

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, MARCH 17, 14

The Municipality of Germantown Council met in regular session on March 17, 2014 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 Stephen Boeder, Mr. Mark Heistand, Mr. Scott Johnson, Mr. Terry Johnson, Mr. Lynn Koogle, Mr. Michael Kuhn 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.

APPROVAL OF MINUTES:

Mayor and Council reviewed the March 3, 2014 Regular Session minutes.

MOTION: Mr. Terry Johnson moved to adopt the March 3, 2014 Regular Session minutes as submitted.

ROLL CALL: Mr. Heistand, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 7-yes, 0-no. **MOTION CARRIED.**

Mayor and Council reviewed the March 3, 2014 Work Session minutes.

Mr. Heistand stated on Page 2, under “East Market Street Sidewalk”, should read “East Market as far as Route 4” not “East Market and Route 4”.

Mayor Boeder suggested that it read “East Market Street to Route 4”

All agreed that Mayor Boeder’s suggestion would be okay.

MOTION: Mr. Wafzig moved to accept the March 3, 2014 Work Session minutes as amended.

ROLL CALL: Mr. Heistand, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 7-yes, 0-no. **MOTION CARRIED.**

PUBLIC RECOGNITION:

None.

CITIZEN’S FORUM:

None.

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MANAGER'S REPORT:

Mrs. Sizemore stated that the Fire-EMS has received two 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. Heistand, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 7-yes, 0-no. **MOTION CARRIED.**

Mrs. Sizemore reviewed her report.

She went on by asking Council's approval for several port-a-johns to be paid for by the Municipality for the Twisted Pretzel Tour in September.

The consensus of Council was to pay for the port-a-johns for the Twisted Pretzel Tour.

Mrs. Sizemore went on by asking for Council to entertain a motion to write off an old abatement invoice for the listed property that was unable to be collected or any assessment put against the property. We have exhausted our means of collecting these charges and the Auditor will want to see this list.

MOTION: Mr. Koogle moved to allow the listed abatement invoice to be written off.

ROLL CALL: Mr. Heistand, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 7-yes, 0-no. **MOTION CARRIED.**

CLERK'S REPORT:

Mrs. Novak stated that the Spring Community Garage Sale would be on Saturday, May 17 and Sunday, May 18. 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 asked that Council have an Executive Session tonight to discuss the purchase of private property for a public purpose.

POLICE CHIEF'S REPORT:

Chief McGill handed out the February Department Report.

MAYOR'S REPORT:

Mayor Boeder stated that Scott Johnson is interested in serving as the Planning Commission Liaison.

MOTION: Mr. Koogle moved to appoint Scott Johnson as the Planning Commission Liaison.

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

He announced that the MVRPC annual dinner will be held on April 23. Please let the Manger know if you would be interested in attending. They will be celebrating 50 years this year.

He attended the MVRPC meeting, the Mayors and Managers Meeting and the MVCC Elected Officials Meeting. The main topic at the MVCC meeting was questions regarding the Sunshine Law.

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Mayor Boeder briefly updated everyone on the topics of the last Work Session. The old water tower issue, Council has directed the Manager and the City Engineer to look into the purchase of a new tower and to apply for any available grants. The South Main reconstruction project, Council has directed the Manager and the City Engineer to look into a cost estimate to complete the project and then see how the residents feel about the project. Then we will look into a way to pay for the project. We are looking to have a street levy of our own and we have directed the Manager and the Finance Director to look at the millage that the City would need to generate to complete our projects. Camp Miami is a very sensitive subject and the Council is looking into what to do with the land and the building. Council will need to discuss this issue for any long term plans. The South Walnut drainage issue is going to be monitored closely by our Service Department and the Manager and Engineer will be looking into ways to correct the issues. The East Market Street Sidewalk, we would like to establish a continuous sidewalk from the downtown area to Route 4. We would also like the slippery sidewalk that is over the bridge corrected immediately. The Manager and the Engineer will look into a cost to complete the sidewalk on the North side to Route 4 and check with the State regarding a cross walk at Route 4. The Council Retreat items will be covered during regular Council Work Sessions. Delinquent water bills have been discussed and owners/landlords need to understand that they are responsible for any outstanding water bills. The Manager will be handling the notices to landlords/owners concerning outstanding water bills. Council discussed the snow removal/snow emergency routes. The Staff will get additional information on updates and report back to Council.

He announced that the City currently has many vacant seats for various Boards and Commissions and encouraged residents to apply for these seats.

He went on by complimenting Ben Mersch, with the Germantown Press, for his coverage of the State of the City address.

Mayor Boeder read the Fair Housing Proclamation.

Mayor Boeder read the topics of tonight's Work Session ethics filing, Camp Miami and address retreat topics/workload assignments.

COUNCIL MEMBER'S REPORT:

Mr. Heistand's Report:

He encouraged residents to volunteer for the many Boards and Commissions that have vacant seats. It is an excellent way to start in local government and to serve the community.

He attended the MVCC Elected Officials meeting. They provided excellent information and he will share it with the Manager and Council.

He will be attending the Ohio Municipal League Conference this weekend.

Mr. Scott Johnson's Report:

None.

Mr. Terry Johnson's Report:

The Pool Board and Pool Oversight Board will meet April 16.

Mr. Koogler's Report:

He attended the Cemetery Board meeting and the main topic of discussion was the need for additional money for Saturday burials. The Board voted a \$50 increase on every burial to cover overtime charges for Saturday burials.

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Mr. Kuhn's Report:

The Economic Development Committee will meet on April 16.

He went on by commenting on the upcoming meeting with the Business Breakfast Group, the Economic Development Committee and the Chamber of Commerce. This meeting will be April 9 at the Senior Center. They will be discussing the committee's upcoming projects and goals.

Mr. Wafzig's Report:

None.

Legislation:

Introduction:

RESOLUTION NO. 14-27

A RESOLUTION TO AUTHORIZE THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE STREET CAPITAL IMPROVEMENT FUND.

Mayor Boeder stated the Public Hearing would be April 7, 2014.

EMERGENCY ORDINANCE NO. 14-28

AN ORDINANCE TO AMEND SECTION 921.03(e) OF THE STREETS AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN TO INCREASE THE SEWER TAP IN FEES, AND DECLARING AN EMERGENCY.

Mrs. Sizemore stated that this fee is paid to FRWWTC at the end of the year. This fee is collected as part of the tap-in fees paid for by the developer/owner.

MOTION: Mr. Koogle moved to suspend the rules on Emergency Ordinance No. 14-28.

ROLL CALL: Mr. Heistand, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 7-yes, 0-no. MOTION CARRIED.

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

MOTION: Mr. Kuhn moved to adopt Emergency Ordinance No. 14-28.

ROLL CALL: Mr. Heistand, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 7-yes, 0-no. MOTION CARRIED.

Public Hearing:

RESOLUTION NO. 14-26

A RESOLUTION TO DECLARE FIRE/EMS DEPARTMENT SURPLUS PROPERTY AND AUTHORIZE THE MUNICIPAL MANAGER TO SELL SAID PROPERTY.

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

MOTION: Mr. Kuhn moved to adopt Resolution No. 14-26.

ROLL CALL: Mr. Heistand, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 7-yes, 0-no. MOTION CARRIED.

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EXCUSE ABSENT MEMBERS:

None.

MOTION: Mr. Kuhn moved to adjourn to Executive Session to discuss the purchase of private land for public purpose.

ROLL CALL: Mr. Heistand, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 7-yes, 0-no. **MOTION CARRIED.**

Mayor and Council adjourned to Executive Session at 7:40 p.m.

EXECUTIVE SESSION:

PRESENT:

The following members were present at the start of the Executive Session: Mayor Stephen Boeder, Mr. Mark Heistand, Mr. Scott Johnson, Mr. Terry Johnson, Mr. Lynn Koogle, Mr. Michael Kuhn 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 the purchase of private land for public purpose.

MOTION: Mr. Koogle motioned to return to regular session.

VOICE VOTE ON MOTION. ALL IN FAVOR. MOTION CARRIED.

Mayor and Council reconvened into Regular Session at 8:01 p.m.

ADJOURNMENT:

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

The meeting adjourned at 8:01 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor