

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, MAY 20, 13

The Municipality of Germantown Council met in regular session on May 20, 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. Edward Schwaberow and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mr. Michael Kuhn was absent.

ALSO PRESENT:

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

APPROVAL OF MINUTES:

Mayor and Council reviewed the May 6, 2013 Regular Session minutes.

MOTION: Mr. Johnson moved to accept the May 6, 2013 Regular Session minutes as submitted.

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

Mayor and Council reviewed the May 6, 2013 Work Session minutes.

MOTION: Mr. Wafzig moved to accept the May 6, 2013 Work Session minutes as submitted.

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

PUBLIC RECOGNITION:

None.

CITIZEN'S FORUM:

Carolyn Rice, Montgomery County Treasurer updated Council on local current and delinquent property taxes. She encouraged anyone who may be watching that is behind on their property taxes to please contact her office to get on a payment plan.

Bo Willis, 421 West Market Street, addressed Council with his concerns of the West Market Street Project and his special concrete sidewalks. He explained that he and his neighbor had special colored and reinforced concrete installed and would like it to remain untouched during the project.

Mrs. Sizemore stated that she had made Council aware of the situation along with the Municipal Engineer. The Engineer is planning on looking at the situation and will bring that information back to Council for them to make a final decision on the special concrete.

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MANAGER'S REPORT:

Mrs. Sizemore reviewed her report.

She went on by saying that the Senior Center and the Municipal Staff would like to participate in "Color the Town Purple" event that is for the Farmersville and Germantown Relay for Life. We would like to decorate the entrance of the Municipal Building and also place a few purple bows in the downtown area. The Senior Center would like to purchase some ribbons to show support as well. She spoke with the Auditor and they recommended a motion from Council to have \$50.00 for the Senior Center and \$50.00 for the Municipal Building for decorations/supplies.

MOTION: Mr. Koogle moved to allow the Senior Center and the Municipal Building to each have \$50.00 to participate in the "Color the Town Purple" event.

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

CLERK'S REPORT:

Mrs. Novak stated the Fall Community Garage Sale would be on Saturday, September 21 and Sunday, September 22.

LAW DIRECTOR'S REPORT:

He stated that he has received the information regarding the 1892 Wetz Lane court case today. He plans to review the information and get back with Council.

POLICE CHIEF'S REPORT:

Chief McGill stated that the Germantown Honor Guard performed their first ceremony last week during National Police Week. Everything went very well and he is hoping to do it again next year.

He went on by introducing Josiah Shoemaker to Council and stated he would be our newest full time employee. He read all of Josiah's accommodations and accomplishments during his time of service in the military.

Mayor Landis gave Josiah Shoemaker his Oath of Office.

FIRE CHIEF'S REPORT:

Chief Alldred reviewed the April Fire-EMS report.

MAYOR'S REPORT:

Mrs. Sizemore and he attended the Mayor and Managers meeting last week. The main topic of discussion was House Bill 5 regarding centralized tax collection.

COUNCIL MEMBER'S REPORT:

Mr. Boeder's Report:

He attended the Cemetery Board meeting. They discussed the Cemetery Levy that will be expiring. Once the current levy expires the Cemetery will have to run a new separate levy that is not under the Township. They will work on finalizing the millage in the next few months.

He attended a Storm Water Conference and they discussed rain gardens. He would like to see if the Municipal Engineer would be able to incorporate these as a demo project into the West Market Street Project. He has information regarding rain gardens if anyone would be interested in learning more.

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He went on by saying that there seems to be an issue with residents and companies discharging grass clippings into the roadways. These clippings are going into our local streams that tie up the oxygen and make the habitat in the streams less. He would like the Manager to have NIC look into monitoring this issue when there is a mass amount of clipping discharged into the streets.

Mr. Johnson's Report:

He attended the Pool Board meeting last week. They discussed the upcoming opening day of the Aquatic Center.

He reminded everyone that the Memorial Day Event will be May 27 at Veterans Park.

His thoughts and prayers went to those affected by the recent tornados in Tornado Alley and Moore, Oklahoma.

Mr. Koogle's Report:

He thanked the CBC for planting all the flowers around the Municipal Building yesterday. They did a great job and it looks great.

He commented on the Cemetery Levy stating that it will be tough to get across to the voters that this is a replacement tax and not a new tax.

He wished everyone a safe and happy holiday that is coming up.

His prayers go out to those in Oklahoma.

Mr. Schwaberow's Report:

The Audit Committee met tonight and reviewed the First Quarter Report. Everything seems to be in order. The other members of Council should have the report soon. He commended the Manager and Staff on a job well done.

Mr. Wafzig's Report:

He attended the MVCC meeting on May 15. They discussed several topics and one was a community volunteer day. This may be a good project for Germantown to start up. He would like the Finance Director to compile facts/numbers on how House Bill 5 would affect Germantown. He would like to share them with the Committee for a comparison with other communities.

Legislation:

Introduction:

EMERGENCY RESOLUTION NO. 13-31

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO AN AGREEMENT WITH BRUMBAUGH CONSTRUCTION, INC., 3520 ST. RT. 49, P.O. BOX 309, ARCANUM, OH 45304, FOR THE DAYTON PIKE WATER LINE PROJECT, IN THE AMOUNT OF NOT TO EXCEED \$21,000.00, AND DECLARING AN EMERGENCY.

MOTION: Mr. Johnson moved to suspend the rules on Emergency Resolution No. 13-31.

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

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MOTION: Mr. Johnson moved to adopt Emergency Resolution No. 13-31.

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

Public Hearing:

RESOLUTION NO. 13-25

A RESOLUTION TO DECLARE FIRE/EMS DEPARTMENT 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. Boeder motioned to adopt Resolution No. 13-25.

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

RESOLUTION NO. 13-26

A RESOLUTION TO DECLARE POLICE DEPARTMENT 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. Boeder motioned to adopt Resolution No. 13-26.

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

ORDINANCE NO. 13-27

AN ORDINANCE AMENDING SECTION 161.08(d)(3) OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING SEASONAL EMPLOYEES.

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

MOTION: Mr. Boeder motioned to adopt Ordinance No. 13-27.

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

EXCUSE ABSENT MEMBERS:

Mr. Koogle motioned to excuse Mr. Kuhn.

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

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ADJOURNMENT:

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

The meeting adjourned at 8:12 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor