

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**MONDAY, MARCH 4, 13**

The Municipality of Germantown Council met in regular session on March 4, 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, and Mr. Brian Wafzig.

**MEMBERS ABSENT:**

Mr. Edward Schwaberow was absent.

**ALSO PRESENT:**

Also present were Anna Sizemore, Municipal Manager; Tom Schiff, Law Director; Roy McGill, Chief of Police; Scott Brown, Police Lieutenant; Terry Klein, Finance Director; Kelli Sanders-Novak, Clerk of Council and one visitor.

**APPROVAL OF MINUTES:**

Mayor and Council reviewed the February 19, 2013 Regular Session minutes.

**MOTION:** Mr. Koogle moved to accept the February 19, 2013 Regular Session minutes as submitted.

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

Mayor and Council reviewed the February 19, 2013 Work Session minutes.

**MOTION:** Mr. Wafzig moved to accept the February 19, 2013 Work Session minutes as submitted.

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

**PUBLIC RECOGNITION:**

None.

**CITIZEN'S FORUM:**

Jeff Jones, 228 Bradley Drive, thanked the Germantown Police Department for their assistance in the recent recovery of his car. Corporal Wale did an excellent job. He went on by suggesting an online communication program with the residents, the City & Police that would update everyone. this would be helpful for those with busy schedules.

**MANAGER'S REPORT:**

Mrs. Sizemore stated that the Fire-EMS has received a donation and Council needs to accept this donation of \$30.00.

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

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

Mrs. Sizemore reviewed her report.

**CLERK'S REPORT:**

Mrs. Novak stated a request from the Ohio Division of Liquor Control for a transfer of a C-1 & C-2 (beer and wine) liquor license for Speedway LLC 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 transfer.

All agreed to not have a hearing for the liquor license transfer for Speedway, LLC.

She went on by saying that the Spring Community Garage Sale would be on Saturday, May 18 and Sunday, May 19. If residents would like to participate they need to call the Municipal Office and give their address and their top three items they would like advertised.

**LAW DIRECTOR'S REPORT:**

He stated he would like to discuss the memo that was given to Council from Lisa with NIC. He asked if Council would like to discuss this in regular session or during work session. It was determined that this would be a topic the work session.

**FINANCE DIRECTOR'S REPORT:**

Mr. Klein announced that the next Audit Committee would be meeting on March 18. He would like to discuss the compliance issue with the State during that meeting.

**POLICE CHIEF'S REPORT:**

Chief McGill handed out the January Department Report.

He went on by thanking Mr. Jones for the positive words that were said regarding Corporal Wale.

**MAYOR'S REPORT:**

None.

**COUNCIL MEMBER'S REPORT:**

**Mr. Boeder's Report:**

None.

**Mr. Johnson's Report:**

He attended the Pool Board meeting last week. We are looking forward to the warm weather and the opening of the pool.

The Park Board will be meeting on March 6.

**Mr. Koogler's Report:**

He attended the MVRPC meeting last month and they introduced the new Director. They also discussed creative project funding that the Municipality may want to look into.

He also attended the CBC meeting. They have decided to incorporate 20 hanging baskets in the downtown area this year along with the large pots.

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**Mr. Kuhn's Report:**

None.

**Mr. Wafzig's Report:**

He attended the MVCC meeting February 20. Various topics were discussed; some of the main topics were the electric and gas aggregation programs and a video for consumers to help make a decision on choosing their electric provider. There will be a Time Warner Cable Representative at the April MVCC meeting. If anyone has any questions they would like answered please contact him.

The next Saturday Night Out meeting will be March 7.

**Legislation:**

**Introduction:**

RESOLUTION NO. 13-16

A RESOLUTION TO DECLARE A JOHN DEERE 455 LAWN TRACTOR AND A JOHN DEERE 855 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 March 18, 2013.

EMERGENCY ORDINANCE NO. 13-17

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE MUNICIPALITY OF GERMANTOWN CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

**MOTION:** Mr. Johnson moved to suspend the rules on Emergency Ordinance No. 13-17.

ROLL CALL: Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, 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.

**MOTION:** Mr. Johnson moved to adopt Emergency Ordinance No. 13-17.

Mr. Wafzig questioned why we were passing this by emergency. Mrs. Sizemore stated we are required to pass this by emergency to be in compliance with the laws.

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

**Public Hearing:**

ORDINANCE NO. 13-13

AN ORDINANCE CREATING SECTION 509.21 OF THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING FUNERAL PROTESTS.

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

**MOTION:** Mr. Koogle motioned to adopt Ordinance No. 13-13.

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

**RESOLUTION NO. 13-14**

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO A TWO-YEAR EXTENSION OF THE CURRENT CONTRACT WITH RUMPKE OF OHIO, INC., 10795 HUGHES ROAD, CINCINNATI, OH 45251, FOR SOLID WASTE AND CURBSIDE RECYCLING SERVICES FOR THE PERIOD OF MAY 1, 2013 THROUGH APRIL 30, 2015.

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

**MOTION:** Mr. Kuhn motioned to adopt Resolution No. 13-14.

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

**EXCUSE ABSENT MEMBERS:**

Mr. Johnson motioned to excuse Mr. Schwaberow.

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

**ADJOURNMENT:**

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

The meeting adjourned at 7:24 p.m.

Respectfully Submitted,

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Kelli R. Sanders-Novak  
Clerk of Council

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Theodore E. Landis  
Mayor