

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, MAY 5, 14

The Municipality of Germantown Council met in regular session on May 5, 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. Lynn Koogle, Mr. Michael Kuhn and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mr. Terry Johnson was absent.

ALSO PRESENT:

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

Mayor Boeder asked that the agenda be altered for tonight. He would like the presentation of the Engineer and all visitor comments regarding Camp Miami to be brought forward at the end of the meeting after legislation.

MOTION: Mr. Koogle moved to alter the agenda for tonight.

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

PUBLIC RECOGNITION:

Mayor Boeder presented Bob Hale a plaque for 9 years of dedicated service to the Germantown Senior Center.

Mr. Hale stated that he has enjoyed his time with the Senior Center and plans on enjoying his retirement after 50 years.

APPROVAL OF MINUTES:

Mayor and Council reviewed the April 21, 2014 Regular Session minutes.

MOTION: Mr. Kuhn moved to adopt the April 21, 2014 Regular Session minutes as submitted.

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

Mayor and Council reviewed the April 21, 2014 Work Session minutes.

Mr. Wafzig stated that under the 2014 Street Maintenance Program the consensus of Council was that they would like more information regarding the streets in the area of the school before moving forward.

MOTION: Mr. Koogle moved to accept the April 21, 2014 Work Session minutes as amended.

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

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CITIZEN'S FORUM:

Liberty Walton, 413 East Center Street, stated that she has five chickens on her property and has concerns with the hearsay of any changes being made to the current ordinance that would not allow residents to own chickens. Until recently her neighbors did not even know she had chickens on her property. She invited Council to visit her chicken coop to see that it can be done when done right. She handed out New York City's and Seattle's Ordinances on allowing chickens within the City limits. She would like Council to consider continuing to allow chickens and to put strict restrictions on owning chickens in the City.

Tony Baker, 550 East Center Street, stated he has chickens too and would like to know why Council is considering changing the Ordinance to not allow chickens in the City.

Mr. Kuhn replied that there was a complaint regarding a crude built chicken house in the Reserves area.

Mr. Baker went on by saying he got chickens for eggs and now his grandchildren see them as pets. He would like Council to look at them as pets. Put restrictions on them like you would any other pet. Maybe we need to look at these on an individual situation. His property is over an acre and was under the impression that he was able to have livestock.

Mayor Boeder stated that Council would take the visitors comments in consideration. He was unaware that there were chickens in the City.

MANAGER'S REPORT:

Mrs. Sizemore stated the Senior Center has received a donation of \$500.00 and Council needs to accept this donation.

MOTION: Mr. Kuhn moved to accept the donation to the Senior Center.

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

Mrs. Sizemore reviewed her report.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

He stated that the information that Mrs. Walton provided on chickens is very thorough and urged Council to read the information.

Camp Miami had an open house yesterday and this was a one-time deal. This property is off limits to everyone and those trespassing will be charged if caught on the property. The property is very dangerous and could possibly hurt or even kill someone.

FINANCE DIRECTOR'S REPORT:

Terry Klein stated that the Audit Committee met tonight and reviewed the first quarter report. The Council will receive a copy of the report this week.

The Police Levy is short and will need to advance funds from the General Fund. This is illegal to carry a negative fund. He had suggested this during the budget sessions and was turned down. These numbers will be gathered and presented to Council at the next meeting.

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POLICE CHIEF'S REPORT:

None.

FIRE CHIEF'S REPORT:

Chief Alldred reiterated that we did allow everyone to visit Camp Miami yesterday but that was a one-time event. The property is dangerous and no one should be up there. The site is off limits.

MAYOR'S REPORT:

He attended the MVRPC 50th Anniversary dinner last week. There was a great turnout and they did a very nice job with the event.

He attended the MVRPC meeting and they did pass their 2015 Budget.

On Friday he attended the Police Memorial service and it was well done. There were 36 Officers that passed away in the line of duty last year that were honored.

He went to the Historical Society's Open House and also the Camp Miami event. Many people commented on the condition of the Camp Miami property but he did hear some positive comments.

There were some issues with the April 21 Council meeting's sound quality. This has been corrected and can be viewed on the MVCC website.

We will not be having a Work Session tonight so we can devote time for a discussion on Camp Miami.

During the last Work Session we discussed the 2014 Street Maintenance Program and this will be focusing on the Hillcrest area.

COUNCIL MEMBER'S REPORT:

Mr. Heistand's Report:

He attended the MVRPC 50th Anniversary dinner. He had a great time and appreciates the opportunity to attend.

He attended the Camp Miami Event. He thanked all the staff that made this event possible. The turnout was very good and there was a lot of good input. The future of the Camp Miami is important; it shows by how many people that are in Council Chambers tonight.

Mr. Scott Johnson's Report:

None.

Mr. Koogle's Report:

He attended the Senior Oversight Meeting. There is some confusion on the new regulations that the State Auditor has made the City implement at the Senior Center. The Manager will be putting together information on these new regulations to make sure everyone is updated.

He encouraged everyone to vote on May 6 and support the Cemetery Levy. He has spoken to residents lately that did not know the last levy did not pass. This is a .5 mil renewal/replacement levy that is to maintain the Cemetery. This is what maintains the Cemetery.

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Mr. Kuhn's Report:

He attended the Fire Oversight meeting tonight. There have been two structure fires in the last month. The Fire Department did an excellent job on both fires and saved both structures.

Mr. Wafzig's Report:

He reminded everyone to vote and support the Cemetery Levy.

Issue #1 is also on the ballot tomorrow. Issue #1 is public works funding that has helped fund the new water tower, the West Market Street project, the Cherry Street projects and many other projects.

Legislation:

Introduction:

RESOLUTION NO. 14-39

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 May 19, 2014.

RESOLUTION NO. 14-40

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO A CONTRACT WITH CREWS CONSTRUCTION, 322 E. CENTER STREET, FARMERSVILLE, OH 45325, IN THE AMOUNT OF \$11,869.00 FOR THE SENIOR CENTER KITCHEN CABINET/COUNTER REPLACEMENT PROJECT.

Mayor Boeder stated the Public Hearing would be May 19, 2014.

Public Hearing:

RESOLUTION NO. 14-34

A RESOLUTION TO CONTINUE PARTICIPATION IN A MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN IN CONJUNCTION WITH THE MONTGOMERY COUNTY OFFICE OF EMERGENCY MANAGEMENT.

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

MOTION: Mr. Heistand moved to adopt Resolution No. 14-34.

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

ORDINANCE NO. 14-35

AN ORDINANCE ESTABLISHING THE POLICE CONTINUING PROFESSIONAL TRAINING (CPT) FUND.

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

MOTION: Mr. Scott Johnson moved to adopt Ordinance No. 14-35.

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

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RESOLUTION NO. 14-36

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO A CONTRACT WITH ZIMMERMAN CONCRETE, P.O. BOX 1, GERMANTOWN, OHIO 45327, IN THE AMOUNT OF \$37,720.00 FOR THE CDBG HANDICAPPED ACCESS INFRASTRUCTURE PHASE II PROJECT.

Mayor Boeder reiterated that this phase II project will take place in the Hillcrest area.

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. 14-36.

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

EXCUSE ABSENT MEMBERS:

Mr. Heistand motioned to excuse Mr. Terry Johnson.

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

Mayor Boeder stated that the Council is trying to be very transparent in the Camp Miami process. We have hired a Structural Engineer to evaluate the Camp Miami site and he will be reviewing his report tonight. When we have asked our questions of the Engineer we will move forward to the public's comments.

Ken Isham, Structural Engineer with Shell & Meyer reviewed his report and photos of the approximately 27,000 square foot Camp Miami site. He pointed out the extensive damage that the weather has done to the open buildings. The interior and the exterior have much water damage and would be costly to repair to get to a safe standard by the Ohio Building Code. In his written report he provided cost estimates to restore/salvage the three main buildings on the site.

Chief Alldred stated that he has become very familiar with the buildings over the years and was in them when they were still being used. He has entered the buildings and there is extensive damage to all of them. There are holes in the roofs and in the floors. The structures are very unsound and he would recommend that they not be entered. Unfortunately the buildings have taken on a lot of water, a lot of decay and a lot of mold. His staff has been instructed that if there is a fire in any of the buildings not to enter.

The Law Director briefly reviewed the process the City has gone through over the past 3 to 4 years trying to get the property safe and secure. The City just recently took ownership of Camp Miami.

Council discussed the possibility of restoring the estate only and the demolition of the two school buildings.

Glen Bowman, 130 Farmersville Pike, President of the Historical Society read a statement on behalf of the Historical Society. Overall they would like to see all the historical buildings in the City maintained and saved. They would like Council to choose partial restoration and start with the residence on the Camp Miami site. This would allow an important part of Germantown history to live on.

Mary Anne Price, 8590 Germantown Pike, stated that she and her family lived in the house and ran the camp for over 8 years. At one time this house was magnificent. She went on by giving some history of the house and details to the construction. She urged Council to consider

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renovating the house and she feels the City would get their money back. It is a very desirable piece of property. She made the suggestion of renovating the property to be similar to Benham's Grove. She made Council aware of a ravine that is located on the property that needs to be maintained regularly.

Stan Price, 8590 Germantown Pike, gave a brief history of the classroom building and does not feel that this is a great asset. The dormitory building has a lot of damage. The house is a wonderful home and deserves more than a wrecking ball. He feels that the house should be restored and so what about the other structures.

Liberty Walton, 413 East Center Street, stated that she served on the Farmersville Council and suggested applying for grant money to help with the demolition, ext. Mayor Boeder replied that the property did not qualify for any grant money.

Mr. Jared Shank, with Dayton Diggers, stated they are a non-profit group that does recovery of historical property. They would like to see their services used to document and preserve any historical items that would be found. They do not charge for these services.

Mr. Terry Johnson arrived at 8:43 p.m.

Council discussed the preservation options of the house, demolition of the buildings, how to secure the site and funding. The consensus of Council was to have the Manager get additional quotes for the next Council meeting. These quotes, from 3 companies, will need to be for the demolition of the classroom building and the dormitory building and restoration of the house. Another quote would be for the demolition of all three buildings. Before Council makes any decisions they want to look at all the possibilities and quotes.

ADJOURNMENT:

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

The meeting adjourned at 9:32 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor