

CITY OF GERMANTOWN COUNCIL

MONDAY, OCTOBER 7, 19

The City of Germantown Council met in regular session on October 7, 2019 at 7:00 p.m. in the City Building Council Chambers.

Mayor Boeder recognized Council Member Lynn Koogle's passing. He thanked him for his many years of service to the City and how he had greatly influenced the City Council, Staff and the Community. He will be greatly missed.

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. Michael Kuhn, Mr. Rick Reed, Mr. Robert Rettich IV and Mr. Brian Wafzig.

MEMBERS ABSENT:

None.

ALSO PRESENT:

Also present were Judy Gilleland, City Manager; Tom Schiff, Law Director; Pat Shively, Finance Director; Roy McGill, Chief of Police; Dan Alldred, Fire Chief; Chenoa Erisman, Senior Center Director; Jonathan Moore, Service Director; Kelli Sanders-Novak, Clerk of Council and several visitors.

CONSENT AGENDA:

1. September 3, 2019-Regular Session Meeting Minutes
2. September 3, 2019-Work Session Meeting Minutes
3. A motion to continue to have Beggars' Night on October 31 of each year as recommended by Mayors and Managers-October 31, 2020 through October 31, 2024.
4. Appointment to the BZA (Term Expires December 31, 2022). Patricia Spencer

MOTION: Mr. Kuhn moved to approve the Consent Agenda.

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

PUBLIC RECOGNITION:

None.

CITIZEN'S FORUM:

Mr. Dave Shortt, Director of the Germantown Veterans Museum, expressed his interest in seeing the Camp Miami ground used for a public area. He would not want to see it sold for a profit and developed. He gave a brief history on how the CM cadets used Veterans Memorial Park in the past but the ground seems to be shrinking. He feels that the CM property would be best suited as a public area for all to enjoy, some examples were amphitheater, dog park and bike path.

MANAGER'S REPORT:

Mrs. Gilleland asked Dave Roberts to come forward to speak with Council regarding the proposed additional baseball fields at Kercher Park.

Mr. Roberts, President of VV Base, reviewed the proposed changes to the park. VV Base would like to install four additional fields. These would be installed with funds from VV Base. He

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explained there was a need for additional fields at Kercher and would like to see more children able to play.

Council and VV Base Members briefly discussed the proposed fields and the consensus was to have VV Base move forward with the proposed project.

Chief Alldred, Fire Chief, updated Council on the Fire Station Project. The work on the apparatus bays is underway including flooring and trusses. We are hoping to occupy these new bays by the end of the year.

Jonathan Moore, Service Director, updated Council on the Weaver Road Water Tower Project. We are moving forward with the Engineering and expect to start the project in 2021 with completion in 2022. Dixon Engineering and the City Engineers will be working on the completion of the project.

Chip Wirrig, City Engineer, updated Council on the Kelly Street and Hale Avenue Water Main Projects and the Sanitary Sewer Relining Project. These projects will be advertised and we expect to awarded the project at the November 4 Council Meeting.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

The Law Director reflected on Mr. Koogle as the "voice of reason". He will remain a very well respected person in the Germantown community.

MAYOR'S REPORT:

Mayor Boeder had asked the Mr. Kuhn consider the appointment of the Senior Oversight Liaison seat.

MOTION: Mr. Wafzig moved to appoint Mr. Kuhn to the Senior Oversight Board.

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

Mayor Boarder congratulated the Pretzel Festival Committee on a successful event. He heard that it was well attended.

He is working with Dave Shortt with the Veterans Museum to recognized Ray Schmidt. He will update Council with more information at a later date.

COUNCIL MEMBER'S REPORT:

Mr. Johnson's Report:

Mr. Johnson sends his condolences to the Koogle Family. He will be missed by many.

Mr. Kuhn's Report:

Mr. Kuhn expressed his condolences to the Koogle Family. He remembered Mr. Koogle as a mentor and a friend who will be greatly missed.

Mr. Reed's Report:

Mr. Reed stated that the Pool Board met and passed the proposed 2020 Budget.

He attended the CBC meeting. The Board is preparing for the upcoming holiday season.

He attended the Pretzel Festival. It was a great success and the 40th Anniversary went well.

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He also expressed his condolences to the Koogle Family and noted that Mr. Koogle touched so many people throughout his life and he will be greatly missed.

Mr. Rettich's Report:

Mr. Rettich attended the Pretzel Festival. It was a huge success and he thanked all the people who made the event possible.

He stated that he had known Mr. Koogle since he was a child and that Mr. Koogle was such a wonderful person. He will be missed.

Mr. Wafzig's Report:

Mr. Wafzig reminded everyone to vote on November 5. The Road Levy is a critical source of funding for both the City and the Township.

He stated that the State Report Cards were out and that Valley View was given a "B". This was a great rating.

The MVCC meeting will be in November. They will be discussing the proposed 2020 Budget.

Mr. Wafzig sent his condolences to the Koogle Family. He was a tremendous asset to the City and a great man. He will be missed.

LEGISLATION:

Introduction:

EMERGENCY RESOLUTION NO. 19-38

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES FOR TAX YEAR 2019/2020 AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY.

MOTION: Mr. Wafzig moved to suspend the rules on Emergency Resolution No. 19-38

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

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

MOTION: Mr. Wafzig moved to adopt Emergency Resolution No. 19-38.

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

ORDINANCE NO. 19-39

AN ORDINANCE ADOPTING SECTION 505.12.1 OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF GERMANTOWN REGARDING HUNTING AND TRAPPING.

Mayor Boeder stated the Public Hearing will be held November 4, 2019.

ORDINANCE NO. 19-40

AN ORDINANCE AMENDING SECTION 505.12 (a) OF THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF GERMANTOWN HUNTING AND TRAPPING.

Mayor Boeder stated the Public Hearing will be held November 4, 2019.

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EMERGENCY RESOLUTION NO. 19-41

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT ON BEHALF OF THE CITY OF GERMANTOWN OF THE DESIGN OF THE WATER TOWER AND TELEMETRY REPLACEMENT PROJECT; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY.

MOTION: Mr. Kuhn moved to suspend the rules on Emergency Resolution No. 19-41.

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

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

MOTION: Mr. Wafzig moved to adopt Emergency Resolution No. 19-41.

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

PUBLIC HEARING

ORDINANCE NO. 19-33

AN ORDINANCE LEVYING AN ASSESSMENT FOR THE CUTTING AND REMOVAL OF WEEDS AND/OR PLANT GROWTH FOR CERTAIN PROPERTIES IN THE CITY OF GERMANTOWN, OHIO.

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

MOTION: Mr. Reed moved to adopt Ordinance No. 19-33.

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

ORDINANCE NO. 19-34

AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS IN THE HICKORY POINTE ESTATES, SECTION THREE SUBDIVISION.

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

MOTION: Mr. Wafzig moved to adopt Ordinance No. 19-33.

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

EMERGENCY RESOLUTION NO. 19-35

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DIXON ENGINEERING SERVICES FOR THE WEAVER ROAD WATER TOWER PROJECT, AND DECLARING AN EMERGENCY.

MOTION: Mr. Kuhn moved to remove Emergency Resolution No. 19-35 from the table.

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

MOTION: Mr. Kuhn moved to suspend the rules on Emergency Resolution No. 19-35.

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

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

MOTION: Mr. Reed moved to adopt Emergency Resolution No. 19-35.

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

EMERGENCY RESOLUTION NO. 19-36

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DIXON ENGINEERING SERVICES FOR THE WEAVER ROAD WATER TOWER PROJECT SHOP OBSERVATIONS, AND DECLARING AN EMERGENCY.

MOTION: Mr. Kuhn moved to remove Emergency Resolution No. 19-36 from the table.

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

MOTION: Mr. Wafzig moved to suspend the rules on Emergency Resolution No. 19-36.

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

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

MOTION: Mr. Wafzig moved to adopt Emergency Resolution No. 19-36.

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

EMERGENCY RESOLUTION NO. 19-37

A RESOLUTION TO DECLARE SURPLUS PROPERTY AND AUTHORIZE THE CITY MANAGER TO SELL SAID PROPERTY, AND DECLARING AN EMERGENCY.

MOTION: Mr. Kuhn moved to remove Emergency Resolution No. 19-37 from the table.

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

MOTION: Mr. Kuhn moved to suspend the rules on Emergency Resolution No. 19-37.

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

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

MOTION: Mr. Kuhn moved to adopt Emergency Resolution No. 19-37.

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

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EXCUSE ABSENT MEMBERS:

None.

MOTION: Mr. Reed moved to adjourn to Executive Session under the authority of O.R.C. §121.22 (G) (3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action and §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. Kuhn, yes; Mr. Reed, yes; Mr. Rettich, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 6-yes, 0-no. MOTION CARRIED.

Council adjourned to Executive Session at 7:59 p.m.

EXECUTIVE SESSION:

PRESENT:

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

MEMBERS ABSENT:

None.

ALSO PRESENT:

Also present were Judy Gilleland, City Manager; Tom Schiff, Law Director Dan Alldred, Fire Chief; Ken Griffiths, City Engineer and Kelli Sanders-Novak, Clerk of Council.

The aforementioned persons had discussion under the authority of O.R.C. §121.22 (G) (3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action and §121.22 (G) (1) to consider the appointment, employment dismissal, discipline, promotion, demotion, or compensation of a public employee or official.

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

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

Council reconvened into Regular Session at 9:06 p.m.

ADJOURNMENT:

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

The meeting adjourned at 9:07 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor