

# **RECORD OF PROCEEDINGS**

## **MEETING OF COUNCIL**

**December 11, 2023**

Mayor O'Callaghan called the City of Union council meeting to order on Monday, December 11, 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, 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.

Mayor O'Callaghan said that Mr. Prunier had called, and he was not feeling well. He moved that his absence be excused. Mr. Bruns seconded the motion. All concurred and his absence was excused.

1. Mayor O'Callaghan asked if there were any additions, deletions, or corrections for the minutes of the November 13, 2023 council meeting. There were no corrections. 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

Mayor O'Callaghan introduced Lynda Griffin who addressed the Council about issues she has with Rumpke. She claims that Rumpke misses her home quite a bit and last week missed her entire street. Also, they broke her personal trash container two years ago. They repaired it but it broke again. She would like Rumpke to offer their trash containers free of charge. She is still waiting for Rumpke to replace her personal container with a new one.

Ms. Griffin also asked if Rumpke has services for Senior Citizens to retrieve their trash container and then return the container back to the house.

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Mr. Applegate said that Rumpke does have services for Seniors or residents that are handicapped. He would need to review the contract to see what is offered.

Mrs. Griffin asked why council members do not list their party affiliation when they come up for election?

Mayor O'Callaghan replied, Council members are not allowed to list their party affiliation.

Mrs. Griffin asked how she could get on the ballot if she wanted to run for council. Council members explained the procedure.

Mayor O'Callaghan acknowledged Ms. Chrisondra Reese. Mrs. Reese explained, overgrown bushes from a neighbor's yard are intruding onto her property and asked what can she do about it? Ms. Reese said that she does her own yard work and works very hard trying to keep the neighbors bushes under control. The neighbors do not maintain their bushes or yard. She wanted to know if the neighbor was responsible for taking care of all the bushes that had intruded into her yard.

Mr. Applegate said there have been several similar issues over the years and they are never easy to solve. If you have good neighbor's they understand and trim them, but if you don't that is another problem. He suggested Ms. Reece give them notice that she is going to cut the bushes, or the City could give them a citation although it is a process that would probably end up in court before it is resolved. Mr. Applegate told Ms. Reece she had the right to cut them but do not cut over into the neighbor's yard. Only what is in her yard. Mr. Applegate said he will look at it and follow up with Ms. Reece.

Ms. Reece also asked if it has been considered to keep the office open an extra hour or two, one or two days a week or a couple of hours on Saturday to make it easier for people who work to come into the City building.

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Mr. Applegate replied, It is an expense to stay open and not many people come into the office anymore. Most matters and questions are handled by emails, texts and phone calls. If it is something that cannot be handled over the phone or if it is after hours, call and leave your address and a message and the office will do their best to help you with whatever the issue may be.

### **3. ONE READING – ORDINANCE 1775 – AN ORDINANCE AMENDING THE ANNUAL APPROPRIATIONS ORDINANCE FOR 2023 AND DECLARING AN EMERGENCY.**

Mr. Applegate said this is an housekeeping Ordinance we do annually, this deals with appropriation ordinance that was passed back in December of 2022 for fiscal year 2023 this deals with amending various line items within the budget that is required by law for us to do. This is part of the work we did with the budget committee last week and it is the staff's recommendation that this be approved so we end the year 2023 with the budget balanced.

Mr. Bruns said, the Budget committee did go through the budget with Mr. Applegate and Finance Director Denise Winemiller and the budget committee agreed with what they are doing.

Mr. Bruns moved that Ordinance 1775 be declared an emergency for the reasons set forth In the Ordinance. Mrs. Oberer second the motion. All concurred and the motion was passed.

Mr. Bruns moved to have the one and only reading and adopt emergency Ordinance 1775. Mrs. Oberer seconded the motion. All concurred and Ordinance 1775 was adopted.

### **4. ONE READING – ORDINANCE 1776 – ANNUAL APPROPRIATION ORDINANCE FOR FISCAL YEAR 2024 AND DECLARING AN EMERGENCY.**

Mr. Applegate said Ordinance 1776 deals with fiscal year 2024 and the proposed revenues and expenditures. The budget committee reviewed all the

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information as a total budget of \$26,103,352. One of the biggest items within that amount is the \$4,683,000 grant from the State for phase II of our wastewater plant. Staff recommends approval for the Ordinance.

Mr. Bruns explained we don't have \$26,103.352 just to spend, it was offset money that we have grants for or money that was already spent that we are being reimbursed for.

Mr. Bruns moved that Ordinance 1776 be declared an emergency for the reasons set forth In the Ordinance. Mrs. Oberer second the motion. All concurred and the motion was passed.

Mr. Bruns moved to have the one and only reading and adopt emergency Ordinance 1776. Mrs. Oberer seconded the motion. All concurred and Ordinance 1776 was adopted.

5. ONE READING – ORDINANCE 1777 – AN ORDINANCE ESTABLISHING A REGULAR PAY TABLE, ASSIGNING PAY GRADES, STEPS/SALARIES AND MAXIMUM NUMBER OF FULL-TIME, REGULAR PART-TIME, PART-TIME (SEASONAL) AND AUXILIARY POSITIONS WITHIN THE CITY OF UNION FOR 2024 AND DECLARING AN EMERGENCY

Mr. Applegate said Ordinance 1777 is the last part of the budgetary documents that we worked on for fiscal year 2024. With passage of the Appropriation Ordinance for 2024 this is the next step and Ordinance 1777 establishes the pay table assigning pay grades and salaries for full time, regular part time, seasonal part time and Auxiliary positions in the City of Union. Staff recommends approval for the Ordinance before you.

Mr. Bruns moved that Ordinance 1777 be declared an emergency for the reasons set forth in the Ordinance. Mrs. Oberer second the motion. All concurred and the motion was passed.

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Mr. Bruns moved to have the one and only reading and adopt emergency Ordinance 1777. Mrs. Oberer seconded the motion. All concurred and Ordinance 1777 was adopted.

### 6. Open Agenda

Mayor O'Callaghan asked if everyone had a chance to look over the 2024 Council calendar? There will be a couple of meetings on the second Tuesday due to the second Monday being on a holiday that month.

Mr. Bruns moved to accept the council meeting calendar as presented. Ms. Oberer seconded the motion. All concurred and the 2024 Council calendar was approved.

Mayor O'Callaghan thanked the City workers for all that has been accomplished throughout the past year. All the trees were trimmed, and the lights were put on in a very short period. They worked very hard to do that and they look great. Also, thank you to the people that run and work for the City. I would like to thank the Police and Fire department; we had our tree lighting ceremony a couple of Sundays ago and they helped with that. Mr. Applegate, Ms. Winemiller and Mrs. Thomas - Roth were there helping too.

Mayor O'Callaghan thanked Mr. Applegate, Ms. Winemiller and the Budget Committee for their hard work on the Budget. It was appreciated.

Mayor O'Callaghan announced they will be out on December 12th and 14<sup>th</sup> looking to recognize homes with beautiful holiday light decorations.

Mr. Niemann said several of his neighbors have been trying to sign up for the electric aggregation program and they are getting letters from Palmer Energy that they are not eligible.

Mr. Applegate responded that part of the problem is that they have current contracts already. Until their contract expires, Palmer Energy cannot talk to them or

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accept them into the program. Once their contract expires, they can contact Palmer Energy and they will talk to them.

Mrs. Thomas-Roth wished everyone a Merry Christmas. She informed the residents that were in attendance, if you have questions or need to talk to someone all the Council member's numbers are published on the website.

Mr. Bennett asked if residents can call Palmer Energy to see when their contract is up with their current plan since Palmer Energy has that information.

Mr. Applegate said the resident should call their current supplier.

Mr. Bruns asked if there is any legislation that would require a second meeting in December. Mr. Applegate said there was nothing at this time. Mr. Bruns moved to cancel the December 26, 2023 meeting and the next meeting will be on January 8<sup>th</sup>, 2024. Mrs. Oberer seconded the motion. All concurred and the motion was passed.

Mr. Bruns mentioned that it is new to see the Police Station with its red and green lights. It's a shame that someone going through town can't see it. Because it looks sharp.

Mr. Applegate said as of November we have 54,000 participants in our electric aggregation plan and hopefully it will continue to grow. Residents are saving approximately \$36.00 a month now. Palmer Energy is looking ahead at the market and there could be an increase depending on what happens with the market. We are seeing savings for now.

We finished the paving on north Dogleg Road except for the final course. It is still closed because we are grading behind the curbs and cleaning up the yards. It is almost done so it should be opened soon. Depending on the weather we are hoping to get the base course of asphalt down on east Martindale road coming off the roundabout. The curbs should be 80 percent done as of this evening. The rest of it will be done tomorrow. Then we will concentrate on rough grading because we know the bad weather will be coming in.

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Mr. Applegate gave Council an update regarding the residents from Rebecca Circle that were at the October Council meeting. The valve was located, and it is operational and raised.

Mr. Applegate finished by saying for 59 years he has been with the City of Union, and it has been a real pleasure working with the multiple elected officials and especially with all of you. It has been good times for the City. The industrial park is coming to completion. I explained to the Budget commission that hopefully in the next six months when we look at the income tax in 2024 we will have the numbers on the revenue being generated. But it's a solid plus and financially it will make the City very well off. Things that we were never able to do because of lack of money will be changing. Things that we own, our parks, and the street program that we spent over a million dollars on in the last two years is from the revenue generated from the Industrial Park. We are looking at about 1.5 million dollars next year. Things are happening. We have a great bunch of elected officials. It is always great at the end of the year when we see all that has been accomplished and what we are planning to accomplish for the next year. With that being said, I wish the Mayor, Council and the residents of the City of Union a good Christmas and New Year.

Mr. Moore wished everyone a Merry Christmas and happy holiday. He went on to say that some of you know me better than others. I was the Law Director for another City for many years, and I have been a practicing Lawyer for years. I go to a lot of meetings with Mr. Applegate and Ms. Winemiller and the group of our experts. Through my private practice I have gotten to know a lot of people and I think it is a real attribute and compliment to the City of Union that the public has a great deal of respect for the City of Union because the City of Union gets things done when they say they are going to do it. That is a very important reputation to have as a municipality and I wanted to point that out to you. In my experience the City of Union is well thought of, and it has been a pleasure to work with you all these years.

Ms. Winemiller wished everyone happy holidays and hopes everything goes well into the new year. It has been a great honor and privilege to work with the City Council. We get a lot accomplished and it's with your support. We appreciate it.

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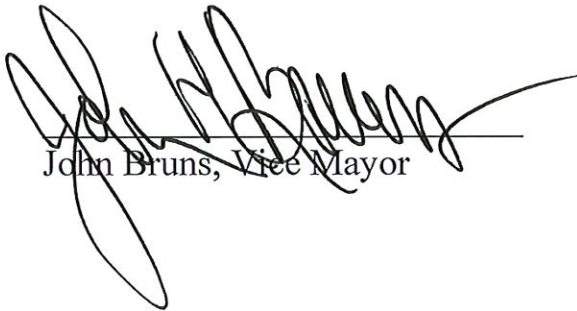
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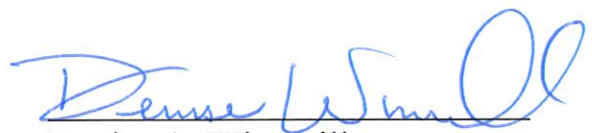
### 7. Adjourn

Mr. Bruns moved that the council meeting be adjourned. Mrs. Oberer seconded the motion. All concurred and the council meeting was adjourned.

Respectfully submitted,



John Bruns, Vice Mayor



Denise A. Winemiller,  
Clerk of Council