

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, JANUARY 7, 13

The Municipality of Germantown Council met in regular session on January 7, 2013 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 Sizemore, Municipal Manager; Tom Schiff, Law Director; Roy McGill, Chief of Police; Matt Burns, Police Major; Kelli Sanders-Novak, Clerk of Council and one visitor.

ORGANIZATION:

MOTION: Mr. Koogle moved to appoint Terry Johnson as President of Council for 2013.

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

Appointment of Council Members Special Assignments

Liaison to Boards and Commissions:

- BZA-Brian Wafzig
- Planning Commission-Ed Schwaberow
- Parks & Recreation-Terry Johnson
- Pool Board-Terry Johnson
- City Beautiful Commission-Lynn Koogle
- Firemen's Dependents Board-Steve Boeder and Brian Wafzig
- Personnel Board-Terry Johnson
- Cemetery Board-Steve Boeder
- Economic Development-Lynn Koogle and Mike Kuhn

Appointment to Oversight:

- Parks Oversight-Terry Johnson
- Pool Oversight-Terry Johnson
- Fire Oversight-Mike Kuhn
- Senior Oversight-Lynn Koogle

Liaisons to other Boards and Commission:

- MVRPC-Ed Schwaberow, Alternate-Lynn Koogle
- MVRTC-Ed Schwaberow, Alternate-Lynn Koogle
- MVRPC Technical-Anna Sizemore, Alternate-Jonathan Moore
- MVCC-Brian Wafzig, Alternate-Ed Schwaberow
- FRWWTC-Ted Landis, Alternate-Jonathan Moore

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MOTION: Mr. Koogle moved to appoint the Council Members special assignments as submitted for 2013.

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.**

Appointment of Citizens to Boards and Commission

Board of Tax Appeals -Brent Byerly
Board of Zoning Appeals–Planning Commission Liaison-Jeff Jones
Board of Zoning Appeals-Mark Heistand
Cemetery Board-Steven Wright
City Beautiful Commission-Laura Jena &Megan Castle
Economic Development-Mike Rieger
Park and Recreation Board-Dave Shuey
Parks Oversight Board-Mark Kozarec
Planning Commission -Brent Byerly
Personnel Board-Lavonna Weinell
Pool Board-Don Hurley
Pool Oversight Board-Jim Lawson
Records Commission-Gail Githens

MOTION: Mr. Schwaberow moved to appoint the citizens to the Boards and Commission as submitted for 2013.

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.**

APPROVAL OF MINUTES:

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

MOTION: Mr. Kuhn moved to accept the December 17, 2012 Regular Session minutes as submitted.

ROLL CALL: Mr. Boeder, abstain; Mr. Johnson, yes; Mr. Koogle, abstain; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mayor Landis, yes. 5-yes, 2-abstentions. **MOTION CARRIED.**

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

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

ROLL CALL: Mr. Boeder, abstain; Mr. Johnson, yes; Mr. Koogle, abstain; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mayor Landis, yes. 5-yes, 2-abstentions. **MOTION CARRIED.**

Mayor and Council reviewed the December 20, 2012 Special Session minutes.

MOTION: Mr. Wafzig moved to accept the December 20, 2012 Special Session minutes as submitted.

ROLL CALL: Mr. Boeder, abstain; Mr. Johnson, yes; Mr. Koogle, abstain; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mayor Landis, yes. 5-yes, 2-abstentions. **MOTION CARRIED.**

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PUBLIC RECOGNITION:

Mayor Landis presented Jenifer Shyrigh with a plaque for four years of dedicated service to the Parks and Recreation Board.

CITIZEN'S FORUM:

None.

MANAGER'S REPORT:

Mrs. Sizemore stated that the Fire-EMS has received donations and Council needs to accept these donations of \$50.00 and \$200.00.

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

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.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

None.

POLICE CHIEF'S REPORT:

None.

MAYOR'S REPORT:

He announced that the next Council meeting would be January 22, 2013 due to the holiday.

COUNCIL MEMBER'S REPORT:

Mr. Boeder's Report:

He attended two Cemetery Board meetings in the last few weeks. During the January meeting they organized the Board and elected the same officers. The Budget was also adopted.

He attended the Montgomery County Soil & Water District VIP tour for the Mayor in December.

He extended his sincere thanks to all for the kind words and support for the loss of his wife. She passed away from cancer but she was a fighter and she will be missed dearly. During the past few weeks he and his family have received much sympathy from many good people. He again thanked everyone for their support.

Mr. Johnson's Report:

He thanked Jenifer Shyrigh for her years of service on the Park Board. She helped a lot with the Christmas in the Park project and we appreciate her dedication of making it bigger and better than it originally was.

The Park Board will be meeting Wednesday.

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He stated it was good to have Mr. Boeder and Mr. Koogle back at the meetings. They were in his thoughts and prayers in their absence.

Mr. Koogle's Report:

He stated he was glad to be back. He thanked everyone for their support during his operation and as he continues to recuperate.

Mr. Kuhn's Report:

He attended the Fire Oversight meeting tonight. The Board organized and changed the dates of the meetings to bi-monthly at 5:30 p.m.

Mr. Schwaberow's Report:

He attended the MVRPC meeting last Thursday. At that time they adopted a resolution strongly opposing the passing of legislation by the Ohio General Assembly for what was previously known as HB 601. The new Executive Director for MVRPC will hopefully be starting on February 4th.

He attended the Planning Commission meeting last month. They met with Dan Boron and had a preliminary discussion regarding the comparison of City's building regulations and restrictions. We are planning on meeting in January to discuss Mr. Boron's findings.

Mr. Wafzig's Report:

None.

Legislation:

Introduction:

None.

Public Hearing:

RESOLUTION NO. 12-63

A RESOLUTION TO DECLARE SURPLUS PROPERTY AND AUTHORIZE THE MUNICIPAL MANAGER TO ADVERTISE FOR BIDS TO SELL SAID PROPERTY.

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

MOTION: Mr. Johnson motioned to adopt Resolution No. 12-63.

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. 12-64

A RESOLUTION AUTHORIZING THE REQUEST FOR ADVANCE OF TAXES FOR 2013 COLLECTED BY THE TREASURER OF MONTGOMERY COUNTY, STATE OF OHIO.

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

MOTION: Mr. Johnson motioned to adopt Resolution No. 12-64.

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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.

EXCUSE ABSENT MEMBERS:

None.

MOTION: Mr. Johnson moved to adjourn to Executive Session to discuss imminent litigation.

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 7:29 p.m.

EXECUTIVE SESSION:

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 and Tom Schiff, Law Director.

The aforementioned persons discussed imminent litigation.

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 7:45 p.m.

ADJOURNMENT:

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

The meeting adjourned at 7:46 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor