

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, JUNE 20, 11

The Municipality of Germantown Council met in regular session on June 20, 2011 at 7:00 p.m. in the Municipal Building Council Chambers.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

MEMBERS PRESENT:

The following members were present at the Call to Order: Mayor Theodore Landis, Mr. Steve Boeder, Mr. Terry Johnson, Mr. Michael Kuhn, Mr. Edward Schwaberow and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mr. Lynn Koogle was absent.

ALSO PRESENT:

Also present were Anna M. Sizemore, Municipal Manager; Tom Schiff, Law Director; Dan Alldred, Fire Chief; Roy McGill, Chief of Police; Scott Brown, Police Sergeant; Terry Klein, Finance Director; Kelli Novak, Clerk of Council.

APPROVAL OF MINUTES:

Mayor and Council reviewed the June 6, 2011 Council Meeting minutes.

Mr. Boeder stated that under the Mayor's report should read "He" not "His" in the first paragraph, second sentence.

MOTION: Mr. Schwaberow moved to accept the June 6, 2011 Council Meeting minutes as amended.

ROLL CALL: Mr. Boeder, yes; Mr. Johnson, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mayor Landis, yes. 6-yes, 0-no. **MOTION CARRIED.**

Mayor and Council reviewed the June 6, 2011 Work Session minutes.

MOTION: Mr. Wafzig moved to accept the June 6, 2011 Work Session minutes as submitted.

ROLL CALL: Mr. Johnson, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mayor Landis, yes. 6-yes, 0-no. **MOTION CARRIED.**

PUBLIC RECOGNITION:

None.

CITIZEN'S FORUM:

Dr. Nancy Martorano-Miller with the University of Dayton reviewed a power point presentation of the Community Survey. She stated that overall the response was good and most comments were supportive of the Municipality. The Municipality does need to improve in communication with the residents and street maintenance.

FINANCE DIRECTOR'S REPORT:

Mr. Klein stated he would have information for the Work Session later in the meeting.

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FIRE CHIEF'S REPORT:

Chief Alldred reviewed the May Fire/EMS report.

He stated that GRS, Inc. has purchased a new Rescue Truck for the Fire/EMS Department. We are expecting this truck to arrive January 2012.

MANAGER'S REPORT:

Mrs. Sizemore reviewed her report.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

The Law Director stated the Community Harvest Church agreement should be to Mrs. Sizemore by the end of the week.

The letter to the United Methodist Church for the tap in fees has been sent.

He just received the last evaluation for the Manager today and would like some time to put the information together before it is discussed by Council in Executive Session. He would like to see this topic put on the next agenda for Executive Session.

DMHA wants a letter signed by the majority of Council in response to their letter regarding Windcliff. He will get a letter to Mrs. Sizemore so that Council can sign the letter.

The Charter Review Commission should have 5 members and right now there are only 4 members. We have scheduled two meetings and each time there has not been a quorum. We have complied with the Charter and the Commission has met. The Commission is in the process of reviewing the charter. There will not be changes presented to the voters in November. The earliest changes would be presented to the voters would be next spring. The next Charter Review Commission meeting will be August 1st.

POLICE CHIEF'S REPORT:

Chief McGill passed out the May Police Department Report to Council.

He stated that the new Police car is on the road and the old one will be put on Gov Deals for sale.

He thanked the Manager for all the improvements that have been made to the Police Department.

MAYOR'S REPORT:

He announced that the next Council meeting would be July 5, 2011 due to the holiday.

COUNCIL MEMBER'S REPORT:

Mr. Boeder's Report:

He attended the Cemetery Board meeting and they have approved the abandonment of driveways in the Cemetery for additional graves or reflections pools. The house located at the Cemetery is still for rent.

He stated that Saturday Night Out went very well.

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He thanked GRS, Inc. for the donation of the new rescue truck that will be arriving in January.

Mr. Johnson's Report:

He thanked GRS, Inc. for the donation to the Fire/EMS Department.

He asked that the Manager to contact the Park Board members to schedule the next meeting on July 4th.

Mr. Kuhn's Report:

He thanked everyone who helped with Saturday Night Out.

He also thanked GRS, Inc. for the crash truck that was donated.

Mr. Schwaberow's Report:

The Planning Commission meeting will be held next week.

There was no Economic Development meeting this month.

He questioned if the Manager had any information on the business incubator for the house on Route 4. Mrs. Sizemore replied that she would have information for the next meeting.

Mr. Wafzig's Report:

There was no MVCC meeting this month.

He thanked the Lion's Club for all their help with the tables' and all the rest of the volunteer's downtown at Saturday Night Out. The Greasers will be at the July 16th Saturday Night Out along with the classic tractors.

The Saturday Night Out Committee will try to meet on July 7th.

He thanked Dr. Miller for coming out to review the community survey with Council.

Legislation:

Introduction:

ORDINANCE NO. 11-22

AN ORDINANCE AMENDING ORDINANCE NO. 11-18 APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE MUNICIPALITY OF GERMANTOWN, STATE OF OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2011.

Mayor Landis stated the Public Hearing would be July 5, 2011.

RESOLUTION NO. 11-23

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO AN AGREEMENT BY AND BETWEEN THE MUNICIPALITY OF GERMANTOWN AND THE BOARD OF TRUSTEES OF GERMAN TOWNSHIP FOR THE PURPOSE OF PROVIDING FIRE PROTECTION AND EMS SERVICES

Mayor Landis stated the Public Hearing would be July 5, 2011.

Public Hearing:

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ORDINANCE NO. 11-20

AN ORDINANCE TO AMEND SECTION 921.03(e) OF THE STREETS AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN TO INCREASE THE SEWER TAP IN FEES.

MOTION: Mr. Johnson motioned to adopt Ordinance 11-20.

ROLL CALL: Mr. Johnson, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mayor Landis, yes. 6-yes, 0-no. **MOTION CARRIED.**

ORDINANCE NO. 11-21

AN ORDINANCE TO AMEND SECTION 919.08(d) OF THE STREETS AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING THE DUE DATE FOR UTILITY BILLS.

MOTION: Mr. Johnson motioned to adopt Ordinance 11-21.

Mr. Johnson stated that this will only change the due dates for the utility bills to the end of the month.

Mrs. Sizemore replied that the due date will be changed to the 30th of each month and February will be the last day of the month.

Mr. Wafzig questioned how the Municipality will notify the residents of this change.

Mrs. Sizemore replied that it will be advertised in the paper, Channel 5 and a note on each bill stating the new due date.

ROLL CALL: Mr. Johnson, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mayor Landis, yes. 6-yes, 0-no. **MOTION CARRIED.**

EXCUSE ABSENT MEMBERS:

Mr. Kuhn motioned to excuse Mr. Koogler.

ROLL CALL: Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mayor Landis, yes. 6-yes, 0-no. **MOTION CARRIED.**

OTHER BUSINESS:

WORK SESSION:

Work Session began at 7:56 p.m.

ALSO PRESENT:

Also present were Jonathan Moore, Director of Public Service; Ken Griffiths, Municipal Engineer and Charles Wirrig, Municipal Engineer

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East Market Street, Waterline, Street Maintenance Program and OPWC Projects

Council discussed the issues of Market Street and Cherry Street with the Municipal Engineers and the Finance Director. It was determined to move forward on the East Market Street waterline, force main and re-pavement and the Municipal Engineers will give Council a plan for Cherry Street.

Tap Fees, Building Sizes, Lot Sizes

Mr. Johnson stated that he would not want the Municipality to spend a lot of money looking into the tap fees and lot sizes.

Council discussed the tap fees, building sizes and lot sizes in the Municipality. It was determined that the Manager would contact Dan Boron and get a quote on how much this comparison would cost.

Rumpke Contract

Mrs. Sizemore stated that the current Rumpke contract is due to expire in April 2012. Rumpke would like to bring in the large recycling toters for our residents and there would be a 3% increase to each bill. With this large investment Rumpke would like to have a one year extension to the contract. The current contract is out of extensions.

A brief discussion took place regarding the Rumpke contract. It was determined that the Manager would look into extending the contract for an additional year. The Law Director will also look at the contract to see if the wording could be changed to have an open ended contract.

MOTION: Mr. Johnson moved to adjourn to Executive Session to discuss imminent litigation.

ROLL CALL: Mr. Johnson, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mayor Landis, yes. 6-yes, 0-no. **MOTION CARRIED.**

Mayor and Council adjourned to Executive Session at 9:47 p.m.

EXECUTIVE SESSION:

PRESENT:

The following members were present at the start of the Executive Session: Mayor Theodore Landis, Mr. Steve Boeder, Mr. Terry Johnson, Mr. Mike Kuhn, Mr. Edward Schwaberow and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mr. Lynn Koogle was absent.

ALSO PRESENT:

Also present were Anna M. Sizemore, Municipal Manager and Tom Schiff, Law Director.

The aforementioned persons discuss imminent litigation.

Mr. Kuhn excused himself from Executive Session at 9:50 p.m.

MOTION: Mr. Johnson motioned to return to regular session.

VOICE VOTE ON MOTION. ALL IN FAVOR. MOTION CARRIED.

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Mayor and Council reconvened into Regular Session at 10:04 p.m.

ADJOURNMENT:

There being no further business to come before the Council, Mr. Johnson moved to adjourn the meeting.

The meeting adjourned at 10:05 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor