

**MUNICIPALITY OF GERMANTOWN COUNCIL  
MINUTES OF MEETING HELD MONDAY SEPTEMBER 8, 2009**

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The Municipality of Germantown Council met in regular session on Monday, September 8, 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. Lynn Koogle, Mr. Jim Lawson, and Mr. Edward Schwaberow. Mr. Terry Johnson arrived at 7:18 p.m.

**MEMBERS ABSENT:**

None.

**ALSO PRESENT:**

Also present were Anna M. Sizemore, Village Manager; Tom Schiff, Law Director; Scott Brown, Police Sergeant; Roy McGill, Chief of Police; Kelli Sanders-Novak, Clerk of Council, and several visitors.

Mayor Landis introduced Kelli Novak as the new Clerk of Council. Mrs. Sizemore and Mrs. Novak are working very hard to get the minutes caught up.

**APPROVAL OF MINUTES:**

None.

**PUBLIC RECOGNITION:**

Rick Stanforth with Five Rivers Metro Parks gave a presentation regarding the Metro Park Levy, Issue #4.

Mr. Schwaberow thanked the Metro Parks for the nice bike path here in the Village.

**CITIZEN'S FORUM:**

None.

**FINANCE DIRECTOR'S REPORT:**

None.

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**VILLAGE MANAGER'S REPORT:**

Mrs. Sizemore stated that Mrs. Novak just started last week and we are working to get things caught up; some of these things are new to her so just bear with us.

Mrs. Sizemore stated she spoke with the auditors and when the Village receives any sort of donation Council needs to accept the donations. The Fire/EMS did received a \$500.00 donation from Mr. and Mrs. Miller, and Council does need to make a motion to accept the donation. In the future when donations are received, Council will be asked to accept the funds.

**MOTION:** Mr. Lawson motioned to accept the donation from Mr. and Mrs. Miller, second by Mr. Scott Johnson.

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

Mrs. Sizemore stated there is an Emergency Ordinance on the agenda tonight, and the bank notified us today and we do not need to vote on the Ordinance as an emergency for the \$180,000 for Hillcrest.

Mr. Koogle stated he would like to just go ahead and get the Ordinance out of the way, and vote on it tonight.

Mr. Schwaberow questioned if Mrs. Sizemore could update Council regarding the water tower, Mrs. Sizemore replied the pipe has been delivered and Caldwell has dropped off a building permit for the water tower. We are waiting for John Bull with NIC to reply, regarding how involved they will be. Mr. Schwaberow questioned if we are okay with Public Works, Mrs. Sizemore replied yes.

Mr. Schwaberow questioned if the Village has plans of doing any street maintenance this year, Mrs. Sizemore replied yes, Terry Industries has submitted a bid proposal. They will be doing a large portion of the street repair this year, but some portions will be done in the spring at the same price that they quoted this year.

Mr. Schwaberow questioned how the web site was going, Mrs. Sizemore replied several items have been looked over, and we are adding information and making lots of changes. She has not received any comments or suggestions from Council yet.

Mr. Lawson questioned if Mr. Dowden could get the web site up and running and then add the information as he gets it, Mrs. Sizemore replied that she would give Mr. Dowden a call tomorrow.

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**CLERK'S REPORT:**

Mrs. Sizemore stated that Karen Willard and Megan Castle have appointed to the City Beautiful Committee.

**MOTION:** Mrs. Gentry motioned to appoint Karen Willard and Megan Castle to the City Beautiful Committee, second by Mr. Schwaberow.

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

**LAW DIRECTOR'S REPORT:**

None.

**POLICE CHIEF'S REPORT:**

Chief McGill welcomed Kelli to the staff, we are glad to have her. Last Monday the Police Officers had a training regarding the medical and mental survival for the Police Officers. During the meeting two Officers received awards; Paul Wale for outstanding service and Mark Miller for outstanding service. We also took the 2009 Police Officer group picture. He also thanked Mrs. Sizemore for stopping by the meeting and speaking to the Officers.

**FIRE CHIEF'S REPORT:**

None.

**MAYOR'S REPORT:**

Mayor Landis announced that Trick-or-Treat will be October 31<sup>st</sup> 6-8 p.m.

Mayor Landis wanted to thank Officer Darryl Swafford for a job well done. A resident phoned him and said very kind things about Officer Swafford, and we are lucky to have such good people working for the Police Department.

He went on to say last week the Boy Scouts came for a tour of the Village Offices and the Fire Department. The boys enjoyed seeing the fire trucks and the ambulances.

He concluded in saying he and Steve Fugate attended the FRWWC meeting on September 2<sup>nd</sup>. In October we should know what the amount is for the true up funds.

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**COUNCIL MEMBER'S REPORT:**

Mrs. Gentry stated she was very happy to see Karen Willard and Megan Castle show interest in the City Beautiful Committee. The Fix Up award will be going out September 9<sup>th</sup>. She also welcomed Kelli to the staff.

Mr. Terry Johnson welcomed Kelli, and stated he looks forward to working with her. He also welcomed Mrs. Willard and Mrs. Castle to the CBC.

He went on to say he attended the Parks Board on September 2<sup>nd</sup>, they discussed the trees in Veterans Park. They are planning to trim them and deal with the issues of the mulch. He asked for suggestions that anyone may have regarding the park, so they could be considered for the 2010 budget.

He concluded in announcing that the Pool Board will meet September 15<sup>th</sup>.

Mr. Lawson commented on how well the Village is trying to manage the funds, even though the Country is being hit so hard. Some jurisdictions are laying off city employees, including Police Officers.

Mr. Schwaberow questioned if the new soccer fields were going to be in by the end of the year or early next year, Mr. Terry Johnson replied that they were doing their best, and would plan on having them up and running by next year.

He then questioned if Mrs. Sizemore had an update on the sewer lines on East Market Street, Mrs. Sizemore replied she would look into that.

**LEGISLATION:**

Mayor Landis introduced Emergency Ordinance No. 09-28

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON THE LOTS OF THE VILLAGE OF GERMANTOWN TO PAY THE COST AND EXPENSES OF FURNISHING AND MAINTAINING A STREET LIGHTING SYSTEM FOR 2010 IN THE VILLAGE OF GERMANTOWN, AND DECLARING AN EMERGENCY.

**MOTION:** Mr. Koogle motioned to suspend the rules on Ordinance No. 09-28 second by Mr. Scott Johnson.

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

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

**MOTION:** Mr. Schwaberow motioned to adopt Ordinance No. 09-28, second by Mrs. Gentry.

Mr. Terry Johnson questioned if this was the lighting ordinance that was addressed every year with Mrs. Sizemore stating yes.

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

Mayor Landis introduced Emergency Ordinance No. 09-29

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOTES IN THE PRINCIPAL AMOUNT OF \$180,000, BY THE MUNICIPALITY OF GERMANTOWN, MONTGOMERY COUNTY, OHIO IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF SANITARY SEWER IMPORVEMENTS INCLUDING A LIFT STATION, AND DECLARING AN EMERGENCY.

**MOTION:** Mrs. Gentry motioned to suspend the rules on Ordinance No. 09-29, second by Mr. Scott Johnson.

ROLL CALL: Mr. Lawson, yes; Mr. Schwaberow, yes; Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Koogle, yes; Mayor Landis, yes. 7-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. 09-29, second by Mrs. Gentry.

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

**Public Hearing:**

Mayor Landis introduced Resolution No. 09-25 for Public Hearing.

A RESOLUTION ADOPTING THE 2010 CAPITAL IMPROVEMENT PROGRAM.

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

**MOTION:** Mr. Koogle motioned to adopt Resolution No. 09-25, second by Mr. Scott Johnson.

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

Mayor Landis introduced Resolution No. 09-26 for Public Hearing.

A RESOLUTION DELETING THE CENTER STREET STREETScape FUND, N. WALNUT RECONSTRUCTION FUND, CHERRY STREET CAPITAL IMPROVEMENT FUND, DAYTON PIKE RESURFACING FUND AND THE DOWNTOWN STREETScape FUND.

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. 09-26, second by Mr. Schwaberow.

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

**OTHER BUSINESS:**

Mrs. Sizemore questioned if Council wanted to handle the 2010 budget in a different manner this year. Would Council like to have individual meeting to go over each department; or would you like to meeting in the evening or a Saturday morning.

Mr. Lawson stated he would like it presented in a manner that Council could just understand it.

Mr. Schwaberow stated that most of the budget relates to what is in effect currently. If any increases or decrease are involved, then Council needs to address them.

Mr. Koogle suggested that if any concerns arise to bring them to Council at that time. If a special meeting is needed then we will have one.

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Mrs. Sizemore stated that Department Budget meetings would begin at the end of September. She questioned Council if there were any other items that Council would like to see in upcoming work sessions. The Village needs to modify the property maintenance code and also the personal manual.

Mrs. Gentry questioned what needs to be done to the property maintenance code, Mrs. Sizemore replied that the current property maintenance code needs to be deleted and implement a new one.

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

ROLL CALL: Mr. Terry Johnson, yes; Mr. Koogle, yes; Mr. Lawson, yes; Mr. Schwaberow, yes; Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mayor Landis, yes. 7-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, Mrs. Jeanne Gentry, Mr. Scott Johnson, Mr. Terry Johnson, Mr. Koogle, Mr. Jim Lawson, and Mr. Edward Schwaberow.

**MEMBERS ABSENT:**

None.

**ALSO PRESENT:**

Also present was Anna M. Sizemore, Village Manager, Tom Schiff, Law Director.

The aforementioned persons discussed personnel matters.

Mayor and Council reconvened into Regular Session at 8:25 p.m.

**ADJOURNMENT:**

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

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The meeting adjourned at 8:26 p.m.

Respectfully Submitted,

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Kelli R. Sanders-Novak  
Clerk of Council

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Theodore E. Landis  
Mayor