

**MUNICIPALITY OF GERMANTOWN COUNCIL**

**TUESDAY, JANUARY 18, 11**

The Municipality of Germantown Council met in regular session on January 18, 2011 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 one visitor.

**APPROVAL OF MINUTES:**

Mayor and Council reviewed the January 3, 2011 Council Meeting minutes.

Mrs. Novak stated that page 4, under introduction should read "Mayor Landis stated the Public Hearing would be January 18, 2011."

**MOTION:** Mr. Schwaberow moved to accept the January 3, 2011 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.**

Mayor and Council reviewed the January 10, 2011 Special Council Meeting minutes with the Township.

**MOTION:** Mr. Boeder moved to accept the January 10, 2011 Special Council Meeting minutes with the Township as submitted.

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

**PUBLIC RECOGNITION:**

Mayor Landis stated he would like to present Darrell Rhoades a plaque for his 25 years of service to the Village Parks. Unfortunately Mr. Rhoades was unable to attend the meeting due to personal reasons.

**CITIZEN'S FORUM:**

None.

Mayor Landis stated that Mrs. Sizemore would be updating Council for the Finance Director, Police Chief and the Fire Chief tonight

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**FINANCE DIRECTOR'S REPORT:**

Mrs. Sizemore stated that Mr. Klein was unable to attend the meeting tonight but he will be coming to the Council Retreat with a proposal for a new software system. The year-end reports will be given to Council soon.

**POLICE CHIEF'S REPORT:**

Mrs. Sizemore stated that the Police Chief is on an investigation tonight. He may be coming later to the meeting.

**FIRE CHIEF'S REPORT:**

Mrs. Sizemore stated that the Fire Chief is ill and will not be attending the meeting tonight.

**MANAGER'S REPORT:**

Mrs. Sizemore stated that the Fire/EMS has received several donations and Council needs to accept these donations of \$200.00, \$25.00, \$20.00 and \$25.00.

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

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

Mrs. Sizemore reviewed her report.

**CLERK'S REPORT:**

None.

**LAW DIRECTOR'S REPORT:**

Tom Schiff stated that he wanted to let Council know that he and Mrs. Sizemore have been meeting before the Council meetings to discuss Village issues. Tonight they covered 23 items before the meeting.

He requested that Council have an Executive Session to discuss matters related to the State audit.

**MAYOR'S REPORT:**

Mayor Landis recommended that Scott Johnson be appointed to the Parks and Recreation Board.

**MOTION:** Mr. Johnson moved to appoint Scott Johnson to the Parks and Recreation Board.

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

He updated Council regarding the FRWWC meeting he attended last week with Jonathan Moore.

**COUNCIL MEMBER'S REPORT:**

**Mr. Boeder's Report:**

He stated that people have approached him concerning the condition of Cherry Street. He would like to discuss this matter further during the Council Retreat with the Engineers.

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**Mr. Johnson's Report:**

He reminded everyone that the Park Board meeting would be February 2nd at 7:00 p.m.

**Mr. Koogle's Report:**

He attended the Senior Oversight meeting on January 13<sup>th</sup>. The Senior Center is having an issue with the ice machine and is looking into solving the problem. The Senior Center Levy will be on the November 2011 ballot. Overall the Senior Center is doing very well.

**Mr. Kuhn's Report:**

None.

**Mr. Schwaberow's Report:**

He attended the Lion's Club meeting and they will be contacting the Ford Retractable Club to confirm their plans of when they will be coming to the Village. After he gets the details he will update Council.

He also updated Council on the MVRPC meeting he attended last week. The main item of business was the adoption of the Complete Streets Policy. The other item that was discussed was the West Carrollton interchange that is expected to be completed in the fall of 2012.

**Mr. Wafzig's Report:**

He stated that he would be meeting with Nancy Miller from UD to go over the rough draft of the Village survey this week. The survey should go out mid February and be returned by mid March. The final report should be back to Council by May. MVCC will be using utility account numbers to track responses on the Village website.

The MVCC meeting will be this week and he will have an update for the next Council meeting.

He announced that the first 2011 Saturday Night Out meeting would be January 27<sup>th</sup> at 6:00 p.m.

**POLICE CHIEF'S REPORT:**

Chief McGill stated that the Subway restaurant was held up today. The Police Department and the Sheriff's office are doing an investigation and have two suspects in custody.

**Legislation:**

**Introduction:**

RESOLUTION NO. 11-02

A RESOLUTION AMENDING RESOLUTION NO. 06-25 REGARDING THE AUDIT COMMITTEE.

Mayor Landis stated the Public Hearing would be February 7, 2011.

RESOLUTION NO. 11-03

A RESOLUTION TO DECLARE SURPLUS PROPERTY AND AUTHORIZE THE MUNICIPAL MANAGER TO ADVERTISE FOR BIDS TO SELL SAID PROPERTY.

Mayor Landis stated the Public Hearing would be February 7, 2011.

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**RESOLUTION NO. 11-04**

A RESOLUTION TO DECLARE A 1993 CHEVROLET AMBULANCE AS FIRE/EMS SURPLUS PROPERTY AND AUTHORIZE THE MUNICIPAL MANAGER TO TRANSFER SAID VEHICLE TO THE PUBLIC SERVICE DEPARTMENT FOR USE AS A UTILITY TRUCK FOR THE PURCHASE PRICE OF \$1,500.00

Mrs. Sizemore stated that if the cost of having the utility truck painted is too expensive, this transfer would not be done. She will update Council if this transfer will need to be done.

Mayor Landis stated the Public Hearing would be February 7, 2011.

**Public Hearing:**

**ORDINANCE NO. 10-56**

AN ORDINANCE AMENDING SECTION 1139.07 OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF GERMANTOWN REGARDING POLITICAL SIGNS.

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

Mr. Johnson requested that Tom Schiff update the public on Ordinance No. 10-56.

Tom Schiff summarized Ordinance No. 10-56 to the viewing public.

**MOTION:** Mr. Koogle motioned to adopt Ordinance No. 10-56.

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

**RESOLUTION NO. 11-01**

A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO AN AGREEMENT WITH THE MONTGOMERY COUNTY PUBLIC DEFENDER OFFICE FOR 2011 SERVICES FOR THE MUNICIPAL COURT.

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

**MOTION:** Mr. Johnson motioned to adopt Resolution no. 11-01.

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

**OTHER BUSINESS:**

**EXCUSE ABSENT MEMBERS:**

None.

**WORK SESSION:**

**MOTION:** Mr. Johnson moved to adjourn to Executive Session to discuss matters related to the State audit.

Tom Schiff stated that we may also discuss matters related to the purchase/sale of property.

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

Mayor and Council adjourned to Executive Session at 7:35 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. Mike Kuhn, Mr. Edward Schwaberow and Mr. Brian Wafzig.

**ALSO PRESENT:**

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

The aforementioned persons discussed matters to the State audit and matters related to the purchase/sale of property.

**MOTION:** Mr. Johnson motioned to return to Regular Session.

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

Mayor and Council reconvened into Regular Session at 8:12 p.m.

Council discussed matters regarding the publications of legal notices.

**ADJOURNMENT:**

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

The meeting adjourned at 8:20 p.m.

Respectfully Submitted,

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Kelli R. Sanders-Novak  
Clerk of Council

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Theodore E. Landis  
Mayor