

**LOVELAND CITY COUNCIL
REGULAR MEETING MINUTES
Tuesday, August 25, 2009**

**Call to Order &
Pledge of Allegiance**

Mayor Weisgerber called the meeting of the Loveland City Council to order at 8:00 p.m. The Pledge of Allegiance was recited.

Roll Call

Council Members Present: Vice Mayor David Bednar, Paul Elliott, Mark Fitzgerald, Todd Osborne, Mayor Robert Weisgerber, and Brenton Zuch.

**Motion to Excuse a
Councilmember**

Mr. Elliott moved to excuse Councilman Joseph Schickel, seconded by Vice Mayor Bednar. The motion carried by unanimous consent.

**Recognition of Audience
Members**

Also Present: City Manager Thomas Carroll, Assistant City Manager Jeffrey Wright, Solicitor Frank A. Klaine, Clerk of Council Misty Cheshire; Assistant to the City Manager Amanda Stephany; Finance Director Bill Taphorn, Assistant Finance Director Harry Steger, Captain Hugu Bomske, and Police Specialist Ray Shockey

**Persons Appearing
Before Council**

Terrie Puckett, Chair of the Ad Hoc Committee on Loveland Non Profit Organizations, presented the final committee report and provided an update on the status of the Loveland Initiative. She noted that the Committee's charge was to meet with the Loveland Initiative (LI) to provide any reasonable advice to the LI to assist this organization in becoming self-sufficient to execute its core mission, as defined by the LI and to review and recommend a draft policy to City Council detailing information and requirements that any not-for-profit organization should provide the City before receiving direct financial assistance or in-kind support. The grant policy for financial assistance or in-kind support has been adopted by Council. Ms. Puckett noted that the Committee held a series of meeting with LI's leadership. In the meetings LI's immediate needs were addressed and they looked toward long-term sustainability; a new office location; acquiring trustees and a treasurer; and funding. Press Releases were issued to improve public relations and get the word out about their needs and generate positive press. Ms. Puckett noted that the LI recently received two donations, one of which was substantial. The LI leadership is planning to conduct a series of meetings to review their structure, programs, strategic planning, funding sources, and programs. Ms. Puckett announced that LI was scheduled to meet on Thursday, August 27th. Mayor Weisgerber asked if LI wanted to get input from the public or just their leadership in the upcoming meetings. Ms. Puckett replied that the leadership needed to work out internal structure issues first. Mr. Zuch thanked Ms. Puckett and the Committee Members for their diligence, leadership and ability to establish trust between the City and LI. Mayor Weisgerber also thanked the Committee.

Open Forum

No one signed up to speak during the open forum.

Approval of Minutes

Mr. Osborne moved to approve the minutes of the August 11, 2009 City Council Meeting, seconded by Mr. Elliott. Roll Call: Fitzgerald, Yes; Osborne, Yes; Weisgerber, Yes; Zuch, Yes; Bednar, Yes; Elliott, Yes. The motion unanimously passed.

**City Manager's Reports
& Memorandums**
Memorandum 76
2010 Proposed Budget
Review Calendar

This memorandum provided Council with a proposed 2010 Operating Budget and Capital Improvement Plan (CIP) review calendar. The schedule included a plan to bring forward a revenue ordinance. The ordinance will set forth charges, fees, fines and other costs associated with certain City services that are adjusted frequently. Mayor Weisgerber noted that a CIP Workshop will be held on Tuesday, September 8th at 7 p.m.

Memorandum 77
RITA Delegate and
Alternative

This memorandum recommended City Council designate Harry Steger as Loveland's delegate to the Regional Council of Government for RITA, and name Bill Taphorn as the alternate. Mr. Fitzgerald moved to appoint Harry Steger as Loveland's delegate to the Regional Council of Governments for RITA, and name Bill Taphorn as the alternate, seconded by Mr. Elliott. Roll Call: Osborne, Yes; Weisgerber, Yes; Zuch, Yes; Bednar, Yes; Elliott, Yes; Fitzgerald, Yes. The motion carried with a vote of 6-0.

Memorandum 78
Councilmanic Worksheet
Updates

This report updated Council on two issues: the review of the second quarter financial report and the status of revisions to the administrative policies and procedures manual.

Mr. Zuch asked if Council could get copies of the policies and an executive summary of the changes that have taken place. Mr. Carroll stated that staff plans to present the entire policy manual to Council on September 22nd. He stated that that a red-line version of the updates could be provided in some cases but not all. Many policies have been generated as a result of federal or state mandates. Mayor Weisgerber asked if the policies would be posted online. Mr. Carroll stated that the policies are internal and will be available to all employees.

Memorandum 79
Water Debt Reissuance
and Other Proposed Debt
Issues

This memorandum explained legislation being introduced to refinance existing water debt, issuing additional debt for replacement equipment, and debt for 2009 and 2010 recreation projects. Although the legislation was drafted as an emergency staff recommended that it be treated as a first reading until after the September 8th CIP Workshop.

Mr. Zuch stated that the sluggish economy would impact the City for years to come and the City should be cautious. He agreed that now was the time to take advantage of low interest rates but wondered if it was premature to start spending the money until the Finance Committee had the opportunity to weigh in on the appropriate level of spending. He agreed that the parks needed updates but he wanted to see the City make progress on the Loveland Madeira corridor.

Vice Mayor Bednar asked staff if had a timeline for the debt issuance. Mr. Steger stated that the legislation was structured to provide staff the ability to go to market at the most optimal time. He said that a specific date had not been set, which would allow the City to work with bond counsel and underwriters to hit the market at the best time. Vice Mayor Bednar asked if the City would be committed to borrow the full amount or have the ability to reduce the debt issuance. Mr. Steger stated that the amount could be reduced but would require action by Council. Mr. Carroll reminded Council that the City needed to have an issuance of \$2 Million or more to attract buyers.

Vice Mayor Bednar wanted to know the current interest rate being paid for the water debt. Mr. Steger noted that the existing interest rate is 4.53% and the new rate would be 3.01%, which is a savings of 1.5% percent. This would generate a savings of \$38,000 to the Water Fund.

Mr. Elliott wondered what the rates would be if the debt issuance was below \$2 Million. Mr. Steger anticipated that the City would not be able to issue the debt if it was below \$2 Million mark. Mr. Carroll added that the City would have to pay a premium to attract a buyer; which would undermine the purpose of reissuing the debt.

Mr. Fitzgerald commented that the water debt was a revenue bond, while the others were general obligation bonds. Mr. Steger stated that the new bond would be for general obligation bonds and the Water Fund can still pay for the debt but it

would be backed by the General Fund. Mr. Fitzgerald stated that if the water works became insolvent, the only recourse for the bond holder would be to go after the water enterprise and reach into the General Fund to satisfy the bonded indebtedness.

Mayor Weisgerber asked if the City could split the debt or did it have to all be under general obligations. Mr. Steger stated that the bond didn't have to be structured this way. He noted that there was a higher cost associated with the revenue-backed bonds. If the City split the funds, it would fall under the \$2 Million threshold. Mr. Carroll agreed with Mr. Fitzgerald's comments adding that the general obligations bonds are more attractive to buyers. He noted that the City's overall indebtedness is very low.

Vice Mayor Bednar referenced a new water tower in Commerce Park and asked if the City should pursue debt issuance for the project. Mr. Carroll indicated that the City planned to apply for a zero percent \$2 Million State Capital Improvement Program loan that would be repaid with the Water Fund. Debt taken from State Capital Improvement Program funds does not count against the City's debt limit.

Mr. Osborne stated that the Recreation Board prioritized renovations for Nisbet Park at their last meeting. He wanted Council to consider completing the renovations to Nisbet Park in one step and go forward with the bond.

Mr. Zuch wanted to know if the City could pay down the bond issuance, without penalty, if projects were eliminated and/or all the funds were not used. Mr. Steger stated that the City could escrow funds and pay the debt upon maturity.

Mayor Weisgerber noted that the debt issuance term was 20 years. He asked if all of the improvements would last beyond 20 years. Mr. Carroll stated that the legislation was drafted to allow the City issue a maximum, 20 year debt. Mr. Carroll noted that the Lever Park debt was priced at a 5 year term; the Nisbet Park renovations were priced at a 15 year term; and the City Hall HVAC was priced out at a 20 year schedule. The terms will be determined when the bonds are sold.

Memorandum 80
Loveland Heights
Neighborhood Report

This report detailed follow up items from the City's meeting with the residents of the Loveland Heights Neighborhood on August 20th. Staff will begin to respond to these items immediately. The next Neighborhood meeting will be held on September 17th at 7 p.m. in Lever Park with the residents of Fox Meadow Farms.

Mr. Zuch stated that he has been impressed with the number of residents that have attended the neighborhood meetings and complimented staff for following up on resident concerns.

Mr. Fitzgerald stated he was glad staff was examining the matching program for sidewalk repairs. He stated that Council should consider increasing the inspection and sidewalk marking. Maintaining physical infrastructure provides an aesthetic boost and tangible enhancements to property values.

Mr. Osborne stated that the recycling program, which reduces sanitation rates, should remain a priority. Mr. Carroll reported that staff has researched the 35-gallon rolling bins and determined that the bins can get very heavy. The City is considering buying 250 35-gallon bins in 2010, making them available to people over 60 or those with a physical disabilities. Mr. Elliott suggested the City partner with the School District to encourage recycling at sporting events.

Committee Reports

There were no comments on the committee reports submitted to Council.

Communications

Vice Mayor Bednar referenced a \$20,000 water tap connection on Union Cemetery Road that was listed in the July Permit Report. Mr. Wright pointed out that the number referenced by Vice Mayor Bednar was actually a construction cost estimate not a water tap fee.

Review of Councilmanic Worksheet

Quarterly Financial Report

Mr. Zuch moved to approve the Quarterly Financial Report as recommended by the Finance Committee, seconded by Mr. Elliott. Roll Call: Weisgerber, Yes; Zuch, Yes; Bednar, Yes; Elliott, Yes; Fitzgerald, Yes; Osborne, Yes. The motion carried with a vote of 6-0. The next Quarterly Financial Report update will occur on October 27th.

Policies & Procedures Manual

The next update on the Policies and Procedures Manual will be on September 22, 2009.

Loveland Madeira Corridor

Mr. Osborne suggested a Committee, which would consist of a combination of the City and the CIC, be formed to initiate a dialog with the current stakeholders of the Loveland Madeira Road corridor to identify problems and determine what the City or CIC could do to help the property holders.

Mr. Zuch pointed out that the City already has large development project underway. He noted that the City has a plan for the Loveland Madeira corridor but didn't have the funds to devote to the project at this time. He stated that the Councilmanic Worksheet is a list of Council's priorities and agreed with Mr. Osborne's suggestion to add this item to the worksheet.

Mr. Elliott pointed out that Loveland's Assistant City Manager and the Loveland Area Chamber of Commerce President try to visit every business throughout the year encouraging communication. He stated that everyone would like to have all storefronts filled along the corridor but the City could not control business growth in this area. He agreed that the City should continue to monitor the area and suggested this item be folded into an existing Councilmanic Worksheet item: Redevelopment/Disposition of City and CIC owned property.

Mr. Zuch stated that the City could make investments in the infrastructure to make the corridor more attractive to shoppers, business owners, and landlords.

Mayor Weisgerber noted that the City has an overlay plan in this area and there are many privately owned properties that the City can not influence. He stated that there was value in looking into the status of projects along Loveland Madeira Road and reporting to Council.

Mr. Carroll stated that the Loveland Madeira corridor didn't need to be placed on the Councilmanic Worksheet to have it receive the attention of City staff and Council. The City works actively with the property owners along the corridor and he was not sure what the City could do to accomplish the concerns raised by Mr. Osborne.

Mr. Osborne stated that the City has not entered Phase II of the Loveland Madeira corridor. He wanted to generate dialog with the stakeholders not necessarily create a command.

Vice Mayor Bednar said that is was not the City's responsibility to fill up the shopping centers and keep businesses there. The City's job is to make the area an attractive place to come and let business owners make the decision on whether to be in Loveland or not. Mayor Weisgerber added that it was a public and private partnership job to make the area presentable, some of the property is privately owned and out of the City's control.

	<p>Mayor Weisgerber asked Mr. Osborne to vet his idea and bring it back to Council at a later time.</p>
Old Business	<p>There were no items of new business before Council.</p>
New Business	
Road Equipment Bond (Tabled)	<p>Mr. Osborne introduced an ordinance providing for the issuance of not to exceed \$145,000 of bonds by the City of Loveland, Ohio, for the purpose of road equipment acquisition in the City, and declaring an emergency. Vice Mayor Bednar moved to table this ordinance to the September 8th City Council meeting, seconded by Mr. Elliott. Roll Call: Zuch, Yes; Bednar, Yes; Elliott, Yes; Fitzgerald, Yes; Osborne, Yes; Weisgerber, Yes. The motion carried with a vote of 6-0.</p>
Building Improvement Bond (Tabled)	<p>Mr. Osborne introduced an ordinance providing for the issuance of not to exceed \$260,000 of bonds by the City of Loveland, Ohio, for the purpose of constructing building improvements in the City, and declaring an emergency.</p> <p>Mr. Osborne asked the City Manger to expand upon the building improvements. Mr. Carroll reported that City Hall's HVAC system was purchased used in 1973 when the building was built. The funds will be used for either an energy efficient conventional HVAC system or a geothermal system that would be supplemented by grant funds.</p> <p>Vice Mayor Bednar moved to table this ordinance to the September 8th City Council meeting, seconded by Mr. Osborne. Roll Call: Bednar, Yes; Elliott, Yes; Fitzgerald, Yes; Osborne, Yes; Weisgerber, Yes; Zuch, Yes.</p>
Park Improvement Bond (Tabled)	<p>Mr. Osborne introduced an ordinance providing for the issuance of not to exceed \$515,000 of bonds by the City of Loveland, Ohio, for the purpose of constructing park improvements in the City, and declaring an emergency.</p> <p>Mr. Elliott requested an itemized list of the proposed park improvements. Mr. Carroll stated that of the \$515,000 debt issuance, \$150,000 was planned in the 2009 budget and includes \$100,000 for the Lever Park restoration and \$50,000 for the White Pillars Homestead kitchen expansion and carriage house. Staff will provide an itemized list of the remaining debt, as identified by the Recreation Commission.</p> <p>Mr. Elliott moved to table this ordinance to the September 8th City Council meeting, seconded by Mr. Osborne. Roll Call: Elliott, Yes; Fitzgerald, Yes; Osborne, Yes; Weisgerber, Yes; Zuch, Yes; Bednar, Yes. The motion unanimously carried.</p>
Water System Improvements Bond (Tabled)	<p>Mr. Osborne introduced an ordinance providing for the issuance of not to exceed \$1,390,000 of bonds by the City of Loveland, Ohio, for the purpose of refunding bonds issued to pay the cost of constructing improvements to the water system in the City, and declaring an emergency. Mr. Osborne moved to table this ordinance to the September 8th City Council meeting, seconded by Mr. Zuch. Roll Call: Fitzgerald, Yes; Osborne, Yes; Weisgerber, Yes; Zuch, Yes; Bednar, Yes; Elliott, Yes. The motion</p>
Combining Bonds (Tabled)	<p>Mr. Osborne introduced an ordinance for the issuance of not to exceed \$2,310,000 of various purpose bonds, series 2009, by the City of Loveland, Ohio, for the purposes of constructing improvements to the city building, making park improvements, acquiring road equipment, and refunding bonds originally issued to construct improvements to the water system in the City, and declaring an emergency. Mr. Elliott moved to table this ordinance to the September 8th City Council meeting, seconded by Vice Mayor Bednar. Roll Call: Osborne, Yes;</p>

Weisgerber, Yes; Zuch, Yes; Bednar, Yes; Elliott, Yes; Fitzgerald, Yes.
 Mr. Elliott noted that school was back in session and asked drivers to be cautious. He noted that Loveland High School's fall athletic programs had begun. The Football team will host their first home game this Friday.

Mr. Osborne announced that his twin brother was being deployed to Baghdad to serve a 2-year tour and wished him luck.

Executive Session

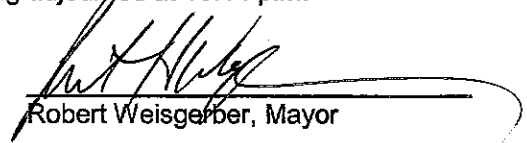
Vice Mayor Bednar moved to adjourn to Executive Session under Ohio Revised Code Section 121.22 (G)(1) and (G)(3) to discuss personnel and pending or imminent litigation, seconded by Mr. Osborne. Roll Call: Weisgerber, Yes; Zuch, Yes; Bednar, Yes; Elliott, Yes; Fitzgerald, Yes; Osborne, Yes. The motion unanimously carried, Council adjourned to Executive Session at 8:28 p.m.


Reconvene

At 10:14 p.m., Vice Mayor Bednar moved to reconvene in regular session, seconded by Mr. Zuch. The motion carried by unanimous consent.

Adjournment

There being no further business. Vice Mayor Bednar moved to adjourn the meeting, seconded by Mr. Elliott. The motion carried by unanimous consent. Mayor Weisgerber declared the meeting adjourned at 10:14 p.m.


 Robert Weisgerber, Mayor


 Misty Cheshire, Clerk of Council