



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Thursday, January 20, 2022

2:00 PM

Council Chambers, Room 300

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MR. JEFFREYS

MR. LANDSMAN

1. [202200130](#) **RESOLUTION**, submitted by Councilmembers Jeffreys and Landsman, from Andrew Garth, City Solicitor, **EXPRESSING** the condemnation of the Mayor and City Council of the attack against the Congregation Beth Israel Synagogue in Colleyville, Texas on January 15, 2022; and further **EXPRESSING** the appreciation of the Mayor and City Council to the Federal Bureau of Investigation and local law enforcement in Colleyville, Texas for their service in helping resolve this crisis.

Recommendation PASS

Sponsors: Jeffreys and Landsman

MS. PARKS

2. [202200101](#) **RESOLUTION**, submitted by Councilmember Parks, **RECOGNIZING** the month of January as "Human Trafficking Awareness and Prevention Month"; and further **URGING** all Cincinnatians to do their part to end this heinous crime against humanity by being educated about the forms, signs, and consequences of human trafficking.

Recommendation PASS

Sponsors: Parks

MR. JEFFREYS

MS. OWENS

3. [202200117](#) **MOTION**, submitted by Councilmembers Jeffreys and Owens, **WE MOVE** that, the Administration provide a report within thirty (30) days on the cost, design, and feasibility of alternative designs for curb extensions (bump-outs) based on inspiration from other cities. The Administration shall take into consideration a variety of tools and materials including, but not limited to concrete barriers, bollards, planters, and reflective paint. (STATEMENT ATTACHED)

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

Sponsors: Jeffreys and Owens

4. [202200118](#) **MOTION**, submitted by Councilmembers Jeffreys and Owens, **WE MOVE** that, the Administration provide an initial report within sixty (60) days outlining the specific expenses associated the GCWW rate increase pursuant to ordinance number 248-2021 authorized by Council on June 23, 2021; **WE FURTHER MOVE** that, in that initial report it outline the plan to apply for applicable federal dollars associated with lead pipe replacement including but not limited to federal dollars that may be available through the Bipartisan Infrastructure Law passed by Congress on November 15, 2021; **WE FURTHER MOVE** that, in that initial report the Administration include information on the feasibility and legality of reducing the corresponding rate increase as well as providing rate payers with a credit for any fees that have already been paid based on the potential receipt of those federal dollars received; **WE FURTHER MOVE** that, the Administration report back within sixty (60) days of the federal funds being secured to Council with specific plans for giving rate payers a credit for the fees already paid associated with lead pipe reduction and a plan for adjusting their future rate based on the receipt of these federal funds. (STATEMENT ATTACHED)

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Jeffreys and Owens

MR. LANDSMAN

5. [202200108](#) **MOTION**, submitted by Councilmembers Landsman, Owens, Parks and Vice Mayor Kearney, **WE MOVE** that the Administration conduct a report into the feasibility of implementing the following recommendations from the Urban League on improving civic and voter engagement. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED).

Recommendation HEALTHY NEIGHBORHOODS COMMITTEE

Sponsors: Landsman, Owens, Parks and Kearney

CITY MANAGER

6. [202200084](#) **REPORT**, dated 1/20/2022 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 CINCY CORK 2 LLC, 1833 Sycamore Street, Cincinnati, Ohio 45202. (#1495181, D1, D2, TRANSFER) [Objections: NONE]

Recommendation FILE

Sponsors: City Manager

7. [202200085](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 1/20/2022, **MODIFYING** Section 401-96, "Leakages," of Chapter 401, "Water Works," of the Cincinnati Municipal Code to allow adjustments to water charges made in accordance with the Greater Cincinnati Water Works' Leak Adjustment Program as an exception to the prohibition against reducing water charges due to leaks.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

8. [202200086](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 1/20/2022, **AUTHORIZING** an appropriation reduction in the amount of \$5,410,414 from American Rescue Plan grant project account no. 469x101xARP052, "FY 2021 Restricted Funds Revenue Replacement," for the purpose of reducing the appropriation by the amount allocated as revenue replacement to Parking System Facilities Fund 102 and Convention Center Fund 103; **AUTHORIZING** an appropriation reduction in the amount of \$9,975,375 from American Rescue Plan grant project account no. 469x101xARP100, "Funding for Health Centers," for the purpose of reducing the appropriation to reflect these funds as revenue to Health Network Fund 446 based upon guidance promulgated by the Health Resources and Services Administration in the United States Department of Health and Human Services; and **AUTHORIZING** an appropriation reduction in the amount of \$6,874,938.50 from American Rescue Plan grant project account no. 469x101xARP050, "FY 2021 COVID Expenses," for the purpose of realigning available resources with eligible health related and support program expenses based upon guidance promulgated by the United States Department of the Treasury.

Recommendation

BUDGET AND FINANCE COMMITTEE

Sponsors:

City Manager

9. [202200087](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 1/20/2022, **AUTHORIZING** the City Manager to accept and deposit a donation in the amount of \$125,000 from the Cincinnati Park Board Commissioners' Fund into Fund No. 430, "Parks Private Endowment and Donations," for the purpose of providing resources for the removal and replacement of the fence at the Geier Esplanade located at Madison Road and Markbreit Avenue ("Geier Esplanade"); **ESTABLISHING** new capital improvement program project account no. 980x203x222023, "Geier Esplanade Fence Replacement," for the purpose of providing resources for the removal and replacement of the fence at the Geier Esplanade; and further **AUTHORIZING** the transfer and appropriation of \$125,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment and Donations," to newly established capital improvement program project account no. 980x203x222023, "Geier Esplanade Fence Replacement."

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors:

City Manager

10. [202200088](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 1/20/2022, **AUTHORIZING** the City Manager to accept and appropriate a donation totaling \$400,000 from the Cincinnati Park Board Commissioners' Fund for the purpose of purchasing horticultural supplies, executing maintenance contracts, providing staff reimbursements, acquiring Krohn Conservatory's gift shop inventory, and providing resources for other vital costs associated with running the City's parks; and **AUTHORIZING** the Finance Director to deposit the funds into Parks Private Endowment and Donations Fund 430.

Recommendation BUDGET AND FINANCE COMMITTEE**Sponsors:** City Manager

11. [202200089](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 1/20/2022, **AMENDING** Ordinance No. 0174-2021 to increase the amount of compensation to be paid to the City by the State of Ohio, Department of Transportation for the purchase of certain interests in real property located adjacent to Interstate 75 in the Central Business District and West End neighborhood of Cincinnati in connection with transportation improvement project HAM 75 - 00.22.

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE**Sponsors:** City Manager

12. [202200090](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 1/20/2022, **AUTHORIZING** the payment of \$6,249 from the Cincinnati Recreation Commission General Fund operating budget account no. 050x199x4940x7267x199Q876 as a moral obligation to National Background Check, LLC for services provided to the City related to the provision of a background check system.

Recommendation BUDGET AND FINANCE COMMITTEE**Sponsors:** City Manager

13. [202200091](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 1/20/2022, **AMENDING** the official zoning map of the City of Cincinnati to rezone the real property located at 115-125 W. McMillan Street and 124-142 Lyon Street in the CUF neighborhood from the CC-M, "Commercial Community-Mixed," and RMX, "Residential Mixed," zoning districts to Planned Development District No. 92, "Gateway Lofts."

Recommendation EQUITABLE GROWTH & HOUSING COMMITTEE**Sponsors:** City Manager

14. [202200092](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 1/20/2022, **AUTHORIZING** the real property located at 932 McPherson Avenue in the East Price Hill neighborhood to be developed and used as a two-family dwelling NOTWITHSTANDING the use limitations in Chapter 1403, "Single Family Districts," of the Cincinnati Municipal Code and any other applicable zoning regulations that would prevent the property's development and use as a two-family dwelling.

Recommendation EQUITABLE GROWTH & HOUSING COMMITTEE**Sponsors:** City Manager

15. [202200093](#) **RESOLUTION (LEGISLATIVE) (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 1/20/2022, **DECLARING** the necessity of repairs to certain sidewalks, associated sidewalk spaces, curbs, and gutters in the Northside neighborhood and the necessity of assessing abutting properties to recover the cost of such repairs in accordance with Ohio Revised Code Chapter 729 and Cincinnati Municipal Code Chapter 721.

Recommendation BUDGET AND FINANCE COMMITTEE**Sponsors:** City Manager

16. [202200113](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 1/20/2022 **AUTHORIZING** the City Manager to execute a Development Agreement with 7 West 7th Property LLC, pertaining to the development and construction of residential rental units on floors 8-21 of the building on property located at 7 W. 7th Street in the Central Business District of Cincinnati, and providing for City assistance to the project in the form of a rebate of a portion of the service payments in lieu of taxes imposed in connection with a proposed 30-year property tax exemption for improvements pursuant to Ohio Revised Code Section 5709.41, subject to the passage by Council of a separate ordinance authorizing such tax exemption.
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager
17. [202200114](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 1/20/2022, **DESIGNATING** the existing building located on the real property commonly known as 4122 Glenway Avenue in the West Price Hill neighborhood as a local historic landmark.
- Recommendation** EQUITABLE GROWTH & HOUSING COMMITTEE
- Sponsors:** City Manager
18. [202200120](#) **REPORT**, dated 1/20/2022, submitted by Paula Boggs Muething, City Manager, regarding Finance and Budget Monitoring Report for the Period Ending September 30, 2021
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager
19. [202200122](#) **REPORT**, dated 1/20/2022, submitted by Paula Boggs Muething, City Manager, regarding Finance and Budget Monitoring Report for the Period Ending October 31, 2021.
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager

CLERK OF COUNCIL

20. [202200109](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Anna Sesler, Senior Advisor, Government Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (BETHANY HOUSE SERVICES)
- Recommendation** FILE
- Sponsors:** Clerk of Council
21. [202200110](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Anna Sesler, Senior Advisor, Government Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (MORTAR CINCINNATI)
- Recommendation** FILE
- Sponsors:** Clerk of Council
22. [202200111](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Anna Sesler, Senior Advisor, Government Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (CARACOLE)

Recommendation FILESponsors: Clerk of Council

23. [202200112](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Anna Sesler, Senior Advisor, Government Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202.
(BOYS&GIRLSCLUBOFGREATERCINCINNATI)

Recommendation FILESponsors: Clerk of Council**BUDGET AND FINANCE COMMITTEE**

24. [202200051](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 1/12/2022, **AMENDING** Ordinance No. 079-2021 to change the funding purpose of a pending grant application with the Ohio Department of Public Safety, Office of Criminal Justice Services, from "building renovations" to "supplies and equipment," in support of the Crime Gun Intelligence Center.

Recommendation

PASS EMERGENCY

Sponsors: City Manager

25. [202200052](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 1/12/2022, **AMENDING** Ordinance No. 0320-2021 to change the deposit reference from Justice Assistance Grant Fund 368, project account no. 21JAG, to Justice Assistance Grant Fund 478, project account no. 21JAG.

Recommendation PASS EMERGENCYSponsors: City Manager

26. [202200053](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 1/12/2022, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a Selective Traffic Enforcement Program Grant of up to \$60,000 from the State of Ohio Department of Public Safety, Office of Criminal Justice Services for the purpose of funding a program to reduce deaths and injuries resulting from vehicular accidents due to speeding, loss of control, restraint violations, operating a vehicle under the influence, and commercial and motorcycle safety infractions.

Recommendation PASSSponsors: City Manager

27. [202200054](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 1/12/2022, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in an amount up to \$60,000 from the Ohio Department of Public Safety, Office of Criminal Justice Services, for the purpose of providing funds for the FY 2021-2022 Impaired Driving Enforcement Program; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Fund 368, Account No. 21IDEP.

Recommendation PASSSponsors: City Manager

28. [202200055](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 1/12/2022, **AUTHORIZING** the acceptance and deposit into General Fund Revenue account 050x8932 of \$35,750 as payment for attorney fees related to litigation in the *City of Cincinnati v. FirstEnergy, et. al.* court case; and **AUTHORIZING** the appropriation of \$35,750 to the Law Department's General Fund 050 non-personnel operating budget account no. 050x111x7200 for the purpose of providing funds for legal expenses.

Recommendation PASS EMERGENCY

Sponsors: City Manager

29. [202200056](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 1/12/2022, **AUTHORIZING** the City Manager to accept and appropriate a grant of up to \$29,091 from the Ohio Urban Transit Program awarded by the Ohio Department of Transportation to the Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 for the purpose of providing resources for preventative maintenance on the streetcar system; and **AUTHORIZING** the Director of Finance to deposit the grant resources into Special Revenue Fund 455, "Streetcar Operations."

Recommendation PASS EMERGENCY

Sponsors: City Manager

30. [202200058](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 1/12/2022, **ESTABLISHING** new special revenue fund, Fund No. 401, "Transit Infrastructure Fund Grants," for the purpose of receiving and depositing grant resources from the Southwest Ohio Regional Transit Authority ("SORTA") Transit Infrastructure Fund program to be used for transit related roadway infrastructure improvements in the City of Cincinnati and the repayment of debt service for transit related roadway infrastructure improvements, including the Western Hills Viaduct; **ESTABLISHING** new capital improvement program project account no. 980x233x222388, "Beekman Street Transit Grant," for the purpose of providing resources for improvements including, but not limited to, street rehabilitation, retaining wall rehabilitation, and pedestrian safety on Beekman Avenue from Hopple Street to Elmore Street; **ESTABLISHING** new capital improvement program project account no. 980x233x222389, "Paxton Avenue Transit Grant," for the purpose of providing resources for improvements including, but not limited to, street rehabilitation and intersection improvements on Paxton Avenue from Wasson Road to Marburg Avenue; **ESTABLISHING** new capital improvement program project account no. 980x233x222390, "Warsaw Avenue Transit Grant," for the purpose of providing resources for improvements including, but not limited to, street rehabilitation, restriping, and pedestrian safety on Warsaw Avenue from Glenway Avenue to Grand Avenue; **ESTABLISHING** new capital improvement program project account no. 980x233x222391, "River Road Transit Grant," for the purpose of providing resources for improvements including, but not limited to, street rehabilitation and restriping on River Road from Fairbanks Avenue to Anderson Ferry Road; **ESTABLISHING** new capital improvement program project account no. 980x233x222392, "Western Hills Viaduct Transit Grant," for the purpose of providing resources for improvements including, but not limited to, the demolition and construction of the Western Hills Viaduct project;

AUTHORIZING the City Manager to accept and deposit into Fund No. 401, "Transit Infrastructure Fund Grants," grant resources totaling up to \$205 million from the SORTA Transit Infrastructure Fund program, which will be received over 25 years at a rate of \$8.2 million per year for the Western Hills Viaduct project; AUTHORIZING the City Manager to accept and deposit into Fund No. 401, "Transit Infrastructure Fund Grants," grant resources totaling up to \$7.21 million from the SORTA Transit Infrastructure Fund for various other capital improvement projects; AUTHORIZING the City Manager to transfer and appropriate up to \$15.41 million from the unappropriated surplus of Fund No. 401, "Transit Infrastructure Fund Grants," to newly established capital improvement program project accounts, according to the attached schedule of transfer; and AUTHORIZING the City Manager to enter into any necessary agreements to accept grant resources.

Recommendation PASS EMERGENCY

Sponsors: City Manager

31. [202200059](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 1/12/2022, **AUTHORIZING** the City Manager to accept an in-kind donation of third-party ballfield renovation services provided by the Cincinnati Reds Community Fund valued at \$100,000, for the purpose of ballfield renovations at select Cincinnati Recreation Commission locations.

Recommendation PASS EMERGENCY

Sponsors: City Manager

32. [202200060](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 1/12/2022, **AUTHORIZING** the City Manager to accept a rebate in the amount of up to \$100,000 from Dynegy Energy Services, LLC and deposit it in the General Fund; AUTHORIZING the City Manager to accept annual rebates in the amount of up to \$100,000 from Dynegy Energy Services, LLC and deposit them in the General Fund for each fiscal year from FY 2023 through FY 2026; and AUTHORIZING the Director of Finance to deposit rebates from Dynegy Energy Services, LLC into General Fund revenue account no. 050x8228.

Recommendation PASS EMERGENCY

Sponsors: City Manager

SUPPLEMENTAL ITEMS

CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

33. [202200116](#) **MOTION**, submitted by Councilmembers Jeffreys and Owens, **WE MOVE** that, the Administration pause work on the Central Parkway bike lane extension as a shared use path from Marshall Street to Ludlow Avenue and provide a report within thirty (30) days on the cost, design, and feasibility of continuing the Central Parkway bike lane north from its current northern terminus at Marshall Avenue with three options: (1) its current design structure as a protected bike lane; (2) a design as protected bike lane along the entire extension with a tree and/or grass median; (3) a design as a protected bike lane with a tree and/or

grass median along only portions of it. WE FURTHER MOVE that, in that report the Administration outline alternative uses for the already approved funding to extend the Central Parkway protected bike lane downtown to major employers and to the riverfront and the Oasis Trail and potential ways to ensure that OKI funding can be utilized. WE FURTHER MOVE that, this already approved funding only be utilized for bike infrastructure-as it was originally intended. (STATEMENT ATTACHED)

Recommendation ADOPT

Sponsors: Jeffreys and Owens

ANNOUNCEMENTS

Adjournment