

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**MONDAY, OCTOBER 17, 11**

The Municipality of Germantown Council met in regular session on October 17, 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; Matt Burns, Police Major; Terry Klein, Finance Director and two visitors.

**APPROVAL OF MINUTES:**

Mayor and Council reviewed the October 3, 2011 Council Meeting/Work Session minutes.

**MOTION:** Mr. Johnson moved to accept the October 3, 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.

**FINANCE DIRECTOR'S REPORT:**

Mr. Klein stated he feels that the City is doing well financially and that the revenues are on target. During the work session he will update Council on the 3<sup>rd</sup> quarter finances.

**MANAGER'S REPORT:**

Mrs. Sizemore reviewed her report.

**LAW DIRECTOR'S REPORT:**

The Law Director stated that he would be updating Council during the Work Session regarding the Valley View Water District.

**POLICE CHIEF'S REPORT:**

None.

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## **MAYOR'S REPORT:**

Mayor Landis stated he and Jonathan Moore attended the FRWWTC meeting last week. During the meeting they reviewed an EPA violation due to overflows this spring. Jonathan Moore has sent response to the EPA letter.

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

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

He stated that the Federal Department of Transportation has a program called Safe Routes for Schools. The City of Riverside received a two million dollar program and is being used to mark/improve the sidewalks and crosswalks in the City of Riverside. The program would cover up to a mile from our school. This would be helpful to our "walking community". He encouraged Council to look at the website to see if the City may want to look further into the program.

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

He announced that the Pool Board meeting for Wednesday has been cancelled.

He attended the Park Board meeting and the baseball fencing at Kercher Park is in need of repair. The Board is looking at getting the fencing repaired for next year. The Board is also looking at repairing the basketball courts at Kercher. The seeding at the Weber Complex will be completed next year.

He thanked the Manager and the Service Director for looking into the Time Warner Cable issue in his neighborhood.

He encouraged everyone to vote in the upcoming election.

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

He attended the Senior Oversight meeting. During the meeting Margaret reported that the Senior Center is doing well. The Center will be carrying money over to next year. Margaret is looking into a few projects that need to be done next year to improve the Center.

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

He was involved in a car accident on Friday night on Route 4. He complimented the Germantown Fire/EMS and the Germantown and German Township Police Departments for responding so quickly and doing an excellent job.

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

He attended the MVRPC meeting last Thursday. He updated Council on various topics such as earmarks, grants for local governments and improvements to local highways.

He encouraged everyone to support the Senior Center in the upcoming election.

He received a call from a young resident concerning community gardening. The resident would be interested in using some land to start this project and if anyone knows of any available land to please call him. Also if any other residents are interested in participating in community gardening to please contact him.

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**Mr. Wafzig's Report:**

He will be attending the MVCC meeting on Wednesday and will update Council at the next meeting.

**Legislation:**

**Introduction:**

**RESOLUTION NO. 11-47**

A RESOLUTION OPPOSING CENTRALIZED TAX COLLECTION IN THE STATE OF OHIO.

Mayor Landis stated the Public Hearing would be November 7, 2011.

**EMERGENCY RESOLUTION NO. 11-48**

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY.

**MOTION:** Mr. Koogle motioned to suspend the rules on Emergency Resolution No. 11-48.

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.

Mayor Landis opened the Public Hearing, Mayor and Council were not addressed. The Public Hearing was then closed.

**MOTION:** Mr. Wafzig motioned to adopt Emergency Resolution No. 11-48.

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.

**Public Hearing:**

**RESOLUTION NO. 11-44**

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO A ONE-YEAR EXTENSION OF THE CURRENT CONTRACT WITH RUMPKE OF OHIO, INC., 10795 HUGHES ROAD, CINCINNATI, OH 45251, FOR SOLID WASTE AND CURBSIDE RECYCLING SERVICES FOR THE PERIOD OF MAY 1, 2012 THROUGH APRIL 30, 2013.

Mayor Landis opened the Public Hearing, Mayor and Council were not addressed. The Public Hearing was then closed.

**MOTION:** Mr. Koogle motioned to adopt Resolution No. 11-44.

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.

**RESOLUTION NO. 11-45**

A RESOLUTION ADOPTING THE 2012-2014 CAPITAL PROGRAM.

Mayor Landis opened the Public Hearing, Mayor and Council were not addressed. The Public Hearing was then closed.

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**MOTION:** Mr. Johnson motioned to adopt Resolution No. 11-45.

**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.**

**EXCUSE ABSENT MEMBERS:**

None.

**OTHER BUSINESS:**

**WORK SESSION:**

Work Session began at 7:48 p.m.

**3<sup>rd</sup> Quarter Financial Update**

Council and Terry Klein reviewed the 3<sup>rd</sup> Quarter Financial Report.

**Bicentennial Billboard**

Council decided the Economic Development Committee would determine where the sign would be displayed. The Manager will contact the artist to get a cost on preserving the sign.

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

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

Mayor and Council adjourned to Executive Session at 8:25 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. Michael 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. 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 8:58 p.m.

**ADJOURNMENT:**

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

The meeting adjourned at 8:58 p.m.

Respectfully Submitted,

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Kelli R. Sanders-Novak  
Clerk of Council

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Theodore E. Landis  
Mayor