

# **RECORD OF PROCEEDINGS**

## **MEETING OF COUNCIL**

July 10, 2023

Mayor O'Callaghan called the City of Union council meeting to order on July 10, 2023, at 7:30 p.m.

Attendance was taken and the following council members were present, Mayor O'Callaghan, Mr. Bruns, Mr. Bennett, 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.

Mr. Bruns moved that the agenda be amended to reflect the amended Ordinance 1768 on the agenda. Mrs. Thomas-Roth seconded the motion. All concurred and the amended agenda was accepted.

1. Mayor O'Callaghan asked if there were any additions, deletions or corrections to the minutes of the June 12, 2023, Council meeting. There were no corrections.

Mr. Bruns moved to approve the minutes of June 12, 2023. Mrs. Thomas Roth seconded the motion. All concurred and the minutes were accepted as prepared.

Mayor O'Callaghan said that Helen Oberer was on vacation. Mayor O'Callaghan motioned for her absence be excused. Mr. Bruns seconded the motion. All concurred and Mrs. Oberer's absence was excused.

Mayor O'Callaghan said that Mr. Niemann was also on vacation. Mayor O'Callaghan motioned for his absence to be excused. Mr. Bruns seconded the motion. All concurred and Mr. Niemann's absence was excused.

2. Citizen's and Visitor's Comments.

Mr. Tyler a resident of the City of Union addressed the City Council about the 4<sup>th</sup> of July fireworks being discharged this year. He said there was a lot more than previous years. He had concerns because residents were discharging fireworks close to homes and at all times of the night. Mr. Tyler said that there was firework debris on the new roof of his home and he considers this to be a safety issue. Mr. Tyler closed by asking Council to review the information he provided and

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please consider instituting a ban that they cannot discharge fireworks within the City. Mr. Tyler thanked the Council.

3. ONE READING – ORDINANCE 1768 – AN ORDINANCE AMENDING AND EXTENDING A CONTRACT TO RUMPKE WASTE INC. FOR REFUSE COLLECTION WITHIN THE CITY OF UNION. (waive three readings)

Mr. Applegate acknowledge that Chanda Rohrer was present from Rumpke Waste & Recycle.

Mr. Applegate said she has worked with Rumpke for 15 years and has provided good service to the City. Ordinance 1768 before the Mayor and Council is the current Rumpke Contract that will expire September of this year. Within that contract the Mayor and Council have authority to extend the contract in 1 to 5 year extensions. Rumpke has serviced the City over 30 years and have done an excellent job. Ms. Rohrer is here to answer any questions Mayor or Council may have. The Staff met with Ms. Rohrer and reviewed the documents you have in your packets.

Ms. Rohrer introduced herself and her position with Rumpke managing the Municipal and Public Sector Contracts. Ms. Rohrer continued to say the City of Union is Rumpke's oldest contract. We are very proud of the longevity and partnership and we appreciate that. Unfortunately, there will be rate increases. The City's current contract was for 5 years with flat rates. Rumpke has faced many increases since then with equipment, fuel and labor being some of them. There has been a driver shortage and Rumpke had to increase wages in order to employ and keep good quality drivers. The trash recycling cart did not increase and will stay at \$2.50 a month per customer.

Mr. Applegate said that they originally were looking at a five (5) year extension but have decided to go with a three (3) year extension for 2024, 2025 and 2026 with the possibility of reopening of the contract for the years 2027 and 2028. With the three (3) year contract it gives the City time to see what happens with the economy in the future. It's the staff's recommendation that we accept a three (3) year extension.

Mr. Bruns moved to suspend the charter requirements of three readings on three separate occasions in regards to Ordinance 1768. Mrs. Thomas-Roth seconded the motion. All concurred and the motion was passed.

Mr. Bruns moved that they have the one and only reading and pass amended Ordinance 1768. Mayor O'Callaghan seconded the motion. All concurred and Ordinance 1768 was adopted on the first reading.

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4. ONE READING: - ORDINANCE 1769 – AN ORDINANCE ACCEPTING THE ANNEXATION OF 0.8971 ACRES IN BUTLER TOWNSHIP, MONTGOMERY COUNTY, OHIO TO THE CITY OF UNION, OHIO AND DECLARING AN EMERGENCY.

Mr. Applegate said this is one of two Ordinances on the agenda tonight dealing with an annexation process that was approved by Montgomery County. The City must hold it for the 60 days to meet the ORC requirements. Ordinance 1769 refers to the 0.8971 acres. It is owned by Pure Development Corporation. Pure Development wanted it annexed due to future development of that site and the industrial activity. It is the Staff's recommendation that this Ordinance be declared an emergency to meet the ORC statutory requirements.

Mr. Bruns moved that Ordinance 1769 be declared an emergency for the reasons set forth in the Ordinance. Mrs. Thomas-Roth seconded the motion. All concurred and Ordinance 1769 was declared an emergency.

Mr. Bruns moved to have the one and only reading and pass emergency Ordinance 1769. Mrs. Thomas-Roth seconded the motion. All concurred and Ordinance 1769 was adopted.

5. ONE READING – ORDINANCE 1770 – AN ORDINANCE ACCEPTING THE ANNEXATION OF 2.237 ACRES IN BUTLER TOWNSHIP, MONTGOMERY COUNTY, OHIO TO THE CITY OF UNION, OHIO AND DECLARING AN EMERGENCY.

Mr. Applegate explained that Ordinance 1770 deals with a Right of Way only. This will actively bring the Right of Way that is against the property currently in the City and gives us control of a portion of the Right of Way easement. Staff's recommendation is to pass Ordinance 1770.

Mr. Bruns moved that Ordinance 1770 be declared an emergency for the reasons set forth in the Ordinance. Mrs. Thomas-Roth seconded the motion. All concurred and Ordinance 1770 was declared an emergency.

Mr. Bruns moved to have the one and only reading and adopt emergency Ordinance 1770. Mrs. Thomas-Roth seconded the motion. All concurred and Ordinance 1770 was adopted.

6. Motion to set a Public Hearing date of August 14, 2023, on a change of zoning district from A-R, Agricultural-Residential to L-I, Light-Industrial for 0.8971 acres located at 2260 Old Springfield Road. (Map of this parcel is attached to Ordinance 1769 as Exhibit "B")

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Mr. Applegate explained when the City annexes property it comes into the city as A-1 agriculture zoning. Now that Council has passed the annexation Ordinance of the 0.8971 acres it needs to be re-zoned. Three sides of the annexed property is already zoned L-I light industrial. The owner, Pure Development would like the 0.8971 acres rezoned to Light Industrial also. We need to set a Public Hearing for that to take place.

Mr. Bruns moved to have a public hearing date set for August 14, 2023 to change the zoning on the acreage located at 2260 Old Springfield Road. Mrs. Thomas-Roth seconded the motion. All concurred and the motion was passed.

### **7. Open Agenda**

Mr. Bruns asked if there is any legislation that will require a second meeting in July?

Mr. Applegate replied, there is nothing at this time.

Mr. Bruns motioned that the July 24, 2023, meeting be cancelled unless there is legislation requiring a meeting and the next meeting will be the regularly scheduled meeting on August 14, 2023. Mrs. Thomas-Roth seconded the motion. All concurred and the second meeting in July was cancelled.

Mr. Applegate updated the Mayor and Council that most of the industrial park street's striping is complete and looks very good. The roundabout is on schedule and progressing very nicely. They will be starting Phase II of Douglas Way extending it to Old Springfield Road soon.

Mr. Applegate said the City office is changing their software and it will require an extensive two day training for the staff on the new systems. The City's office would need to be closed July 25<sup>th</sup> and July 26<sup>th</sup>, 2023 to complete the training.

Mr. Bruns moved that the City Building be closed July 25th and July 26th, 2023 for training purposes. Mrs. Thomas-Roth seconded. All concurred and the motion was accepted.

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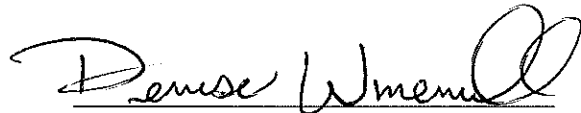
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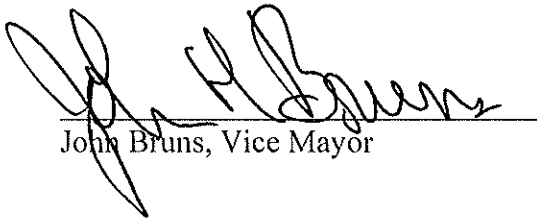
8. Adjourn

Mr. Bruns moved that the council meeting be adjourned. Mayor O'Callaghan seconded the motion. All concurred and the council meeting was adjourned.

Respectfully submitted,



Denise A. Winemiller,  
Clerk of Council

  
John Bruns, Vice Mayor