

RECORD OF PROCEEDINGS

MEETING OF COUNCIL

August 14, 2023

Mayor O'Callaghan called the City of Union council meeting to order on August 14, 2023, 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 to the minutes of the July 10, 2023, Council meeting. There were no corrections.

Mr. Bruns moved to approve the minutes of July 10, 2023. Mrs. Thomas-Roth seconded the motion. Mr. Bruns, Mr. Bennett, Mayor O'Callaghan, Mrs. Thomas-Roth and Mr. Prunier concurred. Mrs. Oberer and Mr. Niemann abstained. The minutes were accepted as prepared.

2. Citizen's and Visitor's Comments.

3. Public Hearing

Mayor O'Callaghan moved to open the Public Hearing on a change of zoning district from A-R Agricultural-Residential to L-1, Light-Industrial totaling 0.8971 acres located at 2260 Old Springfield Road.

Mr. Niemann seconded the motion. All concurred the Public Hearing was opened.

The Mayor stated that Mr. Applegate will be speaking, and Mr. Moore will swear him in.

Mr. Applegate was sworn in.

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Mr. Applegate said the public hearing is for the rezoning for 0 .8971 acres from A-R Residential to L-I, Light Industrial zoning. This is a piece of ground that was annexed into the city recently. The City is located on three sides of the property. The owner, Pure Development has asked for this change in zoning. We have met all the requirements of the O.R.C. and the City is in compliance. The adjoining property owners were contacted by letter. We did not receive any calls with questions, nor did anyone come in to review the information in the file we had available. It is the staff's recommendation for Mayor and Council to approve this rezoning.

Mayor O'Callaghan pointed out that no one else was present to be heard and motioned for the public hearing to be closed. Mr. Bruns seconded the motion. All concurred and the Public Hearing was closed.

4. ONE READING ORDINANCE 1771 – AN ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE ZONING ORDINANCE OF THE CITY OF UNION AS ENACTED BY ORDINANCE 314 AS SUBSEQUENTLY AMENDED AND DECLARING AN EMERGENCY.

Mr. Applegate stated it is the staff's recommendation for City Council to approve the rezoning from A-R Residential to L-I Light Industrial.

Mr. Bruns moved that Ordinance 1771 be declared an emergency for the reasons set forth in the Ordinance. Mrs. Oberer seconded the motion. All concurred and Ordinance 1771 was declared an emergency.

Mr. Bruns moved that we have the one and only reading and adopt emergency Ordinance 1771. Mrs. Oberer seconded the motion. All concurred and Ordinance 1771 was adopted.

5. ONE READING – ORDINANCE 1772 – AN ORDINANCE AUTHORIZING AND APPROVING THE LIST OF LIGHT ASSESSMENTS. (waive three readings)

Mr. Applegate stated Ordinance 1772 is the annual street light assessment we have every year that needs to be approved by the Mayor and Council. There is no change from the last several years. Staff recommends that it be approved so that it can be collected for next year.

Mr. Bruns moved to suspend the Charter requirements of three readings on three separate occasions regarding Ordinance 1772. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

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Mr. Bruns moved that we have the one and only reading and adopt Ordinance 1772. Mrs. Oberer seconded the motion. All concurred and Ordinance 1772 was passed.

6. ONE READING – RESOLUTION 23-07 – A RESOLUTION AUTHORIZING THE CITY OF UNION TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.

Mr. Applegate explained Resolution 23-07 is being requested from the Mayor and Council to approve an application for the Issue II program for next year. The City is ready to accept the Hanauer property annexation and now have control of most of Peters Pike except for a few parcels. We will be looking into getting a right of way so that the City can have it under total control. We have an agreement with the County Engineer and they gave us total say of parts of that road that are outside of the City but will now be under our jurisdiction.

This application deals with applying for a loan/grant with zero percent interest up to 30 years if approved. The City is looking at approximately 10% grant with a 90 % loan. It would be about 2.5 to 3.0 million for roadway improvements in the industrial park. The improvements will start where we left off from the east side of intersection of Old Springfield Road and Dog Leg Rd. east along Old Springfield Rd. to Peters Pike and north on Peters Pike to the intersection of N. Montgomery County Line Road and Lightner Rd. The City would repay the loan using TIF money generated by properties located in the industrial park. This is a great step forward in the City's plans to improve the roads servicing the industrial park. It will disperse and enhance the ease of movement for industrial traffic. The roadway improvements will include widening the road to three lanes with curb. The City will not know if it is approved until November or December of this year. If approved the work could begin by July, 2024.

Mr. Bruns moved that we have the one and only reading and pass Resolution 23-07. Mrs. Thomas-Roth seconded the motion. All concurred and Resolution 23-07 was passed.

7. Motion to set a Public Hearing date of September 25, 2023, on a change of zoning district from A-R, Agricultural-Residential to L-I, Light-Industrial for 86.248 acres of territory located at the southwest corner of Peters Pike and N. Montgomery County Line Road.

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Mr. Applegate said that the City is in the process of holding it for 60 days as required by the ORC and then hold a public hearing rezoning it from A-R Residential to L-I -Light Industrial. When land is annexed into the city it is automatically changed to A-R Agricultural-Residential and needs to go through a rezoning process to change it to L-I Light Industrial. This is needed for the development plans the City is working on.

Mr. Bruns moved to set a Public Hearing date on September 25, 2023, at 7:30 p.m. to rezone the 86.248 acres located at the southwest corner of Peters Pike and N. Montgomery County Line Road from Agricultural-Residential to Light Industrial. Mrs. Oberer second the motion. All concurred and the motion was passed.

8. Open Agenda

Mayor O'Callaghan announced that the Spirit of Union Award was chosen, and the deserving home is 108 Shoemaker Lane. The owners are Bob and Carol Schneider. If you get a moment you should drive by their home and look at the exceptional job they did with their flowers and landscaping.

Mr. O'Callaghan added that earlier in the morning he attended the school opening meeting in the school auditorium. A little over 700 of the school's staff members were present and he gave a short speech encouraging them by saying he hopes they have a good year, that we have a great school system, and we are here to support them the best we can.

Mr. Bruns asked if there is any legislation that will require a second meeting in August?

Mr. Applegate replied, there is nothing we know of at this time.

Mr. Bruns moved that the August 28, 2023, meeting be cancelled unless there is legislation requiring a meeting and the next meeting will be the regularly scheduled meeting on September 11, 2023. Mrs. Oberer seconded the motion. All concurred and the second meeting in August was cancelled.

Mr. Bruns added that Council committed to hold a second meeting on September 25, 2023, so there will be two meetings in September.

Mr. Applegate said, in your folder is information called Off the Charts, it is the Local Officials Briefing packet that he and Ms. Winemiller picked up at a presentation by Montgomery County Auditor, Karl Keith. The Auditor's office anticipates property values to increase with the current reappraisal process. Mr. Applegate pointed out that the City's voter approved levies will

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not be affected because of higher property valuations. The only thing affected will be the inside millage. The City will receive approximately 11,000.00 to 13,000.00 dollars more in the general fund from the inside millage.

Mr. Applegate added that the resurfacing of some of the City's streets and curbs will start either the week before or after Labor Day.

Mr. Applegate said some of you may have been aware, because it was in the newspaper, that the City was recently awarded a 4.6 million dollar ARPA (American Rescue Plan Act) grant. The award will fund Phase II improvements at our wastewater treatment plant. We originally applied for the grant in early 2021. In the first round 250 projects were funded and the City did not receive anything. However, in May of this year, I received an email from the state asking if our original application was still a viable project and ready to start and my response was yes. The City was notified on July 5th that our project would be funded.

Last week I received a call that Lydia Mihalik, Director of the Ohio Department of Development would be in the Dayton area and wanted to meet with us about the ARPA grant award. I asked Mayor O'Callaghan to join, and it was a good meeting for the City. The grant award is very timely for the City, we've recently completed the first phase of our plant improvements. The 4.6 million dollars of grant funding for Phase II requires a \$500,000 match by the City. There will be a nominal increase in sewer rates to make up the \$500,000.00 but what we are getting in return is huge and we will be able to complete Phase II. We are meeting with the engineers tomorrow to get things started.

Mr. Applegate said that Ms. Mihalik was very interested in what the City is accomplishing at our Industrial Park. She had her assistant make a note to put aside some time when they are up this way again to meet with Mr. Applegate to look at the Industrial Park, the wastewater treatment plant and all that the City is doing. It was a very good meeting.

Mr. Applegate continued, there will be future additional money available for grants. It may be possible for the City to submit another grant application to get a new water tower built that will be needed in the future.

Ms. Winemiller informed Council that they are working on the City Newsletter. We will have the Spirit of Union Award announcement in there along with updates on the new Utility billing software.

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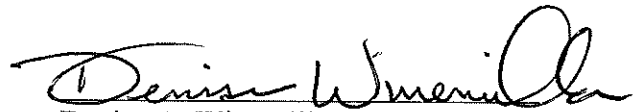
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9. Adjourn

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