

# RECORD OF PROCEEDINGS

## MEETING OF COUNCIL

October 15, 2019

Mayor O'Callaghan called the City of Union council meeting to order on Tuesday, October 15, 2019 at 7:30 p.m.

Mayor O'Callaghan moved to amend the council agenda to add Resolution 19-11. Mr. Bruns seconded the motion and the October 15, 2019 agenda was amended.

Attendance was taken and the following council members were present: Mayor O'Callaghan, Mrs. Oberer, Mrs. Huggins, Mr. Blackwell, Mrs. Perkins, and Mr. Bruns.

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 Mrs. Kyle had called in and was not able to attend the meeting due to family matters. Mayor O'Callaghan moved that her absence be excused. Mr. Bruns seconded the motion. All concurred and Mrs. Kyle's absence was excused.

1. Mayor O'Callaghan asked if there were any additions, deletions or corrections for the minutes of the September 9, 2019 council meeting. There were no corrections so Mr. Bruns moved that the minutes be approved. Mr. Blackwell seconded the motion. All concurred and the minutes were accepted as prepared.

2. Citizen's and Visitor's Comments

Mayor O'Callaghan asked if there were any citizens or visitors that wished to address the council. Kathy Evans, a Union resident, was present to ask questions about regulations on storage sheds. She was concerned about a property that had three storage sheds in the back yard. She also was concerned about inoperable vehicles parked in front of the house and one with an expired license plate. She had talked to the zoning inspector in Union, and he said that permits had been

# **RECORD OF PROCEEDINGS**

## **MEETING OF COUNCIL**

**October 15, 2019**

issued for the sheds. Mrs. Evans had a few other neighbors attending the council meeting and said they were all concerned and took good care of their properties. She said she had been there for twenty-five years and had always followed the rules. She was also concerned that the sheds were not on concrete slabs and thought that raccoons, skunks, etc. could go beneath the sheds. She said there were some very unhappy neighbors.

Mr. Applegate said that there is nothing in the code prohibiting the number of sheds but that would fall under accessory uses, and sheds or structures could not exceed over 35 percent of the rear yard. Nothing in the code prevents the number of sheds. Mr. Applegate had asked about permits and Mr. Switzer had told him that he had obtained permits on all of the sheds. Mr. Applegate said regarding her comment that the sheds were not on a concrete slab, the use of piers was permitted and he said he recommended putting up like a landscaping screening to keep animals out but he said animals like groundhogs can even burrow under concrete.

Mrs. Perkins asked what action the city was taking. Mr. Applegate said he would check to see if the property was in compliance with the regulations. Mayor O'Callaghan asked about covenants and Mr. Applegate said he could check that also. If the multiple sheds were not permitted according to the covenants, that would be a civil matter and the subdivision residents could take the person to court. The city would not be involved in that.

4. **ONE READING** – RESOLUTION 19-10 – A RESOLUTION TO CONTINUE PARTICIPATION IN A MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN IN CONJUNCTION WITH THE MONTGOMERY COUNTY OFFICE OF EMERGENCY MANAGEMENT.

Mr. Applegate said this is an update to the mitigation plan, sent to all communities to adopt. No fees are involved. Mr. Applegate said the plan was available for anyone that was interested but it is a very lengthy document, well over one hundred pages.

# **RECORD OF PROCEEDINGS**

## **MEETING OF COUNCIL**

**October 15, 2019**

Mr. Bruns moved to have the one and only reading and adopt resolution 19-10. Mr. Blackwell seconded the motion. All concurred and the resolution 19-10 was adopted.

5. **ONE READING** – RESOLUTION 19-11 – A RESOLUTION SUPPORTING A PROPOSED ONE-HALF PERCENT (.5%) INCOME TAX INCREASE FOR THE CITY OF UNION.

Mr. Applegate said that this was the item added with the amendment to the agenda. This is a resolution in support of the ½ percent increase asking for support and to spend funds to promote the levy.

Mrs. Perkins asked if the one percent income tax increase that didn't pass was going to bring in one million dollars towards the street surfacing program, how much would the one-half percent income tax bring in. Mr. Applegate said the rough estimate was \$475,000 to \$500,000. Mrs. Perkins asked if that amount would go to the street resurfacing program and Mr. Applegate said they would only spend what the city would bring in. Mrs. Perkins asked if the council would have a say in that and Mr. Applegate said that is something that the council would do in the budget appropriation process.

Mr. Applegate said the one percent income tax increase that didn't pass was for a ten year program to resurface all the streets in Union. Since they are now trying for a ½ percent increase instead of the one percent, the street resurface program will now be a 20 year program. He said that puts the city behind in what they had hoped to accomplish for the residents.

Mr. Bruns moved to have the one and only reading and adopt resolution 19-11. Mr. Blackwell seconded the motion. All concurred and the resolution 19-11 was adopted.

6. Open Agenda

Mayor O'Callaghan read a letter sent to the City of Union from Mike Ratcliff, former city manager of Vandalia, and Trotwood, and also formerly of the

# **RECORD OF PROCEEDINGS**

## **MEETING OF COUNCIL**

**October 15, 2019**

Mayors and Managers. Mr. Ratcliff thanked the City of Union on their work on behalf of the Knoop Prairie and said many positive things regarding their actions. Mayor O'Callaghan said he appreciated hearing from Mr. Ratcliff.

The Mayor reminded everyone that Beggar's Night was coming up on October 31, from 6:00 pm to 8:00 pm and asked that everyone watch out for the children walking door to door that night.

Mayor O'Callaghan also said Tuesday, November 5<sup>th</sup> was election day and he encouraged everyone to go out and vote and he asked personally that people vote for the ½ percent credit income tax.

Mr. Bruns asked if there was a need for a second meeting in October and Mr. Applegate said not at this time. Mr. Bruns then moved that the second meeting in October be cancelled and the next meeting in November be held on Tuesday, November 12, 2019 due to the Veterans' Day holiday. Mr. Blackwell seconded the motion and the motion was passed.

Mr. Bruns said that the last election had a very poor turnout and he encouraged everyone to exercise their right to vote.

Mr. Applegate said work on the improvements at the wastewater treatment plant was progressing and they were on schedule.

Road crews were working on installing the water and sewer line on Old Springfield and would be working on it for another two to three weeks.

Mr. Applegate said they had started picking up leaves and were using the new leaf machine.

Mr. Applegate recommended checking out the new surface where the old basketball courts were, on West Martindale Road. He said it looks very nice.

Mr. Moore said one of the citizens brought up the house maintenance code in the zoning code. Mr. Moore said they do enforce violations, and they enforce those provisions in the maintenance code. Mr. Moore assured them that they try to be very consistent with the enforcement of the city's regulations and work to get the citizens to conform to the maintenance codes.

# **RECORD OF PROCEEDINGS**

## MEETING OF COUNCIL

October 15, 2019

7. Mayor O'Callaghan moved that the October 15, 2019 council meeting be adjourned. Mr. Blackwell seconded the motion. All concurred and the council meeting was adjourned.

The next City of Union Council meeting will be held on Tuesday, November 12, 2019 due to the Veterans' Day holiday.

Respectfully submitted,

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Denise A. Winemiller,  
Clerk of Council

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John Bruns, Vice Mayor