

CITY OF GERMANTOWN COUNCIL

MONDAY, NOVEMBER 4, 19

The City of Germantown Council met in regular session on November 4, 2019 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. Rick Reed, Mr. Robert Rettich IV and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mr. Michael Kuhn was absent.

ALSO PRESENT:

Also present were Judy Gilleland, City Manager; Tom Schiff, Law Director; Pat Shively, Finance Director; Chip Wirrig, Service Department, Kelli Sanders-Novak, Clerk of Council and several visitors.

CONSENT AGENDA:

1. October 7, 2019-Regular Session Meeting Minutes
2. October 7, 2019-Work Session Meeting Minutes
3. Motion to Accept the Third and Fourth Quarter Credit Card Report

MOTION: Mr. Rettich moved to approve the Consent Agenda.

ROLL CALL: Mr. Johnson, yes; Mr. Reed, yes; Mr. Rettich, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 5-yes, 0-no. **MOTION CARRIED.**

PUBLIC RECOGNITION:

Mayor Boeder announced that the Twisted Pretzel Bike Tour Committee donated \$13,000 to various organizations in the Germantown area.

Mayor Boeder congratulated the VV Football Spartans for their opportunity to play in the High School Playoffs. He wishes them the best of luck in their upcoming game.

CITIZEN'S FORUM:

None.

MANAGER'S REPORT:

Mrs. Gilleland stated that Dan Bisch with the Montgomery County ED/GE program, was here to discuss the proposed agreement.

She also stated that Pat Higgins, City Grant Writer, has been working on a grant that would help the Dupps Company with a large renovation.

She thanked Mrs. Higgins for all her hard work and the many grants that she has obtained on behalf of the City.

The Fire Station Project is progressing well and the new Water Tower Project is beginning the process Ken Conaway, Project Manager, will update Council about these projects.

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Pat Shively, Finance Director, will update Council on the proposed 2020 Budget that Council has been reviewing. Council is free to ask her any questions regarding the Budget.

Chip Wirrig, Service Department, will review the OPWC award legislation for the three upcoming projects.

Mrs. Gilleland wished Mayor Boeder a Happy Birthday.

Chip Wirrig, City Engineer, reviewed the legislation that awards contracts for the projects Kelly Street and Hale Avenue Water Main Projects and the Sanitary Sewer Relining Project Phase 4. Staff would like these passed by emergency so that the contractors can begin work as soon as possible.

Pat Shively, Finance Director, briefly reviewed the Appropriations Memo and asked if Council had any questions regarding the proposed 2020 Budget.

Ken Conaway, Project Manager, updated Council on the Water Tower Project. He is working with Dixon Engineering on design work of the tank. Bids should go out after the first of the year. The Fire Station Project is progressing with dormers, roofing and the masonry work. Crews are working hard to get the concrete work complete before winter weather arrives.

Mr. Bisch, Montgomery County Economic Department, reviewed his Power Point on the ED/GE Program/Agreement and reviewed how it benefits both the City and surrounding communities.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

None.

MAYOR'S REPORT:

Mayor Boeder thanked Pat Higgins for all her hard work getting the many grants for the City. These funds have helped make great changes to the City.

He announced that Council will begin the process of filling the vacant Council Seat in January.

He encouraged everyone to vote in the upcoming election and to support the joint road levy with German Township.

He reminded everyone that Veterans Day is November 11. He thanked all those who have served.

He noted that with the time change it is getting darker earlier and everyone should be aware of children still outside during the evenings so no one is injured.

He is working with Dave Short, Veterans Museum Curator, to recognize Ray Schmidt. He will update Council with more information at a later date.

COUNCIL MEMBER'S REPORT:

Mr. Johnson's Report:

Mr. Johnson reminded everyone of Veterans Day on November 11.

He announced that the Park Board meeting would be November 6.

He encouraged everyone to vote in the upcoming election.

He sends his condolences and thoughts to the Keplinger and Heistand families for their loss.

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Mr. Reed's Report:

Mr. Reed thanked Pat Higgins for her successful efforts in obtaining grand finds for the City.

He wished Mayor Boeder Happy Birthday.

He also wished all the candidates luck and encouraged residents to vote in the election.

Mr. Rettich's Report:

Mr. Rettich encouraged the residents to get out and vote in the upcoming election.

Mr. Wafzig's Report:

Mr. Wafzig attended the MVCC Budget/finance meeting. The Budget was passed at this meeting. MVCC is looking for volunteers to video various shots of our community; contact MVCC for more information.

He announced that the BZA would be meeting November 12.

He announced that the By-Jo is under new management and wishes them success. He thanked the owners for their hard work.

He expressed appreciation to those who had sent suggestions to Council for the future plans of the Camp Miami property.

He acknowledged all the volunteers for their efforts with Saturday Nightmare and was pleased to see it return again this year.

Residents were urged to vote in the election tomorrow.

LEGISLATION:

Introduction:

ORDINANCE NO. 19-42

AN ORDINANCE TO REPLACE SECTION 161.015, PAY SCALE, OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF GERMANTOWN WITH THE ATTACHED COMPENSATION SCHEDULE.

Mayor Boeder stated the Public Hearing will be held December 2, 2019.

ORDINANCE NO. 19-43

AN ORDINANCE ADOPTING THE 2020 CITY BUDGET.

Mayor Boeder stated the Public Hearing will be held December 2, 2019.

RESOLUTION NO. 19-44

A RESOLUTION AUTHORIZING THE CITY MANGER TO ENTER INTO A TEN-YEAR PARTICIPATION AGREEMENT WITH THE MONTGOMERY COUNTY ECONOMIC DEVELOPMENT/GOVERNMENT EQUITY (ED/GE) PROGRAM.

Mayor Boeder stated the Public Hearing will be held December 2, 2019.

EMERGENCY RESOLUTION NO. 19-45

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PROGRADE EXCAVATION FOR THE HALE AVENUE WATER MAIN REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY.

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MOTION: Mr. Johnson moved to suspend the rules on Emergency Resolution No. 19-45.

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

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

MOTION: Mr. Johnson moved to adopt Emergency Resolution No. 19-45.

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

EMERGENCY RESOLUTION NO. 19-46

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH INSIGHT PIPE CONTRACTING LLC, FOR THE SANITARY SEWER REHABILITATION PROJECT PHASE 3, AND DECLARING AN EMERGENCY.

MOTION: Mr. Wafzig moved to suspend the rules on Emergency Resolution No. 19-46.

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

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

MOTION: Mr. Reed moved to adopt Emergency Resolution No. 19-46.

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

EMERGENCY RESOLUTION NO. 19-47

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH C.G. CONSTRUCTION & UTILITIES, INC FOR THE KELLY AVENUE WATER MAIN REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY.

MOTION: Mr. Reed moved to suspend the rules on Emergency Resolution No. 19-47

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

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

MOTION: Mr. Reed moved to adopt Emergency Resolution No. 19-47.

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

ORDINANCE NO. 19-48

AN ORDINANCE LEVYING AN ASSESSMENT FOR THE CUTTING AND REMOVAL OF WEEDS AND/OR PLANT GROWTH FOR CERTAIN PROPERTIES IN THE CITY OF GERMANTOWN, OHIO.

Mayor Boeder stated the Public Hearing will be held December 2, 2019.

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ORDINANCE NO. 19-49

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES FOR THE CITY OF GERMANTON, STATE OF OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020.

Mayor Boeder stated the Public Hearing will be held December 2, 2019.

RESOLUTION NO. 19-50

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

Mayor Boeder stated the Public Hearing will be held December 2, 2019.

ORDINANCE NO. 19-51

AN ORDINANCE AMENDING ORDINANCE NO.19-14 APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF GERMANTOWN, STATE OF OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019.

Mayor Boeder stated the Public Hearing will be held December 2, 2019.

RESOLUTION NO. 19-52

A RESOLUTION TO AUTHORIZE THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE STREET CAPITAL FUND, REFUSE FUND, PARKS FUND AND SWIMMING POOL FUND.

Mayor Boeder stated the Public Hearing will be held December 2, 2019.

PUBLIC HEARING

ORDINANCE NO. 19-39

AN ORDINANCE ADOPTING SECTION 505.12.1 OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF GERMANTOWN REGARDING HUNTING AND TRAPPING.

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

MOTION: Mr. Reed moved to adopt Ordinance No. 19-39.

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

ORDINANCE NO. 19-40

AN ORDINANCE AMENDING SECTION 505.12 (a) OF THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF GERMANTOWN HUNTING AND TRAPPING.

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

MOTION: Mr. Johnson moved to adopt Ordinance No. 19-40.

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

EXCUSE ABSENT MEMBERS:

None.

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MOTION: Mr. Reed 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.

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

Council adjourned to Executive Session at 7:44 p.m.

EXECUTIVE SESSION:

PRESENT:

The following members were present at the start of the Executive Session: Mayor Stephen Boeder, Mr. Terry Johnson, Mr. Rick Reed, Mr. Robert Rettich IV and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mr. Michael Kuhn was absent.

ALSO PRESENT:

Also present were Judy Gilleland, City Manager; Tom Schiff, Law Director; Chip Wirrig, Service Department; Ken Conaway, City Project Manager; Dan Mutnzer, Norfleet, Brown & Petkewicz Inc. and Kelli Sanders-Novak, Clerk of Council.

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.

Clerks Note: Dan Mutner excused himself at 7:57 p.m.; Chip Wirrig excused himself at 8:07 p.m., Ken Conaway excused himself at 8:07 p.m.

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

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

Council reconvened into Regular Session at 8:15 p.m.

ADJOURNMENT:

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

The meeting adjourned at 8:16 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor