

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**MONDAY, APRIL 19, 10**

The Municipality of Germantown Council met in regular session on April 19, 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. Lynn Koogle, Mr. Michael Kuhn, Mr. Edward Schwaberow and Mr. Brian Wafzig.

**MEMBERS ABSENT:**

None.

**ALSO PRESENT:**

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

**PUBLIC RECOGNITION:**

Sherry Parr, Superintendent of Valley View Schools, spoke about the upcoming renewal Levy for the Valley View Board of Education and Renew the View. She asked Council for their support.

Mr. Schwaberow questioned if there was a mandate that the schools go to an all day kindergarten; Sherry Parr replied that yes there is. It is House Bill 1. She went on by saying that Valley View Schools applied for a wavier and it will not go into effect until the 2011-2012 school year.

**APPROVAL OF MINUTES:**

Mayor and Council reviewed the April 5, 2010 Council Meeting minutes.

Mr. Boeder stated on page 1 under Fire/EMS Levy should read "polling".

**MOTION:** Mr. Schwaberow moved to accept the April 5, 2010 Council Meeting minutes as amended, second by Mr. Boeder.

**ROLL CALL:** Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, abstain; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mayor Landis, yes. 6-yes, 1 abstention. **MOTION CARRIED.**

**CITIZEN'S FORUM:**

Bob Neff, announced he would be retiring (from the Parks and Recreation Board) and thanked many citizens and organizations who have volunteered their time to the Village and the Parks.

Mayor Landis thanked Bob Neff for 32 years of service to the Village Parks.

Scott Green, 821 E. Market Street, stated that a sewer pipe backed up into his home and he has 2" of raw sewage in his basement. He is unable to live there and is only covered for \$5,000 on his homeowner's policy. He wants to know what the Village is going to do about the situation and does not feel that this is his responsibility. He would like to know why the Village does not

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have a plan in place for this type of situation and what the Village is going to do about the situation.

Mrs. Sizemore stated the staff found a blockage on Route 4, and we were able to clear it with the help of Miamisburg. Our jet machine is not as powerful as it needs to be which is another issue. She was just made aware of this situation this afternoon that the neighbors around Mr. Green have sewage backed up in their backyards. As of 6:00 p.m. tonight she had heard from another neighbor. At this time she is not exactly sure how many yards have been affected. She spoke with Tom Schiff about the situation and we have gone out and put lime down, to dry it up so we can go back and rake it out tomorrow. The policy in the past has been that it is turned into the homeowners insurance and then is turned over to the Village insurance. She spoke with Tom Schiff this afternoon and he told her to go ahead with the cleanup in the backyards.

Tina Arstingstall, 813 East Market Street, stated that she is also involved in the sewage backup. There are large pieces of human feces in seven of her neighbor's backyards. We all have children and they are unable to play outside with the yard the way it is. She stated that she is a nurse and that this situation is a health issue.

Mike Arstingstall, 813 East Market Street, stated that their insurance stated that this was a HAZMAT issue. He knows it is not the Village's fault and that we did not foresee it, but it is not his responsibility. He spoke with the Village Water Department and they are planning on raking it and then mowing it and let the rain wash it down the drain. This is unacceptable.

Tina Arstingstall went on by saying that Montgomery County Health Commissioner is coming out to evaluate the situation. There is a river of human waste running through their backyards.

Mike Arstingstall stated that this is a bigger problem than just coming out and raking it up.

Tom Schiff stated that this is something that Council needs to discuss in Executive Session.

**MOTION:** Mr. Koogle moved to adjourn to executive session to discuss pending litigation, second by Mr. Johnson.

**ROLL CALL:** Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, abstain; Mayor Landis, yes. 6-yes, 1-abstention. **MOTION CARRIED.**

Mayor and Council adjourned to Executive Session at 7:33 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. Edward Schwaberow and Mr. Brian Wafzig.

**MEMBERS ABSENT:**

Mr. Mike Kuhn and Mr. Lynn Koogle were absent.

**ALSO PRESENT:**

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

The aforementioned persons discussed pending litigation.

**MOTION:** Mr. Schwaberow moved to return to Regular Session, second by Mr. Boeder.

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ROLL CALL: Mr. Koogle, abstain; Mr. Kuhn, abstain; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mayor Landis, yes. 5-yes, 2-abstentions. MOTION CARRIED.

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

**FINANCE DIRECTOR'S REPORT:**

None.

**MANAGER'S REPORT:**

Mrs. Sizemore stated that the Fire/EMS has received two more donations and Council needs to accept these donations of \$100.00 each.

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

ROLL CALL: Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mayor Landis, yes. 7-yes, 0-no. MOTION CARRIED.

Mrs. Sizemore stated that during the Fire Oversight tonight we discussed the changes in the polling locations for the Village and the Township. They have been reduced to three locations Valley View High School, the Germantown Church of the Nazarene, and the Germantown United Methodist Church. The voters have been notified and they will have signs at the old locations on Election Day sending voters to their new location.

She went on by thanking Mr. Neff for his hard work and years of service. He has been a great asset to the Park Board and we appreciate everything he has done.

She addressed a question that Mr. Boeder had asked about a boat that was parked in a driveway and the reviewing of our Ordinances. They are enforced by NIC and there is a division as to whether or not it is a property maintenance issue or a zoning issue. Sometimes it becomes a Police issue if they are parked on the street. NIC is in the Village on a regular basis, and with the warmer weather they will be here more often. Recreational Vehicles are not to be parked in a resident's driveway or anywhere in the front yard. If anyone has any complaints or you see any that are in violation, call the Village office or call the NIC hotline.

Mr. Wafzig questioned the trailer at Route 4; Mrs. Sizemore replied that that property is a commercial property and it is allowed to be there. She went on by saying that there is a new business going in there and they have cleaned the property up.

Mr. Boeder questioned a vehicle that has been there for at least six months. He does not want us to site a neighbor of this property when this vehicle has been there for that length of time. Is it normal that this resident has not been contacted. Mrs. Sizemore replied that she would research it.

Mr. Boeder stated that he would like some clarification on how they enforce the code. If the front door faces one street and the garage faces the adjacent street, you can park something on the garage side. But they are not allowed to park on the front door side of the house. Mr. Koogle replied that a corner lot is a problem.

Mr. Boeder stated that the resident is on Arnold and they were unaware that they did anything wrong.

Mrs. Sizemore stated that the Planning Commission is looking into changing the recreational vehicle portion of the code right now. We have been having problems with some of the residents

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storing their recreational vehicles all season long in their driveway. They are not allowed to store these items in their front yard or driveways.

Mrs. Sizemore stated that she has met with Jeff Blume from Dayton Pool Management and everything that needs to be done with the pool has been done. Dayton Pool Management will come in and take care of the swimming pool and take care of a lot of things that our staff took care of previously. We will be putting the pool passes on sale soon. They will be on sale until Memorial Day weekend at the reduced price. We will have some changes and everyone will be issued an actual pass that will be laminated. They can take that pass to the Farmersville pool for a discounted rate.

Mr. Wafzig questioned if we would be sending a flyer home with the kids at school about the pool passes, Mrs. Sizemore replied yes, and those flyers will have to be approved by Mrs. Parr before it goes home with the kids. He also asked if we would be putting notes at the bottom of the water bills too, Mrs. Sizemore replied yes and it will also be advertised on channel 5.

Mrs. Sizemore stated that she did speak with Tom Borck about the water tower and she has also tried to contact his supervisor. Tom Borck has gone back through all the plans he has, and the only issues and notes he has in regards to the logo is the initial discussion he had when Mr. Bukus was here and it was the cardinal. He has offered to come to a Council meeting, but she does not know if Council will want him to come. He is also waiting to hear when Caldwell will be able to come back out here. They had to take care of something when they left here.

Mr. Schwaberow stated the whole issue comes down to who is going to accept the financial cost of making this right and that has not been determined yet.

Mrs. Sizemore replied that she does not feel it should be the Village and it may involve the Law Director.

Mr. Boeder questioned what was the component to the lettering. Mrs. Sizemore replied that she would check into that. He went on by saying that there had to be so much money that was allotted for the logo, and if it is just a matter of changing that design, we may not be that bad off.

Mrs. Sizemore stated that we would also have the expense of changing what is up there.

Mr. Schwaberow stated that he is concerned about covering what is up there and how long it will be until it will bleed through the nice logo.

Mr. Wafzig stated that he spoke with the guys on sight the night that he noticed that they were painting the wrong logo and they said it would not bleed through with the paint that they use. They will rough up the surface and put a new coat of paint over it and you will never know it and the paint would last 20 years.

Mrs. Sizemore stated that Tom Borck told her that he signed off on shop drawings and the turn around time on the drawings from being signed off on until they started painting was 1-2 days. She asked for the name of his supervisor and that person was not in the office. Tom Borck has made Poggemeyer aware of the situation.

She went on by saying that Excel Contracting was out today, and did some preliminary work at the Hillcrest Lift Station. The whole unit should be delivered next week and should be finished by the end of next week. We will have the Water and Street Department deliver a letter door-to-door to let those residents know what is going on.

Mr. Wafzig questioned what the next step was in regards to the water tower, Mrs. Sizemore replied she is waiting on numbers from Tom Borck and a time frame from Caldwell.

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Mrs. Sizemore stated that there is going to be some work done in the alley next to the prescription shop that should take about 30 days. The owner of the business is having some brickwork replaced and the contractor asked that they be allowed to block off the alley until the work is complete. The project should start at the end of the month.

She went on by saying that there have been some questions raised about the grass mowing of the parks, and she would like everyone to know that part of her job is to make sure that we use the Village tax payers dollars wisely. This year she would like to see if our employees can cut the grass at the parks, so if anyone sees any problems with the parks and the mowing is not acceptable to please call the Village office or have Mrs. Novak give you her cell phone number to reach her. She would like to hire a seasonal employee to cut the grass and it pays minimum wage. We have checked with several other communities and as she has stated before, we are one of the only ones who contract that work out. If it fails she will be the first to admit it did not work. The first couple of times it will take our employees a little bit longer until they get used to the equipment. They are also taking care of some weed eating that was left from last year.

Mayor Landis questioned what the minimum wage would be for the seasonal employee; Mrs. Sizemore replied that minimum wage would be \$7.30 and with PERS and Workers Compensation it would be \$8.65.

Mrs. Sizemore stated that we are also buying a new mower out of the Street Department fund. We have also cleaned up the bat-wing mower, and serviced the other mowers. They have only done one cutting so far, and have never used that equipment before.

Mr. Schwaberow questioned if they have mowed in front of the Municipal Building yet, because it does not look like it; Mrs. Sizemore replied she does not think so. He stated that he has mowed his yard three times already, so if this is any indication of the level of service that our people will provide, he has mixed feelings. Mrs. Sizemore stated that we did have a mower go down last week that they just picked up today.

Mr. Wafzig questioned if we are in charge of the mowing at Route 4, where all the trees are planted; Mrs. Sizemore replied that we do mow there. He stated that area had not been done yet.

Mr. Boeder stated that they basically manicure that area out there. They usually trim the trees every other time. He would like to see one or two passes on the walking trail. If it is just grass beyond that, let it go. He does not want to see us mowing just for the sake of mowing.

Mrs. Sizemore stated that she would pass the message along to the staff.

Mrs. Sizemore stated that she would like to see more perennials planted in the park that will come back every year, instead of a lot of annuals that we have to plant every year. She has not talked with CBC yet. They have not met in a couple of months, and she would like to make sure they would still be taking care of that.

Mr. Boeder questioned if they could get projections on revenue and cost on a monthly or quarterly basis to see where we are. Mrs. Sizemore replied that she would ask Ms. Jamison if she could get that report together for Council.

Mrs. Sizemore stated that she wanted to compliment our Administrative staff with this years tax collection. This is the first year in a long time that all the mail was opened, the deposits were done, and the money was completely out of here. It is not sitting anywhere and not stacked up somewhere. It may have been an issue a couple of times for residents that we were no longer are able to fill out the tax forms, but overall it went well.

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

None.

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**LAW DIRECTOR'S REPORT:**

None.

**POLICE CHIEF'S REPORT:**

Chief McGill stated that he has hired two new Police Officers and would like to bring them to the next Council meeting to formally introduce them to Council. The schedule did not allow him to do so tonight.

He went on by thanking Bob Neff for all his hard work with the parks over the years.

**FIRE CHIEF'S REPORT:**

None.

**MAYOR'S REPORT:**

None.

**COUNCIL MEMBER'S REPORT:**

Mr. Boeder stated that we have received our water-stenciling grant for \$500.00.

He attended the Cemetery Board Meeting last week and things are going well.

He stated that he is on the Natural Resources Assistance Council for Montgomery County. They administer Clean Ohio Funds, and they do have monies now that assist eligible communities to buy areas for parks. He would be willing to bring the materials in and give Council a detailed explanation of how you go through the application. They should have two sign ups this year for this money and you can get up to 75% of the cost. It may not take a lot to complete this purchase, but if you are interested he will spend the time to get us through it. We do not have to compete with any other Counties. We are sitting on quite a hefty some of money right now, so if the Village makes a viable offer, we would have a good chance of getting some of those funds.

Mrs. Sizemore stated that would be great because that issue has come up with the entrance to the Weber Complex off of 725.

Mr. Koogle stated that CBC was supposed to meet and did not. He will follow up on that and try to get them to meet before the next Council meeting.

He would like to request that a plaque be presented to Bob Neff for his years of service at the next meeting.

He questioned where we are with the Property Maintenance code; Mrs. Sizemore replied that she is hoping to have it to you by the next meeting.

He questioned how the search for the new Engineering Firm was going; Mrs. Sizemore replied that she has asked that each firm turn in eight copies of their proposal and the deadline is April 30<sup>th</sup>. Everyone will be getting a copy of his or her proposal. Once you have made your reviews we will interview the top firms.

Mr. Koogle stated that he would like for Mrs. Sizemore to preview the firms and give us her take on them.

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Mr. Kuhn stated that he attended the Fire Oversight meeting tonight and they discussed the upcoming Levy. He is hoping that we will be able to pass it this time.

He went on by saying that they are plugging away on Saturday Night Out. They should have a lot of things going on in July, as well in June and August.

He thanked Bob Neff for his years of service to the Village and the Parks.

Mr. Johnson stated that the next Pool Board meeting will be on April 28<sup>th</sup>.

He stated at times we have had a 17-minute marathon Council meeting and he would like Council to reconsider not having a Saturday meeting if at all possible. He stated that he is not at all opposed to having Saturday meetings, but if we were able to have it during our Work Session, it would be televised for the residents. He stated he is not avoiding a Saturday meeting; he just thinks there are better ways to do it.

He went on by saying that the ugly issue of campaign signs has raised its head again. It seems that it always happens during the levy and we have a bit of miscommunication in regards to the signs. He spoke with Mrs. Sizemore in regards to the signs. They tend to disappear and no one knows where they are going. If it is a right of way issue, we have asked the Street Department to simply move the sign back onto the property and make sure they are not in the right of way.

He stated that the career job goal of becoming a Varsity Baseball Coach was short lived. Unfortunately there were not enough young men who wanted to play. He stated that he will be doing some coaching at Madison High School and helping them.

He stated that he has been on the Park Board for many years. For some reason some residents have thought that Bob Neff has had a mowing monopoly on the Village parks. That has not really been the case. At one time, the Village contracted other people to do it, and it did not work out. He was contacted by the Village to do the mowing. Bob Neff's company will not go under by not cutting the parks grass. It was a pride issue, he lives in town and has been on the Park Board for many years. Bob Neff said throughout the years to go ahead and bid it out. He did not want a monopoly on it, and on more than one occasion asked us to bid it out. The Village was not doing him a favor. He was actually doing the Village a favor. He has had several companies tell him that they would not cut it for what he cuts it for. He hopes that it does work out and it does get better. He spoke with Mrs. Sizemore earlier and the mowing was not pretty last week, and the staff is new on it. It is a public perception and if we do not cut the grass where it is not seen, maybe out at Route 4, that may not be an issue. But when you have a bunch of children playing baseball and people are on it, that grass is going to have to be cut or we are going to hear about it. On the T-Ball fields last Thursday, fields six and seven needed some attention. Everyone seems to be able to complain in a small town but no one has the answers. At the end of the year we will see if it worked or not. He thanked Bob Neff for all his years of hard work that he has put into our Parks. Hopefully some way Bob Neff will be able to help us out or at least be there when we have some questions.

Mr. Schwaberow stated that the Economic Development meeting will be on Wednesday at 1:00.

He noticed in the budget that we have \$42,000 available under the Pool Capital Levy Fund, and the discussion last time was that the money was not limited to capital expenditures. He questioned if we have any planned capital expenditures at the pool at this time. Mrs. Sizemore replied that the only thing they were looking at would be a sign for the outside and possibly a large permanent shade structure.

Mr. Schwaberow went on by saying that since the pool failed to cover their expenses by \$40,000 last year and we coincidentally have \$42,000 in Capital Improvement money, he would like to see that limited. He would hate to see at the end of the year we are \$40,000 behind again and have

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to pull from the General Fund. Once you find out what the cost is for the shade structure and the sign, he would like to be made aware of it before we commit to it.

Mrs. Sizemore stated that the shade structure might be something that we do not end up doing this year.

Mr. Schwaberow questioned where we are with the hiring of the Finance Director; Mrs. Sizemore replied that we are ready to do the interviews.

Mr. Schwaberow stated that he wanted to back off the process of hiring the Finance Director and leave that up to Mrs. Sizemore. Ultimately it is her decision to hire the Finance Director. That person will work for her and she is responsible for getting the budget to us.

Mr. Boeder stated that he has some experience in selecting official people. Where he had worked in the past they had a panel of people who did the process. He feels that Council should participate to some extent. We are part of a team here, and he believes that issues have come up in the past because Council has not taken a more active roll. He does not want to see that happen again. He does not doubt that Mrs. Sizemore will pick the right person, but we need to be involved.

Mayor Landis stated that Mr. Schwaberow is exactly right. The Charter says this is an appointment made by the Village Manager, with Council's approval. We need to back off a little bit, but it is an Administrative issue and the Manager needs to deal with it.

Mr. Koogle stated that our involvement was with the applications, and reviewing of them. We have received some very good resumes, and Mrs. Sizemore needs to find someone that she can relate to and she can depend on. She will have to relate with this new person so they do not run into problems. She has to be comfortable with this new person.

Mr. Wafzig thanked Bob Neff for all his years of service to the Village.

He went on by saying that he attended a Saturday Night Out meeting on Wednesday at the Senior Center. There should be flyers going up in the local businesses and we will be getting booth applications available next week. There is also a new website called Germantown Festivals.com which will be taking the place of Saturday Night Out's old web site.

He questioned how the search for a new Service Director was going; Mrs. Sizemore replied that she is trying to compile a few advertisements to make sure we are covering everything that we want. She has also met with the staff a few times to see how things are working with all of them combined. The advertisement should be out this weekend.

Mr. Wafzig questioned how the newsletter was coming; Mrs. Sizemore replied that she would like to wait until after the Fire/EMS levy. We want to make sure that it is separate and not get lost in the shuffle of the levy. The first one will be brief, letting the residents know what we are doing. It is going to be expensive to mail it.

Mrs. Sizemore stated that Mr. Wafzig questioned her earlier about the Dayton Daily News red bags. She is getting the run around from Dayton Daily News as to whom she will need to contact to get that stopped. She has spoken with the Dixie Flyer people and she has explained to them that they need to walk it to the door, and not throw it into the driveway.

Mr. Wafzig stated that we just need to be consistent. We have asked the Dixie Flyer to not put them in the driveway; the Dayton Daily News needs to do the same. It becomes a security issue when they pile up newspapers in the driveways not to mention a eyesore.

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**Legislation:**

**Introduction:**

EMERGENCY RESOLUTION NO. 10-18

A RESOLUTION IN SUPPORT OF THE VALLEY VIEW BOARD OF EDUCATION AND RENEW THE VIEW, THE RENEWAL OF THE .0075 INCOME TAX, AND DECLARING AN EMERGENCY.

**MOTION:** Mr. Johnson motioned to suspend the rules on Emergency Resolution No. 10-18, second by Mr. Kuhn.

ROLL CALL: Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, 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. Johnson motioned to adopt Emergency Resolution No. 10-18, second by Mr. Boeder.

ROLL CALL: Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mayor Landis, yes. 7-yes, 0-no. MOTION CARRIED.

ORDINANCE NO. 10-19

A ORDINANCE CREATING CHAPTER 710 OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING HORSE-DRAWN CARRIAGES.

Mayor Landis stated the Public Hearing will be May 3, 2010.

**Public Hearing:**

None.

**OTHER BUSINESS:**

**EXCUSE ABSENT MEMBERS:**

None.

**WORK SESSION:**

**Route 4 Bicentennial Sign**

Mrs. Sizemore stated that at the last Council meeting she had mentioned someone who wanted to purchase the sign approached her. It was also brought to her attention that someone had purchased the sign and donated it to the Village. She made contact with Mr. Dupps and he said he had about \$20,000 invested into the sign. There is also involvement with Weidle's but she was unable to make contact with Weidle's today. Mr. Dupps told her that he did not have an interest in the sign, but she would like to make contact with Weidle before anything happens to the sign.

Mr. Wafzig questioned if anyone was really interested in selling the sign.

Mr. Schwaberow stated the last he heard was that we were going to store it and the artist would do some restoration to it. Then maybe we would hang it on a building in town.

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Mr. Kuhn stated that he would like to see it displayed in the Village, somewhere where it will not be destroyed. This would allow Mr. Dupps contribution to stand. He does not know what a private owner would want to do with it, but if at all possible it would be nice to hang it up publicly.

Mr. Wafzig stated that if KJ's does not work out, we need to ask one of the businesses downtown if they would allow us to hang the sign. It would be nice if we could get somewhere downtown to accept the sign.

Mr. Schwaberow suggested a building next to Southard if it would work, but it may have windows on the side.

Mrs. Sizemore questioned Tom Schiff if it would be an issue to place the sign on private property. Tom Schiff replied that he would want to have some sort of contract.

Mrs. Sizemore suggested advertising to see if anyone would be interested in displaying the sign.

Mr. Kuhn suggested that Economic Development or CBC may be able find the best place to hang the sign.

Mr. Schwaberow questioned the size of the sign; Mr. Kuhn replied that he believes that it was 4x8 sheets of plywood and the sheets ran horizontal, three high. Approximately 12 feet high.

Mayor Landis suggested placing the sign near the soccer complex; Mr. Kuhn replied that if we place the sign in an open area again, it would just deteriorate like it has been. A shadowy area of a building may better for it. We may want to have a small fund that would allow the Village to put a coating on it every so many years.

Mr. Wafzig stated that an Economic Development meeting is coming up and maybe they need to talk about the placement of the sign.

Mrs. Sizemore asked if any of the Council members knew what the exact name of the pool was. She was wanting to order a sign and wanted to make sure that it is ordered correctly.

Mr. Johnson stated that it has never officially been named the Germantown Aquatic Center. They started calling it that after the new improvements were made to the pool. The Gators may have been the ones to start calling the pool the Germantown Aquatic Center.

Mayor Landis stated that if Council wants to make it official we need to pass a Resolution saying that this is the Germantown Aquatic Center.

Mr. Johnson suggested making it official and at the next meeting introduce the Resolution for it.

Mr. Boeder questioned if we need to have the Pool Board involved and give them the first crack at it. Mr. Johnson replied that he is the Council Liaison and he knows that they have referred to the pool as The Germantown Aquatic Center for the last couple of years. He will discuss it with the Pool Board before the next meeting to see if they have a problem with it.

**MOTION:** Mr. Johnson moved to adjourn to executive session to discuss pending litigation, second by Mr. Wafzig.

**ROLL CALL:** Mr. Schwaberow, yes; Mr. Wafzig, yes; Mr. Boeder, yes; Mr. Johnson, yes; Mr. Koogle, yes; Mr. Kuhn, yes; Mayor Landis, yes. 7-yes, 0-no. **MOTION CARRIED.**

Mayor and Council adjourned to Executive Session at 9:30 p.m.

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**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, Mr. Edward Schwaberow and Mr. Brian Wafzig.

**MEMBERS ABSENT:**

None.

**ALSO PRESENT:**

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

The aforementioned persons discussed pending litigation.

Mayor and Council reconvened into Regular Session at 10:20 p.m.

**ADJOURNMENT:**

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

The meeting adjourned at 10:21 p.m.

Respectfully Submitted,

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Kelli R. Sanders-Novak  
Clerk of Council

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Theodore E. Landis  
Mayor