

CITY OF GERMANTOWN COUNCIL

TUESDAY, JANUARY 2, 18

The City of Germantown Council met in regular session on January 2, 2018 at 7:00 p.m. in the City Building Council Chambers.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

Judge Robert Rettich gave the Oath of Office to Michael Kuhn, Robert Rettich IV and Brian Wafzig for City of Germantown Council Members

Mr. Robert Rettich IV gave the Oath of Office to Judge Robert Rettich as the Judge for the City of Miamisburg Courts.

MEMBERS PRESENT:

The following members were present at the Call to Order: Mayor Stephen Boeder, Mr. Terry Johnson, Mr. Lynn Koogle, Mr. Michael Kuhn, Mr. Robert Rettich, IV and Mr. Brian Wafzig. Mr. Rick Reed arrived at 7:35 p.m.

MEMBERS ABSENT:

None.

ALSO PRESENT:

Also present were Judy Gilleland, City Manager; Tom Schiff, Law Director; Roy McGill, Chief of Police; Matt Burns, Police Major; Pat Shively, Finance Director; Roni Saul, Fire/EMS Administrative Assistant and several visitors.

ORGANIZATION:

Mayor Boeder stated that Lynn Koogle currently serves as the President for Council and would be willing to serve again for 2018.

MOTION: Mr. Johnson moved to appoint Lynn Koogle as President of Council for 2018.

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

2018 Council Liaisons

Liaison to Boards and Commissions:

- Audit Committee-Steve Boeder, Lynn Koogle and Terry Johnson
- BZA-Brian Wafzig
- Planning Commission-Robert Rettich
- Parks & Recreation-Terry Johnson
- Pool Board-Rick Reed
- City Beautiful Commission-Rick Reed
- Firemen's Dependants Board-Steve Boeder and Brian Wafzig
- Personnel Board-Terry Johnson
- Cemetery Board-Lynn Koogle
- Volunteer Peace Officers Dependents Fund-Mike Kuhn and Rob Rettich
- Economic Development-Lynn Koogle and Mike Kuhn

Appointments to Oversight:

- Parks Oversight-Terry Johnson
- Pool Oversight-Rick Reed
- Fire Oversight-Mike Kuhn

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Senior Oversight-Lynn Koogle

Liaisons to other Boards and Commission:

MVRPC-Steve Boeder, Alternate-Lynn Koogle
MVRPC TAC-Steve Boeder, Alternate-Jonathan Moore
MVCC-Brian Wafzig, Alternate-Mike Kuhn
FRWWTC- Jonathan Moore, Alternate-Steve Boeder

MOTION: Mr. Koogle moved to appoint the Council Members Liaisons as submitted for 2018.

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

PUBLIC RECOGNITION:

Mayor Boeder asked that Council consider the email he sent regarding Gary Dursch Sr. A resident suggested that Mr. Dursch be recognized.

CITIZEN'S FORUM:

Niraj Antani, State House Representative, congratulated Mayor Boeder, Mr. Kuhn, Mr. Rettich and Mr. Wafzig on their re-election to Council and gave them State Proclamations to honor this event.

Mr. Kuhn and Mr. Wafzig provided a PowerPoint presentation containing additional information regarding the reduction of the income tax.

Mayor Boeder thanked everyone in attendance and invited all residents to come forward and address Council. He explained that Council would be taking notes and listening but during this forum, they would not answer questions.

M. Ratcliff, 164 Sue Drive, stated that he has been in contact with several of the Council Members regarding the passage of Ordinance No. 17-35. He provided a petition signed by many residents. He expressed his concerns about how high the Germantown income taxes are. He questioned why Council does not pass a new increase in income tax. He thanked Council for their time and professionalism.

B. Orsborne, 108 S. Hillcrest Drive, stated that he has concerns that the income tax reduction will pit various groups against each other siting that if a resident is not a Senior, they will not vote for the Senior Levy or if a resident does not have children, they will not vote for a school levy.

S. Johnson, 74 Willis Way, expressed concern that Council does not listen to the citizens of Germantown. He stated that Council has attempted to pass levies and they did not pass; so Council just taken the money. He asked that Council listen to the citizens.

J. Wallace, 203 South Main Street, stated that her street has been repaved but still has many issues, such as standing water. She feels the community should act as a whole and be concerned of the well being of the city not just individuals. She feels Council's hand was forced to make the decision they made since citizens are not willing to pass a levy.

Vanderburg, 7150 Conservancy Road, stated that she has concerns regarding transparency. She thanked Council for the presentation and would like more details about how the funds will be used. She would like to see prices for projects and repairs.

C. Alsip, 7150 Conservancy Road, stated that he owns many businesses in town. He would like to see a more business friendly process in order to invite more business to Germantown.

J. Blessing, 380 South Mulberry Street, feels that funds are poorly spent. He also feels that there is no police presence or maintenance of his street. He feels the work that has been done is just a Band-Aid and the reconstruction of Cherry Street was done in only a fair fashion. He suggested getting contractors that know what they are doing.

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M. Schroeder, 150 Megan Lane, would like to see more local job opportunities. The tax credit is extremely helpful. He feels that spending needs to be looked at. He thanked Council for the presentation.

Lady Resident, questioned how much has been reduced in State Funding. Mr. Kuhn replied that the City has lost approximately \$550,000.00 ~~yearly~~ over the past four years.

L. Walton, 413 E. Center Street, would like to have seen the street levy back on the ballot. She feels that the tax change is only affecting a small portion of the citizens. She thanked Council for their hard work.

L. Votaw, 211 Bradley Drive, stated that she appreciates the work put into the presentation. She also appreciates Council being concerned about issues in the community but the increase in tax is simply too much.

M. Ratliff, 73 Mary Place, stated that he agrees that something needs to be done but would like to have seen it handled differently.

T. Barnes, 380 South Mulberry Street, feels that if the tax credit is eliminated citizens will leave. She noted that this has happened in New Lebanon and the quality of life has deteriorated due to the abundance of rental properties. She does not want to see that be the case in Germantown.

B. Pottinger, 18 Bruce Court, has concerns about new homebuyers choosing Germantown. She feels that the way the tax credit reduction was handled is wrong but understands that additional funds are needed.

Male Resident, stated he would like to see more fairness. He feels that a property tax would be best solution.

R. White, 301 South Walnut Street, stated that he would like to see cuts made. He would also like to see the budget cut. He suggested the City not mow the city parks or possibly cut Police Officers from staff.

Mayor Boeder thanked everyone for their comments. He stated that most of the discussions reading the tax credit took place in Work Sessions over the past year. He suggested that citizens attend Council meetings and give feedback.

Mr. Kuhn stated that Council has been listening to many citizens about how taxes affect them. This decision was not easy. He gave examples of how Council has made an effort to make the public aware of all proposed projects. We have tried to improve the business grown in the city but it is very difficult. He suggested that citizens contact Council if they have questions or comments.

V. Taylor stated she was in favor of removing the tax credit. She feels that this is the way to get projects done and keep Germantown the great town that it is. She commended Council on finally doing this.

MANAGER'S REPORT:

Mrs. Gilleland stated that the Senior Center for \$150.00 and the Fire-EMS for \$100.00 have received donations and Council needs to accept these donations.

MOTION: Mr. Kuhn moved to accept the donation to the Senior Center and the Fire-EMS.

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

She would like Council to consider passing Resolution No. 18-03 by emergency at the next meeting to get the benefits from the agreement this year. Staff is also asking to postpone Ordinance No. 17-46 to a later date. This would allow any questions that Council may have to be

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addressed. Staff would also like to remove Ordinance 18-04 from the agenda tonight to have further discussion.

Mrs. Gilleland stated that we have received a request from the Ohio Division of Liquor Control to transfer a license located at the Community Markets of Ohio, Inc. DBA Germantown Fresh Market for C2 and C2X Liquor Permit. Staff has no issues with this transfer. Council will need to determine if they wish to have a hearing.

Council agreed to not have a hearing for the new license at the Community Markets of Ohio, Inc. DBA Germantown Fresh Market.

She congratulated the Mayor and returning Council Members. She is looking forward to another great year.

LAW DIRECTOR'S REPORT:

None.

POLICE CHIEF'S REPORT:

None.

MAYOR'S REPORT:

Mayor Boeder announced that the next Council meeting would be January 16, 2018 due to the holiday.

He thanked Judge Rettich for attending the meeting tonight.

COUNCIL MEMBER'S REPORT:

Mr. Johnson's Report:

Mr. Johnson announced that the Park Board will meet on January 3.

He suggested that the Pretzel Festival Committee attend a Work Session in February to discuss their future events.

He thanked all the citizens who attended the meeting tonight to voice their opinion regarding the tax credit issue.

He wished everyone a Happy New Year.

Mr. Koogle's Report:

Mr. Koogle stated that the City looked very nice during the holidays with all the trees and wreaths. Unfortunately, people are being destructive to the trees in the pots. He encouraged citizens to report this behavior to the Police Department if they see it. We do not have the funds to replace these items.

He thanked all citizens that attended the meeting tonight and encouraged everyone to attend future meetings.

Mr. Kuhn's Report:

Mr. Kuhn thanked the residents for attending the meeting tonight. He is willing to discuss the topic with anyone.

Mr. Reed's Report:

Mr. Reed attended the BZA meeting in December. They approved a variance for signage at the new Dollar Tree location on Dayton Pike.

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He attended the CBC meeting last month. They will be looking into the selection of the flowerpots for next year.

He thanked the citizens for attending the meeting.

Mr. Rettich's Report:

Mr. Rettich thanked everyone who spoke at the meeting tonight and gave their opinions. We will discuss the conversation from tonight. He will also be affected by the change in taxes and does understand the impact but the City needs additional funding.

Mr. Wafzig's Report:

Mr. Wafzig stated that the MVCC was cancelled for January. The legislation regarding the electric aggregation will save the city approximately \$5000.00. This rate is negotiated by MVCC.

He thanked everyone for the comments and feedback. Options will be discussed at a later date.

Legislation:

Introduction:

RESOLUTION NO. 18-

A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CITY OF GERMANTOWN TO PROVIDE CRIME LAB SERVICES IN THE MIAMI VALLEY CRIME LABORATORY AS OPERATED BY THE MONTGOMERY COUNTY CORONER.

Mayor Boeder stated the Public Hearing would be January 16, 2018.

RESOLUTION NO. 18-02

A RESOLUTION AUTHORIZING THE REQUEST FOR ADVANCE OF TAXES FOR 2018 COLLECTED BY THE TREASURER OF MONTGOMERY COUNTY, STATE OF OHIO.

Mayor Boeder stated the Public Hearing would be January 16, 2018.

RESOLUTION NO. 18-03

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 January 16, 2018.

Public Hearing:

ORDINANCE NO. 17-46

AN ORDINANCE TO REPEAL CHAPTER 1139 OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF GERMANTOWN KNOWN AS SIGNAGE AND TO ADOPT A REPLACEMENT CHAPTER 1139.

MOTION: Mr. Reed moved to postpone Ordinance No. 17-46 to a later date.

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

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EXCUSE ABSENT MEMBERS:

None.

ADJOURNMENT:

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

The meeting adjourned at 8:27 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor