



**REGULAR COMMISSION MEETING MINUTES
FEBRUARY 5, 2024 – 6:00 PM
1843 BRISTOW DRIVE
UNION, KY 41091**

CALL TO ORDER

Mayor Solomon called the Regular Commission Meeting to order at 6:00 PM.

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 John Mefford, Commissioner Jeremy Ramage, Commissioner Brian Garner, Commissioner Doug Bine, and Mayor Larry Solomon.

Change in Promenade Concept Plan

Mayor Solomon is voting against the zone change because it is not what the developer originally promised in 2021 when the Promenade was presented as high-end retail, living, professional offices and entertainment with a village atmosphere that would be a work, live, and play district. This district would be the highlight of Northern Kentucky because it would be the only one of its kind. Mayor Solomon discussed reasons why he was against the zone change.

- Cincinnati Children's asked for a clear viewshed on lot number two from US Highway 42, and the current application does not fulfill that condition.
- The proposed size of the building would be challenging to fill if the grocer went out of business, there are a limited number of retailers that would be suitable for the space.
- Approving the grocery store would most likely pave the way for other developers wanting to bring big box stores to the Promenade making it just another strip retail center and not the entertainment district that was promised.
- The residents of Union do not want to see US Highway 42 turned into the City of Florence with the same retail development.

Mayor Solomon is supportive of any development that achieves the developers promise to make the Promenade the new planned entertainment district for Union.

Commissioner Mefford is voting to deny the zone change because it is not consistent with the original plans that were presented to the city in 2021, and not consistent of what he feels many Union residents want for the city. Through the years he has heard from Union residents wanting an upscale development. The current request by the developer for a zone change that would allow for a viewshed easement and a large parking lot is a conflict of what was originally promised in 2021. The Promenade was presented to the city as upscale shopping, dining, and entertainment that would set Union apart from other Northern Kentucky communities. The zone change would make the Promenade like any other strip mall. The proposed zone change would go against the walkable village feel. Commissioner Mefford is committed to the original design of the Promenade and does not wish to see it modified.

Commissioner Garner is voting against the current zone change request because he feels what is being considered contradicts the intimate scale and village look that was emphasized with the original concept plan. Everyone in and around the City of Union wants to see the Promenade succeed. The issue is not with Aldi it is about a specific plan that was presented in a specific area. This is a notable change in the development concept and not in line with what the people of Union were originally promised.

Commissioner Ramage is voting to approve the zone change because he feels it is a positive amenity for the area. He agrees everyone wants to see more restaurants and entertainment in the area. However, he feels there will be a challenge with having enough daytime traffic to support lunchtime operations. Not all the tenants coming to the Promenade will bring people to the area to fulfill the daytime traffic needs. He feels Aldi will bring people to the area. He explained how through the years other development plans have changed after being presented to the Commission. He feels having a vacant lot in the development is a bigger issue than a grocery store. Commissioner Ramage expressed his vote only counts as one and he would like to see projects and legislation of this measure be placed on a ballot for Union residents to decide.

Commissioner Bine is voting to deny the requested zone change because he does not feel it is in line with what was originally presented by the developer. The original plan consisted of mixed retail, restaurants, personal and medical offices, single and multifamily residential. Residents both in and around the city are excited about what the Promenade would bring to Union while keeping with the small-town charm. Although Commission and staff have changed since the original plan was presented the vision for this development has remained the same from the beginning. The issue is not about trying to keep an international grocer out of Union or whether a grocery store is a permitted use in development. The issue is a request for a major change to the look, layout and feel of the Promenade.

Farmview Commons Concept Plan

Mayor Solomon explained there is an application for development on US Highway 42 and Farmview Drive, the project is primarily in the City of Florence with a small portion along Farmview Drive being in the City of Union. In a prior meeting, the City of Union requested to have Farmview Drive repaved by the developer due to the increase of traffic once the development is complete. The developers have agreed to contribute \$20,000 to the repaving and restriping of Farmview Drive as part of the development.

APPROVAL OF MINUTES

Mayor Solomon asked for approval of January 3, 2024, Regular Meeting minutes.

Commissioner Bine made a motion and Commissioner Ramage seconded that motion.

Motion approved 5-0

Mayor Solomon asked for approval of January 11, 2024, Special Meeting minutes.

Commissioner Garner made a motion and Commissioner Mefford seconded that motion.

Motion approved 5-0

Mayor Solomon asked for approval of January 22, 2024, Special Meeting minutes.

Commissioner Garner made a motion and Mayor Solomon seconded that motion.

Motion approved 5-0

FINANCIAL REPORT

Commissioner Ramage provided an update to the Commission on the month of January financial report which included "the bills to be paid" and the balance sheet. There were a couple larger bills paid for the month of January including street repair project, waste collection, and snow removal bills, the amounts are within the expected budget. Interest rates have increased to 5.13%. The bills to be paid and profit and loss are on schedule with the budget.

Mayor Solomon asked for a motion to approve the financial report, including paying the bills for the month of January.

Commissioner Bine made a motion and Commissioner Garner seconded that motion.

Motion approved 5-0

VISITORS WISHING TO SPEAK

Union resident Shawn Blankenship addressed the Commission with an ongoing driveway curb issue at his home that is causing damage to his vehicles. The city's engineering firm inspected the driveway and consulted with Boone County. After reviewing the determination was made the driveway curb is within specification. Mr. Blankenship recognized the driveway curb belongs to the city. He has difficulty accepting that city owned property is causing damage to his motor vehicles with no resolve to the issue.

Commissioner Garner and Public Works Director Paul Kremer discussed options for the curb. The recommendation being made is if the homeowner would like to make the changes to the curb, he will have to present design plans to the Commission for approval. The Homeowners Association will also need to approve the changes.

City Administrator Amy Safran mentioned the homeowner will need an encroachment permit; this is standard for anyone who is wanting to make modifications. Also, if the Commission recommends an evaluation by the city engineer, those costs will be paid by the homeowner.

Public Works Director (PWD) Kremer will send the homeowner a list of four required steps including.

- Encroachment permit
- Design plan
- Contractors' information
- Name of Homeowners Association President.

PWD Kremer mentioned if the work is approved by the Commission, he is proposing \$300 to cover the cost of inspection by the city engineer.

MAYOR/COMMISSIONER REPORT

Mayor Solomon addressed the issue of updating the Memorandum of Understanding (MOU) for the Planning Commission which would include explainable representation for the City of Union. The issue was discussed at the Judge Executive/Mayors meeting on January 24, 2024. The Boone County Planning Commission MOU has not been revised pertaining to representation of county, City of Florence, City of Walton, and City of Union since 1976. Mayor Solomon presented the issue of representation at the meeting, there was no desire by the others to change the MOU. Mayor Solomon explained there are items in the MOU that need to be updated. To change the representation, the Boone County Planning Commission MOU would need to be revised, updated, and approved by Boone County Fiscal Court, City of Florence, City of Walton, and City of Union. Judge Executive Gary Moore notified Mayor Solomon that the county attorney will be reviewing the MOU to see if any changes could be made to make the document more current.

Union Town Center Park Update

City Administrator Amy Safran mentioned there was a Park Advisory Committee meeting on January 24, 2024. MKSK is putting together concept designs for the committee to review. The next steps are for the committee to submit their top three vision statements, top eight amenities, and top three park name suggestions. Once the information is received back from the committee it will be shared with MKSK.

Commissioner Ramage explained the purpose is to see if the proposed amenities could fit within the location of the property.

City Building Update

At the last meeting it was agreed upon to further explore locations where a new city building could be located. There was discussion of five separate locations. Two of the locations were ruled out due to availability. After discussion it was decided the city building should be built on the twenty-two-acre property already owned by the city. The Commission agreed the new city building should be functional with space for current staff and growth for future staff.

City staff was asked to make a list of what they feel is needed in a new building to make it functional and service the needs of the city. A summary of items include:

- Storage space for filing needs, office supplies and public works supplies.
- Kitchenette for staff and Boone County Sheriff Deputies use.
- Commission room to accommodate easy set up for Commission meetings.
- Small meeting room for executive sessions and general small group business meetings.
- Separate space for Boone County Sheriff Deputy.
- Public Works Department workspace and garage.
- Administrative/staff offices.

After discussion the decision was made by the Commission to have Summit Engineering conduct a feasibility study to give an assessment to determine size and estimated cost for a city building located on the twenty-two-acre property already owned by the city.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Commissioner Bine mentioned there was a ribbon cutting on February 3, 2024, at Bombshell Studio Salon. Union Pointe Centre is fully leased.

PUBLIC WORKS COMMITTEE REPORT

Commissioner Garner discussed the 2024 street repair program and asked for approval to advertise the bid starting February 6, 2024. Municipal Road Aid is being requested for 400 linear feet of curb and gutter repairs on Windsor Way and Whispering Trail, the work will begin in March/April.

Commissioner Garner asked for a motion to use Municipal Road Aid funds in the amount up to \$37,000 to make curb and gutter repairs for Whispering Trail and Windsor Way.

Mayor Solomon made a motion and Commissioner Mefford seconded that motion.

Motion approved 5-0

Commissioner Garner stated \$15,000 is needed to cover the cost of inspections for the sidewalk project on Sweet Harmony Way. The inspections are part of the requirement of Kentucky

Transportation (KYTC) for the project. The city will receive 80 percent of the cost reimbursed by KYTC.

Commissioner Garner asked for a motion to approve \$15,000 for project inspections as required by KYTC utilizing 502 funds that will be reimbursed at 80 percent.

Commissioner Bine made a motion and Mayor Solomon seconded that motion.

Motion approved 5-0

Public Works Director Paul Kremer mentioned after the bids are posted for three weeks there will be a public reading at the next Public Works Meeting. Striping will be completed on US Highway 42 at the new stop lights once the lights are turned on. There is no timeline for when the traffic lights will be turned on.

COMMUNICATIONS COMMITTEE REPORT

Commissioner Mefford mentioned the Easter Egg hunt will take place on March 23, 2024. The Masonic Lodge requested to have a fifty-fifty raffle at Union Celebrates America (UCA). After Commission discussion it was decided not to allow raffles at UCA.

ADMINISTRATOR'S REPORT

City Administrator Amy Safran mentioned there will be a Union Board of Adjustment meeting on February 13, 2024, to discuss a conditional use permit request submitted by Kroger for the old fuel center.

The audit will be presented by John Chamberlin at the Caucus meeting on February 21, 2024. Budget meetings are being scheduled with individual Commissioners to discuss their committees and budget needs. A full Commission budget workshop will take place during the March Caucus.

There is a need for replacing two older computers in the office for the treasurer and public works director. The quote received from NKOL is \$1,430.98 for each laptop, including installation the cost is approximately \$3,000.

Mayor Solomon asked for a motion to approve up to \$3,500 to replace two computers.

Commissioner Mefford made a motion and Commissioner Bine seconded that motion.

Motion approved 5-0

There are continued issues with the software company being used to collect payroll taxes and business licenses. The contract is going to be reviewed by city attorney Greg Voss.

LEGISLATION/ATTORNEY'S REPORT

ORDINANCE NO. 2024-02 AN ORDINANCE OF THE CITY OF UNION, KENTUCKY GRANTING, WITH CONDITIONS, THE REQUEST OF CROSLAND SOUTHEAST PER CHRISTOPHER W. TAFT (APPLICANT) FOR FARMVIEW COMMONS, LLC PER HEMAKUMAR SONI (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE FOR AN APPROXIMATE 11.82 ACRE SITE LOCATED ON THE NORTHEAST CORNER OF THE US 42/FARMVIEW DRIVE INTERSECTION AND THE SOUTHEAST CORNER OF THE OLD US 42/FARMVIEW DRIVE INTERSECTION, FLORENCE AND UNION, KENTUCKY (First Reading)

ORDINANCE NO. 2024-03 AN ORDINANCE OF THE CITY OF UNION, KENTUCKY, APPROVING WITH CONDITION THE REQUEST OF 9541 US 42, LLC , PER THOMAS J. ACKERMANN (APPLICANT) FOR THE CITY OF UNION (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A UNION COMMERCIAL / UNION NEIGHBORHOOD OFFICE / URBAN RESIDENTIAL TWO / PLANNED DEVELOPMENT (UC/UNO/UR-2/PD) ZONE FOR AN APPROXIMATE 2.531 ACRE SITE LOCATED ON LOTS 2 AND 3 OF THE UNION PROMENADE SUBDIVISION, AT THE SOUTHWEST CORNER OF US 42 AND CHILDRENS WAY AND THE SOUTHEAST CORNER OF CHILDRENS WAY AND UNION PROMENADE, UNION, KENTUCKY (First Reading)

Ordinance 2024-03 was read and received no sponsorship. Municipal Order 2024-04 was passed and made Ordinance 2024-03 moot.

MUNICIPAL ORDER NO. 2024-03 A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING WITH CROSLAND SOUTHEAST

Commissioner Mefford made a motion and Commissioner Garner seconded that motion.

Motion approved 5-0

MUNICIPAL ORDER NO. 2024-04 A MUNICIPAL ORDER OF THE CITY OF UNION, KENTUCKY, DENYING THE REQUEST FOR APPROVAL OF 9541 US 42, LLC , PER THOMAS J. ACKERMANN (APPLICANT) FOR THE CITY OF UNION (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A UNION COMMERCIAL / UNION NEIGHBORHOOD OFFICE / URBAN RESIDENTIAL TWO / PLANNED DEVELOPMENT (UC/UNO/UR-2/PD) ZONE FOR AN APPROXIMATE 2.531 ACRE SITE LOCATED ON LOTS 2 AND 3 OF THE UNION PROMENADE SUBDIVISION, AT THE SOUTHWEST CORNER OF US 42 AND CHILDRENS WAY AND THE SOUTHEAST CORNER OF CHILDRENS WAY AND UNION PROMENADE, UNION, KENTUCKY.

Commissioner Mefford made a motion and Commissioner Bine seconded that motion.

Mayor Solomon voted aye, Commissioner Mefford voted aye, Commissioner Garner voted aye, Commissioner Ramage voted nay, Commissioner Bine voted aye.

Motion approved 4-1

ANNOUNCEMENTS

Mayor Solomon announced the Caucus Meeting will be on Wednesday February 21, 2024. The next Regular Commission Meeting will be held on Monday March 4, 2024. Both meetings will be at the city building 1843 Bristow Drive Union, Kentucky.

ADJOURNMENT

Mayor Solomon asked for a motion to adjourn. Commissioner Mefford made a motion and Commissioner Ramage seconded that motion. The meeting adjourned at 8:29PM.

Motion approved 5-0

Approved:



Hon. Larry Solomon, Mayor

Attest:



Tammy Wilhoite, City Clerk