

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, APRIL 6, 15

The Municipality of Germantown Council met in regular session on April 6, 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 and Mr. Robert Rettich, IV.

MEMBERS ABSENT:

Mr. Michael Kuhn and Mr. Brian Wafzig were 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.

APPROVAL OF MINUTES:

Council reviewed the March 16, 2015 Regular Session minutes.

MOTION: Mr. Rettich moved to approve the March 16, 2015 Regular Session minutes as submitted.

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

PUBLIC RECOGNITION:

Mayor Boeder presented Brigham McClain a poster size copy of his original drawing and a basket full of art supplies for winning the City Beautiful Commissions Easter Coloring Contest for age group 2-5. Brigham thanked Mayor Boeder for his gifts.

Mayor Boeder presented Sierra Adkins a poster size copy of her original drawing and a basket full of art supplies for winning the City Beautiful Commissions Easter Coloring Contest for age group 6-9. Sierra introduced her best friend and sister and thanked the Mayor for her gifts.

Mayor Boeder felt that the organizers did a great job and thanked all the children who participated in the City Beautiful Commissions Easter Coloring Contest.

Robin Alsip, Ex-Officio of the City Beautiful Commission, thanked all the participants and stated that the Commission really enjoyed judging all the drawings. They are hoping to host future contests.

CITIZEN'S FORUM:

None.

MANAGER'S REPORT:

Mrs. Sizemore stated that we are participating in the pavement marking bids through Miami Valley Communications Council. This is done yearly and we are currently updating the map for this project. The bids are due in April and the project will be done later in the summer.

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The 2015 street maintenance program has a budget of \$135,000.00. This will include the first phase of the Hillcrest area. The streets will include North Hillcrest Drive, West on Bradley Drive and Lisa Drive. This will be a smaller scale project than normal due to the streets being made of concrete and requiring additional work. We have hired Coate Construction to do the repairs to the concrete before any paving is done. We will advertise for bids in May and the bid award should be on the June 1 agenda. We will grind and Polyfill all the cracks. The joints will then have a stress membrane applied that will cut down on the cracks coming back up. Then we will follow up with an inch and a half of hot mix overlay.

The demolition project for Camp Miami is currently out for bid. We will have the bid award on the April 20 agenda.

We have received the approval for the Cherry Street Phase 4 application. The agreement is to be sent out by Ohio Public Works Commission in July. The schedule will be Engineering work done from July through December 2015, bid advertisement and award in January and February 2016 and construction will be from March through October 2016. She would like to review funding for the Cherry Street Phase 5 project with the Finance Director and if everything is okay apply for Phase 5 in August when the Ohio Public Works Commission grants are due.

She would also like to resubmit the Sanitary Sewer Rehabilitation Phase 3. The Sanitary Sewer Rehabilitation Phase 2 project will have a preconstruction meeting later in April. Then the project can move forward and must be completed by November 13.

The Engineer is currently working on the plans for the Peffley Street reconstruction project. Since we have moved all the bus traffic off of Peffley we will not have to stay within the school schedule. At the next meeting she will have an estimate and funding options.

She is currently working with the Engineer regarding the sidewalk program. She will have additional information at the next meeting.

The Street Levy Committee contacted her and requested \$5,000 to start the levy campaign. She explained that the City is not able to fund the campaign and the funds need to be solicited from outside. She will keep in contact with the committee.

Work is being done daily at Kercher Park on the baseball fields. There is an outside person working on the baseball diamonds. Repairs have been done to the fences and additional work will be done to the dugouts and the concession stand area over the next few weeks. VV Base has not signed and returned their use agreement. They are aware that the agreement must be returned before practice can be started. We have also done work on the tennis court fences.

The property owner of the Brown building on Center Street is working with the insurance company and everything is hopefully moving forward. We will continue to follow up.

She reminded everyone that Germantown income taxes are due April 15. We were not able to print forms this year due to new software. If anyone has questions, please contact the City Building.

Mr. Heistand questioned if the income tax form had changed and if the old income tax form that is on the website could be used. Mrs. Sizemore replied yes. The forms look different but the same information is on them.

Mr. Koogle questioned if the process we are using on the Hillcrest area streets is the process we have learned from the City of Kettering. Mrs. Sizemore replied yes and they are repairing some concrete and some curbing. Mr. Koogle asked that the next time the Engineer attends the meeting he would like for him to explain the process that was done.

Mrs. Sizemore went on by reviewing the legislation that is on the agenda for tonight. Under Introduction is Ordinance No. 15-23 this is an increase in wages for our seasonal employees for the pool concessions. This is an increase of \$.10 due to the increase in minimum wage.

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Ordinance No. 15-24 is an amendment to our appropriations for 2015. The Finance Director explained this issue at the last meeting. He failed to include the Sanitary Sewer Rehabilitation Phase 1 project. That payment is in the amount of \$3,048. Resolution No. 15-25 authorizes the Manager to enter into an agreement with Rumpke for residential refuse collection. This was the only bid we received.

Under Public Hearing is Resolution No. 15-17 that levy's assessments for grass and weed removal. These are invoices that have not been paid from 2014 and after this resolution is passed the assessments will be sent to the County Auditor for collection on property taxes. Resolution No. 15-18 is the monthly transfer of funds for February in the amount of \$6,306.90. Ordinance No. 15-19 is an amendment to the Streets and Public Service Code to increase the sewer tap in fees. This is a fee that is paid to Franklin Regional Waste Water Treatment Corporation when the developer pays their tap in fees. This was increased by \$15.00 for the year. Resolution No. 15-20 is for the County Auditor to certify the total current tax valuation in anticipation of a new 4.00 mill levy for street repair and construction. Resolution No. 15-21 is the transfer of funds for calendar year 2015. This is the cable franchise fees in the amount of \$5,683.20 that we received from Miami Valley Communication Council. Resolution No. 15-22 is the monthly transfer of funds for March in the amount of \$4,262.14.

She stated that the 2015 water and sewer rate survey along with the February National Inspection Corporation Property Maintenance Report were included in the Council Packet.

Mr. Heistand questioned if there would be a need to increase the refuse rates once the new Rumpke contract is in place. Mrs. Sizemore replied that the Finance Director has not had a chance to review the numbers but they are watching the refuse fund closely. We may not need to do an increase for a few months but we will watch it. We are keeping up with the delinquent bills and assessing properties if we need to.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

The Law Director stated that he had generated several memos in the last couple of weeks and if anyone would like to discuss them further to please contact him.

There is an executive session on the agenda for tonight but he would like to postpone it to a later time due to Mr. Kuhn and Mr. Wafzig's absence.

FINANCE DIRECTOR'S REPORT:

Mrs. Sizemore stated that he would be at the next Council meeting and they have an Audit Committee meeting scheduled prior to that meeting as well.

POLICE CHIEF'S REPORT:

Chief McGill stated in the anticipation of Sergeant Moreland's retirement this summer, we have started the process of reviewing application to fill a full time position.

MAYOR'S REPORT:

Mayor Boeder read a comic strip to the audience regarding potholes.

He attended the Miami Valley Regional Planning Commission meeting and the Franklin Regional Waste Water Committee meeting. He also attended the District Advisory Committee meeting with the Health Department. There were no major decisions made at those meetings other than the Franklin Regional Waste Water Committee meeting. At that meeting we discussed the

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contract with Veolia who runs and operates the plant. The contract with Veolia has been renewed for \$2.5 million a year. This is a ten year contract with Veolia and a large decrease from what we were paying. We will be forwarding a lot of information from the Manager of Franklin Regional Waste Water Corporation. We are having some trouble getting our questions answered but we will work through it and continue to communicate with the committee members. He is reviewing the Manager's contract and would like to understand how things are done with this Committee.

Mr. Heistand questioned if there would be a decrease in fees to the City since the fees from Veolia have decreased. Mrs. Sizemore replied that at this point she is not sure because there are some significant improvements that need to be done at the plant. We are trying to get these questions answered. We had an increase of approximately \$8,000 a month this year.

Mayor Boeder stated that Franklin Regional Waste Water Commission is revising how the true up fees are handled and that should help a lot.

He attended the Valley View girl's varsity basketball team ~~recreation~~ **recognition** banquet. They did very well this year and many awards were given out. He thanked his daughter, Anna Tyra, for volunteering and he thanked the coaches. Congratulations to them all.

Mayor Boeder stated that Jim Williams is interested in serving on the Parks and Recreation Board with a term ending in 2019 and the Board of Zoning Appeals with a term ending in 2016.

MOTION: Mr. Heistand moved to appoint Jim Williams to the Parks and Recreation Board with a term ending in 2019 and the Board of Zoning Appeals with a term ending in 2016.

ROLL CALL: Mr. Heistand, yes; Mr. Johnson, yes; Mr. Koogler, yes; Mr. Rettich, yes; Mayor Boeder, yes. 5-yes, 0-no. MOTION CARRIED.

Mayor Boeder stated that Judy Kilburn is interested in serving on the Parks and Recreation Board with a term ending in 2019 and the Personnel Board with a term ending in 2016.

MOTION: Mr. Heistand moved to appoint Judy Kilburn to the Parks and Recreation Board with a term ending in 2019 and the Personnel Board with a term ending in 2016.

ROLL CALL: Mr. Heistand, yes; Mr. Johnson, yes; Mr. Koogler, yes; Mr. Rettich, yes; Mayor Boeder, yes. 5-yes, 0-no. MOTION CARRIED.

COUNCIL MEMBER'S REPORT:

Mr. Heistand's Report:

Mr. Heistand congratulated the winners of the City Beautiful Commissions Easter Coloring Contest- Brigham McClain and Sierra Adkins. All the entries are hanging here at the Municipal Building if anyone would like to come view them. He thanked everyone who participated.

The snow sculpture contest's deadline is April 13. The City Beautiful Commission will meet on April 14 to select the winner of the contest. He encouraged everyone to get any last minute photos to the City before the deadline.

On behalf of the Lions Club he would like to thank the community for their support with the rose sale, pancake breakfast event for juvenile diabetes, the movie fund raiser for the Ronald McDonald House and the Easter egg hunt.

He invited the community to a Musicians Concert at the Germantown United Methodist Church on April 12.

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Mr. Johnson's Report:

Mr. Johnson thanked the Pool Board members and the City Manger for setting the fees and getting the pool ready for the upcoming season.

Mr. Koogle's Report:

Mr. Koogle stated that the Senior Oversight meeting is April 9.

Mr. Rettich's Report:

Mr. Rettich stated that he attended the Planning Commission meeting and they discussed the proposed O'Reilly's Auto Parts store and the CVS store. The Commission has asked that both companies make some changes. Hopefully they will make the changes and come back to the Commission for approval.

He thanked everyone who participated in the Easter Coloring Contest. He thought it was great that each participant received a certificate of participation.

Legislation:

Introduction:

ORDINANCE NO. 15-23
AN ORDINANCE AMENDING SECTION 161.08(d)(3) OF THE
ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE
MUNICIPALITY OF GERMANTOWN REGARDING SEASONAL
EMPLOYEES.

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

ORDINANCE NO. 15-24
AN ORDINANCE AMENDING ORDINANCE NO. 14-78 APPROPRIATIONS
FOR CURRENT EXPENSES AND EXPENDITURES OF THE MUNICIPALITY
OF GERMANTOWN, STATE OF OHIO, FOR THE FISCAL YEAR ENDING
DECEMBER 31, 2015.

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

RESOLUTION NO. 15-25
A RESOLUTION TO AUTHORIZE THE MUNICIPAL MANAGER TO ENTER
INTO AN AGREEMENT WITH RUMPKE OF OHIO, INC. TO PROVIDE
RESIDENTIAL REFUSE COLLECTION SERVICES IN THE MUNICIPALITY
OF GERMANTOWN, EFFECTIVE MAY 1, 2015.

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

Public Hearing:

ORDINANCE NO. 15-17
AN ORDINANCE LEVYING ASSESSMENTS FOR THE CUTTING AND
REMOVAL OF WEEDS AND/OR PLANT GROWTH FOR CERTAIN
PROPERTIES IN THE MUNICIPALITY OF GERMANTOWN, OH.

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. 15-17.

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ROLL CALL: Mr. Heistand, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Rettich, yes; Mayor Boeder, yes. 5-yes, 0-no. MOTION CARRIED.

RESOLUTION NO. 15-18

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. Heistand moved to adopt Resolution No. 15-18.

ROLL CALL: Mr. Heistand, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Rettich, yes; Mayor Boeder, yes. 5-yes, 0-no. MOTION CARRIED.

ORDINANCE NO. 15-19

AN ORDINANCE TO AMEND SECTION 921.03(e) OF THE STREETS AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN TO INCREASE THE SEWER TAP IN FEES, EFFECTIVE APRIL 1, 2015.

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. 15-19.

ROLL CALL: Mr. Heistand, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Rettich, yes; Mayor Boeder, yes. 5-yes, 0-no. MOTION CARRIED.

RESOLUTION NO. 15-20

A RESOLUTION TO REQUEST THE MONTGOMERY COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION IN ANTICIPATION OF A NEW 4.00 MILL LEVY FOR GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS, AND BRIDGES.

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

MOTION: Mr. Rettich moved to adopt Resolution No. 15-20.

ROLL CALL: Mr. Heistand, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Rettich, yes; Mayor Boeder, yes. 5-yes, 0-no. MOTION CARRIED.

RESOLUTION NO. 15-21

A RESOLUTION TO AUTHORIZE THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE STREET FUND FOR CALENDAR YEAR 2015.

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

MOTION: Mr. Heistand moved to adopt Resolution No. 15-21.

ROLL CALL: Mr. Heistand, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Rettich, yes; Mayor Boeder, yes. 5-yes, 0-no. MOTION CARRIED.

RESOLUTION NO. 15-22

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

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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. 15-22.

ROLL CALL: Mr. Heistand, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Rettich, yes; Mayor Boeder, yes. 5-yes, 0-no. MOTION CARRIED.

EXCUSE ABSENT MEMBERS:

Mr. Johnson motioned to excuse Mr. Michael Kuhn and Mr. Brian Wafzig.

ROLL CALL: Mr. Heistand, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Rettich, yes; Mayor Boeder, yes. 5-yes, 0-no. MOTION CARRIED.

ADJOURNMENT:

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

The meeting adjourned at 7:45 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor