

**MINUTES OF THE REGULAR
MEETING OF LOVELAND CITY COUNCIL
Tuesday, July 8, 2008**

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

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

Also Present: Mr. Carroll, City Manager; Mr. Klaine, Solicitor; Mrs. Cox, Clerk of Council; Chief Rees; Deputy Chief Sabransky; Police Specialist Shockey; Mr. Steger, Assistant Finance Director; Fire Chief Huber; District Chief Books; Mr. McLaughlin, Management Intern; Sergeant Wilmes; Officer Bibelhausen; Officer Szpak; Officer Begue; Officer Jordan; Officer Smallwood; Officer Hammer; Officer Caudell; Sergeant Bomske; Officer Davidson

Mr. Fitzgerald moved to approve the minutes of the June 17, 2008 Special Council meeting; seconded by Mr. Osborne. The motion was approved by unanimous consent.

Vice Mayor Bednar moved to approve the minutes of the June 24, 2008 Council meeting; seconded by Mr. Schickel. The motion was approved by unanimous consent.

Mr. Fitzgerald moved to approve the minutes of the July 1, 2008 Special Council meeting; seconded by Mr. Osborne. The motion was approved by unanimous consent.

PERSONS APPEARING BEFORE COUNCIL

Mr. Schickel requested that the members of the Schmid family, Officer Kyle Bibelhausen, Mr. Dan Dorf, and District Chief Mike Books meet him at the podium. Mr. Schickel described how his nephew, Dan Dorf, heroically dove in the Little Miami River to pull out four year old Jimmy Schmid. Jimmy slipped into the river while the family was walking along Combs Road. His Mother, Theresa Schmid, could not reach her son, so she sent her eight year old daughter, Sidney Schmid, up the hill for help. The first car she saw was Mr. Dorf's, who happened to be a former lifeguard. Mr. Dorf saw Jimmy floating down the current, dove in, and pulled him out. By the time he reached him, Jimmy was face-down and blue in color. Mr. Dorf began administering CPR, and Officer Bibelhausen arrived on the scene first, assisting him with CPR. Off-duty District Chief Books responded to the call and directed the transfer to air care. Jimmy was flown to Children's Hospital, made a full recovery, and was released the next day. Mr. Schickel then presented the Paxton Ranger Award to Dan Dorf. Mr. Dorf then thanked God for allowing him to show up when he did, and how great it is to see Jimmy alive and well. Police Chief Rees then recognized the individual efforts of Sidney Schmid, District Fire Chief Books, Officer Bibelhausen, and Mr. Dorf with Commendation Awards. Fire Chief Huber then recognized Mr. Dorf, Officer Bibelhausen, and District Chief Books with America's Bravest Awards.

City Solicitor Klaine officially swore in Captain Sabransky as the next Loveland Police Department Chief. Chief Sabransky then gave a speech on the privilege it is to be entering this new position of service in the 60th anniversary year of the Loveland Police Department. He said that he has achieved this position thanks largely to the help and guidance he has been so blessed to receive from heroes in his life, such as his parents, wife, daughter, friends, the Loveland and Cincinnati Police Departments, and Police Chief Rees.

Mayor Weisgerber called for a ten minute recess.

OPEN FORUM

Mayor Weisgerber noted that no one had signed up to speak in Open Forum.

CITY MANAGER'S REPORTS

Memorandum No. 62 describes a recent City-wide curbside recycling analysis with the purpose of assessing the participation rates of the recycling program, and determining ways the community can increase these participation rates. The overarching goal is to hold the line on sanitation rates. Mr. Zuch said that he is glad the City did this study, and that he has been a long-time recycler. He

believes that everyone in Loveland has the intent to recycle, and that spreading information to residents is the key. He has heard that recycling possibly does not actually get recycled at times, and it would be beneficial for the City to investigate this issue. He would like to hear from representatives of both Hamilton County and Rumpke if that would be possible. Mr. Elliott asked Mr. Carroll to explain to the public how to go about getting a recycling bin. Mr. Carroll said that the first thing to do is to call the receptionist at City Hall (683-0150) and asked to be placed on the recycling bin list. The bins will be delivered between a week and month, free of charge, to the curb. There is no additional charge, as this service is included in the sanitation rate. Information is on the City and Rumpke websites concerning what is recyclable. These items include glass, bottles, cardboard, paper, and #1 and #2 plastics. Pizza boxes are not recyclable. Items do not need to be sorted at the curb. It is preferred that citizens call the City to request bins.

Memorandum No. 63 provides information about revisions made to Exhibit A that is attached to the ordinance before City Council tonight for second reading. This ordinance will enable the City to place property tax assessments on various properties whose owners have significant outstanding debt obligations to the City of Loveland for unpaid utilities. Mr. Elliott asked what the demarcation line is for who gets a lien action. Mr. Carroll said that the administrative threshold established for utility debt is \$300. This typically means that the property owner is (at least) anywhere between four and seven months behind on their utility bill. This is different than property maintenance thresholds, which are significantly higher than \$300. Mayor Weisgerber asked Mr. Klaine if the ordinance needs to be amended to attach the revised Exhibit A. Mr. Klaine replied that the ordinance does not need to be changed, but only the Exhibit itself.

Memorandum No. 64 describes the resolution to enter into an emergency water agreement with Clermont County. If executed, the City and County will build a connection between each entity's water system to help out the other in the event of a water emergency.

Memorandum No. 65 is a status update of efforts to implement City Council's 2008 goals. It is for information purposes only. Mr. Zuch stated that he would like to see the designers of the Downtown redevelopment design sustainably, and not necessarily LEED-certified design. He wants to see buildings that use less energy, that use renewable energy, and that do our part to be ecologically friendly.

COMMITTEE REPORTS

No discussion from Council on Committee Reports.

COMMUNICATIONS

Vice Mayor Bednar told Mr. Steger that there is an error in the timing of the July 14 public hearing, which will be 9 a.m., not 2 a.m. Mr. Steger said this meeting is required to provide the County Auditor's Office with a Tax Budget, which is a forecast of revenues for the subsequent (2009) year. When it is presented, this forecast is used to create a first certificate of available resources. At the end of the year, Mr. Taphorn will supply the County with the first amended certificate to be certified by the County Auditor for appropriation in the 2009 budget. Mr. Bednar asked if this is just a guess at this point, and Mr. Steger replied that it is, using historical information to make a best guess. Mr. Zuch asked if local communities have gone into the red in recent years, and Mr. Steger replied that they have, due to things such as bookkeeping and embezzlement. Mr. Zuch said that this report is only as good as its bookkeeping, and he commended the Finance Committee for its fine work.

COUNCILMANIC WORKSHEET

Mr. Carroll mentioned that the quarterly report contained information about the City's larger digitization projects, such as the records management system, computer-aided dispatch, and Mayor's Court software programs. These have all experienced substantial progress under Chief Sabransky. The income tax office and Mr. Steger have made procedural and process improvements to income tax filing. At Mr. Steger's request, the vacant tax position has not been filled, and the office is nonetheless ahead of schedule on improvements. Process mapping, improvement, and automation processes will come in the future in the tax office. Mrs. Josie Bellissemo, Assistant to the City Manager, is no longer with the City. Her last day was July 3, 2008. As a result, some of the information technology (IT) projects will be put on hold for most of the third quarter as recruitment for her position is underway. Mayor Weisgerber asked if the things Mr. Steger has come across can be useful for other departments. Mr. Steger responded that his accomplishments are centered in the tax department, but

that as the tax and utility departments are more combined and cross-trained, additional changes will come. Mr. Carroll said that the September 9, 2008 Council CIP work session meeting would be a good date to which planning for IT expenditures in 2009 could be pushed back.

OLD BUSINESS – ORDINANCES

Mr. Osborne introduced for second reading ORDINANCE ASSESSING LIENS FOR UNPAID UTILITY BILLS ON PROPERTY IN HAMILTON COUNTY OWED TO THE CITY OF LOVELAND. Mayor Weisgerber entertained a motion to amend the Exhibit as provided. So moved by Vice Mayor Bednar. Seconded by Mr. Zuch. ROLL CALL (ON MOTION TO AMEND): Schickel, yes; Weisgerber, yes; Zuch, yes; Bednar, yes; Elliott, yes; Fitzgerald, yes; Osborne, yes. Motion carried. ROLL CALL (ON ORDINANCE): Osborne, yes; Schickel, yes; Weisgerber, yes; Zuch, yes; Bednar, yes; Elliott, yes; Fitzgerald, yes. Ordinance was approved and assigned the number 2008-50.

Mr. Osborne introduced for second reading AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$400,000 OF BOND ANTICIPATION NOTES BY THE CITY OF LOVELAND, OHIO, FOR THE PURPOSE OF PROPERTY ACQUISITION FOR MUNICIPAL PURPOSES. Mr. Elliott enquired about the property, and Mr. Carroll responded that it is indeed the Amend property that the City is planning to acquire, which is split up into four parcels with three structures on them. Mr. Elliott asked for a status update on the Downtown development project. Mr. Carroll responded that the Rolke property is being cleared and other demolition will be taking place. A letter of intent with the Loveland Redevelopment Group has been received, and a positive meeting with them was held last week. Mr. Carroll said the project is moving slower than he had hoped; that is a function of the economy and the busy schedule of the developer at this time of year. Mr. Schickel reminded Mrs. Cox that he is recusing taking himself from the vote. Mr. Fitzgerald said that the Downtown development has been an ongoing project for over 20 years, and that tangible progress is slow. The key here is the ownership of the centralized sites for redevelopment, and he applauds City staff for acquiring the land. Mr. Elliott said that he is not sure what exactly the project is, making him leery of moving forward and taking on more debt. Mr. Fitzgerald responded that passing on the purchase of the Amend property would be a huge gamble, and stressed the importance of making the investment now to have control of the land for future development planning. Mayor Weisgerber also stressed the control that is gained by acquiring and owning the property for the ultimate use of the land. Mr. Carroll said that he is unsure what the interest rate will be in the current bond market. Also, developers do not tend to make significant planning on property that is not owned by the party involved. ROLL CALL: Weisgerber, yes; Zuch, yes; Bednar, yes; Elliott, no; Fitzgerald, yes; Osborne, yes. Ordinance was approved and assigned the number 2008-51.

OTHER OLD BUSINESS

Mr. Osborne asked for a timetable for when Union Cemetery and Lebanon Roads will be milled and paved. Mr. Carroll responded that Union Cemetery will be milled this week, and both roads will be kept open, with traffic delays expected. He did not have a specific date for the start of Lebanon Road, but will report that back when information is received. Also, Mr. Carroll confirmed that the paving on Lebanon Road will be from Rozzi's Fireworks to Loveland Madeira Road. Mr. Fitzgerald commended the contractor for posting signs and delivering information door-to-door. Mayor Weisgerber asked if there is any word on Kemper Road. Mr. Carroll contacted the Metropolitan Sewer District, but has not received word back yet. He will contact the Hamilton County Engineer's Office, as well as repeat his request for information from MSD regarding the road repair.

NEW BUSINESS – ORDINANCES AND RESOLUTIONS

Mr. Osborne introduced A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CLERMONT COUNTY FOR THE PURPOSE OF PROVIDING EMERGENCY BACKUP WATER SERVICES. Mr. Bednar noted that "Clermont" was misspelled in the ordinance. ROLL CALL: Zuch, yes; Bednar, yes; Elliott, yes; Fitzgerald, yes; Osborne, yes; Schickel, yes; Weisgerber, yes. Resolution was approved and assigned the number 2008-52.

Mr. Osborne introduced A RESOLUTION AUTHORIZING THE CLERK OF COUNCIL AND THE DIRECTOR OF FINANCE TO SIGN AND FILE THE 2009 PRELIMINARY TAX BUDGET WITH THE APPROPRIATE COUNTY BUDGET COMMISSION. ROLL CALL: Bednar, yes; Elliott, yes; Fitzgerald, yes; Osborne, yes; Schickel, yes; Weisgerber, yes; Zuch, yes. Resolution was approved and assigned the number 2008-53.

OTHER NEW BUSINESS

Mr. Zuch expressed that the Fourth of July in Loveland was a big success, with wonderful fireworks and a well-attended parade in spotty weather. He also commended the courage of those men and women who serve and have served our country, especially those from Loveland, and that all of Loveland thanks them. Mayor Weisgerber noted that ICRC will be airing a cablecast replay of the parade on Wednesday (7/9) at 7:30 p.m., Thursday (7/10) at 10:30 p.m., and Saturday (7/12) at 9:00 a.m. on channel 17; Monday (7/13) at 9:30 p.m. on channel 4; Wednesday (7/16) at 8:00 p.m. on channel 24; and Thursday (7/17) at 11:00 a.m. on channel 4. Also, Concerts in the Park will be July 13 with Loveland Ministerial Association's Battle of the Choirs.

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; 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. Osborne. ROLL CALL: Elliott, yes; Fitzgerald, yes; Osborne, yes; Schickel, yes; Weisgerber, yes; Zuch, yes; Bednar, yes. Motion was approved and Council went into executive session at 9:17 p.m.

The Mayor entertained a motion to reconvene the regular session; so moved by Mr. Bednar and seconded by Mr. Fitzgerald. The motion was approved by unanimous consent and the meeting reconvened at 9:55 p.m.

The Mayor entertained a motion to adjourn; so moved by Mr. Osborne and seconded by Mr. Elliott. The motion was approved by unanimous consent and the meeting adjourned at 9:55 p.m.

Mayor Pro Tem

Clerk of Council