

CITY OF GERMANTOWN COUNCIL

MONDAY, MAY 5, 25

The City of Germantown Council met in regular session on May 5, 2025 at 7:00 p.m. in the City 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 Terry Johnson, Mr. Jeffrey Jones; Mrs. Bonnie Koogle, Mr. Michael Kuhn, Mr. Rick Reed, Mr. Robert Rettich IV and Mr. Brian Wafzig.

MEMBERS ABSENT:

None.

ALSO PRESENT:

Also present were Judy Gilleland, City Manager; Pat Shively, Finance Director; Chip Wirrig, Service Department; Mike Roseberry, Property Maintenance; Will Parsons, Community Relations Manager; Kelli Sanders-Novak, Clerk of Council and several visitors.

PUBLIC RECOGNITION:

Will Parson introduced Liam Mitchell and Anna Schmeal from the Valley View seventh grade class. Mr. Tolliver's 7th Grade History Class are learning Ancient Rome and the various parts of government and then apply it to the City of Germantown.

Liam and Anna shared a Power Point presentation on their thoughts about Germantown. It included improvements to our city and things they really enjoy and like about Germantown.

Mayor Johnson presented Mr. Tolliver's 7th Grade History Class with certificates for a job well done and thanked them for their suggestions.

CITIZEN'S FORUM:

Montgomery County Commissioner Mary McDonald introduced herself to the residents, Council and Staff as the new County Commissioner. She looks forward to working with us and encouraged residents, Council and Staff to contact her if they have any questions or concerns.

MANAGER'S REPORT:

Mrs. Gilleland stated there are several pieces of legislation on the agenda. An increase in the contract for the engineering for the covered bridge project. The merger of MVCC and MVECA for our various government services and the joint agreement for electrical lighting services for street lighting.

Mr. Parson reviewed the request from the owner of 53 West Market Street for a seasonal alley closure request. He provided council with copies of all applications, letters, maps, notices and photos regarding the request. Staff have concerns about the requested location due to fire safety and access to surrounding buildings. The applicant also did not provide a map indicating the exact location of the food truck or the days and times they would be present at the location.

This item was asked to be removed from the Consent Agenda per previous discussions with Council so Council can have extended discussions.

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Mr. Wafzig stated that Council and Staff are willing to work with the applicant to bring the food truck to Germantown and place it on the proposed site but in a safer location. Staff has asked repeatedly for key information and it has never been received. Mr. Weidle is not willing to work with the City and compromise on the location of the food truck. The City would be willing to have the Coffee Collaborative at City Hall if they wish to come to Germantown, if a location at 53 West Market Street cannot be agreed upon. The staff has concerns about the location since it is so close to the structures on either side of the alley requested. There are many other locations of the site that would work for the food truck, but the applicant is not willing to compromise. If the Coffee Collaborative food truck does not come to Germantown this year it will be because of Mr. Weidle not the city. Council is very business friendly and we are thrilled by the improvements made by Mr. Weidle and all the other local businesses.

Council and Staff discussed the application and the request for 53 West Market Street. Council and Staff would like to work with Mr. Weidle and the Coffee Collaborative to find a location that would work for all parties in a safe location.

MOTION: Mr. Wafzig moved to approve the seasonal alley closure on the East side of 53 West Market Street owned by Scott Weidle.

ROLL CALL: Mr. Jones, abstained; Mrs. Koogler, no; Mr. Kuhn, no; Mr. Reed, no; Mr. Rettich, no; Mr. Wafzig, no; Mayor Johnson, no. 6-No, 1 Abstention. MOTION FAILED.

Mrs. Shively reviewed the legislation concerning the proposed new utility rates.

CLERK'S REPORT:

Mrs. Novak reviewed the proposed legislation, Ordinance No. 25-30, regarding changes to the outdoor storage section. This proposed legislation will allow staff to require certain residents to maintain their property free of excess items in their yard. Ordinance No. 25-29 is legislation regarding how staff is required to notify residents of violations. Currently it states we must only use certified mail. The certified mail process is expensive, outdated and is a lengthy process. We would like to also include standard mail as an option to notify residents.

LAW DIRECTOR'S REPORT:

None.

MAYOR'S REPORT:

Mayor Johnson encouraged residents to vote tomorrow. Remember if taxes or fees are increased for the residents it also affects each member of this board. Fire and Police are essential services and need to be supported.

He was unable to attend the Mayor and Managers meeting for April but intends to attend Mays meeting.

He attended the Parks Board Meeting was cancelled for April; the next meeting will be May 7.

The MMI Committee met and discussed upcoming projects for the year. The plan is ahead of schedule for the completion of the park. An article was in the Germantown Press recognizing the Welday Family for their generous donation to the Park.

He sends his condolences to the McCarty Family and the Parsons Family.

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COUNCIL MEMBERS' REPORTS:

Mr. Jones's Report:

Mr. Jones stated that the MVRPC meeting for April was cancelled. He plans on attending the May meeting.

He attended the April BZA Meeting, and they discussed and approved two home occupation/conditional uses. One was for a home daycare and the other was a home beauty salon.

He encouraged everyone to vote in the election tomorrow and to support Issue 7. Without these services our city would be in trouble.

Mrs. Koogle's Report:

Mrs. Koogle reminded everyone to vote in the election tomorrow. We need to support our essential services that make this community safe. She is thankful for the staff we have for all they do when these services are needed.

She attended the Senior Center 25th anniversary celebration. It was a great time and well attended. The Center is beautiful with all the renovations. She thanked all the Staff that made the event so special.

The Cemetery Board meeting will be held next week. She reminded everyone of the guidelines for decorating stones for the Memorial Day holiday.

Mr. Kuhn's Report:

Mr. Kuhn reviewed the details of Issue 7 for support of the Fire/EMS Levy. He asked everyone to consider voting for the essential services. He thanked everyone who helped provide the community with information to support Issue 7.

Mr. Reed's Report:

Mr. Reed encouraged everyone to support Issue 7 and vote tomorrow.

CBC will be meeting on April 14. They are seeking for nominations for Fix Up Awards and Flower Awards.

The Pool Board met on April 16 and discussed the 2025 Pool Season. They are working hard to get the pool open for the patrons.

Mr. Rettich's Report:

Mr. Rettich encouraged everyone to vote and to consider supporting Issue 7. The Fire and EMS are services you may not use every day but when you need them you want them to respond in an emergency situation.

Mr. Wafzig's Report:

Mr. Wafzig encouraged everyone to support the Fire EMS levy on the ballot. This is a necessary service for our community. We want our own Fire/EMS to respond and not wait for mutual aid from a neighboring community, seconds matter. We will have to eventually have to start paying for mutual aid if that is all we have services our community.

He reviewed the merger with MVCC and MVECA. We are excited about the merger and the possibilities for all the communities involved. We will hopefully be able to be involved in more shared opportunities to save the City money.

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CONSENT AGENDA:

1. April 7, 2025-Regular Session Meeting Minutes
2. April 7, 2025-Work Session Meeting Minutes
3. Request from the Ohio Division of Liquor Control for a new D1 & D2 Liquor Permit for SNJ LLC DBA ALLEYWAY CAFE (Staff has no issues with the permit request)
4. RESOLUTION NO. 25-26
A RESOLUTION AUTHORIZING THE CITY MANAGER TO INCREASE THE AGREEMENT WITH FISHBECK, INC. FOR THE MANAGEMENT OF THE COVERED BRIDGE PROJECT
5. RESOLUTION NO. 25-28
A RESOLUTION APPROVING THE MERGER PLAN OF THE MIAMI VALLEY COMMUNICATIONS COUNCIL.

MOTION: Mr. Kuhn moved to approve the Consent Agenda.

ROLL CALL: Mr. Jones, yes; Mrs. Koogler, yes; Mr. Kuhn, yes; Mr. Reed, yes; Mr. Rettich, yes; Mr. Wafzig, yes; Mayor Johnson, yes. 7-yes, 0-no. **MOTION CARRIED.**

LEGISLATION:

INTRODUCTION:

ORDINANCE NO. 25-24

AN ORDINANCE AMENDING THE CITY OF GERMANTOWN CODIFIED ORDINANCES WATER RATES SECTION 919.08 (a) RATES; RULES FOR UTILITY BILL ADJUSTMENTS.

Mayor Johnson stated the Public Hearing would be held June 2, 2025.

ORDINANCE NO. 25-25

AN ORDINANCE AMENDING THE CITY OF GERMANTOWN CODIFIED ORDINANCES REGARDING SANITARY SEWER RATES SECTION 921.21(a) RATES.

Mayor Johnson stated the Public Hearing would be held June 2, 2025.

ORDINANCE NO. 25-27

AN ORDINANCE EXPRESSING THE CITY'S INTENT TO NEGOTIATE JOINTLY WITH OTHER CITIES IN THE REGION ON A ONE PRICE SCHEDULE UNDER WHICH ELECTRIC LIGHT SERVICES SHALL BE FURNISHED TO THE RESIDENTS OF THE CITY FOR THE PURPOSE OF STREET LIGHTING.

Mayor Johnson stated the Public Hearing would be held June 2, 2025.

ORDINANCE NO. 25-29

AN ORDINANCE AMENDING SECTION 1130.01.7 OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF GERMANTOWN NOTICES AND ORDERS.

Mayor Johnson stated the Public Hearing would be held June 2, 2025.

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ORDINANCE NO. 25-30

AN ORDINANCE CREATING SECTION 1130.03.2 (I) OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF GERMANTOWN OUTDOOR STORAGE-OCCUPIED PROPERTIES.

Mayor Johnson stated the Public Hearing would be held June 2, 2025.

PUBLIC HEARING

EMERGENCY ORDINANCE NO. 25-15

AN ORDINANCE TO AMEND SECTION 921.03(e) OF THE STREETS AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF GERMANTOWN TO INCREASE THE SEWER TAP IN FEES, EFFECTIVE APRIL 1, 2025, AND DECLARING AN EMERGENCY.

MOTION: Mr. Kuhn moved to suspend the rules on Emergency Ordinance No. 25-15.

ROLL CALL: Mr. Jones, yes; Mrs. Koogle, yes; Mr. Kuhn, yes; Mr. Reed, yes; Mr. Rettich, yes; Mr. Wafzig, yes; Mayor Johnson, yes. 7-yes, 0-no. MOTION CARRIED.

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

MOTION: Mr. Reed moved to adopt Emergency Ordinance No. 25-15.

ROLL CALL: Mr. Jones, yes; Mrs. Koogle, yes; Mr. Kuhn, yes; Mr. Reed, yes; Mr. Rettich, yes; Mr. Wafzig, yes; Mayor Johnson, yes. 7-yes, 0-no. MOTION CARRIED.

ORDINANCE NO. 25-20

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY OF GERMANTOWN CODIFIED ORDINANCES.

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

MOTION: Mrs. Koogle moved to adopt Ordinance No. 25-20.

ROLL CALL: Mr. Jones, yes; Mrs. Koogle, yes; Mr. Kuhn, yes; Mr. Reed, yes; Mr. Rettich, yes; Mr. Wafzig, yes; Mayor Johnson, yes. 7-yes, 0-no. MOTION CARRIED.

ORDINANCE NO. 25-22

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF GERMANTOWN, STATE OF OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2025.

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

MOTION: Mr. Kuhn moved to adopt Ordinance No. 25-22.

ROLL CALL: Mr. Jones, yes; Mrs. Koogle, yes; Mr. Kuhn, yes; Mr. Reed, yes; Mr. Rettich, yes; Mr. Wafzig, yes; Mayor Johnson, yes. 7-yes, 0-no. MOTION CARRIED.

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EXCUSE ABSENT MEMBERS:

None.

MOTION: Mr. Kuhn moved to adjourn to Executive Session under the authority of O.R.C. § 121.22 (G)(2) to consider the purchase of property for public purposes, or for the sale of property at competitive bidding “specifically the purchase of property”.

ROLL CALL: Mr. Jones, yes; Mrs. Koogle, yes; Mr. Kuhn, yes; Mr. Reed, yes; Mr. Rettich, yes; Mr. Wafzig, yes; Mayor Johnson, yes. 7-yes, 0-no. MOTION CARRIED.

Council adjourned to Executive Session at 8:20 p.m.

EXECUTIVE SESSION:

PRESENT:

The following members were present at the start of the Executive Session: Mayor Terry Johnson, Mr. Jeffrey Jones, Mrs. Bonnie Koogle, Mr. Michael Kuhn, Mr. Rick Reed, Mr. Robert Rettich IV and Mr. Brian Wafzig.

ALSO PRESENT:

Also present were Judy Gilleland, City Manager; Pat Shively, Finance Director; Chip Wirrig, Service Department; Mike Roseberry, Property Maintenance; Will Parsons, Community Relations Manager; and Kelli Sanders-Novak, Clerk of Council.

MEMBERS ABSENT:

None.

The aforementioned persons had discussion under the authority of O.R.C. § 121.22 (G)(2) to consider the purchase of property for public purposes or for the sale of property at competitive bidding “specifically the purchase of property”.

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

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

Council reconvened into Regular Session at 8:40 p.m.

ADJOURNMENT:

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

The meeting adjourned at 8:40 p.m.

Respectfully Submitted,

Kelli R. Sanders-Novak
Clerk of Council

Terry Johnson
Mayor