

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, FEBRUARY 2, 15

The Municipality of Germantown Council met in regular session on February 2, 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; Roy McGill, Chief of Police; Matt Burns, Police Major; Scott Brown, Police Lieutenant; Kelli Sanders-Novak, Clerk of Council and several visitors.

APPROVAL OF MINUTES:

Mayor and Council reviewed the January 20, 2015 Regular Session minutes.

MOTION: Mr. Kuhn moved to approve the January 20, 2015 Regular Session minutes as submitted.

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 reviewed the January 20, 2015 Work Session minutes.

MOTION: Mr. Kuhn moved to approve the January 20, 2015 Work Session minutes as submitted.

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.**

PUBLIC RECOGNITION:

None.

CITIZEN'S FORUM:

John Woodman with Montgomery County Environmental Services thanked everyone for the opportunity to visit. He went on by updating Council on various topics and reviewing his presentation which included days and times the Moraine facility is open and what items they are accepting. He reviewed the updates that have been made to the facility and encouraged everyone to schedule an appointment to experience their state of the art learning center. He explained the positive impact the Task Force has had on many communities by monitoring illegal dumping. He encouraged a representative from the Municipality to attend an upcoming meeting to pursue various grant opportunities that are available to the community.

Mayor Boeder explained that when the other guest speaker arrives they will allow him to speak at that time.

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Heather Poole, 419 North Cherry Street, expressed concern regarding the speed limit on North Cherry Street being 35 miles per hour. The speed limit was 25 miles per hour years ago on North Cherry but since the speed limit has been increased to 35 miles per hour people now drive 45 miles per hour. The large flatbed trucks rattle when driving so fast down the uneven pavement causing her windows in her home to rattle. She has gathered up a small petition of signatures from the residents on North Cherry Street. She will get more signatures if she needs to. She feels that the speed limit should be 25 miles per hour throughout the City. There are many children who walk to school daily, preschools that walk to various locations in the community and many adults that walk too. This is dangerous when vehicles are traveling at such high speeds for anyone to cross the streets. Farmersville Pike is patrolled often but the other areas are not patrolled as closely. She asked that Council consider lowering the speed limit back to 25 miles per hour on North Cherry Street and throughout the City. She gave the Manager the copy of the petition.

Mayor Boeder stated that the Police Department is working to crackdown on people speeding throughout the City.

Mr. Johnson stated that he understands because he has had a problem with speeding where he lives on Wetz Lane. He explained that it is a process to change speed limits.

Mayor Boeder suggested that we look into the special speed limit signs similar to those in West Carrollton that alert people when they are speeding.

MANAGER'S REPORT:

Mrs. Sizemore stated that the final payment has been received from Germantown United Methodist Church for the tap in fees.

She went on by reviewing the legislation that is on the agenda for tonight. Under Introduction is Resolution No. 15-04 which is to designate First National Bank as a public depository. This agreement will be for a five year renewal period. Resolution No. 15-05 is for the purchase of a 2015 Dodge Charger for the Police Department. This purchase was included in the 2015 Budget. Resolution No. 15-06 is the transfer of funds for January in the amount of \$5,508.79. Resolution No. 15-07 is a statement of services that the Municipality will provide the proposed property to be annexed on Butter Street and Lower Miamisburg Road. This request is from Mr. Mersch to have the property annexed into the City. Emergency Ordinance No. 15-08 is passed yearly by emergency for the replacement pages to the Codified Ordinances.

Under Public Hearing is Resolution No. 15-03 and it declares a 2006 Ford Crown Victoria as surplus property and advertise it for sale on Gov Deals.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

None.

POLICE CHIEF'S REPORT:

Major Burns stated that there would be no report.

MAYOR'S REPORT:

Mayor Boeder stated they had received a thank you note from the Schweitzer Family for the flowers that Council had sent. Mr. Schweitzer is Jonathan Moore's father-in-law.

He announced that the next Council meeting would be February 17, 2015 due to the holiday.

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He stated that Council has been trying to conduct business during regular session and not during work session. We did have a work session at the last meeting and we discussed the Council retreat and the proposed street and police levies. Council reviewed these items during the Council retreat on Saturday as well and the Manager is working on the items and comments currently.

He will be performing his second wedding ceremony on Tuesday.

He will be attending the Miami Valley Regional Planning Commission meeting on February 5.

On Channel 7 tonight there was a story that was similar to a situation that occurred in Germantown regarding cell phones during an emergency. Dispatch is unable to locate the emergency when called in on a cell phone. This is beginning to become a major problem with everyone using cell phones and many people not having land lines. It was suggested to have the local non-emergency number in your cell phone but if you are not in your local jurisdiction how will they be able to locate you. He will address this issue at the next Emergency Communications Committee meeting.

COUNCIL MEMBER'S REPORT:

Mr. Heistand's Report:

Mr. Heistand expressed his sympathy to Jonathan Moore and his family on the passing of his father-in-law, Lynn Schweitzer. He attended the visitation. He thanked the Manager for arranging the delivery of the flowers from Council.

He commended Ms. Poole for attending tonight with her petition. He appreciates the work that she did to gather the names on the petition. He hopes that they can find a solution and possibly adjust the speed limits.

He announced that the Lion Club's annual rose sale is underway. If anyone is interested in purchasing roses, contact any member. All the funds from the sale go back to the community. He thanked everyone for their support.

Mr. Johnson's Report:

Mr. Johnson sent his condolences to Jonathan Moore and his family.

He thanked Council, the Manager and the Law Director for the Council Retreat that was last weekend. He looks forward to chipping away at the mountain that is in front of them.

The final date for VV Base signups will be February 7 at the Germantown Library.

Mr. Koogle's Report:

None.

Mr. Kuhn's Report:

Mr. Kuhn stated the Economic Development Committee has changed their meeting days to the third Thursday of each month due to conflicts in member's schedules.

Mr. Rettich's Report:

Mr. Rettich stated that he attended the Planning Commission meeting last week and found it very interesting. It was determined that the Commission will meet on the fifth Tuesday of each month.

Mr. Wafzig's Report:

None.

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Legislation:

Introduction:

RESOLUTION NO. 15-04

A RESOLUTION TO DESIGNATE FIRST NATIONAL BANK OF GERMANTOWN AS THE PUBLIC DEPOSITORY FOR THE MUNICIPALITY OF GERMANTOWN AND AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO A DEPOSITORY AGREEMENT FOR ACTIVE, INTERIM AND/OR INACTIVE PUBLIC FUNDS WITH FIRST NATIONAL BANK OF GERMANTOWN.

Mayor Boeder stated the Public Hearing would be February 17, 2015.

RESOLUTION NO. 15-05

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO PURCHASE A 2015 DODGE CHARGER FROM KEY CHRYSLER, 2020 NORTH DETROIT STREET, XENIA, OH 45385 FOR THE PURCHASE PRICE OF \$22,843.00 FOR USE BY THE MUNICIPALITY OF GERMANTOWN POLICE DEPARTMENT.

Mayor Boeder stated the Public Hearing would be February 17, 2015.

RESOLUTION NO. 15-06

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 February 17, 2015.

RESOLUTION NO. 15-07

A RESOLUTION ADOPTING A STATEMENT INDICATING SERVICES THE MUNICIPALITY OF GERMANTOWN, OHIO, WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE MUNICIPALITY OF GERMANTOWN PURSUANT TO A PETITION FILED WITH THE BOARD OF COUNTY COMMISSIONERS BY THE MUNICIPALITY OF GERMANTOWN AS PROVIDED BY OHIO REVISED CODE SECTION 709.023.

Mayor Boeder stated the Public Hearing would be February 17, 2015.

EMERGENCY ORDINANCE NO. 15-08

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE MUNICIPALITY OF GERMANTOWN CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

MOTION: Mr. Koogle moved to suspend the rules on Emergency Ordinance No. 15-08.

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

MOTION: Mr. Heistand moved to adopt Emergency Ordinance No. 15-08.

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.**

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Public Hearing:

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

MOTION: Mr. Johnson moved to adopt Resolution No. 15-03.

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.

ADJOURNMENT:

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

The meeting adjourned at 7:37 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor