

**MUNICIPALITY OF GERMANTOWN COUNCIL  
MINUTES OF MEETING HELD MONDAY JULY 6, 2009**

1

The Municipality of Germantown Council met in regular session on Monday, July 6, 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, Mr. Terry Johnson, Mr. Lynn Koogle, Mr. Jim Lawson, and Mr. Edward Schwaberow.

**MEMBERS ABSENT:**

The following Council members were absent: Mrs. Jeanne Gentry, Mr. Scott Johnson.

**ALSO PRESENT:**

Also present were Anna M. Sizemore, Acting Village Manager/Clerk of Council; Tom Schiff, Law Director; Scott Brown, Police Sergeant; and six visitors.

**APPROVAL OF MINUTES:**

None.

**PUBLIC RECOGNITION:**

None.

**CITIZEN'S FORUM:**

Ms. Charlie Mullins, 93 McCall Road, stated she approached Council a year ago regarding the noise level at Hillcrest Pump Station. She passed out photos of the area. She is now complaining about the raw sewage that is and has been a problem. It is not safe or healthy for anyone who lives up in that area, especially the children who are in the area. She would like to know when something would be done with the situation; it has been this way for at least three years.

Mr. Terry Johnson replied there have been a few e-mails regarding this issue. Steve Fugate, Mrs. Sizemore and he went out to the site and he had concern with the orange snow fence surrounding the area. Steve Fugate has contacted a fence company to contain the open area. As far as the leak, it is being addressed, but they are having problems getting parts. An Engineering firm is looking into the situation also.

**MUNICIPALITY OF GERMANTOWN COUNCIL  
MINUTES OF MEETING HELD MONDAY JULY 6, 2009**

2

Mrs. Sizemore stated she received estimates from Poggemeyer to repair the Hillcrest Pump Station. The final completion should be December 31<sup>st</sup>. There is a pump in Cincinnati and one in Columbus, if Steve Fugate goes to get the pump we will be able to take 30-45 days off the completion date. We have to have the pump here when the contractor arrives, if we do not have them we could have a problem with the contract by holding them up.

Ms. Mullins questioned if the new pumps would be underground, Mr. Terry Johnson replied yes.

Mr. Koogler stated he has concern about the residents in the Hillcrest area dealing with raw sewage. This needs to be addressed as soon as possible.

**FINANCE DIRECTOR'S REPORT:**

None.

**ACTING MANAGER'S REPORT:**

Mrs. Sizemore stated over the weekend the Village experienced vandalism to the bulk water station. Steve Fugate will be modifying the box so the box will not be able to be tampered with again.

Mr. Schwaberow questioned if they could get a report as to when the last time money was emptied. He suggested that a sign be put there stating this is emptied daily.

Mayor Landis stated that Steve Fugate had said he would look into putting a piece of PVC in the money box and have the money go into the building into a locked box. This would prevent anyone getting any money.

All agreed that Steve Fugate's idea would be good.

Mrs. Sizemore stated that the Village is experiencing a lot of vandalism lately.

Mrs. Sizemore stated the new circuit board was installed for the tornado siren. It was tested and everything seems to be running well.

She went on to say that they are working on the second round of lead and copper reports.

She also stated that at Triangle Station the pump is in the ground, and he should have the diesel pump removed by Friday.

Mrs. Sizemore stated that the Street Department has been helping out by emptying trashcans in the park area.

**MUNICIPALITY OF GERMANTOWN COUNCIL  
MINUTES OF MEETING HELD MONDAY JULY 6, 2009**

3

She received a call from a resident regarding the alley behind Mulberry; part of the alley is impassable. She recommended that everyone be thinking on how to deal with this alley situation.

Mr. Terry Johnson questioned how the tree removal situation on Gunkle was going, Mrs. Sizemore replied she was waiting on one more estimate, but had gotten one estimate that was much lower than the other two.

Mrs. Sizemore stated the materials from the bridge project that were not used were returned and the Village got back some of that money.

She also stated she had a meeting today with MVCC, Gov Tech and DP&L regarding the energy efficient program. If anyone would like more information they can get on DP&L's website or contact her.

She asked Council if they would have any information regarding Dayton Pike and what used to be Wetz Lane. A resident called regarding the address, once it was Wetz Lane and now it is Dayton Pike.

A brief discussion took place regarding the Wetz Lane address.

Mrs. Sizemore stated she has a performance review that Mr. Terry Johnson gave to her that was used a while ago. She asked if Council wanted a copy of this form used.

**LAW DIRECTOR'S REPORT:**

Tom Schiff stated he was gathering information from other jurisdiction regarding performance review forms.

He also has reviewed the contract with Interstate Gas Supply; it is a standard contract if Council is okay with what they are charging.

He concluded by asking Council when they want the property maintenance code.

Mr. Koogler stated they should be adding more to the property maintenance code not deleting anything. This needs to be added to a work session, and handled soon. This can be handled as we need to, and Tom Schiff shouldn't make this a top priority.

Mr. Terry Johnson stated it has been put to the side because there are so many other issues to deal with.

Tom Schiff stated it would be easier to make the changes at once and not add and delete over time.

**MUNICIPALITY OF GERMANTOWN COUNCIL  
MINUTES OF MEETING HELD MONDAY JULY 6, 2009**

4

He stated the code that is in place now is okay to use, it is not an emergency to do a revision.

Mrs. Sizemore stated that a sweep has been done throughout the Village regarding the trailers, campers, and boats; there are letters going out regarding these violations.

**POLICE CHIEF'S REPORT:**

None.

**FIRE CHIEF'S REPORT:**

None.

**MAYOR'S REPORT:**

Mayor Landis stated that Steve Fugate and he checked the Waffle Wagon; someone hit it and damaged the rear taillight. Hopefully it will be repaired and ready for the next Saturday Night Out.

He attended the Mayor's Conference, and the budget is overwhelming. He is planning on contacting Mike Turner and seeing if he can help Germantown out like he did with Vandalia. House Bill 141 was discussed at the conference. Bill 141 states that if anyone's house is in the path, they are required to tap in, and this will help with those charges and funds.

**COUNCIL MEMBER'S REPORT:**

Mr. Terry Johnson thanked everyone for his or her support of the 4<sup>th</sup> of July parade, the rain came right after the parade was finished.

He added that he attended the Park Board meeting last Wednesday. The fire apparatus show will be July 11<sup>th</sup> in Veteran's Park. There will be 35 teams participating in soccer this year at Kercher Park.

He added that work was done on the Toll House and they have recommended that the bottom floor of the Toll House be repaired. He plans on looking into this further.

He concluded in saying that the Village parks have had a lot of vandalism this year. We are asking for help from the residents, if you see this happening, please let an Officer know, it is your tax paying dollars that have to repair the vandalism.

Mr. Lawson questioned if park employee situation had been resolved.

**MUNICIPALITY OF GERMANTOWN COUNCIL  
MINUTES OF MEETING HELD MONDAY JULY 6, 2009**

5

Mr. Terry Johnson replied that the Park Board had discussed the individual being taken off the books. If someone from the Village takes care of the duties, there is no job description or title.

Mr. Lawson suggested that the duties are done by the Street and Water Departments and those employees have the overtime.

Mr. Terry Johnson questioned who would be paying the overtime hours; Mr. Lawson replied that the Village would be paying the overtime; we have employees willing to have the overtime hours, why go out and hire someone else.

Mrs. Sizemore added that the employees from the Street and Water Department are already doing some of the duties. We really need to look into the job description and other issues.

Mr. Koogle stated he attended the Senior Oversight meeting and Margaret Phelps went over the first quarter report. They elected him as the Vice Chair for the Senior Oversight Committee.

He concluded in saying that he received a phone call regarding the noise level on Market Street, and will address the situation with the Police Chief.

Mr. Lawson stated the Fire Oversight meeting would be next Monday at 5:30 p.m.

Mr. Schwaberow stated he attended the MVRPC meeting last Thursday, and he received a copy of their annual report. One of their main duties is coordinating State and Federal funds for transportation. MVPRC would like to do a presentation for Council in August regarding their master plan project for land use.

He concluded by saying that this year there are five seats available on Council. The Mayor's position is up, three Council members seats each with a four-year term, and Mr. Koogle's seat is a two-year term. Those residents who want to run must have a signed petition with 25 Village Electors and turned into the Board of Elections by August 5<sup>th</sup>.

**LEGISLATION:**

**Introduction:**

Mayor Landis introduced Resolution No. 09-23.

A RESOLUTION AUTHORIZING THE MIAMI VALLEY COMMUNICATIONS COUNCIL TO ENTER INTO AGREEMENTS TO IMPLEMENT AN OPT-OUT GAS AGGREGATION PROGRAM ON BEHALF OF THE VILLAGE OF GERMANTOWN.

**MUNICIPALITY OF GERMANTOWN COUNCIL  
MINUTES OF MEETING HELD MONDAY JULY 6, 2009**

6

Mayor Landis announced the Public Hearing would be July 20, 2009.

Mayor Landis introduced Ordinance No. 09-24.

AN ORDINANCE AMENDING ORDINANCE 08-81A FOR APPROPRIATION FOR CURRENT EXPENSES AND EXPENDITURES OF THE MUNICIPALITY OF GERMANTOWN, STATE OF OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2009.

Mayor Landis announced the Public Hearing would be July 20, 2009.

**Public Hearing:**

None.

**MEMBERS ABSENT:**

Mr. Terry Johnson motioned to excuse Mrs. Gentry and Mr. Scott Johnson, second by Mr. Koogle.

ROLL CALL: Mr. Lawson, yes; Mr. Schwaberow, yes; Mr. Koogle, yes; Mr. Terry Johnson, yes; Mayor Landis, yes. 5-yes, 0-no. MOTION CARRIED.

**OTHER BUSINESS:**

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

ROLL CALL: Mr. Terry Johnson, yes; Mr. Koogle, yes; Mr. Lawson, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 5-yes, 0-no. MOTION CARRIED.

Mayor and Council adjourned to Executive Session at 7:55 p.m.

**EXECUTIVE SESSION:**

**PRESENT:**

The following members were present at the start of the Executive Session: Mayor Theodore Landis, Mr. Terry Johnson, Mr. Jim Lawson, Mr. Lynn Koogle, and Mr. Edward Schwaberow.

**MEMBERS ABSENT:**

The following members were absent: Mrs. Jeanne Gentry and Mr. Scott Johnson.

**MUNICIPALITY OF GERMANTOWN COUNCIL  
MINUTES OF MEETING HELD MONDAY JULY 6, 2009**

7

**ALSO PRESENT:**

Also present was Tom Schiff, Law Director.

The aforementioned persons discussed personnel matters.

Mayor and Council reconvened into Regular Session 8:48 p.m.

**ADJOURNMENT:**

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

The meeting adjourned 8:48 p.m.

Respectfully Submitted,

---

Kelli R. Sanders-Novak  
Clerk of Council

---

Theodore E. Landis  
Mayor