

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, JULY 7, 14

The Municipality of Germantown Council met in regular session on July 7, 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; Roy McGill, Chief of Police; Matt Burns, Police Major; Scott Brown, Police Lieutenant; Patrolman First Class, Jason Mowery; Jonathan Moore, Director of Public Service and Kelli Sanders-Novak, Clerk of Council and one visitor.

Mayor Boeder requested that an Executive Session be added to the agenda to discuss the Manager's evaluation.

APPROVAL OF MINUTES:

Mayor and Council reviewed the June 16, 2014 Regular Session minutes.

Mr. Heistand stated on Page 2, the paragraph regarding the Engineer should read "update" not "updat". The paragraph below, Mr. Koogle is referring to a pot hole, should have the word "alley between" added when referring to Center Street and Warren Street.

Mayor Boeder stated on Page 2 the paragraph regarding the Engineer and the water tower. The words "water tower" should be removed from the statement and "as far as we know" added to the end of the sentence so it would read "The South Main Street project will not be eligible for grants as far as we know."

MOTION: Mr. Koogle moved to adopt the June 16, 2014 Regular Session minutes as amended.

ROLL CALL: Mr. Heistand, yes; Mr. Scott Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, abstained; Mr. Wafzig, yes; Mayor Boeder, yes. 5-yes, 1-abstension. **MOTION CARRIED.**

Mayor and Council reviewed the June 16, 2014 Work Session minutes.

Mr. Heistand stated under the discussion of chickens and fowl should read "coop" not "coup".

MOTION: Mr. Kuhn moved to accept the June 16, 2014 Work Session minutes as amended.

ROLL CALL: Mr. Heistand, yes; Mr. Scott Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, abstained; Mr. Wafzig, yes; Mayor Boeder, yes. 5-yes, 1-abstension. **MOTION CARRIED.**

PUBLIC RECOGNITION:

None.

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CITIZEN'S FORUM:

Tom Geglein, 46 Scott Court, Chairperson of the Parks and Recreation Board, updated Council on the maintenance/care and schedules for Kercher Park, the Weber Sports Complex and discussed various other topics related to the parks and the Parks Board. He suggested that the Council Liaison update Council after each Parks and Recreation Board meeting. He also stated that he would get Council an updated "wish-list and want/need-list" for all the parks.

Mr. Heistand thanked Mr. Geglein and the other Board members for their service and values their opinions. He went on by questioning what the Parks Boards opinion was for installing a dog park in Germantown. Mr. Geglein replied that the Board would like to see other projects done that really need to be done with our current parks before considering a dog park.

Mr. Scott Johnson stated that he was serving on the Parks Board before taking the Council seat and he had/has concerns of the amount of park land we have and have acquired recently in comparison to the funds that are allotted to maintain/care for them now and in the future. He went on by saying that the Disc Golf course is in need of repair. Mrs. Sizemore replied that she would look into it.

Mr. Geglein thanked Council for participating in the July 4 Parade and told Council to please call him if they have any questions.

MANAGER'S REPORT:

Mrs. Sizemore stated that the Fire-EMS has received three donations and Council needs to accept these donations of \$15.00, \$15.00, and \$130.00.

MOTION: Mr. Kuhn moved to accept the donations to the Fire-EMS.

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 stated that Beggars Night has been set by Mayors and Managers to always be on October 31 from 6:00 – 8:00 p.m. This year we have a conflict with a home football game on Friday night-October 31. She would like Council to consider changing the date to Thursday, October 30, 6:00 – 8:00 p.m. to avoid the home football game.

Council briefly discussed the Beggars Night date change and all agreed to change the date to Thursday, October 30 from 6:00 – 8:00 p.m. and the rain/weather date would be Saturday, November 1.

Mr. Heistand stated that several of the new trees planted along West Market Street are not looking very good. Mrs. Sizemore replied that she has made Brown's Nursery aware of the situation and they will be taking care of them.

Mrs. Sizemore reviewed her report.

Mr. Wafzig questioned if the water runoff issue on Peffley Street has been addressed. Mr. Moore replied that the Street Department has removed vegetation from the street and filled some holes to help with the drainage issue. He also left his phone number with the resident that had called in the complaint and asked him to call if the problem still exists. Mrs. Sizemore stated that she would have the Engineer look at the drainage issue with the school parking lot and also contact the school.

Mayor Boeder stated that he had left a message with the Manger regarding the low place in the bike trail that is collecting sediment. Mrs. Sizemore replied that she would ask the Engineer to look into the issue and have the Street Department remove the sediment.

Mr. Heistand requested that next year the Street Maintenance Program be started earlier in the year to avoid any legislation being passed by emergency.

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CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

None.

Mrs. Sizemore stated that there would be an Audit Committee meeting at 6:00 on July 21.

POLICE CHIEF'S REPORT:

Chief McGill passed out the June Police Report to Council.

He went on by saying that Major Burns, Lieutenant Brown and he attended a meeting with the City of Centerville regarding dispatching and will be attending another meeting on July 9. We are looking at different avenues with our dispatching and system updates. He will update the Manager and Council of any new information.

He also attended a meeting with the Montgomery County Drug Free Coalition with the Sheriff and many other jurisdictions. We discussed the growing heroin problem in hopes of working towards solutions and strategies to attack the problem.

National Night Out will be held on August 5. He has ordered lots of goodies for the kids and hopes for a good turnout.

Chief McGill presented Officer Jason Mowery with the Life Saving Metal for his heroic measures while finding a motorist in need. Officer Joshua Warren also assisted with CPR on the victim but is not here tonight. Officer Warren will be asked to attend a meeting soon to receive his Life Saving Metal. Without their efforts and the efforts of the EMS the victim would not have made a full recovery. He thanked them for their services and a job well done. He is proud of both of them.

Officer Mowery thanked everyone and stated he could not have done it without Officer Warren.

DIRECTOR OF PUBLIC SERVICE'S REPORT:

Mr. Moore updated Mayor and Council on the various projects that are being done in the Municipality. The sewer lining project in the South Hillcrest area is ahead of schedule. Culy Contracting was out last week and used the camera on several sewers. We will be working on finishing the camera work on Market Street later to see where there are issues. They have begun replacing fire hydrants and have a few more to go.

He attended the FRWWTC meeting and they discussed the contract and updates with Veolia. Currently the flow rates are up due to the wet winter and spring.

Mr. Koogle questioned when the Hillcrest concrete streets are going to be repaired. Mr. Moore replied that the Engineer was going to look into this matter and we have not yet heard an update. Hopefully these streets will be addressed next year.

Mr. Wafzig questioned if the manhole on eastbound Market Street at Maple Street could be looked at. It makes a loud noise when traffic drives over it. Mr. Moore replied that he would look into it.

Mr. Heistand questioned why the water flow rate is increased at FRWWTC. Mr. Moore explained that cracks in pipes, holes in manholes and many other issues cause underground water leaking problems.

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Mr. Scott Johnson thanked the Street Department for taking care of the Peffley Street drainage issue.

MAYOR'S REPORT:

Mayor Boeder stated that William Heistand is interested in serving on the Parks and Recreation Board.

MOTION: Mr. Koogle moved to appoint William Heistand to the Parks and Recreation Board with a term ending in 2015.

ROLL CALL: Mr. Heistand, abstained; Mr. Scott Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 5-yes, 1-abstention. **MOTION CARRIED.**

He thanked all of those who participated and organized the July 4 Parade. Council participated in the parade this year and it gave him a great perspective of all of those who attended. He felt that everyone had an excellent time and a great turnout.

He also thanked the Miami Valley Antique Fire Apparatus Association and the Germantown Firefighters Association for their hard work at the 18th annual event. They had a great turnout and over 40 pieces of equipment were displayed. He had the opportunity to work the hand pump and it was quite a challenge. He gave a special thank you to Bob and Matt McClain for their participation in the event.

He reviewed the June 16 work session items. We discussed chickens and fowl legislation. We are currently working with a chicken issue in the Reserves. Hopefully this can be worked out and we will not have to pass legislation. We may have to consider passing legislation in the future to put some regulations on chickens and fowl. We also discussed Camp Miami and would like to schedule a public meeting to hear what residents would like to see done with the property. At this time Council is still open for suggestions. He suggested a public meeting on July 21 during the next Council meeting.

Council discussed having the public meeting to discuss Camp Miami at the July 21 meeting. It was determined that a public meeting would not be on the agenda until after final reports and figures are gathered for Council to review.

Mayor Boeder went on by saying that we also discussed proposed/draft legislation regarding skateboarding during the last work session.

Tonight during work session we plan to discuss prayer before Council meetings and abandoned structures in the City.

COUNCIL MEMBER'S REPORT:

Mr. Heistand's Report:

He participated in the July 4th Parade and enjoyed seeing everyone. He truly had a great time.

He helped at the June Saturday Night Out event. It was a well attended event and everyone seemed to have a great time.

He attended the monthly meeting regarding the Twisted Pretzel Bike Tour. The plans are moving along well. They also discussed the addition of the beer garden that will be located in the parking lot of the library that will feature locally brewed beers.

He commented on the fireworks that were being set off in the City on the evening of July 4. He would like to see this issue addressed and discouraged next year.

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Mr. Scott Johnson's Report:

He received several calls from the residents on Peffley Street. He thanked Mrs. Sizemore and the staff for resolving the recent water issue.

He reminded the City to please look into the Disc Golf course issues. They are in need of attention. Mrs. Sizemore replied that she would look into it.

Mr. Koogle's Report:

He thanked everyone who participated in the July 4 parade and stated that it was a nice event.

Mr. Kuhn's Report:

He attended the Fire Oversight meeting tonight. The NFPA is requiring all Fire Departments to purchase new hoses due to new regulations if it is more than 25 years old. Our Department will have to purchase approximately \$10,000 worth of hose this year.

Mr. Wafzig's Report:

He thanked everyone who attended Saturday Night Out. He thanked Annie Sizemore and her husband, Mr. Kuhn and family and of course the Lions Club for all their help. They could not do it without all the volunteers.

This will be Mr. Kuhn and his last year to run the Saturday Night Out event and if anyone is interested in volunteering please contact him.

Legislation:

Introduction:

RESOLUTION NO. 14-49

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 July 21, 2014.

EMERGENCY RESOLUTION NO. 14-50

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO A CONTRACT WITH STRAWSER CONSTRUCTION, INC., 8600 BERK BLVD., HAMILTON, OHIO 45015, IN THE AMOUNT OF \$197,817.84 FOR THE 2014 STREET MAINTENANCE PROGRAM, AND DECLARING AN EMERGENCY.

MOTION: Mr. Koogle moved to suspend the rules on Emergency Resolution No. 14-50.

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

MOTION: Mr. Heistand moved to adopt Emergency Resolution No. 14-50.

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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Public Hearing:

None.

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.

MOTION: Mr. Koogle moved to adjourn to Executive Session to discuss personnel matters related to the Municipal Manager's evaluation.

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 adjourned to Executive Session at 8:40 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. Lynn Koogle, Mr. Michael Kuhn, and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mr. Terry Johnson was absent.

ALSO PRESENT:

Also present was Tom Schiff, Law Director.

The aforementioned persons discussed personnel matters related to the Municipal Manager's evaluation.

MOTION: Mr. Scott Johnson motioned to return to regular session.

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

Mayor and Council reconvened into Regular Session at 9:37 p.m.

ADJOURNMENT:

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

The meeting adjourned at 9:38 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor