

RECORD OF PROCEEDINGS

MEETING OF COUNCIL

January 10, 2022

Mayor O'Callaghan called the City of Union council meeting to order on Monday, January 10, 2022 at 7:30 p.m.

Attendance was taken and the following council members were present: Mayor O'Callaghan, Mr. Bruns, Mrs. Oberer, Mr. Prunier, Mr. Niemann, 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 in and was not feeling well and was not able to attend the meeting. The Mayor moved that her absence be excused. Mr. Bruns seconded the motion. All concurred and Mrs. Kyle's absence was excused.

The Mayor welcomed the new council members, Mr. Prunier and Mr. Niemann on attending their first council meeting and congratulated returning council member Mrs. Oberer for her new term.

1. Mayor O'Callaghan asked if there were any additions, deletions or corrections for the minutes of the December 13, 2021 council meeting. There were no corrections so 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

There were no comments from any citizens or visitors in the audience.

3. Appointment of members for the 2022 Miami Valley Regional Planning Commission Board of Directors and for the 2022 Technical Advisory Committee.

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Mayor O'Callaghan stated Mr. Bruns had served in that position last year and he moved that Mr. Bruns continue to be the representative for the City of Union. Mrs. Oberer seconded the motion. All concurred Mr. Bruns will continue to represent the city for the Miami Valley Regional Planning Commission Board of Directors.

Mr. Bruns then moved that Mayor O'Callaghan be the alternate for the MVRPC, as he had served the previous year. Mrs. Oberer seconded the motion. All concurred and the motion was adopted and Mayor O'Callaghan will serve as the alternate to the Miami Valley Regional Planning Commission.

The council also needed to choose someone for the Technical Advisory committee. Mayor O'Callaghan moved that Mr. Applegate continue as the representative. Mr. Bruns seconded the motion. All concurred and the motion was passed.

4. Reappointment of Denise Winemiller as Clerk of Council. (two year term, 1/22 to 12/23)

Mayor O'Callaghan moved that Denise Winemiller continue to serve as Clerk of Council. Mr. Bruns seconded the motion. All concurred and the motion was passed.

5. Reappointment of Vice Mayor (2 year term), New term 1/22 to 12/23)

Mayor O'Callaghan moved that John Bruns continue to serve as the Vice Mayor for the next two years and that he had done a good job. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

6. Reappointment of Mayor O'Callaghan as President of the City of Union Park Board. Four year term. (New term 1/22 to 12/25)

Mr. Bruns moved that Mayor O'Callaghan continue serving another term as President of the Park Board. Mrs. Oberer seconded the motion. All concurred and Mayor O'Callaghan will be serving another term.

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7. Reappointment of Steve Roth for the Personnel Advisory and Appeals Board. (Three year term) (New term 1/22 to 12/24)

Mayor O'Callaghan moved that Steve Roth continue serving a new term on the Personnel Advisory and Appeals Board. Mr. Bruns seconded the motion. All concurred and the motion was passed.

8. Appointments for the following Committees: Two year terms. (New terms 1/22 to 12/23)

Mayor O'Callaghan asked if it was acceptable to nominate the council to serve on the committees in one motion. Mr. Moore said each candidate should be nominated and voted on individually.

Budget Committee: Mayor O'Callaghan, Mr. Bruns, Mr. Prunier
Street Committee: Mayor O'Callaghan, Mrs. Kyle, Mrs. Oberer
Safety Committee Mayor O'Callaghan, Mrs. Thomas-Roth, Mr. Niemann

Mayor O'Callaghan moved that he continue to serve on the budget committee. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

Mayor O'Callaghan said if anyone had a question on these nominees, to please let him know.

Mayor O'Callaghan moved that Mr. Bruns serve on the budget committee. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

Mayor O'Callaghan moved that Mr. Prunier serve on the budget committee. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

The budget committee will consist of Mayor O'Callaghan, and council members Mr. Bruns and Mr. Prunier.

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Mayor O'Callaghan moved that he continue to serve on the street committee. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

Mayor O'Callaghan then moved that Mrs. Kyle serve on the street committee. Mr. Bruns seconded the motion. All concurred and the motion was passed.

Mayor O'Callaghan moved that Mrs. Oberer continue to serve on the street committee. Mr. Bruns seconded the motion. All concurred and the motion was passed.

The street committee will be Mayor O'Callaghan, Mrs. Kyle, and Mrs. Oberer.

Mayor O'Callaghan moved that he be nominated to continue to serve on the Safety committee. Mr. Bruns seconded the motion. All concurred and the motion was passed.

Mayor O'Callaghan moved that Mrs. Thomas-Roth continue to serve on the Safety Committee. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

Mayor O'Callaghan moved that Mr. Niemann be appointed to serve on the Safety Committee. Mr. Bruns seconded the motion. All concurred and the motion was passed.

The safety committee will be Mayor O'Callaghan, Mrs. Thomas-Roth, and Mr. Niemann.

Mr. Bruns asked that since the Mayor was required to be on each committee, could they have each voted on just the council members and not the Mayor each time. Mr. Applegate said they had done it both ways in the past and he had discussed it with Mr. Moore and he suggested they do it individually.

Mr. Moore said he had recently seen a case on this. For example, if they voted for all three people to be on a committee in one motion, the case discussed that someone may not want one individual in the group. Voting for each one separately

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gives everyone a chance to voice their opinions. That is why Mr. Moore had recommended voting for each one individually.

9. **ONE READING** – ORDINANCE 1738 - 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 this is an annual ordinance that updates all of the codes and regulations that the city has passed the preceding year. The update also includes all of the general offence codes and laws that have already been put into effect, state-wide, so this legislation needs to be passed as an emergency so the city regulations are up to date with state regulations and codes.

Mrs. Thomas-Roth moved that Ordinance 1738 be declared an emergency for the reasons set forth in the ordinance. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

Mrs. Thomas-Roth moved to have the one and only reading and adopt emergency ordinance 1738. Mrs. Oberer seconded the motion. All concurred and emergency ordinance 1738 was adopted on the first reading.

10. **ONE READING** – RESOLUTION 22-01 - A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROJECT AGREEMENT WITH THE MONTGOMERY COUNTY BOARD OF COUNTY COMMISSIONERS TO EXECUTE AN ED/GE GRANT FOR THE BENEFIT OF THE CITY OF UNION IN ORDER TO SUPPORT TRANSPORTATION AND UTILITY INFRASTRUCTURE IMPROVEMENTS TO THE UNION GLOBAL LOGISTICS AIRPARK.

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Mr. Applegate said that Resolution 22-01 was authorizing the city manager to enter into an agreement for a \$500,000 ED/GE fund grant, for Union Airpark, road improvements, etc. This is required condition of the ED/GE grant.

Mr. Bruns moved to have the one and only reading of Resolution 22-01. Mrs. Oberer seconded the motion. All concurred and the Resolution 22-01 was adopted.

11. ONE READING – RESOLUTION 22-02 - A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ASSIGNMENT AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS (THE “BOARD”) OF MONTGOMERY COUNTY, OHIO AND THE CITY OF UNION (THE “CITY”) AND THE MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT (THE “TID”).

This Resolution also includes the ED/GE grant, and is an assignment agreement with Montgomery County and the Montgomery County Transportation Improvement District (TID), also for the Union Airpark.

Mr. Bruns moved to have the one and only reading and adopt Resolution 22-02. Mrs. Oberer seconded the motion. All concurred and Resolution 22-02 was adopted.

12. ONE READING – RESOLUTION 22-03 – A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT (**THIS PROJECT EXETER DEVELOPMENT AGREEMENT**) BY AND BETWEEN THE CITY OF UNION, OHIO, (the “*City*”), EXETER JACKSON LAND, LLC., A DELAWARE LIMITED LIABILITY COMPANY, (“*the Developer*”) AND THE MONTGOMERY COUNTY TRANSPORTATION DISTRICT (the “*District*”) UNDER THE FOLLOWING CIRCUMSTANCES:

Mr. Applegate said this is another development agreement. This company will be building a 975,000 square foot structure on the new south section of Jackson Road across from the Oaks project. Mr. Applegate said they would be having a Zoom meeting next week with all parties. He said an interesting thing about this development is that the city will be getting a dollar a square foot for the 975,000

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square foot building to go towards infrastructure improvements. He said the staff recommends the approval of this project agreement.

Mr. Bruns moved to have the one and only reading and adopt Resolution 22-03. Mrs. Oberer seconded the motion. All concurred and Resolution 22-03 was adopted.

13. Open Agenda

Mayor O'Callaghan wished everyone a happy new year and was looking forward to working with everyone. He said the Park Board had looked at all of the house decorating during the holidays and had sent out 20 congratulatory letters. He asked if the addresses had been posted on the website.

The Mayor said this is his personal opinion but he wished everyone to stay safe, get vaccinated, and wear a mask when required.

Mrs. Thomas-Roth said she was pleased to be able to take down the "Save Knoop Prairie" sign down from her yard and thanked Mr. Applegate for all the work he had done towards that.

Mr. Bruns asked if there was a need for a second meeting in January. Mr. Applegate said at this time, there was nothing. Mr. Bruns then moved to cancel the second meeting in January. The next council meeting will be on February 14, 2022.

Mr. Applegate said the older section of the wastewater treatment plant was back on line. He said it was in the "biophase" and they would be tweaking it for optimum results for the next two weeks. He said they had fantastic results and he was very pleased that it was operational and running. He said once they get some concrete walks in, they will have a tour of the facility for the council. He said the staff should be commended.

He said the water line to Aullwood Road had been completed and they had received permission from the Ohio EPA to run the line all the way to Meeker Road. He said now they were working with homeowners who were also having issues with their wells.

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Mrs. Oberer said the area had been cleaned up and restored very quickly. She said a person had called about equipment in their yard and was very appreciative how quickly the city had responded. Mr. Applegate said they had worked well with the Ohio EPA.

14. Adjourn

Mr. Bruns moved that the council meeting be adjourned. Mrs. Oberer seconded the motion. All concurred and the council meeting was adjourned. The next council meeting will be on February 14, 2022.

Respectfully submitted,

Denise A. Winemiller,
Clerk of Council

John Bruns, Vice Mayor