

**MUNICIPALITY OF GERMANTOWN COUNCIL
TUESDAY FEBRUARY 16, 2010**

The Municipality of Germantown Council met in regular session on February 16, 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. Brian Wafzig.

MEMBERS ABSENT:

Mr. Edward Schwaberow 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 February 1, 2010 Council Meeting minutes.

Mr. Kuhn stated on page 6, paragraph 7 should read "Fire Oversight passed a motion to recommend that Council work with GRS, Inc. to solve the EMS billing issue and to begin billing immediately".

MOTION: Mr. Johnson moved to accept the February 1, 2010 Council Meeting minutes as amended, second by Mr. Boeder.

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

PUBLIC RECOGNITION:

None.

CITIZEN'S FORUM:

None.

FINANCE DIRECTOR'S REPORT:

Mr. Sizemore handed out the January Finance Report. She stated that the Finance Director hand wrote some explanations regarding First National Bank.

MANAGER'S REPORT:

Mrs. Sizemore stated that the Fire/EMS has received several more donations and Council needs to accept these donations. Robert Stricker, \$100.00; Bill & Katherine Tipton, \$320.00; Charles Preston & Evelyn Amos, \$25.00; Alan & Rebecca Howell, \$56.50; Frank & Robin Dupps, \$100.00; James & Kimberly Cheatham, \$25.00; Kenneth & Barbara Gruver, \$25.00; and Ohio State Journal of Criminal Law, \$40.00.

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

MUNICIPALITY OF GERMANTOWN COUNCIL

TUESDAY FEBRUARY 16, 10

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

Mrs. Sizemore went on by saying that the snow removal has been going very well and the Street Department and the Water Department are working very hard. We are having a problem with vehicles that have been left on the streets downtown and on the side streets, some since the very first snowfall. The Police Department is looking for the owners of those vehicles, so they can be moved and we can clear the streets. They have been using the dump trucks to remove some of the snow downtown, and they are taking the snow to Kercher Park.

Mr. Johnson questioned Mrs. Sizemore if we still have something on the books regarding an Emergency Snow Route, Mrs. Sizemore replied yes.

She went on by saying that she spoke with Dennis Wasson and it has never been enforced, but it is something we need to look into.

Mr. Johnson stated that once Center Street is plowed with the cars sitting on it, you cannot get down the street after it has been plowed.

Mrs. Sizemore went over the handout to Council regarding the Council Retreat held in January.

She went on by saying that we had a sewer back up in Hillcrest, and the issue has been resolved. She spoke with the Supervisor and he stated that it was up to the resident to have it cleaned up and they are to contact their homeowners insurance and then we contact our insurance company. She was unaware of any policy in the past but we did call out Service Master to handle the issue and the bill is a little over \$2,000.00. The homeowner has filed a complaint with the EPA, so we will probably be receiving a violation, because it was our sewer back up Steve Fugate has spoke with the homeowner to install a back-flow regulator.

Mr. Johnson questioned if we have had problems with this property in the past, Mrs. Sizemore replied yes, but she does not know how long ago it was.

Mayor Landis stated that the sewer line runs through her front yard.

Mr. Wafzig questioned if it was something we did, Mrs. Sizemore replied that it is our responsibility because it was our sewer back up.

Mr. Boeder questioned why it was only one house, Mrs. Sizemore replied that this homeowner is the only one with a basement in that area. It was her understanding that this happened years ago at this home.

Mr. Kuhn questioned what was causing this problem, Mrs. Sizemore replied that Steve Fugate had said years ago he approached one of the Village Managers and at that time it was cost prohibited to do a relining.

Mr. Boeder stated that it should not be up to the homeowner, and we should take care of it, Mayor Landis replied that we couldn't go onto private property.

Mr. Boeder stated that we should obtain an easement, otherwise we will not be able to fix the problem.

Mayor Landis stated that he thought there was an ordinance that required residents to have a back flow meter.

**MUNICIPALITY OF GERMANTOWN COUNCIL
TUESDAY FEBRUARY 16, 2010**

Mrs. Sizemore stated that she would look into it and see if it is required to have back flow meters installed.

Mr. Wafzig stated that if back flow meters are required then she should submit it to her homeowners insurance.

Mr. Boeder stated that we need to have an official determination as to the liability we have, and if we are going to be responsible for the \$2,000, then we should have some control and we should have some easement to make the necessary repairs and service.

Mr. Johnson stated that we have a new Village Manager now and that you –Mrs. Sizemore- need to look into the cost of re routing the sewer line.

Mrs. Sizemore stated that the water tower would be jacked up Wednesday.

Mr. Boeder questioned the large Bicentennial sign on Route 4, has it out lived its usage, Mr. Johnson replied yes and no, it has out lived its usage for its intended use, but it may be able to be used if it is updated. He went on by saying that we may be able to have businesses or clubs put logos on it.

Mr. Wafzig stated that he does not think we want to paint over the mural, if we could use the post that is there for another sign.

Mr. Koogler stated that at one time we were looking into where we would be able to put the mural, we would have to find a building large enough to put the mural on. If we choose to take it down we would have to find a place to put it.

Mr. Wafzig stated that it says 2004, and doesn't look good, and some of the screening on the bottom is starting to fall off. It is starting to fade and rot, we have got to do something with it.

Mr. Johnson stated that the mural side would be the side to salvage, and maybe we should say "Thank you for visiting Germantown" on the other side. That is an on going process.

Mr. Boeder stated that we need to look down the road 10-15 years, regarding Dry Run, which is our low area, and we can service more residents.

Mr. Johnson stated that has been part of the argument, if that is even what we want to do. The biggest issue will be obtaining the easements and the land. That involves the court, the time and we have been through this before.

Mr. Boeder stated that he had been through a lot of easements and he is prepared to go through that process as long as in the long run we have the capability to put a new development in without having any significant changes on how we handle the sewage.

Mr. Johnson stated that it is available but the key issue will be the monetary issue of putting it in.

Mr. Johnson questioned if the Oversight position is only two years, Mrs. Sizemore replied that everything fluctuates. He went on by asking if we could get them all the same, she replied that we could, but it would take some time. He asked that we start working on getting them on the three or five year term.

Mr. Wafzig questioned the MVRPC news release that was in the Council packet, and that they have received a lot of stimulus funding, and have we submitted Dry Run for those stimulus funds, Mrs. Sizemore replied Poggemeyer did, and we did not receive anything.

Mrs. Sizemore stated that work session had been brought to her attention, and the work session is not something that is brought up under the Legislation part of our Ordinance book, but we have

MUNICIPALITY OF GERMANTOWN COUNCIL

TUESDAY FEBRUARY 16, 10

held work sessions. She would like Council's input on what they would like to see on the work session, and maybe put old business and new business, so that if Council has any issues they would like to address, please give it to us by Thursday before the meeting so it can be put on the agenda. This way the Law Director will also know what we are looking at. We may not need to have a work session at every meeting. She would rather know the exact issues that are going to be brought up, and will help us track the issues we have discussed and items we have dealt with.

CLERK'S REPORT:

Mrs. Novak stated that the appointment of the boards were for Park Oversight which is a two year term, and Mark Kozarec is currently on that board and is interested in serving again.

Mrs. Sizemore added that the Township Trustees have already appointed Mark Kozarec.

MOTION: Mr. Koogle moved to appoint Mark Kozarec to the Park Oversight Board, second by Mr. Boeder.

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

Mrs. Novak stated that the next appointment is for Personnel Board, which is a two-year term, and Harold Willard is interested in serving.

MOTION: Mr. Boeder moved to appoint Harold Willard to Personnel Board, second by Mr. Johnson.

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

Mr. Johnson questioned if we had any more positions to appoint tonight, Mrs. Novak replied she was not aware of any other appointments. Mr. Johnson stated that we have a Pool Oversight position that is open and has been open for over two years. He spoke with Randy Benson and all the people who have applied have been appointed positions. One person who has applied has not been appointed to a position.

MOTION: Mr. Johnson moved to appoint Jim Lawson to the Pool Oversight Board, second by Mr. Koogle.

ROLL CALL: Mr. Kuhn, yes; Mr. Wafzig, yes; Mr. Boeder, no; Mr. Johnson, yes; Mr. Koogle, yes; Mayor Landis, yes. 5-yes, 1- no. MOTION CARRIED.

LAW DIRECTOR'S REPORT:

Tom Schiff stated that he spoke with Mrs. Sizemore in regards to work session, and it is a order of business. He thinks Council could put it anywhere they would like on the agenda. He stated that you can do it as old business and new business maybe under the Managers Report.

He went on by saying that under the Legislation that will be dealt with tonight, there are four things and they are duplicates. They both relate to the budget, and there were so many changes made to the initial budget that was proposed, his suggestion was to vote down the original budget as presented at that time, as they were tabled, then approve the new budget. The cleaner way to do it would be to vote no on the 2009 Legislation, and yes on the 2010 Legislation.

Mayor Landis questioned if he would need to open the public hearing after it was brought off the table.

**MUNICIPALITY OF GERMANTOWN COUNCIL
TUESDAY FEBRUARY 16, 2010**

Mrs. Sizemore stated that we had the Public Hearing at the last meeting and then tabled the issue.

Tom Schiff asked for guidance from Council regarding criminal zoning violation cases that he has filed. The residents that were subject to those violations have gotten the message and have done what they are suppose to do and are no longer in violation. As he recalls, the purpose of filing criminal charges was to get the problem resolved, once the residents have done that, we would dismiss the case and have them pay court costs. He will make the criminal decisions, but this is more of a Village wide issue, and he wanted to make sure that this was okay with Council.

Mr. Koogle stated that our goal was to accomplish and if that is what we have to do to accomplish, he does not see any reason going any farther. Once it is done, it should be just done away with.

Tom Schiff stated that once we have compliance he will dismiss it and they can pay court cost and that will be the end of it.

POLICE CHIEF'S REPORT:

Chief McGill handed out the January report.

FIRE CHIEF'S REPORT:

Chief Alldred went over the January report.

MAYOR'S REPORT:

Mayor Landis gave the State of the Village to the public.

Mayor Landis stated he attended the FRWWC meeting. Mr. Dan Nicholas completed a audit inspection and we also passed our EPA inspection.

He went on by saying that he read a report from Margaret Phelps concerning the Senior Center, and he could not believe that she had to implement a participation policy for the seniors of Germantown. This is a sad situation. He added that Margaret Phelps is doing a excellent job down at the Senior Center and has everything under control.

COUNCIL MEMBER'S REPORT:

Mr. Boeder stated that Mrs. Sizemore, Mrs. Novak, Mr. Kuhn and he attended a MVCC meeting on February 3rd, and he found it very informational.

He also attended that Cemetery Meeting on February 8th, and they passed a resolution to rent out the house on the property. The house had considerable damage from the previous renters, so we are not allowing pets in the home any longer.

He went on by saying that he noticed that our Village does not have the storm drain tags that inform people to not dump into them, because it drains into the river. He is working to get some of these tags to put on the Villages storm drains, and he would be looking for volunteers to help place them on each drain if the grant is approved. It may cost the Village some lunches for the volunteers.

He added that he did not want anyone to construe his vote regarding Mr. Lawson, but it is a procedural thing in his opinion that we just discussed issues that need to come to Mrs. Sizemore

prior to the agenda being put together. He stated to Mr. Johnson that he is not speaking against any person, but for procedural sake, none of the other Council members were aware of the opening for Pool Board Oversight.

MUNICIPALITY OF GERMANTOWN COUNCIL

TUESDAY FEBRUARY 16, 10

Mr. Johnson replied that he understands that, but part of the Council is, that Council always votes yes on everything, folks just don't understand. He told Mr. Boeder to vote how you feel, as far as procedures go; Mrs. Sizemore contacted him about this opening.

Mr. Boeder stated that the opening was not on the agenda, so the other Council Members were not aware of it, and he would like to know ahead of time what will be on the agenda.

Mr. Johnson stated that some members of Council were aware of the situation.

Mrs. Sizemore added that the Council Representative and the Township Trustee recommend the Oversight. They are suppose to pick that person and make that recommendation to their respective boards. That is why Mr. Kazarec was recommended to Park Oversight.

Mr. Boeder stated that he read in the minutes from the Township that Mr. Kazarec had been recommended, but he knew nothing about Mr. Lawson.

Mrs. Sizemore stated that that just came up after getting things ready for Pool Board tomorrow.

Mr. Kuhn left the Council Chambers at 8:06 p.m.

MOTION: Mr. Koogle moved to present a plaque to GRS, Inc. stating the appreciation of the Village, the Residents of the Village and the Fire/EMS for the donation of the new Medic, second by Mr. Johnson.

ROLL CALL: Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, no answer; Mayor Landis, yes. 5-yes, 0- no. **MOTION CARRIED.** Mr. Kuhn was not present during the roll call.

Mr. Koogle stated that he would like to see that plaque given to them during the next Council meeting or whenever the plaque would be ready. He would like the people of the Village to be aware of what GRS has done for the Village.

Mayor Landis stated that by now everyone should know that Steve Fugate is retiring after 34 years, and he would like to see something done for him also.

Mr. Koogle stated that he was so proud of Margaret Phelps and the way she is handling the situation at the Senior Center. When he read what she had written down, it's so simple and precise that it cannot be misunderstood. He is very pleased at how she is running the Senior Center.

Mr. Boeder questioned if there was an incident that developed that required this to happen, Mr. Koogle replied yes, there was a situation that took place. Mr. Koogle went on by saying that there was nothing in place to know how to deal with these situations when they come up. She has older residents and some that are developing Alzheimer's, and it is silly to think that these things are not going to happen. Some of them do not remember what they have done a day later. When a situation comes up Margaret Phelps has to have the ability to handle the situation. Now if something happens they will have been given the rules, and she will be able to deal with it.

Mr. Kuhn returned to Council Chambers at 8:11 p.m.

Mr. Johnson stated that he would like to thank all the Service Department employees for all the work they have done with this last blast of Global Warming. If this is Global Warming, he is looking forward to the Global Freezing. He knows everyone wants their street cleared first, his

**MUNICIPALITY OF GERMANTOWN COUNCIL
TUESDAY FEBRUARY 16, 2010**

does not get done first either, and once they come through they plow his over too. If there is any issues please call the Managers Office, and they will take care of it as soon as possible.

He went on by saying that if anyone has missed VV Base sign ups, you can contact Scott Roberts the VV Base President at 937-554-0100, until March 1st. He would be able to answer any questions and get your child signed up.

He added that February 17th would be the Pool Board Meeting at 7:00 p.m.

Mr. Wafzig stated that he attended a meeting at MVCC on February 11th to discuss an extension of the gas aggregation program. This year Ohio is doing it a little differently; they had a retail gas auction. They opened up more competition and in result of that there is even more savings. Our current contract will expire at the end of the March billing cycle, guaranteeing our residents a savings of 4.6 cents per CCF below the Vectren rate. That contract, when it expires is not renewable, so IGS, who currently provides it, has submitted a new proposal to MVCC. The new proposal guarantees a savings of 3/10 of a cent per MCF, which is a higher unit. MVCC has estimated a saving of approximately \$3.00 per year, per household. Not quite as good as the last offering. Another proposal that required MVCC's endorsement of IGS energy's fixed rate plans, which would allow them to offer to our residents. This would also put MVCC's logo and endorsement, and in return IGS would some incentive to MVCC. No one was very comfortable with that, and MVCC did not want their name associated with an marketing. This year the aggregation contract was voted down this year and will expire. All of our customers will be returned to Vectren or one of the other companies that was involved in this public auction. The good news is that the price of natural gas was 102% of the New York Mercantile Exchange price plus \$2.35 per MCF. This year it is the New York Mercantile Exchange price plus \$1.55 per MCF. This was driven way down from because of this retail gas auction. Aside from saving money we will notice a small change on the Vectren bill starting in April, the third box down will read another carrier or Vectren. He also asked if we could advertise something on Channel 5 regarding this new change on the Vectren bills.

He went on by saying that Mr. Kuhn and he attended a organizational meeting for Saturday Night Out. The dates will be June 19th, July 17th and August 21st. They discussed with some of the organizers of the Oktoberfest, and it will be October 16th. The next Saturday Night Out meeting will be March 10th at 6:00 p.m. He stated they would like to see more people come out, the more people the better.

He added that he wanted to thank the Street and Water Department employees. He travels through six or seven jurisdictions on his way home from work, every time it snows Germantown is the best of any that he travels through. They have done a great job.

Mr. Koogle thanked Mr. Wafzig for going over the Vectren gas program. His wife called today and found out some information, but you have answered a lot of our questions. He also added that in the past few years at Saturday Night Out we have not had the cars at all. There is free advertising out there for car shows, especially the guy who goes out and video's. He has a website and it is free advertising. We don't have anyone new coming in, we have the same people each time, which is fine but if we are going through the trouble of having it, we should probably advertise it for free.

Mr. Kuhn replied that they are working on some things, and starting to go to other car shows again, and putting flyers on other cars and on different websites. They are planning on changing it up, maybe have some different main events.

Mr. Kuhn stated that Mr. Wafzig covered everything about Saturday Night Out. He did attended the MVCC meeting and it was great, he learned a lot.

Introduction:

ORDINANCE NO. 09-36

MUNICIPALITY OF GERMANTOWN COUNCIL

TUESDAY FEBRUARY 16, 10

AN ORDINANCE TO ADOPT THE 2010 MUNICIPAL BUDGET.

MOTION: Mr. Koogle motioned to remove Ordinance No. 09-36 from the table, second by Mr. Johnson.

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

MOTION: Mr. Koogle motioned to adopt Ordinance 09-36, second by Mr. Johnson.

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

ORDINANCE NO. 09-37

AN ORDINANCE FOR APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE MUNICIPALITY OF GERMANTOWN, STATE OF OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2010.

MOTION: Mr. Koogle motioned to remove Ordinance No. 09-37 from the table, second by Mr. Johnson.

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

MOTION: Mr. Koogle motioned to adopt Ordinance 09-37, second by Mr. Johnson.

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

Mayor Landis introduced Resolution No. 10-07.

ORDINANCE NO. 10-07

AN ORDINANCE TO ADOPT THE 2010 MUNICIPAL BUDGET.

Mayor Landis announced the Public Hearing would be March 1, 2010.

Mayor Landis introduced Resolution No. 10-08.

ORDINANCE NO. 10-08

AN ORDINANCE FOR APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE MUNICIPALITY OF GERMANTOWN, STATE OF OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2010.

Mayor Landis announced the Public Hearing would be March 1, 2010.

Public Hearing:

None.

OTHER BUSINESS:

EXCUSE ABSENT MEMBERS:

**MUNICIPALITY OF GERMANTOWN COUNCIL
TUESDAY FEBRUARY 16, 2010**

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

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

WORK SESSION:

Mayor Landis questioned if Council wanted to change the wording on the agenda in regards to the work session.

Tom Schiff recommended to Council that we add New Business and Unfinished Business to the somewhere in the agenda. He has been looking through the Robert's Rules and it does give suggestions.

Mrs. Sizemore stated that if we change the agenda it would change the code.

Mr. Johnson stated that under the section other business can we add the subtitle New Business and Old Business without changing the entire agenda. That does not actually change the agenda, because it would be under the heading of Other Business.

Mr. Wafzig stated that he would like to keep the work session separate from the regular meeting. He would like to see the Council adjourn and then go into work session. Work session is where we need to work out details and it's not a formal process.

Mr. Boeder questioned how do we address the situation that work session is not in the Charter, Tom Schiff replied that in the Council Rules 121.02 (a-p) and anything after adjournment is not covered by the code, so you can have the work session after the adjournment and not violate the ordinance.

Mrs. Sizemore stated that we will run into the problem of the public wanting to be able to watch the work session, Tom Schiff replied that was a Council issue.

Mr. Koogle stated that if the people take the time to watch the work session, are very interested in what is going on. He gets comments all the time is the work session is not aired. They want to know what we are talking about. They get to see the personality of the Council member and what they really care about.

Mr. Johnson stated that even if we adjourned from the regular meeting and go into work session, isn't that still a public meeting, because the entire Council is present; Tom Schiff replied it is still a public meeting but it is a different type of public meeting.

Tom Schiff stated that the only time work sessions are not televised is when we go into Executive Session, and then come back into work session.

Mr. Johnson replied the only time they are not televised is when executive session and no one goes and gets it back televised.

Mrs. Sizemore questioned if we need a work session at every meeting, Mr. Koogle replied no. He likes the idea of if someone has something that needs to be addressed; they need to inform Mrs. Sizemore ahead of time.

Mr. Johnson stated that if it is a time sensitive issue, then it can be discussed at that meeting.

Mrs. Sizemore stated that we have the work session and the regular meeting minutes as one now, and it seems to be working well.

Mr. Johnson recommend keeping the agenda the way it is and if you need a work session, you list it.

MUNICIPALITY OF GERMANTOWN COUNCIL

TUESDAY FEBRUARY 16, 10

Mr. Boeder stated that if Mrs. Sizemore needs time to prepare for a last minute work session then she should have the right to set this at a later date.

Mr. Boeder questioned under the public records law, if Council went into a work session tonight, and someone requested the minutes from the February 16th meeting, will they also get the work session minutes, Mrs. Sizemore replied yes, they will receive the whole meeting.

Tom Schiff stated that nothing says that Executive Session has to be at the end of the meeting. If that is keeping people from following the meeting from start to finish, we could always do Executive Session during the front end and then adjourn and go directly into a work session.

Mr. Johnson stated that we have had some Executive Sessions that can drag out, and if it is going to be lengthy he would it be toward the end.

Mr. Johnson asked Tom Schiff if he would refresh Council's memories on how Executive Session can be brought out. He thought it had to be by Mayor or, three or more Council Members, Tom Schiff replied that is just a special meeting of Council, not Executive Session. He added that anyone can request going into Executive Session.

Mr. Koogle stated that the lady that lives near him cannot walk past Federal Savings and Loan because they have all the snow piled up all around the pole. You cannot cross at the intersection, you have walk around a huge pile of snow and into the street. The guy who cleared Dave's parking lot, packed the snow up onto the corner, and the kids who walk to school have to walk in the street. They are completely blocking the sidewalk. He looked though the Codebook and could not find anything that addressed snow removal. Federal Savings and Loan is paying someone to clean the snow and he just piles it up past their door on the corner of the sidewalk. They own from that driveway to the alley that goes back to the library and it has not been cleared.

Mrs. Sizemore stated that we need to continue to put the snow in dump trucks and take it out to Kercher Park.

Mr. Koogle stated they should not be covering up the sidewalks, they have other places they can put this snow. He feels that these private contractors need to be notified not to cover the walkways. The Village comes and cleans it up, but it takes a few days and in the mean time the kids and pedestrians have to walk in the street.

Mrs. Sizemore stated that she would send a letter to the businesses asking their private contractor that they use not to put the snow on the sidewalk.

Mr. Koogle stated that he would like to see something in our Ordinance under the section that refers to streets, they cannot block the sidewalk with snow or anything else. Somehow the residents and the businesses have to be held responsible for their sidewalk. This has to be enforced and our Police Chief should be able to send a Officer and tell them they have to clean the sidewalk.

Mr. Boeder stated that he thought snow removal was mentioned in the code along with weeds.

Mrs. Sizemore replied it was, but once we start to enforce the issue we need to make sure we have the backing of Council when they all come in complaining.

Tom Schiff read section 521.06 regarding the snow and sidewalk.

**MUNICIPALITY OF GERMANTOWN COUNCIL
TUESDAY FEBRUARY 16, 2010**

Mr. Johnson stated that at one time we had emergency snow route signs on our street signs, but they are no longer there. He suggested putting those signs back up and enforcing it.

Mrs. Sizemore stated that we will get this started.

Mr. Koogle stated that this would be a good time to start this, with all the snow we have had.

Mr. Johnson stated that there is a car on Center Street that has snow on it from the first snow weeks ago.

Mrs. Sizemore stated that the Police Department is running into frustrations because they will move the car a inch and say that it has been moved.

Mr. Johnson stated that we could use the Senior Center Lot and the Village Building lot to park the cars when a snow emergency has been enforced. He also suggested contacting a couple of local church to see if we could use their parking lot to park the cars during a snow emergency. If that means we clear their parking lot for them in return if it is legally possible. If they do not know it, we have to make the residents aware.

Mr. Koogle stated that before he left on vacations there was a car on the street when he left, when he returned two weeks later, that same car was still sitting there and had not been moved. The Police did mark it, then the owner of the car came out and moved it one parking spot, and did not even remove the snow from it.

Mr. Johnson stated the biggest problem is getting the plow down the street. It is tough enough to get two cars down there, and then when you are try to get a plow down there too, it is not easy.

Mr. Wafzig suggested putting cars at Kercher Park during a snow emergency.

Mr. Boeder questioned if the Village would be paying the cost for towing, Mr. Johnson replied that the owner would be the one paying for the tow, if they want their car back.

Mr. Koogle stated that we just need to make sure we are following procedure. When we declare a snow emergency, it is fair game.

Mrs. Sizemore stated that a Code Red call went out for the City of Monroe, and that call went everywhere. It was a big mistake.

Mr. Johnson stated that if we declare a snow emergency, we would put it out on Channel 5, then send out a Code Red but if they do not have a 855 phone number will they receive the Code Red call, Mrs. Sizemore replied that the Code Red System can reach a cell phone, send text messages or any number they would give to us.

Mr. Johnson stated that we need to let people know that they need to give their phone number so they can be reached by the Code Red call. We need to put it on the web site to let the Village know their phone number.

Mrs. Sizemore stated that we have new special codes for the local stations to let them know of any cancellations and any thing like that.

Tom Schiff stated that the code in the Ordinance book that refers to snow emergency routes is sections 351.19 and 351.20.

Mr. Boeder stated he would like to see all the vehicles moved so that the guys could get one pass to clear the streets, it would make everything look so nice. If you look up at the new addition of Ron Heights, their streets are much wider. His street only takes two passes, those streets in Ron Heights take more than two passes.

Mr. Wafzig stated that if we are consistent and the word gets out it would be a lot easier.

MUNICIPALITY OF GERMANTOWN COUNCIL

TUESDAY FEBRUARY 16, 10

Mr. Kuhn stated that once they get their car towed, they would get the picture.

Mr. Koogle questioned if Mrs. Sizemore had gotten the microphones for Council Chambers, Mrs. Sizemore replied she would contact MVCC about that.

Mr. Kuhn questioned if anything had been done with Star Ohio, Mrs. Sizemore replied she would check with Mrs. Jamison.

Mr. Wafzig stated that in December Mrs. Sizemore mentioned digital recorders, Mrs. Sizemore replied that is the electronic equipment for Channel 5 that is upstairs in the office.

Mr. Wafzig questioned if we could look into digital equipment for down here in Chambers, Mrs. Sizemore replied the transcription equipment is very expensive.

A brief discussion took place regarding digital equipment.

ADJOURNMENT:

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

The meeting adjourned at 8:50 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor