

**MINUTES OF THE REGULAR
MEETING OF LOVELAND CITY COUNCIL
Tuesday, January 22, 2008**

Mayor Weisgerber called the meeting of the Loveland City Council to order at 8:00 p.m.

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

Also Present: Mr. Carroll, City Manager; Mr. Wright, Assistant City Manager; Mr. Braun, Deputy Solicitor; Mrs. Cox, Clerk of Council, Mr. Taphorn, Finance Director; Mr. Young, Building and Zoning Administrator, Deputy Chief Mark Rose, Loveland/Symmes Fire Department; and from the Police Division, Chief Rees, Deputy Chief Sabransky, Police Specialist Shockey, Sergeant Rahe, Officer Corbett, Officer Jordan, Officer Begue, Officer Adamson, Officer Brown, and Officer Keller

Mayor Weisgerber announced that Boy Scout Troop 617 is present tonight working on a Communication Badge towards becoming an Eagle Scout. He asked that they step forward and lead in the Pledge of Allegiance.

The Mayor recognized Ms. Paulette Leeper, former Council Member and Executive Director of the Loveland Area Chamber of Commerce; Mrs. Peggy Goodwin, former Council Member, and Boy Scouts Michael Montalbano, Graham David, and Nick Aiello.

Vice Mayor Bednar moved to approve the minutes of the January 8, 2007 Council meeting; seconded by Mr. Osborne. The motion was approved by unanimous consent. Mr. Osborne moved to approve the minutes of the January 10, 2008 special Council meeting; seconded by Mr. Daly. Mr. Elliott pointed out Open Forum was not scheduled for this special meeting, which he thought was unusual; however, he noted the Mayor has the prerogative to set the agenda. He made a motion to have Open Forum, but the motion died for lack of a second. Tonight Council will be addressing other communications with the public, which he thought was an irony since a resident wanted to speak, but was not given that opportunity. The minutes were approved by unanimous consent.

PERSONS APPEARING BEFORE COUNCIL

Ms. Leeper, Director of the Loveland Area Chamber of Commerce, explained that, as always, the competition to select the 2008 Valentine Lady made for a difficult decision for the Valentine Committee, as there were eight very deserving candidates. Valentine Ladies present tonight are: Mrs. Newburger, Mrs. Goodwin, Mrs. Gosch, Mrs. Kiefer, and Mrs. Osborne. Ms. Leeper explained the process the Committee went through to notify Mrs. Kay Napier that she had been selected as the 2008 Valentine Lady, as she is busy with commitments to her church and volunteers with the American Cancer Society's Relay for Life and the Drake Center. She has lived in Loveland for more than 40 years and is a cancer survivor. Mrs. Doris Osborne, when nominating Mrs. Napier, wrote that her family, church, and community are all important to Mrs. Napier and her kindness, helpfulness and desire to improve the lives of others is what makes her an ideal candidate. Mrs. Napier stated this is an honor and she's looking forward to her Valentine duties, though she feels there are other women that are more deserving. She thanked the Loveland Woman's Club for nominating her, the Valentine Committee and Chamber for selecting her, and Mrs. Osborne for all her efforts. Ms. Leeper reported where Mrs. Napier will be visiting, including the Chamber's annual Valentine breakfast that is sponsored by the Oasis Golf and Conference Center. She also noted that many of the Chamber's business people will again this year be participating in the Valentine cancellation that is conducted at the Loveland Post Office. They find this is an excellent way to do something for the community, while also being visible and helping the Chamber. Ms. Leeper invited everyone to visit with these business people and the Valentine Lady at the Post Office and to buy some Valentine cards. Mayor Weisgerber explained the City annually adds the name of the Valentine Lady to the plaque that hangs in City Hall and Mrs. Napier's name has been added to the list of ladies that have served since 1972.

Chief Rees expressed his appreciation to present a couple of Loveland's finest for the work they do and announced the Officer for the fourth quarter of 2007 is Officer Kurk Begue. He explained that he coached Officer Begue in little league football 26 years ago and this award is not just for the work Officer Begue does daily, but for the effort he gave to revamp and digitized their Police Procedure

Manual and for his extra effort in serving as a field training officer. Chief Rees stated he would also like to recognize Officer Kevin Corbett with a formal commendation for an activity that occurred this fall and for being selected as their Officer of the Year. He explained that Officer Corbett is one of the busiest officers on the streets in both the City and the County, having also been recognized as Officer of the Year by Clermont County. The Chief read the commendation that was presented to Officer Corbett for responding to a domestic violence call on Mohican Drive where his immediate response saved a victim from a dangerous situation that could have resulted in a serious injury or death. Officer Corbett was also recognized as Officer of the Year for 2007 for leading in many of their enforcement categories, including arrests and traffic and DUI enforcement, and for his outstanding leadership. A plaque is displayed in the Safety Center lobby which shows the names of the Officers of the Year. Mayor Weisgerber thanked Officer Begue, Officer Corbett, and the other Officers present tonight for what they give this community to keep everyone safe.

Chief Rees also presented Officer Brandon Burch for oath of office. He is starting with their Division on a part-time basis and is currently completing the field training officer process. He previously was employed by Miami University. Deputy Solicitor Braun administered the oath of office to Officer Burch.

Mr. Carroll introduced Mr. Scott Young, who tonight is being sworn in as the City's Building and Zoning Administrator. Mr. Young was formerly employed by the City of Moraine and he replaces Mr. Gerry Stoker, who was employed by the City for 14 years. Mr. Braun administered the oath of office to Mr. Young. Discussion ensued.

CITY MANAGER'S REPORTS

Regarding Memorandum No. 7, Councilmanic Worksheet Update, Mr. Elliott asked what has changed over the last two years in the Income Tax Division to cause a significant backlog of work. Mr. Carroll stated that after the Deborah Combs tax case, Mayor Greenberg appointed the Citizens Tax Review Panel to look at the City's policies, procedures and Income Tax Code and how prosecutions are handled for failure to file tax returns, pay taxes, etc. The Panel provided Council their recommendations, all of which have been implemented with the exception of additional rules and regulations which staff is working to have in place for the tax filing season starting April 15. Mr. Carroll estimated that while going through this process, he doesn't believe the City has prosecuted a failure to file or pay in Mayor's Court for nearly two years, which has created a significant backlog. Mr. Steger and the Income Tax Division staff are working on a plan to make sure everyone complies with the tax code; if that's not the case, staff will follow Mayor's Court procedures, including the summons and subpoena procedures. Mr. Braun explained his office has been working with Mr. Steger and indicated there will be a special tax docket so all these cases can be heard within the next few months.

Mr. Elliott asked what information the City will receive for a \$40,000 contract with Raftelis Consultants. Mr. Carroll stated that from his perspective, there's no more important issue facing the City of Loveland and their rate payers than the relationship with the Metropolitan Sewer District (MSD). He's received a number of complaints and concerns on the significant increase in sewer charges and other taxes and fees. The City has entered into negotiations with MSD over their 1985 agreement, though it has become a very complex issue when asking what their relationship should be with MSD, what possibility does the City have to renegotiate their agreement, and what are the City's parameters and rights. The City still owns their sewer assets so the question is what opportunity do they have to utilize those in renegotiations with MSD. The study with Raftelis will look at what is a fair rate for residents to pay, as Hamilton County sets Loveland residents' sewer rates. The sewer rate comprises nearly one-half of a resident's total utility bill and the trend line published by MSD indicates rates will triple, on average costing \$53 more this year than they did last year. He feels the City needs to look at the MSD contract to investigate what recourse they may have. There are engineering, financial and legal questions, but the City has a duty to their tax and rate payers to figure out how to best renegotiate this agreement, which not only relates to rates, but the ability for the City to control their own growth and to ensure the environment is properly cared for. MSD is under tremendous pressure from Federal and State regulators because they have not historically complied with the Clean Water Act. The City should be concerned about this, how MSD handles the City's rate payers, and what's being done to replace the City's sewer assets, particularly in the neighborhoods such as the Heights and Fox Meadow Farms, whose infrastructure has been in service 50-60 years. MSD has been invited to replace infrastructure when the City has undertaken road rehab projects, but they have declined on the basis that they're not failing. Mr. Carroll reiterated this is a very complex issue and one that requires full attention from the City. Mr. Elliott asked Mr. Carroll to explain how sewer usage is tied

into water usage, particularly how that works in the summer when more water is used. Mr. Carroll explained that a sewer bill is a function of how much water is used; how much water goes into the sewer system is not measured. In the summer, more water is used to water lawns, wash cars, etc. and that water doesn't necessarily go into the sewer system and is not treated by MSD. Therefore, winter water usage is measured and averaged and sewer bills are capped at that amount. The City tries to promote saving water in the winter to establish a lower sewer ceiling. Mr. Elliott stated he's looking for ways to mitigate larger MSD bills that will be coming over the next several years to residents. Mr. Carroll stated rates could triple over the next 20 years because of MSD's Consent Decree, so the situation is far worse than simply figuring out ways to help residents use less water because residents could conserve more water and yet have to pay much higher rates. Mayor Weisgerber stated this issue with MSD is probably one of the most important short term issues to the City of Loveland. Rates were raised 12% this year and double digit increases are expected to continue for many years. The only way MSD is paying for a \$2,000,000,000 - \$3,000,000,000 project is through rate payers throughout Hamilton County, including City of Loveland rate payers in Clermont and Warren County. He believes it is crucial for this City to investigate what their choices are to protect rate payers' finances.

Memorandum No. 9 presents an alternative method of restoring and preserving the White Pillars homestead through a long-term resident curatorship approach. Mr. Schickel wondered if anyone has informally expressed interest in playing the role of resident curator. Mr. Carroll stated two employees have made comments, though neither have been inside the house and no one else has been considered. Jurisdictions in Delaware and Maryland have published requests for qualifications and requests for proposals on similar structures and the City may attempt that approach. Consideration should be given to a person who has some financial means and has some historic preservation, carpentry and remodeling skills. While he knows no action is required now, the Mayor questioned what staff's perspective will be in getting information out on this type of approach or getting feedback. Mr. Carroll explained the intent of this memorandum is to call out that the City has an obligation to preserve this homestead that they need to honor. Looking at the plan that was put into place several years ago for raising private funds to preserve the homestead, he doesn't see that plan being implemented in any near term. He feels if the City doesn't come up with a workable plan, they may find themselves needing to invest significantly more in the house in the future if it is not occupied and maintained more actively. If the model presented with this memorandum is of interest to Council, additional staff time can be used working with the Solicitor to investigate the legalities. The process of engaging other stakeholders, including the White Pillars Steering Committee, the White Pillars neighborhood, Paxton descendants, and other interested parties in the community, could be started. Mr. Daly stated, as a member of the White Pillars Homestead Committee, there really weren't any funds raised and one of their main struggles with the project had been finding a use for the property as a public asset, even though it's a significant piece of the City's history and a valuable homestead. They had heavy input from the Greater Loveland Historical Society and other community groups and the best idea the Committee was able to come up with at that time was to build another structure that could be used as some kind of community building, particularly since the homestead is so small that it doesn't lend itself to any sort of indoor community events. One idea was to reconstruct a barn that had been on that site to use for special functions and to give restricted access to the house for public tours. The Historical Society Museum had concerns that the homestead would create competition for the JoAnn Richardson House. Mr. Daly added he's glad to see another potentially viable option on the table and would welcome any public interest or ideas. Mr. Schickel also expressed his delight in seeing an option like this come forward, as while White Pillars is a wonderful community asset, it can also be a huge cost and liability to the City. If the City can find a way without great taxpayer expense to keep this asset, this beautiful house can serve the community well; however, the City can't afford to maintain an unused asset. Responding to Mr. Elliott's request to refresh the public on this property, Mayor Weisgerber reported the City purchased the property, including approximately 80 acres and the homestead, and part of the agreement was to preserve the home. If the homestead was ever sold, a fund would need to be established to preserve it in perpetuity. The property was sold and is now a development, but the house and approximately ten acres were kept by the City. The house was not in great condition when the City purchased it and there have been individuals who have lived there, but when it became vacant, it was vandalized. The type of option before Council has some interesting aspects with regards to having someone living there and investing their sweat equity and money in the house, yet it still remains as a City asset. What would be their mortgage payments will be invested into the refurbishment of the structure, not into a mortgage with the City, thus serving as a private

investment into a community asset that has some really good merits. He expects to discuss this further at Council's upcoming goal setting meeting.

Mr. Osborne stated that reading through Memorandum No. 10, Loveland Neighborhood Action Team 2008 Plan, he would like to suggest that the Lodge Care Center be added to the list of homeowners' associations. While they're not really considered homeowners, there are 200 residents in a community who have been awarded Beautification Committee awards and they should be included when taking City Hall to the neighborhoods. Mr. Elliott stated this is what he was referring to early this evening when he stated Council didn't have Open Forum at a Council meeting and now they're putting forth a big effort to get community input and taking City Hall to the neighborhoods, which he feels is a real irony. Mr. Daly apologized for missing the special meeting due to his family schedule and asked if anyone from the public was there to speak at Open Forum. The Mayor explained Open Forum was not put on the agenda and a man in attendance asked before the meeting started if there would be a public forum. Since he had set the agenda for the special meeting before that evening, he did not include open forum. Mr. Schickel felt when something like the neighborhood meetings are new, they're exciting, but after a few years and the neighborhoods have been through the experience, it's predictable that they would decline. He wondered if the meetings couldn't be downsized so there's not quite so many assets invested in terms of Administration, Police and Fire officers, and Council being represented. While it strikes him to keep these meetings going, perhaps they should be on a smaller scale, though perhaps after a while residents may want to make it larger again. The Mayor feels these meetings are a good tool. Mr. Carroll stated what he's looking for in preparation for their work session is Council's level of support for this program. He has challenged the Management Team and Chief Rees, as the leader of the Neighborhood Action Team, to come up with ways to get more involvement and input from residents and encourage a two way dialogue. However, they want to make sure and test the assumption that this is something Council wants to continue to do and they can work to find the right combination, whether that's a smaller, less formal forum or a whole different approach, but it is something that he feels they need to be committed to. The Mayor agreed and stated that many people cannot attend Council meetings and this provides an opportunity to talk about more than just a Council agenda, particularly what's happening in their neighborhood and other issues. Mr. Schickel stated it's critical to provide forums for citizens outside of City Hall and he feels they need to keep going out and providing opportunities in the neighborhoods to hear from Loveland residents.

Mr. Fitzgerald stated it's good that Mr. Carroll and staff have presented Council projects listed on tonight's agenda, as it formulates an outline of some discussion that will continue at their February 2 goal setting session and they're a good example of the kind of things they would want to get out to residents in their early stages. Referencing Mr. Elliott's comment about a person not being able to speak at Council's special meeting, he noted that by the time the legislation had gotten to that meeting, the die had been cast because Council had previously established a policy, was implementing a program and had made a commitment to purchase property and needed to come up with the means of paying for it. Focusing on things like this provides an opportunity to the general public to know what Council is thinking before those thoughts are turned into action. He particularly liked the creative approach taken by Mr. Carroll and Mr. McLaughlin, the Management Intern, on the concept for the White Pillars homestead; while it may, or may not, work in this case, by putting this type of idea out to the public, some other creative ideas may be created. When necessary steps are taken to implement the final plan, people will feel a greater sense of franchise to it. Mr. Elliott felt Council needs to be very careful about limiting public input. Since he was at the special meeting, he understands the progression of what happened. He noted it wasn't that long ago that an issue was put on the ballot to find out if people wanted to be taxed for the YMCA project and feels that maybe it's after the fact that Council is hearing.

Mr. Elliott requested a synopsis of the Christman Farm (Memorandum No. 12, Christman Farm Note Rollover). Mr. Carroll stated that in April, 2007, the City purchased nearly 11 acres of land on Butterworth Road from Mr. and Mrs. Christman with the intention of making the City's first park in Warren County. The land is located across from the Brandywine Subdivision, south of the Butterworth Glen Subdivision that's under construction currently, and north of the proposed development on a 16-acre parcel known as the Crane property. When the Christman farm was purchased, the intention was and still is to create a tax increment finance (TIF) district to pay for this acquisition. The farm was purchased for \$800,000 and included a house, which the City is hoping to resell. Staff is requesting that Council authorize issuing a one year note for the portion of property that he assumes the City still

intends to resell at some time as that becomes the appropriate action. The City has issued other debt for the portion that the City intends to retain.

COMMITTEE REPORTS

Mr. Fitzgerald commended the Beautification Committee on their excellent 2007 accomplishments and for their report that summarizes their activities. He noted that one can see the fruits of their labor around town. He pointed out their minutes of January 7 note their recommendation to replace the metal welcome signs, which he believes recognize Loveland as the home of Mr. Matt Hamill, a recent inductee into the Loveland Athletic Hall of Fame. He suggested continuing the mix of welcome signs, particularly in the areas of Warren County and near Huntington Subdivision where there currently are no signs identifying that one is entering the City, in addition to having them for informational and aesthetic reasons. He would prefer not to see the elimination of recognition for an individual native son of the City who has exhibited significant accomplishments in overcoming a number of challenges and asked that Council take this under consideration.

COMMUNICATIONS

Mr. Elliott pointed out that the letter from MSD (Communication No. 3) informs the City that sewer rates will be increasing and commented that if Council cannot control the outside rate increases, they need to be doubly diligent to keep spending down and keep the City's rates, whether it's sewer, water, property tax, etc., very stable. Mr. Carroll pointed out his job is to interpret Council's policy direction and make sure what's the will of Council. The Mayor stated he doesn't disagree with Mr. Elliott and pointed out that Council just approved the 2008 budget. With the current economy, he's had discussions with Mr. Carroll about what is being done to watch the budget. Mr. Carroll has communicated to Department Heads the need to control discretionary spending and that activity will be ongoing. Mr. Carroll pointed out Mr. Taphorn has reported (in Communication No. 5) where the City ended the fiscal year 2007 and where 2008 has started. There's a combination of good and bad news: the City remains in strong fiscal health, but they are somewhat less well off than what was anticipated. While there's talk of a recession, the City is somewhat a reflection of the overall economy in the area. He reiterated that he's asked Department Heads to put a freeze on expenditures that would be considered discretionary. With the assistance of the Finance Committee, they've pre-identified what types of spending cuts or freezes would be made before those hard decisions have to be made. The Police Division has delayed about \$28,000 of items that are important investments that would be technological improvements, but which are not essential expenditures. The same thing will be done in the Public Works Department and he's received very positive responses from other Department Heads. With regards to overall rates, one of the City's 2008 projects is a water master plan. One thing that separates asset management and maintenance of the City's water utility is that there is an aggressive water replacement schedule. Waterline replacements are done each year and over the years the City has made very deliberate attempts to ensure the City continues to invest in its infrastructure, whether it's the water system, roadways, or the storm water system. He believes this is different than other jurisdictions, particularly with MSD whose capital plan over the next 20 years includes upsizing plants, but sewer mains in the City aren't on any replacement schedule. The City's water rate increase this year was about 3%, which holds the increase at about the rate of inflation. Similarly, the sanitation fee (trash and curbside recycling) has increased 5% over each of the last two years; however, Rumpke's contract increased more than 5%, but the City didn't have to pass on all that increase at one time due to the City's cash reserve in the Sanitation and Environment Fund, a credit to Mr. Taphorn and the previous Councils. The possibility of more modest increases is being considered for next year. Mr. Carroll feels the City has done an excellent job of managing its resources and assets. Mr. Fitzgerald felt Mr. Carroll made a point that's well taken and added that while staff is leaned upon to provide leadership in this area, for which he commends them, this does fall back on Council and is an issue which he hopes is discussed on February 2 so questions can be posed and ideas can be presented by Council to expand the dialogue.

Mr. Elliott, asked Mr. Taphorn if the Fund balances for the start of 2008 are \$225,000 higher than estimated. Mr. Taphorn explained they are, but that is relative to the total estimated projections from the budget process that was completed for 2008. This figure is a combination of all the revenue and expenditures that were more or less than what was anticipated. While income tax revenue increased by 14%, it was not quite as high as what was budgeted. The Mayor pointed out that some of the fund balance increases include encumbered funds for expenditures that have not been spent throughout 2007. Regarding the Rolke property, Mr. Taphorn explained the City will be borrowing money on a one year note, but there may be a week or so where treasury reserves may be needed to cover that

closing cost. Responding to Mr. Elliott's enquiry about paying for the Rolke property, Mr. Carroll pointed out that page 2 (of Memorandum No. 12) shows \$229,000 due to variations in each fund, not just in one fund; the largest single increase was in the Water Fund, due to last summer's drought. Regarding the Rolke purchase, reports were sent to Council on December 17 and January 8 regarding the financing of this property explaining that the City will be making this purchase for \$995,000. The December report showed the City will save money if those funds are borrowed since that will be at a lower interest rate, which is varying everyday, than what the City is currently earning. The goal of the legislation passed on January 10 was to get Council to authorize financing what they had already agreed to do, which was to buy the Rolke property. The closing on that property will be on January 31, as explained in the December and January memorandums. Information in his weekly reports to Council explained that since the ordinance passed on January 10, the City will not be able to borrow that money until February 11, causing at least an 11 day gap where money will have to be taken from the City's treasury, essentially out of income tax, to pay for the Rolke purchase. It will then be reimbursed with monies from the borrowing. Ultimately, the intention is to pay for this property through a TIF district.

Regarding the MSD issue, the Mayor pointed out he previously spoke to Mr. Wright about sending a flyer to residents explaining their water, sewer and sanitation bills so they better understand the breakdown, particularly as Council further discusses MSD and their rate changes.

COUNCILMANIC WORKSHEET

The Worksheet was updated. Mr. Osborne thanked Administration for the observation and memorandum regarding the storm water issues in the Heights and noted the impact the surface water is having, particularly at Durango and Tuscarora. He moved that a storm water study of the Heights and Fox Meadow Acres be placed on the Councilmanic Worksheet for a report on May 13; seconded by Mr. Fitzgerald. ROLL CALL: Fitzgerald, yes; Osborne, yes; Schickel, yes; Weisgerber, yes; Bednar, yes; Daly, yes; Elliott, yes. Motion carried.

OLD BUSINESS – ORDINANCES

Mr. Osborne introduced for second reading ORDINANCE AUTHORIZING THE ACCEPTANCE OF DEDICATION OF IMPROVEMENTS AND INFRASTRUCTURE IN BRANDYWINE ON THE LITTLE MIAMI SUBDIVISION, PHASE II A & B FROM BRANDYWINE LLC. Mr. Carroll explained that Mr. Wright and Public Works staff have looked at these street signs and they are or will be in compliance. ROLL CALL: Osborne, yes; Schickel, yes; Weisgerber, yes; Bednar, yes; Daly, yes; Elliott, yes; Fitzgerald, yes. Ordinance was approved and assigned the number 2008-07.

NEW BUSINESS – ORDINANCES AND RESOLUTIONS

Mr. Osborne introduced for first reading AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$250,000 OF RENEWAL BOND ANTICIPATION NOTES BY THE CITY OF LOVELAND, OHIO, FOR THE PURPOSE OF PROPERTY ACQUISITION FOR MUNICIPAL PURPOSES.

Mr. Osborne introduced for first reading AN ORDINANCE AMENDING 2008 APPROPRIATIONS. Mr. Carroll asked Mr. Taphorn if having only one reading on this ordinance would assist him in submitting the certification of resources. Mr. Taphorn explained it may, depending on rates, though having more time will give more flexibility. The Mayor entertained a motion to suspend Council Rules to read this ordinance once; so moved by Mr. Elliott and seconded by Mr. Osborne. ROLL CALL (ON MOTION): Schickel, yes; Weisgerber, yes; Bednar, yes; Daly, yes; Elliott, yes; Fitzgerald, yes; Osborne, yes. Motion carried. ROLL CALL (ON ORDINANCE): Weisgerber, yes; Bednar, yes; Daly, yes; Elliott, yes; Fitzgerald, yes; Osborne, yes; Schickel, yes. Ordinance was approved and assigned the number 2008-08.

Mr. Osborne introduced RESOLUTION AUTHORIZING THE CITY OF LOVELAND TO AMEND ITS AGREEMENT WITH THE INTERNATIONAL CITY MANAGER ASSOCIATION'S DEFERRED COMPENSATION PLAN FOR PURPOSE OF ALLOWING EMPLOYEES TO VOLUNTARILY CONTRIBUTE FUNDS TO A ROTH IRA. Mr. Elliott questioned if there would be any maintenance trust fees or other costs to the City. Mr. Carroll didn't believe there would be except for the cost of Mr. Taphorn's time. Mr. Taphorn explained the only fees would be those associated with an individual's account and those are paid by the individual. ROLL CALL: Bednar, yes; Daly, yes; Elliott, yes; Fitzgerald, yes; Osborne, yes; Schickel, yes; Weisgerber, yes. Resolution was approved and assigned the number 2008-09.

Mr. Osborne introduced A RESOLUTION APPROVING THE RELEASE OF THE PERFORMANCE BOND FOR INFRASTRUCTURE FOR THE BRANDYWINE ON THE LITTLE MIAMI SUBDIVISION, PHASE II A & B. Mr. Carroll stated that staff has confirmed all items are in compliance to release this bond. ROLL CALL: Daly, yes; Elliott, yes; Fitzgerald, yes; Osborne, yes; Schickel, yes; Weisgerber, yes, Bednar, yes. Resolution was approved and assigned the number 2008-10.

Mr. Osborne introduced A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS FOR PROFESSIONAL SERVICES RELATING TO AN ANALYSIS OF THE CITY OF LOVELAND'S SANITARY SEWER SERVICES IN CONFORMANCE WITH COUNCIL GOALS. Mayor Weisgerber reiterated that this is an extremely important issue to the City and Council needs to be very diligent about their approach. ROLL CALL: Elliott, yes; Fitzgerald, yes; Osborne, yes; Schickel, yes; Weisgerber, yes; Bednar, yes; Daly, yes. Resolution was approved and assigned the number 2008-11.

OTHER NEW BUSINESS

Mayor Weisgerber announced the City has issued a press release regarding the American Association of Retired Persons' (AARP) having representatives at City Hall to provide free tax assistance to individuals who cannot afford professional help. Dates they are available are February 11 and 25 and March 10 and 24. Appointments are necessary and can be made by calling Mrs. Newland at City Hall.

The Mayor entertained a motion to go into executive session under Ohio Revised Code Section 121.22(G)1, Personnel, specifically to consider the compensation of a public employee or official, and Section 121.22(G)2, Purchase or Sale of Property; so moved by Vice Mayor Bednar and seconded by Mr. Daly. ROLL CALL: Fitzgerald, yes; Osborne, yes; Schickel, yes; Weisgerber, yes; Bednar, yes; Daly, yes; Elliott, yes. Motion was approved and Council went into executive session at 9:35 p.m.

The Mayor entertained a motion to reconvene the regular session; so moved by Mr. Osborne and seconded by Mr. Daly. The motion was approved by unanimous consent and the meeting reconvened at 10:20 p.m.

The Mayor entertained a motion to adjourn; so moved by Vice Mayor Bednar and seconded by Mr. Daly. The motion was approved by unanimous consent and the meeting adjourned at 10:20 p.m.

Mayor

Clerk of Council