

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**TUESDAY, JANUARY 20, 15**

The Municipality of Germantown Council met in regular session on January 20, 2015 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. Terry Johnson, Mr. Lynn Koogle, Mr. Michael Kuhn, Mr. Robert Rettich, IV and Mr. Brian Wafzig.

**MEMBERS ABSENT:**

None.

**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; Kelli Sanders-Novak, Clerk of Council and several visitors.

**APPROVAL OF MINUTES:**

Mayor and Council reviewed the January 5, 2015 Regular Session minutes.

**MOTION:** Mr. Johnson moved to approve the January 5, 2015 Regular Session minutes as submitted.

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

**PUBLIC RECOGNITION:**

Mayor Boeder presented Mike Engler a plaque for many years of dedicated service to the Parks and Recreation Board. He thanked Mr. Engler for all his hard work and service.

Tom Geglein, Chairman of the Parks and Recreation Board, stated that Mr. Engler has been involved for over ten years with the Parks Board and has worked very hard to help make Germantown Parks what they are today. He thanked him for his time, hard work and knowledge. We will miss him.

Mike Engler thanked everyone for the plaque and stated he would still be available by phone. There is a good group of people who are currently on the Parks Board and hopefully it will continue to move in the right direction.

Mayor Boeder presented Dr. B.L. Berks a plaque for the many years of dedicated service to the Germantown Community. Dr. Berks was unable to attend tonight so Chief Alldred will accept the plaque on his behalf. Mayor Boeder went on by acknowledging Dr. Berks many talents and accomplishments and thanking him for his dedication for so many years to the Municipality of Germantown.

Chief Alldred accepted the plaque and thanked everyone on Dr. Berks' behalf. He went on thanking Dr. Berks for his many years of knowledge and help to not just him but to the Germantown Fire-EMS Department.

The Fire-EMS Department presented Dr. B.L. Berks a plaque for his many years of dedication and support to the emergency medical services of Germantown.

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**CITIZEN'S FORUM:**

None.

**MANAGER'S REPORT:**

Mrs. Sizemore stated that the Fire-EMS Department has received two donations and Council needs to accept these donations of \$300.00 and \$25.00.

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

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

Mrs. Sizemore went on by saying that she attended the Gov Tech meeting in January. The Miami Valley Communication Council is currently looking for a new executive director. Mr. Wafzig serves on the committee that will select the new executive director. We also discussed the 2015 Gov Tech projects which will include the street lighting contract and the LED street lighting project. We also discussed how each of the communities is being forced to do more with fewer funds.

The community shred day will be May 9. We will advertise this event for all the residents. This event will cost \$600.

Our Sanitary Sewer Rehabilitation Project Phase II has been advertised. We will have a bid opening on February 6 and hopefully award the bid at the February 17 Council Meeting. The sanitary sewers and manholes to be rehabilitated are located on Bradley, East Market, McCall, Stewart, Butter, Bruce and in Hillcrest Park.

There was a change in the Council Liaisons positions from the last meeting. The Miami Valley Regional Technical Committee is no longer an active Board and was removed from the list.

Plans for the proposed O'Reilly Auto Parts Store in the Hickory Pointe area are currently being reviewed by the Engineer. We currently have preliminary site development plans and will be presenting them to the Planning Commission.

The Community Development Block Grant handicap ramp access project will have additional funds for this year. We have been awarded a total of \$43,500. We will do additional handicap ramps this year with these additional funds. The County is still discussing the Community Development Block Grant application that was submitted for the First National Bank Project. She will update Council as she receives any information.

The Economic Development Government Equity Grant that was applied for and received for Pointe Source is on hold until after the proposed annexation process is complete. At this time they do not see any reason why there would be any issues with Pointe Source receiving the grant.

She was made aware of a small issue with the online bill pay system but it has been corrected. The customer's statements were showing payments made to Anna Sizemore. She assured everyone that the payments were made to the Municipality and not to her personally. If anyone would like to see documentation proving this please contact the Municipal Office. So far the service has been very successful with approximately \$4,500 collected. She reminded everyone that is using the online bill paying service that it takes approximately two days for the transaction to go through the process completely. Please do not think that if you pay on the due date that it will be posted that day.

She went on by saying that there will need to be an amendment to the Traffic Control Map. This will be an amendment to prohibit parking on the North side of Peffley Street temporarily. This will hopefully help the busses when turning avoid the potholes and any parked cars. Staff will notify the residents that will be affected.

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**MOTION:** Mr. Koogle moved to amend the Traffic Control Map to temporarily prohibit parking on the North side of Peffley Street.

Mr. Rettich questioned if the residents on Peffley Street have driveways to park their cars in during this restriction. Mrs. Sizemore replied that there are approximately six homes involved and they all have driveways and they would also be able to park on the South side of the street if they would need to.

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

State Representative Niraj Antani will be attending the next meeting along with a presentation from John Woodman from the Montgomery County Environmental Services.

She went on by saying that she would like to address the Finance Directors report. He is currently working on correcting the chart of accounts and our billing codes to make them match. In the past they have never matched. These changes will not affect the budget, it will simply organize it better and then be placed in a binder. He is also working on the year end closing and gathering information for the financial reports.

The Service Director was unable to attend tonight due to a family issue. She updated Council on the road salt and that the levels are doing just fine. The Service Department is currently working on service valve replacements. The Mayor and Jonathan have been attending the Franklin Regional Waste Water Treatment Cooperation meeting and discussing options with the contract and renewing it with Veolia. She is also planning on attending the next Franklin Regional Waste Water Treatment Cooperation meeting and will update Council with any information.

Mrs. Sizemore briefly reviewed the legislation that was on the agenda tonight regarding fencing. She explained that a clause was added to the current legislation to clarify the placement of an electronic fence near a public sidewalk.

**CLERK'S REPORT:**

Mrs. Novak stated a request from the Ohio Division of Liquor Control for a new liquor license for the Mudlick Tap House, LLC was received. This permit would include the first floor, the basement and the patio area only. She spoke with Chief McGill and he has no issues with the new license. Council will need to determine if a hearing is requested or not.

All agreed to not have a hearing for the new liquor license for the Mudlick Tap House, LLC.

**LAW DIRECTOR'S REPORT:**

The Law Director stated that he has been made aware of residents that are becoming creative in reconnecting their water after the City has shut them off for nonpayment. This is illegal and they will be prosecuted.

He handed out a packet of information pertaining to an email that was sent out regarding I-75 and Austin Landing.

**POLICE CHIEF'S REPORT:**

Chief McGill stated that the Department is currently winding up the old year and starting up the New Year. He should have updated reports for the next Council meeting.

**MAYOR'S REPORT:**

Mayor Boeder stated that Dana Powell is interested in serving on the City Beautiful Commission. This term expires December 31, 2015.

**MOTION:** Mr. Johnson moved to appoint Dana Powell to the City Beautiful Commission.

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

He congratulated Ohio State University for their Championship win.

He attended the Franklin Regional Waste Water Treatment Cooperation meeting with Jonathan Moore. He is trying to attend the meeting to get an idea of what they are doing and he finds them very useful. We will be meeting soon to discuss the Veolia contract.

He stated that Bob McClain has chosen to not sit on the Parks and Recreation Board any longer. He has served in several aspects in the community and especially with the Parks and Recreation Board. Bob would like to be involved in projects but not on the Board itself. The Mayor thanked him for his many years of service.

He went on by saying that the Proclamation for Elmer Murray celebrating his 100<sup>th</sup> birthday was printed in the Germantown Press. Josh Burgess, Manager of McDonalds Restaurant, did a great job of getting balloons and cake for Elmer's party. We all had a great time.

We currently have several vacancies on our Boards and Commissions. If anyone is interested in serving on a Board or Commission please contact the Municipal Office.

There will be a work session tonight after the regular meeting. We will be discussing a proposed street levy and police levy. The Council Retreat and priorities to the workload items for the Manager will also be discussed. There will also be an executive session tonight to discuss the Municipal Manger.

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

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

Mr. Heistand stated that he attended the Parks and Recreation Board meeting this month to observe. It was beneficial to listen to the discussion.

He attended the City Beautiful Commission meeting last week. He informed everyone of the snow sculpture contest that is currently going on during the winter. Anyone who would like to participate would need to take a photo of the sculpture and submit it to the City website. The Commission is also hosting an Easter Coloring contest for children who are 2 – 9 years of age. The picture will be available at the City Building and on the City website. The deadline for the coloring contest will be March 9. The entries will be displayed either in the City Building or in various businesses in the downtown area.

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

Mr. Johnson thanked Dr. Berks, Mike Engler and Bob McClain for their service to the community. Dr. Berks was his family's physician for many years. Both Mike and Bob have been very involved with the parks for many years and have shared a lot of useful information.

He was unable to attend this month's Parks Board meeting. He was at the VV Base meeting that same evening. VV Base will be meeting again on January 21 to discuss additional items. He went on by announcing the tentative sign up dates for this season. Once the dates are confirmed he will contact the Manager to have them advertised.

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

Mr. Koogle stated he attended the Cemetery Board meeting. It was business as usual. They are still working on taking down some of the large trees that are causing issues with the headstones.

He went on by saying that Dr. Berks has been around so long and we took him for granted. He dearly loves this community and has been so involved-like no one else. He is a jewel and he loves him.

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**Mr. Kuhn's Report:**

Mr. Kuhn stated that the Economic Development meeting will be January 21.

**Mr. Rettich's Report:**

Mr. Rettich thanked Dr. Berks for his service. He was his family's physician for many years and we appreciate him.

**Mr. Wafzig's Report:**

Mr. Wafzig stated that he is serving on the selection committee at Miami Valley Communication Council for the new executive director. This position is currently posted on the Miami Valley Communication Council's website. He will be attending the Miami Valley Communication Council meeting on January 21.

**Legislation:**

**Introduction:**

RESOLUTION NO. 15-03  
A RESOLUTION TO DECLARE POLICE DEPARTMENT SURPLUS  
PROPERTY AND AUTHORIZE THE MUNICIPAL MANAGER TO  
ADVERTISE FOR BIDS TO SELL SAID PROPERTY.

Mayor Boeder stated the Public Hearing would be February 2, 2015.

**Public Hearing:**

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

**MOTION:** Mr. Johnson moved to adopt Ordinance No. 15-01.

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

**EXCUSE ABSENT MEMBERS:**

None.

**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. Kuhn, yes; Mr. Rettich, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 7-yes, 0-no. MOTION CARRIED.

Mayor and Council adjourned to Executive Session at 7:45 p.m.

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**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. Michael Kuhn, Mr. Robert Rettich, IV and Mr. Brian Wafzig.

**MEMBERS ABSENT:**

None.

**ALSO PRESENT:**

Also present was Tom Schiff, Law Director.

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

Anna Sizemore was invited into Executive Session at 8:10 p.m.

**MOTION:** Mr. Johnson motioned to return to Regular Session.

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

Mayor and Council reconvened into Regular Session at 9:08 p.m.

**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:**

None.

**ALSO PRESENT:**

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

**ADJOURNMENT:**

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

The meeting adjourned at 9:09 p.m.

Respectfully Submitted,

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Kelli R. Sanders-Novak  
Clerk of Council

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Stephen A. Boeder  
Mayor