

MUNICIPALITY OF GERMANTOWN COUNCIL

TUESDAY, JANUARY 3, 12

The Municipality of Germantown Council met in regular session on January 3, 2012 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; Scott Brown, Police Sergeant; Kelli Sanders-Novak, Clerk of Council and two visitors.

The Law Director gave the Oath of Council to Terry Johnson, Lynn Koogle and Ed Schwaberow.

ORGANIZATION:

MOTION: Mr. Schwaberow moved to appoint Terry Johnson as President of Council for 2012.

ROLL CALL: Mr. Boeder, yes; Mr. Johnson, abstained; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mayor Landis, yes. 6-yes, 1-abstention. **MOTION CARRIED.**

Appointment of Citizens to Boards and Commission

Board of Tax Appeals -Dick Schaeff
Board of Zoning Appeals-Planning Commission Liaison-Jeff Jones
Economic Development-Jeff Fannin
Planning Commission -Matt Lang
Personnel Board-Tom Gaglein
Pool Board-Milt Bowman
Records Commission-Gail Githens

MOTION: Mr. Wafzig moved to appoint the citizens to the Boards and Commission as submitted for 2012.

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.**

Appointment of Council Members Special Assignments

Mr. Schwaberow stated that Mr. Kuhn has shown interest in serving on the Economic Development Committee and he would recommend that Mr. Kuhn take his place.

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Liaison to Boards and Commissions:

BZA-Brian Wafzig
Planning Commission-Ed Schwaberow
Parks & Recreation-Terry Johnson
Pool Board-Terry Johnson
City Beautiful Commission-Lynn Koogle
Firemen's Dependents Board-Steve Boeder and Brian Wafzig
Personnel Board-Terry Johnson
Cemetery Board-Steve Boeder
Economic Development-Lynn Koogle and Mike Kuhn

Appointment to Oversight:

Parks Oversight-Terry Johnson
Pool Oversight-Terry Johnson
Fire Oversight-Mike Kuhn
Senior Oversight-Lynn Koogle

Liaisons to other Boards and Commission:

MVRPC-Ed Schwaberow, Alternate-Lynn Koogle
MVRTC-Ed Schwaberow, Alternate-Lynn Koogle
MVRPC Technical-Anna Sizemore, Alternate-Jonathan Moore
MVCC-Brian Wafzig, Alternate-Ed Schwaberow
FRWWTC-Ted Landis, Alternate-Jonathan Moore

MOTION: Mr. Koogle moved to appoint the Council Members special assignments as amended for 2012.

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.

APPROVAL OF MINUTES:

Mayor and Council reviewed the November 21, 2011 Regular Session Meeting minutes.

MOTION: Mr. Wafzig moved to accept the November 21, 2011 Regular 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.

Mayor and Council reviewed the November 21, 2011 Work Session minutes.

Mr. Wafzig stated that the top of page 2 should read "November 21, 2011."

MOTION: Mr. Wafzig moved to accept the November 21, 2011 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.

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

MOTION: Mr. Johnson moved to accept the December 5, 2011 Regular/Work Session minutes as submitted.

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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.

Mayor and Council reviewed the December 12, 2011 Special Session Meeting minutes.

MOTION: Mr. Johnson moved to accept the December 12, 2011 Special Session minutes as submitted.

ROLL CALL: Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, abstain; Mayor Landis, yes. 6-yes, 1-abstention. MOTION CARRIED.

Mayor and Council reviewed the December 13, 2011 Special Session Meeting minutes.

MOTION: Mr. Schwaberow moved to accept the December 13, 2011 Special Session minutes as submitted.

ROLL CALL: Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, abstain; Mayor Landis, yes. 6-yes, 1-abstention. MOTION CARRIED.

Mayor and Council reviewed the December 19, 2011 Regular Session Meeting minutes.

MOTION: Mr. Wafzig moved to accept the December 19, 2011 Regular Session minutes as submitted.

ROLL CALL: Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, abstain; Mr. Wafzig, yes; Mayor Landis, yes. 6-yes, 1-abstention. MOTION CARRIED.

Mayor and Council reviewed the December 19, 2011 Work Session minutes.

Mrs. Novak stated that the top of page 2 should read “December 19, 2011.”

Mr. Boeder stated that under Land at Kercher Park should read “the City would be eligible to apply to purchase the land through the Clean Ohio program and the Miami Conservancy District”.

Mr. Schwaberow stated that on page 2 should read “Mr. Boron”.

Mr. Boeder stated under “Safe Sidewalks” should read “eligible sidewalks such as the Butter Street School”.

MOTION: Mr. Boeder moved to accept the December 19, 2011 Work Session minutes as amended.

ROLL CALL: Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, abstain; Mr. Wafzig, yes; Mayor Landis, yes. 6-yes, 1-abstention. MOTION CARRIED.

Mayor and Council reviewed the December 28, 2011 Special Session Meeting minutes.

MOTION: Mr. Schwaberow moved to accept the December 28, 2011 Special 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.

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PUBLIC RECOGNITION:

None.

CITIZEN'S FORUM:

Dale Porter, 309 North Butter Street, stated he has an issue with the trash that is on the east side of Butter Street. He would like to see the Police Department monitoring the situation more and give tickets to those who are littering.

Chief McGill stated that they will try to monitor the situation and to please call the police if you see anyone littering.

MANAGER'S REPORT:

Mrs. Sizemore stated that the Fire/EMS has received a donation and Council needs to accept this donation of \$100.00.

MOTION: Mr. Kuhn moved to accept the donation to the Fire/EMS.

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

Mrs. Sizemore reviewed her report.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

None.

POLICE CHIEF'S REPORT:

Chief McGill stated that Records Management System has been set in place and seems to be going well. Major Burns and Sergeant Brown will be giving presentations at the next two Council meetings on the new Records Management System and the new license plate readers that were installed in the cars.

The department appreciates all the support from everyone in 2011 and looks forward to 2012.

FIRE CHIEF'S REPORT:

None.

MAYOR'S REPORT:

Mayor Landis stated that Vieola, the company that operates the Franklin Regional Wastewater Treatment Plant is for sale and he will update Council after the next board meeting.

COUNCIL MEMBER'S REPORT:

Mr. Boeder's Report:

None.

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Mr. Johnson's Report:

He announced that the Parks and Recreation Board meeting will be January 4th.

He wished everyone a happy and safe 2012.

Mr. Koogle's Report:

None.

Mr. Kuhn's Report:

He thanked Mr. Schwaberow for allowing him to serve as the Economic Development Liaison. He looks forward to working with the Economic Development Committee.

He announced that the Fire Oversight Committee met tonight and he is the Vice Chairperson and Mr. Benson is the Chairperson.

Mr. Schwaberow's Report:

He will be attending the MVRPC meeting Thursday and if Council passes the Resolution tonight he will hand deliver it to them.

Mr. Wafzig's Report:

None.

Legislation:

Introduction:

ORDINANCE NO. 12-01

AN ORDINANCE ADOPTING THE 2012 MUNICIPAL BUDGET.

Mayor Landis stated the Public Hearing would be January 17, 2012.

ORDINANCE NO. 12-02

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE MUNICIPALITY OF GERMANTOWN, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2012.

Mayor Landis stated the Public Hearing would be January 17, 2012.

Public Hearing:

RESOLUTION NO. 11-56

A RESOLUTION ENDORSING THE PREFERRED FUTURE LAND USE SCENARIO OF GOING PLACES – AN INTEGRATED LAND USE VISION FOR THE MIAMI VALLEY REGION.

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

MOTION: Mr. Schwaberow motioned to adopt Resolution No. 11-56.

Mr. Johnson stated that MVRPC cannot just forget about us smaller communities. They cannot automatically think that Germantown is an agricultural community and that we are always going to stay that way. They need to know how we feel and what we want to do and be a part of this

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regional plan. He continues to hear regionalization and it's the wave of the future; and he agrees with that. There has to be communication both ways. The smaller Cities cannot always give and the bigger Cities always take. He thinks that it is a great idea but they need to listen to the smaller communities.

Mr. Koogle stated that this is just a vision at this point. He will be curious to see what the final presentation has to say and how it includes Germantown. He feels that Council should let them move forward with the vision and see what they come back with.

Mr. Schwaberow stated that he will attend the meeting and make sure they do not forget about Germantown. He supports a regional approach on these topics.

Council discussed the MVRPC "Going Places" vision and how it will affect Germantown and the larger Cities.

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.

ORDINANCE NO. 11-57

AN ORDINANCE AMENDING SECTION 121.02(A) (1) OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING COUNCIL RULES.

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

MOTION: Mr. Johnson motioned to adopt Ordinance No. 11-57.

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.

EXCUSE ABSENT MEMBERS:

None.

ADJOURNMENT:

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

The meeting adjourned at 8:01 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor