

# **RECORD OF PROCEEDINGS**

## **MEETING OF COUNCIL**

**April 25, 2022**

Mayor O'Callaghan called the City of Union council meeting to order on Monday, April 25, 2022 at 7:30 p.m.

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

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 Mrs. Kyle had called. He 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 April 11, 2022 council meeting. There were no corrections so Mr. Bruns moved that the minutes be accepted as prepared. Mrs. Thomas-Roth seconded the motion. All concurred and the minutes were accepted as prepared.

2. Citizen's and Visitor's Comments

There were no comments.

3. Public hearing on a change of zoning district from A-R, Agricultural-Residential to L-I, Light-Industrial for 2.308 acres on territory in the City of Union located on the north side of Jackson Road, west of Union Airpark Blvd.

Mayor O'Callaghan asked if anyone wanting to speak at the meeting be sworn in. Mr. Applegate asked to be sworn in by Law Director Joe Moore and was sworn in. Mayor O'Callaghan opened the Public Hearing.

Mr. Applegate stated that the ground on Jackson Road has been annexed into the City as Agricultural-Residential and is recommending it be changed to Light Industrial zoning. All notices have been sent to property owners adjacent to the property. A file with all the information has been made available to the Public for review and has complied with the requirements of the Ohio Revised Code.

4. **ONE READING** – ORDINANCE 1742 – 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.

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John Bruns moved that Ordinance 1742 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 then moved that they have the one and only reading and adopt emergency Ordinance 1742 and emergency. All concurred and emergency Ordinance 1742 was adopted.

5. **THIRD READING** - ORDINANCE 1739 – AN ORDINANCE AMENDING CODIFIED SECTION NUMBER 921.20. (three readings)

Mrs. Thomas -Roth moved to have the third reading and adopt Ordinance 1739. Mr. Bruns seconded the motion. All concurred and Ordinance 1739 was adopted.

6. **THIRD READING** – ORDINANCE 1740 – AN ORDINANCE AMENDING CODIFIED SECTION NUMBER 931.02. (three readings)

Mrs. Thomas-Roth moved to have the third reading and adopt Ordinance 1740. Mr. Bruns seconded the motion. All concurred and Ordinance 1740 was adopted.

7. **ONE READING** – RESOLUTION 22-09 – A RESOLUTION APPROVING PARTICIPATION IN REGION & GOVERNANCE STRUCTURE UNDER THE ONEOHIO MEMORANDUM OF UNDERSTANDING.

Mr. Applegate said that this resolution was approving the city's participation in a regional government structure under the ONEOHIO Memorandum of understanding. It was a mechanism to disburse opioid litigation proceeds to Ohio communities.

Mr. Bruns questioned how the money would be distributed as Dayton would get two votes and he thought the potential money would only go to certain parts of the county. Mr. Applegate said certain areas would be hit harder, but this was presented at a Mayors and Managers meeting and was receiving broad support.

Mr. Bruns moved to have the one and only reading and adopt Resolution 22-09. Mrs. Oberer seconded the motion. All concurred and the motion was passed. Resolution 22-09 was adopted.

8. **ONE READING** – RESOLUTION 22-10 – A RESOLUTION ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF UNION, OHIO, WILL PROVIDE TO THE 1.207 ACRE TERRITORY PROPOSED TO BE ANNEXED FROM BUTLER TOWNSHIP, MONTGOMERY COUNTY TO THE CITY OF UNION AND BUFFER

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REQUIREMENTS THE CITY WILL ENFORCE AS PROVIDED BY OHIO REVISED CODE SECTION 709.023.

Mr. Applegate said this was the first of four Type II annexations that have been filed. He said two of the four have right of way to the center of the road.

This one is 1.207 acres and Mr. Applegate said the staff recommends the approval of this resolution.

Mr. Bruns moved to have the one and only reading and adopt Resolution 22-10. Mrs. Oberer seconded the motion. All concurred and Resolution 22-10 was adopted.

9. **ONE READING** – RESOLUTION 22-11 – A RESOLUTION ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF UNION, OHIO, WILL PROVIDE TO THE 1.691 ACRE TERRITORY PROPOSED TO BE ANNEXED FROM BUTLER TOWNSHIP, MONTGOMERY COUNTY TO THE CITY OF UNION AND BUFFER REQUIREMENTS THE CITY WILL ENFORCE AS PROVIDED BY OHIO REVISED CODE SECTION 709.023.

Mr. Applegate said this is the second annexation and this parcel is located on Jackson Road and has no right of way involved and no streets or highways. This lot is 1.691 acres.

Mr. Bruns moved to have the one and only reading and adopt Resolution 22-11. Mrs. Oberer seconded the motion. All concurred and Resolution 22-11 was adopted.

10. **ONE READING** – RESOLUTION 22-12 – A RESOLUTION ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF UNION, OHIO, WILL PROVIDE TO THE 2.816 ACRE TERRITORY PROPOSED TO BE ANNEXED FROM BUTLER TOWNSHIP, MONTGOMERY COUNTY TO THE CITY OF UNION AND BUFFER REQUIREMENTS THE CITY WILL ENFORCE AS PROVIDED BY OHIO REVISED CODE SECTION 709.023.

Mr. Applegate said that this was 2.816 acres and had right of way going with the land. He added that the staff recommended the adoption of this resolution.

Mr. Bruns moved to have the one and only reading and adopt Resolution 22-12. Mrs. Oberer seconded the motion. All concurred and Resolution 22-12 was adopted.

11. **ONE READING** – RESOLUTION 22-13 – A RESOLUTION ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF UNION, OHIO, WILL PROVIDE TO THE 4.617 ACRE TERRITORY PROPOSED TO BE ANNEXED FROM BUTLER

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TOWNSHIP, MONTGOMERY COUNTY TO THE CITY OF UNION AND BUFFER REQUIREMENTS THE CITY WILL ENFORCE AS PROVIDED BY OHIO REVISED CODE SECTION 709.023.

Mr. Applegate said this was the fourth lot, with 4.617 acres, and staff recommended approval of this resolution.

Mr. Bruns moved to have the one and only reading and adopt Resolution 22-13. Mrs. Oberer seconded the motion. All concurred and Resolution 22-13 was adopted.

### 12. Open Agenda

Mayor O'Callaghan wanted to thank everyone for participating in the egg hunt. He said despite the weather, they had a good turnout. He wanted to thank Mrs. Winemiller and the North Dayton Diamondbacks for all their help and said they couldn't have done it without them. He also gave a special thanks to Lance Fisher, who volunteered to be the Easter Bunny. He said he thought the event went very well.

Mayor O'Callaghan said his thoughts and prayers were with the people of the Ukraine.

Mr. Bruns said that the next council meeting would be on May 9, 2022.

Mr. Applegate said that he would ask for a motion from the Mayor and council to change the first meeting in June from June 13 to June 14, on Tuesday. He said they will be accepting annexations and right of way after the O.R.C. required sixty (60) day hold period and the meeting needs to be on June 14, 2022.

Mr. Bruns moved that the June 13 council meeting be changed to June 14. Mrs. Oberer seconded the motion. All concurred and the June council meeting will be held on June 14, 2022.

Mrs. Winemiller said that the city would be sending out a summer newsletter and that they were looking for nominations for the Spirit of Union award.

Mr. Applegate said that they had provided the council with a water and sewer rate survey done by Piqua. He said in the combined water and sewer survey, they were the lowest out of 64 jurisdictions. For the water, they were lowest out of 67 communities. For the sewer, they were 15<sup>th</sup> out of 64 jurisdictions.

Mr. Applegate said it was not always good to have the lowest rates and they might need to have a slight increase in water and sewer rates in the near future.

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### 13. Adjourn

Mr. Bruns moved that the meeting be adjourned. Mrs. Oberer seconded the motion. All concurred and the April 25, 2022 meeting was adjourned.

The next meeting will be held on May 9, 2022 at 7:30 p.m.

Respectfully submitted,

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Denise A. Winemiller,  
Clerk of Council

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John Bruns, Vice Mayor