

RECORD OF PROCEEDINGS

MEETING OF COUNCIL

SEPTEMBER 25, 2023

* Minutes amended to acknowledge Mrs. Oberer was in attendance at the September 25, 2023 Council meeting.

Mr. Bruns called the City of Union council meeting to order on September 25, at 7:30 p.m.

Attendance was taken and the following council members were present, Mr. Bruns, Mr. Bennett, Mrs. Thomas-Roth, Mr. Prunier and Mr. Niemann. * Mrs. Oberer

Other City staff members attending the meeting were John Applegate, City Manager, Denise Winemiller, Clerk of Council and Joe Moore, Law Director.

Mr. Bruns called for a moment of silence.

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

1. Mr. Bruns asked if there were any additions, deletions or corrections to the minutes of the September 11, 2023, Council meeting. There were no corrections.

Mrs. Oberer moved to approve the minutes of September 11, 2023. Mrs. Thomas-Roth seconded the motion. Mr. Bruns, Mrs. Oberer, Mr. Bennett and Mrs. Thomas-Roth concurred. Mr. Prunier and Mr. Niemann abstained. The minutes were accepted as prepared.

2. Citizen's and Visitor's Comments.

There were no comments.

3. ONE READING – ORDINANCE 1773 – AN ORDINANCE ACCEPTING THE ANNEXATION OF 86.248 ACRES IN BUTLER TOWNSHIP, MONTGOMERY COUNTY, OHIO TO THE CITY OF UNION, OHIO AND DECLARING AN EMERGENCY.

Mr. Applegate said Ordinance 1773 is the final stage of the annexation process for the Lisa Hanauer property. It was held for sixty days. And the next step is for the Mayor and Council to accept the annexation into the City. We ask that it be done as an emergency to comply with the wishes of the property owner and for the City of Union.

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Mrs. Thomas-Roth moved that Ordinance 1773 be declared an emergency for the reasons set forth in the Ordinance. Mrs. Oberer seconded the motion. All concurred and Ordinance 1773 was declared an emergency.

Mrs. Thomas-Roth moved that they have the one and only reading and pass Ordinance 1773. Mrs. Oberer seconded the motion. All concurred and Ordinance 1773 was adopted on the first reading.

4. Public Hearing

Mr. Bruns called the Public Hearing for the zoning change to order.

Mr. Moore swore in the City Manager and everyone who would be speaking.

Mr. Applegate said Ordinance 1774 is the next step in this annexation process. The Mayor and Council are aware that any property that comes into the City is automatically zoned A-R Agricultural Residential. The staff requests that the Mayor and Council consider rezoning this from A-R Agricultural Residential to L-I Light Industrial. The City is already located on two sides of the property. We have gone through the process, and it is our recommendation the 86.248 acres be rezoned. Notice was given to all the adjacent property owners, it was advertised as required and has met all the requirements of the O.R.C. and City code of regulations.

Mr. Bruns asked if there was any questions or comments from Council. There was none.

Mr. Bruns acknowledged Mr. Mike Desch who was sworn in and wanted to speak regarding property at 11710 Peters Pike.

Mr. Desch stated his name and that he attended the meeting to talk about their business located at 11710 Peters Pike. Mr. Desch said that the change in zoning would do nothing but benefit them. Mr. Desch continued to say they have a small business, airport deluxe, indoor RV storage. His concern is the widening of Peters Pike will affect their set back and entrance. We are geared to handle 45 foot motor homes, large fifth wheelers with big doolies. Where we are positioned and where our gate is, the driveway is safe to get them off the road while entering the gate. With the road widening we might lose some of our driveway. There is a safety concern with a trailer sticking out 6,8,10 feet into the roadway while they enter their gate code.

Mr. Applegate replied, there are plans to widen Peters Pike to three lanes. The City will be in touch with property owners who have entrances and exits on Peters Pike. I am not sure if your distance is set from the right-of-way line to your gate or from the existing edge of the pavement.

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Mr. Desch commented that surveyor Luis Riancho did their site design, and he would have that information.

Mr. Applegate said they just started preliminary work on the plans. There is some road construction work that is going on now by the Transportation Improvement District on Peters Pike for the Amazon last mile facility. That is temporary in nature because what we will end up doing is widening it within the existing 60 feet right-of-way. We will meet with you once we have a set of plans to determine where everything is located.

You are one of five owners that own to the center of the right-of-way easement. We are interested in annexing just the right-of-way. We would like to talk to you and the other owners about bringing the right-of-way into the city. The county has given us full control of those five right-of-way parcels and we've agreed to accept it.

Mr. Desch said he understands that there is a substantial amount of fiber optics that run down the path to the Airport.

Mr. Applegate replied, anytime we start a construction project, we make an 811 call and have all utilities located, then we pothole all of them. We know exactly where they are and the depth. When I get the full plans and I see the preliminary information I will be able to address your concerns better. I will have a print and can sit down with you and show you where your driveway entrance is and what we are proposing and how it's going to work.

Mr. Bruns asked if there were any other questions or comments. There were none.

Mr. Bruns closed the public hearing.

5. ONE READING: - ORDINANCE 1774 – 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.

Mr. Applegate said now that the public hearing is closed, and the annexation was accepted by Council, Ordinance 1774 will amend the zoning map from A-R Agricultural Residential to L-I Light Industrial.

Mrs. Thomas-Roth moved that Ordinance 1774 be declared an emergency for the reasons set forth in the Ordinance. Mrs. Oberer seconded the motion. All concurred and Ordinance 1774 was declared an emergency.

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Mrs. Thomas-Roth moved to have the one and only reading and pass emergency Ordinance 1774. Mrs. Oberer seconded the motion. All concurred and Ordinance 1774 was adopted.

6. Open Agenda

Mr. Niemann said he wanted to commend the City of Union Police Department. Over the last couple of weeks our neighborhood has had a lot of issues. The police have been very responsive and helpful. They have done everything they could do to protect our neighborhood and the neighborhood kids. One of the situations was kept under control due to four police officers being there because it happened to be time for a shift change. They certainly have gone above and beyond and they deserve credit and I thank them.

Mr. Bruns reminded Council that the next meeting will be the regularly scheduled meeting that has been moved to October 10th, which is a Tuesday, due to the Monday holiday.

Mr. Applegate said the City received the signed contract today for the \$4.6 billion dollar wastewater grant. That is now in full swing. The City is to come up with \$500,000.00 for our share. We will be working on bringing that to Council now that we have a signed contract. Also, you may have noticed the work on the control building which controls wells #1 and #4 and we are expanding it and part of that had to do with the grant that we received for Aullwood when we ran water to them. We're upgrading the controls which haven't been done since 1983 or 1984. That is where we feed fluoride and chlorine. We are roofing it tomorrow and siding it next week. It should be finished within a couple of weeks.

Mr. Applegate said the paving program is over and the City had a lot of calls from people that are very appreciative of what was done. We spent close to a million dollars on paving this year.

7. Adjourn

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

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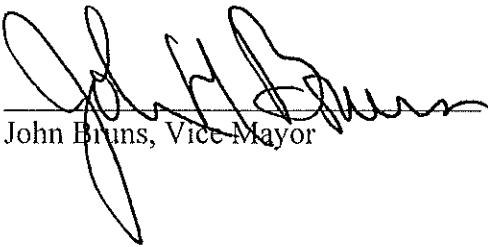
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Respectfully submitted,



Denise A. Winemiller,
Clerk of Council



John H. Brun, Vice Mayor