



WELCOME/PLEDGE OF ALLEGIANCE

CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:30 PM on June 7, 2021 by Mayor Larry Solomon.

Pledge of Allegiance

Mayor Solomon led all attendees in the Pledge of Allegiance.

Roll Call

A quorum was present and a roll call was taken: Commissioner Jeremy Ramage, Commissioner John Mefford, Commissioner Eric Dulaney, Commissioner Brian Garner, and Mayor Larry Solomon.

Approval of Minutes

Mayor Solomon asked for approval of the May 3rd, and May 27th special meetings. No questions nor comments. Commissioner Mefford motioned to both sets of meeting minutes with no changes. Commissioner Ramage seconded the motion. **Motion Approved 5-0.**

Financial Report

Commissioner Ramage updated the Commission on May's financial report which included "the bills to be paid" and "profit and loss" sheets. He continued a conversation which highlighted a projection that the City of Union would be approximately \$80,000 – \$90,000 overage on the year come July 1st. This included the overage from the City's snow removal efforts as well.

Mayor Solomon asked for a motion to approve the "bills to be paid" report. Commissioner Ramage made a motion, Commissioner Dulaney seconded the motion. **Motion approved 5-0.**

Mayor's Comments

Mayor Solomon addressed the Commission concerning the previously passed mask mandate by the City of Union. After a brief history, Mayor Solomon asked for a motion to rescind the mask order. Commissioner Dulaney made a motion and Commissioner Garner seconded the motion. **Motion approved 5-0.**

Mayor Solomon briefly informed the Commission that in the future, a request must be made from staff if they would like physical packets for the regular meetings.

Mayor Solomon introduced Municipal Order 2021-18, and additionally praising all who were apart of the hiring process. Administrator Plummer read the ordinance for the Commission (See **MO-2021-18** below).

Visitors and Guests wishing to speak

Hamal Soni, resident of Union, and his engineer Sean Suder provided a brief presentation on the Farmview Commons Development. The development site is located at the corner of Farmview and US 42 and is approximately 22 acres. Most of the development resides in the City of Florence and about 1 acre in Union. Sean Suder further explained that the zone change necessary for the development is on the City's agenda that night. Included with their legislation were 17 conditions as recommended by the Planning Commission.

Mayor Solomon additionally explained that the City, as a condition for approval, will require road repaving of Farmview Drive. Engineer Burke recommended that the repaving efforts should also include striping. Mayor Solomon and Steve Harper (BCPC appointee) additionally noted that despite what the legislation said, there will be no car wash nor mechanical shop allowed on site. Commissioner Mefford showed interest in the developer to better explain the vegetation barrier required by the Boone County Planning Commission (BCPC). Sean Suder explained that a split rail fence is required, but exact details still need to be confirmed with the Planning Commissioner. Lastly, Sean explained that the developer will pave St. Elizabeth way as well.

Mayor Solomon asked the ordinance to be read by Administrator Plummer while omitting mentions of the carwash. (Please see **O-2021-15** below)

Mayor Solomon introduced Terrill Kidwell and asked Attorney Voss to read Municipal Order 2021-09 (see **MO-2021-09** below). Mayor Solomon performed the swearing in ceremony to Terrill Kidwell.

Economic Development Committee Report

Commissioner Dulaney provided a summary of last months EDC meeting which included a robust discussion on the Landscaping project between the City of Union and the Boone County Urban Forestry Commission. At the moment, we are in a holding pattern as the Boone County Forestry Commission decides on how to proceed. In addition, Commissioner Dulaney indicated that Union is seeing more frequent development interest.

Communication Committee

Commissioner Mefford explained that the Honor Banners were hung the Friday before Memorial Day and provide a great visual for vehicles while honoring our veterans. He remained optimistic that when enrollment opens again, we will have greater participation in years to come. Commissioner Garner and Steve Harper provided positive feedback on the banners.

Commissioner Mefford explained the current efforts concerning Union Celebrates America. The week prior, Boone County Parks, City Staff, and a representative for the Cincinnati Food Truck Association met to discuss the event layout. Also, a team was at Ryle the previous night testing the height of the fireworks display.

Administrator Report

Administrator Plummer thanked everyone for their participation in the hiring process of our new Communications Director and again welcomed Amy to the team.

Administrator Plummer went on to discuss the local government allotment for the America Rescue Plan Act (ARPA). He explained that the Department of Treasury has a 60-day window in which they expect to release

additional guidance on spending. Administrator Plummer recommended that the City consider the guidance once final revisions are completed after mid-July.

Public Works Report

Commissioner Garner explained the Union Point Center development. They have submitted formal subdivision (area across from Ryle High School) plans to the BCPC and would be starting soon. He further explains that Engineer Burke has been looking into Design Star, a program which allows cities to reach more potential bidders for projects, and recently sat through a presentation of its use with Administrator Plummer.

Lastly, Commissioner Garner commented on speeding traffic on Burleigh Lane. There have been a few incidents lately and he believed a speed measure must be implemented soon. Commissioner Dulaney suggested caution in implementing any measure too soon as such actions can skew the results of a radar speed study. Administrator Plummer explained that BC Public Works has been tapped and a speed study is scheduled. Mayor Solomon shared that the City has passed legislation on this issue to guide our actions.

Engineer Burke asserted that he is working on bid specs for the Commission's attention concerning the 62 LED lights on Mt. Zion and US 42. When ready, he will move forward with Administrator Plummer to seek Commission approval. Secondly, Engineer Burke shared that repair to Westbrook Blvd. needs further attention as the construction company used the wrong type of material to plug the roadway. He continues to work with Dudley Construction to remedy the situation.

Engineer Burke highlighted efforts with Viox and Viox concerning the construction of Brilliance Avenue. A meeting occurred several weeks prior between them and the Public Works team to provide guidance on the development of the corridor. In addition, Engineer Burke reported the Federal Government's efforts on updating our "FIRM" flood maps.

Lastly, Engineer Burke discussed the street repair bids which were on the agenda for consideration that evening. Riegler Blacktop was the low bidder for Phase A and C, while TMS construction was the lowest bidder for Phase B. In Phase A, Engineer Burke explained that some advantageous clerical mistakes approximately averaged \$3,000 in savings. However, the removal and replacement of speed humps along Richmond Road was not included in Rieger's bid. However, Riegler is still the low bid when this is considered.

Engineer Burke provided a recommendation on where to cut costs to bring the project back into budget. However, the Commission instructed the Public Works team to move forward with the improvements despite the increased costs.

Fairness Discussion

Commissioner Garner began by explaining the ordinance and how the legislation would work. The purpose of which is to provide protections for those aggrieved from discrimination on sexual orientation and gender identification instances. Further, he explained that this is meant as a slap on the wrist to provide a resolution between two parties before the issue would go to court. Commissioner Garner expressed disagreement that an arbitrator is the best path forward and does not see staff time as being hindered with these responsibilities. In addition, the Commissioner quoted KRS 65.2002 which generally states protections which may apply to the City in this instance. Mayor Solomon opened the floor for the other Commissioners to comment.

Commissioner Mefford recalled the average statistics of these types of issues being reported. The statistic is 1 case for every 10,000 residents. He suggested that such statistics indicate that staff time would be minimal.

Commissioner Dulaney inquired who would be responsible for finding someone for the reconciliation process. Commissioner Garner explained attorney Voss and Administrator Plummer would likely perform that function. Commissioner Dulaney expressed concerns over the proposed Human Rights Board and questions if the board would truly be impartial. He also noted that such a board has no subpoena power and likely would be administratively ineffective.

Commissioner Ramage's first concern is for the staff involvement. Secondly, he suggested that an assembly of a board which meets so infrequently seems to not justify the issue completely. Removal of any city involvement and the use of an arbitrator would likely be the best option.

Mayor Solomon explained that the intent of the legislation is a noble one, but ultimately falls short on how to approach the issue. An emphasis on prevention should be the City's position rather than adjudication. The Mayor referenced the statistics previously discussed and suggested that the measure would be more useful in larger populations.

Commissioner Garner reminded the Commission that there is a gap in civil rights protection for a small subsection of people and that they could fix it.

Legislation/Attorney's Report

MUNICIPAL ORDER 2021-09 – A MUNICIPAL ORDER OF THE CITY OF UNION, KENTUCKY, REAPPOINTING TERRILL L. KIDWELL TO THE CITY OF UNION BOARD OF ADJUSTMENTS. Commissioner Ramage made a motion, Commissioner Mefford seconded the motion. **Motion passed 5-0.**

MUNICIPAL ORDER 2021-10 – A MUNICIPAL ORDER ACCEPTING THE CONTRACT OF EVERETT "JUNIOR" PARTIN TO PROVIDE GRAVEDIGGING SERVICES TO THE CITY OF UNION, KENTUCKY AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. Commissioner Ramage made a motion and Commissioner Dulaney seconded the motion. **Motion approved 5-0.**

MUNICIPAL ORDER 2021-11 – A MUNICIPAL ORDER ACCEPTING THE CONTRACT EXTENSION OF BAKER BUSINESS & TAX SOLUTIONS, PLLC TO THE CITY OF UNION, KENTUCKY. Commissioner Mefford made a motion and Commissioner Ramage seconded the motion. **Motion approved 5-0.**

MUNICIPAL ORDER 2021-12 – A MUNICIPAL ORDER ACCEPTING THE CONTRACT EXTENSION OF BARRY J. BURKE, PE PLS TO PROVIDE PROFESSIONAL ENGINEERING SERVICES TO THE CITY OF UNION, KENTUCKY. Commissioner Ramage made a motion and Commissioner Dulaney seconded the motion. **Motion approved 5-0.**

MUNICIPAL ORDER 2021-13 – A MUNICIPAL ORDER AUTHORIZING THE MAYOR OF THE CITY OF UNION, KENTUCKY TO EXECUTE THE CONTRACT BETWEEN THE CITY OF UNION, KENTUCKY AND DAVID PLUMMER. Commissioner Garner made a motion and Commissioner Mefford seconded the motion. **Motion approved 5-0.**

MUNICIPAL ORDER 2021-14 – A MUNICIPAL ORDER AMENDING THE TABLE OF ADMINISTRATIVE STAFF FOR THE CITY OF UNION, KENTUCKY. Commissioner Ramage made a motion and Commissioner Garner seconded the motion. **Motion approved 5-0.**

MUNICIPAL ORDER 2021-15 - A MUNICIPAL ORDER ACCEPTING THE CONTRACT OF RIEGLER BLACKTOP, INC. FOR PHASE A – PARTS 1 THRU 10 – FULL RESURFACING, BASE REPAIRS AND JOINT SEALING INCLUDING TWO (2) SPEED HUMPS FOR LOCATIONS WITHIN THE CITY OF UNION, KENTUCKY AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. Commissioner Mefford made a motion and Commissioner Dulaney seconded the motion. **Motion approved 5-0.**

MUNICIPAL ORDER 2021-16 - A MUNICIPAL ORDER ACCEPTING THE CONTRACT OF RIEGLER BLACKTOP, INC. FOR PHASE C – PARTS 1 THRU 3 – EDGE/SIDE DRAINS AND SGCB WITHIN THE CITY OF UNION, KENTUCKY AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. Commissioner Mefford made a motion and Commissioner Ramage seconded the motion. **Motion approved 5-0.**

MUNICIPAL ORDER 2021-17 - A MUNICIPAL ORDER ACCEPTING THE CONTRACT OF TMS CONSTRUCTION, INC. FOR PHASE B PART 1&2 – CONCRETE CURB AND GUTTER EXCLUDING SIDEWALKS FOR LOCATIONS WITHIN THE CITY OF UNION, KENTUCKY AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. Commissioner Ramage made a motion and Commissioner Garner seconded the motion. **Motion approved 5-0.**

MUNICIPAL ORDER 2021-18 - A MUNICIPAL ORDER HIRING AMY SAFRAN AS A FULL TIME COMMUNICATIONS/ASSISTANT CITY ADMINISTRATIVE OFFICER FOR THE CITY OF UNION, KENTUCKY. Commissioner Mefford made a motion to accept the order. Commissioner Dulaney seconded the motion. **Motion approved 5-0.**

ORDINANCE 2021-12 - AN ORDINANCE OF THE CITY OF UNION, KENTUCKY, IN BOONE COUNTY, KENTUCKY CREATING CHAPTER 91A OF THE UNION, KENTUCKY CODE OF ORDINANCES UPDATING THE CITY OF UNION SIDEWALK MAINTENANCE POLICY AND PENALTIES FOR THE VIOLATION THEREOF AND REPEALING SECTION 91.06 AND 91.07 OF UNION, KENTUCKY CODE OF ORDINANCES. *(2nd Reading)* Commissioner Garner made a motion and Commissioner Dulaney seconded the motion. **Motion approved 5-0.**

ORDINANCE 2021-13- AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 2021 THROUGH JUNE 30, 2022 BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT FOR THE CITY OF UNION, KENTUCKY. *(2nd Reading)* Commissioner Mefford made a motion and Commissioner Ramage seconded the motion. **Motion approved 5-0.**

ORDINANCE 2021-14 – AN ORDINANCE SETTING THE COMPENSATION FOR THE CEMETERY SEXTON FOR THE CITY OF UNION, KENTUCKY. *(1ST Reading)*

ORDINANCE 2021-15 - AN ORDINANCE OF THE CITY OF UNION, KENTUCKY APPROVING, WITH CONDITIONS, A REQUEST OF FARMVIEW COMMONS, LLC FOR ERPS, INC. FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN FOR AN APPROXIMATE +11.82 ACRE SITE LOCATED ON THE NORTHEAST CORNER OF THE U.S. 42/FARMVIEW DRIVE INTERSECTION AND THE SOUTHEAST CORNER OF THE OLD U.S. 42/FARMVIEW

DRIVE INTERSECTION, FLORENCE AND UNION, KENTUCKY TO PERMIT EATING AND DRINKING ESTABLISHMENTS AND COMMERCIAL USES, INCLUDING DRIVE-THROUGH FACILITIES, ELDERLY HOUSING FACILITY, MULTI-FAMILY HOUSING, MEDICAL OFFICES AND TO MODIFY PREVIOUS CONDITIONS OF APPROVAL CONCERNING ARCHITECTURAL DESIGN AND TO PERMIT A 50 FOOT MAXIMUM BUILDING HEIGHT ON THE ENTIRE SITE IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE. (1st Reading)

Executive Session

Mayor Solomon called executive session to be held in accordance with KRS 61.810, Section G. Commissioner Dulaney made a motion and Commissioner Ramage seconded the motion. **Motion approved 5-0 at 8:38 pm.**

Commissioner Garner made a motion to exit executive session at 10:09 pm. Commissioner Dulaney seconded the motion. **Motion approved 5-0.**

Mayor Solomon announced that no action was taken, nor will be taken this evening.

A motion to adjourn was made by Commissioner Dulaney and seconded by Commissioner Garner at 10:10 pm. **Motion approved 5-0**