

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, JULY 18, 11

The Municipality of Germantown Council met in regular session on July 18, 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; Dan Alldred, Fire Chief; Roy McGill, Chief of Police; Scott Brown, Police Sergeant; Terry Klein, Finance Director; Kelli Novak, Clerk of Council and several visitors.

APPROVAL OF MINUTES:

Mayor and Council reviewed the July 5, 2011 Council Meeting/Work Session minutes.

Mr. Schwaberow stated that page 4 should read “alleys” not “allies”.

MOTION: Mr. Schwaberow moved to accept the July 5, 2011 Council Meeting/Work Session minutes as amended.

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:

Wendell Adkins with DP&L reviewed information regarding reliability programs such as line clearance and utility pole inspections.

Gregory Johnson with Dayton Metro Housing Authority stated that he would like Council to consider the Windcliff Village II project. Currently there are 35 units here in the City and they would like to add an additional 25 units. DMHA has received two tax credit awards that would bring \$5 million of development to the local community. These projects would help the local contractors since times are so tough now. DMHA would like Council to consider working through some of the issues and finish the construction so that the community does not lose the needed affordable housing and the community does not lose the \$5 million of funding that has been awarded to DMHA from the State of Ohio. DMHA has owned the property for the past two years and there has not been any issues. There is a waiting list of individuals from the Franklin, Carlisle and Germantown areas that need affordable housing. DMHA would like to work together to look at any issues that would hamper them from finishing the 25 units. There are currently more than 25 individuals from this community that are looking for affordable housing.

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Mr. Schwaberow questioned if the units would be two bedrooms.

Gregory Johnson replied there is a mix of one, two and three bedrooms and would be modern design units, not cookie cutter designs. There would be units that meet the ADA requirements as well as sight and sound units.

Mr. Schwaberow questioned if the additional 25 units would be built on the land already owned by DMHA and would they be using the same access point.

Gregory Johnson replied they would tap into the existing sewer that is already there and would not be directly tapping into the City's system.

Mr. Schwaberow stated that he was speaking about the street access for the additional 25 units.

Gregory Johnson replied that they would be using the same access as the other units.

He went on by saying that he would be willing to come back and review the designs of the additional 25 units and answer any questions Council may have.

Mr. Boeder questioned the age of the residents that live in the units.

Gregory Johnson replied anywhere between 25 to 65 years of age. There is a wide range of individuals with children and without.

Mr. Boeder questioned if there would be a manager on duty at all times.

Gregory Johnson replied there is a manager there two days a week. When they increase the number of units there will be an onsite manager there five days a week.

Mr. Schwaberow questioned if there are standards for how many people can live in a one bedroom, two bedroom or a three bedroom unit.

Gregory Johnson replied that there are definitely standards to how many individuals are allowed to live in each unit. The requirements are different when there are children involved and what the age/sex of the children are.

Mr. Wafzig questioned the difference between Section 8 Housing and the Windcliff Village housing.

Gregory Johnson replied DMHA will actually own the property at Windcliff Village and will be managing the property.

Mayor Landis questioned how much the 25 units would increase the flow rate to the sanitary sewer system.

Gregory Johnson replied he did not know what the actual flow rate would be.

Mayor Landis stated that the normal rate is 400 gallons per day per person and the 25 units would add 10,000 gallons to the City's flow rate. There are improvements that need to be done to the infrastructure before we would be able to address the Windcliff project. We do have a moratorium on sanitary sewer tap-ins until we can improve the City's infrastructure.

Gregory Johnson stated that he is aware of the moratorium and he would like to sit down and talk about what is needed to be done to the infrastructure. He is aware of the moratorium expiring and being reinstated and during that time there has been some concessions to other construction.

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The Law Director questioned Gregory Johnson's statement that there had been exceptions to the moratorium. The Law Director stated he is unaware of any exceptions that have been made.

Gregory Johnson stated that the Law Director was the one who said exceptions had been made to the moratorium, not him.

The Law Director stated that he was not the one who said anything about the exceptions to the moratorium.

Mayor Landis stated that Council would not be making a decision until the other problems are resolved.

Gregory Johnson stated that he is looking for the opportunity to sit down to further discuss this project. It would be a shame that the community would lose that type of money that is highly competitive.

Mr. Johnson suggested that Gregory Johnson contact the Manager to set up a meeting with Council and DMHA.

FINANCE DIRECTOR'S REPORT:

Mr. Klein reviewed the June report with Council.

MANAGER'S REPORT:

Mrs. Sizemore stated that the Fire/EMS has received two donations and Council needs to accept these donations of \$25.00, and \$50.00.

MOTION: Mr. Kuhn 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:

Mrs. Novak announced that the City Beautiful Commission has a vacant seat. Any resident that may be interested in serving on the CBC needs to contact the Municipal Office.

She went on by saying that the Fall Community Garage Sale would be on Saturday, September 17th and Sunday, September 18th. If residents would like to participate they need to call the Municipal Office and give their address and their top three items they would like advertised.

LAW DIRECTOR'S REPORT:

The Law Director reviewed the information that he passed out.

He went on by saying that Germantown was successful in the rezoning lawsuit. He received that decision from the Court of Appeals last week and if anyone would like a copy of the decision please let him know.

POLICE CHIEF'S REPORT:

Chief McGill stated the Department has been doing a lot of upgrading of equipment this year but it has been done with Federal money. Other items that have also been upgraded with the Federal money have been holsters, firearms, firearm simulation equipment and a nice evidence camera.

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He met with CMI and the Department is looking forward to the new software.

The Manager questioned him if the Officers would be able to use portable radios in the cars instead of the normal stationary radio. From the information he has found the answer would be yes, they would be able to use the portable radios in the cars.

FIRE CHIEF'S REPORT:

Chief Alldred reviewed the June 2011 Fire/EMS report.

MAYOR'S REPORT:

None.

COUNCIL MEMBER'S REPORT:

Mr. Boeder's Report:

He attended the Cemetery Board meeting.

He thanked Butch McKinney for the use of the platforms for the stage at the Saturday Night Out.

NRAC has approved a supplemental sign up for Clean Ohio Funds and we may want to take a look at it for the property along 725 to gain another entrance to Kercher Park. He has sent the information to the Manger regarding this matter.

Mr. Johnson's Report:

He announced that the July Pool Board meeting has been cancelled.

He thanked Mr. Boeder for looking into an issue for him at the Cemetery.

He is looking forward to the Ford Retractable event in the park on Thursday and encouraged everyone to attend.

He applied for the Ohio Issue 1-Ohio Veterans Bonus funds. The process to get his DD214 from the Military took approximately two years but the Ohio Veterans Bonus fund was very easy to do. To his surprise he received a check. If any Desert Storm Veterans have any questions please give him a call and he would be happy to help them.

We are under a heat advisory and please limit your time outside and stay hydrated.

He was vacationing in Florida and was fortunate to see the NASA shuttle launch for the last time.

Mr. Koogle's Report:

He attended the Senior Oversight meeting and everything at the Center is going very well. Margaret Phelps is having the phone system upgraded at the Center. The Center is also gearing up for the levy in the fall.

The Economic Development meeting was cancelled. We have not been able to find anyone who will bid the masonry work for the proposed monument sign at Route 4 and 725. He will be looking for additional names of contractors so this project can be completed.

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He had a resident contact him regarding the South bound lane of Route 4 in front of the IGA where the road goes from four lanes to two lanes. It is not marked clearly until you get to the end and we need more warning/signage.

Mrs. Sizemore stated that she would have the Traffic Engineer look at that area on Route 4.

Mr. Kuhn's Report:

He thanked the Greasers Band for a great concert. They brought out a large crowd.

Mr. Schwaberow's Report:

He attended the MVRPC meeting last Thursday. He shared a copy of MVRPC's annual report. This report is a good compilation of different programs they are working on.

The Ford Retractable cruise in will be July 21st in Veteran's Park from 6-9 p.m. There will be a parade that will start at Weaver Road and come down into the downtown area to Veterans Park. The Greasers will be performing from 7:30-9:00 p.m. He encouraged everyone to attend.

Mr. Wafzig's Report:

He thanked the residents, the participants, the Greasers and everyone who had a hand in the July Saturday Night Out event. The next Saturday Night Out will be August 20th.

Legislation:

Introduction:

None.

Public Hearing:

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.

MOTION: Mr. Koogle motioned to adopt Resolution 11-24.

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. 11-25

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.

MOTION: Mr. Wafzig motioned to adopt Resolution 11-25.

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.

EXCUSE ABSENT MEMBERS:

None.

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OTHER BUSINESS:

WORK SESSION:

Work Session began at 8:31p.m.

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; Scott Brown, Police Sergeant; Terry Klein, Finance Director and Kelli Novak, Clerk of Council.

Street Maintenance

Mrs. Sizemore reviewed the changes that were given to Council regarding the Street Maintenance Program. These changes are slightly different than the original program from the Engineer and these estimates are a little high. The 2011 Street Maintenance Program has been put out for bid which includes all the plat streets that were discussed and the Cherry Street project. She would like to add the Main Street project after it is awarded and Council has approved it. During the Audit Committee meeting we discussed the funding for the East Market Street project. After looking into the financing more it has been determined that the more the City bonds the better the rate the City will get. If the City is able to get this bond, this would allow us to also do the sidewalks that need to be completed that were never required to be completed.

Council discussed the updated Street Maintenance Program and sidewalk issues and how to finance these projects. It was determined to move forward on the finance options for the Street Maintenance Program and the sidewalk completion.

Part-Time Administrative Clerk

Mrs. Sizemore stated that she would like to hire another part-time clerk to help in the tax department. We have a lot of residents that are not paying their taxes and this would allow someone to track those who are not filing. This position would be from 1-5 p.m. and the City would not have to pay any benefits.

She asked the Law Director to look into the length of time the City is allowed to go back and require the residents to file late taxes.

No decision was made by Council regarding the part-time administrative clerk.

DMHA Contract

A brief discussion took place regarding the contract with DMHA's contract with the City.

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Business Cards

Mrs. Sizemore questioned Council if they would be interested in having business cards. She asked that if anyone would be interested to contact her with the information.

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

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 9:20 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 imminent litigation.

MOTION: Mr. Kuhn 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 discussed various zoning issues, the pool levy and pool maintenance.

ADJOURNMENT:

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

The meeting adjourned at 9:55 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor