

**CITY OF GERMANTOWN COUNCIL**

**MONDAY, MARCH 19, 18**

The City of Germantown Council met in regular session on March 19, 2018 at 7:00 p.m. in the City Building Council Chambers.

**PRESENTATION OF COLORS-MILITARY ORDER OF THE PURPLE HEART**

**PLEDGE OF ALLEGIANCE:**

Pledge of Allegiance-Led by Military Order of the Purple Heart

**PUBLIC RECOGNITION:**

Purple Heart City Ceremony

Mayor Boeder read a Proclamation declaring March 19 as “Purple Heart Day” and official designation that the City of Germantown is a “Purple Heart City”.

Mayor Boeder presented the MOPH flag that will fly in Veterans’ Park and the various signs will be posted throughout the City.

MOPH presented Mayor Boeder and the City with a Purple Heart Plaque.

MOPH recognized Ken Gruver for his service and being a recipient of a Purple Heart Metal.

After the MOPH Ceremony, Mayor Boeder thanked Dave Shortt with the Veterans Museum for his efforts and contribution in making the connection between the City and the MOPH possible.

Mayor Boeder asked for a ten-minute recess to take photos with Council and MOPH guests.

**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. 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; Roy McGill, Chief of Police; Matt Burns, Police Major; Chip Wirrig, City Engineer, Dan Alldred, Fire Chief; Keith Brane, City Planner; Jeff Jones, Planning Commission Member; Chenoa Erisman, Senior Center Director; Jonathan Moore, Service Director; Kelli Sanders-Novak, Clerk of Council and several visitors.

Mayor Boeder announced that Stone Day, a Valley View Student, went to State Wrestling Competition and won his division. This is the first time anyone from Valley View has accomplished a tournament win and congratulated Stone Day. Mayor would like to see the City acknowledge his accomplishment in a special way.

**CONSENT AGENDA:**

1. March 5, 2018-Regular Session Meeting
2. March 5, 2018-Work Session Meeting

**MOTION:** Mr. Wafzig moved to approve the Consent Agenda.

**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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**CITIZEN'S FORUM:**

None.

**MANAGER'S REPORT:**

Mrs. Gilleland asked Council's availability for the Council Retreat/Planning Session for April 7. She asked that members contact her.

She announced that we have installed a new phone system at City Hall. This system will meet all the needs for all our various departments. This will be a cost savings of at least \$5,000 a year.

Citizens are encouraged to phone City Hall and report potholes. This winter has been very hard on our streets.

She is researching the ¼% increase issue that will be placed on the ballot this fall. We will prepare legislation and place it on the agenda in the near future.

Jonathan Moore, Service Director, updated Council on various items. He thanked Jackson Township for allowing the City to borrow their hotbox several times over the winter. There have been several water main breaks near the Dupps Company property on Kelly Street. We have been having issues with the Astoria Road lift station and will be looking into various different pumps to try to solve the "rag/wipe issue". The flow to FRWWTC was increased for the last year and we will owe a true up.

**CLERK'S REPORT:**

None.

**LAW DIRECTOR'S REPORT:**

The Law Director had handed out a memo and asked Council to review it.

**MAYOR'S REPORT:**

Mayor Boeder stated that Staff and he met with a resident that is concerned with our cat issues. She would like the City to consider alternative methods to dealing with the cat problem. Montgomery County Animal Rescue Center will be attending the next Council meeting and we encouraged the residents to attend as well.

He has been working with Staff regarding the Hershel Smith honorary sign on South Walnut Street. He will update Council with the date of the ceremony.

He announced that the City did not receive grant funding for the reconstruction of the old water tower on Weaver Road. We are looking into alternative funding and will discuss that later.

**COUNCIL MEMBER'S REPORT:**

**Mr. Johnson's Report:**

Mr. Johnson thanked the MOPH for their ceremony tonight.

He congratulated Stone Day on his championship win.

**Mr. Koogle's Report:**

Mr. Koogle attended the Cemetery Board meeting. It was business as usual. He reminded everyone to have their cemetery sites clean by April 1. Staff will be removing all items to get ready for the upcoming season.

He went on by congratulating Stone Day on his win at State.

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**Mr. Kuhn's Report:**

Mr. Kuhn thanked the MOPH for their ceremony tonight.

He stated that he was unable to attend the Economic Development meeting this past month.

**Mr. Reed's Report:**

None.

**Mr. Rettich's Report:**

Mr. Rettich thanked all that were involved in the MOPH ceremony tonight.

**Mr. Wafzig's Report:**

Mr. Wafzig announced that the Valley View Drug Free Coalition event scheduled for March 21 has been postponed to April 30.

He read an overview of Councils actions/concerns about the income tax credit, poor road conditions and the proposed legislation on the agenda for the increase in income tax on the November ballot.

**Legislation:**

**Introduction:**

None.

**Public Hearing:**

ORDINANCE NO. 18-08

AN ORDINANCE TO AMEND THE CITY INCOME TAX CODE TO ADOPT SECTIONS 718.80 THROUGH 718.95 OF THE OHIO REVISED CODE.

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

**MOTION:** Mr. Wafzig moved to adopt Ordinance No. 18-08.

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.

ORDINANCE NO. 18-09

AN ORDINANCE AMENDING SECTION 181.15 OF THE CITY OF GERMANTOWN INCOME TAX CODE.

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

**MOTION:** Mr. Rettich moved to adopt Ordinance No. 18-09.

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.

RESOLUTION NO. 18-10

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A 2018 FORD INTERCEPTOR SUV FOR USE BY THE CITY OF

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

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

Mr. Rettich questioned who will be assigned and using the SUV. Chief McGill stated that it would be in the fleet and will be assigned to the supervisors. All staff may drive the vehicle.

**MOTION:** Mr. Koogle moved to adopt Resolution No. 18-10.

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.**

**ORDINANCE NO. 18-11**

**AN ORDINANCE CREATING SECTION 137.05 OF THE ADMINISTRATIVE CODE OF THE CITY OF GERMANTOWN CODIFIED ORDINANCES REGARDING RECOGNITION OF POLICE SERVICE.**

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

**MOTION:** Mr. Kuhn moved to adopt Resolution No. 18-11.

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.**

**MOTION:** Mr. Wafzig moved to remove Resolution No. 18-04 from the table.

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.**

Keith Brane, City Planner, reviewed the application for the proposed development. The Staff recommends the approval of the rezoning of the property.

Mr. Jeff Jones, Planning Commission Chairman, addressed the concerns regarding density of the homes on the proposed site. He feels that the density is not an issue. He feels that the quality of work that is done by the developer is good and that they also use quality materials. He would recommend that Council move forward with the request. Tonight's legislation will only grant the applicant a new overlay and rezoning for the property. The Applicant will have to provide detailed final development drawings to the Planning Commission and get an approval to move forward.

Ryan Morris, Associate Construction, stated that the demand for this style housing is high. He currently has 17 people on a waiting list who are interested in the project. He stated that there were concerns of the overhead power lines from a previous meeting; he assured everyone that he would not build under the lines-it is a DP&L easement. He intends to use high quality materials and provide housing with maintained yards. He has several similar developments in neighboring cities.

Mr. Koogle stated that he feels there is a need for this type of development, there has been for several years, and he is in favor of the development. Residents are moving out of our town to find this type of housing option.

Mayor Boeder opened the Public Hearing,

Peter Hutchinson, 7077 Weaver Road, expressed concern about the number of homes that Associate Construction is proposing to build on the property located near his home on Weaver Road. He feels that 40 homes would be quite excessive. He asked that Council consider asking Associate Construction to reduce the number of homes if they are going to move forward with the project. He has no issues with the rezoning of the property.

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Frank Pozzi, 7034 Weaver Road, expressed concern regarding the density of the development. He would like to see larger lots and less homes. He has concerns about additional traffic on Weaver Road.

The Public Hearing was then closed.

**ORDINANCE NO. 18-04**

AN ORDINANCE TO REZONE PROPERTY OWNED BY HICKORY POINTE DEVELOPMENT LTD, BEING PROPERTY ID NUMBER D13-0037-0011 AND LOCATED AT 7047 WEAVER ROAD, FROM ARHOD-AGE RESTRICTED HOUSING OVERLAY DISTRICT TO R-1 SINGLE FAMILY RESIDENTIAL WITH A PUD-PLANNED UNIT DEVELOPEMENT OVERLAY.

**MOTION:** Mr. Koogle moved to adopt Ordinance No. 18-04.

**ROLL CALL:** Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Reed, abstained; Mr. Rettich, yes , Mr. Wafzig, yes; Mayor Boeder, yes. 6-yes, 1-abstention. **MOTION CARRIED.**

**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 8:15 p.m.

Respectfully Submitted,

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Kelli R. Sanders-Novak  
Clerk of Council

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Stephen A. Boeder  
Mayor