

**CITY OF GERMANTOWN COUNCIL**

**MONDAY, APRIL 3, 17**

The City of Germantown Council met in regular session on April 3, 2017 at 7:00 p.m. in the City Building Council Chambers.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited.

Mayor Boeder announced that there would be an Executive Session added to the agenda tonight.

**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:**

Mr. Lynn Koogler was absent.

**ALSO PRESENT:**

Also present were Judy Gilleland, City Manager; Tom Schiff, Law Director; Roy McGill, Chief of Police; Matt Burns, Police Major; Chenoa Erisman, Senior Center; Kelli Sanders-Novak, Clerk of Council and several visitors.

**APPROVAL OF MINUTES:**

Mayor and Council reviewed the March 20, 2017 Regular Session minutes.

**MOTION:** Mr. Kuhn moved to approve the March 20, 2017 Regular Session minutes as submitted.

**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 and Council reviewed the March 20, 2017 Work Session minutes.

**MOTION:** Mr. Kuhn moved to approve the March 20, 2017 Work Session minutes as submitted.

**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:**

Mark Kumpf with the Montgomery County Animal Resource Center gave a brief presentation to Council regarding the stray cat program/contract that the City currently participates in.

Courtney Griffith Preble County YWCA Manager, informed Council of the services that the YWCA has to offer and provided information.

**MANAGER'S REPORT:**

Mrs. Gilleland reviewed the legislation on the agenda.

She went on by stating that we have received several donations for the repair of the Downtown Clock. She thanked all donors and Bob McClain for gathering the donations.

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Staff is currently working on the various spring projects throughout the City and they are progressing nicely.

We will begin our street sweeping on April 17.

She reminded residents that Coffee with Council will be on April 8 at the Senior Center.

**CLERK'S REPORT:**

None.

**LAW DIRECTOR'S REPORT:**

The Law Director attended a seminar regarding wireless communication. He will update Council with the information.

He received a complaint regarding a traffic issue and will discuss this with the Police Department.

**POLICE CHIEF'S REPORT:**

Chief McGill asked that Major Burns update Council on the recent murder case.

Major Burns stated that the accused was found guilty of all charges.

Chief McGill went on by saying that he was very pleased with how his staff handled the case. He thanked them for their hard work.

**SENIOR CENTER DIRECTOR'S REPORT:**

Mrs. Erisman reviewed her report. Noting the many hours that the volunteers work. She invited residents and Council to attend the events held at the Senior Center.

**MAYOR'S REPORT:**

Mayor Boeder stated that Robert Treiber is interested in serving on the Board of Zoning Appeals with a term ending in 2020.

**MOTION:** Mr. Kuhn moved to appoint Robert Treiber to the Board of Zoning Appeals with a term ending in 2020.

**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 stated that he had attended several local meetings and will be attending several more over the next few weeks including the Heath District meeting, a prayer meeting at the City of Riverside and a meeting with Karl Keith regarding tax collection.

He has been working on the State of the City and has forwarded a copy to Council. He is going to have it placed on the website for the public.

He encouraged residents to get information on the School Levy. There is a lot of false information being passed around; get the facts before you make your decision.

**COUNCIL MEMBER'S REPORT:**

**Mr. Johnson's Report:**

Mr. Johnson attended the anti-school bond issue meeting. He wanted to hear from both sides.

He informed Staff of a large pothole on Farmersville Pike.

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He attended the Monte Carlo fundraiser event for the Dayton Classics Program. It was a huge success and encouraged others to attend.

**Mr. Kuhn's Report:**

Mr. Kuhn attended the Fire Oversight meeting. They reviewed the 2017 Budget.

**Mr. Reed's Report:**

Mr. Reed stated that the pool repairs should be started next week, weather permitting.

He attended the Saturday Night Out meeting. They are working on reorganizing the Christmas in Germantown event. He is confident that they will do a wonderful job.

He complimented the Staff for doing such a nice job manufacturing the speed radar sign for the Police Department.

**Mr. Rettich's Report:**

None.

**Mr. Wafzig's Report:**

Mr. Wafzig commented on the speed radar sign that was placed on in front of his home. It was working really well and people were slowing down. Staff was complimented on the construction and he is pleased with the results.

**Legislation:**

**Introduction:**

ORDINANCE NO. 17-14

AN ORDINANCE TO AMEND SECTION 919.08(f) OF THE STREETS AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF GERMANTOWN REGARDING RATE: RULES FOR UTILITY BILL ADJUSTMENTS.

Mayor Boeder stated the Public Hearing would be April 17, 2017.

RESOLUTION NO. 17-15

A RESOLUTION TO DESIGNATE FARMERS & MERCHANTS BANK AS A PUBLIC DEPOSITORY FOR THE CITY OF GERMANTOWN AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEPOSITORY AGREEMENT FOR ACTIVE, INTERIM AND/OR INACTIVE PUBLIC FUNDS WITH FARMERS & MERCHANTS BANK.

Mayor Boeder stated the Public Hearing would be April 17, 2017.

RESOLUTION NO. 17-16

A RESOLUTION TO DECLARE POLICE DEPARTMENT SURPLUS PROPERTY AND AUTHORIZE THE CITY MANAGER TO SELL SAID PROPERTY.

Mayor Boeder stated the Public Hearing would be April 17, 2017.

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**Public Hearing:**

**ORDINANCE NO. 17-09**

AN ORDINANCE CREATING CHAPTER 523 OF THE BUSINESS REGULATIONS CODE OF THE CODIFIED ORDINANCES OF THE CITY OF GERMANTOWN PROHIBITING SMOKING IN CITY-OWNED PUBLIC PLACES.

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. 17-09.

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.

**RESOLUTION NO. 17-10**

A RESOLUTION TO DECLARE SURPLUS PROPERTY AND AUTHORIZE THE CITY MANAGER 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. 17-10.

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.

**RESOLUTION NO. 17-11**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PROGRADE EXCAVATION, 2459 U.S. ROUTE 127 NORTH, EATON, OHIO 45320, FOR THE CHERRY STREET IMPROVEMENT PROJECT PHASE 5, OPWC PROJECT NUMBER CD28T, IN THE AMOUNT OF \$546,773.79.

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. 17-11.

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. 17-12**

AN ORDINANCE TO AMEND SECTION 921.03(e) OF THE STREETS AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF GERMANTOWN TO INCREASE THE SEWER TAP IN FEES, EFFECTIVE APRIL 1, 2017.

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

**MOTION:** Mr. Kuhn moved to adopt Ordinance No. 17-12.

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.

**RESOLUTION NO. 17-13**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A 2017 FORD F-250 REGULAR CAB, A 2017 FORD F-250, CREW CAB, AND A 2018 WESTERN STAR DUMP TRUCK FOR USE BY THE CITY OF

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**GERMANTOWN SERVICE DEPARTMENT AND DECLARE SERVICE DEPARTMENT SURPLUS PROPERTY.**

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

**MOTION:** Mr. Kuhn moved to adopt Resolution No. 17-13.

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.

**EXCUSE ABSENT MEMBERS:**

Mr. Kuhn motioned to excuse Mr. Lynn Koogle.

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. Johnson moved to adjourn to Executive Session under the authority of O.R.C. §121.22 (G) (2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding.

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 and Council adjourned to Executive Session at 7:52 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:**

Mr. Lynn Koogle was absent.

**ALSO PRESENT:**

Also present were Judy Gilleland, Interim Manager; Tom Schiff, Law Director and Kelli Sanders-Novak, Clerk of Council.

The aforementioned persons had discussion under the authority of O.R.C. §121.22 (G) (2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding.

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

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

Mayor and Council reconvened into Regular Session at 8:20 p.m.

Mrs. Gilleland update Council on the RTA grant for the proposed sidewalk additions along Market Street.

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**ADJOURNMENT:**

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

The meeting adjourned at 8:03 p.m.

Respectfully Submitted,

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Kelli R. Sanders-Novak  
Clerk of Council

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Stephen A. Boeder  
Mayor