

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, APRIL 1, 13

The Municipality of Germantown Council met in work session on April 1, 2013 at 7:53 p.m. in the Municipal Building Council Chambers.

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. Edward Schwaberow and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mr. Michael Kuhn was absent.

ALSO PRESENT:

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

First Baptist Church and/or Camp Miami Water Issue

The Law Director stated that he received a couple of responses from Council members regarding the past water issues. For the most part both of the responses stated the same things; the Church did not ask permission, there is no easement, we are not aware of exactly what is in this water retention spot, and there is no record that this retention/pipe even exists. He does not believe that the City has any responsibility. Any problems that have occurred and may occur with the pipe that is underground is the responsibility of the Church. If there is still a problem, who is it a problem for. Mr. Johnson replied that it would be a problem for anyone who is on Farmersville Pike to Plum Street, Walnut Street and Warren Street.

The Law Director stated that it would depend on the cost of fixing the problem.

Mr. Johnson questioned if the City would have any liability if we tried to divert the flow of water and try to keep it off other properties. The Law Director replied that it would depend on how much it would cost to do that.

Mr. Johnson stated that if we were to try to correct the problem would we be able to charge the property owner. Who exactly owns the property and who is responsible for these issues?

The Law Director stated that if we went through the proper process and the procedural resolution is that Camp Miami is responsible. The City would be able to try to bill the owner for the charges. We may be able to recoup those charges but it would be doubtful.

Mr. Johnson stated that in the past the City has taken action and the City was sued.

Mr. Schwaberow stated that he does not recall the past lawsuits outcome. The insurance company may have settled on the City's behalf.

Mayor Landis stated that he recalled the last suit that pertained to this issue was in the amount of \$500.00. It was minimal.

Mr. Schwaberow briefly reviewed his recollection of the past issues with the drainage issue.

The consensus was that the City Engineer would look into the issue and see how to correct it and get back with Council.

St. Rt. 725 Property

Mrs. Sizemore stated that she has supplied Council with a map of the original proposal that there was a plan to have a second entrance to the Weber Sports Complex. She has contacted the IOOF

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to see if this property would be a consideration for their new lodge. We would need to discuss with the IOOF if they would give the Municipality a right-of-way for the second entrance of the Complex. At this time the owner of the property has not been approached for any purchase price. The Municipality had thought that this piece of property was included in the original purchase of land for the Complex.

Mr. Koogle stated that the IOOF is very interested in building a new lodge and may be interested in the purchase of this property.

The consensus was that the Municipality would not be interested in the property unless it would be sold for \$5,000.00 and another sign.

Historical Society

Mrs. Sizemore stated that the information that was in the council packets is information from neighboring jurisdictions. The Germantown Historical Society is looking for a \$5000.00 donation from the Municipality.

Council discussed the financial report from the Germantown Historical Society. The consensus was that the Staff will look into the liability if the Municipality is to donate any funds.

Other Business

None.

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

The work session was adjourned at 8:45 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor