

MUNICIPALITY OF GERMANTOWN COUNCIL

TUESDAY, FEBRUARY 21, 12

The Municipality of Germantown Council met in work session on February 21, 2012 at 7:48 p.m. in the Municipal Building Council Chambers.

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; Kelli Sanders-Novak, Clerk of Council.

Manager's Contract

The Law Director stated that this topic was on the last agenda but a few of the Council members were not present, so he asked that it be put back on the agenda again. The Manager's contract expires in August of this year and he would like to start reviewing any issues soon.

Council discussed the Manager's contract. It was determined that Council did want to renew the Manager's contract and the Mayor and Council would review the terms/compensation of her contract during executive session at the next meeting.

Home Occupations

Mrs. Sizemore stated that we have received a complaint about a Home Occupation on Endress that is a photography studio. They are running the business out of the home and the detached garage. This is illegal, but we do not want to make the business go away. She has discussed the issue with the Law Director and we will either have to change the definition of Home Occupation or we will have to amend the Zoning Code to allow the photography studio. The code reads that a Home Occupation is conducted entirely inside the home.

The Law Director stated that a variance is not appropriate and if we change the Zoning Code it changes the entire area. We would have to allow all kinds of stuff in that area that we may not want to allow.

Council discussed the options to the problem with the Zoning Code regarding Home Occupations. It was determined that the Manager and the Law Director will look at neighboring communities code and how it reads for Home Occupations. They will bring information back to Council for review.

Water Study

Mrs. Sizemore stated that she enclosed a memorandum from Ken Griffiths, City Engineer, regarding the water study that Council had requested. He has a proposed figure of not to exceed \$15,000. This is not a budgeted item and she would like the consensus of Council regarding this matter. This information would also allow Council to make a good decision on what to do with the old water tower for the EPA.

Council discussed the proposed water study information. All agreed that the information from the study would be beneficial to the City regardless if water is supplied to the Township. The Manager will contact Mr. Griffiths to move forward with the water study.

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2012 Pool Contract

Mrs. Sizemore reviewed the contracts from Dayton Pool Management and the YMCA. Both contracts are almost identical. Dayton Pool Management's contract is a little cheaper. The Pool Board has chosen to go with the exact same prices as the Farmersville Pool. She also reviewed the spreadsheet covering the pools revenues and expenses from 2000-2011.

Council discussed the contracts from Dayton Pool Management, the YMCA and the City managing the pool for the 2012 season. They also discussed the monies that the Township holds from the pool levy. It was determined that the City would use Dayton Pool Management for the 2012 season and look at City managing the pool for the 2013 season. The Manager will need to contact Dayton Pool Management to get a few minor corrections to the contract. The Pool Board and the Manager will start looking at the numbers and the hiring for the 2013 season in the fall of 2012.

Gunckel Street Right-of-Way

Mrs. Sizemore stated they had briefly discussed the division of the Gunckel Street right-of-way. At that time it was decided to divide the right-of-way in half and give half to each of the property owners. When she contacted one of the owners he would prefer to purchase the entire right-of-way from the City. She felt that Council should know that he is willing to pay for the property.

Council discussed the Gunckel Street right-of-way. It was determined that each property owner would receive half of the right-of-way and if one owner would like to purchase the property from the other it would be between them.

OTHER BUSINESS:

Mockabee Property

Mrs. Sizemore stated that the Mockabee property (driveway/alley) on Dayton Pike has been maintained by the City for many years. Mr. Mockabee claims that the driveway/alley is actually a public alley. She is unable to find any documentation that states that this driveway/alley is owned by the City.

Council discussed the Mockabee property being maintained by the City. No one had any knowledge of the City owning the driveway. It was determined that the City would stop maintaining the property unless Mr. Mockabee can prove that the driveway/alley is owned by the City.

NIC Letters to Prosecutor

Mr. Schwaberow questioned the cases on the NIC report that had been sent to the prosecutor effective November 15, 2011.

The Law Director stated that he is working on the cases from NIC.

ADJOURNMENT:

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

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The work session was adjourned at 8:16 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor