

**MUNICIPALITY OF GERMANTOWN COUNCIL  
MONDAY FEBRUARY 1, 2010**

The Municipality of Germantown Council met in regular session on February 1, 2010 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. Steve Boeder, Mr. Terry Johnson, Mr. Michael Kuhn, Mr. Lynn Koogle, and Mr. Edward Schwaberow.

**MEMBERS ABSENT:**

Mr. Brian Wafzig was absent

**ALSO PRESENT:**

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

**APPROVAL OF MINUTES:**

Mayor and Council reviewed the January 19, 2010 Council Meeting minutes.

Mr. Schwaberow stated on page 3, under his report it should read, "the train system would travel through Carlisle and Miamisburg".

Mr. Schwaberow stated on page 4, first paragraph should read "from Dayton to Cleveland would be approximately six hours, and most would be able to get into their car and drive that in approximately four hours."

**MOTION:** Mr. Schwaberow moved to accept the January 19, 2010 Council Meeting minutes as amended, second by Mr. Boeder.

**ROLL CALL:** Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, abstain; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 5-yes, 1-abstention. **MOTION CARRIED.**

**PUBLIC RECOGNITION:**

None.

**CITIZEN'S FORUM:**

None.

**FINANCE DIRECTOR'S REPORT:**

Mrs. Sizemore stated that December 2009 Finance Report was given to Council in their packets. She did not receive any questions from Council regarding the report. In an e-mail she explained several payments, on page 10 regarding Income Tax Refunds.

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Mr. Schwaberow questioned about the funds in Star Ohio, Mrs. Sizemore replied that they are looking into various places to do investments. We are limited, as far as locally, because of the dollar amount they are allowed to take. We would like to transfer as much out as we can.

Mr. Schwaberow stated that the investments with Smith and Barney had gone down. He was not sure this was a good investment place, seems like a lot of the money is there. We may want to speak with our Investment Counselor there for advice.

### MANAGER'S REPORT:

Mrs. Sizemore stated that the Fire/EMS has received several more donations and Council needs to accept these donations. Ernest and Sandra Santos \$50.00, Charlene Bland \$10.00, Erik and Denise Luke \$100.00, Gerald and Joyce Zech \$50.00, and Farmersville O.E.S. \$25.00.

**MOTION:** Mr. Koogle moved to accept the donations to the Fire/EMS, second by Mr. Boeder.

**ROLL CALL:** Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Boeder, yes; Mayor Landis, yes. 6-yes, 0- no. **MOTION CARRIED.**

Mrs. Sizemore stated both Mr. Boeder and Mr. Schwaberow questioned the fire hydrant at McDonald's; it was our intent to have it fixed last week, but there were problems with a truck. They are planning to work on the hydrant on Thursday. The fire hydrant next to the house we own on Route 4 is not out of service; they flagged the hydrant so that personnel would know there is a hole next to it. We are able to use that hydrant with caution.

She went on by saying that tonight at the Fire Oversight meeting, the new Ambulance that was purchase by GRS was here. It will be in service in approximately two weeks, and we all would like to thank GRS for the new Ambulance.

She stated that a question was raised about the vacant homes in the Village and currently in the Village there are 39 vacant homes in the Village.

Mrs. Sizemore addressed everyone, including the public, in regards to the Water Department. The Utility Clerk has been receiving badgering and unpleasant phone calls due to the audit. She would like the public to be aware that an audit is done every two years. We were scheduled to have one done for 2007-2008 records, and that is currently being done. We are also having a special audit due to other issues. The Auditors have sent out letters regarding the special audit requesting information on utilities bill. That does not mean that the current Utility Clerk is a thief, it does not mean that she has done anything wrong. The Utility Clerk has had people come into the office and call her a "thief", and the public needs to know that if that is what she was, she would not be here. She went on by saying that she has 100% faith in Toni, and the job that she is doing, and she is sorry that Toni has to go through this. The things that are going on in the audit have nothing to do with Toni. If the utility bills seem to be high, the public cannot associate that with the audit that is being done, or accuse her of taking money. She feels sorry for Toni and what she is going through, because it is not her fault. Some people have gone so far as to say that a Council Member told them that she was a thief or even another Village employee.

Mrs. Sizemore stated that Steve Fugate did give her a report on the water tower. She shared photos of the water tower with Council.

She went on by saying that we have a lot of customers that are reading their own water meter. The Clerk will tell you that in the City of Dayton, you are required to have the City see your meter at least once a year. We have some legislation in our books and we may need to make it a little bit stronger. We currently have 274 people who received estimated January bills, and a lot of people who will not allow us into their home to look at their meter. She feels we need to have

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more strict enforcement due to our water bills. We have sent out repeated letters asking to get into the homes and we are not getting cooperation.

Mr. Schwaberow questioned if the meter reader has proper identification, Mrs. Sizemore replied yes.

Mrs. Sizemore stated that Council needs to think about this problem and ways of fixing it.

Mr. Johnson stated that if people will not let you in to read the meter, then why don't we go ahead and take the meter out of the home, install it outside of the home, and charge the resident for the move of the meter.

Mayor Landis stated that there is Legislation on the book that states that we must physically see the meter once a year.

Mrs. Sizemore stated that we are not the only Community that requires seeing the meter once a year.

She went on by saying that today the tornado siren in Hillcrest was working properly, and that Steve Fugate was correct and it was frozen.

Mr. Koogle stated that he has had a real problem with the meters not being in a standard location. When the Village installs the new remote readers they should all be located in the place at every resident. The other thing that bothers him is that when he moved into his home, his meter has the outside meter and it is located on the back porch. Everyone else on the street has their meter located in the front. This means the meter reader has to walk around the house to read just his, and then walk back around to keep reading the neighbors. The funny thing is that the meter is sitting in the front of the house. We need to evaluate what we are doing, the meter reader has to walk around his home, and how many other homes does he have to do that at. We are tying up their time with such little things. There are ways to make that job run more efficient and not take up so much time.

Mr. Schwaberow questioned how are we going to get the upper part of the water tank up to the upper part of the tank, Mr. Kuhn replied that Steve Fugate explained it to him that the way they built the concrete, they have some sort of pull system that will slowly pull it up, as they keep building it, until it gets to the very top. It is built in while they are building it, it is one big system. Instead of taking a crane and hoisting it up. If you look at it there are black metal pieces that look like they are slowly inched up the tower. He stated he thinks they are still constructing the tank and once it is done, then they start to move it up.

Mr. Schwaberow stated he just did not see how they were going to get the tank on top of the concrete portion.

Mrs. Sizemore stated that she would let everyone know when they plan to lift the tank onto the concrete column.

Mr. Schwaberow stated maybe we can get a video of the tank being lifted; it may be good for Channel 5.

Mayor Landis stated that Steve Fugate and he went to Louisville where the tanks are made and they showed them a video that was fascinating.

Mrs. Sizemore stated she would like to thank Richard Diaz with MVCC for all the work he did with our Channel 5. He took a lot of time changing pictures and logos, and it looks really nice.

Mr. Boeder stated he is not an Engineer, but he does know soils, and the pictures of the trench at the water tower. He does not feel that is acceptable by OSHA standards. He stated they need a box on that trench. He is concerned that the Village might bear some responsibility if someone

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were to get hurt. The man in the photo who is in the hole may be 5' 7" tall and there is another 4' of dirt above his head. If that soil ever gave way there is no way anyone would be able to get to them.

Mrs. Sizemore stated that she would contact Cully and let them know about the problem.

Mayor Landis stated that he thinks there was a box out by the highway, but why it is not being used he does not know.

### **CLERK'S REPORT:**

Mrs. Novak stated that the appointment of the boards were for Economic Development with one seat vacant and one person who is interested, Pool Board with one seat vacant and four people who are interested, and BZA with one seat vacant and one person is interested.

Mr. Schwaberow questioned that the Sunshine Law permits us to discuss in Executive Session appointments of employees and public officials. These would be public officials and he is not familiar with each of these individuals and he would like to discuss that. If there is something that may prohibit them from serving, that is not necessary to be public record. He feels it would not be proper to discuss publicly, if someone is a chicken thief or something, we wouldn't want to say publicly that and not appoint him. Maybe we need to have a caucus.

Tom Schiff stated he received an e-mail from Mr. Boeder asking for guidance with respect to this issue. He has done some research and if Council wants to discuss this during Executive Session they would be allowed to do so.

Mr. Schwaberow questioned the audience if there are any applicants for those positions here tonight. Mike Lucas spoke up and stated he was a applicant.

Mayor Landis questioned how Council would like to proceed, Mr. Koogle replied that we could take care of Economic Development now and then discuss the rest of them in Executive Session.

Mr. Schwaberow questioned if Council would be able to step out of the room for a minute, it shouldn't take long, or we can delay that part of the meeting.

Tom Schiff stated that there is already a request for Executive Session and we could take of this matter at that time.

**MOTION:** Mr. Schwaberow moved to delay the appointment of Boards and Commission until after Council discusses these matters in Executive Session, second by Mr. Kuhn.

**ROLL CALL:** Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mayor Landis, yes. 6-yes, 0-no. **MOTION CARRIED.**

### **LAW DIRECTOR'S REPORT:**

Tom Schiff asked Council to accept his apologies for being late; his son had a basketball game tonight.

### **POLICE CHIEF'S REPORT:**

None.

Mr. Koogle stated that he had mentioned this to the Clerk, but the Officers that deliver Council packets cannot put them in the mailboxes. He was summoned by the Post Office to come and

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pick his packet up from last week when he was out of town. They informed him that the Council packets cannot go into the mailboxes. We will be working out a location for each Council member to have their packets put when they are delivered.

**FIRE CHIEF'S REPORT:**

None.

**MAYOR'S REPORT:**

Mayor Landis announced that the next Council meeting would be held on Tuesday, February 15<sup>th</sup>, due to the holiday on February 16<sup>th</sup>.

**COUNCIL MEMBER'S REPORT:**

Mr. Boeder stated that he appreciated Mrs. Sizemore's report that came in the Council packet. That was what we were looking for, and it highlighted the key issues. He thanked Mrs. Sizemore for her effort.

Mr. Koogle asked Mr. Schwaberow if there is a Economic Development meeting or was it canceled.

Mr. Schwaberow replied that yes there was a meeting while he was gone, and the next one will be here in Council Chambers next time.

Mr. Koogle asked Mrs. Sizemore if there was a Senior Oversight meeting while he was gone, Mrs. Sizemore replied yes.

Mrs. Sizemore stated that Margaret Phelps is contacting a new cleaning company, due to problems she has been having with Jana King. Margaret went over the budget, and she handed out the new participation policy. She had an issue with a member that was being verbally abusive to other members in the Center. She is also looking into a reader board sign for the parking lot. The reader board sign will be purchased by GSAC and will inform members what is going on at the Senior Center. The dates for the meeting for the Senior Oversight will be quarterly.

Mr. Kuhn stated that a couple of interested parties got together last week to discuss Saturday Night Out. We will have the next meeting on February 10<sup>th</sup> to make a board, so it is easier on Mrs. Sizemore and everyone at the City building. We have looked into a lot and changed up things and will hopefully be able turn Saturday Night Out around and make into something viable.

Mr. Kuhn stated that he attended the Fire Oversight meeting, and it will need to be discussed in the work session.

He went on by thanking Mrs. Sizemore for the Memo in the Council packets.

Mr. Johnson announced that the Parks and Oversight meeting would be February 3<sup>rd</sup>.

Mr. Johnson questioned how close we are to getting a Property Maintenance Code to Council; Mrs. Sizemore replied there is a deadline of March 1<sup>st</sup>. He went on by asking if the outline of the retreat was complete, Mrs. Sizemore replied she would be getting that to Council next week.

Mr. Schwaberow stated that he attended the Economic Development meeting last Wednesday, and he congratulated Mr. Koogle who was nominated as the Chairman. He stated that Mr. Winning is the Vice Chairman of the Economic Development. They review a number of Economic Development issues that had been discussed during the Council retreat. He filled the

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board members in on some of the issues they want to keep working on. Signage, the website, and a couple of other issues. Mrs. Sizemore was present and she took the minutes and we will have those minutes in the next packet.

He went on by saying that he will attend the MVRPC meeting next Thursday morning. He stated that Ohio had received funds for railroads.

Mr. Johnson stated that scares him to death. As soon as they quit using it the gas prices will go up to \$10.00 a gallon.

Mr. Schwaberow stated that they do not expect the rider ship to pay for this, the State of Ohio will have to subsidize this by \$17,000,000 a year to begin with. That is money that could have gone into roadways. This will be interesting to see where we go with this.

**LEGISLATION:**

**Introduction:**

EMERGENCY RESOLUTION NO. 10-03

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO A CONTRACT WITH CARGILL, INC., 24950 COUNTRY CLUB BLVD., SUITE 450, NORTH OLMSTED, OH 44070 FOR THE PURCHASE OF HIGHWAY ROCK SALT IN THE AMOUNT OF \$65.01 PER TON, AND DECLARING AN EMERGENCY.

**MOTION:** Mr. Koogle motioned to suspend the rules on Emergency Resolution No. 10-03, second by Mr. Boeder.

ROLL CALL: Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, 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. Koogle motioned to adopt Emergency Resolution No. 10-03, second by Mr. Kuhn.

Mr. Schwaberow stated that the cost for this is much less then what we paid last year.

Mrs. Sizemore replied yes. She stated that it was over \$100.00 a ton last year. We still have approximately 300-350 tons in the salt bin and we will only purchase it if we need it. Dennis Wasson is watching the salt bins very closely.

Mr. Koogle questioned if salt prices went down during the off-season last year, Mrs. Sizemore replied no. He went on by saying that we need to track the prices of salt during the summer and purchase during the off-season.

Mr. Boeder asked if there was a time frame for this Resolution, Mrs. Sizemore replied until they re-bid the next contract, which is usually in the summer.

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ROLL CALL: Mr. Schwaberow, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mayor Landis, yes. 6-yes, 0- no. MOTION CARRIED.

EMERGENCY ORDINANCE NO. 10-04

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOTES IN THE PRINCIPAL AMOUNT OF \$395,000, BY THE MUNICIPALITY OF GERMANTOWN, MONTGOMERY COUNTY, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF ACQUIRING AND CONSTRUCTING PUBLIC INFRASTRUCTURE IMPROVEMENTS IN THE HICKORY POINTE AREA, INCLUDING IMPROVEMENTS TO STATE ROUTE 4 IN THE MUNICIPALITY, AND DECLARING AN EMERGENCY.

**MOTION:** Mr. Koogle motioned to suspend the rules on Emergency Resolution No. 10-04, second by Mr. Boeder.

ROLL CALL: Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, 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. Koogle motioned to adopt Emergency Resolution No. 10-04, second by Mr. Kuhn.

ROLL CALL: Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Boeder, yes; Mayor Landis, yes. 6-yes, 0- no. MOTION CARRIED.

EMERGENCY ORDINANCE NO. 10-05

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOTES IN THE PRINCIPAL AMOUNT OF \$240,000, BY THE MUNICIPALITY OF GERMANTOWN, MONTGOMERY COUNTY, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING PART OF THE COST OF RECONSTRUCTING CHERRY STREET INCLUDING PAVEMENT, CURB, GUTTER, STORM SEWER AND WATERLINE IMPROVEMENTS, AND DECLARING AN EMERGENCY.

**MOTION:** Mr. Schwaberow motioned to suspend the rules on Emergency Resolution No. 10-05, second by Mr. Johnson.

ROLL CALL: Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Boeder, yes; Mr. Johnson, 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. Schwaberow motioned to adopt Emergency Resolution No. 10-05, second by Mr. Boeder.

Mr. Boeder questioned if it was specified what portion of Cherry Street was included, Mrs. Sizemore replied South of Gunckel.

Mr. Schwaberow stated that with this note we will be paying \$20,000 toward the principle. We will continue on issuing one year notes and pay principle down unless or until sometime in the future we may want to issue a long term bond.

ROLL CALL: Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mayor Landis, yes. 6-yes, 0- no. MOTION CARRIED.

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**EMERGENCY ORDINANCE NO. 10-06**

AN ORDINANCE CONSOLIDATING TWO BOND ANTICIPATION NOTE ISSUES OF THE MUNICIPALITY OF GERMANTOWN, MONTGOMERY COUNTY, OHIO INTO A CONSOLIDATED NOTE ISSUE, AND ESTABLISHING THE TERMS OF SUCH CONSOLIDATED NOTE ISSUE, AND DECLARING AN EMERGENCY.

**MOTION:** Mr. Boeder motioned to suspend the rules on Emergency Resolution No. 10-06, second by Mr. Koogle.

**ROLL CALL:** Mr. Schwaberow, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, 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. Koogle motioned to adopt Emergency Resolution No. 10-06, second by Mr. Boeder.

**ROLL CALL:** Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 6-yes, 0- no. **MOTION CARRIED.**

**Public Hearing:**

None.

**OTHER BUSINESS:**

**EXCUSE ABSENT MEMBERS:**

Mr. Koogle motioned to excuse Mr. Wafzig, second by Mr. Schwaberow.

**ROLL CALL:** Mr. Johnson, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mayor Landis, yes. 6-yes, 0- no. **MOTION CARRIED.**

**WORK SESSION:**

Mrs. Sizemore questioned if Council had any other questions or anything they wanted to add to the 2010 Budget, but once we put the final numbers together we will have everything together and in the packets for Friday.

Mrs. Sizemore stated that Council had asked about bonding information, about the employees that are bonded. She checked with the Bond Council and the Finance Director is bonded for

\$90,000 and the Council Clerk, herself, the Income Tax Clerk, the Utility Clerk, the receptionist are all bonded for \$50,000 each.

Mr. Koogle questioned how much it would cost to increase the bonding, Mrs. Sizemore replied she would check into exact numbers.

Mr. Koogle stated that the Finance Director should probably be more than \$90,000. He questioned if the amount was based on the amount of funds the person handles. He suggested that we inform the Bond Council of how much the Budget is, and what should they be bonded for instead of pulling a number out of the air.

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Mrs. Sizemore stated it may require us to change Legislation to increase the bonding. We do not allow any other employees to handle money.

Mr. Schwaberow stated that there is a blanket bond for the overall coverage, so all the employees are covered in a minimal way.

Mr. Koogle stated that we definitely need to look into the Finance Directors bond.

Mrs. Sizemore stated that the delinquent water bills were brought up earlier. Some of these were because we did not read the meters and the current list of outstanding bills is \$23,762.55. Scheduled on payment plans that will be paid through the end of this year is \$8,451. She did check with the Utility Clerk for payment arrangement, and those payment arrangements are not in writing, but we are having the Law Director draft a payment agreement so we can get them to all the residents that they are affected by. Some of the bills have been paid off, and someone had mentioned to send the outstanding amount to a outside collection company. She does not feel it is necessary to do that at this time but Council needs to make that decision. It is the Village's fault for the meters not being read, and she thinks we are obligated to let the residents try and pay them as best they can; some of the amounts are minimal. We may need to look into increasing some of the amounts people are paying. Once Tom Schiff gets that agreement drafted we will have everyone's payment arrangement in writing.

Mr. Kuhn questioned if we have a plan in place to make sure everyone's meter is read once a year, Mrs. Sizemore replied yes.

Mrs. Sizemore stated that this will be a change but it is something we will have to enforce.

Mr. Schwaberow stated he would have to refer to our Ordinances but he believes we have the authority to discontinue service if they refuse to allow entrance, for the purpose of reading the meter. If it comes to that, I know we do not want to go that route.

Mr. Koogle stated that if they will not let us in the house to read the meter, they do not leave us any other choice.

Mrs. Sizemore stated that Toni does keep thorough records and it will also help that we are cross training the Street Department and the Water Department and combining them, because we had a issue with Don hurting his back and being off and those meters were not read until later. Those people who were involved that the extra week of water usage has made their water bill higher. Hopefully with issues like that, it will help with having everyone cross-trained.

Mr. Boeder questioned the reason we are going into the house is to verify the reading from the homeowner is okay, Mrs. Sizemore replied yes. She went on by saying it is not that we do not trust them, but the staff should be able to inspect it and make sure a proper reading is done.

Mr. Schwaberow questioned if Steve Fugate has installed some meters that are accessible by electronic impulse, Mrs. Sizemore replied yes. Mr. Schwaberow stated that he did not know where that program stood but it could be the solution to this problem.

Mr. Koogle stated that we need to standardize the new meters and the location they are installed.

Mrs. Sizemore read section 919.09 of the Village Ordinance in regards to the water meters at in the Village.

Mrs. Sizemore stated that the special audit that we have going on right now was going to put us on a payment plan. As of right now, we have made a one-time payment of \$16,000 and will be charging \$5,000 a month. We did not budget that much from the general fund, so we may need to make an adjustment.

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Mr. Boeder questioned if we know what the total cost of the special audit is, Mrs. Sizemore replied no.

Mrs. Sizemore stated that the regular audit is now gone, but they will be returning after the special audit is done. They will be back in early summer to look at the information they could not look at the first time.

Mrs. Sizemore stated that Fire Oversight passed a motion to recommend to recommend that Council work with GRS, Inc. to solve the EMS billing issue and to begin billing immediately.

Mr. Kuhn stated that there is a discrepancy between a few people on Fire Oversight. Some want to bill yesterday and some want to wait to bill. The motion that came out of the meeting was that we begin working with GRS to produce a billing system immediately, which was the motion. It was a broad course of action.

Mr. Boeder questioned if this was part of negotiating the extension of the contract, Mr. Kuhn replied this would be separate.

Mr. Kuhn stated that Mrs. Sizemore and Chief Alldred will be meeting with GRS soon to begin negotiating the contract.

Mrs. Sizemore stated that during the Fire Oversight meeting it was brought up that one way to look at it would be to wait until the end of this contract and then make the billing effective September 1<sup>st</sup>.

Mr. Kuhn stated the representative from GRS actually said she and the people at GRS would prefer that we hold off the billing until September as a courtesy to them for their years of service and if it actually came down to it they would actually pay what ever we estimated we would get through billing for that time. The number that was brought up was \$200,000. This amount would subsidize us for not going through with the billing.

Mr. Koogler stated that he liked to hear that, because it gives us a chance to really get the billing together before we start.

Mr. Kuhn stated that if they are willing to do that then we should really consider it.

Mr. Boeder questioned if this idea had been formally approved by GRS, Inc., Mr. Kuhn replied no and that we need to make a request for it. Mr. Kuhn went on by saying it was actually suggested by the representative from GRS, Inc.

Mrs. Sizemore stated that Chief Alldred and her are going to meet with Bev Campbell and Laurie Rohrbach on Thursday.

Mrs. Sizemore asked Council to look at the new Medic, it looks very nice. It is being stored at the Rescue Squad.

Mr. Schwaberow stated that we went through a lot of items during the retreat and told Mrs. Sizemore to bring them back to Council during the Work Session to grind out the details.

Mrs. Sizemore stated that we are now into Income Tax time and we have it posted that the Village will not be able to fill out the forms for the residents any longer. If they are done by a tax preparer or done by themselves, we will review the tax forms for them.

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**MOTION:** Mr. Johnson moved to adjourn to executive session to discuss personnel matters regarding the Water Department, the Street Department and the appointment of various boards, second by Mr. Kuhn.

ROLL CALL: Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mayor Landis, yes. 6-yes, 0-no. MOTION CARRIED.

Mayor and Council adjourned to Executive Session at 8:01 p.m.

**EXECUTIVE SESSION:**

**PRESENT:**

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

**MEMBERS ABSENT:**

Mr. Wafzig was absent.

**ALSO PRESENT:**

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

The aforementioned persons discussed personnel matters related to the Street Department, the Water Department and the appointment of various boards.

Mayor and Council reconvened into Regular Session 9:05 p.m.

The following members were present at the Call to Order: Mayor Theodore Landis, Mr. Steve Boeder, Mr. Terry Johnson, Mr. Michael Kuhn, Mr. Lynn Koogle, and Mr. Edward Schwaberow.

**MOTION:** Mr. Johnson motioned to appoint Mike Rieger to Economic Development, second by Mr. Koogle.

ROLL CALL: Mr. Schwaberow, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mayor Landis, yes. 6-yes, 0- no. MOTION CARRIED.

**MOTION:** Mr. Boeder motioned to appoint Mike Lucas to Pool Board, second by Mr. Koogle.

ROLL CALL: Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 6-yes, 0- no. MOTION CARRIED.

**MOTION:** Mr. Koogle motioned to appoint Scott Johnson to Board of Zoning Appeals, second by Mr. Kuhn.

ROLL CALL: Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Boeder, yes; Mayor Landis, yes. 6-yes, 0- no. MOTION CARRIED.

**ADJOURNMENT:**

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

The meeting adjourned at 9:11 p.m.

Respectfully Submitted,

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**MONDAY FEBRUARY 1, 10**

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Kelli R. Sanders-Novak  
Clerk of Council

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Theodore E. Landis  
Mayor