

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, JULY 20, 15

The Municipality of Germantown Council met in regular session on July 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; Terry Klein, Finance Director; Kelli Sanders-Novak, Clerk of Council and one visitor.

APPROVAL OF MINUTES:

Mayor and Council reviewed the July 06, 2015 Regular Session minutes.

MOTION: Mr. Johnson moved to approve the July 06, 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.**

PUBLIC RECOGNITION:

None.

CITIZEN'S FORUM:

None.

MANAGER'S REPORT:

Mrs. Sizemore stated that the street maintenance program and the pavement marking project is behind schedule due to the weather. Strawser Construction will let her know when they are ready to begin the street maintenance in the Hillcrest area and she will then notify the residents in that area. The pavement marking will begin as soon as they are able to and she will update Council when they are ready to begin the projects.

She has not received a response from the insurance agent regarding the items from Camp Miami. Once she does she will update Council and the Law Director.

She met with the Engineer today regarding Cherry Street and Peffley Street. The Engineer is recommending that we wait and bid Peffley Street when we bid the Cherry Street Phase 4 project. He believes this will get a lower bid on the projects. He is planning on attending a Council meeting in August to explain his thoughts.

This past Saturday was a very successful Saturday Night Out. We had several new vendors attend. The weather was warm but the rain held off until the very end. She thanked all those who attended and volunteered.

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There is an issue with the tornado siren in the Hillcrest area and Chief Alldred will address it during his report.

The Service Director, Jonathan Moore, will be at the next Council meeting. He was going to attend tonight but has run into issues at the well fields.

Mr. Koogle questioned how Peffley Street would do through the upcoming winter. Mrs. Sizemore replied that we are monitoring it regularly and the Engineer feels it will be okay since the bus traffic is gone. Once the Engineer meets with Council she will bring the residents of Peffley Street in for a meeting to discuss the project.

Mayor Boeder questioned if the digital speed reading signs are on their way. He is approached regularly regarding the people speeding in town. Mrs. Sizemore replied that we are in the process of getting them ordered.

Council discussed the portable, digital speed reading signs. It was suggested to ask if the Township would like to split the cost for a second one and to purchase solar powered signs.

Mrs. Sizemore stated that the Senior Center has received a donation and Council needs to accept the donation of \$500.00.

MOTION: Mr. Koogle moved to accept the donation to the Senior Center.

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.**

Mr. Koogle stated that he would like the donations to the Senior Center be kept separate from the levy funds so the seniors are able to use the donation funds. The levy funds are for upkeep and are very regimented on what they can use the levy funds for. Mrs. Sizemore explained that the donations are going into a separate line item in the budget and they are able to use those funds for items. The past money is what we will have to ask the Auditors about and how to handle it. The Law Director reviewed the items with them that they are allowed to purchase with donated funds and they have not been denied any of those items.

She is working with Lisa from National Inspection Corporation to get an updated list of court cases. She just gave the Law Director six new cases tonight.

Mr. Koogle stated that he is frequently asked about the repeat offenders of property maintenance issues. The process is very slow but he would like to eventually give a positive update to the people who are continually bothered by these offenders.

The Law Director will also look at the list to see if any of these addresses are on probation and if they are he will contact the probation department. The cases he received tonight should be filed by early next week.

Under Introduction is Resolution No. 15-38 which is the monthly transfer of funds for July in the amount of \$5,874.87. Resolution No. 15-39 is to allow the sale of Senior Center surplus property. Resolution No. 15-40 is to allow the sale of Administrative surplus property. Resolution No. 15-41 is to allow the Manager to prepare an application for the Cherry Street phase 5 project and is estimated to cost \$685,627.00. This project will be from Huber Street to Montgomery Street. Resolution No. 15-42 is to allow the Manager to prepare an application for the sanitary sewer project phase 3 and is estimated to cost \$199,587.00. This project will include Bradley Drive, Lisa Drive, Pollyanna Avenue and East Market Street. These Ohio Public Works Commission applications are due in August. Resolution No. 15-43 is the street light assessments for 2016. Ordinance 15-44 is creating a new section in the Codified Ordinances pertaining to vacant lots that were platted some time ago but have become unbuildable due to a revision in the building standards. This will allow them to revert back to the original building standard at the time they were platted. Resolution No. 15-45 is authorizing the Mayor to enter into an employment contract with the Municipal Manager.

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Under Public Hearing we have Resolution No. 15-35 which authorizes the Manager to enter into a contract with Compass Minerals America for the purchase of highway rock salt in the amount of \$66.06 per ton. This is a significant decrease from last year's price of \$112.50 per ton from the same company. Resolution No. 15-36 expresses the Municipalities intent to negotiate for electric light service for street lighting. This is done through Miami Valley Communications Council and our current contract expires December 31. Resolution No. 15-37 is the second piece of legislation that needs to be passed in preparation of the street levy not passing in August and would then be placed on the November ballot.

She gave Council a copy of the ballot language for the upcoming street levy. Everyone should have received an email from JoAnn Botts with a draft of the letter the Levy Committee will be passing out to residents asking for their support. Please contact Ms. Botts if you are interested in helping pass out the letters.

Mr. Rettich questioned if there was an update on the debris on Center Street. Has Ms. Brown made any progress. Mrs. Sizemore replied that yes she has but we have been asked to keep it confidential at this time.

She has limited information from the local businesses for the newsletter in the water bills. She is planning on using articles that pertain to Germantown as filler. We need to welcome and visit our new pet store and new antique store on Center Street.

Mr. Wafzig questioned if they had completed the Camp Miami demolition project. Mrs. Sizemore replied that the remainder of the foundation needs to be handled in a different manner and the weather has not been cooperating. This special process will take some additional time but we are still ahead of schedule.

Mr. Rettich questioned how the gas meter change out project was coming along and when will the sidewalks be repaired. Mrs. Sizemore replied that they are moving very fast in the process. Miller Pipeline will do the sidewalk repair and it will be completed by the end of the year.

Mr. Heistand questioned what the large patch on Walnut Street near Gunckel Street was and if it had anything to do with the gas meter project. Mrs. Sizemore replied that the Service Department has been correcting some issues and it may be where they are working. They have been trying to get as much done as possible but the weather has been an issue.

Mayor Boeder asked the Manager to explain to everyone the water shut off process versus service on valves. Mrs. Sizemore replied that with the new online bill pay option we have had a huge decrease in shut offs. We still have to do them but we do the ones that do not have any issues first then work back through the list and try to turn off the rest. We are currently working on getting the problem meters dealt with.

Mr. Johnson questioned if the property owner on Bradley Drive has corrected their personal property issues. Some of the drainage issues were created by the homeowner. Mrs. Sizemore replied that Mr. Moore and the Engineer have looked at the issues but she will get an update.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

The Law Director stated that he would be attending the Ohio Municipal Attorneys Association meeting this week and will update Council at the following Council meeting.

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FINANCE DIRECTOR'S REPORT:

Mr. Klein announced that the Audit Committee met tonight and discussed the second quarter financial reports. He is projecting a deficit in the Police Levy Funds and his suggestion is to move the dispatch fees line item out of the Police Levy fund and into the General Fund. He will discuss this issue with the State Auditor and hopefully find a more permanent solution to the problem.

He is expecting the State Auditors to begin in the next week or two.

POLICE CHIEF'S REPORT:

Chief McGill passed out the June Police Department report and a brief background on the two new officers.

He stated that the Police Department was present at Saturday Night Out this past weekend. They passed out several Ident-A-Kid card kits. Many were sent home with parents to complete due to the fact that the extreme heat was hindering the fingerprinting process. He reminded parents to keep a close eye on their kids and teach them stranger danger.

He passed out information from the Montgomery County Drug Free Coalition. He feels that this information is the best information for those who may have loved ones who have a drug and/or alcohol abuse problem.

Mr. Koogle asked if Chief McGill could see if he would be able to get the D.A.R.E. program back in the Valley View Schools. Chief McGill replied that he would make contact with the school and try to do so.

Chief McGill announced that National Night Out would be August 4 at Veterans' Memorial Park. He encouraged everyone to attend.

FIRE CHIEF'S REPORT:

Chief Alldred reviewed the June Fire-EMS report.

He went on by saying that the Department has been present at both Saturday Night Outs, the July 4th Parade and the Antique Fire Apparatus Show. All events had great turnouts and he thanked those who were present.

We had the medic that has been newly equipped with the Stryker EMS power load systems. This system will assist in securely lifting and loading patients into the ambulances. These were purchased for the department by Germantown Rescue Squad, Inc. and we are very thankful.

The next community CPR class will be offered August 19. Please call the office to register.

The tornado siren located in the Hillcrest area is not working. It appears to have been hit by lightning and is in the process of being repaired.

Mr. Heistand questioned what could be done if there was a tornado while the siren is not working. Chief Alldred replied that if there was time he would try to send a unit to that area to notify residents. He encouraged residents to have a NOAA weather radio in their home. This will alert everyone that severe weather is in the area and sounds an alarm much like a smoke detector does.

Mayor Boeder stated that he had received a call from a resident in the Hillcrest area that stated that she had not heard the siren. He thanked Chief Alldred for following up on the issue. He questioned if there was any notification to the City that the sirens are not working. Chief Alldred replied that there is no notification other than someone calling and reporting that it did not sound.

Mrs. Sizemore suggested having a Police Officer be present during the test on the first Monday of each month.

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Chief Alldred stated that the Montgomery Rehab and Rescue Unit that runs out of Farmersville lost Mrs. Colucci on July 7. Since 1970 they have assisted Fire, EMS and Police crews on sites with a cold bottled water or a warm cup of soup. He thanked them for their assistance and stated that Mrs. Colucci would be missed and wished Mr. Colucci the very best.

MAYOR'S REPORT:

Mayor Boeder reviewed the July 6 work session meeting. They discussed the upcoming street levy. He has been encouraged by the work of the committee and by their letter they prepared that will be handed out to the residents in the City. He thanked the levy committee for their efforts. He encouraged everyone to support the upcoming levy; some of our streets are in desperate need of repair.

This past weekend's Saturday Night Out went very well. He thanked the Manager and her family for all their hard work and everyone else that participated.

He attended the Audit Committee meeting tonight and they accepted the 2nd quarter report.

He announced that there would be a work session tonight to discuss a couple issues and he will report on that at the next meeting.

He would like to set a meeting with Lynn Zuch with the Miami Valley Regional Planning Commission to discuss the market analysis for the Camp Miami site. Since several of the Council members would like to attend, the Law Director will get back with a suggestion on how to do so and how to obey the Sunshine Laws.

He questioned if Council would like to have a composite report that would give all the information regarding the Law Directors evaluation or copy of each Council member's evaluation. The consensus of Council was to have the composite report.

COUNCIL MEMBER'S REPORT:

Mr. Heistand's Report:

Mr. Heistand stated that the City Beautiful Commission met on July 14 and awarded a Fix-Up Award to the log house on East Market Street and Water Street. This was for the hard work that was done by Dr. Rudy Mejia several years ago.

The City Beautiful Commissions 2015 Spring and Summer Flower Contest is underway and will continue through July 31. This year's theme is Best Flower and Landscape. We encourage everyone to submit photos and addresses to the City.

He attended the German Township Trustee meeting on July 13. He found it very informative.

He announced the Arthur Huffer, Jr. Memorial Hot Air Balloon Festival and Germantown Founders Day event that will be hosted by the Historical Society. This event will be August 1 at Kercher Park and encouraged everyone to attend.

Mr. Johnson's Report:

Mr. Johnson thanked the staff for copying the information regarding the Kercher Park lighting project. If anyone has any questions to please let him know. We are just looking for information at this time.

He would like to thank the Englekay family for asking him to coach and participate in the first annual Major League Baseball Youth Hitting Challenge on July 12. His son participated in the challenge. On July 13 he and several kids attended Fan Fest in Cincinnati. They all had a great time.

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He made everyone aware that any recreational organization that would like to use any of the City's parks that require set times or an extended time, specific days or dates must sign a park user agreement with the City and must show proof of insurance for the group. Any modification, adjustments and/or changes to the park facility, including the existing structures, must be approved by the Manager. VV Base, VV Youth Soccer Association and VV Jr. Spartan Football are not charged for the usage of Kercher Park but they must also sign a park user agreement and must show proof of insurance. We have discussed this at Park Board Meetings and we have posted this information in several locations. He asked that the purchase of signage be discussed at the next Parks Board meeting. These additional signs could be posted at backstops, restrooms, concession stands and several other locations to notify people that future scheduling, for park use must be done through the Manager's Office.

Mr. Koogle's Report:

Mr. Koogle attended the Cemetery Board meeting. They are still in the process of doing a massive reorganization on the building allowing the person working to greet visitors. Mr. Hurley has retired. He was a huge asset to the cemetery in trying to get all the records on the computer. This is not an easy task and is still an ongoing project. They are looking for a replacement for the part-time position.

He encouraged everyone to attend the Arthur Huffer, Jr. Memorial Hot Air Balloon Festival and Germantown Founders Day event hosted by the Historical Society. This is one of two events that the Historical Society hosts that they raise money. They need the support because it is maintained through donations.

Mr. Kuhn's Report:

None.

Mr. Rettich's Report:

None.

Mr. Wafzig's Report:

None.

Legislation:

Introduction:

RESOLUTION NO. 15-38

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 August 3, 2015.

RESOLUTION NO. 15-39

A RESOLUTION TO DECLARE SENIOR CENTER SURPLUS PROPERTY AND AUTHORIZE THE MUNICIPAL MANAGER TO ADVERTISE FOR BIDS TO SELL SAID PROPERTY.

Mayor Boeder stated the Public Hearing would be August 3, 2015.

RESOLUTION NO. 15-40

A RESOLUTION TO DECLARE ADMINISTRATION SURPLUS PROPERTY AND AUTHORIZE THE MUNICIPAL MANAGER TO ADVERTISE FOR BIDS TO SELL SAID PROPERTY.

Mayor Boeder stated the Public Hearing would be August 3, 2015.

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RESOLUTION NO. 15-41

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.

Mayor Boeder stated the Public Hearing would be August 3, 2015.

RESOLUTION NO. 15-42

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.

Mayor Boeder stated the Public Hearing would be August 3, 2015.

ORDINANCE NO. 15-43

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 2016 IN THE MUNICIPALITY OF GERMANTOWN.

Mayor Boeder stated the Public Hearing would be August 3, 2015.

ORDINANCE NO. 15-44

AN ORDINANCE CREATING SECTION 1127.04 OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING REINSTATING CERTAIN LOT SIZES AS ORIGINALLY ZONED.

Mayor Boeder stated the Public Hearing would be August 3, 2015.

RESOLUTION NO. 15-45

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN EMPLOYMENT CONTRACT WITH ANNA M. SIZEMORE FOR HER APPOINTMENT AS MUNICIPAL MANAGER.

Mayor Boeder stated the Public Hearing would be August 3, 2015.

Public Hearing:

RESOLUTION NO. 15-35

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO A CONTRACT WITH COMPASS MINERALS AMERICA, INC., 9900 W. 190th ST., SUITE 100, OVERLAND PARK, KS 66210 FOR THE PURCHASE OF HIGHWAY ROCK SALT IN THE AMOUNT OF \$66.06 PER TON.

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. 15-35.

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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RESOLUTION NO. 15-36

A RESOLUTION EXPRESSING THE MUNICIPALITY'S INTENT TO NEGOTIATE JOINTLY WITH OTHER CITIES IN THE REGION ON ONE PRICE SCHEDULE UNDER WHICH ELECTRIC LIGHT SERVICES SHALL BE FURNISHED TO THE RESIDENTS OF THE MUNICIPALITY FOR THE PURPOSE OF STREET LIGHTING.

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

MOTION: Mr. Wafzig moved to adopt Resolution No. 15-36.

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.

RESOLUTION NO. 15-37

A RESOLUTION DECLARING THE NECESSITY OF A NEW CONTINUOUS LEVY IN EXCESS OF THE TEN (10) MILL LIMITATION 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. Heistand moved to adopt Resolution No. 15-37.

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. Kuhn moved to adjourn the meeting.

The meeting adjourned at 8:20 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor