

**MUNICIPALITY OF GERMANTOWN COUNCIL
MINUTES OF MEETING HELD MONDAY MARCH 16, 2009**

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The Municipality of Germantown Council met in regular session on Monday, March 16, 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; Scott Brown, Police Sergeant; Steve Fugate, Water Department Supervisor; Dennis Watson, Street Department Supervisor; Rebecca Jamison, Finance Director; Dan Alldred, Fire Chief; Anna M. Sizemore, Assistant Village Manager/Clerk of Council and one visitor.

APPROVAL OF MINUTES:

None.

PUBLIC RECOGNITION:

None.

CITIZEN'S FORUM:

None.

FINANCE DIRECTOR'S REPORT:

Mrs. Jamison reviewed the February Financial Report.

Mr. Scott Johnson stated he is very disturbed that the Village bills are being paid late.

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ACTING MANAGER'S REPORT:

Dennis Watson reported he received a reimbursement check from FEMA for \$19,604.00 for the September 2008 storm clean up. He is also expecting a reimbursement check for \$3,533.00, for the generator that supplied the Municipal Building during the storm.

Dennis Watson stated he has not heard anything regarding Pubic Works Sheets for the Fire Department. He assumes if they were going to pay for the deductible he would have already been contacted.

Dennis Watson stated the department repaired two storm sewers in the Village. He has also re-graded the gravel alleys that need to be done.

He stated that the street sign repair and replacement has been completed in the Village.

Mr. Schwaberow stated he would like to see a street program implemented. He is hoping the Village can get something together for the year.

Mr. McCain stated the bids should be reasonable for any projects due to the economy.

Mr. Terry Johnson questioned if the warning poles on Butter Street were weighted down, so semis and large trucks do not knock them over.

Dennis Watson stated he couldn't anchor them to the asphalt but he planned on using special glue. He is waiting for good weather to get this done.

Mayor Landis commented on the movement in Columbus concerning prevailing wages. He stated that prevailing wages cost the Village more money.

Mr. McCain stated he read that prevailing wages can cost an additional 30%.

Mrs. Sizemore stated that Jack Holbrook and Brian Wooley are starting school to obtain their water license.

Mrs. Sizemore stated the Community Garage Sale would be in May this year. The date has not yet been confirmed.

Mrs. Sizemore stated the Public Hearing for Rudy's Restaurant would be April 6th.

Mrs. Sizemore stated the Planning Commission Meeting would be March 24th.

Mr. Schwaberow questioned how the public would be informed about the hearing for Rudy's Restaurant.

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Mrs. Sizemore stated it would be aired on Channel 5, The Press, and letters would be mailed to residents within 200 feet of the site.

Mr. Schwaberow questioned how the hiring process was going for the part-time administrative employee.

Mrs. Sizemore stated she has received several applications and is planning on advertising in The Press.

Mr. Schwaberow stated he would like a timetable from Poggemeyer for the Dry Run Project.

Mrs. Sizemore stated the Mayor met with Franklin Regional and they settled on \$20,000 a year agreement for five years..

LAW DIRECTOR'S REPORT:

None.

POLICE CHIEF'S REPORT:

None.

FIRE CHIEF'S REPORT:

Chief Alldred stated in February the department had a total of 69 calls of which 57 were EMS calls.

Chief Alldred stated the department participated in the PTO Spring Carnival at the High School on March 14th.

Chief Alldred stated he has met with the construction company in regards to the damage to the fire house.

Chief Alldred announced the Germantown Fire and EMS would sponsor a pancake breakfast, on April 25th at the Senior Center.

MAYOR'S REPORT:

Mayor Landis stated he attended the FRWWTC meeting on March 4th. There are still problems with the OEPA, and obtaining a permit for the pump at the Twin Creek station.

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COUNCIL MEMBER'S REPORT:

Mrs. Gentry reported that she attended the Planning Commission meeting and discussed the cul-de-sac concerns of the fire department. Chief Alldred has concern that the trucks would have a problem turning around in the cul-de-sacs.

Mrs. Gentry stated she attended the City Beautiful Commission meeting. They discussed asking the Street Department to water the flowers in the pots, at the reader board and the clock.

Mrs. Gentry stated that the annual Arbor Day Tree Giveaway is soon.

Mrs. Gentry stated that they need nominees for the Fix Up Award.

Mr. Terry Johnson stated he spoke with Scott Roberts with VV Base regarding Kercher Park's hazardous weather issues at the Park Board meeting.

Mr. Terry Johnson stated that the responsibility would be on the coaches when hazardous weather approaches.

Mr. Terry Johnson stated the next Park Board meeting would be April 1st.

Mr. Terry Johnson stated the next Pool Board meeting would be March 25th.

Mr. Lawson stated he attended the Cemetery Board meeting last week and everything is running smoothly.

Mr. Lawson stated the Fire Oversight Committee would like to appoint Mr. Richard Pettit to the Committee.

MOTION: Mr. Lawson motioned to appoint Mr. Richard Pettit to the Fire Oversight Committee, second by Mr. Terry Johnson.

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.

Mr. McClain stated the following:

I have taken the responsibility of being a Councilman very seriously. I care about Germantown and have done my homework.
For the past few weeks my doctor has been treating me for high blood pressure and headaches which he believes are stress related. I am 68 years old and have never taken any medicine on a regular basis.

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I would like to live to enjoy a nice long retirement. By reducing the stress in my life, I hope to accomplish this goal. Additionally, my wife and I have been talking about moving to Elk Point, South Dakota.

That being said, I hereby resign from the Germantown Village Council, effective immediately.

Mr. McClain motioned that the Germantown Council recommend that he resign from Council, no second heard.

Mr. McClain exited the Council Chambers.

Mr. Schwaberow stated the Economic Development Meeting would be March 19th.

LEGISLATION:

Introduction:

Mayor Landis introduced Emergency Ordinance No. 09-13

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,650,000 OF BONDS FOR THE PURPOSE OF REFUNDING PUBLIC INFRASTRUCTURE IMPROVEMENTS BONDS (HICKORY POINTE PROJECT), SERIES 2006 DATED DECEMBER 14, 2006 ISSUED BY THE MUNICIPALITY OF GERMANTOWN, OHIO, FOR THE PURPOSE OF PAYING PART OF THE COST OF ACQUIRING AND CONSTRUCTING PUBLIC INFRASTRUCTURE IMPROVEMENTS IN THE HICKORY POINTE AREA, INCLUDING THE EXTENSION OF BUTTER STREET, THE CONSTRUCTION OF BEECHWOOD DRIVE AND COTTONWOOD COURT, TRAFFIC SIGNALS, CONSTRUCTION AND RELOCATION OF UTILITIES, AND IMPROVEMENTS TO STATE ROUTE 4, AND PARTICIPATION IN THE CAPITAL ASSET FINANCING PROGRAM, AND DECLARING AN EMERGENCY.

MOTION: Mr. Scott Johnson motioned to suspend the rules on Ordinance No. 09-13, second by Mrs. Gentry.

ROLL CALL: Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

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

MOTION: Mr. Scott Johnson motioned to adopt Ordinance No. 09-13, second by Mr. Schwaberow.

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ROLL CALL: Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

Mayor Landis introduced Emergency Resolution No. 09-14

A RESOLUTION TO AUTHORIZE THE ADVANCEMENT OF FUNDS FROM THE GENERAL FUND TO THE SEWER FUND, AND DELARING AN EMERGENCY.

MOTION: Mr. Scott Johnson motioned to suspend the rules on Resolution No. 09-14, second by Mr. Terry Johnson.

ROLL CALL: Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

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

MOTION: Mr. Scott Johnson motioned to adopt Resolution No. 09-14, second by Mr. Terry Johnson.

ROLL CALL: Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

Public Hearing:

Mayor Landis introduced Resolution No. 09-11.

A RESOLUTION AUTHORIZING THE ACTING VILLAGE MANAGER TO ENTER INTO AN ADDENDUM FOR THE FIRST OPTION YEAR OF THE CURRENT CONTRACT WITH RUMPLE OF OHIO, INC., 10795 HUGHES ROAD, CINCINNATI, OH 45251, FOR SOLID WASTE AND CURBSIDE RECYCLING COLLECTION SERVICES FOR THE PERIOD OF MAY 1, 2009 THROUGH APRIL 30, 2010.

MOTION: Mr. Schwaberow motioned to adopt Resolution No. 09-11, second by Mr. Scott Johnson.

ROLL CALL: Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

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Mayor Landis introduced Resolution No. 09-12.

A RESOLUTION AUTHORIZING THE ACTING MUNICIPAL MANAGER TO ENTER INTO A AGREEMENT WITH THE BOARD OF TRUSTEES OF GERMAN TOWNSHIP TO PROVIDE PARKS AND RECREATIONAL SERVICES FOR THE CITIZENS OF GERMAN TOWNSHIP AND THE MUNICIPALITY OF GERMANTOWN.

MOTION: Mr. Terry Johnson motioned to adopt Resolution No. 09-12, second by Mr. Scott Johnson.

ROLL CALL: Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

OTHER BUSINESS:

MOTION: Mr. Terry Johnson moved to adjourn to executive session to discuss council vacancy, second by Mrs. Gentry.

ROLL CALL: Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Lawson, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

Mayor and Council adjourned to Executive Session at 8:10 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, and Mr. Edward Schwaberow.

MEMBERS ABSENT:

None.

ALSO PRESENT:

Also present was Tom Schiff, Law Director.

The aforementioned persons discussed Council matters.

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Mayor and Council reconvened into Regular Session at 9:24 p.m.

MEMBERS ABSENT:

None.

ADJOURNMENT:

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

The meeting adjourned at 9:25 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor