

# **RECORD OF PROCEEDINGS**

## **MEETING OF COUNCIL**

**June 14, 2010**

The City of Union council meeting was called to order on June 14, 2010 at 7:30 p.m. on Monday. Attendance was taken and the following council members were present: Mr. Bruns, Mrs. Oberer, Mrs. Kyle, Mayor Goudy, Mr. O'Callaghan, Mr. Blackwell, and Mrs. Perkins.

Other city staff members present were John P. Applegate, City Manager, Denise Winemiller, Clerk of Council, and Joe Moore, Law Director.

Mayor Goudy called for a moment of silence.

1. Mayor Goudy asked if there were any additions or corrections to the minutes from the May 24, 2010 council meeting. There were no corrections so Mr. Bruns moved that the council minutes be accepted as prepared. Mr. O'Callaghan seconded the motion. All concurred and the May 24, 2010 council minutes were accepted as prepared.

2. Mayor Goudy asked if there were any comments from the citizens and visitors in the audience. There were no comments.

3. **FIRST READING** – ORDINANCE 1496 - AN ORDINANCE AWARDING A CONTRACT TO RUMPKE WASTE INC. FOR REFUSE COLLECTION WITHIN THE CITY OF UNION. (three readings)

Mr. Applegate said that the existing solid waste contract is expiring on October 1. As stated in the memorandum provided to the council, the city went out for bids and Rumpke was the sole bidder for a new contract which would be for a five year term. Their charge is \$13.86 a month for five years with a potential three one year extensions after the five years. This new contract will start October 1, 2010 and the residents will be billed \$15.75 per month which includes the city's fee for billing, answering phone calls, leaf collection, etc. Mr. Applegate said that the staff recommends the approval of this contract with Rumpke.

Mr. Applegate commented that Kyle Aughe from Rumpke just arrived at the meeting and Mr. Applegate said they were just discussing the ordinance to award the contract.

Mr. O'Callaghan asked what the current rate is that is charged to residents. The amount is \$14.20 now and it will go to \$15.75 due to the increase from Rumpke. The city has not changed the amount that they charge the residents over what Rumpke is charging.

Mr. Bruns asked how long the city had the rate of \$14.20. Mr. Applegate said for one year. The rate had been increased during last year's one year extension.

Mr. O'Callaghan moved to have the first reading of Ordinance 1496. Mr. Bruns seconded the motion. All concurred and Ordinance 1496 was passed to the second reading.

4. FIRST READING – ORDINANCE 1497 – AN ORDINANCE AMENDING CHAPTER 741.17 OF THE UNION CODE, RELATING TO SOLID WASTE COLLECTION. (three readings)

Mr. Applegate said that this ordinance established the rate for the monthly collection, establishing the amount for the next five years. This ordinance needs to be adopted so the contract will go into effect starting October 1. As mentioned before, the amount will be \$15.75 for the next five years.

Mr. Bruns clarified that the rate of \$15.75 would be consistent for the next five years. After the five years when it came to the first one year option, the city and contractor could agree on a different price.

Mr. Bruns moved to have the first reading of Ordinance 1497. Mr. O'Callaghan seconded the motion. All concurred and Ordinance 1497 was passed to the second reading.

5. ONE READING – RESOLUTION 10-06 – A RESOLUTION DECLARING THE NECESSITY OF A RENEWAL STREET LEVY IN EXCESS OF THE TEN-MILL LIMITATION AND REQUESTING THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY OF UNION AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A SPECIFIED NUMBER OF MILLS.

Mr. Applegate said there were two resolutions on the agenda: Resolution 10-06 and 10-07. When the city renewed the street levy five years ago, it had been fifteen years since the city had asked for a replacement levy. The gap between the effective millage and the increase of property values had greatly reduced what the city received but they put the levy on as a replacement and it was adopted. At that time, Mr. Applegate said he had commented that when they were doing this again, they would need to look at whether they wanted a renewal or a replacement levy. That is why there are two resolutions on the agenda. Mr. Applegate asked for guidance from the council.

To give the council an idea, Mr. Applegate explained that the estimated revenue that would be collected for a renewal would be \$239,795.00. The estimated revenue that would be collected for a replacement back up to the 3 mills would be \$302,281.00.

The effective rate of 2.36 mills versus going up to the 3 mills, is \$82.60, versus \$105.00, which is an increase of \$1.87 per month on a \$100,000 home. For a \$150,000 home, it would be an additional \$2.80 per month, and for a \$200,000 home it would be an additional \$3.73 per month.

Mr. Bruns clarified that this would be for a five year term but if the city did a renewal now, he asked if they could do a replacement before the five years is up. Mr. Applegate said yes. Mr. Bruns said if they went for a replacement now, they would have that for the next five years. Mr. Applegate added that collection of the current levy is good through 2011 so they have November of this year and the primary in November of the following year. Mr. Applegate said he had discussed this with the finance director and they know that the economy is not the best. He said they can adopt both resolutions and decide in two weeks which one will be submitted to the county.

Mr. Bruns said if they need a replacement, he would go for that but because of the economy, if they could make due with a renewal for a couple of years, he would be in favor of that also. Mr. Applegate said they would be looking at that when they look at the 2011 budget.

Mr. Applegate said that they had received some positive news. Donna Kirkbride, from Issue II said the City of Union was going to receive a zero interest loan to paint the water tower on Shaw Road. That project will cost \$450,000.00.

Regarding the renewal versus replacement of the street levy, Mrs. Perkins asked what the additional money could provide for the City of Union.

Mr. Applegate said, as an example, the price of salt fluctuated last year, and asphalt went way up this year and it is costing more just to patch the roads. There are variables like oil prices and also they need to replace some of their older equipment.

Mr. Applegate added that the increase (\$1.87) is not much more per month but the price of maintaining streets is continuing to climb.

The law has changed and now the city needs to get the resolutions to the Board of Elections ninety days ahead instead of seventy-five days.

Mr. Bruns asked if they passed both resolutions and gave themselves two weeks to decide, how would they cancel one of the resolutions?

Mrs. Winemiller said this is a step that the city has to go through to get the auditor to certify the amount of revenue to be collected. This does not place the resolution on the ballot. If the council decides to, they could pass both resolutions and then later decide which direction they want to go. Mr. Bruns thought that would be the best way to go. Mr. Bruns suggested that they pass both resolutions.

Mr. Bruns moved to have the one and only reading and adopt Resolution 10-06. Mr. Blackwell seconded the motion. All concurred and Resolution 10-06 was adopted.

6. ONE READING – RESOLUTION 10-07 – A RESOLUTION DECLARING THE NECESSITY OF A REPLACEMENT STREET LEVY IN EXCESS OF THE TEN-MILL LIMITATION AND REQUESTING THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY OF UNION AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A SPECIFIED NUMBER OF MILLS.

Mr. Bruns moved to have the one and only reading and adopt Resolution 10-07. Mr. Blackwell seconded the motion. All concurred and Resolution 10-07 was adopted on the first reading.

## 7. Open Agenda

Mayor Goudy said she and Chief Blackwell had received a very nice letter about Fire Station 81. The letter writer thanked the emergency crew for their good judgment and care in getting a member of the family to the hospital, and that she felt that her parent's health and well being were in good hands with the members of Union Fire Station 81.

Mrs. Kyle said she had taken her great-grandson down to the playground on West Martindale and it was just beautiful. She thanked Mr. Applegate and the city.

Mr. Moore said he wanted to bring an item to the council's attention. He said that Montgomery County Common Appeals Court items are filed electronically. He said he had received a decision electronically and was reading that before coming to the council meeting. He said that they had filed an abatement of a nuisance case on Charles Place and in this case, demolished the house. They had to go through publication to notice people and got a court order to demolish the house and have a hearing set for damages. The city has received a favorable decision and a judgment in their favor about collecting for damages, legal fees, and publication fees on the property.

8. Mr. O'Callaghan moved that the council meeting be adjourned. Mrs. Kyle seconded the motion. All concurred and the June 14, 2010 City of Union council meeting was adjourned.

Respectfully submitted,

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Denise A. Winemiller,  
Clerk of Council

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Michael O'Callaghan, Vice Mayor