

RECORD OF PROCEEDINGS

MEETING OF COUNCIL

March 11, 2024

Mayor O'Callaghan called the City of Union council meeting to order on Monday, March 11, 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, Mr. Prunier 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.

1. Mayor O'Callaghan asked if there were any additions, deletions or corrections for the minutes of the February 12, 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

Mayor O'Callaghan acknowledged Linda Black was present and wanted to speak.

Mrs. Linda Black introduced herself and her husband Jerry who have lived on Old Mill Road. They have some concerns, and said she was also speaking for other neighbors who were unable to attend. My understanding from prior conversations with your office is you are not necessarily or completely in the know about what might happen on the corner lot of Phillipsburg-Union road and Old Mill road. There is concern among neighbors about making Old Mill road an access road if a development would go in on that corner. Our second concern is that many homes have been affected by the water run off specifically from Irongate. Will this make an already existing problem worse. Thirdly, our concern of school overcrowding at the elementary and fourthly the impact to our wells and water supply.

Mrs. Black wanted to know how the property is zoned. If the map is correct, it is RPUD?

Mr. Applegate said the map is correct and it is A/R, Agricultural / Residential.

Mrs. Black asked how many houses can currently be built on A/R property?

Mr. Applegate replied it is usually a house per acre but cannot give her an exact answer without looking at the code.

Mrs. Black asked if there were plans to rezone it.

Mr. Applegate said we have not received an application for that.

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Mrs. Black asked if there were plans to rezone it, and put as many houses as they could. What would they be wanting to rezone it at.

Mr. Applegate replied, without seeing the preliminary plan and what they are proposing he does not know.

Mr. Applegate said, if an application was submitted it would have a preliminary plan, it would answer many of your questions and show where the entrance is going to be located. I can tell you that Old Mill Road is not in the City of Union. It is in the City of Clayton and we have no authority over that road.

Mrs. Black asked who gives permission for property to be rezoned.

Mr. Applegate said it starts with the planning commission, but the final decision is the City Council's. It is a process. Anytime there's a rezone send notices to all adjoining property owners, this is required by the ORC and the City's code. There will be a date the Mayor and Council will select for a public hearing which will be held here. It is open to the public for anyone to attend. speak.

Mrs. Black asked if the City requires any type of water study to be done prior to giving approval and saying yes to the zoning.

Mr. Applegate asked, Stormwater or Public Water?

Mrs. Black replied, all water.

Mr. Applegate said that the City has an adequate supply of portable water. The City ran a twelve-inch water main and eighteen-inch sanitary out Phillipsburg road to Irongate. Approximately 20 years ago. There is access to sufficient quantity and pressure.

Mrs. Black asked about the 40-acre lot that she believes is currently owned by Glenn Kendall and is being rented by Covered Wagon. It is zoned PUD. Can you briefly explain that to me?

Mr. Applegate said PUD is Plan Unit Development, and there are certain requirements within that. You can go online, and our codebook is available with zoning information you can look up.

Mayor O'Callaghan commented that they were not aware of any development plans.

Mayor O'Callaghan thanked Mrs. Black.

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Mayor O'Callaghan acknowledged Mr. Michael Pedroski who also lives on Old Mill Road.

Mr. Pedroski said he does not think his question is relevant at this time from the information Mr. Applegate provided to Mrs. Black

Mayor O'Callaghan thanked Mr. Pedroski for coming.

Mrs. Black asked, Old Mill Road is Clayton. The property in question is Union. Should I assume from what you said, Mr. Applegate, that Union isn't allowed to go to Clayton and say we want to put a development in and come out on your road.

Mr. Applegate replied yes, the City could, but we would look at it and require it to be off Phillipsburg Road if something happened, not on Old Mill Road.

3. Re-Appointment of Council representative to the Planning Commission, (Previously John Bruns, four-year term) (New term 01/24 to 12/27).

Mayor O'Callaghan moved to appoint John Bruns to the Planning Commission. Mrs. Oberer seconded the Motion. All concurred and Mr. Bruns was appointed to the Planning Commission for the term (1/24 – 12/27).

4. ONE READING – RESOLUTION 24-04 – A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A MARKETING AGREEMENT BETWEEN THE CITY OF UNION, OHIO AND UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. D/B/A SERVICE LINE WARRANTIES OF AMERICA.

Mr. Applegate explained that Resolution 24-04 is about a firm that does work for the National League of Cities and provides homeowner protection for water and sewer laterals. It is a program that the City has no involvement except for using the City name. We authorize a marketing agreement with them. Dayton, Huber Heights, and Trotwood already participate in this program. It is recommended by the National League of Cities. When he spoke to the individual about the program, there are certain requirements that we have. We want to know when somebody is digging up a sewer line or water line. It needs to be inspected, and it needs to meet the material requirements that the City requires. It is a program that is between the homeowner and the Company.

Mr. Bruns asked, this is not exclusive? Homeowners can go with this company or anyone else they want to. They are not compelled to go with this company.

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Mr. Applegate answered. That is correct.

Mr. Bruns asked, how do their rates stack up against some of these flyers we've been receiving asking homeowners to do the same thing?

Mr. Applegate replied. They seem to be more reasonable. The reason why I chose to talk with this company is they are recommended by the National League of Cities and have a large clientele across the United States.

Mr. Applegate would recommend that the mayor and Council Approve it because it gives our residents a choice to enter this program or not choose the program. It's between the residents and the Company, we are just overseeing it to make sure that it meets the requirements of the City.

Mr. Bruns moved to have the one and only reading and pass Resolution 24-04. Mrs. Oberer seconded the motion. All concurred and Resolution 24-04 was passed.

5. ONE READING – ORDINANCE 1780 – AN ORDINANCE OF THE CITY OF UNION, OHIO, APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF THE CITY OF UNION AND TO AMEND OR ENACT SECTIONS OF THE TRAFFIC AND GENERAL OFFENSES CODES TO CONFORM TO ENACTMENTS OF THE GENERAL ASSEMBLY AND DECLARING AN EMERGENCY.

Mr. Applegate said Ordinance 1780 is a housekeeping Ordinance that we do every year for the company who codifies Ordinances that were passed by the City and also anything that was passed by the State legislature. This brings our code up to date. We do this annually and it is the staff's recommendation that it be approved.

Mr. Bruns moved that Ordinance 1780 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 that we have the one and only reading and adopt emergency Ordinance 1780. Mrs. Oberer seconded the motion. All concurred and emergency Ordinance 1780 was adopted on the first reading.

6. Open Agenda

Mayor O'Callaghan reminded Council that the Egg Hunt is Saturday March 23, 2024 at 10:00 a.m. He said that he has stuffed 3,300 eggs with candy and prizes to be divided amongst

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four different age groups. Anybody is welcome to come and if you would like to volunteer that would be great too.

Mayor O'Callaghan shared with Council a letter that Chief Blackwell received from a Union resident who expressed that two City of Union officers handled an incident with professionalism and their interaction with two juvenile boys was a positive one. Both officers gave us confidence we would be protected to the best of their ability. We appreciate them both and the Union Police department.

Mr. Bruns reminded everyone that there is a primary election next week.

Mr. Bruns asked if there was anything that would require a second meeting in March. Mr. Applegate said not at this time.

Mr. Bruns moved to cancel the second meeting in March unless there is legislation requiring it. Our next meeting will be the regularly scheduled meeting on April 8th, 2024. Mrs. Oberer seconded the motion. All concurred the motion was passed.

Mr. Bruns said he would like to thank everyone for bringing their concerns here, and anything that does happen will need to go to the Planning Commission first. There are five people sitting on that Commission. They have got to be satisfied along with the City. If it is approved, it goes to the Council.

Mr. Applegate updated Council about the phase two expansion that's going on and will be for the next twelve to fourteen months. We've also put down the base pad for the third building on our maintenance site at Shaw Road.

Mr. Moore explained, you heard Mr. Bruns just mention the Planning Commission. The Planning Commission is an organization that recommends things to the Council. When the Council gets something before it the rule is four members of Council must vote in favor of it in most instances. The last thing on the agenda item five that mentioned an emergency Ordinance. The Council can pass something by emergency, which means it becomes effective immediately. But it takes five votes of the Council to do that, and it takes five votes of Council to also declare it to be an emergency before they pass it. The rules are built in and it controls how Council acts and how legislation gets passed and the zoning issues get determined. These rules are there, and we must abide by them. I just want you to be assured that is the case. The Planning Commission meeting is a public meeting, you can attend and express your concerns or just listen to what is going on.

Ms. Winemiller mentioned to the Council if they have a hardbound code book to bring it into the office so it can be updated and a reminder the filing of the financial disclosure form is due May 15, 2024.

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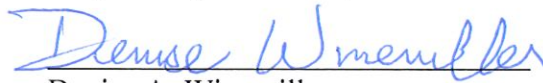
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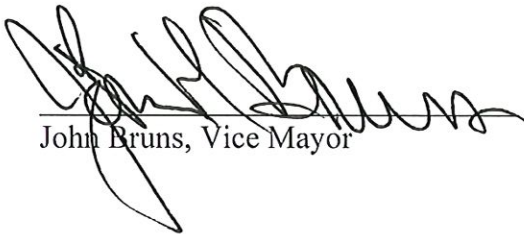
7. Adjourn

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

Respectfully submitted,



Denise A. Winemiller,
Clerk of Council


John Bruns, Vice Mayor