

**MINUTES OF THE REGULAR
MEETING OF LOVELAND CITY COUNCIL
Tuesday, May 13, 2008**

Mayor Weisgerber called the meeting of the Loveland City Council to order at 8:05 p.m. The Pledge of Allegiance was recited.

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

Also Present: Mr. Carroll, City Manager; Mr. Wright, Assistant City Manager; Mr. Klaine, Solicitor; Mrs. Cox, Clerk of Council; Mr. Taphorn, Finance Director; Mr. Steger, Assistant Finance Director; Chief Huber; Chief Rees; Deputy Chief Sabransky, and Police Specialist Shockey

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

Mr. Elliott moved to approve the minutes of the April 22, 2008 Council meeting; seconded by Mr. Daly. Mr. Elliott commented that it was a real pleasure working with the students on Student Government Night (April 22) and he looks forward to doing it again. The Mayor concurred. The motion was approved by unanimous consent.

Mayor Weisgerber recognized former Mayor Lajcak and Ms. Leeper, Executive Director of the Loveland Area Chamber of Commerce and former Council Member.

OPEN FORUM

Mrs. Winnie Eckhoff, 161 Hounds Run, thanked Mr. Daly for all his service to the City, though she's very happy he's moving closer to his family. She stated, on behalf of many residents of Warren County and the Brandywine Subdivision, that many would like to see Mr. Arnold Bellush take Mr. Daly's place on Council, pointing out that he ran a great campaign (for City Council) last fall. Out of the approximately 200 Warren County votes, Mr. Bellush garnered 192. She stated he is a very intelligent, well educated man that the City needs and he ran as a candidate for the entire City, not a single issue candidate. He was endorsed by the Chamber of Commerce and the Loveland Herald and has experience in local and state government dealing with the environment, regional sewer and water growth and planning, and she feels he will be an invaluable asset to this City if given the chance. Mrs. Eckhoff stated that during a recent meeting she attended, Council looked at how they are doing. She heard, and it has been pointed out numerous times by the Mayor and City Manager in the press, the importance of current and future problems associated with sewer, problems that will not go away. Prices are going to change and it will be necessary to have much understanding of these problems and intelligent negotiations and there's not a better person for this than Mr. Bellush. They are very proud of him and know he would be one of the best assets for the entire City, but they would also like to have a Council representative from Warren County.

Mr. Ed Warfel, 137 Hawks Ridge Circle, stated he wants to speak in support of Mr. Arnold Bellush as the worthy successor of Mr. Daly and asked that Council consider Mr. Bellush's showing in the past election and recognize that he was not in town and unable to campaign because of his mother's illness. He feels Mr. Bellush is qualified and has experience and those who know him voted for him. Mr. Warfel asked that Council do likewise.

Mr. Dennis Berry, 1013 Hickory Ridge Lane, stated that politics can be a cold business and too often people are put into a group, such as "that Council," though individuals who are members of that group may not exhibit the exact traits that a person is commenting about, unfortunate baggage that comes with a leadership position. Loveland is losing one of its fine community leaders, Mr. Daly, who he has watched grow as a Council Member over the last few years. While he and Mr. Daly are not close friends or neighbors, as they met when he (Mr. Berry) ran for a Council seat a few years ago, he found Mr. Daly made him feel comfortable and his care for the City came out in their conversations. Mr. Berry stated a few months ago he referred to "that Council" when making a point, which offended Mr. Daly, and tonight he publicly apologized for any statements he made that personally offended Mr. Daly. While their views may have differed, he has high regard for Mr. Daly and thanked him for his

time and public service in Loveland. Mr. Berry, referencing the procedure established in the City Charter for appointing a person to fill a Council vacancy, stated he has forwarded his resume to Council Members expressing his desire to be considered for the open seat and tonight he reiterates that position. He also wished Mr. Daly good luck and God's blessings in his new position and to his family in their new home and thanked Council for their consideration. Mr. Daly thanked Mr. Berry and stated that no apology is necessary, as he considers him a close friend even though that is only through infrequent emails. He's enjoyed their conversations and he plans on continuing doing so.

Ms. Leeper, 1800 Pheasant Hills Drive, stated she's here on two issues. First, as a citizen and former Council Member, she feels Mr. Daly has been one of the best Council Members she's seen. While he's not the most vocal, often his words are met with her thoughts and she respects and admires that he's leaving Council for the same reason she did, which is for family reasons, and she wished him and his family much luck and God's blessings. Second, as the Director of the Chamber, Ms. Leeper announced their new fall event, the Loveland Festival, which will be held on Saturday, September 27. The event will start at 8:00 a.m. with a bike relay that will require a two person team to determine who will ride and who will walk with both of them crossing the finish line at the same time. Events to follow include a pancake breakfast, a mini-business expo, and a Taste of Loveland will continue until 8:00 p.m. There will also be an ice cream eating contest, a kids show, and American Idol and Dancing with the Stars contests. Ms. Leeper also clarified that the Chamber of Commerce does not endorse political candidates, as referenced by a speaker earlier this evening, as they only endorse issues.

Vice Mayor Bednar moved to amend tonight's agenda to add the resolution regarding Raftelis Financial Consultants services, which was placed at their table this evening, and change the ordinance (regarding Mr. Carroll's salary) listed on the agenda from an emergency to an ordinance that will have its first reading tonight; seconded by Mr. Osborne. ROLL CALL: Fitzgerald, yes; Osborne, yes; Weisgerber, yes; Bednar, yes; Daly, yes; Elliott, yes. Motion carried.

CITY MANAGER'S REPORTS

Memorandum No. 41 contains two tables that show staff's analysis of Loveland City School District's tax base and the City's Community Reinvestment Area tax abatement program. This information was requested by Mr. Elliott in preparation for the April 29 Chamber legislative luncheon.

Memorandum No. 42 provides an analysis of the City's water system assets and the costs that would be necessary to replace the system, which is valued at approximately \$81,000,000 at today's costs. Mr. Elliott asked if more employees will be added to the Public Works Department. Mr. Carroll stated he wouldn't contemplate more than one or two additional employees at this time and pointed out a position had been eliminated this year. Council has generally directed him to keep employee numbers at the same level, but if one person is added, they would still be at their 2008 complement of staff in 2009. He contemplates a utility director to be in charge of the overall water system; the second position would be a maintenance type position. While he is considering these changes, if Council doesn't fund this, he'll except that direction and they'll modify and adjust the system as necessary. While employees running this \$81,000,000 asset are very skilled, he pointed out the Public Works Director splits his time between the water system, parks, streets, the storm water system, sanitation, etc. and he doesn't feel this allows the Director time to give the water system proper time; the City Engineer also shares the many functions of Public Works. Mr. Carroll used the example of the water system's valves and how they're used to isolate sections when necessary; many of those valves haven't been exercised for many years due to being paved over, not being able to locate them due to records being lost in the 1972 City Hall fire, etc. He personally feels there aren't adequate staff resources to address these issues and questioned if the asset is being managed and maintained. While adding one or two employees may not resolve all issues, it would certainly help a utility that generates over 500,000,000 gallons of water a year. Mayor Weisgerber pointed out a second issue, which has been discussed by the Finance Committee, includes whether the assets that are being replaced over time are being managed in a timely manner. He noted how the roads are on a maintenance schedule and feels an analysis is needed to understand the underground infrastructure to ensure proper investments are made to maintain its quality and keep the system working properly for the safety of the community. Discussion ensued on requirements for new employees to have certain water licenses. Mr. Carroll reported the City's system requires a Level II State license; two employees currently have a Level II license, one of which also has a Level III. Two other employees have a Level I license. A utility director wouldn't be required to have a water license, though it would be desirable, but utility experience would be necessary though not solely within a water department.

Responding to Mr. Fitzgerald, Mr. Carroll explained hiring additional staff would not require any funding from other funds, as the Water Fund is an enterprise fund and all monies received for water usage is placed in this account and is only permitted to be used for water expenditures; therefore, these positions would not be competing for funds needed to pay for a position or equipment in another City Department. Mr. Elliott asked what information is still unknown. Mr. Carroll explained plats that were destroyed would reveal where lines run, what the lines are constructed of, etc. Some information has been determined when maintaining hydrants and mains, but there is still unknown information. He pointed out the last page of this memo is a table which shows pipe installation dates from 1950–2007. It is estimated the pipes will last anywhere from 75-80 years, depending on materials used, soil conditions, and other factors. He feels the water system is generally in good condition, but there was deliberate new development and replacement of the 4 inch mains in the 1990's to upgrade the overall system. It is not known when more than 40,000 feet, or about 11% of today's system, was installed, but it was before 1950. Attempts are being made to identify age and condition of all pipes, including lines installed before 1950, though a considerable amount of time may not be given this project as some of these pipes are scheduled for replacement within the next five years. He anticipates having Council consider addressing, within the next year or so, neighborhoods in the older sections of Hamilton County, streets such as Victory, Ohio, Riverside, etc., where there are still 4 inch lines. Mr. Elliott pointed out that the City turned over operation of its sewer system to the Metropolitan Sewer District (MSD) in 1985, though the City still owns 55 miles of sewer lines. Mr. Carroll felt the number would be somewhat smaller, though there will probably be a debate about who owns what because lines installed since 1985 are in an easement titled to Hamilton County; however, the City owns everything installed before 1985 without dispute. He believes that ultimately the City will be responsible for the pipes, though MSD's responsibilities under the 1985 agreement are to operate and maintain them. Ongoing discussions with MSD include whether they're living up to that part of the agreement. Discussion ensued on MSD managing City assets. Mr. Carroll stated he's not sure that MSD is maintaining the City's sewer assets and they need to do so to his and others' satisfaction that they have a plan to replace a 55 year old sewer asset within the next 20 years when the asset will be well past its life expectancy. The City is doing its own research and consulting with other experts to find answers to their own questions because those questions are not being answered by MSD.

Mayor Weisgerber entertained a motion to open the scheduled public hearing at this time; so moved by Mr. Fitzgerald and seconded by Mr. Osborne. ROLL CALL: Bednar, yes; Daly, yes; Elliott, yes; Fitzgerald, yes; Osborne, yes; Weisgerber, yes. Motion carried and the public hearing began at 8:39 p.m. This meeting reconvened at 8:41 p.m.

Mayor Weisgerber stated there will be the first reading of an ordinance tonight to create a recreation land tax increment financing (TIF) district to finance the 2007 purchase of the Christman property for a future municipal park. Council held a public hearing tonight. Mr. Elliott felt it was interesting the public hearing agenda stated the hearing was held for public comments on the possibility of creating a TIF and it's not a possibility, it's in front of Council now, though he's sure Council could reject this. Mayor Weisgerber pointed out creating this TIF requires Council to approve this legislation, which they have not done yet.

Memorandum No. 44 informs Council of the status of the Appalachian Regional Commission grant the City has applied for to receive funds to benefit the Downtown Job Creation and Revitalization Project and the approval process established for the grant program. Mr. Carroll recognized Mr. Wright's efforts in submitting an application for this grant, which requires a three tier process. During the first round, the City's project was ranked first out of three Clermont County projects, which is a good indicator the application may be awarded, though it is not guaranteed at this step.

Recommendations on updating the Councilmanic Worksheet were provided in Memorandum No. 45. Mr. Fitzgerald moved that Council accept the recommendations set forth regarding removal of the one item (skate park report) and the pursuit of the storm water issue (in Fox Meadow Farms and the Heights) in 2008–2009; seconded by Mr. Daly. ROLL CALL: Bednar, yes; Daly, yes; Elliott, yes; Fitzgerald, yes; Osborne, yes; Weisgerber, yes. Motion carried.

COMMUNICATIONS

Mr. Osborne pointed out for the public's information that the roads scheduled for maintenance in 2008 are listed on Communication No. 6. Mr. Carroll explained a press release identifying these streets has been issued and posted on the City web site and he also hopes it will also be published in the Herald.

The Mayor stated the City invests every year in this infrastructure and \$440,000 has been budgeted for the 2008 budget. Mr. Carroll point out that with a grant from motor vehicle registration, the budget will be increased to approximately \$524,000. The Mayor noted that in past years, the street budget has been around \$350,000 - \$400,000 and even with a declining economy, Council and Administration are committed to maintaining this infrastructure and to making a strong investment in this community. Mr. Carroll explained the schedule for road maintenance is always dependent on weather and conditions in the field so they require the contractor to notify residents so they have time to move their vehicles and make necessary accommodations. Curb and gutter work is ongoing this week and it is anticipated work on Union Cemetery will start in June. They are also contemplating performing work on Lebanon Road at night to minimize disruption. Information available at this time indicates most of the road work will be completed in June, with notice to residents at least 24 hours in advance of work being undertaken. He anticipates most roads will not be closed and pointed out most streets are not through streets, with the exception of Union Cemetery and Lebanon Roads. Mr. Osborne pointed out Loveland Miamiville from State Route 48 to the corporation limit will be repaved, which he understands will be much appreciated.

Mayor Weisgerber thanked Mr. Taphorn for his memorandum on Loveland property values. He asked that the memorandum also be sent to the Finance Committee as well.

Regarding the April 2008 Financial Report (Communication No. 9), the Mayor asked if income tax collections were on target. Mr. Taphorn stated that based on total receipts through May 5, 2008, collections are about 1.5% below collections for the same time period last year. With the budget based on 1.4% below what was collected in 2007, it looks as though they are on track with the current budget.

COUNCILMANIC WORKSHEET

The Skate Park report was removed from the Worksheet.

Mr. Carroll stated Mr. Wright has done an excellent job working with Mrs. Klopfenstein and a consulting engineer on preparing a report addressing storm water issues in the Heights where the infrastructure, which was built in the 1950's, was not built to current standards. While there's some useful life in the water lines that are 50-60 years old, they have 6 inch water mains; a water model will be studied to determine whether they need to be replaced. Regarding storm water, roads will have to be excavated to install more storm pipes and connect them to existing storm water infrastructure. With roadway construction where there are vitrified clay sanitary sewer pipes, there's a significant risk of ruining those pipes. Mr. Wright's memorandum points out some temporary or short-term fixes can be completed that are relatively low cost in terms of capital improvements, but to do the Heights and Fox Meadows Subdivisions may require a more significant project, including replacement of storm water, water and sanitary sewer lines. Projects of this magnitude require several years to develop and usually require submitting several rounds of grant applications. Mr. Carroll felt Council should look at doing temporary repairs in the Durango and Tuscarora area with storm water funds, but start developing those projects in the 2009 budget process for more significant projects. He asked for clarification from Council if this is not their direction. Based on scheduling a work session for review of the 2009-2013 capital improvement program being scheduled in August or September, the next report on this item was schedule for September 9.

Based on a citizen's comment at tonight's first 2008 neighborhood meeting, Mr. Osborne asked that an item be placed on the Worksheet regarding rental homes. He pointed out Springdale recently enacted rental permit legislation and he'd like Administration to review this and make recommendation to Council as far as licensing all rental properties within the City. He feels this will address maintenance, zoning, and safety issues. Mr. Fitzgerald stated an inclination to review this long and hard before adding more regulations, as currently there is Code enforcement and property maintenance issues that are enforced and he feels staff is doing a better than adequate job of implementing and ensuring these regulations are adhered to. Mayor Weisgerber didn't disagree and pointed out this is more for weighing the pluses and minuses; one of the issues with rental property, though, is whether these properties have been adequately accounted for so that the Fire Department can complete necessary inspections. He wonders if a registration of all rental properties will aid staff. Discussion continued. Mr. Osborne felt this will ensure when a residence becomes a rental property that there is functioning faucets, sewer, hot water, heat, etc., as he understands from Administration that a third of the Heights houses are rented. It not only identifies rental property, it may show absent

ownership and foreclosures and issues like who's responsible for cutting grass. It also relates to the Loveland Neighborhood Action Team (LNAT) and what they've done to improve neighborhoods. Mr. Carroll clarified if Council requests a report in June, he would review the Springdale legislation and consult with staff and the Solicitor's office on what, if anything, they'd like to recommend and get some sense on what the rental issues and foreclosure issues may be; where they think there may be problems, there would be a LNAT preliminary report. Perhaps Council would at that time decide whether to discontinue or pursue further analysis of this. Vice Mayor Bednar asked Chief Huber and Chief Rees to comment. Chief Rees wondered if this is really a problem and stated nothing could be lost by researching this and reporting their findings to Council. Chief Huber explained the Fire Code gives their Department enforcement power to inspect non-owner occupied structures; their challenge sometimes is knowing which properties are rental, especially with single family structures. When they are aware of rental properties that have a record of violations, they do routine inspections, such as the Wagner Building where all occupants were removed after the property was condemned. On single family rental properties, they do not routinely do annual inspections unless they receive a complaint; however, with Loveland being an upper scaled community, they don't receive many complaints. Mr. Fitzgerald suspected the greatest problem with unkempt properties are either bank foreclosures or people who have abandon their houses, probably more the former than the latter; in those cases, the banks and mortgage companies are often in bankruptcy also. The Mayor entertained a motion to add this item to the Councilmanic Worksheet for a report on June 24; so moved by Mr. Osborne and seconded by Vice Mayor Bednar. ROLL CALL: Daly, yes; Elliott, no; Fitzgerald, no; Osborne, yes; Weisgerber, yes; Bednar, yes. Motion carried.

Mr. Carroll pointed out staff's recommendation to remove the Stage Company street crossing issue and requested further direction on the Veterans' Memorial Park columbarium. Mr. Elliott moved to remove the Stage Company crossing issue from the Worksheet; seconded by Mr. Fitzgerald. ROLL CALL: Elliott, yes; Fitzgerald, yes; Osborne, yes; Weisgerber, yes; Bednar, yes; Daly, yes. Motion carried. Mr. Bednar indicated he'd like to get feedback from the Veterans' Memorial Committee on the columbarium. Responding to Mr. Elliott, Mr. Carroll stated a columbarium does not require the same type of perpetual care of a cemetery, but he's concerned about the care needed in a generation or two into the future and staff feels this is an item that can be deferred for a year or two. Mr. Fitzgerald moved that this item be removed from the Worksheet; seconded by Mr. Osborne. ROLL CALL: Fitzgerald, yes; Osborne, yes; Weisgerber, yes; Bednar, no; Daly, yes; Elliott, yes. Motion carried.

NEW BUSINESS – ORDINANCES AND RESOLUTIONS

Mr. Osborne introduced for first reading ORDINANCE INCREASING THE COMPENSATION OF CITY MANAGER THOMAS M. CARROLL. Mr. Elliott stated Council has had this discussion in executive session already so he'd like to make it more public now. Mr. Osborne called for a point of order that a Council Member cannot disclose executive session material and even though this may be a result, any deliberation cannot be discussed. Mr. Klaine concurred and explained the ordinance that's before Council to act on can be discussed, but there cannot be discussion on what was said in executive session. Mr. Elliott pointed out what Council has before them is to give Mr. Carroll a raise of 4% and an additional 1% bonus for 2008. He has voiced an opinion that it is too high when 3% is a fairly significant raise for most people and is a number he's more comfortable with. Mayor Weisgerber pointed out one item in this ordinance, which he feels is important to highlight for the community, is the introduction of pay-for-performance. He noted this is done extensively within private industry, as well as in the public sector, and it is important for City staff to recognize as they work above and beyond their duties, there is reward in it. If duties are not performed adequately, there shouldn't be a reward. While this requires a change in mindset to think about pay for performance and how it is introduced and managed properly, he believes it is important to recognize folks who go above and beyond on a daily basis.

Mr. Osborne introduced for first reading DECLARING IMPROVEMENTS TO PARCELS OF REAL PROPERTY LOCATED IN THE CITY OF LOVELAND, OHIO TO BE A PUBLIC PURPOSE UNDER SECTION 5709.40 OF THE OHIO REVISED CODE, EXEMPTING SUCH IMPROVEMENTS FROM REAL PROPERTY TAXATION, AUTHORIZING THE EXECUTION OF A TAX INCENTIVE AGREEMENT, SERVICE AGREEMENT AND SUCH OTHER DOCUMENTS AS MAY BE NECESSARY, AND ESTABLISHING A TAX INCREMENT EQUIVALENT FUND. Mr. Fitzgerald noted he wasn't on Council when the transaction affecting the real estate this TIF District will overlay was enacted, but he understands this is the tool Council is considering to use to finance and pay for the obligation, whether he agrees or disagrees with that action. Mr. Elliott explained the City purchased

11 acres for approximately \$800,000 and there will be TIF funding from the other acreage, previously referred to as Summit Pointe, which will be developed sometime even though currently there isn't a developer. He feels this is a wish and a dream that this property appreciates so much to pay off \$800,000 for property that may or may not be a park one day. He believes this was a lowlight for 2007 and though he initially voted for this, he has publicly apologized for that vote, as he feels it was a real mistake for the City to pay that much money for that property. Mr. Fitzgerald stated he wanted to understand this and stated that if Council chooses to not establish the TIF district, they are still obligated to pay for the property. He agreed that Mr. Elliott is correct that today's value is fairly deflated, but when the market becomes robust again, there will be new revenues. If they don't create this TIF, Council's alternative would then be to look to other revenues or debt instruments, which likely would deprive other operating or capital funds. The Mayor agreed with Mr. Fitzgerald and stated from his opinion, he doesn't call this a wish and a dream. He feels it is prudent planning when one looks at what tools are available to the community, such as the Parks and Recreation Master Plan which addressed adding a park in Warren County. While there may be disagreement about the cost, value and location, at this point Council has approved the purchase of that property and this is one of the tools he feels is prudent and good planning to move forward with. Mr. Carroll stated Mr. Fitzgerald is correct that the value of the Crane property, the 16 acres that will be developed at some point in the future, is relatively small. By establishing this TIF now, when that property sells, the City will capture the increased value simply by the sale, which is part of generating a revenue stream. He feels action tonight is very well timed and if anything, with the real estate market being poor, it has given the City time necessary to establish this TIF. He feels it is prudent planning from the standpoint this is a 30 year TIF district and while the real estate market is not generating tremendous interest in this property, there was a developer within the last couple of weeks expressing interest. In terms of 2007, his opinion is that the preservation of green space and purchase of their first property in Warren County for a park will not historically be viewed as a lowlight, but will be a highlight. The purchase price was supported with an appraisal, a modest premium was paid for the property and he feels the next generation should pass judgment on if this was a good or bad decision.

Mr. Osborne introduced A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF LOVELAND, OHIO TO OBTAIN FINANCIAL ASSISTANCE UNDER THE OHIO EMERGENCY MANAGEMENT AGENCY STATE-LOCAL DISASTER ASSISTANCE PROGRAM (FEMA-EMA-3286-OH). ROLL CALL: Osborne, yes; Weisgerber, yes; Bednar, yes; Daly, yes; Elliott, yes; Fitzgerald, yes. Resolution was approved and assigned the number 2008-35.

Mr. Osborne introduced A RESOLUTION AUTHORIZING THE CITY MANAGER TO ASSIGN THE PROFESSIONAL SERVICES AGREEMENT OF RAFTELIS FINANCIAL CONSULTANTS AND THE CITY OF LOVELAND TO THE LAW FIRMS OF SCHOTTENSTEIN, ZOX, AND DUNN, CO., L.P.A. Mr. Carroll explained the City entered into a contract with Raftelis early this year for financial services related to public utilities. Subsequent to that, the City entered into an outside counsel relationship with Schottenstein, Zox, and Dunn also to look at public utilities. This will establish a relationship between those two firms so they can have interactions to discuss the City's utility concerns. ROLL CALL: Weisgerber, yes; Bednar, yes; Daly, yes; Elliott, yes; Fitzgerald, yes; Osborne, yes. Resolution was approved and assigned the number 2008-36.

OTHER NEW BUSINESS

Mr. Elliott thanked Mr. Berry and Mr. Bellush for attending tonight's meeting and throwing their hats in the ring and he encouraged any other residents to do the same. He also thanked Mr. Daly for all his work all these years. Mr. Elliott also announced that former Council Member Katie Showler and her husband, Michael, have moved to Georgia. He stated it was a real pleasure working with Katie on Council and he knows both she and Mike will be missed by many and he wished them well.

Mr. Fitzgerald stated he has had too short of a time sitting next to Mr. Daly, but he has certainly enjoyed his company and thanked him for his service and wished him well. As a follow-up on Mr. Elliott's observations, he thinks it is very commendable that folks have already stepped up and it is good that it was done in a very transparent and open fashion because they all know Council's seats belong not to them, but to the people and it would behoove Council to not only encourage applicants, but to give the opportunity for the applicants to meet with Council, either through letters, emails, or however they wish, to share their observations and interest. In the event Council fails to come to an agreement, the Charter has a good provision that provides for the appointment to revert to the Mayor after 30 days. As a result, they should take time to generate sufficient interest from those who might

want to offer their services. He suggested notification be placed on the City web site since today's newspaper announced Mr. Daly's resignation and stated that Council has the obligation to appoint a new member and that it might happen tonight, which he doesn't believe was the sentiment of anyone at this table. Mayor Weisgerber stated he has talked to reporters at the Enquirer and the Herald and made it clear Council was going to take their time.

Mayor Weisgerber stated he wished he could reject Mr. Daly's resignation and have him stay here, but he recognizes it is in the best interest of the Daly family to move on. He stated Mr. Daly has always been a very solid member of this Council and he really appreciates his work and opinions. Mr. Daly has always taken time to understand an issue, to think it through very logically and be very thorough, in both the discussion and research of issues. As Mayor, he could always count on Mr. Daly to be thoughtful and very engaged in the process, both here at the table and in doing homework and his opinions have always been ones to be paid attention to. Mr. Daly has done himself and his community very proud in the level of exemplary service he has provided and he will be missed both at Council and within the community. Council wishes him very well in his endeavors.

Mr. Daly commented he really appreciates the Mayor's comments and everybody who has been so complimentary of his services. He feels he certainly received much more from this community than he ever gave back. He leaves with very warm memories and he has grown in so many ways and learned much about government and processing people. He's tried his best to serve well and he really appreciates all the sentiments. Loveland will always hold a special place in their hearts. Mayor Weisgerber presented Mr. Daly a framed map of the City dated 1860.

On behalf of staff, Mr. Carroll thanked Mr. Daly and stated he will be missed and his service is appreciated. Mr. Daly has always shown dedication to the community and appreciation for what staff does. Mr. Carroll noted the map presented has symbolism behind it, as it is a copy of a map that is hanging in Council Chambers and wherever this map is hung, Mr. Daly will have a memory of this Chamber.

Mayor Weisgerber announced the American Legion Post 256 and the City invites everyone to the 2008 Memorial Day parade on Monday, May 26. The parade starts at 9:00 on Loveland Madeira Road and the ceremony will begin at 10:00 a.m. at the Veterans' Loveland Memorial.

The Mayor entertained a motion to go into executive session under Ohio Revised Code Section 121.22(G)1, Personnel; Section 121.22(G)(2), Purchase or Sale of Property; and Section 121.22(G)(3), Pending or Imminent Litigation; so moved by Vice Mayor Bednar and seconded by Mr. Daly. ROLL CALL: Bednar, yes; Daly, yes; Elliott, yes; Fitzgerald, yes; Osborne, yes; Weisgerber, yes. Motion was approved and Council went into executive session at 9:39 p.m.

The Mayor entertained a motion to reconvene the regular session; so moved by Vice Mayor Bednar and seconded by Mr. Osborne. The motion was approved by unanimous consent and the meeting reconvened at 10:05 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 10:06 p.m.

Mayor

Clerk of Council