

**LOVELAND CITY COUNCIL  
REGULAR MEETING MINUTES  
Tuesday, February 9, 2010**

<b>Call to Order &amp; Pledge of Allegiance</b>	Mayor Weisgerber called the meeting of the Loveland City Council to order at 8:00 p.m. The Pledge of Allegiance was recited.
<b>Roll Call</b>	Council Members Present: Vice Mayor David Bednar, Linda Cox, Paul Elliott, Mark Fitzgerald, Mayor Robert Weisgerber, Todd Osborne and Brenton Zuch.
<b>Recognition of Audience Members</b>	Also Present: City Manager Thomas Carroll, Solicitor Frank Klaine, Clerk of Council Misty Cheshire, Acting Finance Director Harry Steger, Police Chief Tim Sabransky, Police Specialist Ray Shockey, and Battalion Chief Andy Knapp.
<b>Persons appearing Before Council</b>	Mayor Weisgerber noted that Paulette Leeper, Executive Director of the Loveland Chamber of Commerce, and the Valentine Ladies were scheduled to appear before Council to announce the 2010 Valentine Lady, Bonnie Larson. This presentation was canceled due to the weather.
<b>Open Forum</b>	No one registered to speak during the open forum portion of the meeting.
<b>Approval of Minutes</b>	<p>Mr. Zuch modified page 3, paragraph 5, of the January 26, 2010, City Council Meeting to read as follows: "moving the crosswalks <i>in the future</i> would be helpful, which was one option recommended by Burgess and Niple."</p> <p>Mr. Osborne moved to approve the amended minutes of the January 26, 2010, City Council Meeting, seconded by Vice Mayor Bednar. Roll Call: Cox, Yes; Elliott, Yes; Fitzgerald, Yes; Osborne, Yes; Weisgerber, Yes; Zuch, Yes; Bednar, Yes. The motion carried.</p>
<b>City Manager's Reports &amp; Memorandums</b>	This memorandum accompanied legislation to address certain administrative policies and how they impact City Council members.
Memorandum 6 City Council Policy Legislation	<p>Mayor Weisgerber noted that Mrs. Cox had raised concerns about personnel policies that referenced Council Members. Mrs. Cox asked if it was appropriate to mention City Council in the policies or if these issues should be covered within Council Rules.</p> <p>In the memorandum, Mr. Carroll identified policies that employees and City Council Members should both abide by. Mayor Weisgerber suggested the proposed ordinance be tabled and an Ad Hoc Committee be formed to review the policies that referenced City Council Members. He recommended the Committee consist of Mr. Steger, Mrs. Cox, and himself.</p> <p>Mr. Elliott stated that it seems that Council Members (elected officials) seem to be moving toward the classification of City employees. He wondered if this was due to the ability of City Council to obtain benefits such as health insurance through the City. He stated that he has never considered himself to be a City employee.</p> <p>Mayor Weisgerber agreed that Council Members are not employees of the City, Council Members are elected officials. He added that certain aspects of the personnel policies should apply to Council Members, such as HIPPA and IRS rules.</p> <p>Mr. Fitzgerald stated that he was not pleased that this matter showed up with an ordinance attached. Often Council receives memorandums stating that no action</p>

is required at this time; yet legislation is adopted at a later date. Mr. Fitzgerald disagreed with the team suggested for the Ad Hoc Committee. He noted that Council has a number of standing committees such as Law and Ordinance, which seems to be an appropriate place for this matter. In addition, he didn't think a staff member should sit on the Committee. Mr. Fitzgerald stated that he wasn't convinced that the amount of time and effort that has been put into this issue is necessary.

Mayor Weisgerber stated that he was attempting to follow the procedure used when the Council Rules were being modified, which was an Ad Hoc Committee of Council. A staff member would help the Committee be consistent with the personnel policies.

Mr. Fitzgerald thought that staff should be separated from the process. It's Council responsibility to set policies, which can be reviewed by staff if so desired by Council. He stated that Council was gravitating into the tail wagging the dog.

Mr. Osborne disagreed with the referring this matter to the Law and Ordinance Committee. He stated that Council had the right to decide its own policies and staff can be included if Council so desires. He agreed there needed to be a separation between administration and City Council.

Mr. Elliott stated that he didn't know anything about this issue until he received his packet. He asked what Council was trying to fix. If Council is violating policies or if procedures are not being done well, perhaps a memo to remind Council of the policy/procedure is all that is needed rather than a reconfigured policy ordinance.

Mayor Weisgerber stated that the memorandum and ordinance are not a response to a violation. Council has rules and policies of Council which are silent upon a number of areas such as travel expenses. Instead of regurgitating the personnel policies into Council policies, the attempt was to say that Council would agree to follow specific personnel policies.

Mrs. Cox explained how the discussion began. First, the personnel policy referencing the use of city office equipment is already covered under an existing Council policy. Second, several personnel policies reference City Council and she didn't feel that Council Members should be included in personnel policies and procedures. Mr. Carroll was then asked to review the policies. Mrs. Cox thought the Ad Hoc Committee should only consist of Council Members. Mr. Osborne volunteered to serve on the Committee.

Mr. Zuch thanked Mrs. Cox for bringing this matter to Council's attention. He also thanked staff for taking a stab at finding a solution to the problem. He didn't mind agreeing to comply with identified personnel policies and felt there would be a benefit to mirroring the personnel policies without creating an elite policy manual for City Council Members. He supported the Ad Hoc Committee formation.

Mayor Weisgerber agreed that he didn't want to create elite policies for Council; he wanted the policies to be consistent across the board.

Mrs. Cox moved to form an Ad Hoc Committee, consisting of Mayor Weisgerber, Todd Osborne, and herself to review administrative policies that impacted City Council Members, seconded by Mr. Osborne. Roll Call: Elliott, Yes; Fitzgerald, Yes; Osborne, Yes; Weisgerber, Yes; Zuch, Yes; Bednar, Yes; Cox, Yes. The motion carried 7-0.

Memorandum 7  
Telephone Lease  
Purchase Resolution

This report explained a resolution authorizing a lease-purchase contract with Cincinnati Bell Technology Solutions (CBTS) to replace the City's telephone system. This \$126,648 capital purchase is almost entirely funded through savings realized through the switch to CBTS for voice, data, and information technology services.

Mr. Fitzgerald stated that new system would cost the City about \$17,000. Mr. Carroll agreed, noting that the City will save all \$17,000 in years four or five of the lease purchase. The City will avoid subsequent server replacements through the CBTS relationship. Mr. Carroll stated that in a worst case scenario the system would cost the City \$17,000 but in all likelihood it would be a wash.

Vice Mayor Bednar said that it seems like the City replaces servers about every five years. Mr. Knapp stated that with this agreement the City is buying service instead of buying physical hardware. The service does not age or go bad and it will be CBTS's responsibility to keep the hardware up and running, which is known as a hosted solution.

Mr. Carroll noted that the \$126,000 primarily relates to the phone system and the telephony that the City is buying. The City will own the telephone system. Mr. Knapp was referencing the servers, database storage and internet needs. At the end of the agreement the City will have the option to buy the telephone system or upgrade to a newer system. Mr. Knapp explained the equipment and network infrastructure and components that would be purchased by the City.

Vice Mayor Bednar asked if the new system would eliminate outages for NECC (Northeast Communication Center). Mr. Knapp concurred.

Mr. Zuch asked Mr. Knapp if the new system would do more than make police and fire more efficient. Mr. Knapp replied that the City will have a monitored managed network, which is not the case with the current provider.

Mrs. Cox asked Mr. Knapp to explain how calls are rerouted if an outage occurs. Mr. Knapp stated if the system fails the calls are automatically transferred to Clermont County. Clermont County has direct access to NECC's public safety responders. A failure of the seven digit administrative line requires staff to contact Time Warner Telecom's Network Operation Center in Denver, Colorado. Within 15 to 20 minutes Time Warner can switch the seven digit line to another number. This process will be the same with CBTS but Mr. Knapp will be calling a local number and they would likely already be aware of the failure.

NECC has an aggressive backup system and has also partnered with Union Township, in addition to Clermont County. Mr. Knapp offered to demonstrate the backup system to Council at anytime.

Mr. Elliott asked if other government entities would share the benefits of this purchase. Mr. Knapp noted that NECC dispatches for Loveland and Symmes Township but Symmes Township will not benefit from the telephone system. He noted that the equipment at NECC is owned by Clermont County. Mr. Knapp noted that Cincinnati Bell would be installing \$20,000 of fiber at no cost to the City.

Mrs. Cox asked if the City would experience any down time during the installation of the phone system and if so where would the calls be routed. Mr. Knapp stated that the system will be phased in and would be done in the off hours to minimize interruptions.

Memorandum 8  
Neighborhood Meeting  
Schedule for 2010

This report provided the City's 2010 neighborhood meeting schedule, including meetings with Claiborne East and West, Stoneybrook, Steeple Chase, Huntington, Hermitage Point and Sentry Hill. Staff also will hold a second neighborhood summit in May with leaders from all of the community's neighborhood groups.

Mr. Zuch asked if the City had an updated list of Home Owners Association (HOA) contacts. Chief Sabransky stated that Officers Caudell and Burch maintain a list of HOA contacts and said that he would pass this schedule along to the officers.

Mrs. Cox asked staff to add the 2010 Neighborhood Meeting dates to the Community Calendar.

**Committee Reports**

There was no discussion on the Committee Reports submitted to City Council.

**Communications**  
Recreation Board Role

Mr. Fitzgerald noted that Council Members received a letter and memorandum from the Solicitor addressing interpretations of the role of the Recreation Board, a Charter commission. Mr. Fitzgerald moved to accept the correspondence and provide a copy to the Recreation Board, seconded by Mrs. Cox. Roll Call: Fitzgerald, Yes; Osborne, Yes; Weisgerber, Yes; Zuch, Yes; Bednar, Yes; Cox, Yes; Elliott, Yes. The motion carried.

FEMA

Vice Mayor Bednar called attention to the letter from FEMA and asked if there were areas in the City with increased flood risk and did the City need to inform those property owners. Mr. Carroll stated that the flood map was adjusted and expanded the flood plain but there was no need to inform residents that they need flood insurance. He added that the City has additional flood plain ordinances that govern additions and expansions of property in the flood plain.

Mr. Elliott asked if a more detailed map for the City of Loveland was available. Mr. Carroll responded that the Building and Zoning Office has that map and it is also available on the FEMA website. Mr. Elliott asked if the downtown was affected. Mr. Carroll stated that the downtown is primarily in the flood plain.

Hamilton County  
Budget in Brief

Mr. Zuch referenced Hamilton County's Budget in Brief and encouraged residents to take a look at the brochure. He challenged Mr. Steger to come up with something similar for the City of Loveland.

**Review of Councilmanic  
Worksheet**  
Quarterly Financial Report

This item was deferred to the February 23, 2010 City Council meeting, which would provide an opportunity for the Finance Committee to meet and recommend approval of the quarterly report.

Employee Cost Savings  
Suggestion Program

Mr. Carroll stated that he has received one model for the Employee Cost Savings Suggestion Program and is awaiting a second model from another City and will ask his colleagues in Ohio if they have similar programs. He requested that this item be deferred to the May 11, 2010 City Council Meeting. City Council concurred.

Mid Season Snow  
Removal Update

Mr. Carroll noted that the City has used approximately 800-900 tons of salt. The City will be ordering more salt to make sure the City has enough salt for the rest of the Winter and enough salt in the bins for next year in case we have an early snow. Mr. Carroll stated that he was pleased and proud of Public Works for the job they have done. The end of season report will occur on March 23<sup>rd</sup>.

Cincinnati Flower Show

Mr. Carroll noted that Chief Sabransky, Scott Young, and he would be meeting with the representatives of the Cincinnati Flower Show on February 16<sup>th</sup>.

<p><b>Old Business</b> Snow Removal – Reserves of Loveland</p>	<p>Mr. Elliott asked if the City was still doing snow removal in the Reserves of Loveland. Mr. Carroll replied that Fifth Third Bank is providing snow removal services in the subdivision.</p>
<p><b>New Business</b> City Council Policy Legislation</p>	<p>Mr. Osborne introduced for first reading an ordinance establishing Section 155.07 (Q) of the Loveland Code of Ordinances setting forth a City Council Policy governing certain administrative procedures. There being no further discussion, Mrs. Cox moved to table this ordinance, seconded by Vice Mayor Bednar. Roll Call: Osborne, Yes; Weisgerber, Yes; Zuch, Yes; Bednar, Yes; Cox, Yes; Elliott, Yes; Fitzgerald, Yes. The motion unanimously carried.</p>
<p>Resolution 2010-11 Telephone Lease Purchase</p>	<p>Mr. Osborne introduced a resolution authorizing the City Manager to enter into a lease purchase agreement with Key Government Finance, Inc. for the lease/purchase of telephony equipment. Mr. Carroll thanked Battalion Chief Andy Knapp, Assistant to the City Manager Amanda Stephany, and Finance Clerk Myra Kroeger for their work on the telephone lease purchase agreement. Roll Call: Weisgerber, Yes; Zuch, Yes; Bednar, Yes; Cox, Yes; Elliott, Yes; Fitzgerald, Yes; Osborne, Yes. The motion carried by a vote of 7-0, adopting Resolution 2010-11.</p>
<p>Valentine Breakfast &amp; AARP Tax Assistance</p>	<p>Mrs. Cox announced that the Chamber of Commerce would be holding their annual Valentine Breakfast on Friday, February 12<sup>th</sup> at the Oasis Conference Center at 9 a.m. Beginning February 17<sup>th</sup>, the American Association of Retired Persons (AARP) will be available at Loveland City Hall to provide free tax assistance to the elderly, handicap, and low income individuals. Appointments are required and can be made by calling 683-0150.</p>
<p>Valentine Stamps</p>	<p>Vice Mayor Bednar reminded everyone that the Valentine Ladies and members of the Loveland Chamber of Commerce set up at the Loveland post office to hand-stamp Valentine cards with the Loveland cachet. Mrs. Cox announced the times the service would be available.</p>
<p>Walk the Talk Program</p>	<p>Following a brief discussion about the City's <i>Walk the Talk</i> wellness program incentives, which are available to City employees, Council Members and their spouses. Mr. Elliott asked the Ad Hoc Committee to consider if Council Members and their spouses should be allowed to participate in the program. Mr. Carroll noted that over the last two years the City has been moving toward a consumer driven, high deductible, health plan to lower insurance costs. He added that the total budget for the wellness program is less than 5% of the City's overall health insurance costs and incentivizes individuals to lower their health risks.</p>
<p>Article</p>	<p>Mr. Elliott stated that he would provide Council and staff with an article about Butler County residents receiving a tax break because residents were not charged properly for ground water protection. He asked Mr. Klaine if the City's storm water assessment was an assessment, fee, or tax and did the City prepare the legislation properly. Mr. Carroll stated that the City's storm water utility was established by City Council in 2003 and is included in the utility bill. Mr. Carroll stated that he would be happy to review the article and report back to Council.</p>
<p>City of Loveland Website</p>	<p>Mr. Zuch encouraged citizens to visit the City's updated website, <a href="http://www.lovelandoh.com">www.lovelandoh.com</a>. He said the site had a snazzy new look and asked residents to provide feedback about the site to City Council and staff. Mr. Zuch stated that he often used the online bill pay option for his utility bill and used the community calendar, now located on the front page, to keep up with meetings and events in the City.</p>

**Executive Session**

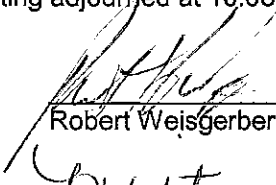
Mr. Zuch moved to adjourn to Executive Session under Ohio Revised Code Section 121.22 (G)(2) to discuss the purchase or sale of property, seconded by Vice Mayor Bednar. Roll Call: Zuch, Yes; Bednar, Yes; Cox, No; Elliott, Yes; Fitzgerald, Yes; Osborne, Yes; Weisgerber, Yes. The motion passed 6-1. Council adjourned to Executive Session.

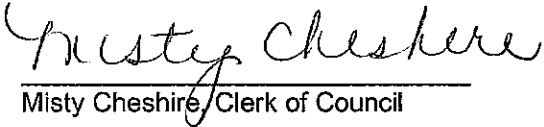
**Reconvene**

At 10:08 p.m., Mrs. Cox moved to reconvene in regular session, seconded by Mr. Osborne. The motion carried by unanimous consent.

**Adjournment**

There being no further business, Vice Mayor Bednar moved to adjourn the meeting, seconded by Mr. Osborne. The motion carried by unanimous consent. Mayor Weisgerber declared the meeting adjourned at 10:08 p.m.

  
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Robert Weisgerber, Mayor

  
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Misty Cheshire, Clerk of Council