

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**MONDAY, DECEMBER 5, 11**

The Municipality of Germantown Council met in regular session on December 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 Koogler, Mr. Michael Kuhn and Mr. Brian Wafzig. Mr. Edward Schwaberow arrived at 7:10 p.m.

**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, Jonathan Moore, Director of Public Service; and several visitors.

**APPROVAL OF MINUTES:**

None.

**PUBLIC RECOGNITION:**

None.

**CITIZEN'S FORUM:**

John Stone, 724 East Market Street, stated he has purchased the Junction food trailer located at Route 725 and Route 4 and would like to know what the City wants him to do so he can open for business.

Mrs. Sizemore replied that Mr. Stone has submitted a business permit but Council is looking into new regulations for mobile food vendors. The property does have some concerns such as curb cuts and traffic flow.

John Stone stated he has spoken with the owner of the property and they are willing to do whatever it takes to make the City happy. He is aware that Council feels that the property is an eyesore and is willing to make it look better.

The Law Director questioned how quickly is he wanting to open for business.

John Stone replied he would like to open as soon as possible.

Council discussed the need to get a definition and rules and regulations for mobile food vendors in place.

Mayor Landis stated that Mr. Stone should keep in contact with the Manager

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**MANAGER'S REPORT:**

Mrs. Sizemore stated that the Fire/EMS has received a donation in the amount of \$50.00 and the Police Department's Operation Care Program received a \$50.00 gift card. Council needs to accept these donations.

**MOTION:** Mr. Johnson moved to accept the donations to the Fire/EMS and the Police Department's Operation Care program.

**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:**

Mrs. Sizemore stated that Mr. Wafzig expressed interest in serving on the Charter Review Committee.

**MOTION:** Mr. Koogler moved to appoint Brian Wafzig to the Charter Review Committee.

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

Mrs. Sizemore stated that Steve Mersch currently serves on the Parks and Recreation Board and would like to serve again.

**MOTION:** Mr. Koogler moved to reappoint Steve Mersch to the Parks and Recreation Board.

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

**LAW DIRECTOR'S REPORT:**

The Law Director stated that he has several items he would like to discuss during work session.

He attended the OMAA meeting in Columbus last week. The main topic that was discussed was Home Rule.

He spoke with Mr. Rettich regarding Camp Miami and getting the property secure. Mr. Rettich replied with a letter stating that he spoke with the corporation that owns the property and he advised them to secure the property. The Law Director stated that to his knowledge the property is not secure yet.

Council discussed the issues with the Camp Miami property. It was determined to have the Law Director and the staff proceed with the BZA hearing.

**PUBLIC SERVICE DIRECTOR'S REPORT:**

Jonathan Moore updated Council on the current projects throughout the City.

**POLICE CHIEF'S REPORT:**

None.

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**FIRE CHIEF'S REPORT:**

None.

**MAYOR'S REPORT:**

None.

**COUNCIL MEMBER'S REPORT:**

**Mr. Boeder's Report:**

He has received complaints that the new recycling bins are heavy. The new bins do not need to be taken to the curb every week. He suggested taking the new bins out every other week.

He thanked everyone who organized and helped with the Christmas in the Park event.

**Mr. Johnson's Report:**

He thanked everyone who participated in the Christmas in the Park event. Jenifer Shyrigh really puts her heart into the event and deserves a special thank you. Thank you to the businesses Churches and Organizations. Thank you to the Bishops who let Mr. and Mrs. Clause spend the night.

The Park Board meeting will be December 7<sup>th</sup>.

**Mr. Koogle's Report:**

He congratulated everyone on the success of the Christmas in the Park event.

**Mr. Kuhn's Report:**

He attended the Fire/EMS Oversight meeting tonight. The new crash truck should be arriving in February.

**Mr. Schwaberow's Report:**

He attended the MVRPC meeting. They are planning on attending the next Council meeting to do a presentation on "Going Places".

He encouraged residents to shop locally. We have very nice shops and restaurants in our downtown area.

**Mr. Wafzig's Report:**

None.

**Legislation:**

**Introduction:**

**RESOLUTION NO. 11-53**

A RESOLUTION AUTHORIZING THE REQUEST FOR ADVANCE OF TAXES FOR 2012 COLLECTED BY THE TREASURER OF MONTGOMERY COUNTY, STATE OF OHIO.

Mayor Landis stated the Public Hearing would be December 19, 2011.

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**RESOLUTION NO. 11-54**

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO AN AGREEMENT WITH THE MONTGOMERY COUNTY PUBLIC DEFENDER COMMISSION AND THE MONTGOMERY COUNTY PUBLIC DEFENDER OFFICE FOR 2012 SERVICES FOR THE MUNICIPAL COURT.

Mayor Landis stated the Public Hearing would be December 19, 2011.

**RESOLUTION NO. 11-55**

A RESOLUTION TO DECLARE A 1975 CHEVROLET BOX UTILITY TRUCK 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 December 19, 2011.

**Public Hearing:**

None.

**EXCUSE ABSENT MEMBERS:**

None.

**OTHER BUSINESS:**

**WORK SESSION:**

Work Session began at 8:13 p.m.

**Gunckel Street Land Between 50 South Water and 106 South Water**

Council discussed the land on Water Street. The City would like to divide the property between the neighbors and give them the property, but we would retain an easement. It was determined that the Manager would contact the property owners on Water Street between 50 and 106 to discuss the dividing of the property.

**Council Agenda**

Council discussed the layout of the Council agenda. It was determined that all department heads would be listed on the agenda and the Manager would prepare legislation to make these changes for the next Council meeting.

**2012 Proposed Budget**

Council discussed the proposed 2012 budget.

**MOTION:** Mr. Johnson moved to adjourn to Executive Session to discuss personnel matters related to the Manger's evaluation.

**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 9:28 p.m.

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**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 was Tom Schiff, Law Director.

The aforementioned persons discussed personnel matters related to the Manger's evaluation.

**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 10:00 p.m.

**ADJOURNMENT:**

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

The meeting adjourned at 10:02 p.m.

Respectfully Submitted,

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Kelli R. Sanders-Novak  
Clerk of Council

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Theodore E. Landis  
Mayor