

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**MONDAY, DECEMBER 16, 13**

The Municipality of Germantown Council met in regular session on December 16, 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; Dan Alldred, Fire Chief; Roy McGill, Chief of Police; Matt Burns, Police Major; Scott Brown, Police Lieutenant; Kelli Sanders-Novak, Clerk of Council and three visitors.

**APPROVAL OF MINUTES:**

Mayor and Council reviewed the December 2, 2013 Regular Session minutes.

Mr. Wafzig stated on page 4 under his report, should read "February 5" not "January 5".

**MOTION:** Mr. Kuhn moved to adopt the December 2, 2013 Regular Session minutes as amended.

**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**

Mayor and Council reviewed the December 2, 2013 Work Session minutes.

**MOTION:** Mr. Kuhn moved to accept the December 2, 2013 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.**

Mayor and Council reviewed the December 12, 2013 Special Session minutes.

**MOTION:** Mr. Wafzig moved to accept the December 12, 2013 Special Session minutes as submitted.

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

**PUBLIC RECOGNITION:**

None.

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**CITIZEN'S FORUM:**

None.

**MANAGER'S REPORT:**

Tom Schiff presented a plaque to Mayor Landis for 26 years of dedicated service.

Mrs. Sizemore announced an open house on December 30 to honor Mayor Landis.

Mrs. Sizemore stated that the Fire-EMS has received several donations and Council needs to accept these donations of \$50.00, \$50.00, \$50.00, \$100.00, \$25.00 and \$20.00.

**MOTION:** Mr. Koogle 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.

Mr. Koogle suggested placing signs at either end of the walking path from Kercher Park to Megan Lane warning people that the dogs are there and are contained by Invisible Fence.

The Law Director suggested placing bushes instead of fencing along the neighboring properties along with the warning signs.

Mrs. Sizemore stated that she would speak with the homeowner again and see if they have made any decisions and let them know about the proposed signage and bushes.

**CLERK'S REPORT:**

None.

**LAW DIRECTOR'S REPORT:**

He stated he would like to discuss the memo he had sent to Council regarding the proposed seating chart for Council members during work session.

**POLICE CHIEF'S REPORT:**

Chief McGill reviewed the November Police Department report.

He went on by saying on behalf of the Police Department he wanted to thank Mayor Landis for all he has done for them. He congratulated Mayor Landis on his 26 years of service. He will be greatly missed.

**FIRE CHIEF'S REPORT:**

Chief Alldred reviewed the November Fire-EMS report.

He went on by thanking Mayor Landis for his support with the Fire-EMS Department. He thanked Mayor Landis for his service to the City. Germantown Fire-EMS wish him much happiness in the future.

He wished everyone Happy Holidays.

**MAYOR'S REPORT:**

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He stated he attended the FRWWC meeting with Jonathan Moore on December 4. He had a copy of the most current report/budget put in each Council member's packet. He briefly reviewed the report. The Board members from FRWWC have requested that Jonathan Moore be the representative from Germantown.

### **COUNCIL MEMBER'S REPORT:**

#### **Mr. Boeder's Report:**

He congratulated Mayor Landis on his 26 years of service to the Municipality.

The Cemetery levy had the recount and did fail by 6 votes. The Cemetery passed a resolution tonight regarding a replacement levy that will be placed on the ballot in May 2014. The Township Trustees along with the Council will also need to agree and pass a resolution supporting the levy being placed on the ballot in May 2014. He briefly explained the replacement levy and that voters may not have understood that no additional monies would be collected. He has spoken with the Manager regarding a resolution for Council to support the replacement Cemetery levy and has asked that it be placed on the December 30 special agenda.

He wished everyone a safe and Happy Holiday.

#### **Mr. Johnson's Report:**

He thanked all the Park Board members that helped with the Christmas in the Park event. He thanked Rick and Sally Bishop for allowing Santa and Mrs. Clause to stay with them while visiting Germantown.

He wished everyone a Merry Christmas and Happy New Year. He asked everyone to take time to remember the reason for the season.

He went on by saying that it has been an honor and privilege to serve with Mayor Landis. Even though they have not always been on the same side of an issue, they have smiled and shook hands in the end. He thanked Mayor Landis for his service to the community.

#### **Mr. Koogle's Report:**

He congratulated Mayor Landis on his career as Mayor and Council Member. He complimented him on a fabulous job.

#### **Mr. Kuhn's Report:**

He stated that when Mayor Landis began his career as Council Member he was a toddler. As long as has known what a Mayor was, Mayor Landis has been Germantown's. He thanked him for all the years of dedication.

#### **Mr. Schwaberow's Report:**

He has served in a couple different capacities with and for Mayor Landis. He appreciates all the guidance and assistance he has provided him over the years.

He went on by saying he attended the MVRPC meeting. He asked the Manager to send Council Members the link to the "Strong Towns" meeting that Mr. Boeder attended. They were saying a day may come when we are unable to maintain our projects. Taxes just cannot keep up with the cost to maintain the ongoing projects. He received information regarding all the resources such as "Safe Route to School" and "Clean Ohio Green Space" that are available and he has informed the Manager of these. We may be eligible for these funds. The Committee did oppose the newest House Bill 5 regarding Tax Collection.

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**Mr. Wafzig's Report:**

He thanked Mayor Landis and stated it had been a pleasure to work with him these past four years. He thanked him for his 22 years of service before that.

Mayor Landis thanked everyone for their kind words and went on by wishing a Merry Christmas to everyone and to have a safe holiday.

**Legislation:**

**Introduction:**

RESOLUTION NO. 13-77  
A RESOLUTION TO AUTHORIZE THE TRANSFER OF FUNDS FROM THE  
GENERAL FUND TO THE STREET CAPITAL IMPROVEMENT FUND.

Mayor Landis stated the Public Hearing would be January 6, 2014.

**Public Hearing:**

ORDINANCE NO. 13-75  
AN ORDINANCE AMENDING SECTION 101.08 OF THE  
ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE  
MUNICIPALITY OF GERMANTOWN REGARDING FEE WHEN CHECK  
NOT HONORED BY BANK.

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

**MOTION:** Mr. Koogle moved to adopt Ordinance No. 13-75.

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. 13-76  
A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER  
INTO AN AGREEMENT WITH THE MIAMI VALLEY COMMUNICATIONS  
COUNCIL FOR CODERED SERVICES FROM FEBRUARY 9, 2014 TO  
FEBRUARY 9, 2015.

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

**MOTION:** Mr. Wafzig moved to adopt Resolution No. 13-76.

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.

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**ADJOURNMENT:**

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

The meeting adjourned at 7:41 p.m.

Respectfully Submitted,

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Kelli R. Sanders-Novak  
Clerk of Council

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Stephen A. Boeder  
Mayor