

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, APRIL 4, 16

The Municipality of Germantown Council met in regular session on April 4, 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. Lynn Koogle, Mr. Michael Kuhn, Mr. Rick Reed, Mr. Robert Rettich, IV and Mr. Brian Wafzig. Mr. Terry Johnson arrived at 7:26 p.m.

MEMBERS ABSENT:

None.

ALSO PRESENT:

Also present were Judy Gilleland, Interim Manager; Tom Schiff, Law Director; Roy McGill, Chief of Police; Ken Griffiths, City Engineer; Chip Wirrig, City Engineer; Matt Burns, Police Major; Kelli Sanders-Novak, Clerk of Council and several visitors.

APPROVAL OF MINUTES:

Mayor and Council reviewed the March 21, 2016 Regular Session minutes.

MOTION: Mr. Koogle moved to approve the March 21, 2016 Regular Session minutes as submitted.

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

Mayor and Council reviewed the March 21, 2016 Work Session minutes.

MOTION: Mr. Kuhn moved to approve the March 21, 2016 Work Session minutes as submitted.

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

PUBLIC RECOGNITION:

Mayor Boeder and Mr. Reed presented The Morrissey Family a certificate and a gift card to Don's Pizza for winning the 2015 Snow Building Contest.

Mayor Boeder and Mr. Reed presented Kelsie Lamb 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.

Mayor Boeder and Mr. Reed presented Caitlin Steinecker 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 0-5.

CITIZEN'S FORUM:

Rachel McClain, 18 Buckeye Court, questioned if Council would confirm the rumors of the Montgomery County Fair moving to the Germantown area. She has made contact with the Fair Board and will be attending their upcoming meetings.

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Mayor Boeder replied that there has been discussion but we do not have any definitive answers from the Fair Board.

MANAGER'S REPORT:

Mrs. Gilleland stated that the Senior Center did have some damage to the roof of their building due to the high winds over the weekend. We will be having it repaired soon. The Service Department was also busy with traffic lights and the Hillcrest Lift Station being out due to the wind as well.

She reminded everyone that the street sweeping will begin April 12 and asked everyone to avoid parking on the streets if possible.

We will be finalizing the hiring for the three positions in the Service Department by next week.

The Aquatic Center will be opening in May and we are currently selling passes, accepting application and interviewing and will begin examining the pool closely to see if it is in need of any repairs.

We will be holding a meeting April 11 to discuss and review the Cherry Street Phase 4 project. Anyone who is interested please attend.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

The Law Director stated that he had sent out the revised copy of the BZA by-laws to the Board and will follow up with them in a few weeks.

He has forwarded information regarding Hookah Bars to Council and we will hopefully have legislation on the next agenda.

He mentioned that we have not had any responses to the Charter Review Board.

Mr. Wafzig stated that he would be willing to serve on the Board.

Mayor Boeder asked that the members of Council please ask residents they know if they would be interested in serving on the Charter Review Board.

Council briefly discussed the topic of drones. The conclusion of Council was at this time they will not move forward with any legislation.

POLICE CHIEF'S REPORT:

None.

MAYOR'S REPORT:

Mayor Boeder will be attending the MVRPC meeting and the Emergency Communications Committee this week.

He will be attending the men's breakfast at the Senior Center this week. He encouraged others to attend.

Mr. Wafzig, Police Department Staff and he met with the Valley View Community Drug Free Coalition. He encouraged everyone to support this coalition and support their efforts.

The State of the City Address is on the Miami Valley Communications Council website for those who wish to view it.

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He thanked Ro-Lin Farms for their donated time and use of machinery to aerate the grounds at Kercher Park and the Weber Sports Complex. It looks great out there.

He thanked Jonathan Moore for his efforts lately. He knows it has been difficult with his minimally staffed department but they have been doing a great job.

He received a letter from Rachel and Bob McClain regarding Time Warner Cable. They expressed their dissatisfaction with Time Warner Cable while building their new home. Mayor Boeder is planning on sending a letter on behalf of the City expressing his concern with the poor service the residents are receiving.

COUNCIL MEMBER REPORT:

Mr. Johnson's Report:

Mr. Johnson thanked the Manager and City Staff for assisting on issues he has been sending to City Hall.

Mr. Koogle's Report:

Mr. Koogle stated that he has received complaints from residents who live in Strawberry Fields regarding the ATV's running on Route 4 in the area of the creek. He asked Chief McGill to look into this issue.

He continued by thanking the Drug Coalition and he feels that these efforts will make a difference.

We did have some residents in Germantown without power and some of these residents did call him. He does not have any special numbers to get the power on quicker. He suggested calling DP&L often and letting them know that the power is still out during the outage.

Mr. Kuhn's Report:

None.

Mr. Reed's Report:

None.

Mr. Rettich's Report:

None.

Mr. Wafzig's Report:

Mr. Wafzig met with the Valley View Drug-Free Coalition group and discussed ways to get the word out and participation. He went on by announcing the Valley View Drug-Free Coalition meeting will be April 12 and a Candle Vigil will be held on May 7 at Barker Field. He encouraged everyone to attend.

Legislation:

Introduction:

RESOLUTION NO. 16-03

A RESOLUTION TO DECLARE SERVICE DEPARTMENT SURPLUS PROPERTY AND AUTHORIZE THE MUNICIPAL MANAGER TO SELL SAID PROPERTY.

Mayor Boeder stated the Public Hearing would be April 18, 2016.

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RESOLUTION NO. 16-04

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR ELECTRIC GENERATION SUPPLY WITH A COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER.

Mayor Boeder stated the Public Hearing would be April 18, 2016.

EMERGENCY RESOLUTION NO. 16-05

A RESOLUTION DECLARING THE NECESSITY OF AN ADDITIONAL SEVEN (7) YEAR LEVY OF FOUR (4) MILLS IN EXCESS OF THE TEN (10) MILL LIMITATION FOR GENERAL STREET CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS, AND BRIDGES AND REQUESTING THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY OF GERMANTOWN AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A SPECIFIED NUMBER OF MILLS AND DECLARING AN EMERGENCY.

MOTION: Mr. Johnson moved to suspend the rules on Emergency Resolution No. 16-05.

ROLL CALL: Mr. Johnson, yes; Mr. Koogler, yes; Mr. Kuhn, yes; Mr. Reed, yes; Mr. Rettich, no; Mr. Wafzig, yes; Mayor Boeder, yes. 6-yes, 1-no. MOTION CARRIED.

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

MOTION: Mr. Johnson moved to adopt Emergency Resolution No. 16-05.

ROLL CALL: Mr. Johnson, yes; Mr. Koogler, yes; Mr. Kuhn, yes; Mr. Reed, yes; Mr. Rettich, no; Mr. Wafzig, yes; Mayor Boeder, yes. 6-yes, 1-no. MOTION CARRIED.

ORDINANCE NO. 16-06

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 18, 2016.

Public Hearing:

None.

EXCUSE ABSENT MEMBERS:

None.

MOTION: Mr. Koogler 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, (G) (2) To consider the purchase of property for public purposes and (G) (4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

ROLL CALL: Mr. Johnson, yes; Mr. Koogler, yes; Mr. Kuhn, yes; Mr. Reed, yes; Mr. Rettich, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 7-yes, 0-no. MOTION CARRIED.

Mayor and Council adjourned to Executive Session at 7:40 p.m.

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

MEMBERS ABSENT:

None.

ALSO PRESENT:

Also present were Judy Gilleland, Interim Manager; Tom Schiff, Law Director and Roy McGill, Chief of Police.

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, (G) (2) To consider the purchase of property for public purposes and (G) (4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

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

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

Mayor and Council reconvened into Regular Session at 8:19 p.m.

ADJOURNMENT:

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

The meeting adjourned at 8:19 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor