

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, APRIL 2, 12

The Municipality of Germantown Council met in regular session on April 2, 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. Lynn Koogle, Mr. Michael Kuhn, Mr. Edward Schwaberow and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mr. Terry Johnson was absent.

ALSO PRESENT:

Also present were Anna M. Sizemore, Municipal Manager; Tom Schiff, Law Director; Dan Alldred, Fire Chief; Roy McGill, Chief of Police; Matt Burns, Police Major; Scott Brown, Police Sergeant; Terry Klein, Finance Director; Kelli Sanders-Novak, Clerk of Council and several visitors.

APPROVAL OF MINUTES:

Mayor and Council reviewed the March 19, 2012 Regular Session minutes.

MOTION: Mr. Koogle moved to accept the March 19, 2012 Regular Session minutes as submitted.

ROLL CALL: Mr. Boeder, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, abstained; Mr. Wafzig, yes; Mayor Landis, yes. 5-yes, 1 abstention. **MOTION CARRIED.**

Mayor and Council reviewed the March 19, 2012 Work Session minutes.

MOTION: Mr. Boeder moved to accept the March 19, 2012 Work Session minutes as submitted.

ROLL CALL: Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, abstained; Mr. Wafzig, yes; Mr. Boeder, yes; Mayor Landis, yes. 5-yes, 1 abstention. **MOTION CARRIED.**

PUBLIC RECOGNITION:

None.

CITIZEN'S FORUM:

None.

MANAGER'S REPORT:

Mrs. Sizemore asked Mayor Landis to give B. Scott Brown the Oath of Office for his promotion to Police Lieutenant.

Chief McGill reviewed Lieutenant Brown's many accomplishments while serving on the Germantown Police Department.

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, APRIL 2, 12

Mrs. Sizemore stated that the Fire/EMS has received two donations and Council needs to accept the donations of \$20.00 and \$100.00

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

ROLL CALL: Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Koogle, yes; Mayor Landis, yes. 6-yes, 0-no. **MOTION CARRIED.**

Mrs. Sizemore reviewed her report.

Mrs. Sizemore reviewed the memo that was included in the Council packets regarding the change to the Traffic Control Map for Comstock Street. This request is for the times on the signs to be changed. This is just an introduction of the request tonight and we will vote on this change at the next Council meeting.

She stated that she had received a request from 315 South Walnut Street for a deaf child sign to be installed. There are two children that have hearing issues and with Councils approval we will install the requested sign. Council agreed to have the staff install the deaf child sign at 315 South Walnut Street.

CLERK'S REPORT:

Mrs. Novak reminded everyone of the upcoming Spring Community Garage Sale on May 19th and 20th.

LAW DIRECTOR'S REPORT:

None.

FINANCE DIRECTOR'S REPORT:

Mr. Klein briefly reviewed a few items on the 2011 Year End report that was given to Council in their packets.

Mr. Schwaberow questioned if there would be any additional funds that could be used for street improvements. He would like to see additional streets included in this year's program.

Mrs. Sizemore stated that we only chose to do what we had budgeted. We are expecting to receive some inheritance tax money and possibly some local government fund money that could also be used for additional work. The Engineer is putting together a list of streets that could be done if we have additional funds. The Engineer had planned on working from the West side of the City to the East.

A brief discussion took place regarding the additional streets that need improvements. It was determined that the Manager would look at the five year projection plan to see when the questioned streets are due for improvement and speak with the Engineer to see if they could be done sooner.

POLICE CHIEF'S REPORT:

Chief McGill reviewed the 2011 Year End Police Report.

MAYOR'S REPORT:

He attended a meeting at FRWWTC. They discussed the increase of flows due to the extremely wet December. The City was over our limits but now that the improvements have been made on Market Street we have lowered the numbers and are back in compliance.

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, APRIL 2, 12

COUNCIL MEMBER'S REPORT:

Mr. Boeder's Report:

None.

Mr. Koogler's Report:

He stated that he attended the Economic Development meeting. They discussed working with the CBC on the downtown area. When the details are made he will report them to Council.

Mr. Kuhn's Report:

The Saturday Night Out Committee will be meeting on April 19th.

He attended the Fire Oversight meeting tonight. Chief Alldred announced at the meeting that there would be a delay and the new crash truck should arrive the week of April 9th.

Mr. Schwaberow's Report:

He stated he will be attending the MVRPC meeting on Thursday. At the last meeting some of the northern communities expressed concerns and wanted to see some amendments to the final plan. Changes have been made to the original plan and we will be voting on Thursday.

Mr. Wafzig's Report:

He attended the Charter Review meeting tonight. The committee has done a thorough review and is close to recommending the changes to Council. Hopefully these minor changes will be ready to go on the ballot this fall.

Legislation:

Introduction:

ORDINANCE NO. 12-21

AN ORDINANCE TO AMEND SECTION 921.03(e) OF THE STREETS AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN TO INCREASE THE SEWER TAP IN FEES.

Mayor Landis stated the Public Hearing would be April 16, 2012.

ORDINANCE NO. 12-22

AN ORDINANCE AMENDING SECTION 1123.02 OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING THE DEFINITION OF HOME OCCUPATION.

Mayor Landis stated the Public Hearing would be April 16, 2012.

ORDINANCE NO. 12-23

AN ORDINANCE AMENDING SECTION 1129.14 OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING HOME OCCUPATIONS.

Mayor Landis stated the Public Hearing would be April 16, 2012.

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, APRIL 2, 12

RESOLUTION NO. 12-24

A RESOLUTION TO DECLARE A JOHN DEERE GT275 LAWN TRACTOR AS PUBLIC SERVICE DEPARTMENT SURPLUS PROPERTY AND AUTHORIZE THE MUNICIPAL MANAGER TO ADVERTISE FOR BIDS TO SELL SAID PROPERTY.

Mayor Landis stated the Public Hearing would be April 16, 2012.

RESOLUTION NO. 12-25

A RESOLUTION TO DECLARE A FRONTIER RB2307 HYDRAULIC REAR BLADE AS PUBLIC SERVICE DEPARTMENT SURPLUS PROPERTY AND AUTHORIZE THE MUNICIPAL MANAGER TO ADVERTISE FOR BIDS TO SELL SAID PROPERTY.

Mayor Landis stated the Public Hearing would be April 16, 2012.

EMERGENCY ORDINANCE NO. 12-26

AN ORDINANCE TO AMEND SECTIONS 161.04(c)(1), 161.04(c)(2), AND 161.04(c)(3) OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN TO ESTABLISH THE COMPENSATION SCHEDULE FOR THE POSITIONS THAT ARE CONTAINED IN SAID SECTIONS, EFFECTIVE JANUARY 1, 2012, AND DECLARING AN EMERGENCY.

MOTION: Mr. Wafzig moved to suspend the rules on Emergency Ordinance No. 12-26.

ROLL CALL: Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

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

MOTION: Mr. Wafzig moved to adopt Emergency Ordinance No. 12-26.

Mr. Schwaberow questioned this small increase. Mrs. Sizemore replied that Council approved this 1% increase with the 2012 budget. She has spoken with the Finance Director and they would like to see the salary schedule in the budget document and not in the Code of Ordinances.

ROLL CALL: Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

EMERGENCY ORDINANCE NO. 12-27

AN ORDINANCE TO AMEND SECTIONS 161.05(d)(1), 161.05(d)(2), AND 161.05(d)(3) OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN TO ESTABLISH THE COMPENSATION SCHEDULE FOR THE POSITIONS THAT ARE CONTAINED IN SAID SECTIONS, EFFECTIVE JANUARY 1, 2012, AND DECLARING AN EMERGENCY.

MOTION: Mr. Koogle moved to suspend the rules on Emergency Ordinance No. 12-27.

ROLL CALL: Mr. Boeder, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

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

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, APRIL 2, 12

MOTION: Mr. Koogle moved to adopt Emergency Ordinance No. 12-27.

ROLL CALL: Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

EMERGENCY ORDINANCE NO. 12-28

AN ORDINANCE TO AMEND SECTIONS 161.06(c)(1) AND 161.06(c)(2) OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN TO ESTABLISH THE COMPENSATION SCHEDULE FOR THE POSITIONS THAT ARE CONTAINED IN SAID SECTIONS, EFFECTIVE JANUARY 1, 2012, AND DECLARING AN EMERGENCY.

MOTION: Mr. Boeder moved to suspend the rules on Emergency Ordinance No. 12-28.

ROLL CALL: Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Koogle, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

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

MOTION: Mr. Boeder moved to adopt Emergency Ordinance No. 12-28.

ROLL CALL: Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

EMERGENCY ORDINANCE NO. 12-29

AN ORDINANCE TO AMEND SECTION 161.07(d)(1) OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN TO ESTABLISH THE COMPENSATION SCHEDULE FOR THE POSITIONS THAT ARE CONTAINED IN SAID SECTION, EFFECTIVE JANUARY 1, 2012, AND DECLARING AN EMERGENCY.

MOTION: Mr. Wafzig moved to suspend the rules on Emergency Ordinance No. 12-29.

ROLL CALL: Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

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

Mrs. Sizemore stated that she spoke with Chief Alldred and at this time he does not want to give the approved 1% increase only to their base pay.

MOTION: Mr. Boeder moved to adopt Emergency Ordinance No. 12-29.

ROLL CALL: Mr. Boeder, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

Public Hearing:

RESOLUTION NO. 12-19

A RESOLUTION IN SUPPORT OF GRANT APPLICATIONS BEING FILED BY THE MIAMI VALLEY COMMUNICATIONS COUNCIL ON BEHALF OF ITS MEMBER CITIES TO THE STATE OF OHIO LOCAL GOVERNMENT INNOVATION FUND FOR REGIONAL COOPERATIVE PROJECTS.

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

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, APRIL 2, 12

MOTION: Mr. Schwaberow motioned to adopt Resolution No. 12-19.

ROLL CALL: Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

EXCUSE ABSENT MEMBERS:

Mr. Kuhn motioned to excuse Mr. Johnson.

ROLL CALL: Mr. Kuhn, yes; Mr. Wafzig, yes; Mr. Schwaberow, yes; Mr. Boeder, yes; Mr. Koogle, yes; Mayor Landis, yes. 6-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 7:57 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor