

CITY OF GERMANTOWN COUNCIL

MONDAY, DECEMBER 7, 20

The City of Germantown Council met in regular session on December 7, 2020 at 7:00 p.m. via Zoom phone communications and live on MVCC.

Mayor Boeder asked for all to observe a moment of silence to honor Pearl Harbor.

MEMBERS PRESENT:

The following members were present at the Call to Order: Mayor Stephen Boeder, Mr. Terry Johnson, Mrs. Bonnie 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; Pat Shively, Finance Director; Roy McGill, Chief of Police; Lynette Dinkler, City Attorney; Ken Conaway, Project Manager; Chip Wirrig, City Engineer; Cody Brem, City Intern; and Kelli Sanders-Novak, Clerk of Council.

CONSENT AGENDA:

1. November 2, 2020-Regular Session Meeting Minutes
2. Accept the Fourth Quarter Credit Card Report (This is a requirement by the State Auditor per the credit card policy)
3. Acknowledging the Submission of the 2021 – 2023 Capital and Maintenance Projects Plan
4. Appointment to the Charter Review Committee (Term Expires December 31, 2021). Tom Winning, Jim Williams, Brent Byerly and Mark Heistand

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

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

MANAGER'S REPORT:

Mrs. Gilleland briefly reviewed the agenda items that are end of the year items. She thanked Pat Higgins and the Montgomery County Staff for their hard work at obtaining the CDBG funding again for next year.

She wished everyone a Happy and Healthy Holiday Season and thanked Staff for their hard work this year.

Ken Conaway, Project Manager, stated that the Water Tower Project is going well. The concrete work is underway.

The well project is underway and the concrete work has also started there.

The Fire Station is in the final close out stage.

Chief McGill stated that the Police Department had been effected by Covid 19 and many members of Staff have been absent.

He stated that staff will participate in the "Shop With a Cop Program" in partnership with the Meijer company and were able to provide for three families.

He announced the Officer Devaughn Richardson is home safe from his overseas tour in the military.

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He thanked Staff for their hard work and wished everyone Happy Holidays.

Pat Shively briefly reviewed the proposed legislation on the agenda. Most of the items are the end of the year clean up and will allow us to transition smoothly into 2021.

She asked that Council entertain a motion to revise the 2020 Utility Bill assessment list that was adopted with Resolution No. 20-33. This updated list reflects accounts that have had payments made.

MOTION: Mr. Wafzig moved to accept the revised list of 2020 Utility Billing assessments to the Montgomery County Auditor-Resolution No. 20-33.

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

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

The Law Director, Staff and Council reviewed the City Managers Memo suggesting charter language for a Resolution dated November 4, 2020.

MOTION: Mr. Reed moved to have Staff proceed with proposed legislation regarding changing the language for a resolution to be placed on the ballot.

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

MAYOR'S REPORT:

Mayor Boeder stated that today is Pearl Harbor Day. He thanked all those who have served our country in the military.

He assured the public that times may be different due to Covid 19 but Staff and Council are conducting business as normal. He thanked Staff for their hard work.

He wished everyone Happy Holidays.

COUNCIL MEMBERS' REPORTS:

Mr. Johnson's Report:

Mr. Johnson announced that the Parks Board would be hosting the Santa Sighting event this weekend in Veterans' Park. He encouraged all to attend.

He wished everyone a Merry Christmas and safe New Year.

Mrs. Koogler's Report:

Mrs. Koogler reminded the public of the free meal service that the Senior Center is providing. If anyone would like to participate, please contact the Senior Center for information.

She wished everyone a safe holiday.

Mr. Kuhn's Report:

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Mr. Kuhn thanked everyone for their hard work with year.

He wished everyone Happy Holidays.

Mr. Reed's Report:

Mr. Reed announced that the CBC would be meeting this week.

He hopes that everyone is safe during this trying time. He is in the medical field and sees first-hand how devastating this virus can be.

Mr. Rettich's Report:

Mr. Rettich stated that the Planning Commission would be meeting this week to discuss the proposed subdivision, Walnut Hill.

He wished everyone a safe and Merry Christmas and Happy New Year.

Mr. Wafzig's Report:

Mr. Wafzig stated the he was in favor of getting the Charter Amendment on the ballot in May which would allow any challenges to be resolved by the November ballot.

He will attend the MVCC meeting this month where the main topic is the 2021 Budget.

He had met with the entities included in the JEDD discussion and feels they are making progress. He is hoping that an agreement can be reached soon.

He wished everyone a Merry Christmas and Happy New Year.

LEGISLATION:

INTRODUCTION:

RESOLUTION NO. 20-42

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO, NOT TO EXCEED \$25,000.00 FOR THE CDBG DOWNTOWN FAÇADE IMPROVEMENT PROGRAM.

Mayor Boeder stated the Public Hearing will be held January 4, 2021.

EMERGENCY RESOLUTION NO. 20-43

A RESOLUTION ACCEPTING THE REQUEST FOR TAX YEAR 2020 ADVACEMENT FROM MONTGOMERY COUNTY AUDITOR, AND DECLARING AN EMERGENCY.

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

MOTION: Mr. Johnson moved to suspend the rules of Emergency Resolution No. 20-43.

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

MOTION: Mr. Wafzig moved to adopt Emergency Resolution No. 20-43.

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

EMERGENCY RESOLUTION NO. 20-44

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A RESOLUTION TO DECLARE SURPLUS PROPERTY AND AUTHORIZE THE CITY MANAGER TO SELL SAID PROPERTY, AND DECLARING AN EMERGENCY.

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

MOTION: Mr. Kuhn moved to suspend the rules of Emergency Resolution No. 20-44.

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

MOTION: Mrs. Koogle moved to adopt Emergency Resolution No. 20-44.

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

EMERGENCY ORDINANCE NO. 20-45

AN ORDINANCE AMENDING ORDINANCE NO. 20-24 APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF GERMANTOWN, STATE OF OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020.

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

MOTION: Mr. Kuhn moved to suspend the rules of Emergency Ordinance No. 20-45.

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

MOTION: Mr. Rettich moved to adopt Emergency Ordinance No. 20-45.

ROLL CALL: Mr. Johnson, yes; Mrs. 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. 20-46

A RESOLUTION TO AUTHORIZE THE TRANSFER OF FUNDS FROM THE SEWER DEBT FUND TO THE SEWER FUND.

Mayor Boeder stated the Public Hearing will be held January 4, 2021.

PUBLIC HEARING

ORDINANCE NO. 20-38

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

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

MOTION: Mr. Wafzig moved to adopt Ordinance No. 20-38.

ROLL CALL: Mr. Johnson, yes; Mrs. 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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**ORDINANCE NO. 20-39
AN ORDINANCE ADOPTING THE 2021 CITY BUDGET.**

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

MOTION: Mr. Kuhn moved to adopt Ordinance No. 20-39.

ROLL CALL: Mr. Johnson, yes; Mrs. 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. 20-40
AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES
AND EXPENDITURES FOR THE CITY OF GERMANTOWN, STATE OF
OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021.**

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

MOTION: Mr. Reed moved to adopt Ordinance No. 20-40.

ROLL CALL: Mr. Johnson, yes; Mrs. 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. 20-41
A RESOLUTION APPROVING THE PURCHASE OF REAL PROPERTY
LOCATED AT PARCEL ID # D13 00203 0066 AND RATIFYING THE CITY
MANAGER'S ACTIONS.**

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

MOTION: Mr. Reed moved to adopt Resolution No. 20-41.

ROLL CALL: Mr. Johnson, yes; Mrs. 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)(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action and 121.22.

ROLL CALL: Mr. Johnson, yes; Mrs. Koogle, yes; Mr. Kuhn, yes; Mr. Reed, yes; Mr. Rettich, yes; Mr. Wafzig, yes; Mayor Boeder, yes. 7-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, Mrs. Bonnie Koogle, Mr. Michael Kuhn, Mr. Rick Reed, Mr. Robert Rettich IV and Mr. Brian Wafzig.

MEMBERS ABSENT:

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None.

ALSO PRESENT:

Also present were Judy Gilleland, City Manager; Tom Schiff, Law Director; Lynette Dinkler, City Attorney; Ken Conaway, Project Manager; Cody Brem, City Intern and Kelli Sanders-Novak, Clerk of Council.

The aforementioned persons had discussion under the authority of O.R.C. § 121.22 (G)(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

MOTION: Mrs. Koogle motioned to return to regular session.

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

Council reconvened into Regular Session at 8:27 p.m.

Mayor Boeder wished everyone a Merry Christmas.

ADJOURNMENT:

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

The meeting adjourned at 8:28 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor