

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**MONDAY, MARCH 5, 12**

The Municipality of Germantown Council met in regular session on March 5, 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 one visitor.

**APPROVAL OF MINUTES:**

Mayor and Council reviewed the February 21, 2012 Regular Session minutes.

**MOTION:** Mr. Johnson moved to accept the February 21, 2012 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 February 21, 2012 Work Session minutes.

**MOTION:** Mr. Kuhn moved to accept the February 21, 2012 Work Session minutes as submitted.

**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.**

**PUBLIC RECOGNITION:**

None.

**CITIZEN'S FORUM:**

None.

**MANAGER'S REPORT:**

Mrs. Sizemore stated that the Fire/EMS has received a donation and Council needs to accept the donation of \$200.00.

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

**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.**

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Mrs. Sizemore reviewed her report.

**CLERK'S REPORT:**

Mrs. Novak stated Council had a public hearing scheduled on an application for placement of farmland in an agricultural district made by Ralph and Alleen Moler for land that they farm at the end of Walnut Street.

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

**MOTION:** Mr. Johnson moved to approve the application for placement of farmland in an agricultural district made by Ralph and Alleen Moler.

**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.**

Mrs. Novak stated a request from the Ohio Division of Liquor Control for a transfer of a liquor license for Spartan Mart LLC dba Germantown BP was received and Council will need to determine if a hearing is requested or not. She spoke with the Police Chief and he has no issues with the liquor license transfer for Spartan Mart LLC dba Germantown BP.

All agreed to not have a hearing for the liquor license transfer for Spartan Mart LLC dba Germantown BP.

**LAW DIRECTOR'S REPORT:**

The Law Director stated that he is preparing information for Council regarding Home Occupations, digital signs, mobile food vendors and vicious dogs. He has been reviewing the Dayton Pool Management Contract with the Manager along with several policies including the issue that occurred at the Senior Center.

**POLICE CHIEF'S REPORT:**

Chief McGill stated that Officer Wright has started with the Task Force and Officer Stewart has completed his physical testing.

**MAYOR'S REPORT:**

He informed the public to watch their banking accounts for theft. His family has experienced missing funds from their checking accounts. These thieves were traced back to China.

Mayor Landis stated that Laura Jena is interested in serving on the City Beautiful Committee.

**MOTION:** Mr. Boeder moved to appoint Laura Jena to the City Beautiful Committee.

**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.**

Mayor Landis stated that Council needs to appoint a Council member to the Audit Committee. Mr. Schwaberow has stated he is interested in serving on the Audit Committee.

**MOTION:** Mr. Koogle moved to appoint Ed Schwaberow to the Audit Committee.

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

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**COUNCIL MEMBER’S REPORT:**

**Mr. Boeder’s Report:**

He thanked the Service Department staff for picking up the litter on Route 4. He also thanked the Manager and the Service Department for installing the new litter control signs in the City.

**Mr. Johnson’s Report:**

He stated that the Parks and Recreation Board will meet on March 7<sup>th</sup> at 7:00 p.m. We will be discussing the grading of the baseball diamonds.

**Mr. Koogler’s Report:**

None.

**Mr. Kuhn’s Report:**

He attended the Fire/EMS Oversight meeting tonight. The new rescue truck will be arriving around March 24<sup>th</sup> and then the truck will be sent out to be outfitted. There are three personnel that are studying to complete the advanced EMT classes and there are two people that are nearing completion on their paramedic classes.

The Economic Development Committee will be meeting on March 21<sup>st</sup> at 1:00 p.m.

**Mr. Schwaberow’s Report:**

He attended the MVRPC meeting last week. The long meeting was due to issues with the endorsement to the final Master Plan. Thirty six entities endorsed the plan but several northern communities expressed concerns and wanted to see some amendments to the final plan. This topic will be discussed at the next meeting and he will update Council after that meeting.

**Mr. Wafzig’s Report:**

He thanked the Service Department Staff for replacing the benches and cleaning the bike path area.

He encouraged everyone to vote for the Parks Levy tomorrow.

**Legislation:**

**Introduction:**

None.

**Public Hearing:**

**RESOLUTION NO. 12-14**

A RESOLUTION EXTENDING THE MORATORIUM ON THE GRANTING OF ANY PERMITS ALLOWING THE OPERATION OF INTERNET CAFES OR OF BUSINESSES DEVOTING FLOOR SPACE TO INTERNET-BASED SWEEPSTAKES GAMES WITHIN THE MUNICIPALITY OF GERMANTOWN FOR A PERIOD OF SIX (6) MONTHS.

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

**MOTION:** Mr. Wafzig motioned to adopt Resolution No. 12-14.

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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.

**RESOLUTION NO.12-15**

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO PURCHASE A 2012 DODGE CHARGER FROM GREVE CHRYSLER, 756 WEST ERVIN ROAD, VAN WERT, OHIO 45891 FOR THE PURCHASE PRICE OF \$24,505.00 FOR USE BY THE MUNICIPALITY OF GERMANTOWN POLICE DEPARTMENT.

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. 12-15.

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.

**EXCUSE ABSENT MEMBERS:**

None.

**MOTION:** Mr. Koogle moved to adjourn to Executive Session to discuss personnel matters related to the Manger's contract, compensation for the position of Clerk of Council/Zoning compliance Officer and the performance of the Finance Director.

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.

Mayor and Council adjourned to Executive Session at 7:28 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 was Anna M. Sizemore, Municipal Manager and Tom Schiff, Law Director

The aforementioned persons discussed personnel matters related to the Manger's contract, compensation for the position of Clerk of Council/Zoning Compliance Officer and the performance of the Finance Director.

Mrs. Sizemore excused herself at 7:43 p.m.

Mrs. Sizemore returned at 7:51 p.m.

**MOTION:** Mr. Kuhn 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 7:54 p.m.

**ADJOURNMENT:**

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

The meeting adjourned at 7:54 p.m.

Respectfully Submitted,

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Kelli R. Sanders-Novak  
Clerk of Council

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Theodore E. Landis  
Mayor