

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, FEBRUARY 6, 12

The Municipality of Germantown Council met in regular session on February 6, 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. Michael Kuhn, and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mr. Terry Johnson, Mr. Lynn Koogle and Mr. Edward Schwaberow were absent.

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 one visitor.

APPROVAL OF MINUTES:

Mayor and Council reviewed the January 14, 2012 Special Session Meeting minutes.

MOTION: Mr. Wafzig moved to accept the January 14, 2012 Special Session minutes as submitted.

ROLL CALL: Mr. Boeder, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Landis, yes. 4-yes, 0-no. **MOTION CARRIED.**

Mayor and Council reviewed the January 17, 2012 Regular Session minutes.

Mr. Boeder stated under his report should read "Dupp's Family".

MOTION: Mr. Boeder moved to accept the January 17, 2012 Regular Session minutes as amended.

ROLL CALL: Mr. Boeder, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Landis, yes. 4-yes, 0-no. **MOTION CARRIED.**

Mayor and Council reviewed the January 17, 2012 Work Session minutes.

MOTION: Mr. Wafzig moved to accept the January 17, 2012 Work Session minutes as submitted.

ROLL CALL: Mr. Boeder, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Landis, yes. 4-yes, 0-no. **MOTION CARRIED.**

PUBLIC RECOGNITION:

None.

CITIZEN'S FORUM:

Wendell Adkins with DP&L updated Council on how to prepare for winter storms and emergency outages.

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MANAGER'S REPORT:

Mrs. Sizemore stated that the Parks and Recreation has received a donation and Council needs to accept this donation of \$50.00.

MOTION: Mr. Kuhn moved to accept the donation to the Parks and Recreation.

ROLL CALL: Mr. Boeder, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Landis, yes. 4-yes, 0-no. MOTION CARRIED.

Mrs. Sizemore reviewed her report.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

The Law Director reminded Council that everyone needs to obey the Sunshine Laws. There are attorneys that make a living from people violating these laws.

He will be putting information together regarding regulating digital billboards for Council to review.

He plans on having information regarding mobile food vendors for the next meeting.

POLICE CHIEF'S REPORT:

Major Burns gave a presentation on the new license plate readers that have been installed on the police cars.

MAYOR'S REPORT:

He announced that the next Council meeting would be February 21, 2012 due to the holiday.

He read a letter from Randy Fogle thanking the City for doing the repairs to the infrastructure on East Market Street.

He attended the FRWWTC meeting and they discussed the budget and various items.

COUNCIL MEMBER'S REPORT:

Mr. Boeder's Report:

He gave background information on Emergency Resolution No. 12-13 and encouraged everyone to support the Montgomery County Farm Service Agency staying in its current location.

Mr. Kuhn's Report:

He attended the Fire Oversight meeting tonight. They discussed the department having an issue locating residents in the Township due to lack of signage/addresses.

He attended the Economic Development meeting in January. They discussed repairing the downtown sidewalks and the downtown signage plan.

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Mr. Wafzig's Report:

He updated Council on the January MVCC meeting regarding the CodeRed contract, GovTech projects and the Miami Valley Lighting contract. They are also working with the City of Centerville on a video regarding the Toledo study on Township funding. They are planning on sending the video to the State Legislators.

Legislation:

Introduction:

ORDINANCE NO. 12-03

AN ORDINANCE CREATING CHAPTER 1148 GARAGE SALES OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN.

Mayor Landis stated the Public Hearing would be February 21, 2012.

ORDINANCE NO. 12-04

AN ORDINANCE TO VACATE A CERTAIN ALLEY LOCATED NORTH OF WALNUT STREET, SOUTH OF WARREN STREET AND WEST OF WALNUT STREET WHICH RUNS BETWEEN LOT 199 AND LOT 200 AND ADJACENT TO LOT 196, LOT 197, LOT 198, LOT 199, LOT 200, LOT 201 AND LOT 202 AND FURTHER DESCRIBED HEREIN.

Mayor Landis stated the Public Hearing would be February 21, 2012.

ORDINANCE NO. 12-05

A RESOLUTION TO AUTHORIZE THE MUNICIPAL MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF MIDDLETOWN TO ACCEPT ADULT PRISONERS OF THE MUNICIPALITY OF GERMANTOWN WHO ARE ARRESTED ON MINOR MISDEMEANOR CHARGES.

Mayor Landis stated the Public Hearing would be February 21, 2012.

RESOLUTION NO. 12-06

A RESOLUTION TO DESIGNATE FARMERS & MERCHANTS BANK AS A PUBLIC DEPOSITORY FOR THE MUNICIPALITY OF GERMANTOWN AND AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO A DEPOSIT AGREEMENT FOR ACTIVE, INTERIM AND/OR INACTIVE PUBLIC FUNDS WITH FARMERS & MERCHANTS BANK.

Mayor Landis stated the Public Hearing would be February 21, 2012.

ORDINANCE NO. 12-07

AN ORDINANCE DELETING SECTIONS 919.08 (a)(1), 919.08 (a)(2), 919.08 (a)(3), AND 919.08 (a)(4) OF THE STREETS AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING RATES; RULES FOR UTILITY BILL ADJUSTMENTS.

Mayor Landis stated the Public Hearing would be February 21, 2012.

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ORDINANCE NO. 12-08

AN ORDINANCE AMENDING SECTIONS 919.08 (a)(5) AND 919.08 (a)(6) OF THE STREETS AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING RATES; RULES FOR UTILITY BILL ADJUSTMENTS.

Mayor Landis stated the Public Hearing would be February 21, 2012.

ORDINANCE NO. 12-09

AN ORDINANCE AMENDING SECTION 921.21 OF THE STREETS AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING SANITARY SEWER RATES.

Mayor Landis stated the Public Hearing would be February 21, 2012.

ORDINANCE NO. 12-10

AN ORDINANCE AMENDING SECTION 509.04 OF THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING DISTURBING A LAWFUL MEETING.

Mayor Landis stated the Public Hearing would be February 21, 2012.

Mayor Landis stated that Council is unable to discuss/vote on the three pieces of Emergency Legislation that is on tonight's agenda due to the lack of Council members present.

Public Hearing:

None.

EXCUSE ABSENT MEMBERS:

Mr. Kuhn motioned to excuse Mr. Johnson, Mr. Koogle and Mr. Schwaberow.

ROLL CALL: Mr. Boeder, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Landis, yes. 4-yes, 0-no. MOTION CARRIED.

ADJOURNMENT:

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

The meeting adjourned at 7:44 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor