

MUNICIPALITY OF GERMANTOWN COUNCIL

TUESDAY, SEPTEMBER 7, 10

The Municipality of Germantown Council met in regular session on September 7, 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: Mr. Steve Boeder, Mr. Terry Johnson, Mr. Lynn Koogle, Mr. Michael Kuhn, Mr. Edward Schwaberow and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mayor Theodore Landis was absent.

ALSO PRESENT:

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

APPROVAL OF MINUTES:

Council reviewed the August 16, 2010 Council Meeting minutes.

MOTION: Mr. Schwaberow moved to accept the August 16, 2010 Council Meeting minutes as submitted.

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

Council reviewed the August 19, 2010 Special Council Meeting minutes.

MOTION: Mr. Koogle moved to accept the August 19, 2010 Special Council Meeting minutes as submitted.

ROLL CALL: Mr. Johnson, abstain; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, abstain; Mr. Wafzig, abstain; Mr. Boeder, yes. 3-yes, 3-abstentions. **MOTION CARRIED.**

PUBLIC RECOGNITION:

Chief McGill, Chief Alldred and Mr. Johnson presented Mr. Lawrence Miller a plaque for his generous donations to the Fire/EMS and Police Departments.

Mr. Boeder acknowledged Mr. Morris and everyone else who helped place the storm drain stencils.

CITIZEN'S FORUM:

Bob Stallman and Wendell Adkins from DP&L introduced Mr. Adkins as the Community Ambassador for the Village. He will be the person that we will need to contact if we have any questions or need any information.

Bill Lauson, Principal of the Germantown Elementary School, proposed that Council change the direction of Comstock to no longer be a one way road going west. This would allow him to re-route the direction of buses, vehicles and children making the situation much safer and efficient.

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Chief McGill suggested that we just move the “One Way” sign from Plum Street to McClure (west), anyone who turns out of McClure (west) could go either direction. This would prevent people from coming into the school from Farmersville Pike.

MOTION: Mr. Wafzig moved to amend the Traffic Control Map so the “One Way” sign be moved from Plum Street to McClure (west).

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

MOTION: Mr. Boeder moved to adjourn to executive session to discuss board and city appointments.

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

Council adjourned to Executive Session at 7:24 p.m.

EXECUTIVE SESSION:

PRESENT:

The following members were present at the start of the Executive Session: Mr. Steve Boeder, Mr. Terry Johnson, Mr. Lynn Koogle, Mr. Mike Kuhn, Mr. Edward Schwaberow and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mayor Theodore Landis was absent.

ALSO PRESENT:

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

The aforementioned persons discussed board and city appointments.

MOTION: Mr. Johnson motioned to return to regular session.

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

Council reconvened into Regular Session at 7:50 p.m.

FINANCE DIRECTOR’S REPORT:

Mrs. Sizemore stated that Mr. Klein is balancing the books for August and will be present at the next meeting to give Council a report.

MANAGER’S REPORT:

Mrs. Sizemore spoke with the Auditors regarding large donations that are made to the Village. They suggested that we accept them like we do monetary donations. If Council does not want to accept any donations Council would need to tell the person or persons who is offering, that Council is not willing to accept the donation. Council needs to be clear as to what they want to do with any donation and we do not have to accept it.

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Mrs. Sizemore stated that Council needs to accept the two 2009 Ford McCoy Miller Ambulances that were given to the Fire/EMS Department as a donation from GRS, Inc.

MOTION: Mr. Koogle moved to accept the two 2009 Ford McCoy Miller Ambulances that were given to the Fire/EMS Department as a donation.

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

Mrs. Sizemore stated that the Fire/EMS has received several donations and Council needs to accept these donations of \$50.00, \$50.00, \$100.00, \$20.00, \$75.00, \$75.00, \$100.00, \$20.00, \$50.00 and \$50.00.

MOTION: Mr. Boeder moved to accept the donations to the Fire/EMS.

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

Mrs. Sizemore stated that the Park has received a donation and Council needs to accept this donation of \$150.00.

MOTION: Mr. Koogle moved to accept the donations to the Park.

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

Mrs. Sizemore announced that the Village of Germantown's Beggar's Night would be Saturday October 30th from 6:00 p.m. to 8:00 p.m.

German Township has requested a joint meeting with Council on October 4th in Council Chambers. Please let her know if you would like to discuss anything at that meeting.

Mr. Moore and she met with representatives from Caldwell Tanks and Tom Borck with Poggemeyer last week. They are a little behind on substantial completion of the water tower, but only by a week or so. The final completion date is the end of September and we should meet that deadline. We may want to consider applying an anti graffiti coating to the water tank and a maintenance contract. While they were here we did discuss the issues with the "old" water tower. The EPA wants an answer from us as to when we are going to take care of that tower. We will get quotes for the repairs to the old water tower and bring those numbers back to Council.

The Village and the Township will be moving the dirt pile at the water tower site and giving it to the cemetery this week.

Please return the evaluations for the Law Director to the Mayor by the next meeting.

Mr. Moore will be here at the next meeting to go over the Street Maintenance Program.

CLERK'S REPORT:

Mrs. Novak stated the Parks Board does have one vacant seat and we have received two letters of intent. Council will need to vote for one.

MOTION: Mr. Johnson moved to appoint David Shuey to the Parks Board.

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

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Mrs. Novak stated the Personnel Board does have three vacant seats and we have received three letters of intent. Council will need to vote for each seat.

MOTION: Mr. Johnson moved to appoint Jim Lawson to the Personnel Board with the position to expire in 2010.

ROLL CALL: Mr. Kuhn, no; Mr. Schwaberow, no; Mr. Wafzig, no; Mr. Boeder, no; Mr. Johnson, yes; Mr. Koogle, no. 1-yes, 5-no. MOTION FAILED.

MOTION: Mr. Johnson moved to appoint Tom Geglein to the Personnel Board with the position to expire in 2011.

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

MOTION: Mr. Johnson moved to appoint Scott Johnson to the Personnel Board with the position to expire in 2012.

ROLL CALL: Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, no; Mr. Wafzig, no; Mr. Boeder, no; Mr. Johnson, yes. 3-yes, 3-no. MOTION FAILED.

MOTION: Mr. Johnson moved to appoint Jim Wafzig to the Personnel Board with the position to expire in 2010.

Tom Schiff requested a moment to look in the Code book, and asked that the motion be tabled.

LAW DIRECTOR'S REPORT:

None.

POLICE CHIEF'S REPORT:

None.

FIRE CHIEF'S REPORT:

None.

MAYOR'S REPORT:

None.

COUNCIL MEMBER'S REPORT:

Mr. Boeder's Report:

He thanked everyone for their support with the storm drain stenciling. We only have a few more to put on.

He attended an Ohio Storm Water Association meeting and they gave the number to call if we ever notice a spill going into the Twin Creek or Little Twin. That number is 800.282.9378.

Mr. Koogle's Report:

He gave a presentation on the proposal from Mr. Hansford for the signs and monuments for the Village that was discussed at the Economic Development meeting.

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Mr. Kuhn's Report:

He thanked the volunteers for their help with the storm drain stenciling.

Mr. Schwaberow's Report:

He attended the Planning Commission meeting on August 25th. They discussed the height restriction on accessory structures in residential areas. The Chairman of the Planning Commission is working on revising our current Zoning Code. We will be bringing the revision to Council to review after the next Planning Commission meeting.

He also attended the MVRPC meeting and they discussed the consideration of the area wide water quality management plan.

Mr. Wafzig's Report:

He has been asked by residents about the street maintenance program. He invited everyone to attend the next Council meeting to hear those updates and provide input.

He will be attending the MVCC meeting before the next Council meeting and will have an update at that time.

Mr. Johnson's Report:

He attended the Park Board meeting and they discussed the Pretzel Festival. They also discussed purchasing a plaque in memory of Fred Samworth. Mr. Samworth was very involved with VV Base and the Park Oversight. Hillcrest Park was also discussed during this meeting. We need to look into the Pepsi Refresh Grant monies that would help with getting the Hillcrest Park redone.

He received several complaints about the pool, so he went to visit it for himself. The operation of the pool was adequate. The deep end did have some dirt, but it was late in the day. The pool should be clean at all times.

Mr. Johnson requested that we go back to the Personnel Board appointment. He stated that we had three individuals that applied that met the deadline. There have been times we have accepted applications after the deadline because no one has actually applied. He has known Jim Wafzig for many years, but his application did arrive after the deadline.

ROLL CALL: Mr. Boeder, yes; Mr. Johnson, no; Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, abstain. 4-yes, 1-no, 1-abstention. MOTION CARRIED.

Legislation:

Introduction:

EMERGENCY RESOLUTION NO. 10-36

A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH PATRICK HANSFORD ASSOCIATES, 193 CHERRY DRIVE, CENTERVILLE, OH 45459, FOR SCHEMATIC DESIGN SERVICES FOR IDENTIFICATION SIGNS AND MONUMENTS FOR THE VILLAGE OF GERMANTOWN, AND DECLARING AN EMERGENCY.

MOTION: Mr. Koogle motioned to suspend the rules on Emergency Resolution No. 10-36.

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

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Mr. Johnson opened the Public Hearing, Council was not addressed. The Public Hearing was then closed.

MOTION: Mr. Wafzig motioned to adopt Emergency Resolution No. 10-36.

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

Public Hearing:

None.

OTHER BUSINESS:

Tom Schiff stated that it has been brought to his attention that there have been individuals who have been talking about hanging out at Camp Miami. Everyone needs to understand that it is a very unsafe place. Any adult that is caught will be charged with criminal trespassing. He will not as the prosecutor for the Village amend, modify or change that charge. He will not make any deals with anyone for the trespassing charge. The same rules apply for juveniles.

EXCUSE ABSENT MEMBERS:

MOTION: Mr. Wafzig motioned to excuse Ted Landis.

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

WORK SESSION:

Pretzel Festival.

Council discussed the Pretzel Festival moving to the downtown area and the Pretzel Festival Committee having Veterans Park surveyed. It was decided to look into upgrading the electric downtown to accommodate the festival.

Mr. Wafzig suggested combining the Pretzel Festival and Oktoberfest and having one big festival.

Council Retreat.

Council discussed having another retreat to discuss this year and next year's goals. It was determined that the Manager would talk with the Finance Director to see how he would like to handle the budget meetings.

Other Business.

Mr. Wafzig stated he has had residents question if we could put a flashing light up on the Pike to inform drivers that they are entering a school zone area. Mrs. Sizemore replied that our traffic engineer would have to study it.

Mr. Johnson stated that he would like to see the Property Maintenance Code put on the next agenda to get the process started. Mrs. Sizemore replied that she would get copies to Council for the next meeting.

Council discussed the sidewalks throughout the Village. Many of them are in need of repair and the Village may want to consider doing a sidewalk audit.

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Council discussed the house on Route 4. They have not yet determined if they would like to have a business or a renter at that location. We still need to go in and clean the area and evaluate what needs to be done.

MOTION: Mr. Koogle moved to adjourn to Executive Session to discuss the employment of a public official.

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

Council adjourned to Executive Session at 9:28 p.m.

EXECUTIVE SESSION:

PRESENT:

The following members were present at the start of the Executive Session: Mr. Steve Boeder, Mr. Terry Johnson, Mr. Lynn Koogle, Mr. Mike Kuhn, Mr. Edward Schwaberow and Mr. Brian Wafzig.

MEMBERS ABSENT:

Mayor Theodore Landis was absent.

ALSO PRESENT:

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

The aforementioned persons discussed the employment of a public official.

MOTION: Mr. Koogle motioned to return to regular session, second by Mr. Kuhn.

VOICE VOTE ON MOTION. ALL IN FAVOR. MOTION CARRIED.

Council reconvened into Regular Session at 9:38 p.m.

ADJOURNMENT:

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

The meeting adjourned at 9:39 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor