

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, JULY 2, 12

The Municipality of Germantown Council met in regular session on July 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. 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 Lieutenant; Kelli Sanders-Novak, Clerk of Council and one visitor.

APPROVAL OF MINUTES:

Mayor and Council reviewed the June 18, 2012 Regular Session minutes.

MOTION: Mr. Johnson moved to accept the June 18, 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 June 18, 2012 Work Session minutes.

MOTION: Mr. Schwaberow moved to accept the June 18, 2012 Work 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.**

PUBLIC RECOGNITION:

None.

CITIZEN'S FORUM:

Wendell Adkins with DP&L updated Council and residents on the recent storm damage and reviewed safety tips for power outages.

MANAGER'S REPORT:

Mrs. Sizemore stated that the Fire/EMS has received several donations and Council needs to accept the donations of \$100.00, \$50.00, \$100.00, \$50.00, \$40.00, \$50.00, \$145.00, \$50.00 and \$25.00.

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

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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.

Mrs. Sizemore reviewed her report.

She went on by saying that she had more topics to review later in the work session.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

He stated that legislation regarding vicious dogs, mobile food vendors and soliciting for money are on the agenda for tonight.

The letter has been mailed to Germantown United Methodist Church regarding the tap in invoice. They have not responded to him yet.

He should have more information regarding home occupations for Council to review in the next few weeks.

POLICE CHIEF'S REPORT:

None.

MAYOR'S REPORT:

He attended the Mayor's Association Conference last week. The main topics of discussion were income tax uniformity issues and the new health care program that was passed.

COUNCIL MEMBER'S REPORT:

Mr. Boeder's Report:

He stated that the Cemetery has signed a contract with the survey company and they will be moving forward with the survey on the west side of the property.

Mr. Johnson's Report:

He just returned from a family outing and visited several of our State and National Parks, which were very beautiful. Unfortunately when they arrived at the beach it was very disappointing to see how people are littering the coastal lines. He and his boys spent three days picking up trash along the beach. He wishes people would care more about our public areas.

He announced that the Park Board will be meeting on July 4th before the parade. He then reviewed the parade route. Please remember to not throw any candy/items to the crowd; you may hand it to people.

He wished everyone a safe and happy 4th of July.

Mr. Koogle's Report:

None.

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Mr. Kuhn's Report:

He attended the Fire Oversight meeting earlier tonight. He reviewed several items that Chief Allred had mentioned during the meeting.

He attended the Economic Development meeting this month. We are looking for a location for the bicentennial mural sign. We are looking at displaying the sign on the side of Kent Southard's building.

Mrs. Sizemore stated that she had spoken with Mr. Southard and with minor alterations the sign should fit on the building.

Mr. Kuhn went on by saying that the Economic Development Committee has submitted a grant for sidewalks in the downtown area. We should know if the City has been awarded the grant by the end of July.

Mr. Wafzig questioned how much of the mural would be removed to make it fit on the side of the Southard's building. Mrs. Sizemore replied that just the bottom portion would be removed but it will not interrupt the mural itself.

Mr. Schwaberow's Report:

He stated that we have not had a Planning Commission meeting in several months. He questioned if Dan Boron had been working on the project concerning the vacant lots and the changes in Zoning in the City. Mrs. Sizemore replied that she has made multiple attempts to contact Mr. Boron and he is not returning any phone calls. She has left messages asking that he have a presentation ready for the Planning Commission meeting in July.

Mr. Wafzig's Report:

He attended the Charter Review meeting earlier tonight. The changes have been approved and should be presented to Council soon.

He reminded everyone that there would be free swimming at the pool after the July 4th parade.

Legislation:

Introduction:

RESOLUTION NO. 12-35

A RESOLUTION DECLARING THE INTENT AND RESOLVE OF THE COUNCIL TO ENACT UNIFORM PROVISIONS IN THE MUNICIPALITY OF GERMANTOWN TAX ORDINANCES UPON REVISION OF CHAPTER 718 OF THE OHIO REVISED CODE.

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

RESOLUTION NO. 12-36

A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE MONTGOMERY COUNTY SOLID WASTE MANAGEMENT DISTRICT.

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

ORDINANCE NO. 12-37

AN ORDINANCE VACATING THE CURRENT SECTION 505.15 OF THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING DANGEROUS AND VICIOUS DOGS AND ADOPTING A NEW SECTION 505.15 OF THE GENERAL

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OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING DANGEROUS AND VICIOUS DOGS.

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

ORDINANCE NO. 12-38

AN ORDINANCE CREATING SECTION 509.21 OF THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING SOLICITING FOR MONEY.

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

ORDINANCE NO. 12-39

AN ORDINANCE CREATING CHAPTER 703 OF THE BUSINESS REGULATIONS CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING MOBILE FOOD VENDORS.

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

Public Hearing:

ORDINANCE NO. 12-34

AN ORDINANCE AMENDING SECTION 1129.02(b) OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING ACCESSORY STRUCTURES.

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

MOTION: Mr. Johnson motioned to adopt Ordinance No. 12-34.

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.**

EXCUSE ABSENT MEMBERS:

None.

MOTION: Mr. Johnson moved to adjourn to Executive Session to discuss personnel matters related to the Municipal Manager's contract.

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 adjourned to Executive Session at 7:26 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. Mike Kuhn, Mr. Edward Schwaberow and Mr. Brian Wafzig.

MEMBERS ABSENT:

None.

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ALSO PRESENT:

Also present were Anna M. Sizemore, Municipal Manager and Tom Schiff, Law Director.

The aforementioned persons discussed personnel matters related to the Municipal Manager's contract.

Mrs. Sizemore excused herself at 7:26 p.m.

Mrs. Sizemore returned at 7:36 p.m.

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 7:36 p.m.

ADJOURNMENT:

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

The meeting adjourned at 7:36 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor