

**MINUTES OF THE SPECIAL MEETING
OF LOVELAND CITY COUNCIL
Thursday, January 10, 2008**

Mayor Weisgerber called the special meeting of Council to order at 8:35 p.m.

Members Present: Vice Mayor Bednar, Mr. Elliott, Mr. Fitzgerald, Mr. Osborne, Mayor Weisgerber

Also Present: Mr. Carroll, City Manager; Mr. Klaine, Solicitor; Mrs. Cox, Clerk of Council

Mayor Weisgerber entertained a motion to excuse Mr. Daly and Mr. Schickel; so moved by Vice Mayor Bednar and seconded by Mr. Osborne. The motion was approved by unanimous consent

Old Business – Ordinances

Mr. Osborne introduced for second reading AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$955,000 OF BOND ANTICIPATION NOTES BY THE CITY OF LOVELAND, OHIO, FOR THE PURPOSE OF PROPERTY ACQUISITIONS FOR MUNICIPAL PURPOSES. Mayor Weisgerber clarified the ordinance before Council was sent to them as an emergency, but since that was not approved as an emergency on January 8, this will be the second reading. Section 12 was also revised to remove the emergency language. Mr. Elliott asked for a point of order and noted Council did not recite the Pledge of Allegiance and there's no open forum. The Mayor explained he sets the agenda and he's not sure Council Rules requires those items be included; however, since this ordinance was an emergency, he felt that anyone wishing to make comments would have done so Tuesday evening (January 8). Mr. Elliott moved to table this ordinance. Motion died for lack of a second. Regarding public input, Mr. Elliott felt some folks saw the January 8 meeting broadcast and that's maybe why two residents are here to speak or perhaps they want to give input to a Council Member. He questioned what the City will be paying for all the properties that will be acquired in this present round, not including Picciano and other properties. Mr. Carroll explained the City is under option for four parcels owned by Mr. Amend, on which \$10,000 earnest money has been paid; if the City decides to close, that will cost an additional \$350,000. There's an option on the Rogers' property; earnest money was around \$5,000 and purchase price is \$190,000. The Schmidt property, a three unit apartment building and single family house, is under option for \$10,000, and purchase price is \$275,000. The Rolke property will be purchased for \$995,000. The McCoy property costs \$200,000 and the option money is also \$10,000. The Mayor clarified the City will only be purchasing the Rolke property right now, the others are options that may be transferable; therefore, the City may or may not purchase those properties. Mr. Carroll concurred and explained it is within Council's discretion to execute those options, let them lapse, or assign them to someone else to purchase at the same, or another, price. Mr. Elliott assumed Council would fulfill the options on the other properties, even if no one else came forward, and he's concerned about other associated costs with the purchase of property, such as demolition, soil testing, infrastructure costs, sidewalks, parking lots, green space, amenities, legal fees, etc. He also questioned if all buildings would be torn down, with the exception of the historical building (Wagner Building) across from Eads Fence and noted it's undecided what will be done with Mr. Martin Schickel's property. Mayor Weisgerber stated the assumption that the City will purchase the other properties is one that he would not make at this time, as it is a policy decision of Council. If previous plans are reviewed, the Wagner Building is maintained, but other properties would be razed and the cost to do so is contingent on where the developer becomes involved. Mr. Carroll pointed out the Summary section of the 2008 budget shows the cost breakdown of some of the projected TIF expenditures. The Expenditure section shows a breakdown where it is estimated the City will spend \$1,800,000 on property acquisition and \$100,000 for site clearance and demolition. There are \$2,700,000 of expenditures that are met with an equal revenue stream of TIF proceeds, other anticipated grant receipts and other investment money put back into the project. Mr. Osborne moved to call the question; seconded by Vice Mayor Bednar. ROLL CALL (ON MOTION): Osborne, yes; Weisgerber, no; Bednar, yes; Elliott, no; Fitzgerald, yes. Motion carried. ROLL CALL (ON ORDINANCE): Elliott, no; Fitzgerald, yes; Osborne, yes; Weisgerber, yes; Bednar, yes. Ordinance was approved and assigned the number 2008-4.

Mr. Osborne introduced for second reading (an ordinance) DELEGATING AUTHORITY TO MAKE DECLARATIONS OF OFFICIAL INTENT AND ALLOCATIONS WITH RESPECT TO REIMBURSEMENTS OF TEMPORARY ADVANCES DURING 2008 MADE FOR CAPITAL EXPENDITURES FOR CAPITAL IMPROVEMENTS IN THE CITY TO BE MADE FROM SUBSEQUENT BORROWINGS. Mr. Elliott questioned why this ordinance is being considered tonight. Mr. Carroll reiterated his explanation of January 8 that if Council failed to pass the emergency ordinance, which it

did, staff would be proceeding to closing prior to issuing debt by withdrawing money from the City's invested funds. After the ordinance authorizing issuing bonds is effective, which will be 30 days from today, the City will issue bonds when they can get the best interest rate and replenish the City's treasury. If this ordinance is not passed, it is not clear to bond counsel that the City has the legislation authority to reimburse itself. Mr. Fitzgerald asked, based on what the Solicitor explained on January 8, if this ordinance allows Council to reimburse the treasury with the borrowing for this specific project (financing of the purchase of the Rolke property) and gives Council throughout 2008 the option of doing that with any other capital purchases. Mr. Klaine stated that is correct, this is a general ordinance. Mr. Fitzgerald stated his observation is this then could have a benefit beyond the immediate situation. To Mr. Elliott's point that there will be a significant spike downward in interest rates throughout 2008, if the City would theoretically make a large purchase, such as for a dump truck, it might make sense to pay it out of the treasury and wait for the next meeting of the Federal Reserve to see if rates drop. He felt there may be greater good to this ordinance than just the necessity to approve this loan. Mr. Carroll concurred and pointed out that any subsequent debt issue will have to come back to Council. Though the 2008 budget indicates no additional debt issues, he is contemplating bringing debt issues to Council for water projects because of recent SCIP loans. This ordinance does not give staff any authority since there are not any current planned debt issuance; should there be any, those would come before Council. The Mayor clarified since this is for 2008, this would not apply to advances made in 2007 to reimburse the treasury. ROLL CALL: Weisgerber, yes; Bednar, yes; Elliott, no; Fitzgerald, yes; Osborne, yes. Ordinance was approved and assigned the number 2008-05.

Mr. Osborne introduced A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ALERT TRACKING SYSTEMS FOR THE PURCHASE OF A RECORDS MANAGEMENT SYSTEM (RMS) AND COMPUTER AIDED DISPATCH (CAD) FOR THE CITY OF LOVELAND POLICE DEPARTMENT. The Mayor asked Mr. Klaine if he reviewed and approved this process since this resolution had been tabled at their last meeting. Mr. Klaine explained Deputy Chief Sabransky prepared a memorandum explaining the process the City had followed, including contacting seven or eight vendors to request they submit proposals for this project; they received three proposals and some were rejected because they were not compatible with existing software and hardware the City utilizes. The Police Division determined Alert Tracking Systems' proposal was the lowest price. Mr. Klaine apologized the memorandum was not circulated to Council, but based on its content, he revised the resolution in the second "Whereas" to address the procedure that was involved in requesting proposals from various vendors, which was not clear when the resolution was originally introduced; however, the resolution is essentially the same as it was before, which authorized a contract with Alert Tracking Systems for \$75,000. Mayor Weisgerber pointed out this resolution had been tabled on January 8 and has also been introduced again tonight. Mr. Klaine suggested the resolution be taken from the table. Mr. Osborne also pointed out the resolution's title has been changed and is different than was listed on tonight's agenda. Mr. Carroll explained staff worked quickly on this resolution, having met late on the day before the January 8 agenda was sent to Council. The differences in the agenda and why they're fast tracking this is to get this system as quickly as possible; in doing so, scrivener's errors were made and he apologizes for any confusion on January 8 and tonight. Additional time was required to satisfy Mr. Klaine that staff has complied with purchasing requirements. Mayor Weisgerber entertained a motion to remove the resolution from the table; so moved by Vice Mayor Bednar and seconded by Mr. Osborne. ROLL CALL: Elliott, yes; Fitzgerald, yes; Osborne, yes; Weisgerber, yes; Bednar, yes. Motion carried. The Mayor entertained a motion to bring back to the table the resolution that was tabled on January 8; so moved Mr. Osborne and seconded by Mr. Fitzgerald. Discussion ensued on tonight's procedure for this resolution. ROLL CALL: Bednar, yes; Elliott, yes; Fitzgerald, yes; Osborne, yes; Weisgerber, yes. Motion carried.

Mr. Osborne introduced A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ALERT TRACKING SYSTEMS FOR THE PURCHASE OF A RECORDS MANAGEMENT SYSTEM (RMS) AND COMPUTER AIDED DISPATCH (CAD) FOR THE CITY OF LOVELAND POLICE DEPARTMENT. Mr. Klaine explained it has been determined this proposal was the lowest, but he broke it out so it is identified as the best. ROLL CALL: Fitzgerald, yes; Osborne, yes; Weisgerber, yes; Bednar, yes; Elliott, yes. Resolution was approved and assigned the number 2008-06.

OTHER NEW BUSINESS

Mr. Elliott moved to amend the agenda to allow for Open Forum. The motion died for lack of a second.

Mr. Osborne moved to adjourn; seconded by Mr. Fitzgerald. ROLL CALL: Osborne, yes; Weisgerber, yes; Bednar, yes; Elliott, no; Fitzgerald, yes. Motion carried and the meeting adjourned at 9:00 p.m.

Mayor

Clerk of Council