



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, May 12, 2021

2:00 PM

Council Chambers, Room 300

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MS. KEARNEY

1. [202101704](#) **MOTION**, submitted by Councilmember Kearney, **WE MOVE** for the City Administration to prepare a report on recommendations, including costs, for reducing traffic speed on North Fred Shuttlesworth Circle in North Avondale, in order to protect pedestrians and decrease traffic accidents, especially in the vicinity of 760 N. Fred Shuttlesworth Cir.

Recommendation NEIGHBORHOODS COMMITTEE

Sponsors: Kearney

MS. KEATING

2. [202101659](#) **MOTION**, submitted by Councilmember Keating, Our police officers experience countless traumas in their line of work. While the Cincinnati Police Department (CPD) is working to develop a better and more comprehensive Officer Wellness Program, they are lacking the funding. **WE MOVE** that the Administration applies for The Fiscal Year 2021 Law Enforcement Mental Health and Wellness ACT (LEMHWA) Program Grant. (STATEMENT ATTACHED)

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Keating

3. [202101677](#) **ORDINANCE (EMERGENCY)**, dated 05/07/2021, submitted by Councilmember Keating, from Andrew W. Garth, City Solicitor, **MODIFYING** Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by AMENDING the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415-09, "Development Regulations," to remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

Recommendation
CITY PLANNING COMMISSION

Sponsors: Keating

MR. SMITHERMAN

4. [202101653](#) **MOTION**, submitted by Vice Mayor Smitherman, **WE MOVE** that the Cincinnati Recreation Centers (CRC) get \$100,000 for three of their recreation centers that offer spin classes to purchase 15 new spin bicycles. The Cincinnati Recreation Commission is committed to helping all residents maintain a healthy lifestyle. CRC is designed to provide fitness opportunities to all ages. Spin class is one such activity offered at Hirsch Recreation Center (Avondale), College Hill Recreation Center, and at the Mt. Washington Recreation Center. **WE FURTHER MOVE** that the Red Bike program be expanded by \$500,000 to include Bond Hill, Roselawn, Evanston, and Avondale for fitness, transportation, and healthy living. (STATEMENT ATTACHED).

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Smitherman

MR. SMITHERMAN

MR. GOODIN

5. [202101658](#) **MOTION**, submitted by Vice Mayor Smitherman, **WE MOVE** that city workers not be required to return to work until Monday, September 13, 2021, after Labor Day in order to give those families more time to adjust to their new schedules. **WE FURTHER MOVE** that flexible schedules for pick up and drop off of children be afforded to city workers when needed. (STATEMENT ATTACHED)

Recommendation MAJOR PROJECTS & SMART GOVERNMENT COMMITTEE

Sponsors: Smitherman

CITY MANAGER

6. [202101660](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **AUTHORIZING** the City Manager to accept a donation from the Southwest Ohio Regional Transit Authority of two decommissioned buses to the Cincinnati Police Department valued at a total of \$6000.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

7. [202101661](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **AUTHORIZING** a payment of \$19,556.14 from the Human Resources Department General Fund non-personnel operating budget account no. 050x121x1000x7289 as a moral obligation to Industrial/Organizational Solutions ("I/OS") for payment of outstanding charges for legally- and contractually-required testing services for Police and Fire promotional exams for sworn personnel provided by I/OS prior to the execution of a professional services contract.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

8. [202101664](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **ESTABLISHING** new capital improvement program project account no. 980x164x211649, "Avondale Town Center Improvements," for the purpose of providing resources to facilitate tenant improvements at Avondale Town Center, including the Avondale grocery store and the Urban League Social Justice Center; and **AUTHORIZING** the transfer and return to source of the sum of \$500,619.20 from capital improvement program project account no. 980x164x181650, "Avondale Infrastructure & Streetscape Improvements," to the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757; and **AUTHORIZING** the transfer and appropriation of the sum of \$500,000 from the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757 to newly established capital improvement program project account no. 980x164x211649, "Avondale Town Center Improvements," for tenant improvements at Avondale Town Center, including improvements for the Avondale grocery store and the Urban League Social Justice Center; and **DECLARING** expenditures from capital improvement program project account no. 980x164x211649, "Avondale Town Center Improvements," to be for a public purpose because the project will facilitate development of the Avondale Town Center and provide suitable space for the Urban League Social Justice Center and the Avondale grocery store.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

9. [202101665](#) **REPORT**, dated 5/12/2021 submitted by Paula Boggs Muething, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for MTA Convenience Store LLC, 1735 Highland Avenue, Cincinnati, OH 45202. (#6202775, C1 C2, New) [Objections: Cincinnati Police Department]

Recommendation FILE

Sponsors: City Manager

10. [202101670](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **ESTABLISHING** the salary schedule and classification title for the new employment classification of Senior Emergency 911 Operator, and enacting Section 406 of Division 1, Chapter 307 of the Cincinnati Municipal Code, in order to establish a new salary schedule and new classification title of Senior Emergency 911 Operator.

Recommendation MAJOR PROJECTS & SMART GOVERNMENT COMMITTEE

Sponsors: City Manager

11. [202101687](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **AUTHORIZING** the City Manager to execute *Limited Warranty Deeds* and a *Grant of Easement* in favor of the State of Ohio for the use and benefit of the Ohio Department of Transportation to convey fee simple interests in and to, and a perpetual subsurface easement in, under, and through, real property located adjacent to Interstate 75 in the Central Business District and West End neighborhoods of Cincinnati in connection with transportation improvement project HAM 75-00.22.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

12. [202101691](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **AUTHORIZING** the receipt of judgment bond proceeds of the sum of \$6,250,000 into Judgment Bond Fund 815; **AUTHORIZING** the expenditure of the sum of \$6,250,000 from Judgment Bond Fund 815 for the purpose of making payments for settlements and judgments against the City.
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager
13. [202101697](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **PROVIDING** for the issuance, sale and delivery of not to exceed \$6,250,000 of judgement bonds, or notes in anticipation thereof, of the City of Cincinnati, County of Hamilton, State of Ohio, for the purpose of paying a final judgement and costs associated therewith; **AUTHORIZING** a pledge of the City's faith and credit or a pledge of and lien on certain revenues and other city resources, as appropriate, to secure such bonds or notes; and **AUTHORIZING** necessary documents to secure such bonds or notes.
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager
14. [202101724](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **MODIFYING** Article XXIV, "Department of Community and Economic Development," of the Administrative Code of the City of Cincinnati by **AMENDING** Section 2, "Duties of Director of Community and Economic Development," to remove the oversight of the City's human services funding from the responsibilities of the Department of Community and Economic Development ("DCED") in order to facilitate timely and effective service delivery and allow DCED to concentrate limited staffing resources on economic and community development projects.
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager

CLERK OF COUNCIL

15. [202101726](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Charles H. Gerhardt, III, President & CEO, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (CINCY NICE)
- Recommendation** FILE
- Sponsors:** Clerk of Council
16. [202101727](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Alison C. Trianfo, Operations Manager, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (CINCY NICE)
- Recommendation** FILE
- Sponsors:** Clerk of Council
17. [202101728](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Charles H. Gerhardt, III, President & CEO, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (PRODUCE PERKS)

MIDWEST)

Recommendation FILE

Sponsors: Clerk of Council

18. [202101729](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Alana M. Tucker, Senior Associate, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (CENTER FOR CHEMICAL ADDICTIONS TREATMENT)

Recommendation FILE

Sponsors: Clerk of Council

19. [202101730](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Alana M. Tucker, Senior Associate, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (BOYS AND GIRLS CLUB OF GREATER CINCINNATI)

Recommendation FILE

Sponsors: Clerk of Council

20. [202101731](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent J. Douglas Moormann, Vice President, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (BOYS AND GIRLS CLUB OF GREATER CINCINNATI)

Recommendation FILE

Sponsors: Clerk of Council

21. [202101732](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Alana M. Tucker, Senior Associate, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (PRODUCE PERKS MIDWEST)

Recommendation FILE

Sponsors: Clerk of Council

22. [202101733](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent James T. Benedict, Vice President, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (PRODUCE PERKS MIDWEST)

Recommendation FILE

Sponsors: Clerk of Council

23. [202101734](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for David Mann/Councilmember (ETHICS).

Recommendation FILE

Sponsors: Clerk of Council

NEIGHBORHOODS COMMITTEE

24. [202101506](#) **MOTION**, submitted by Councilmember Keating, The water reservoir to the south east of Eden Park's Mirror Lake has two large grassplots. Cincinnati residents have proposed to plant a grove of Japanese Cherry Trees in one of those grassplots to celebrate the role of Cincinnati's own Helen Taft as First Lady of the United States of America. **WE MOVE** for the City Administration to provide a REPORT on the physical feasibility and agricultural capability of

planting a grove of cherry trees around the water reservoir near Eden Park's Mirror Lake (Photo Attached). (STATEMENT ATTACHED).

Recommendation ADOPT

Sponsors: Keating

SUPPLEMENTAL ITEMS

LAW & PUBLIC SAFETY COMMITTEE

25. [202101448](#) **MOTION**, submitted by Councilmember Goodin, As we work to restore trust in our government institutions, transparency has never been more important. The inability to provide timely access to police body camera footage has undermined police-community relations in many large American cities. The Citizens Complaint Authority (CCA) complains of delays in obtaining redacted footage for its investigations. The Fraternal Order of Police Lodge No. 69, has, likewise, expressed concern about the resulting delays in CCA's investigations and their effects on officer morale. Various media outlets have also routinely complained about access to public documents. Information requests by private citizens are often the subject of litigation. The City Solicitor's office has acknowledged it needs additional staff to process these requests in a timely manner. Accordingly, **WE MOVE** that the Administration prepare a report on the steps necessary to establish a new DEPARTMENT OF PUBLIC INFORMATION AND TRANSPARENCY which would, *inter alia*, coordinate with the various City departments, including the Solicitor's office, in order to respond to public records' requests and redact body camera and dash camera footage in accordance with the requirements set forth by Ohio law and the Cincinnati Municipal Code. **WE FURTHER MOVE** the Administration advise regarding the potential cost of standing up such a new Department, and whether funds from the American Rescue Plan could be utilized for this purpose.

Recommendation ADOPT

Sponsors: Goodin

ECONOMIC GROWTH & ZONING COMMITTEE

26. [202101410](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 4/14/2021, **AMENDING** the community council representation area map on file with the Clerk of Council to modify the boundaries of the areas that the Clifton Town Meeting Community Council and the CUF Community Council are considered to represent for the purposes of Cincinnati Municipal Code Sections 111-1 and 111-5.

Recommendation PASS

Sponsors: City Manager

27. [202101479](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 4/21/2021, **AMENDING** the official zoning map of the City of Cincinnati to rezone the real property located at 4804-4810 Whetsel Avenue in the Madisonville neighborhood from the T4N.SF, "T4 Neighborhood Small Footprint," and T4N.SF-O, "T4 Neighborhood Small Footprint - Open," transect zones to the T5MS-O, "T5 Main Street - Open," transect zone to facilitate the

establishment of a new restaurant.

Recommendation PASS

Sponsors: City Manager

BUDGET AND FINANCE COMMITTEE

28. [202101590](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **AUTHORIZING** the City Manager to accept with gratitude an in-kind donation from FC Cincinnati Soccer Club of the construction of a mini-pitch soccer facility at the North Avondale Recreation valued at approximately \$85,000 to enhance soccer-related programming.

Recommendation PASS EMERGENCY

Sponsors: City Manager

29. [202101591](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 4/5/2021, **AUTHORIZING** payments totaling \$11,539.85 from various Recreation Department non-personnel operating budget accounts as detailed on the attached schedule, as moral obligations to Spectrum Cable for Cincinnati Recreation Commission purchase card transactions for fees owed for cable and wifi services and to the Cincinnati Bengals for the purchase of tickets for program participants, the cost of which was subsequently reimbursed by the Cincinnati Bengals.

Recommendation PASS EMERGENCY

Sponsors: City Manager

30. [202101592](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **AUTHORIZING** the transfer of the sum of \$8,362,331 within the Restricted Funds from and to various operating accounts and **AUTHORIZING** the transfer and appropriation of \$1,181,726 from the unappropriated surplus of the respective Restricted Funds to various operating accounts for the purpose of realigning and providing funds for the ongoing needs of City departments in accordance with the attached Schedules of Transfer.

Recommendation PASS EMERGENCY

Sponsors: City Manager

31. [202101595](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$171,325 from the United States Department of Homeland Security, Federal Emergency Management Agency for a grant from the FY 2021 FEMA Port Security Grant Program (CFDA 97.056), for the purpose of funding three separate equipment needs, including Marine Rescue/Dive Team equipment and support and maintenance of the Ohio River Port Security Camera Network for the Cincinnati Police Department, and dry decon kits, a weighted rescue dummy, and ice suits for the Cincinnati Fire Department.

Recommendation PASS EMERGENCY

Sponsors: City Manager

32. [202101599](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a Local Food Promotion Program (CFDA #10.177) grant in the amount of \$16,080 from the Regional Food System Partnerships (“RFSP”), which RFSP grant will be provided to Green Umbrella with the City as a subrecipient of the grant for the purpose of funding the building of a regional food system that serves all residents of Greater Cincinnati; and **AUTHORIZING** the Finance Director to deposit the grant funds into Public Health Research Fund 350.

Recommendation PASS

Sponsors: City Manager

33. [202101673](#) **ORDINANCE (EMERGENCY)**, dated 05/05/2021, submitted by Councilmember Seelbach, from Andrew W. Garth, City Solicitor, **AUTHORIZING** the transfer and return to source of the sum of \$3,500 from Councilmember Seelbach’s General Fund personnel services operating budget account no. 050x016x7100 to General Fund 050; **AUTHORIZING** the transfer and return to source the sum of \$4,000 from Councilmember Seelbach’s General Fund contractual services operating budget account no. 050x016x7200 to General Fund 050; **AUTHORIZING** the transfer and appropriation of the sum of \$7,500 from the unappropriated surplus of the General Fund to the Department of Community and Economic Development’s General Fund fixed charges operating budget account no. 050x161x7400 for the purpose of providing resources for Lighthouse Youth Services’s Safe and Supported Program, Cincinnati Union Bethel’s Off the Streets Program, and the Queen City Bulldog Rescue each in the amount of \$2,500; **AUTHORIZING** the City Manager to enter into any necessary agreements for the distribution of these resources; and **DECLARING** the distribution of these resources to these local non-profit organizations to be for a public purpose.

Recommendation

PASS EMERGENCY

Sponsors: Seelbach

ANNOUNCEMENTS

Adjournment