

**MUNICIPALITY OF GERMANTOWN COUNCIL
MINUTES OF MEETING HELD MONDAY OCTOBER 05, 2009**

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The Municipality of Germantown Council met in regular session on Monday, October 05, 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. Lynn Koogle, Mr. Jim Lawson, and Mr. Edward Schwaberow.

MEMBERS ABSENT:

None.

ALSO PRESENT:

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

APPROVAL OF MINUTES:

Mayor and Council reviewed the minutes from February 2, 2009, February 12, 2009, February 17, 2009, March 2, 2009, March 16, 2009 and requested them to be revised.

Mr. Scott Johnson stated the minutes have been presented exactly the way Council asked, vague. The Council asked the minutes to be stream lined to get them caught up. If the Council is asking for the minutes to be revised, then the Council must give the Clerk strict guidelines as to what Council is wanting.

Mr. Schwaberow stated the essence of the discussion needs to be recorded in the minutes. He stated every word does not need to be recorded, but more detail needs to be present in the minutes for the future.

Mr. Koogle stated the minutes were done as asked, but more information needs to be in the minutes regarding discussions.

MOTION: Mr. Koogle moved to have the above Council Meeting minutes revised, second by Mr. Schwaberow.

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ROLL CALL: Mrs. Gentry, yes; Mr. Scott Johnson, yes; Mr. Terry Johnson, yes; Mr. Koogle, yes; Mr. Lawson, no; Mr. Schwaberow, yes; Mayor Landis, yes. 6-yes, 1-no.
MOTION CARRIED.

PUBLIC RECOGNITION:

Martin Kim with the Miami Valley Regional Planning Commission Board addressed Council and audience regarding "Going Places" phase one.

Mr. Koogle stated Germantown is located in the Southwest corner of Ohio and is not receiving any assistance for development. Many of the neighboring cities receive funds for development but not Germantown. In the plan that was presented, nothing will help Germantown.

Mr. Koogle stated he would participate in any discussion the MVRPC would have, but the Village of Germantown is still treated as the red headed stepchild. The Village will continue to apply and apply for grants but we know the funds will go to other cities.

Martin Kim stated all decisions and planning are made at a regional level.

Mr. Scott Johnson stated when the Village is dealing with the State or the County the funds go to Miamisburg or somewhere else. The Village does not get upset when the funds go to a location where interstates and development are growing rapidly.

Mr. Scott Johnson stated his opinion is that the Village should be annexed by Preble County, because the Village keeps sending funds to Dayton and getting nothing in return.

Mr. Schwaberow questioned Martin Kim if MVRPC looks at the master plans and incorporate them into the studies.

Martin Kim replied they do consider future development.

Mr. Schwaberow stated he has not looked at the Village's master plan in a while, but he has heard that there are many citizens that would not object to keeping the 5,000 people status and not see the Village grow.

Mrs. Gentry questioned Martin Kim if Germantown has ever come up in the planning process.

Martin Kim replied he did not have any success speaking with the former City Manger, but has been in contact with Mrs. Sizemore many times regarding planning.

Martin Kim thanked Council for the opportunity to speak with them.

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Mayor Landis recognized Dr. B.L. Berks for his valued dedication to the Village of Germantown and read a proclamation for Dr. B.L. Berks.

CITIZEN'S FORUM:

None.

FINANCE DIRECTOR'S REPORT:

None.

VILLAGE MANAGER'S REPORT:

Mrs. Sizemore stated the Senior Center has received two donations, and the Auditors have asked the Council to accept the donations. Heartland of Miamisburg donated \$200 for the bingo prizes, and Germantown Area Senior Citizens Inc. purchased and donated an Ohio State flag to be displayed at the Germantown Senior Center.

MOTION: Mr. Koogle motioned to accept the donations to the Senior Center, second by Mr. Scott Johnson.

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.

Mr. Terry Johnson asked Mrs. Sizemore to mail thank you letters to the organizations who gave the donations to the Senior Center.

Mrs. Sizemore stated she would send thank you letters on behalf of the Mayor and Council, and Margaret Phelps had sent thank you letters already.

Mrs. Sizemore stated the progress on the water tower is going well.

Mrs. Sizemore stated the bid advertisement for the Hillcrest Pump Station will be October 16th.

Mrs. Sizemore stated the budget meetings will start October 6th and continue the rest of the week; the budgets will be discussed during the work session of the next few meetings.

Mrs. Sizemore reminded everyone that the Fire/EMS meeting will be October 20th at 7:00 p.m. The meeting will be aired live on October 20th and we will have copies available at the Village office for anyone who would like to pick them up.

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Mrs. Sizemore stated on October 19th the Historical Society held their annual Ghost Walk in Veteran Memorial Park; while telling a story in the Toll House the floor collapsed. The Fire Department responded and there were minor injuries to two children. She has contacted the insurance company and made them aware of the situation.

Mr. Schwaberow questioned Mrs. Sizemore regarding the \$400,000 investment request on the Finance Directors report from the last Council meeting.

Mrs. Sizemore stated that Rebecca Jamison is looking into the \$400,000 now. She has also asked Rebecca Jamison to contact other areas to see how they are investing their items.

Mr. Schwaberow questioned if this would be addressed in the next Council meeting.

Mrs. Sizemore replied that the answers would be ready for the next Council meeting.

Mr. Schwaberow questioned Mrs. Sizemore regarding the Ordinance for \$192,000 for road paving, and if she had a list of roads that this would be covering.

Mrs. Sizemore stated the roads that will be paved at this time are North Hillcrest Drive, Angela Drive, Bradley Drive, Lisa Drive, Mark Court, Kathy Court and Gibraltar Drive. Since it is so late in the season they will only be doing the poly joint repairs and these repairs will cost \$26,482.50. The \$192,000 is an error on the contractor behalf, the original application it was bid two separate ways. The Village only wanted to do a project in the amount of \$126,000. Since the project is getting started so late in the year the Village will only be doing a project for \$26,000 and the remainder of the funds be carried over to 2010 and do a larger project.

Mr. Schwaberow questioned what the larger project will consist of next year.

Mrs. Sizemore stated the streets would need to be reviewed in order to determine the priorities. The street fund currently has \$100,062.44.

Mrs. Gentry asked Mrs. Sizemore to explain to the public the new water bill system.

Mrs. Sizemore stated that the Village started a new water billing system two months ago, and the system has had a few problems. The Water Department is trying to get everything corrected. Hopefully this problem will be corrected soon; Toni Lewis is working very hard with each customer.

CLERK'S REPORT:

None.

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LAW DIRECTOR'S REPORT:

Tom Schiff stated he and his family attended the Pretzel Festival and they all enjoyed themselves.

POLICE CHIEF'S REPORT:

None.

FIRE CHIEF'S REPORT:

None.

MAYOR'S REPORT:

Mayor Landis reminded everyone to support the Fire/EMS Levy that would be on the ballot on November 3rd

He then reminded everyone that Trick-or-Treat would be October 31st from 6-8 p.m.

Mayor Landis read a proclamation regarding 2009 National Breast Cancer Awareness Month.

He concluded that he and Steve Fugate will attend a meeting at FRWWTC on October 7th. The Village received a marginal score on the compliance inspection report. The maintenance cost are eating the Village alive, we simply do not have the funds to do the maintenance.

COUNCIL MEMBER'S REPORT:

Mrs. Gentry stated the Fire/EMS Levy is just operational, and to please support the Levy.

Mr. Scott Johnson stated he had seen on the news a city employee had gotten hurt on the job and hopes that the contractors that are working on the Village projects are using good judgment.

Mrs. Sizemore stated the Village staff would be attending safety classes the first week of November.

Mr. Terry Johnson stated the Park Board would be meeting October 7th and the Homecoming parade would be October 9th.

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Mr. Koogle stated he attended the Senior Oversight meeting and the Senior Center is doing well. He stated Margaret Phelps does an excellent job with the Senior Center. The Senior Oversight will be meeting on October 15th to review the 2010 budget.

Mr. Schwaberow stated the Economic Development Board had invited a guest to the next meeting to try and jump-start the economic development in the downtown area by improving signage. Hopefully the new signage would lead people to the downtown area, and utilize the businesses.

Mr. Schwaberow stated that ideas for the web site need to be given to Mike Dowden.

LEGISLATION:

Mayor Landis introduced Resolution No. 09-33.

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Mayor Landis announced the Public Hearing would be October 19, 2009.

Public Hearing:

None.

OTHER BUSINESS:

None.

MEMBERS ABSENT:

None.

OTHER BUSINESS:

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

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 8:20 p.m.

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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. Lynn Koogle, and Mr. Edward Schwaberow.

MEMBERS ABSENT:

None.

ALSO PRESENT:

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

Mayor and Council reconvened into Regular Session at 8:47 p.m.

ADJOURNMENT:

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

The meeting adjourned at 8:48 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor