

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**MONDAY, JANUARY 5, 15**

The Municipality of Germantown Council met in regular session on January 5, 2015 at 7:00 p.m. in the Municipal Building Council Chambers.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited.

Judge Robert Rettich gave the Oath of Council to Robert W. Rettich, IV.

**MEMBERS PRESENT:**

The following members were present at the Call to Order: Mayor Stephen Boeder, Mr. Mark Heistand, Mr. Terry Johnson, Mr. Lynn Koogle, Mr. Robert Rettich, IV and Mr. Brian Wafzig.

**MEMBERS ABSENT:**

Mr. Michael Kuhn was absent.

**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 several visitors.

**ORGANIZATION:**

Mayor Boeder stated that Lynn Koogle currently serves as the President for Council and would be willing to serve again for 2015.

**MOTION:** Mr. Johnson moved to appoint Lynn Koogle as President of Council for 2015.

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

**2015 Council Liaisons**

Liaison to Boards and Commissions:

Audit Committee-Steve Boeder, Lynn Koogle and Terry Johnson  
BZA-Brian Wafzig  
Planning Commission-Robert Rettich  
Parks & Recreation-Terry Johnson  
Pool Board-Terry Johnson  
City Beautiful Commission-Mark Heistand  
Firemen's Dependants Board-Steve Boeder and Brian Wafzig  
Personnel Board-Terry Johnson  
Cemetery Board-Lynn Koogle  
Economic Development-Lynn Koogle and Mike Kuhn

Appointments to Oversight:

Parks Oversight-Terry Johnson  
Pool Oversight-Terry Johnson  
Fire Oversight-Mike Kuhn  
Senior Oversight-Lynn Koogle

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**MONDAY, JANUARY 5, 15**

Liaisons to other Boards and Commission:

MVRPC-Steve Boeder, Alternate-Lynn Koogle  
MVRPC TAC-Anna Sizemore, Alternate-Jonathan Moore  
MVCC-Brian Wafzig, Alternate-Mike Kuhn  
FRWWTC- Jonathan Moore, Alternate-Steve Boeder

**MOTION:** Mr. Koogle moved to appoint the Council Members Liaisons as submitted for 2015 with Mr. Rettich as the Liaison to the Planning Commission.

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

**2015 Committee Appointments**

Appointment of Citizens to Boards and Commission

Board of Tax Appeals -Richard Schaeff - Term Expires 12-31-17  
Board of Zoning Appeals-Planning Commission Liaison-Jeff Jones - Term Expires 12-31-15  
Board of Zoning Appeals-Pete Hutchinson - Term Expires 12-31-18  
Cemetery Board-Steven Wright - Term Expires 12-31-16  
City Beautiful Commission-Brenda Alsip & Courtney Waits - Terms Expires 12-31-17  
Economic Development-Jeff Fannin - Term Expires 12-31-17  
Park and Recreation Board-Tom Geglein - Term Expires 12-31-19  
Parks Oversight Board-Mark Kozarec - Term Expires 12-31-16  
Planning Commission-Jeff Jones - Term Expires 12-31-18  
Personnel Board-Tom Geglein - Term Expires 12-31-16  
Pool Board-Milton Bowman - Term Expires 12-31-17  
Pool Oversight Board-Jim Lawson - Term Expires 12-31-16  
Records Commission-Gail Githens - Term Expires 12-31-15

Mayor Boeder announced that there are several vacant seats on the Board of Tax Appeals, Personnel Board, Board of Zoning Appeals, City Beautiful Commission and the Parks and Recreation Board. If anyone is interested please contact the City Building.

**MOTION:** Mr. Johnson moved to appoint the citizens to the Boards and Commission as submitted for 2015.

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

**APPROVAL OF MINUTES:**

**MOTION:** Mr. Wafzig moved to approve the December 15, 2014 Regular Session minutes as submitted.

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

**MOTION:** Mr. Koogle moved to approve the December 15, 2014 Work Session minutes as submitted.

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

**PUBLIC RECOGNITION:**

Mayor Boeder presented Mrs. Heather Johnson of 10 Wetz Lane a certificate for winning the City Beautiful Commission's 2014 Christmas Decorating Contest.

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**MONDAY, JANUARY 5, 15**

Mrs. Johnson thanked everyone for their nominations and stated she enjoys decorating to make the children happy.

Mayor Boeder stated that the Blankenship Family at 1301 Kern Drive also won the Christmas Decorating Contest. They are not here tonight but we will deliver their certificate.

**CITIZEN'S FORUM:**

None.

**MANAGER'S REPORT:**

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

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

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

Mrs. Sizemore went on by saying that the online utility bill paying service is up and running smoothly. We have put notification on Channel 5, on the website and it will be noted on the utility bills too. At this time there will be a \$2.00 convenience fee that will be charged for each transaction to cover any fees billed to the City. We may have to adjust the convenience fee after we see what fees the City is charged.

She received a response from the Superintendent regarding Peffley Street and prohibiting parking on the North side of the street. There will be an amendment to the traffic control map on the next agenda to temporarily eliminate parking on the North side of Peffley Street to allow busses to make an easier turn and dodge the potholes at the same time. At this time we do not have a response from the School Board if they will be able to contribute funds for the repairs to Peffley Street.

She met with the Engineer last week to discuss the Peffley Street project and the 2015 street maintenance program. We are looking at dividing the Hillcrest area into four sections due to the large expense of repairing the concrete streets. The Engineer will be attending a work session to discuss the upcoming projects and the process we want to use. She would like to also discuss the finances with the Finance Director to see if any additional funds would be available.

We have received our Permissive Tax money in the amount of \$201,000. We would like to add those funds along with the \$140,000 that we received previously to do the Camp Miami demolition project. She has received the Phase 1 questionnaire and will be filling it out along with the Fire Department and returning it to Mr. Gardner. She has been made aware that there have been people up at the Camp Miami property. This is a very dangerous area and people need to stay away. If you are caught up at the property you will be charged.

At the next work session she would like to discuss timelines and recommendations for a police levy and a street levy.

She was appointed to the Economic Development Government Equity advisory committee. This term will expire in December of 2016. This committee makes recommendations to award grants.

She went on by reviewing the legislation that is on the agenda for tonight. Under Introduction is Ordinance No. 15-01 which was discussed at the last meeting regarding the amendment to electronic fences. Emergency Ordinance No. 15-02 is an increase in the Fire Department rate of pay for our probationary on call fire fighters due to the minimum wage increase. We are asking that this be passed by emergency so we are not in violation of any minimum wage laws.

## MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, JANUARY 5, 15

Under Public Hearing is Resolution No. 14-86 which is authorizing the request for the advance of taxes for 2015 collected by the Treasurer of Montgomery County. Resolution No. 14-87 is the monthly transfer of funds for December in the amount of \$4,980.30.

The last item she wanted to discuss was to ask for a determination from Council regarding the canine for the Police Department. Before the staff puts effort into collecting hard facts, numbers and detailed information she would like to know if Council even would consider having a canine at this time.

Council discussed the proposed canine for the Police Department. It was determined that at this time staff would move forward with gathering information on obtaining a canine. They would like to discuss this further after definite numbers are presented.

### **CLERK'S REPORT:**

None.

### **LAW DIRECTOR'S REPORT:**

The Law Director reminded everyone to not trespass on the Camp Miami property. If anyone is caught on the property they will be charged and there will be no reduction in the charges. The property is very unsafe.

### **FINANCE DIRECTOR'S REPORT:**

Mrs. Sizemore stated that Mr. Klein will have budget notebooks at the next meeting.

### **POLICE CHIEF'S REPORT:**

Chief McGill thanked Scott Johnson for his time with the Council and welcomed Mr. Rettich.

He stated that he appreciates the Council's feedback and interest with the canine program.

### **MAYOR'S REPORT:**

Mayor Boeder expressed his support for the Ohio State Buckeyes.

Mayor Boeder read a Proclamation honoring Elmer Murray celebrating his 100<sup>th</sup> birthday. He was unable to attend tonight but the Mayor intends to visit him and present him the Proclamation.

He welcomed Mr. Rettich to Council and is looking forward to working with him.

The Manager and he will present the State of the City to the Lions Club in February. He offered to attend any other local meetings and present them the State of the City and answer any questions/concerns.

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

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

Mr. Heistand welcomed Mr. Rettich to Council and congratulated him to his appointment and hopes he enjoys it as much as he has. He also congratulated him on his new baby.

He also congratulated the Manager on her appointment to the Economic Development Government Equity advisory committee.

The City Beautiful Commission met December 16 and selected the winners of the Christmas Decorating Contest. They will be meeting January 13 to organize and to take the decorations down at the Toll House.

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**MONDAY, JANUARY 5, 15**

The Lions Club will be hosting a prescription drug drop off at the Township Building on January 10. Residents from the Township and the City are welcome to participate.

Mayor Boeder announced that the next Council meeting would be January 20, 2015 due to the holiday.

**Mr. Johnson's Report:**

Mr. Johnson welcomed Mr. Rettich to Council and stated he looked forward to working with him.

The Parks Board will be meeting January 7.

He announced that he had been commissioned as a Kentucky Colonel and thanked Mayor Boeder for his assistance in this accomplishment.

**Mr. Koogle's Report:**

Mr. Koogle welcomed Mr. Rettich.

The Cemetery Board met to organize last week and the regular scheduled meeting will be January 12.

**Mr. Rettich's Report:**

Mr. Rettich thanked everyone who voted for him in the election. He is excited to be here and to work with Council.

**Mr. Wafzig's Report:**

Mr. Wafzig welcomed Mr. Rettich to Council and stated he looked forward to working with him.

**Legislation:**

**Introduction:**

ORDINANCE NO. 15-01

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

Mayor Boeder stated the Public Hearing would be January 20, 2015.

EMERGENCY ORDINANCE NO. 15-02

AN ORDINANCE AMENDING SECTION 161.07(c)(2) OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING FIRE DEPARTMENT RATE OF PAY, EFFECTIVE JANUARY 1, 2015, AND DECLARING AN EMERGENCY.

**MOTION:** Mr. Koogle moved to suspend the rules on Emergency Ordinance No. 15-02.

ROLL CALL: Mr. Heistand, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Rettich, 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. Koogle moved to adopt Emergency Ordinance No. 15-02.

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**MONDAY, JANUARY 5, 15**

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

**Public Hearing:**

RESOLUTION NO. 14-86

A RESOLUTION AUTHORIZING THE REQUEST FOR ADVANCE OF TAXES FOR 2015 COLLECTED BY THE TREASURER OF MONTGOMERY COUNTY, STATE OF OHIO.

**MOTION:** Mr. Heistand moved to adopt Resolution No. 14-86.

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

RESOLUTION NO. 14-87

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

**MOTION:** Mr. Wafzig moved to adopt Resolution No. 14-87.

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

**EXCUSE ABSENT MEMBERS:**

Mr. Koogle motioned to excuse Mr. Kuhn.

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

**MOTION:** Mr. Heistand moved to adjourn to Executive Session to discuss personnel matters related to the Municipal Manger's contract.

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

Mayor and Council adjourned to Executive Session at 7:47 p.m.

**EXECUTIVE SESSION:**

**PRESENT:**

The following members were present at the start of the Executive Session: Mayor Stephen Boeder, Mr. Mark Heistand, Mr. Terry Johnson, Mr. Lynn Koogle, Mr. Robert Rettich, IV and Mr. Brian Wafzig.

**MEMBERS ABSENT:**

Mr. Michael Kuhn was absent.

**ALSO PRESENT:**

Also present was Tom Schiff, Law Director.

The aforementioned persons discussed personnel matters related to the Municipal Manger's contract.

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**MONDAY, JANUARY 5, 15**

**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 8:35 p.m.

**MEMBERS PRESENT:**

The following members were present: Mayor Stephen Boeder, Mr. Mark Heistand, Mr. Terry Johnson, Mr. Lynn Koogle, Mr. Robert Rettich, IV and Mr. Brian Wafzig.

**MEMBERS ABSENT:**

Mr. Michael Kuhn was absent.

**ALSO PRESENT:**

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

Council discussed the Retreat and set the date for January 31 from 9:00 a.m. – Noon at the Senior Center.

**ADJOURNMENT:**

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

The meeting adjourned at 8:45 p.m.

Respectfully Submitted,

---

Kelli R. Sanders-Novak  
Clerk of Council

---

Stephen A. Boeder  
Mayor