

# RECORD OF PROCEEDINGS

## MEETING OF COUNCIL

January 14, 2019

Mayor O'Callaghan called the City of Union council meeting to order on Monday, January 14, 2019 at 7:30 p.m.

Attendance was taken and the following council members were present: Mayor O'Callaghan, Mr. Blackwell, Mrs. Perkins, Mrs. Kyle, Mrs. Huggins, and Mr. Bruns.

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. Oberer had called in and was unable to attend the meeting due to a family matter. He moved to excuse Mrs. Oberer. Mr. Bruns seconded the motion. All concurred and Mrs. Oberer's absence was excused.

1. Mayor O'Callaghan asked if there were any additions, corrections, or deletions for the minutes of the December 10, 2018 council meeting.

There were no corrections so Mr. Bruns moved that the minutes be accepted as prepared. Mr. Blackwell seconded the motion. The minutes of the December 10, 2018 council meeting 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 Representative and Alternate to the Miami Valley Regional Planning Commission.

Mr. Applegate said this was done annually to confirm the representatives from the City of Union to the Miami Valley Regional Planning Commission.

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Mayor O'Callaghan moved that Mr. Bruns be appointed as the representative. Mr. Blackwell seconded the motion. All concurred and the motion was passed.

Mayor O'Callaghan then moved that Mr. Applegate be appointed to the position of alternate for the Miami Valley Regional Planning Commission. Mr. Blackwell seconded the motion. All concurred and Mr. Applegate will be the alternate.

Mayor O'Callaghan thanked both of them for representing the city.

4. **ONE READING** – ORDINANCE 1691 - AN ORDINANCE AMENDING 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 2019 AND DECLARING AN EMERGENCY.

Mr. Applegate said that if the council would check on the second page, they would see that they had changed the pay grade for a maintenance man, operator of the waste water treatment plant. He had obtained his Class I Operator License and there was a pay increase for that. The ordinance has been declared as an emergency to have the change effective by the first of the year.

Mr. Bruns moved that Ordinance 1691 be declared an emergency for the reasons set forth in the ordinance. Mr. Blackwell seconded the motion. All concurred and the motion was passed.

Mr. Bruns then moved to have the one and only reading and adopt emergency ordinance 1691. Mr. Blackwell seconded the motion. All concurred and emergency ordinance 1691 was adopted on the first reading.

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5. **ONE READING** – ORDINANCE 1692 - AN ORDINANCE ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF UNION, OHIO, WILL PROVIDE TO THE 158.448 ACRE TERRITORY PROPOSED TO BE ANNEXED FROM BUTLER TOWNSHIP, MONTGOMERY COUNTY TO THE CITY OF UNION AS REQUIRED BY OHIO REVISED CODE SECTION 709.03(D) AND DECLARING AN EMERGENCY.

Mr. Applegate said that this was an annexation to the City of Union requested by the property owners, Dick and Debra Thies. They had asked to come into the City of Union. Three sides of this property are already in the city and this new property joins up with other land that they own. Mr. Applegate said this is a Type I annexation and must go before the county commissioners.

When asked where the property was located, Mr. Applegate said it was on County Line Road but located in Montgomery County. The ordinance is an emergency to meet the filing requirements.

Mrs. Perkins asked what the difference was between the Type I and Type II annexations. Mr. Applegate said the Type II was administrative and approved automatically. However, the property owners were experiencing dual taxation. Type I eliminates that. Mayor O'Callaghan asked if the city was still working on that and Mr. Applegate said they were.

Mr. Bruns moved that Ordinance 1692 be declared an emergency for the reasons set forth in the ordinance. Mr. Blackwell seconded the motion. All concurred and the motion was passed.

Mr. Bruns then moved that they have the one and only reading and adopt Ordinance 1692. Mr. Blackwell seconded the motion. All concurred and emergency ordinance 1692 was adopted on the first reading.

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### 6. Open Agenda

Mayor O'Callaghan said that the Park Board members had driven though the town and chosen some of the best decorated holiday homes. Eighteen people were chosen and letters of accommodation were sent out. The Mayor thanked everyone and said the city puts on quite a show with their holiday lighting too.

The Mayor wished everyone a happy new year,

He also thanked the city crews for their hard work on keeping the streets plowed. Mr. Applegate said they worked 19 hours on Saturday and six and ½ hours on Sunday.

He also asked if the citizens had moved their vehicles off the roads. Mr. Applegate said it was their first major snow storm for a while but the majority of the citizens had done a good job. He said a few had forgotten and the police had to knock on a few doors and a few tickets were issued. Mr. Applegate said the news was predicting eight to twelve inches this weekend plus high winds.

Mrs. Perkins commented, "I'd just like to comment on the use of the emergency. Thank you for noticing. It is something that we use from time to time.

There are a lot of times that administrative burdens force us to do things as an emergency and in case of today, we were just trying to catch up to correct a mistake."

Mrs. Kyle thanked the city for doing a wonderful job in cleaning the streets of all of the snow.

Mr. Bruns commented on the memorandum for the council dates for 2019. Several meetings had been moved to accommodate the Monday holidays.

Mr. Bruns moved that they accept the dates for 2019 council meeting that were listed in the memorandum in the council packets. Mr. Blackwell seconded the motion. All concurred and the motion was passed.

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Mr. Bruns asked if there was a need for a second meeting in January and Mr. Applegate said there was. The next council meeting will be held on January 28.

Mr. Applegate said that in the council packets was a memorandum with a sample ordinance and information from the City of Upper Arlington. He said this came up at a Mayors and Managers meeting and is about unsolicited materials that end up in the driveways, gutters, yards, and creeks. He said they are getting calls from people complaining about it. He asked if the council would like to pass an ordinance on unsolicited materials. Mr. Applegate said that sometimes, some of the storm sewer blockages were caused by these flyers and advertisements.

Mr. Bruns commented that newspaper subscriptions were usually delivered to his porch. These are just flyers being thrown out of vehicles driving by. He said he would be in favor of this ordinance, not against the people doing it but with the company.

Mrs. Perkins said the ordinance was thoughtfully put together and that she liked it.

Mr. Applegate said that they would send letters and possibly have the police stop the drivers and see who was sending them out to deliver the flyers.

He said they would probably have the ordinance ready by the second meeting in January.

Mr. Bruns moved that they go forward with preparing an ordinance. Mr. Blackwell seconded the motion. All concurred and the motion was passed.

Mrs. Winemiller said that she had provided the November fund sheet to the council. They were wrapping up a few things for December but she hoped to have that sheet by the next meeting.

7. Mr. Bruns moved that the January 14, 2019 council meeting be adjourned. Mr. Blackwell seconded the motion. All concurred and the council meeting was adjourned.

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The next City of Union Council meeting will be held on January 28, 2019.

Respectfully submitted,

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Denise A. Winemiller,  
Clerk of Council

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John Bruns, Vice Mayor