

RECORD OF PROCEEDINGS

MEETING OF COUNCIL

September 12, 2022

Mayor O'Callaghan called the City of Union council meeting to order on Monday, September 12, 2022 at 7:30 p.m.

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

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 for the 21 year anniversary of 9-11 and the people affected by it.

1. Mayor O'Callaghan asked if there were any additions, deletions or corrections for the minutes of the August 10th, 2022 council meeting. There were no corrections.

Mr. Bruns moved that the minutes be accepted as prepared. Ms. Oberer seconded the motion. All concurred and the minutes were accepted as prepared.

The Mayor said that Mrs. Kyle's daughter called and Mrs. Kyle had fallen and would not be able to attend the meeting and moved to excuse her absence. Mr. Bruns second the motion and all concurred and the absence was excused.

2. Citizen's and Visitor's Comments

3. ONE READING - -- RESOLUTION 22-17 -- A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Mr. Applegate said Resolution 22-17 is one of the annual housekeeping budget Resolutions excepting the amounts and rates as determined by the Budget Commission to be approved by Council and certifying it to the county auditor.

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Mr. Bruns then moved that they have the one and only reading and adopt Resolution 22-17. Mrs. Oberer seconded the motion. All concurred and Resolution 22-17 was adopted on the first reading.

4. ONE READING – RESOLUTION 22-18 – A RESOLUTION OF INTENT TO APPROPRIATE REAL ESTATE.

Mr. Applegate said this is step one of two steps that authorizes us to comply with our charter and the ORC and how we deal with the appropriation of real estate with the extension of Union Airpark Blvd. This allows the City to help meet our obligation that we have committed to on the extension of that road. We have forwarded the information to the property owners and have not been able to come to a consensus. All the legal requirements of the ORC have been completed and met. This is another step the City needs to do to keep the City's commitments to have the road completed by December 1st of this year. The staff recommends that the Mayor and Council pass this.

Mayor O'Callaghan asked about the legal requirements to buy the Right of Way?

Mr. Applegate said this will set in motion the ORC requirements for the City to be able to properly appropriate this ground so sometime after Sept. 19th, and once the court rules that all requirements have been met, the City can go in and start excavating and putting in the curb and road. We are in the process of appraising the property for the fair market value. This will help re-start negotiations.

Council acknowledged Steve Stanley's presence and asked Mr. Stanley to introduce himself.

Mr. Stanley said he is from the Montgomery County Transportation Improvement District (the TID) a special purpose local government created by Montgomery County Board of Commissioners in 2001 to finance and expedite high priority transportation improvement projects that support significant economic development in Montgomery County and its region and is available to answer any questions the Council may have.

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Mr. Applegate said Mr. Stanley has been a huge assistance to the City.

Mr. Bruns then moved that they have the one and only reading and adopt Resolution 22-18. Mrs. Oberer seconded the motion. All concurred and Resolution 22-18 was adopted on the first reading.

5. ONE READING – ORDINANCE 1757 – AN ORDINANCE AUTHORIZING THE APPROPRIATION OF A FEE SIMPLE TITLE AND A CONSTRUCTION EASEMENT ON REAL ESTATE FOR THE CITY OF UNION AND DECLARING AN EMERGENCY.

Mr. Applegate said in the requirements of the ORC and Charter the next step in the process is that it needs to be approved by Council as an emergency as explained in section 3 why it should be adopted by Council.

Mr. Bruns moved that Ordinance - 1757 be declared an emergency for the reasons set forth in the ordinance. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

6. ONE READING – ORDINANCE 1758 – AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS WITHIN THE UNION GLOBAL LOGISTICS AIR PARK IN THE CITY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION PURSUANT TO ORC 5709.40(B); PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS AND SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED; AND AUTHORIZING SCHOOL COMPENSATION PAYMENTS AND DECLARING AN EMERGENCY.

Mr. Applegate said that this is another step in the process allowing the City to Collect property taxes on the underlying land value, making sure the City is receiving any and all monies they can for improvements.

Mr. Stanley said the City has TIFS on P & G and Amazon and the City can freeze land values then capture the improvement value upon development. This can be in concert with the CRA (on the value of the increase land value upon development) and can be used to fund improvements for the properties.

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Mr. Bruns moved that Ordinance 1758 be declared an emergency for the reasons set forth in the ordinance. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

7. Open Agenda

Mayor O'Callaghan mentioned the Dayton Diamondbacks baseball car show last month was successful. The organization did a good job and it was good for the community.


Mr. Bruns asked if there was a reason to have a second Council meeting in September. Mr. Applegate said there is nothing at this time. Mr. Bruns then moved that the second council meeting in September be cancelled. Mrs. Oberer seconded the motion. All concurred and the second meeting in September was cancelled.

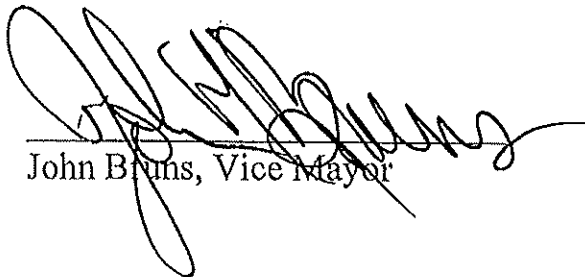
Mr. Bruns said the next meeting will be Tuesday, October 11th, 2022.

8. 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