

RECORD OF PROCEEDINGS

MEETING OF COUNCIL

February 12, 2024

Mayor O'Callaghan called the City of Union council meeting to order on Monday, February 12, 2024, at 7:30 p.m.

Attendance was taken and the following council members were present: Mayor O'Callaghan, Mr. Bruns, Mrs. Oberer, Mr. Bennett, Mrs. Thomas-Roth and Mr. Niemann.

Other City staff members attending the meeting were John Applegate, City Manager, Denise Winemiller, Clerk of Council, and Joe Moore, Law Director.

Mayor O'Callaghan called for a moment of silence.

Mayor O'Callaghan said that Mr. Prunier was on vacation and would not be attending. He moved that his absence be excused. Mr. Bruns seconded the motion. All concurred and his absence was excused.

1. Mayor O'Callaghan asked if there were any additions, deletions or corrections for the minutes of the January 8, 2024 council meeting. There were no corrections. Mr. Bruns moved that the minutes be accepted as prepared. Mrs. Oberer seconded the motion. All concurred and the minutes were accepted as prepared.

2. Citizen's and Visitor's Comments

There were no comments.

Mayor O'Callaghan said at the last Council Meeting we talked about appointing a new member to the Planning Commission and Mrs. Guigou is here tonight. Mayor O'Callaghan moved to appoint Mrs. Guigou to the Planning Commission. Mr. Bruns seconded the motion. All concurred and the motion was passed.

Mayor O'Callaghan asked Mrs. Guigou if she would like to say something. Mrs. Guigou replied that she looked forward to learning more about it and seeing what all goes on in the local government offices and thanked the Mayor and Council for this privilege.

Mr. Moore swore in Mrs. Guigou as the new member of the Planning Commission.

3. ONE READING – RESOLUTION 24-01 – APPOINTING MAYOR WILLIAM D. DUNCAN TO THE MONTGOMERY COUNTY 9-1-1 PROGRAM REVIEW COMMITTEE PURSUANT TO OHIO REVISED CODE SECTION 128.06(A)(5)

Mr. Applegate explained, this is about the Montgomery County 911 program. Each county has this program. There has been a change in state law that now requires that the Mayor and Council

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of each community of Montgomery County vote on who the member and alternate will be. The members, Bill Duncan, Mayor of the City of Oakwood and Mr. Compton from the City of Centerville. There is some information that was attached explaining the new change of law. This needs to be done quickly due to a deadline and the state must be notified. It is the staff's recommendation that the Mayor and Council approve Resolution 24-01.

Mr. Bruns moved to have the one and only reading and pass Resolution 24-01. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

4. ONE READING – RESOLUTION 24-02 – A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT BY AND BETWEEN THE CITY OF UNION, OHIO, (the “City”), JACKSON ROAD MASTER DEVELOPER, LLC, AN OHIO LIMITED LIABILITY COMPANY (“Developer”), AND THE MONTGOMERY COUNTY TRANSPORTATION DISTRICT (the “District”) UNDER THE FOLLOWING CIRCUMSTANCES.

Mr. Applegate informed Council that Resolution 24-02 is a standard development agreement that we want to enter into with Jackson Road Master developer. The property was previously owned by Al Neyer and was sold to Jackson Road Master developer. Steve Stanley from the Montgomery County Transportation Infrastructure District (TID) and myself have been meeting with them. There are still a few fine things to work out with some of the exhibits. We are bringing this before you tonight to be approved so we can be ready to move forward.

Mayor O’Callaghan asked if there were any questions. There were no questions.

Mr. Bruns moved to have the one and only reading and pass Resolution 24-02. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

5. ONE READING - RESOLUTION 24-03 – AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO ODOT’S STATE INFRASTRUCTURE BANK FOR A LOAN TO FINANCE A PORTION OF THE EAST MARTINDALE ROAD PROJECT & RELATED COSTS

Mr. Applegate said that Resolution 24-03 is asking for permission to submit an application to ODOT. Steve Stanley from the Montgomery County Transportation Improvement District (TID) is here to answer any questions you may have.

Mr. Applegate stated with the State Route 40 widening project from Union Airpark Blvd. to the airport access road now completed, there were funds not used and they will be returned to the SIB loan program. Once returned it will be distributed somewhere else. We would like to get authorization to submit this application to ODOT to allow us to get this money to use towards East

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Martindale Road. It's just a portion of what we need, but it will go a long way towards getting the waterline installed providing a second feed to the Industrial Park. It is the staff's recommendation that the Mayor and Council approve this application to the State.

Mayor O'Callaghan asked Mr. Stanley if he had any comments.

Mr. Stanley said the U.S. Route 40 loan was a transportation improvement project that had multiple local governments backing the borrowing. In fact, we are already making debt service payments there and we've finally been able to close out that project in its entirety. There were funds left over in the original loan for the local share of that project that will be released back to the state. It is a loan held by Montgomery County and each of the individual jurisdictions that are paying a portion of that debt service are making their contributions. So, we have been very careful about being able to obtain that money back for our benefit. There is a timing issue related here. We want to make certain that the County Commission has released the balance of the loan and that we have an application right there following it immediately to try and tie those dollars up. The City of Union has used this particular loan program, and it has been a very beneficial source for the City.

Mr. Stanley added, the City doesn't have to pay any debt service for two and half years, 0% interest the first year, 3% for the balance of the loan. In this case, we are trying to obtain a 20-year term.

Mr. Bruns moved to have the one and only reading and pass Resolution 24-03. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

6. ONE READING - ORDINANCE 1778 - AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC. AND DECLARING AN EMERGENCY.

Mr. Applegate informed the Council this is the three-year contract renewal with the Police Union. We have met several times over the last four to five months and these are the results of those meetings. It is the staff's recommendation for the Mayor and Council to approve this. Both parties have agreed to a three-year term. We have made a market adjustment to help bring up the base salaries of all the officers. There will be five percent increases each year. This keeps them somewhere just over 50% of what's being paid throughout the area. We have been trying to recruit police officers and have not been successful, we had to increase wages to be competitive. We are not quite where we would like to be. We explained our reasons to the Fraternal Order of Police, the members, their negotiator and the Attorney and they understood. We recommend the Mayor and Council approve the new contract.

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Mr. Bruns asked, is the market adjustment amount in the contract going to affect the budget that was passed in December?

Mr. Applegate said that it is within the budget and no adjustments need to be made.

Mr. Bruns moved that Ordinance 1778 be declared an emergency for the reasons set forth in the Ordinance. Mrs. Oberer second the motion. All concurred and the motion was passed.

Mr. Bruns moved that they have the one and only reading and adopt emergency Ordinance 1778. Mrs. Oberer seconded the motion. All concurred and emergency Ordinance 1778 was adopted on the first reading.

7. ONE READING - ORDINANCE 1779 - AN ORDINANCE AMENDING THE ANNUAL APPROPRIATIONS ORDINANCE FOR 2024 AND DECLARING AN EMERGENCY.

Mr. Applegate said Ordinance 1779 has to do with the ARPA funds that we received from the Department of Development for phase two of our plant expansion, being \$4.6 million dollars. We are transferring the City's portion of \$500,000 as approved in the appropriation Ordinance for this year from the General fund to the ARPA fund. Then it will all be in one fund. This will put us around \$5.1 million. This needs to be done to be in compliance.

Mr. Bruns moved that Ordinance 1779 be declared an emergency for the reasons set forth in the Ordinance. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

Mr. Bruns moved to have the one and only reading and adopt emergency Ordinance 1779. Mrs. Oberer seconded the motion. All concurred and emergency Ordinance 1779 was adopted on the first reading.

Mayor O'Callaghan welcomed Mrs. Guigou and announced that she is the fourth Planning Commission member and now there is one vacancy left to be filled.

Mayor O'Callaghan reminded everyone that the city's Egg Hunt is coming up and will be on Saturday, March 23, 2024 at 10:00 a.m. We are hoping for good weather. We are asking for volunteers if anybody would like to help with the hunt, especially on that day.

Mr. Bruns brought to the attention of the Council that recently a former member of Council passed away and asked Council members to remember Gail Fudge. She served on the Council from 1990 to 1996. She followed her husband, Dave Fudge, who also was a Council member before her. The Fudge family was very involved with the Council and the City.

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Mr. Bruns asked if there was any legislation that would require a second meeting in February.

Mr. Applegate replied, not that we know of at this time.

Mr. Bruns moved that the second meeting, February 26th, 2024, be cancelled unless there is legislation requiring it. Our next meeting will be the regularly scheduled meeting on March 11, 2024. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

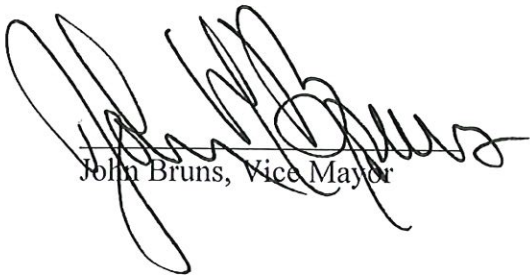
8. Open Agenda

Mr. Applegate mentioned the waste and recycling information that was provided to Council. For the year 2023 the waste tons were 2,728 tons. Recycling tons were 414 tons. Which is a percentage of 15.19% of the waste stream was recycled. You can see where we have kept records of it from 2008.

Mr. Applegate said we are in the process of starting on the wastewater phase II improvements. The weather should be good for the contractor to start on Wednesday.

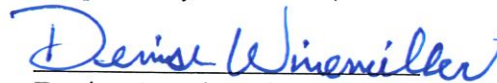
9. Adjourn

Mr. Bruns moved that the council meeting be adjourned. Mrs. Oberer seconded the motion. All concurred and the council meeting was adjourned.



John Bruns, Vice Mayor

Respectfully submitted,



Denise A. Winemiller,
Clerk of Council