

CITY OF GERMANTOWN COUNCIL

MONDAY, JULY 18, 16

The City of Germantown Council met in regular session on July 18, 2016 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. Terry Johnson, Mr. Lynn Koogle; Mr. Rick Reed; Mr. Robert Rettich, IV and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mr. Michael Kuhn was absent.

ALSO PRESENT:

Also present were Judy Gilleland, Interim Manager; Tom Schiff, Law Director; Terry Klein, Finance Director; Roy McGill, Chief of Police; Chenoa Erisman, Senior Center Director; Kelli Sanders-Novak, Clerk of Council and several visitors.

APPROVAL OF MINUTES:

Mayor and Council reviewed the July 5, 2016 Regular Session minutes.

Mr. Wafzig stated on Page 3, first paragraph should read “extracurricular” not “extra circular”.

MOTION: Mr. Wafzig moved to approve the July 5, 2016 Regular Session minutes as amended.

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

Mayor and Council reviewed the July 5, 2016 Work Session minutes.

Mr. Rettich stated that he was present at the Work Session and needed to be added.

MOTION: Mr. Kuhn moved to approve the July 5, 2016 Work Session minutes as amended.

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

PUBLIC RECOGNITION:

None.

CITIZEN’S FORUM:

Kimberly Anderson, 197 Stewart Lane, stated that she received a letter from the Zoning Department notifying her that she needs to move her shed that is located in her side yard. She was unaware that she could not place her shed in that location and that she needed a permit for a temporary structure. She asked for an extension and was granted the extension till July 29. She has had issues with a neighbor since she has moved in and it has not been a great experience purchasing her first home.

Mrs. Gilleland suggested that Ms. Anderson contact the City Building and discuss the process of a variance with the BZA. We can get information on the process for her.

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Karrie Barton, 4987 Diamond Mill Road, stated that she has known Ms. Anderson for many years and stated that her neighbor has been picking at her since she purchased the property. Ms. Anderson has made improvements to property since she has lived there. She does not understand why the neighbor is allowed to treat her this way.

MANAGER'S REPORT:

Mrs. Gilleland reviewed the items on the agenda. We have proposed legislation pertaining to the purchase of rock salt for the upcoming winter. This is a joint effort with 77 entities to bid rock salt and guarantees the lowest price. The Street Maintenance award is on the agenda tonight to be voted on and this work will be maintenance on Warren Street, West Center Street, West Gunckel Street and South Cherry Street.

She announced the retirement of Terry Klein current Finance Director. Thanked Mr. Klein for his years of service to Germantown and his many years of ethical public service. She wished him many years of health and happy years of retirement.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

The Law Director reviewed several emails that he had sent to Council and if anyone would like to have further discussion to please let him know.

FINANCE DIRECTOR'S REPORT:

Mayor Boeder thanked Mr. Klein for his dedication and service to the City and wished him well in his retirement.

Mr. Klein stated that he would be reviewing the six-month budget report during the Work Session tonight.

He introduced his replacement Pat Shively.

Ms. Shively thanked Council for the opportunity and looks forward to working with everyone.

Mr. Koogler thanked Mr. Klein for his service and for getting the City through such a difficult time in the beginning.

POLICE CHIEF'S REPORT:

Chief McGill handed out his June Police Department Report to Council. He mentioned that traffic accidents have declined significantly.

Mayor Boeder questioned if the speed control sign was out and where was it currently. Chief McGill replied that it is in need of a solar battery that would extend the use. They rely on the Street Department to place the sign. He will look into resolving the battery issue.

SENIOR CENTER DIRECTOR'S REPORT:

Mrs. Erisman handed out the Senior Center's calendar of events and a brief report.

She stated that the Center has been extremely busy with many activities.

She thanked all her volunteers and Staff for their hard work on the Center's landscaping. It looks really nice.

She thanked the volunteers for their hard work at the Saturday Night Out event.

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She encouraged everyone to vote in the upcoming election. We will provide bussing to any Senior to the local polling locations.

MAYOR'S REPORT:

Mayor Boeder received a letter from the Ohio Department of Natural Resources regarding signage at Kercher Park. Staff will look into the purchase of a sign to comply with Ohio Department of Natural Resources.

Saturday Night Out was a great event. He participated at the booth for the Street Levy.

He thanked Mr. Klein for his service to the City and welcomed Ms. Shively.

He read the letter that he will be sending to the Editor of the Germantown Press supporting the Street Levy.

COUNCIL MEMBER REPORT:

Mr. Johnson's Report:

Mr. Johnson thanked the VV Base volunteers, coaches and parents for a successful year.

He attended Saturday Night Out and it was a great event. He thanked everyone who volunteers and supports the event.

He thanked the Manager for her assistance with the information that was requested on Peffley Street.

He thanked Mr. Klein for his service and welcomed Ms. Shively.

Mr. Koogle's Report:

Mr. Koogle attended the Cemetery Board meeting. They had several trees fall in the Cemetery and have been working hard to get them removed.

He attended the Senior Oversight meeting. He has heard no complaints from the Seniors and only good compliments.

Mr. Reed's Report:

Mr. Reed thanked the volunteers running Saturday Night Out.

He thanked Mr. Klein for his service to the City and welcomed Ms. Shively.

Mr. Rettich's Report:

Mr. Rettich thanked Mr. Klein for his service to the City.

Mr. Wafzig's Report:

Mr. Wafzig announced that the Miami Valley Communications Council meeting has been cancelled for July and August.

He received a notice regarding a Roku streaming media player. You can access any of the Miami Valley Communications Council data.

Miami Valley Communications Council will be changing all the Council Chamber cameras to Hi Def. The difference is unbelievable from what we currently have to the Hi Def.

He welcomed Ms. Shively and thanked Mr. Klein for his service.

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Legislation:

Introduction:

RESOLUTION NO. 16-23
A RESOLUTION AUTHORIZING THE EMPLOYMENT AGREEMENT
FOR POSITION OF CITY MANAGER.

Mayor Boeder stated the Public Hearing would be August 1, 2016.

RESOLUTION NO. 16-24
A RESOLUTION AUTHORIZING THE CITY 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 \$59.19 PER TON.

Mayor Boeder stated the Public Hearing would be August 1, 2016.

Public Hearing:

RESOLUTION NO. 16-17
A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A
2016 FORD F-250 XL FROM MIDDLETOWN FORD, 1750 N. VERITY
PARKWAY, MIDDLETOWN, OH 45042 FOR THE PURCHASE PRICE OF
\$29,129.24 FOR USE BY THE CITY OF GERMANTOWN SERVICE
DEPARTMENT AND DECLARE SERVICE DEPARTMENT SURPLUS
PROPERTY AND ADVERTISE FOR BID 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. 16-17.

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

ORDINANCE NO. 16-19
AN ORDINANCE CREATING SECTION 1149 OF THE PLANNING AND
ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF
GERMANTOWN REGARDING HOOKAH BARS.

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

MOTION: Mr. Wafzig moved to adopt Ordinance No. 16-19.

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

ORDINANCE NO. 16-20
AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO
THE CITY OF GERMANTOWN CODIFIED ORDINANCES.

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

MOTION: Mr. Wafzig moved to adopt Ordinance No. 16-20.

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

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EMERGENCY ORDINANCE NO. 16-21

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE THE QUESTION OF MAKING CERTAIN AMENDMENTS TO THE CHARTER OF THE MUNICIPALITY OF GERMANTOWN AS RECOMMENDED BY THE CHARTER REVIEW COMMISSION, AND DECLARING AN EMERGENCY.

MOTION: Mr. Koogle moved to suspend the rules on Emergency Ordinance No. 16-21.

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

MOTION: Mr. Koogle moved to adopt Emergency Ordinance No. 16-21.

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

RESOLUTION NO. 16-22

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH STRAWSER CONSTRUCTION, INC., 1392 DUBLIN ROAD., COLUMBUS, OHIO 43215, IN THE AMOUNT OF \$133,879.03 FOR THE 2016 STREET MAINTENANCE PROGRAM.

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. 16-22.

ROLL CALL: Mr. Johnson, yes; Mr. Koogle, yes; Mr. Reed, 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. Michael Kuhn.

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

MOTION: Mr. Johnson moved to adjourn to Executive Session under the authority of O.R.C. §121.22 (G) (1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.

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

Mayor and Council adjourned to Executive Session at 7:50 p.m.

EXECUTIVE SESSION:

PRESENT:

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

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MEMBERS ABSENT:

Mr. Michael Kuhn was absent.

ALSO PRESENT:

Also present were Judy Gilleland, Interim Manager and Tom Schiff, Law Director.

The aforementioned persons had discussion under the authority of O.R.C. §121.22 (G) (1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.

MOTION: Mr. Rettich motioned to return to regular session.

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

Mayor and Council reconvened into Regular Session at 8:17 p.m.

ADJOURNMENT:

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

The meeting adjourned at 8:18 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor