

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**TUESDAY, JULY 5, 11**

The Municipality of Germantown Council met in regular session on July 5, 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. Lynn Koogle, Mr. Michael Kuhn, Mr. Edward Schwaberow and Mr. Brian Wafzig.

**MEMBERS ABSENT:**

None.

**ALSO PRESENT:**

Also present were Anna M. Sizemore, Municipal Manager; Tom Schiff, Law Director; Roy McGill, Chief of Police; Scott Brown, Police Sergeant; Kelli Novak, Clerk of Council and one visitor.

**APPROVAL OF MINUTES:**

Mayor and Council reviewed the June 20, 2011 Council Meeting/Work Session minutes.

**MOTION:** Mr. Schwaberow moved to accept the June 20, 2011 Council Meeting/Work Session minutes as submitted.

**ROLL CALL:** Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mayor Landis, yes. 7-yes, 0-no. **MOTION CARRIED.**

**PUBLIC RECOGNITION:**

None.

**CITIZEN'S FORUM:**

None.

**MANAGER'S REPORT:**

Mrs. Sizemore stated that the Fire/EMS has received several donations and Council needs to accept these donations of \$75.00, \$200.00, and \$75.00.

**MOTION:** Mr. Koogle moved to accept the donations to the Fire/EMS.

**ROLL CALL:** Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mayor Landis, yes. 7-yes, 0-no. **MOTION CARRIED.**

Mrs. Sizemore reviewed her report.

**CLERK'S REPORT:**

None.

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## **LAW DIRECTOR'S REPORT:**

The Law Director stated that the issue with the Municipal credit card in Scott Pickup's name has finally been resolved.

He went on by wishing Major Burns a Happy 50<sup>th</sup> Birthday.

## **POLICE CHIEF'S REPORT:**

Chief McGill stated that the Mayor swore Jenna Coltrane in as a full time Police Officer this morning. He is planning to have her attend the next Council meeting to introduce her to Council.

## **MAYOR'S REPORT:**

He attended the Mayor's Conference last week in Columbus. There were many topics discussed but the main topics were Senate Bill 5 and Sub House Bill 50.

## **COUNCIL MEMBER'S REPORT:**

### **Mr. Boeder's Report:**

He attended the VV Base end of the season event at Kercher Park and had a really nice time. It was good to see such a good turnout.

### **Mr. Johnson's Report:**

He attended the VV Base end of the season event at Kercher Park. It was good to see this event back in the Germantown Park.

He thanked everyone for all the preparation and hard work for the July 4<sup>th</sup> festivities.

Family Fun Night will be starting this Friday night at 4:00 p.m. Admission, hotdogs, hamburgers and sodas will be \$1.00 each. He encouraged everyone to start their weekend off at the Germantown Pool.

Park Board will not be meeting on July 6<sup>th</sup>. The Board had their July meeting on Monday, July 4<sup>th</sup> before the parade. They discussed improvements that need to be addressed at Kercher. The next Park Board meeting will be August 3<sup>rd</sup>.

### **Mr. Koogler's Report:**

The Senior Oversight meeting will be July 7<sup>th</sup> at 4:00 p.m.

### **Mr. Kuhn's Report:**

The next Saturday Night Out will be July 16<sup>th</sup> from 5-9 p.m.

### **Mr. Schwaberow's Report:**

He attended the Taste of Germantown at the Germantown Library on Saturday and had a really nice time.

He will be attending the MVRPC meeting on July 7<sup>th</sup> and will update Council at the next meeting.

The Ford Retractable event will be July 21<sup>st</sup> in Veteran's Park from 6-9 p.m. He encouraged everyone to attend. This is a big event since they are making Germantown part of their National Meeting in Dayton.

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**Mr. Wafzig's Report:**

The Saturday Night Out Committee will meet on July 14<sup>th</sup>.

**Legislation:**

**Introduction:**

RESOLUTION NO. 11-24

A RESOLUTION TO DECLARE A 1998 FORD E-450 WITH A MCCOY MILLER BOX TYPE III, CLASS I AMBULANCE AS FIRE/EMS SURPLUS PROPERTY AND AUTHORIZE THE MUNICIPAL MANAGER TO ADVERTISE FOR BIDS TO SELL SAID PROPERTY.

Mayor Landis stated the Public Hearing would be July 18, 2011.

RESOLUTION NO. 11-25

A RESOLUTION TO DECLARE A 2005 FORD CROWN VICTORIA AS POLICE SURPLUS PROPERTY AND AUTHORIZE THE MUNICIPAL MANAGER TO ADVERTISE FOR BIDS TO SELL SAID PROPERTY.

Mayor Landis stated the Public Hearing would be July 18, 2011.

ORDINANCE NO. 11-26

AN ORDINANCE TO REZONE PROPERTY OWNED BY THOMAS AND ELIZABETH BALL, BEING PROPERTY ID NUMBER D13-001-01-0074 AND LOCATED AT 203 N. MAIN STREET, FROM R-3, MULTI-FAMILY RESIDENTIAL TO C-2 DOWNTOWN BUSINESS

Mayor Landis stated the Public Hearing would be August 15, 2011.

**Public Hearing:**

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.

**MOTION:** Mr. Johnson motioned to adopt Ordinance 11-22.

ROLL CALL: Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mayor Landis, yes. 7-yes, 0-no. MOTION CARRIED.

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

**MOTION:** Mr. Koogle motioned to adopt Resolution 11-23.

ROLL CALL: Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mayor Landis, yes. 7-yes, 0-no. MOTION CARRIED.

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**EXCUSE ABSENT MEMBERS:**

None.

**OTHER BUSINESS:**

**WORK SESSION:**

Work Session began at 7:34 p.m.

**Street Maintenance**

Council discussed the cost of improving Cherry Street and the Street Maintenance Program.

Mr. Schwaberow suggested also repaving Main Street from Market Street to Center Street. This is a high profile block that is in need of repair.

Mrs. Sizemore stated that she would get a cost estimate for the paving of Main Street from Market Street to Center Street for Council to review.

It was determined to move forward with the bid process for the Cherry Street project from Market Street to the bridge and the street maintenance program. This will be on the Council agenda on August 1<sup>st</sup> to award the contract. The completion of these projects would be no later than the end of October.

Mr. Wafzig stated that he had received complaints regarding alley's in the Municipality.

Mrs. Sizemore stated that the Municipal Engineer would like to come out and look at some of the alley's to determine exactly what needs to be done before the Street Department goes out.

Council discussed the allies that are in need of attention. It was determined that the Municipality needs to concentrate on the streets in the Municipality first and then work toward a maintenance program for the allies.

**North Well Fields**

Mrs. Sizemore stated that joint meeting with the Township is scheduled for August 15<sup>th</sup>. The Township has requested to discuss the North Well Fields at that meeting. They have asked to remove get some of the concrete to use for their projects. They also would like to see the fields cleaned up and an agreement of assurance that the fields will not become cluttered again. They have also requested that the fields be incorporated into the park system.

Council discussed the North Well Fields cleanup. It was determined that the Township may come and get as much concrete as they need. Council will discuss the topic with the Township at the August 15<sup>th</sup> meeting.

**Rumpke Contract**

Mayor Landis questioned the Law Director what was going on the with the Rumpke contract.

The Law Director stated that he would call the Manager to discuss the information tomorrow.

**Sidewalk Weeds**

Mr. Boeder spoke with Chad Gilbert regarding the spraying of the weeds in the sidewalk cracks in the Downtown area. If we were willing to pay Mr. Gilbert he would be willing to spray.

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Mrs. Sizemore replied that some areas have already been done. Chad Gilbert is taking care of some issues at Kercher Park for the Municipality. She will check with the Service Director to see what exactly the other person has sprayed Downtown.

Mr. Boeder stated that there are many residents that are not maintaining the street area in front of their homes. Weeds are growing up between the sidewalk and the street.

Mrs. Sizemore stated that she will contact NIC to notify the property owners. The property owners are responsible for maintaining the area in front of their home.

Council discussed the quality of work that NIC is performing. It was determined that the Manager would speak with NIC regarding the quality of work and that they need to be more strict when enforcing the Code. Council would like to be the compassionate ones, not NIC.

**MOTION:** Mr. Johnson moved to adjourn to Executive Session to discuss the Managers Review.

ROLL CALL: Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mayor Landis, yes. 7-yes, 0-no. **MOTION CARRIED.**

Mayor and Council adjourned to Executive Session at 8:09 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. Lynn Koogle, Mr. Mike Kuhn, Mr. Edward Schwaberow and Mr. Brian Wafzig.

**MEMBERS ABSENT:**

None.

**ALSO PRESENT:**

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

The aforementioned persons discussed the Managers Review.

**Clerk's Note:** Mrs. Sizemore was absent from 8:22 p.m.-8:55 p.m. during Executive Session.

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

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

Mayor and Council reconvened into Regular Session at 9:32 p.m.

Council briefly discussed Estate Taxes and Senate Bill 5.

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**ADJOURNMENT:**

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

The meeting adjourned at 9:34 p.m.

Respectfully Submitted,

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Kelli R. Sanders-Novak  
Clerk of Council

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Theodore E. Landis  
Mayor