

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, AUGUST 18, 14

The Municipality of Germantown Council met in regular session on August 18, 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. Scott Johnson, Mr. Lynn Koogle, Mr. Michael Kuhn and Mr. Brian Wafzig. Mr. Terry Johnson arrived at 7:29 p.m.

MEMBERS ABSENT:

Mr. Mark Heistand 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; Terry Klein, Finance Director and Kelli Sanders-Novak, Clerk of Council and several visitors.

APPROVAL OF MINUTES:

Mayor and Council reviewed the August 4, 2014 Regular Session minutes.

MOTION: Mr. Koogle moved to adopt the August 4, 2014 Regular Session minutes as submitted.

ROLL CALL: Mr. Scott Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, abstained; Mr. Wafzig, yes; Mayor Boeder, yes. 4-yes, 1 abstention. **MOTION CARRIED.**

PUBLIC RECOGNITION:

None.

CITIZEN'S FORUM:

Mayor Boeder announced at this time Council will hear any comments and/or concerns from the public regarding the demolition and/or restoration of Camp Miami.

Pastor Ted Ricci with the First Baptist Church of Germantown, 79 Farmersville Pike, stated he would like to see the driveway off of Warren Street repaired as soon as possible. There have been several injuries due to the condition of the driveway.

Council agreed that the drive is in need of repair but until a decision is made regarding the outcome of the buildings they would like to hold off on the driveway repair. They would not want to invest in the driveway repair if large equipment will be driving over it.

Bob McClain, 255 South Walnut Street, stated one of his favorite places in Germantown is Veterans' Memorial Park which is where the cadets from Camp Miami would ~~play~~ parade. He collects Germantown memorabilia and brought a Camp Miami cadet dress hat with him tonight. It is a shame that the former owners of the Camp Miami property have let it deteriorate as badly as they have. He and Rachel are currently looking to downsize from their current home and would like to remain in the core of Germantown. This is very difficult to do because there are not many lots to build on in Germantown. He suggested that the Camp Miami property be put in the hands of a responsible developer and provide housing in Germantown. He suggested salvaging

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some bricks from the property and possibly building a gazebo or shelter area in remembrance of Camp Miami.

Ms. Keister, 15351 Moyer Road, suggested that the City look into putting the property on the Historical Registry and getting funds to repair it. Some people in town would like to see the buildings repaired and used as an antique mall. Camp Miami is important to the community and we would be losing something special if it is demolished.

Mayor Boeder stated that there is a heartfelt feeling regarding Camp Miami but over the last several weeks the City has had several Engineers and specialized contractors in to look at the property and they all state that the structures are very unsafe and unsound. Chief Alldred agrees with the experts and agrees the structures are unsound as well. The current state of the structures is a huge liability for the City. These buildings may be demolished due to their poor condition. To save the buildings we would have to have outside funding and if the restoration was completed we have to consider the maintenance of the property. After reading the reports from the experts, his concern is that the historical value is gone and we would be left with a shell of a building.

Mr. Wafzig stated that all of Council appreciates all the historical buildings in town and are sickened when they are left to deteriorate and possibly be destroyed. At this point we are not left with many options. As Council we are tasked with the financial stability of the City. The cost to repair the buildings would be several times the income tax revenue and would take many years to recoup. We are like many cities and have a shortage of funds. We have to make wise decisions and in the end it would be a brick shell with all new interiors and at this time we have no definitive use for the property. The Camp Miami property has been a frequently discussed topic for years and since we recently acquired the property we have discussed the matter at great length. With the current state of the buildings it does not make financial sense to fund the restoration of the buildings. It will be tough to spend the money that it will take to demolish the buildings but our options are slim and it is just a huge safety issue. We need to look at the property as something that could be enjoyed; possibly senior housing or a connection with the Metro Parks. At this point we need to be realistic and he does not see any other option at this point.

Mr. Koogle stated that he had held out hope to save the residence but after the structural Engineer stated that it would only be a brick shell; there is no historical left. This is a decision that is killing all of us but it is most likely going to have to come down due to the lack of money, how deteriorated the structures are and the liability on the City.

Mr. Kuhn stated that if anything good has come out of this situation it is that we are trying to be proactive with other historical structures in the City and not let them rot to the ground.

Mr. Scott Johnson stated that he agrees with all the comments that Council has said. He acknowledged that Council has discussed all the options and is considering a memorial of some nature on the site.

Pastor Ricci stated that the Church will support any decision made by Council regarding the Camp Miami property.

Mr. McClain feels that Council has a very tough decision and that he will support any decision that is made.

MANAGER'S REPORT:

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

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

ROLL CALL: Mr. Scott Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 5-yes, 0-no. **MOTION CARRIED.**

Mrs. Sizemore stated that the grant applications that were approved by Council at the last meeting were filed last week. They were the Cherry Street Improvements Phase 4 and Sanitary Sewer

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Rehabilitation Projects Phase 3 and we should know by the end of the year if we were awarded the grants. The funds will be available in July 2015.

Mayor Boeder questioned when the Cherry Street project will be started. Mrs. Sizemore replied that the Engineer has the project on the calendar for 2016.

She went on by saying that Council will need to consider keeping the TCSU Officer in the program for 2015. This will be a Budget issue. It has been recommended to leave the Officer in the program for 2015 due to ongoing investigations. We do receive \$22,000 from GovTech if we leave the Officer in the program which covers almost half of his salary and benefits. If we choose not to keep him in the program we are required to pay a fee.

We will be doing an upgrade to our CodeRED system in October. Staff will be attending training on these upgrades. If anyone has questions regarding the CodeRED system they need to contact the Municipal Building.

We only received one bid for our road salt this year. It was \$112.50 per ton which is a huge increase from last year. There has been an issue with the supply since last year's shortage. We are planning on rebidding with SWOP4G and hopefully we will get a lower price for this year. We normally use between 400-600 tons a year depending on the season and bid approximately 750 tons. We pride ourselves in keeping the streets clean but we may have to use it very sparingly and really concentrate on the many hills in the community.

Mr. Dallas Watkins with the Lions Club has proposed a street sign/plaque in honor of Arthur Huffer to be placed near the walking path along the Weber Complex on Astoria Road.

The consensus of Council was that the Lions Club move forward with the Arthur Huffer memorial sign along the path at the Weber Complex.

Mrs. Sizemore went on by saying that she looked into the issues regarding the Disc Golf Course. According to the Disc Golf Association person this is a project done by the students and they will be working on repairing the ~~makers~~ markers/signs as soon as school is back in session.

The contract with the Animal Resource Center to take stray cats in the Municipality is now in effect. Residents will be able to contact 898-4457 for assistance in trapping cats. When dropping cats off at the Center you may have to show identification. Any charges for the services will be billed to the Municipality.

Mrs. Sizemore went on by reviewing the legislation that is on the agenda for tonight. Under introduction is Ordinance No. 14-60 pertaining to skateboarding. Under public hearing is Ordinance No. 14-53 pertaining to fences. Ordinance No. 14-56 is the annual assessments for each resident for the 2015 street lighting. Resolution No. 14-57 refers to the final plat approval for Hickory Point Section Two. Resolution No. 14-58 is the approval of a replat in Hickory Point North. Resolution No. 14-59 is a transfer of funds for the month of July.

At the next meeting we will make a recommendation for the increase in the refuse funds. We will also have proposed legislation that will clean up issues with the budget pertaining to the Police Department.

She stated that she spoke with Mr. Gardner regarding the proposals on the Camp Miami property today. We received two abatement proposals and Mr. Gardner is recommending Environmental Demolition Group. He would recommend the first step be removing the asbestos from the main structure and the residence at a cost of \$10,200. We have to do any abatement of asbestos prior to the demolition of these two buildings. We would be able to demolish later and not be required to remove the rubble immediately. At this time he is recommending that we do nothing with the southern wing building. We are currently waiting to hear from **Regional Air Pollution Control Agency** (R.A.P.C.A.) for a decision on how to handle the southern wing building. The second step would be demolition of the residence at a cost of \$4,000. The third step would be demolition of the main building at a cost of \$12,000. **There will be a final cost of approximately \$300,000 to**

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complete the demolition process and haul the material away. Mr. Gardner is asking for additional time to gather information regarding the southern wing building. Mr. Gardner is planning to attend the September 2 Council meeting unless Council would like to have a special meeting before that date. Mr. Gardner is thinking at this time the southern wing building is going to have to be demolished and removed as contaminated. After speaking with the Finance Director we feel that the first steps of this process could be done immediately.

Council discussed the proposed bids from the contractors for the Camp Miami property.

Terry Klein stated that at this time he sees no reason why we could not move forward with the \$10,200 abatement proposal. He is currently looking into some changes that he is recommending to the General Fund and Bond payments.

MOTION: Mr. Koogle moved to move forward with “step 1” abatement of asbestos from the main building and the residence of Camp Miami.

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

CLERK’S REPORT:

None.

LAW DIRECTOR’S REPORT:

None.

FINANCE DIRECTOR’S REPORT:

Terry Klein stated he would be bringing a budget amendment regarding the deficit with the Police Levy Fund. This would include an advance from the General Fund in the amount of \$65,000 to allow them to purchase a new cruiser. This amount would be paid back at a later date. He will make a recommendation to make changes to the 2015 Budget for the Police Department.

POLICE CHIEF’S REPORT:

Chief McGill handed out the July Police Department Report.

The Department has received over \$500 in seizure money from the Task Force in the last few weeks.

He attended the Montgomery County Drug Free Collation with the Sheriff. They are looking into finding funding for drug addicts and rehabilitation.

He went on by thanking those who participated in the National Night Out event.

FIRE CHIEF’S REPORT:

Chief Alldred reviewed the July Fire-EMS report and reviewed recent events.

He went on by saying that he and his staff reviewed the proposed abandoned structure legislation and they recommend the City move forward with it.

MAYOR’S REPORT:

Mayor Boeder announced that the next Council meeting would be September 2, 2014 due to the holiday.

Mayor Boeder stated that Mark Heistand is interested in serving as the City Beautiful Committee Liaison.

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Mrs. Sizemore stated that the City Beautiful Board has decided to change their meeting date to the second Tuesday of each month.

MOTION: Mr. Scott Johnson moved to appoint Mark Heistand as the City Beautiful Committee Liaison.

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

Mayor Boeder stated that Council did not have a work session after the last Council meeting and will not have one after the meeting tonight. We are working to discuss items during our regular session. If anyone has any comments regarding this change please contact him.

~~He will be meeting Tuesday with Patrick Merris who is running for the West Carrollton open Council Seat in the 42 District.~~ He will be meeting Tuesday with Patrick Merris currently on West Carrollton's Council who will be running for the State Representative Seat for District 42.

He will also be attending a roundtable meeting with Congressman Turner on August 28 and an Emergency Communications meeting on August 28 as well.

COUNCIL MEMBER'S REPORT:

Mr. Scott Johnson's Report:

None.

Mr. Terry Johnson's Report:

Mr. Terry Johnson apologized for being late to the meeting; he was at a school open house.

He sent his condolences to the Weinel family, the Doolin family and the Johnson family.

Mr. Koogle's Report:

Mr. Koogle stated he attended the Cemetery Board meeting and everything is running smoothly. The Township, City and Cemetery employees are still working to correct the pothole issues throughout the Cemetery.

Mr. Kuhn's Report:

Mr. Kuhn attended the Germantown Chamber of Commerce Board meeting on August 14. This is an annual meeting to review business such as support for the Fair, new banners for the downtown area and they added the Twisted Pretzel Festival Ride. The annual Chamber of Commerce meeting will be September 18.

He announced that he and Brian will no longer be hosting the Saturday Night Out event. He thanked everyone for all their help and support over the past five years.

Mr. Wafzig's Report:

Mr. Wafzig thanked everyone who attended Saturday Night Out. He thanked Annie Sizemore her husband and her son, the Lions Club, the Police Department and the Fire Department. They could not do it without all the volunteers and the support of all the groups and organizations. He and Mike will no longer be working with the Saturday Night Out event but Scott Sizemore has agreed to take over. He encouraged people to volunteer to help Scott out next year.

The MVCC meeting will be on August 20 and he will have an update at the next meeting.

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The Law Director requested an Executive Session following the Legislation tonight to discuss personnel matters related to the Street Department.

Legislation:

Introduction:

ORDINANCE NO. 14-60

AN ORDINANCE REPEALING SECTION 311.03 OF THE TRAFFIC CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING TOY VEHICLES ON STREETS AND ADOPTING A REPLACEMENT SECTION 311.03 NON-MOTORIZED NON-BICYCLE VEHICLES ON STREETS.

Mayor Boeder stated the Public Hearing would be September 2, 2014.

Public Hearing:

ORDINANCE NO. 14-53

AN ORDINANCE AMENDING SECTION 1129.09 OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING FENCES.

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

MOTION: Mr. Terry Johnson moved to adopt Ordinance No. 14-53.

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

ORDINANCE NO. 14-56

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON THE LOTS OF THE MUNICIPALITY OF GERMANTOWN TO PAY THE COST AND EXPENSES OF FURNISHING AND MAINTAINING A STREET LIGHTING SYSTEM FOR 2015 IN THE MUNICIPALITY OF GERMANTOWN.

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

MOTION: Mr. Wafzig moved to adopt Ordinance No. 14-56.

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

RESOLUTION NO. 14-57

A RESOLUTION APPROVING THE HICKORY POINTE ESTATES SECTION TWO FINAL PLAT, LOCATED WITHIN THE MUNICIPALITY OF GERMANTOWN.

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

MOTION: Mr. Koogle moved to adopt Resolution No. 14-57.

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

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RESOLUTION NO. 14-58

A RESOLUTION APPROVING THE REPLAT OF THE PROPERTY KNOWN AS HICKORY POINTE NORTH, LOTS 2166 AND 2167, CONTAINING 2.755 ACRES, LOCATED ON BUTTER STREET AND BEECHWOOD DRIVE WITHIN THE MUNICIPALITY OF GERMANTOWN.

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 Resolution No. 14-58.

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

RESOLUTION NO. 14-59

A RESOLUTION TO AUTHORIZE THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE STREET CAPITAL IMPROVEMENT 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 Resolution No. 14-59.

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

EXCUSE ABSENT MEMBERS:

Mr. Michael Kuhn motioned to excuse Mr. Mark Heistand.

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

MOTION: Mr. Scott Johnson moved to adjourn to Executive Session to discuss personnel matters related to the Service Department.

ROLL CALL: Mr. Scott Johnson, yes; Mr. Terry 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 8:31 p.m.

EXECUTIVE SESSION:

PRESENT:

The following members were present at the start of the Executive Session: Mayor Stephen Boeder, Mr. Scott Johnson, Mr. Terry Johnson, Mr. Lynn Koogle, Mr. Michael Kuhn and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mr. Mark Heistand was absent.

ALSO PRESENT:

Also present were Anna M. Sizemore, Municipal Manager and Tom Schiff, Law Director.

The aforementioned persons discussed personnel matters related to the Service Department.

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

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

Mayor and Council reconvened into Regular Session at 8:56 p.m.

The Law Director updated Council on an East Market Street property maintenance issues.

ADJOURNMENT:

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

The meeting adjourned at 9:02 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor