

MUNICIPALITY OF GERMANTOWN COUNCIL

MONDAY, OCTOBER 18, 10

The Municipality of Germantown Council met in regular session on October 18, 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; Dan Alldred, Fire Chief; Roy McGill, Chief of Police; Matt Burns, Police Major; Scott Brown, Police Sergeant; Jonathan Moore, Service Director; Kelli Sanders-Novak, Clerk of Council; and several visitors.

APPROVAL OF MINUTES:

Mayor and Council reviewed the October 4, 2010 Council Meeting minutes.

Mr. Schwaberow stated that on page 4, second paragraph should read “awarding” not “rewarding”.

MOTION: Mr. Wafzig moved to accept the October 4, 2010 Council Meeting minutes as amended.

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

PUBLIC RECOGNITION:

None.

CITIZEN’S FORUM:

Sherry Parr, Valley View Superintendent, 51 Highland Place, reviewed the Power Point presentation that was given to Council regarding the Reconfiguration of the Valley View Schools.

Mr. Johnson stated for clarification purposes of a meeting that was held between the Superintendent, the Manager and himself. He questioned Mrs. Parr if she would elaborate on the wording in the Voices of the Valley newsletter and what was said during the meeting in the Village Managers Office. The newsletter states that the catalyst for Reconfiguration is the State mandating All Day, Every Day Kindergarten, and he has in his notes from the meeting that the reconfiguration was not about All Day Kindergarten.

Mrs. Parr stated that the catalyst means that it was what first prompted the decision to look at Reconfiguration. However it is not the only issue we are dealing with.

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Mr. Johnson stated at the last Board meeting there was a list of teachers concerns presented to the Board, and questioned if Council could have a copy of that list of concerns. Mrs. Parr replied that yes he may have a copy of the list; he would need to fill out a Public Records Request.

Mrs. Parr went on by saying that the President of the Valley View Teachers Association joined the Board of Education in a Work Session last Monday night and all the teachers concerns were addressed at that time.

Mr. Johnson stated with the All Day Kindergarten not being the only issue, the issue is that she needs to find more room for our already overcrowded buildings. The actual number of new rooms needed is two.

Mrs. Parr responded by saying they will need three new rooms. We are projecting that next year we will need to accommodate six to seven kindergarten classes. The Board of Education did purchase a home behind the Middle School and we will be moving offices to that building. Our old offices will be used for classrooms.

Mr. Johnson stated that his notes from the previous meeting say that five new rooms are needed.

He questioned if there has been any discussion proposed to our community about building a new High School on the donated property and moving the other grades to the other buildings. Mr. Dalton replied that they have not discussed that.

Mr. Wafzig questioned if the new traffic flow that Council just passed on Comstock would be affected if all the 6th grades are dismissed at the same time. Mrs. Parr replied that it would not be affected at all as far as what Council passed at this point.

FINANCE DIRECTOR'S REPORT:

None.

MANAGER'S REPORT:

Mrs. Sizemore stated that the Fire/EMS has received several donations and Council needs to accept these donations of \$25.00, \$100.00, \$50.00, \$25.00, \$50.00, \$25.00, \$10.00, \$10.00, \$100.00 and \$25.00.

MOTION: Mr. Johnson 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; Mayor Landis, yes. 7-yes, 0-no. **MOTION CARRIED.**

Mrs. Sizemore reviewed her report.

CLERK'S REPORT:

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

Tom Schiff stated that we did this process improperly last time and that the appointment needs to come from the Mayor according to the Charter.

MOTION: Mayor Landis moved to appoint Lavonna Weinel to the Personnel Board.

ROLL CALL: Mr. Koogle, yes; Mr. Kuhn, yes; Mr. Schwaberow, yes; Mr. Wafzig, no; Mr. Boeder, yes; Mr. Johnson, yes; Mayor Landis, yes. 6-yes, 1-no. **MOTION CARRIED.**

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LAW DIRECTOR'S REPORT:

Tom Schiff stated that he is dealing with unpaid/outstanding water bills.

He stated that we would be discussing the Property Maintenance Code later in the meeting. He spoke with Mr. Wafzig regarding the email he had sent to Council regarding RV's. He has four copies of the Property Maintenance Code and each one has different notes on it regarding RV's. He would like for Council to make the Legislative changes to the Property Maintenance Code instead of making the changes himself. Once Council has made a decision on how they would like the wording for RV's he will review that.

A brief discussion took place regarding the Property Maintenance Code and it was determined that Council would move forward with it as it is. The Property Maintenance Code is a living agreement and can be adjusted as need be.

POLICE CHIEF'S REPORT:

None.

FIRE CHIEF'S REPORT:

Chief Alldred reviewed the September Fire/EMS report.

DIRECTOR OF PUBLIC SERVICE'S REPORT:

Mr. Moore updated Council on the projects that his department is working on in the Village.

MAYOR'S REPORT:

Mayor Landis stated that flowers were being sent to Mayor Rosencrans on behalf of Council and himself. His death is a real tragedy.

Mayor Landis announced that October was Breast Cancer Awareness Month and asked that women get a mammogram to help detect breast cancer.

Mayor Landis stated that he received a call from Wade Rattliff regarding a Handicap Sign being placed in front of his home at Warren and Plum. This sign would be helpful to Mr. Rattliff due to his physical disability.

MOTION: Mr. Koogle moved to install a Handicap Sign at Mr. Rattliff's home.

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.**

COUNCIL MEMBER'S REPORT:

Mr. Boeder's Report:

He reviewed the storm drain street report that was given to Council. We have over 500 storm drains in our Community alone.

He went on by reviewing the article that he is going to have printed in the Germantown Press that highlights some of the work that has been done in the Community. It is our responsibility to educate the residents in the Village regarding our water quality.

He attended the Cemetery Board meeting and everything is going well. The house at the cemetery is vacant and they are looking for a new tenant.

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Mr. Johnson's Report:

The Parks Board was advised that the reseeded will be resubmitted for bid. The Law Director did look at the land in question at the Weber Sports Complex, and this was not included in the purchase. The Park Board would like to look into purchasing this piece of land to make the original land larger.

The Christmas celebration that will be held in Veterans Park is coming along nicely.

He asked if Mr. Moore would look into putting a dash line at the 5-way stop that may help people determine where Plum and Farmersville Pike go. Mrs. Sizemore replied that she will ask the Traffic Engineer to come out and look at the intersection.

Mr. Johnson stated that the questions he asked Mrs. Parr were not a calling out of Mrs. Parr, but were for clarification purposes only. If anyone was taking them in any other manner than that, was making more out of it than needs to be.

Mr. Koogler's Report:

He attended the Senior Oversight meeting on October 7th. Everything is going well and they are starting to look into the upcoming Senior Levy.

Mr. Kuhn's Report:

He attended the Township meeting on October 11th. He picked up a few Road Levy signs if anyone would like to put one in their yard to contact him or the Village Manager.

Mr. Schwaberow's Report:

None.

Mr. Wafzig's Report:

He suggested the Village participate in a Community Survey. The University of Dayton has a program that would be willing to conduct the survey and the Village would only have to pay for the postage of the survey. According to the records the Village has not done a Community Survey for over 10 years. We would need to make a decision soon because they would like to start the project in January.

Legislation:

Introduction:

ORDINANCE NO. 10-40

AN ORDINANCE TO REPEAL CHAPTER 505 OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN KNOWN AS ANIMALS AND FOWL AND TO ADOPT A REPLACEMENT CHAPTER 505 WHICH SHALL HEREAFTER BE KNOWN AS CHAPTER 505 ANIMALS OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN.

Mayor Landis stated the Public Hearing would be November 1, 2010.

ORDINANCE NO. 10-41

AN ORDINANCE TO REPEAL CHAPTER 1130 OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN KNOWN AS THE PROPERTY MAINTENANCE CODE AND TO

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ADOPT A REPLACEMENT CHAPTER 1130 WHICH SHALL HEREAFTER BE KNOWN AS CHAPTER 1130 PROPERTY MAINTENANCE CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN.

Mayor Landis stated the Public Hearing would be December 6, 2010.

Public Hearing:

RESOLUTION NO. 10-39

A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO, 451 WEST THIRD STREET, P.O. BOX 972, DAYTON, OHIO 45422 FOR EMERGENCY DISPATCH SERVICES IN A CONSOLIDATED EMERGENCY COMMUNICATIONS CENTER AS OPERATED BY THE MONTGOMERY COUNTY SHERIFF.

Mayor Landis opened the Public Hearing, Mayor and Council were not addressed. The Public Hearing was then closed.

MOTION: Mr. Schwaberow motioned to adopt Resolution No. 10-39.

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.

OTHER BUSINESS:

EXCUSE ABSENT MEMBERS:

None.

WORK SESSION:

Other Business.

MOTION: Mr. Johnson moved to adjourn to Executive Session to discuss personnel issues related to the Law Director.

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.

Council adjourned to Executive Session at 8:32 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, 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.

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The aforementioned persons discussed personnel issues related to the Law Director.

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

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

Council reconvened into Regular Session at 8:50 p.m.

Mr. Johnson stated that he would be attending the Valley View Reconfiguration meetings and encouraged the other members of Council to attend also.

ADJOURNMENT:

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

The meeting adjourned at 8:52 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Theodore E. Landis
Mayor