

CITY OF GERMANTOWN COUNCIL

MONDAY, FEBRUARY 5, 18

The City of Germantown Council met in regular session on January 16, 2018 at 7:00 p.m. in the City 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. 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; Chip Wirrig, City Engineer; Kelli Sanders-Novak, Clerk of Council and several visitors.

ORGANIZATION:

2018 Committee Appointments

Appointment of Citizens to Boards and Commission

Board of Zoning Appeals–Planning Commission Liaison-Jeff Jones - Term Expires 12-31-18
Board of Zoning Appeals–Rob Richter - Term Expires 12-31-21
City Beautiful Commission-Robin Alsip - Terms Expires 12-31-20
City Beautiful Commission-Brenda Alsip - Terms Expires 12-31-20
Economic Development – Jeff Fannin - Term Expires 12-31-20
Fire Oversight Committee – Ron Comer – Term Expires 12-31-19
Fire Oversight Committee – Richard Pettit – Term Expires 12-31-19
Fire Oversight Committee – Glenn Jirka – Term Expires 12-31-19
Park and Recreation Board-Erick Hall - Term Expires 12-31-22
Personnel Board-Jim Wafzig - Term Expires 12-31-19
Personnel Board-Linda Williams - Term Expires 12-31-19
Planning Commission-Andrew Rohrbach - Term Expires 12-31-21
Senior Oversight Board-Ron Fox - Term Expires 12-31-19

MOTION: Mr. Koogle moved to appoint the citizens to the Boards and Commission as submitted for 2018.

ROLL CALL: Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 5-yes, 0-no. MOTION CARRIED.

Clerk’s Note: Mr. Rettich arrived at 7:04 p.m.

APPROVAL OF MINUTES:

Mayor and Council reviewed the December 4, 2017 Regular Session minutes.

MOTION: Mr. Kuhn moved to approve the December 4, 2017 Regular Session minutes as submitted.

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.

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Mayor and Council reviewed the December 11, 2017 Special Session minutes.

MOTION: Mr. Kuhn moved to approve the December 11, 2017 Special Session minutes as submitted.

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.

Mayor and Council reviewed the January 2, 2018 Regular Session minutes.

MOTION: Mr. Koogle moved to approve the January 2, 2018 Regular Session minutes as amended to read “over the past four years.” not “yearly” on Page 3 Paragraph 2. .

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.

Mayor and Council reviewed the January 2, 2018 Work Session minutes.

MOTION: Mr. Wafzig moved to approve the January 2, 2018 Work Session minutes as submitted.

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.

Mayor and Council reviewed the January 16, 2018 Regular Session minutes.

MOTION: Mr. Kuhn moved to approve the January 16, 2018 Regular Session minutes as submitted.

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.

Mayor and Council reviewed the January 16, 2018 Work Session minutes.

MOTION: Mr. Wafzig moved to approve the January 16, 2018 Work Session minutes as submitted.

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 read a Proclamation honoring Mr. Gary Dursch, Sr. February 17, 2018 will be Mr. Gary Dursch, Sr. Day in the City of Germantown.

Bruce Hughes thanked Council and Mayor Boeder for the Proclamation. The Cub Scouts plan to present the Proclamation to Mr. Dursch at their meeting.

CITIZEN’S FORUM:

Peter Hutchinson, 7077 Weaver Road, expressed concern of 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.

Kathy Rettich, 119 Farmersville Pike, handed out copies of paperwork from her request. She expressed concerns about the zoning and business permit process the City has regarding new businesses. Her tenant at 206 East Gunckel Street had been contacted to complete the required forms to run a business.

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M. Ratliff, 164 Sue Drive, thanked Mr. Kuhn, Mr. Wafzig and the City Manager for meeting with him last week. He asked if any decisions had been made to reinstate the tax credit. He stated he would be meeting with a contact who lives in the City of Brookville and organized the citizen initiative there to repeal their reduced income tax credit.

MANAGER'S REPORT:

Mrs. Gilleland stated that the East Market Street Sidewalk Project had been started. The project should be completed by the end of April.

She thanked the Montgomery County Sheriff for sending prisoners to Germantown to collect trash along State Route 4. They collected 42 bags of trash.

The City is currently accepting applications for the 2018 pool season. Applications are available at City Hall and on the City website.

Staff is working hard at filling in the potholes throughout the City. Please phone City Hall to report the location of potholes.

She reviewed the agendas for the meeting tonight.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

The Law Director stated that a guest came several weeks back regarding a coalition on banning small cell towers. There is discussion at the State level and he feels that the State will pass legislation concerning the small cell towers.

POLICE CHIEF'S REPORT:

Chief McGill handed out the December Police Department Report.

MAYOR'S REPORT:

Mayor Boeder announced that the next Council meeting would be February 20, 2018 due to the upcoming holiday.

Mayor Boeder stated that Tim Johnson is interested in serving on the Pool Oversight Board with a term ending December 31, 2019.

MOTION: Mr. Wafzig moved to appoint Tim Johnson to the Pool Oversight Board with a term ending December 31, 2019.

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

Mayor Boeder announced that his working on the State of the City Address.

COUNCIL MEMBER'S REPORT:

Mr. Johnson's Report:

Mr. Johnson attended the VV Base meeting. Sign-ups are currently underway. Opening day will be April 28, 2018. VV Base is looking for volunteers to serve on the Board; if interested please contact him. VV Base will be doing improvements to the fields this Spring. The Board would like to see an estimate on having the Kercher Park mowed and he asked Staff to look into it.

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He stated he would be willing to discuss the income tax credit options. He does not feel that the credit should be reinstated until levies or other solutions are set into place.

Clerk's Note: Mr. Reed arrived at 7:34 p.m.

Mr. Koogle's Report:

Mr. Koogle started that the Cemetery is hoping to open additional areas in the West section this summer.

Mr. Kuhn's Report:

Mr. Kuhn announced that the Economic Development Committee is hosting the first of three Downtown Business meetings February 28.

Mr. Reed's Report:

Mr. Reed is anxious to discuss and resolve the income tax credit topic.

Mr. Rettich's Report:

Mr. Rettich stated that he is now questioning the tax decision Council has made and Council should consider other sources to help fund the City's need for additional funds. He would like to consider reviewing the budget again to see if any additional cuts can be made.

Mr. Wafzig's Report:

Mr. Wafzig stated that he has been looking into other options for additional revenue for the City. He has several options that he would like to discuss during the Work Session.

Legislation:

Introduction:

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.

Mayor Boeder stated the Public Hearing would be February 20, 2018.

ORDINANCE NO. 18-05

AN ORDINANCE TO VACATE A PORTION OF KELLY AVENUE LOCATED NORTH OF WARREN STREET AND ADJACENT TO 3 PARCELS OWNED BY THE DUPPS COMPANY AND FURTHER DESCRIBED HEREIN.

Mayor Boeder stated the Public Hearing would be February 20, 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.

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

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MOTION: Mr. Koogle moved to adopt Resolution No. 17-46.

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.

EXCUSE ABSENT MEMBERS:

None.

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. Koogle, 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 7:47 p.m.

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, City 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 8:03 p.m.

ADJOURNMENT:

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

The meeting adjourned at 8:04 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor