

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

The evening was designated Student Government Night and the following students from Loveland High School, representing Council Members as indicated, conducted the regular Council meeting.

Mayor Weisgerber.....	Mr. Matt Louis
Vice Mayor Bednar.....	Ms. Kate Sierzputowski
Mr. Daly.....	Ms. Claire Dolan
Mr. Elliott.....	Mr. Ian Willemin
Mr. Fitzgerald.....	Ms. Jessica Veite
Mr. Osborne.....	Mr. Nate Rasmussen
Mr. Schickel.....	Ms. Molly Stancliff
Mr. Carroll.....	Ms. Suzanne Camp
Mr. Wright.....	Ms. Annie Policastro
Mr. Klaine.....	Mr. Mick Eskender
Mrs. Cox.....	Mr. David Volkman

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

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

Also Present: Mr. Carroll, City Manager; Mr. Wright, Assistant City Manager; Mr. Klaine, Solicitor; Mrs. Cox, Clerk of Council; Mrs. Tait, Utility Billing Clerk; Deputy Chief Knapp; Police Chief Rees; Sergeant Wilmes; Officer Jordan; Officer Barnes; Officer Brown; Officer Szpak; and Officer Smallwood.

Mayor Weisgerber (Mayor Louis) entertained a motion to excuse Vice Mayor Bednar; so moved by Mr. Osborne (Mr. Rasmussen) and seconded by Mr. Daly (Ms. Dolan). The motion was approved by unanimous consent. Ms. Leeper, former Council Member, will be advising Vice Mayor Bednar's student this evening.

Mayor Weisgerber (Mayor Louis) recognized and welcomed Dr. Boys, Superintendent of Loveland City Schools; Dr. Lorenz, President of the Loveland Board of Education; Ms. Leeper, former Council Member and Executive Director of the Loveland Area Chamber of Commerce.

PERSONS APPEARING BEFORE COUNCIL

Mr. Klaine (Mr. Eskender) administered the oath of office to Mrs. Cynthia Tait, who was recently hired to serve as the Utility Billing Clerk.

Chief Rees stated his appreciation to appear tonight to recognize the Officer of the First Quarter of 2008. He recognized Officer Barnes, who serves as the School Resource Officer and was previously selected as Officer of the Year. During the first quarter of this year, Officer Barnes successfully extinguished a fire at the Middle School and was nominated as Educator of the Year, even though he's not a teacher. Chief Rees thanked Officer Barnes for his service and presented him a plaque.

Deputy Chief Knapp, Loveland-Symmes Fire Department, explained one of his jobs is to investigate technology to give staff resources that are available in the private sector. A live presentation was shown as seen from a camera located in Lever Park and two cameras that are located in Symmes Township. He explained that while some people may think these cameras are "big brother" watching them, they are being used to ensure neighborhoods are safe and municipal equipment and property is not destroyed. The camera is pre-set to monitor different areas or can be used to zoom in and pan from side to side to take a closer look. Pictures are monitored 24 hours a day, 7 days a week from the Northeast Communications Center, which is in direct contact with the Police and Fire Departments. Images are recorded and stored on a hard drive and since the recordings are digital, images can be manipulated and utilized to document specific occurrences. Cost estimates will be acquired to place cameras in Phillips and McCoy Parks and the Cherokee Tot Lot. Since the system is wireless and functions with a Motorola canopy system, data lines are not required and there is no ongoing

operating cost. If the City purchases a wireless mesh network, which was reviewed last year, Police Officers could review the camera transmissions from their cruiser. Mr. Carroll (Ms. Camp) explained there have been discussions with the School Board regarding possible installation of cameras at all school campuses. Mayor Weisgerber (Mayor Louis) thanked Deputy Chief Knapp for his presentation.

Mayor Weisgerber (Mayor Louis) entertained a motion to approve the April 8, 2008 Council minutes; so moved by Mr. Daly (Ms. Dolan) and seconded by Mr. Schickel (Ms. Stancliff). The motion was approved by unanimous consent.

OPEN FORUM

Mr. David Volkman, Loveland High School Government Teacher, thanked Loveland City Council and staff for allowing students to participate in Student Government Night and for helping them prepare for this evening. He introduced each student personally and announced who they are representing. He noted that in Vice Mayor Bednar's absence, Ms. Leeper, a former Council Member, is working with his student. Mr. Volkman stated this partnership has been a tremendous learning opportunity for approximately 30 years to help young leaders learn about local government and he still looks forward to the day when somebody who participated in this program gets elected to Loveland City Council and they can be held up as an example of what this night did. He congratulated the students on being selected, as many seniors applied for this program; they were chosen on their proven record of leadership in the classroom and extracurricular activities, including athletics and student government. They have a willingness and desire to serve, much like their counterpart Council Member. He stated that with each student crossing a threshold this year of adulthood and citizenship, they've learned about government at school, at home and perhaps in their travels, but this is just as important because this is where self government happens and without local government, government of, by, and for the people does not exist. As their teacher and more importantly as a citizen, Mr. Volkman expressed hope they will make the most of this opportunity and learn from their counterparts that government is about real people who have real beliefs and are making real decisions to solve real problems. This is democracy and the decisions made here tonight and that Council Members make throughout their term have a very real affect on the future of this community and the students get a small taste of that for an hour or so tonight. Council Members are here for four years, some of them longer than that, and they're making many sacrifices in terms of time and energy; he hopes that each student will someday look back on this experience and have some degree of inspiration and make the decision to answer the special call to public service. Mr. Volkman wished them the best and expressed hope they will have fun tonight, but most important, he hopes they learn. Mayor Weisgerber (Mayor Louis) thanked Mr. Volkman.

CITY MANAGER'S REPORTS

Mayor Weisgerber (Mayor Louis) explained a resolution on tonight's agenda authorizes the City Manager to enter into a contract with the law firm of Schottenstein, Zox and Dunn to assist the City as it reviews a number of complex utility issues. Mr. Elliott (Mr. Willemin) stated he understands funding for hiring this counsel will be taken from sewer and water funds and asked if there will be adequate funds remaining in those accounts. Mr. Carroll (Ms. Camp) stated these funds are undesignated working capital balances and there are funds to pay for this counsel. Mr. Elliott (Mr. Willemin) felt it is vague what exactly this counsel will be doing and based on their fee of approximately \$300 per hour, he questioned if there are estimates on how long their services will be needed. Mr. Carroll (Ms. Camp) stated there is no estimated timetable, but he (she) will be monitoring it and working closely with their attorneys.

Memorandum No. 36 explains several resolutions on tonight's agenda draw attention to some of the critical services residents rely on every day that the City provides for them.

Mayor Weisgerber (Mayor Louis) reported the first Loveland Neighborhood Action Team meeting will be held on May 13 with the Woodford Subdivision (Memorandum No. 37). Ms. Leeper (Ms. Sierzputowski) noted the meeting will be held at 7:00 p.m. at the Safety Center. Mr. Carroll (Ms. Camp) explained other neighborhood meetings will be scheduled by May 13.

The concept plan for the Downtown Job Creation and Redevelopment Project has been submitted to the City from the Loveland Redevelopment Group (LRG) and is posted on the City web site (Memorandum No. 38). Mr. Elliott (Mr. Willemin) stated that while he understands this project has been underway for some time and there's already much invested in it, his only concern is if there's a

need and demand for these buildings, as there have been Downtown office buildings that have stayed empty for an extended period of time and many are not full. He questioned if it's fiscally responsible to invest this much money in developing this if there isn't going to be a return. Mr. Carroll (Ms. Camp) stated getting new businesses in the Downtown will help this area be successful. Mr. Fitzgerald (Ms. Veite) questioned if integration of pedestrian access to the rest of Downtown has been considered with regards to the railroad tracks and parking lots and crossing to the Loveland Stage Company. Mr. Carroll (Ms. Camp) stated these issues are being reviewed separately. Mr. Schickel (Ms. Stancliff) asked for a projected timeline and if this plan is permanent. Mr. Carroll (Ms. Camp) felt that property could probably be purchased by August and building would begin in 2009; the plan presented is opened to revisions and all suggestions should be submitted to the City Manager. Additional information is also posted on the City web site. Ms. Leeper (Ms. Sierzputowski) questioned if the outside dining would be at building 1 as indicated by the circles; Mr. Carroll (Ms. Camp) stated it will be. Mr. Schickel (Ms. Stancliff) commented the traffic entranceway looks really difficult and he (she) is unsure how that would work with the surrounding traffic lights. Mr. Carroll (Ms. Camp) agreed and expected the plans will be tweaked. Mayor Weisgerber (Mayor Louis) stated his belief that these businesses would be a great help to the community and their tax revenue would help the community grow as a whole. Mr. Fitzgerald (Ms. Veite) asked if consideration has been given to moving the building closer to the sidewalk for more of an urban feel, similar to Pizazz's building. Mr. Wright (Ms. Policastro) stated that was considered, but the developers feel that accessible and visible parking would be critical.

Memorandum No. 39 provides updates on four Councilmanic Worksheet items. Mr. Schickel (Ms. Stancliff) questioned where the columbarium will be built within the Veterans' Memorial Park. Mr. Carroll (Ms. Camp) stated the location would have to be incorporated into the overall design, which has not been completed. Mr. Schickel (Ms. Stancliff) pointed out the columbarium has 192 niches and it would be opened to veterans' family members as well and questioned if there would be a set number for each family. Mr. Carroll (Ms. Camp) stated this was initially for veterans only, but it was felt family would want to be interred together. Mr. Elliott (Mr. Willemin) questioned how much would be charged for a niche. Mr. Carroll (Ms. Camp) explained Council needs to determine first if they want to move forward before additional research, including price, is completed. Mr. Elliott (Mr. Willemin) stated before moving forward he would like to know how this would be funded and how the approximate cost would be returned, if veterans are interested in this happening, and where the funding would come from. Mr. Carroll (Ms. Camp) stated all costs would be fully recovered by those paying to be interred, though only one person has expressed an interest as of this date. Mr. Elliott (Mr. Willemin) pointed out the cost would be over \$30,000, not including shipping and crane installation. Mr. Carroll (Ms. Camp) also explained an index of all pavers is available for review at City Hall. Regarding the Loveland frog, Mr. Osborne (Mr. Rasmussen) thanked Administration for the information and indicated ideas will be forthcoming about incorporating the frog into marketing Loveland.

Mayor Weisgerber (Mayor Louis) pointed out April 22 is Earth Day and the City is committed to protecting the community's natural assets. In responding to Ms. Leeper's (Ms. Sierzputowski's) question, Mr. Wright (Ms. Policastro) explained apartment complexes do not have curbside recycling.

COMMITTEE REPORTS

Responding to Ms. Leeper (Ms. Sierzputowski), Mr. Wright (Ms. Policastro) explained the Beautification Committee's planting day is Saturday, May 3.

Mr. Carroll (Ms. Camp) confirmed that the White Pillars Homestead Advisory Board's next meeting will be held on Thursday, May 22.

COUNCILMANIC WORKSHEET

Mayor Weisgerber (Mayor Louis) entertained a motion to approve the quarterly financial report; so moved by Mr. Fitzgerald (Ms. Veite) and seconded by Mr. Daly (Ms. Dolan). ROLL CALL: Fitzgerald (Veite), yes; Osborne (Rasmussen), yes; Schickel (Stancliff), yes; Weisgerber (Louis), yes; (Sierzputowski, yes); Daly (Dolan), yes; Elliott (Willemin), yes. Motion carried. The next report on the Approval of the Quarterly Financial Report was scheduled for July 22.

Mr. Elliott (Mr. Willemin) stated before the columbarium project goes any further, he feels more interest needs to be showed and suggested that there be communication with veterans and others to see if this is really needed or wanted before deciding on making any investments. Mayor Weisgerber

(Mayor Louis) entertained a motion to defer this issue until July 8 to allow time to gather new information; so moved by Mr. Fitzgerald (Ms. Veite) and seconded by Mr. Osborne (Mr. Rasmussen). ROLL CALL: Osborne (Rasmussen), yes; Schickel (Stancliff), yes; Weisgerber (Louis), yes; (Sierzputowski, yes); Daly (Dolan), yes; Elliott (Willemin), yes; Fitzgerald (Veite), yes. Motion carried.

OTHER OLD BUSINESS

Mr. Fitzgerald (Ms. Veite) moved that City Administration be directed to estimate the cost and feasibility of installing benches on West Loveland Avenue in the gazebo for the beautification of Loveland; seconded by Ms. Leeper (Ms. Sierzputowski). Discussion ensued on the location; Mr. Carroll (Ms. Camp) explained the referenced area is the Village Anniversary Park and there is one bench at the location currently. Mr. Fitzgerald (Ms. Veite) explained it would be nice to have benches because there is no seating in the gazebo for joggers or those living in the apartment complexes. He (she) clarified the request for an estimate would be for benches in the gazebo only. ROLL CALL: Schickel (Stancliff), no; Weisgerber (Louis), yes; (Sierzputowski, yes); Daly (Dolan), yes; Elliott (Willemin), no; Fitzgerald (Veite), yes; Osborne (Rasmussen), yes. Motion carried.

Ms. Leeper (Ms. Sierzputowski) noted that the Loveland Area Chamber of Commerce is pleased to announce the first in a series of legislative luncheons will be held on Tuesday, April 29, from 11:30 a.m. until 1:00 p.m. at the Oasis Conference Center. The deadline to register is Friday, April 25.

NEW BUSINESS – ORDINANCES AND RESOLUTIONS

Mr. Osborne (Mr. Rasmussen) introduced RESOLUTION DECLARING MAY 18 – 24, 2008 AS NATIONAL PUBLIC WORKS WEEK IN THE CITY OF LOVELAND, OHIO. ROLL CALL: Weisgerber (Louis), yes; (Sierzputowski, yes); Daly (Dolan), yes; Elliott (Willemin), yes; Fitzgerald (Veite), yes; Osborne (Rasmussen), yes; Schickel (Stancliff), yes. Resolution was approved and assigned the number 2008-27. Mayor Weisgerber (Mayor Louis) commented that Public Works staff has a big responsibility to keep the City running and they are greatly appreciated by the community.

Mr. Osborne (Mr. Rasmussen) introduced RESOLUTION DECLARING MAY 4 – 10, 2008 AS DRINKING WATER WEEK IN THE CITY OF LOVELAND, OHIO. ROLL CALL: (Sierzputowski, yes); Daly (Dolan), yes; Elliott (Willemin), yes; Fitzgerald (Veite), yes; Osborne (Rasmussen), yes; Schickel (Stancliff), yes; Weisgerber (Louis), yes. Resolution was approved and assigned the number 2008-28.

Mr. Osborne (Mr. Rasmussen) introduced RESOLUTION DECLARING MAY 5 – 11, 2008 AS BUILDING SAFETY WEEK IN THE CITY OF LOVELAND, OHIO. Mayor Weisgerber (Mayor Louis) expressed his thankfulness for safe buildings, such as City Hall. ROLL CALL: Elliott (Willemin), yes; Fitzgerald (Veite), yes; Osborne (Rasmussen), yes; Schickel (Stancliff), yes; Weisgerber (Louis), yes; (Sierzputowski, yes); Daly (Dolan), yes. Resolution was approved and assigned the number 2008-29.

Mr. Osborne (Mr. Rasmussen) introduced RESOLUTION DECLARING MAY 3, 2008 TO BE THE FOURTH ANNUAL INTERNATIONAL PILATES DAY IN THE CITY OF LOVELAND, OHIO. Mr. Daly (Ms. Dolan) pointed out the City Manager once again sponsored this resolution. Discussion ensued. ROLL CALL: Fitzgerald (Veite), yes; Osborne (Rasmussen), yes; Schickel (Stancliff), yes; Weisgerber (Louis), no; (Sierzputowski, yes); Daly (Dolan), yes; Elliott (Willemin), yes. Resolution was approved and assigned the number 2008-30.

Mr. Osborne (Mr. Rasmussen) introduced RESOLUTION CELEBRATING THE 60TH ANNIVERSARY OF THE LOVELAND POLICE DIVISION. Mr. Wright (Ms. Policastro) announced that a badge acknowledging this anniversary is being passed around to Council tonight. Mr. Carroll (Ms. Camp) explained that the Loveland Fraternal Order of Eagles funded the cost for the badges. ROLL CALL: Osborne (Rasmussen), yes; Schickel (Stancliff), yes; Weisgerber (Louis), yes; (Sierzputowski, yes); Daly (Dolan), yes; Elliott (Willemin), yes; Fitzgerald (Veite), yes. Resolution was approved and assigned the number 2008-31.

Mr. Osborne (Mr. Rasmussen) introduced RESOLUTION DECLARING MAY 18 – 24, 2008 AS EMERGENCY MEDICAL SERVICES WEEK IN THE CITY OF LOVELAND, OHIO. ROLL CALL: Schickel (Stancliff), yes; Weisgerber (Louis), yes; (Sierzputowski, yes); Daly (Dolan), yes; Elliott (Willemin), yes; Fitzgerald (Veite), yes; Osborne (Rasmussen), yes. Resolution was approved and assigned the number 2008-32.

Mr. Osborne (Mr. Rasmussen) introduced RESOLUTION DECLARING APRIL 22, 2008 AS EARTH DAY IN THE CITY OF LOVELAND AND RECOGNIZING LOVELAND'S EFFORTS TO MAINTAIN A HEALTHY AND SUSTAINABLE ENVIRONMENT. Mr. Elliott (Mr. Willemin) asked if there have been any environmental initiatives made by the City. Mr. Carroll (Ms. Camp) pointed out residents' recycling efforts and City staff is also reviewing other issues. ROLL CALL: Weisgerber (Louis), yes; (Sierzputowski, yes); Daly (Dolan), yes; Elliott (Willemin), yes; Fitzgerald (Veite), yes; Osborne (Rasmussen), yes; Schickel (Stancliff), yes. Resolution was approved and assigned the number 2008-33.

Mr. Osborne (Mr. Rasmussen) introduced A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO RETAIN THE LAW FIRM OF SCHOTTENSTEIN, ZOX AND DUNN AS SPECIAL COUNSEL FOR THE PURPOSE OF REVIEWING UTILITY ISSUES. Mr. Osborne (Mr. Rasmussen) feels Council will be frugal with oversight of this outside legal counsel's expenses and pointed out this issue is probably the most important issue for the next decade and, therefore, requires specific legal counsel. Discussion ensued on the wording of Section 1. Mr. Klaine (Mr. Eskender) explained this was written in legal terms that are used in most legislation. Mr. Elliott (Mr. Willemin) expressed his concern about having a cap, as stated earlier this evening, where the funds would come from and does the City have the money, and how long will this take. He added that he's voted no on many of tonight's resolutions because he finds most of them to be frivolous and an irresponsible way of spending taxpayers' dollars. If Council is willing to spend time writing laws about Pilates or resolutions that essentially do nothing, he's not certain he agrees with spending more money on a lawyer working on water issues, as there needs to be an estimate on how much money will be invested and, in his opinion, there aren't sufficient limits the way it is now. Mr. Carroll (Ms. Camp) responded there are funds and there is not a cap, but no more than \$100,000 will be spent. Also, there is no taxpayers' money going to declaring Pilates day. Mr. Elliott (Mr. Willemin) pointed out this day was approved by the City Solicitor and he is paid to review and approve this so taxpayers' money is going towards this. Mr. Carroll (Ms. Camp) pointed out most resolutions are written by staff and reviewed by the Solicitor so it's not that frivolous. Mr. Daly (Ms. Dolan) pointed out the cost of this resolution is very small compared to the cost of rising sewer rates, which this will help control. Mayor Weisgerber (Mayor Louis) requested background information on this law firm in dealing with situations similar to the City's. Mr. Carroll (Ms. Camp) explained this firm has expertise in municipal and environmental law and they have successfully litigated cases similar to the City's. Mayor Weisgerber (Mayor Louis) reiterated this firm has a strong background in environmental services and their talent will be utilized to complement the Solicitor and in providing guidance to Council on their utility issues, namely that sewer rates are increasing drastically due to the increase costs from Metropolitan Sewer District. ROLL CALL: Daly (Dolan), yes; Elliott (Willemin), no; Fitzgerald (Veite), yes; Osborne (Rasmussen), yes; Schickel (Stancliff), yes; Weisgerber (Louis), yes; (Sierzputowski, yes). Resolution was approved and assigned the number 2008-34.

OTHER NEW BUSINESS

Ms. Leeper (Ms. Sierzputowski) announced that the 2008 recipient of the \$1,000 Loveland Area Chamber of Commerce Patricia Furterer Scholarship is Ms. Jessica Veite. Ms. Veite stated it is an honor to receive this distinguished scholarship and expressed her thankfulness.

Responding to Council's questions, Mr. Carroll (Ms. Camp) explained those wishing to register for the Chamber's legislative luncheon should call the Chamber's office. Cost is \$20 for member; \$25 for non-members.

Mr. Fitzgerald (Ms. Veite) moved to investigate the cost of milling and paving the parking lot at Boike Park, which is located by the High School; seconded Mr. Osborne (Mr. Rasmussen). Mr. Fitzgerald (Ms. Veite) believes the numerous pot holes are unsafe for children attending the High School. He (She) also asked that Administration consider paving the parking lot after estimating the cost, as he (she) believes it hasn't been paved in ten years and it is now time. Mr. Carroll (Ms. Camp) pointed out the cost of this project will be considerable because the lot does not have a proper foundation, but it can be considered as part of the 2009 annual street program. Mr. Fitzgerald (Ms. Veite) believes if it is milled and paved now it will last for another ten years, but for now, he'd (she'd) like to have an estimate of the cost. Mr. Carroll (Ms. Camp) estimated it would cost approximately \$30,000. Mr. Fitzgerald (Ms. Veite) asked that Council create a plan over the next couple of years to allocate funding for this. Mayor Weisgerber (Mayor Louis) felt it would be more prudent to deal with sewer legal issues first and address paving parking lots at a later date. ROLL CALL: Elliott (Willemin), no; Fitzgerald (Veite), yes;

Osborne (Rasmussen), no; Schickel (Stancliff), yes; Weisgerber (Louis), no; (Sierzputowski, no); Daly (Dolan), no. Motion failed.

Mr. Carroll (Ms. Camp) announced the City Manager's Office would like to invite the students participating in Student Government Night to consider applying for a summer internship with the City after the 2009-2010 academic year. The City has had excellent experiences with Kevin McLaughlin, a 2005 Loveland High School graduate and participant in this program, who is coming back to intern with the City again this summer. Interested students should be studying political science, history, economics, English, or some other related field and should have at least a 3.5 grade point average. It is the City Manager's hope that Loveland High School graduates will make college and graduate school internships with the City yet another part of this wonderful tradition, and he (she) further hopes that some Loveland High School graduates will consider a career in public service in general, and local government in particular.

There being no further business to come before Council, the Mayor entertained a motion to adjourn; so moved by Mr. Daly (Ms. Dolan) and seconded by Mr. Fitzgerald (Ms. Veite). The motion was approved by unanimous consent and the meeting adjourned at 9:10 p.m.

Mayor

Clerk of Council