if they can eliminate the door on the US 42 side of the building. However the

requirements say the front of the building must face US 42. Even if the business end of the building

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is not facing US 42. Planning and Zoning suggested the US 42 Entrance side closer to the sidewalk, at the Frogtown Road Corner. This will direct people closer to the crosswalk to maybe alleviate some of the safety issues.

Also planning and zoning asked how IGA would have windows if the entire wall would be freezers. This will be discussed at the next planning and zoning meeting. Mayor Kirby stated he did not like the idea of beer advertisements facing Ryle High School.

Attorney Voss suggested that unless the planning and zoning recommendation were unreal, then we should back them.

Mr. Adams mentioned that Dr. Wright had brought to the commission a concern about a sidewalk that leads nowhere, but when the adjacent property is developed they would join. Mayor Kirby states that the sidewalk is necessary.

EVENTS COORDINATOR: Ms. Franxman stated that Helmer plumbing capped of the sewer pipes to the second floor without taking out any pipes. Karen also stated that she had spoken to commissioner Kelly concerning snow removal at the Community Building. The sidewalk leading from the gravel parking area had not been shoveled. This should be corrected if any more snow comes.

On December 11, 2010 we had our first Pancake Breakfast with Santa. There were about seventy (70) children who visited Santa and about two hundred (200) total in attendance. The event was a success.

Perfect North Slope discount vouchers are now on sale at the Union City Building. Total sold to date so far is one hundred and one (101). This has been a great program for the residents.

The next scheduled event is Saturday, April 16th, which is the 2nd pancake Breakfast and Easter Egg Hunt. Last year we had about one thousand (1,000) eggs, this year we will have around three thousand (3,000).

Event sponsor packets are currently being distributed to the sponsors from last year and a mailing to all business within the next week.

The volunteer committee next scheduled meeting is Wednesday, January, 12th at the Union Community Building in Porter Hall, at 6:30 pm. Local businesses are invited to attend.

The Adopt-A-Unit, will be meeting on Wednesday, January 5th at 6:30 pm. They will be packing the January and February Birthday Bags for the unit. Littlest Angels Learning Center has been decorating bags to send to the soldiers.

St. Timothy's did a virtual sock drive and the drive brought in \$1,130.00 to purchase wool blend socks to send to the unit. We will be ordering 130 pairs, through Perfect North who will be giving them to us at cost.

Union Community Theatre – on December 17th and 18th "A Farewell to Rosegate" was performed, approximately 300 people came to watch the performances.

Also the group is working on putting together a workshop for young actors in grades 8-12 on Thursday January 6th and Friday January 7th.

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NEW BUSINESS:

- RESOLUTION NO. 2011-001 - A RESOLUTION APPOINTING COMMISSIONER BOB KELLY AS THE CITY OF UNION, MAYOR PRO TEM. Commissioner Adams moved to approve, Commissioner Mefford seconded the motion. **Motion Carried.**

- RESOLUTION NO. 2011-002 – A RESOLUTION APPOINTING COMMISSIONER BOB KELLY AS THE COMMISSIONER OF PUBLIC WORKS FOR THE CITY OF UNION, Kentucky. Commissioner Miller moved to approve, Commissioner Adams seconded the motion. **Motion Carried.**

- RESOLUTION NO. 2011-003 – A RESOLUTION RE-APPOINTING BOARD MEMBERS TO SERVE ON THE REGIONAL ETHICS COMMITTEE. Commissioner Adams moved to approve and Commissioner Kelly seconded the motion. **Motion Carried.**

ANNOUNCEMENTS:

Next City Commission Meeting: Monday February 7, 2011 @ 7:00 p.m.

No further business came before the Commission. Commissioner Mefford moved to adjourn the meeting at 7:55 p.m. Commissioner Miller seconded the motion. **Motion carried.**

Signed this 7th day of February 2011

APPROVED:

ATTEST:

Don Kirby, Mayor

Kathy Porter, City Clerk/Treasurer