

MUNICIPALITY OF GERMANTOWN COUNCIL
MINUTES OF MEETING HELD JANUARY 5, 2009

- 1 -

The Municipality of Germantown Council met in regular session on Monday, January 5, 2009 at 7:00 p.m. in the Municipal 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 Theodore Landis, Mrs. Jeanne Gentry, Mr. Scott Johnson, Mr. Terry Johnson, Mr. Jim Lawson, Mr. Robert McClain and Mr. Edward Schwaberow.

MEMBERS ABSENT:

None.

ALSO PRESENT:

Also present were Tom Schiff, Law Director; Roy McGill, Police Chief; Matt Burns, Police Major; Scott Brown, Police Sergeant, Anna M. Sizemore, Assistant Village Manager/Clerk of Council and two visitors.

ORGANIZATION:

MOTION: Mr. Lawson motioned to appoint Terry Johnson as President of Council, second by Mrs. Gentry.

ROLL CALL: Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, abstain; Mr. Lawson, yes; Mr. McClain, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 6-yes, 1-abstention.
MOTION CARRIED.

MOTION: Mr. Schwaberow motioned that the Liaisons to the various committees remain as they were in 2008, second by Mr. Lawson.

ROLL CALL: Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. McClain., yes; Mr. Schwaberow, yes; Mrs. Gentry, yes; Mayor Landis, yes. 7-yes, 0-no. MOTION CARRIED.

MOTION: Mr. Schwaberow motioned to reappoint Dick Schaeff to the Board of Tax Appeals, second by Mr. McClain.

MUNICIPALITY OF GERMANTOWN COUNCIL
MINUTES OF MEETING HELD JANUARY 5, 2009

- 2 -

ROLL CALL: Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. McClain, yes; Mr. Schwaberow, yes; Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mayor Landis, yes. 7-yes, 0-no. MOTION CARRIED.

MOTION: Mr. Terry Johnson motioned to reappoint Jeff Jones and Mark Heistand to the Board of Zoning Appeals, second by Mr. Scott Johnson.

ROLL CALL: Mr. Lawson, yes; Mr. McClain, yes; Mr. Schwaberow, yes; Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mayor Landis, yes. 7-yes, 0-no. MOTION CARRIED.

MOTION: Mr. Terry Johnson motioned to reappoint Brenda Alsip to the City Beautiful Commission, second by Mr. Scott Johnson.

ROLL CALL: Mr. McClain, yes; Mr. Schwaberow, yes; Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mayor Landis, yes. 7-yes, 0-no. MOTION CARRIED.

MOTION: Mr. Schwaberow motioned to reappoint Jim Lawson and Scott Johnson to the Firemen's Dependent Board, second by Mr. Terry Johnson.

ROLL CALL: Mr. Schwaberow, yes; Mrs. Gentry, yes; Mr. Scott Johnson, abstain; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. McClain, yes; Mayor Landis, yes. 6-yes, 1-abstention. MOTION CARRIED.

MOTION: Mr. Terry Johnson motioned to appoint Ryan Waits to the Parks and Recreation Board, second by Mr. McClain.

ROLL CALL: Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. McClain, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 7-yes, 0-no. MOTION CARRIED.

MOTION: Mr. Terry Johnson motioned to reappoint Richard Neatherton to the Planning Commission, second by Mr. Scott Johnson.

ROLL CALL: Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. McClain, yes; Mr. Schwaberow, yes; Mrs. Gentry, yes; Mayor Landis, yes. 7-yes, 0-no.

MOTION: Mr. Terry Johnson motioned to appoint Mayor Landis, Rebecca Jamison, Tom Schiff, Anna Sizemore and Gail Githens to the Records Commission, second by Mr. Scott Johnson.

MUNICIPALITY OF GERMANTOWN COUNCIL
MINUTES OF MEETING HELD JANUARY 5, 2009

- 3 -

ROLL CALL: Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. McClain, yes; Mr. Schwaberow, yes; Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mayor Landis, abstain. 6-yes, 1-abstention. MOTION CARRIED.

MOTION: Mr. Terry Johnson motioned to reappoint Milt Bowman to the Pool Board, second by Mr. Scott Johnson.

ROLL CALL: Mr. Lawson, yes; Mr. McClain, yes; Mr. Schwaberow, yes; Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mayor Landis, yes. 7-yes, 0-no. MOTION CARRIED.

APPROVAL OF MINUTES:

None.

PUBLIC RECOGNITION:

None.

CITIZEN'S FORUM:

None.

FINANCE DIRECTOR'S REPORT:

None.

MANAGER'S REPORT:

None.

CLERK'S REPORT:

None.

LAW DIRECTOR'S REPORT:

None.

POLICE CHIEF'S REPORT:

Chief McGill wished everyone a Happy New Year. He then commented on the Police Department Budget stating that he spent the last few days comparing the figures. They have been receiving less from the General Fund then they have in the past. Salaries and salary related

MUNICIPALITY OF GERMANTOWN COUNCIL
MINUTES OF MEETING HELD JANUARY 5, 2009

- 4 -

items were underestimated and also professional services. The issue has also been discussed with the Finance Director.

The issue of budget oversight and payment of bills was then discussed as well as who is responsible for the oversight and who signs the checks.

FIRE CHIEF'S REPORT:

None.

MAYOR'S REPORT:

Mayor Landis stated January 19th is a holiday and the Council meeting will be held January 20th.

COUNCIL MEMBER'S REPORT:

Mr. Terry Johnson reminded everyone the Park Board meeting will be held January 7th at 7:00 p.m. and wished everyone a Happy New Year.

Mr. Lawson stated he attended the Fire Oversight meeting earlier and at the meeting they discussed a levy for operations only which will be on the May ballot. Noel Watson was elected Chair and Tom Winning was elected as Vice Chair.

Mr. McClain stated he wanted Council to think about street projects for 2009 and that maybe we should concentrate on patching and repairs. He stated the Senior Citizens Oversight Committee meeting will be held on Thursday, January 8th at the Senior Center.

Mr. McClain then reported that at the Golf Tournament stating there were 52 participants.

Mr. Schwaberow then asked that the Finance Director attend the next meeting with figures on the fund balances.

LEGISLATION:

Introduction:

None.

Public Hearing:

Mayor Landis introduced Ordinance No. 08-89 for Public Hearing.

AN ORDINANCE TO REZONE PROPERTY OWNED BY HICKORY POINTE DEVELOPMENT LTD, BEING PARCEL ID NUMBER D13-003-07-0011 AND LOCATED

MUNICIPALITY OF GERMANTOWN COUNCIL
MINUTES OF MEETING HELD JANUARY 5, 2009

- 5 -

AT 7047 WEAVER ROAD FROM R-1AA PUD TO AGE RESTRICTED HOUSING OVERLAY DISTRICT.

Mayor Landis opened the Public Hearing. Mayor and Council were not addressed. The Public Hearing was then closed.

MOTION: Mrs. Gentry motioned to adopt Ordinance No. 08-89, second by Mr. Scott Johnson.

ROLL CALL: Mr. McClain, yes; Mr. Schwaberow, yes; Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mayor Landis, yes. 7-yes, 0-no. MOTION CARRIED.

OTHER BUSINESS:

MOTION: Mr. Terry Johnson moved to adjourn to executive session to discuss personnel matters, second by Mr. Schwaberow.

ROLL CALL: Mr. Schwaberow, yes; Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. McClain, yes; Mayor Landis, yes. 7-yes, 0-no. MOTION CARRIED.

Mayor and Council adjourned to Executive Session at 7:41 p.m.

EXECUTIVE SESSION:

PRESENT:

The following members were present at the start of the Executive Session: Mayor Theodore Landis, Mrs. Jeanne Gentry, Mr. Scott Johnson, Mr. Terry Johnson, Mr. Jim Lawson, Mr. Robert McClain; and Mr. Edward Schwaberow.

MEMBERS ABSENT:

None.

ALSO PRESENT:

Also present was Tom Schiff, Law Director.

The aforementioned persons discussed personnel matters.

Mayor and Council reconvened into Regular Session at 8:37 p.m.

MUNICIPALITY OF GERMANTOWN COUNCIL
MINUTES OF MEETING HELD JANUARY 5, 2009

- 6 -

MOTION: Mr. Lawson motioned to appoint Anna Sizemore as Acting Village Manager, second by Mr. Scott Johnson.

ROLL CALL: Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. McClain, yes; Mr. Schwaberow, yes; Mrs. Gentry, yes; Mayor Landis, yes. 7-yes, 0-no. **MOTION CARRIED.**

ADJOURNMENT:

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

The meeting adjourned at 8:39 p.m.

Respectfully Submitted,

Anna M. Sizemore
Clerk of Council

Theodore E. Landis
Mayor