

CITY OF GERMANTOWN COUNCIL

MONDAY, AUGUST 2, 21

The City of Germantown Council met in regular session on August 2, 2021 at 7:00 p.m. in the City Building Council Chambers.

The Law Director explained that the new laws allow member of Council to join in by Zoom and they may participate in discussion but may not be counted as a member present to form a quorum.

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 and Robert Rettich IV.

MEMBERS ABSENT:

Mr. Brian Wafzig was present by Zoom Conference Call but is not included in the Council quorum.

ALSO PRESENT:

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

CONSENT AGENDA:

1. June 7, 2021-Regular Session Meeting Minutes
2. June 30, 2021-Special Session Meeting Minutes
3. Accept the Second & Third Quarter Credit Card Report (This is a requirement by the State Auditor per the credit card policy)

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; Mayor Boeder, yes. 6-yes, 0-no. **MOTION CARRIED.**

PUBLIC RECOGNITION:

None.

CITIZEN'S FORUM:

Miranda Armstead, with Preble County YWCA, 225 North Barron Street, Eaton, informed the public and Council of the services that are provided at the YWCA regarding domestic violence.

Glen Bowman, with the Germantown Historical Society, 190 Megan Lane, announced the annual Founders Day Celebration on August 7 at VMP. He encouraged everyone to attend.

Lucy Gilbert, with the Camp Miami Preservation Committee, Diamond Mill Road, spoke on behalf of the group that was present tonight and many more. They would like to see the Camp Miami grounds used for a community use such as a park, amphitheater, or connection to the metro parks. She asked that Council pass legislation assuring that the grounds would be used in a community setting and not a development.

Rick Matteson, 320 North Main Street, he agrees with what Ms. Gilbert stated and would like to see the Camp Miami property preserved for park land.

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MANAGER'S REPORT:

Mrs. Gilleland stated that Staff has been reviewing the guidelines for the ARPA funds for the City. They will keep Council informed of the guidelines. Pat Shively will have details in a moment.

We keep working on the Covered Bridge Project and Ken Conaway will have an update in the next few months. We are looking into funding options and qualified experts to assist on the project.

We are asking for an Executive Session tonight for several topics. Chip Wirrig will be reviewing the legislation on the agenda and upcoming projects.

Chip Wirrig reviewed the legislation on the agenda. The first is to replace 24 fire hydrants and 48 valves as an OPWC project. Legislation No. 21-31 is for the repaving and street updates by emergency so it can be done before the end of the year. Resolution No. 21-32 is for the sanitary sewer rehabilitation project as an OPWC project. Resolution No. 21-33 is to purchase an EZ Valve machine that will assist Staff in the field.

Pat Shively, stated that a portion of the initial funds were received today. We are looking at how the funds can be used to benefit the city. We have until 2026 to work out the details and complete the projects.

We are expecting to see a small increase in tax collection for non-resident workers. We are waiting for exact numbers to make a firm prediction.

Resolution No. 21-35 is an amendment to our appropriations for 2021. There have been several projects and expenses that were not expected over the year but deemed necessary.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

The Law Director reviewed the Opioid Settlement that the State has prepared. The State is asking that we pass legislation by next week. We may have to have an emergency meeting to comply with the request.

Council may want to consider passing legislation to allow Boards and Commission to meet via Zoom/etc. to conduct business and be considered a meeting. We would need to pass legislation to make this change effective. Council Meetings would not be included in this legislation.

MAYOR'S REPORT:

Mayor Boeder attended the Memorial Day Event at VMP. It was well attended. He also attended the Safety Building Dedication that was great. The environment is much more suitable for the Staff to do their jobs.

He attended the Records Commission Meeting to review the destruction of the scheduled documents.

Council and Staff has several Council Retreat Sessions this year to discuss various topics. It was a beneficial discussion and good comments were made during the meetings.

He attended the 125th Michael Family Reunion. The Michael Family has been a very important part of the Germantown History.

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COUNCIL MEMBERS' REPORTS:

Mr. Johnson's Report:

Mr. Johnson announced that the Founders Day Event would be August 7 at VMP.

He welcomed the new Pharmacy to Germantown. Katie Perry seems to be very eager and excited. She hosted a nice grand opening celebration last week.

He thanked all the Park Board and Park Oversight Members who made the July 4 Parade successful. He also thanked the participants and Staff.

He announced that the Park Board Meeting will be August 4.

Council has discussed Camp Miami several times and he hopes that a decision is made by the end of the year.

Mrs. Koogle's Report:

Mrs. Koogle stated that the Senior Center is continuing with their soft opening under the directions of the State and it seems to be going well.

The Cemetery Board will be meeting on August 9. They met last month and discussed an addition to the current building for storage. Hopefully, Council can discuss this at the August meeting.

She thanked the visitors for attending the meeting to discuss Camp Miami. Council will discuss the comments that were said and do what is best for the City and Community.

Mr. Kuhn's Report:

Mr. Kuhn was excited to see the attendance in the meeting tonight. He also would like to see Camp Miami preserved and transformed into a park setting.

He encouraged everyone to attend Founders Day on August 7 at VMP.

Mr. Reed's Report:

Mr. Reed thanked the visitors for attending the meeting. He would like to see Camp Miami as a park.

Mr. Rettich's Report:

Mr. Rettich stated he attended several Planning Commission Meeting. The Board would like to move forward with a revised/new section of the Codified Ordinances on Sexual Oriented Businesses.

The Planning Commission has been meeting to discuss the proposed changes to their current plan on the Bearcreek Development.

He thanked the visitors for attending and would like to see the Camp Miami site preserved as a park.

Mr. Wafzig's Report:

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Mr. Wafzig attended the MVCC meeting last week they discussed the purchase of a TACT Unit Swat Team vehicle. This vehicle will be beneficial in the safety and performance of the Unit. This is a shared purchase and the City's portion is less than \$10,000.00.

He would like to see Camp Miami as a park venue. He feels this is a perfect location and we should look into working with neighboring properties to expand the park/memorial.

He has had discussions with residents regarding the school building in the City. He explained that the City does not want the school building demolished but would need to see a viable plan for restoration. We do not want another situation like we have in the past with a building that is deteriorating and the city is left to clean it up.

He will also be meeting to discuss the JEDD with the various entities on August 29. He is hoping to come to an agreement and have a final draft soon.

LEGISLATION:

INTRODUCTION:

EMERGENCY RESOLUTION NO. 21-30

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED FOR THE FIRE HYDRANT AND VALVE REPLACEMENT PROGRAM, PHASE 1, AND DECLARING AN EMERGENCY.

MOTION: Mr. Kuhn moved to suspend the rules on Emergency Resolution No. 21-30.

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

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

MOTION: Mr. Kuhn moved to adopt Emergency Resolution No. 21-30.

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

EMERGENCY RESOLUTION NO. 21-31

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH STRAWSER CONSTRUCTION, INC. FOR THE 2021 STREET AND PARKS MAINTENANCE PROGRAM, AND DECLARING AN EMERGENCY.

MOTION: Mr. Kuhn moved to suspend the rules on Emergency Resolution No. 21-31.

ROLL CALL: Mr. Johnson, yes; Mrs. Koogler, yes; Mr. Kuhn, yes; Mr. Reed, yes; Mr. Rettich, yes; Mayor Boeder, yes. 6-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. 21-31.

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

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EMERGENCY RESOLUTION NO. 21-32

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED FOR THE SANITARY SEWER REHABILITATION PROJECT PHASE 6, AND DECLARING AN EMERGENCY.

MOTION: Mr. Kuhn moved to suspend the rules on Emergency Resolution No. 21-32.

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

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

MOTION: Mrs. Koogle moved to adopt Emergency Resolution No. 21-32.

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

RESOLUTION NO. 21-33

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE AN EZ VALVE MACHINE FOR THE CITY OF GERMANTOWN SERVICE DEPARTMENT.

Mayor Boeder stated the Public Hearing will be held September 7, 2021.

EMERGENCY ORDINANCE NO. 21-34 (proposed passage by Emergency with suspended rules)
AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON THE LOTS OF THE CITY OF GERMANTOWN TO PAY THE COST AND EXPENSES OF FURNISHING AND MAINTAINING A STREET LIGHTING SYSTEM FOR 2022, AND DECLARING AN EMERGENCY.

MOTION: Mr. Kuhn moved to suspend the rules on Emergency Ordinance No. 21-34.

ROLL CALL: Mr. Johnson, yes; Mrs. Koogle, yes; Mr. Kuhn, yes; Mr. Reed, yes; Mr. Rettich, yes; Mayor Boeder, yes. 6-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 Ordinance No. 21-34.

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

ORDINANCE NO. 21-35

AN ORDINANCE AMENDING ORDINANCE NO. 21-26 APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF GERMANTOWN, STATE OF OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021.

Mayor Boeder stated the Public Hearing will be held September 7, 2021.

PUBLIC HEARING

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None.

EXCUSE ABSENT MEMBERS:

Mr. Rettich motioned to excuse Mr. Brian Wafzig.

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

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 and 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.

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

Council adjourned to Executive Session at 8:14 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 and Robert Rettich IV.

MEMBERS ABSENT:

Mr. Brian Wafzig was present by Zoom Conference Call but is not included in the Council quorum.

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)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official and 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.

Clerk's Note: Mrs. Gilleland and Mrs. Novak were not present for the entire Executive Session.

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

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

Council reconvened into Regular Session at 10:03 p.m.

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ADJOURNMENT:

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

The meeting adjourned at 10:04.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Stephen A. Boeder
Mayor